

# Jailhouse Witness Protection Task Force

**FINAL REPORT**



Los Angeles County District Attorney's Office

Steve Cooley • District Attorney

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# **Jailhouse Witness Protection Task Force Final Report**



**Provided by the District Attorney's  
Jailhouse Witness Protection Task Force  
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Steve Cooley • Los Angeles County District Attorney

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# JAILHOUSE WITNESS PROTECTION TASK FORCE

## FINAL REPORT

AUGUST 2004

### ***MISSION STATEMENT***

*It is the mission of this Task Force to make recommendations to ensure the protection of the Los Angeles County justice system's witnesses, whether in or out of custody. The Task Force's objective is to review policies, procedures, and programs regarding the general subject of witness protection. It is the goal of this Task Force to make recommendations that will work to prevent murders or injury to witnesses in custody and improve protection of witnesses in general.*

## **EXECUTIVE** **SUMMARY**

Witness protection for witnesses both in and out of custody is a fundamental responsibility for every agency and individual involved in the criminal justice system. Unfortunately, it is becoming apparent that the components of the criminal justice system are falling short of fulfilling that responsibility. Reprisals against those that testify in our courts are increasingly frequent and increasingly violent. Witnesses incarcerated within the jail system are particularly vulnerable. It is vital that those who work within our justice system along with our governmental leaders rise to the challenge and promote immediate change and improvement to ensure the safety and security of those persons called upon to be witnesses.

In response to this witness protection crisis, District Attorney Steve Cooley assembled a panel of eight prominent citizens known for their dedication and commitment to public service to serve as the Jailhouse Witness Protection Task Force (JWPTF). The District Attorney further selected eight deputy district attorneys and investigators with records of outstanding performance to serve as staff for the Task Force (biographies of Task Force members and staff may be found within the body of the report). The Task Force and staff were charged with reviewing current witness protection procedures and protocols to promulgate recommendations for innovations and improvements that would help to ensure witness safety and security.

The Task Force concentrated their efforts on seven areas of focus:

Jailhouse Telephone Recording and Monitoring Systems  
Inmate Mobility Within the Jail  
Inmate Worker (“Trusty”) Issues  
Classification Requests and Processing Issues  
Alternative Housing and Transportation Issues  
California Witness Protection Program Issues  
Training Issues

Research into these areas uncovered several problematic issues for which improvement is needed. Some of the prominent findings of the Task Force included but are not limited to the following:

- Jail telephone recording and monitoring systems that are not fully operational and that do not take advantage of the modern technologies available to fully record and preserve threatening communications and identify those who make them.
- Underutilization of wristband scanning systems that results in the increased potential for unauthorized inmate movement within the jail.

- A disparity in the selection process and treatment between general inmate workers and housing module inmate workers that increases the potential for sensitive information about witnesses to fall into dangerous hands.
- Delays created by use of an antiquated and inefficient paper system at the Inmate Reception Center to track inmate classification and movement to and from the courts that results in increased vulnerability for endangered witnesses.
- Co-mingling of witness inmates with general population inmates during the court transportation process and in courthouse lockups which exposes them to greater risk.
- The current practice of the Sheriff's Department Jail Liaison Team to unilaterally deny or alter requests for witness protection made by law enforcement, prosecutors, or attorneys without input or notification to the requesting party.
- Underutilization of alternative housing and transportation options for endangered witnesses.
- Insufficient funding for the California State Witness Protection Program which jeopardizes the ability to relocate endangered witnesses.

In response to the above, the Jailhouse Witness Protection Task Force promulgated 51 recommendations that, if implemented would improve our ability to protect endangered witnesses. These recommendations include but are not limited to the following:

**Primary Recommendation:**

***The creation of a Witness Protection Unit (WPU) within the Sheriff's Department that would have sole responsibility and accountability within the Department for the protection, classification, housing, and transportation of inmate witnesses.***

**Secondary Recommendation:**

***The creation of a standing multi-agency subcommittee of the Board of Supervisors' Countywide Criminal Justice Coordinating Committee (CCJCC) to address issues of witness protection throughout Los Angeles County.***

**Additional Recommendations by Area of Focus:**

- ◆ Installation of telephone and visitation recording and monitoring systems within the County Jail which utilize the latest technological developments to allow law enforcement to record and preserve non-privileged communications,

control access, identify callers, be alerted to unauthorized telephone use, and to block potentially dangerous communications.

- ◆ Mandatory notification and consideration of input from the court or requesting party before any request for “keep away” status is changed or denied.
- ◆ Development and implementation of a computerized inmate classification processing system with the capability of connecting courthouses and jails.
- ◆ Expansion of the existing inmate wristband scanning system to include more detailed information about the inmate, his housing, and his authorized movements to enable law enforcement to curtail inmate access to unauthorized areas.
- ◆ Increased use of video monitoring throughout the jails.
- ◆ Creation of an inmate worker selection protocol which vests selection of *all* such workers solely with the Sheriff’s Prisoner Personnel Office and not with housing module deputies. Standards similar to those currently applied to general inmate workers should also be applied to housing module workers, such as selection and elimination criteria, the wearing of a distinctive uniform, and separate housing.
- ◆ Expanded use of alternative housing for endangered witnesses, including the use of currently closed facilities to be used solely for that purpose. A separate transportation system for endangered witness should be developed. Alternatives to personal court appearances by endangered witnesses, such as video conferencing, should also be explored.
- ◆ Mandatory and frequent training for law enforcement, prosecutors, and the courts which includes witness protection issues and protocols.
- ◆ All members of the justice system, including the Sheriff’s Department, the District Attorney’s Office, the Superior Court, and our elected officials should combine their efforts to secure adequate funding for the California Witness Protection Program. The Program currently needs a minimum of a 20 percent increase in its annual funding allocation.

The Jailhouse Witness Protection Task Force wishes to commend the law enforcement professionals of the Sheriff’s Department and other supporting agencies who work in the jail system on a daily basis for their dedication and commitment to fulfilling the demands of the very difficult job of housing, caring for, transporting, and protecting the thousands of inmates within our County Jail system.

Nevertheless, our jails remain potentially dangerous and lethal places for witnesses who become incarcerated. Witnesses outside of the jail system also face tremendous risk from reprisals for participating in our justice system. If that system is to work, it is incumbent

upon all who work within it to share the responsibilities of witness protection. The need for innovative change is clear. It is the belief of the Jailhouse Witness Protection Task Force that the adoption and implementation of the recommendations contained with this report will increase the safety and security of incarcerated witnesses and advance the goals of witness protection as a whole.



## ***I.*** **METHODOLOGY**

The Jailhouse Witness Protection Task Force was comprised of eight members of the public whose participation was at the invitation of the District Attorney of Los Angeles County. Invitees were selected based on their diversity, their knowledge and experience, and their record of service to their communities.

The Jailhouse Witness Protection Task Force staff was comprised of seven deputy district attorneys selected by the District Attorney based upon their knowledge, experience, and proven record of prosecutorial excellence. The Task Force staff also included a captain from the District Attorney's Bureau of Investigation whose career accomplishments and experience complemented the Task Force's other members.

