

DIVISION OF LAW ENFORCEMENT

# ANNUAL

2009 - 10



# REPORT

CALIFORNIA DEPARTMENT OF JUSTICE



## OATH OF HONOR

ON MY HONOR,  
I WILL NEVER BETRAY MY BADGE,  
MY INTEGRITY, MY CHARACTER,  
OR THE PUBLIC TRUST.

I WILL ALWAYS HAVE  
THE COURAGE TO HOLD MYSELF  
AND OTHERS ACCOUNTABLE  
FOR OUR ACTIONS.

I WILL ALWAYS UPHOLD  
THE CONSTITUTION  
AND COMMUNITY I SERVE.



## Contents

Message from the Director	2
Introduction	3
DLE Leadership	4
2009-10 Expenditures	5
Mission/Values/Core Lines of Business	6
Office of the Director	8
Bureau of Firearms	12
Bureau of Forensic Services	16
Bureau of Gambling Control	22
Bureau of Investigation and Intelligence	26
Bureau of Narcotic Enforcement	32
Western States Information Network	38
Award Recipients and Military Duty	42
2010 Attorney General's Award Recipients	43
Headquarters Offices	44
Statewide Directory	45
Fallen Special Agents	48



## MESSAGE FROM THE DIRECTOR

In fiscal year (FY) 2009-10, the State of California faced one of the most challenging budgets in its history. Significant reductions were made across numerous state agencies in order to close a multi-billion dollar budget deficit. In addition to these reductions, Governor Schwarzenegger issued an unprecedented Executive Order to furlough state employees for three days per month.

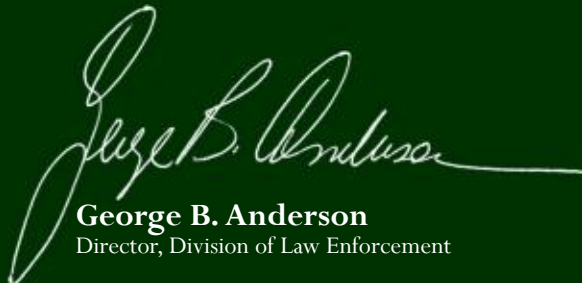
The direct funding and personnel reductions faced by the Department of Justice (DOJ) and Division of Law Enforcement (DLE) were significant. This fiscal year was especially challenging. However, the division was resilient and continued to provide exemplary service in forensic science and education, criminal investigations, gambling and firearm regulation, intelligence training and information sharing, and law enforcement support.

In October 2007, I was appointed as the DLE Director. Over the past three years, I have had the privilege to lead the division's highly skilled and dedicated professionals. Whether out in the field or in the office, it is clear that the men and women of the DLE are truly committed to making California a better, safer state in which to live, work, and visit. Because of that dedication, I am proud to present the DLE Annual Report for FY 2009-10, which highlights a few of the division's many significant accomplishments.

Among the accomplishments highlighted in this report are the following:

- The Bureau of Forensic Services' ground-breaking familial DNA search program, which led to the identification and arrest of the man accused of being the infamous Los Angeles "Grim Sleeper" serial murderer;
- The Bureau of Firearms' investigation of armed convicted felons, which led to numerous firearms being confiscated;
- The Bureau of Gambling Control's investigation and subsequent arrests related to cardroom cheating scams;
- The Bureau of Investigation and Intelligence's continued monitoring of sexual predators and enforcement of statutes;
- The Bureau of Narcotic Enforcement's Campaign Against Marijuana Planting program's record-breaking season, which resulted in the eradication of 4.4 million plants with a street value of approximately \$17.8 billion; and,
- The Western States Information Network's improvements in technology to provide intelligence information sharing that have led to numerous arrests.

Regardless of the challenges faced in FY 2009-10, the DLE successfully moved forward with its mission. As Director, I am proud to lead and be a part of such an outstanding and dedicated team committed to excellence and service.



**George B. Anderson**  
Director, Division of Law Enforcement

## INTRODUCTION

The California DOJ DLE is one of the largest state investigative law enforcement agencies in the United States. Created in 1967, the DLE continually changes to meet the evolving needs of the state's law enforcement agencies and citizens. During FY 2009-10, the DLE consisted of 389 sworn staff, 258 criminalists and forensic scientists, and 553 professional staff, with total expenditures of \$212.5 million.

The DLE is currently organized into seven elements: the Office of the Director, the Bureau of Firearms, the Bureau of Forensic Services, the Bureau of Gambling Control, the Bureau of Investigation and Intelligence, the Bureau of Narcotic Enforcement, and the Western States Information Network. It is through these seven elements—along with the essential cooperation, support, and assistance from state, federal, and local criminal justice agencies—that the DLE is able to detect, reduce, and prevent criminal activity.

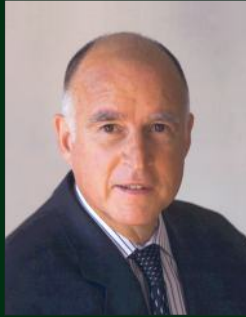
In FY 2009-10, the State of California confronted what history will refer to as “The Great Recession.” The state faced a multi-billion dollar budget gap, the largest in its history. To close such an ominous budget gap, state agencies realized large permanent budget reductions. Following significant reductions in funding and personnel in FY 2008-09, the DLE was reduced by an additional \$21.9 million and 144 permanent positions in FY 2009-10.

With the state's fiscal outlook showing minimal improvement, the division continues to prepare for possible reductions in the coming fiscal year. Regardless of the outcome, the DLE will stay focused on its mission, values, and core lines of business in order to provide the best service possible to its clients and the citizens of the State of California.



DLE LEADERSHIP

**Edmund G. Brown Jr.**  
*Attorney General*



**George B. Anderson**  
*Director*  
Division of Law Enforcement

**Richard J. Lopes**  
*Deputy Director*  
Division of Law Enforcement



**Wilfredo Cid**  
*Chief*  
Bureau of Firearms

**Jill L. Spriggs**  
*Chief*  
Bureau of  
Forensic Services



**Jacob Appelsmith**  
*Chief*  
Bureau of Gambling Control

**Craig Buehler**  
*Chief*  
Bureau of Investigation  
and Intelligence



**John Gaines**  
*Chief*  
Bureau of Narcotic  
Enforcement

**Karen Aumond**  
*Director*  
Western States  
Information  
Network





# 2009-10 EXPENDITURES

## DIVISION OF LAW ENFORCEMENT

BUREAU AND FUNDING SOURCE	PERSONAL SERVICES	OPERATING EXPENDITURES	TOTAL	% OF DIVISION EXPENDITURES
<b>OFFICE OF THE DIRECTOR</b>				
General Fund	\$ 8,477,000	\$ 6,357,000	\$ 14,834,000	6.98
State Reimbursement	\$ 329,000	\$ 1,939,000	\$ 2,264,000	1.07
<b>Subtotal</b>	<b>\$ 8,806,000</b>	<b>\$ 8,296,000</b>	<b>\$ 17,098,000</b>	<b>8.05</b>
<b>BUREAU OF FIREARMS</b>				
General Fund	\$ 4,095,000	\$ 699,000	\$ 4,794,000	2.26
State Reimbursement	\$ 129,000	\$ 54,000	\$ 183,000	0.09
Firearms Safety Account	\$ 203,000	\$ 108,000	\$ 311,000	0.15
Dealers' Record of Sale Special Account	\$ 5,596,000	\$ 2,450,000	\$ 8,046,000	3.79
Firearms Safety and Enforcement Fund	\$ 1,184,000	\$ 1,894,000	\$ 3,078,000	1.45
<b>Subtotal</b>	<b>\$ 11,207,000</b>	<b>\$ 5,205,000</b>	<b>\$ 16,412,000</b>	<b>7.72</b>
<b>BUREAU OF FORENSIC SERVICES</b>				
General Fund	\$ 26,082,000	\$ 15,801,000	\$ 41,883,000	19.71
State Reimbursement	\$ 1,770,000	\$ 1,950,000	\$ 3,720,000	1.75
Sexual Habitual Offender Program	\$ 616,000	\$ 9,000	\$ 625,000	0.29
Federal Trust	\$ 212,000	\$ 2,584,000	\$ 2,796,000	1.32
Missing Persons DNA Database Fund	\$ 989,000	\$ 2,301,000	\$ 3,290,000	1.55
DNA Identification Fund	\$ 5,804,000	\$ 13,496,000	\$ 19,300,000	9.08
<b>Subtotal</b>	<b>\$ 35,473,000</b>	<b>\$ 36,141,000</b>	<b>\$ 71,614,000</b>	<b>33.70</b>
<b>BUREAU OF GAMBLING CONTROL</b>				
State Reimbursement	\$ 42,000	\$ (2,000)	\$ 40,000	0.02
Indian Gaming	\$ 9,115,000	\$ 2,892,000	\$ 12,007,000	5.65
Gambling Control	\$ 4,845,000	\$ 1,304,000	\$ 6,149,000	2.89
Gambling Fines	\$ 10,000	\$ 3,000	\$ 13,000	0.01
<b>Subtotal</b>	<b>\$ 14,012,000</b>	<b>\$ 4,197,000</b>	<b>\$ 18,209,000</b>	<b>8.57</b>
<b>BUREAU OF INVESTIGATION AND INTELLIGENCE</b>				
General Fund	\$ 12,516,000	\$ 4,055,000	\$ 16,571,000	7.80
State Reimbursement	\$ 8,548,000	\$ 4,061,000	\$ 12,613,000	5.93
Political Reform Act	\$ 93,000	\$ 34,000	\$ 127,000	0.06
Antitrust	\$ 24,000	\$ 2,000	\$ 26,000	0.01
False Claims Act	\$ 584,000	\$ 55,000	\$ 639,000	0.30
Restitution Fund	\$ 291,000	\$ 43,000	\$ 334,000	0.16
Federal Trust	\$ 304,000	\$ 164,000	\$ 468,000	0.22
<b>Subtotal</b>	<b>\$ 22,360,000</b>	<b>\$ 8,414,000</b>	<b>\$ 30,778,000</b>	<b>14.48</b>
<b>BUREAU OF NARCOTIC ENFORCEMENT</b>				
General Fund	\$ 29,120,000	\$ 10,150,000	\$ 39,270,000	18.48
State Reimbursement	\$ 5,827,000	\$ 2,910,000	\$ 8,737,000	4.11
Federal Trust	\$ 395,000	\$ 1,581,000	\$ 1,976,000	0.93
Federal Asset Forfeiture	\$ 106,000	\$ 1,163,000	\$ 1,269,000	0.60
State Asset Forfeiture	\$ 0	\$ 51,000	\$ 51,000	0.02
<b>Subtotal</b>	<b>\$ 35,448,000</b>	<b>\$ 15,855,000</b>	<b>\$ 51,303,000</b>	<b>24.14</b>
<b>WESTERN STATES INFORMATION NETWORK</b>				
State Reimbursement	\$ 2,673,000	\$ 2,735,000	\$ 1,684,000	0.79
Federal Trust	\$ 1,456,000	\$ 228,000	\$ 5,408,000	2.54
<b>Subtotal</b>	<b>\$ 4,129,000</b>	<b>\$ 2,963,000</b>	<b>\$ 7,092,000</b>	<b>3.34</b>
<b>DIVISION TOTAL</b>	<b>\$131,435,000</b>	<b>\$ 81,071,000</b>	<b>\$212,506,000</b>	
<b>TOTAL PERCENTAGE</b>		<b>62</b>	<b>38</b>	

## MISSION

It is the MISSION of the DLE to provide its customers and clients extraordinary services in forensic sciences, forensic education, narcotics investigations, criminal investigations, gambling and firearms regulation, investigations, intelligence, and training. The DLE will endeavor to be on the cutting edge of the delivery of these services. Our mission can best be achieved by working with local law enforcement agencies as well as state and federal agencies. They are both our customers and our partners in this endeavor. Justice under the law and the highest ethical standards shall be the focus of all service delivery.

