

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE OCTOBER 15, 2008 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

Chair: Yvonne B. Burke, County Supervisor for the Second District and
Chair of the County Board of Supervisors

Ray Fortner, County Counsel

Janice Fukai, County Alternate Public Defender

Gigi Gordon, Directing Attorney, Post Conviction Assistance Center

Anthony Hernandez, Director, County Department of Coroner

Gabriella Holt, President, County Probation Commission

Tim Landrum, Special Agent in Charge, U.S. Drug Enforcement Administration

Al Leiga, Chair, County Quality & Productivity Commission

John Noguez, President, California Contract Cities Association

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Kim Raney, President, Los Angeles County Police Chiefs Association

Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner

Greg Savelli, President, South Bay Police Chiefs Association

Robert Taylor, County Chief Probation Officer

Michael Tynan, Judge, Superior Court

Margaret York, Chief, County Office of Public Safety

ALTERNATES

*Damon Alexander for John Torres, Special Agent-in-Charge, U.S. Bureau of Alcohol,
Tobacco, Firearms and Explosives

Ed Brekke for John Clarke, Superior Court Executive Officer

*Douglas Bys for Loretta Martin, Chief U.S. Probation Officer

Elvira Castillo for Cynthia Banks, Director, County Department of Community & Senior
Services

Marv Cavanaugh for Lee Baca, Sheriff and Vice Chair of CCJCC

Kathleen Daly for Marvin Southard, Director, County Department of Mental Health

Xiomara Flores-Holguin for Trish Ploehn, Director, County Department of Children and
Family Services

Pamela Hamanaka for Edmund Brown, California Attorney General

Robert Kalunian for Michael Judge, County Public Defender

Greg Keosian for Richard Kirschner, Judge, Superior Court

Jason Killeen for Raymond Ciranna, Interim Los Angeles City Chief Administrative Officer

William Montgomery for Tom Tindall, Director, County Internal Services Department

Cecile Ochoa for Dennis Tafoya, County Affirmative Action Compliance Officer

*Edward Pape for William Bratton, Chief, Los Angeles Police Department

Ray Regalado for Robin Toma, Executive Director, County Human Relations

Commission

Bruce Riordan for Rockard Delgadillo, Los Angeles City Attorney
Buren Simmons for David Brewer, Superintendent, Los Angeles Unified School District
Wayne Sugita for Jonathan Fielding, Director, County Public Health Department
*Michael Tynan for J. Stephen Czulger, Presiding Judge, Superior Court

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court
Steve Cooley, District Attorney
Marilyn Diaz, President, San Gabriel Valley Police Chiefs Association
Peter Espinoza, Assistant Supervising Judge of Criminal, Superior Court
William Fujioka, County Chief Executive Officer
Salvador Hernandez, Assistant Director in Charge, Los Angeles Division, Federal Bureau of Investigation
Ronald Ikejiri, Chair, County Economy and Efficiency Commission
Sean Kennedy, Federal Public Defender
Michael Nash, Supervising Judge, Juvenile Court
Thomas O'Brien, U.S. Attorney
Richard Propster, Peace Officers Association of Los Angeles County
Darline Robles, Superintendent, County Office of Education
Richard Sanchez, Acting County Chief Information Officer
Stephanie Sautner, Judge, Superior Court
Patricia Schnegg, Judge, Superior Court
Warren Stanley, Southern Division Commander, California Highway Patrol
Robert Todd, President, Southeast Police Chiefs Association
Adam Torres, United States Marshall
Frank Venti, President, Independent Cities Association
Antonio Villaraigosa, Mayor, City of Los Angeles
Larry Waldie, Undersheriff
Mike Webb, County Prosecutors Association
Jack Weiss, Los Angeles City Councilman, District 5

CCJCC STAFF

Mark Delgado, Executive Director
Kenna Ackley
Cynthia Machen
Craig Marin

GUESTS/OTHERS

Nancy Chand, Public Defender's Office
Dardy Chen, County Chief Executive Office
Tim Cornell, Sheriff's Department
Briane Grey, U.S. Drug Enforcement Administration
Sharon Harada, Probation Department
Jaclyn Hill, Quality and Productivity Commission

Steve Kawamura, County Chief Executive Office
Cassandra Loch, Prototypes
Adam Long, Probation Department
Michelle Mead, Alternate Public Defender's Office
David Meenk, Sheriff's Department
Joanne Rotstein, Public Defender's Office
Joel Sappell, Third District, County Board of Supervisors
Randi Tahara, Second District, County Board of Supervisors
Wendy Tait, Second District, County Board of Supervisors
Kimberly Wong, Public Defender's Office
Ruth Wong, Quality and Productivity Commission

I. CONVENE/INTRODUCTIONS

Yvonne B. Burke, County Supervisor, Second District

The meeting was called to order at 12:00 noon by Los Angeles County Supervisor Yvonne B. Burke, Chair of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Yvonne B. Burke, County Supervisor, Second District

There were no requests for revisions to the minutes of the September 17, 2008 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the September 17, 2008 meeting was seconded and approved without objection.

