

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE MARCH 19, 2014 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS AND ALTERNATES PRESENT

Chairman: Don Knabe, County Supervisor for the Fourth District and
Chairman of the County Board of Supervisors

Jackie Lacey, District Attorney and Vice Chair of CCJCC

*Greg Blair for Sherri Carter, Superior Court Executive Officer

Dan Bower, Chief, Southern Division, California Highway Patrol

*Bernie Brown for Mike Feuer, Los Angeles City Attorney

Ronald Brown, County Public Defender

Daniel Calleros, President, Southeast Police Chiefs Association

Ling-Ling Chang, California League of Cities

*Robert Clark for William Lewis, Assistant Director in Charge, Los Angeles Division,
Federal Bureau of Investigation

Paul Cooper, President, Los Angeles County Police Chiefs Association

*Robert Fager for Eve Irvine, President, South Bay Police Chiefs Association

Walter Flores for John Deasy, Superintendent, Los Angeles Unified School District

Janice Fukai, County Alternate Public Defender

*Victor Greenberg for Charlene Olmedo, Supervising Judge, Criminal, Superior Court

*Victor Greenberg for James Brandlin, Assistant Supervising Judge, Criminal, Superior
Court

Eric Harden for Carlos Canino, Special Agent in Charge, U.S. Bureau of Alcohol,
Tobacco, Firearms and Explosives

Christa Hohmann, Directing Attorney, Post Conviction Assistance Center

*Karen Loquet for James Jones, Director, County Internal Services Department

Georgia Mattera for William Fujioka, County Chief Executive Officer

Jonathan McCaverty for John Krattli, Acting County Counsel

Terri McDonald for John Scott, Sheriff

Edward McIntyre, Chair, County Quality & Productivity Commission

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

Margarita Perez for Jerry Powers, County Chief Probation Officer

Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency
Commission

Jeffrey Prang, California Contract Cities Association

Richard Propster, Peace Officers Association of Los Angeles County

Richard Sanchez, County Chief Information Officer

*Joseph Santoro for Mario Guerra, Independent Cities Association

*Valerie Sifuentes for Jonathan Fielding, Director, County Department of Public Health

David Singer, United States Marshal

Marvin Southard, Director, County Department of Mental Health

Robin Toma, Executive Director, County Human Relations Commission

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

*Edward Winter for Mark Fajardo, County Coroner – Medical Examiner

Lance Winters for Kamala Harris, California Attorney General

Cyn Yamashiro, President, County Probation Commission

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Jeffrey Beard, Secretary, California Department of Corrections and Rehabilitation

Andre Birotte, U.S. Attorney

Philip Browning, Director, County Department of Children and Family Services

Michelle Carey, Chief U.S. Probation Officer

Arturo Delgado, Superintendent, County Office of Education

Mitchell Englander, Los Angeles City Council, 12th District

Peter Espinoza, Judge, Los Angeles Superior Court

Eric Garcetti, Mayor, City of Los Angeles

Sean Kennedy, Federal Public Defender

David Marin, Field Office Director, U.S. Immigration and Customs Enforcement

Michael Nash, Supervising Judge, Juvenile, Superior Court

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Phillip Sanchez, President, San Gabriel Valley Police Chiefs Association

Miguel Santana, Los Angeles City Chief Administrative Officer

Mike Webb, County Prosecutors Association

David Wesley, Presiding Judge, Superior Court

Anthony Williams, Special Agent in Charge, U.S. Drug Enforcement Administration

I. CALL TO ORDER / INTRODUCTIONS

Don Knabe, County Supervisor, Fourth District

The meeting was called to order at 12:05 p.m. by Los Angeles County Supervisor Don Knabe, Chairman of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Don Knabe, County Supervisor, Fourth District

There were no requests for revisions to the minutes of February 19, 2014 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the February 19, 2014 meeting was seconded and approved without objection.

