

LOS ANGELES COUNTY



GRAND JURY FINAL REPORT 1994-1995

**FINAL REPORT
LOS ANGELES COUNTY GRAND JURY
1994-95**



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ACKNOWLEDGMENTS

We wish to extend our appreciation for the valuable assistance provided by the Professional staff in our office. Without their instruction, guidance and overall experience, our operation as a Grand Jury would have been extremely difficult.. Out thanks go to Legal Advisor Terry L. White, Investigator Dennis Duarte, Court Reporter Richard Colby, Bailiff Timothy W. Fox and to Secretary Kathy Spann for their help.

1994-95 Grand Jury Members

**In Memoriam
Fellow Juror**

**Mike N. Repovich, Sr.
1919-1995**



1994-95 GRAND JURY

BACK ROW (from left): Francisco Ramirez, Burt Schultz, William I. Goldstein, Susan P. Burnett, Manual M. Roxas, Inell Warren, Max Diamond, Jean I. Kuder, William C. Beggs, Jane W. Arterbury and Peter J. Scalia.

FRONT ROW (from left): Richard Parsell, Edward S. Kwinn, Mary Lou Bangar, Hallie B. Lawson, Melvin Ferber, Ernesto F. Mendez, Barbara L. Stutes, James A. Froede, William D. Mitchell, Maxine S. Touff, Carol A. Smithberg and Bruce E. Emerson.

1994-95 GRAND JURY ROSTER

OFFICERS

Ernest F. Mendez, Foreman
Richard C. Parsell, Foreman Pro Tem
Susan Burnett, Secretary
Maxine S. Touff, Secretary Pro Tem
William C. Beggs, Treasurer
Carol Ann Smithberg, Parliamentarian
Inell Warren, Sergeant-at-Arms
Bruce E. Emerson, Sergeant-at-Arms Pro Tem

MEMBER

COMMUNITY

Jane W. Arterbury	Los Angeles
Mary Lou Bangar	San Gabriel
William C. Beggs	Rancho Palos Verdes
Susan Burnett	Pasadena
Max Diamond	Santa Monica
Bruce E. Emerson	Los Angeles
Melvin Ferber	Encino
James A. Froede	Sierra Madre
William I. Goldstein	Beverly Hills
Jean I. Kuder	Long Beach
Edward S. Kwinn	Playa del Rey
Hallie Batiste Lawson	Altadena
Ernesto F. Mendez	Arcadia
William D. Mitchell	Los Angeles
Richard C. Parsell	Los Angeles
Francisco Ramirez	Baldwin Park
Mike Repovich*	Pasadena
Manuel M. Roxas**	Glendale
Peter J. Scalia	Claremont
Burt Schultz	Lakewood
Carol Ann Smithberg	La Puente
Barbara Stutes	Reseda
Maxine S. Touff	Los Angeles
Inell Warren	Inglewood

*Deceased

**Resigned 5/5/95

GUEST SPEAKERS

David Bacharowski, CA Regional Water Quality Board
Frederick Bennett, Assistant County Counsel, Los Angeles County
Sherman Block, Sheriff, Los Angeles Sheriff's Department
Harland Braun, Defense Attorney
Deane Dana, Supervisor, Los Angeles County Board of Supervisors
Dr. Shirley Fannin, Director, Disease Control Programs, Department of Health Services
Gil Garcetti, District Attorney, Los Angeles County
Robert C. Gates, Director, Department of Health Services
Michael Judge, Public Defender, Los Angeles County
Edward Kritzman, Executive Officer/Clerk, Administratively Unified Courts
Andy Lipkis, President, TreePeople
William Loos, M.D., Medical Director, Department of Health Services
Cecil J. Mills, Supervising Judge, Criminal Division, Los Angeles Superior Court
Barry Nidorf, Chief Probation Officer
Jerry Oliver, Chief, Pasadena Police Department
Ruben Ortega, Justice, Appellate Court
William G. Ouchi, Chief of Staff, Mayor's Office
Sally Reed, Chief Administrative Officer, Los Angeles County
Willie L. Williams, Chief, Los Angeles Police Department

SITE VISITS

Appellate Court
Department of Coroner
Harbor/UCLA Hospital
LAC+USC Medical Center
Peter J. Pitchess Honor Rancho
LeRoy Haynes Boys Home
Los Angeles County Men's Central jail
Los Angeles Police Department Academy
Los Angeles Sheriff's Department Crime Lab
Martin Luther King/Drew Medical Center
Peter J. Pitchess Honor Rancho
Rancho Los Amigos
Sybil Brand Institute

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This Committee was formed to oversee the safety of the seated Grand Jury in case of an emergency occurring in the Criminal Courts Building.

FOREMAN'S STATEMENT

The 1994-95 Los Angeles County Grand Jury is pleased to present this Final Report to the Presiding Judge of the Superior Court, to the Los Angeles County Board of Supervisors, and to the citizens of Los Angeles County.

We hope that it embodies the standards of excellence that are traditionally expected of the Grand Jury and that it is reviewed with the same diligence and objectivity with which it was prepared.

This Final Report reflects the "tip of the iceberg" of the total time spent by the Grand Jury this past year: Only the work in civil oversight is included herein. Unreported and unpublicized is the work accomplished in the area of criminal indictments, which accounted for 80 percent of the total time spent during a full, five-day week schedule.

For legal reasons, we may not mention any of the multitude of criminal cases that came before us. It suffices to say that we have heard 50 cases; issued 41 indictments against 200 individuals; and heard sworn testimony from 550 witnesses, creating more than 18,000 pages of testimony.

The vast amount of hearings, testimony and deliberations demanded over 1,000 hours from each grand juror over the course of the year. The hundreds of hours required for meetings and investigative work in the areas of civil oversight had to be squeezed out of our full schedule on a catch-as-catch-can basis: early mornings, lunch periods, after hours, and some weekends.

Last July 1, when we took our oath and charge as the 144th Grand Jury in the history of Los Angeles County, it was more than a promise to fulfill our duties by working within the framework of applicable laws, rulings, codes, and guidelines. We also took up a challenge: Whether our panel of 23 could work together in harmony as a team, interacting with many departments, officials, and representatives in a spirit of cooperation and achievement to attain our goals.

We hope that we succeeded in meeting that challenge. The ensuing paragraphs reflect the Grand Jury's acknowledgement and appreciation to all those who contributed and helped us fulfill our pledge to our county and its citizens -- within budget and on time.

We would like to express our gratitude to the judges of the Superior Court for granting us the honor of serving on the 1994-95 Grand Jury and for providing us with the opportunity and the challenge to serve our county. We especially thank Supervising Judge Cecil J. Mills who "baptized" us as grand jurors by giving us our oath and reading our charge as officers of the Superior Court, and who guided and counseled us for the first six months of our term. We also especially thank Supervising Judge James A. Bascue who continued that tradition of guidance and counsel for the last six months and for his invaluable assistance and support during the preparation of this Final Report. We also want to thank Presiding Judge Robert Mallano and Presiding Judge Gary Klausner as well as Judge Aurelio

Muñoz, Chairman, Grand and Trial Jurors Committee for their roles in our selection and impanelment and for their continued counsel and support of this Grand Jury.

Our sincere thanks to the offices of the District Attorney, Health Services, Coroner, Sheriff, Superior Court, County Counsel, Water and Power, Metropolitan Water District, Department of Public Works, and Army Corps of Engineers for their guidance and assistance throughout the year. The grand jurors were very impressed with the many officials and representatives of those agencies and departments who we had the pleasure of meeting as guest speakers, in visiting committees or during our numerous field trips. We believe that the citizens of Los Angeles County can be proud of them and of the important work they perform in our county government, especially during periods of budgetary cuts, which are so stressful and understandably, morale-lowering.

To a person, the grand jurors agree that we inherited a very professional and capable Grand Jury staff who worked diligently all year long and guided us every step of the way: Thanks to Mr. Terry L. White, our Legal Advisor, for always being there to provide the much needed counsel and advice; for his interpretation and explanation of the law, and for his diligence in maintaining the legal integrity of the proceedings. Thanks to Ms. Kathy Spann, our Staff Secretary, for providing us with her excellent secretarial and office management skills gained from long experience, and for her amiable cooperation with each member of the Grand Jury. Her advice, help, and cooperation was especially needed and welcomed during the arduous period of preparing this Final Report. Thanks also to Mr. Dennis Duarte, Senior Investigator with the District Attorney's Office assigned to the Grand Jury, for all the diligent and dedicated investigative work he performed during our term. Kudos also to our Court Reporter, Mr. Richard Colby, for so efficiently recording and transcribing over 18,000 pages of testimony. Many thanks also to our Grand Jury Bailiff, Deputy Timothy W. Fox, for his diligence in maintaining security and discipline in the Grand Jury offices and for the many other tasks he performed graciously for the Grand Jury. We are all very impressed with each of our staff members and feel that their expertise and diligence served as the cornerstone to accomplishing our work.

As for the members of the Grand Jury, if we were successful in "getting the job done," it was because each one of you made a unique and valuable contribution to achieve the ends. Whether you are inclined by nature to be a leader or a follower; active or passive; a consenter or a dissenter; you played a worthy role: Each one of you served to give our panel the proper balance and perspective necessary to succeed with honor and dignity.

Whatever degree of success this Grand Jury may have achieved in the area of civil oversight, it is due primarily to the outstanding performance of the various committees and respective chairpersons, who provided the momentum and direction necessary to bring their findings to a productive conclusion. We hereby acknowledge each committee chairperson for their perseverance and dedication, and thank them for "a job well done."

Our special thanks to the Foreman Pro Tem of the Grand Jury for his invaluable assistance, advice and expertise in every facet of our work; for his leadership as a chairperson of the Government Operations Committee, and for so ably chairing the panel on citizens complaints. Also our special

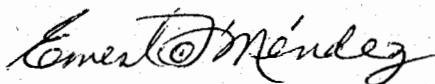
thanks to the Treasurer of the Grand Jury who also served as a chairperson of the Audit Committee, for his outstanding role as coordinator between the Grand Jury and our very capable contract auditor, the Harvey M. Rose Accountancy Corporation and for his leadership in all budget and fiscal matters.

The Grand Jury Secretary also deserves our special thanks for her excellent performance in the keeping of the minutes of all the general sessions and executive meetings; for aptly recording the volumes of hearings documentation throughout the year, and for her affable interfacing with the Grand Jury staff. Another Grand Juror deserving our special thanks is the Sergeant-at-Arms for her diligent work in the hearing room and on field trips, and for looking after the needs of the hundreds of witnesses and guests that appeared before us. She, like the Grand Jury Secretary, played an important role in our conduct and the perception others have of us as a Grand Jury.

Our special thanks also to the chairperson of the Edit Committee, whose job it was to oversee the completion and editing of all the written material making up this Final Report. Her hard work and dedication enabled us to meet the rigorous requirements and deadlines demanded by such a project.

To my fellow grand jurors I can only say that serving with each one of you has been one of the intensest joys of my career. For your wisdom, diligence and search for truth, I enthusiastically commend you. For your advice, criticism, patience, and support; for allowing me the privilege to serve with you as an "equal amongst equals;" and for giving me the opportunity, alongside you, to "do OUR duty," I sincerely thank you.

Respectfully submitted,



Ernesto F. Méndez, Foreman
1994-95 Los Angeles County Grand Jury

TREASURER'S REPORT

INTRODUCTION AND SUMMARY

The 1994-95 Grand Jury elected a Treasurer to operate for the term. The duties were to oversee the budget of the Grand Jury, to assist the Superior Court Budget Officer in the budget review process and act as an advocate for the Grand Jury with the County Chief Administrative Officer and Board of Supervisors with regard to allocation of available resources. The Treasurer was also a member of the Grand Jury executive committee, and acted as chairman of the Audit Committee.

PROCEDURE

During the course of the fiscal year it became evident that budget reductions would be necessary for all county departments. The Grand Jury was informed in March 1995 that strong efforts must be made to accomplish a three percent or more reduction in expenses for the fiscal year. Subsequently the Grand Jury curtailed long distance telephoning, unnecessary juror attendance and returned unused auditor funds remaining at the end of the term to try to meet this request.

Attempts by the Board of Supervisors to reduce budgets for the fiscal year 1995-96 have included a possible reduction in the Grand Jury budget of from 10 to 20 percent. The Treasurer, acting as spokesperson with the Foreman, stated the case for the Grand Jury before the Board of Supervisors, showing that the indictment hearing process saves the county at least half the cost of holding preliminary hearings in the municipal courts. The great value of the civil investigations performed by the Grand Jury to the County and its cities was pointed out, using as an example the "Original Funding Source for the Los Angeles Study" described elsewhere in this report, as an example of the large amounts of potential savings uncovered.

FINDINGS

The Treasurer and the Foreman participated in quarterly budget and expenditure reviews with supervisors of the Superior Court Budget Section. It became evident that tracking of expenditures might be difficult to use as a management tool since expenditures appeared to be posted only quarterly, and hence, the Grand Jury would have to keep internal track of the controllable monthly expenses. This was a variance with the ability of financial tracking systems employed in private industry which typically are updated weekly or, at worst, monthly. From discussions with Superior Court Budget personnel it appeared that this problem might well be endemic to the County system. The issue was suggested to the Government Operations Committee for their possible action.

During the year a study was initiated to investigate the adequacy of the present Grand Jury fee structure of \$25 per day plus transportation, which has been in place without change since 1972, through at least two cycles of high inflation. As part of this study the Jury Commissioner was

interviewed to determine precedent, justification and the statistics of the makeup of the Grand Jury over the years. The 1994 Citizens Economy and Efficiency Commission Report on jury management was studied and the issues discussed with the executive director. Some attempts were made to discover Grand Jury fees in typically large areas around the country as well as for Federal Grand Juries. Although these studies were not completed during the term, it appears that some increase in juror's fees should be made in the near future to attract a wider range of juror backgrounds.

Presently the one year-five days a week requirement for the Los Angeles County Grand Jury, all but precludes any but retirees and financially independent people as jurors.

RECOMMENDATIONS

Retain or expand the budget for contract auditor assistance to the Grand Jury (contained in their discretionary budget), in meeting the civil investigation mandates.

Raise the grand juror fees to account for the significant inflation from 1972, when the existing fee was set, to better meet the mandate to widen the pool of prospective jurors willing and able to serve on the jury.

AUDIT COMMITTEE

MEMBERS

William C. Beggs, Chairman

Susan Burnett

William I. Goldstein

William D. Mitchell

Richard C. Parsell

Manuel M. Roxas

AUDIT COMMITTEE

INTRODUCTION AND SUMMARY

Under the California Penal Code the Grand Jury is empowered to investigate the fiscal and performance activities of the County and City Departments and Special Districts. It has the authority to engage outside consultants and audit firms to assist in these investigations. This year the Grand Jury devoted about 80 percent of its time to criminal hearings, leaving only 20 percent to pursue civil investigations. Due to time constraints, it was imperative that an audit firm be retained to assist the Grand Jury in this area.

The six member Audit Committee of the 1994-95 Grand Jury was formed to select an outside audit firm able to understand and respond quickly and efficiently to the Grand Jury needs. The selected firm must have the expertise and depth to perform a number of financial, performance and management audits over the entire spectrum of county agencies.

Upon selection of the audit, the Audit Committee managed the audit activities from a cost and performance standpoint, providing the interface with the Grand Jury investigative committees.

PROCEDURE

The process of finding an audit firm began early in July, with the intent to be under contract by mid August of 1994 at the latest. It was decided that invitations to bid would be limited to no more than six firms. Proposals received by the previous Grand Jury were examined. Jurors from that year contributed comments on the performance of the firm they used. This was augmented by a selection from Dun & Bradstreet of firms appearing to have highly rated qualifications and abilities to function in the Southern California area. Invitations to bid were then sent to Coopers and Lybrand, EDS Management Consulting Services, Harvey M. Rose Accountancy Corporation, KPMG Peat Marwick, Leventhal and Co., and Price Waterhouse (last year's audit firm).

Proposals were received and oral presentations made to the committee by all but Leventhal and Co. One other firm, Ernst and Young LLP, requested a chance to bid and was allowed to propose. Firms were graded on the quality of their proposal and presentation, personnel proposed for the team, previous experience with the kind of audits expected, cost and proximity of team and principals.

The committee selected the Harvey M. Rose Accountancy Corporation which was approved by the Grand Jury. The committee then assisted the Grand Jury Legal Advisor and the County Counsel in drawing up the contract, particularly with regard to ensuring a proactive role for the Audit Committee and with integrating the firm's proposal with the Grand Jury requirements. The contract was signed September 16, 1994.

The Audit Committee's operational role, defined early in the term, included:

1. The Audit Committee interacts directly with the contract auditor on all contractual matters, including individual audit approval, tracking, and completion.
2. The Audit Committee, in conjunction with an investigating committee, works closely with the auditor during the process of defining the scope of an investigative topic.
3. Scope changes to the auditor contract are negotiated only by the Audit Committee after discussion with the auditor and concerned chairman and, if substantial, approved by the Grand Jury.
4. Telephone or person-to-person contacts with the auditor should be limited and discussed with at least the Audit Committee chairman.
5. Meetings with the auditor shall be scheduled by the Audit Committee.
6. When a topic has been approved by the Grand Jury for investigation, the Audit Committee will negotiate the task contract subject to final approval by the Grand Jury.
7. During the course of an audit investigation, regular status/progress reports will be made by the auditor to the Audit Committee and then transmitted to the concerned committee and in summary to the Grand Jury.
8. Direct contacts between the concerned committee members and the auditor are generally limited to the committee chairman or a designated spokesperson. Interactions of substance shall include a representative of the Audit Committee.

As the program developed it became evident that status reports on all topics under investigation by the auditor would be required at least every other week. This was agreed to and implemented by the auditor, and written reports followed the next working day by oral presentations.

Completed investigation reports were delivered by the auditor in essentially finished form; i.e., in the same processor format used by the Grand Jury and including delivery of a compatible diskette as well as printed copies. For those reports too lengthy to be included in the final report direct, the auditor prepared an executive summary.

FINDINGS

A total of ten investigations were undertaken with the auditor. One was terminated before completion. Several were expanded from preliminary studies. Full copies of each completed investigation are available for the public in the Grand Jury Office. The investigations and the responsible committees were:

1. Preliminary Analysis of Services Provided by the Sheriff's Department to County Municipalities (Government Operations).
2. Initial Domestic Violence Programs and Service Investigations-Preliminary Study (Criminal Justice).
3. Original Funding Source for the Los Angeles Airport (Government Operations).
4. Review of Water Management Policy Alternatives (Environmental Services).
5. Review of Court Practices, Citrus Judicial District Model, Judges Training and legislation with Regard to Domestic Violence (Criminal Justice).
6. Review of Resources for Domestic Violence (Criminal Justice).
7. Analysis of Backlog in Hospital Outpatient Clinics (Health Services).
8. Review of County Services for the Homeless with Psychiatric Disabilities (Health Services).
9. Covina Valley Unified School District Building Safety and Maintenance Practices (Human Services).
10. Review of Los Angeles County Financial Tracking and Management Control-Limited Study (Government Operations).

