

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE MARCH 2, 2011 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS AND ALTERNATES PRESENT

Chair: Michael Antonovich, Mayor, County of Los Angeles

Lee Baca, Sheriff and Vice Chair of CCJCC

Richard Barrantes for Larry Waldie, Undersheriff

Donald Blevins, County Chief Probation Officer

Ronald Brown, County Public Defender

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

*Dardy Chen for William Fujioka, County Chief Executive Officer

Susan Cichy for John Clarke, Superior Court Executive Officer

Steve Cooley, District Attorney

Paul Cooper, President, San Gabriel Valley Police Chiefs Association

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

Ed Eng for Isaac Barcelona, Chair, County Economy and Efficiency Commission

Xiomara Flores-Holguin for Antonia Jimenez, Director, County Department of Children and Family Services

Pamela Hamanaka for Kamala Harris, California Attorney General

Eric Harden for John Torres, Special Agent-in-Charge, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives

*Sharon James for Matthew Cate, Secretary, California Department of Corrections and Rehabilitation

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

*Yanira Lima for Jonathan Fielding, Director, County Public Health Department

Peter Loo for Richard Sanchez, County Chief Information Officer

Alexis Marin for Greig Smith, Los Angeles City Council, 12th District

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

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

*Cecile Ochoa for Dennis Tafoya, County Affirmative Action Compliance Officer

Steven Olivas for Antonio Villaraigosa, Mayor, City of Los Angeles

Andrea Ordin, County Counsel

Earl Perkins for Ramon Cortines, Superintendent, Los Angeles Unified School District

Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner

Patricia Schnegg, Supervising Judge, Criminal, Superior Court

Peter Shutan, County Probation Commission

William Sullivan, Chair, County Quality & Productivity Commission

Robin Toma, Executive Director, County Human Relations Commission

Carmen Trutanich, Los Angeles City Attorney

Roy Wallen for Janice Fukai, Alternate Public Defender

Mitch Ward, League of California Cities, Los Angeles County Division
Brenda Wells for Mike Webb, County Prosecutors Association
*Gymeka Williams for Andre Birotte, U.S. Attorney

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Steve Beeuwsaert, Chief, Southern Division, California Highway Patrol
Michelle Carey, Chief U.S. Probation Officer
Lee Smalley Edmon, Presiding Judge, Superior Court
Lois Gaston, California Contract Cities Association
Gigi Gordon, Directing Attorney, Post Conviction Assistance Center
Jon Gundry, Superintendent, County Office of Education
Anthony Hernandez, Director, County Department of Coroner
Tim Jackman, President, Los Angeles County Police Chiefs Association
Sean Kennedy, Federal Public Defender
Joe Leonardi, President, South Bay Police Chiefs Association
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
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
Richard Propster, Peace Officers Association of Los Angeles County
Miguel Santana, Los Angeles City Chief Administrative Officer
David Singer, United States Marshal
Thomas Sonoff, President, Southeast Police Chiefs Association
Frank Venti, President, Independent Cities Association
David Wesley, Assistant Presiding Judge, Superior Court

CCJCC STAFF

Mark Delgado, Executive Director
Cynthia Machen
Craig Marin

GUESTS/OTHERS

Dale Cunningham, Los Angeles School Police Department
Briane Grey, U.S. Drug Enforcement Administration
Jon Goldberg, U.S. Drug Enforcement Administration
Kevin Goran, Sheriff's Department
Noble Kennamer, Information Systems Advisory Body
Alex Johnson, Second District, County Board of Supervisors
Julio Lima, Los Angeles School Police Department
Kyle Lint, County Chief Executive Office

Arthur Mosqueda, California Department of Corrections and Rehabilitation
Anna Pembedjian, Fifth District, County Board of Supervisors
Devallis Rutledge, District Attorney's Office
Stanley Shimotsu, Public Defender's Office
Valerie Sifuentes, County Public Health Department

I. CONVENE/INTRODUCTIONS

Lee Baca, Sheriff

The meeting was called to order at 12:00 p.m. by Los Angeles County Sheriff Lee Baca, Chair pro tem.

Self-introductions followed.

NOTE: During the self-introductions, Mayor Michael Antonovich arrived and served as Chair for the remainder of the meeting.

II. APPROVAL OF THE MINUTES

Mayor Michael Antonovich, County Supervisor, Fifth District

There were no requests for revisions to the minutes of the February 2, 2011 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the February 2, 2011 meeting was seconded and approved without objection.

III. SB 1080 AND SB 1115

Devallis Rutledge, Special Counsel, District Attorney's Office

Devallis Rutledge, Special Counsel to the District Attorney, appeared before CCJCC to provide an update on Senate Bill 1080 (SB 1080) and Senate Bill 1115 (SB 1115), which have both been signed into law and are scheduled to become effective January 1, 2012.

