

LOS ANGELES COUNTY GRAND JURY
Final Report 1990-91

FINAL REPORT
LOS ANGELES COUNTY GRAND JURY
1990-91



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ACKNOWLEDGEMENT

The special efforts of our staff have been invaluable in assisting the Grand Jury in its work. Our Grand Jury office manager Kathy Spann has been indispensable in providing us with advice based on her excellent judgment and experience. Larry Mason, legal advisor, has instructed us on the law and has assisted us in the preparation of our final report. Our investigator, Jane Rihn, has been helpful in providing necessary legal information; our bailiff, Deputy Sheriff Mary Ann Freeland, and our court reporter, Richard Colby, have been delightful, patient and competent in our cooperative efforts. We appreciate the help of Pam Everet, Ralph Terrazas, and Jim Camp of the CAO Public Affairs Special Services Department. We also thank Ron Sato and Sara Sproul of the Graphic Arts Department of the Los Angeles Superior Court for their assistance in completing this final report and Paradise Printing, Inc. for its production.

IN HONOR OF ANITA WILLIAMS



For her many years of dedicated service as bailiff for the Los Angeles County Grand Jury (1975-1991) we, the 1990-91 Grand Jury dedicate this report.

By those with whom she has worked and the County she has served; for her warmth, her smile and for her efficiency, she will be truly missed.

IN MEMORIAM



Ernst Jacobi
1915 - 1991

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GRAND JURY 1990-91

Top row left to right: William Byron, James Rodriguez, Paula Gale, Sarane Van Dyke, Justina Ramirez, Natalie Shutman, Suzanne Proctor, Melna Katzman, Marvin Hoffenberg, Harry Kaufman

Bottom row left to right: Tommie Shulman, Fred Nixon, Howard Baller, Jack Cummings, Herbert Kneeter, Butch Dehner, Ernst Jacobi, Robert Lynch, Jess Angotti, Leslie Daye, Robert Vogel, Leo Goldberg, Rose Anne Casagrande

1990-91 GRAND JURY ROSTER

MEMBER	COMMUNITY	NOMINATING JUDGE
Jess C. Angotti	Pasadena	William Huss
Howard H. Baller	Marina Del Rey	Michael G. Hott
William H. Byron	Los Angeles	Michael Nott
Rose Ann Casagrande	Encino	Beauford Phelps
John E. Cummings	Encino	Raymond Cardenas
Leslie J. Daye	Los Angeles	Michael G. Nott
Butch Dehner	Los Angeles	James H. Sutton
Paula A. Gale	Palos Verdes	Edward A. Hinz, Jr.
Leo A. Goldberg	Studio City	Eric E. Younger
Marvin Hoffenberg	Pacific Palisades	Richard Lavine
Ernst Jacobi	Malibu	Dana Senit Henry
Melna Katzman	Los Angeles	Eli Chernow
Harry A. Kaufman	Los Angeles	Robert I. Weil
Herbert L. Kneeter	Los Angeles	Aurelio Munoz
Robert C. Lynch	Studio City	John P. Farrell
Frederick O. Nixon	Burbank	Ronald E. Cappai
Suzanne E. Proctor	South Pasadena	Philip Saeta
Justina T. Ramirez	Baldwin Park	Gregory C. O'Brien
James S. Rodriguez	Beverly Hills	Robert J. Higa
Tommie Shulman	Los Angeles	Stephen M. Lachs
Sarane Van Dyke	Los Angeles	David A. Workman
Robert S. Vogel	Pasadena	Richard A. Ibanez



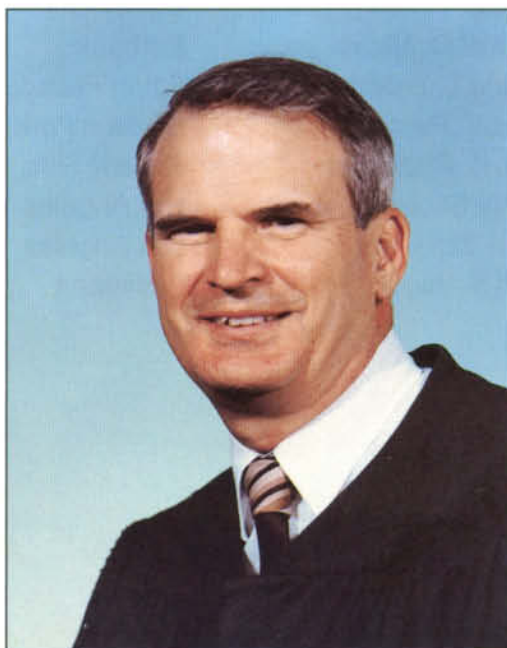
HONORABLE RICHARD P. BYRNE
PRESIDING JUDGE, SUPERIOR COURT
1988-1990



HONORABLE RICARDO A. TORRES
PRESIDING JUDGE, SUPERIOR COURT
1991



HONORABLE DAVID HOROWITZ
SUPERVISING JUDGE, SUPERIOR COURT
1988-1990



HONORABLE GARY KLAUSNER
SUPERVISING JUDGE, SUPERIOR COURT
1991



GRAND JURY OFFICERS

Left to right: Rose Anne Casagrande, Secretary; Marvin Hoffenberg, Foreman; Paula Gale, Sergeant-at-arms; Harry Kaufman, Parliamentarian



GRAND JURY STAFF

Left to right: Mary Ann Freeland, Bailiff; Kathy Spann, Office Manager; Lawrence Mason, Legal Advisor; Jane Rihn, Investigator; Richard Colby, Court Reporter

FOREMAN'S STATEMENT



MARVIN HOFFENBERG, FOREMAN

"The time has come" the Walrus said,
"To talk of many things:
Of shoes-and ships-and sealing wax
Of cabbages and kings
And why the sea is boiling hot
And whether pigs have wings."

Lewis Carroll, *Through the Looking Glass*

What follows are the observations of a foreman seeking to internalize, to integrate, and to evaluate what has been, for myself and the entire jury, an impressive learning experience. I considered myself sophisticated in governmental and public affairs, but the grand jury episode was another ball game. It may be too soon to be definitive about the experience. But I hope that future grand jurors and the interested public will find these comments informative and helpful for understanding the grand jury process.

I begin with a declaration of gratitude, affection, and respect for those 22 unacquainted, inexperienced individuals who first came together in July, the 1990-91 Los Angeles County Grand Jury. As it turned out, they were 22 independent, strong-willed, intelligent, hardworking, and dedicated individuals. Over time, with a few rough bumps and ups and downs, they developed into a cohesive, productive, and self-governing group who held their conflicts in abeyance. As foreman, the 23rd member, an equal among equals, I bask in their reflected glory.

The growth of all of us was aided by two "adjunct jurors," Kathy Spann, Grand Jury Office Manager, and Lawrence E. Mason, Deputy District Attorney, Legal Advisor. Their knowledge of what the grand jury was and is, their good common sense, and their wise judgment guided all of us, and especially me, through some difficult times.

THE GRAND JURY

The California Grand Jury system has historical roots in the old English Grand Jury whose purpose was to protect citizens from the arbitrary power of the King. The California system continues to retain the goal of protecting residents from alleged abuses by local governments. In civil matters, the jury performs oversight ("watch dog") activities; in criminal matters, it serves the indictment process. Indictment proceedings inquire into alleged violations of the law to ascertain whether the evidence is sufficient, i.e., probable cause, to warrant recommending a trial in Superior Court.

The California Constitution and the California Penal Code establish the structure and procedures under which the jury operates. Although it has some degree of independence, the jury is under the governance of the county and is administered by the Superior Court. Consequently, the jury interacts directly with other governmental units and operates in the environment of county government, which changes even during its term. For example, governmental budget woes influence the acceptance or rejection of jury recommendations; and the passage of Proposition 115 enhanced the criminal duties of the jury.

As a temporary microcosm of society with a one-year life, each jury is predominantly composed of neophytes in the subjects dealt with. (The staff provides continuity as well as the institutional memory.) Consequently, juries organize themselves differently, go about their business in different ways, and study different problems. Each jury defines to what degree it remains an independent body. Each jury then creates, itself and its outcomes, in its own image.

COMPLAINTS

Any private citizen, city/county official, or city/county employee may present a complaint in writing to the grand jury. The jury limits its investigations to possible felonies and to charges of malfeasance or misfeasance of a public official. Any request for an investigation must include detailed evidence supporting the complaint. If the jury believes that the evidence submitted is sufficient, a detailed investigation is made. The 1990-91 Grand Jury has answered approximately 100 such requests ranging from the sublime to the ridiculous and covering at times, events beyond the jurisdiction of the jury or beyond the statute of limitations. The largest category consisted of allegations against law enforcement agencies. Others involved decisions on land use and building codes, racial discrimination, illegal actions by public officials and complaints by jail inmates on their trials and their treatment in jail. Special committees, with the assistance of an investigator from the District Attorney's Office, investigate the complaints and make recommendations for their disposition to the entire grand jury.

Some complaints develop into full scale jury investigations. The Jail House Informant Investigation (1989-90 Grand Jury) started with a citizen's complaint. This year, the Pomona Management Audit (see Government Operations Committee) developed from a complaint that had not been acted upon by the previous year's jury. However, most complaints do not result in investigations of such scale. The jury has neither the expertise nor the resources for such activities. In many cases we have to rely upon internal investigations by agencies alleged to have committed wrongdoing or upon the District Attorney's investigation. For others, we judge whether or not proper procedures and due process were followed. In all instances, the jury acts as a court of last chance for the complaint, with some assurance to the petitioner that they have had a proper day in court.

CRIMINAL JUSTICE PROCEEDING

Contrary to impressions generated by press releases and the media, the grand jury cannot initiate indictments. The grand jury conducts indictment hearings only if, and when, the District Attorney brings an indictment to it. The work schedule of this grand jury was greatly impacted by the passage of Proposition 115, which eliminated the option provided in 1978 that defendants indicted by grand juries were entitled also to preliminary hearings, a court procedure. From 1978 until this year the use of grand juries in criminal cases was all but abandoned. In June 1990 Proposition 115 provided, among other features, that defendants indicted by grand juries would no longer be entitled to preliminary hearings. The expected surge in the use of the grand jury in Los Angeles County began in late September. Others followed, resulting in expenditure of about 30 percent of our time on criminal investigations. There have been challenges to the constitutionality of Proposition 115 on the grounds that it does not sufficiently protect the rights of defendants. In addition to restricting the use of preliminary hearings, this proposition also allowed for an expanded use of hearsay evidence in those preliminary hearings that did take place. The grand jury procedure has been criticized on the grounds that it provides insufficient protection for the rights of the accused, but our experience has shown that every effort is made by the jury to protect the rights of individuals in the indictment hearings.

Grand jury criminal hearings are of great service to the community since they (1) provide a vital and difficult-to-replace service in authorizing collection of evidence by subpoena; (2) reduce costs and long courtroom delays in bringing to trial cases involving multiple defendants; and (3) allow the appearance of fearful witnesses because all grand jury proceedings are secret.

This year, the jury's indictment powers were highlighted by the District Attorney's seeking an indictment of four Los Angeles Police Department officers charged with videotaped criminal acts in the beating of a suspect. The need for speed and secrecy were met; this helped to calm an agitated and polarized community.

Savings in cost and courtroom time are illustrated by another indictment hearing (typical of a number we heard) involving 25 co-conspirators in an alleged automobile insurance fraud. This hearing took four grand jury days with an estimated cost of \$6,240. In contrast, it is estimated that a preliminary hearing would have taken a minimum of 30 Municipal Court days at a cost of \$96,000. As rough as these estimates are, they indicate large time and money savings.

CIVIL INQUIRIES

These investigations consume about 70 percent of our time and most of our discretionary budget. How does the grand jury go about deciding what to study and how to do it? The process is analogous to a group entering a kitchen with potpourri of raw food and collectively selecting what and how to prepare an elegantly served gourmet dinner plus wine. Somehow though it was done in an organized and judicious manner. We conducted a thorough review

of what the five previous juries had done, discussions with local government people, at different levels, read newspapers and reports, made site visits, and drew on the special interests of some of the jurors. The annual report covers both the external audits as well as our own findings and recommendations.

FOREMAN'S OBSERVATION

I was impressed with the number of dedicated, efficient and effective public employees in all the governmental units we dealt with, but I was disappointed in the interactions with "local governments." They tend towards rigidity and are difficult to penetrate and for example, county government is so large, heterogeneous, complex, and hierarchical that it is difficult for grand jurors to locate individuals who have specific knowledge and proper jurisdiction and are not restrained by their supervisors to give investigative information. If each major county department were to assign a single individual to provide grand jury liaison and actively assist our contract auditor or committee chairs, the grand jury would have been more efficient.

As the jury's investigations developed, I became increasingly aware of the ubiquitous occurrence of a drug and alcohol, low income and poverty, and family deterioration. These problems originate both within and outside the county. Local governments can do better than they are doing with their "safety nets." County programs are budget driven, as they should be, but outputs and outcomes should have at least as much emphasis as inputs, i.e., dollars. Current problems always seem to eliminate longer range thinking, whether it be building maintenance or prenatal care; prevention seemingly is always displaced by dealing with a current crisis. For example, a cursory review of studies on prenatal care indicated that a dollar spent today on an adequate program would have large future monetary savings, let alone beneficial effects on the quality of life. However, the present value of a future dollar, perhaps as well as the present value of a future vote, is not given much worth.

A fundamental problem of county government that probably affects other levels of government at all results from the trickle-down effects of budget and program mandates. We observed many instances in which across-the-board budget cuts lowered the bottom line for any program but actually resulted in higher costs for the county as a whole. A typical example is the hidden loss of volunteer and cooperative university services, which disappear when contract providers replace county employee providers. Services valued at hundreds of thousands of dollars have been lost this way.

In addition, services are delivered by contract providers to a precisely defined fixed-price list; when, as in Juvenile Court Health Services (see Health Services Committee Section), the contract list does not include treatment of psychotic behaviors, the patients usually return to county programs when apprehended by law enforcement. This invisibly nullifies the apparent budget savings.

CONCLUSION

I return to the beginning: the mandate that the grand jury protect the individual against the tyranny of his government, i.e., make a difference. Has the 1990-91 Grand Jury met this criterion? In my judgment, the answer is a resounding "yes." The jury performed well. The jury's work on criminal indictments and criminal investigations and on citizens' complaints had immediate outcomes. The impact of our civil investigations will become evident after a longer period of time. Public policy and government operations do not lend themselves to rapid change. Some of our recommendations will be accepted; others will not. And what more should any rational person expect?

ARTS AND ENTERTAINMENT COMMITTEE





HERBERT KNEETER
CHAIR



WILLIAM BYRON



JACK CUMMINGS



JAMES RODRIGUEZ

ARTS & ENTERTAINMENT COMMITTEE

INTRODUCTION AND SUMMARY

The Arts & Entertainment Committee explored the following subjects.

- A. Cable Television Companies Survey
Fifteen cities within Los Angeles County were surveyed in order to determine the licensing fees paid by cable companies in their respective areas. This is a comparison of basic rates paid by consumers in their communities and comparison of the number of television channels they receive.
- B. Los Angeles Memorial Coliseum Commission
An investigation of their contractual relations with the Los Angeles Raiders Football Team, with the management company they employed to manage the Coliseum and the current negotiations underway to lease the Coliseum to the current management company.
- C. Los Angeles Zoo and Greater Los Angeles Zoo Association (GLAZA)
The committee entered into a contract for a management audit to investigate the relationship between the zoo and GLAZA to determine the extent of their cooperation and their progress toward the enhancement of a viable zoo operation. The committee defined the areas to be covered and supplied documentation to the auditors enabling the fulfillment of this report.

A. CABLE COMPANIES SURVEY

BACKGROUND

Complaints by cable television customers relating to poor reception, slow service, and fees charged have been documented in numerous articles in various newspapers. The complaints also included dissatisfaction with the franchise fees paid by cable companies to contract cities.

PROCEDURE

To determine the validity of these complaints, we reviewed the applicable legislation, contacted a representative sample of 15 cities within Los Angeles County, obtained copies

of the contracts between the cable companies that serviced them and obtained information from the companies on basic rates charged and the number of channels provided.

FINDINGS

1. The cable industry was deregulated in 1984, taking effect late in 1986. Since then the cable companies have been able to charge subscribers as they see fit. Numerous attempts have been made by Congress to reimpose regulations to allow cities to control consumer rates. To date, including the 1990 Congress, all attempts to re-regulate have failed.
2. Little variation was found between the franchise fees paid to the cities by the cable companies. (See table in the Appendix.)
3. Various city representatives stated that they received many complaints about poor service and reception. The contracts all include provisions for cancellation of the franchise if the cable companies do not provide satisfactory performance.
4. Some cable companies are attempting to improve equipment, but in exchange are increasing their basic fees.
5. The City of Los Angeles has ordered one of their franchisees to improve their service and performance under threat of cancellation. These improvements are now underway.

RECOMMENDATIONS

1. The Grand Jury recommends that, inasmuch as cities have no control over subscriber rates, they should enforce contractual compliance of service and performance standards by holding public hearings and exercising their right to terminate the cable franchise contract when service and performance standards are not adequate.
2. The Grand Jury recommends that the cities seek legislation to re-regulate cable companies and give cities control over subscriber fees.

B. COLISEUM COMMISSION CONTRACTUAL RELATIONSHIPS WITH LOS ANGELES RAIDERS, et. al.

BACKGROUND

In 1982 and 1984 the Los Angeles Memorial Coliseum Commission entered into agreements with the Los Angeles Raiders which provided that the Raiders professional football team would play its home football games at the Memorial Coliseum.

During the ensuing years, the Los Angeles Raiders have played all of their National Football League home games at the Coliseum and are scheduled to play home games at the Coliseum for the next 20 years with an option to renew the lease for an additional 20 years. Over the past few years, a great deal of media reporting has revealed that the Raiders have sought another location as their home field. According to news reports, the Raiders entered into an aborted agreement to play in Irwindale, located in eastern Los Angeles County, as well as having protracted negotiations with the cities of Oakland and Sacramento, California, in purported efforts to relocate to the northern California area. As a result of such publicity, as well as reports of agreements reached with the Los Angeles Memorial Coliseum Commission and Spectacor Management Limited Partnership, the Arts and Entertainment Committee determined to conduct an inquiry into the current status of the Los Angeles Memorial Coliseum and the Los Angeles Memorial Coliseum Commission relative to the future of the Los Angeles Raiders at the Coliseum.

PROCEDURES

The committee initiated its inquiry by obtaining numerous documents, agreements, minutes of meetings and other data relative to the relationship between the Los Angeles Memorial Coliseum Commission on the one hand, and the Los Angeles Raiders and Spectacor Management Limited Partnership on the other.

After a review of the documents, the committee met with some members of the Los Angeles Memorial Coliseum Commission, employees of the Coliseum, attorneys representing the three agencies making up the Commission, and representatives of the Coliseum management company and their attorney. Additional documents were obtained during the meetings.

FINDINGS

1. The 1984 Commission-Raiders lease agreement provided that the Commission would loan the Raiders the sum of \$6.7 million, to be used by the Raiders toward construction of luxury boxes and an improved press box at the Coliseum. The loan provided for interest to be paid at the rate of ten percent per annum, which was to be repaid out of the receipts of the sale or rental of the luxury boxes. Four million dollars of

the loan to the Raiders came from the Commission's share of receipts from the 1984 Olympics, and \$2.7 million came from a deduction of the rent due to the Commission from the Raiders' football games at the Coliseum.

2. The lease agreement did not provide for a specific date for commencement of construction of the luxury boxes. To date the luxury boxes and improvements to the press box have not been constructed, nor has the loan been repaid.
3. On August 2, 1988 the Los Angeles Memorial Coliseum Commission entered into an agreement with MCA/Spectacor Joint Venture, consisting of MCA Events, Inc. and Spectacor Management Limited Partnership, for the management and operation of the Coliseum and the Los Angeles Memorial Sports Arena. The agreement provided for MCA/Spectacor to be paid a monthly fee, plus additional compensation, depending upon the amount of income for each fiscal year.
4. Prior to March 1990, the Los Angeles Memorial Coliseum Commission hired the firm of KPMG Peat Marwick as a consultant for the Commission in the negotiation of an agreement for the lease of the Coliseum to MCA/Spectacor Joint Venture. The Commission identified six objectives which it wished to have met in any agreement entered into for the lease of the Coliseum. A letter dated March 26, 1990 by Peat Marwick set forth its findings with respect to those objectives, indicating that it had presented those findings to the Commission at a special meeting of the Commission on March 26, 1990. It concluded that the proposed agreement met all of the objectives, and recommended that the Commission enter into the agreement with MCA/Spectacor.
5. On March 26, 1990, a second agreement was entered into between the Los Angeles Memorial Coliseum Commission (Commission) and MCA/Spectacor Joint Venture (Spectacor), entitled: "Memorandum of Agreement." The agreement granted to Spectacor an option to lease the Coliseum for a period of 20 years, with an option to renew the lease for 20 additional years. The Memorandum of Agreement generally provided, among other things that:
 - Spectacor proceed to plan for construction and renovation of the Coliseum to provide a state-of-the-art stadium with a seating capacity of approximately 70,000, plus 15,000 club seats and 240 luxury suites.
 - The overall development and concept design be approved by the Commission, and all financing, anticipated to be between \$125 to \$155 million, be the responsibility of Spectacor, including all costs and expenses in connection with the planning, design and construction of the stadium.
 - Spectacor has the right to negotiate and enter into lease agreements with prospective tenants with respect to the renovated Stadium.

- The Commission was to receive the sum of \$1 million annually as rent, adjusted every five years by a percentage change in the Consumer Price Index, plus an additional amount determined by formulas for rent payable by the Commission under its agreement with the State of California, and by formulas calculated to provide a percentage of revenue to the Commission received from the gross revenues and the lease of club seats and suites.
 - The Commission agreed to loan Spectacor \$15 million after Spectacor obtains surety and construction bonds. The term of the loan is for 20 years, extendable for ten years if the lease option is so extended. Deferred interest of seven percent will accrue from the date of the loan, for ten years; thereafter interest only payments to be made at the rate of seven percent on the adjusted principal balance, with payment in full on interest and principal at the end of the 20 year term, unless the lease is extended, in which case the loan will be amortized over the next ten year period, bearing interest at the rate of seven percent. Security for the loan is to be provided by an irrevocable letter of credit; neither the loan nor the security interest will be secured by the Coliseum or any other assets included therein.
 - Spectacor will have exclusive operating control of the Coliseum, including the right to sell facility advertising for the scoreboard, etc., and to choose the name of the stadium.
 - Upon the conclusion of the term of the lease, all improvements to the Coliseum revert to the Commission.
 - An Environmental Impact Report be prepared, funded one-half by the Commission and one-half by Spectacor; and upon the exercise of the option provided for in the agreement, the Commission to be reimbursed for its costs incurred.
6. On March 26, 1990, a Letter Agreement was executed between the Commission and Spectacor, which supplemented the above mentioned Memorandum of Agreement. In sum, it provided that subject to the executing of a 20 year agreement between Spectacor and the Raiders providing for the Raiders to play their home games at the Coliseum, the Commission and the Raiders would cause pending litigation to be dismissed with prejudice as to both parties.
 7. In September 1990, an Inducement Agreement was entered into between the Commission and Spectacor Management Limited Partnership, which stated that Spectacor and the Los Angeles Raiders were entering into a new Raiders Agreement which provides for the Raiders to play all of their home games at the Coliseum for 20 years, and additional agreements, including a loan and security agreement and a non-recourse promissory note. The agreement further provided that the Commission would execute a Resolution Agreement and Mutual Release Agreement relating to litigation with the Raiders. The Inducement Agreement further stated that in the event

the agreement with the Raiders is terminated prior to the renovation and construction of the Coliseum, Spectacor would pay to the Commission the difference between costs incurred by Spectacor and \$15 million, in addition to certain other sums of money.

8. In September 1990, a Resolution Agreement was entered into between the Commission and the Los Angeles Raiders which provided that both parties would dismiss their pending litigation against each other, and the parties further executed a Mutual Release Agreement, setting forth the terms and conditions of the release of all claims, including the claim of \$6.7 million which had been asserted by the Commission against the Raiders.
9. In September 1990 Spectacor entered into an agreement with the Los Angeles Raiders which provided for the Raiders to play all of their home games at the Coliseum for 20 years, commencing upon the completion of the construction and renovation of the Coliseum by Spectacor. Spectacor has stated that as a part of the agreement entered into between it and the Raiders, it committed itself to spend \$15 million, \$10 million of which was a loan to the Raiders, the additional \$5 million to be spent in fees and expenses preparatory to commencing construction and renovation of the Coliseum.
10. The Management Agreement dated August 2, 1988, and the Memorandum of Agreement and Letter Agreement dated March 26, 1990, were executed by MCA/Spectacor Joint Venture, by Spectacor, Inc., General Partner of Spectacor Management Limited Partnership. The Inducement Agreement dated September 11, 1990, was executed by L.A. Facilities Corporation, General Partner of Spectacor Management Limited Partnership.
11. The August 2, 1988 Management Agreement provided that the Agreement could be assigned without prior written approval by the Commission among the Joint Venturers, except that Spectacor Management Limited Partnership would at all times be a member of the Joint Venture. Further, that any affiliate, subsidiary, successor or related party of Spectacor Management Limited Partnership could not have a greater interest in the joint venture than does Spectacor Management Limited Partnership.
12. The committee determined that MCA Events, Inc. sold its interest in the joint venture to Spectacor Management Limited Partnership and Spectacor agreed to provide MCA with concession agreements at some of its facilities around the country.
13. During meetings with the Commission, the committee was told that the Commission was relying upon Spectacor Management Limited Partnership and its affiliation with Spectacor Management Group that, with its affiliates, manages stadiums and convention centers all over the country. In addition, the Commission stated it was not concerned

that MCA had terminated its joint venture with Spectacor, but would contact both parties and seek documentation confirming the termination agreement.

14. The committee was unable to obtain financial information about Spectacor Management Limited Partnership from the Commission. It was, however, provided brochures describing Spectacor Management Group, Spectacor Management Group International, and Edward Snider, reported to be the founder of Spectacor Inc., a privately owned holding company. It has also been reported that Mr. Snider had taken in two partners in Spectacor Management Group: (1) ARA Group, the nation's largest caterer and stadium concessionaire, and (2) Chicago's Pritzker family, owners of the Hyatt Hotel chain.
15. During meetings and interviews of Commission members and others associated with the Commission, questions were posed concerning Spectacor's ability to obtain the private financing for construction and renovation of the Coliseum, identity of the principal parties who may be part of the Spectacor Management Limited Partnership and L.A. Facilities, Inc., the financial strength of the Spectacor participants, and other questions concerning how both the public and the Coliseum Commission would be protected in its dealings with Spectacor.
16. The Commission told the committee that the proposed renovation of the Coliseum would be privately funded without public guarantees and that no physical liens on the Coliseum would be allowed. Both surety and performance bonds would be required to be obtained prior to commencement of the proposed renovation of the Coliseum by Spectacor.
17. With respect to whether or not Spectacor Management Limited Partnership has the financial strength to secure funding for the renovation of the Coliseum, the committee was told that ordinary project financing would be utilized where the primary security for the lender would be the ability of the project to generate revenues, which would be dependent upon Spectacor's ability to lease the premium seating at the renovated stadium, and its ability to manage the facility in a profitable manner.
18. The committee was told that Spectacor Management Group and its affiliates have a proven track record of managing stadiums, arenas and convention centers around the world; and that at each such facility, a special purpose entity affiliated with Spectacor Management Group has been formed for the purpose of managing and acquiring project financing. In addition the committee was told that in these situations, separate financial statements are not regularly prepared, and that Spectacor Management Limited Partnership did not provide such information, nor had it been requested. The Commission indicated that Spectacor would provide banking references if required to do so.
19. Notwithstanding the publicized financial worth or stability of Edward Snider, ARA and the Pritzker family, none of those individuals or business entities appear on any of the documents or agreements reviewed by the committee or provided by the

Commission. Absent information concerning the identity and financial ability of Spectacor, Inc., Spectacor Management Limited Partnership or L.A. Facilities, Inc., the committee could not determine whether, and to what extent, any or all of the above-mentioned entities may be able to secure financing in the amount necessary to commence the construction and renovation of the Coliseum, as is required to be undertaken in accordance with the agreement of March 26, 1990. Since the Los Angeles Memorial Coliseum cannot be encumbered, the committee determined that it was unable to make any factual findings concerning the ability of any of the entities mentioned above, to obtain financing from a reputable financial institution or investment banker of recognized national and/or international standing.

20. Spectacor Management Limited Partnership was granted the right to use the name of the Coliseum during the term of its lease. The committee was told that while all advertising and use of such names were under the control of Spectacor Management Limited Partnership, it had agreed that no alcohol or tobacco advertising would be used in the name of the stadium, nor had it been notified that Spectacor Management Limited Partnership had any plans to date to change the name of the stadium for commercial purposes.
21. Spectacor Management Limited Partnership will continue to manage the Los Angeles Sports Arena and the Los Angeles Coliseum under the 1988 Management Agreement, which will end June 30, 1993, subject to Spectacor exercising its option to renew for an additional five years. The Commission may in the future enter into an agreement with Spectacor Management Limited Partnership to replace the current agreement, similar to the March 26, 1990 Memorandum of Agreement.

RECOMMENDATIONS

The Grand Jury recommends that the Los Angeles Memorial Coliseum Commission:

1. Not enter into a Master Lease with Spectacor Management Limited Partnership unless and until certified financial statements are provided to the Commission by Spectacor Management Limited Partnership.
2. Require full disclosure of the names of all principals, affiliates, partners, joint venturers and other individual associated with Spectacor Management Limited Partnership, prior to entering into a Master Lease with Spectacor Management Limited Partnership.
3. Include in any proposed Master Lease with Spectacor Management Limited Partnership that it may not assign the Master Lease or any part of it, including the right of Spectacor Management Limited Partnership to assign the Master Lease or any part to any of its partners, joint venturers, affiliates, subsidiaries, successors or related parties, without first obtaining the written approval of the Commission.
4. Insert into any proposed Master Lease with Spectacor Management Limited Partnership

a provision that allows the Commission to audit the books and records of Spectacor Management Limited Partnership relative to the income and expenses from the operation of the Coliseum and the Sports Arena.

5. Require that Spectacor Management Limited Partnership be fully responsible for maintaining and repairing the Coliseum and any other property occupied under the proposed Master Lease.
6. Include in its Master Lease that the name of the "Los Angeles Memorial Coliseum" be retained in any name change contemplated.
7. That the City of Los Angeles and the County of Los Angeles employ an independent auditor to undertake a management study of the operation of the Coliseum Commission.

**C. RELATIONSHIP BETWEEN
THE GREATER LOS ANGELES ZOO ASSOCIATION (GLAZA)
AND THE CONCERNED CITY AGENCIES
CHARGED WITH ZOO MANAGEMENT**

BACKGROUND

The Los Angeles City Zoo is one of the area's most important visitor/cultural attractions. The 73-acre facility has a collection of approximately 2,000 animals, 77 of which are endangered or threatened species. It is involved in 27 species survival programs. In fiscal year 1990, total attendance was 1,870,000 visitors. The city's zoo ranks in the top ten zoos nationwide, in terms of attendance.

The City of Los Angeles owns and operates the zoo through the city's Department of Recreation and Parks. The Zoo Director is an employee of the department.

Prior to his retirement, the Zoo Director noted serious conflicts between the city and a citizen support from GLAZA group, the Greater Los Angeles Zoo Association (GLAZA). In a public statement, the Zoo Director expressed disagreement with the nonprofit organization's "unilateral" decision to discontinue funding of a program to protect an endangered species of rhinoceros. Also, he complained that GLAZA often seeks to control zoo activities funded by GLAZA.

Since GLAZA is an important source of financial and volunteer support to the zoo, the Arts and Entertainment Committee of the Grand Jury decided to look into the city's overall relationship with GLAZA. The primary focus of the audit is on two contracts between the city and GLAZA. These "operating" and "concession" agreements formalize relations between the city and GLAZA. The operating agreement establishes five joint advisory committees on zoo operations. The concession agreement grants GLAZA the sole right to operate all concessions in the zoo. The contract establishes requirements for concession

management, accounting of income from operations, and payments to the city. The agreements were signed in 1981 and expire in 2006. (Please see Appendix A for key provisions of these agreements.)

The specific objectives of the Grand Jury's audit were to:

1. Clearly understand the roles and responsibilities of GLAZA and Los Angeles city government in support of the zoo;
2. Find whether the city and GLAZA are in compliance with contractual requirements of the operating and concession agreements; and
3. Find ways to improve management of the contracts and support for the zoo.

PROCEDURE

The Arts and Entertainment Committee conducted this audit and this report with the assistance of the Grand Jury's contract auditors. In developing findings and recommendations, the auditors conducted 12 interviews and reviewed 17 documents. Those interviewed included, primarily, representatives of Los Angeles city government and the Greater Los Angeles Zoo Association. Documents reviewed included operating and concession contracts between the city and GLAZA, the 1988 and 1989 financial statements of GLAZA, and various reports and audits concerning the city's Department of Recreation and Parks.

FINDINGS

Findings were developed on four topics: roles and responsibilities for zoo management; analysis of operating and concession agreements; administration of operating and concession agreements; and barriers to improving zoo management and support.

ROLES AND RESPONSIBILITIES FOR ZOO MANAGEMENT

- 1. The City of Los Angeles owns and operates the zoo through its Recreation and Parks Department.**

The city's Zoo Director, who is appointed by the General Manager of the city's Department of Recreation and Parks, manages 175 city employees. The Zoo Director reports to an Assistant General Manager of the department. The head of the department is the five member Board of Recreation and Parks Commissioners, who are appointed and can be removed by the Mayor, subject to confirmation by the City Council.

The city is searching for a Zoo Director at this time. The Department of Recreation and Parks will seek to have the Zoo Director exempt from Civil Service provisions of the City Charter. Under Section 111 of the Charter, the Department can ask the

City Council and Civil Service Commission for the exemption, if the candidate possesses scientific, technical, or professional qualifications necessary for the position.

2. **Los Angeles city government provides the bulk of support to operate the zoo.** Virtually the entire \$7.2 million annual cost to operate the zoo is funded by the city, through the Department of Recreation and Parks and City General Fund. Because of the age of its facilities, the zoo requires substantial maintenance and redevelopment. The city's fiscal year is July 1 through June 30. Please see Appendix E, for a three-year summary of city budgets for the zoo.
3. **GLAZA provides substantial support to the Los Angeles Zoo.** GLAZA is a nonprofit corporation formed in 1963 for the express purpose of establishing, developing, beautifying, and improving the Los Angeles Zoo. GLAZA is governed by a Board of Trustees consisting of over 40 volunteer members. Membership of GLAZA has grown from 31,000 households in 1987 to about 50,000 households in 1991, according to the President/Chief Executive Officer (CEO) of GLAZA. Hundreds of volunteers donate their time on behalf of GLAZA activities, such as the docent program. GLAZA's full time President/CEO who is paid in excess of \$100,000 annually, was hired in 1988. He manages 47 full-time staff and 18 part-time employees. Another 100 seasonal employees work in concession operations at the zoo. In GLAZA's fiscal 1989, total revenue amounted to about \$9.9 million. The fiscal year of GLAZA is the same as the calendar year. Please see Appendix H, for a three-year summary of GLAZA's revenues and expenditures.

In addition to payments to the city for the right to operate concessions, GLAZA has contributed a total of about \$17.5 million to the zoo, since August 1, 1965. These contributions by GLAZA include \$5.57 million for equipment; \$8.55 million for the Adventure Island exhibit; \$1.86 million for animal acquisitions, and \$1.26 million for GLAZA's administration building at the zoo.

