

FINAL REPORT

1983 - 1984



Los Angeles County Grand Jury

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1983-84 Los Angeles County Grand Jury

<i>NAME</i>	<i>RESIDENCE</i>	<i>OCCUPATION</i>	<i>NOMINATING JUDGE</i>
Phyllis E. Amboss	Pacific Palisades	Travel Agent	Alfred W. Dibb
Arthur Armas	La Mirada	Communications Technician	Carol J. Fieldhouse
Natalie M. Arnold	Encino	Business Consultant	Robert R. Devich
Anthony N. Bavero	Agoura Hills	Motion Picture Master of Properties	Jack W. Swink
Evelyn V. Benson	Los Feliz	Teacher	John A. Arguelles
Aurora C. Galindo	Echo Park	Homemaker	Robert R. Devich
Clifford B. Green	Crenshaw District	Federal Employee	Maurice Hogan, Jr.
William Hirsch, Ed.D.	Encino	Educator	Robert Schifferman
Mary A. Jay	Burbank	Housewife	Thomas C. Murphy
Harold S. Keating	Redondo Beach	Writer	Frank Baffa
Ida M. Martinez	Monterey Park	Real Estate	David N. Eagleson
Cirilo M. Montero	Boyle Heights	Businessman	Raymond Cardenas
Lillian Naiman	Los Feliz	Nutritionist	Eric E. Younger
Mario C. Negri	Hollywood	Banking V.P.	Jack W. Swink
Joseph M. Quesada	Norwalk	Federal Employee	Carroll M. Dunnum
Glenn E. Quillin	Ladera Heights	Industrial Engineer	Richard G. Harris
Bernard G. Ramos	Brentwood	Business Manager	William J. Rea
Allan J. Rippner	Cheviot Hills	Advertising	Robert Fainer
James S. Rodriguez	Beverly Hills	Electronics Supervisor	Harold J. Ackerman
Judith B. Rosen	Encino	Professional Volunteer	Jerome K. Fields
Bertha H. Schwartz	Park LaBrea	Professional Volunteer	Frances Rothschild
Benjamin N. Scott	San Pedro	Labor Organizer	Kenneth W. Gale
Walt A. Steiger	Ladera Heights	Attorney	Stephen R. Stothers

Officers and Committees

Bernard G. Ramos, Foreman

Glenn E. Quillin, Foreman Pro Tem

Walt A. Steiger, Secretary

Clifford B. Green, Sergeant-at-Arms

Audit Committee

Glenn E. Quillin, chairman
Phyllis E. Amboss
Natalie M. Arnold
Ida M. Martinez
Joseph M. Quesada
Judith B. Rosen
Benjamin N. Scott

Education Committee

William Hirsch, chairman
Evelyn V. Benson
Cirilo M. Montero
Joseph M. Quesada
Allan J. Rippner
Judith B. Rosen
Benjamin N. Scott

Criminal Justice Committee

Walt A. Steiger, chairman
Anthony N. Bavero
William Hirsch
Mary A. Jay
Mario C. Negri
Allan C. Rippner
James S. Rodriguez
Bertha H. Schwartz

Health and Hospitals Committee

Mario C. Negri, chairman
Anthony N. Bavero
Aurora C. Galindo
Mary A. Jay
Ida M. Martinez
Lillian Naiman

Jails Committee

Arthur Armas, chairman
Clifford B. Green
Harold S. Keating
Cirilo M. Montero

Transportation & Environment

Bertha H. Schwartz, chairman
Phyllis E. Amboss
Natalie M. Arnold
Clifford B. Green
Glenn E. Quillin
James S. Rodriguez
Walt A. Steiger

Juvenile Concerns Committee

Evelyn V. Benson, chairman
Aurora C. Galindo
Lillian Naiman
Judith B. Rosen

Editorial and Continuity Committee

Harold S. Keating, chairman
Phyllis E. Amboss
Arthur Armas
Joseph M. Quesada
Glenn E. Quillin

Foreman's Statement



Bernard G. Ramos

My experience this year has run the gamut from frustration through despair to futility interspersed with moments of satisfaction at our accomplishments and appreciation for the benefit of a certain amount of education about the government of a county of nearly eight million people – a county larger than forty-three of our states and larger than more than 100 of the world's approximately 160 nations.

The first three months were occupied with tours of major County institutions and visits from senior County functionaries such as the Sheriff, the Supervisors, the District Attorney and the heads of many other County departments. We were made to feel important, and we heard repeated tribute to the significant role played by the Grand Jury.

We were a serious and mature group, eager to make a meaningful contribution. We returned indictments in some interesting criminal cases which received extensive media coverage and were excited by the prospects of engaging in various types of investigations which would make positive improvements on behalf of the citizens we represent.

Some doubts started to creep into my thinking and as I read and re-read the Charge to the Grand Jury I began to realize the extent to which our actions are limited. It occurred to me that the year of service might be more frustrating than rewarding.

A few reflections:

On the need for a Grand Jury – There is a definite need for a Grand Jury as part of the criminal justice system. It is essential that a procedure exist whereby selected indictment and investigatory hearings can be handled in secret session. The Federal Grand Jury system seems as effective, much less costly and doesn't attempt to delude jurors as to their importance or influence. Insofar as the civil function is concerned, millions of dollars could be saved state-wide by discontinuing that portion of Grand Jury responsibility.

On the "Hawkins" decision – We learned of the 1978 decision, *Hawkins v. Superior Court*, rendered by the California Supreme Court. Most of us shared the feeling that *Hawkins* was an unwise decision which greatly reduced the involvement of the Grand Jury in criminal matters and we resented that we would be seeing less of "the glamour side of the business" in the coming months.

The importance of the Jury's criminal function was greatly diminished by *Hawkins*. But one effect of the Court's decision may have unintentionally increased the Grand Jury's ability to effect change within County government. Before *Hawkins* the bureaucracy kept the Grand Jury busy hearing criminal cases, thereby preventing it from rocking any boats or creating any problems through the exercise of its audit powers. Since *Hawkins*, the Grand Jury has had more time to devote to investigations of the County and City departments which expend taxpayers' money.

On the "Charge to the Jury" – The "charge" to the Grand Jury lists and discusses the laws which define and restrict the jurisdiction (role) of the Grand Jury. These laws appear to prevent the Jury from undertaking many projects that it would like to investigate on behalf of the citizens.

In fact, to call us "watch dogs" is spurious. As we have no bite, perhaps "watch cats" may be more descriptive. No, that's too strong – perhaps "watch mice", or even "watch gnats" would be more appropriate! The term "watch dog" suggests a "checks and balances" relationship between the Grand Jury and the bureaucracy. A "watch dog" is there to guard against the threat which may come from an enemy. A "watch dog" is *not* there to guard one from friends! I wonder if those who established the Grand Jury system intended its influence to be so limited.

On the Jury selection process – The average citizen does not understand the role of the Grand Jury and how it differs from a trial jury, a group which most of us understand and on which many of us have served. The trial juror operates in a passive mode, listening to testimony and then deliberating to a finding of guilt or innocence. Grand Jurors play an active role; in criminal cases they are the equivalent of the judge in a preliminary hearing. Further, they also participate with the District Attorney in the interrogation of witnesses.

On the civil, or "watch dog" side, Grand Jurors must be willing to do detective work, research vigorously for appropriate materials, then *draw conclusions* and *write about them*.

These are not people who should be drawn at random from the telephone book or from voter registration lists. We have heard many suggestions for improving the quality and effectiveness of the Grand Jury but most of them have to do with structure and form and are clearly irrelevant.

The only real way to improve the Grand Jury is to improve the quality of individuals chosen to serve. Unfortunately, this is the area where the democratic system often founders. In theory all of us are created equal but in reality some individuals are better suited than others to be Grand Jurors. Some desirable criteria are:

1. A good educational background;
2. Ability to study and do research;
3. Ability to express concepts and ideas clearly and cogently, both orally and in writing;
4. Experience working on committees;
5. A basic knowledge and understanding of government;
6. Willingness to work long and hard without financial rewards.

Any organization can be only as effective as the average of the talent and competence of the individuals selected to serve. It is the judges of the Superior

Court who have the power to select Grand Juries of superior quality or innocuous, impotent Grand Juries which waste time, dollars and energy.

If the Grand Jury is to make a meaningful contribution it will be because the judges made it possible through effective Jury selection. If a Grand Jury does not succeed, judges must accept major blame for the failure because their Jury selection process proved inadequate.

On frustrations – My greatest frustration of the year was an inability to convince many listeners, including many of my fellow Jurors, of the inadvisability of Metro Rail plans to build an 18-mile tunnel following the Wilshire corridor from downtown to Fairfax Avenue then north through the Hills to North Hollywood. In my opinion this project represents pork barrel politics at its worst. Los Angeles' need for a subway is highly questionable and apparently is motivated by a need to gratify the egos of some of its political sponsors and the financial aggrandizement of some commercial supporters.