Task Force members and staff were provided with a variety of written materials to review including but not limited to: Grand Jury Jail Reports for the years 1999-2000, 2000-2001, 2001-2002, 2002-2003, and 2003-2004; relevant newspaper articles; anecdotal evidence of witness protection issues solicited from prosecutors, the defense bar, and the judiciary; a memorandum detailing observations of problematic jail conditions made by a deputy district attorney during a jail visit; and a copy of the District Attorney's Office Witness Protection Protocol. After review of these materials, several areas of focus were identified. Subcommittees were formed to concentrate on these areas with the goals of identifying and isolating issues and suggesting possible solutions.

Task Force members and staff were further presented information in a lecture format by experts on such topics as inmate sociology, jail conditions, inmate revenue sources and their disbursement through the Inmate Welfare Fund, and the California Witness Protection Program. Additional written materials supporting the content of the lectures were distributed.

Task Force members and staff participated in a tour of the Los Angeles County Jail facility located at 450 Bauchet Street, Los Angeles, CA, 90012. The tour included but was not limited to such areas as the inmate transportation bays and bus interiors, the Inmate Reception Center located at 441 Bauchet Street, the jail's medical processing and reception area, hallway checkpoints, witness interview facilities, and security housing modules. Questions were posited directly to jail staff and Sheriff's personnel by members of the Task Force as the tour progressed. A brief presentation was made to Task Force members by two Sheriff's deputies from the Jail Liaison Unit at the conclusion of the tour.

Each subcommittee individually garnered relevant information on their assigned topic through research and interviews. Each subcommittee then presented their findings and suggested recommendations to the Task Force as a whole (both members and staff). The

collective findings and recommendations were compiled into a *Draft Final Report* which was provided to Task Force members and staff for review. After full discussion with applicable revision, the *Jailhouse Witness Protection Task Force Final Report* was adopted and approved by all Task Force members and staff.

## ***II.*** **PRIMARY RECOMMENDATION**

The Los Angeles County Sheriff's Department should establish a Witness Protection Unit (WPU) which would have the sole responsibility and accountability for inmate witness protection. The WPU would perform the following functions:

1. The WPU would make the ultimate decision as to whether an inmate witness requires protective custody after receiving input from the District Attorney's Office and the investigating officer of the arresting agency. The WPU would also consider any relevant input from the bench. The protected witness would then be placed into a new classification separate and apart from the K1 through K10 classification. [See the Classification Requests and Processing Issues section for a discussion of the new classification.]
2. If the WPU overrules a request for protective status, it must notify the District Attorney's Office, the investigating officer and/or the bench officer of its decision and the reasons therefor in writing.
3. Once the inmate is accepted into the new classification, all records, including computer records, should be transferred to the WPU and kept in a confidential records section. The WPU would maintain complete records of the protected inmate's court status and keep-away status, as well as the inmate's criminal history, gang affiliation, and previous incarcerations.
4. The WPU would be responsible to find suitable and separate housing for the protected witness inmate that includes current Sheriff facilities such as Lynwood Justice Center, Sheriff's substations, or if necessary, jail facilities outside of the Los Angeles County Jail system.
5. The WPU would coordinate the resolution of housing location and transportation issues for the inmate witness with the deputy district attorney, D.A. investigator, and/or investigating officer.
6. The WPU would coordinate transportation arrangements and court lock-up security needs whenever the protected inmate leaves the custody facility for court appearances. The WPU would ensure that the protected witness is not transported nor placed in the courthouse holding area with inmates who may pose a threat of harm.
7. The WPU would review all inmate injury reports related to witness intimidation. The WPU would receive those reports from each shift Watch Commander who would review all injury reports submitted during

his/her watch to determine whether the inmate was a protected witness. The Watch Commander would then forward the relevant reports to the WPU.

8. The WPU would establish written policies and procedures including, but not limited to proper notification to concerned agencies, housing, transportation, application for state funding, billing for, and cancellation of protected witness status.

The Inmate Welfare Fund (IWF) should be used as a primary source of funds for the WPU. The fund has approximately \$43 million in revenue annually. The fund is governed by Penal Code section 4025 and must be spent to benefit inmates' in-custody education, rehabilitation, recreation, toilet articles, skills development, jail industries, comfort, and conditions of confinement.

The primary generator of funds is the telephone contract that provides phone service for jail inmates. This contract generates approximately \$30 million each year without any initial monetary outlay by the Sheriff's Department. Jail industries within the jail, such as print shop, agriculture, sign shop, and garment manufacture also provide revenues to the fund. Also, a portion of all sales of snacks, fast-food, and personal care items goes to the fund.

It appears that inmate welfare and protection falls within the guidelines for the fund set forth in Penal Code section 4025. The Sheriff should request a legal opinion from County Counsel to confirm whether the IWF can be used to pay expenses associated with the WPU and inmate witness protection in general. The Sheriff should then request from the Inmate Welfare Commission sufficient funds to cover the costs associated with the WPU. In the event the WPU is found to be outside of these guidelines, the Sheriff's Department should sponsor legislative changes to authorize the fund to pay the costs of witness protection and transportation.

### ***III.***

## ***SECONDARY RECOMMENDATION***

A multi-agency standing subcommittee of the Board of Supervisors' Countywide Criminal Justice System Coordinating Committee (CCJCC) should be established to address issues of witness protection both within and without the County Jail system.

***IV.***  
**ADDITIONAL FINDINGS AND**  
**RECOMMENDATIONS**

***A. JAILHOUSE TELEPHONE RECORDING AND MONITORING SYSTEMS***

**Findings:**

The Los Angeles County Jail facilities have over 3,500 public phones to which inmates have almost unlimited access day and night. These phones are not monitored as a matter of course and there are virtually no limits on how inmates can use the phones or who inmates can call.

Each jail facility allows physical visits between inmates and private individuals. These visits are not regularly monitored and an inmate is free to discuss any subject, including criminal activity, without being heard or recorded by Sheriff personnel. Both the telephonic and in-person visits can be monitored. However, the Sheriff always requires a court order to monitor and record these visits and telephone calls.

Technology exists to allow monitoring and recording of the inmate and visitation telephones. It is lawful to monitor and record the phone conversations without a court order or search warrant. *People v. Kelley*, (2002) 103 Cal.App.4<sup>th</sup> 853, 127 Cal.Rptr.2d 203. It is lawful to monitor and record visitation conversations occurring within a custodial setting without a court order or a search warrant. *People v. Lloyd*, (2002), 27 Cal.4<sup>th</sup> 997, 119 Cal.Rptr.2d 360. All of the prisons in California presently monitor and record all inmate telephone calls and all visits with inmates. The majority of the county jails in this state and numerous penal facilities throughout the United States also monitor and record these calls and visits.

The Sheriff may negotiate contracts with telephone service vendors that would include the monitoring and recording features at no extra cost to the Sheriff's Department or taxpayers.

The average daily population in the Los Angeles County Jail is approximately 20,000. Thousands of these inmates are facing serious and violent felony charges, including murder, rape, child molesting, armed robbery, carjacking, attempted murder and assault with a deadly weapon. Many of the inmates are enemies of each other or witnesses against other inmates and must be kept away from each other for their security.

There are approximately 8,000 inmate movements within the jails each day. During these movements inmates are able to have contact with each other. They are also able to go to locations that are not authorized by the Sheriff, including locations where their enemies or adversarial witnesses are housed. These inmates are able to attack other

inmates, occasionally with fatal consequences. It is not uncommon for inmates who are classified to be kept away from each other to be placed together for periods of time in holding cells, at the infirmary, in other places within the jail or during transport.

