

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE MAY 20, 2009 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

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

Peter Espinoza, Supervising Judge of Criminal, Superior Court
Anthony Hernandez, Director, County Department of Coroner
Michael Judge, County Public Defender
Al Leiga, Chair, County Quality & Productivity Commission
Steve Lieberman, Chief, County Office of Public Safety
John Neu, President, South Bay Police Chiefs Association
Richard Propster, Peace Officers Association of Los Angeles County
Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner
Patricia Schnegg, Assistant Supervising Judge of Criminal, Superior Court
Robert Taylor, County Chief Probation Officer
Robin Toma, Executive Director, County Human Relations Commission
Michael Tynan, Judge, Superior Court

ALTERNATES

*Charlie Beck for William Bratton, Chief, Los Angeles Police Department
Ed Brekke for John Clarke, Superior Court Executive Officer
Bruce Brodie for Janice Fukai, County Alternate Public Defender
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
Peter Espinoza for Charles McCoy, 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
*Michael Hidalgo for John Torres, Special Agent-in-Charge, U.S. Bureau of Alcohol,
Tobacco, Firearms and Explosives
*Curtis Kin for Thomas O'Brien, U.S. Attorney
William Montgomery for Tom Tindall, Director, County Internal Services Department
Steven Olivas for Antonio Villaraigosa, Mayor, City of Los Angeles
Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency
Commission
Bruce Riordan for Rockard Delgadillo, Los Angeles City Attorney
Peter Shutan for Gabriella Holt, County Probation Commission

Buren Simmons for Ramon Cortines, Superintendent, Los Angeles Unified School District

*John Spillane for Steve Cooley, District Attorney

*Mark Tajima for William Fujioka, County Chief Executive Officer

John Viernes for Jonathan Fielding, Director, County Public Health Department

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court

Edmund Brown, California Attorney General

Raymond Ciranna, Los Angeles City Chief Administrative Officer

Gigi Gordon, Directing Attorney, Post Conviction Assistance Center

Salvador Hernandez, Assistant Director in Charge, Los Angeles Division, Federal Bureau of Investigation

James Hudson, President, Los Angeles County Police Chiefs Association

Robert Kalunian, County Counsel

Sean Kennedy, Federal Public Defender

Richard Kirschner, Judge, Superior Court

Loretta Martin, Chief U.S. Probation Officer

Michael Nash, Supervising Judge, Juvenile Court

John Noguez, President, California Contract Cities Association

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Tom Reeves, County Prosecutors Association

Darline Robles, Superintendent, County Office of Education

Richard Sanchez, County Chief Information Officer

Stephanie Sautner, Judge, Superior Court

Warren Stanley, Southern Division Commander, California Highway Patrol

Dennis Tafoya, County Affirmative Action Compliance Officer

Robert Todd, President, Southeast Police Chiefs Association

Adam Torres, United States Marshal

Frank Venti, President, Independent Cities Association

Larry Waldie, Undersheriff

Dan Watson, President, San Gabriel Valley Police Chiefs Association

Jack Weiss, Los Angeles City Councilman, District 5

CCJCC STAFF

Mark Delgado, Executive Director

Kenna Ackley

Cynthia Machen

Craig Marin

GUESTS/OTHERS

Richard Barrantes, Sheriff's Department

Natalie Cortez, LAPD

Shari Crome, CDCR

David Davies, Probation Department

Carl Gallucci, Fourth District, County Board of Supervisors
Enrique Gonzalez, CDCR
Jim Hayes, Immigration and Customs Enforcement
Victor Martinez, Alternative Public Defender's Office
Edie Oligane, County Human Relations Commission
Emily Pacheco, County Human Relations Commission
Anna Pembedjian, Fifth District, County Board of Supervisors
Michael Philips, Immigration and Customs Enforcement
Ray Regalado, County Human Relations Commission
John Ruegg, Information Systems Advisory Body
Karen Tamis, Vera Institute of Justice
David Venturella, Immigration and Customs Enforcement
Alex Yim, Sheriff's Department

I. CONVENE/INTRODUCTIONS

Don Knabe, County Supervisor, Fourth District

The meeting was called to order at 12:00 p.m. by Los Angeles County Supervisor Don Knabe, Chair of CCJCC.

