

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE FEBRUARY 1, 2012 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS AND ALTERNATES PRESENT

Chair: Zev Yaroslavsky, County Supervisor for the Third District and
Chair of the County Board of Supervisors

*Francesca Anello for Marvin Southard, Director, County Department of Mental Health
Richard Barrantes for Paul Tanaka, Undersheriff

Dan Bower for Steve Beeuwsaert, Chief, Southern Division, California Highway Patrol
Ronald Brown, County Public Defender

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

Susan Cichy for John Clarke, Superior Court Executive Officer

Steve Cooley, District Attorney

*Linda Dyer for Jonathan Fielding, Director, County Department of Public Health

*Edward Eng for Isaac Barcelona, Chair, County Economy and Efficiency Commission
Xiomara Flores-Holguin for Philip Browning, Director, County Department of Children
and Family Services

Maria Franco for Matthew Cate, Secretary, California Department of Corrections and
Rehabilitation

Janice Fukai, Alternate Public Defender

Christa Hohmann, Directing Attorney, Post Conviction Assistance Center

David Kettle, President, San Gabriel Valley Police Chiefs Association

John Krattli, Acting County Counsel

Georgia Mattera for William Fujioka, County Chief Executive Officer

Edward Medrano, President, Los Angeles County Police Chiefs Association

Don Meredith, President, County Probation Commission

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

Michel Moore for Charles Beck, Chief, Los Angeles Police Department

Earl Perkins for John Deasy, Superintendent, Los Angeles Unified School District

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Jerry Powers, County Chief Probation Officer

Bruce Riordan for Andre Birotte, U.S. Attorney

Richard Sanchez, County Chief Information Officer

Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner

David Singer, United States Marshal

William Sullivan, Chair, County Quality & Productivity Commission

Mitch Tavera, President, South Bay Police Chiefs Association

Robin Toma, Executive Director, County Human Relations Commission

*Robin Toma for Cynthia Banks, Director, County Department of Community & Senior
Services

Nancy Tragarz, California Contract Cities Association

Carmen Trutanich, Los Angeles City Attorney
Lance Winters for Kamala Harris, California Attorney General
*Aaron Zapata for John Torres, Special Agent in Charge, U.S. Bureau of Alcohol,
Tobacco, Firearms and Explosives

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Michelle Carey, Chief U.S. Probation Officer
Betty Chu, Director, Independent Cities Association
Jorge Cisneros, President, Southeast Police Chiefs Association
Arturo Delgado, Superintendent, County Office of Education
Lee Smalley Edmon, Presiding Judge, Superior Court
Mitchell Englander, Los Angeles City Council, 12th District
Anthony Hernandez, Director, County Department of Coroner
Sean Kennedy, Federal Public Defender
Tim Landrum, Special Agent in Charge, U.S. Drug Enforcement Administration
George Lomeli, Assistant Supervising Judge, Criminal, Superior Court
Steve Martinez, Assistant Director in Charge, Los Angeles Division, Federal Bureau of
Investigation
Michael Nash, Supervising Judge, Juvenile, Superior Court
Charlaine Olmedo, Supervising Judge, North Valley - San Fernando, Superior Court
Richard Propster, Peace Officers Association of Los Angeles County
Timothy Robbins, Field Office Director, U.S. Immigration and Customs Enforcement
Miguel Santana, Los Angeles City Chief Administrative Officer
Patricia Schnegg, Supervising Judge, Criminal, Superior Court
Antonio Villaraigosa, Mayor, City of Los Angeles
Mike Webb, County Prosecutors Association
David Wesley, Assistant Presiding Judge, Superior Court

CCJCC STAFF

Mark Delgado, Executive Director
Cynthia Machen
Craig Marin
Michelle Pangborn

GUESTS/OTHERS

Joseph Charney, Third District, County Board of Supervisors
Dardy Chen, County Chief Executive Office
Richard Fajardo, Second District, County Board of Supervisors
John Fernandes, County Chief Executive Office
Curt Hazell, District Attorney's Office
Jeff Henderson, Phoenix House
Joe Leonardi, Redondo Beach Police Department

