

**2000-2001
LOS ANGELES COUNTY
GRAND JURY**



FINAL REPORT

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INTRODUCTION TO THE CIVIL GRAND JURY

The Los Angeles County Civil Grand Jury is a volunteer body composed of 23 citizens of Los Angeles County charged and sworn to conduct inquiries into matters of civil concern within the boundaries of Los Angeles County. The Civil Grand Jury duties, powers, responsibilities, qualifications, and the selection process are set forth in the California Penal Code section 888 *et seq.*

The Civil Grand Jury reviews and evaluates procedures, methods, and systems used by governmental agencies to determine whether they comply with the stated objectives of the agency. The Jury may inquire into any aspect of county/city government, including special districts and joint powers agencies, to ascertain that the best interest of Los Angeles County residents are being served.

The Civil Grand Jury functions lawfully only as a body; no individual grand juror acting alone has any power or authority. Meetings of the Civil Grand Jury are not open to the public. By law, all matters discussed before the Civil Grand Jury and votes taken are required to be kept private and confidential. The end results of inquiries are released to the public via a final report, which is approved, prior to release by the Presiding Judge of the Superior Court.

The Penal Code requires the Grand Jury to:

- Inquire into the conditions and management of jails within the County
- Investigate and report on the operations, accounts, and records of county officers, departments and functions
- Inquire into the willful or corrupt misconduct of public officers while in office.
- Submit a final report of its findings and recommendations, no later than the end of its term, to the Presiding Judge of the Superior Court. Agencies to which these recommendations are directed are required to respond to the Los Angeles County Board of Supervisors within 90 days after the final report has been released.

REQUIREMENTS TO BECOME A GRAND JUROR

Grand juror candidates must meet all of the following qualifications:

- Be a citizen of the United States
- Be at least 18 years old
- Be a resident of California and Los Angeles County for at least one year immediately prior to selection
- Posses ordinary intelligence, sound judgment and good character
- Must not be serving as a trial juror in any California court
- Cannot have been discharged as a grand jury in any California court within one year of the beginning date of service (July 1)
- Cannot have been convicted of malfeasance in office, any felony or other high crime
- Cannot be serving as an elected public official

JUROR SELECTION PROCESS

In counties over 4,000,000 (such as Los Angeles County) the law states that there shall be 23 members of the Grand Jury with 4 alternates. These 23 members are selected by an application, interview and random draw process to serve for a term of 1 year that begins July 1 and ends June 30.

To be considered, applicants must apply by early November. Those names are put into a selection pool along with other judge appointees (each Judge in the County may appoint 2 people to the pool). Through this process, the pool usually ends up with several hundred applicants and/or appointees. A panel of judges then interviews candidates, and by March the pool is reduced to approximately 140 people. From this list there is a random draw of 40 plus 10 alternates. In May a background check is made of the 40 nominees and the 10 alternates. In early June, a second random draw of 23 plus 4 alternates is made from the pool of 40. On July 1, the 23 who are selected are sworn in.

TIME INVOLVEMENT

The Grand Jury convenes Monday through Friday, is paid per diem for the actual 200+ days worked (currently \$25 per day), and is provided free parking. Holidays, vacations and other times off are taken without remuneration. Mileage is reimbursed for travel between jurors' residences and the Grand Jury office, and for travel on Grand Jury business (currently 27.5 cents per mile). Any interested person who meets the required qualifications should request further information from:

Los Angeles County Grand Jury Services
320 West Temple Street 15th Floor
Los Angeles, CA 90012
(213) 974-5814

You can also get information on the Grand Jury website- <http://grandjury.co.la.ca.us>



**Back Row (Left to Right) Victoria Small, Alice Jackson, Clinton Simmons (Foreman), Brenda Wilson,
Linda Willis, Juanita Buchanan, Gyan Lal, Dora Esparza
Middle Row Vernon Sims, Andrew Bliss, Richard Salazar, John Liong, William Epps,
Suzette Hall-Moore, Jane Grossman
Front Row Rhonda Nelson (Staff Secretary), Michael Hill, Violet Waldman, William Kelly,
Raymond Lamb, Dolores Munoz, Robert Bagwell, Jennie Uwandi.**

2000-2001 LOS ANGELES COUNTY GRAND JURY

ROSTER

ROBERT BAGWELL	MONTEBELLO	RETIRED
ANDREW BLISS	WEST COVINA	HEALTHCARE ADM, RETIRED
JUANITA BUCHANAN	WESTLAKE VILLAGE	RETIRED
WILLIAM EPPS	HAWTHORNE	MATERIAL HANDLER (FED EX)
DORA ESPARZA	LA PUENTE	RETIRED
JANE GROSSMAN	LOS ANGELES	RETIRED
SUZETTE HALL- MOORE	LOS ANGELES	DETENTION OFFICER
MICHAEL HILL	INGLEWOOD	MAILHANDLER (USPS)
ALICE JACKSON	LOS ANGELES	INVESTIGATOR (USPS)
WILLIAM KELLY	PASADENA	RETIRED
GYAN LAL	LOS ANGELES	AIRPLANE MECHANIC
RAYMOND LAMB	NORTH HOLLYWOOD	RETIRED
JOHN LIONG	BURBANK	SUPERVISOR (USPS)
DOLORES MUNOZ	ROSEMEAD	RETIRED
RICHARD SALAZAR	MONTEBELLO	RETIRED
CLINTON SIMMONS	LOS ANGELES	ENGINEER (RETIRED)
VERNON SIMS	LOS ANGELES	EQUIPMENT OPR
VICTORIA SMALL	PICO RIVERA	CORRECTIONS OFFICER
JENNIE UWANDI	LOS ANGELES	POSTAL WORKER
VIOLET WALDMAN	VALLEY VILLAGE	RETIRED
BRENDA WILSON	LONG BEACH	MAILHANDLER (USPS)
LINDA WILLIS	LOS ANGELES	ACCOUNTANT

GRAND JURY OFFICERS

FOREMAN	CLINTON SIMMONS
FOREMAN, PRO TEM	RICHARD SALAZAR
SECRETARY	VIOLET WALDMAN
SECRETARY, PRO TEM	VERNON SIMS
SERGEANT-AT-ARMS	MICHAEL HILL
SERGEANT-AT-ARMS, PRO TEM	ALICE JACKSON
TREASURER	BRENDA WILSON
PARLIAMENTARIAN	MICHAEL HILL

ADVISORS

HONORABLE JUDGE STEPHEN O'NEIL

GORDON TRASK, COUNTY COUNCIL

STAFF

SECRETARY RHONDA NELSON

EDIT AND PUBLICATION COMMITTEE REPORT

The law mandates that the 2000-2001 Los Angeles County Grand Jury publish a Final Report prior to the conclusion of their term of office on June 29, 2001. The Final Report consists of the findings, conclusions and recommendations of the various investigations conducted by the Grand Jury.

Internally, the Grand Jury is divided into a number of committees. Each committee takes responsibility for conducting and/or supervising the investigations within their respective field of interest. To initiate an investigation by any of the committees, the committee must have the approval of the entire Grand Jury. In certain instances, committees are aided in their investigations by the employment of outside auditing firms.

Once the committees have made their investigations and written their reports they are then submitted to the Edit Committee for editing and publication. Prior to publications, all reports must be approved by the Grand Jury as a whole. For legal purposes, the reports are then submitted respectively to: the Grand Jury Foreman, the Grand Jury's Legal Advisor, the County Counsel, and the Presiding Judge of the Criminal Court. After all parties have signed off, the Edit Committee is responsible for ensuring the Final Report is published.

1300 copies of the Final Report are distributed. The distribution includes: the County Board of Supervisors, Superior Court Judges, the District Attorney, the Public Defender, the Probation Department, the Sheriff, various county departments, chiefs of police in cities throughout the county, special districts (including schools), news media, public libraries, public interest groups, and other interested citizens. The Final Report will also be available on the Internet.

<http://grandjury.co.la.ca.us>

Michael Hill, Chairperson

Andrew Bliss

William Epps

Jane Grossman

Vernon Sims

Victoria Small

AUDIT COMMITTEE

Juanita Buchanan, Chairperson
Raymond Lamb
John Liong
Linda Willis

INTRODUCTION

“Under California Penal Code §§ 925, 925a, 933.1 and 933.5, the Grand Jury is empowered to investigate the fiscal and operational performance activities of Los Angeles County and other local public entities. It also has the authority to engage outside consultants and audit firms.”

OBJECTIVES

The primary functions of the Audit Committee are to:

- A. Identify, interview and select an audit firm or firms to assist in the examination of County Departments in Los Angeles County.
- B. Recommend the selection of the contract auditor/auditors to the Grand Jury for investigative functions.
- C. Review the 2000-2001 budget with the analyst of the Superior Court to understand and adjust the allocations of monies for specific areas as necessary.
- D. Coordinate Grand Jury finances with the Los Angeles Superior Court accountants.
- E. Oversee Grand Jury funds that have been allocated to pay contract auditors.

METHODOLOGY

The Audit Committee issued invitation bids to five nationally known accounting firms. Two of the five firms submitted written proposals; Harvey Rose Accounting Corporation and KH Consulting Group. These auditing firms made oral presentations to the Grand Jury and participated in question and answer sessions.

SUMMARY

The Grand Jury approved both auditing firms as the contract auditors for investigative functions for the 2000-2001 Grand Jury.

The Grand Jury approved the following five audits:

- 1. Los Angeles Unified School District (LAUSD).
- 2. Los Angeles County Sheriff's Department (LASD).
- 3. Department of Health Services (DHS) Public/Private Partnerships.
- 4. Hiring practices of the Los Angeles Police Department (LAPD), along with and analysis of the new hiring practices of the Signal Hill Police Department (SHPD).
- 5. Department of Public Social Services (DPSS) Quality Control Unit.

The Grand Jury approved the following nine subject matters for internal audits:

1. Active Commissions.
2. Animal Care and Control.
Health Food Services Inspection
 - i. Restaurant Ratings.
3. Public Safety/Property Theft.
4. Research and Follow-up.
5. Education (LAUSD).

ANIMAL CARE
AND CONTROL
COMMITTEE

Dora Esparza, Chairperson
Suzette Hall-Moore
William Kelley
Brenda Wilson
Jennie Uwandi

ANIMAL CARE AND CONTROL COMMITTEE

Introduction

The Animal Care and Control Committee decided to do a review of the Animal Care and Control Agencies in the County since they had not been reviewed in the last three years. It was further decided to review the policies, laws and regulations regarding the working conditions and safety at the facilities for employees, as well as for the animals.

Objectives

The objective of this review was:

- To identify any new problems and make recommendations.

Methodology

The committee selected 14 animal shelters to visit. At each facility the committee interviewed key staff members such as the director, a veterinarian, animal care technicians and volunteers. The focus of these interviews was to establish how the shelters were operated and to review the adoption and euthanasia programs. During the visit the committee toured all areas of the shelter with emphasis on the cleanliness and the physical conditions of the shelter. The committee gathered selected data at each facility such as a Facility Activities Report; Policies and Procedure Manuals.

Findings

The committee visited the following 14 animal shelters and made the following observations:

- **Pasadena:**
This a well-organized private facility operated by the Pasadena Humane Society. It serves Pasadena, South Pasadena, San Marino, Sierra Madre, Arcadia and La Canada. This facility is being considered for use as a role model for other shelters. The facility has an excellent training program and a well-equipped training room. The operating room is state of the art and the shelter is climate controlled. Shelter personnel train their own enforcement officers and have trustees doing various duties. The staff is trained to counsel individuals in animal needs particularly when adopting a pet. They have a cadre of volunteers who support the activities of the shelter.
- **Long Beach Animal Shelter:**
The facility was built in 1952 and their operating funds come from the City of Long Beach. They have contracts with various Veterinarians. On average they have 250 animals a day but in the spring months they usually have more. On the day of the committee's visit they had an animal population of 208. They euthanize 20 dogs a day. The Inter-Peritoneal lethal injection takes approximately 15 minutes to put an animal down.

- **Santa Monica Animal Shelter:**

This shelter handles the City of Santa Monica exclusively. They have an outstanding animal adoption rate of 99%. On the day of the visit the animal population breakdown was as follows: 16 dogs, 14 turtles, 2 rabbits, 6 pigs and 3 cats. During the summer months the dog population usually doubles. This overcrowding requires dogs to be doubled up, two per cage. Personnel scheduling showed 2 officers in the field, 1 kennel attendant, 1 supervisor and 1 staff assistant. Officers are provided a 2 to 3 day class on how to properly euthanize an animal.

- **Burbank Animal Shelter:**

The shelter has been there for 10 years and is fully staffed. They have 50 kennel runs. When the committee visited they had 52 dogs some rabbits and 20 cats. They have the strong support of the Burbank City Council handling only the City of Burbank. The shelter is funded through the Police Department and is inspected on a monthly basis. This facility is very clean and the floors are heated in the kennel runs. They also have a weekly TV program on the local cable channel, where they show dogs that are available for adoption.

Los Angeles City

- **Harbor Shelter:**

This shelter is very small and in need of expansion. The shelter had 56 dogs, several cats, a rare iguana, a pet rat, some chickens and a rooster. Although, on the day of the committee's visit the animal population did not exceed the accommodations available, there is a need for more space. The facility had 2 well-maintained storage bins for food and medical supplies.

- **North Central:**

This facility has 73 kennels, which can accommodate approximately 300 dogs. This shelter has a total budgeted staff of 50, which consists of Control Officers, Animal Care Technicians, Animal Technicians and one Veterinarian. However, they do need to hire administrative staff and more kennel attendants at least within the budget allocation. In spite of the staff shortages, the shelter is able to ensure that the cages are cleaned on a daily basis and the overall appearance of the cages was one of being well maintained. All Health and Safety codes are current and the facility appears to be in full compliance.

- **South Animal Shelter:**

The committee visited this shelter on two different occasions. On the first occasion it was pointed out to the committee that the shelter would be moving into a new facility. Upon returning the committee observed a spacious well-planned state of the art animal shelter. They have 45 employees and are open 24 hours a day with a night drop off area. They average 8 adoptions a day. The staff locker and shower rooms are a major asset to the facility. The facility is disinfected twice a day.

- **West Los Angeles Animal Care and Control:**

This shelter has a staff of 7 officers and 3 clerks and 1 senior clerk. They have 5 trucks. The facility has been in use since the 1940's. On the day of the visit there were 55 dog,

many cats and a goose. The locker room floor is in need of major repair and should have slip guard on the floor. There were no showers for the staff at the facility.

- **East Valley:**

This shelter can house an average of 200 dogs per day and has 36 cages for cats. The shelter is 50 years old. There is a 5-year rebuilding plan. The existing building has a pervasive bad odor. Even after cleaning with bleach and detergent, the cleaning agents have had no effects on the odor. It was explained to the committee that the odor is in the wood structure of the facility. The plumbing needs major repair work as the plumber is called frequently to clear stoppages. The cage locks need to be replaced with safety locks. This facility demonstrated good community involvement.

- **West Valley Animal Shelter:**

The facility is open 24 hours a day and it covers Sylmar and San Fernando Valley. The shelter has been in operation since 1970. The shelter has a pervasive bad odor that has not responded to disinfectants. During the committees' tour it observed 102 dogs, 9 roosters, 46 cats, a pot bellied pig and 16 other animals.

Los Angeles County

- **Carson / Gardena Shelter:**

This facility is clean and seems to be well run. Volunteers have donated benches and tables with an animal theme. The paintings on the buildings give the facility a cheerful look. The committee has received numerous complaints about animal abuse at this facility. These complaints were reviewed with the staff and they could not be substantiated. On the day of the committee's visit it was noted that the shelter was near capacity with 308 animals. The shelter is working on acquiring a new isolation shelter for the sick animals. This proposed building is to be located at the rear of the existing facility. The shelter is open 6 days a week and has a full time veterinarian on staff.

- **Baldwin Park:**

There were 281 animals on the day of the visit. They have a total staff of 14, 10 of which were on duty that day. The facility was built in the 1950's and it has 192 kennels. During summer months this shelter experience an increase of stray animals.

- **Agoura Animal Shelter:**

On the day of the visit there were 30 dogs, one chicken and 35 cats. They have a staff of 14; with 2 officers on each shift. They have a staff shortage of 2 people. The kennel was built in 1976 and is well maintained and clean.

- **Downey Animal Shelter:**

This shelter was built in 1979 and services 11 cities, which include Downey, Norwalk, Pico Rivera, Bell Gardens, Montebello, Paramount, Santa Fe Springs, Bellflower, Southgate, Lakewood and Vernon. They have 86 kennel runs, 12 animal control officers, and 11 unit field trucks. There were 91 dogs, 14 domestic cats and 15 feral cats. The present facility will be enlarged and breaking ground in June 2001.

Recommendations

The Civil Grand Jury recommends to each of the Animal Care and Control Agencies in the County of Los Angeles that they:

- Each institutes a practice of hiring permanent kennel employees, rather than temporary employees.
- Each provides shower facilities for staff at all of their shelters.
- Each provides the needed Animal Control Officers to improve call response time.

The Jury further recommends to the City of Los Angeles that:

- It takes all steps necessary to eliminate the odors encountered at East Valley and West Valley Animal Shelters.

COMMISSION COMMITTEE

Vernon Sims, Chairperson
Robert Bagwell
Juanita Buchanan
Bill Epps
Alice Jackson

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INTRODUCTION

The 2000-2001 Civil Grand Jury is charged with the oversight responsibility for Los Angeles County Governance. The Commissions of Los Angeles County are organizations that are comprised of people (Commissioners) officially appointed to perform specified duties with quasi-judicial and quasi-legislative powers. The information published by the Commissioners should be centralized at one location so that it can be readily available to the Grand Jury.

OBJECTIVES

The charter seating of the 2000-2001 Civil Grand Jury Commissions Committee has undertaken the task of accomplishing the following:

- Identifying the functioning Commissions of Los Angeles County
- Ascertain the current mailing address and site location of each Commission
- Publish the functions and/or mission statements
- It is the implied and stated intention of this committee to publish all of the currently known information about the Los Angeles County Commissions under one cover as contained in the final report of the 2000-2001 Los Angeles County Grand Jury.

METHODOLOGY

The information gathered by the Commission Committee for the Final Report was obtained by interview with Commissions department representatives, reviewing literature from each facility and telephone calls. Some mission statements that were requested have not been received.

LIST OF LOS ANGELES COUNTY COMMISSIONS

Aging	Housing Authority
Arts	Human Resources
Alcohol	Institutional Inspections (Sybil Brand)
Aviation	Judicial Procedures
Beaches	Library
Business License	Local Agency Formation
Children and Families	LAC-MLK General Hospital Authority
Children and Families First	Local Government
Citizens Economy and Efficiency	Mental Health
Civil Service	Milk
Commission Services	Music and Performing Arts
Community Development	Narcotics and Dangerous Drugs
Consumer Affairs Advisory	Native American Indian
Cerritos Regional County Park Authority	Parks and Recreations
Disabilities	Police
Emergency Preparedness	Public Health
Employee Relations	Public Social Services
Fish and Game	Quality and Productivity
Harbor (Small Craft)	Real Estate Management
Highway Safety	Regional Planning
Historical Landmark and Records	Veterans' Advisory
HIV Health Services	Women's
Hospital and Healthcare Delivery	

Aging Commission	Community And Senior Services 3333 Wilshire Blvd., Suite 400 Los Angeles, California 90010	213 738-2947
Arts Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 374 Los Angeles, California 90012	213 974-1343
Alcoholism Commission	1000 S. Fremont Ave. Bldg. A-9East, 3 rd Floor Alhambra, California 91803	626 299-4517
Aviation Commission	Department Of Public Works Aviation Division 900 South Fremont Ave 2 nd Floor Alhambra, California 91803-1331	626 458-7389
Beach Commission	Dept. Of Beaches and Harbors Administration Building 13837 Fiji Way Marina Del Rey, California 90292	310 305-9546
Business License Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 374 Los Angeles, California 90012	213 974-7691
Children's & Families Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room B-22 Los Angeles, California 90012	213 974-1558
Citizens Economy and Efficiency Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 163 Los Angeles, California 90012	213 974-1491
Civil Service Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 522 Los Angeles, California 90012	213 974-2411
Commission Services	500 West Temple St. Kenneth Hahn Hall of Administration, Room 383 Los Angeles, California 90012	213 974-1491
Community Development Commission	2 Coral Circle Monterey Park, California 91755	323 890-7001
Consumer Affairs Advisory Commission	Consumer Affairs Department 500 West Temple St. Kenneth Hahn Hall of Administration, Room 520 Los Angeles, California 90012	213 974-9750
Disabilities Commission	500 West Temple St.	213 974-1053

	Kenneth Hahn Hall Of Administration, Room 383 Los Angeles, California 90012	
Emergency Preparedness Commission	Office of Emergency Management 1275 North Eastern Ave. Los Angeles, California 90063	323 980-2266
Employee Relations Commission	500 West Temple St. Kenneth Hahn Hall Of Administration, Room 374 Los Angeles, California 90012	213 974-2417
Fish and Game Commission	500 West Temple St. Kenneth Hahn Hall Of Administration, Room 383 Los Angeles, California 90012	213 974-1431
Highway Safety Commission	Department Of Public Works 900 South Fremont Ave. Alhambra, California 91803-1331	626 458-5909
Historical Landmark and Records Commission	500 West Temple St. Kenneth Hahn Hall Of Administration, Suite 383 Los Angeles, California 90012	213 974-1431
HIV Health Services Commission	600 South Commonwealth St., 6 th Floor Los Angeles, California 90005	213 351-8091
Hospitals And Health Care Delivery Commission	313 South Figueroa Blvd. Los Angeles, California 90012	213 240-8377
Housing Authority Board of Commissioners	2 Coral Circle Monterey Park, California 91755-7425	323 890-7400
Human Relations Commission	320 West Temple St. Hall of Records, Room 1184 Los Angeles, California 90012	213 974-7611
Institutional Inspections Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 372 Los Angeles, California 90012	213 974-1465
Judicial Procedures Commission	500 West Temple St. Kenneth Hahn Hall Of Administration, Suite 383 Los Angeles, California 90012	213 974-1431
Library Commission	7400 East Imperial Highway, Room 201 Downey, California 90242	562 940-8400
Mental Health Commission	Mental Health Advisory Board 2415 West 6 th St. Los Angeles, California 90057	213 738-4772
Milk Commission	Department Of Health Services 2525 Corporate Place, Room 150 Monterey Park, California 91754	323 881-4006
Music and Performing Arts Commission	500 West Temple St.	213 974-1343

	Kenneth Hahn Hall of Administration, Room 374 Los Angeles, California 90012	
Narcotics and Dangerous Drugs Commission	714 West Olympic Blvd Los Angeles, California 90015	213 744-6497
Native American Indian Commission	Community and Senior Services 3175 West 6 th St. Los Angeles, California 90020	213 351-5308
Obscenity And Pornography Commission	4808 Avenida Vista Verde Palmdale, California 93551	661 943-6566
Parks And Recreation Commission	433 South Vermont Ave. Los Angeles, California 90020	213 738-2952
Probation Commission	9150 East Imperial Highway Downey, California 90242	562 940-2510
Public Health Commission	241 North Figueroa St., Room 109 Los Angeles, California 90012	213 240-8377
Public Social Services Commission	12860 Crossroads Parkway South City of Industry, California 91746	562 908-8669
Quality and Productivity Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 565 Los Angeles, California 90012	213 974-1361
Real Estate Management Commission	550 South Vermont Avenue Los Angeles, California 90020	213 738-2345
Regional Planning Commission	320 West Temple St., Room 1390 Los Angeles, California 90012	213 974-6409
Sybil Brand Institutional Inspection Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 372 Los Angeles, California 90012	213 974-1431
Women's Commission	500 West Temple St. Kenneth Hahn Hall of Administration, Room 383 Los Angeles, California 90012	213 974-1455

COMMISSION FUNCTIONS AND MISSION STATEMENTS

LAC - Aging Commission

Functions

The general purpose of LACCCOA shall be to preserve and promote the health and general welfare of the older persons living in Los Angeles County.

- Advise the Los Angeles County Board of Supervisors and the various departments of County government by providing services to the aged.
- Encourage and assist local communities and groups in Los Angeles County to plan for and develop services for older persons.

- Provide a general educational program designed to create self-sufficiency among older adults themselves.
- Increase the understanding of the problems, needs and contributions of such persons by the community as a whole.
- Such other duties as may from time to time be prescribed.

LAC-Alcohol

Mission Statement

The mission of the Los Angeles County Commission on Alcoholism is to advise and make recommendations to the Board of Supervisors on alcohol issues with the goal of reducing alcohol-related problems and the negative impact of alcohol use on the quality of life in Los Angeles County.

The commission works in close cooperation the County Department of health Services' Alcohol and Drug Program Administration and receives advice and input from the public at large, service providers, and various County departments.

LAC – Arts Commission

Mission Statement

The mission of the Los Angeles County Arts Commission is to foster excellence, diversity, vitality and accessibility of the arts of the County of Los Angeles. The Commission plays a leadership role in cultural services for the County, providing information and resources to the community, artists, arts organizations and municipalities.

Functions

- Los Angeles County Annual Holiday Celebration
- Los Angeles County Arts Open House
- Musicians Performance Trust Fund
- Summer Nights At The Ford
- The Ford (Inside) Subsidized Rental Program
- Grant Programs
- Organizational Development / Technical Assistance
- Cultural Tourism And Information Resource

LAC-Aviation Commission

Mission Statement

Advise the Board of Supervisors, Department of Public Works, and Regional Planning Department on all matters relating to promotion and growth of aviation, acquisition of airport sites, management and operation of airports and heliports, and compatible land uses around airports in the County.

LAC –Beach Commission

Functions

Make recommendations to the director and to the Board of Supervisors about beach related issues.

LAC – Business License Commission

Functions

The Business License Commission except as provided in Section 7.10.020 of the Los Angeles County Code, and except on appeal, shall hold all hearings, otherwise required by Chapter 7.10 of the Los Angeles County Code, to determine whether to grant, deny, modify, suspend or revoke licenses, including information cards as provided for in Section 7.24.040.

The Commission shall investigate and report on any matter connected with the public health, morals and welfare, which has been referred to it by the Board of Supervisors.

The Commission shall encourage the formation of new and private charities to meet the needs that are not already provided for, and shall foster all worthy enterprises of a philanthropic nature, and shall make recommendation to the Board in relation there to.

LAC- Cerritos Regional County Park Authority Commission

Function

To improve and develop the Cerritos Regional County Park for regional public recreation area.

LAC – Children And Families Commission

Mission Statement

The Children And Families Commission advises the Los Angeles County Board Of Supervisors in areas of child welfare and family policy. The Commission actively pursues all major issues affecting children, their families, and children’s services in County government. The Commission’s premise is that all children in our society are “at risk “. In addition, as the County’s resource for monitoring the efficacy of children’s services, the Commission provides a forum to collect relevant information and thereafter present comprehensive and cohesive advice to the Board Of Supervisors.

In formulating its recommendations to the Los Angeles County Board of Supervisors, the Commission consults with County department heads public officials of other jurisdictions, the community, providers and others.

Functions

The Commission independently reviews the policies, procedures and systemic issues of various County departments serving children.

The Commission monitors and evaluates all programs administered by County departments and agencies, which provide children’s services, assesses service levels and identifies community needs.

The Commission makes independent judgments, which are then reported directly to the Board of Supervisors and may give its recommendation to the appropriate County department(s).

By focusing on the performance of the County system, the Commission is able to advise the Board about deficiencies and make recommendations on improving overall policy and programs, thus enhancing accountability in the system.

All involved agencies may be reviewed for their actions, priorities, and policies relative to the delivery of services to children and their families and where improvement is in order for appropriate recommendations to be made.

LAC – Children And Families First – Proposition 10 Commission, Los Angeles County

Function

The Commission shall have the following duties and responsibilities:

Implement goals and objectives of the Proposition 10 Act

Prepare an adequate and complete County Strategic Plan for the support and improvement of early childhood development with the county. The commission shall hold at least one public hearing on the Plan prior to its adoption.

The Plan shall be submitted to the Board of Supervisors for its review and comment prior to submission to the State Commission. If the Board makes any modification to the plan,

the Plan, including any modifications made by the Board, shall be returned to the commission for its consideration. The commission shall adopt the Plan, including any modifications presented by the Board which the Commission deems appropriate and shall submit the adopted Plan to the State Commission.

LAC – Citizens Economy And Efficiency Commission

Mission Statement

In 1964 the Los Angeles County Board of Supervisors created the Los Angeles County Citizens' Economy and Efficiency Committee. In 1975 the Committee became a Commission. With its creation, the Board defined the following mission for the Committee, and subsequently for the Commission.

The Economy and Efficiency Commission is created to examine any function of County government at the request of the Board Of Supervisors, on its own initiative, or as suggested by others. The Commission will conduct reviews of all aspects of local government management, operations and policies. After these reviews, the Commission will submit recommendations to the Board with the objective of improving the economy, efficiency and effectiveness of local government.

Functions And Activities

The Commission has recently organized itself into four task forces:

- Policy Task Force
- Organization And Accountability Task Force
- Finance Task Force
- Grand Jury Task Force

LAC – Civil Service Commission

Mission Statement

The Civil Service Commission is an independent administrative appeals body established by the Los Angeles County Charter to provide impartial and fair application of the Los Angeles County Civil Service Rules. The Commission's appellate authority includes appeals of disciplinary actions, (e.g., discharges, reductions, and suspensions in excess of five days), alleged discrimination and limited other matters as provided for in specific Civil Service Rules.

The Commission's authority does **not** extend to **all** Civil Service Rules. The Director of Personnel in fact administers most of the Rules. The only recourse (if any) for many of these actions would be either the filing of a grievance, or appealing to the Director of Personnel. The Civil Service Commission is not involved in the grievance process. Such matters are a part of contracts or internal departmental procedures.

Functions

The Civil Service Commission meets each Wednesday promptly at 10:00 a.m. in Room 522 of the Kenneth Hahn Hall Of Administration. There are typically 20-25 cases on the agenda:

- Granting Of Hearings

- Attendance at Hearing Requirements
- Testification Requirements
- Burden Of Proof
- Availability Of Results
- Commission Appeals Process
- Employees Rights

LAC – Commission Services

Mission Statement

The Commission shall consider and recommend to the Board of Supervisors local historical landmarks defined to be worthy of registration by the State of California Department of Parks and Recreation, either as “California Historical Landmarks” or as “Points of Historical Interest,” and may consider and comment for the Board on applications relating to the National Register of Historic Places criterion for designation, including the California Public Resources Code, or in regulations and interpretations of the State Historical Resources Commission. The Commission is also designated as a historical records commission for the purpose of fostering and promoting the preservation of historical records.

LAC – Community Development Commission

Mission Statement

The Los Angeles County Community Development Commission (CDC) is the County’s affordable housing and community development agency. The CDC creates *New Neighborhoods For A New Century* by strengthening neighborhoods, empowering families, supporting local economies and promoting individual achievement.

Functions And Activities

- Affordable Housing
- Home Ownership Programs
- Community Development Block Grants
- Business Loan Programs And Business Incubators
- Residential Rehabilitation Grants And Loans
- Child Care Capacity LAC – Consumer Affairs Advisory Commission

LAC—Consumer Affairs Advisory Commission

Function

The Commission shall have the following duties:

- Ascertain by means of public meetings, conferences or forums the needs of consumers and advise the Director of its findings as appropriate.
- Evaluate and advise the Director as to the role of County departments as well as local, State and Federal agencies and private organizations in protecting and promoting the interest of consumers.

- Study and advise the Director as to the need for changes in procedures, programs or legislation in order to further the interests of consumers.
- Determine and recommend to the direct methods for more effective consumer education.
- Study and report on matters referred for review by the Director or the Board of Supervisors.
- Render to the Director and the Board of Supervisor at least once each calendar year a report of its activities and to testify upon request.

The commission shall act in an advisory capacity. The Commission may act only as a body and not through the actions of individual members. Authority of The Commission shall not supersede or supplant that of any County Officer or department nor deprive any County office or department of any duty or responsibility provided for by The Constitution, statutes, or The Charter ordinances of The County as The same now exists or may be hereafter amended.

LAC – Disabilities Commission

Mission Statement

The Los Angeles County Board of Supervisors established the Los Angeles County Commission on Disabilities in 1976, to advise the Board on disability issues. Commission members represent a broad variety of disabilities and disability services and include a representative from the California Department of Rehabilitation.

Functions And Activities

The Commission keeps abreast of community problems, developing disability law regulations and provide testimony, reports and evaluations to the Board with recommendations for Board action. The Commission keeps the public informed of County activities as related to disability and serves as a reference source for individuals and agencies.

The Commission holds open meetings and hearings in the community to address issues of common concern about the Commission's ADA training Project for consumers, small business operators and community organizations.

The Commission's annual Access Awards Luncheon is supported by the private and public sectors and is the vehicle by which the commission obtains funding for its many projects.

LAC-Emergency Medical Services Commission

Function

Act in an advisory capacity to the Board of Supervisors and the Director of Health Services regarding County policies, programs, and standards for emergency medical care services throughout the County, including paramedic services.

- Establish appropriate criteria for evaluation and conduct continuous evaluations on the basis of these criteria of the impact and quality of emergency medical care services throughout the Los Angeles County.
- Conduct studies of particular elements of the emergency medical care system as requested by the Board of Supervisors, the Director of Health Services or on its own initiative; to delineate problems and deficiencies and to recommend appropriate solutions.
- Acquire and analyze the information necessary for measuring the impact and the quality of emergency medical care services.

LAC-Emergency Preparedness Commission

Function

- Consult with the County, cities and other public authorities and coordinate the development of emergency and disaster plans and programs which are county wide or affect numerous jurisdictions, Support and promote emergency planning improvements, simplification, and standardization.
- Consider and recommend to the Board and the governing bodies of cities and Other operating authorities within the County, programs and policies deemed advisable or necessary to establish and maintain viable emergency and disaster preparedness programs within this county.
- Consider and recommend emergency and disaster preparedness programs and policies in this county to local non-governmental organizations and to appropriate State and Federal agencies.
- Recommend that the proper authority promote training and education Programs in all phases of emergency and disaster preparedness within the jurisdictions represented by the Commission or in conjunction with the State or Federal emergency or disaster agencies, or both.

LAC – Employee Relations Commission

Mission Statement

The Employee Relations Commission shall have the purpose of deciding question concerning the appropriate unit for the purpose of recognition as the majority representative and related issues submitted for the Commission's consideration.

Supervising elections to determine whether an employee organization is the choice of a majority of the employees is an appropriate unit as their representative, and certifying the results.

Deciding complaints of alleged unfair employee relations practices and other alleged violations of the Ordinance and Rules.

Functions and Activities

The Commission shall meet regularly at least once each month. Regular meetings shall be held on Thursdays at 9:00 a.m. 500 West Temple St. Los Angeles, CA 90012, in the Commission Hearing Room, Kenneth Hahn Hall Of Administration, Room 374 or at such other time or place as the Commission at a prior regular meeting may designate.

- *Certification Of Employee Organization*
- *Unfair Employee Relations Practices*
- *Resolution Of Disputes*

LAC-Fish And Game Commission

Function

The members of the Fish and Game Commission shall devote their time and thought to the best methods for the propagation and protection of fish and game in the State of California and Los Angeles County. The Commission shall be an advisory body, and make such recommendations to the Board of Supervisors at least two times a year, and to the Fish and Game Warden, as it may deem to be reasonable, necessary or advisable.

LAC-Harbor Commission

Mission Statement

Advise the Board and Department of Beaches and Harbors on matters related to development, financing, leasing, rents, maintenance and operation of Marina Del Rey.

Function

The Commission objectives are to assist the Board and the department in making prudent business decisions and increasing county while improving leasehold maintenance and public access/enjoyment of the Marina. In addition, it ensures new development decisions are made after public concerns are given full consideration, keeping public safety access and recreational boating at the forefront.

LAC-Highway Safety Commission

Function

The Highway Safety Commission shall consider and investigate whenever necessary all requests or suggestions as to traffic control made by the Board, the commissioners, officer, private person, or group of persons, and on the basis of such request or suggestions, or on its own initiative shall submit to the Board its report and recommendations as to actions relating to traffic control which should or should not be taken either by the Board or by the public officer.

The Highway Safety Commission shall cooperate with all other jurisdictions within Los Angeles County in working toward elimination and prevention of major traffic problems, in developing uniform standards for street striping, curb painting, placement of signs, reflectors, crosswalks, and similar safety devices; speed regulations; traffic signals, and

all other related traffic-control and regulation matters to insure maximum traffic safety for the motoring public.

LAC-Historical Landmark And Records Commission

Function

The Commission shall consider and recommend to the Board local historical landmarks defined to be worthy of registration by the State of California Department of Parks and Recreation, either as “California Historical Landmarks” or as “Points of Historical Interest”, and may consider and comment for the Board of applications relating to the National Register of Historic Places.

Criteria for designation, including significance and access and provision for maintenance, shall be specified in state law, including the California Public Resources Code, or in regulations and interpretations of the State Historical Resources Commission.

LAC-HIV Health Services Commission

Functions

The Commission shall:

- Develop a comprehensive plan for the organization and delivery of health services described in Section 2604 of the CARE Act that this compatible with any existing state or local plan regarding the provision of health services to individuals with the HIV Disease;
- Establish priorities for the allocation of Title 1 CARE Act Funds, review the overall allocation of these funds by the department for consistency with the established priorities and the comprehensive plan, without the review of individual contracts, and report to the Board of Supervisors and the Health Resources and Services Administration as to whether the allocation is consistent with the established priorities and the comprehensive plan;
- Assess the efficiency of the administrative mechanism in allocating CARE Act Funds to the areas of the areas of greatest need;
- Study, advise and recommend to the Board of Supervisors and to the Director of Health Services on matters related to Aids.
- Make reports to the Board of Supervisors and the Director of Health Services on matters referred such review by the Board of Supervisors or the Director of Health Services;
- Act as the planning council for all HIV/AIDS programs in the Department of Health Services, funded by the County.

- Make recommendations to the Department of Health Services concerning the allocation of funds other than Title 1 CARE Act funds expended by the Department for the provision of HIV/AIDS related services in the County of Los Angeles

LAC-Hospitals And Health Care Delivery Commission

Function

- Consult with and advise the Director of Health Services and the Board of Supervisors on all matters pertaining to patient care policies and programs of the Los Angeles County hospital system, including but not restricted to: The need for additional hospital and/or other patient care facilities. The relationships of County hospitals and other health care facilities, public or private. Health Manpower problems. The utilization of County hospital facilities.
- Conduct studies and make recommendations concerning patient-care policies programs of the Los Angeles County hospital system as requested by the Board of Supervisors, and/or other officers of Los Angeles County.
- Act as liaison between the Director of Health Services, the Board of Supervisors, and the public in matters relating to the Los Angeles County hospital system.
- Perform such other services, as from time to time, may be requested by the Supervisors.

LAC-Housing Authority Board of Commissioners

Function

Prepare a development plan for project areas; hold and conduct hearings thereon; and adopt such plan.

LAC-Human Relations Commission

Mission Statement

The Commission is among the oldest and largest of its kind in the U.S. Our mission is to foster harmonious and equitable inter-group relations, to empower communities and institutions to engage in non-violent conflict resolution, and to promote an informed and inclusive multicultural society. We do this in three major ways: First, we produce an annual report of hate crimes in Los Angeles County. The Commission has been compiling and analyzing hate crime data for more than 20 years longer than any other jurisdiction in the U.S. The Commission's widely cited report is considered a bellwether to assess the County's "social climate" in a given year. Second, we mediate inter-group conflicts stemming from issues of race/ethnicity, religion, sexual orientation, disabilities and other factors. This work takes place in communities and increasingly, at public schools. Third, we provide technical assistance to communities and municipalities so that they can develop the capacity to resolve their own local human-relations issues.

LAC-Institutional Inspections Commission

Function

At least once each year and as more often as the Commission may deem necessary or proper or as directed by a judge of the Superior Court, the members of the Commission or of a committee of the commission shall visit and inspect each jail or lockup in Los Angeles County, County probation and correctional facilities and toy-loan facilities. The members of the Commission, in visiting and inspecting jails and lockups as provided in this chapter, shall examine every department of each institution visited and shall ascertain its condition as to effective and economical administration, the cleanliness, discipline and comfort of its inmates, and in any other respects, whether such institution is located within or without the corporate limits of any incorporated city. Every member of the Commission, while visiting and inspecting a jail or lockup as provided in this chapter, may call for and inspect the permit and register of such jail and lockup and may see and visit all persons kept in such jail land lockup. Also, inspect group home facilities.

LAC-Judicial Procedures Commission

Function

- Recommend to the Board of Supervisors changed and improvements in judicial administration for the purpose of providing swifter, more efficient and more economical justice, and for reducing caseloads and delays for litigants in the Superior and Municipal Courts.
- Determine the need for additional judges for the Superior and Municipal Courts.
- Make recommendations for action by the Board or Supervisors on Legislation pertaining to the Superior and Municipal Courts.
- Receive and consider suggestions and recommendations by community groups and organizations and members of the public.

LAC-Library Commission

Function

To advise the Board of Supervisors and the County Librarian on matters Library policy, administration, operation and service (including the budget Strategic Plan), and to make suggestions and recommendations with respect to any matters that have come to their attention relating to the County Public Library.

LAC-Local Agency Formation Commission

Function

To review and approve or disapprove with or without amendment, wholly, partially, or conditionally, proposals for the incorporation of cities; the unincorporation of a city; the consolidation of two or more cities; the development of new communities within

jurisdiction of the Commission pursuant to Section 33021 and 33298 of the Health and Safety Code.

To adopt standards and procedures for the evaluation of proposals; to make and enforce rules and regulations for the orderly and fair conduct of hearings by the Commission.

To review the boundaries of the territory involved in any proposal; to waive the restrictions of Section 35010 if it finds that the application of the restrictions would be detrimental to the orderly development of the community and that the area that would be enclosed by the annexation or incorporation is so located that it cannot reasonably be annexed to another city or incorporated as a new city.

LAC-Local Governmental Services Commission

Function

Examine intergovernmental jurisdictional alternatives for local governmental services in the Los Angeles County area with the goal of providing better, more responsible and/or cost effective delivery of these services to the public.

Establish a procedure whereby various topics that are suggested, either by Commission members, the appointing authorities, or other agencies, shall be reviewed and determined as to their priority ranking. At each meeting an up-to-date status report of all studies undertaken by the Commission shall be provided to the Commission.

Pursue, monitor and report on the implementation of its recommendations. The Commission in preparing and pursuing the implementation of its reports shall follow the sequence delineated in its procedures.

LAC-Martin Luther King, Jr. General Hospital Authority Commission

Function

To provide for the construction and operation of a hospital and related facilities for the use and benefit of public upon a site located on 120th Street, between Compton and Wilmington, Los Angeles.

LAC-Mental Health Commission

Mission Statement

The mission of California's mental health system is to enable persons experiencing severe disabling mental illnesses and children with serious emotional disturbances to access treatment and support services. These services are tailored to help each individual to better control their illness; achieve their personal goals; and develop skills and supports leading to their living the most constructive and satisfying lives possible in the least restrictive environment. Effective services will reduce homelessness and incarceration of these individuals with serious mental illness. These accomplishments decrease the need for expensive publicly financed services and increase the ability of the individual to achieve taxpaying independence.

The Los Angeles County Department of Mental health (DMH) develops and coordinates mental health services to address these needs through a community-based process. Primary services include case management, inpatient care, out patient services (including crisis intervention/emergency response), and day treatment programs provided through a network of contracted and County-operated mental health clinics and hospitals. Using standards established by law and regulation, DMH reviews and monitors the clinical and fiscal performance of all service providers.

The service system for adults and older adults is targeted to a population that includes individuals who are functionally disabled by severe and persistent mental illness as well as those who are low-income, uninsured and temporarily impaired or in situational crises. The target population for services to children and youth are seriously emotionally disturbed children and adolescents who are diagnosed with a mental disorder. These children include wards or dependents of the juvenile court in need of mental health services; children in psychiatric inpatient facilities; seriously emotionally disturbed youth in the community; and, all handicapped pupils identified and referred by local educational institutions under the provisions of AB 3632-Special Education Pupils.

LAC-Milk Commission

Function

Shall adopt rules, regulations and standards governing the production, distribution and sale of certified milk, including un-pasteurized milk, as it deems necessary to protect public health and safety. The rules, regulation, and standard or the production, distribution and sale of milk including un-pasteurized milk, as adopted by the American Association of Medical Milk Commission.

Shall certify milk, including un-pasteurized milk, for any applicant for certification whose milk complies with the rules, regulations and standards for production, distribution and sale of milk adopted by the commission and prescribed in the State Code, irrespective of whether the milk is produced in Los Angeles County or in a contiguous County, so long as there is not a milk Commission located in such a contiguous County and shall terminate at such time as a Milk Commission is created in such contiguous County.

LAC-Narcotics and Dangerous Drugs Commission

Function

Review all existing legislation, Federal, State and local and recommend to the Board appropriate measures for the enforcement thereof.

- Recommend to the Board a stronger program in such fields including such additional federal; State and local legislation as in its opinion would be advisable.
- Recommend to the Board stronger programs in the field of medication, rehabilitation, and enforcement.

- Organize and assist in narcotics conferences in areas of Los Angeles County.
- Do all things necessary or helpful to reduce the illicit use of narcotics and dangerous drugs.

LAC-Native American Indian Commission

Function

- To promote the development of programs and funding resources to serve urban American Indians and American Indian organizations; to advocate legislation and policy favorable to urban American Indians; and to serve as a sounding board for the American Indian community on issues and problems of furthering participation of urban American Indians in the mainstream of social and economic activities.
- To work with existing Federal, State, and local agencies in researching, preparing and disseminating information to the field of American Indian affairs, so as to avoid its ordinance.
- To provide a coordinating function with respect to the activities of the many community groups and organizations working for the special concerns of American Indian people.
- To serve as a catalyst and coordinating agency between Federal, State, County, City and private agencies and with American Indian communities; and to foster pride in and an awareness of American Indian culture among all Americans.
- To study and/or investigate by means of meetings, conferences, public hearings, or forums, conditions which adversely affect the welfare and social economic status of American Indians; and to develop recommendations to the Board of Supervisors, Mayor, and City Council, and the departments and agencies of these respective government, or other organizations and institutions or matters involving the needs of American Indians; and to render to the Board of Supervisors, Mayor and City Council, and American Indian community, at least once each calendar year a report of its activities.

LAC-Parks And Recreation Commission

Mission Statement

To provide to the citizens of Los Angeles County diverse, quality recreational opportunities through the acquisition, development, maintenance and programming of the County's parks, golf courses, trails, natural and open space areas.

Further, to develop maintain and manage botanical gardens and arboreta for the benefit and enjoyment of the public, and provide public education and research in the botanical and horticultural sciences.

LAC-Probation Commission

Function

Advisory commission to the Chief Probation Officer.

LAC-Public Health Commission

Function

- Review, study, advise and make recommendations to the Board of Supervisors and to the Director of Health Services on matter related to Public Health.
- Review, study, advise and make recommendations on the community's Public Health needs and the County's provisions of Public Health services and communicate its findings as to the responsiveness of County services to the community's needs to the Board of Supervisors and to the Department of Health Services.
- Review, study, advise and make recommendations on the Public Health Program budget and any amendments to it and communicate its findings to the Department of Health Services and the Board of Supervisors.
- Advise the Department of Health Services on policies, goals and operations of Public Health Programs and Services.

LAC-Public Social Service Commission

Function

- Consult with and advise the Director of the Department of Public Social Services and the Board on all matters relating to the provision of Public Social Services, including but not restricted to, financial assistance and social services;
- Conduct studies on special projects and make recommendations to the Director of Public Social Services in order to promote efficient and cost-effective delivery of departmental services;
- Conduct public hearings as necessary to determine the attitudes and needs of the public, both recipient and non-recipient, and cooperate with organizations and private citizens to improve public social services, and advise the director and the Board of all findings and recommendations based upon public input;
- Review proposed federal, State and local legislation and regulations for potential impact on the County and make recommendations to the Director and the Board.
- Appoint staff personnel as authorized by the Board and direct staff activities in support of Commission objectives.

LAC-Quality and Productivity Commission

Function

The Quality and Productivity Commission was established in 1982 by the Los Angeles County Board of Supervisors to oversee the policies and support the implementation of programs that enhance the quality and productivity of County services. The Commission appraises the board and the Chief Administrative officer of its activities, and works in conjunction with all County departments and the Quality and Productivity Managers' Network to help implement and ensure the effectiveness and efficiency of these policies and programs.

LAC Real Estate Management Commission

Functions

The Commission shall be advisory to the Board of Supervisors and All affected Departments and entities on all matters pertaining to the purchase, sales, leases, exchanges and rentals of real property or any in Interest therein, to or by either the Los Angeles County or any public entity of which the Board of Supervisors is the governing body, including concessions on property owned by or in the possession of the County or such entities. In as much as the boards has here to for established an advisory Commission with responsibility for making recommendations with respect to leases and concessions in small craft harbors, such matters shall be excluded from the purview of this Commissions powers.

LAC-Regional Planning Commission

Function

- Prepare, periodically review, and revise, as necessary the general plan.
- Implement the General Plan through actions including, but not limited to the administration of specific plans and zoning and subdivision ordinances.
- Annually review the capital improvement program of Los Angeles County and the local public works projects of other local agencies for their consistency with the General Plan, pursuant to Article 7 (commencing with Section 65400).
- Endeavor to promote public interest in, comment on, and understanding of the General Plan, and regulations relating to it.
- Consult and advise with public officials and agencies, public utility companies, civic, educational, professional and other organizations, and citizens generally concerning implementation of the General Plan.

LAC-Veteran's Advisory Commission

Function

The duties of the Commission shall be as follows:

- Consult with and advise the Department of Military and Veterans Affairs in matters concerning veterans within Los Angeles County.

- Study, advise and recommend to the Board on special problem areas relating to veterans. Serves as means of communication for veterans.
- Act as liaison with the National Guard in the interest of improving and enhancing relationships and coordinating community activities.
- Endorse veteran's affairs within Los Angeles County, which the Commission believes are positive and worthwhile.

LAC-Women's Commission

Function

Promote the rights of women in society as equals. Represent the special interests and concerns of women of all races, ethnic and cultural backgrounds, religious convictions and social circumstances.

- Investigate complaints, or initiate its own investigation of practices of discrimination and instances of prejudice against any person because of sex, marital status or sexual preference.
- Recommend necessary procedures, programs or legislation to promote and insure equal rights and opportunities for all women.

RECOMMENDATIONS

The Commission Committee recommends that the 2001-2002 Grand Jury continue to have a Commission Committee to keep the Commissions list current with new data. The findings of the committee reveal that the Commissions have an unlimited source of information that the Grand Jury will find useful in their investigations.

COMPLAINTS COMMITTEE

Alice Jackson, Chairperson
Robert Bagwell
Juanita Buchanan
Raymond Lamb
Dolores Munoz
Brenda Preuitt-Wilson
Richard Salazar
Vernon Sims
Violet Waldman

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CITIZEN'S COMPLAINTS COMMITTEE REPORT

INTRODUCTION

The 2000-2001 Los Angeles County Civil Grand Jury received complaints from the citizens of Los Angeles County. These complaints gave the committee a broad spectrum of citizen concerns. It was necessary to refer many of the complaints to other agencies and counties, as the Los Angeles County Civil Grand Jury did not have jurisdiction over the matter referred to in the complaint.

The Committee received 61 citizen complaints and requests during its one-year tenure. The myriad of complaints showed the diversity of concerns by the county population.

METHODOLOGY

The Complaints Committee receives the complaints from the legal counsel. The legal advisor prepared a letter to the complainant acknowledging receipt of his complaint. An analysis of the citizen's complaint letter was sent to the Grand Jury with the legal advisor's recommendation. The Complaints Committee received and reviewed the complaint and determined the necessary action. The committee then made a recommendation to the full Grand Jury for their approval.

Jurisdiction of the Civil Grand Jury is prescribed by statute and limited to:

- Inquiry into the conditions and management of the public detention facilities in the county
- Investigation and reporting on the operations, accounts, and records of the officers, departments, or functions of the county as well as any special legislative district, or other entity in the county created pursuant to state law for which the officers of the county are serving in their ex-officio capacity as officers of these districts. In addition, the Grand Jury may examine the books and records of incorporated cities or joint powers agencies within the county.

There is no communication between the complainant and the Grand Jury.

RECOMMENDATION

The Complaints Committee recommends that in addition to the acknowledgement letter, the District Attorney assign a support person to the Grand Jury, to respond to complainants about the status of their complaint. This person will send a written response informing the citizen/complainant if in fact their complaint was investigated or forwarded to another agency. They should also be apprised of the reason for the complaint not being investigated.

COMPLAINTS REVIEWED BY THE 2000-2001 GRAND JURY

00-01	Cyber stalking
00-02	Wrong conviction
00-03	Innocent-not guilty of crime
00-04	Unfair tax assessment
00-05	Child abuse
00-06	Police conduct
00-07	Police brutality
00-08	Misuse of LA County funds
00-09	Race Discrimination
00-10	Unfair tax assessment
00-11	Illegal endorsement
00-12	Hate crime
00-13	Election tampering
00-14	Child snatching
00-15	Investigation of malfeasance
00-16	Gun fire
00-17	City of Bellflower
00-18	Bookkeeping
00-19	Staff harassment
00-20	Child custody violation
00-21	Penal harassment
00-22	Estate settlement

00-23	Ineffective counsel
00-24	Violation of 1 st and 5 th Amendments
00-25	Theft of personal property
00-26	Lost property
00-27	Police brutality
00-28	Downey School District abuse
00-29	Misuse of County funds
00-30	Judicial misconduct
00-31	Attempted murder
00-32	Violation of inmate's rights
00-33	Abuse by correctional officer
00-34	Unfair Long Beach proceedings
00-35	Unfair Long Beach proceedings
00-36	Unfair treatment
00-37	Health services irregularities
00-38	Appraisal of properties
00-39	LAC Department of animal care
00-40	Police harassment
00-41	Police brutality
00-42	Contract violation
00-43	Grand theft personal property
00-44	Misconduct
00-45	Energy crisis

00-46	Civil rights violation by San Gabriel P.D.
00-47	Systemic corruption
00-48	Civil Rights violation
00-49	Civil Rights violation
00-50	Civil Right abuse
00-51	Mail theft by staff
00-52	Corruption by LAPD
00-53	Civil Rights violation
00-54	Extortion
00-55	Waste, fraud & abuse by gov. agency
00-56	Police misconduct
00-57	Fraud and abuse of County resources
00-58	Unfair treatment at county jail
00-59	Concerns regarding Port of Los Angeles
00-60	Police perjury
00-61	Police harassment

EDUCATION COMMITTEE

Michael Hill Chairman
Andrew H. Bliss
Juanita Buchanan
Jane Grossman
Alice Jackson
Gyan Lal
John Liong
Violet Waldman

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EDUCATION COMMITTEE

INTRODUCTION

The Education Committee having reviewed a series of reports and documents on the condition of education in the primary and secondary schools in Los Angeles County, concluded there was significant information to review and study several of these Districts. After numerous study sessions, the committee concluded that the Los Angeles Unified School District (LAUSD) called for an official Grand Jury review. This conclusion was further supported by:

- The changes in STANFORD 9 (Stat 9) scores in the district.
- The potential for possible mismanagement and/or misappropriation of funds in regards to the Belmont Learning Center Project
- The School Board's decision to organize the district into eleven (11) Administrative districts with an estimated budget savings of \$48 million.

OBJECTIVES

The Committee's overall objective was to provide the LAUSD Board of Education with suggestions to provide the best education curriculum possible and to create a safe campus environment at each school in the District

METHODOLOGY

To achieve this objective 28 elementary, 3 middle and 3 high schools throughout the district were visited. Each school was chosen based on its 1999/2000 Stat 9 scoring and its geographical location within the District.

The committee began with an interview session with senior administrative staff in the district directly responsible for implementing district policy and developing district procedures, particularly within the Superintendents Office. Several administrative district superintendents, principals, and vice principals were also interviewed. Additional information was gained by interviewing members of the Inspector Generals Office, the Board of Education, BB Funding's Joint Oversight Committee and Health and Environmental Department.

Onsite inspections of school campuses were conducted to ascertain the physical condition of each and the surrounding community.

FINDINGS

The Education Committee having concluded their site visitations; school staff interviews and a review of the organization of similarly comprised schools districts concluded that in general a district is most successful when it is a part of a well defined community and it's policy makers are close to that community. Further the committee concluded that the more homogeneous the district the greater the opportunities for the success of the educational mission. The geographical

area of the District creates a barrier that does not allow the Board and/or Superintendent to be readily available to a school or its community. The Committee observed overcrowding in some schools, and an overwhelming turnover of experienced teachers particularly in low Stat 9 scoring schools

The Committee found other factors that should be addressed. One is that there seems to be considerable differences between the Year Round school system, at the elementary school level, and the Traditional school system.

First, most of the year round schools are found in the lower income communities. These schools, although they have plenty of budget money for instruction, thanks to Title 1 and Bilingual funding, have the highest percentage of teachers who have less than five years of teaching experience.

Second, the children who attend the year round schools have considerably low Stat 9 scores. There are various factors that help attribute to the low scores at many of these schools, but many of the principals identify one underlying theme that there is a percentage of students due to the time they come back from their track vacation who take the test 10 to 12 days after they return back to school. Many of them feel that this contributes to the lower scores at many of the LAUSD schools.

They also mentioned that students lost 17 days of instruction per school year under this system.

Table 1 below shows the Stat 9 scores of the schools that were visited and what school system the school was under.

TABLE 1

SCHOOL	TRADITIONAL YEAR ROUND	STAT 9 SCORES
LIBERTY	YEAR ROUND	READING (14) MATH (27)
MIDDLETON	YEAR ROUND	READING (6) MATH (15)
COMMONWEALTH	YEAR ROUND	READING (28) MATH (37)
CAHUENGA	YEAR ROUND	READING (31) MATH (44)
ARMINTA	YEAR ROUND	READING (21) MATH (25)
CLOVER	TRADITIONAL	READING (79) MATH (87)
WADSWORTH	YEAR ROUND	READING (9) MATH (21)
UNION	YEAR ROUND	READING (9) MATH (17)
NUEVA VISTA	YEAR ROUND	READING (13)

		MATH (22)
SIXTY-SIXTH	YEAR ROUND	READING (8) MATH (20)
TENTH	YEAR ROUND	READING (9) MATH (16)
ROWAN	YEAR ROUND	READING (12) MATH (21)
FISHBURN	YEAR ROUND	READING (13) MATH (24)
PARK WESTERN	TRADITIONAL	READING (77) MATH (79)
WEST VERNON	YEAR ROUND	READING (5) MATH (9)
HANCOCK PARK	TRADITIONAL	READING (84) MATH (89)
VAN GOGH	TRADITIONAL	READING (72) MATH (83)
PACOIMA	YEAR ROUND	READING (8) MATH (7)
SOUTH PARK	YEAR ROUND	READING (18) MATH (16)
TRINITY	YEAR ROUND	READING (10) MATH (17)
BARTON HILL	YEAR ROUND	READING (10) MATH (14)
EAGLE ROCK	YEAR ROUND	READING (56) MATH (62)
FAIRBURN	TRADITIONAL	READING (86) MATH (93)
TOPEKA	TRADITIONAL	READING (72) MATH (77)
SHARP	YEAR ROUND	READING (14) MATH (23)
POLITI	YEAR ROUND	READING (11) MATH (23)
LOGAN	YEAR ROUND	READING (22) MATH (14)
SHERMAN OAKS CES	TRADITIONAL	READING (68) MATH (70)

This information is based on the Stanford 9 scores of fourth graders for the 1999/2000 school year.

There was also a concern because this system has created a problem where as many teachers don't have permanent classroom. Teachers along with there students, have to change classrooms two to three times a year. The committee felt such a constant state of movement for young

students is disruptive to their learning potential, and it doesn't allow teachers the opportunity to display all the instructional materials for students to refer to.

As for middle and high schools that we visited the year round system didn't seem to be as big a problem as social, geographic and environmental issues.