Self-introductions followed.

Supervisor Knabe noted that David Davies of the Probation Department is retiring after 41 years of county service. Mr. Davies was thanked for his many years of work and dedication.

II. APPROVAL OF THE MINUTES

Don Knabe, County Supervisor, Fourth District

There were no requests for revisions to the minutes of the April 15, 2009 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the April 15, 2009 meeting was seconded and approved without objection.

III. CRIMES AGAINST THE HOMELESS

Robin Toma, Executive Director, County Human Relations Commission

Robin Toma, Executive Director of the County Human Relations Commission, appeared before CCJCC to discuss crimes against the homeless and present two motions.

Recently, homeless individuals have been the targets of violent crime. On March 9, 2009, a 66-year-old homeless man was stabbed several times on the sidewalk on Avenue 19 in Lincoln Heights and died at the scene. On October 9, 2008, a homeless man was doused and torched to death by three unidentified youth in a Mid-Wilshire

neighborhood of Los Angeles. On November 3, 2008, three men and two women were found murdered at a homeless encampment in Long Beach.

Mr. Toma noted that the apparent increase in attacks on the homeless is occurring on a national level as well. The number of attacks on homeless reported in the media throughout the country has risen by 13% and the number of attacks that have resulted in death has risen by 40%.

On March 24, 2009, the County Board of Supervisors passed a joint motion by Supervisors Don Knabe and Zev Yaroslavsky requesting that the Human Relations Commission work with criminal justice agencies throughout the county to track crimes against the homeless.

Statistics on crimes against the homeless are not currently being kept. Establishing a process for recording these crimes will be necessary in order to measure the success of efforts to address this issue.

Mr. Toma made a motion for CCJCC to support efforts to track crimes against the homeless in order to inform strategies to prevent and reduce such crime.

ACTION: The motion to support efforts to track crimes against the homeless was seconded and approved without objection.

Mr. Toma next made a motion for CCJCC to create a task force on crimes against the homeless to address tracking and reporting needs. The task force would consist of representatives from the County Human Relations Commission, County Prosecutors Association, District Attorney's Office, Los Angeles City Attorney's Office, Los Angeles County Police Chiefs Association, Los Angeles Police Department, Sheriff's Department, and other interested CCJCC agencies.

ACTION: The motion to create a task force on crimes against the homeless was seconded and approved without objection.

IV. IMMIGRATION AND CUSTOMS ENFORCEMENT – SECURE COMMUNITIES

David Venturella, Executive Director of Secure Communities Program, ICE

David Venturella of the Department of Immigration and Customs Enforcement (ICE) appeared before CCJCC to make a presentation on ICE's Secure Communities program. Mr. Venturella is the Executive Director of this program.

Mr. Venturella introduced Jim Hayes. Mr. Hayes serves as the ICE Director of Detention and Removal Operations.

Secure Communities is a comprehensive plan to identify and remove criminal aliens by both using technology to share information between law enforcement agencies and by

applying methodologies to focus resources on assisting all local communities to remove high-risk criminal aliens.

The three major pillars of the program are:

1. Identification – Identifying individuals for deportation and/or federal prosecution;
2. Prioritization – Using a risk-based approach to allocating appropriate resources; and
3. Transformation – Improving processes and efficiency, optimizing capacity, and strengthening capabilities.

Identification of criminal aliens is achieved through biometrics. Specifically, fingerprints taken at the time of booking are electronically shared with ICE. The biometric identification allows ICE to automatically perform integrated record searches of biometric records in federal databases. ICE's goal is to respond back to the local law enforcement agency within four hours or less.

When a match is found, ICE will send a response back through the state system to the local law enforcement agency that originated the transaction. The local ICE field office will receive the response as well.

The matches are not just for previously deported criminal aliens. They also include matches on various other types of immigration violations.