At this writing it appears that wiser heads in Washington are questioning the expenditure of billions of dollars of Federal funds. Cutting of proposed funding should sound the death knell for this project.

On Advisers – It is gratifying to note the generally high caliber of the people running the affairs of the County. Space does not permit listing all of the individuals who were impressive and helpful but I would like to express my gratitude to



*Supervising Judge
Ronald M. George*

Supervising Judge Ronald M. George who was always available for guidance and for interpretation of complicated issues. Also, very special appreciation must be noted for Audrey B. Collins, our legal adviser. Mrs. Collins is an outstanding person, not only as a lawyer but as a diplomate who helped keep the Jury as effective as possible despite wide variances in temperament and background among its members. Mrs. Collins and I



Audrey B. Collins

had many areas of disagreement but we always were able to find room for compromise to allow the work of the Jury to proceed.

It is my personal opinion that many of the problems we encountered were caused by the lack of a clear definition of the roles of the Legal Adviser and the Foreman. Discussions with Mrs. Collins and with her superior, Richard Hecht, resulted in the development of a written job description for Legal Adviser. I hope that this action will help Foremen and Legal Advisers guide future Grand Juries toward maximum productivity and effectiveness.

Report of the Audit Committee



Left to Right – front row: Phyllis E. Amboss, Glenn E. Quillin, chair, Natalie Arnold. Back row: Joseph M. Quesada, Ida M. Martinez, Judith Rosen, Benjamin N. Scott.

Audit Committee

PURPOSE

The California Penal Code, section 925 *et seq.* authorizes the Grand Jury to conduct audits of the fiscal records and management policies of County officers and Departments, including joint powers agencies and special purpose assessment and taxing districts. Effective January 1, 1984, Penal Code section 925a extended this authority to incorporated cities within the County. Consistent with tradition, the Grand Jury delegated this responsibility to the Audit Committee.

AREAS OF CONCERN

Abstracts of Previous Audits

Municipal Court Support Services

Lynwood School District

Community Redevelopment Agencies (CRA's)

Comparative Analysis of Cities' Management

BACKGROUND

Early in its term, the Audit Committee invited proposals and interviewed respondents from certified public accountant firms. It selected the Harvey Rose Accountancy Corporation as its contract auditor based on a weighted scale of experience and past performance. The screening process was exhaustive, but the time spent was well justified because of the outstanding performance of the contract auditor.

To develop a list of potential audit areas, the Committee met with County officials and private citizens, examined the County budget and other reference documents and examined lists of current and recent audits performed under County auspices.

FINDINGS AND RECOMMENDATIONS

Abstract of Audits

The Grand Jury recommends that in July of each year, the incoming Grand Jury be presented with an updated version of the "Abstract of Audits Conducted . . ." covering the five preceding years. The Abstract should include all County sponsored audits including Auditor-Controller, Chief Administrative Officer (CAO), Grand Jury and any others.

An effort was made to obtain from County offices a complete list of previously filed audit reports but no such list was found. Available information was not useful for our audit purposes.

Because of this problem, the Audit Committee asked its contract auditor to prepare a compendium of audits performed within the past five years. The result is a report entitled "Abstract of Audits Conducted on Los Angeles County Departments and Programs, 1978-83". Each Abstract consists of the study's title, whether the audit was fiscal or management, its scope, completion date, and authors.

The Municipal Courts

Court Support Services

The Grand Jury recommends that the Board of Supervisors continue to support the passage of AB 2978 which authorizes the Board of Supervisors to select the agencies to perform management audits of municipal and justice courts [see Exhibit 1].

It is further suggested that the 1984-85 Grand Jury continue to follow this legislation to ensure its ultimate passage.

The contract auditor was directed by the Grand Jury to conduct a management audit of the 24 municipal courts in Los Angeles County. However, jurisdictional objections were raised by the Presiding Judges' Association. A subsequent County Counsel opinion stated that neither the Board of Supervisors nor the Grand Jury had authority to perform management audits of the municipal courts or the Marshal. According to the opinion, judges are state officials, and thus not subject to the current definition of "county officials" [who are subject to management audits].

We note that the Grand Juries in Marin and San Francisco Counties have conducted management audits of the municipal courts in those counties. Thus the opinion of the Los Angeles County Counsel is at odds with interpretations in other counties. The Grand Jury believes that its authority, as well as that of the Board of Supervisors and the Auditor-Controller, to provide management audits of the municipal courts should be established, and clearly stated, within the enabling legislation of the State [See Exhibits 2-3].

A substantial portion of the operations of the municipal court system in Los Angeles County is not subject to management audits or performance reviews by the Grand Jury, the Board of Supervisors or the Auditor-Controller. Furthermore, implementation of recommendations contained in management and performance reviews by the Judicial Council and fiscal audits conducted by the Auditor-Controller is subject to the discretion of individual court districts.

Los Angeles County pays for virtually the full cost of the municipal court system which consists of 24 separate autonomous municipal court districts. However, the courts are a separate branch of government and the performance of the courts and their staff is not subject to management audits or performance reviews by County agencies. Budgets for all of the municipal court districts total approximately \$74 million annually. In addition, the cost of other County departments and programs which staff the municipal courts or which operate in the municipal courts is approximately \$86 million annually for a total of approximately \$160 million total County operating cost.

The court districts are characterized by a considerable amount of diversity in terms of workload, cost, organization, procedures and performance. The considerable variation in cost and workload (see Harvey M. Rose audit, pp 3-4) suggest that efficiencies could be effected in certain municipal court operations that would either reduce cost and/or improve performance within existing costs.

Because of the Grand Jury's inability to continue its management audit of the municipal courts, our next action was a formal request to the Board of Supervisors. This request was to sponsor legislation which would authorize the Grand Jury to conduct management audits of the municipal courts. The Board gave its unanimous approval, resulting in the drafting of an earlier version of AB 2978.

Because of County Counsel's opinion supporting the Presiding Judges Association's position that the Grand Jury was without jurisdiction, the Audit Committee turned its attention to other County departments which interact with the municipal courts.

Arraignment Courts

The Grand Jury recommends that the municipal court districts establish separate arraignment courts staffed by senior level deputy district attorneys.

The arraignment is the step in the judicial process in which the defendant is formally charged with a criminal offense. The 24 municipal court districts schedule arraignments in several different ways. In 13 districts, specific courts are designated as arraignment courts. In the other districts, each separate court handles arraignments along with other court business.

Many municipal court cases do not advance past the arraignment step; the defendant pleads guilty, sentence is imposed, and the matter is concluded unless probation is assigned, necessitating subsequent progress reports.

Court Television, Scheduling

The Grand Jury recommends that the Board of Supervisors authorize a study to determine the feasibility of using closed-circuit television in the arraignment court process in order to effect better utilization of resources, such as legal counsel, court staff and transportation.

The Grand Jury recommends that municipal courts schedule all in-custody cases other than trials in the afternoon. This recommendation does not apply to Central Arraignment Courts or to courts in the Criminal Courts Building.

Scheduling patterns for in-custody cases (defendant is in jail) vary from municipal court to municipal court district. Some courts mix municipal court cases with superior court cases. Some districts schedule in-custody cases in the morning and some in the afternoon; preliminary hearings are similarly scheduled in variable patterns. Priority is consistently given to in-custody cases because the courts must complete trial proceedings in in-custody cases within a specified time or else must release the defendants. Consequently, the tendency is to schedule in-custody cases in the mornings, restricting opportunity by public defenders to interview clients and obtain necessary case information in sufficient time to review it prior to arraignment or trial. At the present time, accused persons are often brought to court before charges have been formally filed and before case information is available.

Court Services

The Grand Jury recommends that the morning and afternoon shifts of the Court Services Bureau be realigned by the Sheriff to coordinate with the activities of the Transportation Bureau and predicted late court activity.

Cost savings of reduction of overtime are estimated to be approximately \$186,000 per year.

Evidence convinced us that considerable overtime has been necessarily worked by Sheriff's Department personnel transporting prisoners to court on the existing schedule.

In specific locations such as Compton, Los Cerritos and East Los Angeles, improvements in shift coordination and paper work processing could reduce overtime by approximately three to five hours per day for an estimated savings of 750 to 1,000 overtime hours annually. Lockup shift scheduling in the Traffic Courts Building does not coincide with arrival of paper work which causes one deputy to work an average of 3.5 hours of overtime per day. By scheduling later prisoner drop off (currently scheduled for 6:20 a.m.) traffic court shifts could begin at 7:30 a.m. and end at 3:45 p.m. with a resultant reduction of overtime worked.

The Central Jail Arraignment Courts at Bauchet Street are similarly scheduled for misalignment of prisoner arrival with deputy work schedules. The shift revisions proposed could produce savings in overtime which range from \$31,000 to \$39,000 annually, not dependent on court calendaring practices.

Pasadena Calendaring

The Grand Jury recommends that the Pasadena Municipal Court District judges alter their calendaring practices so that District Attorney and City Attorney cases are routinely scheduled in separate courts.