In Table 2 you will find the results of middle and high schools we visited

TABLE 2

SCHOOL	TRADITIONAL YEAR ROUND	STAT 9 SCORES
GAGE MIDDLE SCHOOL	YEAR ROUND	READING (18) MATH (19)
BRET HARTE MIDDLE	TRADITIONAL	READING (19) MATH (12)
HORCE MANN MIDDLE	TRADITIONAL	READING (15) MATH (7)
HUNTINGTON PARK HS	YEAR ROUND	READING (9) MATH (20)
EL CAMINO REAL HS	TRADITIONAL	READING (54) MATH (65)
JORDAN HS**	TRADITIONAL	READING (4) MATH (12)

***Note: The entire LA County Grand Jury visited the campus of Jordan High School. We saw so many things that alarmed us at the campus that we used it as our test campus. Consequently we held several meetings with many of the administrators, staff and the District I Superintendent on the school's campus in an attempt to bring about an immediate change on the school campus. The school has also become the focal point of several news reports, which stem from neglect by LAUSD, to their lack of completing the necessary BB Funded projects started there several years earlier.*

The committee observed that teachers' appearance was not professional for a role model of children. The idea is to motivate students to emulate their favorite teachers. In many cases when we visited classrooms we weren't able to differentiate the teachers from the volunteers and maintenance employees on school campuses.

Many teachers we spoke with stated better compensation, safety issues, and closer proximity to their homes as reasons for the large exodus of good experienced teachers from the inner city to suburban schools and other school districts.

They also said the waiver program set up because of Proposition 227 has created a division in some to the predominantly Hispanic populated LA schools, and this division is having an impact on space availability on school campuses. We saw a few examples of this problem, where classrooms were split and one teacher was teaching in English, while another teacher was teaching students in Spanish.

The New Belmont High School Building toxic issue, and the \$170 million dollars spent to build this building, that up to now is still pending completion, caused this committee to speak with various personnel at LAUSD to find out what if anything could be done to make the school safe. What was discovered is that many of the proposed sites throughout the city have potentials that

could be hazardous. One such school is Hancock Park Elementary School, which has two Methane Gas Meters. During our visit to the school we met three people from Sacramento who were performing test and checking for certain toxic levels.

In the area of instructional programs the committee investigated both Open Court and Project Grad. They are two of three literacy programs that were offered to school administrators, whose second and third graders scored below 50% on the state equivalency test. The third program a sister program of Open Court was adopted by one school in the District.

At present, the District is placing more emphasis on the Open Court reading program because it requires such an intensive teacher-training program to make it effective. There is a considerable cost to the District for this program because of the training component and the materials needed per student.

Project Grad is being tested on a limited scope in the San Fernando area. The program requires the students to be assessed on a quarterly basis and the results of the assessments are then put into a number system for classification. Third grade level second semester is conveyed to students as 3.2 and classes are set up to only accommodate students that are on the number level, no matter their actual grade level. The program is less expensive to the District because it is co-funded by the US Department of Education, LAUSD and private industry.

RECOMMENDATIONS

The Los Angeles County Civil Grand Jury encourages the Los Angeles Unified School District and its Superintendent to study these issues in light of the Committee's findings in the following areas:

- Year around schooling vs. traditional
- The possibility of developing a program to attract more experienced teachers to the inner city schools
- The possibility of forming a study group to assess the viability of using the Project Grad assessment system with the Open Court reading method for all LADUSD schools.

OUTSIDE AUDIT

The Education Committee sought proposals for a limited scope audit of the Los Angeles Unified School District (LAUSD). The purpose of this audit was to provide a comparative analysis of costs and staffing of the LAUSD prior to and following the July 1, 2000 organizational restructuring of the District.

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Scope and Methodology

The Harvey M. Rose Accountancy Corporation was retained by the FY 2000-01 Los Angeles County Grand Jury to conduct a limited scope audit of the Los Angeles Unified School District (LAUSD). The purpose of this audit was to provide a comparative analysis of costs and staffing of the LAUSD prior to and following the July 1, 2000 organizational restructuring of the District. The District's stated purpose for the reorganization included:

- (1) To reconstitute the central offices as a tactical support, service and compliance monitoring system.
- (2) To create 11 local districts. Give them control over resources, autonomy to make the vast majority of decisions about the instruction of children, and accountability for improving student achievement.
- (3) Focus the local district's instructional and professional development priorities on reading at all levels.

Therefore, the audit scope included a comparative analysis of FY 1999-00 centralized administrative staffing and related costs to FY 2000-01 decentralized administrative staffing and costs. In addition, the audit assessed compensation costs of the superintendents related to fringe benefits and perquisites, and cost increases associated with additional administrative facility requirements resulting from the reorganization.

The review of the LAUSD began in February 2001, and the fieldwork was completed in April 2001. During the study period the following activities were performed:

Entrance Conference: An entrance conference was held with representatives of the Grand Jury and LAUSD supervisory personnel from various divisions. This entrance conference was held to discuss the audit work plan, describe the audit process, establish audit procedures and protocol, and respond to questions involving the audit work plan and time frame.

Field Work: Field work started with survey interviews with numerous District staff, including the Chief of Staff, the Associate Superintendent of Planning, Assessment and Research, the Executive Administrator of Business and Finance, three Local District Superintendents, the Controller, the Budget Director, the Director of the Independent Analysis Unit, the Inspector General, the President of the Board of Education, the Chairperson of the Budget Committee of the Board of Education and several support staff. In addition, follow-up interviews were conducted with appropriate supervisory personnel and staff on topics selected for further analysis. Various printed information including, District policies and procedures, background materials, Board of Education minutes and records of actions, State law and regulations, District leases, employment contracts, internal accounting reports, payroll records, budget documents and annual financial reports were also reviewed.

Preparation of Findings and the Draft Management Audit Report: Based on the field work and analyses conducted during the audit, findings and recommendations have been prepared for the consideration of the Superintendent and the Board of Education regarding certain aspects of

the District's functions. These recommendations related to the District's budget system, accounting system, personnel management system, and performance reporting to the Board of Education.

Section 1: Analysis and Comparison of LAUSD FY 1999-00 Versus FY 2000-01 Administrative Staffing and Costs:

LAUSD Reported FY 2000-01 Budgeted Position Reductions and Related Savings

On March 14, 2000, at the regular meeting of the Board of Education the Los Angeles Unified School District (LAUSD) Superintendent presented the report entitled *Eleven Local Districts, One Mission*. This report introduced the proposed plan to reorganize the District. Included in this presentation, the Superintendent stated, "the reconfiguration of the Central Office removes 834 positions from the Central Office and saves over 46 million dollars". On page 5 of the report, it was stated that approximately \$10.7 million in General Fund savings would be realized through the restructuring, and approximately \$35 million in Special Fund savings would be realized. The total reduction in personnel at the old Central Office structure was reported to be approximately 834 positions.

In order to obtain a full and accurate understanding of the reported staff reductions and related savings, we met with LAUSD budget and administrative staff to review and discuss the reported budget savings cited in the Executive Summary of the report on page 5 and in a schedule on page 28 of the report (Attachment 1.1). Table 1.1 below is a summary of the budget information reported on page 28 which shows that a net of 333.11 Central Office positions (not 834 positions) would be eliminated with a savings of \$46,102,464. In addition to the 333.11 positions eliminated, 501.42 Central Office positions were reassigned to the new Local Districts or to District schools and remain on the LAUSD payroll. Therefore, although the proposed plan stated in the Executive Summary of the LAUSD submission that the reductions in personnel at the Central Office would be 834 positions (333.11 + 501.42), only 333.11 positions were actually deleted from the Central Office budget.

This net reduction of 333.11 positions was accomplished by closing or reducing staff in existing Central Office units and creating new offices and positions as shown in Table 1.1. Further, 35 of the positions included in the net reduction of 333.11 positions from the Central Office budget were added elsewhere in the LAUSD budget. Therefore, the actual net reduction of budgeted positions District-wide was only 298 positions.

Table 1.1

**Summary of LAUSD Reported Budget Reductions
Related to the District Reorganization**

	<u>Positions</u>	<u>Cost</u>
Closed Offices and Reduced Offices	(802.11)	(\$86,961,693)
New Offices/Positions	(469.00)	(40,859,229)
Net Position Reductions/Cost Savings*	(333.11)	(\$46,102,464)

* However, approximately 35 of the 333.11 positions were transferred to school budgets. Therefore the actual net reduction of positions District-wide was 298.

Grand Jury Audited FY 2000-01 Budgeted Position Reductions and Related Savings

All of the above data and discussion is based on January and February 2000 budget information included in the “Eleven Local Districts, One Mission” report as supplemental information to document the calculation of position reductions and cost savings. To independently verify the accuracy of the summary position and cost savings cited on pages 5 and 28 of the report, as clarified above to reflect the actual reduction of 298 positions rather than 834 positions, we attempted to reconcile the supplemental budget documentation appended to the report.

The results of that analysis showed that the District’s corrected calculation of 298 positions deleted from the budget and \$46.1 million of savings was not supported by the supplemental documentation attached to the report. The District reported reduction of 333.11 Central Office positions (excluding the 35 Central Office positions transferred to other LAUSD offices) included the deletion of 73.50 General Fund positions and 259.61 Special Fund positions. Table 1.2 shows the District’s proposed budget reduction of 333.11 positions by funding source, including the Regular funded (General Fund) programs and Special funded programs.

After our efforts to reconcile the supplemental budget documentation to the reported position reductions and related savings were unsuccessful, the LAUSD Budget Office assigned staff to disaggregate the supplemental budget documentation in order to perform a detailed reconciliation. LAUSD staff determined that the attached supporting schedules, as formatted, did not reconcile to the reported reorganization savings and resulted in a calculation duplication overstating the position reductions. LAUSD budget staff stated that the current budget system is not organized in a manner that separates administrative and school positions in all cost centers, and the budget system does not have the capability to do so. However, based on the detailed analysis performed by District budget staff to manually exclude positions that were originally included in the Central Office and now are included in LAUSD school budgets, it was determined that only 278.14 positions would be eliminated at a savings of \$32,942,571 rather than the 333.11 positions and \$46,102,464 reported by the District.

Additionally, the LAUSD cost analysis of the proposed restructuring plan did not fully account for other costs that would be incurred by the local districts. The primary cost not accounted for

was the cost of each local district administrative office. As part of this review, we requested the lease documents for each of the local district offices. The leases revealed that an estimated \$2,987,003 of additional expenses would be incurred for the lease of these facilities. However, these costs were not accounted for in the LAUSD proposed restructuring plan. Therefore, the LAUSD reported budget savings should have shown a net savings of \$29,955,568 or 35 percent less than the stated amount of \$46,102,464 as shown in Table 1.2 below.

Table 1.2

**Comparison of LAUSD Reported Position and Budget Cost Savings
Versus Grand Jury Audited Position and Budget Cost Savings**

	LAUSD Reported Budget Savings		Grand Jury Audited Budget Savings	
	<u>Positions</u>	<u>Cost</u>	<u>Positions</u>	<u>Cost</u>
Regular Funded Programs	73.50	\$10,643,701	73.50	\$10,643,701
Specially Funded Program*	<u>259.61</u>	<u>35,458,763</u>	<u>204.64</u>	<u>22,298,870</u>
Position Reductions/Cost Savings	333.11	\$46,102,464	278.14	\$32,942,571
Less Cost of Local District Leases				<u>(2,987,003)</u>
Adjusted Net Cost Savings				<u>\$29,955,568</u>

* Attachment 1.2 provides the LAUSD worksheet showing the revised position deletions and related savings of \$22,298,870.

Actual FY 2000-01 Position Reductions and Cost Savings Achieved by LAUSD Based on Payroll

Because of the lack of supporting documentation contained in the supplemental budget information and the limitations of the budget system that prevent the separation of administrative from school positions and costs, we concluded that the budget information reported in the “Eleven Local Districts, One Mission” report did not accurately report position and cost savings that would result from the reorganization. Further, even if accurately budgeted and documented, actual savings may not have any relationship to changes in budgeted appropriations from one year to the next. Therefore, we conducted an analysis of actual District staffing and costs based on payroll documents to more accurately determine the approximate number of positions eliminated and cost savings achieved as a result of the restructuring.

This analysis was performed based on a special report prepared from District Payrolls showing actual paid hours of all employees in administrative cost centers for FY 1999-00 as of June 30, 2000. A second special report identified actual paid hours of all employees in administrative cost centers for the first eight months of FY 2000-01, based on the payroll ending February 28, 2001. By comparing the final FY 1999-00 actual payroll hours with the FY 2000-01 year-to-date payroll hours through February 28, 2001 annualized through June 30, 2001, the change in actual

staffing resulting from the reorganization can be projected. This analysis revealed that there were 5,436 full time equivalent employees in FY 1999-00 and approximately 5,700 full time equivalent employees in FY 2000-01, based on February 2001 payroll. Although the reorganization reportedly eliminated from the budget about 333 positions as shown in Table 1.2, actual staffing shows a projected increase of 264 employees following the reorganization. However, because the payroll system is patterned after the budget system organizational structure, school employees and non-school employees are commingled in the payroll system as well. While this somewhat overstates the true number of administrative positions, the overstatement occurs in both years and should be substantially offsetting.

As confirmation of this conclusion, the Independent Analysis Unit (IAU) of the LAUSD was consulted. This Unit, which reports directly to the LAUSD Board of Education, had previously performed a similar payroll comparison to determine if administrative staffing had increased or decreased since the reorganization. However, in performing its analysis, the Independent Analysis Unit manually adjusted the actual payroll data to exclude school employees from the comparison in order to isolate administrative positions. The IAU report, which is included as Attachment 1.3, is based on the actual number of employees assigned to non-school locations and compares December 1999 to December 2000. This analysis shows an increase from 5,380 in December 1999 to 5,516 in December 2000, 136 more employees following the reorganization.

During the exit conference, LAUSD staff asserted that because the payroll system accounts for all District positions, irrespective of the accounting fund from which they are paid, it is possible that some of the positions included in the administrative cost centers that were analyzed may have been positions funded by capital improvement funds unrelated to school operations. If this occurred, it could have distorted the results of the analysis. Therefore, LAUSD administrative staff has requested its Independent Analysis Unit to reexamine the position detail in the administrative cost centers that were analyzed to ensure that no capital program positions were included.

In order to estimate the cost of the additional 136 positions, the Independent Analysis Unit determined the average annual employee cost to be approximately \$78,296, including benefits. Therefore, IAU projected the increased cost of these 136 administrative positions to amount to approximately \$10,648,256 annually. Table 1.3 compares the results of the payroll analysis conducted by IAU based on December 2000 payroll data to the comparable analysis we performed based on February 2001 data.

Table 1.3

**Comparison of Actual LAUSD Administrative Staff
Based on Payroll Hours Paid in December 2000 and February 2001**

	Full Time Employees		
	FY <u>1999-2000</u>	FY <u>2000-2001</u>	Net <u>Change</u>
Independent Analysis Unit	5,380	5,516	136
Grand Jury Auditors*	5,436	5,700	264

* The Grand Jury full time equivalent staffing was not adjusted to exclude school employees reported by the payroll system in administrative cost centers.

Section 2: Comparison of Organizational Responsibilities of the LAUSD Superintendent for FY 1999-00 and FY 2000-01

The LAUSD reorganization, implemented on July 1, 2000, was intended to accomplish several improvements designed to streamline organizational communication and operational efficiency, facilitate more direct and timely community access, and establish a uniform District-wide goal of improving student achievement. The LAUSD organization that existed in FY 1999-00 was a more vertical organization that reportedly was more bureaucratic and inefficient, and was characterized by untimely decision making and excessive paperwork (Attachment 2.1). At the exit conference, LAUSD staff reported that the actual chain of command also included an associate superintendent and three area superintendents between the cluster administrators and the deputy superintendents. The FY 1999-00 chain of command between the more than 700 schools and the LAUSD Board of Education as shown in the organization chart was as follows:

Board of Education

Office of Superintendent

Chief Operating Officer

Deputy Superintendents

Cluster Administrators

Schools

In comparison, the reorganization plan implemented by LAUSD makes significant improvements to enhance organizational access and timeliness by shifting increased responsibility and authority down to local district superintendents. The FY 2000-01 LAUSD organization structure is significantly consolidated as shown in Attachment 2.2. The FY 2000-01 chain of command between the more than 900 schools and the LAUSD Board of Education is as follows:

Board of Education

General Superintendent

Local District Superintendents

Schools

Under the FY 1999-00 organizational structure, 700 plus LAUSD schools, more than 700,000 students, and the numerous communities served by the LAUSD, all interacted directly through the Office of the Superintendent of Schools and related Central Office administration.

Comparatively, the FY 2000-01 organization divides the reporting relationships of the schools among 11 local districts as follows:

Table 2.1

**Comparison of the Number of Schools and Students
in the LAUSD 11 Local Districts**

<u>District</u>	<u>Number of Schools</u>	<u>Number of Students</u>	<u>Average Number of Students Per School</u>
D	93	59,000	634
C	88	68,000	773
A	85	68,000	800
K	82	67,000	817
G	70	60,000	857
E	71	67,000	924
B	80	77,000	944
I	52	52,000	963
F	66	61,000	1,000
H	66	68,000	1,030
J	<u>41</u>	<u>62,000</u>	<u>1,512</u>
Total	794	709,000	893

The 11 local districts were reportedly determined based on achieving a manageable number of students per district and school, the number of schools and school sites in each district, projected future enrollment growth, the proportion of permanent teachers in each district, existing student matriculation patterns, and other considerations. A description of the communities served by each district is shown in Attachment 2.3.

Section 3: LAUSD Local District Superintendent Employment Contracts

In order to determine what benefits, perquisites, and special working conditions have been provided to the LAUSD 11 Local District Superintendents, we requested copies of the employment contracts for these positions.

The 11 Local District Superintendent contracts are identical, with the exception of salaries, and provide the following employment conditions:

- Two year term of each contract from commencing July 1, 2000, and ending June 30, 2002.
- Salary set at salary range 04J on the Master Salary Schedule for certificated employees. for Local District Superintendents; one is set at step two. This salary range has three steps. Ten of the 11 Local District Superintendents were appointed at step 1, which amounts to \$136,000 annually. One Local District Superintendent salary was set at step 2, which

amounts to \$143,000 annually. The contract does not specify when promotion to step 3 would occur. Step 3 amounts to \$150,007 annually.

- The Local District Superintendent shall be entitled to all benefits and rights available to other twelve-month classified executive or administrative employees. These benefits include:
 - Medical, dental and vision insurance for the employee and qualifying dependents.
 - Life insurance in the amount of \$25,000
 - Retirement through the State Teachers Retirement System or Public Employees' Retirement System
 - Thirteen (13) days sick leave and 24 days vacation annually.

In addition to the benefits specified in the written contract, each Local District Superintendent receives an assigned automobile and a cell phone.

Section 4: LAUSD Management System Problems

During the course of the audit, we identified and staff reported various weaknesses in important management systems that are critical to the efficient day-to-day functioning of the District. Problem areas include the budget system, the personnel management system, the reporting and monitoring components of the accounting system and the payroll system. These systems are inadequately integrated to ensure cost centers do not exceed budgets and to avoid the overfilling of authorized positions. District staff reported that the District is in the process of replacing its budget and position control systems, and expects this project to be completed during FY 2001-02. Although the analysis of these problems was outside of the scope of the audit, these issues are reported here in accordance with Section 7.46 of the United States General Accounting Office Auditing Standards. This auditing standard requires the disclosure of issues warranting further analysis and considered significant by the auditor, but the issues are not directly related to the audit and resources were not provided to pursue them. Examples of some of the problems encountered include the following:

Budget System:

- The existing organization of the budget cost centers does not separate school from non-school costs in all cost centers. Therefore, budget analysis and comparisons between school and non-school costs and staffing is not possible unless manually performed.
- Salary and benefit costs are estimated based on broad average cost projections. Neither salary step increases for employees nor salary savings related to vacant positions and attrition are budgeted because these costs reportedly have offset one another in past years. However, the FY 1999-00 LAUSD audited financial statements indicate that actual FY 1999-00 salary and benefit savings amounted to \$117.2 million, which amounted to 2.74 percent salary and benefit savings.
- The FY 2000-01 CAFR shows that the final General Fund budget included total available resources of \$5.279 billion and total authorized expenditures of \$5.921 billion for a deficit of

\$642 million or 12.2 percent of budget. If fully realized, this budget would have reduced the District's reserves by 98 percent from \$655 million to \$13 million.

- The FY 2000-01 CAFR shows that savings on books and supplies amounted to \$295.5 million or 43 percent of the \$689 million budget. However, LAUSD staff reported that some of the unexpended amounts related to planned savings by various schools in order to accumulate sufficient funds to make specific large purchases. It was also reported that any teacher who does not have sufficient funds to purchase text books can access a general book purchase account that is available in the central administrative budget.
- No budget procedure manual exists and no annual budget instructions are prepared and distributed to organizational units throughout the District to facilitate compilation of the annual budget.

Personnel Management System:

- There is currently no position control mechanism to ensure that the number of positions authorized in the approved annual budget in any position classification is not exceeded in daily operations. Therefore, it is possible for more persons to be hired in any position classification than are authorized and for which monies have been appropriated.
- There is currently no capability to determine the number of budgeted positions that are vacant in any individual position classification or cost center.

Payroll System:

- The payroll system will accept positions that are not authorized in the adopted budget or which exceed the total number of positions authorized in the position classification or organizational unit.

Fiscal and Performance Monitoring and Reporting:

- The Board of Education currently receives two budget status reports during the year to exercise its oversight responsibilities related to the \$6.0 billion LAUSD budget. These interim financial reports are presented at a highly summarized level and provide minimal narrative explanation of budget variances, corrective actions planned or taken, and other pertinent information. No information is provided regarding staffing, including vacant positions and use of temporary employees to fill permanent positions.
- Although the reorganization of the LAUSD was implemented on July 1, 2000, approximately 11 months ago, the LAUSD Board of Education has not established specific quantifiable performance benchmarks and objectives for each of the 11 Local Districts created through the restructuring. Local District Superintendents reported developing such information independently. However, the specific performance measures, objectives and timelines for achievement have not been approved by the LAUSD Board of Education and the Board does not receive periodic performance reports to evaluate the results of the reorganization. The District Executive Administrator reported that such performance based measurement and reporting is planned for the future.

- Each employment contract of the 11 Local District Superintendents includes two performance measures that the General Superintendent will use to assess the performance of the Local District Superintendents. However, the Board of Education should receive comprehensive performance information on a periodic basis that is reflective of all of the important programs and objectives of the District.

Section 5: Other Issues

The LAUSD provides retiree health care benefits for retired employees pursuant to collective bargaining agreements. As of June 30, 2000, 29,916 retired employees met the eligibility requirements for these benefits. The cost of these benefits is funded on a pay-as-you-go basis from the various operating funds of the District. The total cost to the District for this benefit during FY 1999-00 amounted to \$101,753,017. The LAUSD Comprehensive Annual Financial Report did not disclose the total estimated amount of this liability. However, the District should obtain an actuarial analysis of this liability, if it has not already done so. The total liability probably amounts to as much as \$1 billion.

If the District were to fund this liability in a Retiree Health and Welfare Benefits Fund and separately invest these monies in pension fund type investments similar to the investments made by the California State Teachers Retirement System (STRS), the Public Employees Retirement System (PERS), and other city, county and public agency retirement systems, LAUSD could increase its investment earnings substantially. As an example, PERS has earned an average of 12.22% during the past 18 fiscal years since 1983-84 (Attachment 5.1). This return is approximately equal to the median return achieved by the more than 50 defined benefit pension plans administered by the major cities and counties in California. Currently, more than \$2.2 billion of LAUSD cash is deposited with the Los Angeles County Treasurer for investment, including over \$1 billion of General Fund monies. Because of the restrictions on the investment of local agency surplus monies, the Los Angeles County Treasurer earned only 5.23% in CY 1999 and 6.10% in CY 2000. For each \$100 million placed in a Retirees Health and Welfare Benefits Fund and invested on a long term basis consistent with the retirement obligation, LAUSD could earn additional investment income of at least \$4 million to \$6 million annually, based on achieving a net investment yield of 10.20% to 12.20%.

The option to establish a Retirees Health and Welfare Benefits Fund and invest monies in retirement type investments, including corporate bonds, common stock, real estate and other investments, is provided for by Government Code Sections 53620 to 53622 (Attachment 5.2). If the District began a funding plan by setting aside \$50 million per year over the next 20 years, once fully funded, the District would realize an annual benefit of \$40 million to \$60 million per year.

Section 6: Conclusions and Recommendations

Conclusions:

The projected budget savings and reduction in budgeted positions that would result from the restructuring of the LAUSD as reported in the document entitled *Eleven Local Districts, One Mission* was misleading, inaccurate and substantially overstated. The reported budget reduction of 834 positions and savings of \$46.10 million was more accurately only 278 positions deleted from the budget and savings of \$29.96 million. Further, the actual change in administrative staffing since the organizational restructuring resulted in an increase of more than 100 positions and an additional cost of over \$10 million.

During the course of the review of the savings achieved from the reorganization, several needed improvements in management systems and reporting were identified. Budget, personnel, payroll and accounting system improvements, as well as fiscal and performance reporting enhancements, are

needed. These improvements would strengthen internal controls, provide staff greater analytical capabilities and provide the members of the Board of Education with increased fiscal and performance information with which to oversee the District's operations and formulate District policy.

Lastly, the LAUSD could generate increased investment income of as much as \$4 million to \$6 million annually, by implementing alternative investment options for retiree health benefit monies available through Government Code Sections 53620-53622. The benefit from this alternative investment strategy could increase to as much as \$60 million annually once LAUSD retiree health benefit liabilities are fully funded.

Recommendations:

It is recommended that the LAUSD:

- 1) Modify the budget system to allow the separate budgeting and accounting of school and non-school costs within each organizational unit or cost center.
- 2) Develop and document budget estimates of all major revenues and expenditures, including estimated staffing costs related to salary step increases and salary and benefit savings related to vacant positions.
- 3) Develop a budget procedure manual and annual budget instructions to distribute to organizational units throughout the District to facilitate compilation of the annual budget and improve budget documentation.
- 4) Develop a position control mechanism within the personnel management system to ensure that the number of positions authorized in the approved annual budget in any position classification is not exceeded in daily operations. The District reports that a position control system will be implemented within two years.
- 5) Develop a vacant position report within the personnel management system that is linked to the approved positions authorized by the annual budget and the payroll system.
- 6) Modify the payroll system to prevent payment for positions that are not authorized in the adopted budget or which exceed the total number of positions authorized in the position classification or organizational unit.
- 7) Develop monthly budget status reports for the Board of Education to provide more timely and detailed fiscal information to improve the Board's ability to oversee the \$6.0 billion LAUSD budget.
- 8) Develop specific quantifiable performance benchmarks and objectives for each of the 11 Local Districts and provide the Board of Education with quarterly performance reports.
- 9) Begin funding retiree health benefits by establishing a Retirees Health and Welfare Benefits Fund and separately invest these monies in pension fund type investments, including corporate bonds, common stock, real estate and other investments, as permitted by Government Code Sections 53620 to 53622.

HEALTH CARE
DELIVERY SYSTEMS
COMMITTEE

Andrew Bliss Chairperson
William Kelley
Violet Waldman

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HEALTHCARE DELIVERY SYSTEMS COMMITTEE

INTRODUCTION

The Committee was established by the Grand Jury to study and evaluate the significance of:

- The role that governmental agencies play in the delivery of health care.
- The large amount of the County's Budget that goes for health care.
- The critical importance of compliance with the 1115 waiver agreement (*See Appendix III*) entered into by the county with the state and federal governments.

OBJECTIVES

The Committee's objective was to conduct a review of each of the healthcare delivery systems which are operated and provided by the County of Los Angeles in order to determine that they:

- Are in place to meet the needs of the citizens to be served.
- Meet or exceed community standards.
- Are operated in a fiscally judicious manner.

METHODOLOGY

The committee pursued its objectives utilizing the following techniques / strategies:

- Interview department heads and other departmental staff.
- Visit and collect data from the facilities indicated:
 - Hospitals
 - Comprehensive Health Centers
 - Health Clinics
 - Public Private Partnerships
 - Other contracted facilities/services
- Interview and evaluate outside sources as research indicates.

The committee anticipated that from their findings they would develop some short and long-term recommendations for improving the delivery of healthcare services. The committee further believed that it would find areas of excellence in the delivery of healthcare services, which would be highlighted.

FINDINGS

Trauma Centers

There are 148 hospitals in Los Angeles County. Eighty-four of these have fully licensed Basic Emergency Departments accredited by the Joint Commission for Accreditation of Health Care Organizations (JCACHO). Thirteen are designated as full-service Trauma Centers. The County of Los Angeles operates three of these centers and the other 10 are owned and operated by public, non-profit hospitals.

The trauma hospital system is designed to care for the critically injured. Los Angeles County officially began its trauma hospital system in December 1983, when the first eight Level I trauma hospitals were activated. Eventually, the Board of Supervisors designated 24 hospitals as trauma hospitals. Subsequently, eleven hospitals withdrew from the system citing financial losses associated with trauma hospital programs.

The Board of Supervisors in 1990 appropriated its share of the discretionary hospital and physician funds to pay for trauma services provided to indigent patients. Other funds became available with the implementation of the Proposition 99 Tobacco Tax initiative. These funds were sufficient to stabilize the trauma hospital system. They were not sufficient to entice former hospitals back into the system.

Today large portions of the County remain without a designated trauma hospital within an acceptable time frame for ground transport. Critically injured patients are airlifted, when possible, to the nearest trauma hospital.

Proposition 99 funds have dwindled to such a degree that this source of funding can no longer sustain the trauma hospital system. A funding crisis threatens the viability of the trauma hospital system due to the 30% decline in Tobacco Tax dollars in addition to a 79% decline in the California Healthcare for Indigents Program (CHIP) both, which have sustained the system for the last ten years.

County Hospitals /Medical Centers

The committee visited each of the County Hospitals/Medical Centers. Before making the visits the committee reviewed the following documents for each facility:

- A functional Organizational Chart
- The facility's last two Joint Commission for Accreditation of Health Care Organizations (JCACHO) Surveys
- Any outside Fiscal or Management Audits completed in the last year
- The facility's Re-engineering Plan and a current status report
- A Risk Management/Loss Prevention Report

The facilities latest JCACHO Survey indicated improvement over the previous review. There were deficiencies noted for which a plan of correction was completed and approved by the accreditation organization. The Committee observed during their visits to some of the facilities a lack of attention to cleanliness, to the general up-keep of the

physical plant, to the safety of person and property and to patients' rights. Although the offending facilities' survey report indicated that when the surveyors were there, that was not the case. On inquiry, it was found that the facilities go through a major clean up just prior to a survey. It was further explained that the reason for operating this way was insufficient staffing.

LAC-USC Medical Center

During the visit to LAC-USC Medical Center, the Jury observed an overcrowding condition in the psychiatry emergency room. This room, 1234, has bed accommodations for eight patients. The room has been consistently overcrowded since July 2000 with a high of up to twenty-nine patients. Such overcrowding violates patients' rights by:

- Not providing for individual privacy, for patient examination, patient – physician dialogue and treatment.
- Not allowing for the separation of the males and females, nor adults from adolescents.
- Creating unsafe conditions for patients, visitors, and staff.

Two plans prepared by the staff for the resolution of the problem have been addressed to the Administration: one in July 2000 and the second in February 2001. No definitive action or resolution has resulted. In addition, the facility has received a deficiency notice from the state-licensing agency as a result of its visit on January 31, 2001.

Ingleside Psychiatric Facility was visited as part of the review of LAC-USC Medical Center. This facility is managed and operated by the Psychiatric Service of the Medical Center. These 40 beds are leased as replacement for those beds lost in the 1994 earthquake. These beds are fully utilized at all times. Therefore, patient overflow from 1234 cannot be accommodated. The management of this facility seems to be very satisfactory in terms of meeting patient needs.

Martin Luther King Jr./Drew Medical Center

The committee was made aware that Martin Luther King Jr./Drew Medical Center would be having its JCACHO Survey in May 2001. During 2000 MLK successfully completed the American Association of Blood Banks Inspection and the College of American Pathologists Review. The committee was impressed with the Department of Internal Medicine's 4-year grant of \$689,269 annually to establish an Adult Protective Services Program, and the County Productivity Investment Award of \$750,000 to the Oral and Maxillofacial Surgery Department to fund a Mobil dental unit. The Medical Center is to be commended for its Women's Health Center and the School-Based Clinics Program.

The Psychiatric Services are provided in an adequate space and with the appropriate staffing. On the committee's visit we did not note any overcrowding. We were advised that the 20 adolescent beds are managed by the medical staff from LAC-USC Medical Center.

Rancho Los Amigos National Rehabilitation Center

The Committee found that Rancho Los Amigos National Rehabilitation Center continues as a center of excellence in Medical Rehabilitation. The committee observed there was unoccupied space that might be used for additional patient care activities or health services programs.

Olive View-UCLA Medical Center

The committee's visit to Olive View-UCLA Medical Center was informative as it provided a picture of the reengineering effort. The development of their two projects, Bed Management and Outpatient Flow, indicate a need for improvement. Olive View staff, as other hospital staffs, pointed out to the committee the major problems effecting improvement and change. Those problems consist of the following:

- The excessive number of entities involved in approval to effect a change.
- The inflexibility of the budget process in terms of changes.
- The overall resistance due to a stagnant culture and environment.
- Inability to reduce staff and realize full savings.
- Delayed process due to unfamiliarity by other county agencies with reengineering.

Harbor UCLA Medical Center

The visit to Harbor UCLA Medical Center gave the committee an insight into the Department of Health Services strategies to reduce the deficit and Harbors' contribution to this effort. The strategies that are being explored are the following:

- Increase County Funds allocated to Health Services
- Increase State and Federal Revenues
- Reduce demand through improved health
- Reduce costs and increase efficiencies
- Reconfigure and/or reduce services
- Outsource selected services
- Achieve 1115 waiver (*See Appendix III*) goals to avoid sanctions

In order to ensure achievement of the 1115 waiver (*See Appendix III*) goals and to avoid sanctions, Harbor will need to develop the following strategies:

- To exceed its ambulatory care visit target,
- To successfully implement the itemized data collection program,
- To improve overall performance by getting staff involved,
- To successfully implement the clinical resource management program,
- To seriously address supply consumption.

The visit included a review of the psychiatric emergency unit and the inpatient service. They both had the necessary space and staffing. They are able to separate the men from the women and the adults from the adolescents. They did advise that when experiencing overload they are able to arrange timely transfers to other mental health providers.

High Desert Hospital

During the visit to High Desert Hospital the committee was able to see a vastly different healthcare delivery system. The hospital is actively involved in outreach activities with the Antelope Valley Health Care District. The district provides the building and the county provides the staffing for the clinics in Palmdale. They also have a mobile clinic that moves around the area to provide well baby services. Health care is being provided in the Kepal Union School District and there are plans for a 30,000 sq. ft. urgent care facility in the region.

The facility notes the adverse affect of the 70/30 hiring freeze particular on a small operation such as theirs. They are projecting a severe nursing shortage in the near future thereby reducing job stability.

MENTAL HEALTH

The committee met with members of the department of mental health executive staff. The crisis in psychiatric services was made more evident as a result of this meeting. Los Angeles County relies upon four large public psychiatric emergency rooms. Three of the four Department of Health Services emergency services have specially constructed psychiatric emergency rooms that provide some measure of safety and dignity for patients and staff. LAC-USC, however, has operated out of a small room (1234) since the LAC-USC Psychiatric Hospital was closed after the 1994 earthquake. This room is smaller than the original psychiatric emergency room and is poorly equipped. It was originally constructed as a temporary measure. However, no additional space has been allocated for the emergency service since that time, despite repeated requests. The configuration of the emergency room stands in stark contrast to that of the other 3 medical centers.

CONCLUSIONS

The conclusions that follow are based not only on the committee's visits and interviews, but also on reviews of reports and documents as described in appendix II. The Grand Jury's Health Care Delivery Systems Committee, as further validation of previous findings, offers some of these conclusions for emphasis of their importance.

- It is questionable that the department will meet the terms and conditions of the 1115 Waiver.
- There will be insufficient or no funds to care for the patients receiving services under the provisions of the 1115 waiver when it expires. Furthermore it is not anticipated that the group of patients will be absorbed into the private sector.
- The service delivery systems are in need of improvement, especially in providing easy access to primary care physicians, specialists and service facilities.

- The department does have excellent service providers, however, they are not easily accessible; in fact the existence of some is not generally known to the public at large.
- The department needs to develop an integrated data collection and management reporting system that allows the client, provider and staff easy access to the data necessary for the care of the client.
- The Department of Health Services needs are not being adequately addressed by other County Departments.
- The Department of Health Services tends to focus on short-term, crisis-based solutions rather than productive, long-term results.
- The Department of Health Services lacks system-wide operational leadership.
- There are many providers of health care, both public and private, with some of the private being non-profit and others free. However, availability and access are varied and unknown.
- The County lacks a clear written Public Policy on how personal health services are to be provided in this county.

RECOMMENDATIONS

The following three Recommendations are offered for the short term in order to begin to restore and stabilize the affected areas.

- That the Board of Supervisors require the Department of Health Services to provide adequate patient care accommodations for the psychiatric emergency room patients at LAC-USC Medical Center in accordance with applicable state regulations. Furthermore, that they require the Department of Mental Health to provide the necessary funds for this added census load.
- That the Board of Supervisors require the immediate lifting of the hiring freeze and the elimination of the 70/30 restrictions on filling vacancies.
- That the Board of Supervisors seek appropriate Federal and/or State approvals for realignment of fiscal incentives and reimbursement mechanisms.

The following recommendations should be implemented in order to ensure the viability of the trauma hospital system:

- Seek State Legislation that would provide the County with a permanent funding source for the operation of the Trauma System.
- Develop a physician reimbursement plan that reduces the time lag to no more than 30 days from billing date.

For the long term the following is recommended:

- That the Board of Supervisors establishes a Community-Wide Study Group to formulate a public policy on the provision of personnel health care services to the Los Angeles County Residents.

Public Private Partnership Program Management Audit Report

Introduction

The 2000-2001 Civil Grand Jury of the County of Los Angeles (CGJ) performed a management audit of the Public Private Partnership (PPP) program within the County of Los Angeles Department of Health Services (DHS).

Objectives and Scope

The purpose of this audit was to:

- Examine contractors' records to ensure compliance with their contract, including all applicable regulations, rules and standards, either stated in the contract or implied by the services they are providing under the terms of the contract.
- Examine the Department's records to establish the completeness of the monitoring activity, with particular attention to quality of care issues in conformance with the Department's Quality Assurance Program.

It was also the intent that this management audit discern if the needs of the County's indigent are met and are at or above the standard of care in the community.

Methodology

The methodology employed in this management audit had three major components:

- Review and audit of selected documents and files
- Interviews with senior DHS management personnel
- Site visits and interviews with selected PPP contractors

Document Review

In addition to background material about the PPP program available on the County's web site, the following documents pertaining to the PPP program were reviewed:

- RFP I (August 15, 1995)
- RFP II (December 14, 1995)
- RFP II – Scope of Work Proposal (February 16, 1996)
- RFP III (February 28, 1997)
- RFP IV (October, 2000)

- ☐ The Public/Private Partnership – General Relief Health Care Programs Provider Manual (August 21, 1998 Revision)
- ☐ Draft Public/Private Partnership (PPP) Program – General Relief (GR) Health Care Program Provider Manual (April 2001 Revision)
- ☐ Fact Sheet for the Medicaid Demonstration Project
- ☐ 1115 Waiver Factsheets (1995 – 2000)
- ☐ 1115 Waiver Factsheets for Project Extension (2000 – 2005)
- ☐ Annual Status of Contract Monitoring Report for July 1, 1999 through June 30, 2000 (Draft)
- ☐ DHS Fact sheets on:
 - ◇ Medicaid Demonstration Project – 1115 Waiver
 - ◇ Public/Private Partnerships – Partners for the Health of Los Angeles
 - ◇ Financing the Los Angeles County Department of Health Services – Unstable and Declining Revenues Threaten the Future
 - ◇ The Future of the Los Angeles County Department of Health Services –Long Term Stability Calls for Greater Partnerships with the State and Federal Governments
 - ◇ Los Angeles County Department of Health Services
- ☐ Program Overviews and Organizational Charts on:
 - ◇ Medicaid Demonstration Project
 - ◇ Family Health Programs and External Relations
 - ◇ Office of Managed Care/Community Health Plan
 - ◇ Office of Managed Care/Medical Administration
 - ◇ Office of Managed Care/Financial Services Division
 - ◇ Office of Managed Care/Operations Division
 - ◇ Office of Ambulatory Care
 - ◇ Inspection and Audit Division
 - ◇ Contracts and Grants Division
- ☐ Internal Memoranda from the Department of Auditor-Controller regarding the Public/Private Partnership Program Review (including Follow-up Memoranda).

DHS Interviews

Nine senior management personnel from several DHS departments involved with the PPP program were interviewed, representing:

- q Office of Managed Care (OMC)
- q Office of Ambulatory Care (OAC)
- q Inspection & Audit Division, Health Services Administration
- q Contracts & Grants Division
- q Medicaid Demonstration Project Office.

PPP Contract and Monitoring File Review

OMC provided CGJ a list of all PPP contracts, from which 31 contracts were randomly selected for review. Since PPP providers/contractors may have multiple contracts (i.e., one contract for each facility or site), the 31 contracts reviewed represented 17 providers.

OMC's Contract Monitoring Files for these 31 contracts were then reviewed. The Contract Monitoring File contains the documentation of the most recent OMC audit of the contract/contractor. This random selection of contracts was determined to be representative of the entire set of contracts in terms of the following variables:

- q Location (Supervisorial district)
- q Service Provider Area (SPA)
- q Size of facility
- q RFP utilized to solicit provider participation
- q For-profit v. non-profit status
- q PPP funding allocation.

In addition to reviewing OMC's contract monitoring files on these 31 contracts, all of the contract monitoring files, dating back to approximately 1997, for four selected providers were reviewed. The purpose was to conduct a longitudinal (over time) assessment of OMC's monitoring activity of the four providers who over the past two years either became insolvent or had their PPP contracts terminated by OMC for cause.

PPP Site Visits

Ten contractor sites were randomly selected for on-site visits and management audit of their facility and operation under the terms of their PPP contract with DHS. Before scheduling the on-site management audit, DHS terminated two of the contracts. DHS then advised CGJ that absent an in-force contract, these providers could not be audited. As a result, this reduced the survey sample to seven providers operating at eight different sites. During the course of the on-site management audits, CGJ deleted another site from the target group based on the determination that the survey sample would be representative after seven site visits.

Third-Party Administrator Site Visit

The site of the contracted third-party administrator (TPA), American Insurance Administrators, Inc., was also visited. In the course of the site visit, the Claims Manager responsible for administering claims for the PPP program was interviewed and the claim adjudication process and the various reports AIA provides OMC and DHS were reviewed.

Background

The PPP program and, therefore, the observations noted in this management audit need to be understood in the context of Los Angeles County's 1115 Waiver. The County's web site describes the waiver:

An "1115 Waiver" refers to section 1115 of the federal Social Security Act, which allows the Secretary of Health and Human Services to waive any provision of Medicaid law for demonstration projects that test a program improvement or innovate a new idea of interest to the Health Care Financing Administration (HCFA). For example, under a section 1115 waiver, a state may be exempt from compliance with usual requirements or may receive federal matching funds for expenditures not ordinarily eligible under Medicaid. All 1115 waiver demonstration projects must be budget neutral, that is, they cannot result in greater federal expenditures than would have otherwise been spent in the absence of the waiver. Because waivers can only be granted to states, the State of California submitted the proposal in collaboration with and on behalf of Los Angeles County.

The PPP program is one of the initiatives of the demonstration project. Part of the project was to decrease inpatient spending for indigent patients by making primary care more accessible to this population by developing partnerships with the private sector. The current target for Los Angeles County is a total of 3 million outpatient visits each year; the PPP program accounts for approximately 700,000, or 23%, of the visits.

Several divisions within DHS are responsible for managing or administering certain components of the PPP program. The Office of Ambulatory Care is responsible for all policy-related activity for outpatient services; PPP falls within this responsibility. OMC is responsible for the monitoring activity of PPP contractors. The Medicaid Demonstration Project Office ensures that the PPP program meets the requirements of the waiver. Contracts and Grants process the PPP contracts.

Many of the issues and observations arising out of this management audit apply beyond the PPP program itself. Evaluation of the PPP program cannot be entirely isolated from larger issues facing DHS.

Findings: Current Situation

Findings are set forth under four headings, corresponding to the four major foci of the management audit's activities. These headings are:

q Contractor/Site Audit

- AIA (Third-party claim adjudicator) Audit
- Contract File Audit
- DHS Management Personnel

Contractor/Site Audit Findings

When the management audit commenced, there were 74 primary care PPP contracts representing 103 sites and 67 partners. These providers are located throughout Los Angeles County. These findings represent CGJ's audit of six providers operating at seven sites.

Contractors are committed to serving the low income or indigent population in their service areas.

Without exception, management staff at the sites visited, exhibited a high level of professional commitment and dedication to the objectives of the PPP program.

All of the providers affirmed their desire to provide medical services to all who need them, regardless of the patient's ability to pay. The mission statements provided affirmed such ideological commitments; two examples follow:

The mission of [Contractor] is to provide coordinated, continuous care to improve the health status, access, and health awareness of medically underserved and low-income people in Los Angeles County. This is to be accomplished by providing culturally sensitive and quality comprehensive health services at affordable costs and by encouraging and educating people to take a proactive role in maintaining their own health.

To respond to the current and future health needs of the greater [Contractor Area] Los Angeles area by providing access to a range of high quality, affordable health services in a financially responsible manner.

When asked what would happen if the contractor exhausted their PPP funding allocation before the end of the contract period, all said they would continue to provide care to these patients, and would make up the funding shortfall "somehow." None of the providers interviewed indicated that they viewed PPP funding for contracting services as a means for generating revenue for their facility. Most providers pointed out that the PPP fixed reimbursement amount typically does not cover 100% of the costs of services provided, especially if the facility provides radiology and laboratory services or dispenses pharmaceuticals.

All of the providers evidenced a high level of dedication to providing medical care to their indigent population. At a smaller facility this was demonstrated by the hands-on management style of the facility's Executive Director, who was negotiating to obtain more space to accommodate a patient load that exceeds the facility's current capacity. At another site, the Executive Director was negotiating with the city government for additional land to build a new building and increase their capacity. At yet another site, the Executive Director had resigned unexpectedly and a Board member had volunteered to step in; this was in addition to his regular

employment. Since this Board member has been in the position, he has brought in other Board members to volunteer on projects to improve processes at the clinic.

Funding Affects Range of Facilities

Seven different sites, located in Pasadena, Highland Park, Pomona, West Covina, Bell Gardens, Baldwin Hills and Santa Monica, were visited. These facilities represented a range of size and quality. The smallest was a storefront facility of approximately 2,000 square feet, with a single examining room. Only a small sign on the door facing the primary boulevard identifies this facility. The largest facility was a multi-story facility previously occupied by Los Angeles County offices. This facility has multiple examination rooms and provides both primary care and specialty care services. Mid-range was a large, single-story facility occupying a significant piece of land with ample parking in the rear. While all of the facilities were clean, some were clearly better organized and used available space better than others. This variability in the quality of facilities appears to be a function of the level of funding.

All of the contractors audited depend on funding sources other than the PPP program to sustain their budget requirements. The larger facilities usually have staff dedicated to grant writing and other development activities, while the smaller facilities do not. Typically, in the smaller facilities, the executive director or chief executive officer wears several hats, including that of development officer/fund raiser. Such dual roles limit the contractor's time and ability to raise any funds in addition to governmental and public sources. Therefore the smaller contractors tend to be more dependent on PPP (and other public) funding sources for their operating budgets, leaving relatively less funding available for facility expansion and improvement.

At the same time, other factors may limit the ability of a contractor to maximize their delivery of medical services to the target population. One contractor has been negotiating with a local jurisdiction for over a year on obtaining building permits to erect a new building on their existing site. The delay in processing the paperwork has cost this particular contractor a significant amount of money, and reduced the efficiency with which they could be delivering services under the PPP program to their target audience.

Facility constraints in turn may affect the provider's ability to provide ancillary services, such as radiology, laboratory or pharmaceutical dispensing services. Several contractors commented during the course of our site visits on just such constraints.

Such constraints, however, impact the PPP program only in terms of providing services to the patient in the most convenient and efficient manner. There is no net cost differential to the program whether the PPP patient receives primary care and any related ancillary services at the contractor's site, or whether the PPP patient must go elsewhere for such ancillary services. In either case, the contractor bills the PPP program for all of the primary care and related ancillary services rendered in connection with that particular patient visit, whether ancillary services were delivered on-site or off-site. If ancillary services were rendered off-site, the contractor is responsible for reimbursing the provider of ancillary services out of the reimbursement received under the contractor's PPP contract with DHS.

Contractors Claim the PPP Claim Process Impacts Them Negatively in Terms of Reimbursement Levels and Timeliness of Payment.

Under the terms of the PPP contract, a patient's eligibility for services received under the PPP program is based solely on income. PPP contractors typically operate under several public funding programs, including the PPP program. Different levels of income will qualify a patient for different public funding sources.

Accordingly, when a patient visits the contractor's facility, the contractor's first concern after medical triage is to determine which funding program to bill for reimbursement. Patients self-assess their eligibility for PPP funding by completing a one-page questionnaire called a "Certification of Indigency" or COI. This form asks the patient to identify the number of people living in the household and to state the total monthly income for all people living in the household. If the total monthly income attested does not exceed certain limits based on the total number of people living in the household, the patient automatically qualifies for PPP funding, if no other sources of private or public funding are available.

This form does not ask for a Social Security Number (SSN), California driver's license number, Medi-Cal ID number or any other identification that could be used to verify employment or income. The contractor's sole responsibility is to confirm that the family members and net family income are within the PPP program guidelines. If they are, the eligibility screener flags the patient file so that any bill generated for services rendered on that date of service will be forwarded to the PPP claim adjudicator.

All of the contractors stated that Medi-Cal coverage is the most common reason that the claim adjudicator, AIA, denies claims. If AIA matches the name and gender on a PPP claim to their Medi-Cal eligibility file, they will deny the claim. The contractor then has a limited window of opportunity in which to research the claim and submit evidence that the patient treated is not the same individual as the person identified by the Medi-Cal number on the AIA claim register. Given the large percentage of Hispanic patients, such false positive matches for Medi-Cal eligibility are not uncommon and are a source of on-going frustration to the PPP contractors.

Since PPP funding is intended for patients who do not qualify for any other public funding, contractors attempt to identify Medi-Cal eligible patients and assist them in applying for Medi-Cal benefits. Several of the contractors we visited have a DPSS employee on-site for this purpose. Some contractors also reported that some of the DPSS personnel were less than satisfactory, either because of limited multi-cultural ability (non-Spanish speaker), high turnover rates, or poor customer-relations skills.

Providers have 45 days from the date of service to submit claims to the PPP program. AIA's contract with DHS requires them to deny all claims submitted after the 45-day cutoff period.

Providers may submit claims to AIA either electronically or manually on HCFA Form 1500. All of the providers audited attempt to submit claims twice during each monthly cycle, typically on the 15th and 30th. Claims for services rendered in the first half of the month are submitted by the 15th of the following month; claims for services rendered in the second half of the month are submitted by the 30th of the following month. This schedule ensures that AIA receives claims within 45-days of the date of service.

AIA holds all claims for services rendered in a particular month until they receive the Medi-Cal eligibility information for that month from DHS. DHS provides AIA a Medi-Cal data cartridge once a month for the prior month's eligibility. The timeline for submitting and processing a claim is as follows:

- Patient seen by contractor under PPP program on 3/1
- Contractor generates claim and forwards it to AIA on 3/30 (within 45 day window)
- AIA receives claim and holds it pending receipt of Medi-Cal data from DHS
- AIA receives Medi-Cal March eligibility data from DHS on 4/10
- AIA processes claim, and if approved, sends Remittance Advice (RA) to OMC on 4/30
- OMC receives RA and authorizes Auditor-Controller to issue a payment voucher
- Auditor-Controller issues payment voucher on 5/10

This timeline shows that it may take 70 days from the time a contractor treats a PPP patient to the time DHS reimburses the provider for those services. This would be the case even if the contractor were able to submit claims to AIA sooner. For example, if AIA received a PPP claim on 3/5 for services rendered on 3/1, AIA would still be unable to process the claim until mid-April, after receipt of the Medi-Cal data for March.

PPP providers, therefore, operate under several constraints: First, they operate under a fixed deadline for submitting claims to AIA. Claims submitted after that deadline are automatically denied by AIA. Second, even if the contractor expedites the submission of claims, their timeliness does not expedite AIA's processing of claims, because AIA cannot process claims until the Medi-Cal data from DHS is received. Third, even if the claim process works as efficiently as is possible, providers claim the actual reimbursement is generally significantly below the costs of services provided.

For primary care services, the reimbursement amount is currently set at \$83.82. This includes the physician's professional fee and all ancillary services provided (prescription drugs dispensed, laboratory work performed and radiology test provided). Since the target population is indigent and uninsured residents, PPP patients tend to exhibit chronic illnesses that require significant levels of ancillary services. One contractor reported that upwards of 40% of their PPP patient population is chronically ill. For this contractor, PPP reimbursements cover approximately 85% of the cost of care provided. Another contractor reported that PPP reimbursement covers approximately 67% of the cost of care provided. In addition, a third contractor reported that PPP patients account for 12% of all patient visits, but generate only 5% of all revenue.

OMC's Audit Process Is Inconsistent and Inefficient.

OMC audits all PPP contractors annually according to the PPP Provider Manual. OMC begins the audit process by sending the contractor a notice of the upcoming audit. This notice must be at least 14 days before the scheduled audit, and indicates the date a particular site/facility will be audited. A copy of the audit/monitoring instrument is also included with the notice. The audit team typically consists of two people: an analyst and an RN. The on-site audit requires from four to six hours to complete. The audit team then summarizes their findings. OMC then notifies the contractor of the findings and indicates the date the Corrective Action Plan (CAP) is due. OMC then reviews the CAP, and when all of the action items identified in the audit have been addressed, OMC sends the contractor a letter indicating that their CAP has been accepted/approved.

Undergoing a facility/site audit is a time consuming process for the contractors. Staff must be available to answer questions from the audit team during the site visit and to provide requested records, files and other paperwork. Responding to OMC's request for a CAP is similarly time consuming. CAPs typically request the correction of such deficiencies as: adding DHS to insurance policies as an additional named insured, updating business licenses and certifications, creating and updating procedure manuals and providing missing documentation in personnel or medical record files.

All of the contractors CGJ audited indicated varying levels of frustration with the DHS audit process. While acknowledging the necessity for an audit process, they reported that they often undergo multiple audits. Multiple audits may be required when a provider has multiple contracts with different Los Angeles County departments or program offices. Each department or program office may require their own audit. Thus, if a provider has contracts with Los Angeles County under the PPP, GR, and LA Care programs, they can expect separate audits for each.

CGJ reviewed OMC's entire record of audit activity for the PPP program, with particular attention to the audit history of the four providers who became insolvent or whose contracts were terminated for various reasons. One of the providers, Los Angeles Native American Center (LANAC) began participating in the PPP program on October 10, 1997. OMC conducted their initial audit of this contractor on April 22, 1998. LANAC submitted a CAP to OMC on August 4, 1998. On October 19, 1998, LANAC ceased providing services to patients. This cessation of business apparently took OMC by surprise. The file CGJ reviewed did not indicate any OMC concerns about this provider prior to their cessation of business. The OMC file does contain an internal OMC memo dated, December 3, 1998, six weeks after the cessation of business. In this memo an OMC staff analyst asks Medical Administration within OMC to document their concerns regarding this contractor. OMC terminated the LANAC contract effective February 18, 1999.

OMC's audit activity for the other three providers are summarized in the following tables. The following findings are noteworthy:

- OMC conducted multiple audits of the same facility in intervals of less than one year
- Intervals between OMC audits ranged from one week to 19 months
- OMC requested CAPs from 100% of these sites

- OMC's notification to providers that their CAP was approved range from 20 days to 182 days

OMC's management of the audit process is uneven. OMC has scheduled audits with a frequency not allowed for in the PPP Provider Manual. OMC routinely requests CAPs and advises providers when they are past due in providing the CAP. Yet, OMC has taken up to six months to notify the provider of the acceptance of the CAP. Such delays mitigate the value of the audit/CAP process. Based on these findings, the contractors' frustration with the audit process appears justified.

AIA Audit Findings

American Insurance Administrators, Inc. (AIA) is the third-party claim administrator (TPA) for the PPP program.

AIA's Procedures Are Logical, Follow Standard Industry Practices And Are Customized to Meet the Needs of the PPP Program, But Some PPP Requirements Delay Finalizing Claims.

PPP providers submit claims to AIA either electronically or by mail. AIA then processes the claims following procedures typical of third-party claim payers, i.e., logging in claims, determining patient eligibility, determining eligible expenses and authorizing payment.

However, AIA's claim adjudication process is not as involved as it might otherwise be, because of the reimbursement agreement under the PPP contract. DHS reimburses PPP contractors a flat amount depending on the type of service rendered. The reimbursement for a PPP office visit is currently \$83.82 per visit (inclusive of all ancillary services provided in connection with that visit). Where the provider also has contracted with DHS to provide Case Management (CM) services, the provider is also entitled to a flat \$27.00 per month (not per visit) for CM services rendered.

AIA's claim adjudication process therefore focuses on four elements of the claim:

1. Patient eligibility for Medi-Cal
2. Condition treated during the billed PPP visit
3. Whether or not CM services were billed
4. Whether or not the provider contracts under the PPP program to provide CM services.

AIA does not need to adjudicate the claim in terms of reasonable and customary fees or coordination of benefits (COB), two factors typical of major medical claims processing routines that are both labor and time intensive. These two elements are obviated by the nature of the PPP program's reimbursement provisions.

AIA screens PPP claims for possible Medi-Cal coverage, because Medi-Cal is the State program most likely to provide an alternative source of funding for medical services for the indigent and uninsured population targeted by the PPP program. AIA must deny PPP claims for patients they determine are enrolled in Medi-Cal.

Once AIA confirms that the PPP patient is not enrolled in Medi-Cal, AIA's adjudication process focuses on determining the appropriate level of provider reimbursement. This is first of all a function of the condition treated during the billed PPP visit. Certain kinds of services, or services in connection with certain diagnoses, are not reimbursable under the PPP contract. Mental health services, podiatry services, and chiropractic services are among the services excluded from coverage under the PPP program. Diagnostic codes (ICD-9 codes) are shown on the PPP bill. AIA reviews these diagnostic codes to determine which claims are for treatment of conditions not eligible for reimbursement under the PPP program. Where the ICD-9 codes indicate an ineligible condition, AIA must deny the claim.

Once AIA confirms that the condition causing the office visit is eligible for coverage under the PPP program, AIA's adjudication process then determines the appropriate level of reimbursement for the services provided. If the billing indicates that CM services were provided, AIA then determines: (1) if the provider is contracted to provide CM services; and (2) if the condition treated (ICD-9 code) is eligible for CM services. Where both conditions are satisfied, AIA then reimburses the provider a flat amount of \$27.00 for the month for CM services, in addition to the flat PPP program reimbursement amount of \$83.82 for the visit. Where either condition is not met, AIA denies the CM reimbursement fee and authorizes only payment of the flat PPP program amount of \$83.82 for the billed visit

AIA then generates a claim report, which goes to the PPP provider. This report identifies which patients' claims were denied, with explanatory notes showing the reason for the denial. AIA also generates a Remittance Advice, which goes to OMC where it is processed and forwarded to the Auditor-Controller of DHS to generate a payment warrant for the PPP provider.

As indicated above, PPP providers must submit claims to AIA within 45 days of the date of service. AIA must deny claims received after this 45-day window has closed. However, AIA's ability to process claims in a timely manner does not depend solely on the timeliness of claim submission by the providers. Regardless of when the PPP providers submit claims to AIA, AIA cannot adjudicate the claims until they receive the Medi-Cal eligibility data from DHS. AIA reported during our audit that DHS typically provides the Medi-Cal eligibility data between the 10th and the 20th of the month following the claim cycle. That is, DHS would send AIA the Medi-Cal eligibility data for the month of March 2001 between April 10 and April 20, 2001. During the audit, CGJ asked AIA to provide a report showing the dates AIA received the Medi-Cal eligibility data from DHS for the past year. The data are shown below.