RECOMMENDATIONS

The Grand Jury recommends to the Board of Supervisors:

1. Resist any further reductions in the audit budget for the Grand Jury. The vital function of the Grand Jury to act as the County Government civil watchdog, needs the expertise of a professional auditing firm if it is to be fulfilled. The Grand Jury is made up of ordinary citizens from the community. Together, they can bring a balanced sense of the county's needs while the contract auditor provides the necessary technical support.
2. To improve understanding and dialog between the Grand Jury and Board of Supervisors, the Supervisors should meet with the Jury early in the Jury's term and as needed thereafter.

Recommendations to the 1995-96 Grand Jury are:

1. Organize into committees early in the term, particularly the Audit Committee.
2. Complete selection of the auditor firm before the end of the second month;
3. Settle on the areas to investigate which need the auditors assistance early in the year, tempered by the need for clear cut goals and well thought out planning;
4. Publish critical investigation reports upon completion to improve chances for responses during the Jury's term; i.e., don't wait until the end of the term final report. Topical reports will get the attention they deserve and should improve dialog with the Board of Supervisors and Chief Administrative Office;
5. Patience by the investigating committee during the audit process. In the early stages of an audit investigation the concerned committee should not be discouraged by an apparent lack of progress. This is usually because the audit is accumulating background information. Once this is accomplished, progress towards the stated goals is usually quite rapid.

CRIMINAL JUSTICE COMMITTEE

MEMBERS

Melvin Ferber, Chairman

Jane W. Arterbury

Susan Burnett

Jean I. Kuder

Hallie B. Lawson

William D. Mitchell

Peter J. Scalia

CRIMINAL JUSTICE COMMITTEE

INTRODUCTION

The principal activities of the Criminal Justice Committee included:

1. In July, 1994, the committee decided to concentrate on a single subject for its final report -- a study of domestic violence.
2. The committee reviewed all citizens complaints against the criminal justice system which were addressed to the Grand Jury. These complaints alleged unlawful activities of individuals, officials, or organizations. The committee met with some Los Angeles County officials, and had the jury's investigator assist in obtaining available pertinent legal documents, testimony, and information. When this was satisfactorily completed, all complaints were addressed.

For many months committee members met with victims, social workers, government officials, etc. trying to narrow this large topic into specific areas of investigation.

The committee met with Gil Garcetti, Richard Burns, Scott Gordon, and Lydia Boden from the District Attorney's office; Judges interviewed were Cecil Mills, James Bascue, Dan Thomas Oki and Reuben Ortega. Carol Arnett, Scott Gordon and Alan Bowman from the Domestic Violence Council; Mitch Robbins, Los Angeles Police Department, Van Nuys Area was very informative. Tony Valaika provided statistical information regarding domestic violence cases in the courts. This is a partial list of people who spoke to the committee.

In addition, site visits were made to the Domestic Violence Courts in Citrus Judicial District and Long Beach Judicial District. Haven House and Haven Hills shelters were also visited.

These interviews and visits led to investigating in depth the following two projects: 1) Court Treatment of Domestic Violence Cases and 2) Domestic Violence Shelters and Resources for Domestic Violence Services.

The following is a summary of findings; the full report is available in the Offices of the Grand Jury.

INTRODUCTION

The first project, Court Treatment of Domestic Violence Cases, includes the following:

- (1) A review of the treatment of domestic violence cases by the Municipal Courts in Los Angeles County, including analysis of a survey of Los Angeles Municipal Courts;

- (2) A review of the opportunities for training Los Angeles County judges in domestic violence issues and law;
- (3) An assessment of the potential for countywide implementation of the Citrus District model domestic violence courtroom;
- (4) A general review of the domestic violence programs of other criminal justice system agencies, including the Los Angeles County District Attorney, the Public Defender, and two City Attorneys in the County.

Research indicates:

- Most courts do not have specific protocols or guidelines for handling domestic violence cases and there is great variety in handling domestic violence cases. Batterers' counseling programs are the most common form of sentencing;
- The Citrus model domestic violence court has increased offenders' compliance with court orders and sentences (i.e., improved participation in batterers' programs), and has punished offenders who do not comply;
- A number of criminal justice agencies in the County have instituted programs to prosecute domestic violence cases more effectively.

The Grand Jury recommends that the Board of Supervisors urge the State to adopt legislation requiring the Judicial Districts to set up dedicated domestic violence courts like the Citrus Judicial District model. Where such courts are feasible, the Board of Supervisors should encourage domestic violence education in the criminal justice system, and make certain improvements in the handling of domestic violence cases such as enforcing existing State requirements and establishing standards for batterers' treatment programs.

The second project, **Domestic Violence Shelters and Resources for Domestic Violence Services**, includes:

- (1) A review of domestic violence shelter service capacity and demand;
- (2) An analysis of three specific program concepts ("Hub Shelters," the DART program, and prevention education) identified by the Grand Jury to enhance existing domestic violence services, and;
- (3) An inventory of funding sources for domestic violence services.
- (4) Interviews with representatives of the criminal justice system including Judges, District Attorneys, and City Attorneys.

- (5) Interviews with staff members of women's shelters and other non-profit organizations who are working in the areas of domestic violence court advocacy and victim services, and;
- (6) Review of documents regarding procedures in domestic violence court cases and other information provided by interviewees and organizations.

Research indicates that:

- More shelter capacity is needed; Los Angeles County shelters can only accommodate 20% or less of families seeking shelter from domestic violence;
- Shelter directors and advocates generally identify transitional, longer-term housing as the highest priority need for victims of domestic violence in the County;
- Law enforcement agencies in different areas of the County are experimenting with at least three new models to improve police response to domestic violence;
- Los Angeles County gives minimal support to domestic violence services; however, the County does have effective coordination mechanisms in place for domestic violence policy and services.
- Education resources on domestic violence issues and violence prevention are widely available but education is conducted on an ad hoc basis,

The Grand Jury recommends that the County work to create additional capacity for transitional housing for victims of domestic violence, to provide additional emergency shelter operating funds and services in certain areas, to raise the capability of the Domestic Violence Council to coordinate funding and services by seeking funding for additional staff for at least one year, to have Domestic Violence Council formally discuss the concept of creating "Hub Shelters," and to enable the Los Angeles Police Department (LAPD) and other law enforcement agencies raise the standards for response to domestic violence calls Countywide by providing further training and materials to all officers.

BACKGROUND

Ninety-five percent of the victims of domestic violence are women. Battering is the single largest cause of injury to women in the United States. Violent relationships between intimates exist throughout society, in every ethnic and racial group, at every level of income, in every educational level and profession. Every year:

- Three to four million women are battered;
- 22% to 35% of women seeking treatment in hospital emergency rooms are there because of symptoms related to abuse by a husband or boyfriend;
- Approximately 6,000 women in the United States are killed as a result of domestic violence.

Society and families as well as individuals suffer the high costs of domestic violence:

- Up to 45% of women who are battered are battered during pregnancy;
- In 70% of homes affected by domestic violence, children are also abused;
- Most occupants of battered women's shelters are children;
- Boys who grow up in violent homes are more likely to become batterers themselves;
- Women are estimated to lose 175,000 workdays per year due to domestic violence injuries nationwide, and;
- Americans are estimated to spend \$44 million per year on medical costs associated with domestic violence, including injuries to children.

Domestic violence significantly impacts Los Angeles County. In 1994, nearly half of all Californians killed through domestic violence were killed in Los Angeles County. Also in Los Angeles County in 1994:

- Over 70,000 calls to law enforcement agencies stemmed from domestic violence;
- There were approximately 44,295 charges filed in the Municipal Courts related to domestic violence;
- In the first part of the year, a woman was killed by her husband or boyfriend on the average of once every day and a half.

Many victims of domestic violence choose not to seek help or call the police. They suffer violence at the hands of intimates for months or years as part of a strategy to cope, to minimize the danger to themselves and their children, or to hold their family together. When they choose to call the police, when they choose to pursue a restraining order or a court case against an abusive partner, when they choose divorce or separation, the risk to their safety often increases. In nearly three-quarters of spousal assault cases, the victim was divorced or separated at the time of the attack.

Victims of domestic violence need the criminal justice system to work. Often, the police are the first point of contact for battered women. Not only must police treat domestic violence as a crime, enforcing the laws as strictly as they would enforce laws regarding comparable crimes among strangers, they must also treat domestic violence calls as an opportunity to intervene on behalf of the victim. To the extent that police fail to stop batterers, and the system fails to provide victims with information and opportunities to deal with the battering situation, violence will escalate and victims will continue to require law enforcement and other services.

Similarly, the courts must make it clear to batterers that causing physical injury to an intimate is a crime and will be punished. As noted below, batterers programs are the most common form of sentencing for abusers; however, the effectiveness of these programs has not been determined. In cases where a batterer continues to pursue and abuse a victim, the courts must separate the batterer and the victim by incarcerating the batterer. Life or death for victims can depend on the criminal justice system's vigilance and competence in arresting, prosecuting, and incarcerating batterers.

Los Angeles County has made great strides in its response to domestic violence. Judges around the county have received training in domestic violence issues and in new law, and the courts have begun to experiment with innovative ways to improve court treatment of cases. The District Attorney's Office has mandated vertical prosecution of domestic violence cases where possible (i.e., a single attorney handles the case from start to finish), and has developed a departmental policy and capability which encourages attorneys to prosecute crimes with or without the cooperation of the victim. The LAPD and the Los Angeles County Sheriff's Department (LASD) have each established significant training programs and departmental protocols on domestic violence, and have also begun to experiment with improved models of response to domestic violence. The number of shelters in the county has increased from three in the 1980s to 18 in 1995. Several years of declining public funding for shelters were partially offset in 1994 by an increase in the marriage license fee revenues which are dedicated to shelters. The County as a whole has developed a strong coordinating body in the Domestic Violence Council, and the County Board of Supervisors and the City of Los Angeles have each established specialty task forces and/or conducted public hearing processes on domestic violence issues in the last two years.

Despite these changes for the better, much work still remains to be done. Many courts and judges still approach domestic violence assaults as a "family" matter, issue custody and visitation orders which risk the lives and safety of women and their children, and fail to enforce the statutory minimum sentences on perpetrators of domestic violence. The quality of police response to domestic violence calls ranges from excellent in some cases to inadequate in others.

Despite the increase in the number of shelters over the past several years, Los Angeles County remains greatly underserved in terms of shelters: a county with over 3.5 million women over the age of 14 has only 411 beds and cribs available in shelters. Tens of thousands of women and children are denied shelter each year. All shelters struggle to maintain their services in a climate of declining public funding, and the County itself dedicates no discretionary dollars directly to domestic violence shelters or services.

Court Treatment of Domestic Violence Cases

Los Angeles County has 24 Municipal Court Judicial Districts, one of which, the Los Angeles Judicial District, has eleven branch locations with multiple functions. The Los Angeles Judicial District is, by itself, the largest Municipal Court in the United States. Within the Los Angeles County Municipal Courts, there are approximately 280 Judicial Officers (Municipal Court Judges and Commissioners) who handled over 1.4 million traffic and parking infractions, 630,000 felony and misdemeanor criminal case filings, and 340,000 civil actions in 1994.

The prevalence of domestic violence-related cases in the County has increased steadily in the past four years, as follows:

- The number of domestic violence cases overall has increased 24%, from 35,683 in 1991 to 44,252 in 1994;
- The number of felony domestic violence cases has increased 87.5% in the Los Angeles Judicial District and 89.6% countywide in the 1991-1994 period;
- The number of misdemeanor domestic violence cases has increased by over 20% countywide in the 1991-1994 period, and;
- Domestic violence cases are now the second or third most frequent charge in many judicial districts, outnumbered only by drug offenses and by driving under the influence.

Despite greater awareness of and training in domestic violence issues among court personnel, certain problems persist and must be overcome. It was found that, currently:

- Domestic violence cases are treated inconsistently and sometimes insensitively;
- Offenders in domestic violence crimes receive lesser sentences than offenders sentenced in crimes committed against strangers and;
- In many courts, statutory minimum sentences are not imposed, and other statutory conditions required for domestic violence crimes are not met.

Most courts do not assign domestic violence cases in any special way, nor do they have any special sentencing guidelines, or protocols regarding domestic violence cases, according to the survey and reports from 19 Los Angeles County Municipal Courts. The survey also indicates that, among the courts that do have guidelines, there is great variety in the handling of cases. In interviews with District Attorneys, City Attorneys, and advocates, interviewees repeatedly stated that many judges lack sensitivity to victims and knowledge of common issues in domestic violence cases, such as how to deal with reluctant or recanting victims. Interviewees reported many cases in which judges released

perpetrators without sufficient attention to the safety of victims, dismissed cases despite significant evidence of domestic abuse, or imposed only minimal sentences for serious crimes. Interviewees also report that violations of domestic violence restraining orders are rarely punished.

Interviewees also frequently stated that judges in civil cases do not consider other court orders, specifically protective or restraining orders, in making case dispositions. For example, a woman might have a restraining order against a batterer and also have a Family Court order unsupervised visitation of the father with children without regard to their safety or to the need to prevent contact with the mother. In addition, interviewees stated that defendants in more than half of criminal domestic violence prosecutions continued to harass the victim through action in the civil courts both during and after their criminal case proceedings. If the County courts were able to handle criminal and civil cases affecting a family in a unified court setting, such a court would be more likely to prevent further domestic abuse occurring during divorce, custody and visitation proceedings and orders, and could, at minimum, prevent conflicting orders from being issued.

Training Judges and Improving Court Treatment of Domestic Violence Cases

Judges at both the Municipal and Superior Court levels have recognized the weaknesses of the courts in dealing with domestic violence and taken a number of important steps. A Domestic Violence Planning Group for the courts formed under the leadership of Judge Alban Niles, Presiding Judge of the Los Angeles Judicial District, created an Action Plan to implement a coordinated court response to domestic violence in Los Angeles County. The Action Plan identifies five priority needs

1. Establish a "Court Systems Committee" to bring together Municipal and Superior court judges to address inter-court needs;
2. Identify and arrange training workshops for all judges in the area of domestic violence;
3. Heighten sensitivity to children's issues relating to domestic violence issues;
4. Establish a coordinated court response for sentencing related to domestic violence cases;
5. Develop/coordinate communication between different branches of courts where the same families are involved in multiple legal proceedings.

In a first effort to address these priorities, the Los Angeles Judicial District has recently submitted two grant proposals to the State Justice Institute. The first grant would fund two one-day training sessions in domestic violence for all Judges and Commissioners in the Los Angeles Judicial District in June 1995. The second grant proposal would begin the development of a coordinated case management system for domestic violence cases in the Los Angeles Judicial District which would also serve as a pilot project for a countywide plan for coordinated case management.

Establishing the Citrus Judicial District Domestic Violence Court Pilot Project

In October of 1994, the Citrus Judicial District established a domestic violence courtroom pilot project where all domestic violence cases in the District are consolidated into one department. The Citrus Judicial District's Presiding Judge proposed the dedicated domestic violence court following a demonstration by the District Attorney that the District had an increasing domestic violence caseload and in response to the fact that law and policy changes on domestic violence cases insure that such cases are increasingly less likely to be dismissed. Judge Dan Thomas Oki presides over the District, and both the District Attorney and Public Defender have assigned specific personnel to the District.

The most important difference between the Citrus Judicial District dedicated domestic violence court and other courts is the increased participation of the judge in evaluating and monitoring individual cases. Judge Oki brings consistency to the handling of cases, and puts defendants on notice that he will monitor their case throughout. The judge serves as the probation officer for violators, summoning them for proof of enrollment in batterers counseling programs, and for update reports every sixty to ninety days (six month updates are more commonly used in other courts). Failures to appear and violations of the court's orders are punished with immediate arrest warrants and with incarceration in some cases. The Court has had a dramatic effect on the rate of compliance with court orders to enroll in batterers counseling programs, resulting in a 90% compliance rate, where most courts experience a compliance rate of roughly 50%.

In summary, four factors made the establishment of the Citrus Judicial District domestic violence court pilot project possible;

- sufficient caseload to make a domestic violence court an efficient use of court time;
- Initiative on the part of the Presiding Judge with cooperation from other judges in the District;
- A Judge with interest, training and knowledge of domestic violence issues and batterers programs; and
- Interest and cooperation from the District Attorney and the Public Defender.

Sufficient time has not passed to draw conclusions on the overall effectiveness of the domestic violence court. Compliance with court orders to enroll in batterers counseling is increasing, and the court will shortly be able to measure any change in the rate of completion of batterers counseling programs. However, longer term tracking of cases from the Citrus Judicial District will be necessary in order to determine whether the domestic violence court reduces recidivism and increases safety for victims of domestic violence, or other measures of success.

Opportunities for Countywide Implementation of the Citrus Judicial District Court Model

Research shows that sufficient caseloads in domestic violence exist in many Court districts to support, at minimum, the grouping of domestic violence cases into one or more courtrooms. In jurisdictions which are too small to support a domestic violence courtroom, cases could be consolidated under one judge who would also have other responsibilities. This last model is in fact currently operating in Judge Wright's court in Long Beach Judicial District and in the courts under Judge Meeka and Judge Gately in Rio Hondo Judicial District.

Establishment of domestic violence courts in these districts can be done without significant costs, as the primary task involves consolidating existing cases into one or more courtrooms. As noted above, such consolidation may actually speed cases to disposition and thus reduce the costs of handling cases. At present, unlike drug courts, the cost of treatment programs (batterers counseling) is paid by the offenders themselves. The only new cost associated with domestic violence courts, per se, would be in training and materials for judges, District Attorneys, and court personnel.

In the Los Angeles Judicial District at present, the conviction rate for domestic violence cases is lower than other cases (84% vs. 89%), and the dismissal rate is higher (15% vs. 9%). To the extent that domestic violence courts could be expected to increase the conviction rate and lower the dismissal rate in domestic violence, such courts could be expected to increase the County's costs for District Attorneys, Public Defenders, courts, and jails. At the same time, such courts could be expected to reduce the County's costs for police, medical treatment, and social services associated with domestic violence.

Agencies in the County Criminal Justice System

As part of this study, committee members interviewed and reviewed the policies of the District Attorney, Los Angeles City Attorney, and Santa Monica City Attorney on prosecution of domestic violence cases. Each of these offices has taken significant steps to prosecute cases more effectively. The District Attorney, through its Family Violence Division, has mandated vertical prosecution of felony domestic violence cases with trained deputy district attorneys, and created a capability in the Division to prosecute cases with or without the cooperation of the victim. The Los Angeles City Attorney and the Santa Monica City Attorney have each instituted programs to work with the District Attorney to file felony charges where they think it appropriate. Prosecutorial agencies noted that reluctant or recanting victims remain the major barrier to effective prosecution of domestic violence cases, and that Victim Witness Advocates have been highly successful in increasing cooperation of victims. The demand for more Victim Witness Advocates exists throughout the County among both District Attorney branch offices and City Attorneys.

