



AGENDA ITEM: 3.a.

May 18, 2023

DISCUSSION ITEM TITLE:

Implementation of the Permanent Los Angeles County Family Assistance Program

EXECUTIVE SUMMARY

The ongoing effort to shift the paradigm of public safety to prioritize the community's needs through emphasizing transparency, trauma-informed care, and restorative justice is at the heart of the Los Angeles County Family Assistance Program's (FAP) mission. The FAP is a hallmark project of the Sheriff Civilian Oversight Commission (Commission) and the first program to offer assistance for burial expenses to families who experience the loss of a loved one due to a fatal use of force by a Los Angeles County Sheriff's Department (LASD) employee or while in the custody of LASD.¹ To ensure the FAP's successful implementation, staff recommends that LASD publish information related to the FAP on their website and request that the Office of Inspector General (OIG) continue to monitor and provide written reports on the Family Assistance Program.

BACKGROUND

Since its inception, the Commission has received a substantial number of requests from the public to review LASD's interaction with family members following a fatal use of force or an in-custody death. In response, the Commission's Family Assistance and Communication Ad Hoc committee (committee) was created. The committee met with affected families and other stakeholders to identify systemic issues and make recommendations to ensure families receive the assistance they need. Many families shared that their experience navigating the County system following the death of their loved one was not only challenging but re-traumatizing. On September 27, 2018, the committee presented their report to the full Commission.² The report recommended that the County of Los Angeles establish an entity consisting of a multi-disciplinary team that can provide ongoing support, resources, and transparent communication to families of the deceased. The committee's report was adopted by the full Commission.

The committee presented the report to the Los Angeles County Board of Supervisors (Board) on October 9, 2018. The Board adopted a motion directing the Chief Executive Office (CEO), in consultation with the Commission and other County departments, to create an

¹ Los Angeles County Family Assistance Program Flyer. (2023). Retrieved from: https://file.lacounty.gov/SDSInter/dmh/1072130_FAPFLYER_1_.pdf

² Civilian Oversight Commission Family Assistance and Communication Ad Hoc Committee Recommendations, September 27, 2018. Retrieved from https://file.lacounty.gov/SDSInter/bos/commissionpublications/report/1044945_FamilyAssistanceandCommunicationRecommendations-9-27-2018.pdf

implementation plan for the FAP.³ On July 9, 2019, the Board established the groundbreaking FAP to ensure families receive trauma-informed communication and support following the death of their loved one due to a use of force by an LASD employee or while in the custody of LASD.⁴ The motion also directed the OIG in collaboration with the Commission and other County departments to report back quarterly in the first year and semi-annually thereafter on the status of the implementation of the FAP.⁵

FAMILY ASSISTANCE PILOT PROGRAM

OIG reported that from July 2019 to November 2021, the Family Assistance Pilot Program (pilot) offered significant assistance to bereaved families. The pilot received one-time Proposition 109 funds totaling \$437,000 to cover staffing costs and capital assets associated with the program's launch. Additionally, \$180,000 was made available to cover burial expenses and related services for eligible families. During the pilot, a total of 115 deaths occurred (83 in-custody deaths, 32 fatal uses of force) where families qualified for services. During the same period, the Department of Mental Health (DMH) reported that it was notified of 101 deaths, which included 26 fatal uses of force and 75 in-custody deaths. A total of 45 families received assistance: 24 received financial assistance for burial expenses and 21 received assistance from DMH, who connected families with mental health services and other community resources.

On October 19, 2021, the Board directed OIG, the Department of Public Health's Office of Violence Prevention (OVP), and the Commission, in consultation with other County departments, to report back with recommendations to make FAP permanent. The report back was to include a design and implementation plan, a proposed annual budget, a data tracking system, and a plan for quickly processing burial assistance funds for qualifying families. The Board also directed the CEO, in consultation with OIG, OVP, and the Commission, to identify a sustainable funding source for the permanent FAP and \$100,000 in bridge funding to ensure eligible families receive timely services until the report back to the Board is submitted and permanent funding is identified. Lastly, the Board motion directed the Commission to work with OIG and OVP to seek input from the community and stakeholders on how to improve FAP and to report back.⁶

³ Motion by Supervisor Thomas and Kuehl. October 9, 2018. Retrieved from: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/66fc255f-e6ab-4ec1-9d0c-13c7ca79d931/128116.pdf>

⁴ Office of Inspector General. (2019). First Quarterly Report Back on the Implementation of the Family Assistance Program. Retrieved from: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/3570adfe-ee08-4eda-a8a0-2dbe8240471b/First%20Quarterly%20Report%20back%20on%20Implementation%20of%20the%20FAP.pdf>

⁵ Motion by Supervisor Thomas and Kuehl. July 19, 2019. Retrieved from: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/a5cfa32f-b2dc-47f9-9e1a-41e1929d65bd/137723.pdf>

⁶ Motion by Supervisor Solis. October 19, 2019. Permanent Support for Families affected by LASD: Identifying Sustainable Funding for and Streamlining the Family Assistance Program. Retrieved from: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/423a8c97-2839-431c-9c72-144a5751e35e/162775.pdf>

PILOT PROGRAM COMMUNITY FEEDBACK AND LESSONS LEARNED

To ensure the community's concerns are represented in the proposed design of the permanent FAP, the Commission, OIG, and OVP sought community comments via an online survey and a virtual listening session. On November 30, 2021, the Commission and OVP co-hosted a virtual listening session regarding the efficacy of the pilot program. The session's attendees shared the following:

1. Some attendees were not aware that the program existed.
2. After learning more about the program, some families highlighted how valuable the FAP is to grieving families who cannot find similar support with other programs.
3. Many families whose loved ones died because of a fatal use of force highlighted the need for outreach led by community-based organizations.
4. Many families shared that they were too overwhelmed immediately after their loved one's death and could not speak with County representatives either at the station or in their homes.
5. Many agreed that mental health services should be a key component of the program.
6. Some expressed disappointment that FAP services are not available to families whose loved ones died before August 2019.
7. There is a need for timely updates to the deceased's family regarding the availability of body-worn camera footage, autopsy reports, and investigation results.
8. Burial funds should be made accessible to the deceased's family without negatively impacting their income tax status.

