

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE NOVEMBER 15, 2006 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

Michael Antonovich, Chair
Lee Baca, Vice Chair
Randy Adams
Steve Cooley
Anthony Hernandez
Jaclyn Hill
Michael Hoff
Gabriella Holt
Jeanne Kennedy
Richard Propster
Lakshmanan Sathyavagiswaran
Dennis Tafoya
Robert Taylor

ALTERNATES

Ed Brekke for John Clarke
James Crowell for John Torres*
Xiomara Flores-Holguin for Trish Ploehn
Jay Glassman for Cynthia Banks
Briane Grey for Ralph Partridge
Pamela Hamanaka for Bill Lockyer
Robert Kalunian for Michael Judge
Aldean Lee for Adam Torres
James McDonnell for William Bratton
William Montgomery for Dave Lambertson
Patrick Ogawa for Jonathan Fielding
Sam Olivito for Jeffrey Prang*
Buren Simmons for David Brewer
Gordon Trask for Ray Fortner
Martin Vranicar for Rockard Delgadillo
*Not a designated alternate

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court
Gary Dominguez, California Highway Patrol
Peter Espinoza, Judge, Superior Court
William Fujioka, City of Los Angeles City Administrative Officer
Janice Fukai, Alternate Public Defender
Jon Fullinwider, Chief Information Officer
Karl Henry, Indigent Criminal Defense Appointments Program
Jay Imperial, League of California Cities
David Janssen, County CAO
Sean Kennedy, Federal Public Defender
James Lewis, San Gabriel Police Chiefs' Association
William MacLaughlin, Presiding Judge, Superior Court
Loretta Martin, U.S. Probation Office
Michael Nash, Judge, Superior Court
Stephen Port, South Bay Police Chiefs' Association
Darline Robles, County Office of Education
Bill Rosendahl, Los Angeles City Council, 11th District
Patricia Schnegg, Judge, Superior Court
Marvin Southard, Department of Mental Health
Stephen Tidwell, Federal Bureau of Investigations
Robert Todd, Southeast Police Chiefs' Association
Robin Toma, County Human Relations Commission

Michael Tynan, Judge, Superior Court
Frank Venti, Independent Cities Association
Antonio Villaraigosa, Mayor, City of Los Angeles
Larry Waldie, Undersheriff
Mike Webb, County Prosecutors' Association
David Wesley, Judge, Superior Court
Debra Yang, U.S. Attorney
Margaret York, County Office of Public Safety

STAFF

Peggy Shuttleworth, Executive Director
Kenna Ackley
Vincent Holmes
Cynthia Machen
Craig Marin

GUESTS/OTHERS

Scott Chew, Sheriff's Department
Michael Iwanana, County CAO
Patrick Mallon (Ret.), Sheriff's Department
Anna Pembedjian, Justice Deputy, Board of Supervisors, Fifth District
Wendell Roberts, Bureau of Alcohol, Tobacco, Firearms and Explosives
John Ruegg, Information Systems Advisory Body
Peter Shutan, Los Angeles City Attorney's Office and Probation Commission
Bruce Staniforth, Economy and Efficiency Commission
Gabriella Yap, County CAO

I. CONVENE / INTRODUCTIONS – Michael Antonovich

The meeting was called to order at 12:00 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 October 18, 2006. A Motion was made to approve the Minutes.

ACTION: The Motion to approve the Minutes of the October 18, 2006 meeting was seconded and approved without objection.

III. REGIONAL CRIME LAB – Patrick Mallon

Commander Patrick Mallon (Ret.) of the County Sheriff's Department is the Project Coordinator for the Regional Crime Lab, and he appeared before this committee to present the Fifth Annual Report on this project. When completed, this facility will serve as the new crime lab for the Los Angeles County Sheriff's Department (Sheriff's Department) and the Los Angeles Police Department (LAPD), and it will be located on the campus of the California State University at Los Angeles (Cal State L.A.).

A background history of the project was provided. In 1997, a Grand Jury report found that there was a substantial need for modern crime lab facilities in this County and in the City of Los Angeles. This was followed-up with a 1998 Needs Assessment on the Sheriff's Department and LAPD crime labs, which in turn resulted in a decision to create a new facility that would be shared.

The State of California had initially agreed to provide 96 million dollars to the project, but much of this was rescinded as a result of the state budget crisis in the early part of this decade. The funding was subsequently restored from bond revenue in the Budget Act of 2002.

In late 2004, the prevailing bid from the contractor was 8 million dollars over budget. In response, the County Board of Supervisors and the Los Angeles City Council provided the funding needed to make-up the shortfall, and the project was able to proceed.