Legislation on Domestic Violence

The Domestic Violence Council of Los Angeles tracks State legislation on domestic violence issues. The County could assist the Council's legislative efforts by actively supporting bills in the 1995

session which the Domestic Violence Council have judged to be high priority. These include bills to:

- Expand restraining orders to include additional types of contact;
- Provide that restraining orders may be longer than five years in certain extreme cases;
- Make it unlawful to disclose the location of a domestic violence shelter unless authorized by the agency director or the courts; and
- Increase the frequency of mandated training in domestic violence issues for law enforcement agencies.

CONCLUSIONS

The prevalence of domestic violence-related cases in Los Angeles County has increased steadily in the past four years. The courts tend to punish domestic violence-related crimes less severely than comparable crimes which are not domestic violence-related and courts often do not sentence domestic violence offenders in conformance with parameters established by State law. In addition, a lack of communication between criminal and civil courts results in conflicting court orders and allows abusers to continue to harass victims through civil actions.

Judicial training and education are not currently mandated by California law. However, the County's Domestic Violence Planning Group recognizes the need and has recommended training for all judges in the area of domestic violence.

The Citrus Judicial District Court model, a dedicated domestic violence court, is uniquely successful in that personnel assigned to the court give increased attention to domestic violence cases, the court monitors compliance with court orders and the progress of offenders sentenced to batterers programs, and the Judge, District Attorney, and Public Defender work cooperatively to resolve cases fairly and efficiently. Compliance with court orders is higher in the Citrus Judicial District than in other Districts.

Sufficient caseloads in domestic violence exist in many Los Angeles County Court Districts to support the establishment of a dedicated domestic violence court. Establishing such courts would cost little and would result in efficiencies resulting from speedier disposition of cases. However, many judges may object to establishing such dedicated courts.

Prosecutorial agencies have instituted effective programs, such as Victim Witness Advocates, to improve handling of domestic violence cases.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors support legislation which enacts the following recommendations:

1. Enforce the requirement that cases be labeled domestic violence before they are given to a judge.
2. Expand opportunities for judges training in domestic violence issues and law by applying for available funding for such training and scheduling judges to attend such training.
3. Establish dedicated domestic violence courts in Court Districts that have a sufficient caseload, and where the support of the Presiding Judge can be gained. In particular, work to establish a trial domestic violence court in the Los Angeles Judicial District.
4. Create a Task Force to study the possibility of unified courts for Los Angeles County which would handle both civil and criminal actions affecting a family in a unified setting.
5. Work with the Los Angeles County Probation Department, the Domestic Violence Council and the Courts to develop standards for batterers counseling programs.
6. Support and expand the Victim Witness Advocate programs used by prosecutorial agencies in the County.

The 1995-96 Grand Jury should:

7. Study the contents and effectiveness of batterer's counseling programs.

DOMESTIC VIOLENCE SHELTERS: SERVICE CAPACITY AND DEMAND

There are 18 domestic violence shelters in Los Angeles County, with a total of 411 beds and cribs. These shelters provide services to a county of ten million residents, with 3.5 million women over the age of 14. In 1994, 5,304 battered women and their children were provided with safe shelter in the County.

Vacancy rates at the shelters average three percent or less each day. The Domestic Violence Council estimates that four out of five families requesting shelter are turned away. The primary reason for turning families away is lack of space. Assuming an average family size of three (one woman and two children), and using the Domestic Violence Council's figures for the number of people served and the number turned away, a minimum of 8,840 families requesting shelter in Los Angeles County were turned away last year.

Most shelters limit the stay of their clients to 30-45 days. During that period, shelters counsel and work with clients to obtain housing, apply for public benefits if eligible, manage money, get medical

assistance, and obtain other services to meet the practical needs of the family. In addition, clients are provided with intensive crisis management assistance in which shelters offer individual, group and family counseling and therapy to deal with the emotional and psychological effects of violence in the family.

Two shelters in Los Angeles County offer longer term stays, and an additional long term shelter is slated to open in 1996. These shelters offer stays ranging up to 18 months, with most stays limited to four to six months. Approximately 35 families can be accommodated in longer term shelters countywide. The County's capacity for longer term shelter will double when a proposed new long term shelter, to be operated by Haven Hills, opens in 1996 with capacity for an additional 36 families.

Most residential shelters, or the agencies that operate them, also operate a domestic violence crisis hotline staffed with trained counselors. Los Angeles County has a total of 15 domestic violence hotlines which answered 47,209 calls for assistance in 1994. In addition, most shelters offer counseling for battered women who are not shelter residents, court accompaniment, outreach services, and training sessions for local law enforcement, schools, or other institutions.

Shelter directors and advocates were interviewed regarding their priorities for domestic violence services in the County. They identified the following needs as highest priorities:

- **Transitional Housing.** Most shelters are limited to a 30 to 45 day stay. All shelter directors stressed that this is very little time for victims to recover from a violent incident, make a safety plan, plan for housing, arrange for school or day care for children, and plan financially for a transition.
- **Increased Funding for Existing Shelters.** Shelters around the county struggle to meet their annual budgets. The need is particularly acute for operating funds. Because shelters also operate many other programs and services, operating funds for shelters effectively serve both the clients who stay in shelters, and the 97% of battered women who never use a shelter but who use hotlines, counseling, advocacy, or other services provided by shelters.
- **Shelters and Services for Minority Populations.** Shelter directors noted that while most shelters have some Spanish language capacity, more such capacity is needed, and, in addition, counseling and outreach capability in Asian languages is urgently needed.
- **Shelter Beds in the San Fernando Valley.** Shelter directors noted that the growing population of this area, especially Spanish-speaking families, is underserved, with only a single shelter for eight to ten families serving a population of approximately 1.5 million.

The Hub Shelter Concept

A Hub Shelter would be a facility where all public agencies concerned with domestic violence, in cooperation with shelters and advocates, would be available to provide services to victims and

coordination of legal action against perpetrators. Victims could get information and advice regarding personal safety, shelters and other services, public social services, and legal options including criminal and civil actions. Some interviewees also understood the concept of a Hub Shelter as a shelter offering very short term (three to seven days) overnight shelter, while others understood the Hub Shelter to offer no overnight shelter. The Hub Shelter concept has been developed and discussed informally by the Domestic Violence Council and by law enforcement agencies, with some input by domestic violence shelters and organizations. The LASD is currently seeking funding for their Family Abuse Intervention Team (FAIT) proposal, which would provide services in a setting like the Hub Shelter idea.

In our research, shelter directors tended to see the Hub Shelter center concept, as it is presently envisioned, as primarily serving to coordinate the work of law enforcement and public agencies, meet public agencies' requirements for reporting, and assist in their desire to refer victims appropriately. While these may be important capabilities, shelter directors do not necessarily see these benefits as the best way to serve the needs of battered women.

Domestic Abuse Response Team (DART) and Police Intervention

The Domestic Abuse Response Team (DART) matches a Line Reserve Officer from the Van Nuys Division with a staff volunteer from a non-profit agency, the Domestic Abuse Center, to provide crisis management and follow-up for victims of domestic violence. The DART team follows up police domestic violence calls, arriving in a plain car after the regular uniformed officers have secured the location. DART members offer a range of services to victims including information about domestic violence, accompanying the victim to the hospital, documenting injuries or property destruction with photographs, obtaining an Emergency Protective Order, or changing locks. The Van Nuys Division has arranged with local motel owners to house victims for one to two days free of charge, and has secured donations of food vouchers, shoes, stuffed animals for children, and other materials for victims.

In addition to its work in creating DART, the Van Nuys Division has developed forms to document incidents of domestic violence and stalking which would not otherwise be recorded in a police report. These forms can also be filed if a victim calls or comes into the station without requesting direct police intervention. California law has recently changed to allow the showing of a "pattern of conduct" as part of the evidence in prosecution of domestic violence. The intention of these reports is to aid in documenting such a pattern of conduct.

From September of 1994 to January 1995, DART has responded to 158 calls of which 138 resulted in arrests, transported 28 victims to medical attention, issued 60 emergency protective orders, taken 70 sets of photographs, and issued \$385.00 in vouchers. The team has increased the overall efficiency of police operations in Van Nuys; uniformed police now spend less time on average on domestic violence calls (45 minutes instead of an hour), and DART teams spend more time supporting the victim after an incident than the police once did (an average of 1.5 hours instead of an hour).

Shelter directors and service providers we interviewed tended to be supportive of the DART concept. Most felt that police training and response to domestic violence calls overall, while improving, was still inconsistent and insensitive to the safety and needs of victims, and that DART represented a significant improvement in models of police intervention. However, interviewees also stressed that DART, like the Hub Shelter proposal, does not necessarily represent an improvement in providing services to victims, and that other methods of providing services should be considered. Shelter directors felt that DART was heavily weighted toward aiding prosecution, reducing police time spent, and meeting the obligations of the police for follow-up in domestic violence calls. Again, while these are important law enforcement functions, they are not necessarily serving victims in the most effective manner.

Other Models of Police Intervention

In the course of the research, two other models of improving police intervention in domestic violence which are currently at work in Los Angeles County were raised that contrast to the DART program. In the Harbor Division (San Pedro area), the police have agreed to give reports of all domestic violence calls to the local battered women's agency, Rainbow Services. Police reports generally include the name and number of the victim, and Rainbow subsequently contacts the victim by telephone, and lets them know that information, support, and services are available. In contrast to DART, Rainbow staff do not attempt to document evidence for prosecution purposes. Rainbow's contact with victims may improve the prospects for a successful prosecution, but services to women, instead of building the legal case, is the primary focus of the Rainbow program.

The Hollywood Division has established a program to place domestic violence kits in all police vehicles. A domestic violence kit can include a Polaroid camera for documenting injuries or other evidence, forms to obtain an Emergency Protective Order, flyers from the local shelter and/or victim information cards, and a stuffed animal for children. The LAPD currently has protocols in place in which patrol officers have a responsibility to take photographs, request and issue emergency protective orders, and give victims information on domestic violence services. However, anecdotal reports indicate that these protocols are not followed in all, or even most, calls on domestic violence. Our interviewees, in general, were very enthusiastic about the Hollywood Division's domestic violence kit as described. Most interviewees viewed the kit as an opportunity to raise overall standards and quality of police response in the majority of domestic violence calls, as opposed to developing more extensive services but on a very limited basis, as is the case in the DART program.

Education Resources for Violence Prevention

In Los Angeles County, education, seminars and training programs on domestic violence issues are available from the Domestic Violence Council, from shelters, and from other non-profits and service providers. Materials and curriculum on domestic violence are widely available from non-profit agencies in California and other states.

The Domestic Violence Council is the largest single training and education organization in Los Angeles County, currently providing training to approximately 300 individuals per month, primarily County employees in the welfare and social services, public health, and mental health areas. Training sessions are typically one full day with five or more speakers with expertise in different aspects of domestic violence and can be adapted to the specific needs and responsibilities of the target organization. Training sessions are provided free of charge by the Domestic Violence Council, and speakers from other organizations also volunteer their services.

Shelters throughout Los Angeles County conduct training's on both formal and informal models. Most shelters we interviewed conduct training sessions on an ad hoc basis. Typically, one or two staff people from a shelter or agency will speak at a meeting of two hours or less, or take ten minutes of a Police roll call to cover basic issues in domestic violence. Other, non-shelter community organizations also offer training and education in domestic violence issues. Of these, the Los Angeles Commission on Assaults Against Women (LACAAW) has developed among the most significant programs in Los Angeles County. LACAAW operates two rape and battering hotlines that serve all of Los Angeles County, counseling and support groups, self-defense classes, services to minority communities, services to disabled communities, a speakers bureau, and media consultation on issues of violence and interpersonal relationships. LACAAW, through its *Teen Abuse Prevention Project (Project TAP)* has also developed an extensive curriculum designed to talk about violence and violence prevention with teens ages 17-19. At this time, LACAAW has been funded from a variety of sources including the California Wellness Foundation, and some cities to teach the In Touch With Teens curriculum at approximately 15 high schools and middle schools in the County.

Coordinating Policy and Resources on Domestic Violence

The County Board of Supervisors established the Los Angeles Domestic Violence Council in 1979 to make recommendations pertaining to domestic violence coordination, education, public information, training, shelter services, legislation, and the development of domestic violence programs. The Council is a joint government/private sector group of 40 voting members; half from County or City government, half from community agencies and private sector organizations. It is housed in the County Department of Community and Senior Services at this time, and has one full time coordinator.

The Domestic Violence Council, through its committees and monthly membership meetings, serves as an effective mechanism for developing coordination and agreement among the various agencies and groups involved in domestic violence policy and services. Because the Council has a long history of effective consultative processes among its members, it can and should serve as the primary vehicle for coordinating changes in domestic violence policy in the County. However, the Council's capability should be increased.

RECOMMENDATIONS

The Domestic Violence Council should:

1. Hire a Development Director and an assistant, to be supported by the county, cities, contributions from Domestic Violence Council members, grant funds, or a combination of these, to develop a stable fundraising base for member agencies.

The Board of Supervisors should:

2. Consider providing up to \$150,000 in seed money from any available funds to support a Development Director for the Domestic Violence Council.

Service providers should:

3. Consider their entire scope of services when researching potential funders.
4. Consider contributing a portion of their budgets toward a Development Director for the Domestic Violence Council, whose efforts will result in additional funding over the long term.

A PROPOSAL FOR COORDINATED FUNDRAISING STRATEGIES

The research found that there are new sources of public funding for domestic violence services that will become available in the next two years, and that there are a variety of family, private and corporate foundations which give significant grants in this area. In recent years, grantors in the area of social services have been emphasizing cooperation and networking as a criterion for funding. Cooperative fundraising among domestic violence service providers in the County would often increase the likelihood of getting funded. In addition, many agency members of the Domestic Violence Council currently have no resources dedicated to fundraising, and are unwilling to divert resources from direct service to fundraising. The Domestic Violence Council would serve as an ideal base from which a Development Director could coordinate fundraising activities for domestic violence service providers throughout the County. With the support of the members of the Domestic Violence Council, including the Boards of Directors from the non-profit agencies managing shelters, a Development Director could:

- create and maintain a pooled mailing list which could be used to implement countywide fundraising campaigns, including annual pledge drives;
- work with agency Boards of Directors to develop funding strategies;
- cultivate major donors;

- assist in planning fundraising events to publicize the members of the Domestic Violence Council and raise money;
- research and apply for government and foundation grants;
- work with local businesses and community groups to increase awareness and support for domestic violence services; and
- other activities as appropriate.

The cost of hiring a Development Director and an assistant would be approximately \$125,000 the first year, including salary and benefits. An additional estimated \$25,000 should be provided for materials and supplies, including a computer and software. In the second year, the assistant would either be terminated, or would be funded from first year proceeds, while the development director would continue, at a cost of \$75,000. For the first two years, the positions could be funded in any one of a number of ways, such as:

- A contribution from the County and the municipalities within the County, using any available funds;
- A \$10,000 contribution from each of the 15 shelters the first year, and \$6,666 the second year;
- A successful grant request, coordinated by the Domestic Violence Council, to foundations;
- Seed money provided by the County from any available funds.

CONCLUSIONS

Los Angeles County has significant resources for domestic violence, in that shelter capacity, police intervention, and education resources have all been increased or improved in recent years.

However, the County remains significantly underserved in terms of shelter capacity, particularly in transitional housing beds, in the San Fernando Valley, and in services for minority populations.

The County dedicates no discretionary funding at this time to domestic violence, and the only guaranteed funding source for domestic violence shelters is marriage license fees. Dedicated sources of operating funds are needed to insure the continued successful operation of the shelter network and other services. Funding is available for domestic violence shelters and services from Federal and State sources, and from private foundations, corporations and individuals.

The LAPD and LASD have experimented with new models of police intervention in domestic violence. None of these models have definitively demonstrated that they affect the overall rate of domestic violence or protect victims, however, they do increase both evidence for prosecution and access to services for victims.

RECOMMENDATIONS

The County of Los Angeles should:

1. Add transitional domestic violence residential shelter beds through working with the Domestic Violence Council and shelter directors to identify funding sources and capacity among community agencies to develop and manage such facilities.
2. Work with the Domestic Violence Council to identify ways of creating dedicated funding sources for operating costs of domestic violence shelters.
3. Increase domestic violence shelter beds and service capacity in the San Fernando Valley, and increase capacity for service to minority communities, particularly Asian-language communities
4. Improve law enforcement intervention in domestic violence through dissemination of domestic violence kits in LAPD and LASD, and other law enforcement agency vehicles and through providing increased training in domestic violence issues for officers.
5. Enhance countywide coordination of domestic violence policy and services by making the Domestic Violence Council a stand-alone County department. Create an additional staff position within the Domestic Violence Council to work with shelters countywide on funding needs identified in this report and to explore the option of creating an information center on domestic violence under the supervision of the Domestic Violence Council.

ENVIRONMENTAL SERVICES COMMITTEE

MEMBERS

William I. Goldstein, Chairman

William C. Beggs

Bruce E. Emerson

James A. Froede

Edward S. Kwinn

Carol A. Smithberg

ENVIRONMENTAL SERVICES COMMITTEE

INTRODUCTION

For the second year in a row, the Los Angeles County Grand Jury has investigated issues related to the County's water supply. This is so because the County experienced water shortages during the recent drought and will be facing similar, but much larger, shortages in the near future. The following table, furnished by the State Department of Water Resources, illustrates the magnitude of the problem:

TABLE I.¹
Projected Water Supply and Demand
County of Los Angeles²
Year 2020
(in thousands of AFY)

	Average <u>Year</u>	Drought <u>Year</u>
Total Water Uses	2,836	2,932
Total Water Sources	<u>2,676</u>	<u>2,572</u>
Surplus/(Shortage)	(160)	(360)

¹Water Resources Management Assessment for the Central and West Coast Basin Areas, October, 1991, Central and West Basin Municipal Water District, Metropolitan Water District of S. CA.² State Department of Water Resources (DWR) Projections for Year 2020. Projections assume additional projects will be implemented to increase water supplies.

There are no guarantees that Los Angeles County's imported water sources will remain constant; rather, they will likely grow scarcer. Conversely, the local water demand will increase with the population trend; and water will cost more to residential and business users alike. Metropolitan Water District's (MWD) wholesale rates jumped to \$428/acre foot on July 1, 1995, an increase of six percent over the previous year. If this trend continues, the County's water bill will nearly double by 2005.

In the meantime, the County uses less than half of its local water resources. The County Flood Control District, for example, reports that 280,000 (AFY) of rainwater is allowed to flow uncaptured down the Los Angeles River, and into the ocean. Wastewater treatment plants are producing far more reclaimed water than is being used. Clearly, Los Angeles County needs to make better use of its

domestic water supply. County administrators and the major water agencies are fully aware of the problem. Yet, despite public calls for action, there is no coherent water policy in Los Angeles County today. Public officials remain aloof from the problem and their indifference is verging on negligence.