## VALUES

We accomplish our mission by dedication to our VALUES and through the application of unique, specialized investigative and criminal intelligence techniques; cutting-edge technology and forensic services; leadership, training and education; and regulatory enforcement and oversight of firearms and dangerous weapons, and ensuring the integrity of gambling in California.

**INTEGRITY** We will constantly strive to do the right thing and maintain the highest ethical standards of honesty, regardless of circumstances or consequences.

**TEAMWORK** We will respect and support one another as we work together for the greater good.

**SERVICE** We will respond to the needs of all customers—internal and external—with courtesy, kindness, and professionalism.

**EXCELLENCE** We will strive for the highest quality in everything we do.



## CORE LINES OF BUSINESS

In support of our mission, the DLE:

1. Provides investigative support to local law enforcement, other state agencies, and Department legal staff.
2. Maintains and updates data systems in support of law enforcement operations and public information.
3. Functions as the primary forensic provider for the State of California.
4. Creates and enforces regulations.
5. Proposes and carries out legislative mandates.
6. Licenses businesses and conducts background and security clearances for peace officers, security officers, and the general public.
7. Provides law enforcement training and public education.
8. Provides investigative support to law enforcement to include technology and deconfliction.
9. Provides leadership and expertise to law enforcement and sovereign governments.
10. Collects, analyzes, and disseminates information and intelligence.
11. Identifies major crime trends and initiates investigation and enforcement actions.
12. Provides mutual aid during emergencies and natural disasters.

# OFFICE OF THE DIRECTOR

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*“To enhance public safety through training and technical and administrative support to the investigative, regulatory, and forensic components of the DLE and other criminal justice agencies, and ensure the personal and professional integrity of our staff through investigative services.”*



## INTRODUCTION

The Office of the Director serves as the policy-making and oversight body for the DLE's six operational bureaus. Its mission is to ensure optimum efficiency and effectiveness of division programs and to unify support services within the DLE.

The Office of the Director consists of the Executive Unit, the Facilities Protection Unit (FPU), and the Professional Standards Group (PSG).<sup>1</sup>

The Executive Unit enhances the division's overall mission through consistent and effective delivery of support services to DLE line operations in the following areas:

- Specialized Investigative Training
- Inspections
- Radio Communications
- Aviation Operations
- Security and Facility Protection
- Policy and Procedure Development
- Resource Management

The FPU is responsible for securing the grounds and providing personnel protection at the Sacramento Q Street, Broadway, J Street, and I Street facilities. Each facility has uniformed DOJ peace officers who provide protection and assistance with security issues and respond to security emergencies within the facilities. In addition, the FPU also provides dignitary protection for the Attorney General.

The PSG ensures that the high standards expected of the division's staff are maintained fairly and impartially, including conducting

background investigations, reviewing grievances and complaints, handling critical incidents, coordinating litigation matters, and responding to public record requests. The PSG also assists the Department of Justice with formal and informal internal affairs investigations, and provides employee discipline and adverse action counseling and guidance to division management. Investigations into allegations of discrimination and sexual harassment are conducted to ensure equal employment opportunity. When an incident results in life-threatening injury, death, or other critical matter, the PSG provides timely critical incident response.

## SIGNIFICANT ACCOMPLISHMENTS

### **Peer Support Program**

In FY 2009-10, the division recruited additional peace officers with varied ethnic and cultural backgrounds and life experiences to serve as peer counselors to add to the ranks of those who were trained in 2008, and replace those who have left the department. The Peer Support Program continues to assist employees who are experiencing work-related stress, as well as stress associated with these uncertain economic times. Peer counselors are trained to be effective listeners and to help employees identify options for problem resolution before their problems become acute. New peer counselors are scheduled to receive basic training in November 2010, and current peer support counselors will receive updated training. The Peer Support Program is

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<sup>1</sup> Core Lines of Business Nos. 1, 4-9, and 12.





practical and necessary for the well-being of every DLE employee.

### **Specialized Training**

The Advanced Training Center (ATC) provides training in specialized investigative techniques, such as digital evidence recovery, clandestine laboratory safety, and cellular phone forensics. The ATC provides training to law enforcement agencies statewide; in FY 2009-10, the ATC provided training to 5,087 students.

### **Aviation Operations**

Aviation Operations provides covert aerial surveillance and reconnaissance services to bureaus within the DLE.

In FY 2009-10, Aviation Operations supported 562 enforcement missions, approximately 300 of which were in support of wiretap cases. In these cases, DOJ investigative units obtained court orders to monitor the communications of high-profile criminals. Using fixed-wing aircraft, Aviation Operations provided covert aerial surveillance of these criminals as they

conducted their illegal activities. These cases resulted in numerous arrests and seizures of large amounts of heroin and methamphetamine, firearms, and cash.

In addition, Aviation Operations' rotor-wing aircraft with external load capabilities assisted DOJ Marijuana Investigative teams throughout FY 2009-10 by performing reconnaissance missions and lifting over 28,000 pounds of marijuana out of mountainous terrain.

### **Advanced Computer Forensics Courses**

During FY 2009-10, the ATC continued to present two 80-hour Advanced Computer Forensics "Build a Box" courses to 32 select California law enforcement investigators who handle high technology and computer crimes. The training provided tools and procedures for conducting difficult and detailed forensic examinations of personal computers and seized digital media. Students built their own forensic analysis computer and learned how to troubleshoot and repair problems on their forensic computer. They were also shown advanced software tools available for forensic analysis. In addition, students were provided with instruction to effectively develop, analyze, and present a digital evidence case for prosecution. The course consisted of lectures, hands-on classroom exercises, and 32 to 44 hours of lab work.

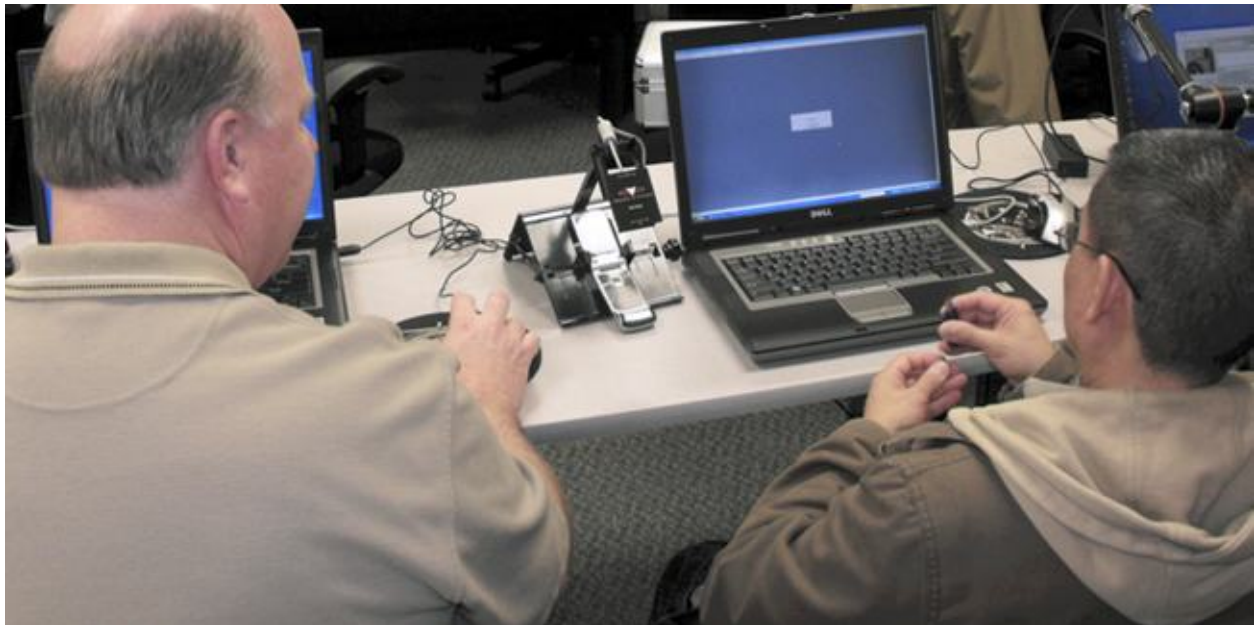
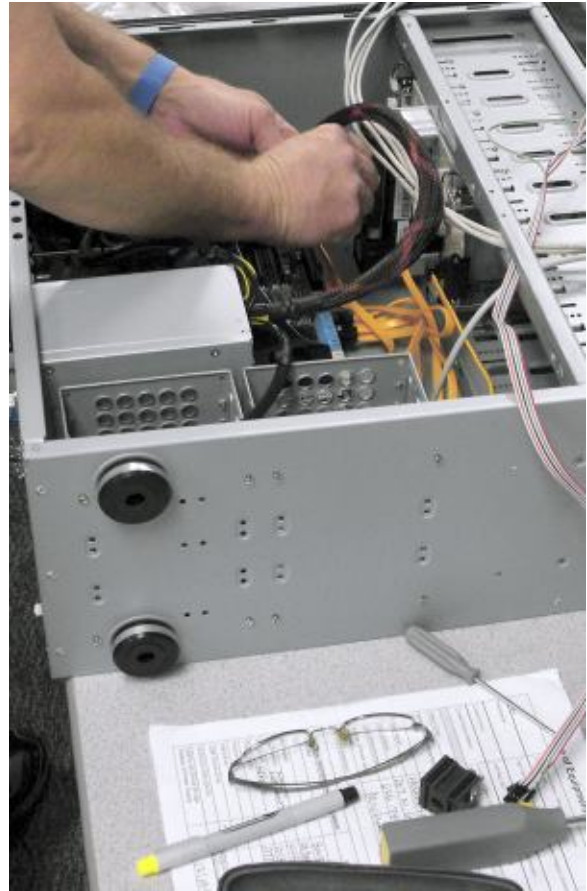
With funding assistance from the California Emergency Management Agency, the ATC continues to issue investigators superior forensic equipment capable of imaging digital media at a faster rate. This specialized course is one of only two courses offered within California—the other being offered by the

U.S. Secret Service. The course currently has a two-year wait list for enrollment.

**Cell Phone Forensic Course**

Also during FY 2009-10, the ATC presented a newly developed 40-hour Cellular Phone Forensics Investigation course to 20 select California law enforcement investigators who handle high technology and computer crimes. Students were taught data collection methodologies and were shown the latest data retrieval tools available. Cell phone vendors loaned their equipment to the program for student use and evaluation. Students were issued a Susteen DataPilot cell phone forensic kit at the conclusion of the course.