	Data Received From DHS:
February 2001	3/21/01
January 2001	3/15/01
November and December 2000	12/20/00
October 2000	11/17/00
September 2000	11/08/00
August 2000	08/31/00
July 2000	08/10/00
June 2000	07/31/00
May 2000	07/05/00
April 2000	05/04/00
March 2000	04/05/00
February 2000	03/08/00

According to AIA's data (above), DHS provided the Medi-Cal eligibility data by the 20th of the following month for 6 out of 12 months (50%). DHS provided data beyond the 20th of the following month five times out of 12 (42%). For the month of August, DHS provided the data to AIA at the end of that month.

This history indicates that 42% of the time, the providers' obligation to submit PPP claims to AIA within 45 days of service (as stipulated in the PPP-GRHC Programs Provider Manual) is rendered moot by DHS's delay in providing the Medi-Cal eligibility data to AIA in a timely manner.

For example, a contractor must submit claims for services rendered January 1, 2001 by February 15, 2001 (45 days from the date of service). However, DHS did not provide AIA the Medi-Cal eligibility data for January 2001 until March 15, 30 days after the submission cut-off date.

Similarly, claims for services rendered on September 1, 2000, had to be submitted to AIA by October 15, 2000 (45 days). But DHS did not provide AIA the Medi-Cal eligibility data for September 2000 until November 8, 24 days after the submission cut-off date.

Contractor File Audit Findings

As part of CGJ's management audit of the PPP program, the contract monitoring files that OMC maintained on 31 PPP contractors were reviewed. These files contained only the most recent OMC audit of the PPP contractor. Thus it was not possible to perform a longitudinal assessment of OMC's monitoring activities for these contractors. However, these files did furnish a panoramic "snapshot", as it were, of OMC's monitoring activities of the contractors involved in the PPP program.

OMC's Monitoring Process Is Primarily Manual.

Each monitoring file typically contains the following items:

- A "Confirmation Letter" from OMC/Medical Administration. This letter notifies the PPP provider of an upcoming site visit/audit. This letter satisfies the notice requirement to the PPP contractor under the PPP contract (cf. Sec. 31.C of the Contract). This letter also specifies the name of the facility, the facility address, and the date of the scheduled site visit/audit.
- A copy of the Monitoring Instrument and related Worksheets, which OMC/Medical Administration will use to evaluate the provider's facility and operations.
- A "Findings Letter" from OMC reporting the results of the site visit/audit to the PPP contractor. In each case, the site visit/audit discovered "deficiencies" sufficient to require that the contractor prepare a "Corrective Action Plan" (CAP) by a due date specified in the "Findings Letter."
- A copy of the OMC's "Assessment Team Report Summary." This report summarizes the findings of the site visit/audit, and indicates the magnitude of any deficiencies noted. This report also cross-references the applicable sections in the Monitoring Instrument and related Worksheets used by the audit team in generating the Report Summary.
- A copy of the completed Monitoring Instrument and related Worksheets. Part of the instrument is a document that is always a computer-generated; the remainder is completed manually.
- A copy of the "Corrective Action Plan" filed by the contractor.
- Copies of additional correspondence to or from the contractor regarding the status of the requested CAP or amendments to the CAP.
- A copy of the CAP "Acceptance Letter" from OMC to the contractor acknowledging OMC's approval of the CAP.

In addition, contract monitoring files may contain additional supporting documentation regarding facility licenses, insurance policies, certifications, waste management contracts, and copies of the providers' Articles of Incorporation.

Difficulty Accessing Files Limited the Ability to Validate Some of the Work Performed by DHS.

OMC would not allow CGJ to review the original contract monitoring files. OMC took the position that the original files contained patient-specific information, which was subject to various confidentiality requirements mandated by state and federal law. Accordingly, OMC devoted staff resources to copying the original files to redact all such patient-specific information. This delayed CGJ's receipt of the file copies by about two weeks.

Similar concerns surfaced during our site visits. OMC personnel accompanied the management audit team on these site visits, to ensure at least in part that patient-specific information was not disclosed to or copied by the CGJ management audit team. This prevented us from conducting any meaningful document review at the provider site.

OMC's Monitoring Files Are Inconsistently Documented And Show Delays in Notifying Providers of CAP Approval.

The review of the 31 files identified the following:

- Fourteen files had CAPs requested in April 2001; therefore, there had not been time to receive the CAP and processing timelines could not be measured for these files.
- Four files lack sufficient documentation to determine the date OMC notified the provider of CAP approval or the elapsed time from OMC's approving the CAP to OMC notifying the provider of approval.
- OMC notified five providers within 30 days of CAP approval.
- OMC notified one provider within 60 days of CAP approval.
- OMC took from over three months to over five months to notify six providers of CAP approval.

These findings indicate that OMC's management of the CAP approval process is problematic, since in 38% of the cases audited, OMC took more than 90 days to issue an approval.

Similar gaps in file documentation and delays in notifying providers of CAP approval were demonstrated during the management audit of the four providers who either became insolvent or whose contracts were terminated within the past two years.

Assessment Summaries and Measures Are Inconsistently Applied and Documented

In the files reviewed, 31 contract monitoring files contained 25 "Assessment Team Report Summaries." OMC uses this form to summarize the findings of the Assessment Team Survey after they complete their site audit and review of a PPP contractor's facility. It provides a concise overview of the findings reported on the more lengthy monitoring instruments and worksheets. These facility site audits were conducted between February 16, 2000, and February 15, 2001.

However, over this 12-month period, the Report Summaries used by OMC indicated three different matrices of measurable standards for the facility site review component. These ranged from 10 standards to 12 standards. Of the 31 files audited, five did not contain an assessment team report summary of any kind. Three of the files lacking the summary were for contractors whose contracts had been terminated. In addition, two other files lacked a facility site review, which is to be done annually.

The dates of site audits reflected on the 25 Report Summaries also fail to indicate any kind of intentional evolution from a simpler summary to a more complex summary, as shown below:

- 12 Standards: site visits between 4-27-2000 and 12-13-2000
- 13 Standards: site visits between 4-25-2000 and 2-15-2001
- 16 Standards: site visits between 2-16-2000 and 2-22-2000

Conclusions, Opportunities For Improvement And Recommendations

Although these recommendations may appear simplistic on the surface, they actually represent major structural and process changes that can significantly improve the PPP program. More important, however, is the potential jeopardy to the PPP programs once the 1115 Waiver and associated funding ends. DHS is aware of this problem and is striving to find alternative funding strategies.

Although some PPP-funded programs may have had operational, fiscal and health care difficulties, the majority is highly committed to serving low income and indigent populations. If such funding were to be discontinued, the DHS clinics and any surviving non-County clinics would have to absorb these patients currently served by the PPP-funded clinics. These recommendations and the need to pursue replacement funding are critical and will be extremely difficult to achieve.

Establish accountability by identifying one organization responsible for the program.

Several different offices manage the PPP program. It is incorporated in the operations of functions of several divisions:

- The Office of Managed Care/Community Health Plan (OMC/CHP) manages aspects of the PPP program through various internal divisions:
 - ◇ Financial Services is responsible for monitoring financial performance of PPP program contractors.
 - ◇ Medical Administration is responsible for administering the clinical and medical components of the PPP program.
 - ◇ Member Services supports OMC's product line and provider network expansion efforts for all OMC programs, including the PPP program.
 - ◇ Network Administration (within the Operations Division) administers the PPP program.
- The Office of Ambulatory Care (OAC) manages other aspects of the PPP program. The OAC tracks, monitors, analyzes and plans the performance of PPP program contractors in order to meet the Performance Standards established by the 1115 Waiver Office within DHS. Specifically the OAC is responsible for:

- ◇ Maintaining an ambulatory care visit level under the PPP program of 700,000 visits per year during the five-year life of the 1115 Waiver extension (to June 2005).
 - ◇ Improving the effectiveness of the referral centers.
 - ◇ Seeking Federally Qualified Health Center status for PPP contractors.
- The Inspection and Audit Division of DHS oversees the Waiver Office's quarterly reports on the progress of the 1115 Waiver commitments, some of which involve the PPP program.
 - The Contracts and Grants Division of DHS provides contract support services to the PPP program by interfacing with OMC and OAC.

With this distributed responsibility, a contractor's history is not available in one place.

- OMC maintains one set of contract files and the current year monitoring file on site.
- Prior years' monitoring files are stored, some on-site and some off-site.
- No single document captures the general contours of a contractor's history from entry into the PPP program to the present.

Responsibility for the program as a whole should be assigned to one entity or person within DHS. This recommendation does not mean that duplicate processes or structures should be implemented. The role of this person or unit should be the focal point for the program. This function would include coordinating with the persons performing activities related to PPP in other divisions and ensuring that PPP issues are followed to their conclusion.

To some extent the Office of Ambulatory Care functions in this role; however, information about the PPP contracts does not reside in this office in its entirety; often one needs to ask in several offices before obtaining the requested information. This also means no one person has a complete understanding of the issues of the program.

Evaluate staffing and training needs for ongoing compliance with monitoring requirements.

Both Medical Administration and Finance indicated that they did not receive additional resources when responsibility for PPP program monitoring was assigned to OMC. In addition, the processes appear to be primarily manual.

Monitoring the PPP contracts is only a part of OMC's responsibility. At the inception of this management audit, OMC's inventory of contracts to monitor totaled 264; of these, 74 were PPP primary care contracts. Through its various divisions, OMC is also responsible for monitoring:

- Medi-Cal Managed Care enrollment and utilization

- q Healthy Families Program enrollment and utilization
- q County Temporary Employees Health Care Program
- q General Relief Health Care Program
- q Pharmacy Services
- q Quality Management
- q Utilization Management
- q Case Management
- q Credentialing/Site Certification.

Responsibility for the PPP contracts was transferred to OMC in 1997. Management indicated that this occurred without any additional staffing being allocated to OMC. Currently Medical Administration has eight monitors and the Financial Services Division has two.

DHS should evaluate the staffing requirements along with the system support that monitoring requires. This evaluation should include consideration of the training necessary to audit effectively and what is the best model for the staff mix on an audit team

Address morale issues arising from the leadership and fiscal instability of DHS.

We have already discussed the organizational characteristics that contribute to fragmented management of the PPP program. This fragmentation supports an environment in which everyone is focused on their own narrowly-defined area of responsibility. This is exacerbated in an organization in which leadership is often in flux and everyone fears for the continued existence of their job.

Executive leadership at OMC has been unstable. OMC provided a listing of Executive Directors and Medical Directors of the division. This listing showed that:

- q Eight individuals have served as Executive Director of OMC since 1992. Prior to that, one person served for 11 years. Since then, there have been changes each fiscal year and several of these Executive Directors were on interim status.
- q The current Interim Director has been in place since October 2000.
- q Since fiscal year 1995, there has been turnover in the Medical Director position every year.
- q The current Chief Medical Officer has been in place since February 2000.
- q The current Chief Financial Officer has been with OMC since September 1998.

Moreover, DHS is operating in a financially unstable environment. The County's financial crisis in 1995 was the impetus for the 1115 Waiver. Funding from this will disappear in three years. DHS is implementing a strategic plan focused on responding to this decrease in revenue. Much of the plan calls for staff reductions.

The County should place a high priority on devising ways to creating a work environment that fosters teamwork and shared goals.

Coordinate the audit function within the County.

DHS's audit function is not coordinated among County departments or DHS divisions:

- Most programs within DHS have their own audit process.
- Providers with multiple contracts (for different programs) are subject to multiple audits.

As noted earlier in this report, one provider who has several County contracts is frequently subjected to audits by the different offices responsible for the various programs. This is a cost to the provider and the County; the provider repeatedly prepares information, much of which is duplicative, for different auditors and the County uses staff resources on duplicate data collection, analysis and reporting.

Therefore, the County should consider centralizing contract monitoring. Centralized contract monitoring will require involvement of each of the programs that have monitoring requirements to ensure that all necessary factors are monitored.

Transfer fiscal monitoring from OMC Financial Services to the coordinated function.

Fiscal monitoring currently resides with the Financial Services Division of OMC. Financial Services had at most two staff persons dedicated to the PPP program.

While the focus is different from the program and clinical monitoring, there are duplicate procedures. Additionally, Finance has indicated that they do not have adequate resources to complete all monitoring within the timeframes required. At the beginning of our management audit, the current year's goal was to complete monitoring for half the contractors. Since that time, additional staff resources were temporarily provided and the division is currently expecting to complete all monitoring by June 30, 2001. None of the files reviewed included documentation of fiscal monitoring.

The County should consider adding fiscal monitoring to the previously recommended central audit function.

Articulate the philosophy behind the County's relationship with the PPP partners.

The success of the PPP program depends to some extent on the tone of the relationship with the private partners. DHS does not appear to speak with a single voice about this relationship. Are

the providers who have PPP contracts true “partners” in the County’s endeavor to provide care to the target population? True partnership involves collaboration in planning, monitoring, quality improvement processes, etc. Are these providers true partners or contractors who accept the terms of the contract and operate entirely independently of the County?

A successful partnership takes time and resources to achieve. Are DHS staff or provider staff able to make this commitment? What are the benefits and drawbacks to each of the relationship models?

The program’s operation will improve if all parties understand their respective roles. Providers will not receive conflicting information from different offices and DHS staff will focus their efforts toward one goal. Therefore, DHS should undertake a dialogue, both internally and with community groups, to define the relationship.

Review Contract Terms for Take Over Facilities.

One of the clinics we visited occupied a portion of a County-owned building. The clinic has a 40-year rent-free lease. The clinic is responsible for property taxes, utilities and any other assessments along with improvements, which will revert to the County at the termination of the lease. This contractor receives the same reimbursement for services that providers who operate in their own space, receive.

The County should review these agreements to ensure that they are in the best interests of the County, as well as the PPP program as a whole.

Encourage contractors to share best practices such as the decision tree used at one site.

Periodic meetings for providers to receive or share information do take place. Provider practices, which are particularly successful, should be shared with the providers in these meetings or by another method. Providers may identify these practices themselves or DHS monitoring staff may identify them in the course of their audit activities.

Evaluate ways to improve the impact of the reimbursement process on providers.

Several parts of the reimbursement process have a negative impact on providers. The 45-day claim submission window is short of industry standards. One of the main reasons Finance believes this deadline is necessary is that visit levels can be monitored on a timely basis to ensure targets are met. Not only do numbers of visits paid for by the PPP program need to be monitored, but also unused resources need to be allocated to over-performing providers on a timely basis. Finance indicated near the end of the management audit that they allow exceptions to the deadline, but they involve appeals from the providers and staff time at OMC to approve the requests and forward instructions to AIA.

Finance was in discussions with provider representatives to evaluate how to best meet everyone’s needs. They should conclude these discussions and implement changes as quickly as possible.

Some providers indicated that reimbursement levels are too low for the services they provide to PPP patients. Their perception and OMC's regarding the level of services, therefore the cost of serving this population, are not congruent. OMC should ask providers to provide OMC with the underlying patient and cost data so that reimbursement levels can be evaluated.

HEALTH
FOOD SERVICES
INSPECTION
COMMITTEE

Delores Munoz, Chairperson
Robert Bagwell
Richard Salazar
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RESTAURANT AND FOOD MARKET INSPECTIONS

INTRODUCTION/OBJECTIVE

The purpose of this investigative study is to follow the process of how restaurants and food markets are inspected and graded. The committee felt it would be beneficial to do a follow-up of a prior Grand Jury investigation. Environmental Health, a division of the Los Angeles County Health Services Department was contacted and a meeting was arranged with the staff. The committee members were informed as to the educational criteria that is necessary to qualify as an inspector. Inspector applicants are required to have a Bachelor of Science Degree. Inspectors are routinely rotated every two (2) years. Presently, the Los Angeles Environmental Health Division is budgeted for one hundred and forty-five (145) inspectors. Currently, the Inspector Division is fully staffed.

METHODOLOGY

The purpose was to familiarize the committee as to the procedures followed during a field inspection and also arrange for ride alongs. The Chief Environmental Specialist explained to the members the procedure they follow at respective locations. Members of the restaurant ratings committee accompanied an inspector on their routine visits.

FINDINGS

In the state of California there are only three (3) counties that participate in the ratings program. These counties are Los Angeles, San Diego and Riverside. Los Angeles County the largest of the three (3) has sixty-two (62) participating cities. Within Los Angeles County retail food facilities number about thirty-five (35,000) which are serviced by twenty-two (22) regional offices. Each inspector has a caseload of approximately two hundred and twenty (220) food facilities to inspect annually at a ratio of approximately sixty-five (65) routine inspections per month.

Los Angeles County adopted Ordinance 97-0071 effective January 14, 1998. This ordinance would require Los Angeles County food facilities to be inspected and rated. It also stated that incorporated municipalities within Los Angeles County may adopt or reject the provisions of this ordinance. At present sixty-two (62) of the eighty-five (85) cities in Los Angeles County are already abiding by the provisions of the ordinance, which require posting of earned letter grade.

Inspectors rate retail food establishments on the point system as follows:

100-90 points = "A" rating
89-80 points = "B" rating
79-70 points = "C" rating
69-less points = Is not letter graded

Facilities having a score of sixty-nine (69) twice within a twelve-month period are faced with a fourteen-day closure. Restaurants can be closed immediately by an inspector for lack of potable

water or sewage back up. This situation is considered an immediate danger to the public health. Facilities can also be closed in cases of numerous and gross violations of the health code. The inspector must confer with his/her supervisor before taking action to close a retail food facility. After closure, a hearing with the area manager is held, whereupon, the operator is informed what requirements must be met in order for the restaurant to be re-opened.

The facility is then re-inspected to verify that all requirements have been met before the restaurant can be re-opened. If repeated violations occur, restaurants can face the possibility of charges being filed by the Department of Environmental Services with the City Attorney or District Attorney.

The schedule of inspection visits depends on what classification the facility falls under:

RA-1 High risk	3 visits per year	Restaurants
RA-2 Medium risk	2 visits per year	1 item establishments
RA-3 Low risk	1 visit per year	Gas station/mini-mart
RA-4	Any facility that has had bad performance history	

In addition, food facilities that have shown, through inspection or historical data, to operate substantially below a reasonable compliance levels are placed in category RA-4. After one year the establishment is re-evaluated to determine if its RA category can be decreased.

Mobile units, farmers markets and street vendors are not rated.

There are three (3) cities that have not adopted the ordinance because they are residential communities. These cities are Bradbury, Hidden Hills and Rolling Hills. Cities that have not adopted the ordinance are Arcadia, Avalon, Azusa, Baldwin Park, Claremont, Compton, Glendora, Industry, La Habra, Lawndale, Monrovia, San Marino, Sierra Madre, Signal Hill, Montebello, Torrance and West Hollywood. The cities of Pasadena, Long Beach and Vernon have their own health department. Cities that have not adopted the County's grading ordinance are inspected, but are not issued a letter grade.

RECOMMENDATIONS

It is the recommendation of this committee that the Department of Environmental Health:

1. Require the name of the establishment and the date of the inspection be printed on the face of the rating card.

2. Make the public aware that closures of retail food establishments are available on the Internet (www.lapublichealth.org) and also available by calling 1-888-700-9995.
3. Recommend that the cities not participating in the rating program adopt the ordinance.

JAILS COMMITTEE

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INSPECTION OF JAIL FACILITIES

INTRODUCTION

The Los Angeles County Grand Jury is tasked every year with the inspection of jail facilities within the County of Los Angeles. This duty is mandated in Section 919(a) and (b) of the California Penal Code. In addition, the Grand Jury is mandated to inspect all County and Municipal Police Departments, holding facilities within Superior Courts, as well as facilities operated by the Los Angeles County Probation Department including Juvenile Camps.

These inspections include, but were not limited to, the housing conditions, medical needs, food, staff training and number of personnel, safety and fire procedures, administrative procedures, facility guidelines and inmate living needs. The standards that are required in correctional settings in California, and which are applicable to Los Angeles County, are set forth in Title 15 and 24 by the California Administrative Code and prepared by the California Board of Corrections.

METHODOLOGY

The Jails Committee for the 2000-2001 Grand Jury was divided into four groups, each group being responsible for the inspection of pre-assigned facilities. The facilities being inspected were assigned, whenever possible, to Grand Jury members who lived reasonably close to the facilities. Unannounced visits were made to each designated facility by a minimum of two or more Grand Jury members. Complete reports were submitted to the chairperson for his review.

In August the previous facility list used by the 1999-2000 Grand Jury for their inspections was examined and reviewed for errors. Several facilities on the previous list were eliminated because they had been combined with other facilities. Several Municipal Court Lockups were deleted because there are no longer Municipal Courts in the State of California—these Municipal Courts are now officially Superior Courts. In some cases the name of the facility has changed (i.e., Malibu Station is now Lost Hills Station; Sylmar Juvenile Hall is now Barry J. Nidorf Juvenile Hall). In other cases the facility in question has no direct connection to the Grand Jury's mission (i.e., Dodger Stadium has no holding facility and anyone arrested at Dodger Stadium is transported to LAPD'S Northeast Area Station). Upon completion of this review 188 facilities were placed on a list of facilities to be inspected. In addition, the addresses and phone numbers of all 188 facilities were checked for accuracy and updated where necessary. By December 2000, members of the Grand Jury had inspected all 188 facilities.

SIGNIFICANT FINDINGS OF INSPECTIONS

The Jails Committee opted not to include the results of each facility inspection in the Final Report but rather to include only those facilities where something significant was noted or acted upon. In the majority of inspections Grand Jury members reported no significant problems with the facilities and noted that progress had been made regarding recommendations made by the 1999-2000 Grand Jury. The facilities that are included in this report are as follows:

Avalon Sheriff's Station (Los Angeles County Sheriff's Department)

Avalon Sheriff's Station is located on Catalina Island and has approximately twenty-three employees (thirteen sworn) serving a total population of 3,500 to 11,000 people, depending on the tourist season. The Station is a clean and well-run facility. During our inspection the following issues were noted:

1. During 2000 the Sheriff's Department helicopter that serviced Avalon was involved in a crash on the mainland. This helicopter provided many of the transportation needs for Avalon Station and has not been replaced. Since the accident the Sheriff's Department has incurred additional costs in order to fulfill its transportation requirements. It is recommended the Sheriff's Department either provide Avalon with a new helicopter or contract out with the Fire Department for use of their helicopter in order to meet Avalon Station's transportation needs and to reduce costs.
2. It was noted that while the Sheriff's deputies that work at Avalon Station are well trained and highly experienced they receive little lifeguard training. It is recommended they receive some lifeguard training due to the environment in which the deputies work.
3. Avalon Station's road vehicles are in a constant state of disrepair. This is caused by the corrosive effects of salt water and the Sheriff's Department's vehicle procurement system. Currently, new vehicles are approved and funding allocated as budget authorizations are received. The frequency of replacements is not based on the immediate needs of the facility. It is recommended that the Sheriff's Department inspect all Sheriff's vehicles on Avalon and defective vehicles be replaced immediately. It is also recommended that Sheriff's vehicles serving Avalon be rotated out every four years due to the high corrosion caused by salt water. In addition, the Search and Rescue command post vehicle should be replaced immediately, with working equipment, including water rescue equipment.

Biscailuz Recovery Center (Los Angeles County Sheriff's Department)

The Biscailuz Recovery Center has two different programs, one involving drug and alcohol treatment and the other involving domestic violence. In conjunction with several drug courts within the county's system the Center provides a secure facility for the IMPACT Drug and Alcohol Treatment Center. IMPACT helps inmates empower themselves to overcome their chemical dependency. This is accomplished by the introduction and application of program principles designed to promote total abstinence from all illicit/illegal drugs and alcohol. This jail-based treatment program is an integral part of the comprehensive one-year Drug Court Recovery Program operated by Los Angeles County.

Members of the Grand Jury visited the Biscailuz Recovery Center in late 2000 and early 2001. During one of the visits members of the Grand Jury were asked to attend a typical workshop of the Domestic Violence program. We were very impressed by the sincerity of the inmates with

each other. At the completion of the six-week program, the inmates receive a Certificate of Completion.

The Domestic Violence Intervention and Recovery Services program is a cooperative effort between the Los Angeles County Sheriff's Department and the Correctional Education Division of the Hacienda-La Puente Unified School District. The goal of the program is to dismantle and eliminate the offender's violent behavior traits and instill in the inmate knowledge of one's self, proper communication techniques and appropriate social skills.

After reviewing the statistics, the committee is recommending that Los Angeles County fund the program fully. At the present time the program is running at 50% capacity. An additional 60 inmates could be helped to become useful citizens of the community when they are released. The rate of recidivism is four (4) times greater when the inmates do not participate in this very worthwhile program. Statistics show that inmates who participate in this program are rearrested at the rate of 3.9 % compared with a rate of 12.1 % for like inmates who do not participate in such a program. About 13,000 inmates were incarcerated for domestic violence in 2000.

Burbank Superior Court Lockup

During the Grand Jury's inspection of the facility in July of 2000 it was discovered that an elevator located in the basement of the facility had been inoperable for approximately five years. The elevator was designed to transport deputy personnel and inmates from the lockup area to various courtrooms throughout the Courthouse. Because this elevator was inoperable deputy personnel were forced to use the stairs when escorting inmates. This constituted a safety hazard for both deputy personnel and inmates.

In August, Sheriff Lee Baca was advised by the Grand Jury of the situation and agreed to take action. During a follow-up inspection in December we were advised the elevator had been repaired and was now operational.

Camp Holton (Los Angeles County Probation Department)

Members of the Grand Jury inspected Camp Holton in August of 2000. During the inspection it was noted that a large tree had rotted and was in danger of toppling over, endangering the residents of the Camp. In addition, it was noted there was a need for a new deep fryer in the Camp's kitchen. The old one was inoperable and needed replacement. Also, Camp personnel advised us that hand held radios were needed by staff members. This lack of communication ability was putting staff members and camp residents at risk if an emergency situation were to arise. Finally, Camp personnel informed us that in April three new air conditioning systems had been installed on the roofs of three resident housing units. The problem is that while the Camp has a maintenance person, the installers of the air conditioning system never gave him any instructions on how to maintain the systems, nor did they provide the Camp with an operating manual to use when the systems required repair. Because of this problem, and the slow response of outside maintenance when a system breaks down, housing units are often very hot during the summer months exposing the County to potential liability.

In December, during a follow-up inspection to Camp Holton, it was noted the tree had been removed in September and was no longer a safety hazard. In addition, the Grand Jury was

informed the needed hand held radios had been purchased and a new deep fryer was about to be installed in the kitchen by early 2001. According to Camp personnel, the problem with obtaining an operating manual for the air conditioning systems was still unresolved. It is recommended that a manual for the air conditioning systems installed at Camp Holton be purchased or provided to the Camp immediately to avoid potential liability.

Camp Louis Routh (Los Angeles County Probation Department)

Camp Routh is a facility where youths 16-18 years old are taught firefighting skills and has a capacity of approximately 109 inmates. When members of the Grand Jury visited the Camp in September of 2000 we found a well-run facility but noted the following issues with recommendations:

1. The Camp laundry room has a need for commercial washers and dryers for the heavy loads of dirty laundry the inmates produce due to their work.

It is recommended commercial washers and dryers be purchased in order to increase laundry efficiency.

2. In one of the Camp restrooms an entire wall needs to be replaced and the septic system for the restroom needs to be replaced.

It is recommended the wall in question be replaced and a new septic system be installed.

3. All of the floors in every area of the Camp need to be steam-cleaned and polished. The machine the Camp has for this purpose has been broken for the past two years and has not been replaced despite repeated requests.

It is recommended that a new steam-cleaning machine be purchased for the Camp along with any buffers and supplies necessary to insure the Camp floors are brought up to standard.

Camp Scudder (Los Angeles County Probation Department)

Members of the Grand Jury inspected Camp Scudder in August of 2000. During the course of our inspection we noted two major issues. An instructor at the camp was being forced to teach large numbers of juveniles in a room located a great distance away from any other staff members. The instructor also had limited ability to communicate with other staff members if an emergency were to arise. Secondly, Camp officials advised us that a classroom module the Camp desperately needed, and which had been promised to them 18 months earlier had not been delivered or even funded.

Camp Scudder officials resolved the issue with the instructor by moving her to a safer location and providing better security for her. In regards to the classroom module, Grand Jury members discussed the issue with Supervisor Michael Antonovich and his staff and in December it was learned that approximately \$210,000 in funding had been appropriated by the Los Angeles County Board of Supervisors for the building of the module. In a follow-up contact with Camp

officials in early 2001 the Grand Jury was advised that ground breaking for the module was expected to occur sometime by mid-year 2001.

Twin Towers Correctional Facility (Los Angeles County Sheriff's Department)

Members of the Grand Jury inspected Twin Towers Correctional Facility in July of 2000. During the course of our inspection we toured the seventh floor in Tower One of the facility. The seventh floor in Tower One is divided into two housing modules: T171 and T172. Both of these modules house inmates who have been evaluated by staff psychologists and have been deemed a danger to themselves or to others. Because of this deputies and staff closely supervise the activities of these inmates and perform constant checks on their welfare. They are not allowed to keep items that could pose a danger to themselves or to staff such as razors or other sharp objects. They are not even allowed to wear regular jailhouse clothes. They are given gowns to wear because of a concern they may attempt to harm themselves.

During our visit we noticed that each housing module is divided up into a total of six pods or housing subsections. Each of these pods is also divided up into upper and lower levels with cells on each level. In each pod a staircase connects both of these levels. When an inmate on the second level has to be taken from a cell to go to some activity such as a mental health evaluation a deputy will go up the stairs to the cell, handcuff the inmate through a slot in the door, open the door, and escort the inmate to his destination.

On the upper level of each pod we noticed there was no screen or barrier, beyond a thick railing that could easily be circumvented, in place to prevent an inmate from simply jumping off the upper level to the hard floor below. We have subsequently learned that many inmates on the seventh floor have threatened, attempted, and in some cases succeeded in doing just this, jumping from the upper level. In one recent case an inmate was seriously injured when this occurred. Considering the classification of inmate that is housed on the seventh floor in Tower One the lack of a safety barrier to prevent inmates from jumping is a significant safety issue and poses a serious liability risk for the County of Los Angeles.

It is recommended that a secure safety barrier be installed on the second level of each housing module on the seventh floor of Tower One at Twin Towers Correctional Facility. This needs to be done as soon as possible. The inmates housed in these modules are in many cases highly unstable so this is an avoidable accident waiting to happen.

RECOMMENDATIONS FOR 2001-2002 GRAND JURY JAILS COMMITTEE

1. It is recommended that someone be designated to update the addresses and phone numbers of all listed facilities at the beginning of each Grand Jury term. Changes occur each year and if each Grand Jury does these updates at the beginning of their term a lot of time will be saved and a valuable resource will be maintained for future Grand Juries and the general public.
2. A few members of the 2000-2001 Grand Jury never understood the purpose of the Jails Committee, why it was important, or the physical stamina necessary to complete all of the necessary inspections. It is recommended future Grand Juries take the time to explain this during the beginning of their term. A handout explaining the mandate, scope and importance of the Jails Committee might be helpful.

**2000-2001 Los Angeles
County Grand Jury**

FACILITY Y	ADDRESS	CITY	PHONE
<u>Los Angeles Police Department</u>			
Central Area	251 E. 6th St.	Los Angeles	(213) 485-3294
Devonshire Area	10250 Etiwanda Ave.	Northridge	(818) 756-8285
Foothill Area	12760 Osborne St.	Pacoima	(818) 756-8861
Harbor Area	2175 John Gibson Blvd.	San Pedro	(310) 548-7605
Hollenbeck Area	2111 E. 1st St.	Los Angeles	(213) 485-2942
Hollywood Area	1358 N. Wilcox Ave.	Los Angeles	(213) 485-4302
LAX Substation	802 World Way	Los Angeles	(310) 646-2255
Newton Area	3400 S. Central Ave.	Los Angeles	(323) 846-6547
North Hollywood Area	11640 Burbank Blvd.	N. Hollywood	(818) 623-4016
Northeast Area	3353 San Fernando Rd.	Los Angeles	(213) 485-2563
Pacific Area	12312 Culver Blvd.	Los Angeles	(310) 202-4501
Parker Center	150 N. Los Angeles St	Los Angeles	(213) 485-3281
Jail Division (Parker Center)	150 N. Los Angeles St	Los Angeles	(213) 485-2510
Rampart Area (No Inmate Housing)	2710 W. Temple St.	Los Angeles	(213) 485-4061
77th Street Area	7600 S. Broadway St.	Los Angeles	(213) 485-4164
Southeast Area	145 W. 108th St.	Los Angeles	(213) 485-6914
Southwest Area	1546 W. Martin Luther	Los Angeles	(213) 485-

Van Nuys Area	King 6240 Sylmar Ave.	Van Nuys	2582 (818) 756-8350
West Los Angeles Area	1663 Butler Ave.	Los Angeles	(310) 575-8401
West Valley Area	19020 Vanowen St.	Reseda	(818) 756-8543
Wilshire Area	4861 Venice Blvd.	Los Angeles	(213) 485-4022

Los Angeles County Sheriff's Department

Alhambra Superior Court	150 W. Commonwealth Ave.	Alhambra	(626) 308-5222
Altadena Station	780 E. Altadena Drive	Altadena	(626) 798-1131
Antelope Valley Superior Court-Juveniles	1040 W. Ave. "J"	Lancaster	(661) 945-6353
Antelope Valley/Lancaster Station	501 W. Lancaster Blvd.	Lancaster	(661) 948-8466
Avalon Station (Catalina Island)	215 Sumner Ave.	Avalon	(310) 510-0174
Bellflower Superior Court	10025 E. Flower St.	Bellflower	(310) 288-8001
Beverly Hills Superior Court	9355 Burton Way	Beverly Hills	(310) 288-1381
Biscailuz Recovery Center	1060 N. Eastern Ave.	Los Angeles	(323) 881-3636
Burbank Superior Court	300 E. Olive Ave.	Burbank	(818) 557-3493
Calabasas Superior Court (No Lockup)	5030 Parkway Calabasas	Calabasas	(818) 222-9064
Carson Station	21356 S. Avalon Blvd.	Carson	(310) 830-1123
Central Arraignment (Superior Ct. Lockup)	429 Bauchet St.	Los Angeles	(213) 974-6281
Century Station	11703 S. Alameda	Lynwood	(323) 357-5100
Century Regional Detention Facility	11705 Alameda St.	Lynwood	(323) 357-5100
Compton Superior Court	200 W. Compton Blvd.	Compton	(310) 603-7386
County Courthouse (Superior)	111 N. Hill St.	Los Angeles	(213) 874-4808
Crescenta Valley Station	4554 Briggs Ave.	La Crescenta	(818) 248-

FACILITY	ADDRESS	CITY	PHONE
Criminal Courts Building (Superior)	210 W. Temple St.	Los Angeles	(213) 974-4581
Culver City Superior Court	4130 Overland Ave.	Culver City	(310) 202-3120
Downey Superior Court	7500 E. Imperial Hwy.	Downey	(562) 803-7149
East Los Angeles Station	5019 E. 3rd St.	Los Angeles	(323) 264-4151
East Los Angeles Superior Court	214 S. Fetterly	Los Angeles	(323) 780-2026
Glendale Superior Court	600 E. Broadway	Glendale	(818) 500-3527
Gorman Sub-Station (Closed)	49819 Gorman Post Rd.	Gorman	(661) 248-6093
Hollywood Superior Court	5925 Hollywood Blvd.	Los Angeles	(323) 856-5725
Huntington Park Superior Court	6548 Miles Ave.	Huntington Park	(323) 586-6344
Industry Station	150 N. Hudson Ave.	City of Industry	(626) 330-3322
Inglewood Superior Court	1 Regent St.	Inglewood	(310) 419-5298
Inmate Reception Center (IRC)	450 Bauchet St.	Los Angeles	(213) 893-5256
Lakewood Station	5130 N. Clark Ave.	Lakewood	(562) 866-9061
Lancaster Superior Court	1040 W. Ave. "J"	Lancaster	(661) 945-6353
LAX Airport Courts	11701 S. La Cienega	Los Angeles	(310) 727-6188
Lennox Station	4331 Lennox Blvd.	Inglewood	(310) 671-7531
Lomita Station	26123 Narbonne Ave.	Lomita	(310) 539-1661
Long Beach Superior Court	415 W. Ocean Blvd	Long Beach	(562) 491-5964
Los Angeles County Fairgrounds	1011 West McKinley Ave.	Pomona	(909) 623-3111
Los Angeles County Medical Ctr. (LCMC)	1200 N. State St.	Los Angeles	(323) 226-4563
Los Angeles Superior Court Lockup	111 N. Hill St.	Los Angeles	(213) 974-4800

Lost Hills Station (Malibu)	27050 Agoura Rd.	Agoura	(310) 456-6652
Malibu Superior Court	23525 Civic Center Way	Malibu	(310) 317-1393
Marina Del Rey	13851 Fiji Way	Marina Del Rey	(310) 823-7762
Men's Central Jail	441 Bauchet St.	Los Angeles	(213) 974-4911
Mental Health (Superior Ct. Lockup)	1150 N. San Fernando Rd.	Los Angeles	(323) 226-2908
Metropolitan Traffic Court	1945 S. Hill St.	Los Angeles	(213) 744-4101
Monrovia/Santa Anita Superior Court	300 W. Maple Ave.	Monrovia	(626) 301-4065
North County Correctional Facility	29340 The Old Road	Castaic	(661) 295-7800
Norwalk Station	12335 Civic Center Dr.	Norwalk	(562) 863-8711
Norwalk Superior Court	12720 Norwalk Blvd.	Norwalk	(562) 807-7283
Palmdale Station	1020 E. Palmdale Blvd.	Palmdale	(661) 267-4300
Pasadena Superior Court	300 E. Walnut St.	Pasadena	(626) 356-5555
Pico Rivera Station	663 Passons Blvd.	Pico Rivera	(562) 949-2421
Pomona Superior Court	400 Civic Ctr. Plaza	Pomona	(909) 620-3268
Rio Hondo Superior Court	11234 E. Valley Blvd.	El Monte	(626) 575-4108
San Dimas Station	122 N. San Dimas Ave.	San Dimas	(909) 599-1261
San Fernando Superior Court	900 E. Third St.	San Fernando	(818) 898-2436
San Pedro Superior Court	505 S. Centre St.	San Pedro	(310) 519-6026
Santa Anita/Monrovia Superior Court	300 W. Maple Ave.	Monrovia	(626) 301-4051
Santa Clarita Valley Station	23740 Magic Mt. Parkway	Valencia	(661) 255-1121
Santa Monica Superior Court	1725 S. Main St.	Santa Monica	(310) 260-3515
Southgate Superior Court	8640 California Ave.	Southgate	(323) 563-4031
Temple Station	8838 E. Las Tunas Dr.	Temple City	(626) 285-7171
Torrance Superior Court	825 Maple Ave.	Torrance	(310) 533-8886

Twin Towers Correctional Facility	450 Bauchet St.	Los Angeles	(213) 893-5100
Universal Sub-Station	1000 Universal Center Dr.	Universal City	(818) 622-9546
Valencia/Newhall Superior Court	23747 W. Valencia Blvd.	Valencia	(661) 253-7331
Van Nuys Superior Court (W. Wing)	14400 Erwin St. Mall	Van Nuys	(818) 374-4515

FACILITY	ADDRESS	CITY	PHONE
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Van Nuys Superior Court (E. Wing)	6230 Sylmar Ave.	Van Nuys	(818) 374-2121
Walnut Station	21695 E. Valley Blvd.	Walnut	(909) 595-2264
West Covina Superior Court	1427 W. Covina Pkwy.	West Covina	(626) 813-3255
West Hollywood Station	720 N. San Vicente Blvd.	West Hollywood	(310) 855-8850
W. Los Angeles Superior Ct. (No Lockup)	1633 Purdue Ave.	Los Angeles	(310) 312-6500
Whittier Superior Court	7339 S. Painter Ave.	Whittier	(562) 907-3171
East Facility (Formerly Peter Pitches HR)	29310 The Old Road	Castaic	(661) 257-8812
North Facility (Formerly Peter Pitches HR)	29320 The Old Road	Castaic	(661) 295-8840
South Facility (Formerly Peter Pitches HR)	29330 The Old Road	Castaic	(661) 295-8853

City Police Departments and Jails

Alhambra Police Department	211 S. First Street	Alhambra	(626) 570-5151
Arcadia Police Department	250 W. Huntington Dr.	Arcadia	(626) 574-5150
Azusa Police Department	725 N. Alameda Ave.	Azusa	(626) 334-2943
Baldwin Park Police Department	14403 Pacific Ave.	Baldwin Park	(626) 960-1955
Bell Police Department	6326 Pine Avenue	Bell	(323) 585-1245
Bell Gardens Police Department	7100 S. Garfield Ave.	Bell Gardens	(562) 806-7600

Beverly Hills Police Department	464 N. Rexford Dr.	Beverly Hills	(310) 550-4951
Burbank Police Department	200 N. Third St.	Burbank	(818) 238-3000
Claremont Police Department	570 W. Bonita Ave.	Claremont	(909) 399-5411
Compton Police Department	301 S. Willowbrook Blvd.	Compton	(310) 605-6505
Covina Police Department	444 N. Citrus	Covina	(626) 858-4413
Culver City Police Department	4040 Duquesne Ave.	Culver City	(310) 837-1221
Downey Police Department	10911 Brookshire Ave.	Downey	(562) 904-2300
El Monte Police Department	11333 E. Valley Blvd.	El Monte	(626) 580-2110
El Segundo Police Department	348 Main St.	El Segundo	(310) 524-2390
Gardena Police Department	1718 W. 162nd St.	Gardena	(310) 217-9670
Glendale Police Department	140 N. Isabel St.	Glendale	(818) 548-4840
Glendora Police Department	150 S. Glendora Ave.	Glendora	(626) 914-8250
Hawthorne Police Department	4440 W. 126th St.	Hawthorne	(310) 970-7976
Hermosa Beach Police Department	540 Pier Ave.	Hermosa Beach	(310) 318-0360
Hollywood Park Racetrack	1050 S. Prairie Ave.	Inglewood	(310) 419-1395
Huntington Park Police Department	6542 Miles Ave.	Huntington Park	(323) 584-6254
Inglewood Police Department	1 W. Manchester Blvd.	Inglewood	(310) 412-5210
Irwindale Police Department	5050 N. Irwindale Ave.	Irwindale	(626) 430-2244
La Verne Police Department	2061 Third St.	LaVerne	(909) 596-1913
LAX Airport Police Station	6320 W. 96th Street	Los Angeles	(310) 646-5256
Long Beach Police Department	400 W. Broadway	Long Beach	(562) 570-7236
Manhattan Beach Police Department	420 15th St.	Manhattan Beach	(310) 545-8867
Maywood Police Department	4317 E. Slauson Ave.	Maywood	(323) 562-5005
Monrovia Police Department	140 E. Lime Ave.	Monrovia	(626) 256-8000

Montebello Police Department	1600 W. Beverly Blvd	Montebello	(323) 887-1212
Montebello (Juvenile Holding Area)	1600 W. Beverly Blvd.	Montebello	(323) 887-1212
Monterey Park Police Department	320 W. Newmark Ave.	Monterey Park	(626) 307-1245
Palos Verdes Estates Police Department	340 Palos Verdes Dr.	Palos Verdes	(310) 378-4211
Pasadena Police Department	207 N. Garfield Ave.	Pasadena	(626) 744-4501
Pomona Police Department	490 W. Mission Blvd.	Pomona	(909) 620-2156

FACILITY	ADDRESS	CITY	PHONE
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Redondo Beach Police Department	401 Diamond St.	Redondo Beach	(310) 379-2477
San Fernando Police Department	910 First St.	San Fernando	(818) 898-1272
San Gabriel Police Department	625 S. Delmer Ave.	San Gabriel	(626) 308-2828
San Marino Police Department	2200 Huntington Dr.	San Marino	(626) 300-0720
Santa Anita Racetrack	285 W. Huntington Dr.	Arcadia	(626) 574-6407
Santa Monica Police Department	1685 Main St.	Santa Monica	(310) 458-8482
Sierra Madre Police Department	242 W. Sierra Madre Blvd	Sierra Madre	(626) 355-1414
Signal Hill Police Department	1800 E. Hill St.	Signal Hill	(562) 989-7200
Southgate Police Department	8620 California Ave.	Southgate	(323) 563-5457
South Pasadena Police Department	1422 Mission St.	S. Pasadena	(626) 799-1121
Staples Center (Security Department)	1111 S. Figueroa St.	Los Angeles	(213) 742-7444
Sybil Brand Institute for Women (Not Open)	4500 E. City Terrace Dr	Los Angeles	(323) 267-3455
Torrance Police Department	3300 Civic Center Dr.	Torrance	(310) 328-3456
Vernon Police Department	4305 Sante Fe Ave.	Vernon	(323) 587-5171
West Covina Police Department	1444 W. Garvey Ave.	West Covina	(626) 814-8585
Whittier Police Department	7315 Painter Ave.	Whittier	(562) 945-8250

Probation (Juvenile) and Miscellaneous Facilities

Challenger Camps (General Phone Number)			(661) 940-4122
Jarvis	5300 W. Ave. "I"	Lancaster	(661) 940-4145
McNair	5300 W. Ave. "I"	Lancaster	(661) 940-4146
Orizuka	5300 W. Ave. "I"	Lancaster	(661) 940-4144
Resnick	5300 W. Ave. "I"	Lancaster	(661) 940-4044
Scobee	5300 W. Ave. "I"	Lancaster	(661) 940-4045
Smith	5300 W. Ave. "I"	Lancaster	(661) 940-4046
Camp Afflebaugh	6631 N. Stephens Ranch Rd.	La Verne	(909) 593-4937
Camp Gonzales	1301 N. Las Virgenes Rd.	Calabasas	(818) 222-1192
Camp Holton	12653 N. Little Tujunga Cyn	San Fernando	(818) 896-0571
Camp Kilpatrick	427 S. Encinal Cyn Rd.	Malibu	(818) 889-1353
Camp Mendenhall	42230 N. Lake Hughes Rd.	Lake Hughes	(661) 724-1213
Camp Miller	433 S. Encinal Cyn Rd.	Malibu	(818) 889-0260
Camp Munz	42220 N. Lake Hughes Rd.	Lake Hughes	(661) 724-1211
Camp Paige	6601 N. Stephens Ranch Rd.	La Verne	(909) 593-4921
Camp Rocky	1900 N. Sycamore Cyn Rd.	San Dimas	(909) 599-2391
Camp Routh	12500 Big Tujunga Cyn Rd.	Tujunga	(818) 352-4407
Camp Scott (Females)	28700 N. Bouquet Cyn Rd.	Saugus	(661) 296-8500
Camp Scudder	28750 N. Bouquet Cyn Rd.	Saugus	(661) 296-8811
Compton Superior Court (Juvenile Lockup)	200 W. Compton Blvd.	Compton	(310) 603-7386
Dorothy Kirby Center (MH)	1500 S. McDonnel Ave.	LA/Commerce	(323) 981-4301
Eastlake/Central Juvenile Hall	1605 Eastlake Ave.	Los Angeles	(323) 226-

Eastlake Juvenile Court	1601 Eastlake Ave.	Los Angeles	8611 (323) 226-8927
Eastlake Juvenile Court Lockup	1601 Eastlake Ave.	Los Angeles	(323) 226-8658
Eastlake Detention Center	1605 Eastlake Ave.	Los Angeles	(323) 226-8601
Edelman's Children's Court	201 Centre Plaza Dr.	Monterey Park	(323) 526-6030
Inglewood Juvenile Court	110 Regent St.	Inglewood	(310) 419-5277
Juvenile Courts	1945 S. Hill St. #808	Los Angeles	(213) 744-4151
Juvenile Justice Center--Superior Ct. Lockup	7625 Central Ave.	Los Angeles	(323) 586-6055
Las Padrinos Juvenile Court	7281 E. Quill Dr.	Downey	(562) 940-8823

FACILITY	ADDRESS	CITY	PHONE
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Las Padrinos Juvenile Hall	7285 E. Quill Dr.	Downey	(562) 940-8651
LAX Airport Detail (LAPD, DEA, LASD)	203 World Way (Suite 300)	Los Angeles	(310) 215-2360
Los Angeles Coliseum	3939 S. Figueroa St.	Los Angeles	(213) 747-7111
MacLaren Children's Center	4024 N. Durfee Ave.	El Monte	(626) 455-4501
Mira Loma Detention Center (INS)	45100 N. 60th St. West	Lancaster	(661) 949-3815
South Facility (Fire Crew)	29330 The Old Road	Castaic	(661) 295-8853
Pomona Superior Court-Juvenile	400 Civic Center Plaza	Pomona	(909) 620-3116
Rose Bowl	1001 Rose Bowl Dr.	Pasadena	(626) 577-3116
Barry J. Nidorf Juvenile Hall	16350 Filbert St.	Sylmar	(818) 364-2011
Barry J. Nidorf Juvenile Court (Holding)	16350 Filbert St.	Sylmar	(818) 364-2111
Barry J. Nidorf Juvenile Arraignment Court	16350 Filbert St.	Sylmar	(818) 364-2111

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TWIN TOWERS CORRECTIONAL FACILITY

INTRODUCTION

The purpose of this section of the report is to provide an overview of the correctional environment under which female inmates and line staff currently operate under at Twin Towers Correctional Facility, whether the programs and support policies designed to reduce likely recidivism have been successful, whether the custody environment these programs or support policies currently exist in is conducive to their success, and whether deputies and staff are properly supported in carrying out their mission. The Grand Jury has not looked at these issues in the past and we regard this as a unique opportunity. As part of our inquiry a formal audit of Twin Towers Correctional Facility was undertaken by the Grand Jury. The results of that audit will be detailed in a separate section of this report. The purpose of this section is to review the results of a limited scope survey of deputies and staff at Twin Towers. This review will cover their opinions on the effectiveness of current inmate programs and whether line personnel are supported in carrying out their mission by their immediate supervisors and upper management. The opinions of line staff is crucial to this inquiry because they will have a significant role in whether the current custody environment is fertile ground for the success of these inmate programs.

The vast majority of females, well over two thousand, who are presently incarcerated in the Los Angeles County Jail System, are being held at Twin Towers Correctional Facility. The custody environment a female inmate experiences while incarcerated at Twin Towers is crucial to the success of any effort to reduce likely recidivism, or reduce attempts by inmates to violate custody rules or cause problems within the system. Ideally, a female inmate should be confronted with a custody environment in which they are treated with dignity and respect as human beings, but where clear standards and guidelines are in place that they must follow. These standards and guidelines must be rigorously enforced by deputies and supporting staff with the full backing of their supervisors and upper management.

In this disciplined and highly controlled environment the Sheriff is trying to implement programs that offer the female inmate an avenue to reverse the pathologies that have led them to be incarcerated. In fact this effort to end the “revolving door” of women continually returning to the jail system is part of Sheriff’s Baca’s vision of where law enforcement must go in the future in order to protect the public from criminal activity. The success of these programs will ideally lead to reduced recidivism rates and less problems within the jail system. The key to our investigation lies in not only evaluating these programs but examining that custody environment, for if that custody environment is flawed then these programs will not realize their full potential, wasting the time of all those involved and the hard earned money of tax paying citizens.

METHODOLOGY

From April 17, 2001 to April 26, 2001 members of the Grand Jury visited Twin Towers Correctional Facility several times on both AM Shift and PM Shift. During each of those visits Grand Jury members conducted interviews with Senior Deputies, Deputies, and Custody Assistants, who are civilian workers assigned to the facility. In addition, those who were not formerly interviewed filled out questionnaires. In order to get as clear a picture of the correctional environment as possible every inmate housing module in Tower Two, where the female inmates are housed, was visited at least once by Grand Jury members during the course of each shift. A total of forty-two personnel working in Tower Two inmate housing areas were either interviewed or filled out questionnaires. Each person interviewed, or who completed a questionnaire, was advised his or her participation was voluntary and that his or her name would be kept confidential. In addition, only those personnel who regularly worked in Tower Two with female inmates were asked to participate. Personnel who only worked Tower Two occasionally on an overtime shift or who were outside personnel from other facilities or units were excluded. In listing the responses elicited from the line staff in Tower Two we did not detail every response. Our purpose was to focus on general patterns elicited from the surveys as a whole. By evaluating the responses in this manner we controlled for the employee who might have a bias or personal agenda. Our final recommendations will not only take into account the opinions of the line staff, but the results of our audit team, information obtained from Sheriff's Department management, as well as other documentary sources.

RESULTS

Each of the questions asked of personnel at Twin Towers and their response patterns are detailed as follows:

Question One

Each person interviewed was asked what inmate programs were currently available at Twin Towers for the female inmates. This question was designed to test the knowledge of the line staff regarding the programs they supervise. Detailed information regarding the actual content and objectives of these inmate programs will be covered in the audit section of this report.

The knowledge displayed by the deputies and custody assistants in answering this question was impressive. Every staff member was able to consistently name all of the major inmate programs currently offered at Twin Towers for female inmates and what these programs were seeking to accomplish. It was noted however that most of the knowledge the line staff have regarding inmate programs appears to be self-taught and not through any formal Department effort.

Question Two

Each person interviewed was asked how effective in reducing recidivism did they think these programs were.

The majority of deputies and custody assistants believe these programs have little overall impact. They stated they see the same inmates who participate in these programs return to the system

over and over again. It was pointed out by many of the staff that the average stay for an inmate is only a couple of months at most, not long enough for the programs to be truly effective. Many staff members believe the inmates use these programs to simply get out of their housing areas and socialize with other inmates.

On a positive note a minority of the staff believed some of these programs could be effective if they were expanded, particularly if inmates have to participate after their release as a condition of their sentence, and if the standards for entry into these programs were raised to exclude inmates who had no intention of using the benefits derived from these programs. Others believed that while the programs were not effective they did occupy time for the inmates thereby making the time easier on them and in some cases line staff. All agreed that a few inmates, those who were truly motivated towards change and who put forth the effort, did receive some benefit from participating in the programs.

Question Three

Each person was asked which inmate programs they considered to be the most effective and why.

The majority of respondents indicated the GED program was the most beneficial because it focused on providing the inmates basic skills that would hopefully allow them to be more successful in finding a job and keeping it. The second program cited was the parenting program. Deputies and staff members believe that many of the inmates who have children actually do care about their kids and that any assistance rendered in this area might have a positive impact with the children of these inmates as well as the inmates themselves. A third program cited was the IMPACT Program. This is a court ordered program designed for the non-violent offender who has a drug or alcohol problem. All of the respondents indicated that for any of these programs to work the inmate had to put forth the time and effort. For the most part the respondents did not believe the majority of the inmates involved with these programs are making this effort.

Question Four

The line staff was asked what type of inmate program he or she would suggest for reducing recidivism.

With this question the response was overwhelmingly in favor of job or skills training and education. There was little support for programs that did not emphasize training that would enhance the inmates' ability to secure employment and responsibly support their families. This is one of the reasons why the GED Program is so popular among the staff. Also mentioned in the same vein were programs that would provide job counselors and mentors for the inmates. Many of the inmates find jobs, if they are looking, by word of mouth from relatives or other inmates. Many of the respondents believe there needs to be a program that concentrates on matching the skills of individual inmates with the needs of the employment sector. A program that builds partnerships between employers and inmates who are nearing release would be a possibility.

In addition, a mentoring program was mentioned because it was noted that most of the inmates upon release, no matter how many classes they attended while incarcerated, will go right back to

the same social environment that led them into the system in the first place. The same friends, the same neighborhood, the same lifestyle—all precursors for a return to incarceration. A mentor would be there to guide them and help the former inmate arrive at solutions that did not involve criminality. While many of the current programs have aspects of mentoring, the respondents believe that a program devoted to just this aspect would be beneficial.

Question Five

The line staff was asked if in regards to female inmates they believe they are supported in the performance of their duties by their supervisors and above. This issue is vital because it is the line staff that sets the tone for the custody environment in which these inmate programs exist. If the line staff are supported, when proper, by their supervisors and upper management then a custody environment of clear standards and controls can be maintained allowing these inmate programs to flourish. Hopefully, the effect from this leads to breaking the cycle of incarceration and reducing recidivism.

The majority of deputies and custody assistants stated they were not supported by their supervisors in the performance of their duties.

The primary theme running through most of the commentary we received indicated there was no consistent standards regarding how supervision was applied to situations involving confrontations or disputes between staff and inmates, particularly situations where the inmate had disrespected or attempted to undermine the deputy or custody assistant's authority. We were advised that in almost every case actions taken, or not taken, depended on who the supervisor was that particular day. We were told many stories of supervisors giving into an inmate demand even though the staff member, in their opinion, had reasonably denied the request earlier. We were advised of several situations where inmates would disrespect a staff member, often using foul language, and the supervisor would take the role of a mediator. In other words, the staff member was treated as if the situation was a disagreement between two equal parties rather than an inmate and her immediate supervisor. One story that was repeated to us from several sources was an incident where an inmate physically attacked a deputy. The responding Sergeant walked right past the deputies who were involved in subduing the inmate without inquiring about their welfare and over to the inmate. The Sergeant then asked the inmate, "Are you alright? Did any of my deputies hurt you?"

The Grand Jury was advised of numerous situations where inmates made demands, many of them frivolous, from staff members that are not mandated by Title 15. After the staff member would turn down the request, or put the request off to later due to operational considerations, the inmate would demand to speak to a Sergeant or Senior Deputy, who would then accede to the demand. Staff members stated this has created a situation where inmates have little respect for the authority of the deputies and custody assistants in the inmate housing areas. Staff members advised they prefer working with male inmates in Tower One because the supervisors on that side better support them.

In answering why this situation currently exists at Twin Towers the majority of the line staff believe that many supervisors are worried about inmate complaints or possible litigation. It is much easier to give the inmate the extra blanket or food, not send the inmate to disciplinary housing—or reduce their time there, put the inmate in the housing area she wants, or transfer the

deputy or custody assistant who is consistently enforcing the rules, than to deal with inmate complaints, possible force packages, or threatened lawsuits. We were advised that many supervisors at Twin Towers try to avoid paperwork whenever possible. The majority of deputies and custody assistants believe that, unfortunately for them, supporting the line staff often creates paperwork.

Another factor cited was fear from supervisors and above of losing their ability to promote. If a supervisor supports their deputies and line staff inmate complaints, litigation, or force issues might increase, thereby drawing unwelcome attention from upper management. According to a majority of the line staff, the choice made by the supervisor often is based on a desire to promote and the amount of time they have invested on the Department rather than what is best for a particular situation.

Question Six

In a follow-up to the earlier question each staff member was asked if supervisors and above coddled the female inmates to avoid inmate complaints, having to do paperwork, avoid litigation, or avoid damage to their own careers. Once again this is an important question because an overly permissive custody environment weakens the impact these programs can have on turning the lives of these inmates around.

The overwhelming response to this question was yes. We were advised by the line deputies and custody assistants that they are constantly directed to provide inmates with extra privileges in excess of Title 15 requirements. These extra privileges include being give access to hot water for soup or drinks, access to vending machines, access to extra linen, and access to medical staff for frivolous medical complaints to name just a few.

An example of this, and we heard many versions of similar stories in different contexts, was an inmate who pushed the emergency button in the housing area one morning. The deputy asked the inmate if she had an emergency. The inmate replied that she had a cold and wanted some cold medication immediately. The deputy advised the inmate the button was for emergencies only, that the nursing staff had just completed morning sick call at her housing area and the inmate should have brought this issue to their attention at that time, that the inmate was observed talking with her friends in the housing area while morning sick call was being conducted and her alleged cold did not seem to be a problem at that time, and that the nurses would be back in the early afternoon so she could bring this issue up when they came back. The inmate then became verbally hostile and abusive towards the deputy in front of other inmates, called the deputy a liar and stated that she was asleep during morning sick call and that she wanted medical attention immediately. The deputy called a supervisor and requested the inmate be disciplined for her conduct. Not only was the inmate not disciplined but another staff member was directed to escort the inmate to a nurse to be examined.