III. HUMAN TRAFFICKING AND THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

Assistant Special Agent in Charge Robert Clark, Federal Bureau of Investigation
Chief William McSweeney, Sheriff's Department
Chief Robert Green, Los Angeles Police Department

Assistant Special Agent in Charge (ASAC) Robert Clark of the Federal Bureau of Investigation (FBI), Chief William McSweeney of the Sheriff's Department, and Chief Robert Green of the Los Angeles Police Department (LAPD) appeared before CCJCC to make a presentation on regional and local law enforcement efforts to combat sex trafficking and child exploitation.

Chief Green stated that many street gangs are pimping young girls, including minors, as part of their criminal activity. To assist in combating this problem, particularly along the Figueroa corridor and southern areas of the city, the LAPD has partnered with the FBI as part of a task force that will target pimps who are moving girls in and out of county and city areas.

Chief McSweeney reported that the Sheriff's Department will also be joining this task force in the near future. Since October 2013, the Sheriff's Department has targeted individuals that have been pimping prostitutes along a four mile stretch of Long Beach Boulevard in Compton and Lynnwood. To date, five cases have been filed and two individuals have pled guilty.

The sentences for pimping can be high, with an average of around eight years. Additionally, where a juvenile is involved, the pimp could receive a life sentence.

The Sheriff's Department is working with the District Attorney's Office to improve the filing process. Chief McSweeney noted that the victims in these cases may withdraw their cooperation or change their statements, which can hinder the ability to prosecute the pimps.

The Compton City Council has provided assistance to the Sheriff's Department by focusing on the licenses of motels that have been used for prostitution. One motel has been closed and others are being targeted.

Chief McSweeney remarked that combating this problem takes both regional and local approaches. The focus on the Compton/Lynnwood area has been needed to deal with the local criminal activity in that region, but the pimps move across jurisdictions. The FBI task force serves a vital role in taking a regional approach that supplements the efforts that law enforcement agencies make locally. He reported that the Sheriff's Department will likely be able to place personnel in the task force within the next few months.

ASAC Clark reported that it has become apparent that gangs in this area have begun expanding into human trafficking. Unlike drug or weapons trafficking, where profit can

only be made from a product one time at sale, human trafficking provides an opportunity for the gangs to continuously make money from each individual prostitute.

Over a dozen Community-Based Organizations (CBOs) in this region have reported that they are rescuing 150 or more women and girls from prostitution every year. They have also reported that 90 to 95% of the victims are from South Los Angeles.

While information indicates that the gangs are moving the prostitutes around South Los Angeles, they are not restricted to that area. As Chief McSweeney referenced, the pimps move throughout the region. For example, the criminal activity may be taken anywhere in the County of Los Angeles, including up into the Antelope Valley, and then east to Riverside and San Bernardino Counties, and even across state borders to Las Vegas and Phoenix.

ASAC Clark noted that another aspect of this criminal activity involves recruitment, particularly of minors. Gang members and pimps have been recruiting students outside of schools when they are arriving in the morning or leaving in the afternoon. In addition, girls that have already been recruited are being used to recruit additional girls inside the schools. The Los Angeles Unified School District (LAUSD) is a member of the task force and will be working with law enforcement agencies to combat this.

The task force will employ the Criminal Enterprise Theory of Investigation, which is the same philosophy and methodology that has been previously utilized to disrupt and dismantle gangs and organized crime. This approach will target the leadership of these criminal operations and utilize many of the evidence-gathering resources at the disposal of federal and local law enforcement agencies.

In addition to cell phones, communication between the pimps/gangs and the prostitutes takes place on social media and the Internet. Facebook, Twitter, and other avenues for messaging have been utilized to give orders and conduct criminal activity within local areas and across multiple jurisdictions.

ASAC Clark emphasized that the human trafficking that the task force is seeking to eliminate involves mostly victims that are being recruited locally. The pimps and gang members are preying upon vulnerable individuals within this community.

The task force is reaching out to CBOs to build trust and cooperative working relationships that will serve to break-up the prostitution rings and provide assistance to the people who have been rescued from them.

Supervisor Knabe remarked that steps have been taken within the County of Los Angeles to address human trafficking and child exploitation. Among the actions taken include ongoing cooperation with the FBI and the Department of Homeland Security (DHS), the creation of a dedicated courtroom, and the provision of wrap-around services for those individuals that have been rescued. He observed that a

comprehensive approach that looks at all aspects of this crime is needed to suppress this activity.

