



**Chief
Executive
Office.**

COUNTY OF LOS ANGELES
CHIEF EXECUTIVE OFFICER
Fesia A. Davenport

**PUBLIC SAFETY
CLUSTER AGENDA REVIEW MEETING**

DATE: Wednesday, September 6, 2023
TIME: 9:30 a.m.

THIS MEETING WILL CONTINUE TO BE CONDUCTED VIRTUALLY AS PERMITTED UNDER THE BOARD OF SUPERVISORS' AUGUST 8, 2023, ORDER SUSPENDING THE APPLICATION OF BOARD POLICY 3.055 UNTIL MARCH 31, 2024.
TO PARTICIPATE IN THE MEETING CALL TELECONFERENCE NUMBER: (323) 776-6996
ID: 169948309# [Click here to join the meeting](#)

AGENDA

Members of the Public may address the Public Safety Cluster on any agenda item by submitting a written request prior to the meeting. Two (2) minutes are allowed per person in total for each item.

- 1. CALL TO ORDER**
- 2. GENERAL PUBLIC COMMENT**
- 3. INFORMATIONAL ITEM(S):** [Any Informational Item is subject to discussion and/or presentation at the request of two or more Board offices with advance notification]:
 - A. NONE**
- 4. PRESENTATION/DISCUSSION ITEM(S):**
 - A.** Board Briefing:
OFFICE OF INSPECTOR GENERAL (OIG) QUARTERLY REPORT
Speaker(s): Dara Williams (OIG)
 - B.** Board Briefing:
PROBATION OVERSIGHT COMMISSION (POC) AND OFFICE INSPECTOR GENERAL (OIG) PROBATION MONTHLY BRIEFING
Speaker(s): Wendelyn Julien (POC) and Eric Bates (OIG)

Wednesday, September 6, 2023

- C. Board Letter: *(Continued from 8/31/23)*
SUBWARD LETTER AGREEMENT WITH CENTER FOR COURT INNOVATION FOR THE
INTAKE BOOKING DIVERSION PROGRAM
Speaker(s): Brian Jones and Ramona Zamora (Sheriff's)
- D. Board Letter:
APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) WITH COMMUNITY
SERVICE AGENCIES TO RECEIVE COURT-REFERRED VOLUNTEERS
Speaker(s): Wendy Myring and/or Silvia Gonzalez (Medical Examiner)

5. PUBLIC COMMENTS

CLOSED SESSION ITEM(S):

CS-1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

Michael Torossian v. Jerry Esparza, et al.
Los Angeles Superior Court Case Number 21STCV21772

Department: Sheriff's

CS-2 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

McGraw, Timia vs. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21AVCV0048

Department: Sheriff's

CS-3 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

Jorge Enrique Serrano Robles Senior, et al. v. County of Los Angeles, et al.
United States District Court Case No. 20-cv-06648 ODW

Department: Sheriff's

CS-4 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision d(1) of Government Code Section 54956.9)

Marie Augustina Torres v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCV15856

Department: Sheriff's

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CS-5 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Subdivision (a) of Government Code Section 54956.9)

New Earth v. County of Los Angeles

Los Angeles Superior Court Case No. 20STCV16487

Department: Probation

6. ADJOURNMENT

7. UPCOMING ITEM(S):

- A.** Board Letter:
APPROVAL TO ACCEPT A GRANT AWARD FROM THE BOARD OF STATE AND
COMMUNITY CORRECTIONS FOR THE OFFICER WELLNESS AND MENTAL HEALTH
GRANT PROGRAM AND APPROVAL FOR HIRING AUTHORITY TO FILL ORDINANCE
ITEMS FOR FISCAL YEARS 2023-24 THROUGH 2025-26
Speaker(s): Stephan Seetal and Diane Stone (Sheriff's)
- B.** Board Letter:
REQUEST FOR DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE OFFICER TO
EXECUTE SITE ACCESS AGREEMENT AMENDMENTS AT CASTRO PEAK AND
ROLLING HILLS TELECOMMUNICATIONS SITES
Speaker(s): TBD
- C.** Board Letter:
AUTHORIZE THE DISTRICT ATTORNEY TO ACCEPT GRANT FUNDS FROM THE
OFFICE OF TRAFFIC SAFETY FOR FEDERAL FISCAL YEAR 2023-24
Speaker(s): Garrett Dameron (DA)

IF YOU WOULD LIKE TO EMAIL A COMMENT ON AN ITEM ON THE PUBLIC SAFETY
CLUSTER AGENDA, PLEASE USE THE FOLLOWING EMAIL AND INCLUDE THE
AGENDA NUMBER YOU ARE COMMENTING ON:

PUBLIC_SAFETY_COMMENTS@CEO.LACOUNTY.GOV



Office of Inspector General County of Los Angeles

Reform and Oversight Efforts: Los Angeles County Sheriff's Department

April to June 2023

Issued August 16, 2023

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ABOUT QUARTERLY REPORTS

Quarterly reports provide an overview of the Office of Inspector General's regular monitoring, auditing, and review of activities related to the Los Angeles County Sheriff's Department (Sheriff's Department) over a given three-month period. This quarterly report covers Department activities and incidents that occurred between April 1, 2023, and June 30, 2023, unless otherwise noted. Quarterly reports may also examine particular issues of interest. The particular issues of interest in this report are: the District Attorney evaluation of the deputy shooting of Andres Guardado and an analysis of the Sheriff's Department's review of a Category 3 use-of-force incident.

MONITORING SHERIFF'S DEPARTMENT'S OPERATIONS

Deputy-Involved Shootings

The Office of Inspector General reports on all deputy-involved shootings in which a deputy intentionally fired a firearm at a human, or intentionally or unintentionally fired a firearm and a human was injured or killed as a result. This quarter there were three incidents in which people were shot or shot at by Sheriff's Department personnel. The Office of Inspector General staff responded to each of these deputy-involved shootings. Three people were struck by deputies' gunfire, two fatally.

The information in the following shooting summaries is based on the limited information provided by the Sheriff's Department and is preliminary in nature. While the Office of Inspector General receives information at the walk-through at the scene of the shooting, receives preliminary memoranda with summaries, and attends the Sheriff's Department Critical Incident Reviews, the statements of the deputies and witnesses are not provided until the Sheriff's Department completes its investigation. The Sheriff's Department permits the Office of Inspector General's staff limited access to monitor the ongoing investigations of deputy-involved shootings.

South Los Angeles Station: Non-Hit Shooting

The Sheriff's Department reported that on April 8, 2023, at approximately 2:52 a.m., a two-person South Los Angeles marked patrol unit on Manchester Avenue observed a Porsche SUV commit traffic violations. The Porsche turned south on Western Avenue, and deputies initiated a traffic stop at 87th Street. Both the violation and the traffic stop occurred in the City of Los Angeles, near to but outside of the jurisdiction of the Sheriff's Department. The driver deputy approached the driver's side of the SUV and began speaking with the driver, while the other deputy approached the passenger's side. The deputies observed two Black men in their 30s inside.

The deputy talking to the driver noticed a handgun under the driver's right thigh and told the driver not to reach for it. The driver then put the SUV into drive and, according to the deputy, reached for the gun. The deputy reached into the SUV in an attempt to control the suspect and secure the gun, while simultaneously drawing his own firearm. The driver then began to accelerate, with the deputy's arm still inside the passenger compartment as he wrestled for control of the driver's weapon. The SUV dragged the deputy approximately 25 feet before he fell to the ground. The SUV ran over the deputy's leg as it continued southbound out of sight. The deputy ultimately gained control of the suspect's gun during the encounter, and it was later recovered at the scene. At some point during the struggle over the firearm, the deputy fired one round at the driver.

The deputy suffered non-life-threatening injuries when he fell from and was run over by the driver of the SUV. He was taken to the hospital for treatment.

At the Critical Incident Review, the Sheriff's Department showed portions of the body-worn camera video. Neither of the deputies appear to have activated their body-worn cameras until after the SUV had driven off. The cameras captured most of the incident on the buffered portion of the video, which does not include sound.¹

Areas of Further Inquiry

What were the deputies doing outside of their jurisdiction? Why did they initiate a stop outside their jurisdiction and what vehicle code violations did they observe that provided the basis for their stop? Why weren't all body-worn cameras activated in compliance with Sheriff's Department policy? Was reaching into the suspect's vehicle tactically sound and consistent with Sheriff's Department training? Did the shooting deputy know where his partner was when he fired?

Walnut Station: Hit Shooting, Fatal

The Sheriff's Department reported that on June 19, 2023, at approximately 11:36 a.m., deputies responded to a radio call regarding a man in the street firing a rifle in the City of Diamond Bar.

Upon arrival, the deputies observed the suspect, a 30-year-old Asian man wearing a black ballistic vest and holding an AR-15-style rifle, walking away from the location.

¹ When powered on, the Sheriff's Department's body-worn cameras remain in a buffering mode, in which the cameras constantly capture video (but not audio) and retain the previous sixty seconds. When a deputy presses a button to activate their body-worn camera for a traffic stop or other contact, the camera retains the sixty seconds of silent video prior to the activation and begins recording both audio and video from the moment of activation. Here, the sixty seconds of silent video captured most of the early part of the traffic stop, but audio does not start until the SUV drives away.

Deputies used their patrol vehicle's public address (P.A.) system to instruct the suspect to drop his weapon. The suspect ignored the instructions and continued walking away. Deputies followed, using a patrol vehicle as cover, and continued using the P.A. to order the suspect to drop his weapon. When the suspect reached Diamond Bar Boulevard, he walked northbound in the southbound lanes causing a civilian driver to come to a complete stop in the roadway. Deputies exited their patrol vehicles and gave the suspect additional verbal commands to drop his weapon, which the suspect ignored. The suspect continued to advance toward the man in the vehicle while holding the AR-15-style rifle. At this time, two deputies fired at the suspect. One deputy fired three rounds from a handgun, and another fired two rounds from a shotgun. After the shooting, the suspect dropped his firearm and fell to the ground. The suspect sustained several gunshot wounds to the upper torso. He was transported to the hospital where he was pronounced dead.

The suspect's firearm, an AR-15 style .223 caliber rifle loaded with a magazine containing live .223 caliber rounds, was recovered at the scene. A ballistic vest and two loaded rifle magazines containing live .223 caliber rounds were also recovered from his person. Additionally, eight live .223 caliber rounds and seven expended .223 caliber casings were recovered along the route the suspect reportedly traveled before the deputies arrived.

Responding deputies later discovered the suspect had stabbed his 61-year-old mother, who suffered non-life-threatening injuries, following an argument and pointed his rifle at a man, who was standing on the front steps of his residence.

Areas for Further Inquiry:

Did the responding deputies use sound tactics while following the suspect? Did deputies have adequate cover? Did deputies face a potential crossfire situation?

East Los Angeles Station: Hit Shooting, Non-Fatal

The Sheriff's Department reported that on Thursday, June 22, 2023, at approximately 4:33 a.m., a deputy on his way to an unrelated call observed a white SUV impeding traffic and making an unsafe turn. The deputy initiated a traffic stop, but as he got out of his patrol car, the SUV drove off. The deputy followed a short distance without activating the patrol vehicle's lights or siren. As the SUV entered the intersection of Eastern Avenue and Florence Avenue in the City of Bell, the driver began honking the horn and doing "donuts" in the middle of the intersection.

As [a bystander video](#) shows, when the deputy entered the intersection and positioned his car to block oncoming traffic, the suspect rammed the rear driver's side of the patrol

vehicle, apparently deliberately, knocking it to the side of the intersection.² The SUV immediately reversed, accelerated forward, and struck the deputy's patrol vehicle a second time, this time at the driver's door. The SUV again reversed, accelerated forward, and struck the patrol vehicle at the driver's door a third time, at which point the deputy, still in the driver's seat of his patrol vehicle, shot at the SUV.

The suspect again reversed the white SUV, accelerated forward, and struck the deputy's vehicle directly at the driver's door for a fourth time, knocking it several feet to the side. As the SUV began to reverse quickly once more, the deputy shot at the car again, this time firing more than a dozen rounds over about eleven seconds, pausing for several seconds, then firing several more rounds. As the deputy fired, the SUV slowed but continued reversing in a circle until it came to a halt on the median.

The deputy fired a total of 19 rounds. He suffered non-life-threatening injuries and was taken to the hospital for treatment. The deputy's gunfire hit the suspect, a 45-year-old Hispanic man, an unknown number of times. He was transported to the hospital in critical but stable condition.

Areas for Further Inquiry:

Was every round the deputy fired reasonable and necessary? What was the backdrop when the rounds were fired? Was the deputy's body-worn camera activated in compliance with Sheriff's Department policy? Did the deputy put out any radio traffic regarding the initial traffic stop or while he followed the vehicle?

District Attorney Review of Deputy-Involved Shootings

The Sheriff's Department's Homicide Bureau investigates all deputy-involved shootings in which a person is hit by a bullet. The Homicide Bureau submits the completed criminal investigation of each deputy-involved shooting that results in a person being struck by a bullet and which occurred in the County of Los Angeles to the Los Angeles County District Attorney's Office (District Attorney's Office or District Attorney) for review and possible filing of criminal charges.

Between April 1, 2023, and June 30, 2023, the District Attorney's Office issued 4 findings on deputy-involved shooting cases involving the Sheriff's Department's employees.

- In the December 31, 2019, non-fatal shooting of Frank Summage, the District Attorney opined in a [memorandum dated April 5, 2023](#), that there

² Marc Sternfield, *Video shows driver repeatedly ram L.A. County deputy's SUV, get shot*, KTLA5 (Jun. 22, 2023)

was insufficient evidence to prove beyond a reasonable doubt that deputy Francisco Velazquez did not act lawfully in self-defense at the time he fired his weapon.

- In the September 11, 2021, non-fatal shooting of Edwin Pizzaro, the District Attorney opined in a [memorandum dated April 13, 2023](#), that deputies Larry Aguilar and David Sanchez acted lawfully in self-defense and in defense of others.
- In the February 4, 2018, fatal shooting of Anthony W. (a juvenile), the District Attorney opined in a [memorandum dated April 13, 2023](#), that there was insufficient evidence to disprove that deputy Gregory Van Hoesen acted in lawful self-defense. From the evidence, the District Attorney concluded that Deputy Manuel Escobedo was not involved in the shooting.
- In the June 18, 2020, fatal shooting of Andres Guardado, the District Attorney opined in a [memorandum dated April 14, 2023](#), that there was insufficient evidence to prove beyond a reasonable doubt that deputy Miguel Vega did not fire in lawful self-defense at the time he fired his weapon. Both the Sheriff's Department's investigation and the District Attorney's filing decision in the Guardado shooting is discussed in greater detail below.
- In the September 21, 2022, non-fatal shooting of Arthur Wright, the District Attorney opined in a [memorandum dated June 21, 2023](#), that Deputy Joseph Welch fired his weapon reasonably believing that deadly force was necessary to defend against a deadly threat that was imminent and therefore acted in lawful self-defense.
- In the April 3, 2020, non-fatal shooting of David Albala, the District Attorney opined in a [memorandum dated June 28, 2023](#), that Deputy Brittany Page reasonably used deadly force to defend against the imminent threat of death or serious bodily injury to herself and another deputy, thus acting in lawful self-defense and defense of a fellow deputy.

Special Section: District Attorney's Decision of the Deputy Shooting of Andres Guardado

Both the investigation into the shooting of Andres Guardado by the Sheriff's Department and the Los Angeles District Attorney's reliance on that investigation in [deciding not to file charges against Deputy Vega](#) raise unusual concerns that led the Civilian Oversight

Commission (COC) to inquire into those investigations and bear closer examination here.

Less than two months after the shooting, another deputy, testifying under oath in an unrelated lawsuit, identified Deputy Vega and his partner, Deputy Chris Hernandez, as “prospects” of the Executioners, an alleged deputy gang operating out of the Sheriff’s Department’s Compton Station. As [reported by the L.A. Times](#), the deputy testified that there were about 15 to 20 Executioners, as well as prospective members who are “chasing ink,” or seeking to join the Executioners, and that many Executioner members and prospects had been involved in high-profile shootings or beatings.³ Despite these reports, the Sheriff’s Department’s investigation failed to inquire as to the existence of the Executioners, whether the group met the definition of a law enforcement gang under Penal Code section 13670, or whether there was evidence that Deputy Vega or Deputy Hernandez were seeking membership. Separately, in April 2023, [a federal grand jury indicted](#) Deputies Vega and Hernandez for civil rights violations and obstruction of justice arising from their conduct in an unrelated incident, including charges of falsifying records and witness tampering. The Sheriff’s Department had already opened an investigation into this incident at the time of the Guardado investigation and so was aware of the potentially dishonest conduct.

Compounding these concerns, the two lead Homicide Bureau detectives investigating the shooting refused to answer questions at the November 2020 Coroner’s Inquest into Guardado’s cause of death by [invoking their Fifth Amendment right against self-incrimination](#), not only to questions related to the Guardado investigation but [to general questions](#) about their assignment, supervisor, their occupation, even questions about whether there was any way for them to answer questions.⁴

The District Attorney’s memorandum [acknowledges](#) the allegations that Deputies Vega and Hernandez had sought membership in the Executioners, that the Executioners were an alleged violent deputy gang at the time of the shooting, as well as the credibility issues arising from the federal indictment. The memorandum notes that those “are concerning and arguably provide a motive to use unreasonable force,” but ultimately finds them “insufficient to prove that Vega lied about Guardado possessing and reaching for a gun.” The memorandum, however, makes no mention of the assertion of Fifth Amendment privilege by the Homicide Bureau detectives.

³ Alene Tchekmedyan, *Compton Executioners deputy gang lied about guns and hosted inking parties, deputy says*, Los Angeles Times (Aug. 20, 2020).

⁴ Jessica P. Ogilvie, [Morning Briefing: Sheriff’s Deputies Clam Up In Court](#), LAist (Dec. 1, 2020); [Hearing Transcript](#), Los Angeles County Medical-Examiner-Coroner, Inquest in the Death of Andres Guardado Pineda, at 74-78 (Nov. 30, 2020).

In response to direct questions posed by the COC, the District Attorney's Office stated [in a letter dated June 1, 2023](#), that it had been aware of the detectives' assertion of Fifth Amendment privilege (and in fact that its assigned attorney had been present at the inquest hearing), but they had done so in the context of "news reports alleging that they committed a crime," specifically allegations that they had tampered with video cameras that might have captured the shooting. But it noted that it had never asked the Sheriff's Department to replace the investigators who had asserted their Fifth Amendment rights, saying there was "no evidence the detectives tampered with evidence or committed any crimes" and that they "cooperated fully" with the District Attorney during the investigation and review process.

The failure of both the Sheriff's Department and the District Attorney to seek replacements for the detectives following their assertion of Fifth Amendment rights at a minimum creates the perception that the District Attorney had decided not to file charges in the shooting of Mr. Guardado long before the investigation was completed. Notwithstanding the District Attorney's confidence that the investigators committed no crime, by asserting that their answers might provide evidence that could be used to charge them with a crime, the detectives themselves suggested they may have committed crimes during the investigation. This would almost certainly provide such a potent tool to impeach the reliability of the investigation such that no prosecution would be possible unless the investigators were replaced.⁵ The Sheriff's Department was actively obstructing civilian oversight of the Guardado investigation at the time the Homicide detectives claimed they were concerned about being criminally prosecuted in order to avoid providing information to the Coroner. The Sheriff's Department's failure to replace the detectives with unconflicted investigators, along with the District Attorney's support for that failure, deprived the public of a valid investigation into a homicide committed under color of law.

Homicide Bureau's Investigation of Deputy-Involved Shootings

For the present quarter, the Homicide Bureau reports that it has 16 shooting cases involving Sheriff's Department personnel open and under investigation.

⁵ Had the District Attorney's Office filed charges in the shooting, the court in the criminal trial would determine whether the detectives' assertion of their Fifth Amendment right was potentially exculpatory evidence that should be admitted as evidence of their lack of credibility or bias. Because it is unusual for an investigating detective to assert this right in relation to an investigation, no precedent clearly indicates whether the court would admit the evidence. But certainly, the assertion would be sufficiently exculpatory that the testimony at the Coroner's inquest would have to have been turned over to the defense. And given that there was never any criminal investigation of the detectives, their assertion of the privilege against self-incrimination in this context calls the credibility of the investigation into question such that a judge might find it to be relevant and admissible.

The oldest case in which the Homicide Bureau maintains an active investigation is related to an October 19, 2021, shooting which occurred in the jurisdiction of Temple Station. For further information as to that shooting, please refer to the Office of Inspector General's report [Reform and Oversight Effort: Los Angeles Sheriff's Department, October to December 2021](#). The oldest case that the Bureau has open is a 2019 shooting in Downey, which was submitted to the District Attorney's Office and for which the Sheriff's Department still awaits a filing decision.

This quarter, the Sheriff's Department reported it sent three deputy-involved shooting cases to the District Attorney's Office for filing consideration.

Internal Criminal Investigations Bureau

The Sheriff's Department's Internal Criminal Investigations Bureau (ICIB) reports directly to the Division Chief and the Commander of the Professional Standards Division. ICIB investigates allegations of criminal misconduct committed by Sheriff's Department personnel in Los Angeles County.⁶

The Sheriff's Department reports that ICIB has 68 active cases. This quarter, the Sheriff's Department reports sending three cases to the District Attorney's Office for filing consideration (in addition to the three deputy-involved shooting cases sent by ICIB, discussed above). The District Attorney's Office is still reviewing 35 cases for filing. The oldest open case that ICIB has submitted to the District Attorney's Office for filing consideration is related to conduct that occurred in 2018, which ICIB presented to the District Attorney in 2018 and for which the Sheriff's Department still awaits a filing decision.

Internal Affairs Bureau

The Internal Affairs Bureau (IAB) conducts administrative investigations of policy violations by Sheriff's Department employees. It also responds to and investigates deputy-involved shootings and significant use-of-force cases. If the District Attorney declines to file criminal charges against the deputies involved in a shooting, IAB reviews the shooting to determine whether Sheriff's Department personnel violated any policies during the incident.

⁶ Misconduct alleged to have occurred in other counties is investigated by the law enforcement agencies in the jurisdictions where the crimes are alleged to have occurred.

Administrative investigations are also conducted at the unit level. The subject's unit and IAB determine whether an incident is investigated by IAB or remains a unit-level investigation based on the severity of the alleged policy violation(s).

This quarter, the Sheriff's Department reported opening 170 new administrative investigations. Of these 170 cases, 79 were assigned to IAB, 70 were designated as unit-level investigations, and 21 were entered as criminal monitors (in which IAB monitors an ongoing criminal investigation conducted by the Sheriff's Department or another agency). In the same period, IAB reports that 120 cases were closed by IAB or at the unit level. There are 513 pending administrative investigations. Of those 513 investigations, 339 are assigned to IAB and the remaining 174 are pending unit-level investigations.

Civil Service Commission Dispositions

The Office of Inspector General received no reports from the Sheriff's Department of dispositions of cases by the Civil Service Commission for this quarter.