This specialized course is offered to law enforcement investigators at no cost and is certified by the Commission on Peace Officer Standards and Training. This course is one of nine courses in the high technology series offered by the Department of Justice through the ATC.





# BUREAU OF FIREARMS

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*“To serve the people of California through education, regulation, and enforcement actions regarding the manufacture, sale, ownership, safety training, and transfer of firearms and dangerous weapons.”*





## INTRODUCTION

The Bureau of Firearms (BOF) ensures that the state's firearms laws are administered fairly, enforced vigorously, and understood uniformly throughout California. The BOF provides oversight, enforcement, education, and regulation of California's firearms and dangerous weapons laws. Critical functions are carried out through the following program areas:

- Enforcement Section
- Safety and Regulatory Section
- Training, Information, and Compliance Section
- Prohibition Reporting Section
- Persons and Employment Clearance Section
- Purchaser Clearance Section
- Licensing and Permits

Through the BOF's critical programs, background checks for firearms eligibility are conducted, and 30 state-mandated firearms programs are administered. Special agents conduct investigations on armed and prohibited persons resulting in the seizure of weapons and the prevention of illegal firearms trafficking. The BOF conducts firearms dealer and manufacturer inspections and provides training as needed. BOF staff creates and enforces regulations regarding the manufacture, sale, ownership, safety training, and transfer of firearms and analyzes proposed legislation to ensure the fair administration of firearms laws.<sup>2</sup>

## SIGNIFICANT ACCOMPLISHMENTS

### **Focused Enforcement Efforts**

Overall, for FY 2009-10, Armed Prohibited Persons System (APPS) enforcement resulted in 1,795 criminal investigations, 546 APPS cases administratively cleared, and 184 arrests. These activities resulted in the seizure of 2,090 firearms.

### **Guns Confiscated from Felon Prohibited for Life from Owning Weapons**

During a BOF investigation agents discovered that a convicted felon, who was prohibited for life from owning a gun, had 11 handguns registered in his name. Agents went to the suspect's West Hills residence, but there was no answer. Upon returning on October 1, 2009, agents again found no one at the residence, but this time they noticed mail in the mailbox addressed to the suspect and to a female, and agents found a doctor's business card in the driveway. Agents called the number on the card and discovered that the suspect and his daughter worked at the office. Although the suspect would not reveal any information about the firearms, the suspect's daughter told agents that her father gave her the weapons for safekeeping. At the daughter's Northridge residence, agents seized 11 handguns, 13 rifles, and two shotguns, all owned by the suspect.

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<sup>2</sup> Core Lines of Business Nos. 1-2 and 4-12.



### **Weapons Found in Convicted Felon's Home Within Access of Children**

In December 2009, agents in the BOF's Los Angeles office conducted an investigation at the Arcadia residence of a male suspect who was listed in the APPS as owning a firearm. As a convicted felon, the suspect had a lifetime prohibition of firearms possession. When agents confronted the suspect outside his residence, he admitted he owned several guns and claimed it was legal because his conviction was dismissed in 2007. Agents explained to the suspect that the dismissal did not change his prohibition permit to own or possess firearms and that he is prohibited for life from possessing or having access to firearms. Inside the residence were the suspect's wife and their four children, ages 12 to 17. At the request of the suspect's wife, the children went to their grandmother's house across the street. Inside the suspect's house, agents seized two shotguns and a rifle from under the master bed, three handguns from a tented area outside, one rifle from an unlocked garage, and one rifle from another tented storage area. Because of the living conditions in the residence and the access of the weapons to all family members, agents contacted the Los Angeles County Department of Children

and Family Services, which responded to the scene to conduct its own investigation.

### **Convicted Felon Hid .44-Caliber Rifle in Child's Bedroom Closet**

A confirmed gang member could not go straight, even though he had just been released from parole status following three felony narcotics convictions. In January 2010, when BOF agents discovered he was involved in the illegal sale of firearms, the BOF began a three-month undercover investigation during which the suspect sold agents one assault rifle, five shotguns, two handguns, and one law enforcement-style ballistic vest. The barrels of four shotguns had been sawed off to less than 18 inches. Another shotgun purchased from another gang member had been reported stolen by the local police, who confirmed that both suspects belong to the Bulldogs street gang. In March 2010, as agents and officers served three search warrants at the residences of the two suspects, agents located the first suspect, his two small children, and two other adults. At this suspect's residence, agents found an unsecured Marlin .44-caliber lever-action rifle inside his children's closet. Agents also seized a 9 mm semi-automatic pistol, 128 rounds of ammunition, 10 grams of methamphetamine packaged for sale, a scale with methamphetamine residue, and a small marijuana grove. The suspect was charged with various narcotics and weapons charges and child endangerment.

While searching the second suspect's residence, agents seized a .22-caliber rifle and ammunition, but the suspect was not located. Before serving a search warrant at a third location, agents watched another convicted felon place a shoebox into the trunk of the second suspect's vehicle. Upon serving the

warrant, agents detained this third suspect and five other suspects before finding the shoebox that contained a loaded handgun and approximately 2.7 grams of methamphetamine packaged for sale. The third suspect was arrested for narcotics and weapons-related charges.

### **Implementation of the New Firearms Dealer Acquisition System**

On July 1, 2010, the BOF along with Division of California Justice Information Services (DCJIS) successfully implemented the Firearms Dealer Acquisition System (FDAS). FDAS was implemented in support of Senate Bill 449, Chapter 335, statutes of 2009, requiring secondhand dealers and pawnbrokers to electronically report all firearms purchased, taken in trade, pawned, or accepted for consignment or auctioning to the BOF for inclusion in the Automated Firearms System (AFS). The BOF will then provide electronic copies of the reports to law enforcement agencies within one business day. The implementation of FDAS saves time and money for dealers, law enforcement, and the BOF. Further, the electronic reporting process enables the DOJ to quickly identify stolen firearms, allowing law enforcement to respond, retrieve the firearms, and return them to their rightful owners.

### **Two Suspects Arrested for Sale of Illegal Firearms**

In December 2009, BOF agents assisted by agents from the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) investigated a suspect who was a convicted felon and a documented gang member involved in selling firearms to known gang members. BOF agents working undercover

met with the suspect and purchased illegal firearms. During the four-month undercover investigation, the suspect illegally possessed and sold firearms on several occasions. During the purchase of the firearms, agents determined that a second suspect was the source of the firearms being sold.

On April 13, 2010, both suspects agreed to deliver five firearms, one of which was a sawed-off shotgun, which is an illegal weapon as described in Penal Code section 12020(a)(1). The suspects arrived at a restaurant in Lodi, and agents arrested both suspects; a search of their vehicles revealed two handguns, one rifle, and two shotguns. The suspects were taken to the San Joaquin County Jail where they were booked on gun charges.

Agents served follow-up search warrants at both of their residences and seized approximately 49 guns from the second suspect's residence. All evidence was booked into the Sacramento BOF office, and the San Joaquin County District Attorney's office prosecuted both suspects on gun charges.





# BUREAU OF FORENSIC SERVICES

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*“To provide high quality, impartial forensic service in the interest of public safety and justice.”*



## INTRODUCTION

The Bureau of Forensic Services (BFS) provides forensic services to state and local law enforcement, district attorneys, and the courts. BFS laboratories conduct forensic examinations on a broad range of physical evidence. The examinations fall within the following forensic disciplines:

- Alcohol
- Biology
- Controlled Substances
- DNA Casework
- DNA Data Bank
- DNA Missing Persons
- Field Investigations (Clandestine Labs, Crime Scenes)
- Firearms/Toolmarks
- Impressions
- Latent Prints
- Questioned Documents
- Toxicology
- Trace Evidence

The BFS regional lab system was established in 1972 to provide service to counties and clients who could not reasonably afford, or lacked the workload to support their own forensic scientists and laboratories. What exists today is a comprehensive, state-of-the-art ASCLD/LAB (American Society of Crime Laboratory Directors Laboratory Accreditation Board) accredited forensic program that serves 47 of the state's 58 counties. The DOJ has efficiently and effectively delivered service to these counties for more than 35 years.

The BFS operates 11 regional crime laboratories where forensic scientists analyze,

interpret, and compare physical evidence from suspected crimes. In addition, the Jan Bashinski Laboratory in Richmond houses the CAL-DNA Data Bank, Missing Persons Program, Method Development, and a DNA casework section. DNA casework analysis is also performed at regional laboratories in the Central Valley, Fresno, Redding, Riverside, Sacramento, and Santa Barbara.<sup>3</sup>

## SIGNIFICANT ACCOMPLISHMENTS

### **CAL-DNA Data Bank Program**

During FY 2009-10, the CAL-DNA Data Bank added 258,651 DNA profiles of convicted offenders and arrestees, for a total of 1,552,965 as of June 30, 2010. An additional 7,008 profiles were removed from the backlog (failed and expunged samples), for a total of 265,659 profiles completed. The CAL-DNA Data Bank receives approximately 20,000 to 30,000 offender/arrestee samples per month. With a processing capacity of up to 30,000 samples per month, the Data Bank Program has effectively no backlog, and offender profiles are typically uploaded in less than two months from receipt of a DNA sample.

In FY 2009-10, the CAL-DNA Data Bank added 5,474 forensic DNA or crime scene evidence profiles from the five BFS and 15 local crime lab DNA sections in California, for a total of 32,434 profiles. As a result, the CAL-DNA Data Bank was able to report an additional 3,679 hits in FY 2009-10, for a total of 13,066 hits since the Data Bank was established in 1990.

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<sup>3</sup> Core Lines of Business Nos. 1-3, 5, 7-10, and 12.

### **Familial DNA Search**

California became the first state to adopt a familial DNA search program in 2008. In less than two years, this new DNA search program has proven its worth by identifying a man suspected of being the “Grim Sleeper” who murdered at least 10 women in the Los Angeles area over the past 25 years. Lonnie David Franklin Jr., 57, of Los Angeles, was arrested on July 7, 2010, on multiple murder counts after the state DNA lab uncovered a DNA link between the murder-scene material and Franklin’s son. Last year, the son was convicted of a felony weapons charge, and his DNA was collected and sent to the CAL-DNA Data Bank for the first time.

The initial familial search performed on the “Grim Sleeper” case in October 2008 did not result in finding a relative in the database. A second search in April 2010 was successful because, in the meantime, Franklin’s son had been convicted and his DNA analyzed and linked to the crime scenes in accord with California’s unique familial search procedures.

The suspect would still be at large if not for the familial search program.

Familial DNA searches are done under rigorous guidelines established by the Attorney General’s Office. The searches are only allowed in major violent crimes when there is a serious risk to public safety and all other investigative leads have been exhausted.

### **ASCLD/LAB International Accreditation**

The DOJ’s BFS holds its forensic science laboratories to the highest standards of service and integrity, and the BFS has established a robust quality management system (QMS). The QMS consists of dedicated quality assurance staff, standardized policies, procedures and practices, training programs, proficiency testing, and management audits.

This system ensures compliance with industry and accreditation standards and provides an environment conducive to continuous improvement of forensic science processes.

