

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE APRIL 18, 2007 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

Zev Yaroslavsky, Chair
Lee Baca, Vice Chair
George Cardona
Janice Fukai
Jon Fullinwider
Karl Henry
Anthony Hernandez
Michael Judge
Richard Kirschner
Dave Lambertson
Don Pedersen
Lakshmanan Sathyavagiswaran
Stephanie Sautner
Greg Savelli

ALTERNATES

Clayton Anderson for Jeanne Kennedy
Tony Beliz for Marvin Southard
Mike Brady for Adam Torres*
Ed Brekke for John Clarke
Marcus Castro for Dennis Tafoya
Ellen Conley for Gary Dominguez
Dave Davies for Robert Taylor
Chris Dayian for Darline Robles
Xiomara Flores-Holguin for Trish Ploehn
Jay Glassman for Cynthia Banks
Briane Grey for Ralph Partridge
Pamela Hamanaka for Edmund Brown
Steve Lieberman for Margaret York
James McDonnell for William Bratton
Ethel McGuire for J. Stephen Tidwell*
Patrick Ogawa for Jonathan Fielding
Wilson Poon for Karen Sisson
Devallis Rutledge for Steve Cooley
Buren Simmons for David Brewer
Bruce Staniforth for Ronald Ikejiri*
Gordon Trask for Ray Fortner
Marty Vranicar for Rockard Delgadillo
*Not a designated alternate

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court
J. Stephen Czuleger, Presiding Judge, Superior Court
Gabriella Holt, County Probation Commission
David Janssen, County CAO
Roger Johnson, San Gabriel Valley Police Chiefs' Association
Sean Kennedy, Federal Public Defender
Loretta Martin, Chief U.S. Probation Officer
Michael Nash, Supervising Judge, Juvenile Court
Jeffrey Prang, California Contract Cities Association
Richard Propster, Peace Officers' Association of Los Angeles County
Bill Rosendahl, Los Angeles City Council, 11th District
Patricia Schnegg, Judge, Superior Court
Robert Todd, Southeast Police Chiefs' Association
Robin Toma, County Human Relations Commission

John Torres, Bureau of Alcohol, Tobacco, and Firearms
Michael Tynan, Judge, Superior Court
Steven Van Sicklen, Supervising Judge, Criminal
Antonio Villaraigosa, Mayor, City of Los Angeles
Larry Waldie, Undersheriff
Mike Webb, County Prosecutors' Association
Dennis Zine, Independent Cities Association

STAFF

Mark Delgado, Executive Director
Kenna Ackley
Vincent Holmes
Cynthia Machen
Craig Marin

GUESTS/OTHERS

Joseph Charney, Justice Deputy, Third District of the Board of Supervisors
Marilyn Diaz, Chief of Police, City of Sierra Madre
Tom Eckert, Hermosa Beach Police Department
Patrick Mallon (Ret.), Sheriff's Department
David Miguel, LAPD
Peter Shutan, L.A. City Attorney's Office/L.A. County Probation Commission

I. CONVENE / INTRODUCTIONS – Zev Yaroslavsky

The meeting was called to order at 12:00 noon by Los Angeles County Supervisor Zev Yaroslavsky, Chair of the Los Angeles County Board of Supervisors and Chair of CCJCC.

II. REVIEW / APPROVAL OF MINUTES – Zev Yaroslavsky

There were no requests for revisions to the minutes of the meeting on March 21, 2007. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the March 21, 2007 meeting was seconded and approved without objection.

OPENING REMARKS

Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), announced that CCJCC is in the process of shifting to an electronic distribution of meeting documents.

Beginning in June 2007, CCJCC will distribute monthly meeting notices, agendas, minutes, and supporting documents via email. Members that have not already done so were asked to provide CCJCC staff with an email address where the documents should

be sent.

Supervisor Yaroslavsky commented on the tragedy that took place on the campus of Virginia Tech on Monday. He requested that lessons learned in terms of security and emergency response be presented to CCJCC at a future date.

III. LOS ANGELES TASK FORCE ON TERRORISM – Ethel McGuire

Ethel McGuire, Assistant Special Agent-In-Charge of Counter Terrorism for the Los Angeles Division, Federal Bureau of Investigation (FBI), presented on the Los Angeles Task Force On Terrorism (LATFOT).

The Joint Terrorism Task Force (JTTF) is comprised of numerous task forces around the country, primarily in large metropolitan areas. LATFOT is the local task force that is comprised of federal, state, and local law enforcement agencies. The mission of LATFOT is to deter, detect, prevent, and respond to terrorist activity.

The territory of the FBI Los Angeles Division, and that of LATFOT, includes the seven Southern California counties of San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Orange, San Bernardino, and Riverside. In addition to the Los Angeles Field Office, the Task Force includes Annexes in Orange and Riverside Counties, as well as the City of Long Beach.

LATFOT consists of approximately 260 personnel, of which 150 are FBI agents and 110 are local officers and agents. There are 15 squads within the task force that focus on various potential terrorism threats.

In addition to the FBI, there are 23 federal law enforcement agencies that participate in LATFOT and other JTTFs. The total number of local agencies participating full time in LATFOT is 26; there are also agencies that participate on an as-needed basis.

The Joint Regional Intelligence Center (JRIC), based in Norwalk, incorporates all incoming terrorism-related information. This supports LATFOT and local law enforcement terrorism prevention efforts by providing information and analysis on individual names and cases. JRIC is part of the Terrorism Threat Assessment and Response Squad.

