

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE FEBRUARY 3, 2010 MEETING

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 739
Los Angeles, California 90012

MEMBERS PRESENT

Chair: Gloria Molina, County Supervisor for the First District and
Chair of the County Board of Supervisors

Peter Espinoza, Supervising Judge, Superior Court
Janice Fukai, County Alternate Public Defender
Lois Gaston, California Contract Cities Association
Gigi Gordon, Directing Attorney, Post Conviction Assistance Center
Lili Hadsell, President, San Gabriel Valley Police Chiefs Association
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
Andrea Ordin, County Counsel
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner
Greg Savelli, President, South Bay Police Chiefs Association
Michael Tynan, Judge, Superior Court

ALTERNATES

Marv Cavanaugh for Lee Baca, Sheriff and Vice Chair of CCJCC
Susan Cichy for John Clarke, Superior Court Executive Officer
Delmaria Cole-Bigelow for John Torres, Special Agent-in-Charge, U.S. Bureau of
Alcohol, Tobacco, Firearms and Explosives
Brence Culp for William Fujioka, County Chief Executive Officer
Kathleen Daly for Marvin Southard, Director, County Department of Mental Health
Xiomara Flores-Holguin for Trish Ploehn, Director, County Department of Children and
Family Services
*Elena Halpert-Schilt for Robin Toma, Executive Director, County Human Relations
Commission
Pamela Hamanaka for Edmund Brown, California Attorney General
*Michael Jesic for Richard Kirschner, Judge, Superior Court
Peter Loo for Richard Sanchez, County Chief Information Officer
William Montgomery for Tom Tindall, Director, County Internal Services Department
*Michael Moriarty for Charles Beck, Chief, Los Angeles Police Department
Steven Olivas for Antonio Villaraigosa, Mayor, City of Los Angeles
Earl Perkins for Ramon Cortines, Superintendent, Los Angeles Unified School District
Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency
Commission

*Greg Savelli for Scott Pickwith, President, Los Angeles County Police Chiefs Association
Peter Shutan for Gabriella Holt, County Probation Commission
Earl Thomas for Carmen Trutanich, Los Angeles City Attorney
John Viernes for Jonathan Fielding, Director, County Public Health Department

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court
Cynthia Banks, Director, County Department of Community & Senior Services
George Cardona, U.S. Attorney
Michelle Carey, Chief U.S. Probation Officer
Steve Cooley, District Attorney
Salvador Hernandez, Assistant Director in Charge, Los Angeles Division, Federal Bureau of Investigation
Sean Kennedy, Federal Public Defender
Tim Landrum, Special Agent in Charge, U.S. Drug Enforcement Administration
Charles McCoy, Presiding Judge, Superior Court
Michael Nash, Supervising Judge, Juvenile Court
Richard Propster, Peace Officers Association of Los Angeles County
Tom Reeves, County Prosecutors Association
Darline Robles, Superintendent, County Office of Education
Miguel Santana, Los Angeles City Chief Administrative Officer
Stephanie Sautner, Judge, Superior Court
Patricia Schnegg, Assistant Supervising Judge of Criminal, Superior Court
Greig Smith, Los Angeles City Council, 12th District
Thomas Sonoff, President, Southeast Police Chiefs Association
Warren Stanley, Southern Division Commander, California Highway Patrol
Dennis Tafoya, County Affirmative Action Compliance Officer
Robert Taylor, County Chief Probation Officer
Adam Torres, United States Marshal
Frank Venti, President, Independent Cities Association
Larry Waldie, Undersheriff
Mitch Ward, League of California Cities, Los Angeles County Division

CCJCC STAFF

Mark Delgado, Executive Director
Kenna Ackley
Cynthia Machen
Craig Marin

GUESTS/OTHERS

Robert Ambroselli, California Department of Corrections and Rehabilitation
Capril Anderson, California Department of Corrections and Rehabilitation
Richard Barrantes, Sheriff's Department
Felix Basadre, Information Systems Advisory Body