The groundbreaking ceremony was held in early 2005, and a construction notice to proceed was issued to the contractor in February of that year. In September 2005, the topping out ceremony was held in which the last major piece of structural steel was lifted into place at the top of the building.

Commander Mallon praised the Sheriff's Department, LAPD, and Cal State L.A. for the cooperation that they have demonstrated in working closely with one another throughout the construction process, and in the creation of protocols for sharing space and equipment.

There are three distinct Memorandums of Understanding (MOU's) that will be associated with the Regional Crime Lab. The first is for fiscal and policy issues, the second is for facility protocols, and the third is for laboratory protocols.

It was noted that the County and City have recently allocated funding for furnishings and telecommunications equipment in the Regional Crime Lab. The money that had earlier been allocated for this was diverted to construction several years ago in order to help address the budget shortfall.

In addition to the Sheriff's Department and LAPD crime labs, the building will also include space for the University and its California Forensics Science Institute (CFSI). It is hoped that interns from the CFSI will be used in the laboratory, and some may be

hired upon graduation.

The construction is now 91% complete, and the completion date is scheduled for February 20, 2007. Occupancy in the building may begin by March 1, 2007, and this will be a phased move-in. It is expected that the Crime Lab will be fully operational by May 2007, and the dedication ceremony is scheduled for May 11, 2007, at 2:00 p.m.

Copies of the quarterly Crime Lab Newsletter were made available for members and guests.

District Attorney Steve Cooley praised Commander Mallon for his work in overseeing this project.

ACTION: For information only.

**IV. HIGH INTENSITY CRIMINAL ALIEN APPREHENSION & PROSECUTION PROJECT (HICAAP) –
Captain Timothy Cornell**

Lieutenant Scott Chew of the Sheriff's Department Inmate Reception Center (IRC) presented the semi-annual report on the High-Intensity Criminal Alien Apprehension and Prosecution (HICAAP) program. Lieutenant Chew represented Captain Timothy Cornell of IRC.

The HICAAP program is a multi-agency collaborative that is intended to address the issue of previously removed habitual criminal aliens re-entering this country and committing additional crimes. Through the establishment of an automatic review of the Federal Immigration Violations File at the time of booking, immediate identification of previously deported criminal aliens is now performed at the level of local law enforcement stations.

For this presentation, Lieutenant Chew first discussed a program that arises from Section 287g of the Immigration and Nationality Act. This Section authorizes the United States Department of Homeland Security to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions pursuant to a Memorandum of Agreement (MOA), provided that the local law enforcement officers receive appropriate training and function under the supervision of sworn U.S. Immigration and Customs Enforcement (ICE) officers.

In January 2005, the Los Angeles County Board of Supervisors authorized a pilot project of the 287g program in which designated Sheriff's Department custody assistants would be trained to perform interviews of convicted, foreign-born inmates. The training would be conducted by ICE personnel, and the interviews would take place in the IRC. Those inmates that were determined to be in the United States illegally would be transferred to ICE.

Eight Sheriff's Department custody assistants completed the ICE training. On January 30, 2006, the custody assistants began interviewing foreign-born inmates convicted of felony and misdemeanor crimes in order to determine their legal status and if an immigration hold should be placed.

Under the 287g program, 7,426 interviews have been conducted and 4,207 immigration holds have been placed from January 30, 2006 to November 10, 2006. All inmates with holds were transferred to ICE or another law enforcement agency.

The County's preliminary State Criminal Alien Assistance Program (SCAAP) data indicates that there has been an increase of over 5,000 criminal alien inmates over the previous year. Lieutenant Chew surmised that this may be due to the increase in the number of interviews resulting from the 287g program.

Thus far for all of 2006, there have been 7,088 holds placed at IRC, and this represents the total from both the 287g program and interviews by ICE agents. This number is more than twice the number of holds at IRC for all of 2005 (3,050), and higher than the highest total previously recorded for a calendar year (5,584 holds in 2002).

For those individuals that are transferred to ICE, 87% are ordered removed from the country. (Within 72 hours, 84% are ordered removed by a magistrate, and 3% are allowed to voluntarily depart.) Of the remaining 13%, it was found that 9% have pending Court hearings and 4% are released.

The 287g pilot project officially ended after the first six months (on July 30th), but it has continued since that time, and it is currently pending authorization by the Board of Supervisors. A report on the program has been filed with the Board.