Chief McSweeney stated that the Sheriff's Department has gained critical experience through its recent operation in the Compton/Lynnwood area, and that it will be bringing this knowledge to the FBI task force.

He added that this crime can be dealt with on the local and regional levels by reducing the number of people involved and simultaneously targeting the pimps and preventing them from being able to locate their activity in any area.

Supervisor Knabe referenced pending legislation that would allow wiretaps to be used in human trafficking cases. He also referenced efforts to pass legislation that would allow the victims of human trafficking and prostitution to testify in one courtroom. He noted that it has become a burden for the prosecution if a witness must testify against a pimp multiple times in different courtrooms where more than one case is involved. This has the impact of increasing the likelihood of the witness refusing to testify.

Assistant Chief Michel Moore of the LAPD stated that the FBI task force represents an additional effort that expands on the success of the FBI's Safe Streets Initiative in combating gang crime and the FBI's Innocence Lost Initiative in combating child exploitation and prostitution. Local law enforcement agencies in this county have had a cooperative relationship with the FBI on both of these issues.

He reported that the FBI has provided training to both uniformed and detective personnel in how to recognize the victims of human trafficking and the sex trade. The FBI has also emphasized the importance of providing the victims with wrap-around services. Law enforcement personnel at all levels have undergone a shift in that prostitutes are now viewed as victims of human trafficking and the sex trade rather than as suspects in a crime.

Last year, more than 1,700 LAPD personnel were trained in both initial response assessment and in how to get services to the victims of human trafficking and the sex trade. Further, more than 59 investigations were conducted and more than 24 human trafficking felony arrests resulted.

Law enforcement suppression efforts include both Internet and Street components. With respect to the Internet component, the LAPD and law enforcement in this region have been leaders with the Internet Crimes Against Children (ICAC) program, and have received national recognition.

The FBI task force discussed in this presentation provides another tool for law enforcement to address this prolific problem.

Assistant Chief Moore thanked partners such as the Department of Children and Family Services (DCFS), CBOs, the faith community, care providers, and other organizations

that have worked with the LAPD in providing needed services for individuals that are rescued from the sex trade. He also complimented the District Attorney's Office for recent activity to address this issue.

Supervisor Knabe added that protective housing for victims of the sex trade is an important element in getting them out of that life and in helping them to stay out. He also reported that the county has used survivors to assist those who have been rescued.

Assistant Chief Moore reported that the Mary Magdalene Project in the San Fernando Valley is the latest partner with the LAPD. This organization provides housing and uses survivors as mentors to encourage successful reentry into productive lives.

Supervisor Knabe remarked that, in some extreme cases, the victim must be moved out of the state in order to be safe and to start a new life.

In response to another comment, Supervisor Knabe confirmed that DCFS is part of the wrap-around team that responds when a juvenile is rescued from a prostitution ring.

Robert Philibosian of the County Economy and Efficiency Commission inquired as to how a determination is made as to whether to prosecute an individual at the federal level or at the state level.

Chief McSweeney stated that Sheriff's Department personnel who work these cases have indicated that the state courts provide a quick and effective means for placing the pimps in prison with high sentences. He added that, when the Sheriff's Department joins the FBI task force, they may become involved in cases that are more suited for federal prosecution.

ASAC Clark reported that pimps and gang members in prison can sometimes continue to give orders and facilitate their criminal enterprise through telephones, letters, and visitors. A recent initiative is in place that provides a process by which the intelligence gathered in the California Penal System will be available to the law enforcement community. As a result, it will be easier to determine the extent of the criminal enterprise. This, in turn, will assist law enforcement and prosecutors in determining whether to prosecute a case under federal or state law.

Supervisor Knabe thanked ASAC Clark, Chief McSweeney, and Chief Green for their presentation.

ACTION: For information only.

IV. COUNTY JAIL SYSTEM UPDATE

Assistant Sheriff Terri McDonald, Sheriff's Department

Assistant Sheriff Terri McDonald provided an update to CCJCC on jail related matters, including facilities improvement efforts and the development of population management strategies.