In Pasadena, both City Attorneys and District Attorneys file and prosecute misdemeanor cases in the municipal courts. Most County municipal court districts assign cases prosecuted by the District Attorney and the City Attorney to separate courts, eliminating the necessity for both prosecutors to be present in the same court at the same time. In Pasadena, however, no such division is made. The Head Deputy District Attorney in the Pasadena court has indicated that the Pasadena Municipal Court could be effectively staffed with one or two fewer district attorneys if the courts would separately schedule the cases of the District Attorney and City Attorney. Accommodations have been made to the needs of the City Attorney's schedule in Pasadena; however, no similar accommodation was implemented by the judges in Pasadena, the cost savings would be from \$50,000 to \$100,000 annually, the approximate cost of one or two deputy district attorneys.

Arraignment Schedules

The Grand Jury recommends that municipal court judges schedule arraignments in cases which are represented by private counsel as the first order of business and schedule all other criminal cases involving private counsel in one or more courts separate from Public Defender cases.

Approximately one-third of court time currently spent by the Public Defender is spent waiting for cases involving private defense counsel to be resolved. If private counsel cases in the arraignment court were scheduled first and if all other private counsel cases were scheduled for one court, the Public Defender's staffing requirement would be reduced. The Grand Jury estimates that if each deputy public defender could assume one case now represented by private counsel, a resultant savings to the County would be approximately \$376,800 annually.

The Grand Jury also recommends that the judges of each municipal court district meet with the deputy public defenders and district attorneys who staff their courts to determine a schedule for felony matters which most efficiently utilizes attorney staff and which facilitates disposition of felony matters at the municipal court level.

Cases filed as felonies are initially calendared in municipal court for arraignment and preliminary hearing. In general, felonies constitute less than 10 percent of the cases filed in the municipal courts. In some court districts, all felony cases are scheduled in specified courts and are not mixed with misdemeanors. In other court districts, felony cases are scheduled for specified days or at specified times. In other court districts, felony cases are not scheduled in specific courts or on specific days and are not separated from misdemeanor cases.

A recent change in the San Pedro court from two afternoons per week devoted to felony matters to four afternoons per week, has resulted in the District Attorney having to double the staff assigned to that court even though the felony case load has not changed dramatically and is one-fourth or one-fifth the size of Long Beach which has the same number of deputy district attorneys assigned.

In Santa Monica, the City Attorney is used to file and prosecute misdemeanors, leaving only felony cases for the District Attorneys who must sit in court waiting for their cases to be called. In Los Cerritos (Bellflower) Municipal Court District, the Public Defender uses misdemeanor trial attorneys to staff felony preliminary hearings. Consequently, the Public Defender requested that pretrial motions and preliminary hearings not be calendared on the same days in different courts to avoid the need for extra staff. Thus far two of the three trial judges in that court would not agree to schedule pretrial motions on days and times when preliminary hearings are not scheduled.

Implementation of this recommendation would improve staff utilization by both the Public Defender and the District Attorney on felony matters scheduled in the municipal courts and should reduce the workload of the superior courts. Savings would depend on the extent of the adjustments made. Based on the examples cited in this section, the adjustment of felony scheduling should produce a minimum savings of \$150,000 annually.

Pretrial Diversion

The Grand Jury recommends that the Board of Supervisors approve a pretrial diversion program for the County, appointing a responsible body to establish program guidelines and policies, and establishing a budget for the program which should evaluate proposals from private nonprofit organizations to operate a pretrial diversion program.

Some counties in the state allow those persons who have been arrested with minor misdemeanor offenses to avoid criminal prosecution through participation in rehabilitative programs or from completing community service work as alternative to prosecution. There are approximately 345,000 misdemeanors filed in Los Angeles County each year. With the exception of a formal program to divert drug offenders, Los Angeles County has few formal programs to divert first time misdemeanants from the criminal justice system.

Chapter 2.7, section 1001.1 of the California Penal Code authorizes the counties to set up pretrial diversion programs. The Code defines pretrial diversion as the procedure of postponing prosecution of a misdemeanor either temporarily or permanently at any point in the judicial process from the point at which the accused is charged until adjudication. Pretrial diversion allows the court to dismiss criminal charges if the court determines that the divertee has performed satisfactorily during the period of diversion.

The advantages of disposing of some cases through diversion can be described as follows: Time taken by judges, court staff, and attorneys in handling misdemeanor

cases could be reduced. The County could receive free services from community service work and restitution. Participants could be assigned tasks to help the community; i.e., clerical, craft, unskilled work in county hospitals, and senior citizen programs. The arrestee could retain employability whereas if convicted he or she might become unemployable.

The eligibility criteria for diversion programs would exclude those with prior felony convictions, persons charged with infractions, persons initially charged by the District Attorney with misdemeanor violations, either felony or misdemeanor, persons charged with drug offenses included in section 1000 of the Penal Code, persons charged with offenses committed with dangerous weapons, persons charged with use of violence against another person, persons charged with offenses with damages exceeding \$1,000, persons who have previously failed to complete a diversion program, persons charged with more than one offense arising out of more than one act, and persons charged with annoying or molesting children. Within the County the diversion guidelines could be further defined to include or exclude certain offenses. Guidelines could also include requirements for restitution, community service work, or length of diversion.

The County could redirect \$2.38 million in court resources to the prosecution of serious misdemeanor cases and felony cases. Also, the implementation of a pretrial diversion program would provide additional services with an estimated value of \$1.2 million annually to the Los Angeles communities.

The Probation Department

Probation Policies

The Grand Jury recommends that the Chief Probation Officer set policies to avoid duplicative investigative reporting in cases when diversion is not being recommended by the Probation Department, comply with department policy by recommending two-year probation terms for misdemeanants unless there are special circumstances which would warrant a different term, streamline the process for progress reports to provide detailed reports only on the basis of exception, and recommend summary probation for cases where the conditions of formal probation/diversion have been met.

The Grand Jury recommends that the municipal courts set policies to discontinue requesting investigative reports from the Probation Department for cases which have prescribed minimum sentences in the law; modify grants of formal probation to summary probation for cases when probationers and divertees have met all of the conditions for formal probation, and review the Probation Department's classification plan and provide the department with parameters for implementing the classification system.

The Probation Department is staffed with nearly 900 probation officers to perform presentence investigations and to provide supervision for adult and juvenile

cases referred from the superior and municipal courts. Because of a significant increase in the number of juveniles who have been made wards of the court and overcrowding in the juvenile detention facilities, the County has chosen to allocate most of its staff to juvenile programs. Less than one-third of the County's probation officers are assigned to adult cases. In addition to reassignment of staff to juvenile programs, the Department has experienced staff cutbacks which have increased the workload requirements per probation officer. Since Proposition 13 was approved, the Department has lost a total of 222 probation officers due to funding reductions.

At the same time, there has been an increase in the probation caseload. The Grand Jury's contract audit report on the subject contains graphs that illustrate this situation [see Exhibits 4 and 5]. Workload standards that exist for investigations and supervision do not allow officers sufficient time to provide the detailed investigations and close supervision expected by some of the judges. Investigations have been shortened to keep up with the increases in workload. Probation length has decreased, and person to person contact has been reduced. The Probation Department is computerizing its caseload which will help to alleviate the situation but at present the Grand Jury estimates that the Department is understaffed by 23 probation officers.

The congestion could be alleviated by action on the part of the judges to discontinue mandatory investigative reports in cases for which there are prescribed minimum sentences in the law and by modifying grants of formal probation when conditions of probation have been met.

One kind of situation in which probation officers could be excused from conducting investigations would be for offenses such as driving under the influence of alcohol, for which the sentence is prescribed by law. The Department itself has established a policy to reduce the recommended length of probation from three to two years whenever feasible. In practice the average recommendation is for 30 months of probation. Were the Department to adhere to its own policy in most cases, the caseload and workload would be substantially reduced. The number of probationers would be reduced by approximately 5,200 persons in two years.

California Penal Code requires progress reports to be filed by the Probation Department with the court not less than every six months. These reports historically are lengthy, detailed documents, much of the content of which could be reduced to a form. The Acting Chief Probation Officer agrees that progress reports could be streamlined when the Department's adult case handling procedures are automated. Computer-generated progress reports could be issued regularly with only exceptional cases prepared in the traditional manner.

The Department has under consideration an existing model for classification of probation cases into a predictor of the relative success rate that probationers will have in completing their terms of probation. The predictions are based on factors such as the probationer's criminal history, employability, ties to the community and other matters. Each case is given a numerical score based on the factors which indicate the likelihood of successful completion of terms of probation. The Probation Department could determine how much supervision to provide to each probation case according to the probability of success. Given this type of classification model, the Department has several alternatives: It could provide those people

who have a high probability of successful completion of probation with little or no direct supervision; it could give probationers who have some degree of probability of success a medium amount of direct supervision, or considerable supervision, and it could provide maximum supervision to those of lowest probability of success. The Department is in embryonic stages of analysis of a classification system. The Grand Jury believes that decisions in this area should be made with advice of the judiciary.