According to information we have been provided, examples like the above story have been repeated over and over at Twin Towers. According to the line staff, incidents like these appear to have significantly affected staff moral and led to a feeling of entitlement among the inmates. If an inmate doesn't get her way she will file or threaten to file a complaint, or have an outside relative or friend complain. In many cases staff feel they are babysitting inmates while waiting for their shift to end so they can pass the inmates off to someone else.

Question Seven

This question involved a security issue. The Grand Jury was advised during an earlier visit that during the distribution of medications to the inmates, which are conducted during AM and PM shift, inmates who receive medication are led out of their secured housing areas, into the staging area of the housing module, then to a nurses station where medication is given out through a window. On other floors the inmates stay in their secured housing areas while the nurses distribute their medication at the housing pod's door. On the male side the majority of medication is distributed at the secured housing area's pod door. We asked the line staff whether they considered allowing that many inmates (25-45 inmates) out of their secured housing for distribution of medication a safety issue.

An overwhelming majority of respondents believed this to be a major security issue that placed deputies and custody assistants in unnecessary physical danger. They believed the best way to distribute medication to the inmates is to distribute it to each housing pod at the door of the pod. If an emergency takes place requiring the termination of the pill call or a fight breaks out in the housing pod then simply backing the medication carts away from the door and shutting it contains the inmates.

It was pointed out that if a problem developed with the inmates in the staging area a significant effort would have to be made to get the inmates secured in their housing area. We were advised that because of staffing shortages there is often only three deputies or custody assistants working in a housing area. It was also pointed out that because of this shortage there is often only one deputy or custody assistant supervising 25-45 inmates in the open staging area while another staff member supervises the module control booth. If the third deputy or custody assistant is called away for some reason a significant safety risk for both staff and inmates is created. Line staff stated that this has been occurring on a daily basis.

When asked why this situation exists most of the respondents believed that management was trying to generate speed in completing the daily pill calls. It was also believed that some members of the nursing staff did not want to make the effort to prepare their medications and go from housing pod to housing pod, distributing the medications at the door of the pod. The line staff believe the nurses consider it an inconvenience, or they are frightened of direct contact with the inmates and feel more comfortable inside their nursing stations. Many of the deputies believed some of the nursing supervisors, who may not be aware of the danger they are placing staff and inmates, have lobbied management to continue this practice, who in turn placated the nurses by sacrificing the safety of their line staff. Many of the deputies and custody assistants stated that a staff member would have to be attacked and seriously hurt, if not killed, before this policy is changed.

Question Eight

This question asked the line staff for their perceptions on whether inmates get extra privileges beyond what is mandated by Title 15. This question is important because the focus of a custody environment should not be on making inmates comfortable in that environment. The primary goal of inmates should be rehabilitation so they can reenter society and not return to the jail system. It is believed that standard correctional philosophy posits that extra privileges be earned and used strictly as tools, not as a right.

The overwhelming response to this question was yes; the female inmates do get extra privileges, more so than the male inmates. Some of these extra privileges are justified. Inmate workers get extra clothes because of the work they do. Kitchen workers get better food than the rest of the inmates because of their work assignment. Pregnant inmates get extra milk and are assigned a chair to sit in during certain activities. These privileges are certainly justifiable. Some of the privileges appear to be not justified, primarily in the way they are applied.

We heard many instances where deputies and staff were extremely busy conducting module operations. In one case inmates demanded they be given access to the vending machine. Since this would require a staff member to directly supervise the inmates and disrupt operations at that time the request was denied. The inmates immediately complained. Supervision then grilled the deputies and staff on why they did not give the inmates the vending. The deputies and staff had to justify to their supervisors why something that is not a Title 15 requirement was not immediately given to the inmates upon demand. The majority of line staff believe that instances like this have led to the lowering of staff moral.

The majority of line staff believe that many of the inmates appear to milk the system for all its worth. Inmates will have court orders directing the jail issue them “juice cards” “milk cards” and cards directing staff to give them an extra blanket or socks. In one case we were advised that a transsexual inmate had a court order to provide him with a sexual aid because of her post-op status.

The general consensus among the respondents was that a privilege should be just that, a privilege. Something that could be used by staff as a tool but not as a right the inmates must have. Under the present system the respondents believe the inmates have been badly spoiled. The reason given for this is their supervisors and above want to reduce inmate complaints and avoid litigation so they direct line staff to provide extra privileges.

Question Nine

The line staff were asked if, in cases where it was warranted, they are supported when applying discipline to problem inmates such as 24-hour cell restrictions, sending them to disciplinary housing, or simply denying them privileges.

The majority of respondents stated they are not supported by their line supervisors and upper management when attempting to apply discipline. Grand Jury members were advised of case after case where deputies or custody assistants attempted to apply discipline to problem inmates and were overruled or had the discipline reduced. In one case a deputy, while carrying out her duties, was called a “bitch” in front of other inmates and received no discipline. The Sergeant

overruled the deputy and advised the deputy that she had to have thicker skin and that the inmate had said she was “sorry.”

In many cases the deputies and custody assistants are advised unless the inmate does something serious like physically attack them they must simply give them cell restriction for twenty-four hours. We were advised that in many cases this is no punishment at all. The inmate can still watch TV through her cell door, still have contact with her friends who pass notes and contraband under the cell door, and the deputies have to spend extra time during the day opening the cell door for meals or to allow the inmate out to receive medications. Due to the understaffing in Tower Two deputies and custody assistants will often have to decide if it is worth it to tie up so much time applying discipline or to simply let the inmate get away with the offense.

In order to be fair we were advised of cases where supervisors in applying discipline supported their deputies and custody assistants but it would depend on which supervisor was working that particular day. We were told that staff looks at the in-service roster at the beginning of their shift to see which supervisor is working their floor. The staff then knows if they will be supported that day. The reasons given for this current situation were twofold. On the practical side there is only so much cell space available in disciplinary housing and sometimes supervisors have to choose which offense is worthy of taking up that space. On the other hand we were advised by many of the respondents that upper management is worried about receiving complaints from inmates, the families or friends of inmates, or incurring lawsuits. The line staff believe this fear has seeped down to many of the line supervisors who are worried about their ability to promote.

Question Ten

The line staff was asked if they believed the inmates respected their authority.

Many of the deputies and custody assistants believe the inmates do respect them to a degree. The respondents advised us that if the inmates are treated with respect as human beings then most of them respond with respect. A great deal of the respect accorded to the staff appears to derive from the command presence of the individual deputies and custody assistants. This demonstrates the high quality of line personnel the Sheriff’s Department has working for them. It also makes a positive statement about the Sheriff’s Department’s effort to recruit quality people to become deputies and support staff.

With regards to the inmates who do not respect the staff or their authority, their lack of respect, according to the line staff, appears to derive from the lack of support the staff receive from their supervisors. The inmates take advantage of this situation by immediately requesting a Senior Deputy or Sergeant when they wish to override the line staff’s authority. Occasionally the inmates will organize and coordinate in order to send a mass of inmate complaints to the Watch Commander in order to have a deputy overruled. In a few cases this manipulation of the inmate complaint process is coordinated with a significant number of inmate friends and relatives calling the Watch Commander to complain. The fact that inmates are successful in manipulating the system accounts for a high percentage of inmates who do not respect the staff.

Question Eleven

We asked the line staff what they would like to see changed in regards to the female inmates at Twin Towers, if anything. This question was an important one because it gives the staff who are actually charged with supervising the inmates, and the inmate programs, articulate what changes they believe would improve the custody environment, thereby improving the chances of the inmate programs to succeed. Their input is vital if inmate programs are to be successful. Their suggestions are listed as follows:

1. Staffing must be increased. With the amount of work the deputies and custody assistant are tasked to do, (pill call, programs, linen exchange, sanitation, medical problems, supervising psychologists when they are conducting inmate interviews, meals, searches, etc) and the shortage of staffing to carry these duties out, it can become overwhelming. The quality of direct inmate supervision then suffers thereby becoming a safety issue for both inmates and staff.
2. Nurses should be trained on interacting with staff and inmates. A constant theme we heard from the line staff is that nurses are often unprofessional and rude to both line staff and inmates. In one case a nurse was observed sticking her tongue out at an inmate who was becoming agitated. In addition, unless it is a medical emergency requiring a nurse to give direction, deputies or custody assistants should be acknowledged as the on-site supervisors in charge when nurses are on their floors. Too often nurses will get into verbal confrontations with inmates—in some cases causing the confrontation—and immediately turn to the deputy when the inmate becomes hostile.

Nurses at times do not understand the role of the deputy in providing security or the varied tasks that line staff have to perform. Nurses will show up at a housing area to conduct pill call and expect the line staff to immediately drop everything else they are doing. They will do the same when calling a housing area to request that an inmate be brought down to the clinic. If the deputy or custody assistant does not take action immediately the nurse may call a Senior or Sergeant to complain. Many times the Senior or Sergeant will not support their line personnel and direct the staff to placate the nurses. It was indicated the nurses do not show the same level of attention when staff require non-emergency assistance from them.

3. Special diets for inmates need to be better evaluated and stricter guidelines established. Line staff gave us many examples of inmates getting assigned special diets when it was obvious they were simply trying to get extra food. One example given was an inmate who demanded and was given a low sodium diet. The same inmate was then repeatedly observed eating barbecued potato chips that she had purchased from the inmate commissary. Several inmates when asked by staff if they had these same dietary needs on the outside answered no but since they were in jail they were going to take advantage of the system.
4. Inmate programs need to be scheduled better. This is a critical issue that relates to the potential success of these programs. We were advised that inmate programs

often overlap, tying down staff and disrupting the housing area as inmates roam around talking to their friends who are attending another program. Sometimes the program directors are rushed for time and cannot give the inmates who are trying to better themselves their full attention.

5. Deputies and custody assistants need to be supported by their line supervision and above. We were given example after example of inmates not getting their way and demanding to see a Sergeant. If the Sergeant backs up the deputy then the inmate may complain to the Lieutenant and so on until the inmate is successful or has succeeded in wasting a tremendous amount of staff time. The deputies and custody assistants believe that consistently supporting the line staff will ultimately lead to a reduction in inmate complaints.
6. Special privileges should be just that, privileges, not rights. These privileges should be severely restricted and line staff should have the authority to suspend what is offered if inmates are being disruptive. The line staff believe that Title 15 requirements should be the only expectations the inmates should have, anything else is a bonus.
7. Deputies and custody assistants should not be second guessed when it comes to assigning inmate discipline, unless the discipline is totally out of line with the offense or not authorized (e.g., suspending the programs for an entire housing module because one inmate tried to sneak an extra cookie for lunch). Supervisors have to review what the staff under them are doing in regards to discipline but if the line staff has been trained properly in the application of discipline there should be very few reversals. A reversal should be based on an error in judgment on the staff's part, not an attempt to avoid inmate complaints and litigation.
8. Deputies and custody assistants should always be consulted on discipline matters at the initial stage after the incident and not in front of inmates. We received many examples of line staff put on an equal playing field with inmates as deputies or custody assistants were asked to justify their actions while the inmate was present. In many cases the line staff was not consulted at all. In the latter situations we heard stories of Sergeants walking directly over to the inmate, listening to the inmates story, then making a decision regarding the situation with little or no consultation with the line staff.
9. Medication distribution or pill call should be conducted at the door of the inmate housing pod. Inmates should not be let out of their housing area to receive medication unless it is a medical imperative or they need to be escorted to the clinic.
10. The last change the line staff would like to see occur involves the overall environment of the jail system in which they work. They believe that jail should be just that, jail. We were repeatedly advised that inmates are coddled and given so many privileges that the deterrent effect for someone to not want to come to jail is significantly reduced. This present environment also puts the inmate programs at risk since it blurs the clear channel the Sheriff is hoping to create in

regards to reducing recidivism. According to a majority of the line staff, jail should be a place inmates wish to leave and not come back. The programs offered to the inmates should facilitate this desire and assist them in becoming productive citizens. Jail should not be a place anyone would find desirable or a setting where a person could become comfortable.

Question Twelve

The line staff was asked if they felt the standards set for allowing female inmates into the available programs or work assignments were set high enough. While some of this concern is addressed in the audit portion of this report the following positions were noted.

The majority of answers to this question were mixed. There is an acknowledgement that not enough qualified inmates are available for work details. There is tremendous pressure to fill the available positions so unless it is blatantly obvious that an inmate should not be on an inside work crew then that inmate will be given a chance. There appears to be stricter screening for inmates who are assigned to outside work crews. There was also an acknowledgement that inmate workers, particularly the workers who work inside Twin Towers, who are fired by staff often show up again on a work crew, either on a different shift or in a different area.

There is a lot of consternation from deputies and custody assistants who fire inmate workers only to see them, sometimes the next day, back on a crew. The line staff believe there is a need for an easy tracking system that staff could utilize. An example of this would be if a deputy fires an inmate worker; that deputy would note the firing in the system and the reasons for the firing. When the fired worker approaches another deputy on a different shift and asks to be placed on a work crew all that deputy would have to do is run the inmate's name or booking number in the database. In addition, there seems to be a need for a one-strike and your out rule unless a staff member specifically requests that particular worker, after consulting with the staff member who originally fired her. This would allow for a "second chance" without allowing the inmates to manipulate the system.

As far as inmate programs available like the anti-drug program or parenting programs there appears to be a low standard regarding these according to the line staff. Many inmates will sign up for a program in order to get special privileges or to get out of a housing area so they can see their friends. These are not good reasons for inmates to be in programs. The line staff believe inmates should be carefully screened for disciplinary problems. If the inmate is a discipline problem she should be excluded from the program. Also, line staff should have the discretion of removing an inmate from a program if the inmate is observed abusing the privilege. An example of this would be if an inmate attending an anti-drug class were observed constantly leaving the class area to roam to other areas of the housing module to see friends. When directed to go back to the class the inmate becomes disrespectful and continues her behavior. Line staff believe they should have the discretion of removing that inmate from the program without having to jump through several levels of bureaucracy.

Question Thirteen

The line staff was asked if female inmates are treated lightly in matters of security (staff directed not to handcuff potentially violent inmates, inmates roaming in restricted areas of a housing

module and not being punished for it, disruptive inmates placed back into their housing areas, contraband not being aggressively searched out and removed etc.)

The majority of respondents answered that the female inmates are treated lightly when it comes to security in some instances but that the situation appears to be improving. Line staff reported that inmates are prone to roam when they are let out of their housing areas but this is a combination of medical distribution and inmate programs being held outside the housing pods, lack of staffing, and lack of adequate support from supervisors when deputies seek to apply discipline to the roaming inmate.

We were advised that deputies have been directed in the past not to handcuff potentially violent inmates; many of these stories revolved around one particular female sergeant. There was also a consensus among line staff that their supervisors and upper management frown on handcuffing female inmates and consider them to be less dangerous than male inmates despite several instances where line staff have been physically attacked by female inmates. Line staff pointed out that this situation appears to be changing with recent written policy supporting the safety of deputies and staff over the concern for inmate complaints and litigation.

It was also pointed out by line staff that more searches need to be done in inmate housing areas and more strip searches need to be conducted on the inmates for weapons or contraband. There are two reasons they listed as to why searches are not done more often. The more significant reason is a lack of staffing to carry out the searches. The other reason is lack of discretion given to line staff. Deputies do not have the discretion to search an entire housing area at random. They need authorization from a supervisor. There is much trepidation about pulling individual inmates out of a housing area on the spot to search for weapons or contraband. Rather than go through the hassle of justifying themselves in order to get authorization from a supervisor and setting themselves up for potential complaints line staff will sometimes let searching go.

Question Fourteen

The respondents were asked if their line supervision and/or above supported them, if warranted, when inmates have outside relatives or friends call the Watch Commander or above over an issue.

About half of the respondents have not dwelt with this issue but believe their supervisors and upper management would support them if an inmate attempted to have outside relatives or friends put pressure on the Watch Commander. The other half who had some experience with this issue had mostly negative comments to make. According to them it depends on who the Watch Commander is for that particular shift on whether you get supported or not. According to the line staff the chief goal of upper management is to make that complaint go away as quickly as possible. Often that means giving in to the inmate.

We were told of many instances where staff was overruled by supervision in order to placate a friend or relative of an inmate. In one case an inmate wished to get out of the housing pod and walk around. She stated that she was sick and needed to go to the medical clinic. This particular inmate was sent twice to the clinic and medically cleared. The inmate asked the line staff to send her again to the clinic. After being refused she called a relative who called the Watch Commander and stated that her relative was being denied medical treatment. The Watch

Commander immediately directed the inmate be taken to the clinic. The deputies and custody assistants who believe they are not supported also feel as if they were on trial at times. In some instances they are called into a supervisor's office and grilled about a decision they made regarding an inmate. It bothers the line staff that it is them getting questioned instead of the inmate.

Question Fifteen

This last question directed towards the respondents asked them if they had anything to add. Not surprisingly, they did.

A general theme the line staff spoke of is that deputies and custody assistants are trained to be assertive and proactive in dealing with inmate problems. They are given a tremendous amount of knowledge on how to deal with situations, given a uniform and badge and placed in positions of authority, then their discretion is taken away and given to the Senior Deputies and Sergeants. The majority of the respondents believe this must change if the Department is to be successful in the long run. In addition, many of the female deputies believe they will have to make a radical adjustment when they finally go to patrol. After several years of primarily dealing with female inmates and having their hands tied by management they will suddenly be on patrol and expected to behave proactively and make decisions. They feel that Twin Towers is not preparing them for this eventuality.

CONCLUSION

In the audit section of this report it is noted there is currently no standards or elements in place to measure how successful the female inmate programs are performing. The Department currently does not have the ability to track inmate progress or to access the recidivism rates of the inmates who participate in the available programs. We believe this is the main reason why many of the line staff have little faith in the very inmate programs for which they are charged with providing a safe environment. Once the Sheriff's Department gathers the necessary data and provides the line staff with information on what programs are working and which ones are having difficulties, then the overall glum assessment from the line staff should change.

Also in the audit section of this report it is noted the Sheriff's Department modified its established policies and procedures relating to inmate discipline in June of 1999. The Department went from a more "punishment" oriented philosophy to a "counseling and advising" approach in regards to minor inmate violations. This change is consistent with modern correctional philosophy and is considered appropriate for operating a secure facility. This change in philosophy has also been shown, when applied correctly, to reduce inmate complaints and litigation. The days are long gone when a deputy could rely *only* on his or her authority or force to make inmates respond. So the question is why is there such a significant moral problem with the line staff. The very staff tasked with carrying out the Sheriff's vision concerning the direction of the Department with regards to female inmates?

The audit section of this report details a consistent lack of training afforded to the deputies and support staff tasked with carrying out this change in philosophy. We agree with this assessment. From the perspective of the line staff they have lost a great deal of their discretion in dealing with female inmates, especially problem inmates. They have also not been given the

tools to replace what they believe they have lost. Before an inmate becomes enough of a problem to require some form of punishment staff must be aware of the wealth of communication and conflict resolution tools available to de-escalate the situation. If the inmate continues to be a problem and escalates the situation the line staff still have, and must be supported with, the option of applying stronger discipline. Ultimately, it is the line deputies and support staff that carry the bulk of the workload in regards to inmates. Once they have been properly trained they must be fully supported in their decision-making. Once the line staff believe they are being supported once again by their superiors the moral problem as it currently exists should fade away.

The line supervisors appear on the surface to support this new approach but it is apparent they also have not been trained in its application. In their view if they support their deputies and staff the way they have in the past they run the risk of hurting their careers and damaging their ability to promote. It appears that a successful supervisor is one who gives in to inmate demands, supports the line staff sporadically, reduces the number of inmate complaints, and whose actions do not incur expensive litigation. A reduction in inmate complaints and litigation should be the result of a well-defined policy that is strongly implemented and supported. Not because supervisors, worried about what upper management will do to their careers, are turning a blind eye to their line staff.

In one significant area we found some disagreement with the auditors. The auditors did not find a significant basis for some of the feelings elicited by the line staff concerning the lack of support from supervisors and above and the risk to their safety. The auditors concluded this was primarily a lack of training in the new “advise and counsel” method of interacting with inmates. While there is merit in that conclusion we believe the line staff do have a solid basis for their opinions. The different viewpoint contained in the audit section of this report has mainly to do with the broader mandate the auditors were working with and the fact that we interviewed almost three times the number of people on this issue.

We must finally note that we have received extraordinary cooperation from the deputies, custody assistants, and line supervisors at Twin Towers. We found the staff to be people of utmost character who certainly represent the Department’s “Core Values.” With people of such high caliber on the Department the Sheriff’s vision of where law enforcement needs to go in the future can become a reality.

RECOMMENDATIONS

We recommend the Sheriff:

1. Support the auditors’ recommendation regarding the gathering of inmate data and the establishment of clear measuring criteria for the evaluation of the inmate programs;
2. Require that once the success, or lack of success, of each inmate program is established and documented this information be disseminated to the line staff and supervisors for review;

3. Require that line staff, especially staff newly arrived from the academy, be trained on the overall make-up and goals of each inmate program;
4. Require that all line staff and line supervision be trained in the Department's philosophy of communication and conflict resolution skills;
5. Require that line staff and line supervisors be trained in all inmate discipline options including loss of good time credits and loss of work time credits, how these and other discipline options are implemented, and what specific punishments can be implemented for what specific violation (i.e. Inmate Discipline Bail Schedule);
6. Require that guidelines are implemented so that line supervisors and above, when appropriate, feel comfortable supporting their line staff in administering inmate discipline;
7. Require that if a line supervisor or above overrules a line deputy or support staff on an inmate disciplinary matter that the specific reasoning be explained to the staff member and appropriate remediation training be given to the staff member, either informally or in writing, depending on the severity of the overruling, and that the supervisor be prepared to justify the overruling;
8. Require that if an inmate has an outside relative or friend call a line supervisor or above in order to have a staff member's decision overruled that a clear and rigorous standard be met before that staff member's decision is reversed;
9. Require that appropriate guidelines be established so that line supervisors and above never place a deputy or staff member on an equal footing with an inmate (i.e., putting a deputy or staff member side by side with an inmate and asking them what happened);
10. Require that the nursing staff receive similar communication skills and conflict resolution training that the deputies and support staff should receive in the future;
11. Require that the nursing staff be directed to dispense medication using the inmate housing pod to pod method rather than bringing inmates outside their housing areas;
12. Require that the nursing staff be trained in security procedures in regards to inmates and inmate housing and that they be taught to defer to the deputies and custody assistants on all matters relating to the security of deputies, staff, the public, and inmates;
13. Review staffing for Tower Two with the goal of increasing the present number of deputies, custody assistants, and support staff to acceptable levels;

NORTH COUNTY CORRECTIONAL FACILITY

INTRODUCTION

During the past year the Grand Jury became aware of a continuing problem at North County Correctional Facility (NCCF) involving racial violence, primarily between Black and Hispanic inmates. This violence has led to many injuries among inmates and exposed the County of Los Angeles to possible liability. As part of our inquiry a formal audit of NCCF was undertaken by the Grand Jury. The results of the formal audit will be detailed in a separate section of this report. The purpose of this section is to review the results of a limited scope survey of inmates and staff at NCCF regarding the racial violence and the efforts of the Los Angeles County Sheriff's Department to alleviate the problem.

METHODOLOGY

In order to facilitate this inquiry two questionnaires were designed, one for inmates and one for staff, which sought to ascertain the current knowledge of the problem, as well as both short term and long term efforts by the Sheriff's Department to resolve the situation. The questionnaire designed for the supervision and line staff at NCCF inquired as to their knowledge and opinions of what was causing the racial strife, what short term solutions the Sheriff's management was using to combat it, what long term solutions were being attempted, and what solutions, from the point of view of line staff, did they see as being effective. The questionnaire administered to the inmates inquired as to their knowledge of the racial strife and what actions they would like to see the Sheriff's Department take in order to resolve the problem. In the case of both staff and inmates only indications of a general pattern of something occurring or not occurring within this correctional environment are noted.

Between March 27, 2001 and April 9, 2001 members of the Grand Jury conducted interviews with ten supervisors and line staff at NCCF. These personnel were interviewed over the course of two separate shifts (AM's and PM's). In addition, ten inmates were also interviewed. Each person interviewed was advised his or her identity would be kept confidential.

RESULTS

Supervisors and Line Staff

In the majority of responses it was indicated the racial strife occurring at the facility was primarily between Black and Hispanic inmates who in most cases belonged to a gang. The Hispanic inmates primarily belonged to the Southsiders, which is an umbrella term for members of various gangs who are born in the United States and live primarily in Southern California; and gang members who are illegal immigrants. The Black inmates primarily belong to the Crips or gangs that are associated with the Crips. All of the deputies and staff indicated the racial strife has been occurring at various levels of intensity at NCCF for as long as the facility has been in existence.

All of the deputies and staff members were asked what short-term solutions are undertaken when racial strife breaks out in the housing areas between Hispanic and Black inmates. They indicated

that when a significant disturbance breaks out the ERT (Emergency Response Team) is activated and deployed. Orders are given to the inmates to stop fighting. If that fails non-lethal custody weapons are deployed, under the supervision of a sergeant or above, such as pepper spray, Clearout, stinger grenades, which deploy rubber pellets, or the ARWIN, which shoots a rubber projectile. After the fighting has been stopped, the inmates are separated by race and the “shot callers” or inmate parties of the disturbance are removed to disciplinary housing. Over a period of time the inmates are gradually reintegrated back into their housing units. Inmates are then monitored by deputies and staff for indications of further trouble. It was acknowledged that these solutions, while effective over the short term, did not resolve the problem on a long-term basis.

All of the deputies and staff members were asked if segregating the inmates by race would resolve the problem. They were asked if moving inmates around the facility so they would not get settled or if moving identified inmate leaders to other facilities would help. They were also asked if having outside educators or counselors brought in to the facility or having the inmates participate in programs focusing on anger management or conflict resolution would be helpful.

The answer to most of these proposals was a resounding no. All of the staff members thought segregating inmates by race is a bad idea. They indicated that it would require too many personnel, would not be cost effective, and with the present custody environment, would lead the inmates to redirect their animosity towards deputies and staff. It was indicated that segregation was tried in 2000 but lead to increased problems for deputies and staff.

It was put forth that moving inmates around the facility so they would not get settled would only work in selected cases and was at best a short-term solution. The result of such a policy would be to increase the ability of inmates to communicate with each other and lead to increased problems for staff. It was also stated that moving “shot callers” or identified inmate leaders to other facilities would not work because this would simply transfer the problem rather than resolve it. In other words, this would create a problem at the facility where the inmate was transferred.

It was indicated that bringing in outside educators or counselors and introducing classes to teach inmates anger management and coping skill would also not work. Outside people are currently brought in and inmates have access to programs but they have not been as effective as had been hoped. Many inmates attend these programs simply to kill time. An example often cited was inmates who attend the church services of every denomination on Sunday simply to get out of their cells.

When staff members were asked what they thought would work in resolving the problem of racial strife and violence they indicated they were not sure what would work in the present environment. The majority stated they were not sure what long-term plans the Sheriff’s Department had, if any, to resolve the situation. They also indicated that in the past deputies and staff were very proactive and would aggressively monitor the inmates and intervene immediately if the slightest sign of trouble were to arise. Problem inmates were confronted and, if necessary, forcibly removed from the housing area and segregated from the other inmates. Deputies and staff indicated the rules were clear to the inmates and violations of those rules that did occur were dwelt with quickly and sternly. It was indicated the racial strife and violence directed towards inmates and staff in the old environment was significantly less.

Both deputies and staff indicated the political environment has changed within the custody area of the Sheriff's Department in recent years. It was stated the Department has moved from a proactive model to one where career survival is the overriding goal. Most of the deputies that work at NCCF are relatively new to the Department and are completing their mandatory custody assignment before they go out to patrol. Any deputy who is proactive and asserts themselves with the inmates is liable to draw inmate complaints or become involved in situations where force is required. In other words, if a deputy proactively intervenes a significant number of times during a custody career when inmates become involved in confrontations that deputy will eventually come across inmates who do not comply, leading to force being used by the deputy. Deputies and staff have been advised in the past that this could have negative career ramifications (delay in going to patrol, litigation, loss of promotional opportunities etc.). The more successful deputy or staff member is the one who avoids getting involved in situations with inmates and has few if any force entries in their personnel record. Management's philosophy appears to the line staff to strive for avoidance of situations that generate inmate complaints, litigation, or force incidents, which always have the potential to lead to litigation.

Grand Jury members were advised that because of this current environment deputies who used to proactively enter an inmate housing area to remove a problem inmate, stop a fight, interact and communicate with inmates, or quell a problem before it got out of control, now in many cases use the loud speaker or shine their flashlights into the inmate housing area instead. This has allowed the inmates to gradually assume more control as the deputies ceded it to them. Consequently this situation has to be cited as a significant factor in the increased racial turmoil that has affected NCCF.

INMATES

The inmates that were interviewed for this survey, like the deputies and line staff, considered the racial strife going on at NCCF to be between Black and Hispanic inmates. They were also familiar with the short-term solutions used by the deputies to stop a disturbance (verbal commands, ERT deployment, pepper spray, ARWIN, temporarily separating inmates of different races, and removing problem inmates).

The majority of inmates who were interviewed had mixed feelings about segregating inmates by race. Some believed it would be helpful; some didn't think it would do any good. The inmates also had mixed emotions on the question of whether inmates should be moved around. Most believed that problem inmates, or certain types of "shot callers" should be moved immediately but not inmates who are complying with the system. The inmates considered some "shot callers" to be a positive influence. This would be an inmate who would serve as a sort of representative for the inmates with the deputies, pointing out plumbing or food problems; or problems with a particular inmate which may affect the housing area. Some inmates refer to this person as a "dorm rep" rather than a "shot caller."

The inmates indicated that most of the people incarcerated like to have a structured environment where they feel safe, or as safe as you can in a custody environment, and where they are kept busy. They believe the "shot callers" who are considered problem inmates make it worse for the majority and need to be removed quickly. When this does not happen the problem inmates gain power and start causing problems for other inmates, especially the ones that cannot protect themselves.

All of the inmates interviewed believed that a solution to the racial strife has to involve keeping inmates busy. Whether this includes an addition of exercise equipment, additional inmate programs, more TV's, or additional inmate work programs, the inmates believe keeping an inmate's focus on something besides whatever problems exist in the housing area would be a positive step. The majority of the inmates believe the current programs offered to them are at least somewhat helpful; they just need more of them.

CONCLUSION

This survey sought to provide a basic overview of some of the issues that are leading to the racial strife between Black and Hispanic inmates at North County Correctional Facility. While the problem of racial strife and violence between inmates and solutions to that strife will be covered in more detail in the audit section, this survey does achieve its goal of giving the reader a broad perspective on the problem.

The effectiveness of inmate programs in reducing the amount of racial violence at North County Correctional Facility and whether the introduction of additional programs, or the expansion of existing ones, would be helpful needs to be examined. The Sheriff's Department currently has no clear standards or guidelines in which to measure the effectiveness of its inmate programs. As was outlined in the earlier Twin Towers section, this issue needs to be resolved so that line staff and management know what works and what does not work. This recommendation follows the line of logic that a busy inmate focused towards positive goals does not have time to focus animosity towards other inmates, deputies or staff.

In the audit section of this report it was recommended that a new classification system be implemented that provides staff with additional information regarding inmate behavior. We hardly agree with this course of action. The current information given to staff is limited and does not provide them with the information necessary to properly assign inmates to housing or programs. In addition, the current classification system does not provide deputies and staff who are directly supervising the inmates with the immediate information needed to assess their behavior potential.

Deputies and staff should know what is going on in the housing areas they supervise. Unless it is a direct safety issue or tactical consideration, deputies should be more proactive in dealing with problem inmates and resolving disturbances before they get out of hand. Deputies and staff should be supported by their immediate supervisors and upper management in carrying out this mission. An example of this would be if two inmates in a housing area were moving around each other in a loud and threatening manner. Deputies should not be faulted for proactively entering the housing area and, if conflict resolution methods are not effective, separating and removing the two inmates if necessary. We agree with the auditors' recommendation that a direct supervision model be implemented and that deputies and staff be trained in its use and supported in its application.

Inmates in a housing area should be conditioned to know that a serious violation of the rules like fighting or bringing in dangerous contraband will be dwelt with immediately with severe consequences for the offending party. There should be a clear disincentive for inmates to engage in unruly behavior. There should be no incidents where deputies stand-by, flashing their

flashlights and yelling over the intercom, while a situation that could be stopped grows out of control because they are worried about being second-guessed, concerned about their careers, and are waiting for the arrival of a supervisor to make a decision.

On another issue, if a deputy is very proactive over the period of a custody career and becomes involved in a number of situations where force is used, as long as there is nothing illegal or unjustified about the force there should be no negative connotations drawn. Under the present system management looks upon the deputy who flashes his flashlight at inmates from a safe distance, who is always the last to show up at a disturbance, who will never take any action unless a supervisor first agrees to it, more favorably because such a deputy will have a clear record. A deputy or custody assistant should never have to worry that if they properly do their job entries will be made to their personnel files that could negatively impact their careers or promotion chances.

If the primary focus of management is avoiding complaints and litigation, especially litigation involving force, rather than creating the safest and most beneficial correctional environment for both inmates and staff possible, then reducing the problem of racial strife among inmates will not occur. It is believed that well-trained, proactive deputies and staff members who are fully supported by their immediate supervisors and upper management are a strong deterrent to some of the problems affecting North County Correctional Facility. In addition, this is a positive way to avoid unnecessary and avoidable litigation.

RECOMMENDATIONS

We recommend the Sheriff:

1. Examine the effectiveness of inmate programs in reducing the amount of racial violence at North County Correctional Facility and whether the introduction of additional programs, or the expansion of existing ones, would be helpful;
2. Require the Department implement the auditors recommendation that a direct supervision model be introduced in order to increase the proactive abilities of the deputies and support staff;
3. Require that procedures for handling problem inmates, inmate disturbances, and interacting with inmates be reviewed with an emphasis on providing management support for the discretionary actions taken by deputies and support staff when proper;
4. Review how force issues are viewed or documented when it comes to a deputy or staff member's personnel file with an eye towards de-emphasizing their negative career impact if the force used was proper;
5. Require the Department implement the auditors recommendation that a new classification system be introduced;

INTRODUCTION

This management audit was requested by the Los Angeles County 2000-01 Civil Grand Jury to assess two specific activities within the Sheriff's Department.

- *Female Inmate Programs and Discipline* – The Civil Grand Jury requested that an evaluation be conducted to determine whether the management of the Sheriff's Department effectively utilizes inmate program resources that are available to females housed at the Twin Towers Correctional Facility. This study focuses on (a) whether female inmate program resources are being utilized in a cost effective manner, (b) whether current custody policies and practices support inmate program goals, while providing for prisoner, staff and public safety, (c) whether management policies related to female inmate discipline are appropriate, and (d) whether complaint procedures are being utilized effectively.
- *Inmate Disturbance Management* – The Civil Grand Jury also requested that an evaluation be conducted of inmate disturbances in the Sheriff's correctional facilities, to determine the causes of such disturbances, and propose solutions for reducing racially charged inmate fighting and injuries, particularly at the North County Correctional Facility.

The requests for these two studies originated from the Civil Grand Jury's own investigations of these questions under the authority granted to it by Section 925 of the California Penal Code. The use of experts to assist in the Grand Jury's investigation is permitted under Section 926 of the same code.

STUDY SCOPE AND METHODOLOGY

To assess these two areas of the Sheriff's Department operations, we evaluated activities performed by four organizational units within the Department:

Twin Towers Facility Female Housing Units

All female prisoners in the County are housed at the Twin Towers Correctional Facility (TTCF). This facility was initially designed to house inmates requiring maximum security and special housing, only. However, structural damage at the Sybil Brand Institute (SBI) in Monterey Park required the County to find alternative housing for all female prisoners within the Sheriff's jail system, regardless of custody status or classification risk. As a result, the Sheriff's Department has housed minimum and medium, as well as maximum security female prisoners at the Twin Towers Correctional Facility ever since it was opened in the summer of 1996.

The Twin Towers Facility is designed for the direct supervision of inmates. Female prisoners are housed in either (a) dormitory style settings, or (b) single cell settings, which can accommodate either one or two prisoners. The type of housing into which a female prisoner is assigned depends on her classification status, bed availability and other considerations.

Female prisoners who are eligible for programs generally attend class or counseling in their housing units. In the dormitory units, program services are provided in day rooms and in other common areas adjacent to the living area. In the single cell units, program services are generally provided in day room areas, if at all. In virtually all cases, program services are brought to the

inmates. Inmates do not leave their housing units, unless they are assigned to a work crew or a vocational training program that requires special equipment.

Each floor of the facility has two control stations, and each control station monitors three housing areas. Deputies assigned to these control stations overlook the three housing areas. They are able to maintain constant visual and audible contact with the prisoners either directly or through camera and microphone systems. The housing units are also constantly monitored by deputies who are assigned to a central control unit for the entire jail facility.

The TTCF complex includes the IRC (although the IRC is a separate organizational unit), and both male and female prisoner housing units. Total population in the facility is 4,051 inmates, of which 2,253 are female. Female inmates occupy Tower 2. The TTCF is staffed by 674 personnel, and is managed by a Captain. In FY 2000-01, \$61.4 million was budgeted for its operations.

Inmate Programs

The Program Operations Section, under the direction of the Chief of the Correctional Services Division, was formally established in FY 2000-01 through the hiring of a civilian director. In prior years, inmate programs were provided from a unit reporting to the Captain in charge of the Inmate Reception Center.

The Programs Operations Section is responsible for in-custody programs provided to inmates by the Sheriff's Department, including: education, vocational training, mental health treatment, substance abuse counseling, religious counseling, and others. Currently, the Section is not responsible for work release or electronic monitoring. However, in the Strategic Plan, an entity is present to capture some of the work release participants for vocational and rehabilitation programs, in accordance with provisions included in Title 15.

The largest single provider of programs to the Department is the Hacienda-La Puente School District. In FY 1999-00, the School District reported that it provided over 1.8 million student hours of service. Key accomplishments included the award of 262 GED certificates, 56 high school diplomas, and 156 employment placements. The School District reported that it made 8,744 inmate contacts, and had an average of approximately 3,372 inmates enrolled in classes daily. Other program services are provided by government, several religious organizations and churches, and various community based organizations.

Program services are largely funded by the Inmate Welfare Fund (IWF), which include monies derived from the inmate commissary and surcharges on prisoner telephone calls. In FY 1999-00, approximately \$11.5 million was expended from the IWF for program services.

The Sheriff's Program Operations Section is managed by a civilian employee. It is staffed with approximately 23 Sheriff's Department employees. Thirteen of these individuals are assigned to in-custody program management functions (Inmate Services); the remaining 10 employees are assigned to the Department's Community Transition Unit.

Inmate Reception Center

The Inmate Reception Center (IRC) is located at the Twin Towers Correctional Facility complex. The purpose of the IRC is to process all prisoners presented by local law enforcement agencies for incarceration in the County's jail system. Inmates may enter the jail system through the IRC (a) directly, immediately after arrest; (b) after being booked and processed at police and Sheriff law enforcement stations throughout the County; or, (c) after being remanded into custody by the courts. Depending on whether a prisoner is being directly booked into the facility, transferred after booking from a regional station, or remanded into custody by the courts, the process differs somewhat. However, all prisoners who are incarcerated into the County's jail system receive identical processing in certain critical areas.

Prisoners are interviewed, police agency documentation is reviewed, and internal Sheriff's Department records are examined at initial stages of the intake process to obtain positive identification and an immediate assessment of the inmates' health status.

Prisoners are interviewed a second time as part of the classification process to determine whether they require special housing, either because of personal safety concerns or other characteristics related to their health or mental health status, sexual orientation, gang involvement and other similar factors.

Once inmates are processed through the IRC, they are moved to an appropriate facility based on their sex, whether they have been classified for general or special housing, sentence status (i.e., pre- or post-sentence), and geographic location of the court where their cases will be heard. Once the general facility determination has been made, the involvement of IRC staff regarding housing assignment diminishes.

The IRC is managed by a Captain. It has a FY 2000-01 budget of approximately \$49.7 million.

North County Correctional Facility

The North County Correctional Facility (NCCF) is located at the Pitchess Detention Center (PDC) in Castaic. It opened in March 1990, and houses male inmates with the following general characteristics.

- Young, but generally over age 26;
- Both sentenced and non sentenced;
- Primarily classified for general housing;
- Some classified for special housing, including the most serious classifications; and,
- Participating in educational, vocational and counseling programs.

The North County Correctional Facility is rated to house 3,928 inmates, and housed an average of approximately 3,400 inmates during the period of this study. As described above, the facility is capable of housing maximum security inmates. One unit in the facility is configured with two-bed cells and is generally used to house prisoners requiring special handling, including those who must be "kept away" from all others and require a deputy escort whenever they are moved.

The remainder of the facility includes dormitory-style housing, which is described by Sheriff's Department staff as being a "hybrid of direct and indirect supervision."¹

Various programs are offered at NCCF, including a very significant vocational industries program that includes food service, woodworking and various construction skills programs, power sewing, sign manufacturing, and offset printing training. The facility also offers educational programs for high school diplomas or General Education Degrees (GED), in cooperation with the Hacienda-La Puente School District.

Further, the facility has 24-hour medical services, and an infirmary that provides general medical, dental and psychiatric services to inmates. A Jail Mental Health Evaluation Team (JMET) is located at the facility, to assist officers with the identification and evaluation of any inmate who may exhibit suicidal or behavioral problems.

Unofficial estimates indicate that there have been in excess of 150 major disturbances at the PDC since the late 1980s. The NCCF has been the site of many of these since it was opened in 1990. The Sheriff attributes these major disturbances to gang presence, racial tensions and the relatively young inmate population housed there. The Sheriff has established "Operations Safe Jails," which is a unit at the facility that is charged with identifying potential troublemakers, and detecting gang or racial problems before they escalate into violence. In the past year, the Sheriff has attempted to further reduce the potential for major inmate disturbances by balancing the inmate population in each housing unit, by race.

The North County Correctional Facility is managed by a Captain. In FY 2000-01, it was allocated 368 staff and a operating budget of approximately \$37.9 million.

Other Activities

In addition to reviewing functions within each of these divisions, we analyzed inmate complaint and disciplinary data, and sampled various department records on inmate complaints and disturbances at the NCCF. We also interviewed management staff on issues related to deputy sheriff attrition, recruitment and assignment policies and practices.

1. ¹ *In an indirect supervision setting, prisoners are monitored remotely by custody staff. In a direct supervision setting, custody staff have direct contact with prisoners at all times, within the prisoner housing units. Based on tours of the NCCF, custody staff are physically separated from prisoners, but have visual and voice contact with the prisoners from nearby observation areas.*

INMATE DISCIPLINE

- **In accordance with Title 15 of the California Code of Regulations, the Sheriff's Department has established policies and procedures related to inmate discipline. Based on changes to these policies that were adopted in June 1999, the Sheriff is now emphasizing "counseling and advising" as an alternative to discipline and punishment for resolving minor inmate violations of facility rules.**
- **While managers and supervisors appear to endorse these revised policies, there are indications that a substantial portion of line staff have some concerns. These concerns include feelings that staff is sacrificing control over the inmates, and are experiencing a lower level of inmate compliance with rules and staff directives.**
- **The revised discipline policies adopted by the Sheriff are consistent with modern corrections philosophy, and are appropriate for operating a secure facility. Further, we did not find that this new approach has adversely affected officer or inmate safety. Nonetheless, to effectively operate the Sheriff's facilities in this manner, line staff must be thoroughly committed to the approach, and trained in communication skills and the ability to diffuse tense situations.**
- **Our review of Department training records indicates that most line staff have not received appropriate training in this regard. In the basic academy, only 15 hours out of a total of 18 weeks of training are devoted to these skills; of the 56 hours devoted to custody-specific training, only approximately _ hour is spent on these topics; and, less than _ of all deputies and custody assistants in CY 2000 took continuing training in communications and other skills that would be useful when coping with inmate discipline issues.**
- **The Sheriff's Department needs to more aggressively emphasize this change in management philosophy, and establish training policies that will ensure staff receive the skill sets necessary to successfully implement the change. In addition, line supervisors and training officers should be charged with emphasizing the counseling and advising approach to conflict resolution as part of the on-the-job training curriculum.**

The Department's inmate discipline policies and procedures are well documented and were updated as of June 1999. These policies and procedures are consistent with the California Code of Regulations, Title XV, which sets limits and provides guidelines on inmate discipline and other inmates rights. The discipline policies and practices of female inmates are the same as those for male inmates, though we were told by Sheriff's Department management that violations of facility rules that are made by females generally tend to be less serious. Therefore, according to policy, the disciplinary actions that are taken tend to be less severe.

Generally, when a female inmate violates one of the inmate rules or regulations, the deputies and their supervisors have several options, depending on the nature and severity of the violation. The most recent revision of the discipline policy contains new language regarding "Minor Incidents." The latest guidelines encourage personnel to "handle minor incidents through counseling and advising inmates of their expected behavior." Repeated minor violations, however, would constitute a major offense punishable by up to five days in isolation. There is an "inmate Discipline Bail Schedule" in the discipline procedures that specifies the number of days of isolation various infractions warrant. The maximum number of days of isolation allowable is 30 days, and these would be used for fighting with inmates and/or staff members, or for possession of contraband.

The forms of discipline allowed by Sheriff's Department management are:

- Short term lock-down for less than 24 hours;
- Limited loss of privileges;
- Loss of privileges;
- Disciplinary diet;
- Forfeiture of "good time" credits earned per Penal Code, Section 4019;
- Forfeiture of future "work time" credits earned per Penal Code, Section 4019;
- Extra work details; and,
- Removal from work details.

Of the above forms of discipline, the ones that are reportedly used most frequently with female inmates are short term lock-down for less than 24 hours, and disciplinary isolation. However, some of the deputies and inmates we spoke with also cited extra work details as being used occasionally.

While the policies do not allow deputies to discipline an entire housing unit for a violation by one individual, we were told by inmates that this happens on occasion. We were told that generally, the deputy will shut off the TV and forbid use of the phones by all inmates in a unit for one or more hours, for an infraction committed by one or two individuals. As part of this study, we reviewed records of inmate complaints against staff for calendar year 2000. We found only one instance where inmates may have had grounds for this perception. This instance is discussed more fully later in this section.

Rule violations requiring disciplinary isolation or other major forms of discipline generally are documented in an Inmate Incident Report. These reports are written by the deputy or other officer involved in the incident, and are reviewed and approved by a sergeant. A hearing before a

Discipline Review Board is then scheduled no less than 24 hours after the report filing, but no later than 72 hours after the report filing. The Discipline Review Board consists of a sergeant (Hearing Officer) who was not involved in the incident, or in the review of the Inmate Incident Report, and a deputy. The inmate is given an opportunity to present her case at the hearing, without the officers involved with the incident present. If the findings of the complaining deputy are upheld, the Discipline Review Board determines the disciplinary action to be taken. The Discipline Review Board's findings are then reviewed by the watch commander for compliance with policy, and to insure the sentence imposed is reasonable. Such discipline usually includes a number of days in disciplinary isolation. After the Discipline Review Board establishes its findings, disciplinary action against the inmate may begin.

A SHIFT IN PHILOSOPHY REGARDING DISCIPLINE

Our review of the latest revision of the discipline policy, as well as interviews with staff and inmates, indicate that there has been a shift in the policy and practices regarding discipline at the Department. As mentioned above, the new policies and procedures emphasize "counseling and advising inmates of their expected behavior." This language is new and did not exist in previous versions of the policy.

In addition, through our interviews with 15 supervisors and staff, and nine inmates, we found that a shift has been taking place with regard to overall management of the discipline issue. Supervisors we spoke with indicated that today there is more emphasis on working with the inmates and talking to them, as opposed to jumping to the discipline route for every minor infraction. Supervisors generally emphasized the need to achieve cooperation from inmates as opposed to attempting control of their behavior. Supervisors and senior staff cited a number of reasons for this shift, including the fact that inmates out-number custody staff, and could cause a lot of harm should a conflict escalate. In addition, they indicated that day-to-day work in the jails is much easier on staff when they achieve cooperation from inmates through mutual respect and an ability to effectively communicate with them.

Another reason cited for an emphasis on cooperation rather than control is the increase in inmate lawsuits due to use of force. In fact, we found that the proportion of incidents requiring force by staff toward inmates at Twin Towers and throughout the Department has decreased between 1999 and 2000.

Line Staff Attitudes are not Consistent with Management's Philosophy

While all of the supervisors we spoke with emphasized more cooperation, only one of the deputies and Custody Assistants we spoke with reflected this same attitude. Generally, the deputies and custody assistants expressed a level of frustration with the Department's new philosophy toward discipline. Several of them expressed a need to have more "control" of the inmates, and indicated they've experienced a somewhat more lax attitude by the inmates toward the deputies. This lax attitude makes their jobs harder, some said, because inmates are slower to respond to orders to line up for medications and food, and may even exhibit a certain amount of defiance. For example, one deputy indicated that inmates now are more inclined to cite their "rights" and say things like "I have the right to..."

Another example illustrating the frustration deputies experience is a case in which the deputy indicated that she had ordered an inmate to “pack up” her belongings because she was going down to “211” (the isolation unit) for alleged “insubordination.” When the supervisor asked the deputy what was happening, the deputy explained the situation and the supervisor reversed the order, and ordered the inmate back into her cell. This, according to the deputy, made her look weak before the inmate, resulting in a potential loss of respect and future cooperation.

Discontinuing Mass Punishment As A Technique for Exerting Peer Pressure

As mentioned earlier, we also found evidence that mass punishment techniques have been used by deputies in the past, as a technique for exerting peer pressure on inmates. However, the use of such techniques are no longer permitted by management. This has contributed to frustration, felt by some deputies, that they are losing control over inmates. Incidents, such as one discovered from our review of inmate complaints, may also influence the collective memory of inmates who state that such techniques are currently used. This incident is described below.

In early January 2000, twenty-three female inmates lodged a complaint against an individual deputy who allegedly locked-down, and took away television and telephone privileges for an entire unit, when only two inmates violated facility rules. In the description of the incident, it appeared that the initial lockdown may have been used as a mechanism for controlling the inmates in the unit while the deputy secured the situation. However, subsequent action by the deputy to take away television and telephone privileges for the entire unit, on the evening of the incident, appeared unwarranted.

The incident appears to have been appropriately investigated by management, and the matter was discussed at length with the inmates in order to resolve tension in the unit. At the conclusion of the investigation, the deputy who was accused in the complaint was counseled about using mass punishment as a disciplinary tool, when only a limited number of inmates violate rules. Title 15, Article 7 of the California Code of Regulations defines the forms of discipline that can be used in a correctional facility. It is based on the premise that only those inmates who have violated facility rules or staff directives may be disciplined. Punishing uninvolved inmates for violations committed by others, is not listed as an acceptable form of discipline.

Sheriff's Department management states that in previous years, mass punishment techniques were generally overlooked and informally permitted to occur. At the time, this technique was modeled after practices in the military, where entire units may be disciplined for the actions of a few, as a mechanism for encouraging unit cohesion. Under the current Sheriff, these techniques are now strictly forbidden and the change in policy reportedly has been clearly communicated to staff through administrative directives.

Impacts on Deputy Safety or Work Assignment

We asked all deputies and supervisors we spoke with whether they were aware of situations where a deputy's safety was at risk as a result of the shift in the discipline policy, and no specific incidents were mentioned. We also asked everyone we spoke with whether they were aware of any deputies that were moved as a result of being too harsh in their approach toward discipline, and again, no specific incidents were mentioned. In addition, we could not find any evidence that deputy safety was compromised, or that deputies were reassigned after an incident, based on our review of inmate complaint and disciplinary records.

APPROPRIATENESS OF SHERIFF'S DEPARTMENT DISCIPLINARY POLICIES

The change in discipline policies implemented by the Sheriff's Department in June 1999 are consistent with current practices in the corrections industry. We discuss the concept of "direct supervision" in greater length in other sections of our report. However, a review of literature suggests that communications, justice and fairness in the operations of jails are major elements of successful management of a jail facility that is safe for both staff and inmates. In fact, a resolution by the American Jail Association, which endorses the concept of direct supervision jails, references (1) effective communications and (2) justice and fairness as two principles of a direct supervision jail environment.

While disciplinary action certainly has its place in a corrections setting, it should be used judiciously for serious violations of facility rules, acts of inmate insubordination, or other more significant incidents which have the potential of compromising the safety and security of the corrections facility. The Sheriff's policies regarding inmate discipline are consistent with this perspective. We therefore endorse his approach, and view the frustrations being felt by line staff as resulting more from insufficient training and a lack of understanding of the concept by staff.

PREPARING DEPUTIES FOR THE CUSTODY ENVIRONMENT

Most deputies entering the Sheriff's Department are assigned to one of the jails in the first few years of their careers. Deputies generally undergo three types of training during these first few years.

1. Academy training, which is a 18-week intensive training program;
2. A two-week custody-specific training program; and,
3. On-the-job training, performed at each facility.

Academy Training is primarily focused on law enforcement rather than corrections, and generally provides a suite of courses established by the Peace Officer Standards and Training. Courses related to a recruit's ability to communicate and effectively diffuse tense situations include:

- History, Professionalism, and Ethics
- Community Relations
- Victimology/Crisis Intervention
- Cultural Diversity
- Custody
- Handling Disputes/Crowd Control
- Use of Force
- Persons with Disabilities

We were told that all 880 recruits who completed the Academy in 2000 took the above courses. The outlines of the above courses indicate that recruits receive somewhere between 10 and 15 hours of training (out of an overall curriculum of 18 weeks), in subjects related to communications and personal conduct, including such specific topics as:

Traits of Exemplary Officers
Benefits of Professional and Ethical Behavior
Tactical Communication
Problem Solving the Community
Defusing Crisis Situations
Human Rights

Cross-cultural Communication
Impacts of Hate Crimes
Sexual Harassment Awareness
Cruel and Unusual Punishment
Violation of Prisoner's Civil Rights
Physical Searches of Prisoners

Mediation and Resolution
Force Options
The Concept of Control
Managing Fear
Managing Anger

After the Academy, most recruits attend a 56-hour Adult Corrections Officer Supplemental Core Course, in which they learn about issues specific to the custody environment. Topics covered in this training are:

Codes, Statutes and Other Legal Document
Classification of Inmates
Contraband
Interpersonal, Tactical and Practical Communications

Assaultive Behavior and Restraint Techniques
Booking and Receiving
Releasing
Maintaining Security
Supervising Inmates
Distribution of Supplies and Commissary

Monitoring Psychological and Physical Health
Management of Inmate Workers
Screening and Distributing Mail
Emergency Procedures

Of the 56 hours devoted to this custody-specific training, a quarter of an hour is devoted to communications and personal interaction issues.

In addition, there are several courses available on an ongoing basis, that are related to the topics of communications and personal interactions. These are:

Tactical Communications
Advanced Tactical Communications

Critical Decision Making
Mental Health
Anger Management

Cultural Awareness/Tools for Tolerance

Our review of the number of officers attending these ongoing courses in 2000 shows that participation in most of these courses was limited, with most of the emphasis on dealing with mentally disabled inmates. Of the approximately 600 deputies and custody assistants eligible for training in 2000, less than half (264) took any training related to communications or other topics that would be useful in coping with inmate discipline issues through counseling and advising.

As stated, the majority of the 264 participants were in the Mental Health class, which focuses on mentally disabled inmates. None attended the Tactical Communications, or Advanced Tactical Communications classes, which were mentioned most often as being most appropriate for preparing staff for dealing with difficult inmate situations.

Another way that the Department works to train deputies is through 20-minute-to-1 hour briefings twice each week, during which supervisory and command staff speak about various topics of interest to the Department. Anywhere from 50 to 100 deputies may attend these briefings, and they tend to be one-way communications, from management to staff.

While the Department offers training in the area of communications and coping with difficult inmate situations, participation in this training is limited, and does not appear to be equipping deputies with the tools they will need to operate effectively in the new environment. This results in frustration and fear among the deputies, who still want to maintain “control” over the inmates, but fear that this control is taken away. This is particularly true when supervisors, who must review disciplinary issues, impose less stringent discipline and ask the deputies to work through situations with the inmates instead.

Since the shift in policy and practices relative to discipline requires an attitude shift among all personnel, the Department needs to make it a priority to initiate deputies to this approach. One effective way of doing this is by emphasizing training that will equip deputies with the tools they will need to work through potential disciplinary situations with inmates. We recommend increased hands-on communications and other interpersonal skills training, including multiple scenarios and intensive hands-on participation by the deputies.

In addition, supervisors need to be trained in ways that they can work with the deputies on-the-job, when responding to potentially difficult disciplinary situations. This could be done through a “train-the-trainer” model, where supervisors are trained in ways that they can pass on their knowledge and skills in these areas to the deputies.

We also recommend that the Department evaluate the manner by which deputies are able to provide feedback to supervisors and command staff regarding their perceptions and experiences on the job. The briefings described above do not provide an appropriate forum for deputies to have input, and it is important that they have the opportunity to do so. This will alert management to issues early, so that they can respond quickly and effectively.

CONCLUSIONS

In accordance with Title 15 of the California Code of Regulations, the Sheriff's Department has established policies and procedures related to inmate discipline. Based on changes to these policies that were adopted in June 1999, the Sheriff is now emphasizing "counseling and advising" as an alternative to discipline and punishment for resolving minor inmate violations of facility rules.

While managers and supervisors appear to endorse these revised policies, there are indications that a substantial portion of line staff have some concerns. These concerns include feelings that staff is sacrificing control over the inmates, and are experiencing a lower level of inmate compliance with rules and staff directives.

The revised discipline policies adopted by the Sheriff are consistent with modern corrections philosophy, and are appropriate for operating a secure facility. Further, we did not find that this new approach has adversely affected officer or inmate safety. Nonetheless, to effectively operate the Sheriff's facilities in this manner, line staff must be thoroughly committed to the approach and trained in communication skills and the ability to diffuse tense situations.

Our review of Department training records indicates that most line staff have not received appropriate training in this regard. In the basic academy, only 15 hours out of a total of 18 weeks of training are devoted to these skills; of the 56 hours devoted to custody-specific training, only approximately _ hour is spent on these topics; and, less than _ of all deputies and custody assistants in CY 2000 took continuing training in communications and other skills that would be useful when coping with inmate discipline issues.

The Sheriff's Department needs to more aggressively emphasize this change in management philosophy, and establish training policies that will ensure staff receive the skill sets necessary to successfully implement the change. In addition, line supervisors and training officers should be charged with emphasizing the counseling and advising approach to conflict resolution as part of the on-the-job training curriculum.

RECOMMENDATIONS

The Sheriff should:

1. More aggressively emphasize the change in management philosophy regarding inmate communication and discipline;
2. Require that all sergeants and senior deputies receive appropriate training in communications and conflict resolution skills, within the next one year cycle of POST;
3. Charge line supervisors and training officers with emphasizing the counseling and advising approach to conflict resolution, as part of the on-the-job training curriculum and regular briefings for staff;
4. Establish training policies that will ensure that staff receive the skill sets necessary to successfully implement the policy, through the academy and as part of annual continuing education; and,
5. Evaluate and implement a process that will ensure that deputies and corrections assistants are able to provide feedback, and express their concerns regarding disciplinary policies and practices. Use this information to tailor the Department's training program to meet the objectives of its current policies.

COSTS AND BENEFITS

The costs of implementing the recommendation will vary, depending on how it is implemented. Currently, the Department does offer courses in the areas of communications and interpersonal interaction. One approach that would result in least cost would be to ensure maximum participation in these classes. In addition, the train-the-trainer model with supervisors, discussed above, would be a cost-effective way of implementing the recommendation at minimal cost.

Ultimately, the Department needs to analyze the recommendation in light of the risks associated with officers mishandling disciplinary situations. The cost of implementing the recommendation should be commensurate with reducing that risk, and with implementing the Department's overall philosophy of transitioning inmates to the community through increased programs and services.

By implementing these recommendations, the potential for incidents between deputies and inmates to escalate would likely diminish. This would reduce the number of instances requiring use of force, and reduce overall risk to the Department from such incidents. In addition, over time, indoctrination of staff should result in improved morale and job satisfaction among the deputies, which could reduce turnover and improve overall effectiveness.