Mr. Rutledge first made this committee aware of these new laws at the CCJCC meeting held on December 1, 2010. As a review, SB 1080 and SB 1115 reorganizes/renumbers sections of the Penal Code dealing with firearms and weapons offenses. Specifically, the bills make 990 changes in 10 codes. These changes will require replacement of materials, retraining of staff, and reprogramming of automated systems.

CCJCC created an ad hoc subcommittee to consider all issues concerning the implementation of SB 1080 and SB 1115 in Los Angeles County. This subcommittee has met twice and discussed both the areas of impact and the potential expense of implementation.

At the joint urging of the District Attorney's Office and the State Public Defender's Association, Assemblyman Mike Davis introduced Assembly Bill 1331 (AB 1331) on February 18, 2011. This is a place holding bill that can be filled-in with language after 30 days. The intention is to write AB 1331 so that it will postpone the implementation of SB 1080 and SB 1115.

Mr. Rutledge noted that there are over 227,000 full time criminal justice personnel in the state. This number includes law enforcement officers, prosecutors, public defenders, court personnel, corrections personnel, and parole and probation personnel. The cost for training all of these individuals in the new law could total over \$72 million, which does not include the expenses required for materials and preparation.

In addition, although there are hidden costs that can't be predicted, it can be estimated that the costs of reprinting written materials, legal forms, jury instructions, etc., can be as much as \$50 million. Data systems conversions/reprogramming can result in a further \$20 million.

The recommendation of the subcommittee is that CCJCC support postponement of the implementation of SB 1080 and SB 1115 on the grounds that implementation is cost prohibitive for local governments at this time. The subcommittee recommends that this be stated in a letter addressed to Assemblyman Davis on behalf of CCJCC. Further, each member agency of CCJCC will also be asked to provide a similar letter of support.

Sheriff Baca inquired as to why this committee would not recommend that SB 1080 and SB 1115 be rescinded entirely. Mr. Rutledge stated that the subcommittee would prefer that option, and that this could be indicated in the letter, but that the initial focus needs to be on preventing the implementation slated for next January. If a postponement of several years can be agreed to, this will provide the time necessary to conduct further analysis and study as to the feasibility of implementation (i.e., expenses and logistical concerns).

A motion was made to send a letter to Assemblyman Davis indicating that CCJCC supports a postponement of the implementation of SB 1080 and SB 1115.

ACTION: The motion to send a letter to Assemblyman Davis indicating that CCJCC supports a postponement of the implementation of SB 1080 and SB 1115 was seconded and approved without objection.

IV. STATE PAROLEES, NON-REVOCABLE PAROLEES AND PRISON EARLY RELEASES

Steve Cooley, District Attorney

Los Angeles County District Attorney Steve Cooley made a presentation to CCJCC on issues concerning the population of state parolees in the county.

Currently, there are nearly 4,000 individuals on Non-Revocable Parole (NRP) in county. The number of parolees in the county that are currently being supervised is 27,000, bringing the total number of parolees in the county to 31,000.

Mr. Cooley stated that the county needs a standing committee to track and monitor these individuals in a coordinated manner and to determine the best practices to be utilized in doing so. Additionally, in the event that the state's realignment proposal to shift supervision of parolees to the county should go into effect, this standing committee could assist with that process as well.

Many law enforcement agencies in the county have approaches and programs already in place for dealing with the parolee population in their respective jurisdictions. The proposed committee would ensure collaboration among all efforts being made by local and state criminal justice agencies.

In response to an inquiry from Hermosa Beach Mayor Mitch Ward (League of California Cities), Mr. Cooley explained that parolees on NRP status are not subject to formal parole supervision. These individuals can only be returned to prison if they are convicted of a new felony. Given that the state has only recently begun placing certain individuals on NRP status, there is no significant historical data on this population.

Mr. Cooley made a motion that CCJCC form a Parolee Tracking and Monitoring Subcommittee.

ACTION: The motion to create a Parolee Tracking and Monitoring Subcommittee was seconded and approved without objection.

Anna Pembedjian, Justice Deputy to Mayor Antonovich, stated that the county does receive updates on the NRP population. As a result of a motion by Mayor Antonovich, the Board of Supervisors instructed the County Chief Executive Office to obtain financial data on the impact of this population on the county. Thus far, as much as \$6 million has been allocated from the county's general fund to meet the needs of this population. Most of this expense has resulted from mental health costs.

The Parolee Tracking and Monitoring Subcommittee will consist of representatives from all affected criminal justice agencies.

Sheriff Baca added that the subcommittee will be useful regardless of whether parole realignment occurs or not. He also stated that a comprehensive approach to rehabilitation is needed and that a focus on the educational needs of inmates is an essential part of this.