The Sheriff's Department's Use of Unmanned Aircraft Systems

The Sheriff's Department reports it deployed its Unmanned Aircraft Systems (UAS) five times between April 1, 2023, and June 30, 2023, in the following incidents:

- On April 7, 2023, to assist Special Enforcement Bureau in West Hollywood to locate a suspect who was shooting in his apartment. The Department used the UAS to clear the interior of the location.
- On April 10, 2023, to assist Special Enforcement Bureau in Artesia with an armed barricaded suspect. The Department used the UAS to locate the suspect.
- On April 24, 2023, to assist Special Enforcement Bureau in Canyon Country to view a suspect who had barricaded himself in his vehicle at the end of a pursuit. The Department used the UAS to observe the suspect's actions within the vehicle.
- On June 1, 2023, to assist Special Enforcement Bureau with serving a high-risk search warrant in Huntington Beach. The suspect fled leaving behind his firearm. The Department used the UAS to search for the weapon.
- On June 21, 2023, to assist Special Enforcement Bureau in El Monte to locate a victim of a potential homicide. The Department used the UAS to search the Whittier Narrows Regional Park.

Special Section: Analysis of Department Review of Category 3 Use-of-Force Incident

In April 2023, the Department's Executive Force Review Committee (EFRC) reviewed a Category 3 use of force to determine whether the use of force and tactics utilized by the deputies were within Department policy and training.⁷ According to the deputies' interviews, they were on patrol when they observed a vehicle make an illegal U-turn against a red light. Deputy A (the passenger deputy) reported that they ran the vehicle's license plate via the Mobile Digital Computer (MDC) which showed the vehicle had been reported as stolen.

The deputies activated their patrol vehicle's lights and siren to pull the suspect over. The suspect promptly pulled into a parking lot, but immediately got out of his car and started walking away from the deputies, despite them ordering him to stop. Deputy A briefly pursued the suspect on foot, then used force when the suspect resisted Deputy A's efforts to detain him. Deputy B drove the patrol vehicle to their partner and the suspect's location where they helped detain the suspect. During the incident, Deputy A punched the suspect in the face, causing a facial nasal fracture (broken nose).

During EFRC review, the investigative sergeant from Internal Affairs Bureau (IAB) presented the case. The presentation included CCTV footage obtained by the Sheriff's Department from a nearby business, which showed both the patrol unit and suspect's vehicle prior to, during, and after the suspect's U-turn. During the presentation, the Office of Inspector General representative pointed out that it appeared highly unlikely that the deputies had enough time between observing the violation and initiating stop (two to three seconds) to allow them to see the vehicle's license plate and run the plate on their MDC as they described. The Office of Inspector General representative inquired whether the deputies had run the suspect vehicle's license plate any time prior to the contact. The Sheriff's Department agreed to conduct a further investigation to determine whether the deputies had run the license plate prior to the time they reported running it. Meanwhile, the panel ruled the tactics and force used by the deputies within policy.

The Sheriff's Department acted quickly. It immediately checked to determine if the deputies had queried the suspect's vehicle license plate earlier and discovered that, in fact, they had, approximately 23 minutes prior to the traffic stop. Later in the day of the EFRC review, the Sheriff's Department informed the Office of Inspector General

⁷ Under Manual of Policy and Procedures section 3-10/038.00, Reportable Use of Force and Force Categories, classifies the most serious uses of forces as Category 3 Force, which includes any force resulting in admittance to a hospital and or any use of force that causes skeletal fractures (with the exception of minor fractures of the nose, fingers or toes).

representative to advise them of this new information and inform them that the Department would investigate the circumstances in which the deputies located and stopped the suspect, including the patrol vehicle's GPS location, queries via the Stolen Vehicle System (SVS) and the patrol vehicle's MDC in addition to re-interviewing the deputies.⁸

Upon completion of this additional investigation by Internal Affairs, the Sheriff's Department charged both deputies with dishonesty and false statements.⁹ Ultimately, a Case Review panel deemed all charges founded, and imposed the discipline of discharge against Deputy B. Deputy A had been discharged previously on a prior unrelated case.¹⁰

The Sheriff's Department reports that because of the events surrounding this case, IAB has taken several actions to improve their investigations: using this case as an example and holding meetings, briefings, and training with supervisors and investigative sergeants emphasizing the need for investigators to search for and discover all pertinent evidence in cases. The Captain of IAB reports that revised IAB training for interviewing is being finalized that incorporates case preparation, interview planning, recognizing when to ask clarifying questions, and thorough evidence gathering. The problem here, however, lay not only with the investigation, but with the fact-finding panel at EFRC failing to identify the potential issue until the Office of Inspector General representative raised it. In February 2021, the Office of Inspector [issued a detailed report](#) identifying problems with LASD fact-finding. We urge the Sheriff's Department to adopt its recommendations.

CUSTODY DIVISION

In-Custody Deaths

Between April 1, 2023, and June 30, 2023, 17 people died in the care and custody of the Sheriff's Department. While the Department of Medical Examiner has yet to determine manner of death classifications, preliminary findings suggest eight deaths resulted from natural causes, one death resulted from an accident (suspected

⁸ Although Deputy A had been discharged from the Department in an unrelated case, Internal Affairs investigators requested to re-interview him for this follow-up investigation. Deputy A did not respond to the request.

⁹ Specifically, the Department charged the deputies with violations of Manual of Policy and Procedures section 3-01/040.69 Honesty; section 3-01/040.70 Dishonesty/False Statements; section 3-01/040.75 Dishonesty/Failure to Make Statements and/or Making False Statements During a Departmental Internal Investigations.

¹⁰ When a Case Review panel seeks to impose discharge for a violation, deputies' collective bargaining agreement, state law, and the County Code provide the deputy with various appeals. The appeals have not been completed in either Deputy B's discharge for this incident or Deputy A's discharge in the unrelated incident.

overdose), one death was a homicide, and seven deaths remain undetermined.¹¹ Seven of these people died at Men's Central Jail (MCJ), 3 died at Twin Towers Correctional Facility (TTCF), 1 died at Pitchess Detention Center-North (PDC-North), 1 died at East Los Angeles Patrol Station, and 5 died at hospitals to which they had been transported. The Sheriff's Department posts the information regarding in-custody deaths on [a dedicated page on Inmate In-Custody Deaths on its website](#).¹²

Office of Inspector General Staff attended the Custody Services Division (CSD) Administrative Death Reviews for each of the 17 in-custody deaths.

The following summaries, arranged in chronological order, provide brief descriptions of each in-custody death:

On April 9, 2023, a person was found unresponsive by another person in custody who then alerted deputies. Deputies pulled the unresponsive person off their bunk, applied the automated external defibrillator (AED), and administered three doses of Narcan. Correctional Health Services (CHS) personnel arrived, initiated cardiopulmonary resuscitation (CPR), and took over resuscitative efforts. Paramedics arrived and took over aid but pronounced the person dead. Preliminary manner of death: Accident (suspected overdose).

On April 10, 2023, an individual died at Los Angeles General Medical Center (LAGMC).¹³ The individual had been transported to LAGMC on February 27, 2023, following a medical emergency and remained there until their death weeks later. Preliminary manner of death: Natural.

¹¹ In the past, the Office of Inspector General has reported on the preliminary cause of death as determined by the Medical Examiner, Correctional Health Services personnel, hospital personnel providing care at the time of death, and/or Sheriff's Department Homicide investigators. Because the information provided is preliminary, the Office of Inspector General has determined that the better practice is to report on the manner of death. There are five manner of death classifications: (1) natural, (2) accident, (3) suicide, (4) homicide, and (5) undetermined. Natural causes include illnesses and disease and thus deaths due to COVID-19 are classified as natural. Overdoses may be accidental, or the result of a purposeful ingestion, the Sheriff's Department and Correctional Health Services (CHS) use evidence gathered during the investigation to make a preliminary determination as to whether an overdose is accidental or purposeful. Where the suspected cause of death is reported by the Sheriff's Department and CHS, the Office of Inspector General will include this in parentheses.

¹² As previously reported, the passage of AB 2671 amended the Penal Code to include section 10008 requiring the reporting of information on in-custody deaths within 10 days of a death, including the manner and means of death, with updates required within 30 days of a change in the information, including the manner and means of the death. This law went into effect on January 1, 2023, and requires that the information be posted on the agency's website.

¹³ As of May 2023, LAC+USC Medical Center has been renamed Los Angeles General Medical Center (LAGMC).

On April 26, 2023, deputies conducting a safety check at MCJ received notice of an individual in distress near a shower area.¹⁴ CHS personnel arrived on scene and administered two doses of Narcan, initiated CPR, and applied the AED.¹⁵ Paramedics arrived and took over resuscitative efforts, but pronounced the person dead. Preliminary manner of death: Natural.

On May 2, 2023, people held at PDC-North alerted deputies to an unresponsive person on the floor near their bunk. Deputies cleared the dorm, initiated CPR, applied the AED, and administered one dose of Narcan. CHS personnel arrived and took over resuscitative efforts and administered two more doses of Narcan. Paramedics arrived and took over aid but pronounced the person dead. Preliminary manner of death: Undetermined.

On May 2, 2023, a person died at East Los Angeles Patrol Station after a deputy conducting a safety check found them unresponsive in their cell. Deputies administered two doses of Narcan and applied the AED. Paramedics arrived and began CPR but pronounced the person dead. Preliminary manner of death: Undetermined.

On May 8, 2023, a person died at LAGMC, after their health declined following a medical procedure for a chronic, critical medical condition. The person had been transported to LAGMC for the medical procedure on March 11, 2023, and remained hospitalized until their death. Preliminary manner of death: Natural.

On May 13, 2023, a deputy conducting a safety check at MCJ found an unresponsive person. Deputies initiated CPR, administered two doses of Narcan, and applied the AED. CHS personnel arrived and took over resuscitative efforts and administered three more doses of Narcan. Paramedics arrived and took over aid but pronounced the person dead. Preliminary manner of death: Undetermined.

On May 17, 2023, an individual died at LAGMC, after being transported three days earlier from TTCF, they had been found unresponsive in their cell. Preliminary manner of death: Undetermined.

On May 20, 2023, an individual died at LAGMC, after being transported from TTCF four days earlier for a higher level of care. Preliminary manner of death: Natural.

¹⁴ The California Code of Regulations, Title 15, Section 1027.5, requires timely safety checks through direct visual observation and that there be a written plan that includes documentation of routine safety checks. The [Sheriff's Department Custody Division Manual section 4-11/030.00](#) requires that all safety checks include visual checks for "signs of life (e.g. breathing, talking, movement, etc.) and obvious signs of distress (e.g. bleeding, trauma, visible injury, choking, difficulty breathing, discomfort, etc.).".

¹⁵ The Sheriff's Department's Custody Division Manual, 5-03/060.00 Response to Inmate Medical Emergencies, requires responding personnel to administer Narcan to all people in custody found unresponsive.

On May 30, 2023, at MCJ, several inmates alerted deputies to an individual in distress and deputies found the person unresponsive in their cell. Deputies cleared the cell, initiated CPR, administered Narcan, and applied the AED. CHS personnel arrived and took over resuscitative efforts and administered two more doses of Narcan. Paramedics arrived and took over aid but pronounced the person dead. Preliminary manner of death: Natural.

On June 6, 2023, deputies discovered a person unresponsive inside a cell at TTCF. Deputies initiated CPR, administered Narcan, and applied the AED. CHS personnel arrived and took over resuscitative efforts and administered three more doses of Narcan. Paramedics arrived and took over aid but pronounced the person dead. Preliminary manner of death: Undetermined.

On June 13, 2023, deputies at MCJ found a person unresponsive on a bunk with obvious facial trauma. Deputies cleared the dorm, initiated CPR, and applied the AED. CHS personnel arrived, took over resuscitative efforts, and administered three doses of Narcan. Paramedics arrived and took over aid but pronounced the person dead. Preliminary manner of death: Homicide.

On June 13, 2023, a deputy conducting a safety check at TTCF's Correctional Treatment Center (CTC) found a person unresponsive. The individual was admitted to TTCF's CTC on March 24, 2023, to receive a higher level of care for various medical conditions. Deputies and CHS personnel initiated CPR, applied the AED, and administered one dose of Narcan. Paramedics arrived and took over resuscitative efforts but pronounced the person dead. Preliminary manner of death: Natural.

On June 13, 2023, an individual died at LAGMC after being transported from the Inmate Reception Center (IRC) the day before. About 18 hours after arriving at LAGMC, the individual became unresponsive. LAGMC staff administered advanced cardiac life support medications and CPR and intubated the individual. Resuscitative efforts continued, but the individual died. Preliminary manner of death: Natural.

On June 16, 2023, people in custody at MCJ alerted deputies to a person having a medical emergency. Deputies initiated CPR and administered two doses of Narcan. CHS personnel applied the AED, took over resuscitative efforts, and administered a third dose of Narcan. Paramedics arrived and took over resuscitative efforts but pronounced the person dead. Preliminary manner of death: Undetermined.

On June 17, 2023, deputies at TTCF found a person unresponsive on their bunk during a safety check. Deputies entered the cell and initiated CPR and applied the AED. CHS personnel arrived and took over resuscitative efforts and administered three doses of Narcan. Paramedics arrived and continued resuscitative efforts but pronounced the person dead. Preliminary manner of death: Natural.

On June 28, 2023, deputies and CHS personnel at MCJ found a person unresponsive in their cell. Additional CHS personnel responded and initiated CPR, applied the AED, and administered three doses of Narcan. Paramedics arrived and pronounced the individual dead. Preliminary manner of death: Natural.

Office of Inspector General Site Visits

The Office of Inspector General regularly conducts site visits and inspections at Sheriff's Department custodial facilities. In the second quarter of 2023, Office of Inspector General personnel completed 59 site visits, totaling 170 monitoring hours, to CRDF, East Los Angeles Patrol Station, IRC, Lakewood Patrol Station, Lomita Patrol Station, Marina del Rey Patrol Station, MCJ, North County Correctional Facility (NCCF), and TTCF.¹⁶

As part of the Office of Inspector General's jail monitoring, Office of Inspector General staff attended 87 Custody Services Division (CSD) executive and administrative meetings and met with division executives for 122 monitoring hours related to uses of force, in-custody deaths, COVID-19 policies and protocols, Prison Rape Elimination Act (PREA) audits, and general conditions of confinement.

Use of Body Scanners in Custody

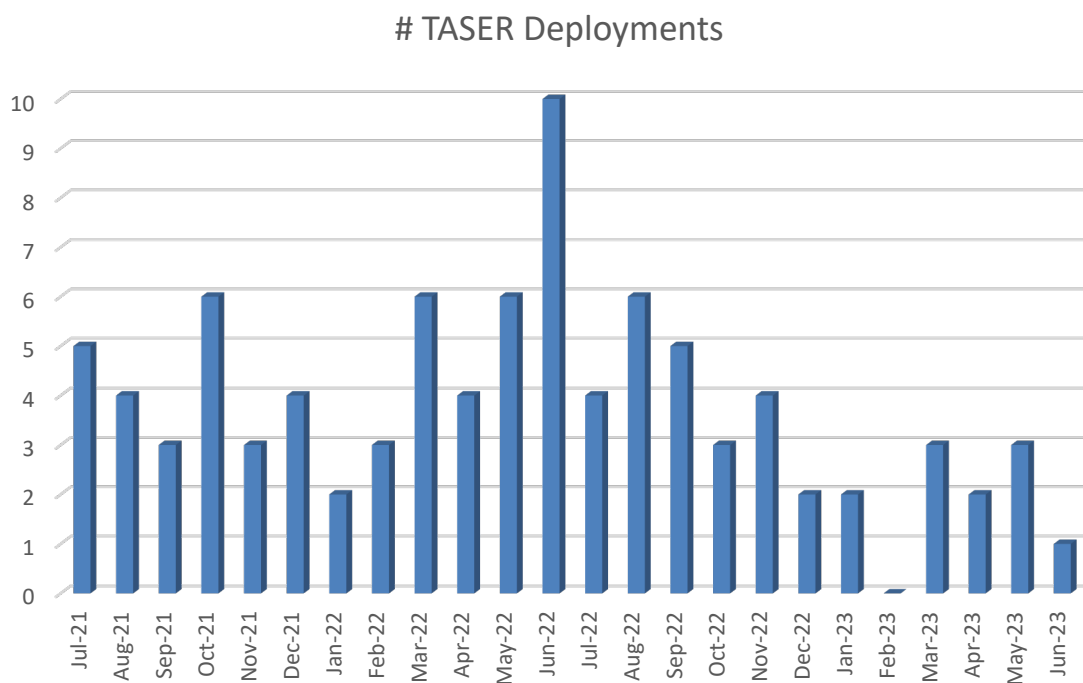
The Sheriff's Department continues to operate X-ray body scanners at MCJ, CRDF, PDC North, PDC South, NCCF, and IRC. The Sheriff's Department policy for body scanners requires each facility using screeners to maintain a unit order describing when and where inmates shall be screened, the staffing requirements to do so safely, and the logistical considerations pertaining to their facility.¹⁷ The policy also requires handling sergeants to document the discovery of contraband into the electronic Line Operations Tracking System (e-LOTS). Although, the body scanners continue to detect anomalies that may be contraband, the Sheriff's Department reports that facility staff do not consistently complete documentation for contraband detected by body scanners. The Custody Support Services Bureau intends to create guidance on the responsibilities for documentation of found contraband into e-LOTS. The Sheriff's Department should evaluate the effectiveness of this guidance by reviewing the entries into the e-LOTS system.

¹⁶ These figures include site visits and meetings related to monitoring for compliance with the Prison Rape Elimination Act ("PREA").

¹⁷ See Los Angeles County Sheriff's Department, Custody Division Manual, section 5-08/020.00, [Custody Safety Screening Program \(B-SCAN\)](#).

Taser Use in Custody

According to the *Monthly Force Synopsis* that the Sheriff's Department produces and provides to the Office of Inspector General each month, the following chart reflects the number of use-of-force incidents in custodial settings in which deputies employed a Taser, over the past two years:



Use-of-Force Incidents in Custody

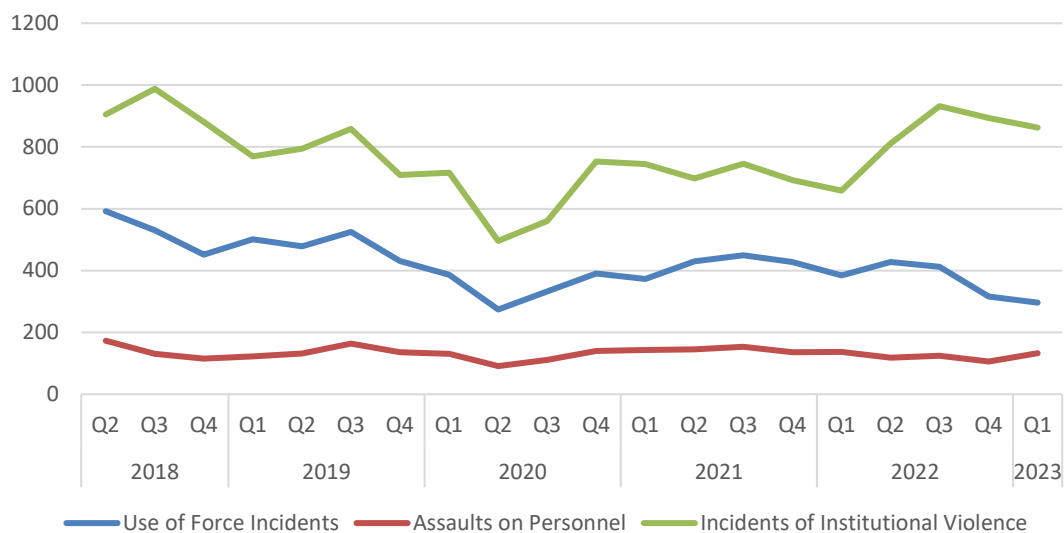
The Office of Inspector General monitors the Sheriff's Department's use-of-force incidents, institutional violence, and assaults on Sheriff's Department or CHS personnel by people in custody.¹⁸ The Sheriff's Department reports the following numbers for the uses of force and assaultive conduct for people in its custody.¹⁹

¹⁸ Institutional violence is defined as assaultive conduct by a person in custody upon another person in custody.

¹⁹ The reports go through the first quarter of 2023 because the Sheriff's Department has not yet verified the accuracy of reports for the second quarter of 2023. The Sheriff's Department recently provided information to the Office of Inspector General regarding some discrepancies in the reported data based upon its internal reporting systems. The Office of Inspector General will work with the Sheriff's Department to understand the reasons for the discrepancies and to ensure accurate reporting.

		Use of Force Incidents	Assaults on Personnel	Incidents of Institutional Violence
2018	2 nd Quarter	592	173	905
	3 rd Quarter	530	131	988
	4 th Quarter	452	115	881
2019	1 st Quarter	501	122	769
	2 nd Quarter	478	132	794
	3 rd Quarter	525	164	858
	4 th Quarter	431	136	709
2020	1 st Quarter	386	131	717
	2 nd Quarter	274	91	496
	3 rd Quarter	333	111	560
	4 th Quarter	390	140	753
2021	1 st Quarter	373	143	745
	2 nd Quarter	430	145	698
	3 rd Quarter	450	153	746
	4 th Quarter	428	136	693
2022	1 st Quarter	384	137	659
	2 nd Quarter	428	118	811
	3 rd Quarter	412	124	932
	4 th Quarter	316	106	894
2023	1 st Quarter	296	133	863

Use of Force, Assaults, and Institutional Violence
in Custody Over Time



HANDLING OF GRIEVANCES AND COMMENTS

Office of Inspector General Handling of Comments Regarding Department Operations and Jails

The Office of Inspector General received one hundred sixty-four new complaints in the second quarter of 2023 from members of the public, people in custody, family members and friends of people in custody, community organizations and County agencies. Each complaint was reviewed by Office of Inspector General staff. One hundred and thirty-six of these grievances were related to conditions of confinement within the Department's custody facilities, as shown in the charts below:

Grievances/ Incident Classification	Totals
Medical	78
Personnel Issues	15
Mental	8
Living Condition	7
Showers	5
Food	5
Clothing/Bedding	2
Property	2
Indecipherable	2
Mail	1
Education	1
Telephone	1
Visiting	1
Other	8
Total	136

Twenty-eight complaints were related to civilian contacts with Department personnel by persons who were not in custody.

Complaint/ Incident Classification	Totals
Personnel	
Improper Tactics	5
Improper Search, Detention, Arrest	4
Harassment	4
Force	3
Discrimination	2
Discourtesy	1
Dishonesty	1
Neglect of Duty	1
Other	2
Service	
Response Time	2
Policy Procedures	2
Other	1
Total	28

Handling of Grievances Filed by People in Custody

The Sheriff's Department has not fully implemented the use of computer tablets in its jail facilities to capture information related to requests, and eventually grievances, filed by people in custody. There are 165 iPads installed in jail facilities: 31 at CRDF, 49 at MCJ, and 85 at TTCF. These iPads were installed in 2013. The Sheriff's Department reports that less than 25% of the iPads (41) are presently functional, all of which are at CRDF and TTCF. The Sheriff's Department cannot fully implement the use of tablets to provide information or eventually capture complaints and grievances in the jails if more than 75% of them do not function. In addition to repairing or replacing nonfunctional tablets, the Sheriff's Department should work to determine why tablets have been breaking and implement a system to ensure sufficient tablets remain operational.

