

# Kelly for Attorney General – Bringing New Solutions to California's Toughest Problems

*In an ever-changing, fast-paced environment, California deserves better than the same old policies and politics of the past. For too long, California has thrown more taxpayer money at public safety systems that are failing to keep our communities safe. It's time to implement innovative solutions to tackle California's toughest problems.*

*With my background as a policy advisor to President Bill Clinton, my experience working with Attorneys General from around the country, and my time serving as Chief Privacy Officer of Facebook, I will be ready from day one to use technology to build efficient and effective crime fighting strategies. We have the technological capabilities to fight crime more effectively and to save taxpayer money in this time of fiscal crisis: It's up to our next Attorney General to use them.*

*As Attorney General, I will bring advanced forensics technology to our law enforcement system. I will standardize crime mapping, develop and implement an effective GPS monitoring system, and use cutting-edge technology to prevent online crime in our state. I will also require all crime-related computer systems be upgraded in order to make processes more efficient and save taxpayers money.*

*The same old policies of the past are not working. Join me, and together, we can create a new and safer California.*

***As California's next Attorney General, I will:***

## ***1. Improve Use of Advanced Forensics to Solve Crime by:***

***Strengthening the Bureau of Forensic Services*** – The Bureau of Forensic Services operates 11 full-service crime analysis laboratories throughout California. In 2008, the Bureau of Forensic Services received \$86.6 million in funding, or 34% of the total California Department of Justice Law Enforcement Division funding.<sup>1</sup> The services this Bureau provides -- from maintaining the DNA database to investigating evidence to providing forensic support to our local districts -- is vital to the strength and effectiveness of our law enforcement system.

As Attorney General, I will work to ensure that California's forensic investigation possesses state of the art technology. Anything short of that is unsatisfactory. One of my first priorities will be to improve the forensic technology in our state's regional laboratories, ensuring we have cutting-edge technology for complex crime scene investigation and analysis.

***Improving the Advanced Training Center*** – Currently, the Advanced Training Center trains law enforcement officers on critical tasks ranging from drug identification techniques to the use of specialized surveillance equipment. As technology improves, California must lead the nation in the use of cutting-edge technology to keep our communities safe. Moving forward, California must ensure that our training center provides the highest possible quality of technological and personnel training in the country. As Attorney General, I will conduct a performance review of the

<sup>1</sup> California Department of Justice, Law Enforcement Division, FY2007-2008

ATC, comparing our services with training centers around the country and adopting best practices that will serve the needs of our law enforcement officers. I will also ensure that trainings from the California Criminalistics Institute, our top forensic training program, are available to California law enforcement agents.

***Building the State DNA Database & Improving DNA Analysis*** – As of October 2009, our state’s DNA database has close to 1.4 million DNA records.<sup>2</sup> This database is critical to our crime fighting efforts because it allows investigators to match DNA samples taken from unsolved crimes to felons already in our justice system. Currently, our Department of Justice operates the largest working DNA database in the country and matches DNA samples to old, unsolved cases, averaging one match per day.<sup>3</sup>

For the safety of California, this database must be maintained and strengthened.

However, building the database is not enough. California currently has a DNA backlog of over 55,000 samples needing to be analyzed.<sup>4</sup> Right now, some districts outsource their DNA evidence to private companies for a quicker turnaround and more accurate findings.<sup>5</sup> The fact that our state DNA analysis cannot adequately compete with private laboratories is unacceptable. As Attorney General, I will improve efficiency of our DNA analysis and hold laboratories accountable for performance measures. I will also ensure that cost controls are in place to prevent spending taxpayer money on costly private DNA analysis laboratories.

## ***2. Standardize Crime Mapping Across California by:***

***Learning From CompStat*** – Starting in New York City in 1994, the Computerized Statistics (CompStat) process is a proven method of mapping crime “hot-spots,” allowing law enforcement to better target scarce resources to fight crime.<sup>6</sup> By tracking localized crime flow and quality-of-life enforcement information through systems such as CompStat, local law enforcement agencies can maintain accurate and timely crime information, allowing an adaptive and effective response to crime.

***Promoting Cross-Jurisdictional and Regional Crime Information Sharing*** – Because criminal activity does not limit itself to city, county, or even state boundaries, California’s crime fighting units must not act as district-wide silos. As Attorney General, I will work with law enforcement in all 58 counties to form strategic partnerships, including building cross-jurisdictional and regional crime analysis information-sharing systems.

***Supporting Technological Upgrades in Rural Districts*** – In May 2010, the National Institute of Justice will hold their 8<sup>th</sup> annual Rural Law Enforcement Technology conference, bringing together rural law enforcement leaders from across the country to promote more efficient and effective use of technology by rural law enforcement agencies. As Attorney General, I will adopt best practices from around the country to support California’s rural districts and provide the best possible technical support and training to our rural law enforcement agencies.

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<sup>2</sup> California Office of Attorney General, DNA Laboratory Monthly Statistics, October 2009

<sup>3</sup> California Office of Attorney General, Bureau of Forensic Services

<sup>4</sup> California Office of Attorney General, DNA Laboratory Monthly Statistics, October 2009

<sup>5</sup> “Grant Gives Fresno County Another Crack at Cold Cases,” The Fresno Bee, 9/19/09. National Institute of Justice Website, Accessed 11/5/09. Informational Interview with Ralph Sivilla, November 2009

<sup>6</sup> National Criminal Justice Reference Service Website, 11/10/09

### **3. Develop and Implement an Effective Global Positioning System (GPS) Monitoring System by:**

***Facing Facts of Our Parole and Probation System*** –In the early 1980s, 1 in 69 California adults were in our corrections system. Today, that number has almost doubled: 1 in 36 adults in California are in our corrections system.<sup>7</sup> This growth of our corrections system has not come cheaply. In 2008, California spent \$9.6 billion on corrections -- 9.3% of our general fund.<sup>8</sup>

This spending would make sense if our corrections system ensured the safety of all Californians. In reality, our corrections system – from prison to parole – has failed to keep Californians safe.

