

# **COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE**

## **MINUTES OF THE NOVEMBER 19, 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

Peter Espinoza, Assistant Supervising Judge of Criminal, Superior Court  
Janice Fukai, County Alternate Public Defender  
Gigi Gordon, Directing Attorney, Post Conviction Assistance Center  
Anthony Hernandez, Director, County Department of Coroner  
Al Leiga, Chair, County Quality & Productivity Commission  
Loretta Martin, Chief U.S. Probation Officer  
John Noguez, President, California Contract Cities Association  
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program  
Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner  
Greg Savelli, President, South Bay Police Chiefs Association  
Patricia Schnegg, Judge, Superior Court  
Dennis Tafoya, County Affirmative Action Compliance Officer

### **ALTERNATES**

Dan Bower for Warren Stanley, Southern Division Commander, California Highway  
Patrol  
Ed Brekke for John Clarke, Superior Court Executive Officer  
Elvira Castillo for Cynthia Banks, Director, County Department of Community & Senior  
Services  
Delmaria Cole-Bigelow for John Torres, Special Agent-in-Charge, U.S. Bureau of  
Alcohol, Tobacco, Firearms and Explosives  
Dave Davies for Robert Taylor, County Chief Probation Officer  
Ed Eng for Ronald Ikejiri, Chair, County Economy and Efficiency Commission  
Peter Espinoza for J. Stephen Czuleger, Presiding Judge, Superior Court  
Xiomara Flores-Holguin for Trish Ploehn, Director, County Department of Children and  
Family Services  
Briane Grey for Tim Landrum, Special Agent in Charge, U.S. Drug Enforcement  
Administration  
Robert Kalunian for Michael Judge, County Public Defender  
\*Steve Kawamura for William Fujioka, County Chief Executive Officer  
Greg Keosian for Richard Kirschner, Judge, Superior Court  
Steve Lieberman for Margaret York, Chief, County Office of Public Safety  
William Montgomery for Tom Tindall, Director, County Internal Services Department  
\*Christy Parker for Adam Torres, United States Marshal  
Earl Perkins for David Brewer, Superintendent, Los Angeles Unified School District

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

\*Greg Scott for Salvador Hernandez, Assistant Director in Charge, Los Angeles Division, Federal Bureau of Investigation

\*Peter Shutan for Rockard Delgadillo, Los Angeles City Attorney

Peter Shutan for Gabriella Holt, County Probation Commission

Sue Stengel for Jack Weiss, Los Angeles City Councilman, District 5

Wayne Sugita for Jonathan Fielding, Director, County Public Health Department

Gordon Trask for Ray Fortner, County Counsel

\*Alexander Yim for Lee Baca, Sheriff and Vice Chair of CCJCC

**\*Not a designated alternate**

### **MEMBERS NOT PRESENT OR REPRESENTED**

Mark Arnold, Judge, Superior Court

William Bratton, Chief, Los Angeles Police Department

Edmund Brown, California Attorney General

Raymond Ciranna, Interim Los Angeles City Chief Administrative Officer

Steve Cooley, District Attorney

Marilyn Diaz, President, San Gabriel Valley Police Chiefs Association

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

Kim Raney, President, Los Angeles County Police Chiefs Association

Darline Robles, Superintendent, County Office of Education

Richard Sanchez, Acting County Chief Information Officer

Stephanie Sautner, Judge, Superior Court

Marvin Southard, Director, County Department of Mental Health

Robert Todd, President, Southeast Police Chiefs Association

Michael Tynan, Judge, Superior Court

Frank Venti, President, Independent Cities Association

Antonio Villaraigosa, Mayor, City of Los Angeles

Larry Waldie, Undersheriff

Mike Webb, County Prosecutors Association

### **CCJCC STAFF**

Mark Delgado, Executive Director

Kenna Ackley

Cynthia Machen

Craig Marin

### **GUESTS/OTHERS**

Karen Dalton, Sheriff's Department

Lisa Kahn, District Attorney's Office

Randy Martin, United States Marshal's Service

John Ruegg, ISAB

Buren Simmons, Los Angeles Unified School District  
Randi Tahara, Second District, County Board of Supervisors

**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 October 15, 2008 meeting. A motion was made to approve the minutes.

**ACTION: The motion to approve the minutes of the October 15, 2008 meeting was seconded and approved without objection.**

**III. SEXUAL ASSAULT FELONY ENFORCEMENT (SAFE) TASK FORCE**

Greg Scott, Supervising Special Agent, FBI

Greg Scott, Supervising Special Agent with the Federal Bureau of Investigation (FBI) Los Angeles Division, appeared before CCJCC to provide the annual report on the Sexual Assault Felony Enforcement (SAFE) Task Force.

SAFE is a federal task force begun in 1993 by the FBI. The task force consists of representatives from federal, state, and local law enforcement agencies.

SAFE is responsible for investigating crimes against children, such as the sexual exploitation of children on the Internet, child abductions, interstate travel for the purpose of committing crimes against children, travel to foreign countries for the purpose of engaging in sexual activity with minors, distribution of child pornography, and juvenile prostitution.