Nancy Chand, Public Defender's Office
Rick DeMartino, LAPD
Justin Eisenberg, LAPD
Victoria Evers, County CEO
Richard Fajardo, Second District, County Board of Supervisors
Judith Gambon, Department of Children and Family Services
Ben Lee, Substance Abuse Prevention and Control Programs
Eleanor Lockett, California Department of Corrections and Rehabilitation
Jorge Martinez, LAPD
Ken Martinez, California Department of Corrections and Rehabilitation
Rick Martinez, Guest of Jaclyn Tilley Hill
Terri McDonald, California Department of Corrections and Rehabilitation
Cheryl Newman-Tarwater, Sheriff's Department
Margarita Perez, California Department of Corrections and Rehabilitation
Cecil Rhambo, Sheriff's Department
Bruce Riordan, Los Angeles City Attorney's Office
Joanne Rotstein, Public Defender's Office
John Ruegg, Information Systems Advisory Body
Vicky Santana, First District, County Board of Supervisors
Greg Saunders, Sheriff's Department
Norma Sturgis, LAUSD
Karen Tamis, Vera Institute of Justice
Cheri Thomas, LAUSD
Jaclyn Tilley Hill, County Quality and Productivity Commission
Gordon Trask, County Counsel's Office
Kimberly Wong, Public Defender's Office
Curtis Woodle, LAPD

I. CONVENE/INTRODUCTIONS

Gloria Molina, County Supervisor, First District

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

Supervisor Molina introduced Andrea Ordin, who was recently appointed to the position of Los Angeles County Counsel.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Gloria Molina, County Supervisor, First District

There were no requests for revisions to the minutes of the January 6, 2010 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the January 6, 2010 meeting

was seconded and approved without objection.

III. COMMUNITY BASED INFORMATION SYSTEM (CBIS)

Chief Cecil Rhambo, Los Angeles County Sheriff's Department

Chief Cecil Rhambo of the Los Angeles County Sheriff's Department appeared before CCJCC to make a presentation on the Community Based Information System (CBIS).

The California Emergency Management Agency (Cal EMA) awarded an information sharing technology grant to be divided among its seven Law Enforcement Mutual Aid (LEMA) regions. The grant provides funding for region-wide information sharing efforts for gang suppression, prevention, and intervention.

LEMA Region 1 consists of Los Angeles and Orange Counties. The funding for this region is being used to create CBIS.

On January 26, 2010, the County Board of Supervisors approved a contract for the development of CBIS. CBIS will be a password-protected portal that is customized for law enforcement agencies in Los Angeles and Orange Counties.

Managed by the Los Angeles County Sheriff's Department, CBIS will provide law enforcement agencies in the two counties with access to community data in a singular website, including demographic, health, economic, and other community and criminal justice data. It will also provide information on community-based services to assist with referrals.

By serving as a comprehensive repository for various types of data, and providing mapping capabilities, CBIS will assist with the identification of anti-gang needs and the development of community-based suppression, prevention, and intervention strategies. For example, in addition to showing the individuals on probation and parole in an area, the system will also reveal the services that are provided.

CBIS will also support crime analysis efforts and increase crime analysts' ability to predict potential crime trends and patterns.

It is expected that the development of CBIS will take about four months. Healthy City (healthycity.org) will provide the portal and the aggregated data and information. For training purposes, they will also provide the user brochure and the training material.

A motion was made to create a CBIS Advisory Body made up of representatives from CCJCC's law enforcement agencies to serve as an advisory body that will assist with the implementation of CBIS.

ACTION: The motion to create a CBIS Advisory Body to assist with the implementation of CBIS was seconded and approved without objection.

IV. ANNUAL HATE CRIMES REPORT

Elena Halpert-Shilt, Assistant Executive Director, County Human Relations Commission

Elena Halpert-Shilt, Assistant Executive Director of the County Human Relations Commission (HRC), appeared before CCJCC to make a presentation on the 2008 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 763 in 2007 to 729 in 2008, which is a decrease of just over 4%.

Hate crimes motivated by racial, ethnic, or national origin bias were the most common type, accounting for 61%. African Americans remained the most frequently targeted group (61%), followed by Latinos (27%).

Hate crimes between African Americans and Latinos remain high. African American victims of racial hate crimes were targeted by Latinos 69% of the time, and Latinos were targeted by African Americans 61% of the time. Ms. Halpert-Shilt cautioned that this must be kept in perspective as these statistics represent a relatively small number of incidents.

Gang members were responsible for 22% of racial hate crimes and their crimes were overwhelmingly violent (80%).

Religious-based crimes rose by about 14% and constituted 16% of the total number of hate crimes. Crimes committed against Jewish individuals totaled 65% of these crimes, but the overall increase was due to crimes that targeted the Church of Scientology.

Hate crimes based on sexual orientation totaled 18% of all hate crimes and were more likely than other hate crimes to be of a violent nature (73%). Homosexual men were the targets in 81% of these crimes. This is the third year in a row that this category of hate crime has increased.

Overall, one in three hate crimes were acts of vandalism, but one hate crime in 2008 was a murder and three were attempted murders.