4. **GLAZA's growth in membership and revenue can be attributed, in part, to the city's support of GLAZA.** The city has given GLAZA valuable land within the zoo to locate the administration building of GLAZA. The city allowed GLAZA to construct this building from funds that might otherwise have gone into other capital projects at the zoo. Since 1966, the city has given GLAZA the sole right to operate all concessions at the zoo. In addition, members of GLAZA receive free admission to the zoo. Based on information from the city's 1990 attendance records, this equals about 250,000 free admissions annually. This amounts to about \$1.5 million in foregone admission revenue.
5. **Income from GLAZA's operation of concessions and donations represent a fraction of revenue needed for the zoo.** GLAZA pays the city ten percent of the gross receipts from GLAZA's operation of concessions at the zoo. In calendar year

1990, concession fees paid by GLAZA to the city were about \$449,000. This is less than six percent of the \$7.2 million the city must budget annually to run the entire zoo.

Aside from GLAZA's payment of concession fees, donations from GLAZA help to pay for capital improvements at the zoo. Though GLAZA's donations have risen in the last few years, the total amount of \$17.47 million donated by GLAZA over the last 24 years represents only a fraction of the \$85.3 million needed to fund the zoo's top priority capital projects.

6. **GLAZA's contribution to zoo operating and capital costs has been less than one might expect, given years of city support and the resources of GLAZA.** This impression should be weighed against the actual performance of GLAZA and performance of similar concession operators and support groups. The city and GLAZA have not developed performance standards. This is not to discount the value of GLAZA or the considerable effort of GLAZA's leadership in developing its membership. An evaluation of GLAZA's overall performance was not within the scope of this audit.

Analysis of Operating and Concession Agreements

7. **Some provisions of the operating and concession agreements are contradictory and may be unworkable.** Problems with the operating agreement can be summarized as follows:
 - Provisions on dispute resolution are weak because they refer to settling disputes in court.
 - The duties of the Public Information Committee are undefined and could be interpreted to overlap those of the Education Committee.
 - The provisions giving GLAZA "primary responsibility" for education programs seems contradictory to provisions that give the Zoo Director control over zoo operations.
8. **Implementation of operating agreement provisions concerning education programs and public information has led to duplication of effort and conflicts.** The emphasis of the zoo's activities has changed in the years since the agreements were approved. Ten years ago, the zoo was managed as a recreational attraction with educational value, and responsibilities for conservation. Today's management of the zoo is oriented toward education and conservation, with recreation as a byproduct. Both the city and GLAZA have become increasingly involved in educational activities. The city's Zoo Education and Information Services Unit has 12 full-time staff. GLAZA has an Education Coordinator and four staff positions devoted to education.

Recently, GLAZA's leadership asked the city to allow GLAZA to take full responsibility for educational programs of the Los Angeles Zoo, subject to advice and consent of the Zoo Director. A representative of the city's Department of Recreation and Parks indicates that candidates for Zoo Director would be reluctant to seek the city's post, if the director lost control of educational programs.

Administration of Operating and Concession Agreements

9. Some provisions of operating and concession agreements are not followed.

Following is a summary of practices that indicate the agreements are not being fully implemented:

- The joint committee system to coordinate relations between the city and GLAZA does not appear to be operating as required by the operating agreement. Neither the Public Information Committee nor the Zoo Development Committee have been meeting as required.
- Several committees have been formed that are not specifically authorized by the agreement. For example, there is an ad hoc committee (Zoo Task Force) consisting of two city Recreation and Parks Commissioners, Department of Recreation and Parks management, and GLAZA representatives. The purpose of this committee is to address zoo management issues that arise.
- Occasionally, GLAZA makes lump sum advance payments to the city and withholds regular monthly payment of concession fees (rent) until the advance is repaid. Though the Department of Recreation and Parks asks for the advance payments and consents to withholding, the auditors found that this practice is not specifically authorized under terms of the concession agreement.

10. The city's Department of Recreation and Parks is not exercising its authority to audit and monitor concession operations of GLAZA.

The department does not systematically or regularly audit the financial statements submitted by GLAZA. Also, the department does not independently audit concession receipts and GLAZA's accounting of concession revenue and expenditures. Failure to audit gross receipts and accounting practices could be costly to the city.

11. The Department of Recreation and Parks has not prepared itself to offer constructive suggestions for improvements in concession operations.

Reportedly, city zoo staff frequently visit concession operations to evaluate performance. Apparently, these visits are not regular, nor are evaluations based on documented criteria. The city has not developed standards by which it can systematically evaluate and offer suggestions to improve concession operations.

Barriers to Improving Zoo Management and Support

- 12. The city has been without a Zoo Director since January 4, 1991 and the level of compensation is an issue in recruitment.** The Zoo's Director of 16 years retired. A nationwide search for his replacement is in progress. It is anticipated that the preferred candidate will be identified by the Department of Recreation and Parks by June 30, 1991. One issue in efforts to recruit a new Zoo Director is the compensation the city is willing to offer. The middle (third) step of the salary range at \$84,647 is comparable to salary paid at some other zoos. However, Comparable zoos surveyed by the Department of Recreation and Parks indicated that there is considerable additional compensation provided zoo directors. In several jurisdictions surveyed, the zoo's chief executive is provided housing, among other benefits. In Los Angeles, the cost of housing is a factor. The City Council would have to review and approve any special compensation for the city's Zoo Director.
- 13. The reporting relationship of the Zoo Director to the Assistant General Manager of the city's Department of Recreation and Parks insulates the Zoo Director from top management of the Department of Recreation and Parks.** A 1984 report of the City Administrative Officer (CAO) recommended that the Zoo Director report directly to the General Manager to give the zoo added visibility in the department. Also, this would ensure that its priorities will be given full consideration in the allocation of departmental resources.
- 14. Some conflicts between the city and GLAZA may have arisen from the lack of a visible plan and direction from those who manage of the Department of Recreation and Parks.** According to a 1984 management audit by the CAO:

"The department and GLAZA have not worked together to develop a coordinated program for the operation and development of the zoo. This has limited the effectiveness of both organizations and has been a detriment to providing a truly first class zoo . . . both organizations operate with a significant degree of autonomy"

The Grand Jury's auditors observed that this has been a continuing problem. The draft Los Angeles Zoo Master Plan states that difficulties in tracing the existing zoo infrastructure can be traced to a lack of coordination between the city and GLAZA. The joint process to develop the Zoo Master Plan as a positive step in correcting the lack or coordination in capital planning.
- 15. The department does not have a zoo management plan to coordinate capital and operating goals and implementation strategies.** Inadequate financial management information and reports are among the barriers facing the city's Zoo Director in developing a comprehensive management plan.
- 16. The city does not have the power to order GLAZA to transfer funds to the city,**

except for the ten percent of gross receipts due as rent from concession operations. The city expects that net concession revenue in the Surplus Development Fund will be used for zoo improvements. Ideally, the city's Zoo Director should be able to obtain the cooperation of GLAZA for expenditures through the Zoo Development Committee. We have seen nothing to indicate that the city's Zoo Director has been able to do this. Amendments to the concession agreement are needed to give the city more control of income from concessions.

CONCLUSIONS

- 1. The city has not asserted its right to supervise and direct all zoo operations.** The city's Zoo Director has the duty and responsibility to control and manage all aspects of the zoo. Weak management and certain provisions in the contracts with GLAZA have hampered the city's ability to fulfill its duty to manage the zoo. Asserting the unity of command provisions of the operating agreement, and selecting a Zoo Director skilled in management and the technical aspects of zoo operations, would address most of the concerns.
- 2. The city and GLAZA are not in compliance with terms of the operating and concession agreements.** This is a reflection of poorly written agreements and the city's lack of leadership in administering the contracts.
- 3. The operating and concession agreements should be amended or rewritten to affirm the city's right to direct all zoo operations and to clarify the role of GLAZA as a support group.** It appears that both the city and GLAZA are receptive to amending the operating and concession agreements. However, timing for development of amendments and discussions between all those with a stake in zoo operations is not good. The city and GLAZA should hold negotiations in abeyance until the new director of the zoo is selected and in place for a sufficient time to evaluate the situation.
- 4. A comprehensive zoo management plan could be the basis for an annual program and strategy to enable the Zoo Director to lead others in support of the zoo.** A comprehensive management plan would identify both operating and capital improvement goals together with implementation strategies.
- 5. It is likely the zoo would receive more support from GLAZA if the city provided more direction to GLAZA.**

Following are recommendations to strengthen the city's ability to manage the zoo, to improve administration of contracts with GLAZA, and increase support for the zoo.

RECOMMENDATIONS

It is recommended that:

1. **The City of Los Angeles assert its authority to run the zoo through a resolution or other communication, from the city's Department of Recreation and Parks Commission, endorsed by the Mayor and City Council.** The city should officially declare its intent to exercise unity of command of all zoo operations, including providing direction to GLAZA, through the Zoo Director. A resolution, or other communication, should be prepared by the Department of Recreation and Parks, to make it clear that the city accepts ultimate responsibility for management and control of all zoo activities. The city should specifically declare that this includes, but is not limited to, educational programs to the full extent permissible under the operating agreement. Clarifying the city's authority to run all aspects of the zoo and the role of GLAZA would help in retaining a new Zoo Director and to get the new director off to the right start.
2. **The City Council and Mayor review the salary range and overall compensation of the city's Zoo Director position.** The city should take immediate action, if necessary, to improve the salary and overall compensation package to attract well-qualified candidates.
3. **The new Zoo Director be given time to evaluate and improve the relationship between GLAZA and the city.** In the interim, possibly a period of one year, proposed amendments to the agreements should be held in abeyance.

Whenever amendments to the operating and concession agreements are considered, the city's Department of Recreation and Parks and the Zoo Director should:

- Develop amendments to enable the city to have control of all net revenues from concession operations.
 - Review the feasibility of putting the concession operations out to bid. Consider a minimum rental guarantee and the potential amount of funds that could be returned to the city from gross receipts, among other criteria that could be used to evaluate bids.
4. **The Department of Recreation and Parks and the Zoo Director explore possible avenues to enhance revenue from the zoo.** Examples of items to be explored should include a modest increase in admission prices, limiting free admissions, income from parking lot operations, and charges to motion picture companies for filming at the zoo.

5. **The Board of Recreation and Parks Commissioners assign the Zoo Director to report directly to the General Manager of the Department of Recreation and Parks Department.** This should help increase visibility of the zoo's needs at the highest level of the department.
6. **The City Administrative Officer and Department of Recreation and Parks develop the necessary budgetary and financial accounting procedures to consolidate all revenue and costs of zoo operations.** This information should be the basis for presentation of a consolidated financial statement. In addition, the city and GLAZA should explore the feasibility of GLAZA changing its fiscal year to coincide with the city's fiscal year. These steps should help foster improved financial management and accountability.
7. **The Department of Recreation and Parks conduct regular audits of receipts and expenditures from zoo concession operations.** This would be a prudent business practice and would strengthen the system of controls.
8. **The Department of Recreation and Parks should develop criteria to evaluate concession operations.** The Department should regularly monitor concession operations utilizing these criteria. This would provide the foundation for the city to direct improvements consistent with the authority provided in the concession agreement.
9. **The City Council and Mayor review the practice by the Department of Recreation and Parks of receiving advance concession payments from GLAZA.** Determine if this practice is in the best interest of the city. If it is continued, ensure that the transactions are readily apparent to the public.
10. **The Department of Recreation and Parks develop a comprehensive zoo management plan to coordinate capital and operating goals and implementation strategies.** This should be considered a high priority item for the new director of the zoo. The various committees of the operating agreement could then be assigned specific tasks consistent with the Zoo Director's plan.
11. **The Department of Recreation and Parks establish, and provide the appropriate staff for, an on-site zoo Planning Office, as recommended in the draft Los Angeles Zoo Master Plan.** This office must be located at the zoo and be responsible for all correspondence and documentation for capital projects. All design and construction activities should be coordinated through this office.
12. **The preceding recommendations (1 through 11) be transmitted to the Mayor, City Council, and Board of Recreation and Parks Commissioners for their consideration and action by the appropriate authorities in the City of Los Angeles.**

APPENDIX

SCHEDULE OF RATES FOR CABLE TELEVISION SERVICE

CITIES OR COMMUNITIES	CABLE TELEVISION COMPANY	BASIC RATE	FRANCHISE FEE	NO. BASIC CHANNEL	CONTRACT EXIRES
Beverly Hills	Century	\$22.95	5%	45	1996
Burbank	Sammons	\$17.50	5%	32	1994
City of Commerce	Falcon	\$14.95	5%	40	1994
Compton	American	\$18.95	5%	40	1996
Culver City	Continental	\$18.95	5%	37	1997
Eagle Rock	Century	\$21.25	5%	40	2002
El Monte	Liberty	\$14.95	5%	40	1997
Glendale	Sammons	\$25.00	5%	40	1994
Inglewood	Continental	\$18.35	5%	40	1992
Long Beach	Simmons	\$18.25	5%	37	1997
Norwalk	Cencom	\$23.95	5%	40	1992
Pasadena	Paragon	\$16.95	5%	40	1994
Santa Monica	Century	\$21.25	5%	40	1997
Sherman Oaks	Century	\$21.25	5%	40	2002
Torrance	Paragon	\$15.95	5%	40	1997
West Hollywood	Century	\$21.95	6%	40	1992
West Los Angeles	Century	\$21.25	5%	39	2002

- NOTE:** 1. The basic rate seems to have no relation to the number of channels offered.
2. The schedule above was completed in December, 1990. Since then some companies have raised their basic rate from 10% to 20%

Cable Companies Survey

Persons Interviewed

Beverly Hills

Fred C. Cunningham, City Manager's office (213) 285-1014
445 North Rexford Drive, Beverly Hills, California 90211

Burbank

Marsha Bell, City Clerk (818) 953-9732
275 East Olive Avenue, Burbank, California

City of Commerce

Ruth R. Aldaco, City Clerk, Administrators Office
City Hall, 2535 Commerce Way
Commerce, California 90040

Compton

Gilda Wyatt, City Management (213) 605-5500
205 Willowbrook Avenue, Compton, California 90220

Culver City

Eleanor Egan, Administrative office (213) 202-2754
4095 Overland Avenue, Culver City, California 90232-0507

El Monte

Kathleen Kaplan, Administrative office (818) 590-2019
11333 Valley Boulevard, El Monte, California 91731

Glendale

Tammie Hunt, City Manager's Office, Room #200 (818) 956-4844
613 East Broadway, Glendale, California 91206

Inglewood

Derrel Brown, Inglewood Administrative office (213) 412-8737
#1 Manchester Boulevard, Inglewood, California 90301

Long Beach

Shelba Powell, City Clerk (213) 590-6101
333 West Ocean Boulevard, Long Beach, California 90802

Los Angeles

James Hankin, Assistant General Manager-Telecommunications
Room 300 City Hall East, Los Angeles, California 90012

Norwalk

Julie Rigozzino, Administrative Office (213) 929-2677
12700 Norwalk Boulevard, Norwalk, California 90650

Pasadena

Donald McIntire, City Manager
100 North Garfield Avenue, Pasadena, California 91109

Santa Monica

Joseph P. Lawrence, Assistant City Attorney (213) 458-8336
1685 Main Street, Santa Monica, California 90401

Sherman Oaks

Melissa M. Hernandez, Deputy City Clerk (213) 485-5705
201 North Main Street, Los Angeles, California 90012

Torrance

Gina Bullok, City Clerk (213) 328-5210
3031 Torrance Boulevard, Torrance, California 90503

West Hollywood

Janice Kamahri, West Hollywood City Management (213) 854-7427
8611 Santa Monica Boulevard, West Hollywood, California 90069

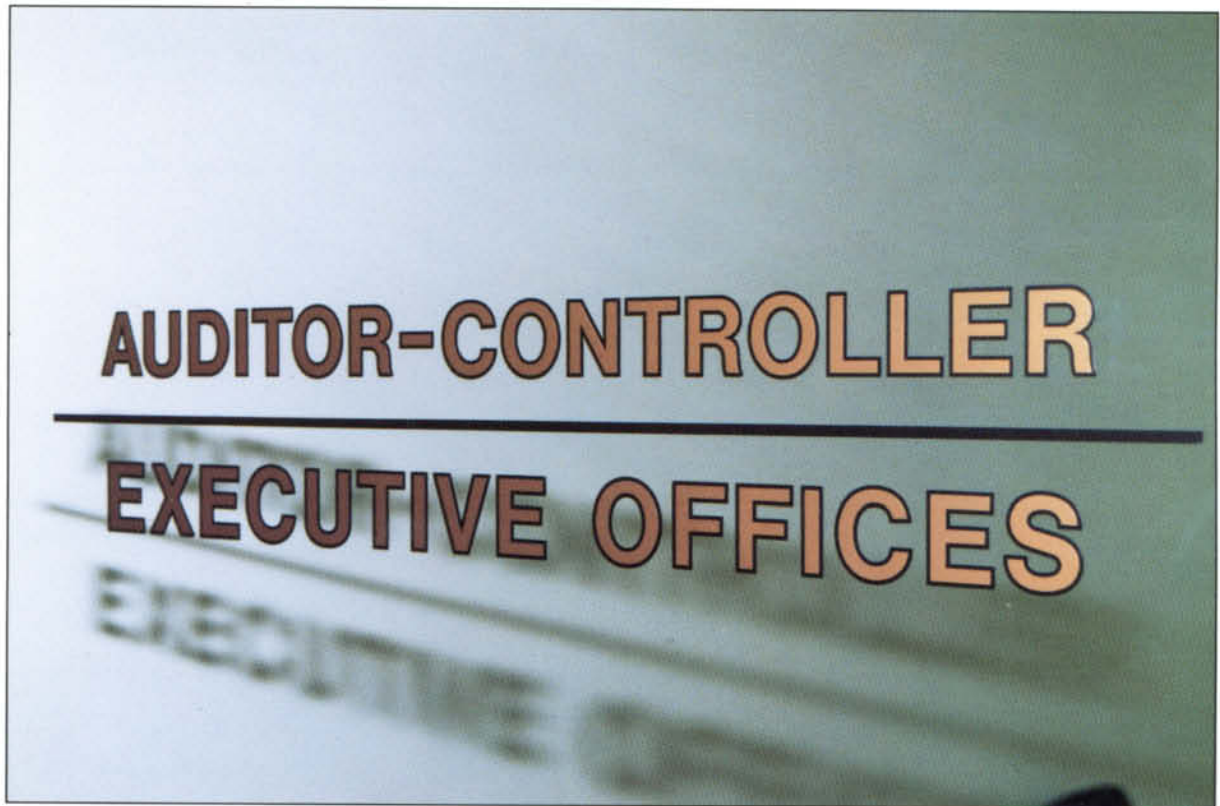
Los Angeles Memorial Coliseum**Documents Reviewed**

1984 lease contract between Raiders and Coliseum
1988 agreement between MCA/Spectator to manage Coliseum
Minutes of Coliseum meeting of March 26, 1990
Memorandum of understanding for the subleasing of the Coliseum to Spectacor Management Limited Partnership dated March 26, 1990
Letter Agreement of March 26, 1990
Report from Peat Marwick evaluating the memorandum of understanding agreement for the Coliseum dated March 28, 1990
Mutual Release Agreement with Al Davis (Raiders) of 1984 lease contract with the Coliseum dated September 11, 1990
Inducement Agreement between Raiders and Coliseum abrogating the 1984 lease agreement dated September 11, 1990
Resolution Agreement September 11, 1990
Amendment number 1 to above agreement dated September 11, 1990
Report on audited financial statements on the Coliseum for fiscal years 1989 and 1990 dated September 13, 1990
Minutes of meeting of Arts & Entertainment Committee with the President of Coliseum Commission Board, Spectacor and attorneys dated November 27, 1990
Articles of limited partnership of Spectacor
Memorandum from Donovan Main, Assistant County Counsel, with partial list of above documents forwarded
Interview given by Mr. Ed Snider, President of Spectacor, Inc. to Mr. Christopher Palmers of Forbes Magazine dated March 18, 1991

Persons Interviewed

Matthew Grossman, President, Coliseum Commission
Peter Schabarum, Vice President, Coliseum Commission
Richard J. Riordan, Commissioner, Coliseum Commission
Robert Farrell, Commissioner, Coliseum Commission
Margaret V. Furnum, Chief Administrative Office, Los Angeles Coliseum
Donovan Main, Assistant County Counsel
Norm Flette, Deputy State Attorney General
Robert Adler, Attorney for Spectacor Limited Partnership
Peter Luukko, General Manager of the Coliseum for Spectacor
Lance Brody, Attorney for MCA
Paula Batson, Public Relations, MCA
Irving Azoff, Former President, MCA Events

AUDIT COMMITTEE





LEO GOLDBERG
CHAIR



HOWARD BALLER



HARRY KAUFMAN



HERBERT KNEETER



SUZANNE PROCTOR



AUDIT COMMITTEE

INTRODUCTION AND SUMMARY

Under the California Penal Code the grand jury has the authority to investigate the fiscal and management activities of the county and city departments and of the various special districts within the County of Los Angeles. In addition to the work performed by the committees of the grand jury, it also has authority to engage outside consultants to assist in investigations requested by the grand jury.

In furtherance of this function the Audit Committee interviewed nine candidate auditing firms and selected Price Waterhouse as its contract auditors.

The 1990-91 Audit Committee defined its function to be the interface between the subject committees of the grand jury and the contract auditors. As such the Audit Committee helped to define the scope and methodology of each audit, reviewed the proposed contract price, and assigned one of its members as a liaison to the contract auditors for each audit.

The following investigations were authorized by the grand jury and conducted by our contract auditors with the assistance of the subject committees:

1. County Hospital Study (Health Services Committee)
2. Juvenile Court Health Care Provision (Health Services Committee)
3. Review of Penal Code Section 1000 Drug Diversion Program (Criminal Justice Committee)
4. Review of Indigent Legal Representation in Criminal Cases (Government Operations Committee)
5. Study to Examine The Feasibility of Establishing Neighborhood-Based One-Stop Centers for Children at Risk (Social and Human Services Committee)
6. Study to Examine Additional Options to Alleviate Jail Overcrowding (Jails Committee)
7. Review of Agreements Between City of Los Angeles and Greater Los Angeles Zoo Association (Arts & Entertainment Committee)
8. City of Pomona Performance Audit (Government Operations Committee)

Price Waterhouse, our contract auditors, were particularly effective in assisting the committees in defining the scope and feasibility of proposed studies.

PROCEDURE

Candidate auditors were invited to submit proposals and bids and thereafter were interviewed by the Audit Committee. The committee's choice of Price Waterhouse was approved by the grand jury. Individual committees prepared outlines of proposed investigations during the first half of our term of service. These were screened by the Audit Committee and those approved were submitted to the grand jury as a whole for approval or rejection. When audits were approved, each committee designated one of its members for in-progress liaison with the auditor's project manager.

FINDINGS

During the first half of our term grand jury committees evolved into effective groups. Our education in the operation of government activities in the county and preliminary investigations required to define meaningful subjects for audit or investigation progressed so that at the end of this period we were able to initiate several contracts. By the end of the seventh month all audits were defined and contracts approved. This schedule allowed sufficient time to complete the work and to prepare final reports early enough to allow for the required approval procedures. It may be noted that investigations carried out by the grand jury committees themselves were performed on a similar schedule.

At the beginning of our term we were advised by many experienced persons to choose investigative topics and audits of a limited scope, small enough to be finished before our year was up. While this turned out to be generally good advice, we learned that, given the experience of the first half of our term, we might have used a slightly different approach and selected more ambitious topics because:

1. Review of the past history of grand jury recommendations showed that, although only a few are immediately accepted and implemented, a substantial majority are eventually adopted within a few years. Therefore, the grand jury should not be discouraged from undertaking audits or investigations of significant scope early in its term of office. The experience of five or six months may well provide the basis for such more important ventures.
2. When considering the question of what concrete actions we might propose to solve specific problems, we were cautioned that it might not be practical even to start the investigation or audit unless practical solutions were evident. As our work continued, we found that a number of our projects did not have clear or immediate solutions, but were well worth the effort because (1) public knowledge and awareness of the problems, resulting from the publication of the final grand jury report and publicity associated with it, might be sufficient to bring societal forces to bear or initiate

associated with it, might be sufficient to bring societal forces to bear or initiate governmental action to solve the problems; (2) government personnel were cooperative and responsive to good recommendations although budgetary and organizational changes could not be made immediately, and (3) it was frequently difficult to obtain information because of legal privacy restrictions, yet after we had more experience and understood the rules we were able to undertake audits and investigations that seemed infeasible at the beginning.

RECOMMENDATIONS

The Grand Jury recommends that its successor Grand Jury:

1. Undertake audits or investigations of significant scope or major importance early in its term of office since the experience gained after five or six months may show that it was indeed practical to do so.
2. Undertake an audit or investigation even though a specific workable solution to the problem cannot be envisaged. Public or governmental knowledge and awareness, alone, can be of great value.

CRIMINAL JUSTICE COMMITTEE





ROBERT LYNCH
CHAIR



WILLIAM BYRON



LESLIE DAYE



PAULA GALE



JAMES RODRIGUEZ



TOMMIE SHULMAN



NATALIE SHUTMAN



SARANE VAN DYKE

CRIMINAL JUSTICE COMMITTEE

INTRODUCTION AND SUMMARY

The principal duties of the Criminal Justice Committee included:

- A. Screening Requests for Grand Jury Hearings.
The committee considered and acted on requests from the Office of the District Attorney and Attorney General for presentation to the Grand Jury of indictments and investigative hearings and for issuance of subpoenas.
- B. Investigation of Citizens' Complaints.
The committee investigated and responded to complaints from the public relating to criminal matters and the administration of the criminal justice system.
- C. Investigations and Reports on Criminal Matters.
The committee investigated and reported on matters concerning crime and the criminal justice system with recommendations for its improvement.

GRAND JURY HEARINGS

In 1990 the voters passed Proposition 115 which, among other things, nullified the decision of the California Supreme Court in *Hawkins v. Superior Court* (1978) 22 Cal 3d 584, 150 Cal. Rpts. 435 which provided that a criminal defendant who is charged by a grand jury indictment with a criminal offense also has the right to a preliminary hearing before proceeding to trial in a felony case.

As of June 1, 1991, the Committee had acted on 23 requests for indictments and three requests for investigative hearings involving 140 suspects and had authorized the issuance of subpoenas in three cases.

The subjects of these hearings included murder, attempted murder, assault with a deadly weapon, grand theft, extortion, embezzlement, insurance fraud, tax evasion, bookmaking, conspiracy, use of excessive force, filing of false reports, perjury, and violation of drug laws.

There are a number of reasons why a district attorney may choose to proceed by grand jury indictment rather than preliminary examination in felony cases. Some of these reasons include:

1. Protection of witnesses against possible retaliation.
2. To obtain the testimony of reluctant witnesses who do not wish to testify publicly.
3. To keep knowledge of the proceeding from suspects who may leave the jurisdiction if made aware of a pending prosecution against them.
4. Protection of innocent people from unfavorable publicity, particularly if no indictment is returned.
5. To stop the running of the statute of limitation.
6. To add additional charges to an already pending case.
7. Economy of time and expense of an indictment proceeding compared to that of a preliminary examination.
8. To avoid publicity in high profile cases where attendant publicity may affect the fairness of subsequent proceedings.
9. To protect children, rape victims and others from publicity and cross examination.

CITIZENS' COMPLAINTS

As of June 1, 1991, the Committee has received 44 complaints from citizens relating to public officers and employees and the operation of the criminal justice system. Investigations have been completed and responses made to 37 complaints. Some of these complainants have not been satisfied with the committee's responses and are continuing to reassert their complaints.

The subjects of these complaints include:

1. Use of excessive force by law enforcement personnel
2. Conflict of interest
3. Conspiracy
4. Harassment
5. Failure to act
6. Misuse of office
7. Wrongful discharge from public employment

Several state prison inmates have sought to have the grand jury review their convictions. A number of these complaints went beyond the jurisdiction of the grand jury.

INVESTIGATION, REPORT AND RECOMMENDATIONS

The following subjects were selected by the committee for investigation, report and recommendations for improvement:

1. The Drug Diversion Program mandated by Penal Code Section 1000 et. seq. and its administration in Los Angeles County.

Information had been received from persons who related to the Grand Jury that this program was not operating satisfactorily in Los Angeles County. The committee conducted a review through its contract auditor to determine whether the program complies with the intent of the legislature and to evaluate its operation.

2. Use of weapons on school campuses.

The news media had reported a number of incidents in which weapons had been used on and in the vicinity of school campuses against students, teachers, and other personnel. An investigation was made to determine the level of violence and use of weapons on and in the vicinity of school campuses, security measures in and around schools, student discipline, interface between schools and the justice system and expulsion and alternative placement of students involved.

3. A recommendation for amendment to Penal Code Section 904.5 to provide a limitation on the jurisdiction of a second grand jury impaneled under that section.

A. DRUG DIVERSION

The close relationship between crime and the increasing incidence of drug abuse has been well documented. Community based drug treatment programs are viewed by many as a way to help prevent increased drug abuse and crime. Under Penal Code Section 1000 et. seq., persons accused of an offense such as public intoxication or possession of a small amount of marijuana, may waive the right to speedy trial and be sent by the court to a county authorized treatment program. The Legislature's intent in requiring diversion for qualified first time offenders is specified as follows:

- Expose persons to community educational and counseling programs
- Identify the experimental user before he or she becomes deeply involved with drugs
- Reduce congestion in the criminal justice system.

The Criminal Justice Committee of the Grand Jury received information from a representative of the Los Angeles County District Attorney's office indicating that the County's drug diversion program was not meeting its intended purpose. The Committee heard that, overall, the program was not operating in the way contemplated by the Legislature. The Committee wanted further information to help determine whether the County's process is consistent with Legislative intent or a revolving door to the criminal justice system.

The Grand Jury requested Price Waterhouse to review the County's pre-trial drug diversion program conducted pursuant to Penal Code Section 1000 et. seq. to:

1. Determine if the pre-trial drug diversion process is consistent with the intent of the State Legislature
2. Determine if ineligible defendants are diverted under P.C. 1000 et. seq.
3. Comment on the role of treatment programs authorized by the county
4. Evaluate record keeping, reporting, controls and other management issues.

The study focuses on the probation department because it plays a central role in determining who participates in the program. Also, the department manages certain important records of those who are diverted. Price Waterhouse reviewed a small sample of Los Angeles County Probation Department case files to determine whether divertees were in compliance with court ordered diversion. In addition, the consultants interviewed representatives of the Los Angeles County District Attorney, Probation Department, treatment program providers and county officials responsible for similar programs in five other counties.

FINDINGS

1. The drug diversion program in Los Angeles County falls short of the intent of the State Legislature as provided in Penal Code Section 1000 et. seq.

- No assurances that divertees are exposed to treatment programs.

We found that incomplete records and minimal supervision of divertees make it impossible to determine whether divertees are being exposed to treatment programs. Our review of probation and court files indicates it is likely that many divertees never enroll or attend treatment programs. Increased monitoring and record keeping are necessary to assure divertees are exposed to treatment programs.

- **Drug diversion delays criminal proceedings but does not necessarily relieve the criminal justice system of cases.**

Based on the results of our sample of closed cases, it appears that the majority of drug divertees are returning to the criminal courts for further proceedings. In our sample of closed cases, we found that criminal proceedings were reinstated in 42 of the 64 cases (66% of the cases).

In nine of the closed cases we reviewed, the probation officer recommended that diversion be denied because the divertee was unsuitable. However, the courts placed the defendant on diversion. In six of the nine cases where the probation officer recommended denying diversion, criminal proceedings were later reinstated.

According to those we interviewed, the generally perceived leniency of the courts and the minimal supervision provided by the probation department are well known. We do not question the court's judgment or need to consider many extenuating circumstances surrounding each case. It seems to us that this contributes to a growth in the number of scofflaws in the county.

- **Lack of effort in appropriately identifying experimental users vs. more deeply involved drug users.**

In the sample of cases we reviewed, we found that 69% of the divertees were arrested on felony drug charges. The majority of the divertees were arrested for cocaine related charges. The probation department currently spends approximately one hour reviewing each drug diversion case for suitability. At the time P.C. 1000 was enacted in 1972, it appears that the focus of attention was on how to handle the increasing incidence of casual marijuana use. Based on a 1976 study by the State of California Office of Narcotics and Drug Abuse, depending on the locality in California, 60% to 90% of the drug diversion offenders were arrested for marijuana related offenses. The trend towards more seriously addictive drugs requires more rigorous review and better communications between the courts and the probation department prior to assigning defendants to drug diversion. It seems that the task of determining suitability for diversion has become more complex. Also, it is more important than ever that communications between the courts and the probation department regarding the suitability of diversion be clear and thorough.

2. **A small sample case study reveals defendants diverted in Los Angeles County are legally eligible for diversion.**

The district attorney reviews information in proposed diversion cases to determine if the accused meets the legal standards for diversion. After this review, a report is submitted to the court. The judge then makes a determination whether the accused is legally eligible for diversion. A judge's final decision on diversion is made after considering the probation department's report on suitability for diversion. In our sample of 83 active and 64 closed cases we found only 4 (3%) of the cases were ineligible

for drug diversion under P.C. 1000 et. seq. Based on our sample results, it appears that the district attorney's and the court's screening for eligibility of drug diversion cases is adequate.

3. No evidence of problems with treatment programs.

We interviewed ten treatment providers and reviewed factors such as program cost, ability to pay, accessibility and treatment program length. Most programs adjust their fees on a sliding scale based on income. This helps increase access to treatment for low income divertees. In addition, we found no program where there was a waiting list longer than two to three weeks. Seventy percent of the treatment providers we interviewed agreed that the 20 week time-frame to which all of the treatment programs are required to adhere is an appropriate length.

The treatment programs consist of a minimum 20 week time-frame requiring 47 hours. The components of the treatment program are the following:

- One evaluation/orientation session and one exit conference
- Eighteen education/group discussion sessions
- Urinalysis testing (at the discretion of the treatment program)
- Twelve step program participation.

All of the treatment programs are monitored by the Los Angeles County Department of Health Services. While we visited all ten treatment program sites, we did not conduct an independent review of their compliance with County standards.

4. Record keeping, reporting and other management issues

- The probation department's record keeping/reporting system for drug diversion cases is inadequate. The probation department does not have functional internal controls to assure that all cases are properly managed.

The probation department records of cases are neither accurate nor complete. We requested lists of active drug diversion cases from the five probation area offices we visited. However, of the 100 cases we selected from the lists, the probation department could not locate nine case files, and eight of the 100 cases were not drug diversion cases.

We also requested 100 cases from the lists of closed drug diversion cases that the department maintains. The probation department could not locate 11 of the files we requested. In addition, of the 89 files the probation department provided from the lists of closed drug diversion cases, 25 of the cases were not drug diversion cases. The poor record keeping appears to be prevalent throughout the probation field services bureau. We found that it is impossible to accurately determine from the probation department's management statistics the total number

of actively supervised drug diversion cases. Based on probation department records, our estimate of the number of open cases countywide is 7,500.

- **No county department is providing assurance to the courts that divertees, at a minimum, are enrolling in treatment programs during the diversion period.**

P.C. 1000 et. seq. does not specifically require the probation department to assure that divertees enroll in treatment programs. The law does require the probation department to report to the court if the divertee is performing unsatisfactorily in the assigned treatment program. In addition, the probation department's Policies and Procedures Manual (last revised June 1985) specifically states, "the deputy probation officer shall require divertees to attend the community treatment program agreed upon at the time of investigation; and on the Monthly Report Slip — under additional information — submit a brief statement of program participation giving name, attendance dates, reason for not attending, and waiting list status." The Manual also states, "The court shall be apprised not more than two months after diversion is granted that divertee, for whatever reason, is not involved in a treatment program." In 36 (43%) of the 83 active case files we reviewed which were active for at least six months, there was no documentation of enrollment in a treatment program. All of the studies we have reviewed emphasized the importance of supervision and an effective enforcement mechanism to ensure completion. Without assurance of enrollment, one cannot expect to achieve an acceptable level of compliance from drug divertees. The probation department has excellent written procedures for monitoring divertees. However, we found that it is not enforcing its own procedures.