PROCEDURE

This report is based upon an extensive technical study of domestic water practices carried out by the committee and contract auditor. The committee met with and toured the facilities of the Metropolitan Water District (MWD), the Department of Public Works (DPW), the Department of Water and Power (DWP), The Department of Beaches and Harbors, the Army Corps of Engineers (COE), the sewage treatment plants, landfills, and other purveyors and processors of water in the County. Its members talked with managers and technicians in the field in sufficient detail to gain a working knowledge of their operations.

Having completed its survey, the committee narrowed its investigation down to three promising areas, areas where significant gains in local water utilization can be accomplished in a reasonably short period of time at a reasonably commensurate cost. These are discussed in the next section.

FINDINGS AND RECOMMENDATIONS

According to the DWP, three out of every four glasses of water consumed in Los Angeles County are imported. Imported water costs twice as much as the domestic variety. There are 326,000 gallons of water in an acre-foot, which is approximately what two average Los Angeles County families use every year. Combine this consumption rate with the County's projected growth rate over the next decade and the probability of continuing severe water shortages by 2005 is greater than 50 percent.

The committee's first area of investigation centered on the Army Corps of Engineers' dams in the county: Hansen, Lopez, Santa Fe and Whittier Narrows. Unlike the 15 DPW-operated county dams, the COE does not manage their dams for water storage during the rainy season. The County could capture an estimated 16,000 acre/ft. of its annual rainfall if the COE did so. The COE is conducting a current feasibility study which may be expanded to include the issue of rainy season storage. However, the study will not be completed until 1998 at the earliest. This delay will cost the County a water loss of 48,000 acre ft. with a current value of \$13.8 million.

Alternatively, the County could seek control of the COE dams. The Secretary of the Army currently supports such "divestiture initiatives." The water savings would be the same but it would probably happen much sooner. The County could coordinate these four dams with its other dam operations to further maximize rainwater conservation. Their annual operating costs of \$2.7 million plus a one-time \$2 million seismic analysis would be more than offset by the annual water savings benefits. The committee also requested cost projections for the structural upgrading that might be required in either case, but neither the COE nor the DPW could furnish this information.

The committee recommends that the Los Angeles County Flood Control District evaluate the transfer of ownership of these four COE-operated dams by performing a detailed estimate of the costs for the County to maintain and operate these facilities. Then it should proceed with the acquisition, if warranted.

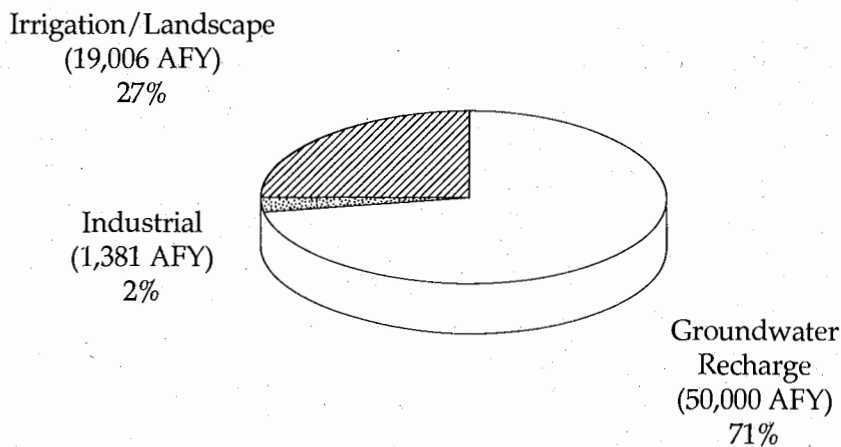
Reclaimed water was the committee's second focus area. "Reclaimed water" is either wastewater sufficiently treated to potable water quality. Or, less expensively, to irrigation and/or industrial use quality. Ten Sanitation District plants in the County produce about 200,000 AFY of reclaimed water but only 35 percent of this is currently being reused. In addition, the City of Los Angeles has four treatment plants, two of which can produce reclaimed water; but these are currently operating at less than ten percent capacity.

Three regulatory agencies oversee reclaimed water projects. These are the Regional Quality Control Board and the State and County Health Departments. In addition, state law requires that water purveyors and agencies evaluate and identify beneficial uses for reclaimed water.

That reclaimed water projects are uncoordinated, unevenly implemented and frequently blocked is the rule rather than the exception in Los Angeles County today.

The following data from the Federal Bureau of Reclamation, DWP, and the Central and West Basin, Upper San Gabriel Valley and Water Replenishment Districts compares the costs and benefits of current and future reclaimed water projects in Los Angeles County:

TABLE I.2
Summary of Existing Demand for Reclaimed Water
by Reuse Type
Los Angeles County⁸



AFY=Acre Feet Per Year. Total existing reuse is approximately 70,387.

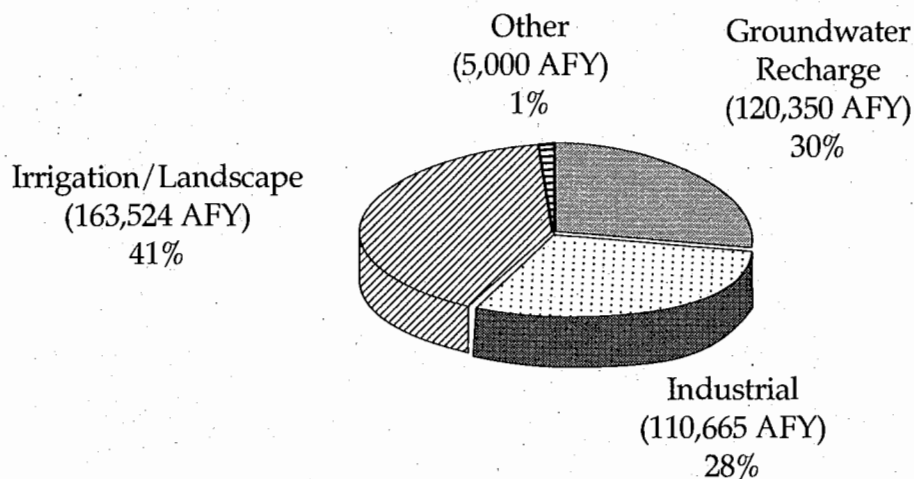
TABLE I.3
Existing Reclaimed Water Project Users and Capital Project
Expenditures for Los Angeles County

<u>Agency</u>	<u>Expenditures</u> <u>(in millions)</u>	<u>Number of</u> <u>Users</u>	<u>Acre Feet</u> <u>per Year</u>
Upper San Gabriel Valley Municipal Water District	\$1.50	0	0
Central Basin Municipal Water District	\$44.00	73	3,215
West Basin Municipal Water District	\$159.99*	0	0
Los Angeles DWP	\$14.30	8	2,600
Water Replenishment District of S CA (groundwater recharge)	<u>90.75**</u>	<u>1</u>	<u>50,000</u>
Total	\$210.55	82	55,815

*Represents expenditures for West Basin Water Recycling Plant. Although there are currently no users on-line, up to 100,000 acre-feet per year of recycled water will be produced for as many as 100 potential users.

**Represents the annual cost of purchasing and spreading reclaimed water only.

TABLE I.4
 Summary of Future Demand for Reclaimed Water
 by Reuse Type
 Los Angeles County¹⁰



AFY = Acre Feet Year. Total projected use = 399,539 AFY.

The following table compares existing uses of reclaimed water with projected demand.

TABLE I.5
 Comparison of Existing and Future Demand for Reclaimed Water
 by Type of Reuse
 Los Angeles County¹¹

<u>Type of Reuse</u>	<u>Existing Demand</u>	<u>Future Demand</u>	<u>Additional AFY</u>
Groundwater Recharge	50,000	120,350	70,350
Industrial	1,381	110,665	109,284
Irrigation/Landscape	19,006	163,524	144,518
Other (Sea water Intrusion Barrier)	0	5,000	5,000
Total	70,387	381,539	311,152

¹⁰Federal Bureau of Reclamation, 3/3/95.

¹¹Federal Bureau of Reclamation, 3/3/95

The following table summarizes the major future reclaimed water users. Just by meeting their demand total of 94,000 AFY, the County's projected water shortage could be reduced by as much as 59 percent.

TABLE I.6
Summary of Major Industrial and Landscape/Irrigation Reclaimed Water Users
Los Angeles County²⁵

<u>Water Agency</u>	<u>User (If known)</u>	<u>Reuse Type</u>	<u>Estimated AFY</u>
LADWP	East Valley Various Users	Industrial	5,000
	Matchmaster Inc.	Industrial	614
	City Dyeing and Finishing	Industrial	576
	Union Oil Co of California (Unocal)	Industrial	5,418
	Ultramar Inc.	Industrial	1,624
	Union Pacific Energy Co.	Industrial	1,485
	Praxair	Industrial	616
	Harbor Project-VariouS Uses	Industrial	3,500
	City of LA Dept. of Airports	Industrial	1,307
	City of LA Dept. of Sanitation	Industrial	1,147
	Central City Project-Downtown LA	Industrial	2,000
	Harbor Project-Dominguez Gap	Seawater Intrusion	5,000
	East Valley Various Users	Landscape	2,500
	Griffith Park-Park Areas (additional)	Landscape	1,000
	UCLA Facilities	Landscape	2,143
	Veterans Administration	Landscape	758
	City of LA Parks and Recreation	Landscape	630
	LA County facilities	Landscape	585
	University of Southern California	Landscape	578
	Elysian Park	Landscape	500
West Valley	Landscape	2,550	
Mobil Oil	Landscape	5,760	
Long Beach WD	Dominguez Water Corporation	Industrial	10,000
	U.S. Naval Weapons Station	Landscape	600
	So. Cal Edison (Alamitos)	Industrial	600
City of El Segundo	Chevron-El Segundo Refinery	Industrial	1,000
Dominguez Water	Victoria Golf Course	Landscape	600
	Cal State University Dominguez	Landscape	555
	Arco Products Company	Miscellaneous	600
Unknown ²⁶	Palos Verdes Golf Course	Landscape	500
	Arco Refinery	Industrial	11,500
	Unocal Refinery (Carson and Wilmington)	Industrial	12,200
	Ultramar	Industrial	800
Total			84,246

²⁵Federal Bureau of Reclamation, 3/3/95. Water Users with projected annual acre feet of demand in excess of 500 AFY were included in the table.

²⁶It is unclear why the water agency has not been identified. The data collected by the Federal Bureau of Reclamation may have been incomplete, or the users may not have agreed to the use of reclaimed water. However, the lead agency for these projects is the West Basin Municipal Water Agency (wholesale agency) that should identify the individual water purveyors.

How are reclaimed water projects financed? There are various sources, including the Environmental Water Act of 1989, which allows the State to set aside funds for programs with significant environmental benefits. DWP will be requesting nine million dollars of these funds over the next three years for projects that replace Mono Late water, a very high state priority.

MWD offers rebates of \$154/acre ft. of reclaimed water produced by qualifying projects. The Federal Water Projects Authorization Act of 1992 provides 25 percent matching funds to the DWP and the West Basin Municipal Water District to help eliminate discharge of pollutants into Santa Monica Bay.

Finally, both the Central and West Basin Municipal Water Districts have developed a program whereby they pay the initial capital and infrastructure costs of reclaimed water projects and are later reimbursed by the users of these projects. DWP and other County water agencies could establish similar incentive programs.

The major costs associated with reclaimed water projects are the one-time capital costs (pipes, pump stations and wells), production/operations and delivery costs, and others such as increasing storage capacity (also a one-time cost). These costs are affected by the number and location of the customers, the capacity of the existing plants and the treatment requirements.

These variables make it difficult for water agencies to predict the costs of implementing future reclaimed water projects. The State Department of Water Resources (DWR) uses an average figure of \$483/acre ft. compared to the County Sanitation District's \$200 acre ft. Using the DWR's figure, it will cost between \$50 and \$336 million in capital expenses to meet the projected demand for 400,000 AFY of reclaimed water in Los Angeles County, plus an additional \$11.2 million for electricity. Storage facility expansions are currently underway and further expansion may not be needed since the Sanitation Districts have indicated their willingness to meet both the nighttime delivery requirements of irrigation users and the daytime needs of their industrial customers.

Overall, current reclaimed water costs range from \$166 to \$868/acre ft. compared to \$229 to \$426/acre ft. for imported water. As more users are brought on line, reclaimed-water projects will become more cost effective than using imported water.

Unfortunately, although the capacity exists for producing reclaimed water, there are very few users today. Failure to add to this customer base explains why the Sanitation Districts' reclamation facilities are operating at only 35% capacity.

400,000 AFY is the potential future demand for reclaimed water in Los Angeles County. By meeting that demand, the County would save \$170.4 million annually in imported water costs and the projected shortfall would be eliminated.

But reclaimed water projects face several impediments. These include: (1) relatively high initial capital costs, (2) the perceived difficulty in identifying and bringing users online where reclaimed water is

available, (3) areas where demand is high have only limited plans for implementing reclaimed water projects, and (4) opponents block full or partial implementation of these projects. Miller Brewing Company, for example, has filed two lawsuits to block a 27,350 AFY groundwater recharge project in the San Gabriel Valley. This litigation has already cost the taxpayers \$500,000.

The Committee recommends that the Board of Supervisors:

1. Identifies and prioritizes reclaimed water projects based upon projected yields and cost-effectiveness.
2. Develops an implementation schedule for completion of cost-effective reclaimed water projects. Request that water agencies involved in these projects provide periodic status reports to the Grand Jury.
3. Supports the Upper San Gabriel Valley's groundwater recharge project that is currently being challenged by Miller Brewing Company.
4. Implements incentives to water users for financing reclaimed water projects. One such program implemented by the Central Basin Municipal Water District pays for all projects costs up front, and allows the water user to establish a repayment program as a way to finance programs.

The Metropolitan Water District's (MWD) rate structure and incentives to invest in local water source development was the committee's third area of focus. MWD is the major water importer for Southern California. MWD has publically expressed its intention to encourage its customers to develop local water resources. Yet, MWD's new rate structure has been called disincentive by many of these same customers.

To help resolve this most contentious issue, the contract auditor performed a detailed analysis of MWD's existing and proposed programs for local water resource development, the objectives of which are explicitly stated in MWD's March, 1995 "Integrated Resource Plan (IRP) Assembly Statement": "Water Conservation, an additional 130,000 AFY by the year 2000; Water Reclamation, an additional 100,000 AFY by 2000 (and 280,000 AFY by 2020)." These figures are for the entire MWD's service area. The IRP also mentions direct assistance to local water purveyors. Such assistance could include innovative financing mechanisms, such as a "revolving fund" to help finance local projects. The establishment and utilization of such a fund would be in addition to the following programs that now exist as now described in the MWD's 1994-95 IRP:

Water Reclamation

- o Water Reclamation is encouraged financial incentives through the Local Projects Program (LPP) to local agencies to promote the development of water reclamation projects that reduce the demand for imported water. Metropolitan's LPP rebate is \$154 per acre-foot of

reclaimed water produced by qualifying projects. Currently, the LPP has 36 approved projects which will ultimately produce 170,000 acre-feet per year of reclaimed water.

- Maximizing Use of Groundwater

- So. California's groundwater basins, supplemented by local stream flow produce about 1.2 million acre-feet of water per year.

- The region has dedicated a significant amount of financial resources to developing groundwater projects which maximize Southern California's use of local water resources while reducing the region's reliance on imported supplies. These include groundwater development, storage, and recovery programs.

- Groundwater and surface water storage - Imported water could be brought into the region and stored in surface reservoirs at high rates during the winter when groundwater basins are generally being replenished with local and reclaimed water. The stored surface water can then be released to groundwater basins once conveyance and replenishment capabilities become available.

- Conjunctive use - is the practice of storing surface water (including imported water from the State Water Project and the Colorado River) in groundwater basins during periods of abundance, to be used later in times of shortage.

- Metropolitan's Seasonal Storage Service (SSS) is an example of using financial incentives to encourage conjunctive use. The three goals of the SSS program are to:

- 1) achieve greater conjunctive use of imported and local supplies;
- 2) encourage construction of additional local production facilities and;
- 3) reduce dependencies on imported supplies during the summer months.

- Participants in the SSS programs receive a discount of \$110 to \$132 per acre-foot of imported water stored in groundwater basins and reservoirs and produced during the summer months or dry periods.

- Groundwater Recovery Program (GRP) seeks to restore use of degraded basins. Metropolitan provides up to \$250 for each acre-foot of water produced under the GRP.

In addition to the existing incentive programs described above, MWD has directed the development of new programs

Proposed Rate Structure Components and 1995-96 Rate Levels

The proposed rate increase and modified rate structure for the Metropolitan Water District's 1995-96 Rate Schedule is summarized as follows:

- Water Rate -

Description of Charge - the current basic commodity charge (a noninterruptible water rate structure with seasonal storage service and interim agricultural water)

1995-96 rate increase and level - \$14 per acre-foot increase in the basic non-interruptible treated water rate (i.e. the wholesale rate charged to retail water utilities for re-sale to residents, and businesses of the service area). This amounts to an increase of approximately two tenths of a cent per unit of residential water service (one cubic foot or 7.48 gallons). This basic rate will increase from \$412 per acre foot to \$426 per acre foot for MWD water.

Plus four new charges:

- A Connection Maintenance Charge

Description of Charge - to recover a portion of the costs associated with maintaining Metropolitan service connections

1995-96 rate level - based upon size of MWD meters; \$50 per cubic feet per second or a maximum of \$5,000 per month per MWD meter.

- A Readiness-to-Serve Charge

Description of Charge - to recover the debt service not paid from taxes necessary to meet reliability and quality needs of existing demands.

1995-96 rate level - allocated to each member agency based upon historic water purchases during fiscal year 1992-93 and fiscal year 1993-94; target revenue on which the allocation is based equals \$56.0 million for 1995-96. Water utilities have the option of meeting The Readiness-to-Serve Charge revenue requirement (which must be paid from wholesale and retail water rates) through a parcel-based property assessment known as the *Standby Charge*. If *Standby Charge* revenue exceeds *Readiness-to-Serve Charge* requirements, the utility will receive a credit in the amount of the excess; if *Standby Charge* revenues do not meet *Readiness-to-Serve Charge* requirements, the shortfall must be made up from other revenue resources.

The 1995-96 *Readiness-to-Serve Charge* for each MWD customer is detailed in the table below. According to MWD sources, approximately one half of their customers utilize the parcel-based standby charge instead of the rate-based readiness-to serve-charge.