As [previously reported](#), the Sheriff's Department implemented a policy in December 2017 restricting the filing of duplicate and excessive grievances by people in custody.²⁰ The Sheriff's Department reports that between April 1, 2023, and June 30, 2023, two persons in custody were restricted from filing six grievances under this policy.

²⁰ [See Los Angeles County Sheriff's Department, Custody Division Manual, section 8-04/050.00, Duplicate or Excessive Filings of Grievances and Appeals, and Restrictions of Filing Privileges.](#)

The Office of Inspector General continues to raise concerns about the quality of grievance investigations and responses, which likely increases duplication and may prevent individuals from receiving adequate care while in Sheriff's Department custody.

Sheriff's Department's Service Comment Reports

Under its policies, the Sheriff's Department accepts and reviews comments from members of the public about departmental service or employee performance.²¹ The Sheriff's Department categorizes these comments into three categories:

- External Commendation: an external communication of appreciation for and/or approval of service provided by the Sheriff's Department members;
- Service Complaint: an external communication of dissatisfaction with the Sheriff's Department service, procedure or practice, not involving employee misconduct; and
- Personnel Complaint: an external allegation of misconduct, either a violation of law or Sheriff's Department policy, against any member of the Sheriff's Department.²²

The following chart lists the number and types of comments reported for each station or unit.²³

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
ADM : CENTRAL PATROL ADM HQ	1	0	0
ADM : COURT SERVICES DIV HQ	1	0	1
ADM : CW SRVS ADM HQ	1	0	0
ADM : SOUTH PATROL ADM HQ	1	0	0
ADM : TECH & SUPPORT ADM HQ	1	0	0

²¹ See [Los Angeles County Sheriff's Department, Manual of Policy and Procedures, 3-04/010.00, "Department Service Reviews."](#)

²² It is possible for an employee to get a Service Complaint and Personnel Complaint based on the same incident.

²³ The chart reflects data from the Sheriff's Department Performance Recording and Monitoring System current as of July 13, 2023.

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
AER : AERO BUREAU	1	1	0
ALD : ALTADENA STN	0	2	1
ASH : OFFICE OF THE ASST SHF I	1	0	0
AVA : AVALON STN	1	1	0
CCS : COMMUNITY COLLEGE BUREAU	0	2	1
CEN : CENTURY STN	1	6	2
CER : CERRITOS STN	6	1	0
CMB : CIVIL MANAGEMENT BUREAU	5	4	1
CNT : COURT SERVICES CENTRAL	1	4	0
COM : COMPTON STN	1	12	2
CPB : COMMUNITY PARTNERSHIP BUREAU	0	3	0
CRV : CRESCENTA VALLEY STN	6	4	2
CSB : COUNTY SERVICES BUREAU	3	5	0
CSN : CARSON STN	8	3	2
ELA : EAST LA STN	0	3	0
FCC : FRAUD & CYBER CRIMES BUREAU	0	1	0
HOM : HOMICIDE BUREAU	1	1	0
IND : INDUSTRY STN	7	3	1
IRC : INMATE RECEPTION CENTER	0	2	0
LCS : LANCASTER STN	12	15	3
LKD : LAKEWOOD STN	3	12	7
LMT : LOMITA STN	8	4	0
MAR : MARINA DEL REY STN	4	6	3
MCB : MAJOR CRIMES BUREAU	1	0	0
MCJ : MEN'S CENTRAL JAIL	0	4	3
MLH : MALIBU/LOST HILLS STN	11	7	0
NAR : NARCOTICS BUREAU	0	1	0
NCF : NORTH CO. CORRECTL FAC	1	0	0
NO : PITCHESS NORTH FACILITY	1	0	0
NWK : NORWALK REGIONAL STN	9	6	1
OSS : OPERATION SAFE STREETS BUREAU	1	3	0

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
PER : PERSONNEL ADMIN	0	1	0
PKB : PARKS BUREAU	2	1	0
PLM : PALMDALE STN	9	32	3
PRV : PICO RIVERA STN	1	3	2
RIB : RECORDS & IDENTIFICATION	1	0	0
RMB : RISK MANAGEMENT BUREAU	1	0	0
SCV : SANTA CLARITA VALLEY STN	12	10	4
SDM : SAN DIMAS STN	12	7	2
SEB : SPECIAL ENFORCEMENT BUR	0	1	0
SIB : SHERIFF INFORMATION BUREAU	1	1	0
SLA : SOUTH LOS ANGELES STATION	5	3	0
SVB : SPECIAL VICTIMS BUREAU	1	2	0
TEM : TEMPLE CITY STN	10	4	1
TRP : TRAP	2	0	0
TSB : TRANSIT SERVICES BUREAU	0	4	0
TT : TWIN TOWERS	0	1	1
WAL : WALNUT/SAN DIMAS STN	6	3	2
WHD : WEST HOLLYWOOD STN	10	8	3
WST : COURT SERVICES WEST	1	11	0
Total :	172	208	48

Probation Oversight Commission Report to Public Safety Cluster

Presented By:
Wendelyn Julien, Executive Director
September 6, 2023

The mission of the Probation Oversight Commission (POC) is to re-imagine probation services in the County of Los Angeles to achieve accountability, transparency, and healing of the people served by and working for the Probation Department. The POC creates pathways for community engagement to foster trust between the community and the Probation Department. The POC ensures adherence to the highest ethics and the proper stewardship of public funds to support Probation in achieving the best outcomes for youth and adults on Probation.

2023 Inspections

- The POC's 2023 inspection cycle began in May 2023. Commissioners completed inspections of Dorothy Kirby Center, Camp Scott, Camp Paige, Camp Afflerbaugh, Campus Kilpatrick, Camp Rockey, Central Medical Hub, and Barry J. Nidorf Juvenile Hall as well as a pre-inspection of Los Padrinos Juvenile Hall before youth moved in. A full inspection of Los Padrinos will occur later in the fall.
- Any health and welfare findings are immediately shared with Probation following the inspections and general findings have been and will be shared with the Board of Supervisors (Board) and the public over the next months with a final report to be issued to the BSCC and the Board in December.

Use of Force Data, Policy, and Backlog

- The POC has been closely tracking OC Spray incidents and trends since the launch of the commission in 2021. The Board's direction is clear: OC Spray must be eliminated. Progress toward that goal has been delayed, with recent steps backward with OC Spray being reissued at Los Padrinos including in units housing girls and youth identified as developmentally disabled. The Probation Department needs to finalize, implement, and follow a phase out plan in accordance with the Board's directive.
- During the March 2023 POC meeting, the Probation Department reported a concerning backlog of over 1,000 cases where use of force incidents had not been fully investigated through Probation's internal process and FIRST teams. The POC will continue to work to ensure that the backlog is addressed, the policy is reformed, and training is implemented. The POC also intends to request that the Probation Department share regular and accurate data about all use of force incidents that will allow the POC to work with the Office of Inspector General to properly evaluate the frequency, types, causes, and results of use of force incidents.

Public Engagement

- The POC continues to encourage public participation and communicate about progress on meeting the Board's goals for Probation reform. Our August 10th meeting has more than 2,000 views on YouTube. Over 500 of those tuned in live during the meeting.

Recent Meetings:

July 14, 2023

- Update on Re-opening of Los Padrinos
- [Report](#) on youth charged with crimes for incidents inside the juvenile halls
- [Report](#) on Probation staffing issues including leaves and callouts

July 27, 2023

- Virtual Town Hall – The Impacts and Costs of Electronic Monitoring
- [Highlight video](#)

August 1, 2023

- [Virtual Town Hall](#) – Inspections Update

August 10, 2023

- [Report](#) on Electronic Monitoring of adults and youth
- OIG Update on move to Los Padrinos
- POC [strategic priorities](#) and [model of change](#)

Upcoming Meetings:

September 28, 2023

- OIG Reports on DOJ Settlement and El Monte incident
- Reports from Data and Youth Justice Reimagined Ad Hoc Committees
- Updates on inspections, contraband prevention, and substance use disorder programs
- Use of Force Backlog

September 12, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**SUBAWARD LETTER AGREEMENT WITH CENTER FOR COURT INNOVATION
FOR THE INTAKE BOOKING DIVERSION PROGRAM
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

The Los Angeles County (County) Sheriff's Department (Department) seeks Board approval to execute a Subaward Letter Agreement (Agreement) with the Center for Court Innovation (CCI) to participate in the Intake Booking Diversion (IBD) Program. The IBD Program diverts mentally ill arrestees away from the criminal justice system and toward treatment. The IBD Program is funded by the United States Department of Justice (DOJ) National Institute of Justice (NIJ) Grant #2019-R2-CX-0033, Catalog of Federal Domestic Assistance #16.560.

IT IS RECOMMENDED THAT THE BOARD:

1. Delegate authority to the Sheriff, or his designee, as an agent for the County, to execute the attached Agreement with CCI, effective upon execution through June 30, 2024, for reimbursement of overtime salary costs not to exceed \$300,325 for the Department's participation in the IBD Program.
2. Delegate authority to the Sheriff, or his designee, as an agent for the County, to execute all amendments and modifications to the Agreement, as necessary, for the effective participation in the IBD Program.

3. Delegate authority to the Sheriff, or his designee, as an agent for the County, to execute all required documents, including but not limited to, agreements, assurances and certifications, amendments, modifications, extensions, and payment requests in future Fiscal Years (FYs) as necessary, for the effective participation in the IBD Program.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of this Agreement will assist the County in furthering the Alternatives to Incarceration reforms that endorse solutions for the mentally ill jail population and the ability to prepare for and prevent, mentally ill persons from entering the County jail system. The IBD Program enhances the Department's Mental Evaluation Team (MET) efforts to divert individuals with mental illnesses away from jail and towards treatment.

Under this Agreement, MET will work with East Patrol Division Sheriff's Stations (Altadena, Crescenta Valley, Temple, Industry, San Dimas, and Walnut/Diamond Bar) and Lancaster Sheriff's Station. When an inmate is initially booked and is suspected of being mentally ill, MET's Triage Desk is called and a Risk Assessment and Management Program (RAMP) investigator is dispatched to the station. The RAMP investigator works with the filing detective and the County's District Attorney's Office in determining whether the inmate is a candidate for the IBD Program. If the inmate is determined to be a candidate, they are sent for treatment at a treatment facility and/or treatment program. If the inmate stays at the facility and/or program for the entire course of treatment, the District Attorney will not file charges for the original offense. If the inmate leaves the facility and/or program before the conclusion of treatment, the District Attorney will determine if charges will be filed on the original offense.

The CCI is a project of the Fund for the City of New York, which in connection with Research Practice Strategies, submitted a grant application to the DOJ NIJ. The Fund for the City of New York was awarded \$1,000,000. From this award, the Department will receive an amount not to exceed \$300,325 to provide services to implement the IBD Program and support a process for evaluating the impact of the IBD Program.

The evaluation process will examine: (1) whether the IBD Program improves early identification of arrestees with mental illness; (2) whether diversion through IBD increases treatment engagement or reduces recidivism and future calls for service associated with a mental health crisis; (3) whether the IBD Program improves safety for Department deputies; and (4) the lessons learned from the program implementation that may be translatable to other law enforcement agencies seeking to divert individuals with mental illness.

The Department, in collaboration with CCI, will compare the outcomes of individuals presenting with mental illness, who are diverted to receive IBD Program services with other individuals processed through facilities where IBD Program services are not available.

Implementation of Strategic Plan Goals

The services provided under this Agreement support the County's Strategic Plan, Goal 3 - Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. Participation in the IBD Program leverages resources from the Department and CCI to enhance public safety service.

FISCAL IMPACT/FINANCING

This is a zero net County cost, revenue-generating agreement. FY 2023-24 will be the first year of participation in the IBD Program. The CCI will reimburse the Department for overtime salary costs directly related to work and training performed in support of the IBD Program, up to the total Agreement amount of \$300,325 over the term of the subaward. The spending appropriation and revenue related to this program will be included in the FY 2023-24 Supplemental Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The term of this Agreement shall commence upon execution through June 30, 2024. The Agreement may be terminated at an earlier date with a 30 day written notice to the Department from the CCI, provided that any such termination notice is preceded by notice of intention to terminate with a 30-day opportunity to cure any breach. The Agreement provides for mutual indemnification.

The attached Agreement has been approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None. The Department's MET has the resources required for participation in the IBD Program.

The Honorable Board of Supervisors
September 12, 2023
Page 4

CONCLUSION

Upon Board approval, please return a copy of the adopted Board letter to the Department's Contract Law Enforcement Bureau.

Sincerely,

ROBERT G. LUNA
SHERIFF

DRAFT

RGL:JT:CM:jb
(Contract Law Enforcement Bureau)

c: Board of Supervisors, Justice Deputies
Celia Zavala, Executive Officer, Board of Supervisors
Fesia Davenport, Chief Executive Officer
Sheila Williams, Senior Manager, Chief Executive Office (CEO)
Rene Phillips, Manager, CEO
Jocelyn Ventilacion, Principal Analyst, CEO
Anna Petrosyan, Senior Analyst, CEO
Bryan Bell, Budget Analyst, CEO
Dawyn R. Harrison, County Counsel
Elizabeth D. Miller, Chief Legal Advisor, Legal Advisory Unit
Michele Jackson, Principal Deputy County Counsel, Legal Advisory Unit
April L. Tardy, Undersheriff
Holly A. Francisco, Assistant Sheriff, Countywide Operations
Jill Torres, Assistant Sheriff, CFAO
Jason A. Skeen, Chief of Staff, Office of the Sheriff
Conrad Meredith, Division Director, Administrative Services Division (ASD)
Glen Joe, Assistant Division Director, ASD
Richard F. Martinez, Assistant Division Director, ASD
Valerie E. Silgero, Commander, CWSD
Johann W. Thrall, Commander, CWSD
Andrew B. Cruz, Acting Captain, Contract Law Enforcement Bureau (CLEB)
David E. Culver, Director, Financial Programs Bureau
Rene A. Garcia, Lieutenant, ASD
Israel Renteria, Lieutenant, CWSD
Vanessa C. Chow, Lieutenant, ASD
Kristine D. Corrales, Deputy, ASD
Ramona Zamora, Administrative Services Manager (ASM) II, CLEB
Jennipher Baeza, ASM I, CLEB
(Contract Law - Center for Court Innovation – Intake Booking Diversion Program 09-12-23)



520 Eighth Avenue, New York, NY 10018
p. 646 386 3100
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courttinnovation.org

Research. Development. Justice. Reform.

Courtney Bryan. Director

November 1, 2022

Los Angeles County Sheriff's Department
211 West Temple Street
Los Angeles, CA 90012
Attn: Robert G. Luna

Dear Robert G. Luna:

We are pleased to confirm the appointment of Los Angeles County Sheriff's Department as a subcontractor ("Subrecipient") to Justice Innovation Inc., doing business as the Center for Court Innovation (the "Center"), in connection with Research Practice Strategies. The funding (the "Funding") under this subaward (the "Subaward") is supported by grant # 2019-R2-CX-0033 , CFDA #: 16.560 (the "Grant") from the DOJ: National Institute of Justice (NIJ) (the "Funder").

1. Services: Subrecipient will provide the services, in accordance with the attached proposal application/scope of work to implement the Intake Booking Diversion (IBD) program and support an in-depth process and impact evaluation of the program (the "Project"). Such services include without limitation the training and supervision of the Subrecipient's own staff, coordination functions for development of the Project, collaborative activities with Project partners, and participation in activities with the Center, all as further described in the attached proposal application/scope of work.
2. Persons in Charge: (a) The Center identifies Jennifer Tallon or his/her designee, as the member of the Center's staff who will have primary responsibility within the Center to supervise and coordinate the Center's rights and responsibilities..

(b) Subrecipient identifies Sgt. Shawn C. Barnes as the member of its staff who will have primary responsibility to supervise and coordinate the performance of the Project, and to collaborate with

Operating Programs Bronx Child Trauma Support, Bronx Community Solutions, Brooklyn Justice Initiatives, Brooklyn Mental Health Court, Brooklyn Young Adult Court, Brownsville Community Justice Center, Domestic Violence Court, Harlem Community Justice Center, Legal Hand, Make It Happen, Midtown Community Court, Neighborhood Safety Initiatives, Neighbors in Action, Newark Community Solutions, Parent Support Program, Peacemaking Program, Project Reset, Queens Youth Justice Center, Red Hook Community Justice Center, RISE, Save Our Streets, Staten Island Justice Center, Strong Starts Court Initiative, Supervised Release, UPNEXT, Westchester Court Education Initiative, Youth Impact, Youth Justice Board

the Center. Sgt. Barnes works with the Subrecipient's Mental Evaluation Team (MET) and directly oversees MET's Risk Assessment Management Program. In addition, Sgt. Shawn C. Barnes will be the primary point of contact on behalf of Subrecipient for fiscal matters. Substitution of said person(s) shall be made only with the approval of the Center. Failure to make such person(s) available to the extent necessary to perform the activities to implement the Project skillfully and promptly shall be a material violation of the terms of this Subaward.

3. Term: (a) Subrecipient's appointment will run from date of execution of this Agreement, to June 30, 2024 unless this Subaward is (i) terminated at an earlier date by thirty (30) days written notice to Subrecipient from the Center; provided however, that any such termination notice will have been preceded by notice of intention to terminate with a 30-day opportunity to cure any breach hereunder, or (ii) extended in writing by an amendment signed by both parties.

(b) In the event of such termination, Subrecipient shall immediately cease the provision of all services hereunder, and the Center shall be liable to Subrecipient only for the services actually performed up to and including the effective date of the termination.
4. Compensation: As compensation for services, the Center will pay Subrecipient a total maximum amount of Funding not to exceed \$300,325 in accordance with the attached budget. Notwithstanding any provision to the contrary in this Subaward, if for any reason the Funder shall not make available to the Center any portion of the Funding, the Center shall be under no obligation to make any disbursements to Subrecipient in excess of a prorated portion of the Funding that the Center actually receives from the Funder for the Project. The failure of the Center to receive any portion of the Funding from the Funder shall be deemed to be the failure of an essential condition for the Center's obligations under this Subaward. Subrecipient shall have no claim or cause of action or commence any proceeding against the Center or the Funder arising out of the failure of the Funder to provide all or any portion of the Funding to the Center.
5. Invoicing & Payment: (a) The Subrecipient shall submit to the Center a report of actual expenditures as compared to budgeted expenditures ("Invoice/Expense Statement"), on a Monthly basis, no later than twenty (20) days following the end of each Monthly. Each Invoice/Expense Statement shall include a narrative explanation of any variances that exceed 10% of the budgeted amount. The Invoice/Expense Statement shall be in a form approved by the Center, and must include supporting documentation reflecting proof of performance of services in accordance with the scope of work herein, and any other supporting documentation deemed necessary by the Center. A sample Invoice/Expense Statement (including a list of required fiscal supporting documentation) is attached. The Center shall review the Invoice/Expense Statement and supporting documentation as required, and may disallow for payment any charges which were not rendered, documented and/or authorized in accord with the terms of this agreement, or for failure to deliver any required service, deliverable, or work product. Failure to submit invoices in accordance with the provisions of this Subaward may result in the termination hereof by the Center.

(b) The Center will disburse payments in Monthly installments provided that (i) the funds are made available to the Center pursuant to the Grant, and (ii) Subrecipient has submitted all Invoice/Expense Statements and supporting documentation required under this Subaward. Statements will be payable under Net 30 day terms and should be emailed to the Center contact listed in the "Notices" section below, with a copy to CCIAP@courtinnovation.org. If Subrecipient would like to be paid via direct deposit (also known as electronic funds transfer (EFT) and automated clearing house (ACH)) in lieu of receiving a physical check, Subrecipient

must complete and submit the “Justice Innovation Inc ACH Authorization Form” (attached) with any required supporting documentation to cciap@courttinnovation.org.

6. Reporting: Subrecipient shall provide to the Center: (a) Monthly reports briefly describing the Project and Subrecipient’s activities relating thereto, and accounting for Funding expenditures made by Subrecipient during such period in the form similar to the Sample Activity Report for Subrecipients attached hereto and (b) such additional information or reports relating to the Project as the Center and the Funder may reasonably request from time to time.
7. Assurances: Subrecipient hereby represents and warrants that it has received and reviewed the terms and conditions of the Grant attached hereto, including without limitation the Special Conditions attached thereto. As a recipient of Funding hereunder, Subrecipient agrees that all the work or services provided under this Subaward shall be in full compliance with all applicable terms of the Grant.
8. Independent Contractor Status: (a) Subrecipient and any of its agents and employees involved in the Project shall be deemed at all times to be an independent contractor, and Subrecipient is wholly responsible for the manner in which it performs the services and work requested by the Center under this Subaward. Neither Subrecipient nor any of its agents or employees will hold themselves out as, or claim to be, officers or employees of the Center nor make any claim to any right or privilege applicable to an officer or employee of the Center, including, but not limited to, workers’ compensation coverage, unemployment insurance benefits, social security coverage or employee benefits, retirement membership or credit.

(b) No experts or consultants or employees who are employed or engaged by Subrecipient to carry out the Project under this Subaward will be employees of the Center and will not otherwise be under contract to the Center. Subrecipient shall be responsible for the experts’, consultants’ and employees’ work, direction, compensation and personal conduct in connection with this Subaward. Nothing in this Subaward shall impose any liability or duty on the Center for acts, omissions, liabilities or obligations of Subrecipient, or the acts, omissions, liabilities or obligations of any person, firm, company, agency, association, expert, consultant, independent contractor, specialist, trainee, employee, servant, or agent employed or engaged by Subrecipient, or for taxes of any nature, including, but not limited to, worker's compensation, unemployment insurance, disability benefits and social security, or, except as specifically stated in this Subaward, to any person, firm or corporation.
9. Indemnification Clause: Each party shall indemnify, defend, save and hold harmless the other party, its officers, agents, employees and volunteers from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys’ fees, and costs of claim processing, investigation and litigation) for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the indemnifying party or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of or recovered under the Workers’ Compensation Law or arising out of the failure of the indemnifying party to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is agreed that the indemnifying party will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable.
10. Intellectual Property: Subrecipient hereby agrees that intellectual property rights in all work product created in connection with the Project (“Work Product”), including but not limited to

data, technical information, policy and procedure manuals, case studies, newsletter features, photographic images, methods, programs, techniques, reports, curricula and other documents are works for hire and belong to the Center. To the extent that the Work Product do not qualify as “work-made-for-hire,” the Subrecipient hereby irrevocably transfers, assigns and conveys exclusive copyright ownership in and to the Work Product to the Center, free and clear of any liens, claims, or other encumbrances. The Funder shall have rights to the Work Product as described in the Grant. The Center hereby grants Subrecipient a non-exclusive, perpetual, irrevocable, royalty-free, fully paid up license to use, reproduce and distribute the Work Product.