III. TASKFORCE FOR REGIONAL AUTO-THEFT PREVENTION (TRAP)

Captain Tim Cornell, Sheriff's Department

Captain Tim Cornell of the Los Angeles County Sheriff's Department appeared before CCJCC to present the Taskforce for Regional Auto-theft Prevention (TRAP) semi-annual progress report.

The mission of TRAP is to reduce the incidents of auto theft, increase the recovery rate of stolen automobiles, identify trends and patterns of vehicle theft, provide training and expertise to participating law enforcement agencies, and coordinate a deterrence program with the private sector. TRAP is funded by a \$1 fee on all registered vehicles in Los Angeles County.

TRAP consists of representatives from various law enforcement agencies throughout the county. Partnerships have been formed with other government and private organizations.

As a result of budget reductions, TRAP reduced its number of teams in the county from six to four and 10 investigators have been removed.

The current crime trends with respect to stolen vehicles include illegal auto dismantlers, vehicle cloning, identity theft/fraud, exporting of high-end vehicles, Vehicle Identification Number (VIN) switching/counterfeit DMV papers, and thefts involving dealership computer key code access.

Captain Cornell explained that in cases involving vehicle cloning, the thieves copy a legitimate VIN and create a counterfeit tag that is used to replace the VIN tag on a stolen vehicle. Ownership documents are also forged and the stolen vehicle is resold to an unsuspecting buyer.

One of TRAP's goals for 2008 has been to increase its number of Vehicle Code Section 2805 (VC 2805) inspections by 5%; so far this year they are on pace to achieve that. VC 2805 allows full-time auto theft investigators to inspect auto dismantling yards, repair and body shops, and other auto dealerships to determine if they are illegally chopping vehicles or are otherwise involved in fraud.

A recent successful investigation of an auto dismantling yard led to several arrests when it was determined that the owner was conspiring with car owners who couldn't make their payments. The vehicles were chopped and the parts were sold, while the owners, in turn, would claim that their vehicles had been stolen.

Other recent successful cases discussed by Captain Cornell included the recovery of stolen construction equipment and stolen classic cars. He noted that investigations into auto theft can lead to the discovery of additional criminal activity.

From January through September 2008, TRAP has been responsible for 378 arrests, 89 warrants served (includes arrest, search, and other), 188 VC 2085 inspections, and the recovery of 934 vehicles. The total value of the recovered vehicles amounts to \$14,241,152.

These statistics represent a decrease of 10% to 15% as a result of losing the 10 investigators from TRAP.

Representatives from TRAP continue to provide auto theft training to law enforcement agencies throughout the county. In addition, TRAP's annual symposium on auto theft is scheduled for Thursday, November 6, 2008, at the Gracie Simmons Lodge in Elysian Park. This day long conference will begin at 8:30 a.m.

In September of this year, the Governor vetoed Assembly Bill 860 (AB 860), which would have extended TRAP's funding legislation from January 1, 2010 to January 1, 2018.

A new funding legislation bill for TRAP will be reintroduced in January 2009, at which time it will receive a new Assembly Bill (AB) number. TRAP will then request letters of support from law enforcement agencies in the county.

Captain Cornell formally requested that CCJCC provide a letter of support for this new legislation.

In addition, TRAP requested that CCJCC authorize it to sell previously purchased used and outdated equipment to help defray the cost of new equipment. The total estimated value of the equipment to be sold is approximately \$2,000.

The sale of the equipment and the subsequent expenditure of revenue would be conducted according to the standard protocols and procedures of the Sheriff's Department and the County of Los Angeles.

Robert Taylor, Los Angeles County Chief Probation Officer, made a motion that CCJCC provide a letter of support for the new State Assembly Bill providing for continued funding for TRAP.

Supervisor Burke inquired about the LoJack car theft retrieval system. Captain Cornell stated that the system works very well and has assisted law enforcement in the recent retrieval of several vehicles that were about to be shipped overseas.

New technology connected to the OnStar system may also be useful in retrieving stolen vehicles.

ACTION: The motion to issue a letter of support for the new California State Assembly Bill (once a number has been assigned) providing for continued funding for TRAP was seconded and approved without objection.

A motion was made to authorize TRAP to sell previously purchased used and outdated equipment to help defray the cost of new equipment.

ACTION: The motion to authorize TRAP to sell previously purchased used and outdated equipment to help defray the cost of new equipment was seconded and approved without objection.