During FY 2009-10, the BFS became the largest laboratory system in the nation to achieve ISO 17025:2005 (International Organization for Standardization) accreditation under the prestigious American Society of Crime Laboratory Directors Laboratory Accreditation Board (ASCLD/LAB) International program. Maintaining national accreditation ensures the delivery of quality forensic services to law enforcement clients, is required to receive most federal grants, and is one of the strong recommendations of the 2009 National Academy of Sciences report, “Strengthening Forensic Science in the United States: A Path Forward.”





### **Thirty-Six-Year-Old Homicide Solved by DNA Match—and Sheer Determination**

In 1974, Anita Andrews, 51, was brutally attacked and killed at a Napa restaurant. Although police conducted an exhaustive investigation at the time, her killer was never identified. Throughout the years, Napa police would rework the cold case, looking through the old boxes for new clues and using new tools in the search for her killer. Many times Napa police would submit evidence to the DOJ's criminalistics laboratories in Santa Rosa, Sacramento, or the Central Valley in hopes of linking the killer to evidence recovered from the scene. In August 2009, criminalists extracted a DNA profile and entered it into the national Combined DNA Index System (CODIS) database of violent offenders. In January 2010, the BFS Central Valley lab confirmed a CODIS hit of an unknown male DNA profile that matched suspect Roy Allen Melanson, 70, currently serving a life sentence in Colorado for the murder of another young woman whom he killed less than two months after Anita Andrews' murder. The decades-long dedication and determination of peace officers and forensic specialists to solve this homicide will finally bring some closure to the family of Anita Andrews.

### **Santa Barbara and Redding Laboratories Ready for DNA Analysis**

The BFS expanded its DNA capacity by adding two new DNA programs to the Santa Barbara and Redding Regional Laboratories in October 2009. Today these labs are able to provide DNA analysis through a skilled staff of forensic specialists trained to perform this sensitive and detailed work. Their aid to criminal investigations touches all levels of law

enforcement, especially when the lab results are used to search the nationwide databases that form CODIS. The BFS labs can search against millions of known felon DNA samples collected throughout the United States. This



DNA search information is provided to assist law enforcement agencies in investigating crimes ranging from auto theft and burglary to sexual assault and homicide.

### **Cold Hit Outcome Project**

The Cold Hit Outcome Project (CHOP) is a tool that law enforcement agencies can use to track the outcome of their DNA hits. The goal of CHOP is to facilitate information sharing among local CODIS labs, law enforcement agencies, and district attorneys by providing a web-based application for all DNA hits in California. CHOP features include a centralized hit database, agency-specific statistics, John Doe warrant information, and an automatic email notification system that

will alert all agencies when a new DNA hit occurs in their jurisdiction.

The BFS partnered with the Western States Information Network (WSIN) to use their infrastructure as a pathway to the CHOP portal. WSIN already facilitates communication and information sharing among law enforcement agencies, so this project was a natural fit. In September 2009, CHOP was rolled out to the state's crime labs, law enforcement agencies, and district attorney's offices. CHOP has now become a model tracking system that other states are following. For the first time in California, DNA hits are tracked and information can be assembled on the type of DNA hits to maximize the effectiveness of the CAL-DNA Data Bank in the criminal justice system.

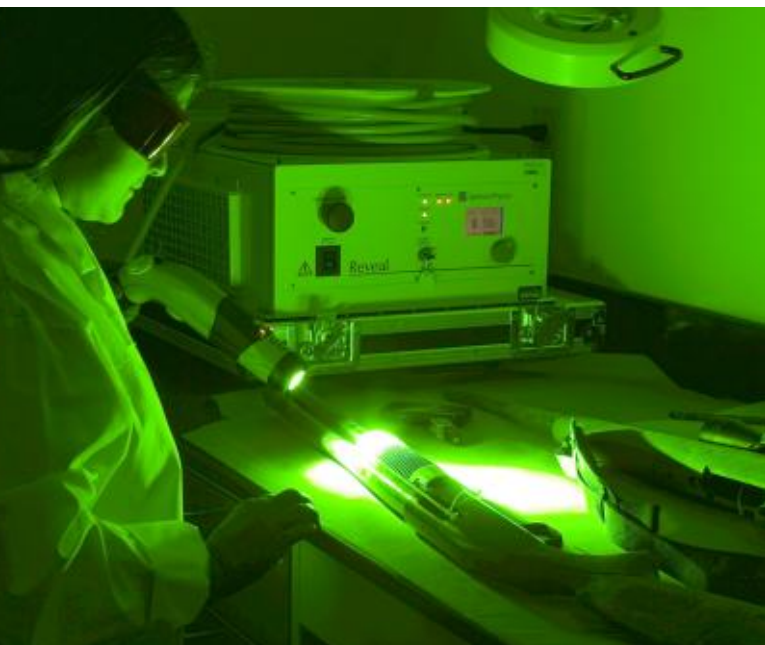
### **Forensic Criminalist Disproves DUI Suspect's Unusual Defense**

A senior criminalist with the BFS Santa Rosa laboratory testified during a driving while under the influence (DUI) case in which the defense offered an unusual claim regarding an Evidential Portable Alcohol System (EPAS). When the defendant was stopped by officers on suspicion of driving under the influence, the officers had him exit the vehicle and were talking to him when he attempted to run away.

The subject did not go far, however, before tripping and landing in a wasp nest and suffering more than 80 stings. During the trial, the defense claimed the wasp stings caused the defendant's breath alcohol level to be elevated. The senior criminalist researched bee and wasp stings, carefully calculating the amount of venom it would take to raise a person's alcohol level assuming the venom converted completely to alcohol. The result of his calculations, to which he testified in court, was that the amount of venom the defendant received from the stings would not be detected by the EPAS device. The case ended in a hung jury.

### **Reminiscent of TV's CSI Stories, Real Forensic Criminalists Process Gruesome Murder Scene**

When an anonymous caller told the Merced County Sheriff's Department that she had peered through a window of a nearby home and saw an elderly man apparently dead on the floor, responding deputies requested assistance from BFS criminalists with processing the crime scene. In July 2009, BFS criminalists entered the house in Winton and saw a .22-caliber Beretta pistol on a table within a few feet of the victim, a gunshot wound to his lower lip, blood smears on his clothing, possible defensive wounds on his arms, a broken lamp covered with blood, and two windows broken from the inside. The victim had cigarette ashes on one arm, although no cigarettes or ash trays were near the body, and the victim's right shoe was lying near his foot with the insole removed. A pair of wet pants, size 5/6, with large diluted bloodstains were located in the bathroom along with a torn white tank top with bloodstains on the shoulder. The victim was known to help out local methamphetamine addicts with money and jobs, and he had a temporary female roommate who had recently been kicked out



of her boyfriend’s house; however, she was missing and a packed suitcase was found in the house. When the female roommate was finally located, she was not wearing a shoe on her right foot. Asked about her missing shoe, the woman responded with, “It’s one piece of the mystery that you’ll have to figure out.” She also made irrational statements such as claiming she was the FBI, that ashes were good to help stop bleeding, and that she used to sew up people who had been hit by trains so you wouldn’t know they had been hit by a train. Criminalists documented the scene with photos and sketches, and they collected blood stains and several weapons for latent print processing.

**Nevada County Home Invasion Suspect Captured and Convicted**

On June 18, 2008, BFS latent print analysts responded to a residence near Grass Valley in Nevada County to process the scene of a home invasion during which a 14-year-old girl was sexually assaulted. The girl had been babysitting four children when a man broke into the home. One of the children ran to a neighbor’s house and called 911. Nevada County Sheriff’s Office deputies entered the house, began a methodical room-to-room search, and found the master bedroom door locked.

Upon knocking, the door was opened by the babysitter, who was naked and holding a two-year-old child. As deputies entered the bedroom, they observed a male suspect fleeing out of the window. The suspect dropped nine feet from the window to the ground and fled to a nearby school. A deputy pursued the suspect on foot to the school parking lot where the suspect jumped into his vehicle and drove away, crashing through a closed gate and causing the vehicle’s license plate to dislodge. A search of Department of Motor Vehicle records revealed the registered owner’s name; the suspect was on parole, and he was a Penal Code 290 sex registrant. The Nevada County Sheriff’s Office then received a call from a resident who lived approximately two miles from the initial scene advising that someone was in his house. When deputies arrived, they found the suspect in the upstairs bathroom and took him into custody.

Latent print analysts processed the scene of the assault and developed several latent impressions. Latent impressions from the window that was the point of entry into the house were matched to the suspect. On November 10, 2009, latent print analysts gave testimony in this case. The defendant was found guilty on all counts.

FORENSIC REQUESTS COMPLETED FOR FY 2009-10			
Offender/Arrestee Samples	258,651	DNA Analyses	1,685
Blood and Urine Analyses	23,349	Firearms Analyses	1,637
Breath Tests	36,707	Latent Print Analyses	2,131
Toxicology Analyses	14,464	Questioned Documents	116
Controlled Substance Analyses	20,325	Missing and Unidentified Persons	830
Clandestine Laboratories	171	Other Criminalistics Analyses	583
Biology Analyses	1,813	<b>Total Analyses Completed</b>	<b>362,462</b>



# BUREAU OF GAMBLING CONTROL

*"To ensure the integrity of gambling in California."*

# BG&C



## INTRODUCTION

The Bureau of Gambling Control (BGC) conducts criminal investigations, reviews and investigates the qualifications of gambling license applicants, monitors licensee conduct, and ensures that gambling activities are conducted fairly and are free from criminal and corruptive elements. The BGC carries out these activities through the following section areas:

- Compliance and Enforcement
- Tribal Licensing
- Cardroom Licensing
- Audits
- Special Programs (e.g., charitable gambling, patron exclusion, criminal intelligence)

The BGC maintains a regulatory environment that promotes compliance, allows business to be conducted as efficiently as possible, builds and strengthens relationships, and effectively administers and supports enforcement activities.<sup>4</sup>

## SIGNIFICANT ACCOMPLISHMENTS

### **Loan Sharking Investigation**

In October 2009, the BGC received information from a citizen in the Sacramento Asian community regarding a violent loan shark operating out of tribal casinos in Northern California. The ringleader of the organization had a staff of armed collectors, lenders, and bodyguards who loaned casino customers and employees money at 5 to 10 percent interest a week, then raised the stakes on the loan. Suspects then threatened the

borrowers or their families if payments were slow or infrequent. With the assistance of the Federal Bureau of Investigation (FBI), the Sacramento Police Department, and tribal gaming authorities, as well as Red Hawk Casino and Thunder Valley Casino personnel, the BGC was able to pursue this investigation.

On June 10, 2010, BGC agents along with the FBI and Sacramento Police Department served search warrants on three residences. Agents arrested seven suspects on charges of felony assault, extortion, and conspiracy. Agents also recovered five handguns, one assault rifle, \$25,000, four pounds of marijuana, and other contraband.