Cookie Lommel, AFSCME Local 685
Anna Pembedjian, Fifth District, County Board of Supervisors
John Ruegg, Information Systems Advisory Body
Devallis Rutledge, District Attorney's Office
Peter Shutan, L.A. City Attorney's Office and Probation Commission
Carol Smith, National Lawyers Guild
Cheri Thomas, Los Angeles Unified School District
David Turla, County Chief Executive Office
Michael Tynan, Judge, Superior Court
Isabel Villalobos, Los Angeles Unified School District
Gymika Williams, U.S. Attorney's Office
Steven Zipperman, Los Angeles School Police Department

I. CONVENE/INTRODUCTIONS

Zev Yaroslavksy, County Supervisor, Third District

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

Self-introductions followed.

Supervisor Yaroslavsky noted the recent passing of Gigi Gordon, who had served as a member of CCJCC since 2008. Ms. Gordon was the Directing Attorney of the Post Conviction Assistance Center (PCAC). Supervisor Yaroslavsky acknowledged her service to the criminal justice system and stated that she will be greatly missed.

II. APPROVAL OF THE MINUTES

Zev Yaroslavksy, County Supervisor, Third District

There were no requests for revisions to the minutes of the December 7, 2012 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the December 7, 2012 meeting was seconded and approved without objection.

III. JUVENILE JUSTICE REALIGNMENT

Jerry Powers, Chief Probation Officer

Chief Probation Officer Jerry Powers provided an update on proposed statewide juvenile justice realignment.

The Governor's budget proposal contains language that prohibits the courts from committing juveniles to Division of Juvenile Justice (DJJ) facilities as of January 2013. Juveniles that are currently housed by DJJ would remain in their custody, but the counties would take responsibility for housing any new commitments as of that date. Currently, the County of Los Angeles has 250 to 300 juveniles with DJJ.

Chief Powers expressed concern about this proposal in that this county does not have appropriate facilities for housing the juveniles that are sent to DJJ. Those juveniles are serious offenders and may remain in DJJ facilities until the age of 25.

The Chief Probation Officers of California have taken a position against this proposal and have noted their concerns at the state level.

Chief Powers stated that one of the unintended consequences of this proposal is that many of the juveniles that are currently sentenced to DJJ will be tried as adults instead, and many may serve time in state prison. The result is that the state would not likely save a significant amount of money by closing the DJJ facilities to new commitments.

Over 95% of youth in the juvenile justice system are kept at the local level, so it is a small percentage of the total population that is sent to DJJ facilities. However, the few that are sent are costly to supervise and DJJ has the facilities for assuming that responsibility.

Chief Powers will keep this committee informed of any new developments concerning this possible realignment. As it is part of the Governor's budget proposal, it would need legislative approval in order to be implemented.

ACTION: For information only.

IV. INFORMATION SYSTEMS ADVISORY BODY (ISAB)

John Ruegg, Director, Information Systems Advisory Body

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

ISAB is a standing subcommittee under CCJCC. Its core mission is to facilitate the sharing of information across the criminal justice enterprise using standards-based protocols and technologies. Los Angeles County Sheriff Lee Baca serves as the Chair of ISAB.

The membership of ISAB includes the Alternate Public Defender, County Chief Executive Office (CEO), County Chief Information Office (CIO), Department of Coroner, District Attorney's Office, Internal Services Department (ISD), Los Angeles County Police Chiefs Association, Los Angeles Police Department (LAPD), Superior Court, Probation Department, Public Defender's Office, and the Sheriff's Department.