PROGRAM SCREENING AND OUTCOME MEASUREMENT

- **The Sheriff's Department is embarking on an effort to expand and enrich program services currently available to inmates. However, the Department has been limited in its ability to accomplish these objectives for female inmates because of physical space limitations at the Twin Towers Correctional Facility.**
- **Further, the Sheriff's Department has not established an internal process for systematically screening inmates for program eligibility, tracking program participation, or measuring program outcomes. Historically, these functions have been delegated to contract program service providers, who have different eligibility criteria, and have not consistently provided data from which program activity or effectiveness can be determined.**
- **The lack of a comprehensive program services approach has contributed to deficiencies in management information from which to measure program participation, eligibility and effectiveness; and, to weak management controls over contractor performance.**
- **The Sheriff's Department should develop a pilot case management model for female inmates, from which a Department-wide system could be developed. This model system should include: (a) a centralized program intake and eligibility process; (b) case planning for each inmate, to include the development of outcome goals; and, (c) a system for measuring program effectiveness. In addition, the Department should develop a more effective monitoring system for contract service providers.**
- **By implementing these recommendations, the Sheriff would streamline program screening, obtain better management information, and increase the efficiency and effectiveness of programs services.**

PROGRAMS OFFERED TO FEMALE INMATES

In recent years, the Sheriff's Department has begun to emphasize programs and services for inmates. This was most apparent with the creation of the Correctional Services Division in FY 2000-2001, and the hiring of a civilian Director of Programs who has considerable education and training in corrections program services.

"Programs" include those activities related to education, vocational training, and counseling services. "Services" include activities such as legal advocacy and religious services. During interviews for this study, the Director of Programs told us that most inmate programs and services provided by the Department are administratively organized under the Correctional

Services Division. While a few out-of custody programs, such as Work Furlough and Electronic Monitoring, fall under the general category of Community Based Alternatives to Custody (CBAC), and are administered by Department personnel, most in-custody programs are administered by contract organizations. All programs are funded from the Inmate Welfare Fund.

Female inmates at Twin Towers have access to many programs. Key among these are education, vocational training and certain counseling and support services offered through the Hacienda-LA Puente School District; Project Impact, which is a drug rehabilitation program; and, Friends Outside, which provides various liaison and other support services to inmates.

As the table below shows, inmates throughout the County have access to a variety of program services (Appendix 1 provides more details on specific programs by location), and most categories of programs are offered at the TTCF. Nonetheless, based on discussions with the Director of Programs and other management audit activities, it is apparent that while many programs are available to female inmates, the configuration of Twin Towers and the outdated classification system of the Department limit the types of programs that can be offered at the facility. In particular, more vocational programs could be offered if the structural design of the Twin Towers Facility were more conducive to such activities.

TABLE 1

**Sheriff’s Department Programs By Site
FY 2000-01 Reported Availability**

Type of Program	TTCF	PDC	MCJ	CRDF	ML	NCCF	BRC
Substance Abuse	<i>Yes</i>	Yes	Yes	Yes	Yes	Yes	Yes
Mental Health	<i>Yes</i>	No	No	No	No	No	No
Medical/General Health	<i>Yes</i>	Yes	Yes	Yes	Yes	Yes	Yes
Community Re-entry	<i>Yes</i>	Yes	Yes	Yes	Yes	Yes	Yes
Religious	<i>Yes</i>	Yes	Yes	Yes	Yes	Yes	Yes
General Education	<i>Yes</i>	Yes	Yes	Yes	Yes	Yes	Yes
Vocational Programs	<i>Yes</i>	Yes	Yes	Yes	Yes	Yes	Yes
Psycho-social/Life Skills	<i>Yes</i>	Yes	Yes	Yes	No	Yes	Yes

Source: Sheriff’s Department documents and interviews. The following acronyms have been used to identify each facility: TTCF=Twin Towers (includes both male and female housing units); PDC=Pitchess Detention Center; MJC=Men’s Central Jail; CRDF=Century Regional Detention Facility; ML=Mira Loma; NCCF=North County Correctional Facility; and BRC=Byscalus Recovery Center.

The Department is considering moving female inmates currently housed at the TTCF to the Sybil Brand Institute (SBI), where they were housed prior to extensive damage that occurred to that facility in the 1990s. During a tour of SBI conducted for this study, it was apparent that the facility would provide a better setting for vocational training and other in-custody programs, than can be offered at TTCF. The County's decision to move female inmates to SBI is imminent, and from the narrow perspective of improving program opportunities for female inmates, we endorse the concept put forward by the Sheriff.

PROGRAM PARTICIPATION

The Department has a decentralized process for establishing inmate program eligibility. Under current practice, each service provider assesses inmate eligibility for the range of programs that might be available from the contract organization. The current processes for determining eligibility and assessing program effectiveness encompass the following major characteristics:

Program providers distribute information and enroll inmates in programs based on the unique criteria each has established. Inmates also informally discover that programs may be available by "word-of-mouth." The Sheriff's Department does not proactively provide individualized information to inmates on program services that might be available at each housing facility, or which might be appropriate for their needs. Nor does the Department actively solicit program participation by inmates.

There is no centralized process for screening inmates for program eligibility. While this is currently the case, the Department indicates that the "North Point" risk assessment and classification computer system that is planned for implementation within the next 18 months will provide staff with a tool to conduct centralized screening.

In some cases, participation may be ordered by the Court. But in most instances, inmates make a request for program services once they become interested in participating, and are allowed to enroll if they meet general security classification criteria, are not receiving medication and space is available.

Inmates are generally eligible for any program available at their housing facility, unless prohibited because of security classification. Inmates who are prohibited from participating include those who require special housing, such as "K-10" inmates who must be kept away from all other prisoners for security reasons, and require a deputy escort whenever they are outside of their cells.

Contract providers may not approve enrollment if an inmate is on medications that alter mental or physical functioning, or if the contractor determines that the inmate may not otherwise be suitable for the program (i.e., due to a history of disruptive or inappropriate behavior). The criteria for program participation are not consistent among providers.

Inmates may be removed from programs if their housing classification changes, if they are moved to other facilities, as a sanction due to inappropriate behavior, or if the program

provider decides that continued participation in a program is not warranted. The Sheriff does not track or collect data on the incidence or reasons for early program termination.

Each contractor defines its own program goals, assesses individual inmate need, and tracks inmate progress towards accomplishing the goals. Program providers are also responsible for designing and delivering services to inmates. There is no central reporting of program participation data to the Sheriff's Department, although individual contractors have developed internal reports and can provide some data, upon request.

Because program participation data is not consistently collected or reported to the Sheriff's Department, we were unable to compile comprehensive information on program activity or participation for the female inmate population. However, we were able to compile data on three key programs available to both male and female inmates at the Twin Towers facility, which we have shown in Table 2 on the following page.

PROGRAM MONITORING

Because even the most basic activity and performance data is not required to be reported by the contractors, and such data is not compiled by the Sheriff's Department, contract monitoring is weak. While the contractor regularly reports information on Average Daily Attendance for Hacienda-La Puente School District classes, not much more is being done to monitor performance against contract agreements. In addition, there has been limited effort made by the Sheriff's Department to evaluate program outcomes, including recidivism rates.

Further, no consistent standard exists to measure outcomes or evaluate program effectiveness. What little measurement is performed by the program providers, is done sporadically. None of the program contractors whom we interviewed work with the Sheriff to collect data on criminal recidivism, or other indicators of program effectiveness.

The Director of Programs told us that the Department recognizes these weaknesses, and that she plans to develop a more rigorous, outcomes-oriented contract monitoring system in the future. While we concur with these comments, we also note that there has been no formal plan developed or timeframe established to accomplish this objective. We therefore recommend that the Sheriff establish goals to design and implement data collection and assessment processes for program services, within six months of receipt of this report. This plan should be submitted to the Board of Supervisors, and progress toward implementation should be reported by the Sheriff.

TABLE 3
Program Information on
Three Key Programs Offered At Twin Towers

<i>Program Description</i>	<i>Program Budget in FY 2000-01</i>	<i>Average Daily Participation in 2000</i>	<i>Total Annual Participation in 2000</i>
Hacienda-La Puente School District			
The school district offers academic classes leading to a General Education Development (GED) certificate, as well as adult education, trades and skills instruction, such as auto body repair, animal attendant, cement mason, etc. It also offers social skills training, such as parenting and relationship development.	\$11,165,509	3,372	60,000 ¹
IMPACT			
This is a drug treatment program for non-violent offenders, which supports Los Angeles County's Drug Court Program. It can be used for probation violators, parole violators and post-plea offenders. The progress of inmates in these programs is overseen by a team consisting of a judge, probation officer or parole agent, representatives from the District Attorney and Public Defender, and a case manager.	\$212,307	26	242
Friends Outside			
This program focuses on providing services to inmates that will strengthen their ties to their families and community, and assist them with transition back to the community. Services vary from helping with family communications, to assisting with administrative and other matters related to the inmate's case.	\$199,388	4.56	1,663

Source: Program documents and interviews with program staff.

¹ Estimate – Data not currently tracked in this manner.

Program Capacity

Some program personnel we interviewed indicated that there may be capacity issues with the programs (i.e., more need than available services). However, it is difficult to assess this assertion because there is duplication in the service requests made by inmates. For example, an inmate may go to a representative from Friends Outside and request family intervention services, and then make that same request of a Catholic chaplain and a Protestant minister. Each service provider would therefore be aware of a single service request, and may perceive that there is a capacity problem. But in fact, their perceptions may overstate demand since they are based on the duplicate service requests being made by the inmate. Because there is no central clearinghouse for inmate requests for services, the ability of the Department to accurately assess capacity issues is weakened.

STRENGTHENING PROGRAM SCREENING AND DATA COLLECTION

In summary, the existing system for managing program services exhibits the following weaknesses.

The Sheriff's Department does not maintain a comprehensive inventory of programs and services which might be available to inmates while they are in-custody. While the Department was able to provide information on some programs, which we compiled into a single list, it was not able to provide comprehensive workload and activity data. Whatever data exists is maintained by the individual program providers, and is not compiled centrally by the Sheriff.

There are no standardized eligibility criteria, nor is there a systematic process for screening inmates for programs. Eligibility is determined based on classification status, housing location and assessments made by individual program service providers, based on non-standard eligibility criteria. While this is currently the case, the Department indicates that the "North Point" risk assessment and classification computer system that is planned for implementation within the next 18 months will provide staff with a tool to conduct centralized screening.

The Sheriff's Department does not routinely and proactively provide information to inmates on program options, nor does it solicit inmate participation in suitable programs. Inmates can discover programs informally, through a daily morning video, through word-of-mouth, or through contact with program or Sheriff's staff.

Inmates may be removed from programs for a variety of reasons, including changes in classification status, movement to another facility, as a disciplinary sanction, or if a program provider determines that the inmate's participation in a program is no longer appropriate or warranted. The Department does not maintain data on the incidence or reasons that inmates are removed from programs.

The Sheriff's Department does not perform analyses of program activity, or of the impact current programs may have on criminal recidivism, job skill training or employment, recovery from substance abuse, or other measures of effectiveness.

From available Sheriff's Department information, we hoped to ascertain (a) inmate motives for participating in program activities, (b) whether there is sufficient program capacity available for all interested female inmates, (c) the criteria for program eligibility, and the frequency/reasons that inmates are terminated from programs prior to completion, and (d) the effect that programs have on criminal recidivism and other indicators of effectiveness. Answers to these questions are central to the issues posed by the Civil Grand Jury regarding the interrelationship between program services and security operations at the TTCF. Unfortunately, because of the issues discussed above, these questions cannot be reliably answered within the scope of this analysis.

POTENTIAL IMPROVEMENTS TO PROGRAM SERVICES

Despite the assessment discussed previously, opportunities exist to standardize policies, eligibility criteria, and screening so that inmate participation can be appropriately regulated, data can be consistently compiled, and meaningful evaluation can be performed. One method for accomplishing this in the short term, would be for the Sheriff to implement a pilot case management model of service delivery for female inmates. Through this case management model, the Department would:

- Conduct a standardized assessment of inmate eligibility as part of the intake classification process. This assessment would be based on consistent criteria, and would take into consideration Sheriff's security needs as well as program service needs defined by the provider.

- Assign each eligible inmate a programs case manager, who would follow inmate progress through approved services offered by contract providers. Under this structure:

- The case manager would develop a case plan for the inmate, including goals, services needed to achieve those goals, and timeframes. Once the case plan is developed, the case manager would act as a liaison between the inmate and the contract program provider to ensure that the inmate receives services.
- Evaluation of inmate progress, problem resolution and case plan adjustment would become a joint effort that would involve the case manager, contract provider, the inmate and any other parties involved with the case (e.g., the courts, D.A., public defender and probation, should the case involve a drug offense).

Since each case would be handled by a Department case manager, effectiveness monitoring would become more consistent and easier to track. Through an automated system, (i.e., the new classification system currently under consideration) the Department could document the case and its progress, including recidivism and other outcome components.

The Department also should implement a more effective contract monitoring system, one that includes a standardized monitoring methodology. Monitoring would include a review of specific contract requirements and whether they've been met, as well as a review of program

documentation regarding services provided by number of inmates, outcomes achieved, and other relevant information regarding the provision of services to the Department and the inmates.

Lastly, as the programs operation is redesigned based on the above recommendations and other ideas resulting from the work of the new Programs Manager and her team, the Department should develop up-to-date policies and procedures, consistent with the new structure and functions.

CONCLUSIONS

The Sheriff's Department is embarking on an effort to expand and enrich program services currently available to inmates. However, the Department has been limited in its ability to accomplish these objectives for female inmates because of physical space limitations at the Twin Towers Correctional Facility.

Further, the Sheriff's Department has not established an internal process for systematically screening inmates for program eligibility, tracking program participation, or measuring program outcomes. Historically, these functions have been delegated to contract program service providers, who have different eligibility criteria, and have not consistently provided data from which program activity or effectiveness can be determined.

The lack of a comprehensive programs services approach has contributed to deficiencies in management information from which to measure program participation, eligibility and effectiveness; and, to weak management controls over contractor performance.

The Sheriff's Department should develop a pilot case management model for female inmates, from which a Department-wide system could be developed. This model system should include: (a) a centralized program intake and eligibility process; (b) case planning for each inmate, to include the development of outcome goals; and, (c) a system for measuring program effectiveness. In addition, the Department should develop a more effective monitoring system for contract service providers.

By implementing these recommendations, the Sheriff would streamline program screening, obtain better management information, and increase the efficiency and effectiveness of programs services.

RECOMMENDATIONS

The Sheriff should:

1. Develop and maintain a comprehensive inventory of program services available to inmates at each facility. This information should routinely be provided to inmates when processed into the facility.
2. With the contract service providers, establish standardized program eligibility criteria.
3. Design and implement a systematic process for screening all inmates for eligibility and placement into programs. This process should be integrated with the inmate classification system which is presently under review by the Department, and would replace the more informal processes which now exist.
4. Require contract program service providers to provide standardized reports on program enrollment, activity and accomplishments. Compile this data into a comprehensive report on program activity that would be available to the Sheriff, the Board of Supervisors and the public.
5. Compile data on the number of inmates removed from programs by reason and location, and by other defining characteristics of the removal determination (e.g., disciplinary action).
6. Use the data compiled centrally to assess program service capacity, and to make decisions regarding the allocation of resources to support those components which most effectively accomplish the Department's goals.
7. Design and implement a program for measuring program effectiveness. Appropriate measurements may include the rate of criminal recidivism for program graduates vs. others, satisfactory completion of job and life skills training, employment placements, substance abuse recovery, and others.
8. Design and implement a monitoring program for contract service providers. Such a program should integrate formalized workload, performance and cost-effectiveness measurements, developed for each provider as part of contract negotiations, and based on the specific array of services provided by each.

COSTS AND BENEFITS

In the short run, the Department would not incur any additional costs as a result of these recommendations. As the pilot program becomes established and expands into other areas of the Sheriff's Department, some additional personnel costs may be required. These should be funded from the Inmate Welfare Fund, to the extent such monies are available.

This recommendation would result in increased efficiency and effectiveness in the programs operation. Duplication of services would decrease dramatically, and program effectiveness would be tracked more consistently.

The Department should evaluate the success of the pilot after one year. Should the Department find that the anticipated benefits have been achieved, then plans should be developed for full implementation throughout the Department within the next three years.

CIVILIANIZING OPPORTUNITIES

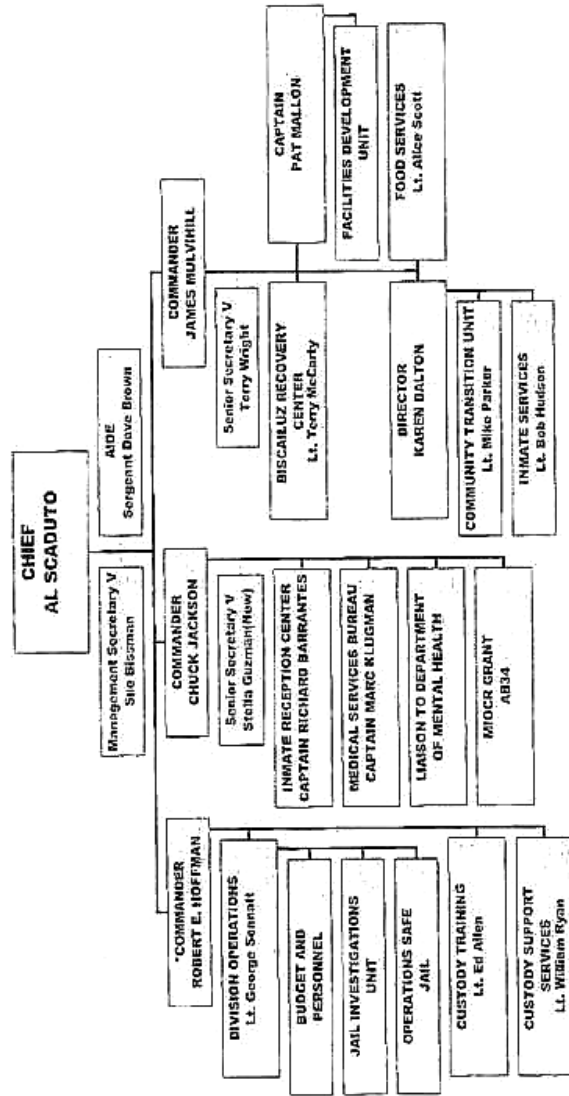
- **The Program Operations Section is currently staffed with sworn personnel who are responsible for various functions related to contract management, the oversight of program services, liaison with the community, and other administrative functions. For the most part, these functions and activities could be more effectively provided by civilian staff with the requisite skills and training in contract management and social services delivery systems. In addition, a civilian staff with these skills would be better suited for accomplishing the recommendations made in the previous section of this report, which suggests that the Department transition to a case management system of program service delivery.**
- **By accomplishing the conversion from sworn staff to civilian staff, as described in this report, the Sheriff's Department could realize a net gain of two FTE positions and associated savings of approximately \$88,400 per year. In addition, the Department would have the resources to better manage program services, enhance service delivery and monitor program service effectiveness.**

In October 2000, the Sheriff's Department hired a Director of Programs. Around that time, the Department also formed the Program Operations Section, which administers all programs and services offered to inmates, and falls within the Correctional Services Division.

The Program Operations Section is comprised of two units, (1) the Community Transition Unit and (2) the Inmate Services Unit. The CTU is charged with providing educational, vocational and life skills training to inmates, and assisting those inmates with successful reintegration into the community. The Inmate Services Unit is charged with various administrative and support functions for the Program Operations Section.

The organization chart on the next page shows the organization of Program Operations, and how it fits into the overall Correctional Services Division. We were told that this structure may change as a result of the planning currently underway, and the Director of Programs may eventually report directly to the chief of the division.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CORRECTIONAL SERVICES DIVISION



REVISED 02/28/01 SB

* COMMANDER UNDER BOTH DIVISIONS

Scanned Image: Original chart produced by Sheriff's Department 3/29/01.

Program Operations has 23 staff members, including the Director. The current staffing configuration of the Inmates Services and the Community Transition Unit is as follows:

TABLE 1

**Los Angeles County Sheriff's Department
Program Operations Section Staffing FY 2000-01**

Community Transition Unit	Inmates Services
<i>1 Director</i>	
1 Lieutenant	1 Lieutenant
2 Sergeant	1 Sergeant
6 Custody Assistants	1 Deputy
1 Clerk	1 Operations Assistant III
	3 Operations Assistant II
	1 Operations Assistant I
	1 Law Enforcement Technician
	1 Word Processor II
	2 Senior Typist Clerk

Source: Sheriff's Department documentation and discussions with programs director.

The Program Operations Section is partially funded through the Inmate Welfare Fund and partially through the General Fund. The table below displays the budget:

TABLE 2

**Los Angeles County Sheriff's Department
Program Operations Section - FY 2000-01 Annual Budget**

Line Item	Source of Funding	Budgeted Expense
Office Expenses	Inmate Welfare Fund	\$262,401
Professional/Specialized Services	Inmate Welfare Fund	\$8,458,192
Encumbrances	Inmate Welfare Fund	\$4,391,620
Salaries and Benefits	General Fund	\$1,896,415
Total		\$15,008,628

Source: Sheriff Inmate Welfare Fund budget document as of 2/28/01

PROGRAM OPERATIONS SECTION RESPONSIBILITIES

The overall Program Operations Section does not currently have a formal mission statement; however, the Community Transition Unit does. The CTU's formal mission statement reads as follows: "...to enhance inmate participation in educational, vocational, and other life-skills training programs, and to assist with the their successful reintegration into the community..."

We were told that these units are relatively new, and just beginning to define their roles and responsibilities. The new Director of the Program Operations is currently developing a plan for the section, including defining the responsibilities of staff. In general, the current responsibilities of the CTU and Inmate Services Unit are:

- Oversight of contract management;
- Oversight of religious and volunteer services;
- Communications with the community, community based organizations, and other County agencies on issues related to inmate programs and community transition;
- Purchasing activities related to programs and services, (e.g., Request for Proposal development and administration); and,
- Identifying eligible inmates for programs and acting as a liaison between the programs staff and inmates

While the responsibilities of the Program Operations Section are still being formulated, they generally appear to be civilian in nature, and do not require significant sworn staff involvement. Activities involving working with the program and service providers and the community generally require a different set of knowledge, skills and abilities than does normal law enforcement and custody work. Additionally, activities involving contract negotiations and monitoring also generally do not require sworn staff. Therefore, we believe that transition to a largely civilian function would be appropriate at this time, and would enhance the implementation of recommendations in the previous section of this report. While we agree with the Programs Director, who states that some sworn presence would be important in the Programs area, we believe that sworn staff involvement is currently too high and could be scaled back.

We recommend that the Department replace all sworn positions in the Community Transition Unit with civilians. In addition, we recommend that the sergeant position in the Inmate Services area also be civilianized. Below is our recommended reconfiguration of the Program Operations Section:

TABLE 3

**Los Angeles County Sheriff's Department
Recommended Program Operations Section Staffing**

Community Transition Unit	Inmates Services
<i>1 Director</i>	
1 Supervisory Case Manager	1 Lieutenant
5 Case Managers	1 Deputy
6 Custody Assistants	1 Operations Assistant III
1 Clerk	3 Operations Assistant II
	1 Operations Assistant I
	1 Law Enforcement Technician
	1 Word Processor II
	2 Senior Typist Clerk

The Inmate Services Unit would be responsible for the administrative aspects of programs, including the contracts components of purchasing and monitoring. In this reconfiguration, the CTU would become the primary unit responsible for piloting the case management model recommended in the previous section of this report.

The case manager classification series shown in our proposed staffing model, have been linked to the County's social worker classification series for purposes of estimating cost savings. These savings are presented in the table, below.

TABLE 4

**Los Angeles County Sheriff's Department
Program Operations Section - FY 2000-01 Annual Budget**

	Current Staffing	Annual Salary Cost	Recommended Staffing	Annual Salary Cost	Position Difference	Cost Difference
Managers	1 Lieutenant	\$ 99,984	1 Supervising Case Manager	\$ 62,748	-	\$(37,236)
Line Personnel	3 Sergeants	\$ 252,396	5 Case Managers	\$ 201,240	2	\$(51,156)
Total	4	\$ 352,380	6	\$ 263,988	2	\$(88,392)

Source of salary figures: Sheriff's Department documents and County wages for Social Worker 1's and Supervisory Social Workers (considered comparable in job requirements to case managers).

As shown, the recommended conversion to a civilian operation would result in a more cost effective use of staff resources. Under the proposed staffing, the Program Operations Section would gain two full time equivalent (FTE) case manager positions, while saving approximately \$88,392 in salary and benefit costs.

In addition, we recommend that the Department follow through with developing a detailed strategic plan, with specific actions plans for each of the two units of the Program Operations Section. The plan should contain a mission statement that encompasses the overall Program Operations Section, as well as one and three-year goals and strategies. Action plans should also be developed for the CTU and the Inmate Services areas, with specific tasks to achieve the overall goals, as well as designation of responsible parties, timeframes and outcomes. The Department should then closely monitor the activities and productivity levels of staff throughout the Program Operations Section, since additional staffing may be warranted as the responsibilities of the Section evolve.

CONCLUSIONS

The Program Operations Section is currently staffed with sworn staff who are responsible for various functions related to contract management, the oversight of program services, liaison with the community, and various administrative functions. For the most part, these functions and activities could be more effectively provided by civilian staff with the requisite skills and training in contract management and social services delivery systems. In addition, a civilian staff with these skills would be better suited for accomplishing the recommendations made in the

previous section of this report, which suggests that the Department transition to a case management system of program service delivery.

By accomplishing the conversion from sworn staff to civilian staff, as described in this report, the Sheriff's Department could realize a net gain of two FTE positions and associated savings of approximately \$88,400 per year. In addition, the Department would have the resources to better manage program services, enhance service delivery and monitor program service effectiveness.

RECOMMENDATIONS

The Sheriff should:

1. Develop and submit a modified budget request to the Board of Supervisors, deleting one Lieutenant and three Sergeant positions, and adding one Supervising Case Manager and five Case Managers, as discussed in this report.
2. Direct the Program Director to complete a strategic plan for the Program Operations Section within one year of receipt of this report. The plan should contain a mission statement that encompasses the overall Program Operations Section, as well as one and three-year goals and strategies. Action plans should also be developed for the CTU and the Inmate Services areas, with specific tasks to achieve the overall goals, as well as designation of responsible parties, timeframes and outcomes.
3. Direct the Chief of the Correctional Services Division to closely monitor the activities and productivity levels of staff throughout the Program Operations Section, since additional staffing may be warranted as the responsibilities of the Section evolve.

COSTS AND BENEFITS

The benefits of this set of recommendations would include a more cost-effective use of staff resources, as four positions—one lieutenant and three sergeants are replaced with six positions—one supervisory case manager and five case managers. As discussed in the report, while the four existing positions convert to six, there remains a net annual salary and benefit savings of \$88,392.

These recommendations would enable the Department to pilot the case management model discussed in the previous section of this report, at no additional cost. In addition, these recommended changes would utilize a staff configuration that is more appropriate to the mission of the Program Operations Section.

The strategic planning and productivity aspects of the recommendation will help to define and guide the organization. The Director is already beginning to work on the strategic plan, and the monitoring component should be part of the Director's overall responsibilities. Therefore, no additional costs would be associated with this recommendation.

INTAKE AND CLASSIFICATION

- **Between January 1999 and March 2001, there were 107 riots and major disturbances in the County's jails. Approximately 30 percent of these occurred at the North County Correctional Facility.**
- **These riots and major disturbances seriously threaten the safety and security of inmates, staff and County property, and can be costly. In addition to impacts on operations, litigation exposure alone can amount to millions of dollars. In April 2001, 39 inmates filed claims with the County for approximately \$78 million in damages, due to injuries they allegedly received in the April 2000 riots at NCCF.**
- **The Sheriff's Department does not utilize a behavior-based classification system, which employs interviewing and observation techniques to assess anticipated inmate behavior while incarcerated. In the absence of such an assessment, the likelihood that riots and major inmate disturbances will continue in the County's jails increases since there is not sufficient information available for staff to make informed housing decisions.**
- **The Sheriff should modify the current classification plan to require a behavior-based assessment component, and restructure the Classification Unit organization to include staff at each of the outlying facility Inmate Processing Areas who would be responsible for these functions. In addition, the Sheriff should enhance elements of the information contained in the computerized record and on the inmates' Jail Record Cards through the North Point System, so that housing deputies are more aware of prior disciplinary action taken against inmates. Lastly, the Sheriff should develop a detailed proposal and operational plan for establishing Admission and Orientation Units at six of the jail facilities he operates. The purpose of these units would be to assess inmates for behavioral traits prior to movement into the general population.**
- **The County would incur approximately \$1.5 million annually in additional personnel costs to implement these recommendations. However, with successful implementation, the incidence of riots and major inmate disturbances would decline and significant operational and litigation costs would be avoided.**

When an inmate first enters the Los Angeles County jail system, he is processed through the Inmate Reception Center (IRC). As discussed in the Introduction to this report, inmates may enter the jail system through the IRC (a) directly, immediately after arrest, (b) after being booked and processed at police and Sheriff law enforcement stations throughout the County, or (c) after being remanded into custody by the courts.

When the inmate first enters the IRC, the following basic processing steps are followed:

Receiving – If an inmate is brought into the facility by a law enforcement agency immediately after arrest, the inmate's property is secured and legal documents are received (e.g., warrants). Most new arrivals bypass this step because they are brought in from another jail facility, or from the Court, and have already been processed in this manner at the other location.

Booking Front - All inmates go through this step. A pat search is conducted, and a determination is made of whether a new booking is required. If not, the inmate is moved directly to Classification

Booking Rear - For new bookings, only fingerprints and a photograph is taken. The booking slip is signed by the inmate, and vital information is gathered, such as emergency contact, address, date of birth, and other personal data.

Classification - All inmates are classified to determine the level of security, protective measures, gang involvement, and other information pertinent to incarceration. All prisoners are classified except persons exhibiting severe medical or mental health characteristics. At this point, those in apparent need of immediate medical or mental health attention are diverted to the intake clinic.

Classification Rear - All inmates receive a Jail Record Card (JRC), which contains vital information and their classification level. This card follows the inmate through the system.

Bath - All inmates are required to bathe, and are issued jail clothing

Clinic - A brief medical screening is conducted at this point. Thirteen medical questions are asked by a nurse, such as: are you ill?, do you feel suicidal?, do you take medication?, etc. An affirmative response to any question requires a consultation with a Physician or Psychologist. An initial dosage of medication is dispensed at this point in the process, if needed. All inmates receive a chest x-ray.

Temporary Housing -The inmate is confined in IRC to await a decision and transfer to his or her temporary housing. Females are sent to TTC Tower II; medical and psychiatric inmates are sent to TTC Tower I; and, most male inmates are sent to the Central Jail.

This entire process takes between 14 and 48 hours to complete. Inmates are eventually transferred to permanent housing, based on their classification designation and other factors, as discussed below.

CLASSIFICATION PROCESS

Interview and Criminal Background Check

The mission of the Classification Unit is to interview and classify pre-sentenced and sentenced inmates, and to compile information on each inmate to properly assign inmates to security levels, housing facilities and activities based upon (1) a security screening, (2) the facility's rated security level and (3) various needs and/or restrictions of the inmate and/or the facility. Each inmate will be classified based upon an assessment of criminal sophistication, seriousness of the criminal charges, presence or absence of assaultive behavior, age, likelihood of escape and other criteria that will provide for the safety of the public, officers and inmates.

Throughout the intake and classification process, described above, the Sheriff compiles important information related to the inmate's identify, prior criminal history, incarceration and parole history, sexual preference, medical and psychiatric profile, and other information that is essential for determining the appropriate classification and housing assignment for the prisoner. While all aspects of the intake process are important in this regard, the classification interview is the Sheriff's best opportunity to discover information that would not necessarily be recorded in any official records maintained by the police agency, Sheriff, State or federal agencies.

The classification interview is conducted by a Custody Assistant (CA), along a secure corridor, from behind a glass partition. The inmate is asked eleven questions, and his or her response is recorded into the Sheriff's Automated Jail Information System (AJIS), as follows.

1. Are you affiliated with a gang?
2. Are you on Probation or Parole?
3. Have you ever escaped from a Jail or Prison?
4. Are you a homosexual?
5. Are you suicidal?
6. Are you taking prescription medication?
7. Do you have an emergency medical or mental health problem?
8. Have you ever been a foster child?*
9. Are you homeless?*
10. Have you had military service?*
11. Do you have a child under 18 on welfare?*

* These questions are asked for use by the Community Transition Unit.

Many inmates in the system are Spanish speaking. These questions are typically asked by monolingual employees who speak limited Spanish.

The CA also performs a criminal history check using various automated record systems maintained by the Sheriff and the State. This criminal history check is principally used to determine whether the inmate has a history of violence, or escape. This information is also entered into the computer, along with any admissions made by the inmate. Using criteria established by the Sheriff's Department and integrated into AJIS, the computer assigns a classification level and general housing security level for the inmate (i.e., special housing or general housing).

Listed below are the items which are scored by the computer (see Appendix 2):

1. Charge
2. Prior offense
3. Escape
4. Bail
5. Sentence time remaining
6. Disciplinary-current and previous
7. Current age

The number of felony convictions (1,2,3, Strikes) and Special Handling information is also included, and always results in a high security placement.

The inmate is then informed of court dates, charges, bail, and other information, and a decision is made by classification personnel regarding a facility housing assignment, based upon a Facility Compatibility Chart (Appendix 3). The Intake Unit then prepares the "Transfer Line" list, which is used to move prisoners and control the Department's inventory of inmate transfers from temporary housing to permanent housing.

Transfer of Prisoners to Permanent Housing

The purpose of the Transfer Line is to:

1. Place inmates in permanent housing based on security level, sentencing status and location of future court events;
2. Fill the beds in outlying facilities to achieve maximum use of the Sheriff's facilities; and,
3. Relieve crowding at the Central Jail, which is impacted because it is used to house some of the system's most serious offenders, and is the facility that temporarily houses the most inmates following the IRC intake process.

Once the Classification Unit has determined the appropriate classification for an inmate, preparation of the Transfer List is fairly straightforward. Considering the factors stated above, the Unit merely identifies the locations with available beds; and, goes down the list of eligible inmates, filling beds to capacity.

The Sheriff's Transportation Unit then moves the inmates by bus to jail facilities that are not part of the TTCF/Central Jail housing complex, such as NCCF and CRDF.

INTAKE PROCESSING AT THE NORTH COUNTY CORRECTIONAL FACILITY

The Sheriff's Transportation Unit delivers inmates to the Inmate Processing Area (IPA) at the North County Correctional Facility (NCCF). After arrival, deputies assigned to the IPA verify the identify of the inmate by comparing his wristband against the Transfer List record, review the assigned classification for the inmate shown on the Transfer List, and review AJIS data to verify security level. A strip search is then conducted; clothing and bedding are issued; and, hygiene items are given, if required. All inmates are again screened by a nurse. Since NCCF has medical housing, an evaluation is made by medical staff of the need for such housing.

After this initial intake assessment, the inmate is assigned to a housing unit. There is generally no communication with the inmate during this process, unless he is suspected of being a gang member. Otherwise, the deputies working in the IPA merely concern themselves with filling available beds in the facility.

Upon arriving at the housing unit, the inmate is assigned a bunk. Once again the choice made by the housing officer is random, with a primary goal of filling beds. However, since the major inmate disturbances at NCCF in April 2000, the senior deputy in the housing unit also will review racial demographics, and attempt to balance the racial mix in the housing unit on each shift, so that the numbers of Black and Hispanic inmates reflect the Department's policy level proportions. If the racial proportions are not consistent with policy, inmates will be sent to other housing units. These decisions are made with no communication with the inmate.

After a review of the inmates' security status has been conducted, each will be interviewed for work assignments and assigned a job. This review includes criminal history, arrest information, release date, previous work history and other information. This is the most in-depth interview an inmate experiences, outside of the medical screening process, and is the subject of further discussion later in this report.

RELATIONSHIP OF CLASSIFICATION PROCESS TO INMATE DISTURBANCES

The North County Correctional Facility has had a history of major disturbances and riots during the last several years. From 1999 through early March 2001, there have been 107 major disturbances and riots in the Los Angeles County jail system. Thirty-two of these incidents, or approximately 30% have occurred at NCCF. This is presented in the table, below.

TABLE 1

**Major Inmate Disturbance and Riot Data
Los Angeles County Jail System – 1999 to March 2001**

Facility	1999	Percent 1999	2000	Percent 2000	2001*	Percent 2001*	Total	Percent Total
Century Regional Detention Center	1	1.5%	-	0.0%	1	20.0%	2	1.9%
East Facility	11	16.4%	6	17.1%	-	0.0%	17	15.9%
Inmate Reception Center	-	0.0%	-	0.0%	-	0.0%	-	0.0%
Men's Central Jail	30	44.8%	9	25.7%	3	60.0%	42	39.3%
Mira Loma Facility	2	3.0%	-	0.0%	-	0.0%	2	1.9%
North Facility	1	1.5%	5	14.3%	-	0.0%	6	5.6%
South Facility	2	3.0%	4	11.4%	-	0.0%	6	5.6%
North County Correctional Facility	20	29.9%	11	31.4%	1	20.0%	32	29.9%
Total	67	100.0%	35	100.0%	5	100.0%	107	100.0%
All Disturbances	85		112		9		206	
Percent Major Disturbances	78.8%		31.3%		55.6%		51.9%	
* Records from 1/1/2001 through 3/8/2001, representing 18.4% of the year.								

Within the facility constraints of any jail system, the only way to prevent such disturbances is through an effective jail management system that attempts to identify troublesome inmates, and isolates them from other prisoners and situations that might present the risk of a disturbance occurring. Accordingly, a jail classification system should not rely only on information regarding current and past criminal history, consequences of the current arrest (escape risk), gang affiliation, sexual preference, medical needs and other similar factors. It should also attempt to determine how an inmate's past and present behavior in custody, may affect future behavior.

The inmate classification system used by the Los Angeles County Sheriff's Department is not a behavior-based system. Although "discipline - current and previous" is listed as a classification criteria in the AJIS, none of the staff we interviewed in classification or at NCCF were aware that such information was asked (besides the Systems Information Management Officer). It is not a matter contained in the training outline given to staff, and the information is not contained on the JRC that accompanies the inmate to the housing unit. The JRC contains all the information the deputies assigned to the housing units have about inmates. Based on our assessment of operations, we believe that disciplinary information is not neither widely available nor routinely used by staff. While the Department indicates that the "North Point" risk assessment and classification computer system that is planned for implementation within the next 18 months will provide staff with a tool to consistently provide this information about inmates, procedures need to be established to ensure that the tool is available and effectively used by staff at all levels of the inmate housing decision process.

Further, systems have not been established to ensure that the inmate's past or present behavior is known or considered when processed into a facility. Other than the disciplinary record (which is not consistently available), deputies must rely solely on their memory to identify inmates that

may have caused trouble in the past. With staff turnover, assignment changes, and the sheer volume of inmates who cycle through the system each year, it is unreasonable to expect that deputies will be able to recall problematic inmates in all instances. Further, our review of Disturbance Investigation Reports produced by the Department indicates that behavior information which may not have resulted in a disciplinary action, is also not routinely collected.

For example, a major incident at NCCF occurred on July 8, 2000. In the report prepared by the investigating deputy, he writes “another factor that led to this (disturbance) is that many of the black inmates that were involved in the April Riots have returned to NCCF”. He went on to say that one inmate that was in unit 612 on July 8 had been “brutally shanked” (stabbed) in April.

There is no discussion in the investigation report that the April “victims” were being returned to the same units from where they had been allegedly victimized. Staff at the facility were seemingly unaware of the potential problem they were facing. Notifying the facility that these inmates were coming so they could be dispersed in the inmate population properly and safely should be a basic function of the inmate classification system. It clearly failed in this instance, and the result was a retaliation by inmates who should have been identified as potential problem prisoners, and perhaps not returned to the NCCF general population or housed together.

The system response to the riots and major disturbances at NCCF has been to segregate inmates by race, by balancing the racial makeup of each dorm, and additionally by raising the age of inmate allowed to be confined at NCCF. While this response may have some merit, we believe it is inadequate and does not address the process issues contributing to the occurrence of disturbances in the facility.

ESTABLISHING A BEHAVIOR BASED CLASSIFICATION SYSTEM

The classification interview established by the Sheriff’s Department is very impersonal. The interview relies heavily on inmate honesty, which may not always occur; and, on a computer system (AJIS) that is said to be old, and not as effective as it might be as a tool for making decisions about who can live together in a tension filled environment. While this latter issue may be rectified with the implementation of North Point, the Department must ensure that operational procedures are established before implementation so that the new system is effectively used.

Further, the Classification system’s primary emphasis is bed driven. At every stage of the process the emphasis is on the random filling of beds. The Classification Unit assigns inmates to a facility based on general classification assessments, the Inmate Processing Area at the facilities assign inmates to units based on the Classification Unit’s general assessment, and the senior deputy in the unit assigns inmates to bunks based on bed availability. In each case the selection is random, from a list of those eligible for medium security housing. Staff just goes down the list and fills beds.

At no point in the process of classifying inmates is there an opportunity for staff and the inmate to talk extensively. Therefore, there is no chance for staff to make a subjective assessment about behavior based characteristics that may change with each incarceration. The current system is

very impersonal and does not cover sufficient behavior-related topics. Only five of the eleven questions asked at the classification interview relate—even remotely—to in-custody behavior.

The information collected does not sufficiently provide a basis for making critical safety and security decisions related to housing. Staff must know who they are dealing with and should have the benefit of as much information about the inmate as possible. While it is true that detention facilities often receive many prisoners on whom little information exists, they also receive many repeat offenders whose confinement records should detail, among other things, their behavior patterns while in confinement. For prisoners for whom little information is known, there should be a process for observing and assessing the inmate's behavior during the first several days in custody.

In the case of NCCF, staff are only receiving 100 inmates per shift. Given this number, we believe that inmates could be interviewed more extensively at early stages of incarceration, with little or no impact on staff. In fact most inmates are interviewed for work shortly after arrival at the facility. Although these interviews are brief, they provide staff and inmates with an opportunity to interact. This interview could be expanded, and serve as the forum for better assessing inmate behavior by incorporating attributes of the behavior-based classification system that we discuss, below.

Corrective Measures

Classification assessments and housing decisions should be supported by as much information as can be reasonably gathered from the inmate's personal, criminal, medical, social, and detention histories; from the inmate directly; from observed conduct and behavior patterns; and, from professional staff evaluations and assessments. To a large extent, this is not happening in the Los Angeles County jail system.

Specifically, the following changes should occur:

- Revise the Inmate Classification System.
- Create an Admissions and Orientation Unit.

Each of these are discussed, below.

Revise Classification

Behavior factors are critical for assessing a person's demeanor, attitude, and interaction with others. Classification determines the degree of supervision required to control each inmate and to maintain the safety and security of the institution and the community. The classification plan should provide a safe and secure custodial environment by appropriately housing inmates at the least restrictive custody level, based on their individual security needs.

However, not every inmate is a gang member, and most are not in custody on a violent offense. Most inmates do not want trouble. They simply want to complete their sentence and be released from jail unharmed.

Therefore, a behavior based classification plan should:

Effectively identify critical behavior traits that are predictors of behavior while incarcerated;
Reward positive behavior exhibited by inmates; and,
Punish negative behavior exhibited by inmates.

There are opportunities to build upon the Department's current processes so that an effective behavior based classification system can be established. To accomplish this, the Classification Plan should be expanded to include a behavior based interview and assessment for each inmate entering the system. However since the number of inmates processed through the IRC is so great, these assessments should be conducted at the outlying facility IPA unit, as a second step after the initial classification assessment performed by the IRC. Employees conducting the assessments at the facility IPAs should be assigned to the Classification Unit, and specifically trained in conducting face-to-face interviews and assessments of inmates.

In the case of NCCF, staff are only receiving 100 inmates per shift from the IRC Transfer Line. Given the current process and officer duties, we believe that interviewing and conducting assessments on this number of inmates would not be too burdensome for staff members. Therefore, there should be no additional cost for this enhancement.

By implementing this basic change, we believe the Department can gain better information on each inmate, and reduce the number of violent disturbances that have occurred at NCCF and other facilities over the years by more closely managing the specific housing assignments of inmates.

Further, classification should be an ongoing process that reoccurs on a regularly scheduled, or as needed, basis during the inmate's incarceration and only ends upon release of the inmate. While this system starts at intake, it should be a continuing process that is not completed until the inmate's release. This system should incorporate different types of information received during the inmate's incarceration period, such as behavioral interviews and observations, various objective data, written documentation, and intense program screening.

The behavior driven classification system is used as a method to reduce inmate to staff and inmate to inmate violence, victimization, and extortion. The classification process must identify and separate the troublesome and dangerous inmates from those that just want to serve their sentences. If implemented effectively, a behavioral classification process reduces general security levels and management cost.

In order for the behavioral classification system being suggested in this report to be effective:

1. Top management's must be committed to the revisions to the classification plan.
2. And, qualified, experienced, and dedicated classification managers and staff must be assigned to the classification unit.

The Sheriff's Department management should make this commitment, and explore organizational changes which will support the expanded role and function of the Classification

Unit. Further, the flow of information between classification staff and housing unit staff also must be effective so that results of formal interviews and assessments are shared with unit officers, and those officers' observations of inmate behavior are communicated to the people making assignments.

Admission and Orientation Unit

While a review of records and more extensive interviews to determine behavioral attributes of inmates may be sufficient when an inmate is known to the system, circumstances commonly occur when the prisoner presented to the Sheriff is unknown. In these situations, it is incumbent upon the Sheriff to compile as much information on behavior as possible, not only from the record and interview, but also from an extended period of observation.

To accomplish this, many jail systems utilize an intake observation housing unit, which is used to isolate categories of prisoners who are unknown to the system, in order to observe their behavior, identify any unknown medical or psychiatric issues, and to determine the most appropriate classification and permanent housing assignment for each inmate. This model has not been established in the Los Angeles County jail system. Although inmates may spend several days in temporary housing at the Central Jail, this is little more than a way station where they are kept until processing is completed and transport to permanent housing can occur.

The Sheriff's Department should create an Admission and Orientation (A&O) unit at each of its outlying facilities, to initially house all inmates who are new to the system or who have little or no known history. The unit may also be used to re-evaluate inmates who have had various behavior or disciplinary problems, and are in need of re-assessment to determine whether a permanent housing assignment should be modified. Information concerning the behavior of each inmate assigned to the A&O unit would be received from direct observation, and from custody reports over a period of—but not limited to—48 to 72 hours.

The A&O unit would make it more possible for staff to identify potential problem inmates early, instead of waiting until after an incident occurs. The focus of the A&O Unit would be to conduct close monitoring of an inmate's social and emotional habits as he or she relates to other inmates in a closed environment.

To implement the A&O unit, the Sheriff's Department would require additional staffing. Based on our understanding of the Sheriff's operation, A&O personnel should be placed at the following six jail facilities:

- Men's Central Jail
- Century Regional Detention Facility
- Twin Towers Correctional Facility
- East Facility
- North County Correctional Facility
- North Facility

An A&O unit would only be established at the female inmate housing tower at the Twin Towers Correctional Facility, since all other inmates at the facility are housed in medical, psychiatric or other special housing units. Should the County decide to open Sybil Brand Institute (SBI) and transfer all female inmates to that location, the A&O Unit at TTCF should also be moved.

Because the South Facility is only used for overflow housing, no A&O Unit would be required at that location. Also, because the Biscaluz Recovery Center houses inmates who are receiving intensive substance abuse treatment and other services, no A&O Unit would be required at that location.

One classification staff person would be required in each A&O Unit for two shifts, seven days per week. To accomplish this, with appropriate vacation and sick leave relief, each of the designated facilities would require additional staffing of approximately 3.5 FTE positions, for an increased deputy sheriff staffing increase of 21 positions. This would cost the County an additional \$1.5 million per year. The computation of this cost increase is displayed in the table, below.

TABLE 2.1.2

**Estimated Cost of Sheriff's Deputy Personnel
Required to Implement Admission and Orientation Units**

Facility	A&O Unit Required	Number of Shifts	Relief Factor	Extended Positions	Position Cost	Extended Cost
MCJ	Yes	2	1.75	3.50	71,544.52	250,405.83
CRDF	Yes	2	1.75	3.50	71,544.52	250,405.83
TTCF*	Yes	2	1.75	3.50	71,544.52	250,405.83
East	Yes	2	1.75	3.50	71,544.52	250,405.83
NCCF	Yes	2	1.75	3.50	71,544.52	250,405.83
North	Yes	2	1.75	3.50	71,544.52	250,405.83
South	No	-	1.75	-	71,544.52	-
BRC	No	-	1.75	-	71,544.52	-
Total						1,502,435.00
* Female housing unit, only.						

While this additional operating cost is substantial, it is probable that significant future cost may be avoided from lawsuits and other consequences resulting from the continued high degree of inmate disturbances within the Los Angeles County jail system. For example, in April 2001, the County received claims of \$2 million each from 39 inmates who state that they were injured in the NCCF riots that occurred in April 2000. These claims, amounting to \$78 million, represents

significant exposure for the County. Similar lawsuits have been filed in previous years, including one representing 273 other inmates injured in the same riots.

While these claims may be dismissed, or the amount of the claim may be substantially reduced by the courts or through negotiation, the potential liability to the County should not be dismissed as insignificant. In addition to inmate injuries, there are the potential costs associated with employee injuries or death, property damage and litigation defense. These could be substantial.

CONCLUSIONS

Between January 1999 and March 2001, there were 107 riots and major disturbances in the County's jails. Approximately 30 percent of these occurred at the North County Correctional Facility.

These riots and major disturbances seriously threaten the safety and security of inmates, staff and County property, and can be costly. In addition to impacts on operations, litigation exposure alone can amount to millions of dollars. In April 2001, 39 inmates filed claims with the County for approximately \$78 million in damages, due to injuries they allegedly received in the April 2000 riots at NCCF.

The Sheriff's Department does not utilize a behavior-based classification system, which employs interviewing and observation techniques to assess anticipated inmate behavior while incarcerated. In the absence of such an assessment, the likelihood that riots and major inmate disturbances will continue in the County's jails increases since there is not sufficient information available for staff to make informed housing decisions.

The Sheriff should modify the current classification plan to require a behavior-based assessment component, and restructure the Classification Unit organization to include staff at each of the outlying facility Inmate Processing Areas who would be responsible for these functions. In addition, the Sheriff should enhance elements of the information contained in the computerized record and on the inmates' Jail Record Cards, so that housing deputies are more aware of prior disciplinary action taken against inmates. Lastly, the Sheriff should develop a detailed proposal and operational plan for establishing Admission and Orientation Units at six of the jail facilities he operates. The purpose of these units would be to assess inmates for behavioral traits prior to movement into the general population.

The County would incur approximately \$1.5 million annually in additional personnel costs to implement these recommendations. However, with successful implementation, the incidence of riots and major inmate disturbances would decline and significant operational and litigation costs would be avoided.

RECOMMENDATIONS

The Sheriff should:

1. Modify the current classification plan to require a behavior-based assessment component, including a requirement that each general housing inmate receive an in-depth classification interview at the outlying facility IPA, upon intake.
2. Restructure the Classification Unit and function so that IPA deputies responsible for the classification interview at each of the outlying facilities report directly to the Classification Unit chain of command.
3. Require that the AJIS record related to disciplinary action taken against inmates, be kept current.

4. Provide AJIS disciplinary information on each inmate's JRC, so that such information is available to deputies assigned to facility housing units.
5. Prepare a detailed proposal and operational plan, for establishing an Admissions and Observations Unit at each of six of the County's jail facilities, as described in this report.
6. Submit a budget request to the Board of Supervisors for 21 additional deputy sheriff positions, to implement the Admissions and Observation Units.
7. Communicate a commitment to the public, the Board of Supervisors, and Sheriff's Department staff, to establish an effective behavior-based classification system in accordance with the recommendations contained in this report.
8. Direct the Chief of the Correctional Services Division to develop a training plan and staffing structure that will strengthen the role and function of the Classification Unit to ensure that the behavior-based classification system performs optimally.

The Board of Supervisors should:

1. Approve the positions and funding for implementing the Admissions and Orientation Units recommended in this report.

COSTS AND BENEFITS

The County would incur additional costs of approximately \$1.5 million in deputy sheriff staffing annually.

The incidence of riots and major inmate disturbances would likely decline. With this decline, the County would avoid the costs of legal claims filed by inmates who may fall victims to major disturbances and riots. In April 2001, 39 inmates filed claims amounting to \$78 million in damages against the County. Similar claims have been filed in previous years.

PROFESSIONAL CORRECTIONS STANDARDS AND PRACTICES

- **The Sheriff's Department has a system of Indirect Supervision of inmates, where deputy sheriff personnel are physically separate and interact remotely with inmates in dormitory style general housing units. This has resulted in diminished control over inmates, who bind together in racially defined groups to assert dominance over one another, and for mutual protection.**
- **This is supported by comments made to us by custody staff, who indicated that "the inmates run the jail, not us," and "it is unsafe to go into the units alone." Common knowledge that there are "dorm reps" who represent groups of inmates to one another suggests that the Sheriff's Department has relinquished some control over inmate interaction in the housing units.**
- **The National Institute of Corrections endorses a jail management approach entitled "Direct Supervision." Under a Direct Supervision model, the jail dorm becomes a patrolman's beat. The deputy has a constant presence and walks through the dorm frequently, talks to inmates, conducts periodic contraband and weapons checks, and asserts his authority. Under such a system, experts suggest that "violent incidents are reduced 30% to 90%, and homosexual rape virtually disappears." The American Correctional Association and the American Jail Association endorse the Direct Supervision concept.**
- **The Sheriff should implement a Direct Supervision jail management system at the North County Corrections Facility, which experienced 30% of the inmate riots and major disturbances since 1998. The Sheriff should eventually extend this model to other facilities within the Department. In addition, the Sheriff should explore alternatives for creating a career corrections officer classification, which would provide a distinctly different role from deputy sheriff personnel who have a law enforcement and patrol career orientation and goals.**

In the previous section of this report we discussed the need for the Department to develop systems for collecting information about inmate behavior so that informed decisions can be made about classification, and housing assignments within the facility. The finding focuses on systems for collecting this information, and makes recommendations related to the Department's discipline record system, an initial housing interview at each facility, and observations of inmates who are unknown to the system at the point of intake.

However, information necessary for the safety and security of a jail facility should be collected as part of an ongoing process of corrections, requiring close observation of inmate behavior during the entire time the inmates are in custody, and constantly communicating relevant information about inmate behavior to the persons responsible for making classification and housing decisions. Further, it is essential that deputies be clearly in-charge of the jail operations,

and that none of this authority be relinquished to the inmate population. The best way to accomplish this is through the implementation of a “Direct Supervision” model of detention.

Direct Supervision refers to an inmate management system that requires that deputies assigned to housing units spend as much time in the units and among the inmates as possible. In successful Direct Supervision jails, deputies are literally inside the dormitories with the inmates, with the ultimate goal of identifying and preventing negative inmate behavior.

The presence of the officer constantly in, and among the inmates, plays a powerful role in improving safety. The officer continually interacts with the inmates and can learn of and respond to problems before they escalate into disruptions.² Officers in constant and direct contact with inmates get to know them and can recognize and respond to trouble before it turns into violence. Staff is no longer forced to wait to respond until after trouble starts.

Negotiation and communication become the most important staff skills necessary.³ Further, the presence of the deputy reduces inmate fear and the “macho posturing” that often leads to serious fighting. In traditional jails, officers often do not know about an attack, or wait to respond until the fight is over.⁴ This appears to be the case in Los Angeles County.

The Los Angeles County Sheriff’s Department does not use a Direct Supervision system for managing the jails. Observations of operations, a review of documentation, and comments made by management and staff support this assessment, as follows:

During initial interviews at NCCF, we were told that the dorms at that facility are a “hybrid of direct and indirect supervision.” While staff have direct visual and audible contact with inmates, they are generally separated from the inmate population by bars, or are located in a physically separate control area. Direct inmate contact is minimal.

During at least 13 hours of observations of the housing units at NCCF,⁵ we did not see any deputies enter the units to directly interact with inmates. Communication with inmates typically occurred from outside of the housing area via microphone, or by yelling to the inmates through the bars after getting their attention with a flashlight.

Staff told us repeatedly they don’t feel safe going into the housing units. Deputies told us that it is “unsafe to go into the units alone.”

In interviews with staff and inmates, in written investigation reports and in news articles,⁶ the term “dorm reps” was used to describe individuals who represent groups of inmates to one another. This suggests that, to some extent, the Department has relinquished some authority to the inmates, and that the inmates are in charge of the housing units instead of the deputies. In fact, we were told by line deputies on several occasions, and by at least one manager, that “the inmates run the jail, not us.”

² Farbstein, Liebert, and Sigurdson, Herbert, *Audits of Podular Direct-Supervision Jails*, U.S. Department of Justice, National Institute of Corrections, February 1996.

³ Ibid

⁴ Ibid

⁵ These were hours solely spent observing the operations. Significant additional hours were spent touring the facilities, interviewing staff, going through records and receiving explanations of the housing unit operations.

⁶ Various news articles in the Los Angeles Times, between 1998 and 2001.

We were informed that a security inspection is conducted by deputies each hour. A shift Lieutenant advised us that, “they either go to the bars or go in and check all inmates . . .” Although staff are supposed to perform this inspection at least once per shift, we were also told that deputies generally “can’t get to it” because they are busy. We never witnessed an hourly security inspection during the many hours we spent in the NCCF facility.

Even when deputies go into the units, good communication is hindered. We were told by staff that they “don’t go in very often, but go to the bars and look in.” When deputies go into the units, they don’t go in alone and “all inmates are required to be on their bunks.” This approach does not lend itself to good communication, and, in fact, may stifle it.

Sheriff’s Department management believes, and we agree, that there are an unacceptable number of riots and major inmate disturbances at the County’s jail facilities. Many of these incidents result in serious injury to inmates and occasionally to deputies. The fact that such a large number of riots and major disturbances have occurred during the past several years, suggests that the Sheriff’s Department needs to strengthen its ability to proactively identify and diffuse situations that might lead to conflict.

After disturbances, staff routinely find inmate-made weapons that have either been used or are in the housing unit. Weapons are typically made by inmates when they intend to attack others, or fear for their safety and want to keep the weapon for defensive purposes. The fact that a large number of weapons are produced and kept by inmates, suggests that the level of direct observation by deputies—and interaction with inmates—needs to be enhanced.

The dorm in a jail is like a patrolman’s beat. The officer needs to walk through to observe behavior and talk to inmates. By doing so, the officer exerts authority through his mere presence. The deputy must observe the condition of the unit to know if, for example, items commonly used as weapons such as bed supports and other metal objects, are missing. Further, inmates will often advise staff of illegal activities being planned by other inmates if they have the opportunity to do so. The deputies must talk to inmates and permit the opportunity for inmates to talk to them. In this way they may learn there are problems brewing and can take preventative measures.

It is not sufficient that staff feel safe by not going into the units, there is an obligation to keep inmates safe from one another, or themselves, in spite of the potential danger to staff. Staff interactions with inmates are critical to maintaining a safe jail. This interaction will reduce suicides and violence by inmates against inmates.

Inmates make weapons to protect themselves from other inmates when they do not feel safe. Inmates do not want to be at the mercy of other inmates. They want to be protected by staff. They will arm themselves if they do not feel protected.

Inmates attempt to enhance their personal safety by making and keeping defensive weapons, affiliating with groups (often racial) for common defense, or by presenting themselves as “tough guys.” The very acts that jail officials identify as the primary inmate management problems are often normal reactions to unsafe surroundings. Staff response, on the other hand, is to avoid personal contact with inmates and avoid areas perceived by them to be unsafe.

The notion that the inmates run the jail is dangerous to inmates and staff. It is well documented that when inmates are in charge, robbery, sexual assault, and other forms of violence by inmates

against inmates become common, as do increases in assaults on staff. In this environment an inmate is left to protect himself against other inmates, who will use violence and intimidation to gain control. As a corrections professional this should be an unacceptable situation. Whenever an officer is reluctant to enter any part of the jail, the inmates can be said to be in control of that part of the jail.