The California Inspector General's November 2009 report into the kidnapping of Jaycee Dugard revealed systematic failure in California's parole and probation system. This case is a tragic example of what can happen when our officers are not held accountable for proper investigation and for monitoring of tracking technology. As Attorney General, I will develop and implement an effective Global Positioning System (GPS) monitoring policy, set training and performance standards for all parole agents, and increase accountability for California's parole and probation enforcement supervisors.

***Creating A Tiered System of Parolee Supervision*** –An important recommendation from the Office of the Inspector General regarding the Dugard case was to transform parole into a risk-based system of supervision.<sup>9</sup> Having a one-size-fits-all supervision system has proven not only inefficient, but also dangerous. By crafting a new system of parolee supervision based on risk-assessment of parolees, we can re-allocate our resources from low-risk to high-risk parolees.

### **4. Punish and Prevent Online and Computer Crime by:**

***Restricting Online Access For High Risk Convicted Criminals***– In our changing economy, more and more transactions occur online, putting Californians at greater risk of identity theft, fraud, and online predation. As Facebook's Chief Privacy Officer, I have first-hand experience working with Attorneys General around the country to create a trusted and safe online experience. Working with New York Attorney General Andrew Cuomo, I helped craft the Electronic Security and Targeting of Online Predators Act (E-Stop). Under this law, sex offenders who previously had used the internet to commit a crime or who are determined to be a high-risk threat on the internet have their online usage restricted by the state's parole board --including mandatory registering of all e-mail addresses.<sup>10</sup> E-Stop is just one example of the innumerable opportunities for technologists and law enforcement to work together to protect California consumers from online crime.

***Aggressively Prosecuting Perpetrators of Identity Theft and Internet Fraud*** – Internet fraud and identity theft are becoming increasingly prevalent in our state. In 2008, the Internet Crime Complaint Center (IC3) received 275,284 reports of Internet crime nationwide, a 33% increase from 2007.<sup>11</sup> California ranked 10<sup>th</sup> highest in Internet crime perpetrators and victims per 100,000 people and 1<sup>st</sup> in overall number of both perpetrators and victims residing in the state.<sup>12</sup> According to the High-Tech Crime Advisory Committee, in 2007, the total loss from reported

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<sup>7</sup> PEW Center on the States, The Long Reach of American Corrections, California Profile, 2009

<sup>8</sup> PEW Center on the States, The Long Reach of American Corrections, California Profile, 2009

<sup>9</sup> Office of the Inspector General, Special Report on CDCR's Supervision of Parolee Phillip Garrido, November 2009

<sup>10</sup> "New York Law Makers Announce Social Networking Legislation," Cnet News, 1/29/08

<sup>11</sup> High Technology Crime Advisory Committee 2008 Annual Report. The Internet Crime Complaint Center (IC3) is the only agency that collects national data on internet-related crimes, www.IC3.gov

<sup>12</sup> High Technology Crime Advisory Committee 2008 Annual Report

Internet crime throughout California was more than \$29 million.<sup>13</sup> Unreported online crime costs California citizens millions more.

As Chief Privacy Officer of Facebook, I have led our efforts to build privacy controls that give users control over their personal information on the Internet, creating a critical first line of defense against identity theft. As your Attorney General, I will work to improve public awareness about the steps citizens can take to prevent becoming identity theft victims.

In 2002, I worked with Senator Joe Simitian to require companies that suffer security breaches to report those breaches to consumers, a pioneering effort that has now been replicated in 44 states. As your Attorney General, I will increase civil penalties against irresponsible companies that fail to protect their customers' sensitive personal information, as well as enhance reporting requirements when this data is compromised.

***Extending the Sunset Clause for Regional High-Tech Crime Task Forces*** – Currently, California has five regional task forces that specialize in investigating, prosecuting, and preventing online fraud, identity theft, and high-tech crime. These task forces, under the guidance of the Governor's High-Tech Crime Advisory Committee, bring together federal, state, and local personnel who specialize in forensic computer examination and high-tech crime prevention. Funding for these task forces is set to sunset in 2011. If we do nothing, California will lose a valuable tool in investigating and prosecuting high-tech and computer crime. With identity theft increasing nationally and with California's vulnerability to online crime, I will work to ensure we keep these task forces a vital part of California's law enforcement system.

## ***5. Fix Outdated Computer Systems and Save Taxpayers Millions by:***

***Replacing Inefficient Computer Systems and Getting Innovative*** – Perhaps the biggest no-brainer in improving technology is assuring our justice system uses up-to-date, efficient computer systems. For example, prior to 2008, California's computer tracking system of child support payments was so inefficient, our state had to pay the Federal government \$987.8 million in penalties.<sup>14</sup> These types of system upgrades are necessary not only to improve efficiencies in our criminal justice system, but also to save taxpayers money over the long run. The growth of cloud computing, where computing capacity and software operations are managed centrally while allowing access to information services through web browsers and mobile devices, allows for the acceleration of innovation. Pioneered by great California companies like Google, Facebook, and salesforce.com, cloud computing will allow us to expand the capabilities of California government websites during periods of heavy traffic without paying for costly infrastructure during periods of slow traffic. Given our state's budget crisis, improving computer systems is one area we cannot afford to ignore.

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<sup>13</sup> High Technology Crime Advisory Committee 2008 Annual Report

<sup>14</sup> "After Spending Billions, State Remains Hampered by Outdated, Unreliable Computer Systems" Los Angeles Times 11/22/09