Allocation of Readiness-to-Serve Charge to MWD Customers

	Readiness- to-Serve Charge	Estimated Stand By Charge Revenues at <u>Existing Parcel Rates</u>
City of Anaheim	\$ 611,459	\$ 566,691
City of Beverly Hills	466,104	136,050
City of Burbank	713,778	401,548
Calleguas MWD	3,173,921	2,600,548
Central Basin MWD	2,342,478	3,540,893
Chino Basin MWD	1,108,239	1,629,194
Coastal MWD	1,418,574	1,002,924
City of Compton	183,208	161,068
Eastern MWD	1,808,841	2,659,713
Foothill MWD	285,818	311,535
City of Fullerton	279,548	352,755
City of Glendale	964,402	544,064
Las Virgenes MWD	641,296	533,216
City of Long Beach	1,378,138	1,078,020
City of Los Angeles	8,307,100	6,703,989
MWD of Orange County	5,810,325	5,768,816
City of Pasadena	370,599	428,673
San Diego CWA	14,866,337	12,363,620
City of San Fernando	7,686	40,452
City of San Marino	48,375	40,969
City of Santa Ana	442,732	420,902
City of Santa Monica	182,893	284,050
Three Valleys MWD	2,107,580	1,856,323
City of Torrance	740,410	461,756
Upper San Gabriel Valley MWD	325,348	1,933,064
West Basin MWD	5,443,889	3,770,295
Western MWD of Riverside County	<u>1,970,922</u>	<u>3,287,864</u>
Total	\$ 56,000,000	\$ 52,878,892

For the current, 1994-95 fiscal year, the Standby Charge revenue paid by MWD customers is budgeted to produce \$50 million. Projected combined revenue for the Readiness-to-Serve charge and the Standby Charge together for 1995-96 equals \$56 million, a net increase of \$6 million for the entire MWD service area.

- o New Demand Charge

Description of Charge - to recover the capital costs associated with accommodating new demands on Metropolitan's system

1995-96 rate level - \$1,000 per acre-foot for water purchases in excess of historic deliveries for the preceding four fiscal years.

- o A Peaking Management Charge

Description of Charge - for Treated water peaking charge - to encourage agencies that meet their peak summer demands with Metropolitan's treatment facilities to change their behavior or more equitably share in the cost of facilities to meet their needs

1995-96 rate level - for peak week purchases during the summer season (May-September); if peak week flow during May through September exceeds 130 percent of average summer (May-September) week flow, then the agency will pay a charge for each cubic-foot per second above the average. The charge will first be assessed during calendar year 1996 and collected in 1997-98.

In total, the composite increase for all MWD rates and charges to wholesale and retail water utilities amounts to 5.11% for 1995-96.

The MWD *Readiness-to-Serve Charge* is based on historical usage over the last four years for each MWD water customer. Therefore, recent efforts by MWD customers to increase local water sources, such as through water reclamation projects, are not immediately recognized in the calculation of the *Readiness-to-Serve Charge*. However, as reliance on MWD's imported water is decreased through conservation or development of local sources, customers will, over time, lower their *Readiness-to-Serve Charge*.

Also, as shown above, MWD has implemented a *New Demand Charge* which will cost customers \$1,000 per acre-foot for water purchases in excess of historic deliveries for the preceding four fiscal years. The *New Demand Charge* will therefore serve as a significant **incentive** to MWD customers to conserve and develop new sources.

The primary impediment to the development of new water sources by wholesale and retail purveyors in Los Angeles County is of course the substantial front-end investment and capital costs required to plan, build and begin operations for projects that put reclaimed water and captured storm water to beneficial use. The Metropolitan Water District has made clear policy statements that express their intention to encourage, through subsidies and other financial incentives (such as a re-structuring of their *Local Projects Program*) the development of local water sources by their customers. MWD's very recent draft Integrated Water Resources Assembly Statement sets forth these principles.

We have been informed by the MWD's Principal Engineer-Planning Division, that the District planning and resource development staff has been directed, within the next six months, to develop specific proposals to implement this policy. This directive was also included in the MWD General Manager's report to the Board of Directors which accompanied the rate resolution. The following excerpt from the General Manager's report indicates the intention of the District to increase incentives for increased production of local water supplies.

" the Executive Committee direct the General Manager to submit bimonthly progress reports and complete by November 1995 the studies necessary to address the following issues and that the Board review the outcome of these studies when developing rates and charges for 1996-97:

- a) Revising Metropolitan's incentives and programs as necessary to meet the local resource and groundwater storage targets identified in the IRP, and to ensure regional water supply benefits under normal supply and shortage conditions. The incentives associated with such programs will be commensurate with their regional benefit. The studies in support of the resolution of these issues include the completion of the analysis of Metropolitan's existing water management programs, including the seasonal storage program, local projects program, groundwater recovery program, and conservation credits program.
- b) Preparing a Resources Management Program (long-term drought management program) that includes principles for use of water during surplus years and uses of stored water and otherwise available water during periods of shortage. This Resources Management Program would include procedures for allocation of supply.
- c) Developing criteria for water market purchases and Metropolitan's operating and pricing policies for the transportation of such water purchases.

According to the MWD Principal Engineer-Planning Division, the new incentive programs that will be developed because of the directive cited above, will include such items as loan programs and direct subsidies for capital projects. Another possibility under consideration is a re-structuring of the Local Projects Program (LPP) which would provide greater benefits to water agencies in the early years of a project when startup costs and capital investments are needed.

The committee has found that:

- The proposed 1995-96 MWD rate structure includes a Readiness to Serve Charge that is allocated to member agencies based on the four prior years water consumption and therefore does not immediately recognize the benefits of developing local water sources. However, future years' allocation of the Readiness to Serve Charge will eventually be adjusted to reflect any reduction in water consumption.
- A significant incentive has been included in the proposed rate structure that will encourage development of alternative water sources. The New Demand Charge, of \$1,000 per acre foot for water usage in excess of historical levels, is more than twice the basic water rate for MWD.

Avoidance of the new charge will therefore be of significant financial benefit to all MWD customers.

- The MWD has made a commitment to developing new programs, and re-structuring existing programs, within the next six months to improve incentives to member agencies to develop new water sources, such as reclaimed water projects.

The committee recommends that future grand juries closely investigate MWD to see that it actually follows through on its announced commitment to local water conservation.

Finally, although the committee has not studied them in detail, two other proposals bear mention here for their bold and inventive approaches to the subject. DWP's Freshwater Harbor Project, now in its feasibility study state, would capture the Los Angeles River runoff and store it in a reservoir in Long Beach harbor, thus adding 300,000 acre ft. to our storage capacity. Hong Kong and Singapore both have similar facilities.

Non-profit Treepeople proposes that individual cisterns, the size and shape of a backyard fence, could be installed in residential areas. New technology makes them safe: amortizing their costs makes them affordable.

In addition to water conservation, both of these proposals would also mitigate the effects of stormwater runoff - the main source of pollution in Santa Monica Bay and of toxic silting in the marina.

SUMMARY AND CONCLUSION

It bears repeating that there is no coherent water policy in Los Angeles today. Instead, there exists a group of government officials and agencies whose very being depends on the problems they are supposed to be solving. Self-perpetuation is a way of life for these timeservers. It is for them, after all, that sunset laws and term-limits were written. Will the necessary remedies be invoked and/or applied to the Los Angeles County water debacle? Perhaps, but only via a deft and aggressive reading of the State Water Code. It is doubtful that this will happen before the pending water shortages begin in earnest. But as its final recommendation, this committee urges that the incoming Grand Jury and its successors keep a close eye on the water picture in Los Angeles, just in case.

List of Terms:

Aquifer	A geologic formation, group of formations, or part of a formation that is capable of yielding water in usable quantities to wells or springs.
Conjunctive Use	The practice of storing excess imported water in groundwater basins during normal and wet years.
Direct Runoff	Water that moves overland directly to streams after reaching the land surface as precipitation.
Groundwater	The subsurface water occupying the saturated zone, from which wells and springs are fed. The water that lies below the water table is called groundwater. See water table.
Groundwater Basin	A basin-shaped group of rocks containing groundwater with geologic and hydraulic boundaries convenient for investigation and description.
Groundwater Recharge	Water placed into the ground either artificially, through injection of imported and/or reclaimed water, or naturally through precipitation, percolation of surface flows or subsurface inflows.
Maximum Contaminant Level (MCL)	The maximum permissible level of a contaminant in water which is delivered to the free flowing outlet of the ultimate user of a public water system.
Potable Water	Water that is safe and satisfactory for drinking and cooking.
Percolation	The movement of water through unsaturated rock or soil by gravity.
Recharge	Process by which rain water (precipitation) seeps into the groundwater system.
Recharge Basin	A basin excavated in the earth to receive the discharge from streams or storm drains for the purpose of replenishing groundwater supply.
Reclaimed Water	Water which, as a result of the treatment of domestic wastewater, is suitable for a direct beneficial use or a controlled use that otherwise would not occur.
Reclamation Plant	Processes and controls which produce a reclaimed water suitable for the intended reuse.

Spreading Ground	Area that is used to capture and store water for future use, consisting of surface, imported or reclaimed wastewater.
Surface Water	All Water naturally open to the atmosphere (rivers, lakes, reservoirs, streams, impoundments, seas, estuaries, etc.) and all springs, wells, or other collectors which are directly influenced by surface water.
Surface Runoff	Precipitation, snow melt, or irrigation in excess of what can infiltrate the soil surface and be stored in small surface depressions; runoff is a major transporter of nonpoint source pollutants.
Tertiary Treatment	Wastewater Treatment beyond primary and secondary treatment, which may consist of extensions or modifications of secondary treatment, additional forms of chemical treatment, electrochemical processing, carbon filtration, and other more complex procedures.
Title 22	State Water Code requirements regarding the used of reclaimed water for irrigation and industrial purposes.
Watershed	The boundary of an area from which water drains to a single point; in a natural basin, the area contributing flow to a given place or a given point on a stream. The watershed is increasingly coming to be regarded as a social and economic unit for community development and conservation of water, soil, forests and related resources.
Water Table	The top of the zone of saturation in which all rocks are saturated with water. The subsurface water that lies below the water table is called groundwater.

List of Acronyms:

MWD	Metropolitan Water District
CBMWD	Central Basin Municipal Water District
WBMWD	West Basin Municipal Water District
DWP	City of Los Angeles Department of Water and Power
WRD	Water Replenishment District of Southern California
RWQCB	California Regional Water Quality Control Board
DHS	State Department of Health Services
WRP	Water reclamation plant
AFY	Acre-foot per year
CSD	County Sanitation Districts of Los Angeles County

Sources:

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**GRAND JURY
EDIT COMMITTEE**

MEMBERS

**Carol A. Smithberg, Chairman
Mary Lou Bangar
Burt Schultz
Barbara Stutes
Maxine S. Touff**

EDIT COMMITTEE

Those named to the Grand Jury Edit Committee have been working the entire year with the goal of putting together in one volume the who, what, where, when and why accomplishments of the entire Grand Jury.

With 80 percent of the jury time taken up with hearings, both investigative and indictment, the numerous committees set off on their agendas, meeting during the noon break and after hours. They set up special speakers and site visits for the entire Grand Jury, along with working on their goals and audits. The accomplishments and results are the contents of this final report.

The goal of the Edit Committee was to have the report ready for distribution by the June 30th completion date of this Jury. To this end, deadlines were set early to have the reports read to go through the approval and sign-off stages. Procedures for gathering information and preparing their reports were distributed to committee chairmen and other report writers. Help was offered along the way.

Early in the year plans were made to have the cover photo taken by the staff of the Goodyear Blimp, thanks to the contacts of one of the Edit Committee members. Also, the photo of the entire jury was scheduled early in March to give plenty of time in case of problems.

A number of special reports were completed and distributed during the year. These included "Financial Management of Los Angeles County" and "Analysis of the Origins of Funding Sources of Los Angeles Department of Airports." The airport analysis, after being distributed to city and county officials was recognized by the press.

Two members of the Edit Committee had previously worked in the publication field and were helpful, and successful, in stressing the understanding and importance of publication deadlines.

GOVERNMENT OPERATIONS COMMITTEE

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Maxine Touff

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GOVERNMENT OPERATIONS COMMITTEE

INTRODUCTION

Committee for review of Government Operations concentrated its efforts on two major projects and several minor ones.

The primary studies concerned the following:

- Financial Management of Los Angeles County (Report issued November 29, 1994)
- Original Funding Source for the Los Angeles International Airport. (Report issued April 4, 1995)

Secondary projects included:

- Contract services provided by Sheriff's Department
- Grant management practices

The Committee recommends that the 1995-96 Grand Jury consider investigation of the following:

- Metropolitan Transit Authority (MTA) - No action was taken during the 1994-95 term because the MTA was being evaluated by several other agencies. During the 1994-95 term the MTA made management changes, the effect of which can probably be measured in late 1995 or early 1996.
- Coroner's Office - The 1994-95 Jury did not have time to conduct other than a minimal review, but believes a thorough evaluation should be made in 1995.

ANALYSIS OF THE ORIGINAL FUNDING SOURCES
OF THE CITY OF LOS ANGELES
DEPARTMENT OF AIRPORTS

This analysis, of the original funding sources for the City of Los Angeles Department of Airports, was prepared pursuant to the direction of the FY 1994-95 Los Angeles County Grand Jury. Fieldwork began on January 3, 1995 and was completed on February 28, 1995. Although there have reportedly been many in-depth studies conducted on this subject and some City staff reported that the Department of Airports has fully repaid the City for all General Fund and other monies advanced to the Airports, the Grand Jury decided to conduct its own investigation at this time particularly in light of the City's current financial needs.

INTRODUCTION

On June 26, 1928 the City Council adopted its first budget which included an "Air Ports" Department as a part of the General Fund. Airport operations began in October of 1928 when the City leased 640 acres of property which had a dirt strip for a runway and was then called Mines Field. A total of \$300,000 was allocated from the City's unappropriated balance for this purpose. Sixty-seven years later, the FY 1994-95 budget of the Department of Airports exceeds \$300,000,000.

The Department of Airports grew steadily as a part of the General Fund until April 1, 1947 when a Charter amendment changed the status of the Department of Airports from a budgetary department of the General Fund to an enterprise fund department having control over its own monies. The first accounting records from the Airport Enterprise Fund General Ledger show an initial entry dated July 1, 1947 establishing the balance in the account entitled 'Contributions made by the City of Los Angeles' in the amount of \$3,437,103.78.

In FY 1950-51, the Department of Airports first achieved a sufficient level of operating revenues to fully fund its operating expenses, with two exceptions. Retirement costs for its employees continued to be subsidized by a direct property tax levy and bond interest and redemption costs were substantially funded from the General Fund and the Permanent Improvement Fund. In FY 1965-66, the Airports Department finally reached a point where, for the first time, it paid all of its costs. In that same year, it began a repayment program to reimburse the City General Fund, Permanent Improvement Fund and other sources for monies advanced to the Airports since 1928. In FY 1981-82, the Department of Airports made a final payment of \$597,175 to complete its \$14,847,175 repayment program begun in FY 1965-66.

Subsequently, two studies of the Airport's repayment of the City were made. On April 3, 1992, the Department of Airports Accounting Division issued a report confirming that all of the \$16,000,000 principal cost of the 1941 and 1945 general obligation bond funds was repaid. Three months later, a consultant study prepared for the Board of Airport Commissioners in June of 1992 also reported

that the City's original capital contributions and debt service costs related to the 1941 and 1945 general obligation bond issues had been repaid in full by the Department of Airports. The consultant further reported that no other unreimbursed capital costs of the City had been identified. However, the consultant made an examination of charges by the City for central services for the period of FY 1983-84 through FY 1992-93 and determined that the City had undercharged the Department of Airports. Based on this analysis, the Department of Airports paid an additional \$8.4 million to the City to rectify the identified undercharges.

FINDINGS

Based on the preceding background of financial analysis previously conducted on the subject of the Airport's repayment of the City, a detailed task plan was developed to thoroughly identify and examine all aspects of the City's historical financial support. This task plan was based on the review of previous studies, the interview of selected City staff and the location and analysis of original financial and related documents.

The Executive Director of the Department of Airports, Deputy Directors, the Chief Accountant and several accounting staff were interviewed. Original Airport accounting records were examined, including financial statements, journal vouchers, ledgers and other documents. Previous studies were reviewed including both Airport and consultant studies. City Controller staff were also interviewed and financial reports and budget documents were obtained and analyzed for every year from FY 1928-29 to FY 1994-95. City Treasurer administrative and investment staff were interviewed and historical records from the City Clerk's archives as well as the Treasurer's vault were reviewed and copied as necessary. Due to the outstanding record preservation and indexing by the City Clerk, the City Treasurer, the Controller and Board of Public Works, it was possible to reconstruct most of the revenues and expenditures pertaining to the Department of Airports, including the funding source, for each year of its 67 year history.

As a result of the examination of tens of thousands of pages of budget documents, financial statements and other documents and the interviews of more than 30 key staff in the aforementioned City departments, it was determined that the City has not been fully reimbursed for costs incurred on behalf of the Department of Airports. Expenditures made by the City for operating expenses, bond interest and redemption costs, capital improvement costs, land acquisition costs, employee retirement costs and bond issuance and servicing costs have not been fully reimbursed. These expenditures amount to \$5,400,603.

In addition, a detailed analysis was made of the City's yield on investments for each year from FY 1928-29 through FY 1993-94. During this period the City had surplus funds available for investment each year which the Treasurer invested at yields ranging from a low of 0.37 percent in FY 1942-43 to a high of 14.99 percent in FY 1981-82. As a result of the advances made to the Department of Airports, which otherwise would have been available for investment, the City lost significant amounts of investment revenue. During this same period of time, the Department of Airports received over \$464.3 million from investments of available cash made by the City Treasurer. \$214.7 million, of the

Airports \$464.3 million of investment revenue received from the Treasurer, came as a result of investing surplus Department of Airport funds, other than bond funds, which were available as a result of profits made by the Department of Airports. It is specifically this \$214.7 million, which the

Department of Airports received from Treasurer investments, that resulted, in part, from unreimbursed advances made by the City.

Finally, in 1988 the Department of Airports sold land to the State of California for construction of the Century freeway. 86.41 percent of this land was owned by the City General Fund since 1937. The City's portion of the proceeds of this sale, plus accumulated interest through February 28, 1995, amounts to \$50,435,690.

The question of the propriety and legality of the City requiring the Department of Airports to repay the various advances made since 1928 is one that has been previously addressed in other municipalities. In a February 12, 1991 written opinion of the Assistant Attorney General of the Department of Justice acting as the General Counsel for the Department of Transportation, Counsel opined that airports are not limited by terms of the Airport and Airway Improvement Act of 1982 from recovering airport capital or operating costs through airport revenues, nor is there any evidence that Congress intended to impose such a limitation. The Counsel further concluded that an airport owner can elect to recoup its airport-related capital or operating costs when the costs are incurred or at any time thereafter. In addition to the absence of federal restrictions, City Charter Sections 239.8 B(2) and B(5) also address this issue and provide for the Airport repayment of bond redemption and interest costs and the payment of its own employee retirement costs.

Each of the areas of unreimbursed Airport expenditures made by the City and the loss of General Fund investment revenue is shown in the following table and described below. The net total of these items amounts to \$208,145,865.