- **There is a lack of regular contact with divertees and their treatment programs by county officials.**

The law does not specifically require the probation department to maintain contact with divertees. However, the law states that the probation officer shall provide a progress report to the court not less than every six months. In addition, the probation department Policies and Procedures Manual requires the probation officer to maintain continuous knowledge of divertees whereabouts through a monthly mail-in report. Once the monthly report is received, the probation officer shall verify information contained therein regarding treatment program participation. We sampled 83 drug diversion cases provided by the probation department which they thought were active cases for six months or longer. We found that 68 of the 83 (82%) of the cases in our sample had no contact with a probation officer for at least six months during the diversion period, and 38 (46%) of the divertees had no contact with a probation officer for over one year during the diversion period. For example, in one of the active cases from the Long Beach probation area office, we could not document any contact in the case file between the divertee and the probation department for the entire diversion period that started approximately 36 months earlier (March 1988).

- **The probation department is not aware of the status of many of the cases that it is carrying on its active caseload.**

Of the 83 active cases we reviewed, we found that at least 43 (52%) were closed, (i.e., terminated and dismissed or criminal proceedings were reinstated). The probation officers had no knowledge that these "active" cases were in fact closed. In four of the cases we could not determine if the cases were active or closed. Of our sample of 83 cases, only 36 were truly active cases. In addition, after requesting and looking at listings of active cases from the other six probation area offices that supervise drug diversion cases, we estimated that at least 13% of the total actively supervised drug diversion caseload is either expired (active over the statutory limit) or closed. For example, after reviewing the South Central probation area office's active listing of drug diversion cases, we estimated that approximately 50% of the "active" drug diversion caseload in that office is, in fact, closed.

5. **State legislative interim hearings on diversion programs were inconclusive, and no corrective action for the administration of the programs has been taken to date.**

The last proposed legislation for the P.C. 1000 drug diversion program was Senate Bill S.B. 1112 which was introduced on March 8, 1989. The bill was not passed in the last State legislative session and no new bills are being contemplated. S.B. 1112 would have required a plea of no-contest prior to assigning a defendant to drug diversion. In addition, the bill would have required more stringent requirements for diversion. The Assembly Committee on Public Safety had an interim hearing on S.B. 1112 and drug diversion in Los Angeles on December 5, 1989. Many concerns were voiced because the bill was a post-conviction drug diversion program and because of the increased costs associated with trials, convictions, incarcerations and probation supervision.

No action has been taken to date to amend the P.C. 1000 et. seq. drug diversion program. The Grand Jury's study of drug diversion issues in Los Angeles County will add to the understanding of the law's impact. It points to the need for clarification regarding responsibility for case management and the need for adequate resources for responsible management of the drug diversion program.

RECOMMENDATIONS

The Grand Jury recommends that:

The Los Angeles County Board of Supervisors:

1. Appoint a Task Force to review the management and control of cases diverted under P.C. 1000 et. seq. The Task Force should:

- Determine if the Probation Department or some other county agency is best suited to monitor the progress of divertees and provide assurance to the court that divertees are complying with diversion requirements.
- Identify ways to improve the Probation Department's compliance with current department procedures for:
 - monitoring drug diversion cases
 - enforcing requirements for divertees to enroll in a timely fashion, attend and complete treatment programs
 - providing information to the court with regard to divertees compliance
 - purging the closed and expired cases from the bank caseload.
- Review the management and oversight of the automated minimum service caseload, and identify ways to provide better monitoring and control of the caseloads.
- Review the database management of the automated minimum service caseload and identify ways to improve the accuracy of the database. This should include a review of the process for closing drug diversion cases and identifying ways to better account for closed cases.
- Review the staffing of the automated minimum services caseloads at the 13 probation area offices and determine adequate staffing levels.
- Review the training of probation officers that are assigned to the automated minimum service caseload, and the training of investigative probation officers who submit reports to the courts for drug diversion cases.
- Determine whether increasing the number of expert narcotic evaluators at the probation area offices is likely to improve the department's reports to the court on suitability of diversion candidates.
- Determine if more treatment options should be developed to address the needs of the more involved drug users. This should include consideration of a procedure to ensure divertees are assigned to treatment programs which match the seriousness of their drug problem.

- The Task Force should report its findings and recommendations on all of the above items no later than October 31, 1991.

2. Request the legislature to conduct additional interim hearings on the P.C. 1000 drug diversion program.

The Legislature should be asked to:

- Consider the experience of Los Angeles and other counties.
- Identify responsibility for monitoring divertees and managing case files.
- Explore the need for a central county authority to monitor the cumulative results of all diversion cases. This central entity would report annually to the appropriate authorities with findings concerning the diversion process and recommendations for improvements.
- Identify resources to fund all state mandated components of the drug diversion process.

B. WEAPONS IN SCHOOLS

BACKGROUND

Newspaper articles reported school campus violence and gang activities. The committee focused on incidents involving weapons use or possession. Local law enforcement personnel and school district officials assisted us in identifying whether current policies, practices and programs were effective.

PROCEDURES

The committee used interviews, reports, and studies of legislative committees and the Penal and Education Codes to define weapons, to effect meaningful change through recommendations to appropriate authorities and to identify programs which can positively impact this problem (see Appendix A).

Of necessity, we focused the greatest amount of our time on two of the largest local school districts, namely, the Los Angeles Unified School District (LAUSD) and the Pasadena Unified School District (PUSD). The committee created a questionnaire which was mailed to almost all Los Angeles County school district superintendents.

FINDINGS

Crime and Violence Statistics

The committee obtained crime summary reports from the LAUSD and the State of California Department of Justice for the school year 1989-90. The statistics revealed that incidents of violence and gang activity on school campuses are down from the 1970's, but incidents of serious assault rose during this school year. Most offenses involving weapons are for possession, not use. When violence is used, assault, intimidation, extortion and robbery are the reported crimes. Many students possess weapons for self-defense.

Knives and weapons other than guns are frequently used. A 29 percent rise in possession of guns on campus over the previous school year is an alarming statistic. Fortunately, homicides were extremely rare during this period (see Appendix B).

Crime and Violence in the Vicinity of School Campuses

The committee heard from numerous school authorities that the most serious safety problem for students occurs in going to and from the campus. Particularly noteworthy are the presence and activities of gang members, drug dealers and other non-students who gather near schools. Students from one school often go to other schools to commit crimes.

The problems caused by a lack of control off campus are in direct contrast to the safety and security afforded students while at school. There are also legal limitations as to what can be done in neighboring areas that make it difficult to control loitering.

Security Measures in and Around Schools

Not all school campuses were reported to be fenced and locked. Where efforts have been made in other cities to search students each day upon entering school campuses, they have proven to be too time-consuming to be practical.

School personnel employ a variety of measures to enhance student safety. Among the most successful are: required expulsion for possession of weapons on campus, immediate police response to weapon possession or violence calls and trained security personnel on campus to handle violent and threatening situations. The Los Angeles Police Department (LAPD) and Los Angeles County Sheriff's Department (LASD) cooperate by providing some off-campus security. Police officers are present on all but 22 secondary school campuses of LAUSD. "Operation Safe Schools," conducted by LAPD, employs street barricades and bike patrols around a few high schools. This has reduced truancy and delinquency and students have felt safer getting to and from school.

Procedures for Student Discipline

All school districts are required to comply with provisions of the Education Code. Additionally, the Penal Code and Welfare and Institutions Code are enforced to deal with alleged crimes, violence, and use of weapons on and around campuses.

Each school district and school campus has its own discipline policies within the requirements of the state law and its administrative regulations. This results in varying dispositions of violent students. Some go to the juvenile justice system while others are expelled or transferred to other schools. There is a need for more consistency in discipline.

Committee Questionnaire

As a means of gathering data to review expulsion policy guidelines of school districts in Los Angeles County, the committee drafted a questionnaire and sent it to 79 districts in Los Angeles County (see Appendix C). (Responses from the school districts are summarized in Appendix D.)

Expulsion and Alternative Placement

Most school districts require expulsion of students who possess and/or use weapons. However, there is a need to maintain more adequate supervision of students who would otherwise be out on the streets.

School districts prefer alternatives to expulsion. About 90 percent of expelled students are participating in some form of alternative educational program.

Alternatives to expulsion include transfers to other schools that provide special services (alternative programs provided by PUSD are shown in Exhibit E). Some are contracted out through private organizations. Problems exist in finding qualified people to run these programs.

The Los Angeles County Office of Education operates community day centers. They are currently at their full capacity and additional facilities are needed.

After school programs which have proven successful provide homework, discipline, use of the school library and other activities.

The LAUSD is considering the expansion of regional occupational centers. These provide technical and vocational training for students who do not have the interest or ability to be successful in academic subjects. Many of these students could be successful with technical and vocational skills.

Cooperation and Exchange of Information Between Schools, Juvenile Justice System and Other Agencies

The committee heard varying opinions on the degree of cooperation that exists among agencies responsible for juveniles and the justice system. School district counselors are present at juvenile courts. We were informed of instances in which coordination between school districts and the juvenile justice system was lacking. The result was that some students have been removed from school, have come within the jurisdiction of the juvenile justice system and have not been tracked and returned to school on their release. In one case a student was returned to a school other than that which he formerly attended and was killed by members of a rival gang.

On eight high school campuses county probation officers are stationed under the School Crime Suppression program to supervise a caseload of students who are on court-ordered probation. They also counsel other students as time allows. This has had a very positive effect on problems of campus violence.

Focus on Younger Students

The statistics show clearly that crime and violence are increasing more rapidly in the younger age groups. Many of the more serious offenders are 13 - 14 years old. The cost of providing early intervention programs is less than that of maintaining serious offenders in the justice system.

More resources are needed to deal with low level offenders. With serious offenders getting priority, there are few consequences for lesser offenders who often go on to more serious offenses.

The committee had the opportunity to hear from representatives of the Drug Abuse Resistance Education (DARE) and Substance Abuse Narcotics Education (SANE) programs. These programs are helpful because intervention at an earlier age is seen as improving the chances of turning low-level offenders around. It is essential to begin intervention programs on crime and violence at the primary level.

Problems Requiring Legislation

Interviews with school administrators indicated that many of the problems of school campus violence and the use of weapons result from parental disinterest and neglect. If parents were made liable for the actions and use of weapons by students, we believe there would be some improvement in these problems. Some students bring weapons from home that parents keep around the house and are easily available.

Education Code Section 48900(b) provides: "A pupil shall not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has:

- ... (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal."

We know of no good reason to permit the possession of these weapons by students on school campuses where they can be used to commit serious crimes and violent acts.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Los Angeles Police Department and the Los Angeles Unified School District expand the "Operation Safe Schools" program.
2. Each school district fence and lock all school campuses not now fenced and locked.
3. Each school district provide additional training to all personnel in handling incidents of violence.
4. The Los Angeles County Probation Department and Los Angeles Unified School District increase the number of probation officers assigned to school campuses.
5. Each school district, the county courts, the Los Angeles County Probation Department and other juvenile justice agencies within the county formulate a plan for better cooperation in identifying students who have been expelled or who have come within the jurisdiction of the juvenile court and tracking them from the time they are removed from school until their return.
6. The Board of Supervisors seek the introduction and enactment of legislation to increase parental responsibility for the possession or use of weapons by students.
7. The Board of Supervisors seek the introduction and enactment of legislation to amend Education Code Section 48900(b) to delete the following language: "... unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal."
8. The Los Angeles County Superintendent of Schools form a task force to recommend uniform standards of discipline for all school districts, from the classroom teacher through the administrative level, within the limits of the Education and Penal Codes and administrative regulations.

9. The Board of Supervisors, through the Superintendent of Schools do a feasibility study to expand alternative placement facilities countywide particularly those which increase and enhance vocational and technical training programs.
10. Each school district initiate early intervention programs at primary levels relating to violence and use of weapons in schools, including but not limited to, such programs as DARE and SANE.

C. AMENDMENT TO PENAL CODE SECTION 904.5 — JURISDICTION OF SECOND GRAND JURY

BACKGROUND

The committee considered the impact on the 1990-91 Grand Jury of its inability to consider criminal matters during the first one third of its term by reason of the fact that a second grand jury had been impaneled to hear criminal cases pursuant to Penal Code Section 904.5

PROCEDURE

The committee read and discussed the statute and the effect it might have on future grand juries in Los Angeles County.

FINDINGS

Penal Code Section 904.5 provides for the impanelment of one additional grand jury for a period of up to a year upon a finding by the Superior Court that the existing grand jury is unable to look into matters which are subject to its inquiry. This section further provides that upon its impanelment and during its term of existence, the additional grand jury shall have exclusive jurisdiction to inquire into all criminal matters.

When the term of the original grand jury, whose excessive workload necessitated the impanelment of an additional grand jury, expires, its workload terminates. The reason for the additional grand jury then ends. The successor grand jury has little or no workload upon its impanelment and can immediately make any inquiries into criminal matters. The continued existence of the additional grand jury, once it has completed the inquiries that it had commenced prior to the time the successor grand jury was impaneled, imposes a needless additional expense on the county.

RECOMMENDATION

The Grand Jury recommends that:

1. The Board of Supervisors seek the introduction and enactment of legislation to amend Penal Code Section 904.5 to provide that upon the expiration of the term of the original grand jury and the impanelment of its successor grand jury, all new inquiries into criminal matters shall be within the jurisdiction of the successor grand jury and the additional grand jury be discharged upon completion of any inquiries initiated by it before the impanelment of the successor grand jury.

APPENDIX A

Drug Diversion Program

Persons Interviewed

Robert Blanchard, Captain, Administrative Narcotics Division, Los Angeles Police Department
Peter Bozanich, Assistant Director, Bureau of Central Operations, Los Angeles County District Attorney's Office
Curt Hazell, Deputy District Attorney, Head of Narcotics Division Districts, Los Angeles County District Attorney's Office
Judith Lewis, Captain, Los Angeles School District, SANE Unit, Los Angeles County Sheriff's Department
Sharon Malachi, Supervising Deputy Probation Officer, Narcotics Consultant, Los Angeles County Probation Department
Curtis McClendon, Deputy Probation Officer, Narcotics Consultant, Los Angeles County Probation Department
Barry Nidorf, Chief Probation Officer, Los Angeles County Probation Department
Blanche Wilson, Deputy Sheriff, Los Angeles School District, SANE Unit, Los Angeles County Sheriff's Department

Weapons in Schools

Persons Interviewed

William Anton, Superintendent, Los Angeles Unified School District
Jimmie L. Charles, Director, Student Support Services, Pasadena Unified School District
Jeremy Conklin, Captain, Internal Investigations Bureau, Los Angeles County Sheriff's Department
Sharon English, Legal Department, Parole Administration Office, California Youth Authority, Sacramento
W.K. Bud Harper, Lieutenant, Los Angeles Police Department
Richard G. Harvey, Child Welfare and Attendance Supervisor, Pasadena Unified School District
Larry R. Hutchens, Assistant Chief of Police, Los Angeles Unified School District
Harvey James, California Youth Authority, Sacramento
Hector Madrigal, Coordinator, Student Discipline Proceedings Office, Student Support Services Division, Los Angeles Unified School District
Richard Mason, Counsel for Los Angeles Unified School District
Terence N. McConville, Director, Litigation Research, Los Angeles Unified School District
James McMurray, Captain, Juvenile Division, Los Angeles Police Department
Wesley Mitchell, Head of Security, Los Angeles Unified School District
John R. Porter, Director, Secondary Instruction, Pasadena Unified School District
Dave Powers, Lieutenant, Los Angeles Police Department
Julie Ryan, Legislative Secretary to Assemblyman Richard Polanco, Sacramento
Sidney A. Thompson, Deputy Superintendent, School Operations, Los Angeles Unified School District
Robert L. Vernon, Assistant Chief, Director of Operations, Los Angeles Police Department
Mary Weaver, Manager, California Department of Education, School Crime Unit, Sacramento
William J. Ybarra, Consultant, Attendance and Administrative Services Division of Evaluation, Attendance, and Pupil Services, Los Angeles County Office of Education

Documents Reviewed

Los Angeles Times

- "Washington Prep. High School Shooting," January 11, 1991
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"Closed School May be Used to Handle Expelled L.A. Students," December 3, 1990
"Community Day Centers," View Section, November 16, 1990
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April 17, 1990
"Report on Crime is Flawed; Differences in How Principals Approach Discipline and Crimes Reported," with
TABLE, April 16, 1990
"About 3% Who Brought Weapons to School in 1989 Were Permanently Expelled. Report Charges LAUSD
Officials with Failing to Stem Violence and Sweeping Changes in Student Discipline Policies Proposed,"
March 20, 1990

Wall Street Journal

- "Combatting Gangs, On Patrol With a School Cop," April 23, 1991

U.S. News & World Report

- "Kids Who Kill," April 8, 1991
"Schools that Work," May 27, 1991

Legislative Committee Studies

- California State Assembly Committee on Public Safety and Education, joint hearing on School Crimes, 86pp.,
January 25, 1988
Report to the California State Legislature Regarding the Standard School Crime Reporting Program, AB 2483
(Chapter 1607, Statutes of 1984), Penal Code Section 628, 1985-86 School Year, 23pp., June, 1987
California State Assembly Committee on Criminal Justice, hearing on school violence, 166pp., October 29,
1979

Other Reports and References

- California Department of Education, School Crime in California for the 1988-89 School Year, 4th Annual Report,
34pp., March, 1990
James A. Rapp, et al, School Crime and Violence: Victims' Rights, 106pp., 1986
Los Angeles Unified School District, discipline policies, Expulsion Review Committee (ERC), January, 1991
Los Angeles Unified School District, year-round, School-based management program at Belmont High School,
1990

Pasadena Unified School District, Office of Instruction, "Partnership Academies," 3pp. outline and model structure, Fall, 1991 Grand Program

Pasadena Unified School District, "Career Education/Outreach Program," Options for Youth, Grades 9-12, Pamphlet

Additional Programs and Resources

Berkeley, California, "Commitment to Kids" Program

L.A.'s Best, after school coop program

Los Angeles Times public info service educational topics and articles, 9:15 a.m. - 12:00 p.m. and 1:00 p.m. - 4:30 p.m., Monday-Friday (213) 237-6999

Magic Program, Inglewood, California

Mothers of East Los Angeles

Operation Courage Program, Anti-Gang, La Puente and Industry, California

San Diego County, "New Beginnings" Program

Silverlake Improvement Community Association; Barbara Dakin, Founder

Tri-C Program, Gardena, community-centered classroom

United Citizens Committee of America; Rosalie Rosen, President

DATE 19 SEP 1990
CR-RPT01B

LOS ANGELES UNIFIED SCHOOL DISTRICT
SCHOOL PRIMARY CRIME (STATE) SUMMARY REPORT
FROM 07-01-89 TO 06-30-90

APPENDIX B

CRIME DESCRIPTIONS	ELER	JR HS	SR HS	OTHER	TOTAL	NO. OFFENSES		DAY TIME	OTHER TIME	TOTAL DOLLAR
						STU	NON-STU			
1. ASSAULT										
A. AGAINST STUDENTS	4	7	12	2	25	10	15	22	3	
B. AGAINST CERTIFICATED EMPLOYEES	31	44	34	11	120	69	51	113	7	
C. AGAINST CLASSIFIED EMPLOYEES	13	7	10	1	31	9	22	28	3	
D. AGAINST SECURITY/PEACE OFFICERS		4	9		13	4	9	12	1	
E. AGAINST OTHERS				2	2		2		2	
2. BATTERY										
A. AGAINST STUDENTS	59	254	259	21	593	343	250	564	29	
B. AGAINST CERTIFICATED EMPLOYEES	28	103	51	9	191	155	36	183	8	
C. AGAINST CLASSIFIED EMPLOYEES	20	11	11	6	48	19	29	41	7	
D. AGAINST SECURITY/PEACE OFFICERS	1	12	21	5	39	20	19	27	12	
E. AGAINST OTHERS	9	5	4	1	19	10	9	18	1	
3. ASSULT WITH A DEADLY WEAPON										
A. AGAINST STUDENTS	32	149	180	17	378	186	192	355	23	
B. AGAINST CERTIFICATED EMPLOYEES	6	12	10	1	29	21	8	27	2	
C. AGAINST CLASSIFIED EMPLOYEES	7	8	8	11	34	5	29	26	8	
D. AGAINST SECURITY/PEACE OFFICERS		7	7	1	15	1	14	14	1	
E. AGAINST OTHERS	5	4	7	1	17	3	14	15	2	
4. UNLAWFUL FIGHTING					0					
5. HOMICIDE					0					
6. SEX OFFENSES										
A. MISDEMEANORS	139	131	90	24	384	40	344	350	34	
B. FELONIES	2	9	8	1	20	8	12	15	5	
7. ROBBERY	35	188	144	20	387	95	292	342	45	
8. EXTORTION		4			4	4		4		
9. CHEMICAL SUBSTANCES OFFENSES										
A. MARIJUANA	15	68	117	10	210	168	42	193	17	
B. DRUGS	16	16	16	6	54	21	33	41	13	
C. ALCOHOL	2	11	4	7	24	10	14	16	8	
D. PARAPHERNALIA	2	5	1	1	9	3	6	6	3	
10. POSSESSION OF WEAPONS										
A. GUN	41	125	152	35	353	107	246	300	53	
B. GUN (REPLICAS)	3	4	3		10	4	6	10		
C. KNIFE	32	264	161	18	475	378	97	451	24	
D. KNIFE (REPLICAS)		1			1	1		1		
E. OTHER WEAPONS	44	169	187	16	416	234	182	386	30	
F. OTHER WEAPONS (REPLICAS)					0					
11. DESTRUCTIVE DEVICES										
A. BOMBS					0					
B. EXPLOSIVES					0					
C. FIREWORKS		10	9	1	20	20		19	1	
D. BOMB THREATS	14	45	58	3	120		120	117	3	

DATE 19 SEP 1990
CR-RPT01B

LOS ANGELES UNIFIED SCHOOL DISTRICT
SCHOOL PRIMARY CRIME (STATE) SUMMARY REPORT
FROM 07-01-89 TO 06-30-90

PAGE 2

CRIME DESCRIPTIONS	ELER	JR HS	SR HS	OTHER	TOTAL	NO. OFFENSES		DAY TIME	OTHER TIME	TOTAL DOLLAR
						STU	NON-STU			
12. PROPERTY CRIMES										
A. ARSON	33	43	30	9	115	29	86	61	54	477,374
B. BURGLARY	1040	441	422	191	2094	109	1985	306	1788	1,391,723
C. THEFT FROM SCHOOL PROPERTY	186	141	266	154	747	55	692	442	285	275,256
D. THEFT FROM STUDENT PROPERTY	9	105	251	33	398	57	341	370	28	64,288
E. THEFT FROM EMPLOYEE PROPERTY	191	135	132	93	551	24	527	464	87	75,415
F. WANDALISM FROM SCHOOL PROPERTY	290	245	344	94	973	244	729	423	350	
G. WANDALISM FROM STUDENT PROPERTY	2	2	50	10	64	8	56	55	9	15,097
H. WANDALISM FROM EMPLOYEE PROPERTY	537	527	552	165	1781	27	1754	1661	120	193,952
13. LOITERING/TRESPASSING	41	127	201	40	409	79	330	345	64	
14. OTHER MISCELLANEOUS CRIMINAL ACTIVITY	63	94	138	40	335	104	231	282	53	

1990-91 LOS ANGELES COUNTY GRAND JURY
QUESTIONNAIRE--WEAPONS IN SCHOOLS

APPENDIX C

NAME OF SCHOOL _____

NAME & TITLE OF INDIVIDUAL COMPLETING THIS FORM _____

TELEPHONE NUMBER _____

1. Please indicate the type of school district:

- A. Elementary _____
- B. Secondary _____
- C. Unified _____
- D. Other, specify _____

2. Does your district have a written policy for students who bring weapons on campus?

- A. Yes _____
- B. No _____

If your answer is yes, please forward a copy of the policy with your response to this questionnaire.

3. If your answer to question number 2 is yes, indicate under what circumstances students are suspended or expelled for bringing, but not using or threatening to use, weapons on campus.

- A. First offense _____
- B. Second offense _____
- C. Never suspended or expelled for bringing weapons on campus _____
- D. Other, specify _____

4. In terms of your written policy, what is your district's practice for a student's use or threat to use a weapon on campus?

- A. First offense _____
- B. Second offense _____
- C. Other, explain _____

1990-91 LOS ANGELES COUNTY GRAND JURY
QUESTIONNAIRE--WEAPONS IN SCHOOLS
PAGE 2

5. How many students were suspended or expelled in your district in the 1989-90 school year for weapons-related offenses?

6. Please indicate briefly the nature of any educational programs provided to suspended or expelled students who are not involved in the juvenile justice system. In your response, please indicate whether attendance in the educational programs is voluntary or compulsory for the student.

7. As a result of your written policy and other measures, are there indications that students and staff feel safer at school in your district? Please be specific.

8. If you have any additional information you wish to offer, please include it on a separate piece of paper.

**Los Angeles County Grand Jury
Weapons in Schools Questionnaire
Description of Data**

Respondents:

The questionnaire consisted of eight questions aimed at determining the existence and effectiveness of Los Angeles County School District's policies on weapons in schools. There were 64 questionnaires returned (see attached list of respondents).

- 27 responses from Elementary School Districts
- 5 responses from Secondary School Districts
- 32 responses from Unified School Districts

Summary of Findings
Questions 2-5

	Elementary		Secondary		Unified	
Question 2						
Presence of written policy for students bringing weapons on campus						
Written policy for weapons	21	78%	4	80%	28	88%
No written policy for weapons	6	22%	1	20%	4	13%
Question 3						
Under what circumstances are students expelled/suspended for bringing weapons to campus (without threatening or using).						
First Offense	19	70%	4	80%	22	69%
Second Offense	1	4%	0	0%	3	9%
No response	0	0%	0	0%	3	9%
Other	4	15%	0	0%	5	16%
Question 4a						
Response to student's use or threat to use a weapon on campus. First Offense.						
Expulsion/Expulsion recommendation	11	41%	3	60%	9	28%
Suspension	3	11%	0	0%	0	0%
Suspension, recommend expulsion	5	19%	0	0%	8	25%
Report to local law enforcement	1	4%	0	0%	0	0%
Conference	1	4%	0	0%	0	0%
Principal Discretion	1	4%	0	0%	0	0%
No response	5	19%	2	40%	15	47%
Question 4b						
Response to student's use or threat to use a weapon on campus. Second Offense.						
Expulsion/Expulsion recommendation	2	7%	1	20%	2	6%
Suspension	2	7%	0	0%	2	6%
Report to local law enforcement	1	4%	0	0%	0	0%
No response (2).	22	81%	4	80%	28	88%

**Summary of Findings
Questions 2-5**

	Elementary		Secondary		Unified	
Question 4c						
Response to student's use or threat to use a weapon on campus. Other.						
Expulsion/Expulsion recommendation	2	7%	0	0%	1	3%
Suspension	1	4%	0	0%	0	0%
Report to local law enforcement	1	4%	0	0%	0	0%
Other: principals discretion, counseling	1	4%	0	0%	3	9%
No response (2).	22	81%	5	100%	28	88%
Question 5						
Number of students suspended or expelled for weapons-related offenses.						
Average	7.625		17		14.23	
Maximum	70		57		68	
Minimum	0		2		0	

(1) Subset of "No written policy for weapons."

(2) Could indicate same action taken as with the first offense.

**Educational Programs Provided
To Suspended or Expelled Students
Who Are Not Involved in the Legal System
First Response**

	School District			Total
	Elementary	Secondary	Unified	
Alternative Education (Opportunity School)	5	0	3	8
Readmit/Reevaluate	1	1	0	2
Independent Study	9	2	10	21
Saturday School	0	0	1	1
Transfer to another school	1	0	3	4
Community Day School/Center	0	1	1	2
Learning/Education Center	0	0	3	3
Other:				
SB 65	0	0	1	1
Gang Prevention	0	0	2	2
Juvenile Diversion Project	2	0	0	2
Here's Looking at You 2000	0	0	0	0
None	7	1	8	16
No response	2	0	0	2
Total	27	5	32	64

**Educational Programs Provided
To Suspended or Expelled Students
Who Are Not Involved in the Legal System
Number of Compulsory and Voluntary Programs**

Compulsory Program	4	1	5	10
Voluntary Program	3	0	7	10
Voluntary or Compulsory	0	1	1	2
No response	20	3	19	42
Total	27	5	32	64

Question 6

Effect of Written Policy on School Safety

	Elementary	Secondary	Unified	Total
Written policy and other measures has resulted in students and staff feeling safer at school.	41%	40%	59%	50%
Written policy and other measures has not resulted in students and staff feeling safer at school.	4%	40%	6%	8%
No response	56%	20%	34%	42%
	100%	100%	100%	100%

Specified Responses:

- 16 or 25% of the responding School Districts indicated that enforcing consequences and close monitoring has helped to reduce the occurrence of weapons in school (8 elementary, 2 Secondary, 6 Unified).
- 11 or 17% of responding School Districts indicated that they have few to no problems with weapons on campus.

Question 7

MEMORANDUM NO. 56
September 10, 1990

SUBJECT: ALTERNATIVE EDUCATION PROGRAMS, GRADES 6-12

Below is a summary of district-wide alternative education programs available for middle and senior high school students for the 1990-1991 school year. Please review the information below with faculty and staff.

1. Pasadena Continuation School (PCS)

PCS will coordinate three different instructional programs: a) the Continuation High School, b) the Support Study Program, and c) the Center for Independent Study

- a. The Continuation High School program will be for students who are 16 years old or older and have been recommended for a Continuation School program through the SST process. Students may be recommended to enter the Continuation School at the beginning of each quarter and must stay in the Continuation program for at least one full semester. To exit the program, students must earn a "Mastery of Achievement Certificate" through producing a portfolio exhibiting examples of their best work and having good attendance. (Please refer to Bulletin No. 42-3.)
- b. The Support Study program is for 9th and 10th grade students who require a different type of learning environment for their academic course work. The Support Study program is conducted in the afternoon at Pasadena Continuation School through a tutorial cooperative learning format where three students in a team study one or two academic areas each quarter. Students are required to attend class for instruction and assignments at least once or twice per week depending upon the course. The students in the Support Study program will also earn an additional 5 units of credit by performing 40 hours of volunteer community service work. Students may complete the 40 hours at any time during the semester.
- c. Center for Independent Study

The Center for Independent Study will be a new program that will start in October. It will be located at the Pasadena Continuation School and operate for 4 hours a week on Saturday mornings. The Center will be available for students, grades 6-12, based on one of the following criteria: 1) students leaving or going on vacation with their parents for two or more weeks; 2) students being recommended for expulsion after being suspended for more than 10 days; and 3) students 16 years old or older who are not attending school due to financial hardships or who are working full time.

In each case there will be a special assessment process to determine whether students can make appropriate progress in completing the Independent Study Contract requirements. Students who have severe reading or comprehension problems will

not be recommended for this program. As the program expands, the Center for Independent Study will go from a one-day-a-week program to a full six-day-a-week service program for students at the secondary level.

In the Continuation High School and Support Study program students may earn an additional 10 units of credit towards graduation by completing one of the following vocational programs: 1) ROP vocational training class, 2) ROP coop work program, 3) a career exploration class, or 4) a special interest class at Pasadena City College or the Community Skills Center

2. Opportunity Class or Program

The Opportunity Class or Program will be for students in grades 6, 7, and 8 who have been recommended to enter the class/program through the SST process. Students may be recommended to enter the class/program at the beginning of each five-week grading period. To leave the program, students must have passing marks in all subjects and satisfactory attendance and citizenship. A special 9th grade Opportunity Program will be available in October at a district-wide location. (Please refer to Bulletin 42-5.)

3. The Alternative Education Work Center (AEWC)

The AEWC is a special program set up under SB 65 to help return drop-out students to an instructional environment in the school system. The program requires the District to retain students between the ages of 16 and 19 who have been out of school for 45 days or more. In addition to working with students on their core academic courses, the AEWC will also put students in specialized career training programs through the ROP or Community Skills Center. Students will also be encouraged to take advanced vocational or academic classes at Pasadena City College.

4. The Career Education/Outreach Program

The Career Education/Outreach Program offers specialized services to students at risk who demonstrate a pattern of academic failure or poor attendance. The Career Ed/Outreach teacher meets with students and their parents to start the initial work in developing a "Personalized Education Plan" (PEP) which will eventually turn into a contract between the home and school for expected outcomes. The process will include these activities:

- a. A home/school contract through personal visit and school conference.
- b. Student Study Team (SST) format for problem solving and developing a final Personalized Education Plan (PEP).
- c. A combination of several instructional options for placement.
- d. A mentor program which matches individual students with professionals in business or industry.
- e. Career planning with a mandatory exploratory work experience or technical training component in the student's PEP.
- f. Personal accountability with the individual families and the school.

The Career Ed/Outreach program may use a combination of any instructional options within the District. This means putting a student in a combination of the regular program, the Support Study Program, ROP, and courses at Pasadena City College.

5. Saturday Scholars Program (Saturday School)

The "Saturday Scholars Program" will be located at a variety of sites around the District involving the students in grades 4-12. The program will start in the middle of October and will run two semesters: the first, October through January; the second, February through May. There will be at least 12 class meetings for three hours each week during the semester. The following courses or programs will be offered this year:

- a. A Science and Math Academy will be located on the Jackson Elementary School campus for grades 4 and 5. This program will be announced **pending special funding from NASA and JPL.**
- b. The middle school program will offer proficiency classes in reading, writing, and math with some additional programs in computers and/or cross-age teaching.
- c. The high school program will have several components.
 - 1: The first component will focus on the teaching of proficiency courses around vocational themes. The current themes identified for the 1990-91 school year are:
 - Woodwork Construction
 - Computers
 - Auto Technology
 - Computer Aided Drafting (CAD)

Students will enroll in either English, writing, or math proficiency courses with a vocational course in these theme areas. Most courses will be located at Blair High School.

2. A special Pre-Academy will be provided on Saturdays for 9th and 10th grade students who are interested in future enrollment into one of the District Partnership Academy Programs. The Pre-Academy will focus on proficiency skills in English and math and provide an exploratory approach in studying the various careers that the future Academies will offer. A computer component for the Pre-Academy student will also be provided.
3. Make-up courses will be offered at various high schools in the following areas:
 - English by semester in grades 10-12
 - World History, US History, and Government by semester, grades 9-12
 - math and science courses in the areas of Math A, General Math, Algebra I Workshop, Physical Science, and Life Science by semester offerings
 - SAT Preparation

The US History, Government, World History, and English courses will be located at Pasadena High School. All math and science courses as well as the SAT Prep program will be located at John Muir High School. Individual schools can develop their own Saturday Scholars Program based on proficiency skill requirements. This plan should be submitted to the Office of Instruction for

consideration. The Saturday Scholars Program should not be confused with Saturday Detention nor other types of tutorial programs that are being offered throughout the District.

6. Saturday Detention Program.

The Saturday Detention Program at each middle and senior high school will be separately managed and budgeted at each site. The payments of the teachers for this particular program will not be funded from the HAP budget. Instead, each school will be responsible to manage this program based on ADA recovery. Basically, a student who attends a Saturday Detention program makes up for one full day of unexcused or current absences. The ADA recovery amounts to \$20 per day per student.