Judge Patricia Schnegg observed that the state has suggested transferring responsibility for parole hearings to the local courts. In addition to legal questions concerning whether the courts have jurisdiction to do this, it is also questionable whether the courts could take this responsibility without more funding from the state.

V. LOS ANGELES COUNTY ANNUAL HATE CRIME REPORT

Robin Toma, Executive Director, County Human Relations Commission

Robin Toma, Executive Director of the County Human Relations Commission, appeared before CCJCC to make a presentation on the 2009 Los Angeles County Annual Report on Hate Crimes.

Since 1980, HRC has compiled, analyzed, and produced an annual report of hate crime data submitted by the Sheriff's Department and all city police agencies, educational institutions, and community-based organizations.

Overall, reported hate crimes in Los Angeles County declined from a total of 730 in 2008 to 580 in 2009, which is a decrease of 21%. This is the second lowest count in the past decade and the third lowest in 20 years. Mr. Toma observed that this drop is larger than the drop in the federal hate crime rate (16%) and larger than the Sheriff's Department and LAPD drop in general crime for this period (8% to 9%).

Hate crimes motivated by race, ethnicity, or national origin were the most common type, accounting for 55% of the hate crimes. African Americans remained the most frequently targeted group at 64%, although the actual number of hate crimes against African Americans dropped by 25% from the previously year. Hate crimes against Latinos experienced a drop of almost 60%.

Hate crimes between African Americans and Latinos remained high. African American victims of racial hate crimes were targeted by Latinos 77% of the time, and Latino victims of racial hate crimes were targeted by African Americans 48% of the time. Mr. Toma cautioned that this must be kept in perspective as these statistics represent a relatively small number of incidents.

Gang members were responsible for 24% of racial hate crimes, and these crimes were overwhelmingly against African Americans. Of the hate crimes committed against African Americans by Latinos, 56% were gang-related.

Religious-motivated hate crimes grew and constituted 22% of all hate crimes. Of these, 88% were anti-Jewish. Hate crimes against Jewish individuals rose 49% in 2009. This increase was due to a rise in anti-Semitic graffiti, some of which appeared to be the work of serial vandals.

Hate crimes based on sexual orientation comprised 18% of all hate crimes and remained the most likely of major motivation categories to be of a violent nature (77%). Homosexual men were targeted in 87% of these crimes. Overall, the number of hate crimes based on sexual orientation dropped by about 19%.

A total of 24% of all hate crimes showed evidence of white supremacist ideology. Their most prevalent victims were Jews (50%), African Americans (18%), and Latinos (10%). About 10% of these crimes were violent and a majority consisted of acts of vandalism.

In cases where suspects were identified, 91% were male, 42% were young adults, 29% were juveniles, and 28% were age 25 and older.

Mr. Toma noted that the rate of violence among hate crimes declined, with aggravated assault dropping by 44% and simple assault dropping by 11%.

In addressing hate crime, the County Human Relations Commission has four strategic priorities: (1) Public Safety; (2) Our Youth; (3) Capacity Building; and (4) Crisis Response. The Hate Crime Report is part of the Public Safety component. Programs that address the other three priorities include the *Zerohour: No Haters Here! School Initiative*, *Racialized Gang Violence Prevention Initiative*, and the *Hate Crime Victim Assistance and Advocacy Initiative*.

Steve Cooley inquired as to how the Human Relations Commission defines hate crimes in this report, noting that the District Attorney's Office will only file a hate crime allegation if it is the primary motivation for the crime.

Mr. Toma stated that the report uses the definition in the state statute that addresses hate crimes. He observed that there can be more than one motivation for a crime, such as the desire to obtain money in a robbery while specifically targeting a particular group in the robbery due to a hatred or bias against that group. If there is a question as to whether a hate crime occurred, the Human Relations Commission will defer to law enforcement in the report.

Mr. Toma thanked the CCJCC member agencies that provided information for the Hate Crimes Report. Upon request, the Human Relations Commission can provide a more detailed analysis for regions or jurisdictions.

The 2009 Los Angeles County Annual Report on Hate Crimes can be found online at <http://www.lahumanrelations.org>.

ACTION: For information only.

VI. OTHER MATTERS/PUBLIC COMMENT

Earl Perkins of the Los Angeles Unified School District (LAUSD) provided an update on the start of the next school year. At the CCJCC meeting in January, he had stated that the school year would begin on August 15, 2011. However, the School Board has subsequently postponed this for one year. Therefore, the coming school year will begin in September and the early start date will not occur until the 2012-2013 school year.

VII. ADJOURNMENT

The meeting was adjourned at 1:54 p.m.