Probation Workload

The Grand Jury recommends that the Chief Probation Officer assign 10 probation officers and one supervising probation officer to the central investigation unit when the work furlough staff vacates the existing facility, assigned to the function of performing investigation reports on defendants who are in custody, instruct the Probation Department staff to use the County's interdepartmental mail system and limit the practice of hand delivery of probation reports to courts in cases where next day delivery is not possible through the interdepartmental mail system.

The Penal Code requires that the superior court refer all cases to the Probation Department for investigation and recommendation for sentencing. Cases handled in the municipal courts, however, can be sentenced without a report from the Probation Department. Probation Department data indicates that there are approximately 48,000 investigation reports submitted to the courts annually. Of this total workload, municipal court case investigations constitute 52 percent and superior court cases constitute 48 percent. The Probation Department has one central adult investigation office in Civic Center assigned to perform investigations of cases heard in the criminal courts located in the downtown area. These investigations constitute approximately 23 percent of the total reports submitted to the courts. The remaining investigations are performed by probation officers in 10 of the 12 other probation offices located throughout the County.

The investigations performed by probation officers include a person to person interview with the defendant, phone conversations with the victim if possible, and a review of the defendant's prior criminal history and existing arrest record. When investigations are performed on cases when the defendants are in jail, the probation officers travel to the central jail in downtown Los Angeles to complete the interviews. If defendants are housed in jails located in outlying areas, the Sheriff's deputies transport the prisoner downtown for the interviews.

A sample of over 560 investigation reports reveals how often defendant interviews are performed in jail. Based on this sample, we estimate that out of the 48,000 investigation reports which are performed each year, approximately 17,500 interviews are performed at the jail. Of these, approximately 4,000 are conducted by staff assigned to the downtown central investigation unit. The remaining 13,500 interviews are conducted by employees working in area offices in the outlying areas.

The Committee was told that probation officers try to schedule more than one interview when visiting a jail. It is felt that regular doubling up on interviews per jail visit would save a great deal of travel time.

If at least two interviews were scheduled per jail trip, it is estimated that trips could be reduced to approximately 9,800 each year. Based on the assumption of 1.5 hours per trip, probation officer travel time to Central Jail and return is 14,800 hours annually, a figure equal to the salary and fringe benefits of eight full-time officers.

In addition, the County pays officers 24 cents per mile (or pays the County Mechanical Department an equal amount for the use of County vehicles) which comes to a total of approximately \$276,000 in officer time and an additional \$70,560 in mileage reimbursement for trips to Central Jail.

Half of these costs could be avoided if the Department assigned 10 probation officers to the central investigation unit, located downtown, to perform investigations of incarcerated defendants.

Implementation of our recommendations would reduce unproductive travel time by approximately 7,400 hours annually which is equivalent to approximately four full-time probation officers with an annual cost of \$138,000 in salaries and fringe benefits. This reduction in unproductive travel time would not allow for a reduction in the existing budget of the Probation Department because the Department is understaffed (See section 11.1 Harvey Rose audit). However, these additional staff services could be used to reduce any future augmentations for the Probation Department by four positions which represents a future cost avoidance of \$138,000 annually. In addition, annual travel costs of \$35,500 could be eliminated.

The Sheriff's Department

Departmental Consolidation

The Grand Jury recommends that the Board of Supervisors direct the consolidation of the Inmate Reception Center and the Transportation Bureau.

The Sheriff operates an inmate reception center (IRC) at the Central Jail located on Bauchet Street in downtown Los Angeles. It is used as a central transfer point for prisoners coming into the jail and for those being released from jail. The Sheriff also operates a transportation bureau at the same facility to transport prisoners to and from courts, other jail facilities, and substations throughout the County.

The Sheriff's inmate reception center is operating with overlapping shifts and the transportation bureau has inactive periods during the midday and the late night hours. By consolidating these two divisions, the deputies' schedules could be revised to maximize staffing during peak periods. Consequently, the cost of staffing the inmate reception center could be reduced by \$265,000 annually.

NOTE: The Grand Jury is aware that the department heads of the Custody Division and the Court Services Division are not in complete agreement with our position on this issue.

Prisoner Transportation

The Grand Jury recommends that once presentenced prisoners are transferred to the Hall of Justice jail, they be escorted through the tunnel to the Criminal Courts Building by court services staff rather than being bused from outlying sites.

The Hall of Justice jail is across the street from the Criminal Courts Building and is classed as a maximum security facility. However, lack of security staff prevents use of the facility to house presentenced prisoners. It is planned that next year the Hall of Justice jail will be remodeled to accept presentenced prisoners and will be staffed accordingly. At the present time the majority of beds, approximately 1100 of the 1450, are occupied by trustees; the remainder being set aside for known homosexuals who have been sentenced or are awaiting disposition of their cases.

It appears that after the planned conversion of the facility, at least 400 presentenced prisoners could be housed in the Hall of Justice jail. These prisoners could be escorted to the Criminal Courts Building by way of the existing tunnel, thus saving the cost of transportation from other jail facilities. The net result of this change would be an approximate 30% reduction in number of prisoners transported by bus and a reduced labor cost of approximately \$162,000 annually.

Process Serving

The Grand Jury recommends that the Board of Supervisors request legislation to increase the process serving fee to \$25 from the current \$14 fee. The Grand Jury also recommends transferring the process serving function to the Marshal from the Sheriff.

The Marshal and the Sheriff provide bailiff services to the courts and also serve process. The County subsidizes process serving by approximately \$4 million per year. Our study shows that the Sheriff expends more travel and personnel costs to serve process than would be expended if the Marshal assumed this duty.

The Marshal and the Sheriff serve process for a fee and also for the County Criminal Justice agencies. Fee generating processes include garnishments, summons and complaints, writs of possession, and civil subpoenas. County generated processes include criminal subpoenas and district attorney orders and judgments. Approximately 400,000, or 77% of the 520,000 processes served are fee generating. However, the fees generated are insufficient to cover the County's cost of service. The fee is set by the legislature. It was last set at \$14 in 1982. A cost analysis by the Chief Administrative Officer (CAO) revealed that the average cost for both

departments was \$24, therefore the County subsidy for this function is approximately \$10 per process. For fiscal year 1983-84 this subsidy is estimated to be \$4.97 million. With the anticipated 5% increase in deputy sheriff salaries as of August 1984 the average cost per process would rise to \$25.

By promoting legislation to authorize an increase to \$25 per service the County could recover processing costs by approximately \$4 million. By transferring the process serving function to the Marshal it is felt that a savings of \$383,000 could be realized.

Although the Sheriff has some disagreement with some of the statistics, it is generally agreed that a more favorable solution would be a consolidation of the Sheriff's and Marshal's departments. This, of course, would require action by the State legislature.

Defense Counsel Cost Recovery

Financial Screening

The Grand Jury recommends that the municipal courts routinely refer a greater number of defendants who use the Public Defender or private court-appointed counsel to the Department of Collections (DOC) staff for financial screenings to determine if they are able to reimburse the County for legal services rendered. Specifically, judges and commissioners should routinely order all employed defendants to a Department of Collections officer for financial screening.

The Defense Counsel Cost Recovery Program is designed to relieve the County of part of the cost of court-appointed counsel by collecting payments for the cost of these services from defendants who are determined to have the ability to pay for them. Authorized by state law (Penal Code section 987.8), the program is administered by the Department of Collections staff who screen defendants, prepare payment plans, bill and collect payments from defendants ordered by the courts. The program covers both the services of the Public Defender and private counsel appointed by the courts.

The County-wide referral rate to this screening program may be low in part because the program has been in effect in some judicial districts for only a few months. However, in those judicial districts where the program has been in effect for eight months or more, only 16 percent of all defendants who are represented by court-appointed counsel have been referred to the Department of Collections for screening. However, financial information collected on those defendants by the Probation Department indicates that approximately 42.3 percent of all defendants who use court-appointed counsel are either employed or in good or fair financial condition and are likely to have the ability to pay for services, particularly if installment payments are an option. If collections were made from these defendants additional revenue to the County is estimated to be approximately \$1.1 million per year based on current collection rates.

Approximately 162,700 municipal court defendants will use the services of the Public Defender or private court-appointed counsel during fiscal year 1983-84 in the 21 judicial districts participating in the Defense Counsel Cost Recovery Program. The County will bear the cost of legal services for 87 percent of all defendants using court-appointed counsel if existing practices are followed.

Department of Collections records indicate that many judges have not been regularly referring defendants to the cost recovery program despite the fact that it has been set up to minimize judicial time. Judges must only order defendants to see a Department of Collections officer, review the DOC recommendation and then issue an order to pay if they concur with the recommendation. Although court hearings are required before payment for court-appointed counsel can be ordered, DOC staff routinely ask all defendants to waive their right to a hearing, and in almost every case, defendants have agreed to this request [see Exhibit 6].

Cost Recovery Program

The Grand Jury recommends that all municipal court districts begin participation in the Defense Counsel Cost Recovery Program as administered by the Department of Collections.