7. Community Skills Center

Although the Community Skills Center was set up as a partnership between the Pasadena Unified School District, Pasadena City College, and the City of Pasadena, the program is primarily designed for students who are 18 years of age or older who have not completed their high school education. Special arrangements have been made through Pasadena Continuation School and the Alternative Education Work Center to place district students in specified programs that are offered through the Community Skills Center.

This year access to the Community Skills Center will be coordinated through the principal of Pasadena Continuation School. It may be possible through an SST process to establish a schedule for a senior high school student to have part of his/her day at the regular high school campus and the other part of the day through the Community Skills Center programs. These need to be coordinated with the principal at the Pasadena Continuation School.

For assistance, please contact John Porter, Director, Secondary Instruction at (818) 568-4517.

APPROVED: MICHAEL KLENTSCHY, Associate Superintendent, Instruction

DISTRIBUTION: Middle/High School Administrators and Counselors

EDITORIAL COMMITTEE





ERNST JACOBI
CHAIR



HOWARD BALLER



FRED NIXON



TOMMIE SHULMAN

EDITORIAL COMMITTEE

INTRODUCTION AND SUMMARY

The principal mission of the Editorial Committee is to edit all committee reports, arrange for and supervise production of the grand jury's final report, ensure that it is delivered on time, and is clear, readable, and free of grammatical, typographical and spelling errors. This committee report deals with a) two editorial changes we introduced; and (b) recommended changes in the printing procedure.

A. EDITORIAL CHANGES

BACKGROUND

Although the overall editorial quality of previous reports is excellent, we felt that visibility could be improved by 1) adding an "Introduction and Summary" section to each committee report, and 2) creating a consolidated index of key words and phrases to past final reports.

PROCEDURE

We scrutinized previous reports and identified the two missing elements identified above.

FINDINGS

1. "Introduction and Summary" states the committee's mission and gives readers an overview of what they can expect to find in each section of the committee's report.
2. An index is highly useful for finding out quickly what previous grand juries worked on and wrote about in a given field of interest.

RECOMMENDATIONS

The Grand Jury recommends that its successor grand jury:

1. Consider adopting the "Introduction and Summary" section for their own reports.
2. Create an index for 1990-91 Grand Jury Report.
3. Pass on recommendations one and two to its successor grand jury.

B. PRINTING AND PRODUCTION PROCEDURE

BACKGROUND

As schedules slipped and time was running out, we became concerned with the delays imposed by the established practices of having copy typeset by the superior court typographer and using a commercial printer requiring a four week printing schedule. We also wanted to investigate ways of reducing production costs.

County Purchasing selected Paradise Printing to print and produce the final report for \$13,750 (\$18.33 per copy), promising delivery of two "blue line" copies within 15 days of receipt of camera-ready copy and complete delivery of 750 bound copies two weeks after approval. Although we were not invited to evaluate competing bids, we are satisfied that this is a reasonable contract given the specified requirements. We also believe that considerable savings in both time and money can be achieved by choosing a different route.

PROCEDURE

We investigated the desktop publishing capabilities of our office equipment, interviewed the manager of the county printshop, and inspected the county's downtown facility at the Hall of Records.

FINDINGS

1. Proportionally spaced fonts similar to those used in previous reports are available for our office equipment (and have already been procured), obviating the present need for converting our office-produced disks.
2. The downtown county printshop is equipped with the most up-to-date reproduction equipment capable of providing print quality fully comparable to offset printing, but at considerably lower cost. The cost charged to county entities is three cents per copy for each sheet printed double-sided, and two cents for single-sided sheets. For a 200-page document this would amount to approximately \$3.00 per book for printing costs.
3. The shop is *not* equipped to do color separation or color printing.
4. Continuous-tone black and white photographs can be reproduced on the new equipment with a fidelity approaching that achieved by good-quality halftones printed on an offset press. The cost would be the same as for print copy.
5. The shop has a bindery where books can be collated, assembled and bound as specified. No saving in time or money is expected from the use of this facility.
6. A relatively new type of binding has become available that uses a flexible strip across

the spine of the book. This binding offers advantages over comb-binding in requiring little manual intervention, and being neater, less bulky, and less expensive. The disadvantage is that pages cannot be removed or inserted once a book is bound.

7. Turnaround, dependent on both fluctuating workloads and urgency of need, ranges from three to ten days, with a mean of five days.

RECOMMENDATION

The Grand Jury recommends to its successor Grand Jury that it consider using the county's inhouse facility before committing itself to a contract with a commercial printer.

ENVIRONMENT AND ECONOMY COMMITTEE





JESS ANGOTTI
CHAIR



PAULA GALE



ERNST JACOBI



FRED NIXON



TOMMIE SHULMAN



ENVIRONMENT & ECONOMY COMMITTEE

INTRODUCTION AND SUMMARY

The Environment and Economy Committee investigated problems in Los Angeles County which affect the environment, including waste disposal, transportation of hazardous substances, air and water pollution, commuter traffic, and the use of limited resources such as petroleum and fresh water.

A. IMPROVING THE LOS ANGELES COUNTY ENVIRONMENT

BACKGROUND

In Los Angeles County a multitude of government and private organizations are engaged in efforts to control and improve the environment. There is a wide variety of existing programs and a multiplicity of sources of environmental concern which comprise the overall scope of our interests.

It is evident from our survey of the problems that the effectiveness of the total effort may be improved.

PROCEDURE

The committee visited many organizations, public and private, at the sites where environmental damage may occur or where it may be controlled. The sites visited included a desalination plant, recycling centers and manufacturers, and waste disposal operations. A list of persons contacted, sites visited and references is given in the Appendix.

FINDINGS

What we found to be lacking is a coordinated plan for the individual efforts required for full cooperation of various agencies with one another and the managerial means to compel them to act jointly to optimize the total environmental effort.

Policies are created by various authorities: city, county, state and federal. It is difficult to make genuine environmental policies because of the fragmentation of the environmental community. In addition, the enforcement of an overall policy and the discipline needed to achieve cooperation and compromise among the various environmental agencies is absent.

There is an inevitable interaction among the problems of environment including an impact upon the economy. Industrial and residential growth benefit the economy but place additional burdens on water supply, waste disposal and transportation. The location of waste disposal sites may benefit one area but injure another. The cost of waste disposal is increased by locating sites at a distance from the source. Fuel efficient and low pollution motor power is frequently more expensive than gasoline engines. Cost, efficiency and economic impact must be traded off against each other.

The problems of environment and economy are internally and mutually interrelated. To manage them in the best interest of society requires a balance among all environmental policies and cooperation of all agencies.

The specific problems that have been brought to our attention, and require coordinated planning and control include:

- a. Commuter traffic reduction.
- b. Testing and utilization of vehicles powered by alternative fuels or by electricity.
- c. Waste recycling and other waste reduction programs.
- d. Hazardous substance transportation and disposal.
- e. Exploratory water well drilling and controlling the exploitation of ground water sources.
- f. Fresh water usage reduction.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Establish a county Environment and Economy Council composed of members of both the public and private sector, which will plan and coordinate environmental issues, paying specific attention to the interaction of different environmental factors and their economic impact.
2. Empower the county Environment and Economy Council with the authority to work effectively with state, federal and city agencies to control, manage and discipline entities which develop environment plans and eliminate environmental problems.
3. Direct the county Environment and Economy Council to work toward developing a nearby site for hazardous substance disposal.

APPENDIX

Improving Los Angeles County's Environment

Visit to "Clean Air and New Technology" exhibit, Bonaventure Hotel, Los Angeles, October 1990

Persons Interviewed

Carol Green, South Coast Air Quality Management District
Jim Abbot, Senior Deputy Director, Internal Services Department
Kim Boatman, Assistant, County Special Programs
Evelyn Gutierrez, Chief, County Special Programs
Bruce Mullin, Contract Administrator, Automotive Department
Otto Radtke, Assistant Manager, Building Crafts
Ron Woolf, Deputy Director, Department of Public Works
Frank Work, Senior Deputy Director, Internal Services Department

Magazine and newspaper articles and other publications

"There Oughta Be a Lawn," by Robert Smaus, *Los Angeles Times Magazine*, July 22, 1990
"The Case for Methanol," by Charles L. Gray, Jr. and Jeffrey A. Alson, **Scientific American**, November 1989
"Energy for Motor Vehicles," by Deborah L. Bleviss and Peter Walzer, *Scientific American*, September 1990
"Gridlock," by Ron Chepesiuk, **The Rotarian**, September 1990
Special issue, "Managing Planet Earth," *Scientific American*, September 1989
"How to Avert the Coming Crisis in Transportation," **Nucleus**, Fall 1990 Siemens Solar, company literature

Waste Management

County and State publications and correspondence

Solid Waste Management Plan adopted by the Board of Supervisors on April 5, 1988
Los Angeles County Solid Waste Recycling Options—an analysis report dated March 1989
Fact Sheet on Assembly Bill 939, California Integrated Solid Waste Management Act of 1989
Contract with Ecosource International, Inc., in reference to preparation of the Source Reduction and Recycling Element and Household Hazardous Waste Element for the Antelope and Santa Clarita Valleys
"Plastic and Styrofoam Use by Los Angeles County," letter to Foreman by Richard P. Dixon, September 25, 1990
"Countywide Recycling Program," letter to Jess Angotti committee chair, December 10, 1990, from Christine Chacon, Internal Services Department, PCS Recycling Coordinator.

Magazine and newspaper articles and other publications

- "Recycling Becomes a Big Business," P. Nutley, *Fortune*, 8/13/90
- "New Life for Old Plastics," *USA Today*, June, 1990 "Natural Plastics," R.C. Fuller and R.W. Lenz, *Natural History*, May 1990
- "Here today, still here tomorrow," *Time*, 4/9/90
- "A Panacea Falls Apart," S. Wills, *Sierra*, May/April 1990
- "Recycling, the newest wrinkle in waste management bag," B. Brenner, *Business Week*, 3/5/90
- "Trash can realities," *Audubon*, March 1990
- "Recycling, a primer on treating trash as a resource," L. Savage, *Country Journal*, January/February 1990
- "A lot of rubbish," W.J. Cooke, *U.S. News and World Report*, December 28, 1989/January 1, 1990
- "The recycling boom," H. Jensen, *Maclean's*, 2/19/90
- "U.S. Mills to rely more heavily on waste paper," J.P. Frank, *Publisher's Weekly*, 2/2/90
- "The Essentials of Recycling," *Dollarsense*, Fall, 1990
- "Fed a Line, Ronald Goes Green," Jeffrey E. Rayport and George C. Lodge, *Los Angeles Times*
- "City Plans \$7 Million Center for Recycling," Paul R. Hubley, *The Burbank Leader*, 1/30/91
- "The Tough Business of Recycling Newsprint," John Holusha, *The New York Times*, 1/6/91
- "Polystyrene Foam Just wants a Little Respect from Environmentalists," Michael Parrish, *Los Angeles Times*, 11/11/90
- "Japanese See Opportunity in the Catskills' Sludge," *The New York Times*, 12/1/91
- "Use it Again Sam, a Guide for Federal Office Paper Recycling," *Environmental Protection Publication (SW-143)*
- City of Santa Monica publications on recycling and source reduction

Site Visits

Western Gold Thermoplastics, Inc., Los Angeles, presentation given by Daniel Hoyer, Partner
Challenge Bag California, Rancho Cucamonga, presentation given by Jim Stewart, General Manager
Talco Plastics, Whittier, presentation given by John Shedd, President
Santa Monica Recycling Plant, Santa Monica

Persons Interviewed

James Stewart, President, Challenge Bag Company
John Shedd, Talco Plastics
Jill Ratner, Environmentalist
Michael Risman, Ecosource International, Inc.
Mike Mohajer, Coordinator, Waste Management, Los Angeles County

Transportation of Hazardous Substances

Persons Interviewed

Sgt. Lance Erickson, California Highway Patrol
Sgt. Bryan Pearson, Los Angeles Police Department
Sgt. Jerry Powell, Los Angeles Police Department
Sgt. Randy Wiggins, Los Angeles Police Department
Sgt. Michael Hagan, Los Angeles Police Department
David H. Guthman, Environmental Crimes/OSHA Division, Los Angeles County District Attorney
Erica Martin, Environmental Crimes/OSHA Division, Los Angeles County District Attorney

GOVERNMENT OPERATIONS COMMITTEE





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GOVERNMENT OPERATIONS

INTRODUCTION AND SUMMARY

The 1990-91 Grand Jury established the Government Operations Committee to look into the practices and procedures of cities and agencies of the county and to investigate complaints sent to the Grand Jury involving these entities. The committee undertook the following investigations.

A. Indigent Legal Representation in Criminal Cases

In Los Angeles County, judges must appoint other lawyers for indigent criminal defendants when the public defender has a conflict of interest, when the public defender already represents one defendant in a multi-defendant case, or when the public defender for some reason is unavailable. The problem is particularly acute in California, since the state law on conflicts of interest in multiple-defendant cases is among the most stringent in the country. In California a trial judge must appoint an independent counsel for each defendant. This alternative representation is provided by panels of private lawyers and in some parts of the county, the Alternate Defense Counsel. In courts where no bar panel exists, attorneys may be appointed at the discretion of the judge.

The Government Operations Committee, using its contract auditor, inquired into the comparative fiscal impact on the county of the various programs for providing legal representation to indigent criminal defendants, and identified ways to improve the management of costs and services. The complete report is available upon request from the Grand Jury Office.

B. An Audit of the City of Pomona Operations

At the request of the City of Pomona the Grand Jury entered into an agreement to have its contract auditor perform an impartial management audit of the city departments. The objectives of the audit were to develop recommendations for strengthening the organization, management, and internal controls of the city government as a whole; assessing the progress of the city's redevelopment agency toward implementing the recommendations made by the 1987-88 Grand Jury; and determining the current status of the city's affirmative action program.

C. Review of the Flow of Tax Information

Prior grand juries reported on delays at the Los Angeles Assessor's Office in handling changes in property status due to interface problems with other organizations involved in processing tax changes. The Grand Jury decided to examine the flow of paperwork following a change of property ownership or issuance of a building permit through

all of the agencies required to notify the Los Angeles County Treasurer-Tax Collector that a revised tax bill is to be issued as a result of the change.

A. INDIGENT LEGAL REPRESENTATION IN CRIMINAL CASES

There have been a number of reports in the media on the high cost of providing indigent legal representation for criminal defendants in Los Angeles County. A December 19, 1990 report by the County Auditor-Controller reveals continuing billing abuses of some court-appointed attorneys who provide legal services for indigent defendants. As a result, the Grand Jury decided to examine the county's current system.

The scope of this study completed by Price Waterhouse under the direction of the Grand Jury's Government Operations Committee, includes:

- Description of the system for providing indigent legal representation in Los Angeles County.
- Identification of ways to improve management and reduce costs of indigent legal defense services including, but not limited to, changes to the court's automated accounts payable system known as Professional Appointee Court Expenditure system or "PACE."
- Review and comparison of alternative forms of legal representation for indigents, and identifying the strengths and weaknesses of the alternatives.
- Investigation of the concept of an Alternate Public Defender's office in Los Angeles County as a way of decreasing the county's cost of indigent legal representation.

FINDINGS

- 1. The substantial cost to Los Angeles County government of providing legal defense for indigent criminal defendants makes it imperative to closely monitor and control the cost of this state-mandated program.**

The total cost of providing indigent legal defense in Los Angeles County at the superior court level in fiscal year 1989-90 was \$58.6 million for 91,360 cases. The Public Defender's office represented nearly 90% of the cases, including 42,741 newly charged felony cases, 28,329 probation violations, and 10,411 miscellaneous proceedings for approximately \$32 million. The various court-appointed attorneys and the Alternate Defense Counsel represented only 9,879, or 10% of the cases, but they accounted for \$26.6 million, or 45% of the costs.

2. The current system to appoint, pay, and monitor the cost of private legal counsel for the defense of indigent criminal defendants is not conducive to cost control or management.

The current system responds to provisions of state law requiring the county to pay for the cost of indigent legal defense and allowing judges individually to appoint private counsel independent of any other office of county government. Under California Penal Code Section 987.2 et. seq., the county is required to pay for the defense of those who are unable to afford the cost of private legal counsel. Whenever the County Public Defender cannot do so, due to a conflict of interest or unavailability of personnel, a judge can appoint private counsel. Due to the size and complexity of the Los Angeles County court system, including 173 judges in the criminal division of the superior court, each with authority to appoint private legal counsel, control of the attorney costs for providing indigent legal representation is not adequate. Each judge is responsible for monitoring the fees and costs of attorneys they appoint, and the County Auditor-Controller must pay bills approved by the judges. The judges do have an automated accounts payable system that flags invoices not meeting certain standards, though judges are not required to adhere to the standards in approving invoices for payment. County authorities, such as the Auditor-Controller's Office and the Board of Supervisors, do offer suggestions to improve cost control, but judges are not required to adopt these suggestions. There is no single authority, either in the judiciary or county government generally, that has the authority and responsibility to monitor and control the overall cost of indigent legal defense.

3. The fragmented and decentralized authority inherent in the current indigent legal defense program makes it difficult to obtain the data necessary to analyze the relative costs and benefits of alternative forms of legal representation for indigents. In addition, the current system does not provide the necessary data to control the costs of services.

The lack of central control also makes it difficult to accumulate aggregate cost data, or to manage the overall cost of services. In addition, it does not appear that the courts and the county are coordinating and sharing cost information and data needed to evaluate the overall costs of the indigent defense program. As a result, one cannot be sure of the relative cost effectiveness of the various providers of criminal defense to indigents. In addition, neither the Court's PACE system nor any other office regularly maintain management statistics and produce reports identifying costs together with the characteristics of the cases. This type of information, possibly including trend reports by type of case, could encourage more careful monitoring of costs, if regularly provided to those responsible for managing legal defense costs. When managers are aware of cost trends, and when they can compare this information to similar operations, they are more likely to address the issue of controlling costs promptly and effectively.

4. There is substantial evidence that the addition of an Alternate Public Defender's office in Los Angeles County would greatly reduce the county's costs of providing legal defense for indigents.

Our research on the cost and caseload of the County's Public Defender, in comparison to other forms of legal representation, indicates that the Public Defender is able to provide legal representation for indigents at a lower cost than any of the alternatives, i.e. court-appointed, private attorneys or attorneys on contract. Also, San Diego County recently established a Conflict Public Defender's office based on its study showing such an office is most economical in comparison to private providers of legal services. San Diego County anticipates cost avoidance of \$445,000 in fiscal year 1990-91 and \$4.75 million in fiscal year 1991-92. It is reasonable to assume that Los Angeles County, with a larger population and caseload, would experience even greater cost savings by establishing an Alternate Public Defender's office. In addition, the county would have better ongoing control of indigent defense expenditures with an additional county managed Public Defender. Establishing and guaranteeing the full use of an Alternate Public Defender's office in Los Angeles County may require legislative action at both the local and state levels. A county ordinance change would be required to establish an independent Alternate Public Defender's office. A change in state law would be required to ensure that the courts use the office in lieu of appointment of private counsel, whenever possible.

5. There is much room for improvement in the management of legal defense costs for indigents in Los Angeles County.

The courts have made an effort to monitor costs of court-appointed attorneys. The December 19, 1990 report of the Auditor-Controller provides many constructive recommendations for improvements. We concur with the findings of the Auditor-Controller that there is a need for more in-depth monitoring of claims and additional policies and controls. Much more needs to be done. This will require the continued attention and cooperation of the courts, County Board of Supervisors, County Chief Administrative Officer, and the Auditor-Controller.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Los Angeles County Board of Supervisors, in cooperation with the courts, should appoint an Indigent Defense Task Force to develop policies and procedures for better management of the costs of indigent legal representation. A task force is one way to focus attention and foster cooperation on this important topic. The Task Force should:
 - Define mutually acceptable cost control and management guidelines.

- Define requirements for an indigent defense management information system that collects data on costs, type of cases and cost trends by source of provider and type of case, and reports on average cost per case and cost trends.
 - Identify the appropriate authority to develop, maintain, produce, and disseminate management reports.
2. The Task Force should also do the following:
- Draft a detailed proposal for an Alternate Public Defender's office including the organization, staffing, and estimated cost savings from establishing such an office.
 - Report on the statutory requirements and ordinance amendments necessary to establish an independent Alternate Public Defender's office in Los Angeles County.
 - The Task Force should report its findings and recommendations on all of the above items no later than November 30, 1991 in order for the Board of Supervisors to plan for an Alternate Public Defender's office in its fiscal year 1992-93 budget.
3. The County Board of Supervisors should consider including in its state legislative program, support and/or sponsorship of legislation requiring judges to refer cases to the Alternate Public Defender's office whenever a county establishes such an office. This requirement would help ensure that the second office is fully utilized.

B. CITY OF POMONA

BACKGROUND AND PROCEDURES

Pomona is a city of over 130,000 residents located in eastern Los Angeles County. It is organized under a City Charter which allows the seven-member City Council, including the mayor, considerable latitude in taxing powers and policy-making. The Charter also concentrates most administrative authority in a chief executive, the City Administrator.

This performance review of the City of Pomona's government operations was initiated as a follow-up to a 1987-88 Los Angeles County Grand Jury report criticizing management controls at the Pomona Community Redevelopment Agency (CRA) and amid concerns of city leaders about operating practices in other city functions, particularly building code enforcement.

The senior management team and City Council in Pomona have experienced unusually high turnover recently. Within the last two years, the city has elected five of seven new council members, hired a new City Administrator and hired eight new department heads (see Figure 1). The current city leadership, knowing of the city's past problems, asked the Los Angeles County Grand Jury for assistance in addressing these issues. The Grand

Jury, in turn, asked Price Waterhouse, its contract auditors, to conduct a comprehensive performance review. Specifically, the Grand Jury directed Price Waterhouse to perform the following tasks:

Identify the current operating environment and develop recommendations to strengthen management and internal controls for all city departments;

- Conduct a similar but more in-depth analysis for the Redevelopment Agency and Community Development Department (which includes code enforcement);
- Assess the status of the recommendations made by the 1987-88 Grand Jury and 1990 Saranow, Wells, and Emirhanian reports on Redevelopment Agency operations and identify additional opportunities for improvement; and
- Comment on the status of the city's Affirmative Action program.

In the process of gathering data to conduct the audit, the auditors reviewed numerous city documents, including a small sample of case files from the Redevelopment Agency and Community Development Department; administered a questionnaire on internal controls; surveyed four comparable cities concerning their organization and performance; and conducted at least 30 interviews with City Council members, the City Administrator, department heads and selected staff.

Given the broad scope of the audit, significant constraints in time and resources and the city's changing management environment, the results of this audit should not be considered a comprehensive analysis of all the issues that need to be addressed in the city. The audit should be viewed as a resource to support the city's leadership in further improving the organization and management of the city.

MAJOR FINDINGS AND CONCLUSIONS

The City of Pomona has taken a number of positive steps in the past two years to move the organization forward.

Two years ago, the city's government was reportedly in a state of turmoil. City leaders faced numerous allegations of wrongdoing by citizens and employees. As noted by the 1987-88 Grand Jury Report, the Redevelopment Agency had serious management problems that put at risk the economic development of a significant portion of Pomona. There were vacancies in many key leadership positions.

Since 1989, the city has made much progress. The composition of the City Council has changed, resulting in a new majority. The experience of the Mayor and several council members provides continuity to complement the fresh views offered by the new council members. The City Administrator, hired in December, 1989, has helped to bring new, experienced management to many of the city's key departments, including Police, Fire

and Community Development. City leaders appear ready to take a new direction, one that will lead it away from the controversy, charges of favoritism and negative work environment that were so prevalent two years ago.

Despite its current effort to improve city functions, the new city leadership has faced a difficult and time-consuming battle to change the many poor practices of the past. As a result, city management has not yet successfully addressed several substantive financial management and administrative control issues. The Grand Jury's auditors identified the following primary areas of concern:

The city faces several substantial and immediate financial risks that could significantly affect the scope and level of service that it may be able to offer in the future.

- Like many cities trying to manage in the current recessionary environment, the city faces continued long-term, multi-million dollar deficits. The attention of the city's administration and council have focused on day-to-day operations and annual budgets. As a result, long-term financial needs have not received priority attention. However, Pomona's situation is more acute than other financially-constrained public agencies. It has no documented strategy to meet its long-term financial needs. Its fiscal problems have been exacerbated by a decision to reduce the rate of the utility tax, the city's major revenue source. The number of unresolved financial issues, including potential and incurred future liabilities, and the magnitude of these issues threaten to overwhelm the city's resources.
- A large redevelopment project, the Southwest Pomona area, currently is a source of significant financial loss and could be an even greater financial burden in the future. In 1982, the Agency pledged 49.3% of its incremental property tax revenue from the Southwest Pomona project through 2020 to Los Angeles County in exchange for an agreement by the County not to challenge the city's plans to develop a regional shopping center on the site. In 1988, the Agency additionally pledged 49.3% of its incremental property tax revenue from five of the city's other redevelopment projects for the life of the Southwest Pomona project to the County. In return, the County guaranteed that the Agency would receive \$8.5 million annually from the Southwest Pomona area. If the tax increment is not sufficient to meet this amount in any one year, the County will give the Agency a grant of between \$600,000 and \$2.6 million to make up the difference. If the grant and the tax increment do not total \$8.5 million, the County will loan the Agency the balance.

In the last two years, the Agency has received \$5.1 million from the County's grants and \$230,000 from a County loan. Yet, during that period \$4.3 million in property tax increment has been diverted from Pomona to the County as a result of this agreement. If private development of a regional shopping mall does not begin by July, 1993, the amount of the annual County grant that is over \$1.1 million becomes a loan that must be repaid with seven percent interest. The urgency to develop the site is compounded by competing efforts to develop regional malls in nearby communities.

Development of any kind will be delayed until the city cleans up a hazardous material dump in the middle of the site. The city was unaware of the hazardous material when it began development negotiations.

- If implementation of two mediation agreements between the city and various community groups regarding Affirmative Action is not accomplished in a timely manner, significant costly litigation against the city could result. The auditors were unable to verify that an individual is monitoring and reporting on progress against the city's affirmative action agreements.

The city must strengthen its system of management controls to prevent further problems.

- The current means by which city management measures, reports and controls performance is inadequate.
 - * Financial reports are not available on a timely basis and do not include key management data, such as trends and comparisons to prior periods.
 - * Monthly department status reports are often a detailed list of tasks accomplished during the month instead of a summary of performance against plans or objectives.
 - * Plans and objectives based on specific, measurable criteria do not exist for most city functions. The City Administrator is currently developing specific plans and objectives for the city departments that report to him.
 - * The Redevelopment Agency lacks a standard procedure to report the progress of projects.
 - * Contracts in the CRA must be more carefully managed:
 - For example, the City Council approved payments for CRA consulting services to a contractor for approximately \$244,500 without a written and signed contract.
 - In one agreement for legal services to the CRA, the contract states that hourly rates are subject to revision on an annual basis. In fact, hourly rates for professional services of the firm increased substantially over a five-year period. Yet, the auditors found no evidence that CRA staff knew about the increases in the hourly rates, monitored payments or brought the change in rates or total amount paid to the attention of the City Council.
 - * After interviewing a number of law firms, the city appointed a contract law firm to take on the responsibilities of the City Attorney's office and an individual from that firm to be the City Attorney. At the time of hiring, neither the City Attorney nor any member of the firm had any prior experience working as a city attorney.

There is no documentation of the City Council's selection criteria, specific performance objectives or mechanism for monitoring performance.

- Some department procedures which could serve as guidelines to city staff and provide a basis for task execution are either incomplete or only partially implemented.
 - * Many departments have policies and procedures manuals (e.g., Fire, Police, Clerk's Office). Other departments are developing policies and procedures (e.g., Finance and Community Development). In Community Redevelopment, a manual of operations was prepared in mid-1989 by a consultant, but it is not used by staff and was never approved by the City Council.
 - * The Building Division of the Community Development Department has not always followed the City Code and other prudent operating procedures in its day-to-day activities. These practices can lead to the appearance of favoritism and can create liability risks for the city and its citizens. Specific examples include:
 - In one of the case files reviewed, the Building Inspector had completed a Notice of Order without properly verifying the name and address of the current property owner by reviewing the assessment records or completing a title search until over two months after mailing the Notice of Order. The Building Inspector was preparing a letter to mail to the property owner stating that a demolition was scheduled. No evidence was found that the case had been reviewed by the City Attorney to determine if the proper procedures had been followed.
 - In one of the case files reviewed where a business license was requested, the Plan Check Supervisor approved an application for a business license with the knowledge that the business did not conform to the Uniform Building Code requirement that such a business have a fire resistive construction. The Plan Check Supervisor stated in a memo that the use did not meet the standard in 1955 and still did not to date. The building had been used for the same purpose for years. The Plan Check Supervisor also stated that he would approve an application for a body and paint shop on the condition that it would be the last tenant allowed on the site with that type of business.
- The City Council has developed few formal policies to guide city management.
 - * The City Council has adopted formal policies for affirmative action and investment management.

- * The City Council does not have a formal policy regarding bidding requirements or evaluation procedures for city or Redevelopment Agency services contracts.
- * The City Council does not have formal policies or procedures to guide negotiations regarding the sale or lease of city assets. Deadlines, criteria to guide negotiation decisions and financial expectations, if specified, are set on an ad hoc basis. For example, the City Council adopted a resolution to sell a land parcel to a private developer for approximately \$620,000 less than its appraised value. The city apparently extended escrow deadlines and is continuing negotiations on the sale.
- * The City Council does not have a formal policy to solicit input from the Finance Director before making major financial decisions. For example, while the city did obtain the advice of an appraiser and a real estate consultant during the proposed city land sale described above (though such advice is not required by city policy), no one from the Finance Department appears to have been consulted.
- * The City Council has not ratified policies or procedures for the Redevelopment Agency as follow-up to any of the 1987-88 Grand Jury's recommendations.
- Responsibility for follow-up and monitoring of compliance with policies, procedures, contracts, agreements, goals and objectives is unclear or nonexistent in many instances.
 - * None of the 1987-88 Grand Jury recommendations regarding Redevelopment Agency processes have been implemented. The Agency operates today much as it did three years ago.
 - * The City Council in 1988 adopted an Affirmative Action policy statement with assigned responsibilities, but did not put a mechanism in place to monitor compliance.
 - * The auditors were unable to verify that an individual is monitoring and reporting on progress against the city's affirmative action agreements.
 - * The City Council has not designated an individual to review the Conflict of Interest statements of required filers for potential conflict of interest situations.
- The personnel evaluation system used in the past for management did not promote individual performance and accountability.
 - * The City Administrator is currently working to refine the department head evaluation system to be based more on performance.
 - * The system should have been based on performance, but goals and expectations were usually not specified. Goals and objectives were rarely negotiated and

documented in writing. The City Administrator is currently developing specific plans and objectives for the city departments that report to him.

- * Goals that did exist were generally not stated in measurable terms, which made them difficult to use as the basis for performance monitoring. For example, the Police Department's goals included, "delivering service to the community in a realistic, sensitive and positive manner."
- * Evaluations were not done on a timely basis. One department head had no formal evaluations in nine years on the job. The City Administrator has scheduled performance evaluation sessions with the department heads who report to him to coincide with the end of the fiscal year 1990-91.
- * Apparently, criteria for evaluations of department heads did not include compliance with council policies and department procedures.

Lack of technical experience and vacancies in key staff position have contributed to the city's financial and management control problems.

- Despite serious concerns about the city's ability to manage and control its assets and resources, key positions have remained vacant for extended periods of time. Until recently, the city had gone four months without a Revenue Manager and almost two years without a City Planner. The newly-hired individuals will find it difficult to learn from the experience of their predecessors due to the lack of documentation. They will have to learn on-the-job about previous problems and will have to develop basic policies and procedures.
- Vacancies among professional staff in the Redevelopment Agency and the Community Development Department make it difficult for the city to plan, evaluate or administer land management and development activities. Moreover, based on a brief review of the type of cases and decisions facing the city and the Redevelopment Agency, the auditors concluded that staff training is needed in technical skills related to development projects, including economic analysis, redevelopment law, real estate development, real estate financing and project management.
- The city does not have an internal audit function which could assist in monitoring of compliance with policies, procedures, contracts and agreements. It has no plans or funds available in the current budget to add such a position.

The city's planning and economic development efforts are fragmented among various groups. Consistent focus and direction is needed to ensure that limited personnel and financial resources are deployed to meet the most pressing needs.

- A wide variety of participants directly affect the economic development of the city, including the City Council, City Administrator, Finance Director and Redevelopment Agency Community Development Department staff. In addition, the Pomona Economic

Development Corporation (PED Corp), a partially city-funded nonprofit organization, works closely with city staff and the private sector to retain and attract businesses.

- Nobody, other than the City Administrator, has responsibility for the ongoing coordination of all economic development efforts, including the activities of the CRA, Community Development Department and PED Corp as well as the establishment of city tax rates and City Council policies. There is no comprehensive plan or strategy to ensure that resources are coordinated among these entities to achieve defined goals acceptable to the community.
- The city does not have any single professional with the technical expertise to manage the economic development function.

PRIORITY RECOMMENDATIONS

The overall report has 49 recommendations for improvement. Following are those that are the highest priority. Priority is determined primarily by the auditor's estimate of financial and service impact of the recommendation. The Grand Jury recommends that the City Council:

1. Maintain the existing revenue base until a strategy is identified that balances the budget for at least the next three years.
2. Direct the City Administrator to organize a financial strategy task force, led by the Finance Director. Those also on the task force should include the City Administrator, the City Treasurer and representatives from the City Council. The objective of the task force is to develop within six months a multi-year (i.e., three to five year) financial plan to help formulate strategies to balance the budget for each of the next three years. The process can begin with the Finance Department's five-year revenue and expense forecast. After the underlying assumptions have been agreed upon, the expenditure forecast should be analyzed in more detail and refined. The forecast then can be combined with revenue alternatives, funding alternatives and cost management strategies to develop a budget-balancing strategy.
3. Direct the City Administrator, as Executive Director of the Redevelopment Agency, to address Southwest Pomona redevelopment site issues by immediately:
 - Auditing the tax increment split provided to the Agency by the County Auditor-Controller to verify that Pomona is receiving its full share of tax increment money.
 - Organizing a task force, led by the Finance Director and including the City Treasurer, City Attorney and a representative from the City Council, to develop a negotiating strategy to persuade the County to reduce the tax increment diverted

from Pomona to the County and to more equitably share the risk of site development. Funds should be made available to hire outside financial and legal expertise as needed.

- Developing a contingency plan with options to fund and complete the hazardous material clean-up as soon as possible.
4. Direct the City Administrator to develop and present to the City Council, for review and approval, a position description and salary range for a Deputy City Administrator responsible for redevelopment, economic development, land use and development planning to provide additional needed technical expertise.
 5. Organize a task force, led by the City Administrator, to devise an economic development plan for the city. Members of the task force should include the Deputy City Administrator in charge of development as well as representatives from the City Council, Redevelopment Agency, Community Development Department and PED Corp. The task force should prepare and present to the City Council for its consideration and adoption:
 - Goals for city development, e.g., "add X new jobs in industries A, B and C in the next three years." Once established, these goals may serve as criteria to help prioritize economic and land development initiatives.
 - An action plan and schedule for implementing the strategic goals. The City Council should require periodic progress reports. Given the city's limited personnel in Redevelopment and Community Development, it should be prepared to redeploy assets and personnel if current projects are not meeting high priority needs as identified in the development plan.
 6. Direct the Redevelopment Agency to fill its authorized, but vacant, project manager positions either with full-time or contract staff. The council should monitor progress with the City Administrator on a monthly basis until the positions are filled.
 7. Direct the City Administrator to develop and present to the City Council for review and approval, a position description and salary range for a full time internal auditor in order to strengthen management controls. The position should report directly to the City Administrator with a dotted-line relationship to the City Council.
 8. Direct the City Administrator to draft proposed city and CRA purchasing and contracting policies and guidelines for review and approval by the City Council. Policies and guidelines should include, at minimum, the following:
 - A statement of general policy that it is the city's objective to achieve maximum value and economy through a competitive procurement process. Emergency purchases should be minimized.