Except for material which is in the public domain and non-original material that meets the requirements for legal use, the Work Product shall be wholly original material not published elsewhere; shall not violate any copyright, trademark or other applicable law; and shall not, to the best of the Subrecipient’s knowledge, constitute a defamation or invasion of the rights of privacy or publicity, or an infringement of any kind, of any rights of any third party. In addition, should the Subrecipient gain access to any of the Center’s property while working on this project, the Subrecipient agrees to refrain from using or distributing any of the materials, except as provided pursuant to the terms and conditions of this Subaward, without prior written approval from the Center. These materials include, but are not limited to: reports, plans, studies, specification, documents, materials, and implementation plans. Furthermore, any copyrighted, trademarked, or otherwise legally protected materials that the Subrecipient provides to the Center, will not be used or distributed without attribution.

The provisions of this section shall survive the expiration or termination of this Subaward.

11. Data:

- a. Subrecipient agrees to provide the data necessary for the Center to carry out the evaluation outlined in the attached Project Description, including but not limited to the specific data elements specified in Appendix L (Data Elements and Sources) of the attached Project Description.
- b. Subrecipient acknowledges and understands that under the terms of the Grant, the Center has certain obligations to archive data in connection with the Project (including the obligation to submit de-identified data to NIJ’s National Archive of Criminal Justice Data (NACJD) website), as more specifically described in the terms and conditions of the Grant attached hereto (see #35, #36) and the Center’s approved Data Archiving Plan attached as Appendix P to the Project Description. In furtherance of the foregoing, Subrecipient hereby provides assurances that Subrecipient will share data with the Center as required for the Center for meet its data archiving requirements under the Grant.

The Center will maintain the confidentiality of the data shared by the Subrecipient under this Subaward in compliance with the requirements of the Grant and the attached Privacy Certificate. The provisions of this section shall survive the expiration or termination of this Subaward.

12. Notices: All notices, requests and other communications pursuant to this Subaward shall be in writing, and either: delivered by hand; sent by email; sent by registered or certified mail, return receipt requested; or sent by Airborne Express, Federal Express, Express Mail or other overnight mail service that provides a receipt to the sender. Receipt of a notice by the party to whom the notice is transmitted will be deemed to have occurred upon receipt, if hand delivered; 24 hours after being sent, if sent by email and the sender does not receive any messages indicating the

message was not delivered to the intended recipient; five days from the date of mailing, if mailed; or the next business day after transmittal by Airborne Express, Federal Express, Express Mail or other overnight delivery service that provides a receipt to the sender. All notices and correspondence will be delivered to the following addresses and addressees, unless notified in writing of any change:

(a) **If to the Center:**

Center for Court Innovation
520 Eighth Avenue, 18th Floor
New York, New York 10018
Attention: Jennifer Tallon
Phone #:
E-mail: jtallon@nycourts.gov

With the exception of invoices, all notices to the Center must also be sent electronically to the Contracts Department at
CCContracts@courtinnovation.org

(b) **If to Subrecipient:**

Los Angeles County Sheriff's Department
211 West Temple Street, 7th Floor
Los Angeles, CA 90012
Attention: Jennipher Baeza, ASMI
Phone #:
E-mail: jmbaeza@lasd.org

13. Confidential Information: In the course of work under this Subaward, the Subrecipient may have access to or learn of information and records that are proprietary to the Center, protected under the law or not rightfully in the public domain ("Confidential Information"). The Subrecipient agrees to a) treat Confidential Information as confidential, b) only use Confidential Information for purposes of fulfilling its obligations under this Subaward, and c) not disclose Confidential Information without prior approval from the Center.

To the extent Confidential Information includes personal identifying information and other protected information of individuals, Subrecipient agrees to comply with all applicable laws and regulations. Such laws and regulations include but are not limited to "Family Educational Rights and Privacy Act of 1974", 42 U.S.C. §290dd-2, 42 C.F.R. Part 2, "Confidentiality of Substance Use Disorder Patient Records", New York State Mental Hygiene Law §33.13 and the Health Insurance Portability and Accountability Act (HIPAA), 45 C.F.R. Parts 160 & 164., as applicable.

Subrecipient must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if Subrecipient 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of federal grant-funded program or activity, or 2) uses or operates a "Federal information system" (OMB Circular A-130). Subrecipient must notify the Center immediately and within 24 hours of discovering any actual or imminent breach.

As a bona fide research body immediately concerned with the quality of criminal justice, or the custody or correction of offenders, the Center agrees not to use Criminal Offender Record

Information (CORI) for purposes other than research or statistical activities and reports or publications derived therefrom. (Cal. Penal Code §13202). The Center further agrees to not to disclose in any statistical or research reports the identity of any person who is the subject of any CORI which is provided under this agreement. (Cal. Penal Code §§ 11105(g) and 13305(a))

14. Consent to Jurisdiction/Forum Selection:

The Center and the Subrecipient agree that all actions or proceedings arising in connection with this Subaward shall be tried and litigated exclusively in the State and Federal courts located in the County of Los Angeles. The aforementioned choice of venue is intended by the parties to be mandatory and not permissive in nature, thereby precluding the possibility of litigation between the parties with respect to or arising out of this Subaward in any jurisdiction other than that specified in this paragraph. Each party hereby waives any right it may have to assert the doctrine of forum non conveniens or similar doctrine or to object to venue with respect to any proceeding brought in accordance with this paragraph, and stipulates that the State and Federal courts located in the County of Los Angeles, State of California shall have in personam jurisdiction and venue over each of them for the purpose of litigating any dispute, controversy, or proceeding arising out of or related to this Subaward. Each party hereby authorizes and accepts service of process sufficient for personal jurisdiction in any action against it as contemplated by this paragraph by registered or certified mail, return receipt requested, postage prepaid, to its address for the giving of notices as set forth in this Subaward. Any final judgment rendered against a party in any action or proceeding shall be conclusive as to the subject of such final judgment and may be enforced in other jurisdictions in any manner provided by law.

15. Audits: Subrecipient agrees to keep and maintain efficient, complete and separate books and records concerning any and all costs incurred in the performance of this Subaward. Such books and records shall be kept available for examination by an independent auditor at all reasonable times and places during the period of this Subaward and for six (6) years from the date of final payment. Subrecipient agrees to refund promptly to the Center any payments by the Center that are subsequently suspended or disallowed. The Center agrees to act on behalf of Subrecipient to attempt reinstatement of any suspended or disallowed charges, provided that Subrecipient makes available the necessary supporting data justifying reimbursement.

Any State, local government, Indian tribal government and nonprofit organization that expends \$750,000 or more of total federal awards in a fiscal year is required to obtain a single audit conducted by an independent auditor in accordance with the Office of Management and Subpart F of the Uniform Guidance and the Single Audit Act. If the Subrecipient has obtained an independent audit in accordance with the Single Audit Act, a copy of the most recent audit must be provided to the Center upon execution of this Subaward. Organizations and agencies that expend less than \$750,000 in a year are exempt but records must be available for review or audit. If the Subrecipient is exempt from the requirements of the Single Audit Act, upon execution of this Subaward, the Subrecipient must submit a letter to the Center stating that Subpart F of the Uniform Guidance requirements do not apply to the Subrecipient and the basis of the exemption.

16. Reporting Executive Compensation: Pursuant to the award conditions of the underlying Grant, the Subrecipient must report to Center the total compensation for each of the Subrecipient's five most highly compensated executives for the preceding completed fiscal year if:

I. In the Subrecipient's preceding fiscal year, the Subrecipient received:

- a) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - b) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act (and subawards); and
- II. The public does not have access to information about the compensation of the executives through periodic reports file under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (to determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.) Please note that if the Subrecipient is a nonprofit organization and files an annual IRS Form 990 or 990-EZ, the public has access to information about the compensation of the Subrecipient's executives pursuant to this paragraph.

If the Subrecipient meets all of the above criteria, you must report said executive total compensation to Center upon execution of this Subaward. The following data must be reported:

For the Subrecipient's five most highly compensated executives (which means officers, managing partners or any other employees in management positions), for the preceding completed fiscal year, the Subrecipient must report to Center each executive's full name and total compensation. Total compensation means the cash and noncash dollar value earned by the executive during your preceding fiscal year, and includes:

- a) salary and bonus.
- b) awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- c) Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- d) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- e) Above-market earnings on deferred compensation which is not tax-qualified.
- f) Other compensation, if the aggregate value of all such other compensation (e.g., severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

17. Insurance: The Subrecipient shall maintain, throughout this agreement, Professional Liability Insurance in an amount no less than \$1,000,000 for each occurrence, and Workers' Compensation, in accordance with the statutory requirements of the State of New York. Justice Innovation Inc. and the Center for Court Innovation shall be named as additional insured with respect to work performed pursuant to this agreement. Subrecipient shall provide proof of all

insurance upon request by the Center. The Center acknowledges and agrees that Subrecipient is self-insured to meet the obligations hereunder.

18. COVID-19: Subrecipient agrees to follow rules, regulations and guidance issued by relevant federal, state and local government and health authorities (including any applicable executive orders) and the Center's health and safety protocol, as amended from time to time, as related to COVID-19 while performing any work under this Subaward that involves in-person contact. Refusal or failure to comply with this provision would be cause for termination of this Subaward by the Center.
19. Assignment; Subcontracting: The Subrecipient shall not assign, transfer, convey or otherwise dispose of this Subaward, or the right to execute it, or the right, title, or interest in or to it or any part of it (including via any subcontracting arrangement), or assign, by power of attorney or otherwise, any of the monies due or to become due under this Subaward, without the prior written consent of the Center. Any assignment, subcontract, transfer, conveyance, or other disposition without such written consent shall be void, and failure to obtain prior written consent to any purposed assignment, subcontract, transfer, conveyance or other disposition may result in the termination of this Subaward at the option of the Center. This Subaward may be assigned, in whole or in part, by the Center provided that the Center shall provide the Subrecipient with written notice of any such assignment.
20. Merger Clause: This Subaward, including all exhibits and attachments, constitutes the entire agreement between the parties with respect to the subject matter hereof, and supersedes all prior negotiations, representations, writings, agreements and understandings between the parties, whether oral or written. No waiver, consent, modification or change of terms of this Subaward shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given.

If the terms and conditions of this Subaward, as set forth in this letter, are acceptable to the Subrecipient, please sign electronically or sign and mail two copies of this letter and return both with a copy of a completed W-9 form to the attention of the Contracts Dept. at the Center for Court Innovation, 520 Eighth Avenue, 18th Floor, New York, NY 10018.

Sincerely,

Center for Court Innovation

The Parties hereby enter into this Subaward by having their authorized representatives sign below.

Robert G. Luna

Sheriff

Los Angeles County Sheriff's Department

Courtney Bryan

Executive Director

Center for Court Innovation

Exhibits:

- ☒ Proposal Application/Scope of Work
- ☒ Budget
- ☒ Sample Invoice
- ☒ Sample ACH Authorization Form
- ☒ Sample Activity Report for Subrecipients
- ☒ Grant
- ☒ FFATA Form
- ☒ Financial Management Questionnaire

- ☐ CCI Policies and Procedures for the Prevention of Child Abuse

- ☐ CCI/Justice Innovation Inc. Covid Attestation

For internal use only

CCI Contract Number:
FFY21-88-5216

Cost Center:
CCI-RSCH NIJ 20 Eval LA Diversn Prg 2-0-002-062-041



**Expanding Mental Health Diversion Opportunities:
A Prospective Evaluation of the Los Angeles County Intake Booking Diversion Program**

NIJ Announcement:

Research and Evaluation in Safety, Health, and Wellness in the Criminal Justice System
Grants.gov number: NIJ-2019-15285

TOPIC AREA: Category 2: Enhancing Strategies for Officer Interaction with Individuals
Presenting with Mental Illness

Submitted by:

Jennifer A. Tallon, Sarah Picard, Michela Lowry, Dana Kralstein, Brett Taylor and Rachel
Swaner

Contact Information:

Jennifer A. Tallon (*Principal Investigator*)

Center for Court Innovation
Fund for the City of New York
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New York, NY 10018
646-386-4185

jtallon@nycourts.gov

Submission Date: May 28, 2019

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Jennifer Tallon

Sarah Picard

Michela Lowry

Dana Kralstein

Brett Taylor

Rachel Swaner

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DRAFT

I. STATEMENT OF THE PROBLEM. The Center for Court Innovation (the Center) and the Los Angeles County Sheriff's Department (LASD) are pleased to submit this proposal to examine the development and impact of the LASD Intake Booking Diversion program (IBD) for individuals presenting with mental illness at the point of jail booking. This new program, which is an expansion of LASD's Mental Evaluation Team (MET) co-responder model, builds upon LASD's twenty-five years of collaboration with the Los Angeles County Department of Mental Health (DMH) to divert individuals with mental illness away from the jail and towards treatment. Employing a quasi-experimental, mixed-methods approach, the proposed research would examine: (1) whether the IBD program improves early identification of arrestees with mental illness; (2) whether diversion through IBD increases treatment engagement or reduces recidivism and future calls for service associated with mental health crises; (3) whether the IBD program improves safety for LASD deputies (in the field or jail facility); and (4) the lessons learned from program implementation that may be translatable to other law enforcement agencies seeking to divert individuals with mental illness.

Mental Illness in the Justice System. Nearly six decades after the passage of the 1963 Community Mental Health Act triggered the widespread release of individuals with mental illness from state hospitals across the United States (Frazier et al. 2015), the rate of mental illness among jail and prison inmates is a striking testament to the unforeseen consequences of deinstitutionalization. Specifically, in 2011-12, a reported 37% of individuals in state and federal prisons, and 44% of individuals in local jails had been diagnosed with a mental health disorder prior to arrest (Bronson and Berzofsky 2017). Alarming, these figures do not begin to represent those individuals that are symptomatic but may not have an official diagnosis; the nonprofit Treatment Advocacy Center estimates that nearly 400,000 inmates across US jails and prisons

exhibit symptoms of a mental health condition during incarceration (Fuller et al. 2017). Additionally, there is a high rate of serious and persistent mental illness (SMI) among incarcerated populations, including diagnoses such as schizophrenia, major depression, and bipolar disorder (National Institute of Mental Health 2019). In some states, statistics suggest that there are more individuals with mental health disorders in jail or prisons than in clinical facilities (Torrey et al. 2010).

This growing body of scholarship supports the premise that jails and prisons across the country have become “de facto” mental hospitals for individuals in crisis. Unfortunately, most correctional institutions are ill-equipped to serve as crisis intervention points. Indeed, according to a recent national survey conducted by the Bureau of Justice Statistics, only 34% of state prison inmates and 17% of jail inmates with a mental illness receive treatment while incarcerated (James and Glaze 2006). Further, clinical and legal experts argue that, given the stressful nature of correctional environments, mental health conditions are likely to deteriorate during incarceration, negatively impacting other inmates and correctional staff (Butler et al., 2005; Fellner, 2006; Geiman, 2007). In keeping with this perspective, national statistics show substantially higher rates of misconduct and disciplinary incidents among inmates with mental illness. For example, in 2006, James and Glaze found that 58% of incarcerated individuals with a mental illness diagnosis were charged with rule violations, compared to only 43% among those without a diagnosis. Similarly, O’Keefe and Schnell (2007) found that, among a sample of 26,442 Colorado inmates, individuals with an SMI – who made up only 12% of the incarcerated population--were nonetheless responsible for approximately 25% of rule violations.

Clearly, there is an urgent need to develop and expand treatment-based alternatives to incarceration that are tailored specifically toward individuals with mental illness. In particular,

given that nearly half of defendants in local jails have a mental health diagnosis but very few receive treatment while incarcerated, booking-stage diversion and treatment engagement strategies are critical to reducing the criminal justice involvement of mentally ill individuals and promoting the safety of patrol and corrections officers.

Law Enforcement as Gatekeepers. Statistics from jurisdictions across the country confirm that law enforcement frequently serve as “first responders” to crisis situations involving the mentally ill. For example, in 2000 alone, Florida law enforcement responded to 80,869 Baker Act cases (those that allow the involuntary institutionalization of individuals with mental illness for 72 hours), with these interactions outpacing DUI arrests by more than 20% (Treatment Advocacy Center 2007). In Santa Fe, a random sample of individuals taken into police custody revealed that individuals with mental health problems generated significantly more police contacts during the two-year study period than did those without, and were also more likely to be taken into custody in the future (Reuland, Schwarzfeld and Draper 2009). Finally, in Los Angeles, calls for service to the LASD involving mental health issues have increased steadily over the past 10 years, from 11,660 calls in 2010 to 18,061 calls in 2015 – a 55% increase (Abram 2017).

Traditional law enforcement field tactics such as de-escalation or warnings may be insufficient or backfire on an individual experiencing mental distress (Blevins, Lord, and Bjerregaard 2014). Indeed, research shows that responding to mental health crisis calls involves a disproportionate investment of policing resources, draining their capacity to effectively handle other situations in the community (Shapiro et al. 2015). For example, a 2009 study in Honolulu found that police officers spent an average of 64.2 minutes effecting the arrest or hospital transport of individuals with mental illness, compared to 23.3 minutes on other cases (Reuland, Schwarzfeld, and Draper 2009). Furthermore, mental health crisis calls can be particularly

challenging--and sometimes dangerous--for law enforcement. Between 1997–2006, 1,058 officers were assaulted, and 13 officers feloniously killed, during interactions with individuals with mental illness (Reuland, Schwarzfeld, and Draper 2009).

Specialized Police Responses to Mental Illness. Law enforcement agencies clearly have a vital interest in developing and adopting alternatives to traditional arrest and booking models for responding to individuals in mental health crisis. Indeed, specialized policing responses (SPRs) – including agency wide de-escalation training, specialized crisis response units, and police collaborations with community based mental health providers – have been evolving for more than 25 years (Reuland, Draper, and Norton 2010).

The CIT Model. One of the more widely adopted SPRs is the Crisis Intervention Team (CIT) model, first implemented by the Memphis (TN) Police Department in 1988 (Shapiro et al. 2015). Estimates suggest that there are more than 1,000 CIT programs operating worldwide (Watson and Fulambarker, 2012). A CIT model typically involves dispatching specially-trained officers to any calls that involve individuals who are exhibiting signs of mental illness, where, theoretically, these officers are better prepared to deescalate the situation and/or connect the individual to mental health services in lieu of arrest and booking (Watson et al. 2008). Despite the popularity of the CIT model, there is only limited empirical support of its efficacy (Cross et al. 2014). For example, a 2016 systematic review and meta-analysis concluded that CIT produced null effects in terms of impacting the arrest of individuals with mental illness as well as in terms of officer safety (Taheri 2016). Moreover, the sole focus of CIT on training law enforcement personnel may present practical problems in the moment of actual crisis intervention. For example, CIT officers may be specially trained to assess and diffuse crisis situations, yet at the same time *may not* have immediate access to a hospital or community-based clinician when a symptomatic

individual presents a threat to public safety and requires medication or immediate treatment.

Presented with this challenge, officers may understandably opt to book the individual into jail for lack of a good alternative.

Co-Responder Models. Co-responder models, which intentionally pair community mental health workers with specially trained law enforcement to provide clinical expertise and on-site emergency treatment during crisis calls, may address some of the aforementioned limitations of CIT. Like CIT, co-responder models have been implemented in jurisdictions across the US and Canada for several decades. However, unlike the CIT model which has been fairly widely studied but with mixed results, there is a lack of *any* rigorous research regarding the efficacy of the co-responder model. In one exception, Shapiro and colleagues conducted a systematic literature review of local evaluations and concluded that the co-responder model increased treatment linkage, but the impact on other outcomes is unclear (Shapiro et al. 2014). Also like CIT, co-responder models face pragmatic challenges and are often difficult to take to scale, with many calls for service can fall through the cracks due to resource limitations or logistical challenges at the point of arrest. Therefore, most co-responders have limited potential to affect outcomes beyond individual treatment engagement or reduced recidivism, such increasing patrol officer safety or reducing the population of individuals with mental illness in jails.

LA County's MET Program. In 1991, LASD, in partnership with the Los Angeles County Department of Mental Health (DMH), became the first law enforcement agency in the United States to establish a co-responder model. The program has evolved to become what is now the Mental Evaluation Team ("MET") model. MET officers receive 800 hours of training (in comparison, all LASD officers receive 15 hours of mental health training per California state law). As of 2018, 23 Met units responded to more than 5,000 crisis calls and transferred nearly

half of the individuals involved to treatment in lieu of jail booking. Moreover, the recent implementation of a 24-7 triage desk has reduced MET response time from an average of 55 minutes to an average of 23 minutes.

Despite these advances, the MET program still faces significant challenges in practice. Importantly, MET struggles with inadequate staffing relative to demand, with 23 co-responder teams spread across a county of 4,084 square miles. As a result, MET currently functions primarily as a diversion-to-treatment program, rather than *both* a crisis de-escalation and a diversion program. In many crisis call situations in LA County, moreover, patrol deputies with only minimal CIT training remain the first responders, and must make rapid decisions (i.e., release, book into jail, transport to a mental health facility) with implications for their own safety, the safety of the individual in crisis, and the community. Given the high stakes that patrol deputies face when responding to mental health crisis calls, it is unsurprising that – despite the longstanding MET program – many individuals with serious mental illness are booked into jail due to the seriousness of the presenting charge or to address immediate safety concerns.¹

The Intake Booking Diversion Program. The Intake Booking Diversion (IBD) program, which is currently in the planning phase with an anticipated launch date in fall of 2019, is the LASD's latest effort to move county law enforcement toward a public health response to mental illness. Specifically, IBD will expand MET triage, assessment, and mental health referral services to selected sheriff's booking stations (MET teams currently only respond to calls from patrol deputies in the field). Under the IBD program, individuals who flag for mental health needs during booking at participating sheriff's stations would trigger a review process in which deputies and watch commanders consult with mental health experts at the MET triage desk to

¹ Personal communication with Lieutenant John Gannon, who oversees and coordinates met team units across LA county.

determine if the individual is eligible for diversion to mental health services in lieu of jail through examining current mental state, current charge, criminal history, and willingness to receive treatment (see Appendix D for a logic model describing the IBD program and Appendix K for proposed IBD assessment criteria and diversion process).

The Current Project. The proposed project is a researcher-practitioner collaboration to support the effective implementation and rigorous evaluation of the IBD program. The goal of the research, more specifically, is to examine the development and impact of the proposed IBD program, in the broader interest of identifying whether instituting a co-responder model at the point of station house booking can enhance public and institutional safety by diverting individuals with mental illness away from jail and toward treatment. LASD is an excellent setting for the proposed research, given the 25-year history of the MET collaboration between LASD and DMH; recent enhancements to strengthen the MET program model (e.g., triage desk, RAMP program); and strong stakeholder support for the proposed IBD enhancement. If funded, the evaluation will address the following research questions:

Formative Process Evaluation

- 1) How does the IBD process differ from the mental health screening and booking practices traditionally implemented in LASD station houses?
 - a) What is the potential for this type of program to improve outcomes for individuals with mental illness or the safety and well-being of LASD deputies?
- 2) What practical successes and challenges are encountered during the first year of IBD implementation?
 - a) What is the potential for the IBD program to be translated to other law enforcement agencies?

- 3) From the perspective of LASD leadership and front-line deputies themselves, how has early IBD implementation affected work environment, deputy decision-making, and safety?