Further, the concept of “dorm reps” should be unacceptable to the Sheriff’s Department. If these individuals represent groups of inmates divided along racial, or other lines, it means that staff at NCCF has relinquished its authority in the housing units to the inmates. The concept of territoriality that prevails in facilities where inmates have their territory and staff have theirs is unacceptable. All space should be staff space, and the control of this space should never be shared with the inmates.

One of the major sources of inmate violence is the struggle to assert leadership when a leadership void exists. This is a natural group response to such a situation in any segment of society. However, the struggle for leadership or the dominant role in an inmate group is usually violent and brutal. Inmate rapes, for example, are often tactics employed by inmates to exert their dominance over others. In order to avoid this situation the officer must fill the leadership void and protect the leadership role jealously.

IMPLEMENTING A DIRECT SUPERVISION SYSTEM

As described previously, Direct Supervision refers to an inmate management system that requires that deputies assigned to housing units spend as much time in the units and among the inmates as possible. In very old jails, the physical configuration of the facilities make the implementation of a direct supervision system difficult, if not impossible. However, implementation of this model in NCCF and other newer jail facilities in Los Angeles County will not require modification to the structure of facilities. We believe that such a system could be effectively implemented with changes in various policies and procedures, and with a commitment from top management. Direct Supervision is an inmate management concept that returns control of the jail to jail administrators.

If applied properly the principals of Direct Supervision provide for the public safety, keep staff and inmates more safe, and reduce costly litigation associated with jail violence. The basic principals, as identified by the National Institute of Corrections, are actually very simple, they are as follows:

1. Effective Control. The managers must be in total control of the facility at all times. There cannot be areas of the facility under de facto control of inmates.
2. Effective Supervision. Staff must be in direct contact with inmates and rely heavily on personal interaction with inmates for supervision.
3. Competent staff. Recruitment, training, and leadership by management are necessary for direct supervision to operate as intended.
4. Safety of staff and inmates. The basic mission of a jail is to keep inmates safe and secure and not expose staff to undue risk.
5. Manageable and Cost Effective Operations.

6. Effective Communication. Frequent communication between staff and inmates, and among staff is critical.
7. Classification and Orientation. Inmates should be closely observed in the first 48 hours of confinement (when suicide risk is greatest), and oriented to the operation of the setting. A key to being able to provide expectations of positive behavior is identifying and selecting individuals who will not conform to behavior norms of the living unit.
8. Justice and Fairness. Conditions of incarceration must respect inmates' constitutional right. Inmates must believe that they will be treated fairly and that there are administrative remedies for disputes. (Nelson p. 4-22)

Some of the benefits of direct supervision are:

- Enhanced safety and security;
- Full staff control;
- Reduction of assaults;
- Elimination of dangerous contraband and vandalism;
- Improved cleanliness;
- Inmate compliance with facility rules; and,
- Reduction in facility maintenance costs.

There is considerable evidence that direct supervision facilities are seen as safer than indirect supervision facilities. Direct Supervision puts the jail staff into the units where they are in charge, not the inmates. The officer gets to know the people they are supervising, can spot negative behavior in early stages, and intervene before there is trouble. There is abundant research that violence is reduced in a direct supervision jail.

One study conducted by Wener, Frazier and Farbstein suggests, "violent incidents are reduced 30% to 90%, and homosexual rape virtually disappears" in a Direct Supervision environment. In another study by Bayens, Williams and Smykla, it is stated that "findings indicate that the direct supervision facility experienced an overall reduction in the frequency of staff reports of negative inmate behavior in 51 out of 70 categories describing inmate rule infractions. The most striking difference in the type of rule infractions in the traditional and new generation jails was found in the categories associated with aggressive behavior. The number of assaults, batteries, sex offenses, attempted suicides, fires, possession of weapons, and escapes, was dramatically reduced in the direct supervision jail."

In fact the American Correctional Association adopted a resolution in 1984 "Isolation of staff from inmates" wherein it endorses the concept of direct supervision. It states, in part, "The American Correctional Association advocates that effectively trained professional correctional staff directly supervise manageable sized groups of properly classified, general population inmates in medium and maximum security institutions (emphasis added): and"....."places itself on record as being opposed to a philosophy of inmate management that relies principally on remote surveillance for the supervision of inmates within general population housing areas." (see Appendix 4)

Not only must the jail be safe, but it must be perceived as safe to inhibit the potentially negative results that occur when it is not, such as making and keeping weapons, organizing into groups, exhibiting violent behavior, etc. These are precisely the problems that are evident at NCCF and in other facilities within the Los Angeles County jail system.

Implementing Change

The Sheriff's Department should implement a Direct Supervision model of inmate management within the jail system. Initially, this type of system should be implemented at NCCF—where nearly 30% of the most serious inmate disturbances occur—and then expanded to other appropriate facilities within the system.

To accomplish this, the Sheriff should ensure the following.

Upper management within the Department is committed to this change. Top level Managers must set expectations and make frequent inspections to ensure compliance. Managers must be seen in and on the units, setting the example for staff to follow. These concepts will not work unless the leadership of the organization is willing to completely commit to a change in operational philosophy.

Policies and procedures for functions to be changed are made at the Administrative level, to ensure implementation uniformity. Routine inspections should be made by management to ensure compliance with the adopted policies and procedures.

The Captain at NCCF, and managers at other facilities as the system is expanded, are designated as being responsible for the program's success. The Captain would be responsible for a monthly report on primary indicators of success, and compliance with management's directives. This report should be made orally and in writing to Commanders and above, and should include (among other things) number of assaults, number of incidents, weapons found in searches, etc.

Staff is thoroughly trained, both in classroom instruction and on the job training, in areas such as Direct Supervision, Interviewing Inmates, Interpersonal Relationships with Inmates and so forth, as appropriate to the individual unit where the employee is working.

In addition, the Sheriff should develop and enforce a policy that requires a deputy to enter each housing unit at least once each half-hour, to interact with inmates and perform a basic inspection of the inmate living area. The results of the inspection should be entered into the unit log, and the log should be reviewed and signed by the sergeant, acknowledging such entries at least once per shift.

ENHANCING THE CORRECTIONS PHILOSOPHY IN THE DEPARTMENT

The jail system managed by the Los Angeles County Sheriff's Department is staffed primarily by deputy sheriff personnel, who receive assistance from a classification entitled "custody assistant." The duties and the responsibilities of the custody assistant are limited. According to the job description published by the Department for this position:

“The incumbents function as para-professional support to sworn personnel and are distinguished by the need to exercise independent judgment and initiative while under the direct and/or functional supervision and administrative direction of designated sworn personnel.”

Under the limitations of this classification, the custody assistant is typically charged with assisting deputies with certain security functions, and providing various administrative and support functions in the jail facilities. The custody assistant is not permitted to function independently in a security post within the facilities.

The Sheriff has made an effort to increase the use of custody assistants, in response difficulties experienced with the recruitment and retention of sworn deputy sheriff personnel in past years. However, because of certain legal restrictions and other factors, the Department has continued to rely almost exclusively on the deputy sheriff classification to staff direct inmate contact functions within the jails.

Los Angeles County deputy sheriff personnel were noted to be very professional during this review. We observed that the individuals assigned to the jails performed their duties professionally, and found no indication that current Sheriff’s policies or procedures are being violated or ignored by staff.

However, based on interviews and other activities conducted during this limited scope management audit, it appears that most deputy sheriff staff are interested in law enforcement rather than corrections careers. Most deputies interviewed in the housing units expressed a desire to move to the Patrol Division, and were anxious for positions to become available so they could make a transfer. While there certainly is nothing wrong with employees desiring to expand their careers, when large numbers of staff are simply biding time hoping to move on, commitment to corrections is questionable.

We were informed that lieutenants change assignments from corrections to some other Department function approximately every six months; sergeants every two years; and, deputies every two to four years. While there are exceptions to these trends, management and staff within the Sheriff’s Department organization consistently indicated that this is common.

Given the response of deputies during interviews, and the frequent turnover rate in the Corrections Division, one can conclude that deputy sheriff personnel are not invested in custody work. Despite the professionalism of deputy sheriff staff, the Sheriff may benefit from creating a corrections deputy classification—between the position of custody assistant and deputy sheriff—who has the qualifications and related education and training to function independently in all security posts within the facility. This model of staffing is very common in California jails, and in other systems throughout the Country. We are familiar with facilities within the State which house inmate populations similar to those in several Los Angeles County facilities (including NCCF), which are staffed almost exclusively with corrections officers classifications.

We are aware that the Sheriff has examined this issue in the past, and were advised by the Corrections Division Commander that the staffing configuration at the jails is under regular

review. We also understand from our conversations with the Commander, that increasing the proportion of non-deputy sheriff staffing at the jails may be difficult due to current labor agreements with deputy sheriff staff, and other factors.

Nonetheless, we believe the operations of the Los Angeles County jails would benefit from the creation of a professional corrections officer classification who would be:

Dedicated to a career in corrections, rather than in patrol and law enforcement; and,
Trained with a focus in corrections, and a broad understanding of managing inmates in a secure, Direct Supervision environment.

With such an employee, supplemented by deputy sheriff personnel where needed, the Direct Supervision concept would have greater likelihood of success within the Los Angeles County jail system. We therefore recommend that the Sheriff reconsider this suggestion as a long-term strategy for improving the operations of the jails.

CONCLUSIONS

The Sheriff's Department has a system of Indirect Supervision of inmates, where deputy sheriff personnel are physically separate and interact remotely with inmates in dormitory style general housing units. This has resulted in diminished control over inmates, who bind together in racially defined groups to assert dominance over one another, and for mutual protection.

This is supported by comments made to us by custody staff, who indicated that "the inmates run the jail, not us," and "it is unsafe to go into the units alone." Common knowledge that there are "dorm reps" who represent groups of inmates to one another suggests that the Sheriff's Department has relinquished some control over inmate interaction in the housing units.

The National Institute of Corrections endorses a jail management approach entitled "Direct Supervision." Under a Direct Supervision model, the jail dorm becomes a patrolman's beat. The deputy has a constant presence and walks through the dorm frequently, talks to inmates, conducts periodic contraband and weapons checks, and asserts his authority. Under such a system, experts suggest that "violent incidents are reduced 30% to 90%, and homosexual rape virtually disappears." The American Correctional Association and the American Jail Association endorse the Direct Supervision concept.

The Sheriff should implement a Direct Supervision jail management system at the North County Corrections Facility, which experienced 30% of the inmate riots and major disturbances since 1998. The Sheriff should eventually extend this model to other facilities within the Department. In addition, the Sheriff should explore alternatives for creating a career corrections officer classification, which would provide a distinctly different role from deputy sheriff personnel who have a law enforcement career orientation and goals.

RECOMMENDATIONS

The Sheriff should:

1. Implement Direct Supervision jail management concepts at the NCCF on a pilot basis, which would include the elements suggested by the National Institute of Corrections;
2. Expand the Direct Supervision jail management concept to other facilities, as appropriate;
3. Set expectations, and direct the Captain of the NCCF, to establish policies and procedures to ensure Direct Supervision program success, and monitor compliance;
4. Direct managers to develop an appropriate classroom and job training curriculum to ensure that staff are thoroughly familiar with the concepts of a Direct Supervision program, and obtain the skills necessary for its success, their personal safety, and the safety of inmates.
5. With the implementation of the Direct Supervision program, develop and enforce a policy that requires deputies to enter each housing unit at least every one-half hour, to interact with the inmates and perform a basic inspection of the inmate living area;
6. Require that the occurrence and results of these inspections be entered into the unit log, and that the log be reviewed and signed by responsible sergeants, at least once per shift; and,
7. Consider establishing a corrections officer classification—a position at a level with more responsibility than a custody assistant—for performing security functions in the County's jails. Develop a plan for implementation, while considering the impact of labor agreements and other factors that might make implementation difficult.

COSTS AND BENEFITS

There would be no cost to implement recommendations related to creating a Direct Supervision environment, since the changes in operating philosophy merely dictate different job assignments for deputy sheriff staff assigned to security posts. The Department could realize a cost savings from creating a corrections officer classification, depending on salary setting decisions made by the Board of Supervisors.

By implementing a Direct Supervision system, the Sheriff's Department would be able to more proactively identify situations which might escalate to serious confrontation, identify individuals who may need to be reclassified or re-housed, and reduce the incidence of riots and major inmate disturbances in NCCF, and eventually throughout the jail system. By creating a career corrections officer classification, the Sheriff would be better assured of successfully implementing a Direct Supervision inmate management system within the jails.

INCIDENT REPORT INVESTIGATION

- **The Sheriff's Department investigates every riot, major disturbance and minor disturbance that occurs in the County's jail facilities. These investigations provide a very good summary of certain facts related to each incident. However, they do not effectively assess the causes or other important factors that led to the event.**
- **A policy should be developed that directs the investigating officer to specifically address causative factors in depth, based on solid investigation processes such as interviews and evidence collection; and, that the cause be reviewed and analyzed by the Captain, who would be required to comment on the cause and preventive measures taken, in a report to the Chief on the matter.**
- **By adopting this policy, and enforcing compliance by the investigating team, the Sheriff's Department would enhance the quality of information available for reducing or eliminating the incidence of disturbances in the County's jail facilities.**

By Sheriff's Department policy, sworn staff investigate every riot, major disturbance and minor disturbance that occurs in the County's jail facilities. These investigations are conducted by supervisory sworn staff, and include substantial information regarding factual details about the incident. Included in the investigation report are:

Details about the facility capacity, population at the time of the incident, and the location of the event.

Information regarding the date and time of occurrence, the duration of the incident, the number of involved inmates, whether an escape occurred, and whether there were any hostages taken.

A notation of whether there was any warning provided to staff prior to the event.

The number and ranks of staff who were deployed to quell the incident, and whether verbal commands were sufficient to stop the disturbance.

Whether weapons were used to quell the incident, and if used, the type of weapons and quantity deployed.

The types and quantity of other resources used, such as Canine Units, air units, and support staff.

Whether there was any damage to facilities or equipment, and the estimated cost of the damage.

Whether there any injuries to inmates or staff, ranked by minor to life threatening.

Whether there were any fatalities to inmates or staff.

And, an assessment of contributing factors, and the primary and secondary cause of the incident.

Following the factual information, and simple assessment of contributing factors and cause, the investigating officer provides a narrative description of the event. This narrative is required, and typically embellishes the factual information reported by the investigating officer. The report is reviewed and approved by the commanding officer at the facility.

All incidents are recorded in an automated system developed by the Sheriff's Department to aid in report standardization, data retrieval, and analysis. Accordingly, the Sheriff is able to retrieve significant information on riots and other disturbances by simply querying the automated record. Regular and ad hoc reports are produced by the Department and provided to management on a regular and as needed basis.

As discussed in the previous section of this report, the Sheriff's Department experienced 206 riots, major disturbances and minor disturbances between January 1, 1998 and March 8, 2001. Of these, 107 were classified as riots or major disturbances. Nearly 30 percent of these occurred at the North County Correctional Facility.

As part of this report, we reviewed summary statistics on inmate disturbances system-wide, and examined detailed investigation reports on 10 riots and major disturbances that occurred at NCCF in the year 2000. Our examination of the investigation reports revealed that:

Prior to a major riot that occurred at NCCF on 4/24/00, the investigation reports were not as thorough or well documented as might otherwise be desired. After the 4/24/00 riot, the quality of the investigation reports improved noticeably.

Investigation reports documenting a riot or a major disturbance tend to emphasize the factual information required for the computerized record, but do not examine the causative factors in any depth. Many reports appeared to include considerable justification of weaponry deployed by Sheriff's deputies, and injuries sustained by inmates.

The investigators included a detailed assessment of the causes of the incidents in only two of the ten records we reviewed. Most records attributed incidents to racial tensions between "Blacks vs. Hispanics," only. In these reports, the discussion of cause provided little more than the information that was already included on the check-box form.

The investigations did not include detailed information about the instigating inmates; whether they have been previously involved in disturbances; or if they were disciplined, transferred out of the unit, reclassified, etc.

The investigators did not examine linkages between major riots and disturbances. While there is some mention of potential linkage in some instances, this appeared to be more of an opinion of the investigator rather than the result of a fact-based investigation process.

In the opinion of our expert, Department management may be viewing these events as simply disturbances between Blacks and Hispanics based on the limited information contained in the investigation reports. While we do not question that racial tensions and gang activity in the jails may be factors contributing to inmate disturbances, simply attributing the cause to these factors may not be sufficient for purposes of developing policies and procedures for preventing future disturbances.

For example, management's primary response to the disturbances that occurred in CY 2000 was to institute procedures to ensure that each unit reflects an optimum racial mix on each shift. Yet there appears to be very little emphasis on the investigation of actions by perpetrators of disturbances, to ensure they are kept separate from other inmates. For example, in one incident that occurred in July 2000, the victims of a prior disturbance that took place in April, 2000 were returned to the same units. These so-called victims were thought to have started the July riot in retaliation for being victimized previously. Had information about who was involved, and why the disturbance happened, been effectively collected and communicated to the Classification Unit and facility, the future disturbance may have been avoided. If there is no understanding of why an event occurs, steps taken to prevent future problems may not be successful.

The inmate disturbance investigation function is the responsibility of the Gang Unit at each facility, known as Operation Safe Jail. This unit is separate from the facility or the Classification Unit. A policy should be developed that directs the investigating officer to specifically address causative factors in depth, based on solid investigation processes such as interviews and evidence collection; and, that the cause be reviewed and analyzed by the Captain, who would be required to comment on the cause and preventive measures taken, in a report to the Chief on the matter.

By adopting this policy, and enforcing compliance by the investigating team, the Sheriff's Department would enhance the quality of information available for reducing or eliminating factors contributing to the continued incidence of disturbances in the County's jail facilities.

CONCLUSIONS

The Sheriff's Department investigates every riot, major disturbance and minor disturbance that occurs in the County's jail facilities. These investigations provide a very good summary of certain facts related to each incident. However, they do not effectively assess the causes or other important factors that led to the event.

A policy should be developed that directs the investigating officer to specifically address causative factors in depth, based on solid investigation processes such as interviews and evidence collection; and, that the cause be reviewed and analyzed by the Captain, who would

be required to comment on the cause and preventive measures taken, in a report to the Chief on the matter.

By adopting this policy, and enforcing compliance by the investigating team, the Sheriff's Department would enhance the quality of information available for reducing or eliminating the incidence of disturbances in the County's jail facilities.

RECOMMENDATIONS

The Sheriff should:

1. Adopt a policy requiring investigating officers to more thoroughly investigate causative factors associated with riots, major disturbances and minor disturbances in the County's jails;
2. Direct command staff to implement review investigation reports to ascertain whether the investigation of causative factors was sufficiently pursued, and to comment on the preventative measures taken to prevent future occurrences.

COSTS AND BENEFITS

There would be no costs to implement these recommendations.

The Sheriff's Department would be provided with better information for assessing the cause, and preventing the future occurrence of riots and other inmate disturbances in the jails.

APPENDIX SHERIFF'S DEPARTMENT PROGRAMS BY SITE

Substance Abuse Programs							
Program	TTCF	PDC	MCJ	CRDF	ML	NCCF	BRC
IMPACT*⁷	Yes	No	No	No	No	No	Yes
California State Dept. of Corrections-Substance Abuse Treatment Control Unit (SATCU)	No	Yes	No	No	No	No	No
Prototypes Women's Center*	Yes	No	No	No	No	No	No
AA/NA/CA/MA	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Substance Abuse	No	Yes	No	No	No	No	No
Drug Education	No	No	Yes	No	Yes	Yes	Yes
Mental Health Programs							
Program	TTCF	PDC	MCJ	CRDF		NCCF	BRC
Department of Mental Health AB34	Yes	No	No	No	No	No	No
Department of Mental Health Court Program	Yes	No	No	No	No	No	No
Mentally Ill Offender Crime Reduction/Crime Reduction of Mentally Ill Offenders (MIOCR/CROMIO)	Yes	No	No	No	No	No	No
Medical/General Health Programs							
Program	TTCF	PDC	MCJ	CRDF		NCCF	BRC
Medical Transitional Planning/Compassionate Release	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Guiding Responsive Action in Corrections at End-of-Life (GRACE)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Basic Health	No	No	Yes	Yes	No	No	No
Aids Education	Yes	No	No	No	No	No	Yes
Health (Phys. Ed.)	No	No	No	No	Yes	No	No

⁷ Programs with an Asterisk are available to women only at Twin Towers.

Community Re-entry Programs							
Program	TTCF	PDC	MCJ	CRDF		NCCF	BRC
Veterans Community Re-entry Services	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Friends Outside	Yes	Yes	Yes	Yes	Yes	Yes	Yes
CBAC—Work Release Program	Yes	No	No	No	No	No	No
CBAC—Home Confinement Program	Yes	No	No	No	No	No	No
CBAC—Weekender Program	Yes	No	No	No	No	No	No
CBAC—Electronic Monitoring	Yes	No	No	No	No	No	No
Religious Programs							
Program	TTCF	PDC	MCJ	CRDF		NCCF	BRC
Catholic and Protestant Religious Services	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Islamic Studies	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Jewish Services	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Christian Science Services	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Jehovah's Witnesses	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Eriene Ministries	Yes	No	No	No	No	No	No
Family Outreach Program	No	Yes	Yes	No	No	No	No
General Education Programs							
Program	TTCF	PDC	MCJ	CRDF		NCCF	BRC
Hacienda La Puente School District (HLPSPD)—Academic Programs	Yes	Yes	Yes	Yes	Yes	Yes	Yes
HLPSPD--Adult Basic Education	No	Yes	Yes	Yes	No	Yes	No
English As A Second Language	No	Yes	Yes	Yes	No	Yes	No
High School Diploma	No	Yes	Yes	Yes	No	Yes	No
Drawing	No	Yes	No	No	Yes	Yes	No

Vocational Programs							
Program	TTCF	PDC	MCJ	CRDF		NCCF	BRC
HLPSD—Vocational Programs	Yes	Yes	Yes	Yes	Yes	Yes	Yes
HLPSD--Animal Attendant	No	Yes	No	No	No	No	No
HLPSD--Auto Body Repairer	No	Yes	No	No	No	No	Yes
HLPSD—Brick Layer	No	Yes	No	No	No	No	No
HLPSD—Carpenter	No	No	No	No	No	Yes	No
HLPSD—Carpet Layer*	Yes	No	No	No	No	No	No
HLPSD—Cement Mason	No	Yes	No	No	No	No	No
HLPSD—Custodial Services	Yes	No	No	No	No	No	No
HLPSD—Combination Welder	No	Yes	No	No	No	No	No
HLPSD—Computer Operator	Yes	No	No	No	No	Yes	No
HLPSD—Construction Worker	No	Yes	No	No	No	No	No
HLPSD—Design Technician- Computer Aided	No	No	No	No	No	Yes	No
HLPSD—Directory Assistance Operator/ Telecom*	Yes	No	No	No	No	No	No
HLPSD—Firefighter	No	Yes	No	No	No	No	No
HLPSD—Floor Layer*	No	No	No	No	No	No	Yes
HLPSD—Garden Worker/Groundskeeper	No	Yes	No	No	Yes	No	No
HLPSD—General Office Clerk*	Yes	No	Yes	Yes	No	No	No
HLPSD—Lawn Sprinkler Installer	No	No	No	No	No	Yes	No
HLPSD—Mailroom Clerk/Mail Sorter*	Yes	No	No	No	No	No	No
HLPSD—Maintenance Repairer, Building	No	No	No	No	No	Yes	No
HLPSD—Offset Press Operator	No	No	No	No	No	Yes	No
HLPSD—Painter	Yes	Yes	No	No	No	Yes	No
HLPSD—Sewing Machine Operator—Semi Automatic*	Yes	No	No	No	No	No	No
HLPSD—Woodworking	No	Yes	No	No	No	No	No
Doll-making*	Yes	No	No	No	No	Yes	No
Bicycle Repair	No	No	No	No	No	No	Yes
Auto Dismantling	No	No	No	No	No	No	Yes
Job Readiness	No	Yes	No	No	No	Yes	Yes
Sign Shop	No	No	No	No	No	Yes	No
CBAC—Prisoner Assistance Community Enhancement (PACE)	Yes	No	No	No	No	No	No

Psycho-social/Life Skills Programs							
Program	TTCF	PDC	MCJ	CRDF		NCCF	BRC
HLPSD—Special Programs	Yes	No	No	No	No	No	No
HLPSD—Parenting Education*	Yes	No	No	No	No	Yes	Yes
HLPSD—TALK (parenting)*	Yes	Yes	No	No	No	No	No
HLPSD—REACH (life skills)*	Yes	No	No	No	No	No	No
Parenting Education for Ex-Offenders*	Yes	No	No	No	No	No	Yes
HLPSD—Bridges to Recovery	No	No	No	No	No	No	Yes
HLPSD—SMART (life skills)	No	No	Yes	No	No	No	No
Mary Magdalen Prostitution Program*	Yes	No	No	No	No	No	No
Stress Management	No	No	No	No	No	No	Yes
Personal Relationships	No	No	No	No	No	Yes	Yes
CBAC—Amer-I-Can	No	Yes	No	No	No	Yes	No

Source: Sheriff's Department documents and interviews. Acronyms of Jails represent the following: TTCF=Twin Towers; PDC=Pitchess Detention Center; MCJ=Men's Central Jail; CRDF=Century Regional Detention Facility; ML=Mira Loma; NCCF=North County Correctional Facility; and BRC=Byscalius Recovery Center.

PUBLIC SAFETY
COMMITTEE

Linda Willis, Chairperson

Andrew Bliss

William Epps

William Kelley

Gyan Lal

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MISSION STATEMENT

The Public Safety Committee was formed to evaluate the procedures and policies that govern public safety employees. These employees include Police, Sheriff, Firemen and Lifeguards. In accomplishing these investigations, external and internal reviews were utilized. The external reviews were conducted by contract auditing firms that have experience with the selected subject areas (computerized data base reliability testing and Management reviews).

INTERNAL REVIEW

INMATE PERSONAL PROPERTY

INTRODUCTION

The Public Safety Committee had concerns with the disappearance of inmates' personal property while in the custody of law enforcement agencies. It was noted that historically, criminal cases have been dismissed as a result of investigators being able to prove the missing property was in possession of the inmate at time of arrest. Interviews with law enforcement agencies within Los Angeles County disclosed that numerous complaints have been, and continue to be, filed by inmates alleging missing property.

To resolve these concerns, the committee began an internal audit on how inmate property was handled by the Los Angeles Sheriff Department and various Municipal Police Departments. This review would include tracing inmates' property from initial booking through release.

OBJECTIVE

To identify the cause of inmates property disappearance and provide recommendations to correct this deficiency.

BACKGROUND

The State of California's Board of Corrections oversees the processes of law enforcement agencies. Title 15 Section 1041 provides basic instructions on inmate record maintenance. This statute is followed by all law enforcement agencies when processing inmates.

METHODOLOGY

Thirty agencies, combination of City and Sheriff facilities, were selected to pull samples of inmates who had personal property placed in the hands of an arresting agency. At each facility two requests were made; 1- Procedure Manual, 2-Recent arrestees list. The personal property section from the arresting agency's procedure manual was evaluated for adequate protection over the inmate's property and accountability over property taken from the inmates.

FINDINGS

Procedure Manual

Each agency developed their own protocol for handling arrestees' personal property. The storage and securing of this property was identified in most protocols. However, it was found that these procedures were not identical between agencies.

Recording Personal Property

The recording of retrieved personal property is dependent upon the nature of the arrest and size of the property. This policy is questionable with regard to Section 1041. Personal property is not documented for felony arrests, outstanding warrant arrests, or juvenile arrests even though the property is taken from the arrestee. Bulk property is considered larger items such as briefcases, coats, backpacks etc. Bulk property is recorded on separate inventory slips.

Bulk Property

A prominent area of disparity between agencies is the handling of bulk personal property such as coats and brief cases. Some arresting agencies retain bulk property, whereas other arresting agencies transfer all property with the inmate. Those agencies that retain personal property had different protocols for disposition of the bulk property when unclaimed by the inmate after release. It was noted that agencies, which elected to sell unclaimed property, deposited the proceeds into the Municipality's General Fund instead of forwarding the proceeds to the inmate's last known address. Such practices appear to violate the State Controller's requirement for unclaimed property.

Cash Controls

An internal control area of concern that has been proven to cause dismissal of criminal cases, when discrepancies occur, is the handling of money. It was noted that some agencies' policy provided excellent internal controls when the arrestee's cash on hand exceeded a predetermined floor. The floor amounts, however, were not universal among these agencies.

Bookings Slips

This slip provides for the arrestee's statistical information, violation, arraignment data, and two sections for personal property (taken and left with the arrestee). Most agencies utilized the Sheriff's booking slip completion procedures. Some agencies also had an internal system for retaining information on arrestees. In general both the internal systems and the Sheriff Department's system contained the same documentation requirements. It was noted that officers were not always following these booking procedures. Some of the more common noncompliant areas were written in a memo by the Sheriff's Department and distributed to all arresting agencies. This memo has been incorporated into one of the agency's policy and is presented in exhibit 1.

(EXHIBIT 1)
DOWNEY POLICE DEPARTMENT
PRISONER PROPERTY HANDLING PROCEDURE
PRISONER'S PROPERTY

Officers should use the following list as a reminder of proper procedure.

The following is a list of complaints most frequently received from L.A.S.D. regarding prisoners and their property. These complaints are received from Norwalk as well as Central Jail.

1. Booking sheet and money envelope not aligned for easy handling. (See sample in Squad Room.)
2. Prisoner's name and AJIS number omitted from the money envelope.
3. Prisoners not properly searched, and contraband in their possession.
4. Open cigarettes, packages of matches and butane lighters in with the property.
5. Loose money in with the property.
6. Foreign money not listed. (Any negotiable money to be listed.)
7. Money amount on booking sheet and money amount on money envelope differ.
8. No wrist band, or on the wrong wrist (should be left on wrist.)
9. AJIS number on wrist band and booking sheet differ.

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From the 31 agencies visited, a booking slip sample size of 137 was pulled and analyzed for compliance to procedures. Exhibit 2 summarizes the findings from that review.

(EXHIBIT 2)

PERSONAL PROPERTY AGENCY REVIEW

	Booking Slip Issues					Unique Policy Provisions				
	Sample Size	No release data on booking slip	No inventory list made. Fed or juvenile arrests.	Actual inventory not taken	Pencil booking slip does not agree with database	No written policy	Policy provides for selling unclaimed items	No arrests at facility	Destroy unclaimed property policy	Cash count policies
Alhambra	5	5			5					
Bell	5	1								
Beverly Hills	5						x		90 days	Always 2 officers
Burbank	5				1	x				
Culver City	5	5								>\$100=2 officers
Downey	7	5		3						
El Monte	5									
Gardena										
Hawthorne	4	4				x				
Hermosa Beach	5									
Huntington Park	7				2	x				
Inglewood	5									
Irwindale	5	3								
La Verne	5	5			1	x				
Manhattan Beach	6	6								>\$50=video taped; >\$100=watch commander verification
San Marino	0						x			
Santa Monica	5	5								>\$50=2 officers
Sierra Madre	0						x			
Signal Hill	5	4								
West Covina	5						x		180 days	
Los Angeles - Foothill	0					x				
Los Angeles - Hollenbeck	0							x		
Los Angeles - Pacific	5				5					
Los Angeles - 77th St	5				5					
Los Angeles - Van Nuys	5				5					
Sheriff - Avalon	8		4			x				
Sheriff - Norwalk	5									
Sheriff - Santa Clarita	5									
Sheriff - Lomita	5	5	1		1					
Sheriff - Walnut	5					x				
Sheriff - West Hollywood	5									
Totals	137	48	5	3	25	0	0	0		
Overall Error Percentage		35%	4%	2%	18%					

Comparison of intake inventory to release inventory

To complete the tracing of information from the arresting agency to the final releasing agency, information from each booking slip was given to the Sheriff Department. Copies of the bath-sheet (inventory of property left with inmate during initial arrest), intake-inventory slip (inventory of property taken from inmate during initial arrest), and release report (inventory of property returned to inmate upon release), were requested for comparison of inmate inventory data between arresting agency and releasing agency. A cursory comparison was made with data received from the Sheriff and it was found that inconsistencies continued after transfer to Central County facilities. Many of the bookings were never transferred to Central County Facilities, even though the arresting agency's records indicated a transfer occurred.

The Sheriff Department within Los Angeles County utilizes a combination of an automated tracking system and hard copy documents. Personal property taken prior to the bath-sheet is input in the automated system. Personal property taken after bath-sheet inventory and bulk property are recorded on separate documents. This information is not input into the automated system. Discrepancies were noted with disposition of bulk property upon release or transfer of the inmate from Central County facility. In some instances property was identified as destroyed, on one screen, and shown as transferred to a State or Federal Institution on another screen.

In summary, all agencies appear to have difficulty tracking bulk property. It was concluded that these discrepancies would be minimized if all agencies followed the same recording procedures and utilized the same databases for recording and tracking inmate movement and their property. Whereas the Municipal Police Agencies and Sheriff Stations use the same database for small personal property, there is no universal tracking system for bulk property. Furthermore, the State and Federal Institutions use separate tracking systems from Municipal Police Agencies and Sheriff Stations.

RECOMMENDATIONS

Recommendations provided by the Public Safety Committee were developed to aid in minimizing the above noted concerns. However, it is encouraged that each agency review their Inmate Intake policies to provide consistency in handling of inmate personal property between arresting agencies.

1. All lock up facilities should have a written policy on handling personal property.
2. Proceeds from sale or destruction of unclaimed property should be processed according to Code of Civil Procedures, Title 10, Chapter 7, Article 3, Section 1519.
3. Inmates should be informed, in writing and verbally, of the holding agency's bulk property-handling policy, during initial arrest and upon release or transfer to other facilities.
4. All written policies should include a two-officer verification were cash/currency taken from arrestees exceeds \$100.
5. All agencies should have a written complaint policy for inmates to document missing personal property. Acceptance of these complaints should **not** be subject to department discretion.
6. The Sheriff Department may consider data interface capabilities with the State Correctional System to minimize errors between the two systems when inmates are transferred from one institution to the other.

EXTERNAL REVIEW

HIRING PRACTICES OF LAW ENFORCEMENT AGENCIES

INTRODUCTION

The purpose of this audit was to examine the hiring practices and the periodic evaluation practices of a large and small city. We identified the Los Angeles Police Department and Signal Hill Police Department for this review. Hiring practices were to include the recruitment phase of the process, the actual screening process (background, medical, psychological, etc.) and the final decision to hire an individual. The Continual Evaluation Practices were to include the frequency of evaluations and content of those evaluations (medical, psychological, performance, etc.). This limited scope audit was contracted out with K.H. Consulting Group. Their findings are incorporated into this report below.

**COUNTY OF LOS ANGELES
2000-2001 GRAND JURY**

**RECRUITMENT, SELECTION, AND EVALUATION PROCESSES
AS PRACTICED IN
A SMALL AND LARGE POLICE FORCE:
SIGNAL HILL POLICE DEPARTMENT
LOS ANGELES POLICE DEPARTMENT**

**RECRUITMENT, SELECTION, AND EVALUATION PROCESSES
AS PRACTICED IN
A SMALL AND LARGE POLICE FORCE:
SIGNAL HILL POLICE DEPARTMENT
LOS ANGELES POLICE DEPARTMENT**

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RECRUITMENT, SELECTION, AND EVALUATION PROCESSES AS PRACTICED IN A SMALL AND LARGE POLICE FORCE

SIGNAL HILL POLICE DEPARTMENT LOS ANGELES POLICE DEPARTMENT

I – INTRODUCTION

The 2000-2001 Los Angeles County Grand Jury performed a management audit of the hiring and evaluation processes of a large and small police department in Los Angeles County. The Grand Jury selected the Signal Hill Police Department (SHPD) and the Los Angeles Police Department (LAPD) as examples.

SHPD was selected because of the major strides the city and department undertook in the 1980s and 1990s to improve its operations; hire, train, and retrain model police officers, and change its image. This makeover was significant because of the serious damage to SHPD's reputation and credibility as the result of the well-publicized case that resulted in an incarcerated youth's death in the early 1980s. Therefore, SHPD serves as a model police department that successfully changed its practices and image.

In contrast, LAPD has undergone criticism in the press and public eye during the last decade because of a series of events: the Rodney King incident, trial, and riots; the Christopher Commission; the consent decrees, and, most recently the Rampart investigations. Simultaneously, LAPD has had increasing problems in recruiting police officers, in part because of its image and low internal morale. Prior to 1995, LAPD had over 14,000 applicants per year; more than enough to maintain its force. Fewer than half that number applied in 1999.

Therefore, the Grand Jury believed that a management audit of the recruitment, selection, training, and evaluation processes of LAPD was warranted. Lessons learned by SHPD – although a much smaller city and police force – might prove beneficial, coupled with best practices found elsewhere.

This chapter outlines the objectives, scope, methodology, documents reviewed, and other agencies contacted.

A. OBJECTIVES AND SCOPE

The objectives of the study were to review:

The hiring process for the police departments of a large and small city to determine if the hiring process is effective and if the final hiring decisions are fair and impartial

The documented ongoing evaluation process by each city of officer's activities, work product (quality and quantity) and continual qualifications to serve as an officer.

The scope of the management audit was limited to the recruitment, selection, training and evaluation processes at SHPD and LAPD.

METHODOLOGY

In completing this study, the Grand Jury accomplished the following tasks:

Document Review. (See Appendix A for list)

LAPD and City of Los Angeles Department of Personnel (LA Personnel) Interviews:
(See Appendix B for list)

SHPD and Signal Hill Personnel Interviews: (See Appendix B for list)

External Interviews (See Appendix B for list)

Flowcharting of the SHPD and LAPD Hiring Processes

Benchmarking best practices in police officer recruitment and hiring (See Appendix B for list)

Los Angeles County Sheriff's Department

City of Miami

New York Police Department

California POST

SHPD Officer Group Interview with 3 police officers

LAPD Focus Group – Officers hired less than 5 years ago

LAPD Focus Group – Officers hired more than 14 years ago

II –CURRENT SITUATION

This section presents an overview of the recruitment, selection, and employment challenges in police departments, and outlines the specific processes within the City of Signal Hill and the City of Los Angeles.

A – OVERVIEW

A critical issue facing all California police departments, and most police departments nationwide, is the need to recruit, select, and train mature and ethical candidates with command presence. Demand for good officers has been exceeding supply, as low unemployment has been coupled with a need to replace retiring officers hired during the 1970s and 1980s. Departments are competing for the best candidates.

The overwhelming majority of officers interviewed during the course of this management audit initially applied to multiple police departments, with an attitude of “whoever hires me first, gets me.” The selection process was substantially the same, with written, physical, and oral examinations; background investigations; and psychological and medical fitness components. While the time required to complete the process varied significantly from department to department, it was never a quick process. Four months was the absolute minimum.

Notwithstanding the above, the challenges facing the two departments – LAPD and SHPD – in recruitment, selection, training, and evaluation are different, and the way they address those challenges are correspondingly dissimilar. LAPD offers dramatically different opportunities and challenges to a potential recruit than SHPD. As in almost all walks of life, people attracted to the challenge, opportunity, and anonymity of large organizations apply to organizations such as Bank of America, General Foods, General Motors, or IBM; people who like the challenges, opportunities, and flexibility of small organizations look to local businesses and “niche” corporations. LAPD and SHPD represent the two ends of that spectrum for policing.

As the largest police force in California, and as a department within the largest city in California, LAPD is subject to more bureaucratic rules and guidelines than Signal Hill. For Los Angeles, the selection process is run almost completely by the Los Angeles Personnel Department, who is responsible for developing a certified list of eligible candidates from which LAPD chooses. LAPD also operates under a variety of agreements and consent decrees that spell out goals and targets for recruitment.

Historically, LAPD’s reputation generated more candidates than necessary to fill its vacant positions. That has not been true in the past few years. Many factors contribute to that, including social issues such as lower unemployment rates, and department specific issues such as reputation, officer morale, and working conditions perceived as less desirable than other forces. Overcoming these obstacles is a difficult challenge for the department.

SHPD, with about 30 sworn officers, deals with recruitment, selection, training, and evaluation on an almost personal level, as all participants in the process have worked with each other on a regular basis. Their difficulty is in finding candidates who are interested in a small police department with less activity than a larger city.

It should be noted that California POST (Peace Officer Standards and Training) spells out the minimum requirements for officer qualifications and training. LAPD and SHPD meet or exceed all minimum standards.

B – CITY OF SIGNAL HILL PROCESS

RECRUITMENT

The Signal Hill Personnel Department (SH Personnel) handles the recruitment process for Signal Hill police officers. SHPD initiates the recruitment activity when they identify a current or impending vacancy. SH Personnel reviews and updates the prior job bulletin, and posts it for a predetermined time. Their outreach includes sending flyers to local cities, libraries, organizations that have requested copies, and the State Unemployment Office. In addition, they advertise job availability in a variety of publications, including the Long Beach Press Telegram, Hispanic Hotline, Black Careers Now, and the Orange County Register.

This process is the same as that conducted for any City of Signal Hill vacancy. Typically, the recruitment effort generates approximately 40 to 45 applicants.

In addition, Police Department representatives personally recruit applicants. Despite the wide net cast for applicants, a large percentage of the force took part in the reserve officer program at Signal Hill before being hired permanently. This is not illogical. Reserve officers undergo an evaluation process almost identical to the regular officer screening and selection and training process before they become reserve officers. Reserve officers had a deserved advantage, having been successful there, having had an opportunity to experience police work, having decided that it is a worthwhile profession, and having had the exposure to Signal Hill commanding officers. As a result, they have “a leg up” in the process in return for their significant time commitment.

SELECTION

This section first presents an overview of the selection, and employment process in Signal Hill.

SH Personnel Testing

Application: SH Personnel requires interested parties to fill out an application before taking the two-part written test. At that time, SH Personnel provides to applicants an initial background questionnaire, indicating the general criteria (e.g., prior felony

convictions) that will lead to candidate disqualification, and notifies them of the written examination date.

Written: The written examination consists of two parts administered on the same day. The first part is a POST validated and graded examination, administered by SH Personnel. The second part is a written essay, graded by SH Personnel according to POST guidelines.

Oral Interviews: Candidates who pass are invited to oral interviews. The interview panel, using SH Personnel approved interviewing techniques, is composed of two sergeants or above from outside the Signal Hill jurisdiction and one person from inside SHPD.

Physical Ability Test: The Physical Ability Test is administered at the Los Angeles County Sheriff’s facility by SHPD.

Candidates who pass all three of the above tests are placed by SH Personnel on an eligibility list, which is approved by the Civil Service Commission and forwarded to SHPD. The chart below lists the total applicants passing through this process in the most recent two recruitment efforts:

CHART 1

**Signal Hill Police Department
Recruitment and Selection Volumes**

Components	Year 2000 Process		Year 2001 Process	
	Initial	No-Show/ Fail	Initial	No-Show/ Fail
Application	75	27	41	21
Written Test	48	12	20	9
Oral Interview	36	26	11	2
Physical Ability	10	5	9	3
On List	5	-	6	-

In 2000, only 5 of 75 candidates initially expressing interest eventually made the list, a 7% rate before the background assessment began; in contrast, in 2001, 15% of the candidates initially expressing interest were successful in making the list.

SHPD Selection

SHPD can choose anyone from the eligibility list. Before conducting the background investigation, SHPD makes a verbal conditional offer to the candidate to avoid claims that material discovered during the background but not related to the disqualifying criteria adversely affected their selection process. Typically, a prime candidate is initially selected to continue the process. If he or she is disqualified, SHPD goes back to the list for additional candidates. If more than one vacancy is available or imminent, SH will pursue multiple candidates at the same time.

SHPD Background Investigation: A retired captain from another jurisdiction conducts the background investigations under contract to SHPD. The captain reports to the SHPD Captain in charge of the process. The background investigation includes a written background packet (the POST Personal History form), an interview, a polygraph, and an investigation. SHPD asks the candidate which other police departments he or she is applying to, and contacts those departments to learn from them the results of their investigations. About 50% of the candidates pass the investigation, which takes from two to six months to complete.

CHIEF'S INTERVIEW: THE SHPD CHIEF INTERVIEWS THE FINALIST.

Psychological Test: The SH Personnel Department is not directly involved in the psychological testing process. The selected candidate undergoes psychological screening, which SHPD contracts out to a licensed psychologist specializing in law enforcement. The candidate signs a release statement, indicating: "I have been admonished that no privilege exists to prevent disclosure of any information observed or revealed as part of this evaluation... I am aware that no psychotherapist-client privilege exists...."

The psychologist initially administers the Minnesota Multiphasic Personality Test (MMPI), the California Personality Inventory (CPI), the 16 Personality Traits Questionnaire, a sentence completion exercise, and a written autobiography. After these instruments are scored and analyzed, the psychologist conducts a one-on-one interview with each candidate. Because of the cooperative relationship between the senior SHPD officers and the licensed psychologist, issues, such as maturity or concerns raised during the background investigation, are brought to the psychologist's attention so she can explore them. The interview can range from 30 minutes to one hour, depending on the issues to be explored. The psychologist then makes her recommendation to SHPD, which includes useful anecdotal and relevant information. Care is given not to present information that could adversely affect a candidate's ability to succeed once hired. The psychologist also gives feedback to the candidate.

Medical Test: The selected candidate works through SH Personnel to complete a confidential medical evaluation.

TRAINING AND EVALUATION

Recruit Training and Evaluation:

The successful candidate undergoes 23 weeks of training at the Los Angeles County Sheriff's Academy. He or she is sworn in on graduation day. The recruit's platoon drill instructor keeps in close contact with SHPD, and provides a written evaluation.

Upon graduation from the Academy, the probationary officer is assigned to a Field Training Officer (FTO) for the next phase of training. The FTO evaluates the officer

daily on a form and summarizes performance and areas covered bi-weekly in writing on another form. The recruits – now called probationary officers – undergo four four-week training modules assigned to different FTOs :

Orientation – where the FTO tells and shows the probationary officer how to perform duties

Direct Supervision – where the probationary officer performs the duties under direct supervision

Observation – where the FTO observes the probationary officer and will intervene to correct only if necessary

Shadow – where the original FTO shadows and observes the probationary officer, often in plain clothes, so that the public will treat the probationary officer as if he or she is alone.

Usually, probationary officers take an additional period in one or two of the modules, spending about 18 weeks in the process before the initial FTO signs off on the training completion. For the next 8 months, the probationary officers get a monthly evaluation by the senior “two-strippers” assigned to their shifts.

To qualify as an FTO, candidates must have at least three years of experience, be a good officer, be POST certified by passing a FTO course, and show teaching competency.

Police Officer Training and Evaluation:

Signal Hill encourages police officers to take advantage of training in areas that interest them. Because the police force is small, the officers take on many responsibilities, such as crime scene investigation, that may be reserved for “specialists” in larger police departments. Officers identify training as readily available and a noteworthy benefit.

Police officer evaluations are conducted every six months. The sergeants take their evaluation responsibilities seriously, and use a sergeant’s meeting to discuss each officer’s evaluation to assure that the reviews are fair and complete. Some are enthusiastic about the form, and others feel that the distinctions between levels of ratings are too fine and can generate unnecessary arguments. While admiration for the evaluation form is not universal, there is significant agreement that the process is followed as well as possible. Officers interviewed also reported that the evaluation process was administered fairly. Some officers and sergeants believe that the reviews should carry more weight than they currently carry in the promotional process, which relies on an assessment center approach.

Officers and sergeants perceived that discipline is also administered fairly. Sergeants generally investigate complaints, and speak with the complainant to verify the facts. They have the discretion to ask the complainant whether he or she wishes to pursue a complaint. Departmental senior management will also oversee citizen complaint

investigations, depending on the nature of the complaint. To better document citizen interactions, officers use in-car camera video systems, which could be utilized to review their field performance, and can verify the facts of investigations.

C – CITY OF LOS ANGELES PROCESS

RECRUITMENT

LAPD currently handles the recruitment process for Los Angeles police officers, although the Mayor's 2001-2002 budget calls for returning responsibility for recruitment to the Los Angeles City Personnel Department (LA Personnel) with LAPD participation. For the last few years, vacancies have exceeded available candidates, and recruitment efforts have focused on increasing the number of viable candidates.

To achieve that goal, recruitment has tried to be flexible in identifying opportunities. Ways of reaching potential candidates include:

- Job fairs
- Military bases
- Colleges
- Sports events
- Gay/lesbian events
- Radio advertising
- LAPD Online
- Recruitment banners on police buildings and along main streets
- America Online (AOL) internet banner
- TV advertising.

LAPD is not certain which of the methods is most fruitful. LA Personnel asks applicants what attracted them when they take the exam, but the results are not perceived as reliable. For example, applicants will claim that they saw a billboard, most likely a Sheriff's Department billboard, but LAPD has not advertised in that manner.

Sworn officers attend the various events, and are trained to administer the written portion of the exam on site, if appropriate. LAPD makes every effort to send officers who mirror the anticipated ethnic, gender, or sexual preference of the target audience, so appropriate role models are available. Their stated approach is to recruit for diversity, and hire for quality. Candidates are not asked about sexual preference at any time in the process.

Last year, LAPD undertook a national search for candidates, traveling from Boston to Hawaii, and from Seattle to Texas. Between December 1999 and December 2000, more than 9,100 candidates from outside the region took the exam. Very few have completed the process to become police officers, and the program was stopped because of the costs and limited immediate benefits. LAPD believes that candidates attracted during that effort will continue to apply for positions, and the true results of that program have not yet been fully realized.

In addition, LAPD has worked with advertising agencies to change the message in the community about the department, in hopes of attracting good candidates. They have also changed the tone and participants in recruitment ads, emphasizing officers who want to help the civilians and communities they serve, as contrasted with officers who are looking for excitement.

SELECTION

This section first presents an overview of the selection, and employment process in Los Angeles. Appendix C includes information about the number of participants in each step of the process.

LA Personnel Testing

Written: The written examination consists of two parts administered on the same day. The first part is multiple-choice; the second part is an essay. LA Personnel staff grade the essay only after the candidate passes the first part. When they take the written test, candidates are scheduled to take the oral interview. Candidates who do not pass are notified that the interview is canceled. They become eligible to retake the test after six months. Once they pass the two-part written exam, they never need to retake the test.

Application: Candidates are given the application to fill out and return to LA Personnel at the time of the interview.

Oral Interviews: Interviews are scheduled every weekday. The interview panel is composed of an LAPD sergeant or detective, an LA Personnel interview specialist, and, when available, a community representative. All interviewers have been trained in interviewing techniques. They follow a structured interview process, and rate dimensions independently. The interviewers come to consensus on the overall rating given to a candidate, resolving significant differences in scores among the interviewers through such discussions. The score on the interview becomes the candidate's ultimate score. The rest of the evaluations, including the written exam, are all pass/fail. Candidates who fail the interview are eligible to re-take the interview after six months.

After the candidate passes these first two tests, LA Personnel places him or her on an initial "eligible" list.

Preliminary Background Questionnaire: The candidate fills out an initial background questionnaire of a few pages, designed to uncover common background issues that can easily be addressed by the candidate, so he or she can resolve them before the interview. The form also spotlights problems, such as felony convictions, which will permanently preclude the candidate from consideration as a police officer. The form asks for information on vehicle insurance and registration, driving records, financial records, use of drugs and intoxicating beverages.

There are three possible outcomes from the preliminary evaluation, conducted by LA Personnel:

The candidate can be determined to lack the minimum qualifications to such a degree that he or she cannot be a police officer. For example, a felony conviction will prevent a candidate from consideration permanently.

The candidate can be determined to have background issues of concern that he or she can rectify. For example, a candidate may need to get auto insurance, or will need a clean driving record for a year. In these cases, the candidate will be invited to handle the issue before the background begins, or to return to the process after he or she has resolved the issues.

The candidate can be determined to be initially qualified.

If the candidate is determined to be initially qualified, he or she is then scheduled for the physical ability test, the polygraph, and the background interview, and is given a lengthy and detailed background form to fill out and bring to the interview.

Physical Ability Test: The Physical Ability Test (PAT) is conducted twice a month for candidates in the Los Angeles area, and on a scheduled basis for out-of-area candidates. It tests three areas – balance, upper body strength, and aerobic stamina. Depending on availability, it may occur before or during after the start of the background evaluation. Candidates are permitted to retake the exam as many times as necessary until they pass it.

LA Background

The Background review process seeks to verify whether the candidate has demonstrated the following nine positive standards:

- Honesty
- Mature judgment
- Employment record
- Military record
- Financial record
- Driving record
- Drug use
- Respect for law
- Respect for others.

Over the past year and a half, approximately 25% of the applicants pass the background. Issues associated with the criteria and with their application were raised over the course of the Rampart investigation. During the investigation, some disagreement arose between LAPD and LA Personnel over whether the involved officers were appropriately screened before hiring. While the management audit was being conducted, LAPD and LA Personnel were reevaluating the criteria for disqualification that are used in the above positive standards (e.g., how many convictions, when, and of what kind, are acceptable in

the “respect for law” area). The two Departments have reached agreement at the staff level on the criteria, will be proposing revisions to their respective Departmental leadership, and are hopeful that both Commissions – the Police Commission and the Civil Service Commission – will endorse the revised criteria.

Before institution of the polygraph as a regular element of the background investigation this year, the Administrative Investigation Section (AIS) often had to conduct probing, stressful interviews. LAPD is optimistic that the background investigation will not need to be so confrontational as it had been before the polygraph, nor will it need to be as lengthy. In a positive step, LAPD is working with LA Personnel to develop customer service training for background investigators to help change the attitude and approach to applicants.

Interview: The Background Interview is coordinated under AIS of LAPD. The candidate and the background investigator go over the detailed form, clarifying and verifying facts and issues, and expanding on the information requested. The candidate is then scheduled for the polygraph investigation.

Polygraph: The Scientific Investigation Unit (SIU) of LAPD administers the polygraph. If a candidate fails the polygraph – either by being deceptive, by taking “countermeasures” that indicate deception, or by admitting to conduct that is disqualifying, AIS will recommend to LA Personnel that the candidate be disqualified. Six slots per day are available for polygraphs, and there is currently a five-month backlog.

Polygraphs are a common practice at most major police departments in the United States. The polygraph was initiated as a standard screening mechanism at LAPD during the management audit. The Civil Service Commission agreed to the LAPD recommendation in the Rampart Board of Inquiry. The Commission had requested input from the Los Angeles Police Commission in 1997 regarding the expanded use of the polygraph. Before February 2001, the polygraph was only used on a special request basis when a background evaluation could not determine the facts of a questionable situation. LA Personnel had to approve the administration of the polygraph.

Background Investigation: If the candidate passes the polygraph, the results are forwarded to AIS, who completes a detailed background investigation, sending letters to verify employment; speaking to relatives, neighbors, and friends; checking police records in the jurisdictions where the candidate has lived; etc. This process takes 4 to 6 months to complete, and requires, on average, between 20 and 40 hours per candidate. Refer to Appendix C , Background Investigation Section for percentage of passing in this area.

Conditional Offer of Employment: Before the investigation is complete, but after the polygraph and after AIS has verified some elements of the background, such as job history and other record searches, LAPD will send a conditional offer of employment, subject to the completion of the background investigation and to the medical and psychological screening.

LAPD Recommendation to LA Personnel: AIS forwards the results of the background investigation to LA Personnel with a recommendation. The recommendations are reviewed by staff members at the Management Analyst II and Senior Personnel Analyst I levels. If LA Personnel agrees with the recommendation, then the candidate continues through the process. If LA Personnel disagrees with the recommendation, then senior staff of the two Departments meet to discuss and resolve differences, if possible. Recently, the Departments have worked hard to come to agreement about candidates.

Psychological Test: Within LA Personnel, the Occupational Health and Safety Division (OHSD), with a staff of 3.5 full-time equivalent (FTE) licensed staff psychologists and 2.5 FTE support staff administers the psychological evaluations. The Christopher Commission in 1991 recommended that relevant background investigation information be furnished to the psychologists for their review as part of the psychological evaluation - a practice that continues to this day.

In addition, at the request of City Council, an expert panel reviewed the psychological examination process and considered such topics as racism, sexism, and homophobia in 1996. On this panel were representatives from academia, psychologists in independent practice, and the Chief of Research and Standards from California POST. As a result of this panel's review, OHSD added a brief questionnaire and interview questions on these topics. The written portion takes three to four hours, and is administered in an unproctored open area. The psychological examination today consists of:

Minnesota Multiphasic Personality Inventory (MMPI), a standardized, computer-scored test for evaluating "abnormal functioning" (psycho-pathology) (Note: California POST recommends the MMPI, which is widely used for hiring purposes in law enforcement and elsewhere.)

California Personality Inventory (CPI), also a standardized, computer-scored test for evaluating "normal personality" (and also recommended by California POST)

In-house questionnaires on personal history, relationships, and personality that provide insights into the candidates, detailed biographical information in relevant areas to the development of disorders in adults, etc. These questionnaires are hand scored.

A structured clinical interview that explores life experiences that can influence adult psychological adjustment or suitability for police work

Information from the background investigation regarding problem behaviors that the candidate has exhibited to employers, neighbors, friends, or family members.

The tests and questionnaires are administered on one day. The writing samples tend to exhibit poor writing skills. On a separate day, a psychologist then interviews the candidate. On average these psychological interviews last one hour and ten minutes, but can range from 40 minutes to two hours, depending on the issues being explored. Interviews are scheduled in 45-minute blocks. By the time of the psychological exam, candidates are apparently "well weeded out."

If a candidate is deemed qualified, he or she is added to the list of qualified candidates. If a candidate is deemed unqualified, he or she is sent a letter announcing the disqualification, and explaining his or her rights to appeal the process. Historically, approximately 10% fail the psychological examination. LA Personnel either passes or fails the candidates on the psychological examination and offers no further feedback (because of confidentiality) to LAPD. This year, the percentage of failures is lower, which is attributed to the recent use of the polygraph test. The primary causes for failure are:

Potential for aggressive behavior that could result in the abuse of power, corruption, etc.

Inability to cope with stress

Vulnerability to psychological problems, (e.g., negative experiences in childhood).

During peak periods, OHSD may supplement its staff with contract licensed psychologists. Because the recruitment numbers are down this year, the OHSD psychologists are not working at their fullest capacity.

In the Rampart Board of Inquiry report, LAPD expressed an interest in bringing the psychological examinations into its Department. (Note: LAPD, in the Behavioral Sciences Services Section, has its own in-house licensed psychologists who work with police officers once hired, and deal with their psychological or emotional problems, fitness to return to work, etc.).

Medical Test: The candidate works through LA Personnel to complete a confidential medical evaluation.

Eligibility Lists: In response to a 1986 consent decree, LA Personnel maintains several lists, separated by ethnicity and gender. The lists are sorted as follows:

Females

Hispanic

African American

Bi-lingual

Police Specialists (candidates who are or have recently been police officers)

All other.

LA Personnel will place the name on the appropriate certified list after a candidate has successfully completed all elements of the process, just outlined. The candidate's ranking is the score received on the oral interview.

Selection: In years past, candidates were selected from each list in numbers designed to achieve consent decree goals in minority and female categories. Minority and female candidate lists would include candidates with a passing score (above 70 on the interview), but perhaps a lower score than the candidates on the "all other" list. Recently, all candidates with a passing score (above 70) have appeared on all lists, so there is no

inherent difference in the cut-off level for the candidates. If LAPD does not offer a position to someone on the list, LA Personnel senior staff meet with LAPD senior staff to discuss the candidate. LA Personnel will seek to identify the area of disagreement regarding the qualifications of the candidate, and will re-evaluate the appropriateness of the candidate's qualification, seeking resolution by referring the candidate back to the background evaluation process, if necessary. Otherwise, the all candidates on the list are selected.

Tracking accurately the numbers of candidates participating in the process has been difficult for Los Angeles Personnel. Participants can take anywhere from 4 to 18 months to complete the process.

Appendix C lists the numbers of candidates participating in the various phases of the selection process from November 1999 through March 2001. The following Chart gives the average numbers over that 17-month period.

CHART 2

Los Angeles Police Department:
Average Results Each Month
for Participants in the Selection Process:
November 1999 through March 2001

Selection Item	Participants	Pass	Fail	Pending
Multiple Choice	953	774	179	-
Essay	786	540	246	-
Interview	382	287	95	-
Physical Abilities	223	200	23	-
Psychological	183	153	12	18
Medical	193	125	9	59
Background	158	40	118	38*
Certified	64	-	-	-
Offers	30	-	-	-
Actual Start	27	-	-	-

* Average cases returned to AIS for additional investigation in a given month.