- Statement indicating the city's commitment to affirmative action.
- Requirements for formal advertising, possibly including:
 - * Public advertising for contracts over \$10,000
 - * Written advertising for larger contracts (for example, over \$50,000)
- Requirement for the periodic (i.e., quarterly) reporting of all individual contracts awarded by the city and the CRA over \$50,000, name of contractor and purpose of contract.
- Requirement for the periodic reporting of all contracts awarded by the city and the CRA in the preceding 12 months that cumulatively total over \$50,000 to individual contractors, name of contractor and purpose of contracts.
- Requirement for the periodic reporting of all exceptions in the areas of purchasing and contracting to City Charter requirements, other laws and city policies.
- Mandate that a contract administrator be designated for each contract.
- Assignment of responsibility for negotiating contracts on behalf of the city for the sale or lease of city assets.
- Requirement for the counsel of expert advice, especially financial and legal, before major city decisions are made and contracts are finalized.
- Standard form for contracts, including at minimum such essential features as:
 - * Specific objectives and scope of work
 - * Products or results
 - * Time for completion
 - * Compensation
 - * Term limitations
 - * Specification of damages for non-completion
 - * Affirmative action requirements
 - * Insurance requirements

- * Renewal conditions with specific terms regarding compensation
 - * Approval as to form by the City Attorney
- Expand coverage of the city's conflict of interest code to include contractors that provide continuous service to the city for periods of one year or longer, such as the City Attorney. Direct the City Clerk to review Conflict of Interest forms for prima facie compliance and potential conflict situations and to alert the Council to non-compliance and potential conflict situations.
10. Direct the City Administrator to enhance the city's management reporting system by:
- Producing budget vs. actual reports on a more timely basis.
 - Including comparative data, such as prior period and prior year information on budget vs. actual reports.
 - Highlighting favorable and unfavorable trends.
 - Developing specific and quantifiable objectives and performance measures for each department or function. The categories of data which are reported should be enhanced to include measures of service quality, productivity, economy, efficiency, and other key performance indicators as well as workload.
 - Modifying the current monthly reporting system to track these measures. Targets and comparative data should be included and trends highlighted.
11. Direct the City Administrator to review and report to the City Council with a plan to improve the city's performance evaluation process. Also, this report should address the adequacy of the city's current job classification system and whether there is a need to update the system. The City Administrator should consider how each of the following components of the performance evaluation system currently works (or does not work) and how they can be improved and integrated:
- Goals that are mutually agreed upon by superior and subordinate.
 - Performance evaluation criteria and criteria for advancement.
 - Face-to-face counseling sessions and accompanying follow-up.
 - Performance evaluation procedures.
 - Training and career development.

Particular attention should be paid to:

- Adequacy of job classification and position descriptions.
 - Providing appropriate incentives to encourage managers and supervisors to follow through on new processes.
 - Matching performance evaluations more closely to compensation adjustments.
 - Creating specific, measurable staff performance objectives vs. general statements.
 - Counseling, documentation and follow-up.
12. Review the performance evaluation process for professionals appointed by the City Council — City Administrator, City Attorney, City Treasurer and City Clerk — and establish appropriate criteria and procedures for evaluation, progress monitoring, counseling, correction and rewards.
 13. Adopt an action plan to implement the preceding recommendations. Such a plan should identify objectives, implementation responsibility, expected outputs and an implementation schedule for each action item.
 14. Direct the City Administrator to monitor progress and report status on a regular basis to the City Council in the following areas:
 - The 1988 Council policy on affirmative action
 - Recommendations made by the 1987-88 Grand Jury report
 - Recommendations made by the Saranow, et.al., report
 - Recommendations made by this report

C. FLOW OF TAX INFORMATION (Tracking Property Tax Record Changes)

BACKGROUND

The 1986-87 and the 1989-90 Grand Juries reported on the operation of the Assessor's Office, and described the delays in handling changes in property status that were due to problems in the Assessor's Office, and identified difficulties with the interface with other organizations involved in processing tax changes. When speaking to this Grand Jury, the County Treasurer/Tax Collector cited a loss of several million dollars each year due to late notice of tax changes. The response to previous grand jury recommendations included promises by the Assessor to expedite the paperwork.

PROCEDURE

The committee inquired into the flow of paperwork from the change of property ownership or the issuance of a building permit through the agencies involved before the County Treasurer is notified that a revised tax bill is required. Particular attention was paid to the interface between agencies and the time to process the change in each agency.

FINDINGS

A new Assessor was elected during a recent statewide election. A meeting with the Assistant Assessor indicated that important changes are taking place in the processing of property transfers. An overhaul of the computer interface is expected to be completed in 18 months. A meeting with Auditor-Controller personnel indicated that processing of the secured tax roll is smooth but processing of the delinquent tax roll is not. However, the Treasurer-Tax Collector reported that delinquent taxes are being collected at an accelerated rate.

RECOMMENDATIONS

The Grand Jury recommends that the 1991-92 Grand Jury follow up to assure that processing continues to be accelerated.

D. CITIZEN COMPLAINTS

The Government Operations Committee handled 16 citizens' complaints during its term of office.

APPENDIX

Indigent Legal Representation in Criminal Cases

Frank Bardsley, Public Defender, San Diego County
Paul Dow, Auditor-Controller's Office
Loren Mandel, Alternate Public Defender, San Diego County
Robert Menasis, Chief Administrative Office
Marion Romeis, Auditor-Controller's Office
Honorable Michael Tynan, Assistant Chairman, Superior Court 987 Committee

City of Pomona

Browning E. Allen III, Assistant City Administrator/Personnel Director
City Council Members
Boyd Bredenkamp
Nell Soto
Thomas Ursua
Julio Fuentes, City Administrator
Arnold Glasman, City Attorney
James Hickey, Deputy District Attorney, Los Angeles County
Donna Smith, Mayor

Flow of Tax Information

Sandra Davis, Treasurer-Tax Collector
Gary Gillan, Assistant Assessor
Tyler McCauley, Auditor-Controller's Office
Marianne J. Reich, Auditor-Controller's Office

HEALTH SERVICES COMMITTEE





ROSE ANNE CASAGRANDE
CHAIR



HOWARD BALLER



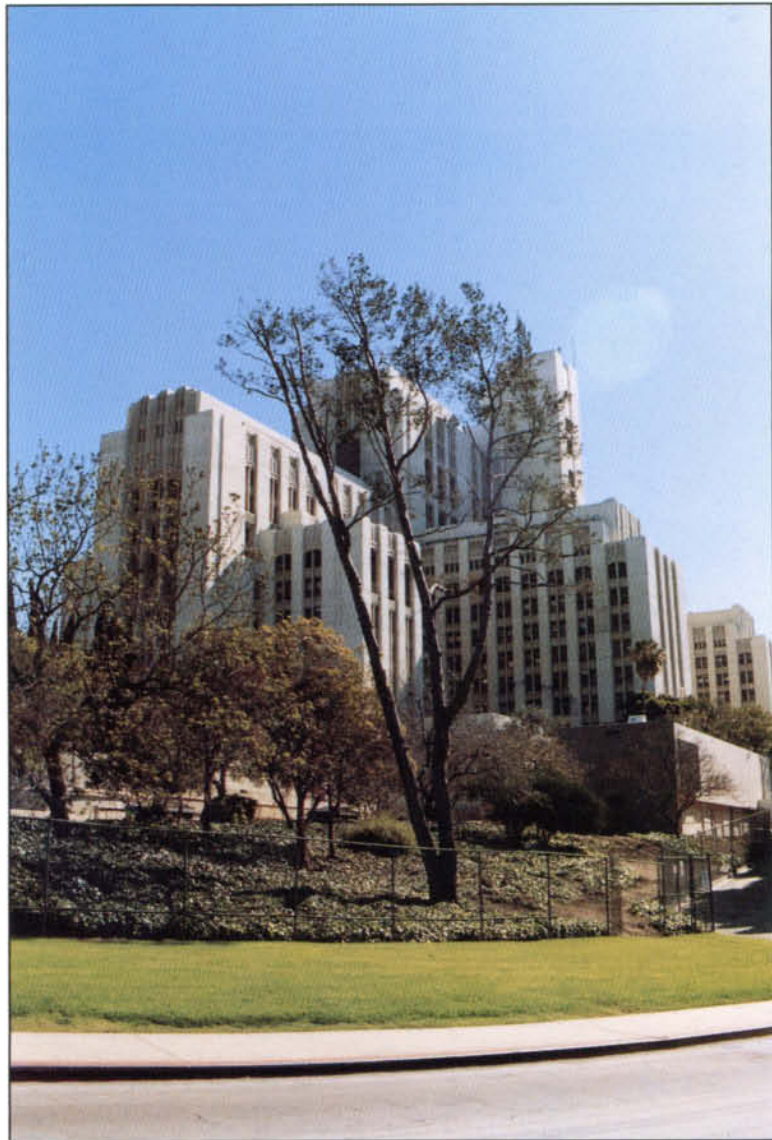
BUTCH DEHNER



MELNA KATZMAN



ROBERT VOGEL



HEALTH SERVICES COMMITTEE

INTRODUCTION AND SUMMARY

Health delivery in Los Angeles County is provided by the Department of Health Services (DHS), the Department of Mental Health (DMH) and the Los Angeles County Sheriff's Department (LASD). The Health Services Committee concentrated on the delivery of health care in the county by the DHS, including accomplishments and deficiencies. Although a competent staff in DHS has been carrying the responsibility with diligence, the rapid growth and changes in patient needs plus continual budget reductions have brought critical conditions to the Los Angeles County Hospital system, an aging facility, and to comprehensive health centers (CHCs). We determined to discover some of the problems of medical and dental care and to recommend measures which would improve the quality and quantity of service in the following areas:

- A. County Hospital Study
The Los Angeles County/University of California Medical Center (LAC+USC), approximately 60 years old, requires modernization, according to most interested parties. The contingency plans of the DHS were studied by the auditor, Price Waterhouse, to determine if the proposed Master Plan had been thoroughly and properly researched and if the plan should be implemented.
- B. Grand Jury Hospital Study
The Health Services Committee participated actively with the auditor and performed its own auxiliary investigation of the hospital Master Plan. Although we were in agreement with the auditor's recommendations, we have prepared a few additional recommendations which we felt were important.
- C. Prenatal Care and Education: A Cost-Effective Service, Urgently Needed
Our concern in this investigation arose from the realization that postponed or neglected prenatal care of indigent mothers and children would generate large future penalties in financial cost and in human anguish compared to what could occur if the county expanded prenatal care.
- D. HIV/AIDS: A Challenge to the Los Angeles County Health Care System
Acquired Immune Deficiency Syndrome (AIDS) is the most devastating disease of the last few decades of the 20th Century and the most serious and complex medical problem facing the United States today. County hospitals are impacted with HIV/AIDS patients because fewer private hospitals are treating Medi-Cal and medically indigent patients and the CHCs and local health centers are not providing antibody screening

and medication. Early intervention and education are vitally important and must be provided locally to prevent the spread of this disease.

- E. **Los Angeles County Dental Care Study**
Dental care in the DHS is failing to provide badly needed services, including preventive care, dental clinical services which could be staffed by students by developing programs with dental schools or dental hygiene schools, and fluoridation of community and county water supplies which has proven to be a cost effective method of preventing tooth decay.
- F. **Visits to the DHS Health Care Facilities**
We visited a number of county health care facilities including hospitals, comprehensive health centers (CHCs) and local health centers to evaluate possible deficiencies and to make recommendations from first-hand observation.
- G. **Pediatric Resident Recruitment**
In recent years the LAC+USC Pediatric Pavilion has not received enough qualified applicants in the Pediatric Resident Program. The committee investigated this problem in order to understand the reasons for the deficiency and to make suggestions on how to improve pediatric recruiting.
- H. **Juvenile Court Health Care Provision**
The Los Angeles County Probation Department has recently contracted for medical services in a portion of its system of halls and camps. The committee is concerned that the incarcerated juveniles may not be receiving quality health care at contracted facilities and, additionally, that the cost savings from contracting are not offset by the loss of other health-related services traditionally offered by the DHS. These areas of concern were studied by the auditor, Price Waterhouse.

A. COUNTY HOSPITAL STUDY

BACKGROUND

This is a summary of the study conducted for the committee by Price Waterhouse. The full text is available on request at the Grand Jury Office. Los Angeles County + University of Southern California Medical Center (LAC+USC) is the largest public teaching hospital in the United States with 1,398 budgeted beds. The hospital treats approximately 80,000 in-patients and approximately 434,000 outpatients annually.

Antiquated operating and life safety systems have rendered the facility deficient for use as an acute care hospital. These deficiencies, along with record-keeping issues, have recently caused the hospital to be temporarily placed on conditional accreditation by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

Though full accreditation was restored, failure to remedy the deficiencies could have resulted in the loss of Medi-Cal and Medicare funding.

Recently, the Health Care Finance Administration (HCFA) surveyed the hospital and listed several life safety deficiencies. The hospital must correct these deficiencies or face loss of Medi-Cal and Medicare funding.

The Los Angeles County Department of Health Services (DHS) has developed a master plan for ensuring provision of health care to LAC+USC patients. This Master Plan calls for building two new hospitals and adding capacity to existing hospitals in the patient service area. These hospitals would be among the most modern, state-of-the-art facilities in the county. The Master Plan was incorporated along with other facility improvements into the 1990 Health Facilities Replacement and Improvement Plan and presented to the County Board of Supervisors. Implementation of the plan can be accomplished as part of a \$ 2.26 billion bond issue.

Becoming aware of these issues, the 1990-91 Los Angeles County Grand Jury asked Price Waterhouse to review the county's plans and specifically sought to determine the following:

- What does it mean when people say LAC+USC may "go out of business?" Is there really a threat that LAC+USC will close down? What is the likelihood of closure and when would it occur?
- What is the county's contingency plan in the event that the 1992 bond issue fails at the polls?
- If the bond issue passes and the threat of closure is real, what are the county's plans for provision of health care services during the interim before the new facilities are complete?
- Have all reasonable alternatives for health care provision been analyzed? Is a \$2.26 billion bond issue the answer?

In developing findings and recommendations, the auditors conducted 40 interviews and reviewed 37 documents, articles, surveys, books and maps. The auditors then prepared their report.

FINDINGS

The threats to the future operation of LAC+USC can be grouped into two categories: those which emanate from the deficiencies to the physical plant; and others which are the result of actions taken by accreditation authorities. Physical plant deficiencies include:

- Antiquated fire detection and suppression systems which do not comply with current life safety codes;
- Antiquated operating systems such as air ventilation, electrical and medical gases;
- Non-conforming building construction such as fire doors, corridors, ceilings, etc.; and
- Outmoded ward configurations which increase the risk of airborne infection and hinder optimum bed utilization.

JCAHO actions, responses and consequences include:

- LAC+USC was placed on JCAHO conditional accreditation in September 1989. Most deficiencies involved record-keeping and life safety issues.
- A LAC+USC plan of correction was approved and compliance was verified by JCAHO surveyors during a focused survey on January 28, 1991.
- Full accreditation was subsequently restored during April 1991. The facility will be revisited by JCAHO as part of the regular tri-annual accreditation process in 1992.
- Reversion to non-accredited status would have been reported to HCFA for possible further action.
- Reversion to non-accredited status could have resulted in the disaccreditation and elimination of medical residency programs at LAC+USC.

HCFA actions, responses and consequences include:

- The 1988 HCFA validation survey listed many life safety deficiencies. A subsequent HCFA letter recommended five options for retaining necessary certification.
- Consultants studying the options recommended installing fire sprinklers. LAC+USC is considering the recommendation but is not proceeding due to potential disruption of services, installation costs and the existence of the Master Plan.
- LAC+USC expects that partial compliance and progress on the building program will gain necessary HCFA approvals.
- HCFA rejection could result in loss of LAC+USC's Medicare and Medi-Cal funds.

Possible detrimental consequences of hospital closure include:

- Private sector hospital emergency rooms may be closed to limit their exposure to the financial consequences of uncompensated care.
- Restricted access to health care for the uninsured and Medi-Cal insured population would result in declines in the community's health status.

LAC+USC has responded to the threat of facility obsolescence and closure by following two strategies:

- Implementing interim measures designed to maintain the present level of health care and enhance patient safety.
- Developing and seeking implementation of an updated Master Plan for re-building the facilities.

LAC+USC is taking interim measures to deal with the more immediate threat of loss of government funding. These measures attempt to achieve sufficient implementation of the HCFA recommendations.

The Master Plan, an update of a 1975 plan, contains the following major conclusions:

- Total bed demand would increase to 1,740 by the year 2000;
- Optimum hospital efficiency is attained with a facility of approximately 900 beds;
- New facilities should be located at the present LAC+USC site and the San Gabriel Valley along with additional bed capacity at existing hospitals; and
- All county hospitals should provide full service.

Final bed size of the new facilities and additions has been limited to 1,500 due to financial constraints and the potential for facility acquisition.

Before recommending new construction, the Master Plan consultants evaluated other service alternatives:

- Expansion of the county's contracting program was considered but rejected due to the hesitance of private sector providers to treat uninsured and Medi-Cal insured patients.
- Acquisition and improvement of existing facilities was evaluated but rejected due to lack of land, costs, age of physical plant and code violations at existing facilities.
- Converting the El Monte Comprehensive Health Center to a hospital was rejected for lack of suitable land for expansion.

- Rehabilitation of the present LAC+USC structures was rejected as being more costly by a factor of 1.6 than new construction, based on a rough estimate. This higher cost is due to factors such as operational disruption, difficulties in accessing water lines, etc. and the presence of asbestos.

The final recommendation included building a new 950 bed hospital at the LAC+USC site, a new 350 bed hospital in the San Gabriel Valley, and adding 200 beds to other existing county hospitals.

The Master Plan was combined with other smaller projects into the 1990 Health Facilities Replacement and Improvement Plan which can be implemented with a \$2.26 billion bond issue. The consultants recommended two financing alternatives:

- General obligation bonds (GO's). GO's are low risk to investors and carry a low interest rate due to the County's ability to levy property taxes to service the debt. The Bond issue will go before the voters in 1992 and needs a two-thirds electoral majority for issuance.
- Certificates of Participation (COP's). COP's carry slightly more risk than GO's and a higher interest rate due to the county's inability to raise property taxes to service the debt. Debt payments are typically made from project revenues or another tax source such as sales taxes. COP's can be issued with three votes of the Board of Supervisors although any sales tax increase requires a simple majority approval of the county voters in a general election.

The two major sources to service the debt are operational savings and funds from State Senate Bill 1732 (1988):

- There is an expectation that operational savings of potentially \$ 61.5 million annually would be available to service debt. Further analysis is needed to reduce the uncertainty of realizing these savings. In addition, a cost accounting system and enforcement policy should be established to capture these savings and make them available for debt service.
- State Senate Bill 1732 (SB1732) provides funds to pay capital project debt service at hospitals which serve a high proportion of Medi-Cal patients. DHS planners expect to receive up to \$59.5 million per year from this source; however, future funding by the state and federal governments is uncertain.

Though the outlook is uncertain, two health care trends may decrease the need for the new hospitals:

- Changes in public policy — Nationalized medicine or mandated employer-paid health insurance may provide county patients with more health care alternatives.

- New technology — Advancements in medical technology may reduce the need for acute care hospitals.

These trends may be partially offset by the growing medically indigent population of Los Angeles County.

After reviewing the findings, the Grand Jury's questions can be answered as follows:

Question What does it mean when people say LAC+USC may "go out of business?"

Answer "Going out of business" refers to the consequences of a funding cut-off by the state and federal government due to the loss of HCFA certification. This funding is crucial to the continued operation of LAC+USC.

Question Is there really a threat that LAC+USC will close down?

Answer The immediate threat of loss of accreditation has been resolved. The threat of closure could recur in 1992 when JACHO begins another accreditation survey and in 1994 when implementation of HCFA recommendations will be verified.

Question What is the likelihood of closure and when would it occur?

Answer Due to the critical role the hospital plays in the provision of health care to a patient population with few alternatives, the likelihood of closure should be considered remote. However, the threat should not be dismissed completely.

Question What is the county's contingency plan in the event that the 1992 bond issue fails at the polls?

Answer The county will not alter the components of the 1990 Health Facilities Replacement and Improvement Plan. Instead, the county will issue another type of bond, similar to a revenue bond, which does not require voter approval. However, certain sources of debt repayment, such as a sales tax increase, will require voter approval.

Question If the bond issue passes and the threat of closure is real, what are the county's plans for provision of health care services during the interim before the new facilities are complete?

Answer The existing hospital will remain open until the new facility is complete. LAC+USC is planning on maintaining a minimum level of compliance with accrediting and certifying agencies in order to prevent closure of the present hospital and maintain the present level of health care.

Question Have all reasonable alternatives for health care provision been analyzed?
Is a \$2.26 billion bond issue the answer?

Answer In the Master Plan, DHS planners and consultants evaluated several service alternatives including contracting, rehabilitation of the existing facilities and hospital acquisition. While the analysis was deficient in some areas, the overall conclusions regarding the alternatives were sufficient to support their recommendations.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Regularly monitor and provide adequate resources for the timely implementation of corrective actions required by JCAHO and HCFA accreditation authorities. Periodic reports on the status of implementation should be provided to the Board with the review and comments of the Chief Administrative Officer. Where a corrective action recommended by accreditation authorities is deemed infeasible, the Board should receive a complete report on the matter and determine whether to appeal for relief from the appropriate authorities.
2. Regularly monitor and continue to support implementation of recommendations of the 1990 Health Facility Replacement and Improvement Plan including construction of new hospitals at the LAC+USC site, the San Gabriel Valley and other recommendations as presented.
3. Direct appropriate county staff to prepare a comprehensive financial plan to:
 - Support implementation of interim corrective measures required by accreditation authorities. Financial support for corrective measures, including a reserve for costs that may arise from changes in accreditation requirements, should be considered in the county's capital planning and budgeting process.
 - Present a more detailed discussion and analysis regarding the costs and benefits of constructing new hospital facilities versus rehabilitation of existing facilities.
 - Prepare a detailed analysis of alternative plans to finance the construction of new hospitals at LAC+USC and the San Gabriel Valley. This analysis should cover a variety of specific financing options under a variety of economic and operational assumptions. A recommended financing strategy should be presented, based upon a "most likely" scenario. Particular attention should be paid to assumptions concerning the source of revenues to retire bonds.

- Develop a process to more precisely estimate, track and document operational cost savings related to the new facilities.
 - Determine the reliability and alternatives to funding provided by SB1732.
 - Prepare a detailed discussion and analysis regarding the feasibility, costs, and benefits of contracting selected segments of the county's health care provision.
4. Request the Southern California Rapid Transit District to guarantee adequate bus service to any county hospital site that is selected to serve the San Gabriel Valley.
 5. Investigate the feasibility of programming flexibility into the architectural plans for the new hospital to allow for conversion of space from inpatient to outpatient use. The ability to convert will allow the county more flexibility to respond to future trends in health care service and hospital utilization.
 6. Develop a process to periodically reassess key assumptions relating to the design and construction of the new hospital facilities since the proposed construction program will take eight years. The process should include a mechanism for altering plans to respond to changing environmental and economic factors.
 7. Implement an effective program to communicate to the county voters the benefits to accrue from passage of the 1990 Health Facilities Replacement and Improvement Plan which incorporates the Master Plan update.

B. GRAND JURY COUNTY HOSPITAL STUDY

BACKGROUND

As a result of its visits and frequent reviews of the contract audit, the Grand Jury performed additional investigations of the county hospital.

PROCEDURE

The Committee visited hospital facilities, reviewed literature and interviewed public health officials and hospital experts.

FINDINGS

Our findings were similar to those of the contract audit, but we felt that additional recommendations should be transmitted to the Board of Supervisors. These are listed below.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Board of Supervisors implement the Master Plan, whose improvements are urgently needed, and should make extraordinary efforts to have the bond issue passed, including efforts to cope with the threat of failure to pass.
2. The DHS practice medium and long range planning to provide for continuous upgrade of facilities through repair and replacement. Its goal should be to exceed the minimal accreditation standards rather than to simply meet them under threats of disaccreditation. Historically, the process has been to implement interim measures after negotiating exceptions.
3. The Board of Supervisors provide a plan, not contingent on electoral approval, that would avoid disaccreditation, or closure of the hospital, or reduction of essential services. This is necessary because electoral approval, which would be required either for a hospital general obligation bond issue or for a sales tax increase to finance an issuance of certificates of participation, is not assured.
4. The Board of Supervisors prepare an operating plan which would finance a possible shortfall in debt service funds without a commensurate reduction in health services. Servicing debt either by anticipated "operational savings" or by forecasted future federal grants may be unrealistic.

C. PRENATAL CARE AND EDUCATION: A COST EFFECTIVE SERVICE, URGENTLY NEEDED

BACKGROUND

The rapid increase in publicly funded maternity care in Los Angeles County and the resultant cost burden alerted the Health Services Committee to investigate the need for prenatal care, education for mothers, and treatment for at-risk infants and to inform the Board of Supervisors of our findings. Ten to 40 percent of babies born to indigent women are classified "at risk" due to maternal drug addiction. The effects of such addiction on infants include growth retardation, respiratory distress, birth defects, Sudden Infant Death Syndrome (SIDS), poor fine motor development, substandard language skills, and in the case of untreated sexually transmitted diseases (STD), mental retardation. HIV infected mothers and infants have a shortened lifespan even with the best of existing medical treatment. Prenatal care and treatment has been proven to be cost effective in other counties, states and countries in reducing long term costs.

In the current climate of budget reduction, the effectiveness of current investment must be very high to avoid future disasters in cost and human suffering which result from lack of care. In our study, we have also noted an organizational separation between programs dealing with "drug abuse" and those dealing with STD, possibly due to the method of financing care, or due to bureaucratic distinctions. Since a substantial percentage of drug abusing mothers also suffer from STD, this separation is probably undesirable.

PROCEDURE

We have visited all of the major county hospitals, interviewed medical authorities responsible for prenatal care projects, and public health experts from UCLA. We have made use of data collected by other competent authorities, many of whom are mentioned in the appendix. A study entitled, "Drug Exposed Infants: A Generation at Risk," prepared by the General Accounting Office of the United States Government (GAO Report HRD 90-138) has been a principal source. Data and graphs from this report are used with their permission.

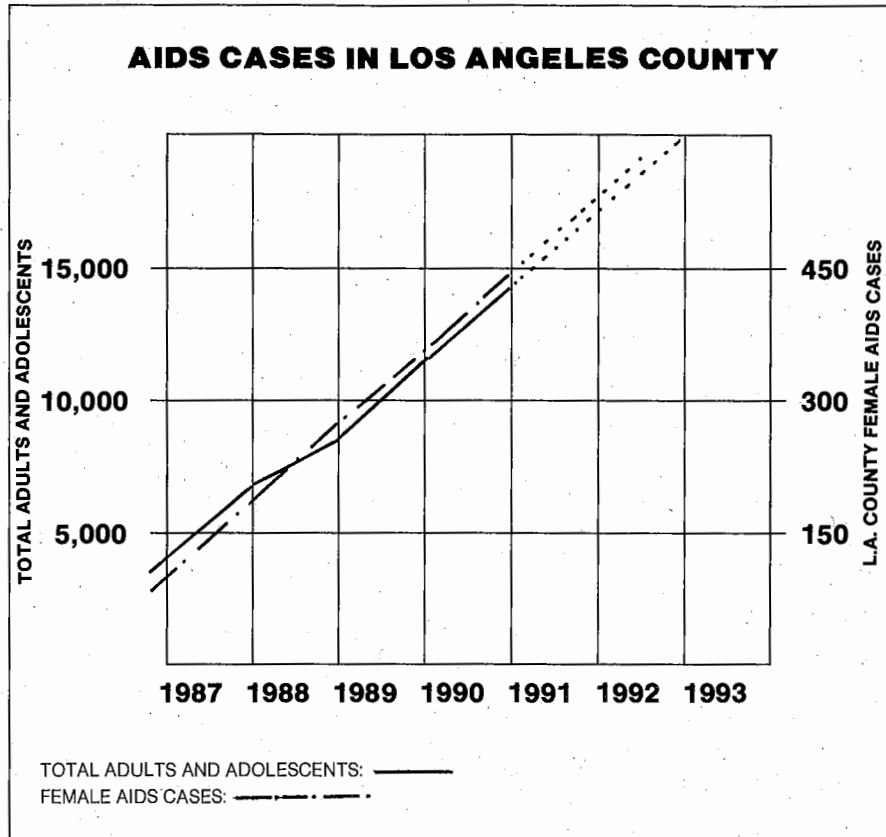
Our principal objectives were:

- To define the nature of the crisis and the need for timely action
- To determine the cost effectiveness of prenatal care and education
- To define the medical problems which generate significant costs
- To recommend action by the county

FINDINGS

1. Data indicate that mothers and infants who are indigent and treated in public hospitals show substantial and increasing incidence of drug addiction, alcoholism, and STD, including AIDS.

- Incidence of AIDS is increasing steadily. The number of AIDS cases in the county is increasing in a linear fashion as shown in Figure 1, including new female cases of about 100 per year. Of the pregnant females admitted at Harbor-UCLA Medical Center for drug abuse, 29 percent are found also to have at least one sexually transmitted disease.



SOURCE: L.A. COUNTY, DEPARTMENT OF HEALTH

FIGURE 1

In Los Angeles County cocaine abuse is the principal drug problem; 70 percent of neonatal urine toxicology screens revealed cocaine. A dramatic increase in ICE intoxication, a new problem with a smokable form of methamphetamine, has been observed. Similarly, at Harbor-UCLA Medical Center tests of pregnant women who are admitted using illegal drugs or methadone or subject to alcohol addiction show that 27 percent are found also to have at least one STD: syphilis, gonorrhea, chlamydia, hepatitis B, or are HIV positive.

2. Cost effectiveness. From our investigations and the literature, we have found:
 - National surveys indicate that the median charge for perinatal hospital care of drug exposed infants was \$5500, compared to \$1400 for non-exposed infants (GAO Report HRD-90-138).

- About 30 percent of drug exposed infants are placed in foster care which generates additional costs of \$6000 per child per year.
- Dr. M.L. Yonekura's program at Harbor-UCLA Medical Center, a pilot program for pregnant and parenting chemically dependent women, was instrumental in avoiding the need for critical care for two infants by adequate prenatal treatment. This saved about \$120,000 in one year, which covered the entire budget for the pilot program, a degree of cost effectiveness which suggests that such programs should be expanded.
- Estimates developed at LAC+USC indicate that the representative cost for one AIDS infant, from diagnosis to death, was \$75,000. In 1986, \$9,743,000 was spent to treat 152 patients in Los Angeles County. Using the estimate above, the current increased rate of HIV, 109 new AIDS mothers per year, would increase the patient load by about two-thirds at a total cost of about \$15,000,000 (equivalent 1986 dollars).

3. The increase in numbers of drug exposed mothers and infants is currently underestimated.

- The Table below (derived from the GAO study which includes Los Angeles and four similar large cities) shows that 25 percent of infants tested showed drug exposure. Hence the number of drug-exposed infants in the total population is presently underestimated by approximately a factor of three because of inadequate test procedures and patient refusal.

Infants Tested	Infants Not Tested	Drug Exposed by Test
306	594	78

Percent drug exposed of those tested = $78/306 = 25\%$;
Underestimate in the total population

$$= \frac{\text{number which would be detected if every infant were tested}}{\text{number which were actually detected}}$$

$$= \frac{.25 \times (306 + 594)}{78} = \frac{225}{78}, \text{ about } 3:1$$

4. **Drug-exposed infants have more costly problems than non-exposed infants.**
 - In a pilot preschool study performed by the Florida Department of Health and Rehabilitative Services, drug-exposed infants with significant neurologic and physiologic damage were found to require special services that cost up to \$75,000 by the time the individual reaches age 18.
5. **Drug-exposed infants are more likely to require foster care than others.**
 - Cost of basic per capita foster care, according to studies, ranges from \$3600 to \$5000 annually. On the other hand, specialized foster care required for prenatally untreated drug-exposed children may cost in the range from \$4800 to \$36,000 annually.
6. **Drug abuse and STD are linked.** Program funds and research projects that we reviewed were oriented toward either drug abuse or STD, but almost never to both simultaneously. Even in the well-written 48-page GAO report we found no mention of STD, only of drug abuse. During our meetings with Dr. M.L. Yonekura and in her letter report, drug abuse was strongly emphasized with little mention of STD's relationship to the medical needs of infant and child. A similar study provided by Dr. Judy Howard, Department of Pediatrics, UCLA, notes that of 1986 medical care costs "drug related AIDS cases" account for almost as much money as "emergency room and related hospitalization," \$9.7 million versus \$11.8 million. One estimate states that eight percent of drug addicted newborns in Los Angeles suffered from congenital syphilis and that at least 29 percent have at least one STD, and about the same percentage also applied to alcoholics. The effectiveness of the drug abuse programs and that of STD projects would be improved if they were not funded and evaluated by separate bureaucracies, since the medical problems occur together in many patients.
7. **Lack of prenatal care is partly due to government policy, ignorance of the magnitude of future financial and human costs, and lack of leadership and social responsibility in all levels of our society.**

Government policy — Starting about 15 years ago, funding problems due to Proposition 13 compelled the State to provide "matching" funds to counties for the cost of indigent health care. Although the original commitment was to fund 70 percent of what the State would have spent if medical funding would have been continued, the promise was not kept. By the end of the last gubernatorial administration, funding had fallen to 55 percent with an additional hidden loss due to inflation.

The Board of Supervisors has allowed the county's contribution to the Department of Health Services to decline to 50 percent of the resources allocated in 1981 in

current dollars. That this could happen in the face of a large increase in the number of medically indigent (due to immigration and the beginning of a new baby boom) exemplifies the neglect of our social responsibility.

8. Human costs are high.

We have a moral obligation, and a harder-to-define legal obligation, to educate children with learning and physical disabilities and poor skills to make them productive members of society. If they are unable to cope with the complexity of modern life, these costs may be exorbitant. Infants born with drug exposure problems suffer from drug withdrawal seizures in the crib. They have respiratory distress syndrome, birth defects, poor motor skills, poor language and learning skills, and many are seriously handicapped for life. The human cost of a lifetime as a drug handicapped person who is unable to function in society and is victimized by others, victimizes others, or is institutionalized, may be as great as that from prenatal AIDS infection, since drug abused infants have greater life expectancy.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Board of Supervisors initiate a study and prepare a plan for adequate prenatal care and education for indigent mothers. It should energetically seek funds and resources to implement the plan on the basis of its potentially powerful cost effectiveness and the reduction in human suffering it would make possible. It is a time for strong leadership. Without it we will find that the quality of life in our future is not excellent for anyone, indigent or self-sufficient, because the burden of the indigent must be born by the entire county.
2. The DHS organize its management of prenatal care and education services to be performed without bureaucratic boundaries or budget distinctions between drug abuse problems and those of STD, either by greater cooperation or by unified organizations.
3. The DHS provide complete prenatal care to indigent mothers and improved assistance to carry them completely through the Ability to Pay (ATP) Program, Medi-Cal, or other procedures that control entry into the health system, such as the Harbor-UCLA Medical Center program established by Dr. M.L. Yonekura.
4. The Board of Supervisors instruct the DHS to expand certain health programs now in existence including (1) midwife services for indigent mothers, (2) mobile stations to deliver prenatal care and education to areas where patients are poorly served because of transportation problems, and (3) prenatal pilot programs and sustaining programs such as those of Dr. M.L. Yonekura and Dr. Judy Howard.