The current inmate telephone and visitation systems facilitate inmates locating other inmates perceived as enemies and witnesses. These systems are also used to intimidate witnesses, create false alibis in pending cases, recruit “witnesses” to create untrue defenses, destroy evidence, fabricate evidence and carry out other criminal acts including drug dealing. In fact, in 1996 the Sheriff conducted a nine-month jail telephone wiretap investigation and confirmed the constant use of the inmate phones by the Mexican Mafia and loyal gang members. It was discovered that these inmates used the telephones for the purpose of maintaining a “hit list” and conducting a criminal enterprise resulting in numerous stabbings and drug dealing throughout Los Angeles County Jail facilities. Through the monitoring of the jail telephones, investigators identified some of the intended targets and prevented harm from coming to them. The monitoring and recording of inmate telephone calls and visits can uncover criminal acts. Future criminality may be prevented or deterred. Evidence can be gathered that can be used in present and future prosecutions. Reports of witness intimidation can be proved and prosecuted. Witness safety both in and out of custody can be enhanced. Additionally, restrictions on the use of the telephones, including limitations on what phone numbers can be called, can be put in place.

### **Recommendations:**

In light of these findings, the Task Force recommends that the Sheriff of the County of Los Angeles implement the following:

1. The Sheriff should install equipment that allows for the monitoring and recording of any inmate telephone call, excluding privileged communications<sup>1</sup>, in any county jail facility or court lock-up. Installation of this equipment should be of the highest priority and should be accomplished in an expedited manner.
2. The Sheriff should install audio and visual surveillance equipment that allows for the monitoring and recording of any jail visitation between an inmate and a visitor. The equipment should have the capability to identify the inmate and visitor and to view any writings or diagrams that might be shown to each other. The installation of this equipment should also be of the highest priority and should be accomplished in an expedited manner.
3. An on-site technician familiar with the monitoring and recording equipment should be available full time and should be required as part of any contract for the equipment.

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<sup>1</sup> Conversations between lawyer-client, physician-patient, psychotherapist-patient, clergy-penitent and other recognized privileges would be “minimized”, i.e. not monitored nor recorded.

4. The Sheriff should actually “live-monitor” selected inmate telephone and visitation conversations where there is a credible threat of harm.
5. The Sheriff should not require court orders before it will authorize telephone and visitation monitoring and recording to occur when the law does not impose such a requirement<sup>2</sup>.
6. The implementation of any monitoring and recording system should have the ability to identify the inmate speaking, such as by the use of PIN numbers, voice identification indexes, cameras, and/or video monitoring.
7. The telephone monitoring and recording system used should have call blocking capability, 3-way blocking capability and call-forwarding blocking capability.
8. The telephone system installed should have the capability to limit an inmate’s calls to specifically designated numbers. The system should possess an “alarm” capability to alert deputies that an unauthorized number is called. Sheriff personnel should then be able to monitor and record these unauthorized telephone calls.
9. Sheriff’s classification should have a system that identifies inmates whose phone privileges should be restricted or prohibited. This classification system should allow for the input of other law enforcement agency investigators, deputy district attorneys and bench officers, to make appropriate decisions on inmate restrictions.
10. Any monitoring system used should have an “off-site access” feature that will allow designated law enforcement agencies that handle investigations into homicides, major crimes and narcotics to monitor inmate telephones and visits.
11. Any recording system should have the ability to store recorded inmate telephone calls and visits for at least six months. The recording system should include the capability to copy the recorded call to other digital media for future law enforcement or prosecution use.

**B. INMATE MOBILITY WITHIN THE JAIL**

**Findings:**

Much of the jail inmate population is loosely escorted by custodial personnel within the jail. Frequently, the inmates travel through the halls of the jail unescorted. Those inmates are rarely stopped and asked to identify themselves or state their business in the particular area through which they are traveling.

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<sup>2</sup> *People v. Kelley*, (2002) 103 Cal.App.4<sup>th</sup> 853; *People v. Lloyd*, (2002) 27 Cal. 4<sup>th</sup> 997.

All of the inmates have wristbands which contain limited information about their identity. Wristband scanners are not being utilized on all of the jail floors and therefore inmates' wristbands are not being scanned. On the day of this Task Force's visit, only two scanners were available for use at Men's Central Jail despite the fact that the County Jail had just received twelve new scanners.

Currently the jail uses a paper "pass" system that allows inmates to go to the infirmary, to visit with other inmates or to go to other areas of the jail. Information gleaned from reports, anecdotal evidence and other sources showed that inmates often came in contact with those they should not have, and also were able to secrete weapons within their cells or to move weapons from one cell to another.

**Recommendations:**

1. The Sheriff should install more video monitoring systems at the Central Jail and other Los Angeles County Jail facilities, particularly at critical areas, so that K-10 and other at-risk inmates can be more closely monitored.
2. Scanners should be used at all checkpoints on every floor within the jail. The scanning system should be improved to include a built-in alarm system that would indicate an inmate has a keep-away status. The identified keep-away inmate should then receive a more careful inspection of their movement within the custody facility.
3. The inmate wristbands should be updated to include more detailed information, including arrest charges, housing location, keep-away status and a photograph of the inmate. Ideally, the encoding on the wristband should allow the Sheriff to constantly update information including where the inmate is allowed to go in the jail. The scanners should interface with computers throughout the jail to facilitate this "real-time" updating of information.
4. In the event that the wristbands cannot be encoded with pass information, paper passes should be electronically encoded so that they can be scanned and so that an alarm is set off when an inmate goes to an area in the jail not allowed by the pass.
5. Searches of dormitories and cellblocks for weapons and other contraband should be conducted on a more frequent basis, especially in the areas of the custody facility housing the most serious and violent offenders.



### **C. INMATE WORKER (“TRUSTY”) ISSUES**

#### **Findings:**

The Los Angeles County Sheriff’s Department (LASD) currently has approximately 850 prisoners that it classifies as “inmate workers” (formerly known as “trusties”) at the Men’s Central Jail (MCJ). These inmate workers fall into one of two categories: (1) general inmate workers who work throughout the county jail system in a variety of tasks and (2) housing module inmate workers.

**General inmate workers** are basically assigned to housekeeping chores that include cleaning the jail facility, Inmate Reception Center (IRC), and jail hospital. They are also utilized in the jail laundry doing inmate laundry and in the jail kitchen preparing and serving meals. Inmate workers may also be designated to outside work crews doing outside public service, such as yard work details, cleaning LASD offices outside the jail, and on the loading docks loading and unloading goods and supplies for the jail.

**Housing module inmate workers** are responsible for cleaning and maintaining the housing modules within the jail. Seven inmates are generally selected to work three shifts in each module. Two workers are assigned to the day shift, the evening shift, and the early morning shift. The module workers are also often used by Sheriff’s deputies as “runners” who transport paperwork and other materials to and from the module to different points within the jail.

The selection process for inmate workers varies from facility to facility within the Sheriff’s Department. Each facility sets its own guidelines or policies regarding the “hiring” of inmate workers. The selection process is substantially different for general inmate workers as opposed to housing module inmate workers.

#### **General Inmate Worker Selection Process:**

At Men’s Central Jail (MCJ) the **Sheriff’s Prisoner Personnel Office (PPO)** is tasked with staffing general inmate worker positions. The PPO’s responsibilities encompass identifying suitable inmate worker candidates for various jobs in the jail and for outside work crews as well as identifying insubordinate or recalcitrant inmates and restricting them from future work status.

