

ORANGE COUNTY CHIEFS' & SHERIFF'S ASSOCIATION
LAW & JUSTICE COMMITTEE

EXHIBIT 4

August 22, 2005

Mr. Bob Dominguez, President
Orange County City Managers' Association
C/O City Manager's Office
City of Placentia
401 East Chapman Avenue
Placentia, CA 92870



Dear President Dominguez:

As members of the Orange County Criminal Justice System and in some cases, concurrently serving on the Orange County Integrated Law & Justice (OCILJ) Steering Committee, we are writing to you to convey a sense of urgency and to enlist your support to finally implement the recommended governance structure for the OCILJ Project.

By way of background, this Project has been in existence since early 1997 and has progressed through the production of a Strategic Plan and the identification of eight different initiatives, which we have been in the process of implementing once the Orange County Chiefs' and Sheriff's Association (OCCSA) adopted the Plan unanimously in 2001. For those City Managers not familiar with the Strategic Plan, it was the result of a combined effort of the entire Criminal Justice System to identify issues which have led to improvements in the sharing of information and processes among all those involved. We have made great strides in breaking down many traditional barriers that have existed, and have implemented innovative approaches to the electronic sharing of information, using leading edge technology. The Plan is available if you would like to review it in more detail.

Over the past five years, we have received continued Federal funding for the Project totaling well over \$3 million dollars, through the assistance of former Congressman Christopher Cox. We also have received actual and projected funding commitments through Urban Area Security Initiative Grants totaling approximately \$2 million in additional dollars.

As part of our work on a number of identified initiatives in the Strategic Plan, we are now engaged in what can best be described as one of the "centerpieces" of the Project – the implementation of the COPLINK System, about which you will learn more during your September 7th meeting. The essence of the System will be to link all of the disparate criminal justice databases which exist in the County – over two dozen – in an effort to share data and produce investigative leads for Police Officers, Sheriff's Deputies (assuming the Sheriff ultimately decides to participate), and other authorized users of the System. Effective July 18th, we went "live" with Phase 1 of the Project and have linked the databases of five municipal police departments and the entire Court Citation Database, which

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includes all citations written in this County, including all those written by the California Highway Patrol. We are now engaged in Phase 2 of the Project, which will bring together the rest of the members of the Criminal Justice System, represented by the signatures of those agency heads listed in this correspondence, as their organizations are able to make the transition.

In a June 19, 2002 letter (copy attached) to the OCILJ Steering Committee, the Orange County City Managers' Association (OCCMA) reported on the results of their review of alternative governance models as presented for the Project by the County of Orange Executive Office and the Sheriff's Department at your April 3, 2002 meeting. The latter presentation was compared to the proposed Joint Powers Authority (JPA) Governance recommended by the OCILJ Steering Committee and your representatives on that Committee, City Managers Tim O'Donnell and Dave Rudat. In your letter, you reported that your membership "voted overwhelmingly in concept to support the JPA Governance model presented." Following that direction, we proceeded to have the draft of the JPA document reviewed by numerous cities' attorneys, as well as County Counsel.

The Steering Committee Chairman, along with City Manager Tim O'Donnell, had already met with then County Executive Officer (CEO), Michael Schumacher, and County Assistant CEO, Bill Mahoney, on December 12, 2001, to negotiate the language in the draft document – line by line. We discussed and reached agreement on all of the proposed language until CEO Schumacher felt that the County's interests were addressed. In a follow-up e-mail, dated March 30, 2002, he acknowledged that fact by stating that, "Bill Mahoney and I met with you and Tim on the JPA until we were all satisfied with the document."

Several cities proceeded to adopt the proposed JPA, and it was agendized for Board of Supervisors' action on Tuesday, December 10, 2002, as proposed by the District Attorney who was presenting the action to the Board. The District Attorney decided to carry the item because the Sheriff's position at the time was to "not oppose" the action, although he would not advocate for it.

Several days before the Board was to consider the matter, Assistant Sheriff Doug Storm notified the Steering Committee Chairman that the Sheriff had changed his position and would now oppose the action and advocated the South County Contract City Managers to do likewise. In fairness to those Managers, and according to their reports, they had not been kept abreast of the Project and its associated implications by the Sheriff's staff. As a result of a request by Supervisor Wilson, the District Attorney withdrew the Board item for consideration and it has never returned for their review.

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Meanwhile, a committee of South County Contract City Managers was formed, and numerous sessions were held in an effort to find some common ground with their colleagues in cities with municipal police departments. The OCILJ Steering Committee Chairman and other members participated in a number of those meetings. To date, the matter has not been formally reconsidered by the full membership of the OCCMA.

The underlying intent of this correspondence is to make it clear we do not believe more time can go by without resolving the governance issue. Currently, we have OCILJ applications in operation that have now exceeded their warranty and require ongoing maintenance and support, which we are unable to address due to the lack of governance. While we still have ample grant funds for new or expanded applications as part of our Strategic Plan implementation, they are not eligible to be spent for ongoing maintenance and support costs.