### **Suspects Switch Dice Cup in Pai Gow Cheating Scam**

In September 2009, the BGC was notified by the California Grand Casino that a group of four men participated in a Pai Gow poker cheating scam, and cheated the casino out of approximately \$16,000. The whole event had been captured on the casino's video surveillance system. The investigation revealed that one of the suspects switched out the table dice cup with a dice cup from his pocket. The new dice cup contained dice loaded with a metallic substance. The same suspect then switched out the joker card with a card he carried in his jacket pocket. Another suspect used a magnet underneath the table to manipulate the roll of dice in the cup. At the end of the game, the group bet approximately \$10,000 on one hand and ended up winning \$14,186. After the winning hand, one of the suspects attempted to retrieve the planted dice cup but was unsuccessful. The investigation

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<sup>4</sup> Core Lines of Business Nos. 1-2 and 4-12.



revealed that the dice had been magnetized to roll 1, 3, and 5, which then determines how the cards are dealt. The dice cup was inscribed with “Casino SP,” indicating it was originally from Casino San Pablo, and the replaced joker card was marked on the reverse. Investigative interviews determined that one of the suspects was a Pai Gow dealer at Casino San Pablo, who later confessed to his involvement. Two suspects were identified as having direct involvement in the cheating scam, and both were arrested for grand theft and commercial burglary.

### **Tran Organization Multi-State Card Cheating Scam**

In late 2002, the BGC received information regarding a large-scale card cheating scam victimizing several San Diego County tribal casinos. An undercover BGC agent overheard cardroom employees talking about a group of tribal casino dealers who were involved in a cheating scam. The undercover agent initiated an investigation that evolved into one of the longest, most extensive organized gambling cheating investigations conducted in the United States. The five-year investigation, involving law enforcement investigators from seven states and Canada, resulted in the federal indictment of 40 members of what became known as the Tran Card Cheating

Organization. Members of the Tran Card Cheating Organization bribed casino dealers at blackjack and mini-baccarat games to introduce a predetermined set of playing cards into the games, enabling the organization’s members to cheat the casino out of thousands of dollars in a single sitting. The estimated loss to the 18 identified casinos was approximately \$10 million. In 2009, the last suspects in the case were indicted and sentenced to federal prison. BGC agents partnered with the FBI and several local and state law enforcement agencies in managing informants, conducting undercover operations, locating and interviewing witnesses, and gathering evidence in preparation for federal grand jury indictments. BGC agents served as the primary liaisons between law enforcement personnel and California gambling industry representatives.

### **Baccarat Cheating Scam Involving Gambling Establishment Employees**

In February 2010, the BGC received information that several employees of Hawaiian Gardens Casino were suspected of stealing card decks from the casino, marking the cards, and then reintroducing the marked decks into a card shuffler at a mini-baccarat table, thus allowing the cheats to win hands in a live game. The suspected employees from Hawaiian Gardens Casino included a floor supervisor, a dealer, a card control supervisor, and a card control employee. The scam also involved an off-duty Hustler Casino dealer. The off-duty Hawaiian Gardens floor supervisor and the off-duty Hustler Casino dealer requested to play in a private baccarat game. The marked cards were brought to the table, provided to the dealer, and introduced into the game. All suspects conspired to steal





the cards and cheat the cardroom and banking group, which resulted in the loss of about \$210,000 during 30 minutes of baccarat play. Video surveillance confirmed the theft of the cards and false shuffles. The two players cashed out with \$120,000 in cash and kept \$90,000 in chips. The suspects then went to the Bicycle Casino where they cashed in \$20,000 of Hawaiian Gardens chips and promptly lost \$19,500 at the Bicycle Casino game of Pai Gow tiles.



BGC special agents from the Los Angeles office worked this joint investigation with detectives from the Los Angeles County Sheriff’s Department. The BGC agents and sheriff’s department lead detective reviewed the evidence in the case, conducted suspect interviews, and prepared state search warrants. BGC agents and sheriff’s deputies arrested all five suspects; the suspects were charged with burglary, grand theft, and conspiracy, and they were prosecuted by the Los Angeles County District Attorney’s Office. Residential searches were also conducted, and \$49,000 in Hawaiian Gardens chips were recovered. During the course of this investigation, several suspects confessed to the crime.

**Cardroom and Tribal Licensing Investigations**

The BGC completed background investigations on 1,062 applicants seeking new

licenses or permits to own, operate, or work in any of the state’s 90 cardrooms. The BGC updated its findings on 545 others that applied for renewal.

In addition, the BGC investigated 12 businesses and their 78 principals that supply gaming products and services to the state’s 62 tribal casinos, and updated its findings on 87 others seeking renewal. These investigations are wide in scope and highly complex, and frequently involve in-depth analysis of corporations doing business throughout the world. The BGC also investigated 1,029 persons licensed by the gaming tribes as key employees.

The BGC approved 288 new or modified games and gaming activities proposed for play in cardrooms, as well as 32 contracts between cardrooms and their banking service providers.

STATISTICS COMPARISON	FY 2007-08	FY 2008-09	FY 2009-10
Compliance & Enforcement Section Closed Cases	260	282	310
New/Modified Games Approved	445	957	288
Tribal Casino Employee Background Investigations	743	1,032	1,029
Law Enforcement Bulletins	16	17	25

# BUREAU OF INVESTIGATION AND INTELLIGENCE

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*“To enhance public safety by providing exemplary and innovative investigative services while conducting criminal and civil investigations along with employing the best practices to collect evidence and analyze criminal activities to produce and share timely, actionable intelligence.”*



## INTRODUCTION

The Bureau of Investigation and Intelligence (BII) provides expert investigative and intelligence services to the DOJ and allied law enforcement agencies throughout the state. The BII extends law enforcement services to all 58 counties through six regional offices, two field offices, and two intelligence centers. In addition, the BII administers and participates in a variety of diverse programs as outlined below:

- Major Crimes Team
- Special Investigations Team (formerly Investigative Services Team)
- Foreign Prosecution and Law Enforcement Unit
- Los Angeles County Regional Criminal Information Clearinghouse
- California Witness Relocation and Assistance Program
- Intelligence Operations Program
- High Tech Crimes Task Force
- Joint Terrorism Task Force
- Sexual Assault Felony Enforcement (SAFE) Task Forces
- Federal SAFE Streets Task Forces
- Attorney General's Most Wanted Fugitive Program

Charged with conducting complex and sensitive criminal investigations and providing statewide investigative and intelligence services, the BII is actively involved in the investigation of unsolved violent crimes, homicides, acts of terrorism, child exploitation, officer-involved shootings,

organized crime groups, and many facets of “white collar” crime. The BII also offers support services to protect witnesses and family members, conducts criminal investigative analysis, and provides computer forensic services to local agencies and the DOJ. The BII is home to a statewide intelligence program and serves as the DOJ's lead contact for interactions with foreign governments in prosecuting individuals who commit crime in California.<sup>5</sup>

## SIGNIFICANT ACCOMPLISHMENTS

### **\$1 Million Insurance Policy—Motive for Murder**

In April 2009, the San Diego Sheriff's Department received a call reporting a deceased man inside a residence in Spring Valley. The victim had been stabbed at least 35 times in the neck and head. Agents with the BII Major Crimes Team responded to assist in the investigation and quickly determined a possible motive: the victim had two life insurance policies totaling \$1 million naming a male suspect as the sole beneficiary. During an interview by investigators, the suspect claimed he barely knew the victim, claiming he communicated with him online a few times and had met him only once in person. An extensive investigation by local, state, federal, and military authorities, and the issuance of more than 50 search warrants, numerous interviews, surveillance, GPS tracking devices on vehicles, and phone toll analysis

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<sup>5</sup> Core Lines of Business Nos. 1-2 and 5-12.





determined the suspect and a friend were the primary suspects in the murder. Investigators gathered incriminating circumstantial evidence through traditional investigative techniques, but because of the complexity of the crime, the San Diego District Attorney's Office felt there was insufficient evidence to support murder convictions. In August 2009, after agents conducted further wiretap investigations, ground and air surveillance, more interviews, and additional search warrants, the suspects were arrested for the victim's murder. The San Diego District Attorney's Office is charging both suspects with murder-special circumstance, which carries the possibility of the death penalty or life in prison without parole.

### **Gang Member Arrested For Murdering Man at Wedding Party**

Wedding preparations were interrupted at a Fresno residence in June 2008 when two men

started an argument with a man and his family before leaving the scene. Within an hour, however, the two suspects returned with several cohorts, including a member of the Fifth Street Bulldogs street gang, who murdered the victim with a gunshot to the back of the head. Fresno police detectives, who had continually worked the case, received information that the suspect's pregnant girlfriend was planning a trip to San Francisco to meet him. On September 25, 2009, agents with the BII Fresno Major Crimes Team followed the girlfriend to the Fresno Amtrak station and boarded the train with her. Agents maintained surveillance on her as other officers traveled to San Francisco to support the surveillance once they arrived. At Fisherman's Wharf, the girlfriend entered a taxi, which agents lost in traffic. Several hours later, agents using specialized equipment located the suspect and his girlfriend at a pizza restaurant in San Francisco and arrested the suspect. They discovered he had been avoiding detection by law enforcement for over a year while living in Wyoming and Montana, but he made frequent trips to Mexico. The suspect, who had a false Wyoming identification card containing the information of the girlfriend's former husband, had traveled by airplane from Montana to San Francisco carrying \$3,000 and checked into a motel just hours before his arrest. The Fresno County District Attorney's Office is prosecuting the murder case.

### **Man Defrauds Dozens of Business Owners in Multimillion-Dollar Credit Scheme**

Agents with the BII Sacramento Investigative Support Team concluded a four-month investigation into allegations of investment fraud against a suspect and his associates,

employees, and businesses. The suspect sold products called shelf corporations, which are companies formed but never activated that have a positive credit history, thus allowing a business owner to obtain expedited business financing. The suspect sold his phony companies, with names like Super Corps or Mega Corps, under the pretext that victims would be eligible for extreme lines of credit up to \$5 million. Victims paid the suspect \$15,000 to \$50,000 in upfront fees, depending on their desired level of credit. The suspect used sales representatives to market his products to business owners, whom he then personally met with and made false statements about his products in order to obtain money from them. But the suspect never filed victims' applications with the processing company, and he never repaid victims their upfront fees. Agents interviewed 31 victims and identified approximately 50 additional victims, whose potential losses could exceed \$1.6 million. On July 23, 2009, Investigative Support Team agents and others with the Major Crimes Team, Sacramento Valley High Technology Crimes Task Force, and Franchise Tax Board searched the suspect's Lincoln residence and Roseville business location seeking financial documents to support criminal charges against the suspect, his associates, and his business partners. Based on information obtained during that search, two additional warrants were served at the homes of the suspect's sister and father, a retired peace officer, during which agents seized substantial documentation related to the investment fraud schemes. They also confiscated several computers and \$16,000.

### **Family Defrauded California out of \$1 Million in CRV Funds**

When a suspect attempted to recycle more than 500 pounds of used beverage containers at the Titan Metal Corporation in San Bernardino County in December 2009, agents with the BII immediately responded and arrested the suspect at the scene. Agents previously had asked employees at the recycling business to notify them when the



suspect came to the location because he was suspected of being involved in a conspiracy to defraud the California Redemption Value (CRV) fund by recycling out-of-state materials. At the scene, agents inspected a small sample of the suspect's load of beverage containers, which had unlabeled, ineligible aluminum cans that did not bear the CA-CRV logo, meaning they did not originate for sale in California. Further investigation revealed that the suspect had personally redeemed more



than \$40,000 in CRV materials in 2009, and was a member of a family whom agents determined have defrauded California out of more than \$1 million in CRV funds since 2007. In November 2009, agents arrested five members of the same family and two associates for conspiracy, grand theft, and recycling fraud. The suspect was arrested on the same charges and booked into the West Valley Detention Center in San Bernardino County. Because of his immigration status, Immigration and Customs Enforcement placed a detainer on the suspect.