PPO deputies initiate the process of selecting inmate workers by reviewing prisoner booking information that includes a prisoner’s arrest/booking charge, bail amount, special handling orders, holds, probation/parole status, criminal history, gang affiliation, and whether an inmate has been sentenced. This information is supplemented with personal interviews with inmate candidates to confirm what is known about the prisoner and to gather further information about a prisoner’s background.

General inmate worker candidates are then screened using criteria set forth in *Men's Central Jail Order 5-03-030*. Pursuant to this order, prisoners with the following status shall be disqualified from selection as general inmate workers:

1. Inmates who have "HOLDS" requested by agencies outside of California, "DCL HOLDS"<sup>3</sup> without an arresting charge, and "DCL HOLDS" with PC 3056<sup>4</sup> and "CYA"<sup>5</sup> HOLDS" with WIC 1767<sup>6</sup> only.
2. Inmates who have a "Special Handling" Code (blue wristbands) including X (2 strikes) and F (3 strikes) with purple wristbands.
3. Unsented inmates with no bail or bail of more than \$999,999.
4. Inmates who have any of the following charges or subsections of the charge: PC 148, PC 187, PC 243, PC 245, PC 261, PC 186, PC 288, PC 4530, PC 4532, PC 4573, and PC 4574.<sup>7</sup>
5. Inmates who are court ordered returnees (returnees from state prison).
6. Inmates with a previous history of mental problems.
7. Inmates who have previously been "rolled-up" (removed from inmate worker status).

Once an inmate is qualified under these standards, he is transferred to the "9000 Floor" where he is assigned a bunk in the inmate worker dorms. General inmate workers are clothed in distinctive light green jump suits.

Generally, PPO deputies are given permission by their unit commander to use their own discretion when hiring inmate workers, but there are certain guidelines that must be used when assigning inmates various jobs:

Kitchen:

- No drug charges
- No holds
- No weapons charges
- Over 25 years of age if possible

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<sup>3</sup> Department of Corrections parole hold.

<sup>4</sup> P.C. 3056: "Prisoners on parole shall remain under the legal custody of the department and shall be subject at any time to be taken back within the inclosure of the prison."

<sup>5</sup> California Youth Authority

<sup>6</sup> WIC 1767 refers to juveniles on parole to the California Youth Authority.

<sup>7</sup> The Penal Code provisions refer to the following crimes: Resisting Officer, Murder, Battery, Assault with Deadly Weapon/Great Bodily Injury, Rape, Gang Enhancements, Lewd or Lascivious Acts, Escape from Prison, Escape from County Custody, and Bringing Firearms into Custody, respectively.

Medical Clinic:

- No drug charges

Laundry:

- No holds

IRC:

- No holds
- Over 25 years of age if possible

Outside Work Crews:

- Must be sentenced
- If sentenced and still has a pending court date, the court date must be after the release date
- Cannot have a hold
- Must have current permanent residence

### **Housing Module Inmate Worker Selection Process:**

Housing module inmate workers are handled much differently than other inmate workers at MCJ. Module inmate workers are not selected by PPO deputies and are not housed on the “9000 Floor”. They are selected by the deputies assigned to the module in which they are housed. There are standardized qualifications and/or restrictions placed upon the inmates who can be selected however the governing unit policy is seldom, if ever, utilized. As a result, there is no uniformity in the selection process for module inmate workers from module to module. There is no distinctive clothing that distinguishes the module worker inmate from any other inmate within the jail.

In most cases the inmate worker candidates are referred to the module deputy by existing module inmate workers. It is possible for such “recommendations” to be affected by influential inmates housed upon the module row, thus rendering the inmate worker selected more answerable to the demands of the inmate leaders than they are to the deputies in charge of the module.

### **Restrictions on General Inmate Worker Movements**

In addition to the distinctive light green jumpsuits worn by all general inmate workers, they must also wear a wristband imprinted with their name and booking number. In addition workers are issued work cards that contain their work assignment and hours. General inmate workers are commonly scheduled to work shifts outside of their dorms for periods of up to eight hours.

At the beginning of their assigned shift, inmate workers are called out of their dorms and lined up in work details. They are escorted to their work locations by a deputy, although it is not unusual for work details to proceed to and from their assignments without escort.

Deputies are assigned to oversee the work activities of the general inmate workers in each detail. Workers are never supposed to be left unsupervised on the job site.

When working a shift, a general inmate worker must have in his possession a work card showing the location of his work assignment and the hours of his shift. If an inmate worker is discovered outside of an area where he is assigned without authorization or good excuse, he is “rolled up”. This means that he is fired as an inmate worker and returned to general population.

The movements of housing module inmate workers are confined to the module where they are housed. They do not wear light green jump suits. Generally, they are clothed in blue pants and a white T-shirt, although this is not a uniform requirement. Their movements in one to two man details are supervised by the deputy assigned to the module. Module inmate workers are generally free to move about the module to perform their duties, but are not allowed in the main hallways outside the module without authorization.

However, it is not uncommon for deputies to use module inmate workers as “runners” to carry paperwork and other materials from one place to another within the county jail. Generally, the inmate is given a pass authorizing his movement to and from a specified destination. He is then allowed to engage in this movement without supervision. Given this much leeway, it is quite possible, particularly in peak periods when much of the jail population is in transit, for unauthorized movements of a wayward module inmate worker to go undetected. Such undetected movements present a serious threat to witnesses housed in MCJ.

### **Inmate Worker Access to Inmate Records**

Practically speaking, anywhere in MCJ where inmate workers are assigned, there is a danger that they may, in an unguarded moment, access information that could compromise the safety of other inmates. This is particularly true about inmate work details assigned to the IRC, where inmates’ booking and housing information is contained in computers and file cabinets, and the medical clinic, where inmate medical files are kept.

Potential access to inmate records and information is not limited to the general inmate worker. As previously indicated, housing module workers are often used as “runners” to carry paperwork containing inmate information to various locations within MCJ. It is not uncommon for module workers to be let out of their module to pick up prisoner movement lists or other documents. Such documents include transfer lists or court lists of the prisoners to be transferred out of the module to another housing location or sent out for a court date. It is often the case that module deputies order the module inmate workers to pull transferring or court-bound inmates out of their cells and line them up to be sent out of the module. Information from the movement lists can be used to compromise the location of witness inmates, thus endangering their safety.

## **Recommendations:**

1. It is recommended that uniform standards and procedures for the selection of both general and housing module inmate workers be developed and followed that are consistent from facility to facility throughout the Los Angeles County Jail system. The qualifications utilized in the selection of general inmate workers should be used as a starting point in identifying qualifications for housing module workers. This uniform protocol should contain provisions that also establish sufficient flexibility to accommodate the specific needs of each facility.
2. It is recommended that the PPO select all inmate workers in the County Jail system, including housing module workers.
3. The standards and procedures adopted for selection of general and housing module inmate workers should give the PPO the ability to identify dangerous inmates and thereby preclude them from holding those positions.
4. It is recommended that housing module workers be housed with the inmate workers on the "9000 Floor".
5. It is recommended that housing module inmate workers be clothed in green jumpsuits like any other inmate worker.
6. It is recommended that deputies be limited in the use of inmate workers as "runners". Under no circumstances should an inmate worker be used to transfer records or documents containing inmate information.
7. It is recommended that all inmate workers be escorted to and from work locations.
8. It is recommended that inmate workers not be assigned to work in areas where they may gain access to inmate information.
9. It is recommended that inmate workers be denied access to areas where authorities conduct interviews with witness prisoners. It is further recommended that a secure area be created specifically for the purpose of conducting inmate witness interviews.
10. It is recommended that the option of using civilian personnel in lieu of inmate workers be explored.

