

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE SEPTEMBER 15, 2004 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

Don Knabe, Chair
Leroy Baca, Vice-Chair
Jon Fullinwider
James Herren
Jaclyn Tilley Hill
Jack Hunt
Dave Lambertson
Richard Propster
Maria Stratton
Robin Toma
Michael Tynan
Bernard Zapor

ALTERNATES

Ed Brekke for Jack Clarke
Tim Buresh for Roy Romer*
David Davies for Richard Shumsky*
Stephen Delgado for Thomas Kukura*
Joan Whiteside-Green for Janice Fukai
Greg Hammond for Michael Brown*
Pamela Hamanaka for Bill Lockyer
Xiomara Flores-Holguin for David Sanders*
Joe Jackson for James Hahn
Robert Kalunian for Michael Judge
Lemar LeFave for Margaret York*
Kevin McCarthy for William Bratton*
Sally Meloch for Debra Yang
Patrick Ogawa for Thomas Garthwaite
Debbie Smith for Joyce Streater
Michael Tynan for David Wesley*
Marty Vranicar for Rockard Delgadillo*

*Not a designated alternate

MEMBERS NOT PRESENT OR REPRESENTED

Steve Cooley, District Attorney's Office
Robert Dukes, Los Angeles Superior Court
William Fujioka, Administrative and Research Services
Anthony Hernandez, Department of Coroner
Alice Hill, Los Angeles Superior Court
David Hinig, San Gabriel Police Chiefs' Association
Mary Thornton House, Los Angeles Superior Court
Ronald Iden, Federal Bureau of Investigations
Jay Imperial, League of California Cities
David Janssen, Chief Administrative Officer
Andrew Kauffman, Los Angeles Superior Court
Donald Kincaid, Department of Alcohol, Tobacco, and Firearms
Cindy Miscikowski, Los Angeles City Council
Michael Nash, Los Angeles Superior Court
Manny Ortega, Southeast Police Chiefs' Association
Stephen Port, South Bay Chiefs' Association
Darline Robles, County Office of Education
Robert Ryans, Community & Senior Services
Lakshmanan Sathyavagiswaran, County Coroner

Ronald Smith, Bureau of Immigration and Customs Enforcement
Marvin Southard, Department of Mental Health
Dennis Tafoya, Department of Affirmative Action Compliance

STAFF

Peggy Shuttleworth, Executive Director
Vincent Holmes
Cynthia Machen
Craig Marin
Pat Zabaro

GUESTS/OTHERS

Ken Brazile, Sheriff's Department
Joseph Charney, Justice Deputy, Third District
Edward Colton, County Police Department
Carl Gallucci, Justice Deputy, Fourth District
Rosemary Gutierrez, CAO
Christopher Hicks, Sheriff's Department
Paul Kim, Los Angeles Police Department
Carol Morris Lowe, DHS/ADPA
Patrick Mallon, Sheriff's Department/Crime Lab Project
Larry Manion, Los Angeles School Police
Joe Parnell, Sheriff's Department
Anna Pembedjian, Justice Deputy, Fifth District
Veronica Perez, Los Angeles School Police
Nancy Ramirez, Los Angeles School Police
Tom Reynolds, Drug Enforcement Administration
Mico Robles, Sheriff's Department
Randi Tahara, Justice Deputy, Second District

I. CONVENE / INTRODUCTIONS – Don Knabe

The meeting was called to order at 12:00 p.m. by Supervisor Don Knabe, Chair of this Committee. Self-introductions of members and guests followed.

II. REVIEW / APPROVAL OF MINUTES – Don Knabe

There were two revisions made to the Minutes from the meeting on July 21, 2004. On page seven, under *V. Hate Crimes*, in the last sentence before *Zerohour Campaign*, the website address of the County Human Relations Commission should be www.lahumanrelations.org. Additionally, on page nine, under *Post-Terrorist Attack Activities*, in the second paragraph, a second sentence was added that states that the Human Relations Commission is networking with local leaders to reinforce messages against stereotyping and intolerance.

A motion was made to approve the revised Minutes.

ACTION: The motion to approve the revised Minutes of the July 21, 2004 meeting was seconded and approved without objection.

III. REGIONAL CRIME LAB – Patrick Mallon

Commander Patrick Mallon (Ret.) of the County Sheriff's Department presented an update on the Regional Crime Lab Project. As a reminder, the new crime lab for the Sheriff's Department and Los Angeles Police Department (LAPD) will be located on the campus of the California State University at Los Angeles (Cal State L.A.). The building will be approximately 200,000 square feet in size and have five floors. In addition to the Sheriff's Department and LAPD crime labs, the building will also include space for the University and the California Forensics Science Institute.