The New York JTTF has about 950 open and pending cases, the Washington, D.C. JTTF has about 915 to 920 open and pending cases, and LATFOT has about 890 to 900 open and pending cases. The number of agents assigned to LATFOT is not as large as these other two JTTFs, so there is a high level of workload being handled given the resources available.

ACTION: For Information Only

IV. REGIONAL CRIME LAB – Patrick Mallon

Commander Patrick Mallon (Ret.) of the County Sheriff's Department is the Project Coordinator for the Regional Crime Lab. He appeared before CCJCC to provide an update on the facility.

This new building, located on the campus of the California State University at Los Angeles (Cal State L.A.), 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). The building will also include space for the University and its California Forensics Science Institute (CFSI).

The project is within budget, but the opening will be delayed due to final systems corrections that need to be made. It is now expected that the occupancy of the building will begin on June 1, 2007.

The dedication ceremony for the facility is scheduled for Friday, May 11, 2007, at 2:00 p.m. Approximately 1,000 to 1,500 people may be in attendance, including many dignitaries. A 42-page book documenting the history of the project will be distributed at that time.

Commander Mallon praised all participating organizations for the interagency cooperation that they have demonstrated throughout the construction process and in the creation of protocols for sharing space and equipment.

ACTION: For Information Only

V. PROPOSITION 36 TASK FORCE – Judge Ana Maria Luna

Judge Ana Maria Luna, Chair of the Proposition 36 Implementation Task Force, presented an update on funding for Proposition 36.

Proposition 36, the Substance Abuse and Crime Prevention Act, was approved by California voters in November 2000 and implemented in Los Angeles County in July 2001. It amended existing drug sentencing laws by requiring that criminal defendants who are convicted of a non-violent drug offense be placed in drug treatment, as opposed to incarceration, as a condition of probation.

The Proposition 36 Task Force is a standing subcommittee of CCJCC that serves as the advisory group responsible for the development of policies and procedures for this program in Los Angeles County.

When Proposition 36 was first approved, the program was allotted \$120 million annually to be used statewide. Los Angeles County was also able to utilize rollout money.

For Fiscal Year 2006-2007, two categories of funding have been created. First is the original Proposition 36 trust fund, which had been the source of the \$120 million that was distributed to the counties under a formula developed by the State Alcohol and Drug Program Administration. The second source is a competitive fund that requires a 10% county match.

Los Angeles County has been allotted about \$31 million from the original trust fund and nearly \$8 million from the competitive fund for the upcoming fiscal year. With the County's match, the total is \$39.7 million, which is roughly \$14 million less than the amount needed to provide the level of services that the statute appears to require (this was determined from a statewide needs assessment survey).

Governor Arnold Schwarzenegger had proposed altering the program to allow judges to impose flash incarceration on participants as a way of ensuring compliance. However, this has been blocked in court.

The Governor's budget proposal would reduce statewide funding for Proposition 36 by \$25 million (from \$145 million) and move money from the original trust fund and place it in the competitive fund. Potentially, depending on what changes are made to the program and how negotiations proceed, all of the Proposition 36 money could become competitive.

Judge Luna noted that completion rates are often used as a measure of a county's need, but this does not always accurately reflect the true size of the population that is being served by each county's program - or how effective it is.

Cuts to the local funding level will impact the level of service. Many of the treatment providers have indicated that they may not be able to accept more referrals if there are additional cuts. Overall, there would have to either be a reduction in services offered through Proposition 36 or a reduction in the amount of time that individuals will be given to show that they can succeed in the program.

One result of the funding cuts is that the Probation Department can no longer provide automatic eligibility reports except where there is a dispute as to whether a person is eligible or not.

One concern is that severe budget cuts may result in a rise in jail and prison costs. This could happen if people going through the program are moved through at a faster rate and without the attention that they may need to succeed. More individuals may ultimately be incarcerated, which could raise costs at the local and state level.

It is possible that the State Legislature may place some of the issues regarding Proposition 36 on an upcoming ballot for the consideration of the state's voters.

The County of Los Angeles has taken a strong position against one proposal that would remove money from adult probation supervision services and use it to fund Proposition 36.

Sheriff Lee Baca observed that the position taken by Los Angeles County on an issue can influence the policies that are adopted by the State of California. Therefore, he recommended that the County create suggestions on how best to structure Proposition 36, and all other similar alternatives to incarceration that treat drug addiction, so as to achieve optimum efficiency. This could in turn be presented to the State as a blueprint of how the County believes these programs can be improved.

The County could also present a recommendation on how best to measure success in these programs.

In response to a suggestion that this be referred to the Proposition 36 Task Force, Judge Luna advised that it may be better to have this matter referred to the Drug Court Oversight Committee, which is another standing subcommittee of CCJCC. She stated that the two CCJCC subcommittees have many of the same members, and cross-invitations can be made as well.

ACTION: It was agreed that the question of how to improve programs that serve as alternatives to incarceration for drug addicted individuals, as well as that of how to measure the success of these programs, will be referred to the Drug Court Oversight Committee. The Drug Court Oversight Committee will report back to CCJCC with recommendations at a future meeting.

VI. OTHER MATTERS / PUBLIC COMMENT

There were no additional matters or public comments.

VII. ADJOURN

There being no further business, Supervisor Yaroslavsky adjourned the meeting at 12:53 p.m. The next CCJCC meeting will be held on **Wednesday, May 16, 2007, at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**