Jail Capacity

As of today, there are 19,400 inmates being held in County Jail. This represents an increase of about 1,000 inmates from a year ago.

The Jail Overcrowding Committee, which is a subcommittee of CCJCC, has been meeting to consider various jail capacity solutions. The discussions have resulted in a variety of proposals that range from pre-trial alternatives to the reopening of PDC East.

The Sheriff's Department is in the process of finalizing a report based on the proposals. When it is complete, this jail population management plan will be submitted to the County CEO's Office for further refinement before it is presented to the Justice Deputies of the Board of Supervisors.

Assistant Sheriff McDonald referred to the proposals stemming from the Jail Overcrowding Committee as short-term bed management solutions, while the building of the Mira Loma facility is a medium-term bed management solution. The long-term bed management solution is building a new downtown facility.

The Board of Supervisors voted yesterday to continue to move forward with the drafting of scoping documents for the 1,600 bed women's facility in Mira Loma. While this is not an authorization to start building, it will keep the Sheriff's Department within the timelines for the \$100 million grant awarded through AB 900.

On May 6, 2014, the jail plan report from Vanir is expected to be presented to the Board of Supervisors. That will provide a comprehensive overview of construction issues.

The Governor's proposed budget for Fiscal Year 2014-2015 still has \$500 million for jail construction through SB 1022. County and Sheriff's Department officials continue to make the case for additional funding for jail construction in this county so that the state funding correlates with the county's inmate population.

Assistant Sheriff McDonald noted that representatives from the State Department of Finance will tour the Men's Central Jail and the Twin Towers facility downtown in the near future.

Mental Health Diversion

Los Angeles County District Attorney Jackie Lacey provided an update on the Criminal Justice Mental Health Task Force that was discussed at last month's CCJCC meeting. As a review, this task force is seeking to implement mental health diversion programs for suitable offenders.

The summit that the task force will hold is scheduled for Wednesday, May 28, 2014. The University of Southern California (USC) will host this event.

Recently, the District Attorney had an opportunity to visit the Memphis Police Department and learn about their program for training law enforcement officers in how to deal with mentally ill individuals. She stated that she was very impressed with the training program that they had in place, which has been in operation for 15 years. Officers are instructed on how to de-escalate situations on the street and in homes when they encounter an individual going through a mental health crisis.

District Attorney Lacey informed the committee that she has designed a TED talk to assist in community outreach efforts. This is intended to inform the public and community groups on the problem with mental illness in the criminal offender population and what steps are being taken to address it.

Dr. Marvin Southard, Director of the County Department of Mental Health (DMH), stated that his department is fully committed to working with the District Attorney's Office in providing treatment services to mentally ill offenders. Resources needed for triage facilities and locations where people can be taken would be available through DMH's SB 82 proposal (referenced at the January CCJCC meeting), which is expected to be funded.

One difficulty is in providing treatment to the mentally ill individuals that need help but don't want it and do not meet the criteria for Section 5150 of the California Welfare and Institutions Code (involuntary psychiatric hold). At the direction of the Board of Supervisors, DMH has been studying full implementation of Laura's Law, which may be able to address many of these situations. DMH will be seeking funding for the operations of the clinical component of Laura's Law.

Nevada County in California has fully implemented Laura's Law. Dr. Southard stated that this has not resulted in additional costs to the judicial system there because these are individuals who would otherwise be in the system through conservatorships or through criminal activity. This is significant because the Mental Health Wellness Act (MHWA) can fund the treatment components of Laura's Law, but not the justice system components.

DMH is proposing that Laura's Law be piloted in Los Angeles County with about 500 evaluations per year and 300 treatment beds made available countywide.

Dr. Southard also advised the committee that this county has an existing diversion program in that the Psychiatric Mobile Response Teams (PMRT) and some of the justice teams do diversion in conjunction with the Sheriff's Department, LAPD, and other jurisdictions. In addition, the Superior Court teams are diverting individuals from Court to treatment. Analysis of these programs is being undertaken to determine how they can be optimized.

Supervisor Knabe asked if there are other states that have stronger laws that allow for involuntary psychiatric holds.

