

HICAAP PROJECT STEERING COMMITTEE
May 26, 2004

Notes - Revised

In attendance:

Lt. Mico Robles, LASD, IRC, Chair John Aerts, LASD & ISAB Henry Arevalo, LASD, Records Cpt. Anthony Argott, LASD, IRC Larry Bryant, LASD George Cardona, US Atty.	Michael Concha, Pub. Def. Greg Dorfman, LA City Atty. Andrew Goldman, Alt. PD Dan Jeffries, LA City Atty. Jan Maurizi, District Atty.	Anna Pembedjian, 5 th District Dominic Rivetti, DA's Office Peggy Shuttleworth, CCJCC Mark Tajima, CAO Craig Marin, CCJCC
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I. CONVENE/INTRODUCTIONS

Lieutenant Mico Robles convened the meeting. Self-introductions were made.

II. STATUS REPORT ON ELECTRONIC HOLD

On April 16, 2004, John Aerts and Peggy Shuttleworth met with Law Enforcement Support Center (LESC) officials in Williston, Vermont. The officials included J. Scott Blackman, Mark Kahanec, and Jack Penca.

The first issue that was discussed was that the Immigration Violator File (IVF) is not current. The response from LESL is that records are being input into the IVF at a rate of 1,000 per week. Approximately 57,000 records were in the NCIC/IVF at the time of the visit.

The second issue that was discussed is the issuance of electronic detainers. LESL noted that they are issuing electronic detainers usually within 20 minutes under certain conditions:

Condition 1 – This is a perfect condition. The Immigration Alien Query (IAQ) must be fingerprint based, a match is made in the IVF, and the file is maintained at the LESL.

Condition 2 – The IVF is not updated, but the file is in the possession of the LESL. If no match is made in the IVF, an Enhance Response will be initiated. This is a data check of eight databases to determine the subject's alien status. In this case, if the file is at the LESL and the Enhanced Response reveals that the subject is a previously deported criminal alien, an electronic detainer will be issued. The only difference between this condition and the first condition is that this process will take a little longer, but should still be completed within 20 minutes.

Condition 3 – The IVF is updated, but the file is not in the possession of the LESL. If there is a match in the IVF, but the file is not at LESL, the duty-agent will call the location maintaining the file to confirm the subject's current status.

Condition 4 – The IVF is not updated and the file is not in the possession of the LESC. An Enhanced Response is initiated and the location maintaining the file is contacted. The agent will call the local Immigration and Customs Enforcement (ICE) office and order an interview. The Immigration Alien Response (IAR) to Los Angeles will request a phone call.

If a detainer is not received in thirty minutes, the LESC should be called.

To remedy the situations in Conditions 2, 3, and 4, ICE is adding 1,000 records per week to the IVF and they are collecting all files from local offices to house at the LESC.

The third issue that was raised is that the IAR clearly states that it is not a detainer. The response from LESC is that under their process, when the IAQ is received, it is automatically assigned to an ICE technician who runs the query of the data bases and prepares the IAR. The file is pulled and the file, together with the IAR, is given to an ICE agent. The agent reviews the IAR and the file, then places a detainer when appropriate. The detainers are usually issued within 20 minutes and can be placed electronically.

The following topics were also discussed at the meeting:

- The IAR is only sent to one location, which is the Sheriff's Classification Unit;
- Detainers are sent to four locations: the arresting agency, local ICE office, the Sheriff's Inmate Reception Center (IRC), and the Sheriff's Warrants and Detainer Section;
- The County is sending two IAQ's on each subject;
- ICE requested that we run the "Absconder File" against our custody records;
- John Aerts agreed to assist ICE in obtaining access to the California Fingerprint & Photo System and California Drivers License System;
- John agreed to look into reprogramming the IAQ to include the Driver License Number (OLN), Social Security Number (SOC), and the Origin of Arrest (ORI);
- ICE also requested that the California Sex Registrants File be sent to them;
- ICE agreed to send John their Charge Table.

It was noted that clerks at the Sheriff's Department IRC are calling the arresting agencies and offering to place the hold in the booking system if the person is still in custody. (The arresting agency can only do the initial input.) IRC is receiving about five to eight electronic detainers a day.

III. HICAAP AFIS

The Sheriff's Contract Unit is currently in the process of determining whether to amend the current AFIS contract. There are various contract issues with AFIS that are still in the process of being resolved.

IV. RAND

The representatives from RAND were unable to attend this meeting, but they indicated via e-mail that the Implementation Study Report is being finalized. Additionally, the Jail Study is proceeding, but they are awaiting data from ICE. Approximately 54% of the releases were interviewed, and RAND is attempting to get immigration status on 1,581 foreign born inmates who weren't interviewed.

V. PROSECUTIONS

The U.S. Attorney's Central District Office has experienced an increase in prosecutions under HICAAP during the first four months of this year. These prosecutions have been steadily increasing during the past several years. The early indications suggest that there will be well over 600 by the end of 2004. While the Central District includes more than just Los Angeles County, this is indicative of the effect that HICAAP is having.

VI. OTHER ISSUES/ANNOUNCEMENTS

A request was made to determine if the LESC can indicate how many detainers are issued automatically during a given time period.

Another suggestion is that a comprehensive package of information on HICAAP should be forwarded to all of the Police Chiefs in the County. Alternatively, the Chiefs of Police could be invited to send the appropriate staff person to a general meeting in which the HICAAP process will be explained for all.

VII. ADJOURN/NEXT MEETING

The next meeting is scheduled for Wednesday, July 14, 2004, at 2:00 p.m.