Impact Evaluation

- 4) Does IBD result in the increased identification and/or diversion of individuals with mental illness following arrest?
- 5) Does IBD increase treatment engagement for these individuals?
- 6) Does IBD reduce future calls for service or new arrests among these individuals?
 - a) In the sheriff's stations where it is implemented, does IBD decrease future incidents involving the safety of assistant deputies or individuals with mental illness in the field?
- 7) Is there potential for IBD to decrease the population of individuals with mental illness booked into jail?
 - a) If so, are there implications for correctional facility safety?

II. PROJECT DESIGN AND IMPLEMENTATION. The Center for Court Innovation proposes to conduct a process and impact evaluation of LASD's newly developed IBD program. The proposed evaluation is poised to make an important contribution to national efforts toward reducing the involvement of individuals with mental illness in the criminal justice system, by promoting best practices delivered in a manner that departs from the traditional, officer training focused "Memphis Model" of CIT. The IBD program represents an expansion of the LASD's long-standing co-responder and treatment engagement model (MET) to the booking intercept point, where the program has the potential to identify and divert hundreds of individuals with mental illness away from jail and toward treatment each year.

The proposed study will involve two overlapping components: (1) a formative process evaluation, including stakeholder and staff interviews; focus groups with assistant deputies from patrol divisions; program observations; and document review (to address research questions 1-3) and (2) an impact analysis of program, treatment and official criminal records data (to address research questions 4-7). Both components will involve data collection in selected treatment and comparison sites in the East Patrol Division of Los Angeles County (see Appendix E for the study timeline).

Project Planning. Upon receipt of funding, we will proceed efficiently to elicit feedback on the initial research design from our NIJ grant manager; finalize interview instruments and recruitment protocols; and execute formal data sharing agreements with LASD. During this period, we will also draft human subject protection protocols and secure approval from the Center for Court Innovation institutional review board.

Study Design. The proposed evaluation will take a quasi-experimental approach to assessing the impact of IBD when compared to “business-as-usual” booking and diversion practice for mentally ill arrestees in Los Angeles County. The setting for both the implementation and evaluation of the IBD program will be the East Patrol Division of LA County, which is home to six sheriff’s stations serving a population of more than 600,000 residents across 645 square miles comprised of unincorporated areas and 12 municipalities. The decision to launch IBD in the East Patrol Division was based on several factors. First, LASD analysis of 2018 MET crisis response data illustrated that, although crisis calls for service have increased countywide, the East Patrol Division has seen the largest uptick in crisis calls for service (increase of 146%) compared to other patrol divisions (see Appendix F - Crisis Call Trends). Second, there is strong stakeholder support for IBD implementation from both the East Patrol Division’s Deputy Chief Patrick J.

Jordan and LASD executive command (see Appendix G - LASD letter of support). Finally, LASD's MET unit is planning to establish an additional office in eastern Los Angeles county, ensuring that MET staff are within geographic proximity to the implementation sites. To facilitate the proposed research, leadership of the East Patrol Division has agreed to selectively implement IBD in two sheriff's stations within the East Patrol Division, and to work with the research team to identify stations in the East Patrol division that are similar to the implementation sites in terms of demographics, crime rates, and crisis intervention call volume to serve as comparison sites.

Site Selection. It is anticipated that four sheriff's stations within the East Patrol Division will be selected for the proposed project: Walnut, Industry, San Dimas, and Temple. In preliminary discussions with the research team, LASD confirmed that all four stations have large arrests volumes (See Appendix H – Station House Summaries), experience high volume in terms of mental health crisis calls and MET engagement, and are demographically and geographically comparable (specifically Industry compared to Temple, and Walnut compared to San Dimas; See Appendix I - LASD Patrol Map). Beginning in the fall of 2019, the LASD anticipates implementing the IBD program consecutively in the Industry and Walnut station houses. Final selection of comparison sites will be contingent on funding and further research into their comparability with the selected IBD sites.

Estimating Study Case Volume. An anticipated annual volume of cases eligible for the proposed study can be loosely estimated based on the number of cases booked through the proposed IBD and comparison sheriff's stations and the overall percentage of the Los Angeles County Jail population that has been flagged as having mental health needs. Based on data collected from the LASD Custody Division during mid-2018, inmates with mental health needs comprised 31% of

the total Los Angeles County jail population (McDonnell, 2018). Discounting this by half to account for the fact that some individuals housed in the jail may not have come through local booking stations, we assume that at least 15% of local station house bookings involve individuals with mental illness. If we apply this estimated percentage to the total 2017 bookings in the four sheriff's stations proposed for the current study, we project a case volume for the study of 2,453 cases over the course of a one-year data collection period (including 1,370 IBD and 1,084 comparison cases):

- **IBD Group 1:** Walnut/Diamond Bar Sheriff's Station – Based on 2,245 adult arrests booked in 2017, we assume at least 359 bookings in 2020 will involve individuals with mental illness.
- **IBD Group 2:** Industry Sheriff's Station – Based on 6,315 booked arrests in 2017, we assume at least 1,010 bookings in 2020 will involve individuals with mental illness.
- **Comparison Group 1:** San Dimas Sheriff's Station – Based on 2,272 adult arrests in 2017, we assume at least 364 bookings in 2020 will involve individuals with mental illness.
- **Comparison Group 2:** Temple Sheriff's Station – Based on 4,500 adult arrests in 2017, we assume at least assume 720 bookings in 2020 will involve individuals with mental illness.

Based on these conservative estimates, we anticipate data collection will need to be conducted for 6-9 months in order to achieve the target sample size of 400 individuals in the treatment group and 400 individuals in the comparison group.

Component 1: Formative Process Evaluation. Given that the IBD program is currently in development and will not be fully implemented until early 2020, the proposed collaboration

presents a unique opportunity to prospectively study the structure and impact of booking-stage diversion for arrestees with mental illness. To understand program development and structure, the Center will conduct a formative process evaluation that documents the evolution of the IBD program and compare it with business-as-usual booking practice in East Patrol Division sheriff's stations. Specifically, the Center research team will work with LASD partners to conduct process evaluation activities during the first 3-6 months into program implementation and follow-up interviews with offices and key stakeholders one year later. Importantly, IBD launch is currently planned for fall of 2019, meaning that interviews conducted three months into the study period could reflect stakeholder views after six months of implementation. Given that prior research suggests that large initiatives such as this one can take up to one year to reach full implementation, this time difference should still allow researchers to accurately capture stakeholder perspectives during early development and implementation. The process evaluations will serve to document the successes and challenges associated with IBD implementation and to assess the potential for the model be translated to other settings. Moreover, the process evaluation will provide necessary context for understanding the findings from the impact evaluation.

Specifically, process evaluation activities will be designed to:

- **Describe Program Context** – We will explore the political, policing, and community context that has given rise to the IBD program. What are stakeholders' perspectives on the need to expand jail diversion opportunities for individuals with mental illness? What challenges do deputies and watch commanders currently face when making booking decisions for these individuals? From the perspective of key program stakeholders and

deputies, what are the potential impacts of the program for policing practice, jail safety, and community well-being?

- **Document Program Infrastructure** – We will document the staffing, resource allocation, and operational decisions associated with the program during the first year of program implementation. How does IBD differ from business-as-usual booking practice in the East Patrol Division? From a practical perspective, what is the potential for IBD to be translated to other sites, either within or outside of LASD’s jurisdiction?
- **Obstacles and Facilitators to Implementation** – We will examine barriers program staff and stakeholders have encountered while developing and implementing the program, and how they either addressed those barriers or changed their practices because of them. We will also note external catalysts or obstacles to implementation (e.g., local political support or opposition, relationships with external treatment providers).
- **Early Program Impacts:** At the end of the first year of implementation, we will document whether and how the IBD has affected how deputies approach interactions with individuals with mental illness in the field.

Data Collection. The process evaluation will involve three data collection activities: (1) interviews with IBD program developers, staff, and local stakeholders, (2) observations of IBD planning and program meetings and review of relevant policy and program literature; and (3) baseline and follow-up focus groups with deputies in both IBD and comparison station houses.

Key Stakeholder Interviews (Research Questions 1, 1a, 2, 3). Over the first six month of IBD program implementation, semi-structured interviews will be conducted with key representatives working to facilitate IBD programming, as well as other local stakeholders who may be affected by the program. At minimum, interviews will be conducted with LASD program developers and

command staff in participating sheriff's stations; MET/RAMP program staff involved in implementation; and external partners (e.g., prosecutors, correctional leadership, members of collaborating health agencies, community-based mental health advocates). Wherever possible, individual interviews will be conducted on-site (e.g., at participating sheriff's stations, MET program offices, or other LASD facilities, and are expected to last 30-45 minutes, depending on the role of the stakeholder in the program. Follow-up phone interviews may be conducted with select informants to clarify information or provide additional updates. The final interview instruments will be developed in collaboration with LASD partners to facilitate the collection of information most relevant to understanding IBD program context and identifying the early successes and challenges of the program. Interviews will include a mix of structured, closed-ended questions and open-ended questions. All interviews will require informed consent and will be recorded (see Appendix J for a preliminary list of interview domains by stakeholder type).

Observations and Document Review (Research Question 1). All program development materials and logic models will be reviewed by researchers, as well as LASD policy documents relevant to current or revised booking and diversion practices. Where appropriate, we will work with LASD staff to identify opportunities for the direct observation of programmatic activities. This may include ride alongs with MET teams, observations of triage desk operations, or observations of assessment or diversion processes at IBD implementation stations. We may also tour sheriff's stations and jail facilities to better understand IBD program context. Finally, during the first six months of implementation, research staff we will attempt to observe collaborative meetings between LASD staff and behavioral health stakeholders in order to document how these agencies communicate and share information.

Focus Groups with Deputy Sheriffs (Research Question 3). During the first months of the process evaluation (immediately following the 3-month project planning period), two separate focus groups will be conducted with deputy sheriffs working in the jurisdiction of IBD stations (e.g., Industry or Walnut) and comparison stations (e.g., Temple or San Dimas). The purpose of these initial focus groups is two-fold; first, to document the experiences and booking decision-making processes deputy sheriffs undertake when interacting with individuals with mental illness *before* IBD has been fully implemented; and second, to document any major baseline differences in the perspective of deputy sheriffs working in IBD implementation versus comparison areas. Two more focus groups will be conducted in the four study sites after the program has been up and running for a year (approximately 15 months into the evaluation). These focus groups will document any changes in perspective or practice among IBD area deputies and will explore whether comparison site deputies have experienced any similar changes, either due to diffusion of the IBD effect onto neighboring areas or outside factors. Researchers will work with LASD partners to recruit 5-10 deputies for each of the four groups and will develop focus group protocols in collaboration with program stakeholders that are familiar with the current arrest, diversion and booking practices. Additionally, researchers will explore the possibility of including representatives from other law enforcement agencies that rely on LASD booking facilities (e.g. California Highway Patrol) to better understand the reach of the program. Focus groups may include a short, structured questionnaire, but will primarily involve open-ended discussion questions. Focus group participation will require informed consent and will be recorded (see Appendix J for a preliminary list of focus group domains).

Data Analysis. Interview and focus group data will be transcribed, coded and analyzed to identify patterns in responses across respondent type and interview domain. Taking a grounded

approach to qualitative data analysis (Strauss & Corbin, 1997), the research team will first establish main categories in data and perform directed thematic coding, using Dedoose content analysis software. At the second level of analysis, coding categories will be refined and re-grouped and any unanticipated or emerging themes noted to augment the coding framework. To augment the qualitative findings, descriptive statistics of close-ended questions or structured observation data will be performed. Finally, researchers may cull direct quotes from interviews or focus groups to add depth the process evaluation findings.

Component 2: Impact Evaluation. The second component of the proposed study will take a prospective, quasi-experimental approach to examining the impact of IBD, by comparing the outcomes of mentally ill individuals identified and diverted in IBD stations in the East Patrol Division with those of individuals booked into jail through the comparison stations and flagged as mentally ill at jail intake.

Specifically, impact evaluation activities will be designed to address the effect of the IBD program on the following key outcomes:

- **Early Identification** – We hypothesize that IBD implementation stations will identify and divert more individuals with mental illness prior to jail booking, relative to stations following standard booking practice.
- **Treatment Engagement** – We expect that individuals with mental illness identified through IBD will be more likely to receive behavioral health treatment and will have longer periods of treatment engagement, when compared to individuals that are later flagged as presenting with mental illness at jail intake.
- **Calls for Service/New Arrests** – We hypothesize that individuals diverted to treatment through IBD will have lower rates of re-arrests and future calls associated with

behavioral health crisis, when compared to those individuals booked into jail through comparison sites. Further, we hypothesize that lower rates of service calls and re-arrests will improve safety and well-being for deputies working in patrol areas associated with IBD implementation sites.

- **Jail Bookings and Incidents** – Finally, we hypothesize that – because IBD implementation stations should yield fewer jail bookings of individuals with mental illness – the program holds potential to improve safety for LASD jail facilities over the long term.

Tracking Case-level Outcomes. In order to adequately test our hypotheses regarding treatment engagement, recidivism, and the safety of deputies and individuals with mental illness, we will need to track the outcomes of individuals in the treatment and comparison groups for a minimum of 6 months following jail or IBD program intake. As described above, we assume it will take 6-9 months to collect the total sample of 800 individuals. Final outcome data will be collected approximately 15 months into the evaluation, which will yield a minimum data tracking period of six months, and a maximum data tracking period of 15 months, for each individual in the sample.

Data Collection. The official records analysis will involve three research activities: (1) collect IBD intake and treatment program data; (2) Collect jail intake and treatment data; (3) collect official re-arrest and service call data. See Appendix L for a detailed list of data elements and sources.

IBD Intake and Diversion Treatment Data. Information on IBD's impact on the pre-booking identification of individuals with mental illness will be captured by the calls made from booking facilities to the triage desk. If an individual is enrolled in IBD, their information will be

monitored via the Los Angeles Regional Crime Information System (LARCIS) and the Risk Assessment & Management Program (RAMP) database in order to track treatment referrals/engagement and the final outcome of the diverted case.

Jail Intake and Treatment Data. Jail data will be accessed through LASD's main case management system, the Automated Justice Information System (AJIS). This will facilitate the identification of mentally ill individuals that have been booked and transferred within 48-hours from the sheriff's station to LASD's central processing facility, the Inmate Reception Center (IRC). During medical intake at IRC, individuals that self-disclose behavioral health needs are flagged in the system. Ancillary data systems associated with AJS and the data collected by the LASD's triage desk will provide information on crisis calls involving the jail's MET unit. Thus, we will also be able to capture information related to the subsample of mentally ill individuals booked into LA county jail through our four sheriff's stations, including: inmate incidents (e.g. use of force, self-harm); incidents involving the safety of jail staff; inmate movements (e.g., referral to mental health unit); and engagement in jail-based treatment programs.

Official Re-arrest and Service Call Data. Although California lacks a statewide court management system, LASD maintains the centralized booking data system for all law enforcement agencies within Los Angeles county. This will serve as the data source for tracking re-arrest during a 6-15 month window and will allow researchers to access up to 3 years of criminal history data for each individual in the sample. Future crisis calls for service associated with individuals in the sample will be tracked via LASD's triage desk database, which will also record whether these contacts compromised the safety of the individual or deputies responding to the call.

Analysis. The proposed two-group contemporaneous design should control for differences in the baseline characteristics between the two groups driven by factors such as population shifts within the East Patrol Division or changes in law enforcement policies. Such baseline differences, uncontrolled, might suggest erroneous outcome effects (or erroneous null findings). However, we will nonetheless explore the possibility of utilizing propensity score adjustment techniques to reduce background differences between the samples. This will be accomplished by conducting bivariate comparisons across the samples, comparing them on a wide range of criminal history measures, instant case charges, and demographics (race, age, and sex). If we detected significant differences on less than one in twenty baseline characteristics ($p < .05$), we would take no further action in refining the samples. Otherwise, we would employ propensity score adjustment techniques (see Rubin 1973; Rosenbaum and Rubin 1983, 1984; Luellen, Shadish, and Clark 2005) to re-balance the samples, in effect rendering them more comparable.

Early Identification (Research Question 4). Key outcomes will include the number of individuals flagged for mental illness at booking and booking outcome (e.g. booked and transferred to jail, diverted through IBD). Bivariate comparisons will be used to explore whether IBD increased the identification and diversion of individuals with mental illness relative to traditional LASD booking practices. Logistic regression models may be employed if we believe other factors are influencing booking outcomes (e.g., criminal history, demographics, presenting charge).

Treatment Engagement (Research Question 5). Key outcomes will include whether the individual was referred to treatment (yes/no) and agreed to treatment (yes/no) either in the community (for the IBD group) in jail (comparison group) during the instant case. Bivariate comparisons will be used to explore whether IBD increases the *probability* of treatment linkage and engagement (logistic regression may be employed if we believe other background factors are

influencing results) relative to accessing services via jail. We would use Poisson or negative binomial regression to test whether IBD reduces the amount of time it takes for individuals to be linked to treatment services. Finally, we will employ multivariate models to explore whether additional factors (criminal history, prior hospitalizations) predict engagement (and duration) of treatment services.

Re-arrest and Calls for Service (Research Question 6, 6a). Key outcomes of interest will be tracked over a minimum 6-month period and will include: (a) re-arrest for any crime (including any jail bookings associated with the new arrest) and (b) calls for service associated with mental health crises. To explore whether IBD increases the safety of individuals with mental illness and LASD deputies, we will track the number of incidents that occur in the field (associated with a new call for service) and in the jail (as associated with new bookings). For the both measures, besides examining whether IBD reduces the *probability* of re-arrest or calls for service (yes/no), we would perform a Poisson or negative binomial regression, testing whether the program reduces the total *number* of re-arrests and calls for service (0, 1, 2, 3, etc.). Finally, we would perform survival analyses, utilizing the Cox procedure to test whether IBD delays the onset of first re-arrest or crisis call. Such an analysis is important, given the possibility that the 90-day supervision under IBD may demonstrate a significant short-term impact, that could potentially wane later on. Survival analyses could determine whether this is in fact the case. To the end of answering Research Questions 6a, we will utilize bivariate analysis to directly compare calls for service in which there is an incident that involve the safety of deputies and individuals with mental illness among those in the treatment and comparison samples. To the extent possible, we will construct multivariate models to explore the contribution of other factors (e.g., treatment engagement, criminal history) in predicting such incidents.

Jail Population and Correctional Officer Safety (Research Questions 7, 7a): Key outcomes of interest will be: a) the number of individuals with mental illness booked into the Los Angeles County jail through each of the study sites over the data collection period; and b) the number and types of safety incidents involving these individuals. We will use descriptive analysis to examine the frequency and nature of incidents involving non-diverted individuals with mental illness. If the available data allow, we will attempt to isolate the contribution of the four sheriff's stations included in the study to the mentally ill jail population overall both before and after IBD implementation. If this isolation proves possible, we will use bivariate and regression analyses to explore the impact of IBD implementation on the overall population of individuals with mental illness in the Los Angeles County jail.

Study Feasibility. We do not anticipate any major challenges to the feasibility of the proposed process evaluation, given the high level of stakeholder buy-in associated with the proposed project. In order to contend with any potential challenges, a Center researcher based in Los Angeles (Lowry) will lead all process evaluation activities to provide more direct engagement with LASD and DMH staff and minimize logistical challenges associated with coordination. Challenges to the potential feasibility of the official records study include unforeseen delays in accessing the data and unanticipated challenges in data merging (e.g., unavailable or mismatched individual identifiers), insufficient comparison cases, and baseline differences between the treatment and comparison samples that cannot be mitigated through standard propensity matching techniques. In order to minimize data concerns, we have spoken with representatives from LASD, and we believe we have a reasonable understanding of the available data. However, these discussions have highlighted that the AJIS can represent challenges in data extraction and merging as it is a mainframe system that was created in the 1980s. Given the amount of time that

it takes analytical staff to extract, clean, and match multiple files to produce information in response to requests, LASD has budgeted funds to support data pulls associated with the proposed research. Moreover, we have built time into our work plan to account for anticipated delays and have also staffed the project with a dedicated analyst (Kralstein) who will work directly with LASD analytical staff to extract the required data. Finally, should the samples prove too dissimilar at baseline, members of the research team have experience with both standard propensities matching and alternative strategies for reducing selection bias (e.g., weighting).

Interpretation: Eliciting Program Feedback. During the final year of the project, two members of the project team will conduct a site visit to Los Angeles for the purposes of (1) presenting preliminary study results and (2) eliciting feedback from the stakeholders directly involved in IBD to help contextualize and interpret study findings. During this site visit, we will solicit feedback via individual interviews and/or small group interviews with IBD staff and members of the East Patrol Division, at a minimum. In this way, we plan to draw from practitioner knowledge and incorporate local context into our interpretation of the findings.

Interpretation: Incorporating Results. Following the final site visit and collection of program feedback, the two co-PIs, practitioner expert, and project director will compile results into a summary report. The final summary report will include a concluding chapter that integrates findings from both components of the study and considers the implications of findings for research, policy and practice.

III. POTENTIAL IMPACT. The proposed project has the potential to produce new scientific knowledge and influence policy and practice at the critical intersection of public health and the criminal justice system. A growing body of research paints a stark portrait of the consequences

of relying on the criminal justice system – in particular, local police agencies and jails – as first responders for individuals in mental health crisis. In states across the country, individuals with mental illness are now more likely to be incarcerated than housed in community-based treatment facilities and the over-representation of mentally ill individuals in the justice system is a growing problem. As an example, in the state of Florida alone, patrol officers respond to tens of thousands of mental health crisis calls each year and individuals with mental illness are five times as likely to be incarcerated than provided with community-based treatment (Torrey, 2010). Further, research shows that the arrest and incarceration as a response to mental health crisis can worsen mental health problems among incarcerated individuals and place the safety and well-being of patrol and correctional officers at risk (Butler et al., 2005; Fellner, 2006; Geiman, 2007).

Perhaps ironically, our current crisis can be traced to the movement for the *deinstitutionalization* of mentally ill individuals in the 1960s – and is thus more than 50 years in the making. Unfortunately, the evolution of practical solutions for responding to mental health crisis prior to arrest and prior has been much slower and remains largely unstudied. In particular, studies of co-responder models that pair police and clinicians in the field are few and far between. The proposed collaboration presents a unique opportunity to prospectively study this emerging model and translate findings to practitioners and police agencies in cities across the country. Specifically, findings from this study will have immediate practical implications regarding the of specialized policing responses to mental health crisis calls; the expansion of early diversion programs for individuals with mental illness; and the safety and wellness of police and correctional officers that must respond to mental health crises on a daily basis.

Specialized Policing Strategies. While CIT training models have been widely implemented and studied, results regarding their efficacy are mixed, and challenges for using this model to effectively divert individuals with mental illness away from jail, or to protect the safety of patrol and correctional officers interacting with individuals in mental health crises, are numerous. The pairing of mental health service providers with officers in the field or jail facilities (i.e., “co-responder models”) holds more promise, theoretically, for achieving both to these goals, but remains largely untested. The proposed evaluation would represent an important step toward filling this gap by documenting the challenges, lessons learned – as well as the impact – of a co-responder model at multiple decision points in a large urban, police agency. Further, the study would reach beyond traditional outcome measures, such as individual treatment engagement and recidivism, to also measure the impact of the program on safety for patrol and correctional deputies in LASD, as well as the potential impact of the IBD program on the. These findings will be invaluable to stakeholders in Los Angeles County who may wish to take the IBD programs to scale, as well as to police agencies across the country seeking to develop or expand first-responder strategies to improve public health and safety outcomes for individuals with mental illness as well as correctional and patrol officers.