Summary of Unreimbursed Monies Advanced to the Department of Airports by the City of Los Angeles and Related Lost General Fund Investment Revenue:

Purpose of Advance	Amount of Advance	Lost Gen Fund Investment Rev	Total Amount Due City
Operations	\$ 2,189,572	\$ 28,841,269	\$ 31,030,841
Employee Retirement,	536,673	14,862,496	16,399,169
Bond Redemption/Interest	18,360	93,037,454	93,055,814
Capital Improvements	359,333	4,423,703	4,783,036
Land Acquisition	1,244,788	15,123,357	16,368,145
Bond Issuance/Servicing	51,877	591,787	643,664
Reserve Fund Loan	0	228,178	228,178
Adj to Airport Invest Rev Alloc	<u>0</u>	<u>-4,798,672</u>	<u>-4,798,672</u>
Subtotal	5,400,603	152,309,572	157,710,175
City Portion-State and Sale*	<u>0</u>	<u>0</u>	<u>50,435,690</u>
Total	<u>\$5,400,603</u>	<u>\$152,309,572</u>	<u>\$208,145,865</u>

* These monies were transferred to the General Fund on March 7, 1995.

CONCLUSIONS

The City has advanced more than \$20 million to the Department of Airports since 1928. Of these advances, over \$5,400,000 has not been repaid. These monies were advanced for operations, employee retirement costs, capital improvements, land acquisitions costs, bond redemption and interest costs, and bond issuance and servicing costs. In addition, the City suffered the loss of significant amounts of investment revenues it would had received if these monies had been repaid on a timely basis. These investment revenue losses amount to more than \$152,309,000. Lastly, the 1988 sale of property to the State, which was then thought to be Airport owned property, was primarily (86.41 percent) owned by the City General Fund. Since the Department of Airports recently transferred the entire land sale proceeds from the Airport Revenue Fund to the General Fund of the City, approximately \$7,935,570 should be transferred back to the Airport Revenue Fund and the Airport should enter into a repayment agreement with the City to repay the other monies identified in this report.

The total benefit to the City of Los Angeles from the repayment of these monies by the Airport would amount to \$208,145,865.

RECOMMENDATIONS

It is recommended that the City:

- Transfer from the General Fund of the City of Los Angeles to the Airport Revenue Fund the Airport's portion of the balance of the proceeds and accumulated interest from the 1988 sale of land to the State of California in the approximate amount of \$7,935,570. The remaining 86.41 percent, estimated to amount to \$50,435,690, should remain in the City's General Fund.

It is recommended that the Department of Airports:

- Enter into a formal reimbursement agreement with the City of Los Angeles to repay the remaining balance of \$157,710,000 (\$5,400,603) and \$152,309,572) over a period of 50 years at a fixed rate of interest of five percent subject to negotiation between the City and the Department of Airports.

FINANCIAL MANAGEMENT OF LOS ANGELES COUNTY

INTRODUCTION/SUMMARY

Beginning in the late 1980's, major structural and transitory influences have been forcing repeated changes in the administration of Los Angeles County. Federal and State government actions, massive changes to the area's economic base, and continuing shifts in the social pressures have come together to create a very complex set of inter-related economic and political questions for the Board of Supervisors. The difficult problems arising from this challenging set of circumstances all come together in the Annual Budget.

The purpose of this study by the 1994-95 Grand Jury is to provide the Board of Supervisors with recommendations for dealing with the financial contradictions that arise from an electorate that sees no limit to its "needs," but is generally unwilling to support increased taxes. More recently, an unwillingness by the electorate to incur debt through bond issues has also become evident.

The Grand Jury recognizes that on January 24, 1994, the Board adopted certain recommendations that were proposed by Sally Reed, Chief Administrative Officer (CAO), in her letter of January 19, 1994, entitled "*Recommended Budget Policies for Improved Fiscal Stability*." The Grand Jury strongly endorses these statements by the CAO, suggests that some additional policies be considered, and that the entire position be formalized for public acceptance.

As part of the campaign to enhance credibility in the budget process and provide support for the Board of Supervisors, the Grand Jury further recommends that a commission of recognized local authorities be established to review proposed budgets for the purpose of confirming that good financial policies have been used. This action will not satisfy the more vocal special interest groups, but it can be a means to communicate directly to the general public and to demonstrate discipline for State and Federal evaluators.

The public has become cynical about stories of budget crises. Ever since Proposition 13 was passed, officials at state and county levels, have made dire financial forecasts only to find short-term solutions to avoid drastic measures. As Sally Reed says in her January 19, 1994 letter to the Board "*With each successive budget miracle, the credibility of the County's fiscal plight has been damaged*." Actually, the Board and the Administrative Staff have shown great ingenuity over the past several years in solving short-term budget problems, a fact which the public may not appreciate or understand.

BACKGROUND

A "classic" case of municipal financial crisis is the New York City (NYC) experience in 1975-76. In May 1975 with a debt of \$14 billion, a failing credit rating from Standard & Poor's, NYC needed \$3.5

billion to meet payrolls, operating expenses and debt service, but anticipated only \$2 billion in tax revenue. Shortly thereafter, NYC notes were selling in the resale market with 60 percent return. The crisis got worse. To balance the Fiscal Year 1976 budget, 73,397 jobs were eliminated with 36,000 (including 12,000 policemen) more to be cut the following year if \$800 million in added revenue were not found. Raising taxes was not a realistic possibility.

Finances continued to deteriorate with both New York State and NYC in trouble. Sources of problem: jobs leaving the city for suburbs, new jobs primarily lower-wage, inflation, recession and a tradition of spending beyond its means. A belated austerity program of job cuts, wage freezes, pay cuts, changes in accounting practices, increase in subway fares, and elimination of free tuition at NYCU were all needed to avoid bankruptcy. Finally, the banks took over and dictated as creditors the measures that would be taken before a \$4 billion recovery loan would be made. According to news reports, many of the same policies that led to the fiscal crisis in the 1970's have continued.

Maricopa County continued to add employees to the payroll from 1988 to 1993 (8,700 to 12,600) during the time that revenues were going down and the fiscal problems were developing. After dismissal of a number of county officials, restructuring the management, lowering of credit rating, and loans from the state, Maricopa County's Board of Supervisors approved a budget with a \$64 million deficit that includes a 15 percent across-the-board cut countywide.

The State of California just borrowed \$4 billion from a group of bankers who insisted that the state make budget cuts if the loan cannot be repaid on schedule. What would the impact of this be on Los Angeles County? "Moody's" warned in March 1994 that California's fiscal actions would hurt Los Angeles County. Shifting the cost of social programs to the County, promising increased revenues that do not materialize and the shifting of property tax revenue from the County to the schools are recent state actions that have been an adverse impact on the County. As Moody's said, these state actions "*substantially increase the economic vulnerability of the county's revenue structure.*"

Financial problems at the city and county level are not uncommon in the United States these days. Changes in growth rates, recession effects on property tax revenue, increases in the cost of social programs, and losses in the tax base from restructuring of many commercial firms, all contribute to the possibility of financial difficulties.

FINDINGS

FINDINGS IN 1991-92 BUDGET

Major risks appeared in the 1991-92 budget as a result of the continuing recession and increase in caseload programs for health, welfare, children's services, jails and courts. A potential shortfall of \$211.5 million in Federal Medicaid revenue for the Departments of Health Services and Mental Health was successfully resolved, avoid massive cuts. The State had a projected shortfall for 1991-92 of \$12.6 billion (reference c).

The 1991-92 budget was the first one to experience the double whammy of an approximately 10 percent reduction in local revenue from 1990-91 to 1991-92, combined with a \$1.2 billion increase in welfare, health and justice needs over the period 1989-90 to 1991-92 (reference c).

In 1991-92 a number of creative solutions and productivity improvements were made to keep the County's fiscal situation generally acceptable (reference c).

FINDINGS IN 1992-93 BUDGET

The 1992-93 budget plan was based on using "one-time only" funds of \$36 million in 1990-91 Profit Sharing Program (PSP) savings and \$58.5 million of 1991-92 PSP savings to maintain ongoing welfare programs (reference d).

The Budget Process which used to be an annual short-term event, has now become a year round activity because of numerous economic uncertainties, the resolution of which continues throughout the year (reference d).

Although the character and quality of the \$2.2 billion in "unmet needs" requested by the departments is not set forth in detail, this fact appears symptomatic of deteriorating structural conditions in county government. "Unmet needs" have always exceeded realistic expectations, but the level continues to increase.

This budget included only a \$10 million contingency for unforeseen emergencies, which is an extremely small reserve by anyone's standard. By September 1992, the CAO was recommending that at least half of this amount be spent and half retained as a "safety net."

After the state budget was adopted on September 2, 1992, the available financing was reduced by \$588.2 million. After a series of painful curtailments, the CAO was still obliged to recommend ". . . *begin the arduous process of permanently downsizing County operations.*" (reference e).

FINDINGS IN 1993-94 BUDGET

Temporary (one-time) revenues of \$682.3 million were needed to offset a portion of the shortfall in the 1993-94 budget according to charts shown by Gerald Ross at the budget workshop on January 24, 1994.

The property tax shift reduced County revenue by an estimated \$1.065 billion from the level that would have been anticipated before the shift.

Harry Hufford, CAO, in his letter of July 23, 1993, to the Board of Supervisors "*strongly recommended against the use of debt to finance ongoing operating expense, not only because of the future continuing interest and principal payments and negative impact on the County's credit rating, but also because it undermines the County's advocacy efforts and budget credibility.*"

FINDINGS IN 1994-95 BUDGET

The County's fiscal plans continued to be adversely affected by state actions: additional property tax shifts, subvention losses and new assessments on Federal revenues are the primary influences in the July 1994 projection of a \$465 million shortfall (reference b).

As a result of the state budget, the County is faced with \$167.9 million in potential reductions in County departments beyond the reductions already included in the proposed budget. From the start of the fiscal year 1994-95 until September, the County experienced suspended animation awaiting the outcome of various uncertainties affecting the extent of potential reductions (reference b).

Delay in implementation of potential cuts from two/three months, added to the risks that the County had already assumed, was a calculated risk. The only available reserve to offset these potential costs and other financial hazards is \$35 million in the Funded Interest Reserve Pledge Fund (reference b). In view of the Grand Jury, this level of risk versus reserves is simply unacceptable in a County that is subject to so many budgetary uncertainties.

No immediate long-term solution to the County's structural shortfall between revenues and needs is in view. As a result, one can project with some certainty that the fiscal situation in Los Angeles County will continue to deteriorate year by year until service levels, which can be expected to increase, are adjusted or new sources of revenue are obtained.

The 1994-95 budget relies on certain one-time revenues to pay for continuing programs. This use of special accounts, e.g. emergency assistance funds to fund operating expenses, does not solve the basic problem.

The tentative plan for reallocation of \$180 million from the Department of Health Services (DHS) to other uses assumes it will not be needed next year by DHS. Is this a valid assumption?

The \$20 million reserve for the Supervisors to allocate is a sensible action that needs to be maintained.

The most significant finding: the level of risk assumed each year for the past three years has been greater than the year before. With total Los Angeles employment down approximately 400,000 jobs in the past five years, and no relief in sight from the property tax shift, demand for social and safety services continuing to increase each year, crunch time is approaching, if in fact it has not already arrived. The Board of Supervisors will have no choice -- either to find added revenues or reduce the level of delivered services. In this world of mandates, maintenance of efforts and State and Federal governments unable to offer long-term help, the solution to the fiscal problem of the County will require much more in the future than reallocating dollars to other accounts.

RECOMMENDATIONS

The 1994-95 Los Angeles County Grand Jury respectfully recommends that the Board of Supervisors formally adopt the following principals to be known as the "*1995 Financial Principles*" to guide the planning and management of county budgets.

1. Prudent contingency reserves will be established to deal with unpredictable emergencies.
2. Recurring expenditures will be funded with ongoing, continuing revenues.
3. Revenue forecasts will be established at conservative levels with a high probability of realization.
4. Total expenditures will be established at levels that are reasonably predictable and sustainable.
5. One-time capital expenditures for fixed assets and systems development will be funded with non-recurring, one-time funds or reserves set aside for such purposes.
6. Operation and maintenance costs of new or additional capabilities from capital investments and development of new systems will be forecast as continuing expenses at the appropriate time.
7. No capital expenditures will be authorized until the full funding required to complete the projects is identified and dedicated.
8. Acknowledged cost/revenue problems will be resolved in the current budget. Deferral is permissible only if specific action to resolve the problem is identified.
9. Currently obligations or liabilities will be funded in accordance with an actuarial determined schedule of reserves.

And, the Grand Jury further recommends:

CITIZENS' BUDGET COMMISSION

PURPOSE

To provide a nonpartisan Blue Ribbon group of citizens to assist in achieving responsible financial management of Los Angeles County.

SCOPE

Allocation and distribution of public resources is the responsibility of the Board of Supervisors. The primary interest of the Citizens' Budget Commission is the financial stability of the County and the prospects for the County's future financial health.

RESPONSIBILITIES

1. Review and certify that the annual budget proposed by the CAO is consistent with the financial principles adopted by the Board of Supervisors in 1995.
2. Review assumptions, premises and priorities used by the CAO in establishing the budget.
3. Review revenue estimates.
4. Assure that the current budget plan includes repayment of any reserves previously used and any prior year's overrun within the following two years.
5. Publish an annual report prior to public budget hearings by the Board of Supervisors. The report will include a statement of the current financial condition of Los Angeles County measured against the financial principles adopted by the Board of Supervisors in 1995.

OBJECTIVE

Provide independent, nonpartisan recommendations and support for the actions taken by the Board of Supervisors.

1. Commission to be established by the Board of Supervisors.
2. Each Supervisor shall appoint one delegate and the entire Board shall elect two additional persons for a total of seven. Supervisors will determine the term of service.
3. Commissioners will be chosen from the ranks of:
 - a. Civic leaders - to obtain support of constituents for difficult action and decisions required by Board of Supervisors.
 - b. Business executives from banking, accounting, insurance, real estate, etc.
 - c. Recognized authorities.

- d. All appointees need sufficient stature in the community so that their support will establish credibility with the public for unpopular actions that may be required from time to time.

REFERENCES

- a. County of Los Angeles 1994-95 Proposed Budget, transmitted to Board of Supervisors on May 17, 1994 by CAO.
- b. Recommended Revisions to reference a, dated July 9, 1994, submitted by CAO to Board of Supervisors.
- c. 1991-92 Proposed County Budget dated May 21, 1991, from Richard B. Dixon, Chief Administrative Office of Los Angeles County to the Board of Supervisors.
- d. 1992-93 Proposed Budget dated May 19, 1992, from Richard B. Dixon, Chief Administrative Officer of Los Angeles County to the Board of Supervisors.
- e. Recommended Budget Adjustments dated September 19, 1992.
- f. Los Angeles Times, July, 1994.
- g. Wall Street Journal, May, June, and July, 1975, series.
- h. Moody's Municipal and Government 1994.

ANALYSIS OF SERVICES PROVIDED BY THE SHERIFF'S DEPARTMENT TO COUNTY MUNICIPALITIES

INTRODUCTION AND SUMMARY

This report is a summary submitted to document the work of the 1994-95 Grand Jury for future reference. It describes the methods and procedures used by the County of Los Angeles and the Sheriff's Department, and the legal constraints on the County that limit the revenues that can be realized for the provision of contract services. A copy of the complete investigatory report prepared by the contract auditor is available in the files of the Grand Jury.

BACKGROUND

Assembly Bill (AB) 2059, which became effective on January 1, 1974, was later amended to make the Code provision applicable to all California counties.

As a consequence of AB 2059 (1973) and the subsequent legal opinion, the County of Los Angeles is limited to charging cities only the incremental cost of providing services, with rigid restrictions on the allocation of indirect costs, overhead, or costs of services provided to residents of the County as a whole.

In the case of the Sheriff's Department, the cost of the elected Sheriff's salary and fringe benefits cannot be charged to contract cities, regardless of the amount of time the Sheriff himself spends working on the provision of such services. The reasoning behind this exclusion is that the County would have a Sheriff, and be responsible for attendant costs, whether or not the Sheriff's Department provided contract services to cities. By the same reasoning, the Sheriff's Crime Lab services are considered to be county-wide services that exist for the benefit of all residents of Los Angeles County, supported by county taxes, and therefore not a cost that can be charged to contract cities.

PROCEDURES FOR CONTRACTING SHERIFF'S SERVICES; COST RECOVERY

Auditor-Controller Responsibilities:

The Los Angeles County Auditor-Controller, working with the Sheriff's Contract Law Enforcement Bureau, prepared and updates annually, a cost model report which defines and determines unit costs for law enforcement services provided by the Sheriff to contract cities.

This annual update reflects changes in the Sheriff's costs for such items as salaries, wages and benefits, support costs and fleet operation costs. Unit costs are then developed for services such as

"One-deputy 40 hour General Law Patrol" and "One-deputy 40 hour Traffic Law patrol." There are 35 such service unit definitions.

The Cost Model is frequently modified to reflect changing conditions and the recognition of new costs. Similarly, one-time costs for major capital improvements, the costs of which depend partially on the level of contract city service, have also been added as allowable costs that can be included in fees paid by contract cities.

Sheriff's Office Responsibilities

Once the annual Cost Model report is finalized by the Auditor-Controller, with the assistance of the Sheriff's Office, the Sheriff's Office is responsible for contract administration and the delivery of services to the contract cities. Service delivery is performed by the Sheriff's Stations, while contract administration responsibilities are vested in the Sheriff's Contract Law Enforcement Bureau.

A standard agreement for Law Enforcement Services is executed by the County and each of the contract cities.

The contract for services is renewed annually by legislative and executive approval of each contract city, and the Sheriff is notified of the units of service required by the respective cities by official letter. Monthly billings and invoices are adjusted to reflect any changes in the levels of service required by the contract cities.

Upon official notification of service levels required by the respective contract cities, the Sheriff's Law Enforcement Services Bureau prepares reports that notify appropriate Sheriff Stations of service unit requirements of the cities within their jurisdiction.

During the fiscal year, a contract city can alter its service level requirements, either to reflect increases in Sheriff patrol, investigation or traffic enforcement services, or to reduce or reallocate services in response to specific needs or budgetary constraints.

Once a city notifies the Sheriff's Law Enforcement Services Bureau of a service level change, a memorandum is prepared for notification of field units for service adjustments. Also, monthly billings and invoices are adjusted to reflect the change in service level.

As an additional service, the Sheriff's Department conducts an annual workshop for officials from contract cities and potential contract cities in order to familiarize said officials with the method of contracting for and receiving the Sheriff's law enforcement services.

FINDINGS

The California Government Code was amended by State legislation in 1973 to specifically limit the fees charged and revenues received by the Los Angeles Sheriff's Department for the provision of

those services to contract cities in the County. Such fees and revenues are essentially limited to incremental costs for services not otherwise provided on a county-wide basis. In addition, fixed costs which would be incurred by the County for normal operations of the Sheriff's Department may not be allocated to fees charged to contract cities. This State law is not limited to the provision of Sheriff's services. It also applies to all other services provided by the County to contract cities.