#### **D. CLASSIFICATION REQUESTS AND PROCESSING ISSUES**

##### **Findings:**

Any member of law enforcement, the in-custody inmate, or a member of the bench or bar can seek protective status for a jailhouse witness. This request for keep-away status can be made informally through sheriff personnel at the courthouse or jail or formally through a court order. These requests are initiated by filling out a card requesting the keep-away status, including the reason for the request, and the identity of the individual(s) that should be kept away from the inmate witness.

At times the bailiffs at the courthouses process the inmate and the card. The inmate and the card are then sent to the Inmate Reception Center (IRC) where the Watch Commander places a special band on the inmate. The wristband indicates the inmate's level of keep-away status and designates housing location information.

The LASD Jail Liaison, a team of two deputy sheriffs, ultimately determines the classification of the inmate. The Jail Liaison can unilaterally overrule a request for keep-away status. The Jail Liaison rarely contacts the investigating officer, deputy district attorney, or bench officer who requested the keep-away status for their input, before or after their final decision.

Often the keep-away card does not make it back to the IRC at the same time that the inmate returns to the jail facility. Hours can elapse before the card and the inmate are brought together to be reviewed by the Watch Commander and evaluated by the Jail Liaison.

The Sheriff's Department does not currently have a computer system that connects inmate information from courthouses to the jails or vice versa. The IRC is still heavily reliant on an antiquated paperwork system to gather information from the courts.

Even when an inmate is designated a keep-away, the inmate may still be at risk. Sheriff personnel routinely place inmates who should be kept away from each other on the same transportation bus, in the same housing module, and in the same holding cell in the courthouse.

##### **Recommendations:**

1. A secure computerized classification system for conveying information about protected witnesses should be implemented. This computer system should have the ability to connect Sheriff's personnel at the courthouses with the personnel at the jails. The system should be able to transmit in real-time information and changes regarding an inmate's classification. This system should be a high priority and should be installed in an expedited manner.

2. The current practice of empowering deputies assigned to the jail to decide the classification of a protected inmate should be eliminated. The determination of whether an inmate should receive protected status and what classification he/she should receive should be made by the WPU and only after considering input provided by the investigating officer, the deputy district attorney, the court or the person making the request. In all cases, a declination to provide protected status to an inmate should be in writing and have the approval of either the legal sergeant or the administrative sergeant. This declination should be sent either by facsimile transmittal or electronic mail to the person who requested the protected status for the inmate.
3. A new classification, separate and distinct from the current K-1 through K-10, should be created for inmate witnesses. This new classification should include all inmate witnesses, including those who have been brought back from state prison to testify. Inmate witnesses who are defendants or co-defendants on pending serious or violent felony cases, such as murders or attempted murders, should be kept as K-10s to protect other inmate witnesses under the new classification.
4. Court bailiffs should be provided scanners so that they have the capability of scanning inmates' wristbands at court facilities. The scanners should provide bailiffs with up-to-date keep-away status information on inmate witnesses.

***E. ALTERNATIVE HOUSING AND TRANSPORTATION ISSUES***

**Findings:**

Endangered inmate witnesses are particularly vulnerable during transportation. The volume of inmates who must be moved at the same time to and from various courts throughout the county is enormous and presents considerable logistical problems for the Sheriff's Department. The very nature of the process tends to be chaotic and overwhelming which increases the likelihood of mistakes on the part of law enforcement. This chaos also creates ideal opportunities for violence against witness inmates by other members of the inmate population.

It is not uncommon to have approximately 500 to 600 inmates in one area waiting to board the courthouse buses. The same number of inmates can also be found in the IRC during the processing period. The large volume of inmates in one place, at one time, can create a dangerous environment for inmate witnesses.

Endangered inmate witnesses are routinely co-mingled with other inmates during the transportation process. Although efforts are made to physically segregate inmate witnesses from the rest of the inmate population, this segregation is accomplished by merely putting the witness inmates in a cage or behind a wire partition once on the bus.

Under these circumstances, the inmate witnesses are not only visible to other inmates on the bus but are also subject to communications from the other inmates. These conditions facilitate witness intimidation and dissuasion.

It is possible to arrange for “special transport” for an endangered inmate witness. However, current resources are not sufficient to allow for such transportation on a large scale countywide.

Courthouse lock-ups are another area where inmate witnesses are vulnerable. Courthouse deputies may or may not be familiar with the keep-away requirements of a given inmate. The size and layout of courthouse lock-ups vary from facility to facility. Many are not always fully equipped to accommodate all of the multiple segregation requests in place on any given day. Although every effort is made by courthouse deputies to honor these requests, mistakes are common. It is not unusual for “keep-aways” to be accidentally co-mingled with other inmates creating a risk of serious harm to the witness inmate.

It is possible to house endangered witness inmates in the smaller local jail facilities. However, these facilities are not equipped for long term housing and cannot provide all requirements for long-term inmate housing mandated by Title XV<sup>8</sup>.

### **Recommendations:**

1. All witness inmates determined to be endangered should be housed in a separate facility from the general jail population. Potential housing options include existing Sheriff’s facilities, such as the Lynwood Justice Center, Sheriff’s substations, or if necessary, local city jail facilities outside the county jail system. The feasibility of dedicating an entire facility exclusively for this purpose should be explored.
2. All court appearances of the inmate witness should be accomplished by a separate transportation unit exclusively devoted to the movement of inmate witnesses to and from the courthouse. This separate transportation unit would be under the authority of the WPU.
3. Protocols should be developed that mandate inmate witnesses in outlying courthouses be completely segregated from the other inmates at such courthouses. When the inmate witness has completed his or her court appearance, every effort should be made to immediately transport the inmate witness back to the protected witness housing facilities by the WPU’s transportation unit.
4. Every effort should be made to minimize the movement of inmate witnesses. The ways in which this may be accomplished should become

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<sup>8</sup> Title XV of the California Code of Regulations prescribes the minimum standards for local detention facilities.



part of a training program for law enforcement, prosecutors, and judicial officers.

5. The increased use of video conferencing in lieu of a personal appearance for endangered inmate witnesses should be explored.
6. While the WPU is being formed, the Sheriff should consider staggering the bus boarding times for inmates going to court and limiting the number of inmates allowed into the processing areas at any given time. This would alleviate the large number of inmates crowded into relatively small areas.

***F. CALIFORNIA WITNESS PROTECTION PROGRAM ISSUES***

**Findings:**

The California Witness Protection Program (CWPP) was established in 1997 by Assembly Bill 856 and became effective on January 1, 1998. The CWPP is administered by the California Department of Justice, Bureau of Investigation. The CWPP is a state-wide program but its chief client is Los Angeles County.

The CWPP protects witnesses and their families who are in danger because of expected testimony in a criminal case. Witnesses who testify in cases that have a high degree of risk of harm are given priority. These cases include, but are not limited to, gang crimes, organized crime, and narcotic trafficking cases. The funding applies to all endangered witnesses, including in-custody witnesses and foreign nationals. The CWPP, however, is not a life-long placement program and makes funds available for witness protection and relocation only as long as the witness is needed to testify. The CWPP is not a grant program. It operates by reimbursement for expenses actually incurred.