Geographically, the largest numbers of hate crimes were concentrated in the San Fernando Valley, followed by the Metro area. However, when accounting for population, the highest rate of hate crimes took place in the Antelope Valley, followed by the Metro area.

White supremacists accounted for 20% of hate crimes. Their most prevalent victims were Jews (29%), African Americans (28%), and Latinos (12%). About 14% of these crimes were violent and a majority consisted of acts of vandalism.

The County Board of Supervisors has asked HRC to track crimes against homeless individuals. CCJCC has formed a task force to investigate the means by which this can be accomplished.

HRC has identified five racially motivated hate crimes that were committed against six homeless individuals. In addition, the commission is attempting to address the problem of violence against the homeless through educational outreach in communities and schools.

The 2008 Los Angeles County Annual Report on Hate Crimes can be found online at <http://www.lahumanrelations.org>.

ACTION: For information only.

V. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Robert Ambroselli, Director, Division of Adult Parole Operations, CDCR

Margarita Perez, Deputy Director, Division of Adult Parole Operations, CDCR

Robert Ambroselli, Director the California Department of Corrections and Rehabilitation's (CDCR's) Division of Adult Parole Operations, appeared before CCJCC to make a presentation on prison/parole reforms that are being implemented.

Mr. Ambroselli introduced Margarita Perez, Deputy Director of CDCR's Division of Adult Parole Operations.

Ms. Perez provided an overview of the Division of Adult Parole Operations (Parole). This division is responsible for the supervision of over 127,000 parolees. It has a staff of approximately 4,400, including approximately 2,200 peace officers. The parolees are supervised out of 194 units that are divided into four regions throughout the state. The primary mission of Parole is to enhance public safety through the successful reintegration of offenders.

Offenders that are released to Parole typically fall into one of the following three categories: (1) Those that will successfully reintegrate and require little or no intervention; (2) Those with cognitive and mental health deficiencies, drug addictions, behavioral issues, and/or anti-social disorders who may be capable of successful reintegration if assistance is provided through intervention in the form of services or programs; and (3) Those that are likely to reoffend regardless of what efforts are made to reintegrate them.

Given the current budget crisis, Parole's reform efforts are focused on the individuals in the second and third categories. These efforts include enhanced supervision,

monitoring, and surveillance, as well as services and recidivism reduction strategies that have been proven in other states to assist with the long term reintegration of offenders into the community.

Ms. Perez stated that a number of provisions in the current Budget Act, California State Senate Bill X3 18 (SB X3 18), and administrative reforms will affect the operations of Parole.

Through the current Budget Act, Parole has the opportunity to reduce its caseload from an average of about 70 parolees to 1 agent to about 45 or 50 to 1. This will enable more intensive supervision efforts.

The current Budget Act also provides funding for Parole to place 1,000 gang members in the state on Global Position Monitoring (GPS) tracking. This will facilitate the monitoring of these offenders and allow for the enforcement of exclusionary zones. This service could also potentially provide assistance in criminal investigations.

An additional provision in the Budget Act will allow Parole to utilize 2,000 electronic monitoring units as an alternative sanction. When a parolee violates the conditions of parole, but the person's behavior doesn't rise to the level of a referral to the Board of Parole Hearings for a return to custody, the parolee can be placed on electronic monitoring. This is similar to a home confinement sanction. The Board of Parole Hearings also has the ability to order an individual to be subject to electronic monitoring.

One of the provisions in SB X3 18 that affects Parole is that specified inmates can earn enhanced credit by completing certain programs that are designed to ease the transition of the offender into the community.

Ms. Perez stated that grant funding is being made available for seven drug and mental health reentry courts. Requests for Proposals (RFP's) have been sent out and seven counties will be awarded the funding for these courts. Both Parole and the Board of Parole Hearings will have the authority to refer individuals to these courts when it is deemed appropriate.

Parole is also adding field training officers with the objective of enhancing the proficiency of its peace officers and maintaining a high level of standards.

Parolee-at-large apprehension teams are being assembled for the purpose of apprehending parolees that have eluded supervision. These teams will also take proactive measures intended to prevent offenders from absconding.

Additionally, Lexis-Nexis software is being utilized to search a large number of records and sources in order to locate parolees that have absconded. In the short time that this system has been operating, it has located a number of offenders and helped to bring them under the custody of Parole.

On October 11, 2009, Section 3000.03 of the California Penal Code was enacted pursuant to Section 48 of Senate Bill X3 18. The new law, which went into effect on January 25, 2010, authorizes the placement of certain parolees onto Non-Revocable Parole (NRP).