Mr. Ruegg highlighted the following project developments:

- ISAB developed an online SB 1080 old/new weapons charges lookup system to facilitate training on the 300+ newly renumbered weapons statutes. The SB 1080 committee members, which included ISAB, Sheriff's Department, District Attorney's Office, LAPD, Public Defender's Office, Superior Court, and Probation

Department, successfully cutover all justice information systems to the new SB 1080 codes on January 1, 2012. SB 1080 renumbered weapons statutes in the California Penal Code. The online system allows members of criminal justice agencies to enter the old weapons charges and learn what the new Penal Code charges are, or vice versa.

- ISAB completed procurement of a Commercial Off-The-Shelf (COTS) electronic probable cause declaration (ePCD) system. The software is licensed for deployment by the Sheriff and any local Los Angeles County law enforcement agency. Deployment includes electronic transmittal of the PCD from any law enforcement agency to the Superior Court DDES web service. Currently, law enforcement officers must go to court to submit a paper document and wait for it to get approved. The new system will allow this to be done electronically.
- ISAB contracted with SEARCH, the National Consortium for Justice Information and Statistics, to evaluate the sustainability of the current Countywide Warrant System (CWS) and identify functional requirements to meet present and future needs. The existing CWS is old and must be replaced. This contract is a step toward doing that. One suggestion that has already been made for any new system is to have photos available. It is anticipated that the study will last four to five months.
- The Probation Department has modified the Adult Probation System (APS) to support supervision of AB 109 state prison inmates, provided data extracts to law enforcement, and is working on additional interfaces to justice agencies. The Conditions Of Probation System (COPS) is being modified to provide law enforcement officers in the field with specific conditions for active probationers and individuals on Post Release Community Supervision. The interface will also support adding the rap sheet to the Criminal History Record Reporting System (CHRRS), which will indicate if a person is on active community supervision.

The full ISAB Semi-Annual Report can be found online at:

http://www.ccjcc.info/cms1_173838.pdf.

Los Angeles County District Attorney Steve Cooley observed that the approved Community Corrections Partnership (CCP) plan included a directive that the Sheriff's Department will notify the public safety community of the early release of an N3 (AB 109) inmate. He inquired as to whether a system is in place for meeting this requirement.

Chief Richard Barrantes of the Sheriff's Department noted that there has not yet been an early release of an N3 individual.

Mr. Cooley stated that some alternative sentencing options, such as ankle bracelets, may be viewed by some in law enforcement as an early release. He discussed a recent case in which a crime was committed by an individual on alternative sentencing.

Deputy Chief Michel Moore of the Los Angeles Police Department (LAPD) noted that his department would like to know if an individual with an ankle bracelet is on GPS monitoring (which tracks the individual) or home monitoring (where the bracelet only indicates when the person is at home).

Supervisor Yaroslavsky stated that the issue of how the Sheriff's Department is notifying local law enforcement of the early release of N3's, as well as the question of how to define an early release, will be placed on the agenda for the next CCJCC meeting.

Anna Pembedjian, Justice Deputy for the Fifth District of the Board of Supervisors, reported that this issue of early release notification was raised at a recent local law enforcement meeting. Her understanding from that meeting is that the Sheriff's Department has a process implemented for notifying local law enforcement of the early release of N3's.

Supervisor Yaroslavsky requested that the Sheriff's Department issue a memorandum on this issue prior to the next CCJCC meeting.

ACTION: For information only.

V. LAUSD STUDENT INTERACTION WITH LAW ENFORCEMENT

Earl Perkins, Assistant Superintendent, School Operations
Los Angeles Unified School District

Earl Perkins, Assistant Superintendent, School Operations, Los Angeles Unified School District (LAUSD), appeared before this committee to present an overview of LAUSD student interaction with law enforcement and efforts by LAUSD administrative personnel and law enforcement to address this issue.

As background, LAUSD is the second largest school district in the nation and spans 710 square miles. Eight cities are completely within LAUSD boundaries and 24 cities are partially within LAUSD. There are 1,065 K-12 sites and a total K-12 enrollment of 678,441 students. Enrollment in LAUSD Adult Schools ranges from 350,000 to 400,000 individuals.

About 80% of the students receive free and reduced price meals, which is an indicator of level of poverty.