Early Diversion. The identification and diversion of individuals with mental health needs *before* incarceration represents an opportunity to link the individual to community-based services that could address their underlying needs and ultimately disrupt the cycle of crisis, arrest, and incarceration. The IBD program is unique as one of the first programs to formally expand the co-responder model to the booking stage, where many individuals with mental illness currently “slip through the cracks” of the arrest-stage diversion strategy currently in place in Los Angeles and land in the county jail. Positive findings regarding greater treatment engagement or reduced

recidivism among IBD/MET participants will provide a stronger foundation for jurisdictions across the country interested in expanding their existing co-responder models, while process findings will prepare them to actually make this change.

Officer Safety. Findings from this study will also be of interest jurisdictions across the country who are seeking strategies to would improve safety outcomes for law enforcement in the community and jail. In short, whereas LASD's current MET program represents an opportunity to de-escalate encounters with mentally ill individuals and divert them to services at the point of arrest, IBD ensures that law enforcement has a second opportunity to intercept mentally ill individuals at booking. Thus, IBD may prevent mentally ill individuals who would be better served in the community from winding up in jail, where they may further decompensate and pose a risk of harm to themselves or others. By assessing the extent to which IBD participants avoid jail when compared to arrestees booked through LASD's traditional process, as well as documenting the number of jail-based incidents occur for each group, this study will make an important contribution to understanding whether early diversion can improve jail safety.

Project Deliverables. A final summary report of all research findings will be submitted to NIJ by the end of project period. Additionally, recognizing that there is currently substantial interest in the expansion of effective law enforcement strategies for responding to mentally ill individuals among policymakers and police executives, a brief white paper will be produced summarizing research findings and policy implications in non-technical prose. In addition, if the proposed evaluation yields positive findings regarding IBD implementation, a Frequently Asked Questions (FAQ) document will be developed in collaboration with practitioner partners in Los Angeles, connecting study findings to the concrete questions that law enforcement may have on how best to set up similar programs in their own jurisdiction. To enhance dissemination, study

findings will be presented in multiple settings, including the annual conference of the Academy of Criminal Justice Sciences and the International Association of the Chiefs of Police.

Finally, the Center will implement a multi-media dissemination strategy as follows: First, the executive summary, all policymaker/practitioner publications, and links to any abstracts of academic journal articles will be posted on the Center's website. In the first three months of 2019, www.courtinnovation.org logged an average of 75,136 visitors per month, and 7,334 copies of the Center's publications were downloaded. Second, an interview with the PI and Co-PI will be aired via the Center's weekly podcast, *New Thinking*. Third, consistent with standard Center practice, the number of policymakers and practitioners who receive study products will be enhanced through twitter updates after publications are released and at least one "e-mail blast," which will reach more than 16,000 professionals nationwide (and be re-forwarded to many others).

IV. CAPABILITIES/COMPETENCIES. The Center for Court Innovation ("the Center") works to create a more effective and humane justice system by performing original research and helping launch reforms around the world. The Center's Policy and Research Department is staffed by more than 30 social scientists and policy experts with diverse methodological expertise and a broad scope of knowledge on the justice system nationally. The two proposed co-PIs, Jennifer A. Tallon and Sarah Picard, are well-positioned to lead the proposed study. They have, respectively, led studies of police-led diversion and justice system responses to mental illness, including a national mixed-methods study of police-led diversion program and a BJA-funded study of recidivism in mental health court populations. Moreover, the two proposed PIs recently co-led a quasi-experimental study of neighborhood-based probation funded by NIJ. Critical support will be provided by Brett Taylor, Senior Advisor in the Center's Technical

Assistance Department, who has extensive experience working with LASD as part of the MacArthur Safety and Justice Challenge. Finally, data collection, analysis, and interpretation of findings for the current study will be conducted in collaboration with Dana Kralstein, who brings over 20 years of data management and quantitative analysis experience and Michela Lowry, who brings experience in project management and qualitative research in a variety of settings.

Staffing Plan. **Jennifer A. Tallon (Principal Investigator)**, is a Principal Research Associate at the Center for Court Innovation. Since joining the Center in 2014, Dr. Tallon has been a lead researcher on several projects related to policing practice, including a national study of police-led diversion programs, a qualitative case-study of minority youth violence programs in nine cities, and a quasi-experimental impact evaluation of the Group Violence Intervention model in Newburgh, New York. She is currently the principal investigator on a mixed methods evaluation of procedural justice in prosecutorial responses to gun violence in Essex County, New Jersey. Dr. Tallon also provides research support to multiple jurisdictions across the country participating in the MacArthur Foundation's Safety and Justice Challenge. She holds a Ph.D. in Psychology from The Graduate Center, CUNY.

Sarah Picard (Co-PI), is one of three research directors at the Center for Court Innovation. Dr. Picard's work focuses on system-level change in the adult criminal justice context and the translation of research evidence into practice. She has served as a principal investigator on multiple DOJ-funded research studies, including an NIJ funded randomized control trial of evidence-based assessment practices in drug courts, an NIJ funded quasi-experimental evaluation of probation reform in NYC, and a BJA-funded study of predictors of success in mental health court. She is currently the Principal Investigator of a mixed-methods, multisite examination of pretrial responses to intimate partner violence funded by Arnold Ventures. Finally, Dr. Picard

currently co-leads the Center's research and technical assistance work to reduce the use of jail incarceration nationally. She received her PhD in Criminal Justice from the Graduate Center at the City University of New York.

Brett Taylor (Practitioner Expert) is Senior Advisor for Technical Assistance at the Center for Court Innovation. He formerly was the Center's deputy director of national technical assistance and the Center's director of operations for the tribal justice exchange program. For the last two years, Mr. Taylor has worked directly with LASD as part of the MacArthur Foundation's Safety and Justice Challenge and has extensive knowledge of Los Angeles County. Mr. Taylor holds a J.D. from the University of Pittsburgh School of Law.

Dana Kralstein (Quantitative Analyst) is a Senior Research Fellow at the Center for Court Innovation. Since joining the Center in 2001, Ms. Kralstein spent ten years as Associate Director of Research. Ms. Kralstein was a lead analyst in a longitudinal national impact evaluation of adult drug courts and a comprehensive impact evaluation of several reentry courts nationwide, both funded by NIJ. These projects, and others, regularly utilize factor analysis, survival analysis, propensity matching, and several methods of regression, including HLM. Ms. Kralstein is regarded as the department's top expert in SPSS syntax code and programming. Ms. Kralstein has a Masters in Public Policy from the University of Michigan.

Michela Lowry (Project Director) is a Research Associate at the Center for Court Innovation. Prior to joining the research department, Ms. Lowry was a Senior Associate on the Center's National Training and Technical Assistance team. She brings extensive experience collaborating with justice system practitioners; managing large, multisite research and technical assistance projects; and providing general and research-driven training and technical assistance in a diverse array of justice system contexts. Ms. Lowry currently co-leads the Center's BJA funded initiative

to assess, protect, and secure Sixth Amendment rights in ten jurisdictions across the country.

She holds a Masters in Education from the Relay Graduate School of Education.

Rachel Swaner (Senior Advisor), is one of three research at the Center for Court Innovation.

Dr. Swaner brings extensive experience designing and conducting multi-site evaluations of justice system reform initiatives, and expertise on qualitative data collection and analysis. She is currently the principal investigator on an NIJ-funded qualitative study of young illegal gun carriers in New York City and recently directed the evaluation of the *Defending Childhood Demonstration Project*, a U.S. Department of Justice multi-site initiative to address children's exposure to violence. She was previously a researcher and evaluator at Harlem Children's Zone. Rachel received her PhD in Sociology from the CUNY Graduate Center.

Management Plan. All seven members of the Center-based research team will collaborate across aspects of the project. The co-PIs will share project management tasks, with Picard responsible for communication with NIJ and for IRB submissions, approval, and monitoring. Tallon will act as project manager, overseeing the work of the quantitative analyst and project director; she will also coordinate with Taylor and Lowry to facilitate communication with LASD. Together with Kralstein, Picard and Tallon will develop the analytic plan for the official records analysis; with Lowry, Picard and Tallon will develop the analytic plan for the process evaluation. Kralstein will work directly with data analysts at LASD to spearhead official records data extraction and will take lead on all data cleaning, coding, and matching. All members of the team will collaborate on written products and will co-author the final report to NIJ. Picard, Tallon, and Lowry will take lead on producing materials for practitioner audiences, based on their extensive experience bridging the divide between research and practice. At the end of the project, Center researchers

will also draw on their in-house communications and technology staff (at no cost to NIJ) for multi-media-based dissemination (web site, e-mail blasts, author interviews, etc.).

DRAFT

Appendix L – Data Elements and Sources

Impact Question	Examples of Required Data Elements	Data Sources
Q4) Does IBD result in the increased identification and/or diversion of mentally ill individuals following arrest?	<ul style="list-style-type: none"> • # of MI individuals identified via IBD <ul style="list-style-type: none"> ○ # of MI individuals diverted through IBD ○ # of MI individuals not eligible for IBD ○ Case outcomes (e.g. case filed for non-compliance, charges downgraded, diverted post-booking) • # of MI individuals booked into jail from comparison station houses <ul style="list-style-type: none"> ○ # of MI individuals diverted post-booking ○ Case outcomes (e.g. charges downgraded, diverted post-booking) 	<ul style="list-style-type: none"> • LASD/DMH triage desk • LASD/DMH RAMP database • Los Angeles Regional Crime Information System (LARCIS) • LASD Jail Data (e.g. Automated Justice Information System)
Q5) Does IBD increase treatment engagement for these individuals? (Tracking period – 6 months)	<ul style="list-style-type: none"> • IBD Group <ul style="list-style-type: none"> ○ # of hospitalizations ○ # of referrals to outpatient providers ○ # of clients that successfully completed treatment ○ Duration of treatment • Comparison Group <ul style="list-style-type: none"> ○ # of referrals for treatment in jail ○ Duration of treatment in jail ○ # of referrals to secure facilities or community-based providers upon release from jail 	<ul style="list-style-type: none"> • LASD/DMH triage desk • LASD Jail Data (e.g. Automated Justice Information System)
Q6) Does IBD reduce future calls for service or new arrests among these individuals? (Tracking period – 6 months)	<ul style="list-style-type: none"> • IBD & Comparison - Any new arrest in LA County <ul style="list-style-type: none"> ○ Identifying Info (first/last name, DOB, Demographics) ○ Date of new charge ○ Charge type, charge severity, etc. • IBD & Comparison - Any new call for service associated with behavioral health crisis 	<ul style="list-style-type: none"> • LASD's centralized booking number system for Los Angeles County • LASD/DMH triage desk

Q6a) In the divisions where it is implemented, does IBD decrease future incidents involving the safety of deputies? (Tracking period – 6 months)	<ul style="list-style-type: none"> ○ Identifying Info (first/last name, DOB, Demographics) ○ Date of new call for service ○ Incident type, outcome ○ Any indication of safety incident involving MI individual or deputy 	<ul style="list-style-type: none"> ● LASD calls for service log
Q7) Is there potential for IBD to decrease the population of mentally ill individuals booked into jail? Q7a) If so, are there implications for correctional safety?	<ul style="list-style-type: none"> ● # of individuals flagged as MI booked into jail across the four study sites (including instant offense and any subsequent arrest resulting in jail booking) <ul style="list-style-type: none"> ○ # of MI individuals engaging in self-harm ○ # of use of force incidents ○ # of incidents involving harm to other inmates ○ # of incidents involving harm to custody deputies 	<ul style="list-style-type: none"> ● LASD/DMH triage desk ● LASD/DMH RAMP database ● LASD Jail Data (e.g. Automated Justice Information System)

Appendix P. Data Archiving Plan

Quantitative data for the proposed project would come from the Los Angeles County Sheriff's Department (LASD). Interview and qualitative data would come from one-on-one, structured interviews conducted with stakeholders and staff; focus groups with deputy sheriffs; program observations; and review of policy documents. All interviews and focus groups will be recorded with the permission of participants and transcribed. Transcriptions will be de-identified prior to analysis.

All quantitative data will be entered into an SPSS database. Individual identifiers will be included in the initial files sent by LASD. These identifiers will be essential to merging across multiple LASD data sources as well as the cleaning and coding of data, as LASD's data system is a case-level system, we need individual identifiers for the purposes of linking individuals' multiple cases (i.e., instant, criminal history, and recidivism). However, once the data cleaning, coding, and merging has been completed, all identifying information will be removed from the data file. Paper copies of interview instruments will be transferred to electronic format and hard copies will be immediately destroyed. All data files will be password protected.

All final data coding and cleaning will be documented and saved in one or more SPSS files. In the course of analyzing the quantitative data, new variables, summary measures, and/or subscales will be created. Any such manipulations or additions to the original data sets will be documented. Furthermore, the final data sets that result from such additional variable creation efforts will be submitted to NIJ in SPSS-readable form, along with a codebook that explains each variable, its variable label, and its value labels. The final data set, along with any applicable syntax files to understand the creation of summary variables, will be submitted to NIJ prior to the end of the funding period. In general, the archive will comply with any and all additional procedures dictated by the archive uploading process created by ICPSR at the University of Michigan.

Should other researchers need more information about the study or the data, they should contact Jennifer A. Tallon, PI, at jtallon@nycourts.gov.

Privacy Certificate

Grantee, the Center for Court Innovation, certifies that data *identifiable to a private person* will not be used or revealed, except as authorized in 28 CFR Part 22, Sections 22.21 & 22.22.

Grantee certifies that access to the data will be limited to those employees having a need for such data and that such employees shall be advised of and agree in writing to comply with the regulations in 28 CFR Part 22.

Grantee certifies that all contractors, subcontractors, and consultants requiring access to identifiable data will agree, through conditions in their subcontract or consultant agreement, to comply with the requirements of 28 CFR §22.24, regarding information transfer agreements. Grantee also certifies that NIJ will be provided with copies of any and all transfer agreements before they are executed as well as the name and title of the individual(s) with the authority to transfer data.

Grantee certifies that, if applicable, a log will be maintained indicating that (1) identifiable data have been transferred to persons other than employees of NIJ, BJA, BJS, OJJDP, OVC, OJP, OVW, or grantee/contractor/subcontractor staff; and (2) such data have been returned or that alternative arrangements have been agreed upon for future maintenance of such data, in accordance with 28 CFR §22.23(b)(6).

Grantee certifies that any private person from whom identifiable information is collected or obtained shall be notified, in accordance with 28 CFR §22.27, that such data will only be used or revealed for research or statistical purposes and that compliance with the request for information is not mandatory and participation in the project may be terminated at any time. In addition, grantee certifies that where findings in a project cannot, by virtue of sample size or uniqueness of subject, be expected to totally conceal the identity of an individual, such individual shall be so advised.

Grantee certifies that project plans will be designed to preserve the confidentiality of private persons to whom information relates, including where appropriate, name-stripping, coding of data, or other similar procedures.

Grantee certifies that copies of all questionnaires that have already been designed for use in the project are attached to this Privacy Certificate. Grantee also certifies that any questionnaires developed during the project period will be provided to NIJ at the end of the project.

Grantee certifies that project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person, except as authorized by 28 CFR §22.22.

Grantee certifies that adequate precautions will be taken to ensure administrative and physical security of identifiable data and to preserve the confidentiality of the personally identifiable information.

Grantee certifies that all project personnel, including subcontractors, have been advised of and have agreed, in writing, to comply with all procedures to protect privacy and the confidentiality of personally identifiable information.

To comply with the regulations in 28 CFR Part 22, the following safeguards are incorporated into the grant application:

The grantee, the Center for Court Innovation, agrees to provide administrative and physical security of identifiable data and to preserve the anonymity of individuals, organizations, and agencies or departments of Federal, State or local governments participating in this research. To comply with this regulation, the following elements are incorporated in the grant application.

Brief Description of Project:

The Los Angeles County Sheriff's Department (LASD) has recently developed the Intake Booking Diversion program (IBD) for individuals presenting with mental illness at the point of jail booking. This new program, which is an expansion of LASD's Mental Evaluation Team (MET) co-responder model, builds upon LASD's twenty-five years of collaboration with the Los Angeles County Department of Mental Health (DMH) to divert mentally ill persons away from the jail and towards treatment. Under the IBD program, individuals who flag for mental health needs during booking at sheriff's stations would trigger a review process in which deputies and watch commanders consult with mental health experts at the MET triage desk to determine if the individual is eligible for diversion to mental health services in lieu of jail. Thus the goal of IBD is to introduce a second intercept point for deputies to divert individuals with mental illness prior to jail intake.

The Center for Court Innovation proposes to conduct a prospective process and impact evaluation of the IBD program employing a quasi-experimental, mixed-methods approach. The proposed study will involve two overlapping components: (1) a formative process evaluation, including stakeholder and staff interviews; focus groups with assistant deputies from patrol divisions; program observations; and document review and (2) an impact analysis of program, treatment and official criminal records data. Both components will involve data collection in selected treatment and comparison sites in the East Patrol Division of Los Angeles County. The proposed research would examine: (1) whether the IBD program improves early identification of arrestees with mental illness; (2) whether diversion through IBD increases treatment engagement or reduces recidivism and future calls for service associated with mental health crises; (3) whether the IBD program improves safety for LASD deputies (in the field or jail facility) and individuals with mental illness; and (4) the lessons learned from program implementation that may be translatable to other law enforcement agencies seeking to divert individuals with mental illness.

Procedures to notify subjects, as required by 28 CFR §22.23(b)(4) or, if notification is to be waived, pursuant to 28 CFR §22.27(c), please provide a justification:

Official Records Analysis: This component involves analysis of secondary data provided by LASD that will be collected for programmatic and/or Los Angeles County justice system purposes and does not require additional notification or informed consent of subjects.

Identifiable data will not be viewed by anyone outside of the core research team, who will either download the data from a password protected database or will receive password-protected data via a portable drive. After the data have been merged, all individual identifiers will be stripped from the final dataset and replaced with pseudo-identifiers.

Stakeholder and Staff Interviews/Focus Groups: All interviews and focus groups will involve informed consent processes and will be approved by the Center's Institutional Review Board. Consent documents and processes will stipulate that participant information will only be used for research purposes and that participation is voluntary and may be terminated at any time. All interviewees will be at least 18 years of age. Interviews will be administered by a researcher trained to protect the identifiable information of human subjects. All interviews/focus groups will be recorded with the permission of the participants and de-identified during transcription.

Procedures developed to preserve the confidentiality of personally identifiable information, as required by 28 CFR §22.23(b)(7):

N/A. Identifiers will be used for the purposes of cleaning, coding, and merging data only. Original files containing the individual identifiers will be maintained on a password-protected computer drive accessible only to project research staff. Identifiers will be stripped from electronic data files used for analysis. Data identifiable to individuals will not be revealed. All interviewed research subjects will be assigned coded pseudonyms. Identifiers will be stripped from electronic data files with the responses of all subjects. A master data file will be maintained with both identifying information and the pseudo-identifiers, but this file will be maintained on a password-protected computer drive accessible only to project research staff. Data identifiable to individuals will not be revealed.

Justification for the collection and/or maintenance of any data in identifiable form, if applicable: Individual identifiers will be needed to merge across multiple LASD data platforms, which are case-level data systems. Once the data has been cleaned and merged, only those files with the individual identifiers removed will be used for further analyses. Original files containing the individual identifiers will be maintained on a password-protected computer drive accessible only to project research staff.

Procedures for data storage, as required by 28 CFR §22.23(b)(5):

Consistent with best practices in data storage and security, electronic files will be password protected and accessible only to research project staff. Both "hard" and computer copies of data will be stored in locked file cabinets. Identifiers will be stripped from electronic data files, as described above.

Description of any institutional limitations or restrictions on the transfer of data in identifiable form, if applicable:

Not applicable.

Name and title of individual with the authority to transfer data:

Jennifer A. Tallon, Principal Investigator, Center for Court Innovation

Sarah Picard, co- Principal Investigator, Center for Court Innovation

Elise Jensen, Project Director, Center for Court Innovation
Dana Kralstein, Quantitative Analyst, Center for Court Innovation
Rachel Swaner, Research Director, Center for Court Innovation
Amanda Cissner, Director of Research Writing, Center for Court Innovation

Procedures to ensure the physical and administrative security of data, as required by 28 CFR §22.25(b), including, if applicable, a description of those procedures used to secure a name index:

Both official records data and interview/focus group data will assign individuals unique pseudo-identifiers (e.g., a sequential number starting with 1 for the first row of data) prior to any analysis by the research team. These pseudo-identifiers will remain with each subject in all datasets, and a master file will be maintained linking these identifiers to identifying information. Thus, the project will utilize the pseudo-identifier (i.e., stand-in identifier) – with no intrinsic or identifiable relation to any actual person – to perform required person-based analyses.

Procedures for the final disposition of data, as required by 28 CFR §22.25.

Removal of identifiers from all final data sets and physical destruction of any data, hard or computer copy, containing identifiers within three years.

All final data coding and cleaning will be documented and saved in one or more SPSS files. In the course of analyzing the quantitative data, new variables, summary measures, and/or subscales will be created. Any such manipulations or additions to the original data sets will be documented. Furthermore, the final data sets that result from such additional variable creation efforts will be submitted to NIJ in SPSS-readable form, along with a codebook that explains each variable, its variable label, and its value labels. The final data set, along with any applicable syntax files to understand the creation of summary variables, will be submitted to NIJ prior to the end of the funding period. In general, the archive will comply with any and all additional procedures dictated by the archive uploading process created by ICPSR at the University of Michigan.

Name and title of individual authorized to determine the final disposition of data:
Jennifer A. Tallon, Principal Investigator

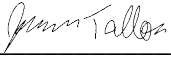
Access to data is restricted to the following individuals, as required by 28 CFR §22.23(b)(2):


Jennifer A. Tallon, Principal Investigator, Center for Court Innovation
Sarah Picard, co- Principal Investigator, Center for Court Innovation
Elise Jensen, Project Director, Center for Court Innovation
Dana Kralstein, Quantitative Analyst, Center for Court Innovation
Rachel Swaner, Research Director, Center for Court Innovation
Amanda Cissner, Director of Research Writing, Center for Court Innovation

Grantee certifies that the procedures described above are correct and shall be carried out. Grantee certifies that the project will be conducted in accordance with all the requirements of the Omnibus Crime Control and Safe Streets Act of 1968 as amended and the regulations contained in 28 CFR Part 22.

Grantee certifies that NIJ shall be notified of any material change in any of the information provided in this Privacy Certificate.