The CWPP receives approximately \$3 million in funding. The funding is very unstable and can be adversely affected by delays in state approval. Additionally, funds often run out before the end of the fiscal year making witness relocations difficult. Statewide training for law enforcement and prosecutorial agencies in the proper application for funds and administration of the CWPP is hampered by insufficient Department Of Justice training staff, none of whom are currently members of law enforcement.

The eligibility requirements for a witness to be entered into the CWPP are as follows: (1) The witness must have been summoned or is reasonably expected to be summoned to testify, (2) There must exist credible evidence of substantial danger (an actual threat is not required), and (3) The witness must agree to sign and comply with the conditions in the Witness Advisement Form. That form is a binding agreement and if the witness violates its rules, the witness is dismissed from the program.

The CWPP covers financial expenditures associated with the following:

1. Armed protection or escort but only when it overtime is incurred.

2. Reasonable witness relocation costs including transportation and storage. The CWPP will only object if the witness is being moved too close to the threat.
3. Housing expenses, i.e. hotel fees up to 30 days.
4. Basic living expenses of the witness as long as they are needed to testify.
5. Medical expenses associated with the crime if they are not covered by insurance or other means.
6. Tattoo removal.
7. Psychological expenses.
8. Relocation of families of witnesses who are incarcerated.

If an incarcerated witness is moved to a jail in a neighboring county, the CWPP will pay the difference between the costs of housing him at MCJ and the neighboring county jail.

There is a 90% conviction rate for the criminal cases funded by the CWPP. In the past six years, 2,400 witnesses and 4,000 families have been relocated.

**Recommendations:**

1. Increase funding for the CWPP by at least 20% (\$600,000).
2. The Department of Justice, Bureau of Investigation, should make every effort to increase the staff necessary to adequately train law enforcement and prosecutorial agencies throughout the state in the proper application and administration of the CWPP. Such staff should include a law enforcement officer.

**G. TRAINING ISSUES**

**Within the District Attorney's Office**

Training on the issue of witness protection is given occasionally at the Saturday Seminars for employees of the Los Angeles District Attorney's Office, prosecutors from other agencies, and law enforcement personnel. The California District Attorney's Association also provides training on the issue of witness protection in conjunction with its gang seminar.

The District Attorney's Bureau of Investigation provides training for its investigators on witness protection. All captains are well-versed in the area of witness protection and are available to offer assistance to attorneys and law enforcement agencies. The Bureau has clear and specific protocols in place for securing protection for inmate witnesses, including relocating inmates to different jails when necessary. Captains are aware of the state fund that reimburses local agencies for the cost of witness protection.

### **Recommendations:**

1. Annual office-wide training on procedures for obtaining protection for both in- and out-of-custody witnesses should be provided. This training should be required for attorneys and investigators.
2. Deputy district attorneys who are well-versed in the area of witness protection should be identified and made available to provide assistance to other deputy district attorneys for filing motions and developing ways to secure protection.
3. Procedures and policies regarding witness protection, including whom to contact within the Bureau of Investigation, should be included within the legal policies manual. A separate witness protection manual should be written and updated periodically.

### **Within the Los Angeles Superior Court**

There does not appear to be any specific training materials in the clerk's procedural manual or the judge's manual regarding processing requests for protection of in-custody witnesses. The clerk's training appears to be limited to processing court orders in general.

### **Recommendations:**

1. All court clerks and the courtroom bailiffs should receive specific training on the processing of *ex parte* requests for protection of in-custody witnesses.
2. A centralized location within each courtroom should be designated to keep the cards for requests for special handling of in-custody witnesses.
3. Training and written material should be included in judge's college on the issues associated with in-custody witnesses.
4. Information on processing requests for protection of in-custody witnesses should be included in the clerk's manual and the judge's manual.

### **Within the Los Angeles County Sheriff's Department**

LASD provides comprehensive training regarding witness protection and keep-away orders for in-custody witnesses to all deputies assigned to court services. To date, about 1,500 -1,700 deputies of a department of about 8,500 deputies have been trained. Approximately 2,000 deputies who have been assigned to the custody division also have had specialized training in court services. Deputy sheriffs who volunteer for overtime or are on-loan to the Court Services Division generally do not receive specialized training.

The Sheriff's Department has policies and procedures in place that are designed to protect inmates and witnesses who have keep-away status. Unfortunately, these policies and procedures may be compromised in the effort to move inmates within and outside the jail facilities. There may be a variety of reasons for these lapses in security: expediency, complacency due to routine, infrequent or lack of training, and failure of supervision. As recent history has shown, the jail is a dangerous environment, where the failure to follow procedure can have fatal consequences.

**Recommendations:**

1. Deputies should be required to have attended and completed specialized training in the handling and processing of inmate witnesses before they are allowed to work overtime at the jail or courthouses.
2. Training bulletins regarding the proper handling of protected inmate witnesses should be developed. This training should be mandatory for all deputy sheriffs and should be provided on an annual basis.
3. To combat complacency, any training on the issue of inmate witnesses should address the inherent dangers facing inmate witnesses in protective custody.
4. Supervisors should be held accountable for ensuring that those deputies under their supervision are properly trained and that they follow correct procedures when handling protected witnesses. They must be held accountable for failure to document lapses in procedure and failure to recommend remedial action in the form of further training or discipline.

***H. GRAND JURY OVERSIGHT***

It is recommended that the Los Angeles County Grand Jury, as part of its duties, monitor the progress of implementing and adopting the recommendations contained in this report. It is further recommended that the Grand Jury's findings be included in its annual Final Report.

## *V.* **CONCLUSION**

The Jailhouse Witness Protection Task Force members and staff recognize the magnitude of the tasks and the enormity of the responsibility vested with the Los Angeles County Sheriff's Department for the housing, caring for, transportation, and protection of the thousands of inmates incarcerated in our county jail system. The Task Force wishes to commend the law enforcement professionals of the Sheriff's Department and other supporting agencies who work in the jail system on a daily basis for their dedication and commitment to fulfilling the demands of this very difficult job in the best manner possible.

Nevertheless, our county jail system remains a dangerous and potentially lethal place for witnesses who become incarcerated. The need for innovative change is clear. It is the belief of the Jailhouse Witness Protection Task Force that the adoption and implementation of the recommendations contained within this report will increase the safety and security of incarcerated witnesses and advance the goal of witness protection as a whole.

## ***VI.***

### ***BIOGRAPHIES OF TASK FORCE MEMBERS***

**Clayton Anderson**, Former Chief of the District Attorney’s Bureau of Investigations. Mr. Anderson served in the Bureau from 1958 until 1988 where he rose through all investigation ranks and levels. After his retirement, Mr. Anderson served as the Director of the Office of Investigation for the State Bar of California from 1988 until 1996. Mr. Anderson served as the Foreman for the Los Angeles Grand Jury from 1999-2000.

Currently, Mr. Anderson is the Principal and Manager of Clayton R. Anderson – For Hire, Investigative Consultants and Threat Assessment. He is also presently a commissioner on the Los Angeles County Quality and Productivity Commission, Los Angeles County Citizens Economy and Efficiency Commission, and Los Angeles County Parole Commission.