Dr. Southard stated that there are, but enforcement depends upon both what the law says and on what resources are available to each jurisdiction. For example, as Laura's Law provides for outpatient treatment, it may be preferable to the strengthening of laws allowing for involuntary hospitalization where the space for additional confinement does not exist.

Supervisor Knabe requested that Dr. Southard provide a presentation on Laura's Law at an upcoming CCJCC meeting. Dr. Southard agreed to do this.

Discussion

District Attorney Lacey inquired as to why the population of the County Jail has increased by 1,000 during the past year. Assistant Sheriff McDonald replied that AB 109 accounts for this change. A year ago, the average sentence time for AB 109 individuals was 2 years, but that has since increased to 2.6 years.

In response to a question about the Mental Health Court, District Attorney Lacey stated that it is small in that there is a cap of 15 beds. Dr. Southard added that there is a dedicated Mental Health Court, but mental health diversion is possible in all of the courts. Further, Judge Michael Tynan presides over a Co-Occurring Disorders Court (CODC).

The CODC program has been in place since 2007 and has proven to be effective. District Attorney Lacey reported that the recidivism rate for those enrolled in CODC is about 25%, as opposed to 64% in the general population.

Assistant Sheriff McDonald noted that incarcerating a mentally ill individual can take up two beds given that high observation areas require that the individual have his or her own cell. District Attorney Lacey added that 300 Sheriff's Department employees and 38 psychiatrists are assigned to deal with mentally ill inmates.

Dr. Southard remarked that the CODC program addresses both mental illness and substance abuse addiction, which increases the chances of successful outcomes.

Assistant Sheriff McDonald thanked the Chiefs of Police and others that have used distributed talking points to convey to the state the need for parity between jail construction funding and population numbers.

ACTION: For information only.

V. LEGISLATIVE UPDATE

Kenna Ackley, County Chief Executive Office, Intergovernmental Relations and External Affairs

Kenna Ackley of the County Chief Executive Office Intergovernmental Relations and External Affairs appeared before CCJCC to provide an overview of pending legislation pertaining to key public safety issues.

Since returning in January, the State Legislature has had close to 2,000 bills introduced for consideration in the second year of the 2013-2014 legislative session.

Ms. Ackley reviewed the following four bills related to human trafficking that the County of Los Angeles is sponsoring:

- SB 473 would add human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 of 2000 and make an individual eligible for enhanced criminal sentences and penalties. SB 473 is pending consideration on the Assembly Floor.
- SB 955 would add human trafficking to the list of offenses for which interception of electronic communications (wiretaps) may be ordered. SB 955 is scheduled for hearing in the Senate Public Safety Committee on April 8, 2014.
- SB 982 would make it a felony punishable in a county jail for 16 months, two years, or three years for individuals who seek to procure, or procure, the sexual services of a prostitute if she or he is under 18 years of age. SB 892 is pending hearing in the Senate Public Safety Committee.
- SB 1388 would set the minimum fine for conviction of pimping of a minor at \$5,000, maintains the maximum fine of \$20,000, and would establish a fine of not less than \$1,000 but not more than \$10,000 for anyone convicted of soliciting a minor. This measure specifies that funds collected from these fines would be directed to a county victim services fund to provide support services for child sexual exploitation and child sexual abuse victim counseling services and programs for child victims of human sex trafficking. Additionally, SB 1388 would make a person who seeks to purchase or who purchases a commercial sex act guilty of a misdemeanor punishable in a county jail for at least 48 hours, but not more than six months, and by a fine of at least \$1,000 and not more than \$50,000. SB 1388 is pending referral to committee in the Senate.