Secure Communities began to be deployed in various jurisdictions beginning in October 2008. Currently, it is operational in 49 jurisdictions and 7 states throughout the country.

Los Angeles County has been selected as one of three counties in California to be a pilot site for the program. San Diego County and Ventura County are the other two jurisdictions. ICE expects implementation to begin in Los Angeles County in the near future.

From inception through May 13, 2009, there have been 288,120 biometric identification submissions that have resulted in 34,237 matches (12% hit rate). Of these, 2,990 were violent or narcotics offenders. More than 3,969 ICE detainers have been issued after interoperability hits.

Prioritization of enforcement actions to ensure apprehension and removal of dangerous criminal aliens requires a risk-based approach in order to maximize the impact on public safety.

ICE's risk-based approach uses three levels to allocate appropriate resources. Priority is given to Level 1 offenders. Included in this category are individuals that have been convicted of threats to national security, homicide, kidnapping, rape and other sexual offenses, robbery, assault, and major drug offenses. ICE will take all Level 1 offenders into custody.

Discretion is left to the ICE field offices for removal of criminal aliens charged with or convicted of Level 2 and Level 3 offenses. Level 2 offenses are less serious than Level 1 and tend to involve crimes against property as opposed to people. Level 3 offenses are the least serious of this three-tiered approach.

Transformation of ICE processes and systems will involve modernizing the detention and removal system. To do this, ICE will seek to do the following: (1) Reduce the time that criminal aliens spend in ICE custody; (2) Optimize ICE capacity for bed space, transportation, and staffing; and (3) Strengthen analytical, planning, and performance management capabilities.

To facilitate the transformation, ICE is investing in video and teleconferencing equipment to facilitate interviews and immigration hearings, sophisticated computer systems to manage bed space and transportation reservations and utilization, and integrated case and detainee management systems that track an individual throughout the immigration enforcement lifecycle.

In response to a question from Robert Philibosian of the County Economy and Efficiency Commission, Mr. Venturella stated that convicted criminal aliens will serve their sentenced time before ICE takes custody of them and removes them from the country.

In response to a question from John Ruegg of the Information Systems Advisory Body (ISAB), Mr. Venturella stated that local protocols are in place for ICE to take custody of individuals that have holds placed on them.

Supervisor Knabe inquired as to how long it would take for ICE to take custody of an individual that has been arrested but for whom there is no filing of charges. Jim Hayes stated that ICE takes custody of individuals at the Inmate Reception Center at least once every day. If an individual has had a hold placed but has had the local charges dropped or there is no filing, that person would be held until the next scheduled daily pick-up time.

Mr. Hayes emphasized that the Secure Communities program will serve to make ICE personnel more available to focus their efforts on criminal aliens coming into custody that have never been identified and/or lie about their citizenship status.

Robert Taylor, Chief Probation Officer, inquired as to whether the Secure Communities program will be expanded to include other biometric markers such as DNA. Mr. Venturella stated that this is an issue that is being considered, but there is no date for if or when this technology may begin to be utilized. He noted that photographs are currently being used for facial recognition.

Michael Judge, County Public Defender, asked if the drug offenses included under Level 1 include actual sentences or potential sentences. Mr. Venturella stated that he believes that they are actual offenses, but that he is not certain.

Mr. Judge also inquired as to why the turnaround time for a response is not quicker. Mr. Venturella stated that ICE's ultimate goal is to achieve a 10-minute turnaround time. Currently, however, automation of the entire process is not complete.

The Hi-Intensity Criminal Alien Apprehension and Prosecution (HICAAP) Steering Committee, which is a standing subcommittee of CCJCC, will continue discussions and coordination with ICE as the Secure Communities program is implemented in Los Angeles County.

ACTION: For information only.

V. OTHER MATTERS/PUBLIC COMMENT

There were no additional matters or public comments.

VI. ADJOURN

There being no further business, Supervisor Knabe adjourned the meeting at 12:45 p.m.

The next CCJCC meeting will be held on **Wednesday, June 17, 2009, at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**