D. HIV/AIDS: A CHALLENGE TO THE LOS ANGELES COUNTY HEALTH CARE SYSTEM

BACKGROUND

By the mid 1990's approximately 50 million persons world-wide may become infected with the HIV virus and in the United States approximately five million may be infected. The current estimate for the incubation period is eight to 12 years from initial infection to symptomatic expressions of the disease. There have been over 100,000 deaths to date in the United States.

In Los Angeles County, by spring of 1991, over 12,000 cases had been confirmed. The total of HIV/AIDS deaths in the county has surpassed 8,000 persons, with a distribution of 51 percent Caucasian, 26 percent Latino, 20 percent Black and three percent Asian.

The Los Angeles County jail system has reported 22 HIV-AIDS related deaths out of a total of 64 deaths for the fiscal year 1989-90. For the current fiscal year, 1990-91, three HIV/AIDS related deaths out of 19 total deaths have been reported to date.

This committee felt it was of paramount importance to investigate and report on the HIV/AIDS issues. Concerned citizens should be informed about the significant effort being made to provide effective quality education, prevention, early intervention, and treatment programs.

This disease has been evolving for over ten years. To date there is still no known cure and no new vaccines are on the horizon. The DHS, along with the private sector health providers and community-based organizations, shares the burden of responsibility for education, prevention, detection and treatment.

PROCEDURE

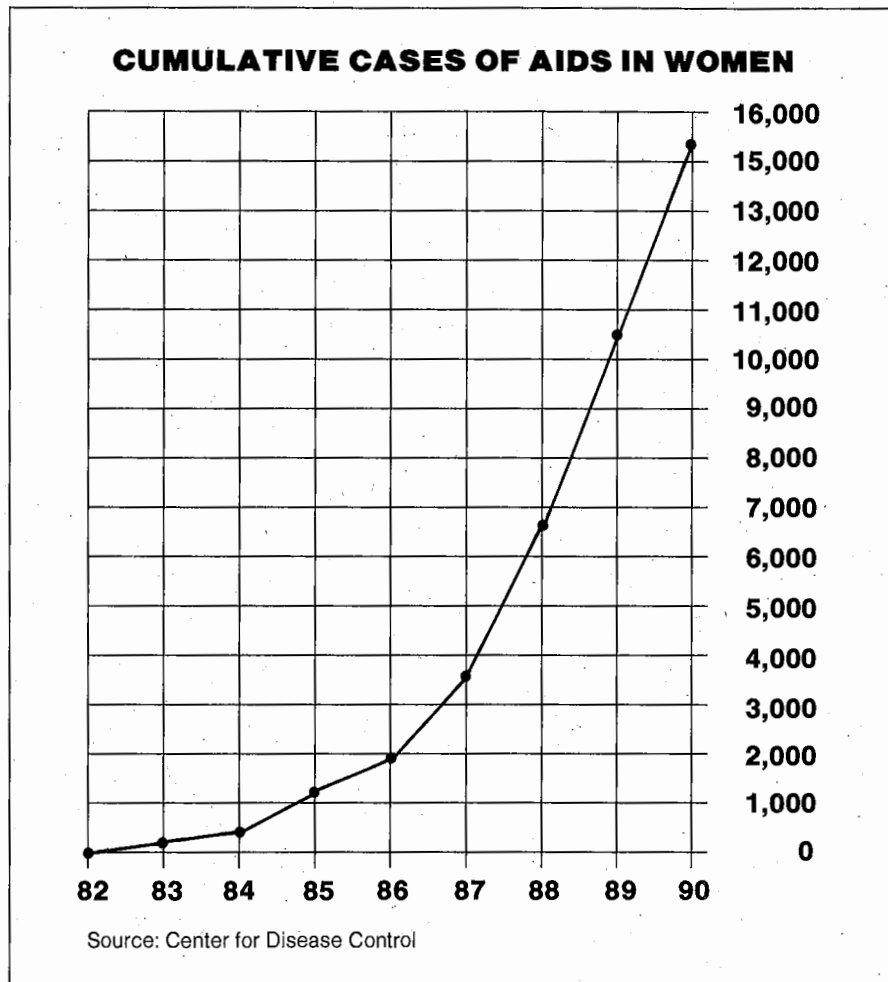
The committee visited several county hospitals, CHCs, and health centers, and interviewed representatives of various community-based organizations and DHS staff. The committee reviewed current reports and studies including newspapers, magazines and periodicals.

FINDINGS

1. **Great strides have been made and improvements achieved in early intervention, treatment, and management strategies within the DHS system. Community-based organizations and local support groups have done the majority of the work. Good networking among most of the organizations is being done.**
 - Ten years ago AIDS was an unrecognized, non-identified, and misdiagnosed killer in the Los Angeles County health care system. Today, more is known about this disease and its effects than was thought possible.

- The sooner a treatment and management protocol can be established the greater are the chances of success in dealing with this disease. Currently the DHS has too few effective early intervention programs. Early intervention depends not only on testing sites but also on effective educational and community outreach programs.
- Early intervention, a multi-faceted, greatly needed service, includes medical screening (antibody testing), and case management services.
- The highly publicized long waiting time for new outpatient appointments at DHS is a fact. A 20 to 22 week waiting period is not acceptable by any standard. We found from our site visits that the majority of county health care centers have few or no HIV/AIDS related programs functioning at a level necessary to meet the demands of the community.
- The DHS needs increased funding and grants from appropriate state and federal agencies in order to provide funds for community-based programs.
- Because of the high turnover rate and less than adequate numbers of staff personnel, the various DHS HIV/AIDS programs fail to meet the need.
- Special wage and benefit incentives to HIV staff would assist in recruiting personnel and reduce the shortages.
- HIV/AIDS education, prevention, and community outreach programs are essential. Literature and video education materials on the benefits of early intervention are not available in culturally appropriate language.
- The number of HIV/AIDS patients seeking care at county hospitals is increasing because fewer private hospitals accept Medi-Cal and medically indigent patients.
- Annual increase of AIDS is 23 percent among women versus 15 percent for men currently.
- One out of every nine people diagnosed with AIDS this year will be female, making it one of the top five killers of women aged 15 to 44. The problems of AIDS in women are different from that in men because female diagnostic tests and symptoms differ from those in males. This results in delay of detection and treatment. Women are not included in most of the current research protocols.
- According to Constance Wofsey, M.D., Codirector of the AIDS Activity Program at the University of California, San Francisco, studies show that up to 50 percent of women who are infected do not even know they are at risk.

- The accompanying graph, cited from the source, "Centers for Disease Control" illustrates the dramatic increase of AIDS in women.



- Increase of AIDS among child-bearing women implies a future threat that there will be an increase in the number of babies born with the HIV virus.

RECOMMENDATIONS

The Grand Jury Recommends that the Board of Supervisors:

1. Implement the Los Angeles County AIDS Program HIV Strategic Plan as presented to this committee by Robert E. Frangenberg, Director of the DHS AIDS Programs. The enthusiastic support of the entire Board of Supervisors is needed to enable this plan to be effective.
2. Instruct the director of the DHS to use all health care facilities countywide for HIV/AIDS services. Currently only the LAC+USC and, to a lesser degree, the Harbor/UCLA and Martin Luther King Jr./Drew Medical Center, the H. Claude Hudson and Edward R. Roybal Comprehensive Health Centers are providing services.
3. Mandate that all county hospital facilities provide inpatient care equal to or greater than that provided at the AIDS ward due for completion in the Spring of 1991 at LAC+USC.
4. Provide educational, preventive, early intervention, and outpatient programs at all CHCs and local health centers.
5. Direct the DHS to collaborate with private sector health providers, community-based organizations, and the DHS HIV/AIDS Programs to provide multilingual literature and educational programs at county-wide health facilities.
6. Provide more funding and grants to be awarded to community-based organizations and to community hospice programs.
7. Direct the DHS to implement a plan which will reduce the likelihood of misdiagnosis of HIV and will emphasize early detection, intervention and experimental drug treatment for HIV infected women.

E. LOS ANGELES COUNTY DENTAL CARE STUDY

BACKGROUND

Dental care is needed for the emergency treatment of pain and infection, the detection and diagnosis of oral diseases, the restoration of oral health, and for preventive services. Regular check ups, cleanings, sealants and fluoride treatments can prevent the majority of oral health problems, which would eventually create future costly needs, especially among the indigent. County dental care is provided by the DHS, the Los Angeles County Sheriff's Department (LASD) and the Juvenile Court Health Services (JCHS).

The DHS provides dental care at all the CHCs. With the exception of Mid-Valley CHC, all the CHCs contract with private providers for dental services. The Compton and Wilmington Public Health Centers also provide dental services. The county provides a wide range of services, such as diagnostic, preventive, restorative, periodontic, endodontic, removable prosthodontic and oral surgery. Cutbacks at county hospitals have resulted in reduction of routine dental care. At this time only emergency care is provided.

Prisoners incarcerated in Los Angeles County jails are given a full range of dental services provided by LASD. Juveniles in Probation Department detention and residential treatment facilities and MacLaren Children's Center (MCC) receive dental care by JCHS or the probation health contractor (Executive Health Medical Group, Inc.). The Department of Mental Health (DMH) also provides dental care for patients.

PROCEDURE

The committee made tours of three hospitals, five CHCs, five health centers, MCC and five probation detention or residential facilities. At each location the committee spoke with administrators and professional staff. The committee also reviewed pertinent literature and interviewed, or had meetings with staff employees from DHS, DMH, LASD, and other dental professionals. Because of time constraints, the committee decided to concentrate on dental health care provided by the DHS. Future grand juries may want to investigate dental health care provided by LASD, DMH or the Probation Department.

FINDINGS

Dental disease, particularly dental caries, is one of the greatest health problems, affecting 95 percent of the population.

Tooth decay is the most prevalent health problem in school-age children. Almost nine out of every ten children have experienced this disease by age 17. Dental disease generally is concentrated in poor and minority-group children. Mexican-American children between ages six and 17 have more than twice the number of untreated decayed teeth than the

average for all children. Further, the indigent normally seek emergency care only, being unable to afford routine or preventive dentistry.

- All CHCs provide dental services. However, with the exception of Mid-Valley CHC, all CHCs contract with private providers for dental services. At the CHCs and health centers, patients are usually seen only when they are in pain. The only prevention program for children or adults is at Roybal CHC, where oral hygiene instruction classes are a prerequisite to a dental exam and treatment. Approximately 50,000 dental patients are seen a year at the CHCs.
- H. Claude Hudson, Long Beach and Roybal CHCs are affiliated with Cerritos and the West Los Angeles Dental Hygiene programs providing prophylaxis treatments and oral hygiene education for adults.
- In general there is a great demand for dental care; waiting lines are long and it takes several weeks for follow-up appointments.
- The Mid-Valley CHC has only a pedodontist (children's dentist). Therefore, adult patients must travel to Roybal or Hudson CHC for dental treatment.
- Dental services have been discontinued at Dr. Ruth Temple Health Center. A room full of outdated dental equipment is in the process of being removed and salvaged.
- The Compton Health Center has three dental operatories in a separate building leased by the Parent-Teachers Association (PTA). The dentist is involved in an Outreach Program visiting the schools. Students are given a toothbrush, floss and hands-on instruction. A dental hygienist has been requested, but there is no money in the budget to pay for this service. Also, more dental brochures are needed.
- Many dentists have dropped out of the Denti-Cal Program because of an overwhelming amount of paperwork and low reimbursement rates. On October 3, 1990, United States District Court Judge Lawrence K. Karlton ruled in the Clark v. Kizer lawsuit that the California Department of Health Services was in violation of the "equal access" provision of federal law and regulations, which guarantees that ". . . . payments must be sufficient to enlist enough providers so that services under the plan are available to recipients at least to the extent that those services are available to the general public in the geographic area." Judge Karlton stated, "No matter how one massages the statistics, the level of dentist participation in Denti-Cal falls dismally below the administrative standard established to measure participation at an acceptable level."
- The State's Dental Health Section has estimated that if all children in grades K-12 participated in a school-based preventive dental program, taxpayers would save \$22.5 million now spent on dental care each year.

- The Los Angeles County Office of Education Dental Disease Prevention Program (Senate Bill 111) incorporates into the elementary school curriculum a comprehensive approach to reducing dental disease. School-based preventive dental programs have demonstrated their effectiveness, but they are available to only a small portion of the population. Eleven county schools and Los Angeles Unified School District Region A are involved in the SB111 Program which provides in-service education, visits by dental health educators and dental hygiene students (three instructional and two reinforcement visits to each classroom throughout the school year), five-minute plaque control procedures of daily dry brushing and flossing, and weekly mouth rinsing with a 0.2 percent neutral sodium fluoride solution. There are 17,000 children in Los Angeles County (of 1,300,000 in grades K-12) participating in this program which is funded by the California State Department of Health, Dental Health Section. Los Angeles Unified School District dropped out of the SB111 Program in July of 1989.
- Los Angeles Dental Society offers free dental screening for children ages 4-14 in their dental offices. Dentists are also involved in giving school talks on dental care and career opportunities in the dental profession. They provide approximately 3,000 free toothbrushes and 5,000 brochures.
- Robert Taylor/PTA Clinics provide care for indigent children in grades K-12 in Los Angeles City schools. Nine clinics are located on school grounds. This program is funded by the United Way and PTA and is co-sponsored by the Los Angeles Dental Society. Parents are financially screened and part payment is on a sliding scale. The children are given complete dental care including preventive treatments.
- Community water fluoridation represents the most cost-effective method available for caries prevention. Many studies have documented caries reductions of between 50 - 65 percent from fluoridation, and reductions in costs of 50 percent. The California Department of Health Services recommends fluoridation of public water supplies as the safest, most economical, most effective and most equitable means of preventing tooth decay and of reducing both personal and public expenditures for dental care. Because fluoridation often becomes a political rather than a public health issue, the civic organizational effort needed to implement such a program is beyond the ability of many communities. State leadership could provide the needed impetus, but no funding or organized effort on behalf of fluoridation has come from the state government or local government in recent years. Los Angeles is one of only two cities with a population of over one million without municipally fluoridated water at optimum levels. A report of a study sponsored by the United States Public Health Service arrived at two principal conclusions:
 1. "The most cost-effective way to provide fluoride is through water fluoridation . . . its benefits are the greatest in the lower socioeconomic classes."

2. "If fluoride presents any risk to the public at the levels to which the vast majority of us are exposed, those risks are so small that they have been impossible to detect in epidemiological studies to date."

The study also presented data on the relative cost of various fluoride regimens which showed that community water fluoridation was cost effective especially in large cities. This data is tabulated below.

Estimated annual cost of fluoride regimens per person served in public health programs

Method	Cost
Community Water Fluoridation	
200,000 Persons	\$0.12 - .21
10,000-200,000 Persons	.18 - .75
National Weighted = Average	.51
School Water Fluoridation	3.55 - 4.73
Fluoride Supplements	.81 - 5.40
Fluoride Mouthrinse in Schools	.52 - 1.78

- Children covered by Medi-Cal are less likely to use preventive dental services than other children because the system discourages the use of these services. The Child Health and Disability Prevention (CHDP) Program regulations require that all eligible children be examined by a dentist annually, but Medi-Cal, which is supposed to pay for this service, allows for only a single dental examination per dentist in the child's lifetime. Medi-Cal insured children do not benefit from dental sealants (a clear plastic material applied to the chewing surfaces of back teeth protecting these decay prone areas from plaque and acids), fluoride treatments or regular prophylaxis due to Governor Deukmejian's veto of legislation that would have added sealants. Sealants are available to privately insured children in California and to children insured by Medicaid in 22 other states.
- A Pedodontist Residency Program will be instituted at Roybal CHC with three residents and seven senior University of California at Los Angeles (UCLA) dental students.
- There is a great need for board certified specialists at the CHCs, especially oral surgeons, pedodontists and periodontists.
- Volunteer organizations such as Meet Each Need with Dignity (MEND), the Los Angeles and Venice free clinics, and dental hygiene and dental student participation in dental school-sponsored mobile clinics are not sufficient to meet the demands for dental care.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Provide the leadership needed to ensure oral health care for today's children and future generations, and to implement optimal levels of fluoride in city water supplies in the county.
2. Provide video monitors in clinic waiting areas to teach preventive dental care, nutrition and oral hygiene. Brochures on dental care should be made available in all county health care facilities.
3. Support legislation to increase Denti-Cal rates to maintain existing staff and to encourage more dentists to join the program.
4. Hire additional dental hygienists and board-certified specialists including oral surgeons, periodontists and prosthodontists and establish a system to rotate services at the CHCs.
5. Purchase mobile dental units to be used at the CHCs and health clinics, to make dental care more accessible.
6. Expand school-based preventive dental programs (SB111) to include preschool children and junior and senior high school students in more county schools and schools in the Los Angeles Unified School District.
7. Encourage affiliation of dental hygiene schools and dental schools with CHCs, especially at Hubert Humphrey CHC which is underutilized at this time. These students should provide preventive treatments including prophylaxis, fluoride treatments and sealants.
8. Perform a comprehensive statistical survey of the dental needs of the county, the potential patient population and the number of patients actually requiring treatment in order to assess and evaluate dental health needs and to plan for adequate provision of dental care in the county.

F. VISITS TO THE DHS HEALTH CARE FACILITIES

BACKGROUND

The DHS is the largest department in the county, with an annual budget of \$11.85 billion and approximately 26,186 employees. County health care facilities include six hospitals, six comprehensive health centers (CHCs), and 42 public health centers. Los Angeles County is divided into six public health areas with a CHC within each network. The public health centers provide primary care and are organizationally linked to a CHC which provides primary and secondary care.

Services provided at the various health care facilities include: care for senior citizens, ambulatory care, prenatal and pediatric care, communicable disease prevention, immunizations, public health screening, chest/TB and chemo-therapy, clinical treatment of STD, family planning and dental services.

PROCEDURE

The committee made several site visits and spoke to clinic administrators, health care providers and staff. The purpose of the visits was to familiarize the committee members with the medical and dental health delivery systems in the county and to help us identify any areas that would require further investigation.

FINDINGS

Overall, we found that each type of facility is unique in providing services that meet the particular needs of the community it serves. The staff personnel we have encountered are dedicated and hard working. In general, our findings reflect that more staff, more space and more money are needed to provide adequacy of services now threatened by continuous DHS cutbacks which will severely affect public health.

- No integrated computer system is available for medical records. This leads to duplication of tests, services, medical records, and ambiguity due to multiple entry into the county public health system.
- More patient education and prevention programs are needed, including videotapes in patient waiting rooms.
- No substance abuse prevention or treatment programs are offered.
- An obstetrical overload crisis has led to contracting with private physicians and hospitals, but slow reimbursement by the county to private hospitals has lowered the effectiveness of private contracting, because they are reluctant to accept patients whom they might otherwise treat.

- The Mid-Valley CHC has not been fully funded nor does it offer comparable services to the other CHCs. Yet, it is the only facility to serve the health care needs of the San Fernando Valley. This facility is in need of a laboratory, pharmacy, more social workers and adult and pediatric ambulatory care.
- No medical treatments are provided for HIV patients at CHCs. They are referred for medication and treatment to county hospitals which are heavily impacted and where there is a four to six month wait for appointments.
- Wilmington Sub-Center is initiating a no-smoking program. Funds for this program, including classes, videotapes and pamphlets, will be provided by the Tobacco Tax Program.
- Tuberculosis and STDs are on the rise and pose a health problem that is becoming critical.
- The ethnic makeup of the DHS clients has changed and is largely Hispanic. This population has contributed to the increase in communicable diseases because it does not usually seek medical or preventive treatments.
- Patients with abnormal pap smears require four to six months for an appointment at Tujunga Health Clinic.
- The North Hollywood Health Center and Tujunga Sub-Center are desperately in need of more space including a trailer to relieve overcrowding and to provide patient education and physicals for employment and summer camp.
- In general, the prenatal clinics are overworked and the need for pediatric service is increasing.
- The Ability to Pay (ATP) Program has too few counselors to screen patients and there is a need for more Spanish-speaking counselors.
- The CHCs and health centers are overwhelmed with paperwork. Medical records are not standardized among centers. Therefore tests and paperwork are sometimes unnecessarily duplicated.
- The Roybal CHC has a podiatry clinic in affiliation with the Podiatry Department at LAC+USC. This center also has a phlebotomy training program, a diabetic clinic, audiology clinic for children and adults, ears, nose and throat, optometry and cardiology specialties. It is affiliated with LAC+USC. There are interns and residents on rotation in the pharmacy and nurse practitioners are employed. Roybal CHC is in need of a new mammogram machine and a new hematology machine in order to expand services. This facility is equipped to handle emergencies but not surgery.

- The Hubert H. Humphrey CHC has a midwife training program. It will begin a program of contracting for pharmacy and critical care. One of the problems of contracting is that all the equipment must be in optimal condition since maintenance is not the contractor's responsibility.
- Employee turnover is high throughout the DHS.
- The El Monte CHC is in need of more ambulances, paramedics, walk-in and emergency teams. There is a two to three hour wait to transport patients from one facility to another, and there is only one paramedic for the whole El Monte area.
- Hubert H. Humphrey and H. Claude Hudson CHCs have implemented an Urgent Care Program providing such services as pediatrics and adult and women's services seven days a week, including holidays from 8:00 a.m. to 12:00 midnight.
- Hubert H. Humphrey CHC in 1988 developed an adopt-a-health center program that linked community health care facilities with local businesses and organizations. Private donors, small businesses, civic, social and charitable organizations and service clubs are encouraged to participate to provide much needed services, resources and money for VCR's, cassettes and books. The Compton CHC also receives donations to offset purchases or for patient treatment.
- The county hospital system is burdened because there is a lack of preventive care, evening services, and weekend services at the CHCs and clinics.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Provide videotape monitors for patient education in all county health facility patient waiting rooms. These should stress preventive health care especially prenatal, nutritional, and dental in appropriate language for the community.
2. Fully fund the Mid-Valley CHC in order to provide adequate services for the valley, i.e., bring it up to defined standards of primary care. Laboratory, pharmacy, adult and pediatric ambulatory care services should be established.
3. Implement computer networking to prevent duplication of medical records, tests, services, and multiple entry into the county public health system.
4. Replace outdated laboratory equipment to prevent duplication of tests first performed with obsolete instruments and to provide the tests more expeditiously.

5. Offer primary care for HIV patients and dispensing of medication at all health clinics and/or CHCs to alleviate the overcrowding of county hospitals by HIV patients.
6. Provide security guards at county health centers so that sorely needed evening services can be instituted.
7. Provide El Monte CHC the funds to meet their needs for an ambulance, paramedic and walk-in/emergency teams.
8. Encourage the DHS to implement urgent care programs at the CHCs such as the one at Hubert H. Humphrey to alleviate emergency care overload at county hospitals.
9. Encourage the participation of private donors, small businesses, civic, social and charitable organizations and service clubs in providing much needed services, resources and money for VCR's, cassettes and books for the CHCs.
10. Provide additional space or trailers needed to alleviate overcrowding at North Hollywood Health Center and Tujunga Sub-Center.
11. Offer substance abuse prevention and treatment programs at the health centers.
12. Continue contracting with physicians and private hospitals to provide for the obstetrical overload.
13. Institute more no-smoking programs in the CHCs and health centers similar to the Wilmington Subcenter Program funded by the Tobacco Tax Program.
14. Evaluate the Ability to Pay Program so that it can better serve the needs of the community in terms of simplified qualification procedures.
15. Form a coalition of members of the community and experts in health service to begin to plan to meet the future needs and problems facing the county health care system.
16. Request more state and federal funds to offset the increased cost of health care due to amnesty, immigration and subsequent obstetrical crisis.
17. Subsidize Medi-Cal reimbursements or cover insurance costs of private hospitals and doctors who will accept county patients.

G. PEDIATRIC RESIDENT RECRUITMENT

BACKGROUND

The committee was alerted to a problem concerning the LAC+USC Medical Center Pediatric Pavilion. Aside from a general shortage in pediatric specialists nationwide, LAC+USC has been experiencing a devastating shortage of pediatric residents applying to the program. One of the causal factors is the perceived threat that the entire Pediatric Program will be closed due to budget cuts. When the budget is proposed and the Pediatric Pavilion is one of the programs slated to be closed, Beilenson Hearings are mandated by the state to allow the various interested parties to testify. Notices of the proposed cuts and the hearings are posted at the Pavilion for all to see. Recruiting statistics indicate that prospective residents may be reluctant to enter this program for various reasons including the threat that it may be terminated. The process also has a demoralizing effect on the staff. The County has so far been able to find ways to keep the Pediatric Pavilion funded.

PROCEDURE

Interviews with various people directly involved with the Pediatric Pavilion, LAC+USC Hospital, USC Medical School and the budget process.

FINDINGS

1. In the last two years, LAC+USC Pediatric Pavilion was able to fill only one slot out of 15 openings in 1989/90 and one out of 11 openings in 1990/91, with residents for whom this program is their first choice.

- In the last two years, LAC+USC Pediatric Pavilion was able to fill only one slot out of 15 openings in 1989/90 and one out of 11 openings in 1990/91, with residents for whom this program is their first choice. This data compares unfavorably with prior years, with other hospitals in the area, and with other specialties within LAC+USC. Multiple factors can be cited for the downward trend of qualified applicants: 1) A general decrease in the pediatric profession throughout the United States because it is less lucrative and more difficult than some other specialties; 2) The Southern California area has many positions available and not enough qualified graduates in the United States to fill the positions; 3) LAC+USC has difficult working conditions compared to some other leading hospitals including not enough support personnel technicians to assist doctors; 4) LAC+USC has particularly high standards for acceptance of residents; and most importantly 5) *the continuing threatened closure of the Pediatric Pavilion.*
- The DHS budget and how to best implement the necessary curtailments are sensitive subjects and too massive in scope to fully appreciate. It is a two billion dollar budget geared to critical patient care programs, funded mostly by the state, and subject to reduced state funding, cost of living raises, and increased health care costs. The LAC+USC part of this budget is almost \$200,000,000. It appears

that a large part of the creative energy of the administration is channeled into meeting the most critical patient care needs while reducing services in other areas because of severe budget cuts.

- One of the programs that has been recommended for curtailment over the last several years is the Pediatric Pavilion. The DHS outlook is that the pediatrics program could be moved over to another facility within the County, that private providers could handle the children since many of them have Medi-Cal or other third party insurance, and that closing down a whole facility saves more money than curtailing one program or cutting parts of several programs.
- Although this makes sense from a budget point of view, the effect on the Pediatrics Program has been devastating.
- After the budget cuts are proposed, notices are posted concerning the proposed cuts and the date of the public discussion at the Beilenson Hearings. At the hearings, various interested parties testify in opposition to the cuts. Last year a successful lawsuit was brought by the Western Center for Law and Poverty to restore the cuts. It has not been appealed by the county. The budget cuts were subsequently restored and the Pavilion continues to operate. However, potential residents in pediatrics see the notices of program cuts as they tour the facility and possibly decide they do not want to go down with a sinking ship. Comparing statistics with other hospitals in the areas and with other specialties at LAC+USC, one can observe an almost total lack of applicants in the last three or four years only in pediatrics at LAC+USC. The potential applicants may not feel confident that the program will continue, or that funds will always be found to continue the Pavilion.
- The fact is that *no one can guarantee* either that the program will continue or that the funds will always be found, both of which have always happened due to clever budget arrangements. However, there is a split in the thinking between those responsible for the budget and those responsible for the medical care. The prevailing philosophy in the budget process is that the Pediatric Pavilion is expendable, i.e., more money would be saved by closing an entire facility than by curtailing parts of some programs. According to those most closely associated with the medical care in the Pavilion the facility will probably not be closed but the threat of closure is *used* as a means of obtaining funding.

In the meantime, problems such as providing more technical assistance for physicians, security provisions, translators, emergency hospital transportation, etc. have been addressed and acted upon by a Pediatric Task Force which includes many top physicians, nurses, and administrators.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Instruct all those involved with the budget process to be aware of the effects of their decisions. If closing the Pediatric Pavilion is a real proposal and not a ploy, then other accommodations need to be proposed, implemented, and publicized for the Pediatric Program.
2. Instruct the DHS and the hospital administration to decide either to support the Pavilion fully or to abandon it. The communication between administration, budget personnel and medical personnel needs improvement. There needs to be one prevailing philosophy regarding the Pediatric Pavilion.
3. Eliminate continued threats of closure of the Pediatric Pavilion by the DHS (since the community ultimately refuses to allow the Pediatric Pavilion to be closed) especially in light of the serious impact on morale of the medical personnel.
4. Keep the LAC+USC Medical Center in the same high regard as has been historically true, vis-a-vis recruiting and retaining high quality pediatric residents by actively supporting a high quality pediatric program.

H. JUVENILE COURT HEALTH CARE PROVISION

BACKGROUND

In an average year, 34,000 individuals under the age of 18 are detained in three juvenile halls and 20 camps maintained by the Los Angeles County Probation Department.

In 1976, the County was sued in Federal Court, charged with several complaints including providing inadequate medical care in the juvenile halls and camps. In response to the lawsuit, the County formed a task force to study ways to raise the level of health care. The task force recommended the following:

1. Transfer control of the medical care function from the Probation Department to the County Department of Health Services (DHS);
2. Obtain an affiliation with the medical school of a local university; and
3. Raise the level of care to the standards of the American Academy of Pediatrics.

In 1977, control of the medical care function was transferred to Juvenile Court Health Services (JCHS), a division of the DHS. Subsequently, the other recommendations were implemented. The JCHS program became known as a model program among experts in the juvenile detention health care field.

In 1986, budgetary responsibility for health care was transferred to the Probation Department, while operational responsibility remained with JCHS. However, probation administration became frustrated with the difficulties of controlling rising medical costs and the lack of management information from JCHS. In 1989, Probation contracted for the health care services of the San Fernando Valley Juvenile Hall and four nearby camps to Executive Health Group (EHG). The remaining halls and camps continued to be served by JCHS.

The 1990-91 Los Angeles County Grand Jury seeks assurance that the youths residing in contractor-serviced facilities are receiving adequate health care. Specifically, the Grand Jury seeks to:

- Compare cost and service levels between the operations of JCHS and the contractor, EHG.
- Make recommendations regarding improving the level of medical care throughout the system.

PROCEDURE

In developing findings and recommendations, the auditors conducted 28 interviews and reviewed 21 documents, articles, surveys and maps. The auditors then prepared this report.

FINDINGS

JCHS and health care provided by the private contractor was compared in four ways: cost of services, service levels, staffing levels, and results of audit/accreditation surveys.

- **Cost Comparisons**

Cost comparisons of JCHS-provided and contractor-provided services proved impractical because of inadequate cost accounting practices of the County. Most data is collected into broadly defined overhead accounts making any meaningful cost analysis impractical.

- **Service Level Comparisons**

Service level comparisons proved difficult because of the frequent movement of juveniles between contractor-serviced and JCHS-serviced facilities:

- The potential for transferring youths requiring medical attention to another provider can diminish the integrity of the service data; and

- Shifting juvenile populations make it difficult to identify a stable base with which to compare service statistics.

The philosophy of JCHS staff focuses more on rehabilitative procedures. Contractor staff concentrate on providing basic health care.

Based on a limited quantitative service comparison, JCHS provided marginally higher level of basic services such as immunizations, fixing cavities, etc. JCHS was much more active in rehabilitative procedures such as root canals. Both providers were equally likely to provide hospitalization.

- **Staffing Comparisons**

Analysis of staffing patterns using full time equivalents (FTE's) indicated a higher overall level of staffing for JCHS compared to the contractor. Higher JCHS staffing was found at both halls and camps and for physicians as well as nurses.

Contractor weekend staffing was superior to that of JCHS.

- **Review of Audit/Accreditation Findings**

Both providers are audited and surveyed by a variety of entities:

- National Commission on Correctional Health Care (NCCHC) — the nationally recognized organization for setting juvenile detention health care standards and accrediting facilities.
- Joint DHS/California Youth Authority — reviews for compliance with state regulations.
- Joint Probation Department/DHS — reviews for compliance with contract terms.
- Public Health Commission — prepares findings and recommendations for the County Board of Supervisors; and
- Los Angeles County Grand Jury — prepares findings and recommendations for the Los Angeles County Board of Supervisors.

Both providers are fully accredited and comply with state regulations.

Accreditation standards, state regulations, and contract requirements are similar in nature and are intended to provide an acceptable minimum level of quality.

Deficiencies noted in the various audits/surveys include lapses in providing health education, quality assurance procedures, record-keeping, and unfilled staff positions. Deficiencies noted pertain to both providers.

- **System-wide Issues**

The following issues affect the provision of health care in the Probation system:

According to juvenile detention health care authorities, medical and dental programs should be structured with the objective of equalling the level of care available in the general community, known as the "community standard." No attempt has been made in Los Angeles County to define the community standard.

Even if the County had a definition of what the "community standard" is, there is no mechanism for ensuring that health care providers equal that standard.

Coordination and exchange of information between health care providers at the different facilities is inadequate. Specifically, medical records are often missing when juveniles are transferred between facilities.

Management information with which to measure performance of the providers and direct management attention is insufficient.

There is a need to ensure continuity of health care at time of discharge from the system.

Health education is not consistently provided.

Operable call lights in medical segregation rooms at the hall infirmaries are completely lacking.

In summary:

Meaningful cost comparisons of JCHS-provided and contractor-provided services are impractical because of insufficient cost data.

Any attempt to compare cost and service levels between JCHS and the contractor must be done while acknowledging the potential effects of the frequent movement of youths between the different probation halls and camps. These transfers make it difficult to isolate a patient population and the services rendered to that population. Transferring youths around the system also increases the potential for transferring medically needy patients between providers.

A comparison of the two providers through review of accreditation surveys, audits, staffing and service statistics yields the following conclusions:

- Both systems are fully accredited and therefore provide at least minimum quality health care;

- JCHS provides a marginally higher level of basic medical care (e.g. immunizations, STD tests);
- JCHS is more focused on rehabilitative care than the contractor. JCHS tries to be a part of the rehabilitative process rather than just a supporting function; and
- Without a clear definition of the community standard, it is difficult to determine if either system meets that standard or even exceeds it.

Beyond the existing minimal accreditation standards, Los Angeles County does not have a set of standards or protocols defining a higher level of care to guide provider decision making. Individual patient care decisions are determined by the provider with no separate review board for exceptional cases.

Many of the issues affecting the provision of health care in the Probation halls and camps result from sharing patients among multiple facilities. For example, coordination among the different facilities regarding patient records and treatment is deficient. Medical records are frequently missing or incomplete when a patient presents him/herself for treatment. Information from these records, such as allergies, prescribed medication and medical history, is important for the proper treatment of these patients.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Instruct the Director of the Department of Health Services (DHS) to define a standard of health care equivalent to that provided in the general community, referred to as the "community standard", and to develop a set of procedures and protocols to implement the community standard.
2. Instruct the Director of the DHS to form a separate review board made up of representatives from the DHS, Probation, and health care contractors to resolve potentially costly cases which are not discussed in the procedures and protocols.
3. Instruct the Director of the DHS to develop a health education curriculum and teaching methodology to be followed by all health care providers including contractors. Compliance with the curriculum and methodology should be regularly monitored by the Chief Probation Officer with financial penalties imposed upon contractors for non-performance.
4. Instruct the Director of the DHS to review the current procedures followed and services provided by health care providers at the time of a youth's discharge from the probation system. The Director of the DHS should consider this an opportunity to improve the health status of this population and determine if additional health care services should be provided. Examples of services to be provided would include giving a toothbrush,

instructions on dental hygiene, a prescription refill for any required medication, and a follow-up appointment with a County health care provider, if necessary.

