



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

September 16, 2011

Matthew Cate, Secretary
California Department of Corrections and Rehabilitation
1515 S Street
Sacramento, California 95811-7243

Dear Mr. Cate:

AB 109/117 POST-RELEASE COMMUNITY SUPERVISION: REQUEST FOR TIMELY, COMPLETE, AND COMPREHENSIVE PRE-RELEASE INFORMATION

This letter is to express our deep concerns that we are not receiving timely, complete, and comprehensive pre-release information from the California Department of Corrections and Rehabilitation (CDCR) for those individuals scheduled to be released from State prisons and placed under our local Post-Release Community Supervision (PRCS) program. The County of Los Angeles requests the CDCR implement quality assurance protocols to ensure that we are receiving complete pre-release folders and only for those individuals eligible for our PRCS program. We are also requesting CDCR pre-release mental health information utilizing an existing State-County communication infrastructure that will ensure continuity of care and preserve public safety.

To date, the County of Los Angeles has received 1,268 pre-release folders. As the files are reviewed to determine supervision requirements and identify treatment/rehabilitation needs, we have identified serious omissions, errors, and conflicting information in the pre-release folders (Attachment I). We are particularly concerned that over 20 percent of the pre-release folders received are missing the "Notice and Conditions of Post-Release Community Supervision" (Form 1515). We have also received pre-release folders for individuals ineligible for our PRCS program because either they do not meet residency requirements, or their commitment offense is ineligible for local supervision. The CDCR should be cognizant that by having to troubleshoot the quality control problems within the pre-release folders, our ability to conduct a streamlined local pre-release screening process is being severely hampered.

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With regard to mental health information, the pre-release folders only contain a simple mental health form (Form 128) that indicates the individual has mental health needs, but does not specify diagnosis, medications, or history. Attachment II identifies the CDCR forms necessary to facilitate a pre-release mental health clinical triage to the appropriate level of care, as required by the County's AB 109 Implementation Plan. The CDCR has advised that our mental health professionals will need to directly contact the prisons for each individual's information – this is clearly an unwieldy proposal for both the prisons and the counties given the number of individuals being released to PRCS programs. The CDCR is being strongly recommended to adopt the protocol established for the Non-Revocable Parole program, whereby a coordinator within the Division of Correctional Health Care Services works with the prisons to obtain consent for the release of mental health information, reviews the information to make certain it is complete, and coordinates the flow of information between the prisons and our assigned point of contact.

Finally, CDCR committed to provide counties with the pre-release folder approximately 120 days in advance of the individual being released from State prison, as stated within the Implementation of the Post Release Community Supervision Act of 2011 procedures (<http://www.cdcr.ca.gov/realignment/index.html>). We are now being advised that many of the 1,035 pre-release folders we have received were actually delivered only 30 days in advance of the individual's release date. Again, given the number of individuals expected to return to Los Angeles County from State prison, it is essential that we be provided the 120 day advance notice for us to adequately prepare the supervision and treatment/rehabilitation resources needed for this post-release population.

We look forward to the CDCR's immediate implementation of these recommendations and our continued partnership developing the policies and procedures toward the successful implementation of AB 109.

Sincerely,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:SW:DT:llm

Attachments

c: Chief Probation Officer
Director of Mental Health

ATTACHMENT I

ISSUES AND CONCERNS PERTAINING TO CDCR PRE-RELEASE FOLDERS

(as of September 8, 2011)

- CDCR folders are sent with incorrect "PREVIOUS COUNTY OF LAST LEGAL RESIDENCE" designations and are ineligible for Los Angeles County PRCS.
- CDCR folders are sent with ineligible controlling commitment offense (e.g. 288 PC).
- More than 200 of the CDCR folders received are missing the "NOTICE AND CONDITIONS OF POST RELEASE COMMUNITY SUPERVISION" (Form 1515).
- CDCR folders contain Form 1515, but do not have the inmate signature.
- Sex offender cases have a static 99 score without a specified assessment date. It also does not indicate if the assessment instrument is a static 99 or static 99R.
- The CDCR Master Checklist has items that are checked, but the actual document is missing.
- The CDCR Master Checklist has items that are blank and not marked "Note Applicable."
- CDCR folders are missing the Probation Officer Report (POR) and/or Police Report. POR should be a standard required document in each folder. A notation should be made if the POR is not available and a Police Report should then be included in the folder.
- Form 611 is included in the folder, but some sections are not signed by CDCR staff.
- CDCR folders have a vague note of a mental health issue, but do not contain specific supporting information on the mental health condition.
- CDCR folders contain conflicting mental health notes (e.g. one form indicates there is no mental health concerns, while another indicates a mental health screening is required).
- Some forms are double-sided originals, but when copies are made for the CDCR folders only one side is photocopied and the second page is missing (e.g. Form 611).
- CDCR case files have incomplete address and telephone information and/or no alternative contact telephone numbers.
- Form 611 has conflicting information on the inmate's current housing, which creates the problem of who the Probation Department needs to contact to verify or request additional information (e.g. Form 611 states one housing location, but the CDCR online "HOUSING INFORMATION" identifies a completely different housing location).
- CDCR has mailed single-page documents (narcotics registrations, late Form 611, or "COMPAS" reentry risk assessments) to the Probation Department without any case file information; therefore, the Probation Department does not know who the information belongs to.
- CDCR mails forms with a date change, but provides incomplete identification information; therefore, the Probation Department does not know who the information belongs to (e.g. missing the date of birth, X-number, CII number, or other shared identifier).
- CDCR folders are missing the "INSTITUTIONAL STAFF RECORD SUMMARIES."
- CDCR folders are missing or have a poor quality copy of an updated "LEGAL STATUS SUMMARY." In addition, many are back dated and contain handwritten notes and/or handwritten crossed out sections without signature.
- CDCR folders are missing the "CDCR 128 MH-3 MENTAL HEALTH PLACEMENT CHRONO."

ATTACHMENT II

PRE-RELEASE MENTAL HEALTH TRIAGE NECESSARY CDCR FORMS/DOCUMENTS

- Forms 7386 & 7387 Patient Information/Presenting Problem/Summary of Evaluation
- Form 7388 Mental Health Treatment Plan
- Form 7389 Brief Mental Health Evaluation
- Form 7230 Inter-disciplinary Progress Notes
- Form 7390 Abnormal Involuntary Movement Scale
- Form 7447 Suicide Risk Assessment Checklist
- Proof of citizenship, identification, and income; necessary so that individuals can obtain benefits and/or enroll in Healthy Way LA.