The last presentation on the Regional Crime Lab was made in February of this year. Since that time, there has been progress, but also one notable setback. Namely, in March of this year, the drawings from the architect were determined to be not complete to the 95% standards, so those were rejected.

The negative declaration had to be modified to reflect a change in the oversight agency from the Office of Criminal Justice Planning to the Office of Emergency Services.

In terms of progress that has been made, five contractors from within the state have been prequalified, and a commitment for services has been secured from all of the utility companies. With respect to the latter issue, the public utilities had initially maintained that, since services are already provided to the university, any cost to extend services to the crime lab would have to be a part of the project. After further negotiations, the Los Angeles Department of Water and Power accepted that the Crime Lab is a new building, and the utilities have now been secured at no cost to the project.

In July of this year, the second version of the drawings were received, and these were a significant improvement on those submitted in March. Also in July, two independent estimates for a construction cost were conducted; one by the project's construction management firm, and another by a consultant to the architect. These estimates are within \$100,000 of each other, and they are both under the project's construction budget of \$70 million.

Workshops have been held for the tenants of the building, and constructability reviews have been obtained from the project management firm. These reviews are being incorporated into the planning.

The County Board of Supervisors approved a contract between the Joint Powers Authority and the County Public Works Department's Building and Safety Section in which the latter was authorized to perform an independent co-check of the plans for the building. It was noted that this agreement has resulted in a net savings to the project due to the timely revisions that have been made due to the findings and

recommendations.

One concern that is still unresolved is that the cost of services and materials in the construction industry has been volatile in the last year. Although the construction bids have been within the project's budget, it is not known if the industry's fluctuations will result in cost increases. The State's Department of Finance has permitted the project to identify three steps to obtain additional funding in the event that the cost of construction is too high.

There are three distinct Memorandums of Understanding (MOU's) that will be associated with the Regional Crime Lab. One is for fiscal and policy issues. This will be taken to the County Board of Supervisors and the Los Angeles City Council for approval. The second MOU is for facility protocols for the Sheriff's Department, LAPD, and Cal State L.A. The third MOU will cover laboratory protocols. It was noted that 25% of the space will be shared by the Sheriff's Department and LAPD, which will include the DNA labs, the amplification labs, and the typing labs.

It is anticipated that construction will begin in January 2005. The qualified bidders pre-bid meeting is scheduled to be held on October 4, 2004, the bid opening is scheduled for November 10, 2004, the Notice To Proceed (NTP) for construction is scheduled for January 6, 2005, and the groundbreaking ceremony will be on January 14, 2005. The beneficial occupancy date is August 9, 2006, and the anticipated start of operations in the building will be in October 2006.

ACTION: For information only.

IV. SEXUAL ASSAULT FELONY ENFORCEMENT (SAFE) – Christopher Hicks

Detective Christopher Hicks of the Los Angeles County Sheriff's Department presented the annual report on the Sexual Assault Felony Enforcement (SAFE) program. SAFE is a federal task force hosted by the Federal Bureau of Investigations (FBI), and was first begun in 1993. The Task Force consists of representatives from federal, state, and local law enforcement agencies.

The SAFE Task Force is responsible for investigating crimes against children, such as the sexual exploitation of children on the Internet, child abductions, sex crime fugitives, interstate travel for the purpose of committing crimes against children, travel to foreign countries for the purpose of engaging in sexual activity with minors, distribution of child pornography, and juvenile prostitution.

An additional Deputy Sheriff has been loaned to the SAFE team for six months in order to learn how to work Internet crimes involving children. When he returns to his unit, he will then have been trained to handle these types of cases on the state level. The goal is to bring in a new Deputy every six months in order to increase the number of law enforcement officers who are knowledgeable in dealing with these crimes.

An officer of the Los Angeles School Police Department has also been loaned full-time to the SAFE team. She has provided valuable help through her background in computer forensics and ability to interview children at their schools.

As of yet, there are no local statistics regarding the reporting of Internet crimes involving minors. In addressing this issue, the Sheriff's Department is developing codes so that when these crimes are reported, they will be tabulated and statistics can be compiled.

The FBI has begun a new program called the Juvenile Prostitution Initiative. In the past, juvenile prostitutes would be treated as a suspect and sent to Juvenile Court. This new initiative approaches the minor as a victim, with the law enforcement focus being on the pimp who exploits the child. An effort is being made to work with community outreach programs so as to provide the minor with the resources that he or she needs.

Many of the pimps take juveniles across state lines and are involved in different areas of the country. As such, they are subject to Federal prosecution under the Mann Act.