The law states that CDCR shall not return parolees with NRP status to prison, place a parole hold on them pursuant to Penal Code Section 3056, or report any parole violation to the Board of Parole Hearings. NRP is a non-supervised version of parole where the parolee does not report to an agent. The only provision that remains is that the person is still subject to search or seizure throughout the duration of his or her term of parole.

To be eligible for NRP, an offender must meet all of the following criteria:

- The person is not required to register as a sex offender pursuant to Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1.)
- The person was not committed to prison for a serious felony as defined in Sections 1192.7 and 1192.8, or a violent felony, as defined in Section 667.5, and does not have a prior conviction for a serious felony, as defined in Section 1192.7 and 1192.8, or a violent felony, as defined in Section 667.5.
- The person was not committed to prison for a sexually violent offense as defined in subdivision (b) of Section 6600 of the Welfare and Institutions Code and does not have a prior conviction for a sexually violent offense as defined in subdivision (b) of Section 6600 of the Welfare and Institutions Code.
- The person was not found guilty of a serious disciplinary offense, as defined in regulation by the department, during his or her current term of imprisonment.
- The person is not a validated prison gang member or associate, as defined in regulation by the department.
- The person did not refuse to sign any written notification of parole requirements or conditions, including, but not limited to, the written notification of requirements pursuant to Section 3067.
- The person was evaluated by the department using a validated risk assessment tool and was not determined to pose a high risk to reoffend.

These eligibility criteria apply to both parolees that are currently out of prison as well as inmates that will be released in the future.

Currently, there are 127,000 individuals on parole supervision throughout the state. Parole conducted an automated query and found that about 25,000 may qualify for NRP. Within the County of Los Angeles, approximately 7,400 parolees may qualify for NRP. During the next four months, the files on these individuals will be studied to

confirm that the offender satisfies the eligibility criteria.

Once it is determined that an existing parolee meets the NRP standards for eligibility, the information will be forwarded to the supervising agent. The parolee will then be advised that he or she is eligible for NRP and will be asked to sign the conditions of parole.

Robert Philibosian of the County Economy and Efficiency Commission inquired as to what sanctions are imposed when a person on NRP violates a condition of parole. Ms. Perez stated that there is no sanction through CDCR because CDCR does not have authority over the offender. There are no enforceable parole conditions, other than being subject to search and seizure. Any new arrests would go through the court process on a new criminal case.

In addition to the current parolee population that will be evaluated for NRP status, inmates that are now in custody will also be evaluated to determine which ones will be released on NRP. CDCR estimates that, over the next six months, approximately 1,900 current inmates will be released on NRP in Los Angeles County.

Mr. Ambroselli stated that there are two portals that can be accessed online to obtain additional information about NRP. The first is a public portal that can be accessed by anyone at CDCR's website located at <http://www.cdcr.ca.gov>. General information on NRP can be obtained, including eligibility requirements, NRP projections by county and city, law enforcement resources, answers to frequently asked questions, and a copy of the legislation.

The second portal for information, Parole Law Enforcement Automated Data System (Parole LEADS) is specific to law enforcement. Parole LEADS provides local California law enforcement agencies with information on California's parolees via the Internet. Currently, there are approximately 500 agencies and over 16,000 individual users.

Parole LEADS has a new section on NRP that will provide information to local law enforcement concerning the population that will be placed on NRP. This is much more specific than the information that is provided to the general public.

Individuals with mental health issues who are on parole supervision will be transitioned to NRP if they qualify. However, if they continue to go to the Parole office, the doctor who has been treating them and providing them with medication will continue to do so for up to 90 days; sometimes longer on a case-by-case basis.

CDCR is working with the Department of Mental Health and exploring whether it is possible to designate state social workers at each prison institution who can then communicate to local jurisdictions information on offenders returning to the county, such as health and treatment needs.

Mr. Ambroselli was asked about when inmates are informed that they will be released on NRP. He stated that they will typically know about four months in advance of their release date, but that their eligibility could change at any time prior to their actual release.

Supervisor Molina made a motion to create a CCJCC subcommittee to address the implementation of the parole changes in this county.

ACTION: The motion to create a subcommittee to address the implementation of the parole changes in this county was seconded and approved without objection.

VI. OTHER MATTERS/PUBLIC COMMENT

There were no additional matters or public comments.

VII. ADJOURN

There being no further business, the meeting was adjourned at 1:15 p.m.

The next CCJCC meeting will be held on **Wednesday, March 3, 2010, at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**