

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE February 15, 2006 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

Michael Antonovich, Chair
Cynthia Banks
Steve Cooley
Peter Espinoza
Janice Fukai
Jon Fullinwider
Michael Hoff
Richard Propster
Lakshmanan Sathyavagiswaran
David Spence
Dennis Tafoya
Margaret York

ALTERNATES

Clayton Anderson for Jeanne Kennedy
Tony Beliz for Marvin Southard
Kenneth Brazile for Larry Waldie
Ed Brekke for John Clarke
Ellen Conley for Gary Dominguez
Kent Costley for Loretta Martin
Dave Davies for Paul Higa
Rudy Diaz for Michael Nash
Xiomara Flores-Holguin for David Sanders
Rosemary Gutierrez for David Janssen*
Pamela Hamanaka for Bill Lockyer
Robert Kalunian for Michael Judge
Sally Meloch for Debra Yang*
William Montgomery for Dave Lambertson
Max Muse for John Torres
Don Pedersen for Randy Adams*
Ray Regalado for Robin Toma
Buren Simmons for Roy Romer
Steven Van Sicklen for David Wesley
Martin Vranicar for Rockard Delgadillo*
*Not a designated alternate

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court
Leroy Baca, Los Angeles County Sheriff
William Bratton, Chief of the Los Angeles Police Department
Stephen Delgado, Drug Enforcement Administration
Ray Fortner, County Counsel
William Fujioka, Administrative and Research Services, City of Los Angeles
Richard Garcia, Federal Bureau of Investigation
Thomas Garthwaite, Department of Health Services
Karl Henry, Indigent Criminal Defense Appointments Program
Anthony Hernandez, Department of Coroner
David Hinig, San Gabriel Police Chiefs' Association
William MacLaughlin, Presiding Judge, Superior Court
Manny Ortega, Southeast Police Chiefs' Association
Stephen Port, South Bay Chiefs' Association
Darline Robles, County Office of Education
Bill Rosendahl, Los Angeles City Council, 11th District

Thomas Schiltgen, Immigration and Customs Enforcement
Patricia Schnegg, Judge, Superior Court
Maria Stratton, Federal Public Defender
Michael Tynan, Judge, Superior Court
Frank Venti, Independent Cities Association
Antonio Villaraigosa, Mayor, City of Los Angeles

STAFF

Peggy Shuttleworth, Executive Director
Vincent Holmes
Cynthia Machen
Craig Marin

GUESTS/OTHERS

Joseph Charney, Justice Deputy, Board of Supervisors, Third District
Karen Daltar, Sheriff's Department
Scott Edson, Information Systems Advisory Body
Ali Farahani, Chief Information Office
Tut Hayes, Private Citizen
Marc Klugman, Sheriff's Department
Steve Lieberman, Office of Public Safety
Steve Miller, County CAO, Office of Security Management
Janet Moore, District Attorney's Office
Fred Nazerbadjian, Chief Information Office
Anna Pembedjian, Justice Deputy, Board of Supervisors, Fifth District
Maria Ramirez, District Attorney's Office
John Ruegg, Information Systems Advisory Body
Devallis Rutledge, District Attorney's Office
Alan Shapiro, Sheriff's Department
Paula Tokar, Sheriff's Department
Ray Wallen, Alternate Public Defender's Office
Gabriella Yap, County CAO

I. CONVENE / INTRODUCTIONS – Michael Antonovich

The meeting was called to order at 12:10 p.m. by Mayor Michael Antonovich, Chair of the Los Angeles County Board of Supervisors and Chair of this Committee.

Self-introductions of members and guests followed.

II. REVIEW / APPROVAL OF MINUTES – Michael Antonovich

There were no requests for revisions to the Minutes of the meeting on November 16, 2005. A Motion was made to approve the Minutes.

ACTION: The Motion to approve the Minutes of the November 16, 2005 meeting was seconded and approved without objection.

III. OPENING REMARKS – Michael Antonovich

Mayor Michael Antonovich will serve as Chair of the Countywide Criminal Justice Coordination Committee (CCJCC) this year.

Mayor Antonovich noted that Los Angeles County has experienced a crisis in its jails in recent days. Riots have resulted in both deaths and injuries. He observed that the Twin Towers Detention Facility downtown was built as a high security facility, while the Pitchess Detention Facility was intended for non-violent inmates. Nevertheless, violent gang members have been placed at the Pitchess jail.

Relocating all of the violent inmates and gang members to Twin Towers is one of the steps that should be taken to quell the riots. Additionally, rival gang members need to be kept separated.

Another concern is that the Sheriff's Department has 1,100 vacancies to fill. Mayor Antonovich suggested that the use of incentives and bonuses could be used to encourage qualified individuals to apply for these positions. He also believes that the policy of having new deputies work in the jail facilities for their first few years should be revised, as this creates low morale and serves as a disincentive for joining.

Other suggestions for filling the vacancies include the use of retired deputies, recruitment at local colleges and junior colleges, and increasing the number of custodial assistants.