The mission of the Office of School Operations is to ensure that every LAUSD site receives support and guidance toward creating and maintaining a safe and caring environment that supports learning and achievement.

School Operations is responsible for all safety issues, in conjunction with the school police, for the entire school district. The Superintendent of Schools has set school safety as one of the five performance meter goals for LAUSD. The other four goals are 100% graduation, proficiency for all, 100% attendance, and parent and community

engagement.

There are three scenarios when juveniles will interact with law enforcement: (1) Child Endangerment; (2) Truancy Violations; and (3) Education, Prevention, and Enforcement of all federal, state, and local statutes.

LAUSD has a mandatory Child Abuse Awareness Training Initiative that includes a video and an online assessment. This is required annually by all employees.

Mr. Perkins referenced the recent arrest of a teacher at Miramonte Elementary School and thanked law enforcement partners for their work on that case.

Mr. Perkins introduced Chief Steven Zipperman of the LAUSD School Police Department to discuss efforts to reduce truancy.

The LAUSD School Police policy with respect to truancy is in line with the LAPD's policy and Los Angeles Municipal Code Section 45.04. It also supports the Superintendent's goals of attendance and graduation improvement, and reducing the cycle of student "push out."

In the past, a minor found to be truant would be cited and the parent would be issued a \$250 fine. This would also require the parent to take time from work to go to court. In challenged neighborhoods, this would result in tardy youth electing to stay home rather than risk a possible citation.

The new policy is that, generally, the minor should not be subject to a citation or an arrest for truancy if truancy is the only offense. The proper application of the ordinance is for minor students who are either intentionally avoiding school or loitering in public places at times when they are required to be in school. Whenever feasible, officers who encounter students off campus during school hours should cause the facilitation of the minor student's return to school.

Additionally, in general, there are to be no spontaneous Daytime Curfew Task Forces. Instead, officers must bring a plan to their superiors and justify the need.

LAUSD School Police have open lines of communications with staff, administrators, and students. There is at least one school police officer at each high school and many of the schools have two police officers as well as school safety officers.

Chief Zipperman stated that the school police interact with established youth programs, promote anti-bullying/anti-gang programs, and provide immediate access for victims of crimes. There is continuous ongoing coordination with municipal law enforcement partners in sharing information, enforcing safe passage areas, and ensuring the safety of the school population.

Mr. Perkins introduced Isabel Villalobos, Coordinator of the LAUSD Student Discipline and Expulsion Support Unit.

Ms. Villalobos reported that, for the 2009-2010 school year, LAUSD had a total of 121 expulsions. This number was less than the number of expulsions reported from several other local school districts and, when factoring in total student enrollment, the number of expulsions per student was far less in LAUSD than in the surrounding school districts.

LAUSD receives many students that have been expelled from other districts. Those youth that are not assessed as a danger are admitted under a conditional enrollment, usually in community day schools. Community day schools were established in 1996; before that, there were no educational opportunities for expelled youth.

Ms. Villalobos explained that expulsion must be recommended for Category 1 offenses and there is limited discretion with Category 2 offenses (both of which involve serious offenses). However, there is broad discretion with Category 3 offenses (less serious) with respect to expulsion.

The Student Discipline and Expulsion Support (SDES) Unit was established following the passage of AB 922 in 1996. This law provided that expelled students have certain rights, such as the right to an education, services, and a date for readmission.

The SDES Unit is responsible for the following: (1) Facilitating educational placements for all expelled students; (2) Conducting assessments and developing rehabilitation plans; (3) Monitoring student social, behavioral, and academic progress; (4) Consulting and collaborating services with county and community agencies; and (5) Facilitating reinstatement review.

Mr. Cooley observed that 121 expulsions out of a population of over 660,000 students is a very low number. Ms. Villalobos stated that there are hundreds of referrals every year, but that there is a stringent process for expulsion. Mr. Bradley added that expulsions need to be considered separately from suspensions.