Another new operation of the SAFE team will target sex tourism. These crimes involve individuals traveling to foreign countries for the purpose of having sexual relations with minors. This activity is illegal, and the perpetrators can be prosecuted in the United States when they return. Recently, the government of Mexico has expressed a desire to work with local law enforcement in order to stop this from happening in their country.

The Department of Children and Family Services (DCFS) has formed a proactive team that is assisting local law enforcement with cases involving child kidnappings. This program has been helpful in that DCFS can take custody of the children.

Another initiative of the SAFE team is a program called Peer-To-Peer. This involves the problem of file sharing, in which individuals exchange pictures via the Internet. This is one method by which pedophiles exchange child pornography, and law enforcement officers have been arresting individuals who are caught committing this crime.

Approximately 40% of the suspects arrested under the Peer-To-Peer investigations are juveniles. Given that the Federal government will not prosecute the juveniles, they are prosecuted under State laws instead.

The SAFE team is also involved in stings set-up over the Internet in which law enforcement officers pose as minors. The suspects then attempt to arrange to meet for the purpose of having sexual relations. These individuals are usually charged with attempting a lewd act with a minor or sending harmful matter to a minor.

If child pornography is found on the person's computer, they will be charged with possession of child pornography at the Federal level. Under the Protect Act, this involves a minimum sentence of five years.

An ongoing case involving child pornography was discussed as an example of the nationwide networks that are often involved in these types of crimes. Additionally, it points to the need for small law enforcement agencies to become part of larger task forces that can provide the resources needed to handle complex cases.

Since the Protect Act took effect in 2003, reporting of Internet crimes against children has increased. In the first quarter of 2003 there were 15,000 reports, but for the third quarter there were 25,000. The reports have since gone up to 30,000 per quarter.

The National Center for Missing and Exploited Children reports that they are receiving 3,000 complaints per week of child exploitation on the Internet.

ACTION: For information only.

V. HIGH INTENSITY CRIMINAL ALIEN APPREHENSION AND PROSECUTION PROJECT (HICAAP) – Mico Robles

Lieutenant Mico Robles of the Sheriff's Department Inmate Reception Center presented an update on the High Intensity Criminal Alien Apprehension and Prosecution (HICAAP) project.

HICAAP is a multi-agency program that is designed to intensify law enforcement efforts against repeat criminal alien offenders. HICAAP defendants are foreign individuals who have been previously convicted of a serious felony crime, have been subsequently deported, have re-entered this country illegally, and have been arrested for a new criminal offense.

The goals of HICAAP are to identify previously deported criminal aliens, obtain immigration detainers in a timely manner, conduct immigration interviews prior to release, and obtain Federal prosecution in appropriate cases.

In June 2000, the Sheriff's Department received a 2.3 million dollar grant from the Department of Justice (DOJ) Community Oriented Policing Services (COPS). This was awarded for the purpose of developing the HICAAP project.

Studies on the impact of criminal aliens on the justice system in Los Angeles County were conducted in 1990 and 1995. These studies focused on the number of inmates that are released from the Los Angeles County jail during a one month period. In 1990, 11% of the inmates being released were deportable aliens. Of that total, 40% were rearrested within the following twelve month period. The 1995 study showed that 16.7% of the inmates being released were deportable aliens, and 45% of those have subsequent police contacts within the following twelve month period.

Currently the RAND Corporation is completing an updated Jail Study, and it is expected that the results will reveal that the percentage of deportable aliens among the inmate population has increased since 1995.

In addition to the Jail Study, RAND is also completing a Process Evaluation Study to examine the HICAAP procedures and measure their efficiency and effectiveness. The projected completion date for both studies is January 2005. These studies are funded through the DOJ Community Oriented Policing Services (COPS) grant.

As a result of the HICAAP project, there is now a fully automated process in place for obtaining detainers on self-declared foreign born inmates, and a semi-automated process in place for obtaining detainers on non-self-declared foreign born inmates.

Additional accomplishments include documenting the entire HICAAP process, implementing local law enforcement procedures for processing HICAAP subjects, and increasing the number of Federal prosecutions for illegal re-entry. With respect to Federal prosecutions, the increase in prosecutions under U.S. Code Section 1325 and 1326 has been dramatic. The prosecutions in the first six months of 2004 are 29% higher than the total annual prosecutions in 2003.

ACTION: For information only.

VI. OTHER MATTERS/PUBLIC COMMENTS

There were no public comments.

VIII. ADJOURN

There being no further business, Supervisor Knabe adjourned the meeting at 1:00 p.m. The next CCJCC meeting will be on **Wednesday, October 20, 2004 at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**