### **Suspect Arrested in Nine-Year-Old Murder of 14-Year-Old Girl**

Agents with the BII Riverside Regional Office Major Crimes Team arrested the prime suspect in a nine-year-old murder of a young girl. The arrest stemmed from a February 2000 incident where three men picked up a 14-year-old girl in a town in Mexico, plied her with alcohol, sexually abused and battered her until she died, then dumped her body in an irrigation canal. The victim's body was found three days later, and two of the suspects were arrested for her murder. The third suspect fled the area and had been on the run ever since. Through an investigation, Immigration and Customs Enforcement agents identified a location in Lake Elsinore where the suspect was possibly hiding. On September 1, 2009, as special agents with the BII Riverside Office Major Crimes Team assisted several agencies in surveilling the location, the suspect was

identified when agents saw him exit the residence and enter a vehicle. The suspect was arrested at the scene, processed for deportation, and turned over to authorities in Mexico where he was charged with murdering the young girl.

### **Suspect Impersonates Labor Law Investigator to Prey on Bay Area Business Owners**

A male suspect thought he had concocted the perfect scam. For 10 months in 2009, he went to numerous businesses in the Bay Area claiming to be an investigator with the state Department of Labor, often displaying a counterfeit badge. The suspect approached business owners or managers at the work sites, conducted a quick visual inspection, and claimed the business was in violation of California's labor law for not posting appropriate labor law signs in the business. He would then offer to sell appropriate signage to the owner for between \$150 and \$550 in lieu of issuing a citation that could lead to a much larger fine. During this investigation, two dozen victims were identified throughout the Bay Area. In November 2009, the suspect was arrested by Oakland police and charged with grand theft, forgery, and impersonating a public officer, but he quickly bailed out of jail and continued his scam on unsuspecting businesses. As the investigation continued, Oakland police contacted the BII to assist in determining whether there were other victims in neighboring counties. Agents subsequently identified 10 additional victims who had been scammed. On December 3, 2009, when the suspect failed to appear in court to face charges, a warrant was issued for his arrest. Agents discovered that on this same date, the suspect used the identical scam to defraud a



Livermore business out of approximately \$350. Newark police arrested the suspect on February 27, 2010, on a new grand theft charge and the outstanding warrant, and the Alameda County District Attorney's Office filed a 26-count criminal complaint.

### **Online Predator Arrested After Attempt to Meet Teenager for Sex**

The frantic mother of a 15-year-old girl called the Orange County Cyber/SAFE Task Force on August 18, 2009, and reported that her daughter had been emailing a person online and discussing meeting him for sex. The suspect, a male from Rancho Santa Margarita, had been using both MySpace and Facebook under aliases to meet minors. Agents quickly assumed the identity of the victim on both social networks and scheduled to meet the suspect the following day to have sex. At the meeting site, agents immediately arrested the suspect who was booked into the Orange County Jail on charges of communicating with a known minor for sex purposes and attempted child molestation. In searching the suspect's residence, agents discovered a 17-year-old victim, who also had met the suspect online, and was waiting for him to return.

### **Agents Use a Ruse to Arrest Suspect for Failure to Register as a Sex Offender**

In 1991, a suspect was convicted of raping his mentally disabled sister in Washington State and, after his release from prison, was required to register as a sex offender. In 2010, Washington police requested assistance from the BII in locating the suspect who had active warrants in Washington and Nevada, and was believed to be living in the Los Angeles area.

Agents with the BII Major Crimes Team located the suspect's home address and confirmed that he had not registered as a sex offender in California. In February 2010, agents used a ruse to lure the suspect to the federal building in Los Angeles by telling him he was owed money by the government and could collect it by showing his identification at the U.S. Clerk's office. Agents with BII and the U.S. Marshals Service maintained surveillance at the federal building and spotted an individual matching the suspect's description enter the security checkpoint. Once his identity was confirmed, agents arrested the suspect without incident. This was the first "Adam Walsh" arrest warrant issued for failure to register as a sex offender in the Central District of California.



# BUREAU OF NARCOTIC ENFORCEMENT

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*“To provide leadership, coordination, and support to law enforcement agencies in combating drugs, illegal weapons, and violent crime in California.”*

# BNE



## INTRODUCTION

The Bureau of Narcotic Enforcement (BNE), formed in 1927, is the first and oldest narcotic organization in the United States. The BNE enforces state and federal controlled substance laws, and investigates and apprehends violent criminals. In addition, the BNE is the only statewide law enforcement authority specifically targeting gangs and gang violence. These crucial activities occur through the BNE's headquarters and nine regional offices statewide.

The BNE consists of the following programs:

- California Methamphetamine Strategy Program
- Campaign Against Marijuana Planting
- Clandestine Laboratory Enforcement
- Controlled Chemical Substance Program
- Controlled Substance Utilization Review and Evaluation System
- Crackdown Program
- Diversion Program
- Financial Investigations Program
- Gang Suppression Enforcement Program
- Marijuana Investigation Teams
- Prevention, Education and Awareness Program
- Regional Task Force Program
- Security Prescription Printer Program
- Special Investigations Unit
- Special Operations Unit

The BNE uses its resources to combat the complex problems associated with arresting and prosecuting major drug dealers, violent career criminals, clandestine drug manufacturers, violators of prescription drug

laws, and gangs. With multijurisdictional authority throughout California's 58 counties, the BNE provides investigative resources and expertise to more than 600 local law enforcement agencies to promote public safety in California.<sup>6</sup>

## SIGNIFICANT ACCOMPLISHMENTS

### **Gang Suppression Enforcement Program**

In 2006, the BNE established the Gang Suppression Enforcement Program (GSEP) as a pilot program in response to California's escalating gang violence. The GSEP teams guide local law enforcement in suppressing multijurisdictional violent crimes by using innovative investigative techniques to disrupt criminal gang activities and dismantle their membership. The unique strategy of the GSEP targets the leadership and organizational structure of criminal street gangs, rather than foot soldiers who are easily replaced. In 2008, legislators discontinued funding for the GSEP. However, the BNE was able to maintain a significantly reduced version of the program to support local law enforcement agencies with their fight to eradicate gang violence. Gangs have evolved into well-financed, highly structured organizations that have huge arsenals of weapons and prey upon citizens. In 2009, GSEP activities resulted in 165 arrests.

In 2008 and 2009, there were 55 homicides in Salinas, and all but two were related to gang violence. During this same period, there were more than 200 shootings associated with gang

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<sup>6</sup> Core Lines of Business Nos. 1-2 and 5-12.



violence. In August 2009, GSEP agents identified key Salinas gang leaders and created a complex investigative plan that significantly reduced the city's violent crime. Agents were instrumental in preparing 29 wiretap orders and numerous pen registers to record telephone numbers, and performed countless hours of surveillance of suspected gang members. Numerous street gangs were identified as having close-knit ties to Nuestra Familia, a violent prison gang. GSEP agents prevented a drive-by shooting, five armed robberies, five attempted homicides, a home invasion robbery, and a murder for hire. In addition, Nuestra Familia members committed two car fire bombings in the City of Campbell, and the case resulted in the arrest of 93 suspects and the seizure of 20 kilos of cocaine, 8 pounds of methamphetamine, 15 pounds of marijuana, 33 marijuana plants, and 28 weapons.

### **Controlled Substance Utilization Review and Evaluation System**

On September 15, 2009, the Controlled Substance Utilization Review and Evaluation System (CURES) was established to enhance the BNE's Prescription Drug Monitoring Program (PDMP). This new web-based system

allows pre-registered users—such as licensed healthcare prescribers, pharmacists authorized to dispense controlled substances, law enforcement, and regulatory boards—to access patient prescription information on a 24-hour basis. The PDMP gives authorized users a quick way to review a patient's controlled substance history via an automated patient activity report. This system allows authorized users to identify and deter drug abuse and diversion through accurate and rapid tracking of Schedule II, Schedule III, and Schedule IV controlled substances.

CURES contains data on more than 150 million entries of controlled substances that were dispensed in California. CURES received 5 million prescription records each month from more than 6,700 licensed pharmacies.

### **Diversion Program**

To deter, prevent, and reduce drug diversion to illicit markets, the BNE Diversion Program's special agents investigate and assist in the prosecution of licensed medical professionals and others who illicitly prescribe, dispense, or administer controlled substances. Pharmaceutical drug investigations led to 50 arrests and the seizure of nearly 12,000 dosage units of controlled substances and narcotics. High profile investigations included the cases pertaining to the deaths of celebrities Corey Haim, Michael Jackson, and Anna Nicole Smith.

### **Regional Task Force Programs**

Recognizing the need for a partnership among state and local jurisdictions to coordinate and concentrate efforts against drug traffickers, the BNE initiated a regional task force program in the mid-1970s. Over the years, the program has grown to 53 regional drug task forces.



The BNE assigns a special agent supervisor to command each task force, and local agencies provide officers and additional resources. Two special agent supervisors oversee larger task forces. Each task force is governed by a council made up of local chiefs, sheriffs, district attorneys, chief probation officers, and the BNE special agent in-charge in whose region the task force operates. In FY 2009-10, the task forces collectively accomplished the following:

- 4,828 arrests
- 1,349 weapons seized
- 954 pounds of cocaine seized
- 276 gallons of Gamma-Hydroxybutyrate (GHB) seized
- 134 pounds of heroin seized
- 217 dosage units of Lysergic Acid Diethylamide (LSD) seized
- 34,765 grams of psilocybin mushrooms seized
- 1,567,383 marijuana plants seized (excluding CAMP's statistics)
- 39,705 pounds of marijuana seized (excluding CAMP's statistics)
- 768 pounds of methamphetamine seized
- 299,888 gallons of methamphetamine solution seized
- 77 pounds of hashish seized
- 312 drug-endangered children rescued
- 178 clandestine drug laboratories and dump sites discovered

**Campaign Against Marijuana Planting**  
Administered by the BNE, the Campaign Against Marijuana Planting (CAMP) program was established in 1983 to help counties



eradicate marijuana cultivated on public lands and state parks. CAMP is a multi-agency task force comprising local, state, and federal agencies. In FY 2009-10, CAMP operated in 41 counties and eradicated a record number of 4,463,917 plants that had a street value of \$17.8 billion. CAMP removed 76 percent of the plants from public lands and the remaining 24 percent from private lands. In addition, CAMP conducted 665 raids, made 111 arrests, and seized 89 shotguns, handguns, assault rifles, and other firearms. The CAMP program's objective is to reduce the supply of illegal marijuana trafficked throughout California and the nation by eradicating large crop sites on public lands and parks. These large-scale marijuana crops lead to deforestation, damage wildlife habitats, and induce hazardous pollution. The attempt to irrigate marijuana crops often harms nearby ecology, including creeks, streams, and rivers.