Potential collections of defense counsel costs by the named courts in the current year amount to approximately \$280,956. The County fully bears the costs of Public Defender and private court-appointed legal services in these districts despite the defendant's capability of doing so. Experience in all other judicial districts in the County indicates that a substantial number of defendants are able to reimburse the County for legal services. Implementation of this recommendation would result in a minimum increase in net County revenues of \$161,000. As the number of defendants referred to the Department of Collections by the courts increases to reflect the number of defendants employed, net County revenues could be expected to increase further to provide additional net County revenues of \$427,000 annually [see Exhibit 7].

Screening Standards

The Grand Jury recommends that the Department of Collections prepare a standard list of basic expenses to be used in all financial screenings of defendants who have used court-appointed counsel. Predetermined expenditure amounts should be established by the Department of Collections for each of the allowable expense categories, with adjustments allowed for family size.

The Department of Collections does not apply consistent standards to screening defendants for their ability to reimburse the County for court-appointed counsel. Consequently, the monthly payment plans recommended to the courts by DOC staff place greater financial burdens on some defendants than others. In

addition, the DOC staff allows defendants to delay making payments to the County longer than necessary in some cases. A review of a sample of active payment orders showed inconsistent repayment terms. To determine fair monthly payment plans, the DOC should establish a standard list of regular expenses which are included in all financial screenings and automatically assign allowable dollar amounts to such categories of expenses as housing, food, utilities and transportation, depending on the family size. As in the case of the standards used by the Department of Public Social Service, these standards would relieve the DOC from having to rely on defendants' memories in reporting their expenses. To determine the portion of a defendant's disposable income available for reimbursement payment to the County, the grand total of all predetermined expenses should be subtracted from total reported income. It is expected that some cases will arise in which the defendant claims higher actual expenses due to special circumstances. These cases should be considered and allowed if reasonable.

Staffing

The Grand Jury recommends that the Department of Collections reduce the number of staff hours currently allocated to conducting financial screenings in the municipal courts from 1,865 hours per month to 619 hours per month; that the 1,246 surplus hours be reallocated to the municipal court judicial districts that have not yet implemented the cost recovery program, to increase follow-up activity on delinquent accounts, and to implement the Defense Counsel Cost Recovery program in the superior courts. The Grand Jury further recommends the application of a workload standard of 2.5 screenings per staff hour on average to any increases in Defense Counsel Cost Recovery program staffing in the courts in which the program is already in effect.

Department of Collections financial officers are assigned to the 22 judicial districts participating in the Defense Counsel Cost Recovery program from four to 40 hours per week for the purpose of performing financial screenings of defendants and to determine defendant's ability to pay for legal services rendered, as well as to arrange for reimbursement to the County. An average financial screening takes between 10-20 minutes per defendant, or two to four screenings per staff hour including preparation time and record keeping. Current staffing patterns, however, produce only .83 defendant screenings per hour, resulting in approximately 14,950 hours of unproductive time per year, or the equivalent of seven employees' time at a cost of \$163,700 per year. The present allocation of DOC staff contributes to the higher program costs.

A breakdown of the number of defendant referrals runs from low (Santa Monica had five referrals which took 18 staff hours to process .28 percent) to a high (East Los Angeles had 259 referrals which took 176 staff hours to process 1.47 percent). Applying consistent workload standards would enable DOC to reduce staff costs and improve the overall cost-effectiveness of the program. It is recognized

that workload cannot be predicted since the number of referrals per day is subject to the discretion of the judges; nevertheless, average referrals per month should be monitored by DOC management on a consistently applied workload standard. Permanent increases could be met by increased staff hours assigned to that district.

Deferred Payments

The Grand Jury recommends that the Probation Department ask the courts to authorize the Department of Collections to conduct financial screenings of defendants to determine their ability to pay Cost of Probation Service (COPS) fees and to prepare a recommended COPS payment plan for review by the courts.

The Probation Department's reliance on County General Fund support for adult probation services could be minimized if the courts ordered all probationers with the ability to pay to reimburse the County for the cost of probation services. Over the last two years in Los Angeles County, the number of probationers ordered to pay the cost of probation services fee has steadily declined. In the fourth quarter of fiscal year 1982-83, 30.3 percent of all probationers in both municipal and superior courts were ordered to pay the cost of their probation service fees. By the first quarter of 1983-84, that figure had declined to 20.1 percent, and in the second quarter of 1983-84, it had further diminished to 17.4 percent.

California Penal Code Section 1203.1b authorizes courts in California to assess COPS fees. Payments are to be made "in the manner in which the court believes reasonable and compatible with the defendant's financial ability" including monthly payments. All COPS proceeds are to be allocated exclusively to the Probation Department to cover operating costs.

By adopting the financial screening, hearing and billing procedures now used for the Defense Counsel Cost Recovery Program, court time expended on COPS financial hearings could be reduced substantially. Judges would only have to issue an order that defendants report to DOC staff for financial screening. DOC would collect the information needed to make a recommendation regarding the defendant's ability to pay and the only other requirement of the judge would be to issue an order to pay if he or she agrees with the DOC recommendation. The Department of Collections' offices now exist in 22 of the County municipal court judicial districts where this process could be handled. Courtroom hearings could be waived by requesting each defendant to sign a hearing waiver, as is now done in the Defense Counsel Cost Recovery program screenings. Similar standards to the Defense Counsel Cost Recovery program should be used to screen for COPS.

It should be noted that the Probation Department is currently planning to use the DOC services for billing probationers for COPS, fines, restitution and other probation-related debts, replacing the existing system of deputy probation officer collections each month in the office. This plan does not, however, call for DOC conducted financial screenings of defendants which means that hearings will still need to be conducted by judges in the courtroom. If this practice continues, it is not likely that the number of COPS orders will increase.

By referring to the Department of Collections for financial screening the probationers whom the Probation Department has recommended pay COPS, Probation Department revenues from municipal court cases alone would increase by an estimated \$885,400 per year, based on an assumed screening of 18,500 probationers annually and a DOC finding 82 percent able to pay (consistent with DOC's current experience in the Defense Counsel Cost Recovery Program). 82 percent of 18,500 is 15,170 probationers ordered to pay \$361 over 30 months (the present amounts). Assuming 57.4 percent of the total amount ordered for COPS is actually collected, as is presently the case, \$1.3 million could be collected in a year. Costs of collecting these fees are assumed to be \$12 per screening. Assuming no incremental cost associated with 20 percent of these cases since they would be screened anyway for court-appointed legal services, the \$12 average cost would be applied to 14,800 probationers (18,500 less 20 percent or 3,700). The cost for screening these probationers would thus be \$177,600 (\$12 x 14,800). Current net COPS collections of 237,000 should be subtracted, thus \$1.3 million less \$177,600 and \$237,000 equals \$885,400.

If financial hearings remain in the courts, these savings appear unlikely.

Collection Fees

The Grand Jury recommends that the Board of Supervisors adopt legislation to authorize the Probation Department to impose a fee on installment payments on all court-ordered fines. The fee should be \$4.14 per transaction subject to an upper limit of \$30.

The Grand Jury also recommends that the maximum repayment period for fines recommended by the Department of Collections be seven months, unless the defendant has presented evidence that such a payment plan is not possible given his or her financial circumstances.

California Penal Code section 1205.c permits imposition of fees by counties on installment payments made on court-ordered fines paid by probationers. The County is considering legislation to implement an installment fee, but at this time no action has been taken. The result is a loss to the County of approximately \$153,000 that could be applied to help offset administrative and clerical costs incurred by the Probation Department in processing and collecting fines.

Based on a sample of active probation cases, there are approximately 5,100 probationers who pay their municipal court-ordered fines in installments. The average fine ordered is \$500, but only 55 percent or \$275 of the fine will actually be collected by the Probation Department, based on historical patterns. The average payment is \$22.75 per month; average probationers will take 12 months to pay their fines. It costs the Probation Department \$4.14 to collect each installment payment; at that rate, it costs the Probation Department approximately \$50 per probationer to collect fine payments in 12 monthly installments. Thus, the County will incur costs of approximately \$254,400 to collect municipal court-ordered fines. By

imposing a fee of \$4.14 on each fine payment made, subject to the \$30 limit per case required by State law, the Probation Department could reduce reliance on General Fund support for fine collections, for a total of \$153,000 in installment fees. The County cost of \$253,400 would be reduced to \$100,400 for collection of all fines owed by current probationers.

By routinely requiring full satisfaction of fine orders in seven months, collection costs would be decreased further. After that point, the County cannot continue to charge an installment fee since the \$30 state-imposed limit is reached. The County would receive its full fine at that point and would not continue to incur costs of \$4.14 for payments beyond the seventh month. This savings would be an additional \$53,000 annually. Added to the \$153,000 mentioned above, the savings to the County or support to the Probation Department could be \$206,000.