IV. WOMEN'S SECOND CHANCE REENTRY COURT

Judge Michael Tynan, Los Angeles Superior Court
Nancy Chand, Reentry Coordinator, Public Defender's Office
Cassandra Loch, CEO, Prototypes

Judge Michael Tynan appeared before CCJCC to introduce the Women's Second Chance Reentry Court (Reentry Court), which he presides over.

This program is a coordinated multi-agency effort that includes the Superior Court, District Attorney's Office, Public Defender's Office, Alternate Public Defender's Office, Alcohol and Drug Program Administration (ADPA), Probation Department, California Department of Corrections and Rehabilitation (CDCR), and a treatment provider (Prototypes). A CCJCC Steering Committee oversees the program.

Judge Tynan introduced Nancy Chand, Re-Entry Coordinator for the Public Defender's Office, to provide more details on this program.

Ms. Chand stated that the Reentry Court is funded by a grant from CDCR. The program seeks to screen and find appropriate women for the court and then place them in treatment.

Graduated sanctions are used to address behavioral issues. Rewards, such as extra privileges in treatment or public recognition in court, are also used to treat women and assist them in recovery.

The Re-Entry Court uses the traditional drug court model, but its population differs from those of the drug courts in that they tend to have a more serious criminal record and more troubled background. The women in the Re-Entry Court have been to prison multiple times and have prior and/or current charges of substantial drug abuse.

Eligible participants in traditional drug courts are those convicted of drug possession but with no prior sales convictions, no prior violence, and no prior strikes. In contrast, women who are eligible for the Re-Entry Court are those with non-violent felonies, non-violent strikes, and no prior convictions for child abuse. Additionally, unlike the traditional drug court model, the Re-Entry Court program provides treatment for mental illness.

In screening potential participants for the Re-Entry Court, the Public Defender's Office refers eligible women to the program and a legal evaluation is performed by the District Attorney's Office. Prototypes conducts a suitability evaluation and parole conducts an additional eligibility evaluation. The final determination is then made by the Court.

The Re-Entry Court treatment program includes six months of residential treatment and six months of outpatient treatment. The outpatient treatment has been donated by the treatment provider, Prototypes. Ms. Chand also noted that up to two children may enter treatment with the mother.

The treatment services for the participants are divided into two tracks. Track One provides 40 beds for parolees each year (20 every six months) that are funded by the CDCR grant. Track Two is for otherwise eligible women for whom there was not sufficient room in Track One. With this second track, Prototypes seeks other funding sources and contracts.

Nena Messina, Ph.D., of UCLA Integrated Substance Abuse Programs, who is an international expert on women's treatment, donated her time to write the proposal that resulted in the CDCR grant for the Re-Entry Court. The total amount of the grant is \$1.2 million over a period of slightly less than three years.

In addition to Dr. Messina's donated time, the partner agencies in the effort have provided in-kind donations in various forms that have been essential to keeping the program working.

Ms. Chand introduced Cassandra Loch, CEO of Prototypes, to provide information on the treatment services.

Prototypes is based in Pomona and began operations in 1986. They provide gender responsive services and evidenced based practices in serving women and their children who have been impacted by substance abuse, mental illness, violence in their homes and communities, homelessness, and medical issues.

Ms. Loch referenced several women that her organization has treated through the Re-Entry Court program. In each case, the participants have had to overcome severe personal challenges and dysfunctional family backgrounds in seeking to succeed in treatment and recovery. She also noted that the children of the participants benefit to the extent that the women are successfully treated and that this can also put less of a burden on the foster care system.

Currently, there are almost 50 women in residential treatment for both tracks and 28 women receiving outpatient services. Thus far, six women have graduated from the Re-Entry Court program.

Ms. Chand observed that, as a baseline for eligibility, all of the participants would be going to state prison but for this program. She further noted that the state prisons are at 200% capacity and 32% to 40% of the inmates are from Los Angeles County. Approximately 93% of the inmates return to the area that they came from.

With only minimal treatment services offered in prison, programs such as this serve the interests of the community by alleviating prison overcrowding and providing treatment services so that the participants can lead productive lives.

In terms of cost, the CDCR grant provides approximately \$18,000 per person to treat the program participants. In contrast, the cost of incarceration is about \$45,000 to \$50,000 per year with little or no treatment.

Ms. Chand acknowledged both Judge Tynan and Mark Delgado, Executive Director of CCJCC, for their efforts in facilitating the collaboration among all of the partner agencies.

ACTION: For information only.

V. DISPROPORTIONATE MINORITY CONTACT SUBCOMMITTEE

Sharon Harada, Chief, Juvenile Field Services Bureau, Probation Department

Sharon Harada, Chief of the Juvenile Field Services Bureau of the County Probation Department, appeared before CCJCC to present an update on the Disproportionate Minority Contact (DMC) Technical Assistance Project (TAP) grant that was received through the CDCR Corrections Standards Authority (CSA).