Despite challenges through the pilot, DMH provided urgently necessary financial and trauma-informed support to grieving families who expressed their appreciation for the services received. Some of the lessons learned that assisted in development of the proposed model for the permanent FAP are as follows:

1. Family Assistant Advocates (FAAs) had minimal information about the death at the time FAAs made their initial contact with the families. FAAs had difficulty obtaining information about the cause of death for weeks because LASD was concerned that FAAs might inadvertently share information that could jeopardize ongoing investigations.
2. Initial next-of-kin notification should be made by a FAP advocate alongside a Medical Examiner-Coroner (Medical Examiner) social worker or investigator; however, understaffing at the Medical Examiner hindered their ability to provide comfort and support to families during next-of-kin notifications.
3. Culturally and linguistically appropriate trauma-informed support is an essential component to ensuring the FAP's mission is achieved.
4. Though families initially declined receiving support immediately following their loved one's death, some did contact and accepted services from FAAs.
5. There is a continuing need for mental health services and grief counseling for all family members of the deceased.
6. The success of FAP rests on the various County departments' ability to collaborate in a timely manner rather than working in silos.

PROPOSED PERMANENT DESIGN FOR FAP

On February 22, 2022, OIG submitted its report⁷ which included, but is not limited to, the following proposed design priorities for the permanent FAP:

1. The FAP should transition to a hybrid model that incorporates OVP staff with contracted community-based organizations to provide burial assistance provisions, assistance navigating County agencies, and trauma-informed mental health services. This hybrid model will facilitate a higher level of participation from eligible families.
2. The FAP should align with the Crisis Response Violence Intervention Program (CRVIP), which includes a contract with a community-based organization with expertise in crisis response, mental health resources, trauma-informed practice, and community outreach.
3. The FAP should align with OVP's trauma prevention initiative.
4. Funding should be made available to meet staffing needs, including staff for OVP and Medical Examiner.
5. Multi-disciplinary team meetings should be conducted quarterly by OVP once the permanent FAP is established.
6. OVP should work with family assistance partners to develop a communications plan that improves awareness of FAP and increases access to services.
7. A permanent Family Assistance Reimbursement Processing System should be developed.
8. OVP should develop a data collection and tracking system to gather and synthesize data regarding the program's provision of services and the number of families impacted by a fatal use of force or in-custody death. The data collected will enable OVP to examine the countywide impact of fatalities involving LASD and evaluate the FAP's accomplishments and make recommendations for policy, practice, and system changes.

PERMANENT IMPLEMENTATION OF THE FAP STATUS

In November 2022, the CEO hosted a meeting with OIG, OVP, Medical Examiner, and other County stakeholders to report that continued funding in the amount of \$1,530,000 for the permanent FAP was allocated to OVP in the Fiscal Year 2022-2023 Final Adopted Budget, \$375,000 of which is available for burial expenses. Additionally, as part of their Fiscal Year 2023-2024 budget request, the Department of Public Health and the Medical Examiner both submitted various position requests to satisfy the permanent implementation of the FAP.

On January 26, 2023, Commission staff met with OVP to discuss the status of the permanent FAP's implementation and identify ways the Commission can assist the permanent implementation of the FAP. Commission staff was informed that OVP is currently identifying a consultant who can coordinate all County stakeholders and set regular meetings to develop policies, practices, and procedures for FAP. The consultant will also help identify new potential County stakeholders who can ensure that any FAP policies, practices, and protocols developed

⁷ OIG. Report on Family Assistance Program. February 22, 2023. Retrieved from <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/c810036b-6813-4b46-bc34-ace8cb92df0d/REPORT%20BACK%20ON%20PERMANENT%20SUPPORT%20FOR%20FAMILIES%20AFFECTED%20BY%20LOS%20ANGELES%20COUNTY%20SHERIFFS%20DEPARTMENT.pdf>

for each County department aligns with the County’s Anti-Racism, Diversity, and Inclusion Initiative and other County initiatives related to public safety.

RECOMMENDATION/CONCLUSION

Throughout its collaborative pilot and permanent implementation process, the mission of FAP has remained intact while upholding the values that reflect the needs of the families and the community.⁸ To ensure the permanent FAP embodies the principles adopted by the Commission in 2018 and to align with the Board’s directives in October 19, 2021,⁹ staff recommends the Commission adopt the following recommendations:

1. Request that LASD provide information related to the Family Assistance Program on their website with a link to participating program partners so community members can apply for assistance.

GUEST SPEAKERS:

- Andrea Welsing, Office of Violence Prevention
- Miriam Brown, Department of Mental Health
- Erika Bonilla, Chief Executive Office

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COC

⁸ Report Back on the Permanent Support for Families Affected by LASD: Identifying Sustainable Funding for and Streamlining the Family Assistance Program. (2022). Retrieved from: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/c810036b-6813-4b46-bc34-ace8cb92df0d/REPORT%20BACK%20ON%20PERMANENT%20SUPPORT%20FOR%20FAMILIES%20AFFECTED%20BY%20LOS%20ANGELES%20COUNTY%20SHERIFFS%20DEPARTMENT.pdf>

⁹ Motion by Supervisor Solis. October 19, 2021. Retrieved from: <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/423a8c97-2839-431c-9c72-144a5751e35e/162775.pdf>