Representatives from SAFE also make presentations to the community to educate people, particularly parents, on ways to safeguard children and prevent their exploitation.

SAFE focuses on the following areas of crime:

1. Cyber Crimes
2. Child Sex Tourism
3. Child Prostitution

The cyber component of SAFE includes arrest and prosecution of individuals who traffic in child pornography on the Internet. In addition, SAFE is involved in stings set-up over the Internet in which suspects attempt to arrange to meet for the purpose of having sex with a minor.

The child sex tourism component investigates cases in which United States citizens travel to foreign countries for the purpose of having sex with a minor.

The child prostitution component investigates cases in which minors are victimized by prostitution.

Mr. Scott discussed two national initiatives within the FBI that seek to combat child exploitation. One is called Innocent Images, which began in 1993 and has since expanded nationwide. This focus is on cyber crimes. The second is the Innocence Lost program, which began in 2003 and focuses on child prostitution.

The Innocence Lost initiative is concentrating on areas in the United States that have been identified as having a problem with the issue of child prostitution. Los Angeles is one of 28 of these areas. Mr. Scott noted that children are brought here from all over the country for the purposes of prostitution. In some cases, minors come here on their own seeking fame in Hollywood and they are subsequently preyed on by local pimps. There is also a lot of trafficking in child prostitution between Los Angeles and Las Vegas.

With respect to cyber crime, a recent case was discussed in which advanced technology assisted in the identification of numerous individuals that had been sharing child pornography via the Internet.

Supervisor Burke queried as to whether there is cooperation between SAFE and the Los Angeles Unified School District (LAUSD), particularly with respect to recruiting that is taking place at middle schools.

Mr. Scott stated that SAFE has worked with school police in the past and that there is cooperation with local school districts on a regular basis.

Earl Perkins of LAUSD stated that the school police work closely with other law enforcement agencies on these matters.

**ACTION: For Information Only.**

**IV. PROPOSITION 69 IMPLEMENTATION TASK FORCE**

Lisa Kahn, Forensic Sciences Advisor, District Attorney's Office

Lisa Kahn, Forensic Sciences Advisor of the District Attorney's Office and chair of the Proposition 69 Implementation Task Force, appeared before CCJCC to provide an

update on the implementation of Proposition 69 (DNA Fingerprint, Unsolved Crime and Innocence Protection Act) in Los Angeles County.

In 2008, the task force has focused on preparing for an upcoming change starting on January 1, 2009 when all felony arrestees will be required to provide DNA samples. The task force estimates that about 80,000 adult felony arrestees will need a DNA sample collected in 2009.

Ms. Kahn noted the following achievements in preparation for the 2009 change in collection procedures:

- Over 150,000 convicted offender samples have been collected in Los Angeles County since the passage of Proposition 69 in November 2004;
- Every law enforcement agency in the county has experience in collecting DNA samples;
- The DNA Offender Tracking System (DOTS) is being integrated with the LiveScan system (Phase III of DOTS); and
- A DNA Expungement Policies and Procedures Manual for Los Angeles County has been created.

The number of DNA collections in the county has been steadily decreasing due to recidivism. The overall collections are about half of what they were two years ago. Nevertheless, all local law enforcement agencies in the county, as well as the Probation Department, have experience taking DNA samples during the past few years.

Much progress has been made this year in implementing DOTS, which 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.

Phase I of DOTS is operational throughout the county. The Consolidated Criminal History Reporting System (CCHRS) RAP sheet is retrieved automatically, the collection screen is pre-populated with data from CCHRS, data entered by users on the collection screen is validated, and CHRS is updated with DNA collected status in real time.

Phase II of DOTS provides automatic daily screenings of the jail population to determine which inmates need to have DNA samples taken. Phase II is expected to be fully implemented by the end of this November.

Phase III of DOTS integrates with the LiveScan fingerprint system so that law enforcement agencies are automatically informed as to whether a person's DNA sample should be taken at the time of arrest and booking. Phase III is slated to be completed by January 2009.

The Proposition 69 Implementation Task Force created an Expungement Subcommittee to address the expected increase in expungement requests beginning in 2009. Those individuals that are arrested but not convicted of felonies, and do not otherwise owe a DNA sample, will be entitled to petition to have their samples expunged from the database.

The subcommittee has created a DNA Expungement Policies and Procedures Manual that sets forth a streamlined process that an individual can navigate to access forms and information so as to petition the court for an expungement of his/her DNA sample. The task force has approved this manual for submission to CCJCC.

The subcommittee also agreed to create a pilot program for expungements in Department 30 of the Clara Shortridge Foltz Criminal Justice Center. All expungement requests will initially be handled in that courtroom.

Ms. Kahn stated that the Information Systems Advisory Body (ISAB) has submitted a request for a one-time additional allocation of \$100,000 from Proposition 69 funds to support the development of DOTS Phases II and III. The task force passed a motion approving this request for submission to CCJCC.

A motion was made to approve ISAB's request for a one-time additional allocation of \$100,000 from the Proposition 69 DNA Reimbursement Fund.