Ms. Harada thanked Supervisor Burke for her support of the Probation Department's efforts to address this issue and for her assistance with the grant process. She also acknowledged Robert Taylor, Chief Probation Officer, for his leadership within the Department with respect to this subject.

As a review, DMC refers to the overrepresentation of minority youth who come into contact with the juvenile justice system relative to their numbers in the general population. Contact refers to all stages of the juvenile justice system, from an initial encounter with law enforcement to all subsequent decision points.

The three-year DMC grant was awarded to the Probation Department in January 2007. A multi-agency CCJCC subcommittee was formed to carry out the provisions of the grant. This subcommittee consists of representatives from the Probation Department, Sheriff's Department, District Attorney's Office, Public Defender's Office, Superior Court, LAPD, and the County Police Chiefs Association.

The grant is divided into three phases (years) as follows:

- Phase I – DMC Infrastructure and Education (2007).
- Phase II – Stakeholder Collaboration and Plan Development (2008).
- Phase III – Implementation of DMC Reduction (2009).

The Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) recommends that states take the following five steps in their efforts to reduce DMC: (1) Identification; (2) Assessment; (3) Intervention; (4) Evaluation; and (5) Monitoring.

Identification refers to determining the extent, if any, to which DMC exists. From a national perspective, statistics demonstrate that African-American youth are disproportionately represented through every state in the juvenile justice process.

In Los Angeles County, statistics reveal that there is a disproportionate percentage of African-American youth in terms of arrests, referrals to court, and detention admissions. The W. Haywood Burns Institute has produced a report of findings and recommendations based on the Probation Department's implementation of the DMC-TAP grant in 2007. A copy of this was distributed for review.

One assessment in this report shows that of 17,107 youth brought to Probation Department's Juvenile Halls during Fiscal Year 2004-2005, 5,529 were African-American and 9,655 were Latino. This represents a disproportionate number of youth of color who are received by the Probation Department's Intake and Detention Control (IDC). Youth of color represent 78% of the youth population of the county, but are 92% of the youth received at IDC.

The report further found that of 93% (15,909) of youth received at IDC that were detained in Juvenile Hall, 38% (6,043) were detained based on an override decision by IDC. There are a variety of reasons for an override decision. For instance, such a decision may be made due to a pending Welfare and Institutions Code Section 777 (violation of the conditions of probation) filing, a pending Community Detention Program violation, or where the youth is determined to be a serious threat to the community.

In addressing the findings of DMC, the report recommends revising the override policy, revising the Risk Assessment Instrument (RAI), validating the RAI, implementing an electronic version of the RAI, ensuring the reliability of the RAI, initiating a conversation with criminal justice agency partners regarding the purpose of detention, and considering alternatives to detention.

Ms. Harada stated that prior to the issuance of the report, the Probation Department began the process of revising its RAI. In May 2008, a new RAI was piloted and the Department is analyzing the results of this effort.

She also mentioned that the Probation Department has a Community Detention Program (CDP) that serves as an alternative to detention. Through CDP, youth are placed on electronic monitoring instead of placing them in a Juvenile Hall. In addition, the Probation Department is considering the implementation of a juvenile day reporting center.

The following accomplishments have been achieved through Phase I of the DMC-TAP grant:

- Developed a DMC Workplan; and
- Drafted *Final Report of Findings and Recommendations 2007* with preliminary findings.

In addition, the following has been accomplished thus far in Phase II:

- Review of data – match Phase II with Phase I preliminary findings (variance and validity);
- Other partner agency data collaboration;
- Stakeholder engagement in order to develop the DMC reduction plan; and
- Pilot Risk Assessment Instrument (Detention).

The next steps include the following:

- Engage stakeholders (criminal justice agency partners, communities, youth, and parents) in the development of a long-term, system-wide DMC reduction plan;
- Share stakeholder findings;
- Finalize DMC Reduction Plan; and
- Phase III – Application and Implementation.

The DMC-TAP is funded on a year-to-year basis and the Probation Department must renew funding for the third year (Phase III).

Ms. Harada formally requested that CCJCC state its support for the Probation Department to proceed with the application process for Phase III grant funding.

A motion was made to support the Probation Department's application to renew DMC-TAP grant funding.

ACTION: The motion to support the Probation Department's application to renew DMC-TAP grant funding was seconded and approved without objection.

NOTE: During the presentation on the Disproportionate Minority Contact Subcommittee, Supervisor Burke had to leave the meeting. Robert Taylor, County Chief Probation Officer, served as Acting Chair for the remainder of the meeting.

VI. OTHER MATTERS/PUBLIC COMMENT

There were no additional matters or public comments.

VII. ADJOURN

There being no further business, Chief Taylor adjourned the meeting at 12:57 p.m.

The next CCJCC meeting will be held on **Wednesday, November 19, 2008, at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**