When the proposed JPA was last discussed, it was our intent (or hope) to utilize the Sheriff's Telecommunications Network to operate the anticipated applications. When the latest data-sharing (COPLINK) Initiative was implemented, the Sheriff's Department would not allow it to operate on their network for a variety of reasons. As a result, it forced the OCILJ to develop an alternative – and we did. The COPLINK application now functions on the Internet through a Virtual Private Network (VPN), which affords it a proper level of security to comply with established standards for such information sharing. The new network is hosted by the City of Santa Ana and their Police Department and is performing as intended. As a result, we now have the ability to "plug-in" or "unplug" those agencies/departments who do not want to be a part of the JPA and share their information cooperatively with the rest of us. Accordingly, we are no longer dependant on the Sheriff's Department to host the applications being developed. Those individuals representing their agencies by signing this correspondence intend to share such information.

We would also like to make it clear that we still hope the Sheriff ultimately comes to the informed conclusion that it is in the best interest of those he represents to participate in this collective effort. His Department provides police services to 23% of the population from the unincorporated and contract cities in Orange County and as a result, it makes logical sense to share the information he collects on their behalf with the rest of the Criminal Justice System in this County. However, should that not be the case, there no longer is a technical reason to prevent the rest of us from doing so, nor is there any reason to prevent us from adopting a JPA form of governance to oversee the full implementation of the adopted Strategic Plan and the ongoing support of our efforts over the course of many years to come.

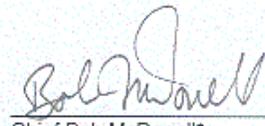
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As a result of all of these facts, you will also find attached to this correspondence a current 2005 Draft Copy of the proposed OCILJ Joint Powers Authority document, the substance of which contains the same language that has been in existence for a number of years. It has undergone much legal and policy review and should be ready for adoption, should that be the ultimate decision.

In summary, we are asking you to move forward with any final review you believe is necessary. However, in our professional opinion, after three and one-half years of waiting, we need resolution and your support to implement the JPA and cement the hard work that has brought us to this point by protecting the long-term investment of resources devoted to this effort.

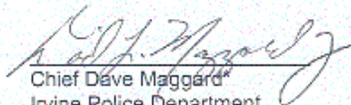
Respectfully submitted,

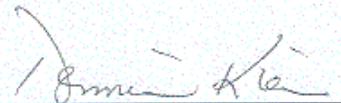

Chief Mike Messina, President
Brea Police Department
President, OCCSA

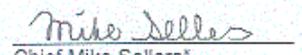

Chief Bob McDonell*
Newport Beach Police Department
Chairman, Law & Justice Committee

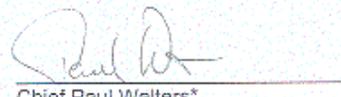

Chief John Hensley
Costa Mesa Police Department
Vice President, OCCSA

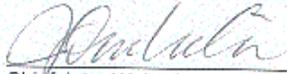

Chief Jim Spreina*
Laguna Beach Police Department

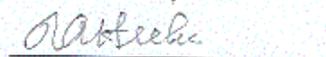

Chief Dave Maggard*
Irvine Police Department
Secretary/Treasurer, OCCSA

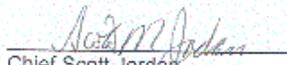

Chief Dennis Kies
La Habra Police Department
Immediate Past President, OCCSA


Chief Mike Sellers*
Seal Beach Police Department


Chief Paul Walters*
Santa Ana Police Department


Chief John Welter*
Anaheim Police Department

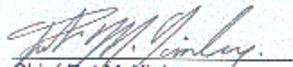

Chief Rick Hicks*
Cypress Police Department

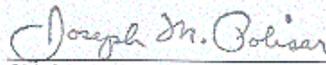

Chief Scott Jordan
Tustin Police Department


Chief Bob Gustafson
Orange Police Department

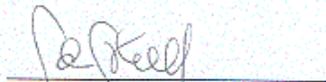

Chief Tom Monson
Buena Park Police Department

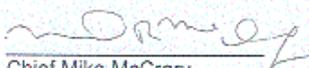

Chief Paul Sorrell
Fountain Valley Police Department

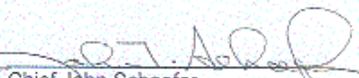

Chief Pat McKinley
Fullerton Police Department

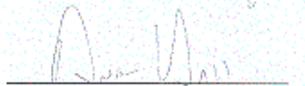

Chief Joe Polisar
Garden Grove Police Department


Chief Ken Small
Huntington Beach Police Department


Chief Ed Ethell
La Palma Police Department


Chief Mike McCrary
Los Alamitos Police Department

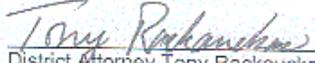

Chief John Schaefer
Placentia Police Department


Chief Andy Hall
Westminster Police Department


Presiding Judge Fred Horn
Orange County Superior Court

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Executive Officer Alan Slater
Orange County Superior Court


District Attorney Tony Rackauckas
Orange County District Attorney's Office

* Member, Law & Justice Steering Committee

- Attachments:
1. OCCMA Letter Dated June 19, 2002
 2. County of Orange, Board of Supervisors Agenda Item Transmittal Dated December 10, 2002
 3. Current Draft of Integrated Law & Justice JPA Document