### **California Methamphetamine Strategy**

The California Methamphetamine Strategy (CALMS) was initiated in 1988 to launch a comprehensive attack on all facets of methamphetamine production and distribution in California. CALMS encompasses a multidisciplinary approach involving prevention, education, training, safety, forensics, intelligence, and law enforcement. CALMS is dedicated to targeting chemical sources and major traffickers and organizations in the methamphetamine trade—California continues to be the major source of methamphetamine distributed throughout the United States. In 2009, the El Paso Intelligence Center (EPIC) reported that California seized 116 clandestine methamphetamine laboratories capable of producing 6,456 ounces, which equates to 3,228 small user laboratories. Using intelligence data collected at each seized laboratory, California’s production capacity exceeded the top three lab states combined, which total 1,788 labs: Missouri (683), Indiana (613), and Kentucky (492).

The Attorney General’s BNE task force, the Orange County Proactive Methamphetamine Lab Investigation Team, along with the BNE Orange Regional Office conducted surveillance at a Walmart store in Huntington Beach in search of suspects purchasing pseudoephedrine in violation of state and federal law. During surveillance, three suspects out of Los Angeles were observed purchasing pseudoephedrine products. They left the Walmart together in one vehicle and were followed by task force officers to several other drug stores in Huntington Beach, including Walgreens and Target. After purchasing pseudoephedrine products at these stores, the suspects were followed to a CVS store in Seal Beach, where they were detained

and arrested after attempting to purchase pseudoephedrine.

During a search of the suspects’ vehicle, BNE agents and task force officers recovered 169 commercially sealed blister packs of pseudoephedrine products (208 grams). The officers searched the suspects’ residences and recovered a large bag containing an additional 1,382 commercially sealed blister packs of pseudoephedrine products (1,964.6 grams). The total amount of pseudoephedrine seized (2,172.6 grams) is capable of producing 4.4 pounds of methamphetamine. Three firearms were also seized during the investigation. All suspects were arrested for violations of Health and Safety Code section 11383.7(b)(1) and booked into the Santa Ana city jail.

### **BNE Agents Successfully Disrupt Operations of the Sinaloa Drug Cartel**

Agents from the BNE arrested six associates of the Sinaloa drug cartel and seized more than \$1 million. As part of an undercover operation, BNE agents met with associates of the Sinaloa cartel who were interested in purchasing a large quantity of cocaine. These individuals operated out of Imperial, Los Angeles, and San Bernardino counties.

In August 2009, BNE agents brokered a narcotics transaction with the suspects through a series of undercover meetings. The suspects eventually agreed to purchase approximately 160 pounds of cocaine for just over \$1.1 million. The street value of this quantity of cocaine is more than \$7 million.

After the deal, BNE agents made arrests at two locations and placed three children between the ages of 10 and 15 into protective custody. The Imperial County District Attorney’s Office secured indictments against 16 suspects



and seized more than 550 pounds of cocaine and marijuana as part of an eight-month undercover investigation into the Sinaloa cartel. This investigation involved the BNE, the Imperial County Narcotic Task Force, the Imperial County District Attorney's Office, and the Imperial County Sheriff's Office.

The Sinaloa drug cartel is a powerful and dangerous organization responsible for smuggling tons of cocaine, heroin, and methamphetamine into the United States, mainly through Southern California.

### **Long Beach Crip Gang Member Arrested for Three Counts of Murder**

The BNE Special Investigations Unit (SIU) assists agencies statewide where an emergency response is warranted in locating and apprehending suspects in high-priority investigations. The SIU utilizes the latest technology available to law enforcement to locate these violent and dangerous suspects. In 2009, the SIU opened 99 cases, closed 71 cases, and made 71 arrests.

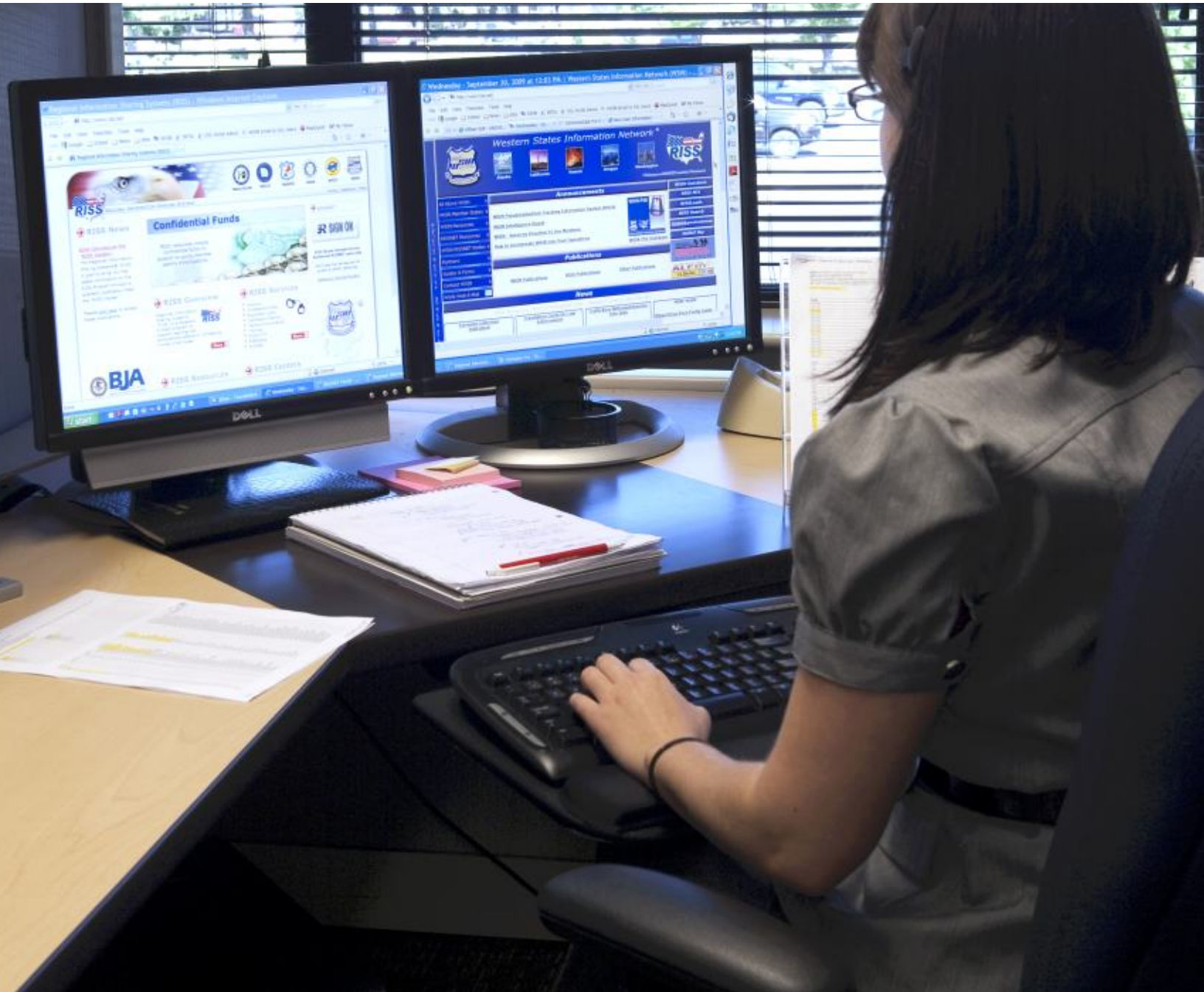
In May 2009, the Long Beach Police Department Homicide Team investigated several murders that occurred in the city. Investigation of physical evidence and eyewitness statements revealed a Long Beach Crip gang member was responsible for three separate homicides that occurred in April and May 2009. Long Beach homicide detectives also believed the suspect was responsible for the attempted murders of three other victims during a weekend in May 2009. Interviews of the suspect's friends indicated the suspect had a list of people he intended to murder, so the Long Beach homicide detectives contacted the BNE SIU to assist in locating and apprehending the suspect.

Through specialized technology, the BNE SIU located the suspect at a Motel 6 located in Rubidoux, which is in Riverside County. The agents and members of the Long Beach Police Department established physical surveillance of the motel and, after a short period of time, the agents and detectives arrested the suspect as he was exiting the motel room and took him into custody.



# WESTERN STATES INFORMATION NETWORK

*“To provide the most secure, accurate, and timely criminal intelligence and assistance to its member agencies to enhance the investigation, arrest, prosecution, and conviction of criminal offenders.”*





## INTRODUCTION

The Western States Information Network (WSIN) was established by Congress in 1981 as one of the six Regional Information Sharing Systems (RISS) centers in the United States. WSIN responds to the information-sharing needs of its participating criminal justice agencies in the five western states of Alaska, California, Hawaii, Oregon, and Washington. WSIN's functions include the following:<sup>7</sup>

- Watch Center
- Analytical Unit
- Proactive Analysis Collaboration Team
- Law Enforcement Coordination Unit
- Specialized Equipment Unit
- Technology Unit
- Training and Publications Unit

## SIGNIFICANT ACCOMPLISHMENTS

### **Pseudoephedrine Violator Tracking System**

In July 2009, WSIN and the DOJ's Bureau of Narcotic Enforcement developed a database to track pseudoephedrine purchases in violation of the Combat Methamphetamine Epidemic Act of 2005. The Pseudoephedrine Violator Tracking System (PVTs) database allows retailers to upload their electronic pseudoephedrine logbooks into a secure database to identify individuals who have purchased above the limit. The PVTs database currently has more than 587,000 transaction records.

### **Cold Hit Outcome Project**

With the implementation of Proposition 60 DNA collection requirements on January 1,

2009, it became apparent that forensic laboratory personnel, law enforcement officers, and prosecutors needed a communication and tracking tool. In response, WSIN worked with the Bureau of Forensic Services (BFS) to create the Cold Hit Outcome Project (CHOP) database tracking tool. This database tracks DNA hit information and sends email alerts when information is entered or changed.

### **RISSafe Deconfliction Mapping Software**

RISSafe deconfliction mapping software is used by criminal justice agencies in the five WSIN states, as well as 21 other states across the nation. The launch of RISSafe represents the first time in the United States that this type of officer safety system has been available for large numbers of officers, making law enforcement operations safer by preventing operational conflicts that can arise when agencies do not realize they are in proximity to each other. In FY 2009-10, RISSafe generated and identified 70,769 potential conflicts.

### **Watch Center**

WSIN staffs a 24/7 Watch Center to assist participating law enforcement officers in monitoring critical operational activity and events, performing multiple database inquiries and entries, and obtaining driver's license photographs. The WSIN Watch Center operates the after-hours, fail-safe deconfliction monitoring for the entire nation, and it regularly provides assistance and training in the management of RISSafe for new users of

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<sup>7</sup>Core Lines of Business Nos. 1-2, 5, and 7-12.



the system. The Watch Center also provides after-hours coverage for similar watch operations such as the San Diego Law Enforcement Coordination Center, the Central California Intelligence Center (formerly known as Sacramento Regional Terrorism Threat Assessment Center), the Northwest High Intensity Drug Trafficking Area, and the Oregon Statewide Intelligence Network. In FY 2009-10, WSIN monitored 99,873 RISSafe operations.