Court Appointed Counsel

The Grand Jury recommends that an additional 27 attorney positions be budgeted in the Office of the Public Defender to eliminate its unavailability in the municipal courts. The Grand Jury also recommends that the Office of the Alternate Defense Counsel be expanded as practicable to represent indigent defendants in conflict-of-interest cases in municipal courts.

California Penal Code section 987.2 provides for counsel assigned "in a case in which the court finds that because of conflict of interest or other reasons the public defender has properly refused to represent the person accused" to be paid, from the County General Fund, "a reasonable sum for compensation and for necessary expenses, the amount of which shall be determined by the court." Payments to municipal court-appointed private counsel under this section have increased 137 percent over the past five years, from \$4,002,105 in 1978-79 to an estimated \$9,500,544 in 1983-84. The total for 1983-84 does not include a pilot project in two Los Angeles Judicial District branch courts and two superior court districts to provide private defense counsel under contract, the cost of which in 1983-84 is estimated to be \$987,910.

While the projected percentage increase in expenditures for 1983-84 is significantly less than the average annual increase in the previous four fiscal years, the amount of expenditures is still high particularly when compared to the estimated annual expenditure of \$13 million of the Office of the Public Defender for the provision of indigent defense services in the municipal courts.

Payments to court-appointed attorneys are determined by the individual municipal court judge. Pen. Code 987.3 lists factors to be considered by the judge in determining "reasonable compensation" which include: customary fee in the community for similar services, time and labor spent, difficulty of the defense, novelty or uncertainty of the law upon which the decision depended, degree of professional ability, skill and experience called for and exercised and the professional character, qualification, and standing of the attorney. For the most part, compensation is based on an hourly rate, the average of which is \$46 per hour.

In May 1984, the Board of Supervisors directed the Chief Administrative Officer to devise an action plan to avoid an increase in indigent defense counsel expenditures during 1983-84. That plan includes development of contract and panel systems and, in some courts, agreements by the judges to reduce hourly rates to \$40, which is equivalent to the rate of compensation allowed under contract and panel systems. The highest estimated average hourly fee paid was in Ingelwood (\$65) to the lowest fee paid in Antelope and Culver (\$37). The largest number of estimated hours per case was in Catalina (6.7) to the lowest estimated hours in Culver (2.6). In 1979-80, municipal court judges made 20,914 appointments of private counsel. In 1983-84, the projected number is estimated to be 46,687, an increase of 124 percent.

At present, six judicial districts, Citrus, Glendale, Long Beach, Pasadena, Pomona and Rio Hondo, appoint attorneys under contractual arrangements for indigent defense. The costs per case under these arrangements tend to be lower than the average case costs, with the cost per hour set at \$40. This program is under evaluation. Should the outcome of that evaluation verify the initial data which show Alternate Defense Counsel services provided at substantially lower cost per case than under existing panel or contract systems, it is evident that expansion of the Office of Alternate Defense Counsel would be the most cost-effective method of representing conflict-of-interest cases.

The rapid escalation in the number and costs of Penal Code Section 987.2 appointments will result in estimated general fund expenditures in excess of \$9,500,000 in fiscal year 1983-84. Expanded staffing of the Office of the Public Defender and the pilot Office of Alternate Defense Counsel project could reduce these expenditures significantly while assuring adequate representation of indigent defendants in the municipal courts.

Elimination of declarations of unavailability in the municipal courts would result in an estimated annual savings of \$5,300,000 net of costs. Expansion of the Office of Alternative Defense Counsel to represent indigent defendants in conflict cases would result in an estimated savings of \$1,400,000 annually net of costs [see Exhibits 7, 8 and 9].

Lynwood School District

The Grand Jury recommends that the 1984-85 Grand Jury monitor progress on compliance by the school district with recommendations contained in the 1983-84 audit. The Grand Jury feels that legislation clarifying and strengthening the authority of the County Superintendent of Schools over school districts would be a benefit to all parties concerned. The Grand Jury also recommends that the Board of Supervisors order a study to examine the matter and make recommendations concerning the advisability of enacting legislation designed to remove ambiguities that exist at present.

Examples of legislation that should be supported are SB 2104, SB 2105 and SB 2106 as well as AB 3755. Also, the recommendation of State Controller Ken Cory should be especially supported. It reads as follows:

“The Legislature should revise the Education Code to require the County Superintendent to follow-up on any corrective action recommended by the LEA’s auditor; to require the SDE to follow-up on any corrective action recommended by the County Superintendent’s auditor; and to require the SDE to periodically conduct management surveys of the County Superintendents to assess the effectiveness in performing their monitoring activities of LEAs.”

These recommendations were covered in more detail in a Grand Jury letter to the Board of Supervisors dated June 11, 1984.

The Los Angeles County Superintendent of Schools brought to the Grand Jury’s attention a problem of long standing which concerned the Lynwood School District. The subject of numerous recent financial audits, the school district seemed mired in inefficiency and a lack of accountability. In cooperation with the County Superintendent of Schools and the District Attorney’s office, the Grand Jury agreed to conduct a management audit of the new school district in an attempt to identify and to suggest solutions to the problems that continue to plague the district. The audit was conducted by the contract auditor, who made numerous suggestions to alleviate weaknesses in internal controls. Although some progress had been made toward compliance with these suggestions, there remain unresolved difficulties in such areas as inventory control, warehouse cost analysis, and cafeteria accounting and programs.

As a result of the district’s adherence to a timetable for compliance established by the Grand Jury, the Lynwood School District has taken steps to improve various accounting practices, purchasing policies and procedures, control over credit card usage, restrictions over travel, payroll procedures, and vending machine control. The full audit may be examined in Grand Jury offices.

Community Redevelopment Agencies

The Grand Jury recommends that the Board of Supervisors support the following pending legislation pertaining to Community Redevelopment Agencies (CRAs): AB 203 (Hannigan), SB 1387 (Marks) and SB 1679 (McCorquodale).

The Grand Jury conducted a review of the establishment and operations of community redevelopment agencies in the County of Los Angeles. That report provides various viewpoints and examines various aspects of the development and future of community redevelopment agencies in the County of Los Angeles. In addition, it provides an analysis of a questionnaire sent to redevelopment agencies in Los Angeles County.

Of the 83 jurisdictions in Los Angeles County that may create redevelopment agencies (82 cities plus the County of Los Angeles), 22 have elected not to create redevelopment agencies, resulting in 61 redevelopment agencies in the County of Los Angeles. Of those 61 agencies, 50 responded to the questionnaire, providing the

following information on redevelopment agencies in the County: the total estimated cost of all the redevelopment projects currently undertaken by redevelopment agencies in the County of Los Angeles is over \$3.3 billion. The total indebtedness already incurred by 42 responding jurisdictions is more than \$1.3 billion. The total annual operating budgets of the 43 jurisdictions is approximately \$467 million.

The size of these operations raises a number of questions with regard to accountability, fiscal responsibility and planning for redevelopment on a regional scale. Currently, no regional or area-wide agency reviews the operating budgets or individual projects for financial impact on the region, nor are reviews made on the projects' various socio-economic impacts on the region or on the economic viability of competing or duplicative projects undertaken by neighboring jurisdictions. The State Controller's Office does tabulate schedules of indebtedness for redevelopment agencies, but it does not make any determinations as to the fiscal soundness of such indebtedness. Rather, those determinations are made by local city councils or, for county level redevelopment agencies, by the county board of supervisors.

These issues and concerns were noted during interviews with various state, county, city, and redevelopment agency officials. In addition, various associations and other concerned parties were interviewed in the course of the study. Also, the State Health and Safety Codes pertaining to redevelopment agencies and recently enacted and proposed legislation were reviewed.

One of the central issues of concern among all jurisdictions affected by redevelopment agencies is the definition of "blight."

The State Legislature has recently and is currently considering again the application of the term "blight" to various types of redevelopment projects. In addition, counties are concerned about the definition of "blight" as it relates to cities' abilities to designate various types of areas, like undeveloped rural land, since redevelopment project areas take away potential county revenues by way of the tax increment financing mechanism. As the State Legislature attempts further to define "blight," some of these concerns may be mitigated, while others may have to be resolved at the local level.

The contract auditors' report has also raised a number of issues and concerns regarding accountability, fiscal responsibility, and regional planning. Most of these issues are exacerbated or have arisen because redevelopment agencies' actions are not reviewed by any public body other than the city council or county board of supervisors when the redevelopment agency is operated by a county. Counties are given the opportunity to review the financial impact of a city's development on property tax revenues but counties do not have the authority to review a city's redevelopment project on the merits of the project itself. Also, counties do not have the authority to review the operating budgets of redevelopment agencies. No other agencies have the authority to review these issues on an area-wide basis.

There is proposed legislation which addresses some of these issues. However, there may be reason for concern at the local level regarding the operations of redevelopment agencies, particularly with regards to levels of financing and debt (especially for those redevelopment agencies that have not estimated the cost or termination dates of their projects).

The auditors' report has examined the enabling legislation for community redevelopment agencies, has reviewed recently enacted and pending legislation, has described various elements of redevelopment projects in six Los Angeles County cities, and has categorized the redevelopment agencies in Los Angeles County according to the many different parameters on the survey questionnaires.