**Oreal Cotton**, Former Assistant Chief of the District Attorney’s Bureau of Investigation from 1998 until his recent retirement. He has held the positions of investigator and supervising investigator within the Bureau, as well as Lieutenant and Captain in the Fraud, Special Operations, Trial Support and Administrative Divisions.

Mr. Cotton has thirty-two (32) years of law enforcement experience, twelve (12) years of which was spent as a Los Angeles County Deputy Sheriff. His assignments in the Sheriff’s Department included Jail Operations, Logistics and Training in the Custody Division, and the Intelligence Unit in the Administrative Division. During his assignment to Jail Operations, Mr. Cotton was a line level supervising senior deputy at Men’s Central Jail for eight (8) years. Mr. Cotton also served in the United States Air Force as Staff Sergeant.

Mr. Cotton was honored by the District Attorney’s Office as the Outstanding Investigator of the year in 1989. The Black Peace Officers Association of the County of Los Angeles honored Mr. Cotton in 1996 for his accomplishments in the field of law enforcement with their annual Career Achievement Award. In 2000, Mr. Cotton was the recipient of the Peace Maker of the Year Award and received a commendation from Governor Gray Davis for this achievement. The association of Los Angeles County Sheriff’s (ALADS) and District Attorney Investigators honored Mr. Cotton with the Outstanding Leadership Award for the year 2003.

**Gary Cramer**, Retired Superior Court Reporter. Mr. Cramer has been a court reporter in Los Angeles County since 1968 and has served in the Municipal and Superior Court as well as in the private sector. Most notably, Mr. Cramer reported in such high profile cases as Jim Brown, O.J. Simpson, John Landis, (Twilight Zone) and Phen-Fen.

Mr. Cramer has received many Awards and Recognitions in his many years of service, including the National Court Reporters Association Distinguished Service Award, the N.C.R.A. All Star Reporting Team, and Recognition for outstanding service to L.A. Municipal Courts during the L.A. Riots.

Mr. Cramer is a member of the National Court Reporters Association, the California Court Reporters Association, and the Los Angeles County Court Reporters Association. In 2002, Mr. Cramer was appointed by Governor Davis to the Court Reporters Board of California and by the Chief Justice to the Reporting of the Record Task Force. Among many other committees, Mr. Cramer was appointed as a member of the Task Force On Trial Court Employees and a member of the administrative committee to oversee Los Angeles County Deferred Compensation Plan. Mr. Cramer is a member of Local 660-S.E.I.U. and since 1993 until his recent retirement served on its Board of Directors.

**Elizabeth Dickinson**, Retired Deputy Sheriff. Ms. Dickinson was a deputy sheriff for Los Angeles County Sheriff's Department for 36 years from 1965 until 2001. While at the Sheriff's Department, Ms. Dickinson served as a deputy, Sergeant, and Lieutenant in various assignments. She was the Captain of Field Operations II, Lomita Sheriff's Station and Commander of Field Operations Region II Headquarters. From April 2000 until November 2001, Ms. Dickinson served as Chief of Detective Division Headquarters.

Ms. Dickinson has been a member of the following professional organizations: Los Angeles County Peace Officers Association; California Peace Officers Association; FBI-National Academy Associates; California Sexual Assault Investigator's Association; International Association of Chiefs of Police; National Association of Women Law Enforcement Executives and the South Bay Criminal Justice Administrators Association.

Ms. Dickinson also has contributed her time to Advisory Boards for the Office of Criminal Justice Planning, Los Angeles Commission on Assaults against Women, Stuart House, Harbor General Hospital, Peace Officer Standards and Training Commission, Department of Social Services, and Inter-Agency Council on Abuse and Neglect.

Ms. Dickinson has received numerous awards for her service to the community over the years. Most recently, Ms. Dickinson was recognized by the Los Angeles County Sheriff's Department with the Distinguished Service Award and also received the Professional Achievement Award from the Women's Peace Officers Association.

**Alex Jacinto**, Attorney. Mr. Jacinto is an Attorney at Law in Los Angeles and has been practicing law in the area since 1970. He received his Bachelor of Arts degree from Los Angeles State College in 1960 and his Juris Doctor from Southwest Law School.

Mr. Jacinto also served as the Director of Legal Aid in East Los Angeles in 1972. In 1975, he was the legal consultant for the California Department of Motor Vehicles directing the constitutional analysis for administrative adjudication. Mr. Jacinto was also a representative for the California State Adult Authority in 1977.

Mr. Jacinto is a member of the following organizations: Mexican American Bar Association; Library Associates, California State University Los Angeles; Chicanos Unidos Neighborhood Music School; Mexican American Political Association; American G.I. Forum; In 2001 he served on the Los Angeles County District Attorney Blue Ribbon Commission on crime prevention programs.

**Rosario Marin**, Former Treasurer of the United States. In August of 2001, Rosario Marin was sworn in as the 41<sup>st</sup> Treasurer of the United States, having been appointed by President Bush. She has a long history of public service starting with the founding in 1987 of FUERZA, a support and advocacy group for Spanish speaking families with children with disabilities. During this time, she caught the attention of Governor Pete Wilson and he appointed her as Chief of Legislative Affairs in the Department of Developmental Services. Governor Wilson also appointed her to Chair the State Council of Developmental Disabilities.

Ms. Marin has received numerous awards, including the distinguished Rose Fitzgerald Kennedy Prize in 1995. The following year she was named to the Special Olympics Board of Directors, where she continues to serve today.

In 1996, Governor Wilson appointed Ms. Marin to be Deputy Director of the State Department of Social Services and in 1997 she became Deputy Director of the Governor's Office of Community Relations. The following year she was appointed to the California Film Commission.

While serving the State of California, Ms. Marin also served as Mayor and Councilwoman of Huntington Park in 1994 and was re-elected in 1999.

Ms. Marin has also been actively involved in the following organizations: President of the Mayors and Councils Department of the League of California Cities, the National Association of Latino Elected Officials, the Southeast Water Agency Coalition, the Southern California Association of Governments, and Board of Directors of Mission Hospital, Huntington Park Community Hospital, and Lincoln Hospital in Los Angeles.

**Scott Mattingly**, Attorney. Mr. Mattingly is a private attorney in the Law Offices of Scott A. Mattingly and specializes in Civil Trial Litigation in the areas of Property Law, Contract Law, and Personal Injury Law. From 1999 to October 2000, Mr. Mattingly was a Producer/Vice President of Rockcity.com, an Internet entertainment company. Mr. Mattingly served as a deputy district attorney from 1994 until 1999 during which time he conducted forty felony and misdemeanor trials. In 1990, Mr. Mattingly worked for The Office of Ronald Reagan where he coordinated the President's travel and daily activities.

Mr. Mattingly is a member of the following organizations: the Board of Equalization's Tax Advisory Committee; Board of Directors, County of Los Angeles Workforce Investment Board; Advisor to the Los Angeles County Assessor's Committee, and Advisor to the State of California Task Force on Juvenile Justice.



Mr. Mattingly attended the Larry Berg School of Government and received his B.A. in political science from U.S.C. In 1992, he received his J.D. degree from Whittier Law School and in May 2004, Mr. Mattingly received his L.L.M. degree from the Masters Tax Program, Loyola Law School.