These figures reflect an unusually large number of applicants recruited through the nationwide program that has since been curtailed. Because many of the candidates recruited nationally have not yet returned to Los Angeles to complete the application process, the 3.67% overall successful completion rate may be unusually small. Even in the best of times, the pass rate for police officer is estimated to be 5% to 6% of applicants.

Also of note is the average "Pending" figure. LA Personnel records do not remove candidates when they withdraw or simply do not follow up, or when issues are raised that are not resolved. Therefore, still listed as "Pending" are 10 candidates who began the Psychological screening in November 1999, and 92 candidates who began the

medical screening in November 1999. Candidates would be listed as “Pending” in the medical area if they had to lose weight, had to wait a specified time after eye surgery, or had to get records. Some of these candidates are probably no longer viable, and most of the rest would have had elements of the examination process expire; however, they have not been removed from the system.

LA Personnel reports that any disagreement between LAPD and LA Personnel over the qualifications of certified candidates is resolved and the names are pulled from the list until resolution can be reached. On average, LA Personnel certified 64 candidates, but only 30 received offers, and only 27 actually attended the Academy. To be eligible to get an offer, a candidate must contact LAPD in reply to his or her notification of eligibility. About three candidates turn down offers each month. *More certified candidates, however, do not receive offers than do.* There may be other explanations for the difference. Candidates may accept positions with other police forces or may change their minds about wanting to become police officers. Regardless of the reason, a significant opportunity exists for increasing the success rate of the recruitment process.

TRAINING AND EVALUATION

Probationary Officer Training and Evaluation

The newly selected candidate attends the LAPD Academy for seven four-week periods, the lengthiest in the State. It presents the following modules:

- Professionalism/Orientation to LAPD
- Community Relations/Human Relations
- Criminal Law
- Laws of Evidence
- Vehicle Operations
- Firearms
- Tactics/Patrol Procedures
- Special Topics:
 - Communication
 - First Aid
 - Traffic
 - Custody
 - Special Laws
 - Unusual Occurrences
 - Gangs
 - Hazardous Materials
 - Preliminary Investigation
 - Physical Fitness
 - Self Defense
 - Administrative and Miscellaneous Activities.

A recruit who fails any module twice is terminated.

The Academy also devotes two weeks to Spanish for law enforcement purposes. The program has been in effect since 1978, and no recruit has ever failed the Spanish for Law Enforcement module, or has been removed from the academy for failure of that module. Should a candidate fail, remediation and additional training would be provided, as the Spanish taught during the module is considered necessary for police and citizen safety. LAPD notes that many jurisdictions, including Rio Hondo Police Academy, the Los Angeles Sheriff's Department, and the California Highway Patrol have introduced similar programs in their academies.

Upon graduation from the Academy, recruits are assigned to three eight-week cycles with different FTOs for training. They receive the LAPD Field Training Manual, which details duties and responsibilities of all participants during the training period, and spells out the field task checklist, including the 36 skill groups to be mastered. Appendix D lists the Field Task Performance Checklist. FTOs keep a daily log, and prepare a bi-weekly report that is reviewed and signed by the trainee and the command structure. Staff from headquarters closely audit adherence to the rules, reviewing two months of paperwork every quarter for every division.

After the three eight-week cycles are completed, the new police officer, who is field certified, moves into Phase III training until the 18-month "probationary" period is complete. They can be assigned to tenured officers who are not FTOs, and can work alone in a non-tactical car. They do not respond alone.

Police Officer Evaluation and Training

Evaluation: Sergeants evaluate police officers annually in their divisions. Training Evaluation And Management System (TEAMS) reports, complaints, commendations, and personal knowledge of officer performance are considered. Most police, including the ones interviewed for this management audit, view the citizen complaint system as a problem. In the past, sergeants and superior officers exercised some discretion in deciding whether a complaint needed to be investigated. The current system does not allow such discretion, and all complaints are assigned for investigation.

Training: There are two distinct training opportunities for officers. A mandatory Continuing Education program recently developed and implemented assures that all officers in the Department receive a baseline set of training modules over a two-year period. The first module was recently completed. Although the specific elements of the later modules may change, the modules are planned as follows:

CHART 3:

**Los Angeles Police Department:
Continuing Education Program**

Module	Dates	Theme	Areas
1	1/15/01 – 4/17/01	Field Officer Update	Integrity Reporting Misconduct Cultural Diversity Report Writing Laws Criminal Arrest Search/Seizure Using Force Mental Illness Pursuit Policy and Tactics
2	4/17/01 – 7/26/01	Firearms	Basic Skills Firearms Safety Pistol Manipulations Elements of Marksmanship Malfunctions Ethics/Laws Concerning the Use of Firearms
3A	8/27/01 – 12/4/01	Force Options	Introduction Laws Tactical Overview Force Options Applications Ethics/Law Concerning the Use of Force
3B	8/27/01 – 12/4/01	TAC COMM	Introduction Communication tools Handling Verbal Abuse Practical Application Ethics in Policing
4A	1/14/02 – 4/16/02	ARRCON	Introduction Warm-ups Joint Locks Evade/Blocks/Strikes Ground Control Ethics/Law Concerning the Use of Force

Module	Dates	Theme	Areas
4B	1/14/02 – 4/16/02	Driving	Introduction Training Philosophy Vehicle Control Techniques Defensive Driving Emergency Vehicle Operations Regulations Emergency Driving Policy Vehicle Operations Tactics Ethics in Emergency Vehicle Operations Practical Application
5	4/17/02 – 7/25/02	Managing our work environment * * to be taken by civilian and sworn personnel	Divisional Concerns or Unique Issues Communication Skills Ethics in the Workplace Conflict Resolution Diversity Awareness Discrimination Prevention

Individual training courses are also offered, mostly via the LAPD Academy. Some courses are mandatory prior to an officer's accepting an assignment. For example, FTOs attend a 40-hour training course. A recently drafted policy in response to the consent decree, calls for officers and supervisors to be provided with supervisory training before they assume their supervisory positions. The drafts are being reviewed with the unions.

Officers may request other training, which is arranged through the divisional training coordinator. There are over 150 modules, mostly of two to eight hour duration, on a variety of subjects. Many modules are "telecourse" broadcasts that do not require going to the Academy grounds. Officers interviewed reported that some divisional training coordinators are more flexible and proactive in their approach than others, so that officers get greater opportunities for training. Others merely process requests, which some of those interviewed claimed can lead to several months of delays in attending desired training.

III – FINDINGS

A – SIGNAL HILL DISCUSSION AND ISSUES

Today SHPD is proud of its police force, internal working relations, operations, opportunities for professional development, community relations, and progress made since the 1980s.

Staff interviewed from SHPD overall voiced pride in the Department. They recognized the good and the bad about small town policing. The 2+ square mile area that is patrolled is small-town in nature; citizens get to know the officers, who number about 30. Response times are a source of pride; and officers and sergeants alike recognize that there are few acceptable excuses for delays in responses to calls, when the patrol cars are never more than 4 miles away. They have wide knowledge of the activities of the Department, and hold one another to high standards. As an example, one senior officer said that they listen to the radio reports. If an officer makes a mistake, (e.g., not taking a crime report when he or she should), the senior officer on duty will respond immediately without being sent, and would be confronted by peers and superiors if he or she did not.

Officers know and have access to the Chief, and feel that they can raise issues of concern if those issues are not resolved. In addition, officers are encouraged to train in police specialties in which they are interested, so that skills necessary to handle typical to unusual police duties are available on the force. Also, officers claim that they have the time to investigate and resolve complaints that larger forces might, of necessity, not follow up on.

As a small police department, SHPD faces challenges in providing a breadth of policing experiences and opportunities to its force.

There is a “minus” side of the small vs. big department comparison, however. In contrast with larger jurisdictions where there is more activity and more officers, SHPD offers fewer opportunities for specialization, and more repetition and boredom on shifts. There are fewer opportunities for transfer, fewer promotional opportunities, and less ability to simply avoid one another when there are minor personal conflicts. Promotional opportunities may often lie outside of the Department.

Police officers interested in a more personal work environment gravitate to SHPD and SHPD has taken steps to broaden their police force’s experiences.

Self-selection operates here. Applicants looking for large departments with greater diversity of assignment and opportunity do not apply, or do not stay. Universally, those interviewed thought that the advantages outweighed the disadvantages for them.

Everyone in SHPD knows everyone else. The size reduces the need for and existence of a bureaucratic regimen, but also poses a potential threat of excessive informality and

laxness. SHPD successfully places significant emphasis on avoiding those traps, and looks for opportunities to avoid insularity. Steps taken include:

Exposing staff to training conducted with officers from other jurisdictions

Including sergeants or above from other jurisdictions in the selection interviews

Participating in the selection processes of other jurisdictions

Considering and hiring experienced officers from other jurisdictions into superior officer positions. The current Chief was recruited from outside the jurisdiction as a Captain, and both internal and external candidates are being considered for the Captain position he left

Taking the evaluation process seriously, including reviewing evaluations and discussing them on a regular schedule.

SHPD's future challenges are similar to those of other law enforcement jurisdictions in the State.

Concerns voiced during the interviews were most often ones of degree: Pay could be better. Some officers were more friendly and social than others, and there was some concern that they might be favored, but no specific accusations or evidence of it. Discipline could be administered faster, with recognition that management was working on it. Overall, however, those interviewed did not raise any significant problems with the system from their perspective.

Potential issues that face the SHPD include:

Impending potential retirements over the next couple of years, creating the need to recruit several more officers and concern about whether a sufficient pool can be generated

Diversity on the force from that pool of applicants

Developing police officers and sergeants so that they are "promotable" into senior officer positions.

B – LAPD DISCUSSION AND ISSUES

LAPD WORK CULTURE

Culturally, LAPD's pride in its police force is both a strength and weakness, making it insular in its thinking at times.

LAPD faces difficult issues and conflicting pressures. The Department has a strong tradition of pride in being the best police force “on the planet.” This has molded the officers and the Department in ways that are both positive and negative.

In the positive sense, LAPD operates with confidence and officers support one another. They have a strong work ethic, and take pride in being police officers. The force is much smaller than forces in cities of comparable size, and has kept Los Angeles crime statistics within the range of comparable cities. They work hard to deserve their reputation, and are proud that many outside the region consider the force to be excellent. The work ethic they display can best be stated as: “We’re professionals; we know what we are doing; let us do it. Hold us accountable, and don’t interfere.”

In the negative sense, this pride tends to separate the force from many others. As one observer stated, “LAPD officers did not deign to speak even with police officers from other jurisdictions. It was as if they thought they were too good. I can only imagine how they treated civilians.” If LAPD views itself as the best, then they can logically perceive everyone else to be inferior and, therefore, dismiss ideas generated or people trained outside of LAPD. Unlike SHPD, who recruits for promotional positions both externally and internally, LAPD only recruits entry-level candidates for sworn positions from the outside. All promotional opportunities are filled internally, which can perpetuate insular thinking.

LAPD has major challenges in gaining widespread support among officers for its innovative initiatives..

LAPD’s increased sensitivity to community relations and the 1986 Consent Decree have not been universally accepted as the optimal *modus operandi* within the police ranks. LAPD leadership has been sensitive to the issue of community relations, and has expanded training and development opportunities to emphasize the need for working with the diverse population of Los Angeles. For some officers interviewed, this effort is seen as an unnecessary emphasis on being “politically correct.” They believe that undue emphasis on this direction is taken at the expense of more traditional officer tactical training, and can lead to officers being under-prepared to face dangerous situations because perishable skills, such as weapons use, will not be fresh. There also are beliefs that the recent history of seeking to increase LAPD racial and gender diversity is part of the same movement, and has led to the recent Rampart incident, an embarrassing failure that reflects badly on LAPD. It makes their jobs, which are difficult and stressful to begin with, even more difficult.

In addition, some LAPD officers question whether the Department is getting “too soft” in its recruitment, screening, and hiring and training practices. They equate toughness with good policing, believing that new recruitment advertisements inaccurately portray the Department. The advertisements are believed to place too much emphasis on a helping people theme, which is only a piece of policing. They believe that the academy has reduced the use of stressful and confrontational training techniques to the detriment of officer effectiveness. To paraphrase their arguments, “This is a stressful job. We need to be able to think when being yelled at. It is not all sweetness and light out there. At times, it is appropriate for instructors or superior officers to subject officers to stress.”

Finally, there is a widely reported belief that leadership is overly responsive to citizen complaints, and unfairly tilts the process against the officer. Many officers believe that Sergeants should have the discretion to decide whether a complaint is frivolous, and that members of the public who file proven false complaints should be prosecuted. The word of an officer’s partner should be considered as at least equal to the word of a convicted felon in investigations.

The cited opinions represent a minute sample, and may well be a distorted picture of officer opinions. A thorough evaluation of officer opinions addressing other morale issues has been conducted and published recently.

These attitudes and cultural ramifications exacerbated by other morale problems make recruitment harder because LAPD is not viewed internally as a choice place to work.

There are signs that these kinds of attitudes are having an impact on the recruitment and selection process. Traditionally, referrals of relatives and friends by LAPD officers have been a significant source of applicants. Referrals recently are about 52% of successful officers. This is significantly lower than in the past. The Department must address morale and workplace issues to stem losses of experienced officers, as well as to attract new candidates. As one interviewed officer stated, “Recruitment problems will go away if you improve the Department.” While this is clearly an overstatement, there is some truth in it.

RECRUITMENT AND SELECTION

LAPD faces a major challenge in recruiting sufficient numbers of applicants to achieve its target number of desired acceptances.

The 4% to 6% overall pass rate is troubling for a variety of reasons. If LAPD wants to recruit approximately 1,000 officers to replace retiring and departing officers, handle the policing requirements of the City, and accommodate the additional officers necessary to address consent decree items, it would follow that approximately 16,000 to 27,000 applicants would be needed to take the exams. That represents up to 10% of the Los Angeles County population reaching age 21. Although clearly that is not the only, or even the primary age group being considered, the percentage is large. Both numbers exceed the number of local candidates recruited over the past few years. It is clear that if

LAPD intends to increase the numbers of police officers, it will need to do one or more of the following:

Increase the number of applicants, maintaining the current quality

Increase the quality of applicants, so a greater percentage passes

Change the standards so that a larger percentage of current applicants pass, which is not an acceptable option.

Because of the recent incidents at LAPD, and because of the need to assure that officers are of high quality, it is difficult to advocate changing the standards; none of the people interviewed thought that was a viable option. All believed that the standards considered were appropriate. What remains then is to increase the number and quality of applicants.

There are three promising programs in this area that deserve to be encouraged. LAPD runs transition programs that keep promising high school graduates interested in police work in contact with LAPD until they reach 21 years of age. The LA Personnel Case Management Unit program has recently been established to help candidates resolve the “temporary” disqualification issues. LAPD expeditors follow up with candidates who discontinue the process even though they have been successful in initial stages.

LA Personnel and LAPD have inadequate candidate information tracking systems.

LAPD and LA Personnel have not effectively gathered or analyzed information about candidates in the recruitment and selection process. They find it difficult to answer basic questions that would be useful in designing effective recruitment and selection programs, analyzing trends, monitoring employment timeframes, etc.

The recruitment, screening, and selection processes within LA Personnel and LAPD have been lengthy, unfriendly, and negative.

The selection process is extended, largely because of the time it takes to do a complete background analysis. LAPD may not take significantly longer than other jurisdictions to complete the process, although there is a belief that this may have been true before the institution of the polygraph as a standard part of the background review process. LAPD is optimistic that the background investigation will not need to be so confrontational as it had been before the polygraph, nor will it need to be as extended.

Of current concern is the alleged five-month delay in administering polygraph examinations. When it was introduced in February 2001, LAPD decided to administer polygraphs to candidates that had cleared the background process and had been offered positions, but who had not yet completed Academy training. This created a large backlog of pending examinations, and has added to the delays. Even without the backlog, if LAPD intends to administer polygraph examinations to all candidates, it will need approximately 2,000 to 3,600 slots, which is more than the 6 per day now offered.

Officers interviewed about the process cited two areas of concern. First was an attitude that the candidate should be grateful that LAPD was even considering him or her, which

was annoying to the candidates. Second, there was a confrontational approach to the interview. On the positive side, they liked the accessibility of the background investigator, who was available to answer questions about the status of the application.

In the past few months, LA Personnel and LAPD have worked to reduce tense working relationships, which had complicated the expeditious implementation of effective recruitment and selection.

The Rampart Board of Inquiry, completed by LAPD, considered many elements of why and how the incidents happened. LAPD came to the conclusion that selection issues contributed to the hiring of under-qualified officers, and that the Chief of Police should have ultimate responsibility for determining the eligibility of applicants, rather than LA Personnel. LA Personnel responded that circumstances and situations that occurred *after* the hiring process were more directly responsible for the officers' inappropriate behavior, decisions made during the selection process were appropriate, and the organizational placement of the selection function was not relevant. The Independent Review Panel of the Police Commission and the Inspector General of LAPD looked into the issue as well, and agreed with the placement recommendations of LA Personnel.

There are many sides to the organizational responsibility issue. None of the three departments benchmarked located the breadth of responsibility for police officer candidate qualification decisions to a City Personnel Department as much as does Los Angeles. It is not clear, however, how relocating responsibility for the elements of the process would change the outcome.

What is clear is that unless the Departments can work together effectively, the current assignment of responsibility will not work. The proposed 2001-02 Budget states, "the two departments will work together to develop and implement a coordinated recruitment and outreach plan." If the shift in responsibility is implemented, it is important to assure that the LAPD sworn officers cooperate with LA Personnel recruitment staff to generate the best possible candidates.

Recently, significant good-faith efforts have been made on both sides to improve communication, working relationships, and problem resolution. In the proposed 2001-02 Budget, one-third of the LA Personnel budget's critical action items are related to police officer recruitment, demonstrating its high importance to LA Personnel. Those items include:

Consolidate existing Personnel and Police Department staff to increase the effectiveness of police recruitment practices

Expedite case processing for new police recruits by providing more hands-on assistance with both recruits and recruiters

Develop and implement, in cooperation with the Police Department, a recruitment campaign using radio, print, Internet, and billboards to increase the number of qualified candidates.

LAPD has also included increased marketing and advertising dollars, enhanced resources assigned to recruit background investigations, strengthened “student worker” programs, and an incentive program to encourage referrals. In addition, LAPD and LA Personnel both report success in efforts to improve communication and cooperation at the staff and management levels.

LAPD is no longer the department of first choice when competing with other police and sheriff departments in the State.

LAPD is competing with other police departments for good police officer candidates, and many, if not most, applicants are applying to multiple departments. Therefore, LAPD needs to concern itself with two separate issues. First, LAPD must not take longer than other departments to process candidate applications, lest an attractive candidate accepts another position before LAPD makes an offer. In two cases, officers interviewed indicated that Los Angeles either never responded, or was significantly longer than another department.

Second, if LAPD offers less attractive working conditions and benefits, candidates accepted by two departments will select the alternate. Simultaneously, LAPD may be losing trained officers because of more attractive working conditions elsewhere, increasing demand for new officers. Until recently, the Los Angeles Police Protective League was advertising other police department vacancies in its newsletter, and holding job fairs so other agencies could recruit officers. While those activities have ceased, they represent a telling indictment of departmental morale.

Officers interviewed identified the following obstacles that LAPD has to becoming the Department of first choice for applicants:

The 8-hour, 5-day work week requirement
The citizen complaint review and disciplinary process, referred to as the “128 disciplinary process,” and named after the form used
Inadequate allowance for equipment and uniforms, acknowledged as a comparatively minor issue.

The officers also recognized that LAPD offers many benefits, including significant opportunity for mobility, the opportunity to work in many different locations, and the activity associated with large city policing.

OHSD in LA Personnel has come under compliance regarding the retention of records, as per the California POST requirements, but does not track or analyze the collected data.

The City of Los Angeles requires that test results be retained for hired employees until five years after an employee separates from the City; the City requires that such results must be retained for 15 years for candidates not hired. Similarly, California POST requires that psychological test results be retained for at least 15 years.

Although OHSD in LA Personnel has only maintained its written interview notes for the last 5 years, it has maintained files on the test scores for at least 15 years (as per POST requirements). Approximately five years ago, the Division established a formal protocol for recording interview notes, which are now being stored reportedly as per POST guidelines.

The Division, however, has not analyzed the collected data to identify trends, patterns, or profiles of successful candidates. The Division has recently hired a part-time Personnel Research Analyst to begin analyzing historical psychological test data. Unless comparisons are made against on-the-job performance, career paths, or retention patterns, minimal conclusions can be drawn.

TRAINING AND EVALUATION

The Field Training Officer (FTO) Program, coupled with the Police Academy experience, are constructive training experiences, but the FTO Program could benefit from greater consistency.

Officers interviewed believed overall that the combination of the Academy and field training program adequately prepared them for police work. Some argued that administrative duties not related to the FTO program should be waived for FTOs so that the recruits could experience more field issues during the initial training period. They also noted that Regular Days Off, illness, and other issues could interfere with consistent assignment to a single FTO for an entire eight-week period.

FTOs interviewed with many years experience did not believe they were hampered by administrative requirements, because they believed that their trainee could learn from being at the desk or from accompanying them. They made the following observations about the program:

The program works well when the probationary officer is good and interested in learning.

When a probationary officer is not good or not responsive to training, the current operation of the program does not always work well, because barriers to dismissing a probationary officer are high. Moreover, many perceived that FTO recommendations are not followed by superior officers, or by the EEO, who reviews all cases.

FTOs are different in their training abilities and interest.

Some divisions give considerable attention to and take interest in the program, while others do not, leading to uneven attention to detail.

LAPD's police evaluations could be enhanced.

Officers interviewed did not generally think the evaluations were helpful or relevant. They noted that it was not unusual for the sergeant who was writing the review not to know the officer or his/her work, either because of recent transfers by the sergeants or officers, or because the most junior sergeant was given a number of reviews to complete. The TEAMS information is generally regarded as inconsistent, and not kept up to date, especially regarding commendations. Also, dislike for the citizen complaint system colored officers opinion of the evaluation process.

LAPD should continually evaluate and refine its optional training modules.

As already discussed, LAPD has multiple training modules, which should be continually evaluated and refined, as needed. For example, police officers interviewed thought that the first module of the Continuing Education Training was largely an extension of what is presented during roll call. It was good for officers not on patrol, but was only a refresher of items that most patrol officers already know.

C – BENCHMARKING FINDINGS

The Grand Jury contacted the Los Angeles County Sheriff's Department, the Miami Police Department, the New York City Police Department (NYPD), and California POST, to learn of best practices in the area of recruitment and selection. The City of Phoenix did not respond to several requests for interviews.

The recruitment and selection processes at the Los Angeles County Sheriff's Department, the New York Police Department, and City of Miami's Police Department are similar to LAPD's but are more decentralized.

The three departments interviewed have greater control over the selection process than does LAPD in the City of Los Angeles. These other jurisdictions reflect greater decentralization of hiring practices overall. Although the order of the elements was at times different, the basic elements considered – written, oral, polygraph, background, etc. – were the same with some exceptions. NYPD does not require an oral interview or a polygraph. Performance on the written examination forms the score.

The benchmarked law enforcement agencies approach the Physical Ability Test differently.

The Sheriff's Department is experimenting with elimination of the Physical Ability Test as a pre-condition for placement in its Academy. They observed that to be successful, recruits must pass the physical ability elements of the Academy. They present candidates with the Academy requirements, recommend a course of exercise to be followed in preparation for recruitment, and have the background investigators follow-up with applicants as to their physical training regimen during the application process.

Miami also notes that the Physical Ability Test is a difficult challenge for candidates and is evaluating options to change it. Their test includes:

- Running a mile and a half within a specified time
- Running 300 yards within a specified time
- Jumping over a six foot wall
- Climbing a five foot fence
- Pulling a 150 pound dummy
- Pushing a vehicle 100 yards.

These two departments represent two extremes in the process. LAPD's approach seems to be a middle ground between them – screening out candidates who will ultimately be incapable of passing a test, but including candidates who are not in prime physical shape at the time of the interview.

NYPD's physical agility examination is a timed test, and requires candidates to be in good physical condition. They have a recommended 12-week training program for candidates who wish to prepare for the test.

Although NYPD is also facing declining applicant population, they are able to recruit classes in excess of 1,500 officers every 6 to 9 months.

NYPD gives exams approximately every six to nine months. The NYPD sworn force numbers about 41,000 officers, and there are an additional 12,000 civilian employees. There is an open application period for each exam that lasts from three weeks to three months. The most recent open period lasted about 10 weeks, and generated almost 8,900 applicants, the lowest in 20 years, and is compared to past highs of 20,000 candidates. Because of recent declines in the application pool, NYPD has waived the \$35 application fee. NYPD attributes the reduction in the size of the applicant pool to two primary items: strong economy and institution of a new requirement for candidates: two years of college with at least a 2.0 grade point average. NYPD has not noticed any reduction in applicants due to two highly publicized violent incidents in the community.

Average pass rate for NYPD applicants numbers just under 10%. Approximately 30% of those who fill out an application do not take the examination. One third of the balance do not pass the written examination. Of the 8900 applicants, they anticipate that about 800 will ultimately enter the academy, and most applicants report that friends or family are in the department. They have found the following to be particularly effective sources of officers:

Community Colleges

Civilian employees, including traffic enforcement officers and school safety officers who were recently merged into NYPD

Career fairs, targeting people who are interested in a career change

600-person cadet program, which pays up to \$1,000 tuition per semester, and wages for part time work during the school year, and full time over the summer.

NYPD received national news coverage on the diversity of their most recent academy class. “We keep hiring city residents, and the diversity issues take care of themselves. 75% of New York City residents are people of color.”

The Los Angeles County Sheriff Department offers a different experience for newly hired deputies.

The Los Angeles Sheriff Department’s new recruits normally spend three to five years working in the County Jails. The department believes that it provides new deputies an opportunity to observe gang behavior and criminal patterns first hand. The department has found that these experiences assist the deputies in being more “street smart” and prepared when assigned to patrol. In contrast, graduates from the LAPD Academy are immediately assigned to patrol duties.

Law enforcement agencies in Miami-Dade County share information about applicants.

An interesting effort instituted by the Miami Police Department is the sharing of information among police departments about applicants. Recognizing that candidates often apply to more than one department, departments including Miami-Dade County,

Miami Beach, West Palm Beach, and Broward County compare applicant responses to questions, and share findings from background investigations, including standard items gathered such as school or service records. Applicants sign releases at the start of the process that permit such information sharing. (Note: Both LAPD and SHPD report that they also share information about applicants with other law enforcement jurisdictions.)

California POST is completing a study on recruitment, selection, and retention of police officers, which may prove beneficial to LAPD.

California POST is close to completing a study on recruitment, selection, and retention of officers, which will include recommendations for consideration by police departments Statewide. LAPD representatives are actively participating in the review of the study and have contributed a number of ideas for consideration. POST had begun gathering promising practices from a variety of departments. During this management audit, POST was in the process of considering whether the practices were appropriate to recommend. Because of the wide variety of its member police departments, POST takes considerable care in studies of this type to be certain that the impact of a practice works for most types of departments before recommending it.

Some ideas mentioned to and discussed with the POST investigator, which may have application to SHPD and LAPD include:

Sharing background investigation information

Establishing mentoring programs for youths interested in police work, including magnet schools, explorer programs, cadet programs, and non-affiliated academies. Los Angeles Unified School District's magnet school program is a good example of such a program. To enhance its effectiveness, LAPD has augmented it with a student intern program to continue departmental contact with the participants until they reach 20_ years of age. The explorer program, which has in the past been an effective source of candidates, is sponsored by the Boy Scouts of America, which has a policy against homosexual membership. This policy will prevent many forces from continuing to support the program.

Establishing a flexible or cafeteria benefits approach, so officers can elect to spend benefit dollars on individual priorities. For example, an officer who has a spouse with excellent health benefits might opt for a lower cost health plan, adding the dollars saved to a different program, such as life insurance. This is a private sector best practice, and benefits include many items such as vision care, childcare, health insurance, life insurance, dental insurance, retirement/401(k), and tuition reimbursement.

Soliciting officer opinions on improvements in benefits or working conditions, and addressing as many as are cost-effective. Examples include childcare, educational benefits, physical fitness memberships, and mortgage incentive programs. LAPD has a mortgage incentive program, as well.

Retaining an independent firm to conduct exit interviews for police officers who are leaving a department, offering a non-threatening means to learn why they are leaving

Considering regional approaches to recruitment and selection issues.

IV – RECOMMENDATIONS

A. SIGNAL HILL POLICE DEPARTMENT

Develop a succession planning effort to forecast vacancies, and design a strategic plan for recruitment of officers.

Discussion: SHPD has identified a potential issue in the retirement of a few officers. In a small force, having insufficient officers places a disproportionate burden on the remaining officers and command staff. Lead time to have a fully qualified, trained, and functioning officer available in Signal Hill is approximately 2 years – six months for the selection process, and 18 months for training process. A simple succession planning effort can help project vacancies in the force, and can help generate sufficient lead time to have trained officers in place. SHPD and SH Personnel should collaborate in developing a plan for assuring that staffing is assured. One potential strategy is to establish one or two positions for “officers in training” during critical periods, so that the selection and training process is well underway before the vacancy actually occurs. In this manner, Signal Hill would have more probationary and full-time officers on the force than standard patrol patterns would require during the period that the force was gearing up to face anticipated officer shortfalls.

Partner with neighboring police jurisdictions in the recruitment and selection process.

Discussion: Signal Hill already has a practice of working with neighboring jurisdictions in the interview element of the selection process. Building on those successes could prove beneficial to all participating jurisdictions. The potential areas of collaboration could include:

Sharing standard background records on applicants in common

Developing a coordinated single application process for the written and interview portions. In this manner, participating municipalities would collaborate in a combined monthly written and oral examination process regardless of whether they have a specific vacancy. When the vacancy occurs, they will have a set of candidates to consider who have completed the initial stages of the process.

If successful, this could be a model for a Statewide effort, coordinated through POST, and could be expanded to include the initial record phase of the background investigation.

B. LOS ANGELES POLICE OFFICER RECRUITMENT AND SELECTION

The prior working relationships between LA Personnel and LAPD added to the difficulty in recruiting police officers. Efforts have been made to build bridges between LA Personnel and LAPD. The only way enhancements can occur is through both Departments putting aside “past hard feelings,” ending the turf battles, and working collaboratively. There are positive signs of this happening.

Support and increase efforts to develop collaborative relationship between LAPD and LA Personnel Department in recruitment and selection.

Discussion: LAPD and LA Personnel have worked to channel differences of opinion surrounding the selection process into positive changes to the process, turning what might have been a contentious time into an opportunity to improve. Among the positive efforts begun are:

- Implementation of the polygraph as a standard screening tool
- Collaboration in development of criteria for background screening issues
- Stronger communication at the staff and senior staff levels to resolve differences surrounding individual candidate eligibility
- Cooperation on customer service training for AIS staff
- Plans to co-locate staff working on recruitment and selection from both Departments into a single facility.

These efforts can be supported and enhanced through considering such items as:

Developing joint goals for each step of the recruitment and selection process and collaborating on planning

Defining success in the process when goals and objectives of all participants are reached

Collaborating on the implementation of projects to improve the system, including but not limited to the recommended actions in this management audit

Instilling a customer service and partner mentality at all levels of the combined process.

Establish an improved mechanism for tracking police officer recruitment candidates.

Discussion: There are many institutional barriers to the development of such a system. For example, the existing tracking system was not designed to handle continuous recruitment. The selection process is not housed solely in LA Personnel, but moves between the two Departments. Without effective data on the process and a means to track individual candidates, however, significant improvements to the recruitment process will remain elusive.

LAPD and LA Personnel should collaborate on the development of system specifications so that key questions about the participants can be answered. Among the types of information to be included are:

- What recruitment element generates the most initial applicants?
- What recruitment element generates the most successful applicants?
- How long does it take the average applicant to complete the process?
- How many applicants are currently actively pursuing a position with LAPD?
- How many applicants have accepted a position elsewhere and are no longer interested?
- Where are the critical points that candidates drop out of the process?

The City Council has placed funds for a position to provide system support to the Public Safety Employment Division in the unappropriated balance of the budget. Consideration should be given to funding and filling this position, (and related unfunded positions) to improve the reporting available to the Division.

Develop an effective strategic plan for recruitment.

Discussion: Once the tracking system is available, data from the system can be used to focus efforts toward the most fruitful opportunities to attract good candidates. Until then, the process should consider:

Temporary information systems or customized databases

Interviews with representatives of all participants in the process, including successful and unsuccessful candidates. LAPD and LA Personnel staff should be involved in the process at all levels.

Best practice benchmarking with outside jurisdictions. Based on the initial information gathered elsewhere, LAPD and LA Personnel would benefit from exploring practices proven successful elsewhere, especially at other large urban police or sheriff departments.

Through these sources, identification of barriers to success, such as timing of the process and competition with other agencies for candidates, should be systematically identified and addressed. The Fiscal year 201/2001 budget added four positions in the Public Safety Employment Division of LA Personnel to develop recruitment strategies. Five additional positions, including two management positions, were not initially approved. This should be reconsidered if they are targeted to increase the planning and implementation of strategic efforts in police recruitment. Examples of strategies that should be considered include:

Systematic evaluations of where successful candidates originate can lead to more cost-effective out-of-state recruitments targeting locations with attractive candidate pools that have been initially identified by LAPD.

Viable candidate pools, such as civilian employees of LAPD and other police departments, could be targeted. The Fiscal year 201/2001 budget added four positions in the Public Safety Employment Division of LA Personnel to support the Case Management Unit, which works to expedite all candidates.

Development of incentive programs such as expansion of housing incentives within the City of Los Angeles, hiring bonus that is contingent upon completion of the Academy, relocation assistance, tuition reimbursement, childcare programs, fitness club memberships, etc. could enhance competitiveness.

LAPD should also capitalize on perceived advantages, such as diversity of assignments, broad range of experience, and strong tradition in its recruitment efforts.

LAPD should raise the recruitment incentive program offered to employees who refer a successful candidate from \$200 to \$500, as reflected in the budget.

LAPD should publicize the benefits it offers that are more attractive than other police departments.

If completed effectively, the plan would change from a statement of target numbers and consideration of recruitment areas to an outline of potential strategies or tactics that would transform the success of the process.

Address immediate causes for delays in processing candidates, such as the number of available polygraph slots.

Discussion: Immediate steps should be taken to reduce the polygraph bottleneck, which is becoming longer rather than shorter over time. Among the steps that can be taken are:

Supplement current capabilities with external contractors for polygraph examinations

Include in the Strategic Plan a projection of the number of candidates who will enter each phase of the selection process, and an analysis of how resources can be made available to handle that phase

Implement the proposal to civilianize background investigation positions, including the hiring of retired detectives.

Recognize that morale factors affect recruitment numbers, and consider the impact in cost benefit analyses of changes to the system.

Discussion: Two key items have been publicly recognized as having an impact on LAPD morale. First is the 5-day, 40-hour workweek. It has been the subject of intense interest, even dominating the Mayoral debates. Second is the fairness of the resolution of citizen complaints, or the 128 disciplinary process. While it is not in the scope of this study to evaluate the pros and cons of either of these issues, it is important to recognize their impact on recruitment efforts.

It is also important to recognize the intention behind these two policies. The 128 process was established, at least in part, to restore citizen faith in the integrity of police officers, and to encourage the highest standards of police behavior. The 5-day workweek is believed to keep costs down and to reduce the incidence of accidents or problems associated with a 10- or 12-hour workday. In the case of Form 128, alternative solutions might positively impact morale without, significantly affecting the rights of citizens. Potential solutions might consider re-instituting superior officer discretion in the review of citizen complaints, and conducting post-audit reviews to validate the judgment of the superior officer.

There are also two potential financial impacts of morale issues: one is that candidates who participate in LAPD police officer recruitment, yet select a different police force to work for during the process are consuming valuable resources with no return. Second, the inability to fill positions leads to costly measures and extensive overtime. If it is possible to quantify the effect of these issues on recruitment, alternative solutions might become more attractive.

Enhance the psychological testing process to promote collaborative working relationships further between LA Personnel and LAPD.

Discussion: LAPD Behavioral Sciences Section psychologists, and OHSD Psychologists can best perform their separate responsibilities if they increase opportunities to communicate and learn from one another. Among the opportunities to be considered are:

Explore with LAPD Behavioral Sciences Section the potential benefits of regular staffing meetings to share information and discuss candidates who have the potential to succeed but may warrant some discussion. The initial order of business would be to establish rules of conduct. If professionally conducted, fears of wrongly “labeling” a candidate can be avoided.

Establish job rotational opportunities for selected licensed psychologists in OHSD and LAPD. Such job rotations could be short – multi-month durations or a couple of days per week.

In addition, OHSD should consider furnishing feedback to candidates hired regarding their performance on the psychological assessments. (Review of MMPI results, for example, could be done in a group setting.)

Recommendation No. 11 deals with the need to monitor candidates and compare selection test results with later test results.

Evaluate and implement opportunities to include participants other than LAPD officers in LAPD oral interviews.

Discussion: The best organizations incorporate ideas and approaches from many different sources. Including staff from outside of LAPD provides an opportunity to

broaden perspective as new officers are being absorbed into the organization. In addition, if acceptable interviewers can be found in neighboring jurisdictions or from the ranks of the retired, active LAPD staff can be freed to perform other police supervisory duties. Among the items to be considered include:

Develop a program to increase numbers of community interviewers available to participate in selection interviews. When there are sufficient interviewers, make community participation a requirement of interviews.

Invite sergeants from other jurisdictions to participate in selection interviews

Consider inviting retired LAPD sergeants to return to interview candidates in place of active LAPD officers

Consider open recruitment for selected sergeant positions, considering candidates from other jurisdictions. (This will require changes to the Los Angeles City Charter and some Civil Service rules.)

C. LOS ANGELES POLICE OFFICER TRAINING AND EVALUATION

Assure that police officer evaluations be completed by sergeants with at least three months of direct supervision of the police officer.

Discussion: Data have not been gathered on how widespread is the practice (reported in the LAPD focus groups) of sergeants' being asked to evaluate officers newly assigned to them. Nevertheless, it is a poor practice, and could contribute to officers' ignoring the importance of the evaluations. A guideline or rule should be considered that requires sergeants to have at least three months of direct supervision of all officers he or she evaluates.

Enhance the effectiveness of the FTO program.

Discussion: The FTO program is the key component of assuring a successful transition from Academy learning to police officer effectiveness. LAPD devotes considerable resources to assuring that the FTO program is followed. The program is exhaustively audited, and police officer trainee evaluations of individual FTO effectiveness are sought. Even so, FTOs interviewed reported uneven attention to the program among divisions. Some Divisions have decided that minimum standards are sufficient; others devote time to re-emphasizing critical points, or discussing divisional approaches to handling specific issues (e.g., how to handle role playing for certain skills). It would also be natural that some FTOs are more interested in and effective at the training aspects of the Police Officer III position. Consideration should be given to highlighting the training aspects of the program, including:

Holding monthly meetings of FTOs assigned to new recruits to identify common training needs and to advise the Academy of areas to include or change in initial recruit training

Encouraging discussion among FTOs of issues or problems encountered, alerting other FTOs of areas to focus on

Offering refresher courses on what has been learned in effective FTO training techniques for FTOs who have not been assigned a recruit in more than 2 years.

Also, the issue of non-responsive police officer trainees should be considered. From the perspective of interviewed FTOs, an admittedly limited sample, decisions to pass a trainee have been made over the objection of FTOs, without sufficient consideration of the documented problems with the trainee. At a minimum, all FTOs who reviewed a candidate should have an opportunity to present issues and concerns regarding the suitability of a candidate at administrative appeals, formerly called “Liberty Hearings” to consider a candidate’s ongoing suitability.

Evaluate Optional Training Participation.

Discussion: Divisional Training Coordinators (DTCs) are responsible for all divisional training needs, including mandatory training cycles, such as the Continuing Education Program, and optional requested training. Fitting officers into optional requested training can be difficult, as insufficient slots may be available. According to interview reports, some DTCs are more effective and flexible than others in getting their officers into requested training. LAPD should look at average wait time between a request and attendance at a class across divisional boundaries, and identify the strategies used by the DTCs with shorter periods to see whether other divisions can apply the strategies.

In addition, the LAPD Academy should consider average wait periods as they schedule classes, and maximum wait time targets should be developed. If resource constraints limit the frequency of classes offered so that the targets are exceeded, officers should be scheduled in POST-certified courses offered elsewhere.

Analyze psychological test profiles and conduct follow-up psychological evaluations to identify trends, patterns, or profiles of successful candidates.

Discussion: OHSD in LA Personnel has compiled more than 15 years of psychological examination data that have not been analyzed in terms of trends, patterns, or profiles. The Division should analyze its historical data and periodically monitor the progress of police officers to identify what factors might be most useful in identifying successful candidates (or, conversely, inappropriate candidates). As already noted, the Division has recently hired a part-time Personnel Research Analyst to analyze historical psychological test data.

In addition, an added benefit of follow-up testing with a sample of police officers is the measurement of the psychological effects of working in a stressful field. Such follow-up research might involve tracking a sample of police officers after completing the Academy: one-year out, three years, five years, ten years, etc. Such data would also be useful for statistically correlating the “testing for hiring” practices with on-the-job performance. For example, certain psychological factors, such as socialization, integrity,

responsibility, achievement through independence, conformance, etc., might identify traits of those candidates who may perform better in certain police environments (e.g., narcotics, homicide, community policing, etc.). During slower time periods – as is currently the situation – this Division could conduct such follow-up research.

According to the "Discussion to the Board of Civil Service Commissioners from the General Manager of Personnel regarding the Rampart area corruption incident," Attachment I, (April 27,2000), LA Personnel and OHSD acknowledge that: "literature exists which indicates that police work may engender significant personality changes." This Attachment also notes that: "Therefore, in order to confirm that certain pre-employment information is predictive of behavior on the job would require that this information be systematically collected and compared to job behavior for a group of employees absent knowledge of employee's job behavior when evaluating their pre-employment information." Given this acknowledgement, LA Personnel should be even more interested in understanding these changes, conducting follow-up evaluations, tracking post-evaluations against formal performance evaluations, documenting what might be psychological or behavioral predictors of personality changes.

To make this recommendation viable, the City should establish a group, similar to a university institutional review board (IRB) to protect human subjects in research projects. The purpose of the City's group should be to ensure that adequate precautions are taken to avoid the misuse of information. Among the IRB members should be researchers, community interests, the Los Angeles Police Protective League, LAPD executive management and LA Personnel.

**APPENDIX A:
LIST OF DOCUMENTS REVIEWED**

Signal Hill Police Department Procedures Manual
Signal Hill forms, including Evaluation Forms
Board of Inquiry into the Rampart Area Corruption Incident
Los Angeles Department of Personnel recommendations to the Civil Service Commissioners in response to the Board of Inquiry Report
Report of the Rampart Independent Review Panel
Supplemental Report to November 20, 2000 -- Memorandum on the Los Angeles Personnel Department's Factual Disputes with the Board of Inquiry Report
"Meeting the Personnel Needs of Law Enforcement in the Next Millennium," Paul Henisey and Don Pedersen, undated
1986 Consent Decree; USA vs. City of Los Angeles on employment discrimination
City of Los Angeles, City Administrative Office (CAO), Office of Administrative and Research Services reports, including:
Fiscal and Operational Implications due to Significantly Reduced Sworn Deployment in the Los Angeles Police Department
Analysis of the cost-effectiveness of the Police Department's sworn recruitment program, minority recruitment, and a comparison of other jurisdictions
Analysis of the Personnel Department's Interim Funding Request for a Revised Police Recruitment Plan
LAPD – Hiring and Recruitment Reports of the Department, 1/31/00 – 1/31/01
"The Strain of Change: Voices of Los Angeles Police Officers," October 23, 2000, Wellford W. Wilms, Warren H. Schmidt, Alex J. Norman
LAPD Strategic Plan for Police Recruitment
City of Los Angeles Budget Summary, FY 2000-2001
Proposed City of Los Angeles Budget Summary, FY 2001-2002
LAPD Training material, including
LAPD Continuing Education Delivery Plan for 2001-2002
LA Police Department Field Training Manual, July 2000
Draft LAPD Operational Order 2/1/2001: Minimum Training Standards for Detective Supervisors
Draft Notice 4/18/2001 – LAPD Human Resource Bureau on Attendance at Field Training Officer Update School
Draft Notice 4/18/2001 – LAPD Human Resource Bureau on Attendance at Basic Supervisor School, Watch Commander School, and Command Development Program
Recruit Officer Basic Course Curriculum
LAPD POST Certified Course Presentation List, Revised 7/00 – LAPD Skills and Knowledge Modules
LAPD POST Certified Course Presentation List, Revised 7/00 – POST Telecourse Broadcasts
LAPD POST Certified Course Presentation List, Revised 7/00 – POST Certified Courses
LAPD Employee Opportunity and Development Division Period Statistical Report, July 1, 2000 to April 7, 2001

Mailing Addresses and Locations

APPENDIX B: LIST OF INTERVIEWS

1. LAPD and LA Personnel Interviews: 8 interviews
Deputy Chief Bostic
Commander Kelepecz
Commander Gascon
Nancy Genussa (civilian employee, LAPD - recruitment)
Thomas Brennan (civilian employee, LAPD- human resources)
Lieutenant Mark Hurley
Margaret Whalen (Personnel Department)
Phyllis Lynes, Gail Thomas (Personnel Dept., Public Safety Personnel Division)
Dr. Sheldon Kay, licensed psychologist (Personnel Department, OHSD)

2. SHPD and SH Personnel Interviews: (12 Interviews)
 - a. Chief Pedersen
 - b. Captain Risinger
 - c. Detective Sergeant Peterson
 - d. Lieutenant Brown
 - e. Sergeant Cravens
 - f. Police Officer McCraner (POA President)
 - g. Police Officer Leyn
 - h. Mary Gilmore (SH Personnel Department)
 - i. Police Officer Oldenburg
 - j. Police Officer Lowinger
 - k. Police Officer Chambers
 - l. Dr. Susan Saxe-Clifford (Contract Licensed Psychologist)
 - m. Sgt Reuben Padilla, LAPD Spanish language program

3. External Interviews: (4 interviews)
Laura Guglielmo, Office of Administrative and Research Services, City of LA
Councilwoman Cindy Miscikowski
Kelly Martin, Mayor's Office
Gloria Sosa, Mayor's Office

4. Benchmark Interviews
Lori Lee; California POST
Sgt. Trendell Coley, Los Angeles Sheriff's Department
Sgt. Mike Borges, LA Sheriff's Department
Capt. Kim Hogan, New York Police Department
Hilda Coronel, City of Miami Police Department

5. Focus Groups
Signal Hill experienced officers
LAPD FTOs/tenured officers
LAPD newer officers

**APPENDIX C:
LOS ANGELES POLICE DEPARTMENT
SCREENING STATISTICS OF LAPD CANDIDATES\
WRITTEN EXAMINATION, MULTIPLE CHOICE PORTION**

Month	Took	Passed	Pass %
November 1999	433	370	85.5%
December 1999	526	491	93.4%
January 2000	1098	888	80.9%
February	1393	1172	84.1%
March	2770	2291	82.7%
April	2793	2304	82.5%
May	544	443	81.4%
June	663	522	78.7%
July	562	558	99.3%
August	438	270	61.6%
September	554	402	72.6%
October	1672	1359	81.3%
November	880	699	79.4%
December	253	181	71.5%
January 2001	442	328	74.2%
February	525	366	69.7%
March	661	522	79.0%
Total	16207	13166	81.2%
Average	953	774	81.2%

**APPENDIX C:
LOS ANGELES POLICE DEPARTMENT
SCREENING STATISTICS OF LAPD CANDIDATES (CONT.)
WRITTEN EXAMINATION, ESSAY PORTION**

Month	Took	Passed	Pass%
November 1999	424	312	73.6%
December 1999	446	352	78.9%
January 2000	941	705	74.9%
February	1152	848	73.6%
March	2385	1624	68.1%
April	2347	1580	67.3%
May	433	264	61.0%
June	558	388	69.5%
July	373	231	61.9%
August	225	175	77.8%
September	512	329	64.3%
October	1403	921	65.7%
November	735	500	68.0%
December	223	143	64.1%
January 2001	380	257	67.6%
February	406	253	62.3%
March	414	302	73.0%
Total	13357	9184	68.8%
Average	786	540	68.8%

**APPENDIX C:
 LOS ANGELES POLICE DEPARTMENT
 SCREENING STATISTICS OF LAPD CANDIDATES (CONT.)
 INTERVIEW**

Month	Took	Pass	Pass%
November 1999	462	352	76.2%
December 1999	378	305	80.7%
January 2000	452	365	80.8%
February	551	448	81.3%
March	509	389	76.4%
April	501	363	72.5%
May	395	264	66.8%
June	400	317	79.3%
July	477	337	70.7%
August	284	249	87.7%
September	430	319	74.2%
October	373	277	74.3%
November	250	188	75.2%
December	205	176	85.9%
January 2001	252	176	69.8%
February	274	176	64.2%
March	302	176	58.3%
Total	6495	4877	75.1%
Average	382	287	75.1%

**APPENDIX C:
LOS ANGELES POLICE DEPARTMENT
SCREENING STATISTICS OF LAPD CANDIDATES (CONT.)
PHYSICAL ABILITY TEST**

Month	Took	Pass	Pass %
November 1999	193	154	79.8%
December 1999	81	75	92.6%
January 2000	438	391	89.3%
February	258	240	93.0%
March	263	251	95.4%
April	367	335	91.3%
May	206	191	92.7%
June	250	227	90.8%
July	241	232	96.3%
August	180	159	88.3%
September	186	170	91.4%
October	193	179	92.8%
November	100	81	81.0%
December	138	103	74.6%
January 2001	175	155	88.6%
February	279	245	87.8%
March	249	211	84.7%
Total	3797	3399	89.5%
Average	223	200	89.5%

**APPENDIX C:
LOS ANGELES POLICE DEPARTMENT
SCREENING STATISTICS OF LAPD CANDIDATES (CONT.)
BACKGROUND INVESTIGATION**

Month	To LA Personnel	Pass	Pass %	Failed	Returned to AIS*
November 1999	120	28	23.3%	48	44
December 1999	128	33	25.7%	80	15
January 2000	124	34	27.4%	73	17
February	133	26	19.5%	92	15
March	219	55	25.1%	145	19
April	285	68	23.9%	179	38
May	292	41	14.0%	91	160
June	303	57	33.7%	149	97
July	220	47	21.4%	132	41
August	280	32	11.4%	225	23
September	155	23	14.8%	112	20
October	228	28	12.3%	176	24
November	159	33	20.8%	106	20
December	148	19	12.8%	103	26
January 2001	179	38	21.2%	101	40
February	191	64	33.5%	97	30
March	183	61	33.3%	99	23
Total	NA	687	NA	2008	652
Average	158*	40	25.3%	118	38

* Cases returned to AIS are re-inserted into the process in subsequent months after the issues are resolved. Therefore, the total number of cases exceeds the total number of candidates. The Average is the sum of the Total cases To LA Personnel minus the sum of the Total cases Returned to AIS divided by the number of months. Refer to page 12 for areas reviewed during this investigative process.

**APPENDIX C:
LOS ANGELES POLICE DEPARTMENT
SCREENING STATISTICS OF LAPD CANDIDATES (CONT.)
PSYCHOLOGICAL EVALUATION**

Month	Took	Passed	Pass %	Failed	Pending
November 1999	151	140	92.7%	1	10
December 1999	178	159	89.3%	7	12
January 2000	194	171	88.1%	9	14
February	162	131	80.9%	15	16
March	251	211	84.1%	14	26
April	215	182	84.7%	13	20
May	286	245	85.7%	18	23
June	216	157	72.7%	20	39
July	219	181	82.6%	12	26
August	245	197	80.4%	14	34
September	186	160	86.0%	14	12
October	190	160	84.2%	12	18
November	209	165	78.9%	22	22
December	117	104	88.9%	6	7
January 2001	169	138	81.7%	15	16
February	51	38	74.5%	4	9
March	71	61	85.9%	3	7
Total	3110	2600	83.6%	199	311
Average	183	153	83.6%	12	18

**APPENDIX C:
LOS ANGELES POLICE DEPARTMENT
SCREENING STATISTICS OF LAPD CANDIDATES (CONT.)
MEDICAL EVALUATION**

Month	Took	Passed	*Pass %	Failed	Pending
November 1999	339	229	67.6%	18	92
December 1999	234	148	63.3%	20	66
January 2000	245	176	71.8%	14	55
February	311	212	68.1%	8	91
March	281	178	63.4%	15	88
April	318	223	70.1%	9	86
May	256	171	66.8%	10	75
June	200	128	64.0%	8	64
July	282	179	63.5%	16	87
August	187	117	62.6%	6	64
September	188	120	63.8%	11	57
October	183	109	59.6%	10	64
November	78	49	62.8%	1	28
December	32	19	59.4%	0	13
January 2001	65	34	52.3%	2	29
February	42	12	28.6%	3	27
March	45	21	46.7%	1	23
Total	3286	2125	64.7%	152	1009
Average	193	125	64.7%	9	59

* The average pass rate was based on mathematical computation of candidates that took medical exams during the month and candidates that passed medical exams during the month. It should be noted that candidates may not complete this process in the same month thereby causing the taken and pass figures not to represent the same candidates.

**APPENDIX C:
LOS ANGELES POLICE DEPARTMENT
SCREENING STATISTICS OF LAPD CANDIDATES (CONT.)
CERTIFIED, OFFERS MADE, APPOINTED**

Month	Certified	Offers	Appointed
November 1999	61	30	25
December 1999	62	28	28
January 2000	61	25	22
February	76	34	29
March	52	-	-
April	67	53	49
May	86	51	48
June	66	33	33
July	128	36	34
August	82	70	64
September	58	-	-
October	42	48	46
November	54	-	-
December	53	52	45
January 2001	38	-	-
February	64	44	40
March	43	na	na
Total	1093	504	463
Average	64	30	27

**APPENDIX D:
LOS ANGELES POLICE DEPARTMENT
PROBATIONARY OFFICER FIELD TASK PERFORMANCE CHECKLIST**

Orientation
Department Policies
Vehicle Inspection
Vehicle Operation Safety
Emergency Vehicle Operations/Pursuits
Officer Safety
Report Writing
California Codes and Law
Patrol Procedures
Pedestrian Stops
Searching Persons
Low-risk Vehicle Stops
Felony/High-risk Vehicle Stops
Building Searches
Handling Crimes in Progress
Domestic Violence
Sniper Attack
Unusual Occurrences
Death Investigations
First Aid
Animal Control
Missing Person
Control/Searching/Booking of Persons
Mental Illness
Verbal Communication
Handling Disputes
Traffic
Use of Force
Search and Seizure
Radio/MDT Communication
Self Initiated Activities
Investigations
Evidence Collection and Preservation
Courtroom Preparation and Testimony
Community Relations
Professional Demeanor

RESEARCH AND
FOLLOW UP
COMMITTEE

Robert Bagwell, Chairperson

Michael Hill

Raymond Lamb

John Liong

Richard Salazar

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- 1. Introduction and Objectives.....**
- 2. Findings and Conclusions.....**
- 3. Recommendation**

INTRODUCTION AND OBJECTIVES

This is the third year that the Grand Jury has formed a Research and Follow-up Committee. The novel task of reviewing the past Grand Jury recommendations and pursuing the appropriate response from the agencies targeted was a long and laborious process. The purpose of this follow-up activity is to examine previously studied areas to eliminate duplication of effort, benchmark the effectiveness of prior recommendations and clearly delineate meaningful areas of inquiry for our current Grand Jury. The committee's main thrust was to identify those recommendations which would provide the most dramatic positive impact to the agencies reviewed, but which had not been fully implemented.

The 1998-1999 Research and Follow-up Committee recommended that all future Grand Juries appoint a committee to monitor the status of at least the past year's Grand Jury recommendations. They also highlighted the need for a computerized tracking system. The Los Angeles County has developed a Web Site, <http://grandjury.co.la.us/> that will have the Grand Jury Final Report for each year and the response by various agencies to the Board of Supervisors.

A secondary goal of the Research and Follow-up committee is to conceivably retrieve unclaimed Los Angeles County properties. The committee looked into the State of California (which holds hold's \$2.6 Billion dollars in unclaimed property) Controller's Office, Bureau of Unclaimed Property, P.O. Box 94285, Sacramento, CA 94250-5873. Web Site (<https://scoweb.sco.ca.gov/>) shows that the County of Los Angeles has 121 claims sitting in Sacramento. In order for a claim to be posted on the electronic inquiry, it must be in a dormant state for over three years. The total claims, over \$76,200.00, range from \$25.00 to \$15,000.00 with the average being approximately \$630.00.

FINDINGS AND CONCLUSIONS

The Research and Follow-up Committee found that recommendations proposed by previous Grand Juries had, in fact, been eventually taken up and implemented by the agencies involved. The timing of this implementation was found to cover a period of as short as one (1) year, and as long as four (4) years before finally being fully accomplished. The central reasons most frequently cited for the inaction were as follows:

- Recommended actions were in the planning stages.
- Modifications already in motion.
- Inadequate and/or uncertain jurisdictional authority.
- Budgetary restriction
- Difference of opinion with findings of Grand Jury recommendations.

Past Grand Jury recommendations and appropriate agency responses, should be given to committee chairpersons so they can research a facility before their initial field visits. This would allow the committee to become aware of past problem areas, be able to ask pointed questions about previous Grand Jury recommendations, and see if recommendations were implemented and how they're working.

UNCLAIMED PROPERTY PROGRAM DESCRIPTION

The State of California is currently holding more than **\$2.6 billion** in Unclaimed Property value belonging to approximately 5.2 million individuals and organizations. This property is mostly money left inactive or dormant by the owner for more than three years.

UNCLAIMED PROPERTY BULLETIN BOARD SYSTEM ELECTRONIC INQUIRY

You may search the California Unclaimed Property Bulletin Board system by entering your Individual Last Name or Business Name below. Search capabilities have been modified to provide more flexibility. First name, middle initial and city are now optional.

If a match or multiple matches exist, the system will display these matches, and you may print a claim form for each match. A maximum of 500 matches will be displayed. If your search results are greater than the upper limit, you may narrow the search by adding your first name, middle initial or city of residence.

Be advised that this database does not contain all abandoned property accounts. The Bureau of Unclaimed Property receives reports throughout the year and accounts are posted to the Internet weekly. If there are other accounts that did not appear in your search, please return to the home page or call the toll free number 1-800-992-4647.

RECOMMENDATIONS

- Future Grand Juries should continue to have a Research and Follow-up Committee to monitor prior investigations, keep all results of those findings updated in the computer and saved on a floppy disk.
- Upcoming Grand Juries should have the ability to access the Internet System to perform pre-investigations and gain background into agencies prior to visitations. This time saving tool would also allow access to libraries though out the world.
- The unclaimed property program should be handled by one (1) county agency, or if deemed more feasible, notify each agency that monies possibly belonging to them lay unclaimed in Sacramento. If the aforementioned should be used, a follow up must be performed at timely intervals to insure compliance.

RULES
COMMITTEE

Bill Epps, Chairperson
Michael Hill
William Kelley Sr.
Vernon Sims

RULES COMMITTEE

The Rules Committee was formed the second week of the Grand Jury's term of service.

During the first meeting, a procedure was implemented for the committee to follow to carry out its mandate. To effectively perform the duty of making new rules, the committee determined that it would meet on an as needed basis to accept proposed rules or changes from any juror. Those rules were then presented to the Grand Jury for consideration and approval.

Using the jurors' diversity and prior business experiences as a tool, the goal of the committee was to provide rules that would allow the jurors to function as a cohesive body.

During the first two meetings, the committee discussed and agreed to bring before the body nine rules, which were approved. During the ensuing months the committee brought seventeen more rules before the body and they were approved for a total of twenty-six rules.

SPEAKERS AND
EVENTS COMMITTEE

Jane Grossman, Chairperson
Suzette Hall-Moore
William Kelley Sr.
Vernon Sims
Jennie Uwandi

INTRODUCTION

The 2000-2001 Los Angeles County Civil Grand Jury invited a distinguished array of speakers to educate and enlighten its members.