Through the combined responsibilities and work of the Los Angeles County Auditor Controller's Office, the Sheriff's Contract Law Enforcement Bureau, and the Sheriff Stations responsible for the delivery of law enforcement services to contract cities, the County appears to be performing the following tasks in accordance with proper controls and procedures and within the constraints of State law:

- The costs of services is accurately determined on an annual basis by the Auditor Controller and the Sheriff's Department. Fees are set for consistently defined service units in accordance with the limitations of the California Government Code.
- Unit of service fees are consistently charged to contract cities based on notification from the contract cities to the Sheriff's Department of the level of service to be provided. Contract cities are able to adjust service levels, and fees to be charged, in response to changing requirements for law enforcement services and budgetary considerations.
- Appropriate controls are in place for billings, billing amendments and collection of fee revenue.
- Of the Sheriff's 1994-95 budget of approximately \$1.17 billion in total expenditures, \$137.3 million (or 11.7 percent) is recovered in contract city revenue.

RECOMMENDATIONS

None

GRANT MANAGEMENT PRACTICES

The 1994-95 Grand Jury investigated grant management practices, and the Chief Administrative Officer was most cooperative in furnishing a detailed report on the subject.

Each County department is responsible for finding and securing grants, as well as implementing and accounting for grant-funded programs, in its area of responsibility. In some departments, there is a specific office responsible for revenue enhancement.

Funded programs are monitored in several ways. The single audit, which is an annual requirement, includes a listing of all grants which come directly from the Federal Government, or are passed through the State, by funding source, department and project.

A significant number of grant-funded programs involve County Contracts with service providers, which are monitored on an ongoing basis by the responsible departments. The Auditor-Controller maintains an audit schedule which provides periodic review of the various departments. In addition, on an ongoing basis, the Chief Administrative Office reviews estimates, actual expenditures and revenues against each department's budget, in part to find and monitor discrepancies.

The Government Operations Committee is satisfied that grant funds are monitored efficiently.

HEALTH SERVICES COMMITTEE

MEMBERS

James A. Froede, Chairman

Jane W. Arterbury

Max Diamond

Bruce E. Emerson

Melvin Ferber

Manuel M. Roxas

HEALTH SERVICES COMMITTEE

INTRODUCTION AND SUMMARY

The Health Services Committee along with other grand jurors visited the following Los Angeles County health centers:

Rancho Los Amigos Medical Center
Harbor-UCLA Medical Center
Los Angeles County - USC Medical Center
Martin Luther King-Drew Medical Center

During our visit, members of the respective medical and support staff, along with county officials, were interviewed concerning patient capacities and daily census statistics.

The committee along with the Grand Jury initiated two studies and analyses by the contract auditors, the Harvey M. Rose Accountancy Corporation.

Study No. 1 An investigation into the backlog and patients' access to appointments in the Department of Health Services (DHS) outpatient clinics and the development of recommendations to reduce backlog and increase patients' access to appointments.

Study No. 2 The review of services for homeless with psychiatric disabilities.

BACKGROUND STUDY #1

As mandated by the California Welfare and institutions Code, Section 17000, the DHS provides medical care to the county's indigent and low income residents.

The DHS has commenced a restructuring effort to reorganize County health facilities into an integrated community-based delivery system. The reorganization established a cluster system of hospitals, comprehensive health centers (CHCs), health centers (HCs) that places hospitals, CHCs and HCs under the same umbrella in order to provide greater coordination and continuity of care to patients. The cluster system provides a full spectrum of services (from acute, hospital-based care to preventive public health services) within each geographic area through a network of hospitals, CHCs and HCs.

Public health services such as immunizations, testing and prevention information for tuberculosis and sexually transmitted diseases and pediatric, prenatal and well baby care are provided by most of the county HCs. CHCs, as the name suggests, typically offer a more comprehensive range of services, including primary care, adult medicine, radiology, and full pharmacy services. Two of the county's six CHCs provide urgent care services and one also offers outpatients surgery services. All services

provided by HCs and CHCs are outpatient services, meaning that patients do not stay at the facility over night. The six county hospitals, by contrast, provide full emergency trauma services and acute care services on an inpatient basis. In addition, these facilities also provide a range of primary care and specialty physician services on an outpatient basis through the hospital clinics. Most of the highly specialized outpatient services (such as neurosurgery or pediatric cardiology) are located in the hospital outpatient clinics, while more primary care services are offered through the CHCs.

PROCEDURE

The committee reviewed all literature and interviews from each facility, and identified possible deficiencies in their services.

After meeting with various representatives of medical and patient services, one of the most pressing problems noticed was a large appointment backlog in most of the facilities.

As part of Study No. 1, we selected the outpatient department at the Martin Luther King/Drew Medical Center as a site for the analysis of outpatient appointments, procedures, staffing and backlog. Although the King/Drew Medical Center was selected as a site for this study, the problem of clinic backlog and long waits for an appointment is a county-wide problem.

There are over 100 outpatient "clinics" at King/Drew Medical Center, which are under the auspices of seven of the eight clinical departments at King/Drew Medical Center: Family Practice, Internal Medicine, Neuroscience, Obstetrical/Gynecology, Oral and Maxillofacial surgery, Otolaryngology (ENT), Pediatrics, and General surgery. Emergency medicine is the eighth clinical department at King/Drew Medical Center, which provides ambulatory care through its emergency rooms. Each department with the exception of family medicine offers a variety of subspecialty clinics.

FINDINGS - STUDY NO. 1

County outpatient clinics usually require patients to have appointments in order to receive services. There are some patients who receive these services without appointments. All county residents, regardless of their status or ability to pay have access to these appointments. There is often a long wait for the next available appointment. Some patients seek to overcome this by receiving services through the county emergency rooms which are already overloaded. DHS refers to the term "clinic backlog" as the number of calendar days (including Saturdays and Sundays) until the day of the first available appointment.

Overutilization of Emergency Services

Many patients not wanting to wait the several weeks for their appointments will seek treatment at an urgent care clinic or hospital emergency room. Very many of these visits are not emergency or urgent in nature. It is more costly to treat these patients at emergency rooms than in outpatient clinics. These

patients do not bother to cancel their existing appointments which results in an over inflated backlog situation which reflects badly on the DHS statistics.

Substandard Customer Service

There is a loss of revenue base, as Medi-Cal patients gain increased access to the private sector. Therefore, it is crucial for the public sector health care organization to offer its patients prompt respectful care. Long waits for appointments jeopardize the county's ability to maintain its patient base and therefore its much-needed revenue.

DHS statistics on county-wide appointment availability reveal that 73 outpatient clinics have wait times for "non-urgent" care of ten weeks or more. At CHCs the average wait in a primary care clinic of 5.3 weeks exceeds the average wait in a specialty care clinic of 4.6 weeks.

This trend is similar in hospital outpatient clinics where the average wait for appointments in primary care is approximately 3.7 weeks and specialty care clinic is 4.5 weeks. Of the 624 hospital-based specialty clinics in Los Angeles County, 51 have backlogs of ten weeks or more. The DHS defines this as an extreme backlog. At the time the DHS report was issued, Martin Luther King/Drew Medical Center had the highest number of clinics with extreme backlogs in Los Angeles County.

Backlog at King/Drew Medical Center

Dual Appointment Systems: While the Central Appointment Desk (CAD) is intended to function as the single coordinator of patient appointments, many clinics have developed auxiliary scheduling systems.

Alternate Access to Clinics: Approximately 30 to 60 percent of patients seen in the clinics are not scheduled through the central appointment system, while the average no-show rate for patients scheduled through central appointments is over 40 percent.

Understated Capacity: On average, the clinics provide over 30 percent more patient visits than the number of appointments available through CAD.

Insufficient Gatekeeping: There is no mechanism to evaluate patient clinic referrals, scheduling and utilization, resulting in backlog inflated by appointments for patients who have already received care.

Wasted Efforts by Support Services: The high no-show rate of scheduled patients result in the delivery of approximately 38,000 patient charts and completion of 74,500 registration and financial screening transactions annually for patients who do not show up for clinic appointments.

Lost Revenues: Approximately ten percent of clinic visits are not recorded and billed due to lost or incomplete encounter forms. Although this has improved from an estimated 25 percent cited in a 1994 audit, this still results in approximately \$800,000 of lost revenues annually.

Underutilization of Technology: Although the Patient Admitting, Accounting, and Revenue System (PAARS) is nearly obsolete, it stores information which, if appropriately accessed and utilized, could increase clinics' ability to manage workload and reduce backlog.

RECOMMENDATIONS

The Grand Jury recommends that the Department of Health Services and Martin Luther King/Drew Medical Center:

- Decentralize the appointment system and implement increased controls at the clinic level.
- Increase clinic responsibility for workload and coordination of patient care.
- Implement clinic-wide policies regarding coordination with support services.
- Reallocate selected clerical staff to clinic locations to perform patient registration and process encounter forms on site.
- Improve the inter-clinic referral process through clearly defined protocols.
- Central Appointment Desk should maintain responsibility for outside referrals, backlog statistics, appointment notification, and troubleshooting.
- Each clinic should review the feasibility of expanding clinic hours, and reallocating staff based on patient demand.

A full detailed report is being submitted under separate cover and available at the Grand Jury Office.

Study No. 2 - Review of services for homeless with psychiatric disabilities.

Interviews were held with officials of the Los Angeles County Department of Public Social Services, Los Angeles County Community Development Commission and the Los Angeles County Sheriff's Department of Mental Health.

Analysis of Potential Solutions and Funding for Problems of Homeless Mentally Ill

The primary responsibility of the Department is providing care and treatment to mentally disordered individuals through its own in-house providers, state hospitals, county hospitals and a network of private contractors. Services include acute care in state and county hospitals, non-hospital care in

settings such as skilled nursing facilities and residential settings (e.g., board and care homes) and care at outpatient settings and day treatment programs.

The homeless mentally ill are among the clients served by the Department though many services do not differentiate between homeless and non-homeless clients. An exception is the Department's Projects for Assistance in the Transition from Homelessness Program (PATH), which funds supportive services to the homeless mentally ill through a combination of federal, grand and local monies. Approximately \$8.2 million, or two percent of the Department's annual \$331 million budget is allocated to these services. However, the homeless mentally ill could also receive services from other Department program areas as well. Of the \$8.2 million, \$1.4 million is supported by federal McKinney grant money and \$6.8 million is supported by the County General Fund.

The homeless mentally ill almost always qualify for Federal Supplemental Security Income (SSI). This Federal entitlement program is designed for the permanently disabled and the mentally ill.

SSI benefits are approximately \$600 per month and they entitle the recipient to medical coverage for medical and mental health services. By comparison, the County's General Relief Fund is only \$214 per month funded entirely by the County's General Relief Fund. SSI benefits provide relief to the County General Fund and more opportunity to the homeless in terms of affording low income housing.

There are four groups of homeless with psychiatric disabilities. The first group of individuals are those with severe psychiatric disabilities. In severe cases, these conditions tend to be chronic and chemically/organically based. In most cases, these individuals have been hospitalized numerous times; and cycled in and out of homelessness. Examples of such cases would be severe depression, bi-polar disorder and schizophrenia. Since these conditions stem from a chemical imbalance, they can be treated with pharmaceuticals. However, treatment will not cure the individual of the disorder. The chemical imbalance can be managed through the use of medications and the individual can be stabilized. With stabilization, the individual is generally able to function and have an improved quality of life.

The second group of individuals are those who experience conditions that could be situational or environmental. In these cases, the conditions have been triggered by a specific event and is generally of short duration. In most cases, these conditions require short courses of drug therapy or counseling. Issues surrounding these conditions are usually resolved within a one to three year period and require no further treatment. The individuals are generally able to regain their former mental status and regain the quality of life they enjoyed prior to the onset of the condition.

The third group of individuals are those who have physical and sensory disorders, such as paralysis, blindness or terminal illness, that can also lead to psychological disabilities. Most of the disorders associated with such disabilities are broadly termed self-esteem issues and are characterized by feelings of inferiority, uselessness, dread and many other emotions. Some of the feelings experienced

may lead to depression and in some cases the resulting conditions also may be treated by a short course of drug therapy or counseling.

The fourth group of homeless with psychiatric disabilities are those with dual diagnoses. These are individuals that have both substance abuse and psychiatric conditions. Most commonly, these individuals have been diagnosed with a psychiatric condition and due to a variety of circumstances are self medicating with drugs and alcohol. In some instances the use of these substances for self-medication has led to addiction. The homelessness cycle is particularly difficult to break for these individuals due to the lack of programs and treatments that have been designed to address both the psychiatric and substance abuse issues the individual faces.

The individuals who are the focus of this report are those described in the RAND Corporation study that comprise 30 to 40 percent of the homeless population who have severe disorders and are diagnosed with the conditions described in the first group. Since the homelessness is caused by a variety of conditions, stabilizing these individuals requires a series of services to end the cycle of homelessness for these individuals. Providing these services in conjunction with housing is reported to be the most effective method of improving the quality of life for these individuals and moving them toward a more appropriate, permanent housing situation.

Services Provided by the County for the Homeless with Psychiatric Disabilities

The homeless with psychiatric disabilities frequently need a combination of health care, mental health, and social services. All of these services are available in Los Angeles County where millions of dollars are spent each year on programs for the homeless in Los Angeles County by federal, state, county, and city governments and private and non-profit organizations. In some cases, the various layers of government provide funding for the same purposes. For example, the City of Los Angeles and the County both administer Section 8 programs, where federal housing subsidies are awarded to low-income homeless. In other areas, such as General Relief Grants, food stamps, Medi-Cal coverage, and Supplemental Security Income benefits, the various layers of government provide unique services.

Within the County's system, the Departments of Mental Health, Public Social Services, Health Services, Community and Social Services, and the Community Development Commission are the main providers of services to the homeless with psychiatric disabilities. Each of these departments provides services either directly, or through contractual arrangements with non-profit and community based organizations. Services such as food, shelter, clothing, health care, mental health counseling, job training, vocational training, and socialization training are all available to the homeless mentally ill throughout the County. But access to many of these services by the homeless mentally ill is hindered by three factors:

Lack of outreach.

Lack of case management and coordination between departments and services.

Inadequate level of service compared to need.

Individuals who are stable enough or who are fortunate enough to be in a system that has coordinated case management in place, such as the Partners Program or the Department of Mental Health's Intensive Case Management Program, are better able to obtain the combination of services needed to stabilize and maintain an improved quality of life.

Individuals without this type of access and support often receive no services until they have such a severe psychiatric episode that acute care in the form of hospitalization or jail is needed. Then, as they stabilize, they may be moved to lower levels of care such as time-limited residential treatment facilities, but often lose whatever benefits or services they were receiving prior to the move. If the patient is stabilized, there are few permanent housing options available after the time-limited residential treatment expires. A "revolving door" pattern of institutionalization, mid-level treatment, and a return to the street is not uncommon, with services and entitlements often disrupted and case management lost.

COUNTY SERVICES AVAILABLE TO THE HOMELESS WITH PSYCHIATRIC DISABILITIES

- Estimates of the homeless in Los Angeles County range from 35,000 to 84,000 per night. Of those, an estimated 30 to 40 percent have psychiatric disabilities.
- Access to and coordination of county service provided to the homeless by the County are insufficient.
- An estimated 30 percent of the Department of Mental Health's budget is consumed for acute hospital care while only two percent is specifically earmarked for supportive services for the homeless mentally ill as they make the transition from the streets to housing. Outreach efforts to the homeless on the streets are limited.
- Only an estimated 1,801 emergency shelter beds county-wide are targeted for the homeless mentally ill, only 600 units of permanent housing with supportive services exist in the County at this time, and only 350 HUD Section 8 rental subsidy certificates are available from the County each year for the homeless mentally ill. There is still a large gap between the 10,500 to 34,000 homeless mentally ill and the number of shelter beds and housing units available.

Los Angeles County has numerous services that are available to the homeless with psychiatric disabilities and that these services are provided by a number of public and private agencies and organizations. However, these services are not always well coordinated and are sometimes difficult for the homeless with psychiatric disabilities to access.

There is a significant gap between services available to the homeless mentally ill and the need for services.

One of the most effective mechanisms for targeting individuals in need of services and assessing those needs is through outreach. However, since outreach is extremely time consuming, expensive and not a reimbursable expense, outreach activities are very limited.

Los Angeles County has a large gap between the number of housing units and emergency beds needed to provide shelter to the homeless with psychiatric disabilities and the number available.

The most effective programs are those that provide access to housing and supportive services such as advocacy and intensive case management, and that the development of housing units should be connected to these type of supportive services and an appropriate level of case management.

Los Angeles County has begun to develop programs that are integrated and adopt the continuum of care approach that links vital supportive services and provides appropriate levels of intervention and treatment.

If just 60 - 70 percent of (NSA) or permanently disabled could be moved from General Relief to Supplemental Security Income, the burden on General Fund could be reduced to approximately \$30,000,000. The medical and mental health services provided by the county would be reimbursable as a result.

The major source of funding for new housing and the rehabilitation of existing facilities has been HUD. The use of HUD funding for a project limits the use of the facility to a specific target population.

With the restrictions on use of facilities with HUD funds and the uncertainty of application approvals, the best way to guarantee a specific number of units over a period of time is to develop these outside of the HUD process.

The development of housing units, outside the regular process, requires coordinated efforts between non-profit service agencies and developers to provide method of financing some of these projects.

RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors and the Department of Mental Health:

- Develop a comprehensive and integrated outreach program that is designed to identify the members of the target population and assist them in obtaining the types of services that would be the most beneficial in helping the individuals progress toward independence and a better quality of life.
- Develop a continuum of care that will: a) continue to develop the Department of Mental Health's Adult System of Care as a component of the program; b) increase the efforts of the Intensive Case Management Program; c) expand the use of the Mental Evaluation Team Units

and Systemwide Mobil Assessment Response Team Units; and d) incorporate prevention, emergency services, transitional services and housing, permanent housing with linked supportive services, follow-up supportive service, and employment and training programs.

- Seriously evaluate the current practices for providing General Relief grants to the homeless with psychiatric disabilities and those who are totally disabled, and that the Department of Public Social Services be required to aggressively advocate for those General Relief recipients that most probably qualify for federal Supplemental Security Income benefits.
- Set a goal of constructing or renovating 4,000 transitional housing spaces and 1,000 permanent housing spaces that are specifically targeted for the homeless with psychiatric disabilities over the next five years.
- Reallocate the savings attained from the restructuring of the General Relief program and use those resources to develop a Revolving Development Fund to be used to construct and renovate housing for the homeless with psychiatric disabilities.

A full detailed report is being submitted under separate cover and is available at the Grand Jury Office.

HUMAN SERVICES COMMITTEE

MEMBERS

Burt Schultz, Chairman
William C. Beggs
William I. Goldstein
Hallie Batiste Lawson
Maxine S. Touff
Inell Warren

HUMAN SERVICES COMMITTEE

INTRODUCTION AND SUMMARY

The Human Services Committee of the Los Angeles County Grand Jury of 1994-95 was formed to investigate problems arising in the human services departments and special districts of the County and its cities. The committee was largely occupied with the investigation of a number of citizen complaints submitted in this area over the course of the term, and with general problem areas which surfaced during these investigations.