Assembly Bill 203, as revised, defines "blight," requires the Community Redevelopment Area to provide an assessment of the financing plan, to define specific projects within the plan and to describe how these projects would improve or alleviate existing physical, social and economic conditions in the project area. Also, the agency would be required to consult with a taxing entity fiscal review committee to explain the regional economic impact of the project.

SB 1387 requires greater detail in redevelopment agency reports concerning individual projects. SB 1387 also requires more information on housing components of redevelopment projects and individual project information in the State Controller's financial reports. SB 1387 would require the State Controller to publish by April 1 of each year a report on redevelopment agencies' financial transactions.

This report would be a separate document not published with the report on special districts, as is now mandated. For each project area and each agency, the Department of Housing and Community Development would publish an annual report summarizing the redevelopment agencies' programs and activities. The Department of Housing and Community Development has not previously published such a report.

Senate Bill 1679, as amended through April 4, 1984, would designate the county representative or chief administrative officer as the temporary chairman of a fiscal review committee created in connection with the preparation of a report for a redevelopment plan utilizing tax increment financing. This designation is for the purpose of enabling the county representative or chief administrative officer to convene the first meeting of the fiscal review committee. Presumably, this designation would shorten the time period before the first fiscal review committee meeting. SB 1679 is a technical bill designed to clarify the start-up procedures for a newly established fiscal review committee.

Comparative Study of 23 Cities

As of January, 1984 Penal Code section 925a was expanded to authorize the Grand Jury to conduct management audits of incorporated cities. Because the Grand Jury now has the authority to conduct management audits as well as fiscal audits of incorporated municipalities it seemed appropriate for us to request the report discussed below, a copy of which will be sent to each participating city. We hope that the information included in this report will provide useful comparisons of how cities are coping with post-Proposition 13 constraints and the types of options which are available to cities within these constraints, and how they affect the county.

The Los Angeles County Grand Jury conducted such a study which involved a comparison of 23 cities in Los Angeles County. The scope of comparison included

types and amounts of revenues raised and expenditure allocations by category of expenditure. Particular focus was given to three areas of municipal budgeting policy: (1) municipal revenues, (2) law enforcement budgets and (3) water. In addition, one city, the City of Lynwood, was selected for more detailed study to illustrate the problems faced by cities and the range of options available to meet those problems.

In recent years, municipalities have sought to reduce their costs and increase their efficiency by contracting for services which previously were provided by municipal employees. In Los Angeles County, many cities contract with the county for services including law enforcement, animal control, road repair, traffic signal maintenance and libraries. Of all of these service areas, law enforcement, which generally accounts for 40 percent to 50 percent or more of the general fund expenditures of a city, is the largest. Of the 23 cities included in this comparative study, seven cities contract with the county for law enforcement. This division between "contract cities" and "non-contract cities" allows for an evaluation of the decision to contract for a major municipal service in terms of costs, level of service provided and level of satisfaction with that service. In cases where a cost differential can be shown, this comparison can also be used to show the extent to which contracting for municipal services can provide cities with additional flexibility in allocating their revenues.

The cities chosen for this comparative study and their 1983-84 populations are as follows:

<i>City</i>	<i>Population</i>	<i>Expenditure Per Capita on Law Enforcement</i>
Alhambra	68,224	\$ 86.44
Baldwin Park	54,554	58.54
*Bellflower	55,525	45.53
Burbank	87,191	126.48
*Carson	83,858	62.29
*Cerritos	54,667	61.20
Compton	85,705	113.05
Downey	83,165	78.98
El Monte	86,885	74.06
Hawthorne	58,172	127.83
Inglewood	97,334	143.19
*Lakewood	74,421	48.37
*Lynwood	50,978	65.14
Montebello	55,376	84.84
Monterey Park	57,715	74.72
*Norwalk	85,749	41.65
*Pico Rivera	55,837	50.39
Pomona	102,257	105.52
Redondo Beach	60,926	115.66

Santa Monica	91,618	102.31
South Gate	72,555	79.71
West Convia	89,091	80.14
Whittier	69,619	78.10

*Contract cities

The cities included in this study have populations ranging from 50,978 (Lynwood) to 102,257 (Pomona). With the exception of Lancaster, all cities in Los Angeles County with populations within this range are included. Lancaster was originally included but that city did not provide us with the requested budgetary information which was necessary for our analysis. This sample of cities excludes five cities with populations ranging over 123,000 (Pasadena) to over three million (Los Angeles) and 54 cities with populations under 50,000 (including eleven cities with populations under 10,000).

The cities studied include a mix of older and newer cities; five were incorporated before 1900 while nine were incorporated after 1950. A mix of charter and general law cities is also included. Nine of the 23 are charter cities while the remaining 14 are general law cities.

A broad range of income and ethnicity is also included in this study. The cities which are included range from predominantly minority to predominantly Caucasian and from relatively wealthy to relatively poor. Thus the focus of this study is on medium sized cities in Los Angeles County without regard for age, wealth, ethnicity, or charter/general law status. Given the inclusion of these legal and socio-economic differences, the general patterns which are identified in this report may be subject to considerable interpretation. However, we believe that these patterns are sufficiently consistent to provide illustrations from which generalizations and action plans can be drawn which are applicable to medium sized cities in general.

In the sections of this report which follow, we provide specific information on budgets and extensive interviews with officials from 23 Los Angeles County cities. This information was obtained from a detailed review of city budgets, interviews with officials, information on expenditures and revenues obtained from the State Controller, documents on revenue sources for cities obtained from the League of California Cities, a review of recent legislation affecting local government financing and a review of the work of the Governor's New Partnership Task Force on State and Local Government. Los Angeles County staff from the office of the Chief Administrative Officer, the Auditor-Controller and the Sheriff's Department also provided us with valuable information during the course of our study.

The ability to increase revenue does not necessarily mean that all revenue should be increased. Many of the cities in our sample have consciously decided not to raise certain revenue because they believe that they have sufficient funds for the level of services currently provided and they are satisfied with the existing level of services.

Other cities have chosen to cut costs rather than raise additional revenues. One source of cost reduction which municipalities are exploring is contracting for municipal services. We have reviewed the contracting option for the cities in our

sample by focusing on law enforcement, which is generally the single largest city operation involving the expenditure of discretionary revenues. Of the cities in our sample, seven cities contract with the county for law enforcement. Data from these cities indicate that contract law enforcement can be provided at less cost while maintaining quality and with no significant decrease in local control.

The case study of the city of Lynwood indicates that similar savings may be available by contracting with the County for fire protection services, through the County Consolidated Fire District, rather than by maintaining a local fire department. As with law enforcement, the savings result largely from efficiencies available due to economies of scale and ability to draw on specialized resources from surrounding areas rather than providing all services locally.

We also reviewed the operation of city enterprise operations to determine whether municipal services, such as water, sewer, trash collection and transit are recovering their costs or whether those operations are subsidized by general fund discretionary revenues. We found that cities usually operate water utilities which tend to be self-supporting. Water rates are generally set to recover total costs of the utility including city administrative costs. We also found, however, that other enterprise operations, such as the sewer system and trash collection are often not run in a way that fully covers operating costs. Thus, these city operations do not generally recover their full costs and do not provide revenues to offset general fund expenditures for these operations.

In identifying these potential increased revenues and cost savings for cities in Los Angeles County, we do not suggest that the constraints imposed by Proposition 13 have been entirely overcome. Property tax revenues are now back to the level of pre-Proposition 13 years in absolute dollars. However, the ratio of property tax revenues to total revenues remains below the pre-Proposition 13 level. City expenses have risen dramatically since then and the short-term bail-out payments from the state have all but ended. Nonetheless, we have shown in this report that cities have a wide range of options to meet their revenue needs and that there are substantial cost savings that can be realized through consolidating services and contracting for services.

CONCLUSION

The overall conclusion of this assessment is that cities still have many options for increasing their revenues at a time when traditional sources of support are decreasing. We are not recommending that all cities immediately launch a campaign to increase revenues from all sources identified. As important as it is for cities to have sufficient revenues for needed services, it is equally important for cities to reduce expenditures where cost savings can be identified. In many cases, additional revenues may not be necessary or desired. We have identified revenue options available to cities. By exercising these options most cities need not decrease necessary services and face fiscal uncertainty in the post-proposition 13 era.

AMENDED IN ASSEMBLY MAY 16, 1984

AMENDED IN ASSEMBLY MAY 3, 1984

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

ASSEMBLY BILL

No. 2978

Introduced by Assembly Member Bane

February 13, 1984

An act to add Section 71010 to the Government Code, and to add Section 929 to the Penal Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2978, as amended, Bane. *Grand juries Courts.*

~~(1) Existing law specifies the powers and duties of county auditors a board of supervisors.~~

~~This bill would authorize a county auditor, at any time, to make an independent review and appraisal of the operations, policies, and goals of any municipal court or justice court in the county to determine whether acceptable policies and procedures are being followed, operations and programs are being carried out as planned, resources are used efficiently and acceptably, established standards are being met, and the objectives of the court are being achieved.~~

~~(2) Existing law specifies the powers and duties of grand juries.~~

~~This bill would authorize a grand jury to investigate and report on the needs of any municipal court or justice court in the county regarding the equipment and the method or system used in performing the duties, other than judicial duties, of the court.~~

~~This bill would authorize a board of supervisors to set up a regular schedule of management reviews of municipal and justice courts in the county. The board of supervisors would be required to select the agency or agencies to perform such~~

reviews.