Another current issue with HICAAP is the continuing effort to increase the number of fingerprint databases that can be accessed to identify the inmates as previously deported criminal aliens. An MOA was recently agreed to by ICE and the Sheriff's Department to receive data from several federal databases. Partial information has been provided from U.S. VISIT, and an additional 200 individuals have since been identified in the past few months through matches with this data. The MOA has not yet been returned from ICE, and the Mayor's assistance may be requested.

It is anticipated that ICE will provide additional personnel to assist in this region. This may include more agents participating in the interviewing of inmates. Additionally, ICE is considering the use of a Special Enforcement Program in which a large number of agents may be brought in for a short time to conduct interviews. This may assist the Sheriff's Department in determining the actual verses an estimated number of deportable criminal aliens that are in the custody facilities at any given time.

An analysis of existing data suggests that a minimum of 16.2% of the jail population are deportable criminal aliens. The minimum cost for housing these inmates is estimated to be over 94 million dollars a year. Further research and analysis will seek to determine

the total cost to the entire criminal justice system.

ACTION: For information only.

**V. NATIONAL INTEGRATED BALLISTICS INFORMATION NETWORK (NIBIN) –
Wendel Roberts**

Wendel Roberts, Special Agent with the United States Department of Justice – Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), appeared before this committee to provide an update on the National Integrated Ballistics Information Network (NIBIN).

NIBIN is a database of ballistic images that allows investigators to compare images from fired bullets and cartridge casings. The NIBIN program places Integrated Ballistic Identification System (IBIS) equipment into state and local law enforcement agencies for their use in imaging and comparing crime evidence involving guns.

A Data Acquisition Station/Remote (DAS/R) inputs information on cartridge casings, bullets, firing pin impressions, and any other relevant information regarding a firearm. With digital images of the markings made by a firearm on bullets and cartridge casings, the equipment can determine if a firearm in its database matches the evidence from a crime.

Currently, there are over 1,155,815 images (exhibits) in the NIBIN database, which have produced more than 16,042 hits (links) nationwide. In addition, there are 228 sites with 182 partner agencies. (The reason for this disparity is that some agencies have equipment at more than one site.) The ATF has provided training for 922 users of the system in Federal, State, and local laboratories.

It was explained that a “hit”, or “link”, is a linkage of at least two different crime investigations by the use of NIBIN technology, where there was no previous known connection between the investigations. This is a linkage between cases, not individual pieces of evidence, and it must be confirmed by a Firearms Examiner examining the actual evidence under a microscope.

Recent successes resulting from NIBIN were discussed. For example, earlier this month, a firearm was recovered from a gang member in Orange County. Authorities entered the bullet and the shell casing into the NIBIN system and linked it to an existing cold case homicide in Santa Ana.

Another example is from a case in 2005 that involved a short police pursuit in Los Angeles County. During the chase, a gun was thrown from the window of the car. After recovering the weapon and entering it into NIBIN, examiners were able to link it to six shootings, one homicide investigation, and an assault with a deadly weapon case.

It was noted that discussions with the Royal Canadian Mounted Police (RCMP) are ongoing to link with the Canadian Integrated Ballistic Information Network (CIBIN).

Linkage with three RCMP sites is expected in late Fall.

Contact information was provided for law enforcement agencies that wish to receive additional information about NIBIN. Law enforcement representatives were also invited to take a tour of the Southern California Regional Crime Gun Center.

ACTION: For information only.

VI. OTHER MATTERS / PUBLIC COMMENT

Sheriff Baca reported that United States Senator Barbara Boxer has expressed a willingness to sponsor legislation that would provide a 600 million dollar appropriation to the County to assist with interoperability.

Mayor Michael Antonovich has served as Chair of this Committee for the past year, and next month Supervisor Zev Yaroslavsky will assume the role of Chair. Mayor Antonovich extended his thanks and appreciation to the members of this Committee for their work and dedication during his tenure as Chair. He also thanked Peggy Shuttleworth (Executive Director of CCJCC) and her staff, as well as Anna Pembedjian, his Justice Deputy, for their work this year.

Mayor Antonovich stated that this is an important Committee, and he encouraged the members to continue to work together to provide solutions to criminal justice related matters in this County.

VII. ADJOURN

There will be no CCJCC meeting in December. Instead, all members are invited to attend a CCJCC Holiday Open House on Wednesday, December 20, 2006, from 11:30 a.m. to 2:00 p.m. in Room 739 of the Hall of Administration.

There being no further business, Mayor Antonovich adjourned the meeting at 12:45 p.m. The next CCJCC meeting will be held on **Wednesday, January 17, 2007, at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**