PROCEDURE

Citizen Complaints

The general procedure followed with each of the complaints was to first look at the specific case and determine the merit of the complaint and whether the complainant could be helped. In some cases criminal activity was uncovered, or the strong suspicion of it, in which case that portion of the complaint was turned over to the District Attorney's Office for further processing. Then, the complaint was examined to determine the root cause behind the problem, with the aim of determining areas for improvement in operations, management, administration or legislation.

Site Visits

Site visits are a critical source of information for the Grand Jury's civic oversight work. Two site visits by the committee provided views of two widely different solutions to the problems of children. The first was to a shelter for homeless women with children, some of who may have been abused. In addition to the trauma of the abused household these children have had no address for school registration purposes and are therefore generally far behind their peers in school. The mothers, who are encouraged to find work, have found it impossible to do so when burdened with young children and with no money to pay babysitters. Even welfare payments cannot be made to families without an address. The shelter visited provided some measure of assistance in each of these problem areas.

The second site visit was to the LeRoy Boys Home, which began as a privately financed boys' orphanage and has expanded its primary role, using mostly public funding, to the care of physically, emotionally, sexually abused, abandoned and neglected children most of whom are unable to operate in the normal school and home environments.

FINDINGS

The first complaint examined provided a detailed history of passage of two children through the juvenile court system and into foster care against the protestations and all efforts of the mother and grandparents for them to be returned to their family.

The police action precipitating the events was investigated to determine the validity of the complainant's claims of excessive actions which resulted in the initial removal of the children from the home. The Jury's investigation concluded that there appeared to be adequate justification for their removal the night of the initial incident and the reticence of the Department of Children's Services' case worker to return them immediately as long as the situation with regard to the mother existed. What is not understandable and not in the children's interest is that the two children were allowed to remain separated more than a few days and, as the case progressed, this separation was continued with no apparent attempts made to terminate it.

Although the Grand Jury was unable to investigate this area, the frustration of the family in proceeding through the Dependency Court hearings and procedures was evident in their complaint. The secrecy requirements of these proceedings, as mandated to ostensibly protect the children, appears to have left concerned family members with little means of recourse, particularly when they are financially unable to retain their own private counsel, except through court-appointed counsel. When the advocacy provided by this counsel was not extended to the family of the children, the basic philosophy of trying to get children back to the family unit as soon as it was safe to do so appeared to have failed.

The committee investigated whether a change from the use of court-appointed lawyers from the County Counsel's to the Public Defenders' Offices would be feasible, and ameliorate the separation between advocates and court and DCS case workers. It was found that the penal code restricts the public defender to criminal advocacy except for only a few unusual circumstances. Hence, that avenue is closed and any alteration in advocacy must come from within the County Counsel's Office.

With the help of the contract auditor, the committee pursued another inquiry involving school children. This one came to us via a citizen's complaint and centered on the issue of school safety. The complaint alleged that the school administrators in question were derelict in their duty to provide safe schools for the children. It also provided enough corroborating evidence to justify an expanded investigation.

From the initial material presented to us it appeared that the possibility existed that public officials might be improperly operating with regard to school safety and by so doing endangering the children in their care. Accordingly, the investigation was broadened, with the assistance of the auditor, to include the acquisition of records from those agencies and departments possibly involved with monitoring and/or with assuring the safety of the facilities.

In the opinion of the Grand Jury, after review of the records received, the accusations did not warrant any further action. The investigation did point out, however, a pattern of a lack of attention or concern for the timely solution of the safety problems identified by employees, or to the seriousness of detailed periodic safety and hazard inspections by on-site personnel.

The committee's visit to the homeless shelter was highlighted by the first example of the integration of a shelter with an on-site school for the homeless children, operated by the Los Angeles Unified School District (LAUSD). The school spanned ages from preschool to third or fourth grade. Those children above fourth grade were bussed to local schools using the address of the shelter. All of the students of the school received additional training and attention necessary to bring them up to the levels of their home based peers. Located in a section of North Hollywood's "auto row," this school and shelter occupies a former motel. The buildings have been freshly painted, the classrooms are clean and airy, as is the two-story addition housing the cafeteria and additional classrooms and the teaching materials present a timely mix of textbooks and computer software.

It could be any school, anywhere in Los Angeles...except for the iron bars and security guards that line its perimeter, which are necessary to protect some of the occupants from the family members that drove them to the streets. It is different because the parent lives on site and, the nation's largest school district has officially acknowledged by this action the very real fact of life that homelessness is not limited to adults.

The success of this experiment cannot be completely measured until the number of parents that can return to productive lives and homes is determined and the number of children that enter the main stream of society, rather than the main stream of the jail system, is tallied. The enthusiasm of the staff and the apparent happiness of the children and parents observed already attest to at least the immediate benefits. It must be pointed out, however, that of the estimated 10,000 homeless children in the city at any time, this shelter provides aid for only 30-40 of them. It is obvious that this idea for partial on-site school must be vastly expanded, to meet the need.

The visit to the LeRoy Boys Home, now more aptly named The LeRoy Haynes Center for Children and Family Services, provided the Grand Jury with a view of a successful way of dealing with the forgotten, abandoned, neglected, abused and problem children in a local community. Where a need surfaced this home found the way to provide it. For example, an on-site school is in operation specifically keyed to the special needs of these children. Where they have been unable to operate in the public schools, they find that they can operate in this one.

The home and school is one giant behavior modification factory. Self esteem, almost wholly missing from these children when they enter the system, is built up by constant and unrelenting attention to even the smallest matters. As one of the staff put it, "Success in building self esteem comes from many small successes, not from giant leaps.", and this mission is pursued diligently by the staff. The success rate for these children is extremely high.

The center has grown recently to include solutions to the problem of the 18-year-old, nurtured in the LeRoy Home or in foster care that would be set adrift into the community with no true family roots or developed talents with which to cope in a positive way. Many of these children, estimated at more than 2000 per year in the county entering this situation, become homeless, settle into welfare or find their way into criminal activity and eventual jail at a tremendous eventual cost to the community and loss of productivity. The program at LeRoy, though presently limited into a small number, provides affordable housing in transition, counseling and aids in encouraging and financially assisting their college or trade career so that these young adults can transition to productive adults.

LeRoy is obviously a model for other organizations to follow. It provides support for a pitifully small percentage of the children in such need. A means must be found to expand and duplicate the success of this foundation. It cannot be done with public funding alone, particularly in the present fiscal climate. Unfortunately, the areas that need the help the most are those that do not have the excess benevolent monies available. The message of this institution needs to be carried to all needy communities, to the city councils, to the resident industries, and to the institutions in the County that can supply large amounts of funds to the mission.

RECOMMENDATIONS

The Grand Jury recommends to the Covina Valley Board of Education that safety and hazard inspections, as mandated by the regulatory agencies and the local Board of Education policy, be given more serious management concern than it appears has been the case in some of the schools. The inspection team should be required to include upper level school management in attendance as well as maintenance personnel. Furthermore, a safety officer from the salaried pool at each school site should be appointed who participates in the process and the day-to-day safety and hazard surveillance.

JAILS COMMITTEE

INTRODUCTION AND SUMMARY

The Jails Committee of the 1994-95 Los Angeles County Grand Jury was formed in compliance with sections 919(a) and (b) of the California Penal Code. A County Grand Jury Jails Committee is mandated to inquire into the conditions and management of the jails within the county, and when necessary into the cases of persons in custody but not yet indicted on criminal charges.

BACKGROUND

Holding facilities include those cells in the Superior, Municipal and Juvenile Court buildings. The City of Los Angeles Police Department and smaller incorporated cities hold arrestees until arraignment hearings, release or transfer to the custody of the Sheriff. The Los Angeles County Sheriff's Department has the primary responsibility for the detention of inmates. Los Angeles County detention facilities include: holding inmates up to 48 hours, housing them for the duration of their sentences or holding them until transferred to a state prison.

PROCEDURE

In order for the committee to proceed with its duties, a review of the facilities visited within the last five years was conducted. It was decided that holding facilities not visited within the last three to five years would be visited first, and if time allowed, other facilities would be visited. The committee assisted by other jurors, divided into teams, consisting of two individuals per team who used a uniform questionnaire and went unannounced to the various sites.

FINDINGS

The list of facilities inspected are as follows:

Los Angeles Sheriff's Department Stations and Custody Divisions:

Altadena	LCMC Jail Ward
Avalon (Catalina)	Lost Hills
Cresenta Valley	Norwalk
East Los Angeles	Pico Rivera
Gorman	San Dimas
Industry	Temple

Lakewood
Lennox

Walnut

Los Angeles Police Department

Central Area
Devonshire Area
Parker Center
Hollywood Area
Newton Area
Northeast Area

Rampart Area
77th Street Area
Valley Jail Section/Van Nuys
West Valley Area/Reseda
Wilshire Area

Municipal Police Departments

Alhambra
Arcadia
Azusa
Baldwin Park
Beverly Hills
Burbank
Claremont
Covina
Downey
El Monte
Glendale
Glendora
Hermosa Beach
Irwindale
La Verne

Long Beach
Manhattan Beach
Monrovia
Monterey Park
Palos Verdes Estates
Pasadena
Pomona
Redondo Beach
San Gabriel
San Marino
Santa Monica
Signal Hill
West Covina
Whittier

Municipal Court Lockups

Alhambra
Beverly Hills
Citrus/West Covina
Downey
Long Beach
Los Angeles
Los Cerritos/Bellflower
Malibu
Pasadena

Pomona
Redondo Beach
Rio Hondo/El Monte
Santa Anita/Monrovia
Santa Monica
South Bay/Torrance
Van Nuys
Whittier

Superior Court Lockups

**Alhambra
Burbank
Catalina
Criminal Courts
Mental Health Department**

**Pasadena
Pomona
Santa Monica
Van Nuys**

Juvenile Institutions Bureau-Probation Camps

**Eastlake Juvenile
Kenyon Juvenile Justice Center**

The Grand Jury as a body visited Peter J. Pitchess Honor Rancho, Sybil Brand Institute and the Men's Central Jail.

RECOMMENDATIONS

The findings from visiting these holding facilities have been forwarded to the various departments that have proper jurisdiction.

AD HOC COMMITTEES

CITIZEN COMPLAINTS LIBRARIAN

William D. Mitchell

MASTER SCHEDULER

Barbara Stutes

SAFETY COMMITTEE

William C. Beggs, Chairman
Edward S. Kwinn, Floor Warden
Barbara Stutes, Floor Warden & Health Officer

SOCIAL COMMITTEE

Mary Lou Bangar
Hallie Batiste Lawson
Burt Schultz

CITIZEN COMPLAINTS

INTRODUCTION AND SUMMARY

The 1994-95 Los Angeles County Grand Jury received more than 70 complaints from citizens during the period from July 1, 1994 to May, 1995. Four of these complaints had been deferred by the 1994-95 Grand Jury because they arrived too late in the term to receive consideration.

PROCEDURE

Each complaint was carefully reviewed by the Grand Jury's Legal Advisor assigned by the District Attorney to assist the Grand Jury in its work. The Legal Advisor summarized each complaint, noted the specific action the complainant requested, listed the options open to the Grand Jury, and recommended a course of action. The complaint was then reviewed by the Foreman of the Grand Jury, who assigned it to one of the regular Grand Jury committees or to a special review committee.

Complaints involving matters within the jurisdiction of the Grand Jury that merited action became the focus of further study. In determining the action to be taken, the Grand Jury evaluated information from various sources including other government agencies. While a few complaints are still under active review by Grand Jury committees, the complaints listed in this report have been reviewed by the 1994-95 Grand Jury and referred to a more appropriate government agency for resolution, deemed not to fall within the scope of Grand Jury activities, or found to require no further action.

Several complaints resulted in audits or other official investigations by the Grand Jury. If that was the case the complaint was audited or investigated by one of the committees. A list of each complaint, with a brief description is as follows:

- | | |
|-------------------|--|
| 93-40 | Mismanagement of Castaic Lake Water Agency |
| 93-46 | Falsification of real estate records by lenders |
| 94-1 | Improper court orders regarding police procedures |
| 94-2 &
(94-93) | Denial of Constitutional Rights during police interrogation |
| 94-3 | Improper suspension of license by the Department of Motor Vehicles |
| 94-4 | Criminal invasion of body by electromagnetic means |

- 94-96 Recording telephone conversations without consent
- 94-98 Improper declaration of blight by redevelopment agency
- 94-99, 94 Improper enforcement of hazardous materials laws
-104, 95-12,
95-46
- 94-100 Retaliation for exercise of Civil Rights
- 95-1 & Improper acts by District Attorney regarding child support case
95-5
- 95-6 & Jail inmate requests release
95-10
- 95-7 Ineffective assistance or counsel in criminal trial
- 95-8 Unintelligible
- 95-9 Unintelligible
- 95-11 Request for police protection
- 95-13 Fraud by Supreme Court Justice
- 95-14 Mistreatment of, and misbehavior by daughter
- 95-15 District Attorney failure to prosecute molestation
- 95-16 Various allegations of corruption
- 95-17 Forgery of name on OSHA document
- 95-18 Improper denial of unemployment benefits
- 95-19 Insufficient monitoring by Department of Weights & Measures
- 95-20 Overcharging by Department of Water and Power
- 95-21 Abuses within Juvenile Dependency system
- 95-22 Misconduct by city councilman

- 95-23 Conflict of interest within District Attorney's Office
- 95-24 Lack of prosecution by District Attorney in molestation case
- 95-25 Unjustified removal of child by County
- 95-26 Improper adoption practices by County
- 95-27 Various misdeeds within County government
- 95-28 Victimized by ex-wife and others
- 95-29 Allegation of voter fraud
- 95-30 Fraud and theft from court files
- 95-31 This complaint requested an investigation of the Metropolitan Transit Agency (MTA). Although the Grand Jury recognized that the MTA was experiencing contracting, management and quality of workmanship problems, the Government Operations Committee decided to take no action during its term because several other agencies were already involved in investigations. This committee recommends that the 1995-96 Grand Jury investigate the results of the MTA management changes made in late 1994, early 1995 and any other areas of interest.
- 95-32 Improper procedure followed in three criminal cases
- 95-33 Wrongful criminal conviction
- 95-34 Fraud in Howard Hughes trial
- 95-35 Request for access to police records
- 95-36 Inadequate medical treatment in County Jail
- 95-37 Unintelligible
- 95-38 County Jail Law library not maintained
- 95-39 Theft in rest home
- 95-40 Inadequate medical treatment in County Jail
- 95-41 Improper prosecution for ticket scalping

- 95-42 Trespassing and sexual harassment
- 95-43 Death of son due to narcotics investigation
- 95-44 Harassment of teachers by school principal
- 95-45 Unfairness in city parking laws
- 95-47 Brutality by State Police
- 95-48 Harassment of teachers in school district
- 95-49 Improper acts by County Employees Retirement Association
- 95-50 Restraining order was unjustified
- 95-51 County Jail Law Library not maintained
- 95-52 Request for investigation of death in County Jail
- 95-53 Improper collection practices by city
- 95-54 Improper spying by Federal Government
- 95-55 Unspecified problem regarding child custody
- 95-56 Theft of confidential documents from police
- 95-57 Misconduct by deputies
- 95-58 Trust funds improperly withheld from distribution
- 95-59 Denial of medical care in County Jail
- 95-60 Failure to maintain county street

SAFETY AND EMERGENCY RESPONSE TEAM

INTRODUCTION AND SUMMARY

Recent catastrophic events in the general Los Angeles area, such as fire, riots, earthquakes, and bomb threats have emphasized the need for safety and emergency preparedness by the Grand Jury, who arrive unfamiliar with courthouse safety and preparedness procedures. The 1993-94 Grand Jury had an active safety committee and made a number of recommendations for the 1994-95 Grand Jury to consider. For these reasons an Ad Hoc Committee was formed with the mandate to consider these recommendations and ensure the safety of all grand jurors in the event of any emergency occurring in the Criminal Courts Building. A plan was developed addressing the recommendations and was given to each of the jurors. The Grand Jury was apprised of location and usage of emergency supplies in the jury room. Building safety officers were contacted in order to coordinate these recommendations with the building's safety plan.

PROCEDURE

The recommendations of the previous Grand Jury were examined and largely implemented.

The committee met with the assistant emergency coordinator for the building, who cooperated fully. He provided an Emergency Procedures Manual for the Criminal Courts Building and copies were distributed to the team members.

The two floor wardens for the 13th floor, operating under the coordinator, were identified and contact made to try and integrate their emergency procedures with the Grand Jury's.

A set of emergency procedures was drawn up and presented to each grand juror, together with a chart indicating emergency exits, staircases, fire alarms and fire equipment. The set also included earthquake preparedness planning suggestions for office and home.

The committee researched the need for emergency personal supply kits and presented to the Grand Jury several inexpensive available options which could be purchased for jury room, home or automobile usage.

FINDINGS

Floor wardens had not been trained to do the job nor were they integrated with the Emergency Coordination Unit and had no instructions for the Grand Jury to follow.

The one time the paramedics were summoned to the Grand Jury room, the response time was 20 minutes. This was partly due to their going to the wrong entrance.

RECOMMENDATIONS

The Grand Jury respectfully submits the following recommendations to the Los Angeles County Office of Disaster Preparedness:

1. Floor wardens appointed by the emergency coordinator were ill prepared for their duties. It is recommended that:
 - a. Floor wardens should be trained as soon as chosen, using the Emergency Preparedness Procedures Manual and other appropriate materials. They should be integrated better with and be more visible to the courtroom personnel, including bailiffs in particular, and the Grand Jury Emergency Team.
 - b. Floor wardens should be chosen who are not going to be highly overworked.
 - c. Floor wardens should be trained in CPR.
2. The Emergency Coordinator for the Criminal Courts Building should review and/or revise the procedure for paramedics accessing the building.

The Grand Jury respectfully submits the following recommendations to the succeeding Grand Jury.

1. Appoint an emergency response team in the first week of their term.
2. Contact the building Emergency Coordinator to instruct the Grand Jury on building emergency procedures.
3. Early on acquaint the jurors with the emergency procedures.
4. Keep a confidential medical history form on all grand jurors. This form should be kept by one of the jurors preferably knowledgeable in the medical profession. This person should be one of the team members. A copy shall also be kept in the bailiff's custody.
5. At least one of the team, and preferably two, should be current in CPR.

THE COVER

The cover shot was photographed from the Goodyear Blimp Eagle flying over its base in Gardena. It dramatically shows a large portion of Los Angeles County and in the background can be seen downtown Los Angeles where the Grand Jury assembles for their year-long duties. We wish to thank Goodyear Tire and Rubber Company's Mickey Wittman, Bob Urhausen and Pilot/Photographer Tom Matus for a spectacular aerial view of the County.