In addition to the need to hire new deputies, there is also a problem of attrition in that many Sheriff's deputies leave for other opportunities each year. Just as with hiring new personnel, the use of incentives and bonuses may also be utilized improve the retention rate in the Department.

Finally, gang violence is a major problem in this County as well as in other areas of the United States. One possible means for combating the gangs is through the use of the Racketeer Influenced and Corrupt Organizations (RICO) Act, which was used to defeat the Italian Mafia. Many of the street gangs have national and even international influence, and can thus potentially be prosecuted under this law.

Mayor Antonovich recommended that CCJCC explore this and other options for reducing gang crime in this County.

IV. JAILHOUSE WITNESS PROTECTION TASK FORCE – Janet Moore

Janet Moore, Director of the Bureau of Central Operations for the District Attorney's Office, appeared before this committee to present an update on the Jailhouse Witness Protection Task Force.

Background

The Jailhouse Witness Protection Task Force was created in the summer of 2004 by District Attorney Steve Cooley, and it was given the task of making recommendations for improving safety for witnesses both in custody and out of custody. Eight prominent citizens with service-oriented backgrounds were invited to participate, along with eight senior deputy district attorneys to serve as staff.

After conducting extensive research, the Task Force issued a report with recommendations that focused on the following seven areas:

- 1) Jailhouse Telephone Recording and Monitoring Systems;
- 2) Inmate Mobility within the Jail;
- 3) Inmate Worker ("Trusty") Issues;
- 4) Classification Requests and Processing Issues;
- 5) Alternative Housing and Transportation Issues;
- 6) California Witness Protection Program Issues; and
- 7) Training Issues

Recommendations

The primary recommendation made in the report was for the formation of a Witness Protection Unit within the Sheriff's Department that would have complete accountability for inmate endangered witness issues. This was found to be fiscally impractical.

The secondary recommendation was for the creation of a standing multi-agency subcommittee under CCJCC that would provide oversight and report progress. This was approved at the CCJCC meeting on January 19, 2005, and is referred to as the Jail Witness Protection Task Force (JWPTF) subcommittee.

An additional 49 recommendations were also listed in the report, which can be found at the District Attorney's web site at www.lacountyda.org.

Jail Witness Protection Task Force (JWPTF) Subcommittee

The JWPTF consists of representatives from the District Attorney's Office, Public Defender's Office, Alternate Public Defender's Office, Indigent Criminal Defense Appointments Program, Sheriff's Department, LAPD, Probation Department, State Parole, Police Chiefs' Association, County Chief Administrative Office, and the Superior Court.

Janet Moore serves as the Chair of JWPTF, and Maria Ramirez of the District Attorney's Office Major Narcotics Division serves as the Co-Chair.

The first meeting was held on June 14, 2005, and meetings were subsequently held every other month. Currently, the JWPTF meets quarterly.

2005 Goals

The JWPTF set the following goals for 2005:

- Address discrepancies between legal requirements and Sheriff's departmental requirements regarding court orders for monitoring;
- Development of housing area inmate worker selection protocols to provide greater security within the County Jail;
- Monitor the progress of the procurement and installation of new phone systems capable of taking advantage of modern technological advances;
- Address defense counsel concerns regarding the protection of privileged communications once the new system is in place; and
- Development of interagency protocols concerning notification of escaped or erroneously released prisoners and the apprehension of such prisoners.

2005 Accomplishments

The following accomplishments were reported for 2005:

- The Sheriff's Department policy has been reconciled with the current state of the law so that Court orders are no longer required in order to initiate monitoring;
- The District Attorney's Office has developed a "gatekeeper" protocol to ensure that monitoring requests are appropriate and will not overload or exceed existing resources;
- The Sheriff's Department has developed guidelines for the selection of housing area inmate workers, where previously there had been no uniform criteria. These new guidelines include the following conditions:
 - Workers must be screened and approved by a floor sergeant;
 - Screening consists of a review of the inmate's current security level and discipline history while incarcerated;

- Disqualifying factors include:
 - Previous discipline for assaults against staff and/or inmates;
 - Previous discipline for serious acts of insubordination; and
 - Security level of 8 or 9.
- Inmate information must be logged in daily;
- Variations from guidelines require approval from a Watch Commander at the permanent rank of Sergeant or above;
- Unit commanders have discretion to make the criteria more restrictive, but cannot make them less restrictive; and
- The practice of using housing area inmate workers as messengers for sensitive inmate transportation information has been eliminated.
- Progress has been made regarding the installation of the new telephone system:
 - SBC will serve as the telephone company handling the installation of the telephones;
 - Real time electronic surveillance will be made possible;
 - Previous calls made from the telephones can be searched up to 90 days; and
 - The Public Defender's Office, Alternate Public Defenders Office, and Indigent Criminal Defense Appointments Program will submit identifying information for their attorneys so that calls to and from these attorneys will be screened from monitoring to protect privileged communications.
- Sheriff's Department protocols have been developed that establish a process for notifications to law enforcement and the District Attorney's Office in the event of an escape, erroneous release, or capture of an inmate; and
- The District Attorney's Office has developed internal response protocols to ensure appropriate witness protection.