5. Instruct the Director of the DHS to improve the cost accounting procedures as they relate to financial records for JCHS. Procedures should support the proper allocation of costs into accounts so that costs can be identified with a particular service and location.
6. Instruct the Director of the DHS to determine the overall cost effectiveness of the health care contracts in relation to the community standard and report findings to the Board of Supervisors.
7. Instruct the Chief Probation Officer to prepare a feasibility study for automating the update, storage and retrieval of medical records at allhalls and camps. A properly designed system would greatly improve the coordination between the different facilities. The system to be studied and implemented would store medical records in a centralized, computerized database and provide immediate access of records to health care staff at all facilities. The system would provide summaries of procedures performed, staff hours, etc. for Probation administration. The feasibility study should include an analysis of system alternatives, implementation costs, data conversion issues, training costs, etc.
8. Instruct the Chief Probation Officer to install call lights in medical segregation rooms at the juvenile hall infirmaries.
9. Instruct the Chief Probation Officer to perform a detailed staffing audit of the health care contractor and JCHS. This staffing audit would break down work tasks into medical and non-medical categories by staff member. The objective of the audit would be to identify inefficiencies in work assignments, staffing and organization. Recommendations from the study would focus on task and staff member reorganization in order to improve efficiency and eliminate non-medical tasks being performed by medical personnel.

I. CITIZEN COMPLAINTS

The Health Services Committee received three complaints held over from the Health Services Committee of the 1989-90 Grand Jury. Three complaints were reviewed and letters were sent regarding the action taken. We were also in receipt of an anonymous complaint which we were unable to follow up.

APPENDIX

SITE VISITS

Hospitals

Harbor-UCLA Medical Center

M.L. Yonekura, M.D., Chief, OB/GYN

Edward J. Foley, Hospital Administrator

Martin Luther King, Jr./Drew Medical Center

Edward L. Martinez, Chief Operations Officer

Xylina Bean, M.D.

Robert Schlegel, M.D.

James Haughton, M.D.

Los Angeles County+USC Medical Center (LAC+USC)

Jerry L. Buckingham, Executive Director

Sol Bernstein, Chief of Staff

Harvey Kern, Special Assistant to the Executive Director

Ted Holland, Administrator, Plant Management

Tammy Kramer, Nurse Manager 5P21, AIDS Outpatient Clinic

William C. Ardary, D.D.S., Chairman, Oral Maxillofacial Surgery

Comprehensive Health Centers

El Monte CHC

Joseph Sanchez, Ph.D., C.E.O.

H. Claude Hudson CHC

Larry Pittman, Assistant Administrator

Mary Abbott, M.D., Associate Medical Director

Long Beach CHC

Hugo Almeida, Chief Executive Officer

Margarita B. Vilardi, M.D. District Health Officer

Mid-Valley CHC

Dorris Harris, M.D., M.P.H., Regional Supervisor

Gretchen McGinley, Medical Program Administrator

Hubert H. Humphrey CHC

Leman Smith, Associate Administrator

Linda Walton, Nursing Director

Srinivasa Murthy, M.D., Medical Director

Edward R. Roybal CHC

Robert H. Gibson, M.P.A.

Adrian F. Ortega, M.D., Medical Director

Health Centers

Compton Health Center

Margarita B. Vilardi, M.D. District Health Officer

Martino Travis, R.N., M.P.H., District Nursing Director
North Hollywood Health Center

Angela Murphy, M.D., District Health officer
Dorris Harris, M.D., M.P.H., Regional Supervisor
Ms. Johnnie Collins, R.N., District Nursing Director
Dr. Ruth Temple Health Center

H.P. Deslonde, M.D., District Health Officer
Tujunga Subcenter
Angela Murphy, M.D., District Health Officer
Dorris Harris, M.D., M.P.H., Regional Supervisor
Ms. Johnnie Collins, R.N., District Nursing Director

Wilmington Subcenter
Barry Hunt, M.P.A., Associate Administrator
Frank Pacino, M.D., District Health Officer

Probation Department Detention & Residential Facilities

San Fernando Valley Juvenile Hall
Don McGruder, Probation Director
Nadine Buford, Project Manager, Executive Health Medical Group

Los Padrinos Juvenile Hall
Camp Holton
Alex Ackerman, Supervising Deputy Probation Officer
Frank Fletcher, R.N.

Kirby Center
Trina Maddox, R.N.

Central Juvenile Hall
Arthur R. Tantardino, Assistant Director
June Broadway, R.N., Supervisor, Clinic Nurse

Department of Children's Services
MacLaren Children's Center
Helen Maxwell, Director
Maria Puertas, Program Director

LITERATURE REVIEW, ETC.

- "What Mother Takes, Baby Gets," Xylina Bean, M.D., Video
"Toward the Year 2000," Joseph Benti, Video
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"Changing Health Care in Los Angeles: Poverty Amid Affluence, Competition Leading to Crisis," Final Report on Los Angeles for the Four Cities Project: E. Richard Brown, Ph.D., Geraldine Dallek, M.P.H.
"Evaluation of the State of California Children's Dental Disease Prevention Program," Steven J. Silverstein, D.M.D., M.P.H., Howard F. Pollick, B.D.S., M.P.H., Jared I. Fine, D.D.S., M.P.H.
"Conditions of Children in California," Policy Analysis for California Education (PACE), Project Director Michael W. Kirst, et. al.
"Drug Exposed Infants: A Generation at Risk," U.S. GAO report GAO/HRD-90-138, June 1990
Vivian Rosenberg, Los Angeles County Department of Health Services, January 1991
"1986 Drug Related Costs in the County of Los Angeles," Donald R. McAllister, June 1987, Drug Abuse Program Office, Department of Health Services

Reports "The Facts (Drug Addiction/Alcoholism)," "Prenatal Substance Abuse," M.L. Yonekura, M.D., Department of Obstetrics and Gynecology, UCLA

"Project TEAMS" National Association of Social Workers, described in "Social Work" V35 #4 July 1990

Los Angeles Times November 8, 1987, part I, pp 1 and 30, C. Spiegel "Prenatal Care: Less Costs More"

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R. Gates, Los Angeles County Report to Board of Supervisors "AIDS Report for June 1989"

Zonova, R.F. "AIDS Fight in L.A. at Keypoint" L.A. Times December 31, 1989 p.A1,36,37

Los Angeles County Department of Health Services, "How to Get No Cost or Low Cost Medical Care" July 1989

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National Resident Matching Program Statistical Tables

David Farrell, "To Live and Die in L.A.," Los Angeles Times Magazine, August 12, 1990

"HIV & Woman Sounds Alarm About AIDS," Kit Gloser, March 1991, APLA Update Magazine

Project Inform, Fall, 1990, Update Bulletin

Health Matters, News for HIV-Affected Members, Kaiser Permanente, Winter 1990

Being Alive Newsletter, August 1990

"AIDS A Guide To Services," L.A. County, February 1990, A Joint Venture of Los Angeles Gay and Lesbian Community Services Center, Los Angeles County Department of Health Services AIDS Program Office and AIDS Project Los Angeles

"AIDS Haven," Robert Steinbrook, Times Medical Staff Writer, Fall 1990

"AIDS Update," Century Cable Communications, Bill Rosendahl, January 1991

"Department of Health Services Alternative Site for HIV Antibody Testing Agreement," Contract Evaluation Plan, AIDS Program Office, Department of Health Services, June 20, 1990

HIV-AIDS Report, Los Angeles County Sheriff's Department, William H. Kern, Director, Medical Services, January 31, 1991

"F.Y. 1991-92 California AIDS Budget," Update News; Life Lobby, Sacramento, January 16, 1991

"AIDS Statistics," "Reactions" Newspaper, issue 140, March 15, 1991

"Report Sees HIV Rise in Hemisphere," Robert L. Jackson, Times Staff Writer, March 11, 1991

"AIDS Incubation Period Extends," Access Magazine, December 1990

"Fluoride Benefits Outweight Risks," Access Magazine, April 1991

INTERVIEWS

Charles J. Baker, M.D., Medical Director, Juvenile Court Health Services

Phyllis Beemsterboer, R.D.H., M.S., Director Dental Hygiene Program, West Los Angeles College

Sol Bernstein, M.D., Medical Director, Chief of Staff, LAC+USC

E. Richard Brown, Ph.D., Associate Professor, UCLA School of Public Health

Jerry L. Buckingham, Executive Director, LAC+USC

Arlene Cole, Staff Assistant, Drug Abuse Program Office

Timothy Collins, D.D.S., Director, Dental Health Services, Public Health Program & Services

Virginia Collins, Division Chief for State and Federal Programs, Chief Administrative Office

Geraldine Dallek, Executive Director, Medicare Advocacy Project

Caswell A. Evans, Jr., D.D.S., M.P.H., Assistant Director of Health Services, Director Public Health Programs & Services

Robert Frangenberg, Los Angeles County Director AIDS Programs

Robert C. Gates, Director, Department of Health Services

Robert Holt, Director of Professional Relations, Los Angeles County Medical Association

Judy Howard, M.D., Susan Edelstein and Vickie Kropenski, Harbor-UCLA Medical Center

Robert Isman, D.D.S., California State Chief of Dental Health
Ralph Jung, M.D., Director, Graduate Medical Education
Harvey Kern, Special Assistant to the Executive Director, LAC+USC
William Kern, Medical Director, Los Angeles County Sheriff's Department
Mark King, Director of Media Outreach, Shanti Organization
Ralph Lopez, Deputy, Environmental Health/Health Facilities
Sue Merrell, Executive Director, Los Angeles Dental Society
Lawrence Opas, M.D., Chief of Pediatrics, Pediatric Pavilion
Alfred Otero, D.D.S., Senior Dentist, Central Jail Medical Services
Roberto Quiroz, Director, Department of Mental Health
Sandra Rich, R.D.H., M.P.H., Ph.D., Director, University of Southern California Dental Hygiene Program
Lori Solomon, R.D.H., Dental Health Coordinator, Los Angeles County Office of Education
Robert Taylor, D.D.S., Director of the 10th & 31st District PTA Dental Clinics
Rene Topalian, Assistant Director, Drug Abuse Program Office
Robert Tranquada, M.D., Dean, USC School of Medicine
Gary Wells, Deputy Director, Financial Services
Carl Williams, Assistant Director, Hospitals
Robert B. Wolcott, D.D.S., M.S., School of Dentistry, University of California at Los Angeles
Ina Zive, R.D.H., Ed.D., Director, Cerritos College Dental Hygiene Program

JAILS COMMITTEE





JACK CUMMINGS
CHAIR



WILLIAM BYRON



BUTCH DEHNER



HARRY KAUFMAN



JUSTINA RAMIREZ



SARANE VAN DYKE

JAILS COMMITTEE

INTRODUCTION AND SUMMARY

The Jails Committee of the 1990-91 Los Angeles County Grand Jury was formed in compliance with Sections 919(a) and (b) and 921 of the California Penal Code. The Committee is mandated to inquire into the conditions and management of the jails within the county, and, as necessary, into the cases of persons in custody but not yet indicted on criminal charges. The Committee has also studied methods to assist future Grand Jury Jails Committees. The following subjects were covered:

- A. Inspection of Jails
On-site inspections were conducted to assist all governmental agencies within the County who are responsible for maintaining jail and holding facilities. The resulting reports were sent to the concerned agencies to alert them to areas where their facilities could be improved. Additionally, the reports served to verify the effectiveness of management.
- B. Overcrowding of Jails - Committee Report
Prisoners are not serving their full sentences because they must be released early to make room for other prisoners subsequently sentenced for whom no space is available. Our goal was to determine if there were other solutions to jail overcrowding, short of construction of new jails, with emphasis on alternative forms of incarceration.
- C. Overcrowding of Jails - Price Waterhouse report
The Committee contracted with Price Waterhouse to provide an audit report on this topic.
- D. Jails Committee Handbook
To assist future Jails Committee members with a basic understanding of their responsibilities, the 1990-91 Jails Committee has created a handbook for future Jails Committees to use, revise and pass on.
- E. Additional Concerns of the Jails Committee
 - a. Additional replacement of sworn officers by civilian personnel in the detention facilities.
 - b. Possible merger of the sheriff/marshal function within the courts and holding cells.

- c. Sheriff's transportation of inmates. An in-depth analysis might indicate possible financial savings.
- d. Expanded use of trustees in all cities in the county.

A. INSPECTION OF JAILS

BACKGROUND

Grand Juries have been primarily concerned with the governmental watchdog function, and since the largest single operation of county government involves the arrest, prosecution and detention of criminals, it is only natural that one of the most important grand jury committees involves the jails.

PROCEDURE

The entire grand jury participated in tours of the Los Angeles County Central Jail, Peter Pitchess Honor Rancho, Sybil Brand Institute and Mira Loma. The six members of the Jails Committee were divided into three teams, consisting of two individuals per team, for the purpose of inspecting all detention facilities in the county. Maps and lists of the facilities were prepared that indicated the name, address, Thomas Guide page and coordinates, and the name of the governmental agency having jurisdiction over each facility. Each team was then assigned detention facilities to inspect that were in close proximity to each other to minimize the traveling distances. The inspection teams used a uniform questionnaire and went unannounced to the various facilities. To be as effective and efficient as possible, comments and recommendations of the five previous grand juries were studied, and as each facility was inspected these items were checked to see that they were implemented and/or corrected. While visiting detention facilities the committee team members believed that it was important to observe the following: booking procedures, access to telephones, food and food storage, medical attention, education, recreation, physical condition of the facilities, visitation rights, safety precautions both with regard to inmates and official personnel, client-attorney accommodations, the monitoring of the inmates and cells, and possible inmate abuse.

FINDINGS

The committee has inspected 167 detention facilities in the county. The list of facilities follows:

- **Los Angeles Sheriff's Department Stations & Custody Divisions**

Altadena	Malibu
Antelope Valley	Marina Del Rey
Avalon	Men's Central Jail
Biscailuz Center	Mira Loma Facility
Carson	North County Correctional Facility
Crescenta Valley	North Facility
East Los Angeles	Norwalk
East Facility	Peter J. Pitchess Honor Rancho
Firestone	Pico Rivera
Gorman Substation	San Dimas
Hall of Justice Jail	Santa Clarita Valley
Industry	South Facility
Inmate Reception Center	Sybil Brand Institute for Women
Lakewood	Temple
Lennox	Walnut
Lomita	West Hollywood
Lynwood	Lynwood Regional Justice Center Project

- **Los Angeles Police Department Jails**

Central Area	North Hollywood Area
Devonshire Area	Pacific Area
Foothill Area	Rampart Area
Harbor Area	77th Street Area
Hollenbeck Area	Southeast Area
Jail Division	Southwest Area
Hollywood Area	Valley Jail Section
LAX Substations	West Los Angeles Area
Newton Area	West Valley Area
Northeast Area	Wilshire Area

- **Municipal Police Department Jails**

Alhambra	Gardena	Pasadena
Arcadia	Glendale	Pomona
Azusa	Glendora	Redondo Beach
Baldwin Park	Hawthorne	San Fernando
Bell	Hermosa Beach	San Gabriel
Bell Gardens	Huntington Park	San Marino
Beverly Hills	Inglewood	Santa Monica
Burbank	Irwindale	Sierra Madre
Claremont	La Verne	Signal Hill
Compton	Long Beach	South Gate

Covina
Culver City
Downey
El Monte
El Segundo

Manhattan Beach
Maywood
Monrovia
Montebello
Monterey Park
Palos Verdes Estates

South Pasadena
Torrance
Vernon
West Covina
Whittier

● ***Municipal Court Lockups***

Alhambra
Bellflower
Beverly Hills
Burbank
Central Arraignment
Compton
Culver City
Downey
East Los Angeles
El Monte
Glendale

Hollywood
Huntington Park
Inglewood
Lancaster
Long Beach
Los Angeles
Malibu
Monrovia
Pasadena
Pomona
Redondo Beach

San Fernando
San Pedro
Santa Monica
South Gate
Torrance
Valencia
Van Nuys
West Covina
West Los Angeles
Whittier

● ***Superior Court Lockups***

Alhambra
Brunswick Building
Burbank
Catalina
Compton
County Courthouse
Criminal Court Building
Eastlake Juvenile Court
Glendale
Inglewood Juvenile Court
Juvenile Justice Center
Lancaster

Long Beach
Los Padrinos Juvenile Court
Mental Health Department-San Fernando
North Valley-San Fernando
Northwest — Van Nuys
Norwalk
Pasadena
Pomona
Santa Monica
Sylmar Juvenile Court
Torrance

We also toured two federal penal institutions, Terminal Island and the Metropolitan Detention Facility. These visits gave us an overview of how other agencies handle incarceration.

RECOMMENDATIONS

The findings from these inspections with a number of exceptions, have been forwarded to the various departments that have jurisdiction over the areas covered. Overall, the jail facilities inspected were in good condition and jail custodial personnel were very cooperative.

B. OVERCROWDING OF JAILS — COMMITTEE REPORT

BACKGROUND

Most prisoners are only serving approximately 65 percent or less of their sentence and are released early to make room for other inmates subsequently sentenced for whom there is no space available. The lack of space results from the county government having difficulty financing additional jails. The committee engaged Price Waterhouse to provide an audit report on the subject.

PROCEDURE

The committee, along with its contract auditors, interviewed personnel in the criminal justice system. Numerous reports and studies compiled by the various concerned agencies who share mutual concerns were used.

FINDINGS

Our findings were:

- Inmate profile data indicates the bulk of the overcrowding problems lies in the maximum/medium security type facilities.
- A range of punishment options between traditional incarceration and probation appears to be needed.
- Some of the factors causing the overcrowding include the large pre-sentenced population and illegal alien inmates.
- In addition to the recommendations developed by our contract auditor and concurred with by the grand jury presented below, the committee also separately examined the Regimented Inmate Diversion Program (RID) (also known as Boot Camp). This program appears to be an attempt at rehabilitation that we have not seen elsewhere in the system. While still in its early stages it has already demonstrated a reduction in recidivism. This impact on recidivism will also help to reduce costs and alleviate overcrowding and will be a money saving program in the long run.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Los Angeles County Board of Supervisors provide funds for the Regimented Inmate Diversion Program.
2. The RID Program be broadened to include qualified female inmates.

C. OVERCROWDING OF JAILS — PRICE WATERHOUSE REPORT

This section is a summary of a report written by our contract auditor. The full text is available at the grand jury office.

BACKGROUND

In light of county jail overcrowding, the Los Angeles County Grand Jury Jails Committee retained Price Waterhouse to identify alternative methods and options to address the overcrowding problem in Los Angeles. Specifically, the study involved identifying alternative punishment options for offenders that would otherwise be sentenced to county jail. The Jails Committee became aware of the overcrowding problem through site visits to county jail facilities, the imposition of the federal court order which places a cap on the county inmate population, and review of relevant materials. The federal court order authorized the county to use an emergency release mechanism, after a certain amount of time has been served, in order to stay within the mandated population cap. Inmates, on average, are serving only 45-50 percent of their sentence to make room for incoming inmates because of the mandated population cap. Inmates serve less than half of their sentence by applying the emergency release mechanism and good time/work time credits. The significance of the overcrowding problem led the Jails Committee to the conclusion a study was warranted.

The Jails Committee believes the county cannot build its way out of the overcrowding problem. In addition, the committee believes there are limits on the public's willingness to continue to approve funds for jail construction. Conversely, this belief is tempered by the view that offenders should be appropriately punished for their crimes and serve time accordingly.

The key study objective is to identify an array of alternative punishment options between probation and incarceration, and not building new jails. The punishment options applied to offenders would result in opening up jail beds, thus alleviating jail overcrowding. In the absence of these sentencing options, an offender would otherwise receive incarceration. The focus of the study is clearly oriented toward those options at the punishment and

control end of the continuum, rather than probation or similar programs at the opposite end of the continuum. Another study objective involves identifying innovative approaches to improve pre-trial processing and thus address the unsentenced population in county jails.

A key study outcome is the extent to which recommendations identify options or programs that will reduce the number of beds taken up by certain targeted offenders and reduce their average length of stay. Therefore, high-risk sentenced inmates can be retained in jail for longer periods of their sentence, avoiding the early release of inmates through the emergency release mechanism. In addition, the Jails Committee also recognizes that alternative punishment options are less costly to administer than traditional incarceration in county jails.

PROCEDURE

The project workplan consisted of the following:

- Reviewing relevant materials involving jail overcrowding and alternative punishment options.
- Interviewing criminal justice experts in Los Angeles County.
- Interviewing other individuals with direct knowledge of the overcrowding problem or alternative punishment options.
- Obtaining data on the Los Angeles County Jail inmate population and programs currently administered.
- Conducting a limited survey of eight counties across the country regarding their approach to jail overcrowding. Conducting selected telephone interviews with cities in Los Angeles County.

FINDINGS

Our findings were:

- The state's criminal justice system lacks a comprehensive range of alternative punishment options between probation and traditional incarceration. State legislation has been introduced to develop a structured community-based corrections program of alternative punishment options.
- Inmate profile data indicates the bulk of the Los Angeles County Jail overcrowding problem lies in the maximum/medium security type inmate and in the unsentenced population. Furthermore, data indicates that a significant number of inmates are in the system on drug and drug-related offenses.

- Los Angeles County is addressing the jail overcrowding problem by using several programs. These programs are generally successful, but they have a relatively small impact when compared to the general overcrowding problem.
- Other counties surveyed also have overcrowding problems. However, Los Angeles County's overcapacity percentage is the largest of all counties surveyed. The survey indicates actions taken by Los Angeles County are generally consistent with those in the counties surveyed. However, house arrest as a punishment option and weekend courts are utilized in some other jurisdictions but not in Los Angeles County.
- Promising approaches exist to address the unsentenced inmate population, generally by applying the tools and programs affecting pre-trial court processing.
- A recent report completed by the Countywide Criminal Justice Coordination Committee found a significant number of criminal deportable aliens in the county jail system. The county bears the cost of managing these inmates.

RECOMMENDATIONS

The criminal justice system in Los Angeles County involves many different agencies. These agencies include the Sheriff's Department, the Probation Department, the Superior Courts, the Municipal Courts, the District Attorney's Office the City Attorney's Office and the Public Defender's Office. Therefore, the Los Angeles County Board of Supervisors could direct the Chief Administrative Officer (CAO) to coordinate the implementation of the study recommendations amongst these agencies. Recommendations should always be implemented consistent with public safety in the county. The CAO could coordinate the cost and cost savings analysis resulting from these recommendations. This includes assessing the estimated staff and other resource costs, estimating revenue from fees, and cost savings from not incarcerating offenders.

The Grand Jury recommends that the Board of Supervisors propose that:

1. The Municipal and Superior Courts should expand the use of house arrest as an alternative sentencing option (with an electronic/voice monitoring component). The courts should broaden the program where inmates with medical problems are sentenced to serve time at home with an electronic monitoring component. The courts should also expand a sentencing option whereby certain offenders are sentenced to serve time in city jails as city trustees. The Los Angeles County Probation Department and Sheriff's Department should expand the work release and work furlough programs as sentencing options.
2. The departments administering the alternative sentencing options charge a fee to participating inmates, based on a sliding scale, to help cover the costs of program

administration. The fee could be similar to the Probation Department's sliding fee scale for its current work furlough and electronic monitoring programs.

3. Los Angeles County seek appropriate legislative authority to expand the use of video technology for more than just arraignments in the court process. The county should use video technology on a wider scale in the courts, based on the success of the pilot projects.
4. Los Angeles County institute weekend courts, night courts, or a similar approach which makes better use of existing court facilities. The specific approach to better utilization of court facilities should be largely based on the recommendations in the upcoming CAO's report on this issue. Jail overcrowding is very evident during weekends. In addition, Los Angeles County should adopt as a long-term policy the goal of regionalization of jails, and the co-location of jails and courts in close proximity to each other, similar to the Lynwood Regional Justice Center.
5. The Los Angeles County Probation Department expand its pre-plea and pre-sentence report function to include an integrated analysis of all potential sentencing options recommended in this study. The reports should include a recommendation to the sentencing judge on the appropriate sentencing based upon the expanded options available between probation and incarceration.
6. The Pre-Trial Services Division of the Los Angeles Superior Court expand its supervised pre-trial release program which features electronic monitoring. The current pilot program releases defendants awaiting trial who would not qualify for Own Recognizance release and places them on electronic monitoring. In addition, this group should be charged a fee based on a sliding scale to cover the costs of administering this program.
7. The Los Angeles Superior Court expand the Effective Arraignment Program (EAP) beyond a pilot mode and include additional courts in the program. The EAP program brings the involved parties together very early in the court process with the goal of determining the appropriate disposition of a case at the time of arraignment. This results in a faster court process, which reduces the average length of stay of unsentenced inmates.
8. The Countywide Criminal Justice Coordinating Committee and the CAO jointly develop a plan to obtain federal resources to manage the deportable alien population housed in Los Angeles County jails. This plan should provide specific direction for a local-federal plan of cooperation with the goal of early identification and deportation of convicted criminal aliens, and transporting of offenders to federal facilities.
9. Los Angeles County fund and implement the Justice Automated Information Management System (JAIMS). By consolidating criminal justice data in the county,

JAIMS will aid in the integrated management of the criminal justice system in the county, encompassing all involved agencies and the courts. JAIMS will enhance systemwide policy setting and evaluation of the alternative sentencing options.

10. Los Angeles County develop an implementation plan to request funds from the State Board of Corrections for a substance abuse community detention center. Funds for this center, based upon the passage of Senate Bill 2000, enacted in 1990, target non-violent substance abusers and provide focused rehabilitation services in a modified detention setting.
11. Los Angeles County not support the passage of Senate Bill 26 in its current form as amended February 25, 1991 (or other related legislation). The legislation would create a community-based correction program where a facility for local alternative punishment options would be established and funded. The legislation would divert state prison inmates to Los Angeles County jails. It does not emphasize placing county inmates in the program, and provides limited funds. The legislation should receive further consideration only if amended. Amendments should more specifically allow for inclusion of county inmates in the program and should ensure an adequate and stable funding source from the state to administer these programs.
12. The Los Angeles County Probation Department and Sheriff's Department, in conjunction with the Countywide Criminal Justice Coordinating Committee, conduct a study to evaluate the feasibility of creating a Day Reporting Center in the county as another alternative sentencing option.

D. JAILS COMMITTEE HANDBOOK

BACKGROUND

Early in the Jails Committee term of office it became apparent that to discharge our responsibility in an effective and efficient manner, a handbook outlining some of the more important aspects of the detention facility system was needed.

PROCEDURE

Each committee member provided input for the Jails Committee Information Handbook. This information consisted of the problems each member encountered and the recommended solutions that were deemed appropriate.

FINDINGS

A Jails Committee Handbook was developed by our committee.

RECOMMENDATIONS

The Grand Jury recommends: Future grand juries continue to develop the handbook to a greater degree with current updates keeping pace with the changing times.

E. ADDITIONAL CONCERNS OF THE JAILS COMMITTEE

Because of time constraints we were unable to review the following topics and suggest that future Jails Committees consider including them in their agendas:

1. Further replacement of sworn police officers by civilian custodial personnel within detention facilities.
2. The sheriff's and marshal's functions appear to overlap in a great number of instances. While this area has been studied before, it does seem that additional thought should be given to merging the sheriff/marshal department functions within the courts and holding cells.
3. The sheriff's department transportation of inmates throughout the jails and courts is an extremely complex logistical problem. This appears to be an area where an in-depth analytical study might render financial savings.
4. Expanded use of trusty labor in metropolitan jails. Many city jails in the county were constructed with holding facilities for trustees that are now vacant. Some jurisdictions such as Burbank Police Department still use trusty inmate labor. The superior neatness of facilities using trusty labor compared to those using civilian janitorial personnel was readily apparent to all Jails Committee members. It is recommended that those municipalities that have vacant trusty quarters available, explore the possibilities of improving the appearance of their facilities by following the procedures of cities such as Burbank.

APPENDIX

Inspection of Jails

Detailed inspection report forms were completed for each detention facility inspected. These forms contain the names and titles of the many law enforcement officers interviewed. A complete appendix would be cumbersome so it has been eliminated. This information, if required, is available in the Office of the Grand Jury. A copy of the Inspection Report Form is included in this appendix.

Interviews

Fred Bennett, Assistant County Counsel
Bill Kern, Director of Medical Services, Los Angeles County Sheriff's Department
Eleanor Bigolski, Deputy District Attorney, Los Angeles County
Lewis Diamond, Jails Committee Chairman, 1989-90 Grand Jury
Lawrence Mason, Legal Advisor, Grand Jury

Speakers

Sherman Block, Sheriff, Los Angeles County Sheriff's Department
Ira Reiner, Los Angeles County District Attorney
Wilbur Littlefield, Los Angeles County Public Defender
Daryl Gates, Chief, Los Angeles Police Department
Honorable Michael J. Tynan, Los Angeles Superior Court
Barry Nidorf, Chief Probation Officer, Los Angeles County Probation Department

Overcrowding of Jails

Final Report, Criminal Aliens in the Los Angeles County Jail Population, November, 1990
Jail Needs Assessment and Master Plan, Los Angeles County, January, 1990
NIJ Reports, The Bimonthly Journal of the National Institute of Justice November/December 1990
Jail Crowding, Custody Population Study, County of Los Angeles, June, 1987
County of Los Angeles, 1,000 Bed Study, January, 1990
National Drug Control Strategy, White House, February, 1991
Men's Central Jail Expansion, County of Los Angeles Internal Services Department June, 1987
Community service as an alternative sentence in Los Angeles Municipal Courts
The Blue Ribbon Commission on Inmate Population Management, January, 1990

JAILS COMMITTEE INSPECTION REPORT

DATE _____ TIME _____ FACILITY NAME _____ INDEX _____
 ADDRESS _____ OPERATED BY (City/County) _____
 NAME OF ESCORT _____ WATCH COMMANDER _____
 YEAR CONSTRUCTED _____
 RATED CAPACITY _____ POPULATION TODAY: (M) _____ (F) _____ ILLEGAL _____
 VISIT BY GRAND JURORS (Names) _____
 THIS REPORT BY _____

1 - Very poor 2 - Poor 3 - Acceptable 4 - Good 5 - Very good	Rating	COMMENTS AND RECOMMENDATIONS
NOISE LEVEL		
SANITATION		
A. Bedding		[] Sat. [] Unsat.
B. Towels		[] Sat. [] Unsat.
C. Welfare Clothing		[] Sat. [] Unsat.
Clothing Exchange (Frequency of change)		[] Sat. [] Unsat.
VERMINOUS PRISONERS		
A. Approved pesticide available		[] yes [] no
B. Clothing bags available		[] yes [] no
PROPERTY		
A. Properly packaged		[] yes [] no
B. Money counts verified as required		[] yes [] no
Adequate control of cash received		[] yes [] no
FIRE SAFETY		
LOCK UP SECURITY		
ADEQUATE PERSONNEL DEPLOYED		[] yes [] no
SPECIAL CONFINEMENT		
A. Proper use of cell		[] yes [] no
Gun locker		[] yes [] no
Evacuation plan: Date revised _____		
PROTECTIVE CUSTODY		
VISITATION, ACLU LEGAL/PERSONAL		

TELEPHONE	
A. Two free calls allowed and logged	[] yes [] no
B. Other phone available for prisoners' use	[] yes [] no
REQUIRED SIGNS POSTED	
A. Bondsman and attorney referral service	[] yes [] no
B. Free telephone calls	[] yes [] no
FOOD	<input type="checkbox"/>
A. Storage	[] Sat. [] Unsat.
B. Preparation	[] Sat. [] Unsat.
C. Special Diet	[] Sat. [] Unsat.
EXERCISE	
A. Outdoor	[] Sat. [] Unsat.
B. Indoor	[] Sat. [] Unsat.
C. Logged	[] Sat. [] Unsat.
MEDICAL ASSISTANCE	[] Paramedics [] CPR Training [] Special Medication
EDUCATION/ JOB TRAINING/ SUBSTANCE ABUSE	
GENERAL APPEARANCE	
DATE OF LAST DISTURBANCE REASON & PREVENTIVE MEASURES ESCAPES	
LOG BOOK INSPECTION	
ADDITIONAL COMMENTS:	

SOCIAL AND HUMAN SERVICES COMMITTEE





LEO GOLDBERG



ROBERT VOGEL
CHAIR



ERNST JACOBI



JUSTINA RAMIREZ



NATALIE SHUTMAN



SOCIAL & HUMAN SERVICES COMMITTEE

INTRODUCTION AND SUMMARY

The mission of the Social and Human Services Committee was to analyze conditions and recommend improvements in the services the county delivers to its weakest and least empowered constituents, imperiled children, dysfunctional families, pregnant women in jail, children exposed to drugs in the womb and teenagers from foster care homes trying to adjust themselves to living as independent adults.

Specifically, our areas of concern were:

- A. **Fragmented delivery of services**
Our report, written by our contract auditor and based on an extensive joint research, is titled "Neighborhood One-Stop Centers for Children at Risk." It explicates the problem and recommends a solution modeled, with relevant modifications, on San Diego's "New Beginnings" project.
- B. **Interagency collaboration and cooperation among providers for children at risk and their families**
We are proposing prevention models that are working elsewhere and may be applicable to Los Angeles County, a broader definition of children at risk, and the creation of a Children's Planning Board for both the public and private sectors.
- C. **Giving Birth in Jail: Toward a More Humane Approach**
We believe that the current practice of depriving jailed women of their infants 48 hours after they give birth is inhumane and counterproductive, lessening any chance of rehabilitating the mother while most likely setting the child up for repeating the pattern set by the mother. Our report recommends establishing a nursery, either at Sybil Brand Institute for Women or Mira Loma jail, such as exists in New York and Massachusetts.
- D. **Education of Substance-Exposed Children**
Such children require special care which they now get with excellent results at a handful of selected schools. Our report commends these current programs and recommends that they be expanded.
- E. **Emancipation of Foster Youth**
Independent living programs implemented by the county eases the transition of 18-year-olds under the supervision of the Juvenile Dependency Court into adulthood and independence.

A. NEIGHBORHOOD ONE-STOP CENTERS FOR CHILDREN AT RISK

This segment of the Social and Human Services Committee report is a summary of a feasibility study conducted jointly by the committee and our contract auditors, Price Waterhouse. The full study report, written and produced by the auditors, is available on request at the Grand Jury Office.

BACKGROUND

On the basis of extensive interviews, site inspections, and the views expressed in documents and professional articles, the Social and Human Services Committee of the 1990-91 Los Angeles County Grand Jury noted that the system of delivering services to children suffering abuse and neglect was deficient in several respects. The two primary causes are as follows: 1) the system is crisis-oriented; the court intervenes only after abuse/neglect occurs, and pays little attention to the possibility of prevention or early intervention; and 2) the multiple programs available to aid the child and its family are delivered by different departments and agencies having little, if any, contact with each other. In other words, delivery of services is fragmented, hence, less effective than it could be if the services were to be delivered under one umbrella.

A possible solution to both problems set forth in this study, is the creation of neighborhood-based, one-stop centers. Under such a center, a wide array of locally integrated services would be provided to children and families. The cooperation of various concerned agencies may result in preventing abuse and neglect before they occurs.

PROCEDURE

The Committee retained Price Waterhouse to conduct a detailed feasibility study of the proposed one-stop center. "Feasibility" refers to whether there is enough evidence indicating that it is reasonable for Los Angeles County to implement such an approach. Feasible in this context does not necessarily suggest the approach has been proven cost-effective, since no such empirical cost-benefit analysis was available. The intent of such a prevention-oriented, one-stop center is three-fold:

1. Mitigating the factors that lead to child abuse and neglect, thereby reducing the incidence of such occurrences.
2. Providing local access to human services, including assistance to children and families in navigating the formidable "system."
3. Strengthening and stabilizing the family unit through prevention services.
4. Eventually, generating net cost savings over time in human services expenditures at all levels of government.

We identified and examined several existing models to determine whether it was reasonable to create such a center in Los Angeles County. The key study objective was to assess and report on the feasibility of establishing neighborhood-based, one-stop centers for children potentially at risk of abuse or neglect. An integral component of this concept includes services to the family of the at-risk child.