### **Master Telephone Index**

The Master Telephone Index (MTI), established by WSIN in 1995 and web-enabled in 2003, is an analytical database program designed to compare telephone numbers with numbers called in previous investigations to



find common telephone numbers. Subscriber information is also collected and displayed. The MTI provides officers and analysts with an improved way to submit telephone numbers and query these numbers through RISSNET, a secure intranet. This unique capability has resulted in hundreds of new investigative leads and cross-case connections that would otherwise be undetected. Through an expanding project started in the Bay Area,

inmate phone calls are also run through the MTI, and recorded conversations may be provided to officers who hit against those numbers. Currently, there are more than 1,025 cases and nearly 10.1 million phone numbers in the MTI. In FY 2009-10, WSIN generated 551,100 hits to the system.

### **Criminal Intelligence Database**

Database records on all types of criminal activity, including narcotics, gangs, terrorism, and Part I crimes (violent and property crimes) are contained in the WSIN RISSIntel criminal intelligence database. This database has a seamless search capacity with 29 other intelligence databases. The database is governed by Title 28 of the Code of Federal Regulations, Part 23, which states that there must be a “reasonable suspicion” that all of the suspects and businesses in the database are involved in criminal activity. Database information is purged after five years unless a criminal justice agency certifies that the information is still current. Agencies control how their information is handled by indicating the sensitivity upon entry. In FY 2009-10, there were 1.4 million inquiries and 215,858 entries submitted into the RISSIntel database by participating WSIN agencies. There are currently a total of 1,388,045 suspects, vehicles, locations, organizations, gangs, weapons, and phone numbers in the database.

### **Confidential Funds**

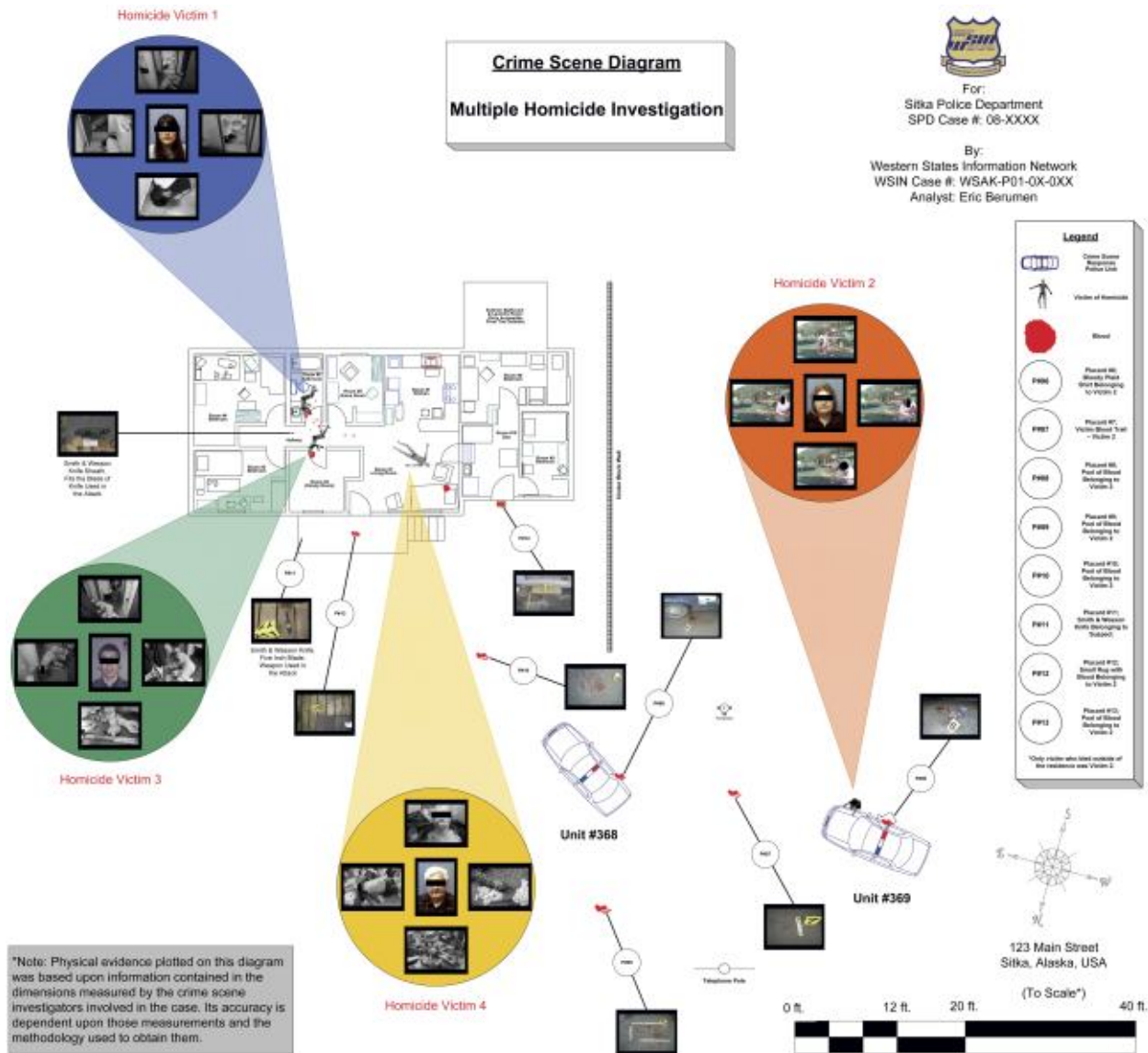
WSIN supports participating agency narcotic investigations by providing confidential funds to purchase information, contraband, and other evidence items or to provide for other investigative expenses. WSIN provided more than \$244,400 to fund enforcement efforts in 2009. These efforts would not have occurred without WSIN’s assistance.

### Specialized Equipment Loans

During 2009, WSIN loaned 219 pieces of specialized electronic surveillance and investigative equipment. A criminal justice agency located in the Bay Area conducted an auto and residential burglary investigation and requested specialized equipment such as night vision goggles and scopes. The use of the loaned equipment assisted in 15 arrests.

### Analytical Services

The crime scene diagram shown here is an analytical success story at WSIN. In February 2010, the diagram was used at trial by prosecution for a homicide case, resulting in the defendant being sentenced to 140 years to life.





## 2010 SPECIAL AGENT AWARD RECIPIENTS

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### MEDAL OF VALOR

**Robert Aguirre**, Special Agent Supervisor  
Bureau of Narcotic Enforcement

### MEDAL OF MERIT

**Ronald Brovetto**, Special Agent  
Bureau of Narcotic Enforcement

**Lawrence DuBois**, Special Agent  
Bureau of Narcotic Enforcement

**Luis Marquez**, Special Agent  
Bureau of Narcotic Enforcement

**Edward Stuckenschneider**, Special Agent  
Bureau of Narcotic Enforcement

**DISTINGUISHED SERVICE**  
**Robert McLaughlin**, Special Agent  
Supervisor, Advanced Training Center



## DLE EMPLOYEES CALLED TO MILITARY DUTY

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**James F. Hirt**, Special Agent Supervisor

**Audra D. Orr**, Special Agent

**Donald S. Pearson**, Special Agent

**William J. Welsh Jr.**, Special Agent



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## 2010 ATTORNEY GENERAL'S AWARD RECIPIENTS

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### SUSTAINED SUPERIOR ACCOMPLISHMENT

**Joy Aquino**, Property Controller I, Bureau of Investigation and Intelligence

**Nancy Tercero**, Office Services Supervisor II, Bureau of Narcotic Enforcement

### AWARD FOR EXCELLENCE

**Kelly Gardner**, Associate Governmental Program Analyst, Bureau of Gambling Control

**Stephen Hung**, Investigative Auditor III, Bureau of Narcotic Enforcement

### EXCELLENCE IN SUPERVISION

**John March**, Special Agent Supervisor, Bureau of Firearms

### CITIZENSHIP AWARD

**Susie Asevedo**, Office Services Supervisor I, Bureau of Investigation and Intelligence

### TEAM AWARD

San Diego Major Crimes

**Tyler Burtis**, Special Agent Supervisor, Bureau of Investigation and Intelligence

**Alex Quick**, Special Agent, Bureau of Investigation and Intelligence

**Steve Duncan**, Special Agent, Bureau of Investigation and Intelligence

**Sonia Ramos-Shear**, Special Agent, Bureau of Investigation and Intelligence

### HEALTH AND SAFETY AWARD

**Jose Soto**, Special Agent Supervisor, Bureau of Investigation and Intelligence

### PEACE OFFICER AWARD

**Reye Diaz**, Special Agent, Bureau of Gambling Control

**Tuan Phung**, Special Agent, Bureau of Investigation and Intelligence

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**Bureau of Forensic Services**

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(916) 319-9365

**Bureau of Gambling Control**

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**Bureau of Investigation and Intelligence**

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**Bureau of Narcotic Enforcement**

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Facilities Protection Unit  
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Aviation Operations  
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Professional Standards Group  
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Aviation Operations  
Southern California  
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Radio Communications Unit  
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Tactical and Strategic Support Group  
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### BUREAU OF FIREARMS

Fresno Field Office  
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Firearms Prohibited Persons and Employment  
Clearance Section

Los Angeles Regional Office  
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Armed and Prohibited Persons Unit  
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Riverside Field Office  
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Employment and Sub-Arrest Clearance Unit  
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Sacramento Regional Office  
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Firearms Safety and Regulatory Section  
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San Diego Field Office  
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Firearms Training, Information and Compliance Section  
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San Francisco Field Office  
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Firearms Purchaser Clearance Section  
Automated Firearms Section

Firearms Licensing and Permit Section  
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(916) 227-3254

DROS Processing and Phone Resolution Unit  
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Purchaser Clearance Unit and Law Enforcement  
Gun Release  
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## Statewide Directory

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### **BUREAU OF FORENSIC SERVICES**

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Santa Rosa Laboratory  
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Chico Laboratory  
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California Criminalistics Institute  
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Eureka Laboratory  
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Driving Under the Influence/  
Evidential Portable Alcohol System Program  
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Freedom Laboratory  
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Instrument Support  
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Fresno Regional Laboratory  
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Latent Prints  
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Jan Bashinski Laboratory  
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Missing Persons DNA Program  
(510) 620-3300

Redding Laboratory  
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Quality Assurance  
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Riverside Laboratory  
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Questioned Documents  
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Sacramento Laboratory  
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Toxicology  
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Santa Barbara Laboratory  
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### **BUREAU OF GAMBLING CONTROL**

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Los Angeles Regional Office  
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## Statewide Directory

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San Francisco Regional Office  
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Redding Field Office  
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### **BUREAU OF NARCOTIC ENFORCEMENT**

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Riverside Regional Office  
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Fresno Regional Office  
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Sacramento Regional Office  
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Los Angeles Regional Office  
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San Diego Regional Office  
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Orange Regional Office  
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San Francisco Regional Office  
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Redding Regional Office  
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San Jose Regional Office  
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### **WESTERN STATES INFORMATION NETWORK**

San Diego Law Enforcement Center  
(858) 495-7200



SEPTEMBER 23, 1968 ...

NOVEMBER 5, 1969 ...

JUNE 14, 1971 ...

DECEMBER 7, 1973 ...

MAY 9, 1995 ...

SEPTEMBER 24, 2005 ...

APRIL 14, 2007 ...

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