Ms. Ackley next reviewed the following five bills that the County of Los Angeles has taken positions on:

- AB 1607 would require a court to give notice of the hearing for the conditional release of a Sexually Violent Predator (SVP) at least 35 court days prior to the hearing date. This bill is currently a spot bill and language related to the notification requirements of SVP conditional release hearings will be added once the bill is eligible for hearing and amendments. County Position: Co-Sponsor.
- AB 2534 would authorize the Los Angeles County Board of Supervisors, upon agreement with the Sheriff, to enter into contracts with private community correctional facilities to house inmates sentenced to county jail. County Position: Sponsor.
- AB 2314 would require the Chief Probation Officer to train and arm all probation officers that supervise high-risk individuals. County Position: Oppose. The County would like for this to remain in the discretion of the Chief Probation Officer.
- SB 833 would authorize a Sheriff to offer a voluntary program to an inmate upon completion of the inmate's sentence. The program would allow the inmate to remain in the custody facility for up to 16 additional hours or until normal business hours in order to be discharged during daytime hours. County Position: Support. This bill is sponsored by the Los Angeles County Sheriff's Department. This would allow the inmate to be released at a safe time for them and also provides an opportunity for a treatment provider to pick-up the individual.
- SB 1054 would appropriate \$50 million from the State General Fund in Fiscal Year 2014-2015 for Mentally Ill Offender Crime Reduction (MIOCR) grants. The grants would be awarded on a competitive basis to counties that implement projects designed to reduce recidivism for adult and juvenile offenders with mental illness. County Position: Support. Half of the funding would go for adult offenders and the other half for juveniles. Funding for MIOCR had ended several years ago due to budget cutbacks.

The following legislation is of general interest to the committee:

Gun Violence

- SB 199 would revise the definition of a BB device to include those devices within the definition of an imitation firearm requiring the adoption coloration and construction schemes to set them apart from standard firearms. This is pending referral to committee in the Assembly.
- SB 808 would require, commencing January 1, 2016, a person who makes or assembles a firearm to first apply to the California Department of Justice for a unique serial number or other identifying mark and would require anyone who

owns a firearm that does not bear a serial number to apply for a unique serial number. The provisions of this measure would restrict the production and assembly of undetectable firearms, such as 3D-printed firearms. This is pending referral to committee in the Assembly.

Forensics

- AB 1517 would encourage law enforcement agencies to submit sexual assault forensic evidence to a crime lab as soon as practically possible, but no later than 5 days after being booked into evidence, and that the crime lab process the evidence, create, and upload DNA profiles into CODIS as soon as practically possible, but no later than 30 days after the evidence is submitted. The measure would also require law enforcement agencies to inform victims of certain sexual assault offenses if the law enforcement agency elects not to analyze DNA evidence within these certain time limits. This bill is pending hearing.
- AB 1697 would prohibit the California Department of Justice from using any DNA specimen or sample obtained pursuant to Proposition 69, or any profile derived from that specimen, for any purpose related to research or statistical analysis of populations, except as necessary for quality assurance or quality control, without complying with the Protection of Human Subjects in Medical Experimentation Act. This is set for hearing on March 25, 2014.

Other

- SB 210 would, among other provisions, 1) revise the factors that a judge or magistrate be required to consider when setting, reducing, or denying bail to include the history and characteristics of the defendant and to consider the nature and circumstances of the offense; 2) authorize a Sheriff, County Probation Department, or other local government agency, with the concurrence of the Board of Supervisors, to employ investigative staff for the purposes of recommending whether a defendant should be released on his or her own recognizance; 3) require a pretrial investigative report to be prepared before a Court may order a defendant released on his or her own recognizance in any case involving specified crimes, including violent felonies; 4) require any pretrial investigative report to include the results of an evidence-based pretrial risk assessment to evaluate the defendant's probability of appearing at trial and potential risk to public safety; and 5) prohibit the defendant from being interviewed about the facts and circumstances of the current offense. This is pending referral to committee in the Assembly.
- SB 1363 would express the intent of the Legislature to enact legislation relating to sentencing and parole. This is pending referral to committee in the Senate.

With respect to SB 199, Supervisor Knabe noted that a criminal could paint a BB (pellet) gun a color in violation of this law.

Assistant Chief Moore of the LAPD agreed that there is a danger of a criminal doing that, but added that the law is needed due to repeated instances of police officers being confronted by individuals wielding BB guns that appear to be realistic firearms.

Ms. Ackley advised that, while there were a number of bills related to AB 109 in the previous legislative session, there have not been many in the current session.

ACTION: For information only.

VI. OTHER MATTERS/PUBLIC COMMENT

There were no public comments.

VII. ADJOURNMENT

The meeting was adjourned at 1:14 p.m.