The scope of this study is presented below:

- Assess the feasibility of creating neighborhood-based, one-stop centers to provide services to potentially at-risk children and their families;
- Identify and examine existing models, some of which were identified by the 1990-91 Grand Jury, which exhibit traits similar to those under consideration;
- Compare and contrast identified models against a standard set of key attributes and other evaluative criteria; and examine models beyond the current intervention-based framework.

FINDINGS

During the conduct of our study, the following findings emerged:

- The current system of children's services and related family services is intervention-focused using separately funded programs. Under this system, services to children and their families are provided only after problems have already arisen. In addition, interviews and literature review indicate the current children's services delivery system is institutionally fragmented, making it difficult for agencies to provide services effectively and efficiently.
- Interviews, document review, and site visits clearly indicate that a prevention-based approach is increasingly the trend in the thinking and action of those involved in the children's services community.
- Among the variety of services identified, our analysis found there are some key services that a prevention-oriented, one-stop neighborhood center should provide.
- The concept of neighborhood-based, one-stop centers providing a coordinated array of services is not a new one in the children's services community. Specifically, several models exist which demonstrate similarities with the one-stop neighborhood center concept under review.

A neighborhood-based one stop center is feasible in Los Angeles County. We base this conclusion on the following reasons:

- Centers that exhibit very similar traits and program objectives such as we envision are either already in operation or will soon be operational. For example, San Diego

County New Beginnings, in its two and one-half years of examining this issue, has performed the most intensive analysis for feasibility of such centers that we are aware of.

- Interviews with leading practitioners and literature review strongly indicate that such centers are feasible and desirable. Although empirical cost data is not available, many experts suggest that this prevention approach may, over time, actually result in cost savings.
- Responsible children's services professionals in Los Angeles County, both from the public and the private sector, agree that improvements need to be made to the current system, and action needs to be taken.
- Recently passed legislation, specifically Senate Bill 997 (Chapter 1303, 1989), points out the need for prevention-based integrated services and collaboration between agencies.
- Several funding sources are potentially available to fund such centers.

We conclude that San Diego County's New Beginnings provides the best "fit" and complete package as a prototype model for Los Angeles County. We base this conclusion on the following key reasons:

- It stresses an array of prevention-oriented services to work comprehensively with children and families to prevent abuse and neglect from occurring.
- It features strong and well-constructed governance. Extensive government interagency collaboration and coordination among the critical agencies will provide coordinated programs and services. Collaboration with nonprofit agencies, that will provide many of the services, is another key component of the center.
- It features a comprehensive case management approach to working with children and families. This approach allows for coordinating, monitoring, and providing the full range of human services required.
- It features a local, neighborhood-based focus within the jurisdiction of a local elementary school located in a multi-ethnic and economically depressed area.
- It creates a comprehensive and coordinated three-tiered service delivery approach involving all the key agencies on site at the center and in the referral agencies.
- Most people we interviewed who are knowledgeable about the neighborhood center concept had favorable comments toward New Beginnings.

- The New Beginnings team conducted a comprehensive analysis over a two and a half year period. This team has identified and grappled with many of the issues and barriers associated with the center concept discussed in this report.

RECOMMENDATIONS

The Los Angeles County Grand Jury recommends that:

1. The Los Angeles County Board of Supervisors approve, in concept, pilot testing San Diego County New Beginnings as the prototype model for Los Angeles County.
2. The Children's Planning Board be created by the Board of Supervisors to plan and coordinate public and private sector activity in this area as recommended by the Blue Ribbon Committee.
3. The Children's Planning Board serve as the lead agency to coordinate the intensive planning effort required prior to the operation of the pilot center. Such a planning effort should fully define the center's program characteristics and governance, and address the various funding, staffing, organizational, institutional, and legal issues.
4. The Children's Planning Board fully incorporate pertinent components of the Department of Children's Services' (DCS) Black Family Investment Project and other relevant models in its planning phase.
5. The Board of Supervisors direct the Children's Planning Board to coordinate the creation of an Evaluation Plan, during the planning phase, which would measure the pilot's program effectiveness and cost-effectiveness.
6. The County Board of Supervisors direct the Directors of the Department of Children's Services, Health, Mental Health, and Public Social Services to conduct an analysis of co-locating their offices in cooperation with the Children's Planning Board.

B. INTERAGENCY COLLABORATION AND COOPERATION AMONG PROVIDERS FOR CHILDREN AT RISK AND THEIR FAMILIES

BACKGROUND

The schools, public and private agencies recognize the multiple needs of children and their families, but find it difficult to provide those needs within the current fragmented structure. We discovered that there are far more children at risk than are being served by the Department of Children's Services, and that a prevention model is needed to focus on the welfare of the child and his family. Close collaboration between public and private serving agencies is essential.

PROCEDURE

After the study on the neighborhood-based one-stop center model, the committee continued visits and interviews with child development professionals and consultants in San Bernardino and Los Angeles Counties who are performing some coordinating services among many providers.

The scope of the study was to:

- Define the term "children at risk"
- Examine models of collaboration in Los Angeles and San Bernardino Counties
- Discover if savings have been made in San Bernardino County
- Identify what should be done in Los Angeles County

FINDINGS

Our findings include:

- According to the Los Angeles Roundtable for Children, Los Angeles County spends about \$9 billion on services for approximately 2.5 million children annually. This includes \$5 billion for public education, \$2.9 billion for county government services, \$1 billion for not-for-profit private organizational services, and unknown amounts on child day care and health services and other services provided by city governments, religious and civic organizations.
- Each agency recognizes that children and their families need more services than it can provide and would like to devote more resources to prevention or earlier intervention.
- With a projected state budget deficit of about \$14 billion, there appears to be more concern for agency survival than for creative ways for public agencies to cooperate and collaborate in order to serve their clients — the children and their families — and possibly save funds.
- In its 1990 Report Card for California, *Children Now*, a California based child welfare organization, recommends as Step 1. "Consolidate child and family services in schools and neighborhood centers, streamline application procedures, and provide a comprehensive approach to family needs." Step 2. "Institute new leadership for children and strategic planning at all levels."

- The Los Angeles Educational Partnership School Readiness Project proposes a one stop school readiness center located at (but not managed by) the neighborhood elementary school to provide information and referrals for child care and family support services, parent education, and direct family and child services such as day care, immunization, job counseling and training.
- The Los Angeles Unified School District is seeking to collaborate with the Department of Health Services so that qualified personnel can provide immunizations and other basic medical services in the school setting.
- The Los Angeles County Juvenile Dependency Court's Drug and Alcohol Abuse Task Force is recommending a feasibility study for the creation of regional community centers to provide multiple services to children and their families under its jurisdiction.
- San Bernardino County's Children's Network has been providing a mechanism for collaboration since 1988.
 - a. Thirteen service agencies have signed an Agreement of Collaboration for serving children at risk, setting forth services each can provide.
 - b. The Children's Network has effected cost savings through collaboration.

Example: A Children's Services Team Family Preservation Subcommittee compiled a list of county programs which support family preservation. In fiscal year 1988-89, funded by AB 1733, and using the services of the Department of Public Health — Public Health nurses with families referred to it by the Child Protective Services — an estimated \$832,650 was saved in foster care expenditures by preserving families.

Example: Collaboration between the San Bernardino County Department of Public Social Services and the Mental Health Enriched Foster Homes serves 36 county court dependents in seven Enriched Youth Homes, provides a full-time clinician for children and foster parents, and saves \$1,350 per child per month.

The Presley-Brown Interagency Children's Services Act (Chapter 1303) initiated a new program that took effect January 1, 1990. It authorizes counties to set up inter-agency councils to coordinate children's services and allows them to request waivers of state regulations; it also authorizes the State Superintendent of Public Instruction, the Secretary of the Health and Welfare Agency, and the Attorney General to grant such waivers.

The creation of interagency councils has no financial impact. Approval by a Board of Supervisors allows the county to request waivers on Title IV-E Foster Care funds, Office of Criminal Justice Planning funds, Medi-Cal case management reimbursements, Proposition 99 funding, and other funding sources as appropriate to implement interagency programs.

In April 1990, by action of the Board of Supervisors, San Bernardino County became a participating county, and its Children's Network Policy Council was restructured to meet the requirements of an earlier act, SB 991. Los Angeles County did not take similar action.

- Creation of neighborhood-based one-stop centers will need multi-agency public and private cooperation and collaboration.
- The Blue Ribbon Committee appointed by the Los Angeles County Board of Supervisors has proposed the creation of an overall Children's Planning Board composed of representatives of private and public agencies being directly responsible to the Board of Supervisors and having adequate staff to carry out both planning and evaluation functions.
- The Interagency Council on Child Abuse and Neglect (ICAN), established in 1977 by the Board of Supervisors and consisting of 25 county, city, state and federal agency heads and five private sector representatives, coordinates efforts in the prevention, identification and treatment of child abuse and neglect. In addition, its other activities include child death review, training, and data collection.
- ICAN's emphasis is on law enforcement and justice and has been limited to specific components in the area of child abuse and neglect. Its clients are limited to children where the county has had to intervene. It has not dealt with the larger and more complex issues of child health, mental health, child care, education, and family enhancement.
- A willingness to change old patterns by managers and administrators, with strong backing of the political leadership, is essential to any successful collaborative effort.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Recognize a broader definition of the "child at risk," to include a minor who, because of behavior, poverty, abuse, neglect, medical needs, educational assessment, and/or a detrimental daily living situation, is eligible for services from one or more of the public and private agencies in the county.

2. Adopt the Blue Ribbon Committee's recommendation to create a Children's Planning Board as the entity to be the county's interagency children's services coordinating body. Charge this Board with the task of setting goals, reviewing and recommending the annual Children's Budget, and measuring the results of public and private services in terms of the impact of programs on the welfare of the child and the family.
3. Create a research unit as part of the function of the Children's Planning Board to study the efforts and experiences of other counties for collaboration and cooperation among the various departments and private agencies serving children and their families.
4. Investigate the applicability to Los Angeles County of the Presley-Brown Interagency Children's Services Act (Chapter 1303) and propose changes in the law that would make it more relevant for interagency collaboration.
5. Endorse the Juvenile Dependency Court proposal for the creation of several regional centers to provide multiple services to children and their families under its jurisdiction, and allow such centers to serve the broader population of "children at risk."
6. Commit its members by its action to encourage and support these efforts and invite all segments of the community — private, public, business, labor, and professional leaders — to commit themselves as well.

C. GIVING BIRTH IN JAIL: TOWARD A MORE HUMANE APPROACH

BACKGROUND

The population of pregnant inmates at Sybil Brand Institute (SBI) numbers approximately 150 at any given time, roughly eight and a half percent of the total. An average of 20 inmates per month are taken to Los Angeles County/University of Southern California Hospital (LACUSC) to give birth. There they are unshackled during labor but reshackled to their beds after giving birth and returned to SBI after 48 hours. Their babies are turned over to the hospital's Social Services Department. Unless a close relative — husband, mother, sister — claims the baby, the Department of Children's Services will then either find a foster home for the infant, or, if the mother agrees, put it up for adoption.

If we assume that the maternal instinct and the infant's need for maternal care are basic biological facts of human existence, then we must be concerned about the humaneness of the procedure, as well as the consequences to both mother and baby. Although a number of the mothers will give up their babies for adoption by choice, for others this will be a wrenching experience.

A consensus of the sources consulted (see Appendix) believes that separating mothers from their newborns effectively condemns them to losing their babies.

PROCEDURE

We conducted numerous interviews and read the limited literature available in the field. Our sources are listed in the appendix.

FINDINGS

- Given the limited facilities available, the Los Angeles County Sheriff's Department is doing the best it can to mitigate the system's harshness:
 - Women are shackled to their beds after labor when the attending physician approved.
 - Shackling is necessary because the post-partem rooms are essentially unsecured, giving free access to nurses, orderlies, doctors and other personnel.
 - The women are shackled on the ankle over a gauze bandage to prevent chafing.
 - The chain is 15 feet long, giving them some degree of freedom of movement.
- On the problem of separating the women from their babies after 48 hours, thereby preventing any possibility of mutual bonding, it was explained to us that there was no room for a nursery in the jail and no realistic alternative to the present procedure.
- The committee reviewed three different programs: Houston House in Boston, Rose M. Singer Center in New York and Bedford Nursery, also in New York.
 - **Houston House.** Sponsored by Social Justice for Women, a non-profit agency dedicated to providing innovative treatment services to women involved with the Massachusetts criminal justice system, the program was conceived as an alternative to incarceration in the Framingham Prison, where nearly 100 pregnant women are sent each year to serve primarily short terms for nonviolent offenses. At Houston House 15 women share relatively spacious rooms, are given a room of their own once their babies are born, and are free to walk across the tree-shaded yard for appointments at the Dimmock Health Center.

"Prison is a horrendous place to be pregnant," said Betsey Smith, Director of Social Justice for Women. ". . . if we don't give aggressive rehabilitative care to these women now, we will pay for it in the future, both financially and socially." The nonprofit agency runs the house in cooperation with Beth Israel Hospital, which is connected with Harvard Medical School and the Dimmock Community Health Center, on whose grounds the house is situated. Money for the project, whose budget is \$834,000 a year, comes from the State Corrections Department, the City of Boston and private foundations.

Most of the women at Houston House were substance abusers. They usually come to Houston House six months before delivery so they can detoxify before giving birth and receive counseling for their addiction. While there, they are weaned entirely from drugs, and all of the babies born there have been drug-free. "Empowerment is the key," says Smith. "Pregnancy is maybe the most vulnerable time of a woman's life and it is a powerful motivator to change. For them it is the best opportunity to get clean." Women coming into the program must be within 18 months of parole, but willing to parent, and commit themselves to concentrated drug treatment. They are also required to spend at least two months at the house after their babies are born, bringing their average total stay to about nine months, about four months more than the average stay at Framingham Prison.

- **Rose M. Singer Center.** The Center is part of New York City's Department of Corrections. Its operation is similar to that of Houston House, with a capacity for 15 inmates who are allowed to keep their babies for up to one year. Prenatal and obstetric services are provided by Montefiore Hospital, and all babies born so far have been healthy and free of substance exposure. The operation is funded entirely by New York City's Department of Corrections.
- **Bedford Nursery of Bedford Hills New York State Prison.** In operation since the turn of the century, this state prison currently has 14 inmates with babies. They, too, are allowed to keep their babies for up to a year.
- Admission to a jail or prison nursery is a privilege in all three of the models cited. Only inmates on good behavior with a strong desire to nurse or nurture and bond with their child are given the privilege of being admitted.
- Sybil Brand Institute (SBI) does not have a nursery. It may be argued that having a nursery at SBI would not be practical because the jail is a "revolving door" type of facility where the average length of incarceration is a fraction over 15 days. On the other hand, some awaiting sentencing may stay for as long as two years, and some women may give birth even before being sentenced. Women whose term expires shortly after giving birth could either leave the nursery at that time, or be required, as in the Houston House program, to commit themselves for a stay of at least two months, even if that lengthens their sentence. These are administrative measures not for us to decide or recommend.
- We have been told by jail personnel that many women who are pregnant and addicted deliberately solicit a law enforcement officer to have themselves arrested because they see no other way of getting help, and that they do so even at the risk of losing their babies. Such desperate women might make good candidates for a jail-based nursery facility, plus no doubt many others now serving jail terms or awaiting sentencing.

- Aside from the humanitarian aspects, an additional, tangible benefit could be a reduction in the rate of recidivism experienced at most correctional institutions. An example of how learning to be a caring and effective parent can achieve this result of reducing recidivism is the Teaching and Loving Kids (TALK) Program in effect at SBI since 1987. The program allows jailed mothers (and fathers at Peter J. Pitchess Honor Rancho and Mira Loma) who are on good behavior to have weekly, close-contact visits with their children. In exchange for the privilege, the parent commits to a rigorous regimen that includes several hours in the classroom learning parenting and associated skills. Currently 22 mothers participate in the program at SBI. The recidivism rate for these prisoners is below ten percent, as compared to an estimated rate of well over 50 percent for all others. This is a remarkable success rate, even allowing for the fact that the number of inmates in the program is relatively small and consists of a selected group on good behavior and willing to make a commitment for their kids.
- We believe that similar results could be achieved when mothers are allowed to keep their newborn babies, but would emphasize that this should be done on a highly selective basis only. Psychologists agree that separating the infant from the mother after a relatively brief period of bonding could be more traumatic to the infant than allowing no bonding at all. Only those women who can be trusted to make an honest effort to stay out of trouble and take care of their child after release from jail should be admitted to the nursery. For these mothers and children the nursery could make a significant change for the better, mending and saving broken lives.
- The change would benefit society by saving public expenditures associated with the mother's potential recidivism, the child's foster care, and the pall the mother's record inevitably casts over the child's life, heightening the probability of another failed life burdening the public purse.
- County-owned vacant land suitable for building a nursery is available at Sybil Brand Institute for Women. Alternatively a nursery could be established at Mira Loma County Jail for Women, where a hospital facility already exists and space would be available.
- According to Robert L. Polakov, Director, Program Services Office, Los Angeles County Probation Department, the Probation Department, in cooperation with ICAN subcommittee on Community Corrections Facility, is developing a program to establish residential treatment and transitional living centers for pregnant women now in the county jail. The program may alleviate or eliminate such problem areas as drug-addicted babies, lack of mother-baby bonding, absence of transitional living skills, recidivism, drug abuse, and at the same time alleviate jail overcrowding. The program, called FAMILIES, seeks to establish three community corrections residential care facilities, of 100 beds each, located in different geographical locations throughout Los Angeles County, with sentenced pregnant offenders eligible as a condition of probation, and pre-sentenced offenders eligible as a condition of own recognizance release (OR).

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Board of Supervisors initiate a pilot project emulating New York's Rose M. Singer Center, a jail comparable to SBI, where pregnant incarcerated women can be detoxified and given prenatal care and be allowed to remain with their babies for two months after giving birth. This nursery could be located either at SBI or Mira Loma.
2. The Board of Supervisors give favorable consideration to the Probation Department's FAMILIES project.
3. The Los Angeles County Sheriff's Department appoint an officer to function as liaison with volunteer fund-raising organizations like "Friends Outside" who could help finance the project.
4. Family planning information be given to all female inmates before release.

D. EDUCATION OF SUBSTANCE EXPOSED CHILDREN

BACKGROUND

Los Angeles County has experienced a significant increase in the number of substance exposed children. In 1986, there were 915. In 1987 there were 1,619, and the estimated number in 1989 was over 3,000. The 1989-90 Grand Jury made recommendations that addressed the needs of these infants from prenatal exposure through school age. One recommendation was "that the County Office of Education develop uniform strategies with the local school districts and special education programs to better meet the needs of the substance-exposed infants entering the school system." Another was "that the County Office of Education improve training of teachers by bringing in specialists on the developmental impact of drug exposure as well as developing teaching strategies." The committee decided to follow up on these recommendations.

PROCEDURE

The committee visited two school sites that have ongoing classes for substance-exposed children: Lark Ellen Elementary School in the Covina Valley Unified School District, and Salvin Elementary School in the Los Angeles Unified School District. The Committee observed substance-exposed children in their classroom and playground and talked with teachers, administrators and support staff.

FINDINGS

Our findings were:

- The special education teachers at the schools we visited all had special training and reinforcement in substance-exposure awareness as a result of the 1989-90 Grand Jury recommendation. All were exceptionally patient, loving, caring, dedicated people. They had the unique capability of "not missing a stroke," even when outsiders interrupted their daily class routine.
- We observed 30 substance-exposed children; six in Covina and 24 in Los Angeles schools. According to the teachers, all 30 of the children have shown continuous progress. Fifteen pupils will be mainstreamed the next school year. They are deemed capable of attending public school in a regular classroom for all or a portion of the day. These children will attend a school located near their homes. At present they are transported to special schools outside their immediate neighborhoods.
- In these special classes, the ratio is one adult for three pupils. Individual attention is the key to success and continued pupil growth. It was strongly emphasized that pupil success is enhanced by parent participation, and collaboration by teachers, administrators, and support staff.
- A qualification for the children attending Salvin School is that they must be free from medications. At Lark Ellen School, two pupils were on medication for severe hyperactivity.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Los Angeles County Superintendent of Schools be authorized to design educational programs to meet the needs of substance-exposed children and youth. Special-needs children must be carefully screened and identified. Proper placement is essential.
2. Future grand juries be requested to monitor the education programs provided for substance-exposed children, with special emphasis on quality and availability of these programs.

E. EMANCIPATION OF FOSTER YOUTH

BACKGROUND

The Foster Care Program has been one of our committee's main concerns. We attended many meetings, visited numerous sites, and read the literature on foster care, but found little information about the emancipation into adult independence of the youth.

Approximately 2,000 young adults between the ages of 16 and 18 are in the Foster Care Program in Los Angeles County. Three years ago, in order to comply with federal and state requirements, the county implemented the Independent Living Program which prepares youth for emancipation.

The 1989-90 Grand Jury initiated a study titled, "A Study of the County's Efforts to Prepare Minors in its Care for Emancipation." Our Committee decided to follow up on recommendations 4 and 10 which read as follows:

"4. **Financial Eligibility Requirements.** The Grand Jury recommends that the Board of Supervisors and the Department of Children's Services seek changes in the federal eligibility requirements that would allow foster youth to accumulate savings in excess of \$1,000 in anticipation of their eventual emancipation."

"10. **Access to Vocational Training Programs.** The Grand Jury recommends that the Department of Children's Services, as part of the Independent Living Program, coordinate and facilitate the access of foster youth to Regional Occupational Programs."

PROCEDURE

During our site visit to MacLaren Children's Center, we asked Department of Children's Services staff and school staff about their procedure of preparing older youth for emancipation. We also conducted a telephone interview with Sharyn L. Logan, Chief, County Services, Bureau of Protective Services, Department of Children's Services Administrator, regarding the Independent Living Program.

FINDINGS

Our findings were:

- According to Sharyn Logan, recent legislation has been passed that increases the financial eligibility of emancipating youth from the \$1,000 limit to \$5,000 without jeopardizing their medical coverage. The increased amount will enable the youth to make more adequate financial preparations for their emancipation.

- MacLaren Children's Center has changed their educational curriculum to include a Regional Occupational Program; thus they are preparing their older youth for job awareness. The Regional Occupational Program is a state-supported job and occupational work skills training program with over 120 available program units.
- The Independent Living Program is a voluntary program that provides educational services, including counseling and training, to prepare youths for the transition into adulthood and independent living. It stresses job and career development information, financial and budgeting information, health counseling, resumes, availability, and training resources. The Independent Living Program was implemented in the county three years ago. In 1988-89, 806 young adults between the ages of 16 and 18 participated in it.
- The Independent Living Program should be the source of the emancipating youth's financial independence. If the youth cannot sustain financial stability, she or he can qualify for Emergency General Relief.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The Department of Children's Services change its Independent Living Program from voluntary to mandatory status in order to prepare more young people for emancipation.
2. The 1991-92 Grand Jury thoroughly study the effectiveness of the Regional Occupational Program.

APPENDIX

Neighborhood One Stop

Persons Interviewed

Sharon Watson, Association of Children's Services Agencies
Sid Gardner, Independent Consultant, Lecturer UCLA, author
Deanne Tilton and Penny Weiss, Inter-Agency Council on Child Abuse and Neglect (ICAN)
Kathryn Smith, RN, MN, Public Health Nurse Specialist/Community Care Coordinator, National Center for Case Management
Karen Strickland, Governor Wilson's staff involved in the Healthy Start proposal
Wes Beers, California Department of Social Services
Gene Gilden, Children's Services Administrator, Audits and Appeals, Los Angeles County Department of Children's Services
David Fleming, Chairman, Los Angeles County Blue Ribbon Children's Services Planning Committee
John Campbell, staff to the Los Angeles County Economy and Efficiency Commission
Charlene Saunders, Dependency Court Administrator, Los Angeles County Juvenile Dependency Court
Maria Sesma Sooy, Acting Director of the Focus on Youth Program, Los Angeles Educational Partnership
Elizabeth Lowe, Helen Kleinberg, Lula Meshack, Children's Services Commission
Vivian Weinstein, Child Development Consultant
Greg Mathison, private consultant in human services with McDonnell Douglas Corp.
Peter Digre, Director, Los Angeles County Department of Children's Services
Luisa Moore, Deputy Director, Los Angeles County Department of Children's Services
Dr. Lu Hishmeh, Administrative Consultant, Los Angeles Unified School District
Pam Wagner, PHN, Barry Mostovoy, Joan Paton Acosta, Ph.D., Los Angeles Unified School District
Laura Coulthard, Administrator of the Sacramento County Multi-Disciplinary Interviewing Center (MDIC)
Cynthia Marshall, Cities in Schools in Sacramento
Art Bolton, UC Berkley Family Welfare Research Group
Brian Cahill, Director, Hathaway Children's Services
Stacey Savelle, Supervisor, DCS Regional Office
Saundra Turner-Settle, Director of the Black Family Investment Project, DCS
Jeannine English, Little Hoover Commission (California Commission on State Government Organization and Economy)
Dianne Nunn, attorney with the California Judicial Council
Judge Paul Boland, former Presiding Judge of the Los Angeles County Dependency Court
Connie Roberts, Ron Ottinger, Linda Carstens, et. al., the San Diego County New Beginnings Project
Elaine Parker-Gill, Cities in Schools in Inglewood
Gail Abarbanel, Stuart House
Manny Castellanos, Enrich Program of the Venice Family Clinic
Daniel Jordan, Ph.D., Director of Systems Evaluation, Ventura County Mental Health
C. Fay Graef, Head Start Supervisor, U.S. Department of Health and Human Services
Patricia Keenan, Community Relations Specialist, Children's Network of Solano County
Julia Koppich, Associate Director, Policy Analysis for California Education (PACE)
Jeffrey Stover, Executive Director, Fresno Tomorrow, Inc.

Site Visits

Stuart House
Black Family Investment Project
DCS Regional Office
San Diego County New Beginnings The Enrich Program of the Venice Family Clinic
Los Angeles Educational Partnership Focus on Youth Program
Cities in Schools Inglewood
Center for Automated Case Management for Chronically Ill Children in Los Angeles County
Ventura Mental Health Planning Model
Sacramento County MDIC

Interagency Collaboration & Cooperation

Persons Interviewed

Judge Jaime Corral, Presiding Judge, Juvenile Department, 1991
Robert R. Achterberg, Deputy Director, DCS
Helen Ramirez, Assistant Director, DCS
Helen Maxwell, Director, MacLaren Children's Center
E. Louise McLaughlin, Black Family Specialist, Black Family Investment Project, DCS
Alma F. Fowlkes, Children's Services Administrator, DCS
Pius Airen, Children's Social Worker, DCS
Eddy S. Tanaka, Director, Department of Public Social Services
Jacob R. Aguilar, Division Chief, AFDC/Refugee, DPSS
Kitty Cooper, Assistant Program Deputy, AFDC, DPSS
Ray Garcia, Director, Planning & Development, DPSS
Kent Paxton, Children's Network Officer, San Bernardino County
Robert E. King, Cities in Schools, Los Angeles
Gloria L. Waldinger, School of Social Welfare, UCLA
Mary M. Emmons, Executive Director, Children's Institute International
Donna H. Smith, Director, Therapeutic Day Care, Children's Institute International
Hans M. Cohn, Executive Director, Rosemary Cottage, Pasadena
Phil Ansell, Social Services Union, SEIU Local 535, Los Angeles
Karen Weiss, Member, 1989-90 Grand Jury Committee on Jails & Children's Services
Doris Meyer, TALK Program, Sybil Brand Institute for Women
Lois Wainstock, Director, National Center for Case Management & Automation
Jackie Goldberg, President, Board of Education, LAUSD
Jacquelyn McCroskey, USC School of Social Work
Wendy Lazarus, Children NOW, Los Angeles
Jane Pisano, President, 2000 Partnership, Los Angeles
Cecilia M. Sandoval, Vice President, United Way, Los Angeles
Cecil Steps, Chief Probation Officer, San Diego County
Celeste Kaplan, President Emeritus, Children's Roundtable

Articles & Reports

- Second Annual Report on Children at Risk and Three-Year Plan Update, 1990, Children's Network of San Bernardino County
- Interagency Protocol: San Bernardino County Children's Network, December, 1988
- San Bernardino County Children's Network: Definition of Children at Risk; Components of Children's Network; Minutes of the Board of Supervisors, April 23, 1990 and Resolution 90-178, creating San Bernardino County Children's Network
- The Contribution of School Health Services to Increased Academic Performance, A report submitted to the Los Angeles Unified School District Board of Education by Samuel P. Martin, Gordon McAndrew, and Philip J. Porter, December 1990
- Los Angeles County Juvenile Dependency Court Drug and Alcohol Abuse Task Force: Community Center Concept, January 1991
- Los Angeles Roundtable for Children: Private Sector Services for Families and Children in Los Angeles County, February 1991
- Ten Reasons to Invest in Families of California: A 1990 report by the County Welfare Directors Association, Chief Probation Officers Association, and Mental Health Directors Association
- The Right Start for California's Children: 1990 Report Card, Children NOW
- Los Angeles Educational Partnership: School Readiness Project, February 1991 update

Giving Birth in Jail

Persons Interviewed

- Lt. Dennis Burns, Sybil Brand Institute for Women
- Captain Dennis Dahlman, Los Angeles Sheriff's Department
- Joan Devereaux, Supervisor, Volunteer Services, Nursery, Bedford Hills Correction Facility, New York
- Ruth Galvin, Ph.D., Social Justice for Women, Boston, Massachusetts
- Lt. Linda Healy, Planning and Research Unit, Los Angeles Sheriff's Department
- Judy Howard, M.D., UCLA Intervention Program
- Doris Meyer, La Puente-Hacienda Unified School District
- Deputy Sara Stalkus, Aide to Warden Robert Brennan, Rose M. Singer Center
- Geneva Woodruff, Ph.D., Boston, Massachusetts

Articles

- The Boston Globe*, "A new life for pregnant prisoners," by Sally Jacobs, July 26, 1989
- The New York Times*, "Experimental Program for Mothers in Prison," August 30, 1989
- The Boston Globe*, "Program for pregnant convicts receives presidential award," January 11, 1990
- San Gabriel Valley Tribune*, "Prenatal care eyed for inmates at Sybil Brand Institution," by Vicky Smith, September 25, 1990

Substance Exposed Infants

Persons Interviewed

Carolyn Coffee, Baldwin Park Unified School District, Program Specialist/School Pyschologist
D.D. Despard, Covina-Valley Unified School District, Program Specialist/School Psychologist
Julie Caston, Special Education Teacher, Lark Ellen School, Covina-Valley Unified School District
Richard Mooneyham, Acting Principal, Lark Ellen School, Covina-Valley Unified School District
Jerry Weyer, Principal, Salvin School, Los Angeles Unified School District
Mary Jones, Special Education Teacher, Salvin School, Los Angeles Unified School District
Marci Schoenbaum, Special Education Teacher, Salvin School, Los Angeles Unified School District
Carol Kote, Special Education Teacher, Salvin School, Los Angeles Unified School District
Deborah J. Johnson, School Social Worker/Student Health Services Division, Los Angeles Unified School District

Emancipation of Foster Youth

Persons Interviewed

Sharyn L. Logan, Chief, County Services, Bureau of Protective Services, Department of Children's Services
Helen Maxwell, Director, MacLaren Children's Center
Devon Tufts, Principal, MacLaren Children's Center School

AD HOC COMMITTEE





LESLIE DAYE
CHAIR



SUZANNE PROCTOR
CHAIR



HARRY KAUFMAN



JUSTINA RAMIREZ



ROBERT VOGEL

AD HOC COMMITTEES

INTRODUCTION AND SUMMARY

The Grand Jury approved appointment of two Ad Hoc Committees, review in early July and parking in mid-October. The Foreman assigned the tasks described below to these committees.

Review of Past Grand Jury Recommendations.
Grand Jury Parking Services

A. REVIEW OF PAST GRAND JURY RECOMMENDATIONS

BACKGROUND

On July 10, 1990, the Foreman appointed an Ad Hoc Committee to review grand jury recommendations and responses from the Board of Supervisors and various departments for the prior five years. The purpose of the review was to examine previous areas of study that eliminate a duplication of work, and, in the case of recommendations that had not been implemented, to suggest possible areas of work for this Grand Jury.

The review committee was disbanded on July 25, 1990. The results of the review are on file in the Grand Jury Office for the use of future grand juries.

PROCEDURE

1. Each committee member was assigned to review two final reports and two related comments and findings reports from the Los Angeles County Chief Administrative Officer.
2. A list of the recommendations was prepared and areas of work were offered as suggestions to the Grand Jury committees.

FINDINGS

In its review, the committee found that the Board of Supervisors and the Chief Administrative Officer gave thoughtful consideration to the recommendations, and where recommendations were not implemented, it was usually due to budgetary constraints or lack of jurisdiction.

In addition, the committee noted that the non-implementation of recommendations was sometimes predicated on the fact that changes were already in progress.

However, the committee's review did reveal that some county departments and/or special districts tend to be targeted for study on a yearly basis.

RECOMMENDATIONS

The Grand Jury recommends:

1. Succeeding grand juries follow a similar procedure in deciding areas to investigate.

B. GRAND JURY PARKING SERVICES

BACKGROUND

A new parking plan was implemented by Los Angeles County on October 1, 1990. Grand jurors were issued unassigned spaces in Lot 18, Upper Level, near the Hall of Administration. The committee sought assurances of space availability and appropriately classified grand jury budget charges for parking fees.

PROCEDURE

After completing our review of the new parking plan (Lot 18) we sent a letter containing three questions to Mr. Richard B. Dixon, Chief Administrative Officer (CAO), dated November 14, 1990, regarding: 1) space availability; 2) budget charges; and 3) alternate sites. The committee sent a letter on December 10, 1990 to Supervisor Peter F. Schabarum requesting his assistance in obtaining a response from Mr. Dixon.

FINDINGS

A response was received on January 4, 1991. In summary, the CAO reiterated that grand jurors will not be asked to pay any portion of the \$25.00 per month assessment per juror for using Lot 18 and will always be guaranteed a space to park.

Additionally, a CAO analyst explained that while the \$25.00 per month per juror figure was "arbitrary," the monies allocated from the services and supplies category (by state law and local ordinance) for parking fees are used by the transportation fund of the Labor-Management Advisory Committee to further the programs under the new parking plan and commuter program. The continuing proliferation of unauthorized parking (abuse of decals and identification cards) is to be addressed by a renewed enforcement program of parking services to begin on March 11, 1991. The effects have not yet been demonstrated.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Instruct the Public Safety Division to halt the proliferation of reserved parking spaces which have reappeared in Lot 18.
2. Consider providing parking in an area closer to the jury meeting room, since a grand jury usually is comprised of older, retired people who may have difficulties with the long walk to the present parking area.
3. Adhere to the Disability Act of 1990, by providing the disabled with parking and transportation from the parking structure, thus encouraging the full participation of disabled persons in applying for grand jury service.

The Parking Ad Hoc Committee concluded its business on March 7, 1991.

APPENDIX

Parking Services

Persons Interviewed

Richard B. Dixon, Chief Administrative Officer
Michael J. Henry, Chief, Public Safety Division
Internal Services Department, Administrators and Parking Services
Debbie Lizarri, County Analyst
Ed Bunning, Superior Court Liaison
Evelyn M. Gutierrez, Director, Office of Special Programs
Ms. Kim Boatman, Office of Special Programs
Office of Congressman Edward R. Roybal
Office of Assemblyman Richard G. Polanco

Documents Reviewed

Internal Services Department Lot 18 Parking Plan, October 1, 1990
1990-91 Grand Jury Budget (by classification)
County (bi-weekly) Digest (August 15, 1990; January 4, 1991)