2006 Goals

The goals of the JWPTF for 2006 include the following:

- Address issues concerning the Jail Liaison Unit's unilateral discretion to override the request for protective housing from a defense counsel, investigating officer, or prosecutor;

- Oversight of modernization of inmate intake process;
- Assist in coordinating the development of interagency computerized communications systems;
- Address issues concerning inmate mobility within the jails; and
- Explore alternative housing and transportation options.

It was agreed that the JWPTF will also discuss the issuance of razor blades to inmates. These can potentially be used as weapons.

Public Comments

Mr. Tut Hayes, a private citizen, stated that the housing area inmate workers are selected based on their reputation among the other inmates, and this can result in individuals who are intimidating and/or have a history of violence. He also stated that the JWPTF should consider the views of individuals who, like himself, have served time in the County Jail.

Furthermore, Mr. Hayes alleges that it is possible for an inmate to obtain anything within the jail if that inmate can pay enough money for it.

ACTION: For information only.

V. ISAB SEMI-ANNUAL REPORT – John Ruegg

John Ruegg, Executive Director of the Information Systems Advisory Body (ISAB), appeared before this committee to present ISAB's Semi-Annual Report.

The following three projects were highlighted: The Justice XML Arrest and Prosecution Disposition Reporting, the Regional Terrorism Information and Integration System, and the DNA Order Tracking System.

The Justice XML Arrest and Prosecution Disposition Reporting project is funded by a grant from the California Department of Justice (Cal DOJ), and the purpose is to facilitate electronic reporting of dispositions from Los Angeles County to Cal DOJ.

A specification is being developed that can be used within all counties in the state by using a Justice XML standard (this is a United States DOJ standard). When completed, Los Angeles County will deliver all arrest and prosecution disposition information to Cal DOJ in this format. It is anticipated that this will be implemented within the next few months.

The Regional Terrorism Information and Integration System (RTIIS) will aggregate crime report records from all law enforcement agencies in the County and store this in a regional database. This will then be available for crime analysis, intelligence-led policing, strategic decision-making, and information sharing with other jurisdictions (e.g., FBI National Data Exchange Project (Ndex)). RTIIS is funded by a federal grant from the Department of Homeland Security.

The DNA Order Tracking System (DOTS) has been developed to support the implementation of Proposition 69 (DNA Fingerprint, Unsolved Crime and Innocence Protection Act) in Los Angeles County. This was passed by California voters in November 2004, and it greatly expanded the number of subjects for which DNA can be legally obtained for DNA profile database(s).

DOTS serves as a means for tracking the collection of DNA samples from individuals, avoiding duplicate sampling, determining compliance with Court orders, and reimbursing law enforcement agencies through the DNA Reimbursement Fund. Additionally, DOTS automates many of the time-consuming procedures involved in checking the status of a person and collecting the sample. This makes the collection process both faster and more efficient.

A Semi-Annual Report with a description of other ISAB projects was distributed. The following portions of this report were noted:

- The Alternate Public Defender's Office, has received a grant from the Quality & Productivity Commission to purchase five to seven additional Jail Inmate Videoconferencing System (JIVCS) units, and they will begin videoconferencing during this first quarter of 2006;
- The ISAB Standards Committee has an agreement with the California Department of Justice to develop 50 additional criminal data exchanges over the next 18 months;
- A 7.4 million dollar contract for outsourced imaging and microfilm conversion services was amended in the last six months to include the Department of Public Social Services for microfilm conversion.
- ISAB and the Public Defender's Office secured a \$1.3 million dollar joint grant from the Quality and Productivity Commission and the Chief Information Office to develop a day-forward imaging program for electronically storing all future Adult and Juvenile closed court cases. Funding includes development of an archives computer management system for non-imaged closed cases stored in a central warehouse.

It was suggested that obtaining the participation of city prosecutors in the prosecution disposition reporting would notably increase the information on misdemeanor dispositions in the County.

Public Comments

Mr. Hayes stated that state law grants arrestees the right to make three telephone calls within three hours. However, he alleges that the LAPD and Sheriff's Department have not allowed him to do this during times when he has been arrested.

ACTION: The ISAB Semi-Annual Report was approved for submission to the Board of Supervisors.

VI. OTHER MATTERS/PUBLIC COMMENTS

Public Comments

Mr. Hayes noted that when the California Highway Patrol arrested a local homeless man, \$5,000 of his money was confiscated and classified as bio-hazardous material. This money has not yet been returned.

VII. ADJOURN

There being no further business, Mayor Antonovich adjourned the meeting at 1:00 p.m. The next CCJCC meeting will be held on **Wednesday, March 15, 2006 at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**