Mr. Bradley stated that LAUSD is working in partnership with families, other schools, faith-based organizations, businesses, community agencies, and law enforcement agencies to nurture and guide their students on the path to becoming productive citizens. He emphasized the importance of teaching troubled youth to find positive ways of resolving problems and dealing with others.

ACTION: For information only.

VI. LOS ANGELES COUNTY ANNUAL HATE CRIME REPORT

Robin Toma, Executive Director, Human Relations Commission

Robin Toma, Executive Director of the County Human Relations Commission (HRC), appeared before CCJCC to make a presentation on the 2010 Los Angeles County Annual Report on Hate Crimes.

The Annual Report on Hate Crimes is based on an analysis of data submitted by all law enforcement agencies in the county, some local school districts, and some non-profit organizations. Duplicate reports are checked and eliminated.

Overall, there were 427 hate crimes in Los Angeles County in 2010, which is a 28% decrease from the previous year and the lowest number reported in 21 years. In addition, 2010 was the third year in a row that hate crimes have declined in the county.

The largest number of declines were in hate crimes targeting African Americans and Jews, which dropped 42% and 49%, respectively. However, in contrast to the overall decrease, crimes targeting Latinos rose slightly (7%). Homophobic crimes remained virtually unchanged.

This dramatic decline stands in sharp contrast to statewide statistics. The California Attorney General's Office reported that the number of hate crime events remained steady in 2010 throughout California, although the report also found a 47% increase in anti-Latino crimes. Hate crimes throughout the United States declined by 2%.

The decline in hate crime in the county was much higher than the decrease in crime overall. For 2010, the LAPD reported a 6.9% decrease in crime in the city and the Sheriffs Department reported a 6.9% drop for the county.

As in previous years, the largest number of hate crimes were motivated by race, ethnicity or national origin (51%), followed by sexual orientation (26%), and religious based crimes (17%).

Mr. Toma noted that while hate crimes against African Americans declined significantly, these crimes were still 53% of all racial, ethnic, national origin hate crimes. In contrast, African Americans comprise about 8% of the general population of the county.

Hate crimes committed by gang members fell 55% and constituted 9% of all hate crimes. The majority of these were cases of Latino gang members targeting African American victims.

Mr. Toma surmised that the three year decline in hate crimes in the county is due in part to law enforcement actions that have been taken against specific gangs. This was done in conjunction with activities undertaken by County's Regional Gang Violence Reduction Initiative. In addition, the HRC's Racialized Gang Violence Prevention Initiative has been implemented in areas that have historically seen racially targeted attacks by

gangs. This included intervention and prevention efforts.

The number of hate crimes that showed evidence of being motivated by white supremacist ideology dropped by 47% in the county (from 144 to 77). Anti-White hate crime was down 24% (from 17 to 13).

Hate crimes occurred throughout the county, but the largest numbers were concentrated in the San Fernando Valley, followed by the Metro region. However, accounting for population, the highest rate of hate crimes took place in the Antelope Valley, followed by the Metro region.

Mr. Toma thanked all of the organizations that contributed to the report. He emphasized that, while the county is moving in a positive direction with respect to hate crimes, the programs and efforts that have been utilized to produce these results need to be continued.

Mr. Cooley observed that the number of hate crimes elsewhere in California must have increased if the number is down 28% in Los Angeles County but has remained steady at the state level. Mr. Toma affirmed this conclusion and stated that this is indicative of effective efforts by this county to reduce hate crimes.

In response to a question from Bruce Riordan of the U.S. Attorney's Office, Mr. Toma stated that the hate crimes are based on arrests, although revisions to data are sometimes made based on subsequent information.

The 2010 Los Angeles County Annual Report on Hate Crimes can be found online at: http://lahumanrelations.org/hatecrime/reports/2010_hateCrimeReport.pdf

ACTION: For information only.

VII. OTHER MATTERS/PUBLIC COMMENT

There were no additional matters or public comments.

VIII. ADJOURNMENT

The meeting was adjourned at 1:08 p.m.