**George Nicholaw**, Former Vice President and General Manager of KNX 1070, a position he held for 36 years. Mr. Nicholaw graduated from UC Berkeley and later from the American Graduate School of International Management in Arizona. He also served in the U.S. Army on special assignment in South America during the Korean War.

Mr. Nicholaw's first broadcasting job was at KDON Radio in his hometown of Salinas, California. In 1955, he worked at Television City, Hollywood for CBS. Subsequently, he was hired by KNXT (now KCBS-TV) and became Assistant Director of Promotion and Publicity. Mr. Nicholaw moved to Chicago in 1963 and joined CBS-owned WBBM-TV. In 1965, he was appointed Director of Community Services for WCBS-TV in New York.

Mr. Nicholaw moved back to radio after his appointment as Vice President and General Manager of KNX and KNX-FM (now KCBS-FM). He returned to California in 1967 and has been at the helm of KNX ever since. Under his leadership, KNX became one of the most listened to radio stations in Southern California.

Mr. Nicholaw serves on a number of committee and boards, including founding Director of the Library Foundation of Los Angeles, Board of Directors of Permanent Charities Committee, past President of the Hollywood Radio and Television Society, and former Chairman of the California Broadcasters Association. In 1997, Mr. Nicholaw was honored with the Lifetime Achievement Award by the Southern California's Broadcasters Association.

***VII.***  
***BIOGRAPHIES OF DISTRICT***  
***ATTORNEY STAFF***

**Janet Moore**, Director, Specialized Prosecutions. As the Director of Specialized Prosecutions, Ms. Moore oversees the District Attorney's Family Violence Division, Hardcore Gang Division, Juvenile Division, Major Crimes Division, Major Narcotics Division, Sex Crimes Division, and Target Crimes Division. She has previously served as the Head Deputy of Hardcore Gangs, Acting Head Deputy of Central Trials, CT-11, and Assistant Head Deputy of Torrance Branch, and the Deputy in Charge of the Compton Hardcore Gang Unit.

Ms. Moore has been with the District Attorney's Office for 20 years. For 12 of those years, Ms. Moore was a trial attorney specializing in gang prosecutions. Most notably, Ms. Moore prosecuted the "Reginald Denny" case which arose out of the L.A. riots and the case against Raymond Butler who murdered two Japanese foreign exchange students.

Ms. Moore received a Bachelor of Arts degree for Biological Sciences from San Jose State and subsequently served as an Agriculture Inspector with the County of Los Angeles. She attended Loyola Law School's night program and joined the District Attorney's Office in 1985.

**Victoria Lewis Adams**, Assistant Head Deputy, Family Violence Division. Ms. Adams has been a deputy district attorney for 20 years. Previously, Ms. Adams was the Deputy in Charge of the Inglewood and Compton Juvenile Divisions and the Inglewood Area Office.

As a trial attorney, Ms. Adams prosecuted cases at Stuart House, a facility that utilizes a multidisciplinary approach to handling sexual assault cases where children are the victims. She also prosecuted cases at Los Padrinos Juvenile, Santa Monica Branch and Area offices in Culver City, West Los Angeles, Malibu and Beverly Hills. She is a graduate of UCLA School of Law and Santa Clara University.

**Mark Ashen**, Assistant Head Deputy, Justice Integrity Division (JSID). Mr. Ashen has been a prosecutor for 20 years. Previously, Mr. Ashen was assigned to the East Los Angeles Area office, Central Trials, Hardcore Gang Division – Compton Branch, and the Long Beach Branch. In 1999, Mr. Ashen was assigned to the Rampart investigation team where he prosecuted serious charges of police misconduct within the L.A.P.D. Rampart C.R.A.S.H. Unit. In 2002, Mr. Ashen was transferred to his current assignment in JSID where he prosecutes crimes committed by police officers, lawyers and judges. In total, Mr. Ashen has prosecuted 80 felony jury trials, including 29 murder cases, 8 special circumstance cases, and 2 death penalty cases.

**Gary Hearnberger**, Deputy in Charge, West Covina Area Office. He has been a deputy district attorney for the past 23 years. Previously Mr. Hearnberger was assigned as the Assistant Head Deputy of the Pomona Branch, the Deputy in Charge of T.R.A.P. (Task Force for Regional Auto-Theft Prevention), and Assistant Head Deputy of the Major Crimes Division. The Major Crimes Division is responsible for the prosecution of the most complicated and newsworthy cases. In total, Mr. Hearnberger has prosecuted over 65 felony jury trials, including 25 homicides and 5 death penalty cases. In four of the death penalty cases, Mr. Hearnberger obtained death sentences. He is a graduate of San Fernando College of Law and University of California, Davis.

**Alan Jarvis**, Captain, Bureau of Investigation's Administration Division. Captain Jarvis has worked for the District Attorney's Office for almost 20 years. His assignments have included Witness Assistance, Branch, Welfare Fraud, Juvenile, Narcotics, and Worker's Comp Fraud. He supervised Consumer Protection, Welfare Fraud, Special Investigations, and JSID. As a Lieutenant, he was responsible for Welfare Fraud, Justice

System Integrity Division/Public Integrity Division, and Administration. Captain Jarvis started his law enforcement career with the Los Angeles County Sheriff's Department in 1979. He was assigned to the Custody Division and the Patrol Division. Captain Jarvis attended Citrus College, California State University, Fullerton and California State University, Long Beach.

**John Nantroup**, Deputy in Charge, Crimes against Peace Officers Section (CAPOS). He has been a deputy district attorney for 14 years. His assignments have included the Hardcore Gang Division and CAPOS. Mr. Nantroup is a graduate of the U.S.C. Law Center. Prior to attending law school, Mr. Nantroup was a police officer with the Culver City Police Department.

**Maria Ramirez**, Special Assistant. Ms. Ramirez is currently the Special Assistant for the Specialized Prosecutions and Fraud and Corruption Bureaus of the District Attorney's Office. She has been a deputy district attorney for 14 years. Ms. Ramirez's prior assignments have included the Compton Branch, Compton Hardcore Gang Unit, Pasadena Branch, Major Narcotics Division, and Hardcore Gang Division – H.E.A.T. and C.L.E.A.R. grant programs. Ms. Ramirez has tried approximately 55 felony jury trials, including murders, special circumstance murders, attempted murders, and other violent crimes. In the Major Narcotics Division, Ms. Ramirez supervised the execution of 30 narcotic wiretap investigations and two murder wiretaps. Ms. Ramirez is a graduate of Loyola Law School and Loyola Marymount University.

**Patrick Sequeira**, Deputy District Attorney. Mr. Sequeira is currently assigned to the District Attorney's Lifer Unit. Prior to that, Mr. Sequeira was assigned to the Hardcore Gang Division for 11 years. Five of those years Mr. Sequeira was assigned to the Unsolved Gang Homicide Task Force. During his tenure there, this task force investigated and filed 30 unsolved gang murder cases, 20 of which were successfully tried to juries. He has been a deputy district attorney for 23 years. During his career, Mr. Sequeira has tried over 100 felony jury trials, including 30 murder cases. He received his B.A. from UC Berkeley and a law degree from the University of San Francisco.

**Samantha Barrett**, Volunteer Law Clerk. Ms. Barrett is currently attending law school at the University of North Carolina. She received her Bachelor of Arts degree from the University of California, Berkeley. She previously served as a volunteer law clerk with the District Attorney's Office in the Ad Hoc Belmont Task Force.