Signature (s):

Jennifer A. Tallon  (Principal Investigator)

Courtney Bryan  (Institutional Representative)

Date: June 9, 2020

DRAFT

2.5% Estimated COLA Increases Factored Yr 2 & 3

Staff Descriptions	Hourly Rate*	HOURS per YEAR	Costs	Costs2	Costs3	Costs4
			YEAR 1	YEAR 2	YEAR 3	TOTAL
PERSONNEL OVERTIME EXPENDITURES			\$ -	-	-	-
a. Deputy Sheriff B1 (Sworn)	\$ 142.64	384	\$ 54,773.76	56,143.10	57,546.68	168,463.55
b. Crime Analyst (Non-Sworn)	\$ 103.22	96	\$ 9,909.12	10,156.85	10,410.77	30,476.74
c. Operations Asst I (Non-Sworn)	\$ 73.28	78	\$ 5,715.84	5,858.74	6,005.20	17,579.78
d. Operations Asst II (Non-Sworn)	\$ 91.02	72	\$ 6,553.44	6,717.28	6,885.21	20,155.92
e. Sergeant (Sworn)	\$ 172.24	120	\$ 20,668.80	21,185.52	21,715.16	63,569.48
Subtotal of All Hours per Year		750	\$ -	-	-	-
TOTAL ESTIMATED COSTS			\$ 97,620.96	\$ 100,061.48	\$ 102,563.02	\$ 300,245.47

Explanation of Overtime Expenditures

a. Deputy Sheriff B1 (Sworn)	30 hours per month allocated to Deputy B1 overtime (360 hours per year) for Deputy overtime to add MET Triage Desk capacity to receive calls from station jails, provide consultation and data entry + dispatching of MET units				
	Deputy overtime also allows for hiring of MET deputies on "shift holdover" overtime to allow extra availability daily to conduct patient assessments at station jails when a diversion candidate is identified, to consult in person with arresting officer and watch commander, and then MET provides transportation to hospital for diversion; on EM shift, for example, when a patient must be transported, this				
	2 hours per month (24 hours per year) is allocated to Scheduling Deputy for hiring and pre-scheduling of all pilot program				
	deputies and extending coverage to allow for more diversions				
b. ANALYST (Non-Sworn)	Estimated at 8 hours per month; allows time for analyst to query LASD databases and extract data for researchers at pilot stations and c				
c. Operations Asst I (Non-Sworn)	Estimated at 6.5 hours per month; allows time for OAI to enter overtime slips (paperwork) into LASD OETS program for monthly account				
d. Operations Asst II (Non-Sworn)	Estimated at 6.5 hours per month; allows time for OAI to prepare billing reports and oversee/approve work of OAI related				
	to for staff overtime tracking expenditures directly related to this pilot/grant				
e. Sergeant (Sworn)	Estimated at 4 hours per month; allows for administrative oversight of pilot program to include review of above workload & oversight of schedule, program evaluation, evaluate recent arrest & hospitalization trends and pre-planning of overtime for strategic				
	Estimated at 4 hours per month for meetings, teleconferences, in-person training and discussion with researchers, subordinates and station jail & watch commander personnel for training and direct feedback about program results and adjustments to				
	Estimated at 2 hours per month to directly oversee and evaluate consultations at the desk and/or respond to observe and assist with station jail consultations and evaluation of bookings for possible diversion (to ensure maximum effort to divert bookings to mental				

* Rates set forth by the LA County Auditor-Controller. Rates are adjusted every July 1.

INVOICE / EXPENSE STATEMENT

Today's Date: 1/28/2021

From: agency name
contact name
address
city state zip

To: Center for Court Innovation
Attn: contact name
520 Eighth Avenue, 18th Floor
New York, NY 10018

Project: project name

Contract #: xxxxx-xx-xxxx

Contract Period: xxxx 1, 20xx - xxxx 30, 20xx

Reporting Period: xxxx 1, 20xx - xxxx 30, 20xx

Invoice Amount: \$0

	Budget	10/1/19 12/31/19 Expenses	1/1/20 3/31/20 Expenses	4/1/20 6/30/20 Expenses	7/1/20 9/30/20 Expenses	10/1/20 12/31/20 Expenses	1/1/21 3/31/21 Expenses	4/1/21 6/30/21 Expenses	7/1/21 9/30/21 Expenses	Total Expenses to Date	Variance from Budget
Personnel											
name, title										-	-
name, title										-	-
Subtotal Personnel	-	-	-	-	-	-	-	-	-	-	-
Fringe										-	-
Total Personnel	-	-	-	-	-	-	-	-	-	-	-
OTPS											
Travel										-	-
Equipment										-	-
Supplies										-	-
Construction										-	-
Consultants/Contracts										-	-
Other Costs										-	-
Indirect Costs										-	-
Total OTPS	-	-	-	-	-	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-	-	-	-	-	-

I certify that the above expenditures have been made in accordance with the Agreement; that the claim is just and correct; that no part thereof has been paid except as stated; and that the balance is actually due and owing.

Signature

Name

Date

Title

Required Supporting Fiscal Documentation for Invoice/Expense Statements

Invoice/Expense Statements must include the following back-up documentation to support all claimed costs:

Personnel

- * Payroll Registers (from either outsource company or in-house payroll). The salary amount charged on the invoice must be clearly indicated on the backup.

A payroll register is required for employees charged to the project during a specific pay period, usually run from a payroll software. The payroll register must contain employee name, pay period, pay date, employee hours, pay rate, gross pay, income taxes and employee withholdings, other deductions and net pay.
- * Time Sheets *OR* Activity Reports for each employee being claimed on the invoice.

Time sheets or activity reports detailing Position Title, # of Hours, Hourly rate of pay, Amount (\$) charged to project, activities done during these hours is required.
- * Fringe Benefits policy and calculation methodology must be provided.

OTPS

- * Back-up documents for all expenses being claimed on each approved budget category (Supplies, Printing, Travel, etc.) Methodology of allocations; worksheet and allocation basis must be provided and reconcile to the invoice.
- * Copies of invoices paid to vendors, indicating the amount claimed if the total invoice is not fully charged to the contract. Vendor invoices and receipts must be itemized.

Note: Additional documentation and specific procurement processes may be required for purchases of goods or services over \$10,000. Please contact CCIContracts@nycourts.gov for additional information.
- * Copies of checks or canceled checks/EFTs for each payment.
- * Travel related costs must follow the Center's Travel Policy guidelines.
- * Equipment purchases must provide invoices and canceled checks. Inventory list, location of the equipment, and capitalization policy (if applicable) must be available upon request.
- * Stipends, Gift Cards & Incentives require signed stipend agreements, signed (or initialed if confidential) and dated logs, and copies of checks or disbursement e-mail (gift cards). Gift cards must be distributed to qualify for reimbursement.
- * Indirect Costs require a current Federally Approved Indirect Rate Agreement for any rate above de minimis rate (10%).

**Justice Innovation Inc
ACH Authorization Form**

LIFE MADE EASIER

Justice Innovation Inc would like to pay you through Direct Deposit, otherwise known as Electronic Funds Transfer (EFT) and ACH (Automated Clearing House).

What are direct deposit/EFT/ACH Payments?

These payments are electronic payments that will be sent to your bank account instead of your receiving a physical check in the mail.

Is there a charge for direct deposit/EFT/ACH Payments?

There is no charge for this service from Justice Innovation Inc.

What is the benefit of signing up for ACH?

Since ACH payments are directly deposited to your bank account, you will receive your reimbursement sooner than if you received a physical check.

How do I sign up?

Please complete the ACH Authorization form, **ATTACH A VOIDED CHECK/VOIDED DEPOSIT SLIP (FOR SAVINGS ACCOUNT), BANK STATEMENT OR A BANK LETTER WITH ACCOUNT NUMBER.**

Please ensure that the form is completely filled out and a voided check/voided deposit slip (for savings account) or a bank letter with account number is attached. **Please send the completed form to CCIAP@COURTINNOVATION.ORG.**

**Justice Innovation Inc
ACH Authorization Form**

Complete this form for direct deposit/EFT/ACH payments. Please submit to cciap@courtinnovation.org along with a voided check, savings deposit slip, bank statement or bank letter with account number.

ORGANIZATION TYPE: ☒ Individual ☐ Organization

VENDOR NAME: _____

NAME ON ACCOUNT: _____

FINANCIAL INSTITUTION (Name of Bank, Savings and Loan, Credit Union):

ACCOUNT TYPE: ☒ Checking ☐ Savings

ROUTING NUMBER: _____
(First 9-digit number on bottom left of a check)

ACCOUNT NUMBER: _____

I hereby authorize Justice Innovation Inc to initiate deposits (credits) and/or corrections to the previous deposits to the institutions indicated above. The financial institution is authorized to credit and/or correct the amounts to my account. This authorization is to remain in effect until I revoke it by giving 20 days prior notice in writing to Justice Innovation Inc.

NAME OF SIGNER: _____ Date: _____

Signature

Complete this form and attached a voided check, savings deposit slip, bank statement or bank letter with account information, and email to CCIAP@courtinnovation.org.

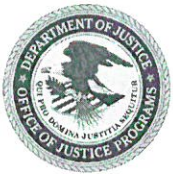


U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

Grant

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Fund for the City of New York 121 Avenue of the Americas 6th Floor New York, NY 10013-1590		4. AWARD NUMBER: 2019-R2-CX-0033	
2a. GRANTEE IRS/VENDOR NO. 132612524		5. PROJECT PERIOD: FROM 01/01/2020 TO 12/31/2022 BUDGET PERIOD: FROM 01/01/2020 TO 12/31/2022	
2b. GRANTEE DUNS NO. 073279945		6. AWARD DATE 09/21/2019	7. ACTION Initial
3. PROJECT TITLE Expanding Mental Health Diversion Opportunities: A Prospective Evaluation of the Los Angeles County Intake Booking Diversion Program		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 1,000,000	
		11. TOTAL AWARD \$ 1,000,000	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY19(NIJ - Section 212 Research) Pub. L. No. 116-6, 133 Stat. 13, 119; 28 USC 530C			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.560 - National Institute of Justice Research, Evaluation, and Development Project Grants			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL David B. Muhlhausen Director NIJ		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Greg Berman Director, Center for Court Innovation	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 10/15/1
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X C R2 60 00 00 1000000		21. UR2SGT0331	



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1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award. By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts all such assurances or certifications as if personally executed by the authorized recipient official.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in the Office of Justice Programs ("OJP") taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. The U.S. Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or unenforceable, such provision shall be deemed severable from this award.

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2019 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2019 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2019 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

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3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2017, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2017, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

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7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

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9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

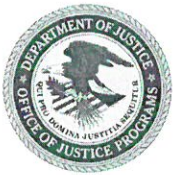
For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

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any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

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13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

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14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ) or in the application for any subaward, at any tier, the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

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19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

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24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2019)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2019, are set out at <https://ojp.gov/funding/Explore/FY19AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 1425 New York Avenue, N.W. Suite 7100, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

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27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

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SPECIAL CONDITIONS

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. The recipient shall submit semiannual progress reports. Progress reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. The recipient agrees to follow the non-budgetary components of the Research Performance Progress Report (RPPR) template/format to develop and prepare its semi-annual report. General information on RPPRs may be found at www.nsf.gov/bfa/dias/policy/rppr/. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.

32. The recipient agrees to submit a final report at the end of this award documenting all relevant project activities during the entire period of support under this award. This report will include detailed information about the project(s) funded, including, but not limited to, information about how the funds were actually used for each purpose area, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The recipient agrees to follow the non-budgetary components of the Research Performance Progress Report (RPPR) template/format to develop and prepare its final report. General information on RPPRs may be found at www.nsf.gov/bfa/dias/policy/rppr/. The final report is due no later than 90 calendar days after the period of performance end date. This report will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.

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33. The recipient agrees that it will submit quarterly financial status reports to OJP on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form (available for viewing at <https://www.gsa.gov/forms-library/federal-financial-report>), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
34. At the end of the period of performance under the award, the recipient shall submit to NIJ, on-line through the Internet at <https://grants.ojp.usdoj.gov/>, the following document: (1) A Final Research Report.
- The Final Research Report must be submitted as a "Special Report," via the GMS Progress Reports Module. The Final Research Report will conform - in both form and content - with requirements detailed on an NIJ webpage, as that page may be updated from time to time.
- The recipient understands and agrees that it is expected to contact (timely, and prior to submission of the Final Research Report) the NIJ grant manager, if it has any question or needs clarification regarding the form and content of the Final Research Report.
35. Before the end of the grant award period, grant recipients shall archive data according to the Data Archiving Plan approved by NIJ, consistent with the approved privacy certificate and any other approved human subject protections documentation. Unless otherwise specified in writing by the NIJ Grant Manager, as authorized by the appropriate NIJ authority, data submission is required for this award and the requirement may not be unilaterally modified or waived. Changes to the Data Archiving Plan may require further human subjects and privacy protection documentation approval. Other artifacts developed with these grant funds may also be required, per NIJ instruction - or that the grantee has proposed as a deliverable in the grant application - and consistent with the "Copyright and Data Rights" special condition applied to this award. Required data submissions shall be made in compliance with the data deposit instructions posted on the NIJ Data Archiving web page (<https://www.nij.gov/funding/data-resources-program/pages/data-archiving-strategies.aspx>) at the time of submission. NIJ may require grant recipients to modify data sets after initial submission to meet the specifications outlined in the grant program solicitation, grant agreement, according to archiving instructions, or due to concerns with data quality. Grant recipients are required to sufficiently address requests for modification in a timely manner and strongly encouraged to submit required data sets to NIJ at least 90 days before the close of the grant award.
36. In addition to any applicable required information it must provide to an award-funded research partner (see, for example, 2 C.F.R. 200.331), the recipient must create a formal written agreement with any research partner providing, generating, or substantively contributing to data used for research activities funded through this grant award. The written agreement must demonstrate the research partner's understanding of the award recipient's data archiving responsibilities, to include submission of de-identified data to NIJ's data repository. The agreement should also provide written assurance by the research partner that data will be shared with the award recipient, as required for the award recipient to meet the data archiving requirements of this award. Award recipients should include confidentiality (28 C.F.R. Part 22) and other data-sharing considerations into the agreement, as applicable, but not in conflict with NIJ's data archiving policy. NIJ reserves the right to terminate or modify the scope of this award if an agreement between the award recipient and covered research partners is not in place by the start of the period of performance for this award.
37. The recipient shall make no guarantee, without prior NIJ approval, that the data collected, acquired or produced as part of this project will not be transferred or released. (Such a guarantee would preclude NIJ from archiving and making available all NIJ-funded data).

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38. Copyright; Data rights

The recipient acknowledges that OJP reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward (at any tier); and (2) any rights of copyright to which a recipient or subrecipient (at any tier) purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under any such award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient (at any tier), if applicable) to ensure that the provisions of this condition are included in any subaward (at any tier) under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

39. Foreign Travel Approval

The recipient must obtain approval from the NIJ grant manager, in the form of an approved Grant Adjustment Notice ("GAN"), at least 30 days prior to obligating, expending, or drawing down award funds for foreign travel, which includes any recipient- or subrecipient-foreign travel funded by this award. Any post-award request for such approval (via "GAN") must be submitted via OJP's Grants Management System ("GMS"). Approval of the recipient's total award budget (that is, financial clearance) does not constitute approval of foreign travel.

The 2015 Department of Justice Grants Financial Guide contains additional information on requirements related to foreign travel.

40. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

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41. Patents and Inventions.

The clauses at 37 C.F.R. section 401.14 (together, the "Patents Rights Clause") are incorporated by reference, with the following modifications.

(1) Where italicized, the terms "contract," "contractor," and "contracting officer" are replaced, respectively, by the terms "award," "award recipient," and "OJP program manager";

(2) Patent Rights Clause paragraph (f) is modified by adding the following at the end:

"(5) The award recipient agrees to provide a report prior to the close out of the award listing all subject inventions or stating that there were none.

(6) The award recipient agrees to provide, upon request, the filing date, patent application number and title; a copy of the patent application; and patent number and issue date for any subject invention in any country in which the award recipient has applied for a patent.";

(3) Patent Rights Clause paragraph (g) is modified to read as follows:

"(g) Subawards and Subcontracts

"The award recipient will include this Patent Rights Clause, suitably modified to identify the parties, in all subawards and subcontracts, regardless of tier, for experimental, developmental, or research work. The subaward recipient or subcontractor will retain all rights provided for the award recipient in this clause, and the award recipient will not, as a part of the consideration for awarding the subaward or subcontract, obtain rights in the subaward recipient's or subcontractor's subject inventions."; and

(4) Patent Rights Clause paragraph (l) is modified to read as follows:

"(l) Communications

"Communications on matters relating to this Patent Rights Clause should be directed to the General Counsel, Office of Justice Programs, United States Department of Justice."

With respect to any subject invention in which the award recipient, or a subaward recipient or subcontractor, retains title, the Federal government shall have a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States the subject invention throughout the world.

42. To assist in information sharing, the award recipient shall provide the NIJ grant manager with a copy of publications (including those prepared for conferences and other presentations) resulting from this award, prior to or simultaneous with their public release. NIJ defines publications as any written, visual or sound material substantively based on the project, formally prepared by the award recipient for dissemination to the public. Submission of publications prior to or simultaneous with their public release aids NIJ in responding to any inquiries that may arise. Any publications - excluding press releases and newsletters - whether published at the recipient's or government's expense, shall contain the following statement: "This project was supported by Award No. _____, awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice." This statement shall appear on the first page of written publications. For audio and video publications, it shall be included immediately after the title of the publication in the audio or video file.

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43. The recipient shall transmit to the NIJ grant manager copies of all official award-related press releases at least ten (10) working days prior to public release. Advance notice permits time for coordination of release of information by NIJ where appropriate and to respond to press or public inquiries.
44. Pursuant to 28 C.F.R. Part 18, OJP may suspend or terminate funding under this award before the completion of the project funded by this award, for the recipient's failure to comply with these special conditions or with the project's goals, plans and methodology set forth in the approved application. In the case of suspension, the recipient will be unable to draw down funds until OJP determines that the recipient is in compliance.
45. The Project Director and key program personnel designated in the application shall be replaced only for compelling reasons. Successors to key personnel must be approved, and such approval is contingent upon submission of appropriate information, including, but not limited to, a resume. OJP will not unreasonably withhold approval. Changes in other program personnel require only notification to OJP and submission of resumes, unless otherwise designated in the award document.
46. Justification of consultant rate
- Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.
47. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)
- This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.
48. Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS
- The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").
- The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.
49. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
- GAR



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50. The recipient may not obligate, expend, or draw down any award funds for indirect costs, unless and until either -- (1) the recipient submits to OJP a current, federally-approved indirect cost rate agreement, or (2) the recipient determines that it is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and advises OJP in writing of both its eligibility and its election.

The financial review of the budget for this award is pending. If the OJP Office of the Chief Financial Officer (OCFO) determines as part of its financial review that the recipient already has submitted the documentation concerning indirect costs described above, this condition will be released through a Grant Adjustment Notice (GAN) upon completion of the OCFO final budget review.

If the OJP OCFO instead determines as part of its financial review that the recipient has not yet submitted the required documentation concerning indirect costs, this condition will not be released until OJP (including its OCFO) receives and reviews a satisfactory submission.

51. The award recipient agrees, as a condition of award approval, to comply with the requirements of 28 CFR Part 22, including the requirement to submit a properly executed Privacy Certificate that is in compliance with 28 CFR § 22.23 to the National Institute of Justice for approval.
52. The award recipient will not be permitted to obligate, expend, or draw down any funds for any research or statistical activity or project involving the collection, use, analysis, transfer, or disclosure of information identifiable to a private person until: (1) a Privacy Certificate has been submitted to and approved by the National Institute of Justice (NIJ) in accordance with the requirements of 28 CFR Part 22, (2) removal of this special condition has been authorized in writing by the NIJ Human Subjects Protection Officer, and (3) a Grant Adjustment Notice (GAN) has been issued removing this special condition.
53. The award recipient will not be permitted to obligate, expend, or draw down any funds for any research involving human subjects until (1) it has submitted adequate documentation to demonstrate that it will conduct or perform research involving human subjects in accordance with an approved Federal-wide assurance issued by HHS or a Single Project Assurance issued by OJP/NIJ, and that the research has been determined, by an appropriate IRB (or the Office of the General Counsel/OJP), to be an exempt research activity, or has been reviewed and approved by an appropriate IRB in accordance with the requirements of 28 CFR Part 46, (2) the NIJ Human Subjects Protection Officer has authorized, in writing, removal of this special condition, and (3) a Grant Adjustment Notice (GAN) has been issued removing this special condition.
54. The award recipient agrees to comply with the requirements of 28 CFR Part 46 and all other Department of Justice/Office of Justice Programs policies and procedures regarding the protection of human research subjects, including informed consent procedures and obtainment of Institutional Review Board (IRB) approval, if appropriate.

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55. The recipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

Categorical Exclusion: Based upon the information provided by the recipient in its application for these funds, NIJ has determined and the recipient understands that the proposed activities meet the definition of a categorical exclusion, as defined in the Department of Justice Procedures for Implementing the National Environmental Policy Act found at 28 CFR Part 61 (including Appendix D). A categorical exclusion is an action that because of the proposed activities' very limited and predictable potential environmental impacts, both on an individual and a cumulative basis, does not have a significant impact on the quality of the human environment. Consequently, no further environmental impact analysis is necessary under the requirements of the National Environmental Policy Act, 42 U.S.C. 4321, for these categorically excluded activities.

Modifications: Throughout the term of this award, the recipient agrees that for any activities that are the subject of this categorical exclusion, it will inform NIJ of-- (1) any change(s) that it is considering making to the previously assessed activities that may be relevant to the environmental impacts of the activities; or (2) any proposed new activities or changed circumstances that may require assessment as to environmental impact, such as new activities that involve the use of chemicals or involve construction or major renovation. The recipient will not implement a proposed change or new activity until NIJ, with the assistance of the recipient, has completed any applicable environmental impact review requirements necessitated by the proposed change or new activity (or changed circumstances) and NIJ has concurred in the proposed change or new activity. This approval will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under an NIJ-conducted environmental impact review process.

56. Withholding of funds: Disclosure of lobbying

The recipient may not obligate, expend, or draw down any funds under this award until it has provided to the grant manager for this OJP award a complete Disclosure of Lobbying Activities (SF-LLL) form, and OJP has issued a Grant Adjustment Notice to remove this special condition.

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GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

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This project is supported under FY19(NIJ - Section 212 Research) Pub. L. No. 116-6, 133 Stat. 13, 119; 28 USC 530C

1. STAFF CONTACT (Name & telephone number)

Jessica Highland
(202) 514-7881

2. PROJECT DIRECTOR (Name, address & telephone number)

Sarah Picard
121 Avenue of the Americas
6th Floor
New York, NY 10013
(646) 386-5911

3a. TITLE OF THE PROGRAM

Topic 2: Enhancing strategies for officer interaction with individuals presenting with mental illness, FY 2019

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

Expanding Mental Health Diversion Opportunities: A Prospective Evaluation of the Los Angeles County Intake Booking Diversion Program

5. NAME & ADDRESS OF GRANTEE

Fund for the City of New York
121 Avenue of the Americas 6th Floor
New York, NY 10013-1590

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 01/01/2020 TO: 12/31/2022

8. BUDGET PERIOD

FROM: 01/01/2020 TO: 12/31/2022

9. AMOUNT OF AWARD

\$ 1,000,000

10. DATE OF AWARD

09/21/2019

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

This proposal seeks to assess the use and impact of an Intake Booking Diversion program (IBD) for individuals presenting with mental illness. This new program is an expansion of the Los Angeles Sheriff Department's (LASD) Mental Evaluation Team co-responder model. It builds upon LASD's 25 years of collaboration with the Los Angeles County Department of Mental Health to divert individuals with mental illness away from jail and towards treatment. Additionally, this program promotes the safety of patrol and corrections officers.