Representatives from the Board of Supervisors, Law Enforcement, Los Angeles City Council, Board of Education, Children Services and Health Services, were among the speakers.

In addition to the speakers the Grand Jury members visited a variety of sites, which added to their understanding of the county government and its people. The Grand Jury wishes to express their thanks to the many individuals whose cooperation made these field trips possible.

GUEST SPEAKERS

David Janssen.....Chief Administrative Officer, County of Los Angeles

Leroy Baca.....Sheriff, County of Los Angeles

Dhyan Lal, PhD.....Educator

Mike Antonovich.....Board of Supervisors, County of Los Angeles, 5th District

Tyler McCauley.....Auditor-Controller, County of Los Angeles

Roy Romer.....Superintendent, Los Angeles Unified School District

Don Mullinax.....Inspector General, Los Angeles Unified School District

Yvonne Brathwaite-Burke.....Board of Supervisors, County of Los Angeles, 2nd District

Patricia Curry / Phalen Hurewitz.....Children Commission, County of Los Angeles

Harvey M. Rose.....Harvey M. Rose Accountancy Corporation

Gayla A. Kraetsch-Hartsough, PhD.....K & H Consulting Group

Dan Koenig.....Liaison Officer, Los Angeles Police Department

Larry Fidler.....Supervising Judge, Superior Court

Jeffrey C. Eglash.....Inspector General, Los Angeles Police Department

Ted Hayes.....Homeless Advocate

**Mark Funicane.....Director of Health Services, County of
Los Angeles**

**Verone Steele-Small.....Captain, Los Angeles County Fire
Department**

**Bernard Parks.....Chief of Police, Los Angeles Police
Department**

**Zev Yaroslavsky.....Board of Supervisors, County of Los Angeles
3rd District**

**James Bascue.....Presiding Judge,
Superior Court**

**Stephen E. O’Neil.....Supervising Judge,
Superior Court**

**David Wesley.....Assistant Supervising Judge,
Superior Court**

**Steve Simonian.....Chief, Bureau of Investigation - District Attorneys
Office, LAC**

**Steve Cooley..... District Attorney, County of
Los Angeles**

FIELD TRIPS

AFI—American Film Institute

Los Angeles County Board of Supervisors

Coroner Department County of Los Angeles

Descanso Gardens

Jordan High School, Los Angeles Unified School District

Los Angeles Unified School District Board of Education

Los Angeles County Sheriff Graduation Class 312

Los Angeles County Fire Department Graduation
Los Angeles County Unified School District (Headquarters)
Marina Del Rey Beaches and Harbors
North County Correctional Facility
Parker Center—E.M. Davis Training Facilities
Peter Pitchess Honor Ranch
Twin Towers Jail
Twin Towers Community Transitional Team
Los Angeles Times
Central Jail
USS Lane Victory Ship
Jet Propulsion Laboratories – JPL
Sony Studios
Los Angeles County / USC Medical Center
University of Southern California Medical and Health School
Los Angeles County Sheriff Graduation Class 319
Memorial Park Ceremony - for fallen Police Officers, LAC

WELFARE SERVICES
COMMITTEE

Andrew Bliss Chairman

Delores Munoz

Brenda Preuitt

Victoria Small

Jennie Uwandi

WELFARE SERVICES COMMITTEE

INTRODUCTION

The committee was established by the Civil Grand Jury to study the Los Angeles County Department of Public Social Services (DPSS) to ensure the accuracy and completeness of information required to identify and locate non custodial parents.

The committee sampled cases from five DPSS district offices to assess the quality of information the Department collects and provides to the Bureau of Family Support Operations (BFSO) to assist in locating non custodial parents of children of public aid applicants and recipients. During this review the committee noticed there were inconsistencies between DPSS guidelines and the information collected by DPSS. The committee also found that DPSS was in the process of implementing LEADER and that there were inconsistencies in data on the LEADER system compared to the Department's old legacy systems.

OBJECTIVES

The committee set the following objectives for an outside audit:

- To determine the reliability and integrity of data transferred between the legacy and LEADER systems.
- To establish whether client and parental identification information contained in the DPSS record meets established criteria and is appropriately documented.
- To determine whether the LEADER system is configured appropriately and provides a sufficient number of screen to identify parental parents for all aided minors.
- To identify all information systems with which LEADER interfaces for fraud detection, financial resource recovery and criminal screening.

METHOD

The committee elected to have the Audit done by an outside Auditor. The report of the Harvey M. Rose Accountancy Corporation follows.

**Evaluation of the
QUALITY CONTROL SYSTEMS ESTABLISHED
BY THE LOS ANGELES COUNTY
DEPARTMENT OF PUBLIC SOCIAL SERVICES
To Ensure the Accuracy and
COMPLETENESS OF INFORMATION REQUIRED TO
Identify and Locate Non Custodial Parents**

PREPARED FOR:

FY 2000-01 LOS ANGELES COUNTY CIVIL GRAND JURY

HARVEY M. ROSE ACCOUNTANCY CORPORATION

JUNE 2001

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	Appendix: Forms used for Child Support Cases.....

1. The LEADER Information System and DPSS's Role in Child Support Enforcement

Implementation of LEADER System at DPSS

This evaluation focused on the Department of Public Social Services' role in establishing child support cases for public aid applicants and recipients. The use of LEADER, the Department's new information system, was a key component of the evaluation.

Developed over a three year period, the Los Angeles Eligibility, Automated Determination, Evaluation, and Reporting system (LEADER) was fully implemented in the Department in April 2001. It replaced and consolidated a number of DPSS's previous automated information systems, notably the Welfare Case Management Information System (WCMIS) and two related payment systems, IPBS and CDMS. These previous systems are known collectively as the legacy systems.

LEADER is different than the legacy systems it replaced, which were designed to support the information needs of DPSS staff as they performed case management activities. It was essentially a repository for data or an electronic case file but did not perform functions other than what the Eligibility Worker or other staff could do. LEADER on the other hand drives case processing so that repetitive or rule-driven case management activities are performed automatically by the system instead of staff.

When human intervention is needed while processing a case, the LEADER system alerts the user and requests help. In addition, LEADER is connected to other local, state, and federal information systems to automate and facilitate the exchange of data between jurisdictions⁸. These improvements over the legacy systems represent a large potential increase in the efficiency of case processing because LEADER has greater functional power. LEADER can do more than merely respond, it can act in place of staff, and request that staff act when a decision or specific data is needed. LEADER was designed to provide access to what was twenty separate data bases. It allows for custom designed queries from the new consolidated data base. The system provides great flexibility in designing and producing management monitoring reports.

The agency responsible for initiating and enforcing child support cases in Los Angeles County is the Bureau of Family Support Operations (BFSO) in the District Attorney's Office⁹. DPSS assists BFSO in initiating child support cases for public aid applicants and recipients. At BFSO, computer systems are also used to manage child support case information and payments. The primary computerized information system at BFSO is the ACSES Replacement System (ARS). This relatively new, more powerful system replaced BFSO's legacy system ACSES. ARS has similarly enhanced functionality for automated case processing as LEADER.

⁸ A request made to DPSS for a listing of all information systems with which LEADER has linkages was requested but provided to late by the Department for review.

⁹ BFSO is currently in the process of becoming a separate department and as of July will no longer be a unit of the District Attorney's office.

Initiation of Child Support Cases

All public aid applicants and recipients are required by law to:

- 1) assign their legal rights to receive child support payments to the County; and
- 2) cooperate with the efforts of DPSS and BFSO to initiate child support cases and collect payments when one or more of the applicant's children has a non custodial parent.

Compliance with these requirements enables the County to collect child support payments from non custodial parents to recover up to the amount of public aid awarded. Payments made to the County by non custodial parents are used to recover public aid costs. Aid recipients still receive the amount to which they are otherwise entitled, but the source of some or all of that aid is non custodial parent child support payments rather than federal and State monies. Payments must be made to the County rather than directly to the guardian or other parent of the child. This is done to ensure regular monthly payments and recovery of public dollars that would otherwise be spent on aid.

The collection of child support payments for public aid recipients is administered primarily by BFSO but DPSS plays a key role in initiating these cases. The following roles and responsibilities of the two agencies for child support cases are based on federal and State law and local regulation:

1. DPSS requests applicants to assign their legal rights to child support payments to the County.
2. DPSS collects information on applicants, their children, and the parents of all children in the aid unit, regardless of whether they are married, unmarried but living together, or living separately.
3. DPSS refers cases and information about non custodial parents to BFSO in cases where: 1) one or more of the parents of the children in the aid unit are absent; 2) the parents are unmarried and living together but paternity has not been officially established; or, 3) the applicant is an unmarried minor living independently.
4. Assuming sufficient reliable information is provided, BFSO establishes a child support enforcement case and attempts to locate the parent and enforce court ordered child support payments.

Table 1.1 summarizes the situations that trigger a referral of a DPSS case to BFSO. Cases are generally referred at the time of aid application but can also be referred for already approved aid recipients if they report a change in their aid unit that triggers a referral to BFSO, consistent with the criteria presented in Table 1.1.

The requirement that aid applicants assign their legal rights to receive child support payments to DPSS is based on the concept that children are needy due in part to a lack of support from a non custodial parent. Eligibility for public aid is conditioned in part on

Table 1.1

Conditions Triggering a DPSS Case Referral to the Bureau of Family Support Operations

Status of Aid Unit	Refer to Bureau of Family Support Operations	Do Not Refer to Bureau of Family Support Operations
Married Parents in Home		X
Unmarried Parents in Home	X (For Paternity Establishment Only)	Do Not Refer if Good Cause is Claimed
Married Parents Not Living Together	X	
Unmarried Parents Not Living Together	X	

parental deprivation. Therefore, in order to receive public aid, the County must be granted permission by the custodial parent to seize child support funds paid on behalf of the needy child up to the amount of aid received. Aid recipients are legally obligated to surrender child support payments received directly from the non custodial parent. Applicants or recipients who do not agree to this requirement are subject to a penalty in the form of a benefit reduction.

To comply with the legal definitions of cooperation, aid applicants and recipients must be willing to provide information about non custodial parents such as name, date of birth, Social Security number, place of employment, and other data. Without this information, BFSO is not able to establish child support enforcement cases. Cooperation can also mean assisting in the establishment of paternity of children in the aid unit if has not been documented.

Applicants and recipients who do not agree to cooperate with providing the required information remain eligible for public aid but are subject to a sanction reducing their aid payment by 25%. In cases where applicants cooperate and child support is collected through BFSO, the aid recipient receives the first \$50 of the child support collected as an incentive to cooperate. This \$50 “pass-through” does not count as income for purposes of calculating the public aid benefit, but does count for purposes of determining eligibility for Food Stamps.

BFSO staff is co-located in all DPSS district offices so once DPSS refers a case to BFSO, the applicant can be interviewed by BFSO staff at the same time as they are applying for aid. There are three scenarios that dictate how the case referral and initiation process unfolds: 1) applicant is cooperative; 2) applicant is not cooperative; and, 3) applicant is not cooperative but with Good Cause. Each scenario is now explained.

1) Applicant/recipient is cooperative

Once the DPSS Eligibility Worker establishes that any of the children in the aid unit has one or more absent parents, is living with unmarried parents where paternity has not been established or where the parent is an unmarried minor living independently, the worker is responsible for referring the case to BFSO. The worker is required to explain that the applicant must participate in the child support enforcement program and to make attempts to collect required information about the subject parents: name; date of birth; Social Security number; place of employment; and other information.

If the applicant is not able to provide this information initially, the worker can suggest how the applicant might obtain any missing information and allow time for the information to be retrieved. Whether or not all of the required information is collected, as long as the applicant is cooperating, the case and any information collected is to be referred to BFSO within two days of aid approval for a follow up interview and possible establishment of a child support enforcement case.

Cases are established by BFSO when minimal sufficient information has been provided by the applicant about the non custodial parent. This information may be provided to BFSO by DPSS Eligibility Workers as a result of their data collection efforts or may be provided directly to BFSO by the applicant if the DPSS worker did not receive the information prior to referring the case to BFSO. Collecting non custodial parent Social Security numbers are particularly important for child support purposes, as they provide access to numerous federal and State data bases that can assist BFSO in locating absent parents and/or their places of work. Applicants can still be considered cooperative if they are willing but unable to provide all the information necessary to establish a case. If the applicant is otherwise entitled to it, aid will be provided regardless of whether the required non custodial parent information is provided or not, as long as the applicant is determined to be cooperative by DPSS.

2) Applicant/recipient is not cooperative

Non-cooperation can be determined by either the DPSS Eligibility Worker during the aid intake process or by BFSO during their interview and data collection process. Non cooperation occurs when an applicant refuses to provide the required information or participate in the process (as opposed to simply not knowing the information requested). Non cooperation can also be established if an applicant refuses to appear in court, to sign documents to secure a court order for child support, or to submit to paternity testing.

Non cooperative applicants are subject to a grant reduction penalty of 25 percent of the aid amount to which they are otherwise entitled. Sanctions can only be imposed by DPSS but they can be requested by BFSO if they find the applicant non-cooperative.

3) Applicant/recipient is not cooperative but with Good Cause

The 25 percent penalty can be avoided if an applicant is non-cooperative but if DPSS finds that Good Cause exists for non-cooperation. Good Cause is defined by law as the following:

- cooperation would result in serious physical, sexual or emotional harm to the children or parent or caretaker relative;
- the children were conceived as a result of rape or incest;
- court proceedings are underway for adoption of the children and the counseling sessions have not gone on for more than three months; or,
- cooperation would not be in the best interests of the children for whom support is being sought.

Applicants have 20 days to substantiate Good Cause claims with documentary evidence. The burden of proof is on the claimant, but DPSS cannot refer the applicant for child support enforcement nor punish the applicant for non-cooperation until the Department has determined that Good Cause for non-cooperation does not exist. By law, determination of Good Cause can be made only by DPSS staff. The determination can be made during the aid intake interview process or in response to a request for a sanction from BFSO due to non-cooperation.

If an applicant is determined to be non-cooperative with the Eligibility Worker during the intake interviews, that worker is to refer the case to BFSO for a subsequent attempt at obtaining cooperation. If the applicant is determined to be non-cooperative by the Eligibility Worker and Good Cause is determined and verified, the case will not be referred to BFSO.

Whichever scenario occurs, there are a variety of forms that DPSS and BFSO staff are required to prepare to document each step of the process. A table summarizing these forms and copies of the forms are provided in Appendix 1 to this report.

A summary of actions that can be initiated by the two departments is presented in Table 1.2. A flow chart showing DPSS-BFSO roles is presented at the end of this section.

Table 1.2

Case Transactions Between DPSS and BFSO

Level of Activity

Initiated By DPSS	<u>Initiated by BFSO</u>
<ul style="list-style-type: none"> • Referral of Aid Applicant for Child Support Enforcement • Determination of Good Cause Claim (Approval, Withdrawal, or Denial) • Confirmation of Imposition of Sanction for Failure to Cooperate • Change in Household Composition • Amount of Aid Payments and Overpayment Collections 	<ul style="list-style-type: none"> • Notification of Failure to Cooperate • Request for Sanction for Failure to Cooperate • Referral to Eligibility Worker to Process Good Cause Claim • Change in Household Composition • Amount of Child Support Collected and Disbursement of \$50 Disregard

Caseload data for the two departments is shown in Table 1.3. As can be seen, a high proportion of applicants are referred to BFSO by DPSS for child support enforcement. In fact, it should be noted that the 70,116 referrals understates the actual number because these are only the referrals generated by LEADER. DPSS advises that additional manual case referrals made prior to LEADER's implementation are not included and cannot be readily determined.

While the number of child support cases created by BFSO appears to be approximately equal to the number of cases referred by DPSS, this is not the case. Many DPSS referrals never become cases due to missing information. BFSO's caseload also includes private, non-public aid cases that are not referred by DPSS. In fact, BFSO reports that only approximately 20.4 percent of its open cases as of March 31, 2001 were welfare cases (119,649 welfare cases out of a total of 584,028 cases). DPSS does not have data available showing the total number of cases sanctioned or the number of cases where Good Cause for non-cooperation was determined.

Table 1.3

Caseload Data: DPSS and BFSO

Automated Interfaces between DPSS and BFSO

Number CalWorks applications received by DPSS FY 1999-00	116,736
Number aid cases referred to BFSO by LEADER DPSS FY 1999-00	70,116 ⁽¹⁾
Number cases created by BFSO FY 1999-00	71,746
Number FY 1999-00 cases with sanctions requested for non-cooperation by BFSO	7,900
Number cases non-cooperation sanctions imposed by DPSS FY 1999-00	n.a. ⁽²⁾
Number non cooperation cases with Good Cause FY 1999-00	n.a. ⁽³⁾

⁽¹⁾ These only include cases generated by LEADER and exclude cases that were manually referred during FY 1999-00. The Department does not have a record of how many cases were manually referred.

⁽²⁾ The Department does not keep records of the number of cases sanctioned per year. It used to track number of active cases with sanctions in effect each month that was discontinued in October 2000. As of October 2000, there were 2,303 active cases with sanctions imposed for child support requirements.

⁽³⁾ The Department does not track the number of non cooperation cases with Good Cause

One benefit that should be captured through automation is that processes that do not benefit from human involvement are initiated automatically by the information system itself. This includes, for example, timely, efficient, and complete exchange of information on appropriate cases between DPSS and BFSO. The architecture for exchange of information between LEADER and ARS, the “interface,” is incorporated in the design of each system.

The interface between ARS and LEADER is important because BFSO and DPSS must cooperate and exchange information about clients they have in common. This is to manage child support and public aid accounts, as well as to provide a means of enforcing eligibility rules. Public policy treats public aid administered by DPSS as a benefit with strict rules governing eligibility.

Interface between the LEADER and ARS occurs every night in a “nightly batch process.” This means that all the data LEADER has been told to send to ARS, and all the data that ARS has been told to send to LEADER, is transmitted automatically once about every 24 hours. If data is entered in LEADER that should be transmitted to ARS, it will be transmitted only if the following conditions are met;

1. LEADER correctly marks data for transmission to ARS
2. LEADER correctly includes marked data in the batch file
3. Nightly batch process is executed without errors or exceptions
4. ARS accepts the data transmitted in the batch file from LEADER

The same four conditions apply for data transmitted from ARS to LEADER. If any of the steps does not occur, the exchange of information between ARS and LEADER is not complete. Errors and exceptions in the nightly batch process are printed in a report so they can be audited¹⁰.

Case automation should be particularly helpful also in meeting statutorily mandated case processing timelines. For example, statute mandates that child support enforcement referral must occur within two days of approval of an application for public aid, child support enforcement case initiation must occur within 20 days of application and public aid case determination must occur within 30 days of application.

¹⁰ DPSS has responded to our request to review the exception reports and has provided a list of active LEADER interfaces however it was too late for review.

2. LEADER and DPSS Non-Custodial Parent Data Collection

- **The LEADER system appears to be configured appropriately and provides a sufficient number of screens to allow for proper identification of non custodial parents. Data transfer during the conversion from the legacy to the LEADER systems does not appear to have been technically problematic. More problematic is that information collected by DPSS about absentee parents is often incomplete, inaccurate, and submitted well beyond statutory time limits.**
- **A review of a sample of case files showed that DPSS staff does not fully meet their responsibility for promoting child support enforcement, client cooperation with public aid program rules, and recovery of public aid payments. In a sample of case files, 28 percent had no documentation that the case was ever referred to the Bureau of Family Support Operations even though each case met the criteria to be a child support case. DPSS appears to assign relatively low priority to collecting, updating, and reporting information that does not impact determination of eligibility or benefits amounts, such as information about absentee parents.**
- **DPSS does not have management systems in place to monitor the completeness of its child support data collection efforts or the timelines of cases referred to BFSO. DPSS advises that a management report generated in the past tracking completeness of each District Office's child support data collection efforts has been discontinued. It is supposed to be replaced by a LEADER generated report that has yet to be produced. The Department was not able to provide auditors with copies of the old report previously produced.**
- **Besides incomplete information collection, the referral process is hampered because DPSS is not using LEADER to refer cases to BFSO. Instead, a cumbersome paper driven manual system is used even though both LEADER and BFSO's computer system have the capability of transferring information electronically. Redundant data entry and problems associated with transferring paper files are being incurred since electronic data transfer is not 100% in place.**

A review of general system design and system conversion documentation for LEADER and observation of its functioning indicates that the system supports DPSS's collection of data needed for identifying and locating non custodial parents for child support enforcement. There are a sufficient number of screens and data fields to allow for the entry of needed data. Screen sequences and flows between screens are logical and consistent with federal and State regulations.

Conversion of non custodial parent data from the legacy systems to LEADER appears to have been completed without any extraordinary degradation of the original data. However, Social Security numbers and other data about non-custodial parents are frequently missing from the files converted from the legacy systems to LEADER. This is explained primarily by the fact that the data were never input into the legacy systems in the first place, particularly when this information was obtained subsequent to the initial DPSS intake interview.

Rather than technical problems in converting data from the legacy systems to LEADER, the more common problem with the case files appears to be untimely and incomplete data collection about non custodial parents by DPSS staff and the absence of required documentation. These problems were demonstrated by a review of a sample of DPSS case files.

In our review of the first sample of cases, we found few instances where case data on WCMIS does not appear correctly in LEADER. In general, information that was in the WCMIS database appears successfully converted to LEADER. WCMIS files usually did not contain data about parental relationships or sanctions, but when this data was there, it was correctly converted to LEADER.

Case File Review

A sample of 30 public aid cases at DPSS Metro Family office was reviewed for this evaluation. The cases were selected from among a pool of cases previously reviewed by the Civil Grand Jury. The purposes of this second review were:

- 1) to test for data consistency and integrity between the hard copy paper file, the legacy systems, LEADER and the Bureau of Family Support Operations' ARS system; and,
- 2) to track the collection and documentation of information by DPSS and its transfer to BFSO.

Paper case files were reviewed as were the appropriate screens from the three computer systems.

In the case files reviewed for this evaluation, little information about non custodial parents was collected by Eligibility Workers on the Support Questionnaire form (Form # CA 2.1Q). In nine of 30 cases reviewed, or 30 percent, there was no CA 2.1Q form in the file, indicating the required non custodial data may not have ever been collected by DPSS and the case never referred to BFSO (referrals are triggered by transmission of the CA 2.1Q form to BFSO). In 16 of 21 cases where a CA 2.1Q was found, or 76 percent of these cases, the form did not contain the non-custodial parent's Social Security number (even though it was later obtained by BFSO in seven of the 16 cases). In 4 of 21 cases (19%), the CA 2.1Q was substantially blank.

In some files, it seemed reasonable to assume that more information should be available and disclosed in order to satisfy child support enforcement requirements. For example, we found one aid applicant who had two children in common with the same father over a period of several years but answered "don't know" about the parent's height, weight, ethnicity, hair color, or eye color. Common sense indicates simple identifying facts about the individual should be easily recalled. This confirms reports that DPSS staff do not always verify applicant responses on the CA 2.1Q form.

A DPSS Administrative Memorandum from 1997 (#97-83) indicates that the Department produces a monthly management report entitled *CA 2.1Q Support Questionnaire, Completeness Report*. The memorandum emphasized the importance of all District Directors monitoring the CA 2.1Qs prepared by their staffs to "ensure correct and timely completion prior to forwarding the referral packet to the DA". DPSS representatives advise that this report is no longer produced and is going to be replaced by a LEADER generated report that has yet to be

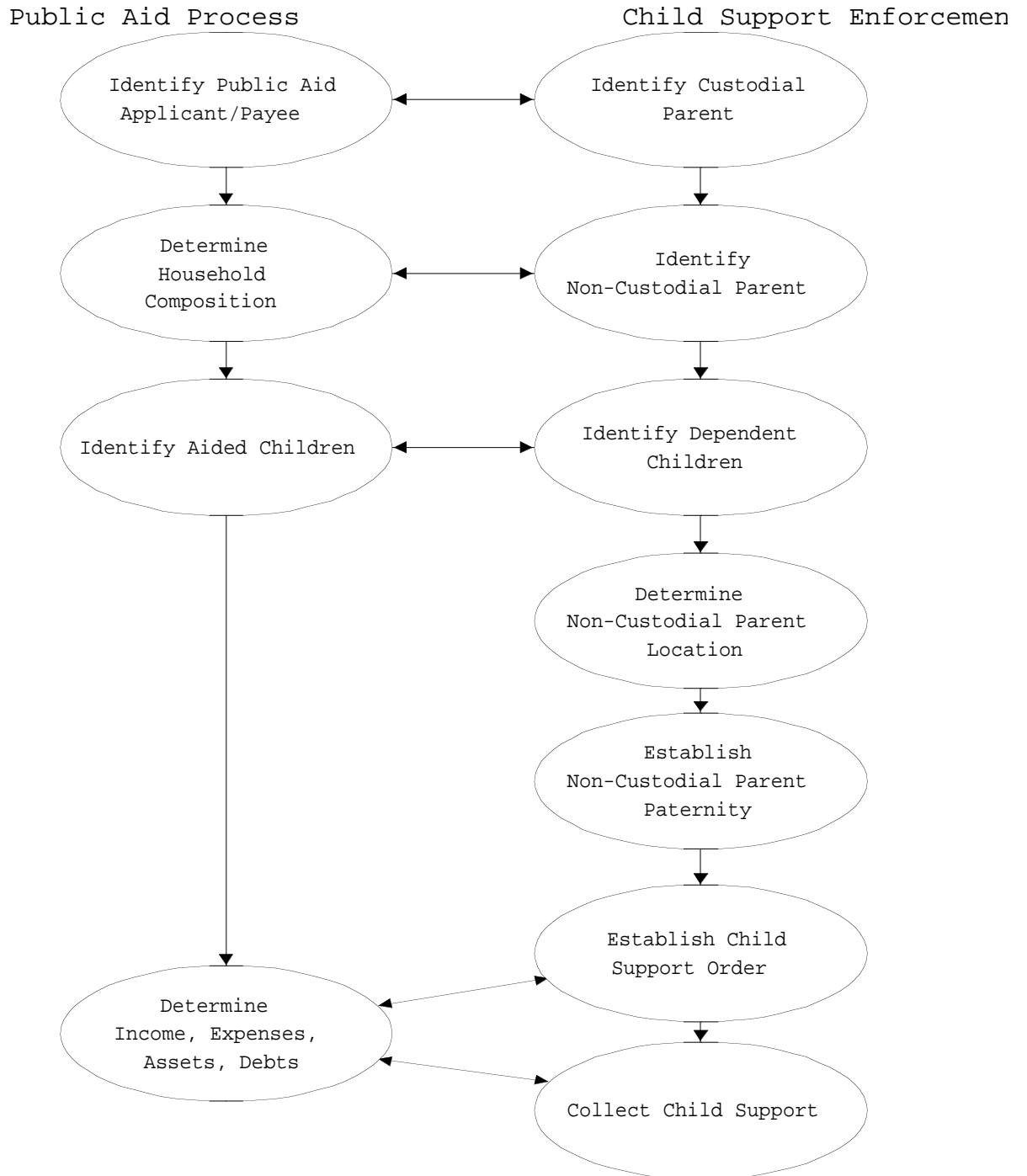
produced. The Department was not able to provide a copy of the previously produced monthly management report.

At this time there appears to be little management oversight of DPSS staff's data collection efforts and submission of CA 2.1Q documents to BFSO. In the absence of the monthly management reports, managers and District Directors do not have the information needed to assess whether all workers are collecting the necessary information to the best of their abilities and whether referrals to BFSO are being made timely. The risk associated with the lack of formalized management tracking of the CA 2.1Q process is that some workers may routinely be not collecting the required information or not making referrals to BFSO. To the extent this is occurring, child support cases are not being established and collections made to recover public aid costs.

Collection of non custodial parent information can be performed by either Eligibility Workers at DPSS or co-located BFSO officers. The intent of this policy is for Eligibility Workers to collect as much data as early as possible to expedite the case initiation process for BFSO staff. The case review conducted for this evaluation and interviews with staff indicate that data collection is usually not completed by Eligibility Workers at DPSS intake. Whether they became BFSO child support cases or not, the majority of case files reviewed either did not contain the required CA 2.1Q form or were missing the non-custodial parent's Social Security number and other information. BFSO staff are more successful at collecting this information though they report that they do not use techniques that could not be performed by Eligibility Workers. Similarities and differences in the nature of the data needed by the two agencies is presented in Exhibit 2.1.

Exhibit 2.1

Comparison of Required Data Elements



Collection of non custodial parent data is critical to the core mission of BFSO but not to DPSS. DPSS staff has the opportunity and ability to collect data elements that are important to child support enforcement, but they often are not doing so. The data required for child support enforcement have no bearing on eligibility determination and benefits calculation. In fact, State law requires DPSS to continue processing applications for public aid as long as the applicant agrees to cooperate with child support enforcement:

Before BFSO staff were co-located at DPSS District offices, Eligibility Workers had primary responsibility for collecting data about non custodial parents. BFSO management reports that data quality markedly improved once this task was transferred to its own staff.

Child support enforcement staff co-located at DPSS offices are more focused and committed to collecting the data elements which are crucial to child support enforcement. DPSS staff are very much aware of co-located child support enforcement staff and appear willing to pass this task on to them.

A record of DPSS case referrals to BFSO was not found in many files

The case file review showed that a number of cases that should have been referred to BFSO for possible child support enforcement were not. Table 2.1 summarizes the case file review results

Table 2.1

**Summary of DPSS Referrals
to BFSO Based on Case File Review**

	#	%
Total sample	30	100.0%
Less cases that should not have been referred to BFSO	5	
Cases that should have been referred to BFSO	25	100.0%
Cases with documentation of referral to BFSO	18	72.0%
Cases with no documentation of referral to BFSO	7	28.0%

As shown in Table 2.1, in seven of the 25 cases that should have been referred to BFSO, or 28 percent of these cases, no record was found of such referrals to BFSO nor was there a record of case creation in ARS. In five of the seven cases where there is no record in ARS, there was no CA 2.1Q found in the DPSS paper file. In one of the seven cases a CA 2.1Q was found in the paper file, but was completed after we had notified DPSS of our selection of the case for review, but before we actually conducted the review. The CA 2.1Q was completed by the aid recipient on 4/27/01 even though aid began 11/1/00. We conclude that potentially in as much as 28 percent of public aid cases, DPSS may not be referring applicants for child support.

Eligibility Workers are required to determine if an applicant has Good Cause precluding her or him from cooperating with the child support investigation at the time of intake. State law specifies:

“Prior to referral of any individual or recipient, or that person’s case, to the local child support agency for child support services...the county welfare department shall determine if an applicant or recipient has good cause for non-cooperation.” (WIC §11477.02)

Valid reasons for Good Cause are delineated in State law as presented in Section 1 of this report. They include: serious physical, sexual or emotional harm to the children or parent or caretaker relative; the children were conceived as a result of rape or incest; court proceedings are underway for adoption of the children and the counseling sessions have not gone on for more than three months; or, cooperation would not be in the best interests of the children for whom support is being sought.

In our case sample, there was no documentation found indicating that any aid applicants had claimed Good Cause for not cooperating with the child support investigation, or that a Good Cause exemption was granted. None of the files contained the required CA 51 form used for this purpose. LEADER showed no sanctions for non-cooperation imposed in any cases in the sample. One of the DPSS files had evidence of a request for sanction from BFSO for non-cooperation, but this request was later dropped due to subsequent cooperation by the applicant. Therefore all applicants in the sample who were referred to BFSO may be presumed to have

cooperated with child support enforcement. This eliminates a possible explanation for the seven cases that should have been referred to BFSO and were not.

Electronic interface between LEADER and ARS is not always occurring;

Automated information technology is designed and implemented because it is generally a superior method of managing data than using paper forms. For example, it eliminates duplicate and unnecessary data collection. It preserves data electronically for review, maintenance and system-wide analysis. There is evidence including our review of a sample of cases that the paper forms on which child support enforcement staff depend are often lost, delayed, or never completed. There does not appear to be any control or oversight over the flow of the paper forms, so there is no way to qualify and quantify the extent of this problem.

“With our new welfare interface (LEADER) we are able to bring over all information that is available on the 2.1Q form electronically when the DPSS worker inputs the information from the form and the case is subsequently approved.” (ARS Bulletin 122 dated 08/03/00)

While LEADER and ARS have automated interfaces in their design which could automate child support enforcement case referral from DPSS, case initiation at this time depends almost wholly on the paper CA 2.1Q form. Referrals could take place electronically between LEADER and ARS but at the time of this evaluation, the process still had not been changed to allow this to occur. Instead, the process remains a paper driven manual process comprised of numerous steps that could be eliminated if the electronic interface were activated.

Currently, to initiate a child support case, the CA 2.1Q form must be:

- 1) Provided by DPSS staff to the aid applicant
- 2) Completed by the aid applicant during aid intake interview
- 3) Transmitted to co-located BFSO staff
- 4) Reviewed and completed during child support enforcement intake interview
- 5) Transmitted to BFSO district office
- 6) Used by BFSO staff to initiate a child support enforcement case on ARS

If any of these steps is missed it is likely a child support case won't be established when appropriate. It is difficult to justify the investment in designing and implementing automated interfaces between LEADER and ARS when the function is not being used.

We were provided with documentation describing the extraordinary efforts BFSO staff take in order to have DPSS staff enter data and activate the electronic interface:

“A CIN number is the unique Client Identification Number assigned by the LEADER computer system to their clients. This CIN number is used in the LEADER/ARS interface to identify participants when changes/updates are made. It’s important to have the ‘link’ to ensure all updates...are processed. If no ‘link’ exists, ARS will utilize a namesearch program to try and identify the participants and process the updates. This may fail if the name, date of birth, or Social Security number on ARS is different from the information on LEADER.”

“If no CIN numbers are not found and no duplicate records are found, an electronic referral has still not been sent to ARS by LEADER. Periodically follow these procedures during the control period. If more than 30 days are past and still no referral has been sent to ARS, notify the Eligibility Worker in DPSS who is assigned to this case...If the Eligibility Worker informs you that the case has been approved [for public aid], ask him/her if she could input the mandatory fields on the ‘Absent Parent Information’ screen so the case will trigger and be sent to ARS via the electronic interface in overnight batch.” (Instructions For Linking CIN Numbers to Participants, BFSO internal memo)

In our case file sample, the LEADER Absent Parent Information screen is typically incomplete, even if there is an absent parent, and even if there is a child support case already established by BFSO. This indicates that data about the absent parent was not keyed into LEADER by DPSS staff, and has not been updated in LEADER even after the data is collected by child support enforcement staff and keyed into ARS. Keying information into the LEADER Absent Parent Information screen is the trigger for automatic exchange of data about the absent parent between LEADER and ARS. If this is not done, there is no link established.

Of the 30 case sample, there were 16 active child support enforcement cases in ARS. However, in 7 of the 16 cases (43.8 percent) ARS had a record of the non-custodial parent’s Social Security number while LEADER did not. In 1 of the 7 cases, the non-custodial parent’s last name was not the same in LEADER as in ARS. Based on this example, it is possible that even if there is a child support enforcement referral to ARS, potentially 1 in 2 cases will experience errors during data exchange because of a mismatched Social Security number. We did not review mismatched dates of birth.

The written instructions to child support enforcement staff show that:

- Electronic transmission of data between ARS and LEADER is triggered only when DPSS staff complete the LEADER Absent Parent Information screen
- Extraordinary efforts are required by child support enforcement staff to track and monitor on their own, using handwritten notes to themselves, when data about absent parents is keyed into LEADER by DPSS staff

- DPSS staff need to be prompted to collect and key into LEADER data about absent parents because they typically do not update screen during initial application.

All of these are redundant tasks because BFSO staff perform them while having to rely on receipt of a paper form to collect data about absent parents and to initiate child support enforcement cases. Having to perform these tasks eliminates a major potential benefit of using information technology to automate data exchange about absent parents.

Timeliness of DPSS Referrals to BFSO

A 1997 audit of the Bureau of Family Support Operations reported:

“BFSO experiences difficulty coordinating with other agencies to manage the quality and schedule of data inflows...Welfare case referrals are frequently not sent timely or at a steady stream...”

“When BFSO does not receive timely or complete case referrals from DPSS backlogs in opening cases can occur. This in turn threatens BFSO’s compliance with State timelines for opening cases. Further, BFSO must expend time and effort to research WCMIS [LEADER] or conduct interviews with the CP to obtain the information...”

“Planned electronic interfaces with DPSS and case processing changes mandated by welfare reform should improve the timeliness of data and reduce the delays in opening cases.”

--from 1997 PriceWaterhouse audit of BFSO, Finding F: Getting Quality Data at the Source

Many of the problems identified in the 1997 audit regarding timely data flow between DPSS and BFSO still exists. Table 2.2 below shows that in our case file review of 30 cases, the Child Support Questionnaire CA 2.1Q forms in eight cases were dated long after the legally required case referral deadline; 2 days after public aid is approved. In fact the median number of days in excess of the two day requirement was 87 days for these eight cases.

Perhaps even more disconcerting, the CA 2.1Q forms in these eight cases were all signed and dated after the auditors submitted to DPSS the list of cases selected for our review, two days before the review was actually conducted. These indicate cases where aid payments have been made for long periods without any child support enforcement.

Table 2.2

Dates of Aid Approval and Days Elapsed from Required 2 Day Referral Due Date for Cases with Child Support Questionnaires Dated 4/27/01

Case #	Date Aid Approval	Date Referral Due	Actual Date of Referral	Days Elapsed from Due Date
1	4/6/00	4/8/00	4/6/01	0
2	11/24/75	11/25/91	4/27/01	3,441
3	5/1/98	5/3/98	4/27/01	1,090
4	12/1/95	12/3/95	12/4/95	1
5	5/12/00	5/14/00	5/14/00	0
6	11/1/00	11/3/00	4/27/01	175
7	9/16/97	9/18/97	2/19/98	154
8	4/12/88	4/14/88	5/4/88	20
Median # Days				87

In many cases DPSS workers do not collect data about non custodial parents, leaving this task to be performed by BFSO workers. This delayed data collection can have ripple effects in child support enforcement case processing.

When DPSS staff fill out a CA 2.1Q form and send the form to co-located BFSO staff for completion, BFSO's 20 day timeline for case initiation begins. BFSO must open a case if appropriate, or determine that a child support case should not be opened within 20 days of receipt of the referral. However, if the aid applicant fails to remain for the co-located interview, the clock begins ticking even though the CA 2.1Q is unlikely to have any meaningful data with which to make the determination. Very few cases referred are not appropriate for child support enforcement, therefore BFSO is often pressured to initiate a case.

DPSS staff often do not insist on the applicant completing the CA 2.1Q secure in the knowledge that BFSO staff will do so. This reduces the likelihood the aid applicant will not make a claim of Good Cause (legitimate or otherwise) until they are interviewed by co-located BFSO staff. However, BFSO cannot accept the claim. They must cease all case processing and refer the applicant back to DPSS staff to determine if Good Cause exists and begin the 20-day clock for determination of the Good Cause claim. After a determination on the claim is made, then the applicant must begin the child support enforcement case initiation process over again.

Delays in data collection and case initiation impair the quality of data collected because as the applicant's financial and household situation changes, data which has been collected becomes outdated. Poor quality data further impairs the chances of successful child support case initiation and collections.

RECOMMENDATIONS

Based on the above findings, it is recommended that the Director of the Department of Public Social Services:

- 2.1 Reinstated a management system for measuring the extent to which child support related data is completely collected by Eligibility Workers and referred timely to the Bureau of Family Support Operations, to be reviewed on a regular basis such as monthly by upper management and all District Directors;
- 2.2 Develop regularly produced LEADER generated reports for management review and analysis, detailing all aid applications, those that should be referred to the Bureau of Family Support Operations according to aid unit characteristics, and the number actually referred, by District Office;
- 2.3 Develop an ongoing program of auditing samples of case files through LEADER to determine that all cases that should be referred to the Bureau of Family Support Operations are being referred and take corrective actions if they are not;
- 2.4 Use new LEADER generated management reports to regularly compare percentage of total applications, data collection completeness rates and the timeliness of case referrals to the Bureau of Family Support Operations, by District Office, with the goal of determining and replicating practices that achieve the highest rates of data collection completeness and timely referrals;
- 2.5 Continue with current efforts to complete all LEADER screens upon application or no later than first annual review.

Costs and Benefits

Implementation of the above recommendations would require staff time to develop new LEADER generated reports but should not require any new direct costs for hardware or software as LEADER was designed to allow for custom made management reports. Additional staff training will not incur any new direct costs but would also require staff time.

The benefits of the above recommendations would include additional management oversight and accountability for DPSS's child support data collection efforts and timely referrals to BFSO. The improved accountability and management oversight of this function should produce improved performance in these areas and a higher rate of successful child support cases. Activating LEADER's electronic interface with BFSO's information system should streamline the case referral process and improve the accuracy and usefulness of both systems.

3. Need For Process Controls on Case Sanctions

- **A review of a sample of cases in which BFSO requested imposition of sanctions on aid applicants for non-cooperation indicates that DPSS does not follow up on such requests in accordance with regulation and procedures. In 42 percent of a sample of BFSO sanction requests for non-cooperation, sanctions were not imposed nor was there a record of a Good Cause determination by DPSS that would preclude imposition of the sanction. Neither DPSS or BFSO can provide evidence that all sanctions are being imposed when appropriate or that the required steps are taken by DPSS to determine Good Cause which can exempt an applicant from cooperation.**
- **It appears that some aid applicants who do not cooperate with child support enforcement may not bear a sanction for failure to cooperate. If the sample reviewed is representative, County aid payments could be as much as \$7.2 million more than they should be a result of not imposing sanctions on non-cooperative aid applicants and recipients.**
- **Organizations which are mutually dependent for proper and timely case processing must have controls over their case transactions to provide accountability and assurance that all necessary transactions are made, that legally mandated timelines are met, and allow for auditing and monitoring staff performance. No such controls over sanction requests and outcomes appear to be in place at DPSS leaving management with little ability to monitor and control these activities.**
- **Data mismatches were found between LEADER and BFSO's information system in 36 percent of the cases reviewed. Such mismatches could result in failure of electronic communications between the two systems or voiding of cases. The probability of data mismatches is increased by redundant data entry that now takes place due to the absence of electronic interfaces between the two systems.**

Failure to Cooperate and Good Cause Exemption

As described previously in this report, public aid applicants are required by law to cooperate with the child support investigation process if one or more of the applicant's children has a non-custodial parent. Cooperation is defined as follows:

- Applicant must provide all relevant information about identity and whereabouts of non-custodial parent
- Provision of complete forms
- Appear at BFSO as scheduled
- Submit to genetic testing of paternity
- Serve as witness in court
- Forward any direct payments received from non-custodial parent

The cooperation requirement can be waived for Good Cause such as a threat to self or the children as a result of cooperating, court proceedings being underway for adoption of the

children, children conceived as a result of rape or incest, or cooperation not being in the best interests of the children.

Documentation of non-cooperation and Good Cause determinations are required on standardized forms which are to be prepared by DPSS staff and included in case files. If BFSO staff determine that an applicant is not cooperating, they are required to send a Two-Way Gram and the DA-594 form to DPSS requesting that a sanction be imposed on the applicant or recipient. Before DPSS may impose a sanction, State law and regulations require DPSS to ascertain whether the applicant has a legitimate reason, or Good Cause, justifying non-cooperation (California Welfare & Institutions Code §11477.02 and California Department of Social Services Manual §82-510.4). The actions take by DPSS staff in response to sanction requests from BFSO are to be recorded on a PA 112 form. Good Cause is to be verified through sources such as the following, to be documented on a CA 51 form:

- Legal or medical documents such as birth certificates
- Court documents
- Statement of adoption agency
- Records of law enforcement, court, government or other competent professionals
- Sworn statements made under penalty of perjury

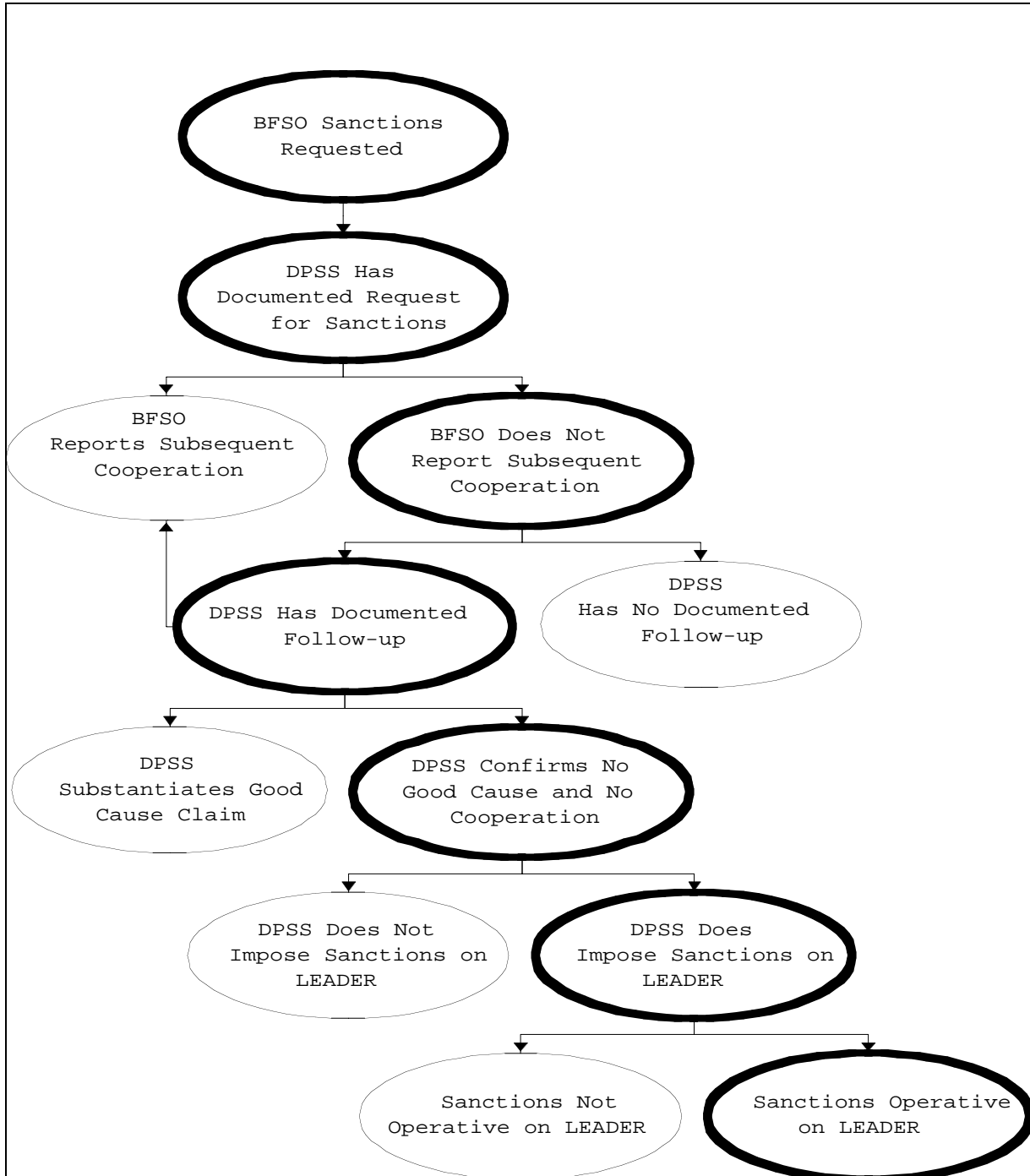
Exhibit 3.1 shows the steps involved in imposing sanctions.

If BFSO staff request a sanction for non-cooperation, there are only three possible resolutions:

1. DPSS staff follow-up with the applicant who continues to be non-cooperative and sanctions are imposed (child support enforcement case proceeds)
2. DPSS staff follow-up with the applicant who subsequently cooperates with child support enforcement efforts (child support enforcement case proceeds)
3. DPSS staff follow-up with the applicant who substantiates a claim of Good Cause (child support enforcement case is closed)

Exhibit 3.1

Flowchart for Imposing Sanctions



All three of these scenarios are supposed to be documented on required forms and included in the case file. The sanction for non-cooperation is as follows according to State law:

Sanction for Non-Cooperation—Applicants who do not cooperate with child support enforcement are subject to a sanction of 25% of their aid payment. BFSO notifies DPSS the applicant is not cooperating. DPSS must follow-up on the request to assure no Good Cause exists and then impose the sanction by reducing the aid payment by 25%.

Because sanctions are a case transaction initiated by BFSO instead of DPSS, unlike child support enforcement referrals, and because sanctions represent an important element of the County’s child support enforcement program, we reviewed the sanctions process through a second sample of cases. Cases were selected for this second sample from a list provided by BFSO of cases for which sanctions were requested in March 2001. We randomly selected 30 of these cases managed at DPSS Southwest Family office. DPSS provided us with 28 of the 30 files we requested. Two of the files were unavailable and not provided. A summary of the results of this case review are presented in Table 3.1

Table 3.1
Summary of Results of Case File Review
Cases Referred to DPSS by BFSO for Sanctions to be Imposed

Total sample	30
# case files deleted from sample	2
Subtotal: # cases reviewed	28
No record of BFSO sanction request at DPSS	4
Subtotal: # cases with record of BFSO request at DPSS	24
<i># cases with sanctions imposed:</i>	
# cases no documentation of DPSS follow up	10
# cases with documentation of DPSS follow up	4
Total # cases with sanctions imposed	14
<i># cases sanctions not imposed:</i>	
# cases no documentation of DPSS follow up	10
# cases with documentation of DPSS follow up	0
Total # cases sanctions not imposed	10

Of the 28 reviewed cases out of the 30 requested, four did not have a record of BFSO’s sanction request for non-cooperation. This means that DPSS does not have a record of BFSO’s request in 4 of the 28 case files (14%). As a result, no DPSS follow up action occurred in response to the BFSO request and assumedly the applicants received full aid even though they were reported as non-cooperative by BFSO.

Of the 28 case files we reviewed, only 4 had evidence of full compliance regarding sanctions for failure to cooperate including:

- Two-Way Gram indicating non-cooperation
- DA 594 form requesting sanctions (and none showing subsequent cooperation)
- PA 112 form indicating follow-up and outcome
- LEADER Sanctions screen indicating sanctions imposed

In the 24 sample cases where DPSS did have a record of BFSO's sanction request, a Two-Way Gram form was found in each case file reporting that the applicant/recipient had not cooperated with child support enforcement as were companion DA 594 forms requesting DPSS to impose sanctions for non-cooperation.

Of the 24 cases, only 4 case files (17 percent) had a PA 112 form documenting DPSS staff follow-up on the BFSO request. Twenty of the cases (83 percent) had no DPSS documentation of follow up. Excluding two cases where subsequent cooperation was documented by BFSO (and not DPSS), there were 18 cases without any documentation of follow up. Of those, nine had sanctions imposed anyway according to LEADER and nine did not. Of the two cases where cooperation was subsequently obtained, one had a sanction appropriately imposed and recorded on LEADER and removed when the applicant subsequently cooperated. The other case never had a sanction recorded on the LEADER Sanction screen. Since the sanction is a reduction in the aid payment, the sanction must appear on the Sanctions screen in order for the sanction to be activated.

Follow-up consists of contact with the aid applicant, possibly including a personal interview to assure the applicant understands the ramifications of failure to cooperate and whether or not Good Cause exists. The absence of follow up violates CDSS Manual §82-510.4 that requires DPSS to determine Good Cause if BFSO finds failure to cooperate. All four of the cases with evidence of DPSS follow-up had sanctions recorded on the LEADER Sanctions screen.

In the sample, none of the 28 case files had CA 51 forms or other documentation indicating the aid applicants had made a claim of Good Cause, or had a Good Cause claim reviewed, substantiated, or denied. Accordingly, all of the applicants in the sample should have been sanctioned for non-cooperation. This confirms staff reports that Good Cause claims are relatively rare and that this exemption is rarely used.

Four cases where sanctions were imposed by DPSS suffered from another problem and the sanctions were never actually activated. In these four cases, the Sanction End Date on the LEADER is earlier than the Start Date. For example, one case had sanctions imposed with a Start date of 5/1/01 and End Date of 3/1/01. The sanction would never operate because on 5/1/01 when LEADER tries to activate the sanction, it simultaneously ends the sanction because the End Date of 3/1/01 has already past. We have evidence of a failure in LEADER's functionality in which the system automatically terminates sanctions. This is confirmed by 4 of 14 sanctions (29%) which have been rendered inoperative in this manner.

If the four cases of inoperative sanctions are added to the 9 cases where sanctions were requested but never imposed and were not waived for Good Cause, DPSS performance in this area worsens. In this analysis, 13 of 22 cases (59%) sanctions were not imposed where they should have been. Three of every five aid applicants who does not cooperate with child support enforcement does not face sanction. If the other four cases in which DPSS has no record of

BFSO's request to impose sanctions are added back, the analysis worsens even further to 17 of 28 cases (61%) where sanctions were not imposed where they should have been.

Potential Risk

The potential cost of failure to impose sanctions where they should can become immense. Not only does the County make aid payments that are too high, it makes high payments on too many cases. It reduces the incentive to cooperate with child support enforcement and loses opportunities to recoup aid expenditures.

- 9 cases where sanctions were not imposed but should have been
- 4 cases where sanctions were imposed but not operative
- 4 cases where DPSS had no documented request for sanctions
- 17 of 28 cases (61%) we presume should have had sanctions imposed but didn't
- 7,900 requests for sanctions from BFSO annually x 61% = 4,819 cases
- 4,819 cases x \$500 monthly aid payment¹¹ x 12 months x 25% sanction = \$7,228,500/year additional aid costs

In the sample, there was a mismatch of data between BFSO and DPSS on the non-custodial parent name in 10 of 28 cases (36%). A mismatch of even one letter is enough to cause the automated link between LEADER and ARS to fail. In addition, a mistake of even one letter in a name is enough to render the court documents generated by ARS legally void. This error impairs BFSO ability to initiate child support enforcement cases within timeline. We did not review mismatches of Social Security number or date of birth in these cases. Mismatches in these data elements would cause similar failure. In more than one of three cases, there is reasonable likelihood that automated data exchange will fail due to one mistaken keystroke. This likelihood would be reduced if there was no need to reenter data into ARS which has already been keyed into LEADER. This requires activation of electronic interfaces between the two systems. If such interfaces were established, redundant data entry and the increased risk of data entry mistakes could be reduced.

When Not To Cooperate

Even quality data will not improve effectiveness of child support enforcement when it is a rather simple matter to *appear* to cooperate with child support enforcement by providing information indicating the absent parent is an alien who resides abroad. This set of circumstances is frequent and typically results in opening a child support enforcement case that is subsequently closed because BFSO cannot locate the non-custodial parent.

The County's child support enforcement effort is reduced in effectiveness when there is no disincentive for aid applicants for failing to cooperate. But it is also less effective when parents are not rewarded for cooperating. California has established a \$50 pass-through which is given to aid recipients who cooperate, if the other parent of their children makes child support payments. The \$50 does not affect eligibility determination and benefits calculation for public

¹¹ CalWORKs monthly aid payment amounts vary depending on household composition and other sources of income. A typical payment for a mother and one child is approximately \$600 per month. A slightly lower amount, \$500, was used for this calculation.

aid (it does affect food stamps.) The monthly pass-through is meant to overcome resistance to cooperating with child support enforcement.

However, it may be fiscally rational to accept a 25% sanction in order to protect a non-custodial parent, who may provide greater value in unreported cash or in-kind support such as diapers, from County efforts to enforce child support obligations. Even though eligibility for public aid requires aid recipients to forward any direct child support payments to the County, applicants may choose not to keep them if they are worth more than the sanction. Table 3.2 below shows an example of where a choice to not cooperate with child support enforcement is rational.

In the first column, a custodial parent is keeping direct support from the non-custodial parent in addition to her aid payment. Because she has elected not to cooperate with child support enforcement, and keep the child support given to her directly, her aid payment is reduced by 25% sanction. If she elects to cooperate with child support enforcement, her aid payment is not sanctioned, but child support from the non-custodial parent is assigned to the County to recoup the aid payment, and she does not keep it. Electing to cooperate removes the sanction, but that is not enough to compensate her for the loss of the child support she had been receiving directly. Even with the sanction, the custodial parent is better off not cooperating with child support enforcement.

In this case, it is rational not to cooperate with child support enforcement. The custodial parent receives more than otherwise, the non-custodial parent likely pays less than otherwise. The only loser is the County, which makes the aid payment and does not recoup the cost through child support enforcement.

Table 3.2

Example of Rational Choice to Not Cooperate with Child Support Enforcement

	Failure to Cooperate	Cooperation
DPSS Aid Payment	\$400.00	\$400.00
Direct Unreported Child Support from Non-Custodial Parent	200.00	0.00
Subtotal	\$600.00	\$400.00
\$50 Pass-Through from Child Support Collection	0.00	50.00
25% Sanction For Failure to Cooperate	-100.00	0.00
Total	\$500.00	\$450.00

RECOMMENDATIONS

Based on the above findings, it is recommended that the Director of the Department of Public Social Services:

- 3.1 Investigate possibility of phasing out paper forms documenting child support related activity to be replaced by entering the same data on LEADER and printing out hard copies thus eliminating redundant data entry on LEADER and ARS;
- 3.2 Add a logic check in the LEADER Sanctions screen to eliminate the possibility of sanction end dates preceding start dates and thus canceling sanctions imposed for non-cooperation.
- 3.3 Work with the Bureau of Family Support Operations to jointly develop control lists and statistical reports that are based on the same data base and reconcile to one another tracking the status of cases transactions between the two agencies;
- 3.4 Begin maintaining a LEADER generated control list of all cases for which sanctions have been requested by BFSO;
- 3.5 Begin maintaining a LEADER generated control list of follow up actions taken by Eligibility Workers in response to BFSO requests for sanctions and the outcomes of each request: Cooperation obtained; Non-cooperative but with Good Cause; and Non-cooperative and sanctioned;
- 3.6 Develop an ongoing program of auditing samples of case files through LEADER to determine that all cases that should be sanctioned at the request of the Bureau of Family Support Operations are indeed being sanctioned or Good Cause is documented and take corrective actions when there are exceptions;
- 3.7 Begin preparing a summary annual report on child support cases for the Board of Supervisors reporting: number of aid applications; number of referrals to the Bureau of Family Support Operations; number of cases open; percentage of open cases on which there has ever been a child support collection; number of cases determined non-cooperative but with Good Cause; number of non-cooperative cases without Good Cause; and number of cases sanctioned.

Costs and Benefits

There would be no new direct costs to implement the above recommendations. As with the recommendations in Section 2, staff time would be required to design new management reports and audit functions in LEADER and making adjustments to the LEADER Sanctions screen. The phasing out of paper forms to be replaced by LEADER generated forms and documents could reduce some printing and duplicating costs and will save staff time by ending redundant data entry.

Implementation of the above recommendations will improve accountability and management oversight over the process of imposing sanctions. By ensuring that DPSS staff follows up on all

sanction requests and that sanctions are imposed in all appropriate cases, County aid payments for CalWORKs recipients could be reduced by as much as an estimated \$7.2 million per year.

Mailing Addresses and Locations

#	Form	Authority/Source	Prepared by	To be sent to:	Purpose
I	CA 2.1		DPSS		Includes check box for Agreement with assigning child support rights and medical support rights. Should be in paper file.
II	CA 2.1Q		DPSS	DA	Support Questionnaire should list NCP name, DOB, work place, SSN, etc. Should also be in file when changes have occurred as recorded during redetermination. <i>All shaded questions must be answered or marked unknown. Not sent if good cause determined.</i> Copies of birth documents should accompany.
III	CA 51	Administrative Directive 3880	DPSS	DA	Prepared by DPSS and should document good cause. This is to be forwarded to DA
IV	DA 594-G	Administrative Directive 3880	DA	DPSS	DA form indicating that applicant/recipient failed to cooperate after the CA 2.1Q referral from DPSS.
V	PA 112	Administrative Directive 3880	DPSS	DA	Reports “EW Report on Client’s failure to Cooperate” in response to receipt of a DA 594-G from the DA. <i>To be sent even if good cause is determined.</i>

Above documents are available for download as Acrobat Files.
File size is 4.3 megabytes and may take some time to download.

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