**ACTION: The motion to approve ISAB's request for a one-time additional allocation of \$100,000 from the Proposition 69 DNA Reimbursement Fund was seconded and approved without objection. CCJCC will present this recommendation to the Board of Supervisors for Board approval.**

A motion was made to approve the DNA Expungement Policies and Procedures Manual that was created by the Expungement Subcommittee.

**ACTION: The motion to approve the DNA Expungement Policies and Procedures Manual was seconded and approved without objection.**

County Coroner Dr. Lakshmanan Sathyavagiswaran queried as to whether the DNA expungement policy will negatively affect the solving of old cold cases that are not in the system. Ms. Kahn stated that it will not.

## **V. OTHER MATTERS/PUBLIC COMMENT**

On November 4, 2008, California voters passed Proposition 9, the Victims' Rights and Protection Act of 2008. Given that this measure may have a significant impact on the criminal justice system, it was agreed that CCJCC will convene an ad hoc study group

to determine the implications of the passage of Proposition 9 for criminal justice agencies in this county. This group will also explore any possible coordinated actions that can be taken to effectively implement this law.

The Proposition 9 ad hoc study group will include representatives from the Superior Court, Probation Department, State Department of Corrections and Rehabilitation, District Attorney's Office, Sheriff's Department, Public Defender's Office, Alternate Public Defender's Office, Los Angeles City Attorney's Office, and the LAPD, among others.

## **VI. CLOSING REMARKS**

Supervisor Yvonne B. Burke, County Supervisor, Second District

As there will not be a CCJCC meeting in December, this is the last meeting that Supervisor Burke will serve as chair. In addition, Supervisor Burke is retiring from the County Board of Supervisors at the end of this month after having served 16 continuous years.

Supervisor Don Knabe will assume the role of chair of the County Board of Supervisors next month and will be the chair of CCJCC for its meetings in 2009.

Supervisor Burke extended her thanks and appreciation to the members of this committee and their agencies for their work and dedication during her tenure as chair. She stated that this is a unique and valuable coordinating body and its work is important to the operation of the local criminal justice system.

This was the fourth time that Supervisor Burke has served as chair of CCJCC. She stated that, as in past years, the committee accomplished much during this year. She listed the following examples:

- **Jail Overcrowding Subcommittee** – CCJCC established a Jail Overcrowding Subcommittee to address the systemic causes of jail overcrowding. The subcommittee has already identified several areas where criminal justice system processes can be improved to reduce jail crowding.

CCJCC and the CEO have released an RFP for an in-depth system analysis to assist this project. The selection of a consultant is expected very soon.

- **Drug Court Oversight Committee and Proposition 36 Task Force** – CCJCC organized several trainings for drug court practitioners, including its annual drug court training conference in June.

The County of Los Angeles continues to manage these criminal justice drug treatment programs – despite large budget cuts – due to the collaborative work of these two committees.

CCJCC also continues to administer and provide oversight to specialty drug courts, including the Women's Reentry Court and the Co-Occurring Disorders Court.

- **Co-Occurring Disorders Court** – CCJCC coordinated and developed a three-year, \$900,000 grant proposal to enhance treatment services for drug offenders who are diagnosed with both a substance abuse disorder and mental illness.

In October, the Substance Abuse and Mental Health Administration awarded the grant to the County. ADPA will serve as the lead on the grant. CCJCC has begun to coordinate grant implementation meetings.

- **Countywide Warrant System** – CCJCC has formed a committee to fully evaluate the existing warrant system and determined whether it can be enhanced to better meet agencies' needs. The committee aims to ensure that public safety agencies in the years to come have a reliable warrant system that utilizes current technology.
- **Prop. 69 Implementation Task Force** – The DNA expungement policies and procedures manual that was approved today is the first of its kind in the state. It prepares Los Angeles County for expungement requests and is a model for other jurisdictions.

Supervisor Burke thanked Sheriff Lee Baca, vice chair of CCJCC, and all of the chairs of the CCJCC subcommittees for their support of this committee. She noted that CCJCC has 12 standing subcommittees that address a variety of issues.

She also thanked Mark Delgado, Executive Director of CCJCC, and her Justice Deputy, Randi Tahara, for their work throughout this past year.

Supervisor Burke concluded by emphasizing that the success of CCJCC is due to the cooperation and commitment of its participating agencies. She stated that it has been her pleasure to work with its members over the years and she expressed confidence that this committee will continue to increase the efficiency and effectiveness of the criminal justice system in the years to come.

Chief Alexander Yim, speaking on behalf of Sheriff Lee Baca and the Los Angeles County Sheriff's Department, thanked Supervisor Burke for her many years of service to the residents of Los Angeles County and for her support of the Sheriff's Department. He stated that her commitment to public safety will leave a significant imprint.

Janice Fukai, Alternate Public Defender, also thanked Supervisor Burke for her many years of service and for her support of the Alternate Public Defender's Office as it has grown over the years. She noted that Supervisor Burke has served as a role model for her and for many others.

**VII. ADJOURN**

There being no further business, Supervisor Burke adjourned the meeting at 12:40 p.m.

The next CCJCC meeting will be held on **Wednesday, January 21, 2009, at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**