The applicant will partner with LASD to conduct a prospective, quasi-experimental evaluation of the IBD. The proposed study will involve two overlapping components: (1) a formative process evaluation, and (2) an impact evaluation. The process evaluation will involve up to 50 stakeholder and staff interviews, focus groups with assistant deputies from patrol divisions, and program observations. These activities will serve to document the successes and challenges of early IBD program development and implementation. Interview, observation and focus group data will be analyzed to identify patterns across respondent type, observational

situation or interview domain.

For the impact evaluation, the applicant will collect and analyze booking, treatment, and recidivism data provided by LASD. The impact evaluation will include case-level analysis of 400 individuals booked through IBD, and 400 booked through comparison station houses, for a total sample size of 800. The analytic plan includes bivariate and multivariate approaches to examine: (1) whether the IBD program improves early identification of arrestees with mental illness; (2) whether diversion through IBD increases treatment engagement or reduces recidivism and future calls for service associated with mental health crises; and (3) whether the IBD program improves safety for LASD deputies in the field or jail facility.

"Note: This project contains a research and/or development component, as defined in applicable law," and complies with Part 200 Uniform Requirements - 2 CFR 200.210(a)(14). CA/NCF

DRAFT



U.S. Department of Justice

Office of Justice Programs

National Institute of Justice

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Steven Schuetz, Physical Scientist

Subject: Categorical Exclusion for Fund for the City of New York

The recipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

Categorical Exclusion: Based upon the information provided by the recipient in its application for these funds, NIJ has determined and the recipient understands that the proposed activities meet the definition of a categorical exclusion, as defined in the Department of Justice Procedures for Implementing the National Environmental Policy Act found at 28 CFR Part 61 (including Appendix D). A categorical exclusion is an action that because of the proposed activities' very limited and predictable potential environmental impacts, both on an individual and a cumulative basis, does not have a significant impact on the quality of the human environment. Consequently, no further environmental impact analysis is necessary under the requirements of the National Environmental Policy Act, 42 U.S.C. 4321, for these categorically excluded activities.

Modifications: Throughout the term of this award, the recipient agrees that for any activities that are the subject of this categorical exclusion, it will inform NIJ of-- (1) any change(s) that it is considering making to the previously assessed activities that may be relevant to the environmental impacts of the activities; or (2) any proposed new activities or changed circumstances that may require assessment as to environmental impact, such as new activities that involve the use of chemicals or involve construction or major renovation. The recipient will not implement a proposed change or new activity until NIJ, with the assistance of the recipient, has completed any applicable environmental impact review requirements necessitated by the proposed change or new activity (or changed circumstances) and NIJ has concurred in the proposed change or new activity. This approval will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under an NIJ-conducted environmental impact review process.

Sample Subrecipient Activity Report

An activity report of this nature must accompany every invoice submitted under this Agreement.

<u>Date</u>	<u>Hours</u>	<u>Activities</u> please describe the type of activity including calls, presentations, research etc.	<u>Staff</u>

DRAFT

Reporting and Certification Form

Federal Funding Accountability and Transparency Act

The Federal Funding Accountability and Transparency Act (FFATA or Transparency Act - P.L.109-282, as amended by section 6202(a) of P.L. 110-252) requires the Office of Management and Budget (OMB) to maintain a single, searchable website that contains information on all Federal spending awards. That site is at www.USASpending.gov.

The following needs to be reported for all subawards greater than \$25,000.

1. Entity Name: Los Angeles County Sheriff's Department
2. Amount of Subaward: \$300,325
3. Funding Agency: U.S. Department of Justice/Office of Justice Programs/National Institute of Justice
4. CFDA Program number for grants: 16.560
5. Statutory Authority for Grant:
6. Award Title Descriptive of the Purpose of the Funding Action:
Expanding Mental Health Diversion Opportunities: A Prospective Evaluation of the Los Angeles County Intake Booking Diversion Program
7. Location of Entity:
Address 1: 1441 Santa Anita Avenue
Address 2:
City: South El Monte State: CA
Zip Code (99999-9999): 91733 Congressional District:
8. Place of Performance (where work will be conducted):
Address 1: 1441 Santa Anita Avenue
Address 2:
City: South El Monte State: CA
Zip Code (99999-9999): 91733 Congressional District:
9. DUNS +4: 028950678

Please either complete the below exemption declaration (question 10) or provide the compensation of the top five executives by completing question 11 below.

10. Declaration claiming exemption from the reporting of total compensation and names of top five executives. *Please check all the boxes that apply.*

- ☒ Entity does not receive more than 80% of annual gross revenues from the federal government,
☒ Entity's revenues from the federal government do not exceed \$25 million, or
☐ Entity's compensation information is already available through reporting to the SEC.

I, _____ [responsible official], certify that
_____ [entity] is not required to report total
compensation and names of top five executives, because of the reason(s) selected above.

Name: Sergio V. Escobedo, Captain

Date: 4/20/2023

Signature:

FOR 

11. Total compensation and names of top five executives.

Name:		Title:		Compensation:	
Name:		Title:		Compensation:	
Name:		Title:		Compensation:	
Name:		Title:		Compensation:	
Name:		Title:		Compensation:	

I certify the information contained in this document is true and correct.

Name: Robert G. Luna, Sheriff

Date:

Signature:



Background

Recipients' financial management systems and internal controls must meet certain requirements, including those set out in the "Part 200 Uniform Requirements" (2.C.F.R. Part 2800).

Including at a minimum, the financial management system of each OJP award recipient must provide for the following:

- (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, and the name of the Federal agency.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest, and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The recipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the OJP recipient.
- (7) Written procedures for determining the allowability of costs in accordance with both the terms and conditions of the Federal award and the cost principles to apply to the Federal award.
- (8) Other important requirements related to retention requirements for records, use of open and machine readable formats in records, and certain Federal rights of access to award-related records and recipient personnel.

1. Name of Organization and Address:

Organization Name:

Street1:

Street2:

City:

State:

Zip Code:

2. Authorized Representative's Name and Title:

Prefix:

First Name:

Middle Name:

Last Name:

Suffix:

Title:

3. Phone:

4. Fax:

5. Email:

6. Year Established:

7. Employer Identification Number (EIN):

8. Unique Entity Identifier (UEI) Number:

9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)? ☐ Yes ☐ No

If "No" skip to Question 10.

If "Yes", complete Questions 9. b) and 9. c).



AUDIT INFORMATION

9. b) Does the applicant nonprofit organization maintain offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a)?

☐ Yes ☐ No

9. c) With respect to the most recent year in which the applicant nonprofit organization was required to file a tax return, does the applicant nonprofit organization believe (or assert) that it satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to the reasonableness of compensation of certain individuals)?

☐ Yes ☐ No

If "Yes", refer to "Additional Attachments" under "What An Application Should Include" in the OJP solicitation (or application guidance) under which the applicant is submitting its application. If the solicitation/guidance describes the "Disclosure of Process related to Executive Compensation," the applicant nonprofit organization must provide -- as an attachment to its application -- a disclosure that satisfies the minimum requirements as described by OJP.

For purposes of this questionnaire, an "audit" is conducted by an independent, external auditor using generally accepted auditing standards (GAAS) or Generally Governmental Auditing Standards (GAGAS), and results in an audit report with an opinion.

10. Has the applicant entity undergone any of the following types of audit(s) (Please check all that apply):

☐ "Single Audit" under OMB A-133 or Subpart F of 2 C.F.R. Part 200

☐ Financial Statement Audit

☐ Defense Contract Agency Audit (DCAA)

☐ Other Audit & Agency (list type of audit):

☐ None (if none, skip to question 13)

11. Most Recent Audit Report Issued: ☐ Within the last 12 months ☐ Within the last 2 years ☐ Over 2 years ago ☐ N/A

Name of Audit Agency/Firm:

AUDITOR'S OPINION

12. On the most recent audit, what was the auditor's opinion?

☐ Unqualified Opinion ☐ Qualified Opinion ☐ Disclaimer, Going Concern or Adverse Opinions ☐ N/A: No audits as described above

Enter the number of findings (if none, enter "0"):

Enter the dollar amount of questioned costs (if none, enter "\$0"):

Were material weaknesses noted in the report or opinion?

☐ Yes ☐ No

13. Which of the following best describes the applicant entity's accounting system:

☐ Manual ☐ Automated ☐ Combination of manual and automated

14. Does the applicant entity's accounting system have the capability to identify the receipt and expenditure of award funds separately for each Federal award?

☐ Yes ☐ No ☐ Not Sure

15. Does the applicant entity's accounting system have the capability to record expenditures for each Federal award by the budget cost categories shown in the approved budget?

☐ Yes ☐ No ☐ Not Sure

16. Does the applicant entity's accounting system have the capability to record cost sharing ("match") separately for each Federal award, and maintain documentation to support recorded match or cost share?

☐ Yes ☐ No ☐ Not Sure



17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
19. Is applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R Part 200?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
PROPERTY STANDARDS AND PROCUREMENT STANDARDS	
20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds (1) a description of the property; (2) an identification number; (3) the source of funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of the acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
21. Does the applicant entity maintain written policies and procedures for procurement transactions that -- (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for analysis of lease versus purchase alternatives; (3) set out a process for soliciting goods and services, and (4) include standards of conduct that address conflicts of interest?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system (www.sam.gov) for suspended or debarred sub-grantees and contractors, prior to award?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
TRAVEL POLICY	
24. Does the applicant entity: (a) maintain a standard travel policy? <input type="checkbox"/> Yes <input type="checkbox"/> No (b) adhere to the Federal Travel Regulation (FTR)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
SUBRECIPIENT MANAGEMENT AND MONITORING	
25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award -- (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards



26. Is the applicant entity aware of the differences between subawards under federal awards and procurement contracts under federal awards, including the different roles and responsibilities associated with each?

☐ Yes ☐ No ☐ Not Sure
☐ N/A - Applicant does not make subawards under any OJP awards

27. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from making a subaward under a federal award to any entity or individual is suspended or debarred from such subawards?

☐ Yes ☐ No ☐ Not Sure
☐ N/A - Applicant does not make subawards under any OJP awards

DESIGNATION AS 'HIGH-RISK' BY OTHER FEDERAL AGENCIES

28. Is the applicant entity designated "high risk" by a federal grant-making agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant.)

☐ Yes ☐ No ☐ Not Sure

If "Yes", provide the following:

(a) Name(s) of the federal awarding agency:

(b) Date(s) the agency notified the applicant entity of the "high risk" designation:

(c) Contact information for the "high risk" point of contact at the federal agency:

Name:

Phone:

Email:

(d) Reason for "high risk" status, as set out by the federal agency:

CERTIFICATION ON BEHALF OF THE APPLICANT ENTITY

(Must be made by the chief executive, executive director, chief financial officer, designated authorized representative ("AOR"), or other official with the requisite knowledge and authority)

On behalf of the applicant entity, I certify to the U.S. Department of Justice that the information provided above is complete and correct to the best of my knowledge. I have the requisite authority and information to make this certification on behalf of the applicant entity.

Name:

Date:

Title: ☐ Executive Director ☐ Chief Financial Officer ☐ Chairman

☐ Other:

Phone:



COUNTY OF LOS ANGELES
DEPARTMENT OF MEDICAL EXAMINER
1104 N. MISSION RD, LOS ANGELES, CALIFORNIA 90033



Odey C. Ukpo, M.D., M.S.
Chief Medical Examiner

September 12, 2023

Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) WITH COMMUNITY
SERVICE AGENCIES TO RECEIVE COURT-REFERRED VOLUNTEERS
(ALL SUPERVISORIAL DISTRICTS - 3 VOTES)**

SUBJECT

Request approval for the Department of Medical Examiner (DME) to enter into a Memorandum of Understanding (MOU), similar to the attachment, with Community Service Agencies (CSAs). The CSAs partner with the DME to receive court-referred volunteers (CRVs) from the Superior Court, to have the CRVs complete their work service hours at the DME facility. This MOU outlines the responsibilities of both the County of Los Angeles, the DME receiving CRVs, and the CSA's. This MOU will serve as an agreement between the DME and the CSA to ensure the ongoing relationship maintains integrity and mutual benefit.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve and authorize the Director, Department of Medical Examiner and/or their designee to sign and execute an MOU, similar to the attached MOU, with CSA's, to receive CRVs.
2. Delegate authority to the Director, Department of Medical Examiner and/or their designee to enter into substantially similar agreements with other CSAs.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of Recommendations 1 and 2 will allow the DME to enter into MOUs with CSAs to receive CRVs for them to complete their work service hours at the DME facility. The MOU

Accreditations:

National Association of Medical Examiners (Provisional)
California Medical Association-Continuing Medical Education
Accreditation Council for Graduate Medical Education

ANAB ISO/IEC 17025:2017 Forensic Science Testing Laboratories
Peace Officer Standards and Training Certified

formalizes the agreement between the DME and the CSA to ensure the ongoing relationship maintains integrity and mutual benefit.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended action supports the County Strategic Plan, Goal III: Realize Tomorrow's Government Today. Specifically, it will address engaging our customers, communities, and partner's strategy specifically to support partnerships.

FISCAL IMPACT/FINANCING

The CSAs are not-for-profit that offers services in partnership with the Superior Court. There is no fiscal impact associated with this program.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The CSAs offer a direct court order alternative to paying fines and/or incarceration for misdemeanor offenses, the Courts assign a number of supervised hours of community service to offenders. The Court Referral Program offered by CSAs offers more than 300 local state and government agencies where clients can complete their assigned community service hours.

The MOU between the DME and a CSA defines the roles and responsibilities of both parties as well as the operational responsibilities of the DME. The MOUs will remain valid until either party chooses to exit the agreement. However, the DME will review the agreement every three years, but a review can be performed at any time at the discretion of the DME.

IMPACT ON CURRENT SERVICES

Your approval of these recommendations will formalize the engagement with our communities and partners to ensure the ongoing relationship maintains integrity and mutual benefit.

Sincerely,

ODEY C. UKPO, M.D., M.S.
Chief Medical Examiner

OCU:wm

Enclosure

c: Executive Officer, Board of Supervisors
County Counsel

COURT REFERRED COMMUNITY SERVICE (CRCS) PROGRAM
MEMORANDUM OF UNDERSTANDING

1) Purpose of Agreement

This Memorandum of Understanding (MOU) outlines the responsibilities of both the County of Los Angeles, the Department of Medical Examiner (DME) receiving court-referred volunteers (CRV), and the community service agency (CSA). This MOU will serve as an agreement between the DME and the CSA to ensure the ongoing relationship maintains integrity and mutual benefit. Once this MOU is read and understood, the delegated signing authority of the DME and CSA should initial all pages and sign the final page.

2) Definitions:

Court Referred Community Service Program: Program overseeing court referred volunteers, ensuring supervision of work and that reports of workers' hours are accurate.

Court Referred Volunteer (CRV): Participant sent by the Superior Court to work service hours at the Department of Medical Examiner (DME) facility.

3) Roles and Responsibilities

Responsibilities of the CRV:

- ☐ Accept job responsibilities and participate in training;
- ☐ Follow supervision directions;
- ☐ Work the specified number of hours;
- ☐ Abide by all rules, regulations, and policies; and
- ☐ Notify the supervisor of an incident of injury.

Responsibilities of the DME

- ☐ Provide sufficient training in order to allow the CRV to safely perform the assigned tasks.
- ☐ CRVs must be supervised by a paid employee of the DME. Any exceptions must be approved by CSA.
- ☐ Hold to an agreed work schedule:
 - CRVs are only to receive one (1) service hour for every one (1) hour worked at the DME. Under no circumstances is it appropriate to award a CRV more or less than this standard.
 - Nine (9) hours is the maximum amount of time a CRV can work at one time. A half-hour break must be given if the CRV works over six (6) hours.

a) Guidelines for the management of CRVs

- i) Under no circumstances should DME allow a CRV to work without a current and original timesheet. Any hours or days a CRV works without having a current timesheet will not be accepted by CSA. Further, DME must only record up to the number of hours/days that is noted on the top section of that specific timesheet. The CRV will not be credited for any hours/days over the amount noted on the timesheet. See clause 2.c.v for further timesheet instructions.
- ii) CRVs are only allowed to work towards their sentence prior to their Due Date. The DME shall not allow any CRVs to complete service hours after their current Due Date.
- iii) The DME must close out (see section 2.c.v (2) for details) and return the original timesheet to the CRV upon their final departure (i.e. completion of the assignment, expiration of Due Date, DME initiated termination or CRV initiated transfer).
- iv) Under no circumstances may a CRV be used for any tasks related to the following:
 - 1. Political, religious, or sectarian activities;
 - 2. Door-to-door solicitation;
 - 3. Tasks that require the operation of heavy machinery or vehicles;
 - 4. For private or personal use (i.e., any task that does not directly benefit DME as a whole);
 - 5. Tasks that require the CRV to leave DME premises.

b. Operational responsibilities

- i. The DME is required to have a daily "Sign-in/Sign-out" log which is to be signed by all CRVs upon their arrival and departure from the DME.
- ii. Recording and verifying CRV hours:
 - 1. The DME must preserve the integrity of each CRV's time sheet by ensuring it is neatly completed and approved by an authorized signatory listed on the "Authorized Signatories" supplement in the DME application packet. If CSA receives a timesheet that is signed by an unauthorized signatory, the CRV will be required to return to the DME for the signature of an authorized signatory.

Note: CRV time sheets are considered official documents by CSA, the Courts, and the Los Angeles County Probation Department. If there appears to be a discrepancy about the validity of one or multiple items recorded on a time sheet, the DME will be contacted for verification.
 - 2. The DME is only allowed to receive original timesheets that bear their DME name and address. Any timesheets that are filled out by a DME that does not bear their name and address will not be accepted by CSA.
 - 3. The DME must keep a copy of each CRV's timesheet in a secure

location for at least five years.

iii) Termination)/Dismissal of a CRV

1. The DME has the right to terminate a CRV's enrollment at DME. If this happens, the DME should notify CSA and document the termination on an Incident Report Form. This should be submitted to CSA within twenty-four (24) hours of the incident with a copy of the terminated CRV's timesheet.
 2. The DME should copy and return the timesheet to the CRV upon termination. The DME must close out the original timesheet prior to returning it to the CRV. See clause 2.c.v.2 below, for what is specifically required when closing out a timesheet. Once the DME returns the timesheet to the CRV, the CRV must then return the timesheet to CSA for verification and processing.
- v) Any attempt to forge or falsify a timesheet or "Sign-in/Sign-out" log, whether done by a CRV or DME staff member, should not be tolerated and the DME is required to immediately report the incident by submitting an Incident Report Form to CSA.
- vi) If a CRV offers a bribe or any other type of compensation in exchange for service hours, the DME is required to notify CSA immediately by submitting an Incident Report Form. If a DME receives any monetary or other compensation in return for service hours, the DME will immediately become ineligible to receive CRVs.
- iv) Accident reporting (a "Non-employee Injury Report" is included in the application packet):
1. Any accident or incident related to services performed under this MOU which involves injury or property damage shall be reported on a County "Non-Employee Injury Report." Such a report shall be made in writing as soon as practicable after the occurrence to the Department contract manager.
- v) DME reception and management of timesheet document:
- 1) A CRV will receive an original timesheet from CSA and will be instructed to report to the DME within seven (7) calendar days and deliver their timesheet to the DME on their first day of work/orientation. The DME shall only accept and receive original timesheets...
 - 2) Prior to returning the timesheet when the CRV is done serving at the DME (for any reason), the DME is responsible for closing out the timesheet. This includes:
 - (a) Ensuring each line that is recording hours/days on either the first or second page of the timesheet, is signed by a designated authorized supervisor;
 - (b) All the hours/days are totaled and the total is recorded on the second page of the timesheet;
 - (c) The second page of the timesheet is signed and dated by an

authorized signatory; and

(d) The seal/official stamp of the DME is stamped on the timesheet.

Note: If a CRV receives a Due Date extension from the court, CSA policy requires the CRV to submit this to CSA within fourteen (14) days and CSA will provide a new updated timesheet to the CRV. The CRV is then responsible for submitting the updated timesheet to the DME within seven (7) days.

3) Lost timesheet:

If the DME is responsible for the loss of a CRV's timesheet, the DME is to immediately contact CSA and CSA will provide a new timesheet directly to the DME.

vi) Reception of on-site CSA visits to the DME:

The DME is willing to receive any staff that may choose to visit the DME, during any hours the DME may have CRVs working.

Responsibilities of CSA

a) Screening and placement of CRVs

- i) CSA receives, processes, and interviews all CRVs prior to their assignment to a DME. The interview considers the CRVs skills, experiences, offense, preferred geographic location, and physical limitations to assess the appropriate assignment of a CRV to a suitable DME.
- ii) CSA will consider the type of work the DME manages, along with any other restrictions or limitations mentioned in the DME's application to receive volunteers.
- iii) CSA will be as responsive as possible to any inquiries from DME.

b) Providing Original Timesheets

- i) CSA will provide the CRVs with an original timesheet that will contain:
 - (1) The assigned CSA, address and the name and phone number for the main contact at the CSA;
 - (2) The CRV's name and case number;
 - (3) The court sentence the CRV must complete in days or hours;
 - (4) The Due Date the CRV must complete his or her sentence by;
 - (5) A sufficient amount of lines for the DME to list each date and time the CRV works, the description of the work and authorization by a DME designated authorized signatory; and
 - (6) final signature line and space to record the total hours served by the CRV, to be approved by a designated authorized signatory of the DME.
- ii) If a timesheet is lost at the fault of DME, CSA will provide a replacement original

timesheet to the DME once the DME notifies CSA of the incident.

c) Verification of a CRV's completed hours/days

If CSA receives a timesheet that is incorrectly completed or possibly falsified, CSA will contact the DME to verify the legitimacy of the service related to the timesheet in question.

4) Duration

This MOU is initiated upon the signing of both parties. If all the stipulated responsibilities listed above are adhered to, this MOU will remain valid, until either party chooses to exit the agreement. However, the DME will review the agreement every three years, but a review can be performed at any time at the discretion of the DME.

5) Signatures

By signing this MOU, both parties agree to fulfill the responsibilities assigned to each, respectively.

The MOU must be signed by all parties. Signatories must be officially authorized to sign on behalf of the DME and include title and agency name.

DEPARTMENT OF MEDICAL EXAMINER	
Authorized Signature: _____	Date: _____
Name: _____	Title: _____
Address: _____	
Phone Number: _____	Email: _____
COMMUNITY SERVICE AGENCY: _____	
Authorized Signature: _____	Date: _____
Name: _____	Title: _____
Address: _____	
Phone Number: _____	Email: _____