The bill would provide that any scheduled review may be waived or delayed by agreement between the chief executive officer of the county and the presiding judge of the court which is to be the subject of the review.

The bill would also provide that such management reviews shall not infringe on the judicial duties or the decisions of the court which is the subject of the review, and recommendations resulting from such reviews shall not infringe on the judicial duties or the decisions of the court which is the subject of the review and shall be advisory only. The bill would specify that reviewing agency shall have no power of enforcement.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 71010 is added to the
2 Government Code, to read:

3 71010. The county auditor may, at any time, make an
4 independent review and appraisal of the operations,
5 policies, and goals of any municipal court or justice court
6 in the county to determine whether acceptable policies
7 and procedures are being followed, operations and
8 programs are being carried out as planned, resources are
9 used efficiently and acceptably, established standards are
10 being met, and the objectives of the court are being
11 achieved.

12 SEC. 2. Section 929 is added to the Penal Code, to
13 read:

14 929. A grand jury may at any time investigate and
15 report on the needs of any municipal court or justice
16 court in the county regarding the equipment and the
17 method or system used in performing the duties, other
18 than judicial duties, of the court.

19 71010. A board of supervisors may set up a regular
20 schedule of management reviews of municipal and
21 justice courts in the county. The board shall select the
22 agency or agencies to perform such reviews.

1 *Any scheduled review may be waived or delayed by*
2 *agreement between the chief executive officer of the*
3 *county and the presiding judge of the court which is to*
4 *be the subject of the review.*

5 *Management reviews conducted pursuant to this*
6 *section shall not infringe on the judicial duties or the*
7 *decisions of the court which is the subject of the review.*
8 *Recommendations resulting from such reviews shall not*
9 *infringe on the judicial duties or the decisions of the court*
10 *which is the subject of the review and shall be advisory*
11 *only. The reviewing agency shall have no power of*
12 *enforcement.*

O

MUNICIPAL COURTS, 1983-84

COURT DISTRICT	BENCH OFFICERS*	COURT BUDGET	AGGREGATE BUDGET**	WEIGHTED FILINGS***	AGGREGATE BUDGET/BENCH OFFICER	WEIGHTED FILINGS/BENCH OFFICER
Alhambra	4	\$ 1,070,994	\$ 3,318,432	298,509	\$829,608	74,627
Antelope	2	605,317	1,687,720	209,555	843,860	104,778
Beverly Hills	4	1,033,718	2,984,593	342,866	746,148	85,717
Burbank	3	741,007	1,646,239	159,517	548,746	53,172
Citrus	8	1,722,454	5,035,487	689,784	629,435	86,223
Compton	10	2,019,924	6,036,740	744,244	603,674	74,424
Culver City	3	648,175	1,826,543	186,914	608,848	64,305
Downey	5	1,150,401	3,755,930	398,232	751,186	79,646
East Los Angeles	6	1,345,864	4,324,489	388,756	720,748	64,793
Glendale	5	981,286	3,140,125	311,393	628,025	62,279
Inglewood	8	1,607,900	5,198,450	661,588	649,806	82,699
Long Beach	9	2,337,890	5,333,793	1,065,520	592,644	118,391
Los Cerritos	5	1,074,615	3,243,659	358,487	648,732	71,697
Malibu	2	\$ 530,999	\$ 1,195,675	148,479	\$597,838	74,240
Newhall	3	695,418	1,838,387	214,100	612,796	71,367
Pasadena	5	1,342,890	3,720,723	422,850	744,145	84,570
Pomona	5	1,011,042	3,393,143	359,590	678,629	71,918
Rio Hondo	6	1,196,164	4,576,846	418,499	762,808	69,750
Santa Anita	2	565,786	1,282,810	183,209	641,405	91,605
Santa Monica	4	1,151,469	2,641,116	287,919	660,279	71,980
South Bay	7	1,607,526	4,519,589	778,723	645,656	111,246
Southeast	9	1,708,405	5,935,171	651,831	659,463	72,426
Whittier	6	1,186,979	3,742,891	402,887	623,815	67,148
Los Angeles	106	26,473,820	61,178,826	7,870,927	577,159	74,254

* Based on budgeted positions. Some court districts vary from these budgeted levels. For example, the Presiding Judge of the Culver Judicial District reports that the actual number of bench officers in that district is 2.6 full-time equivalent positions. Based on 2.6 positions, the aggregate budget per bench officer would be \$702,517 and the weighted filings per bench officer would be 71,890.

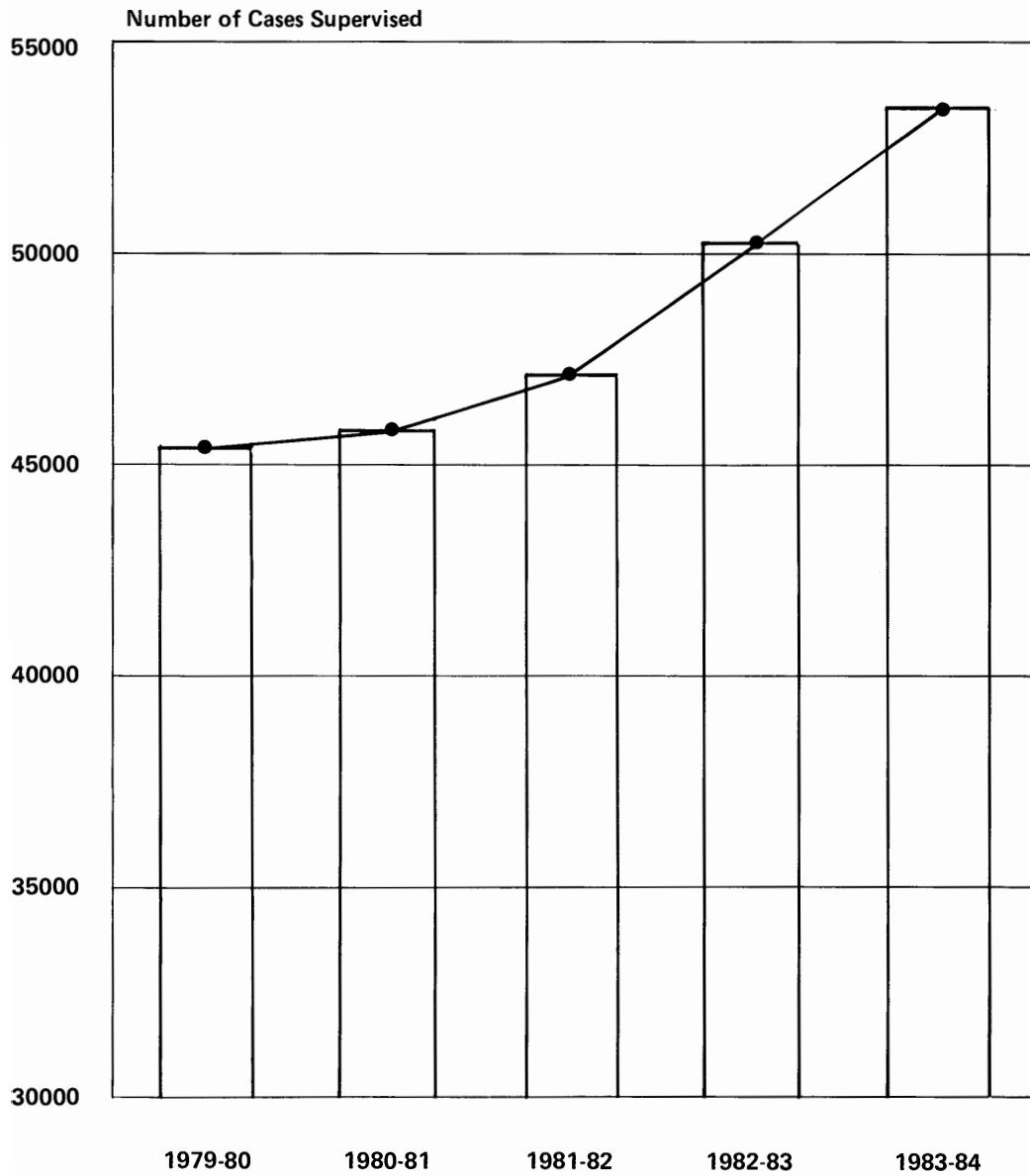
** Includes 1983-84 costs for Municipal Courts, Marshal, District Attorney, Public Defender, court-appointed defense counsel, Probation and Department of Collections. Costs for the Sheriff, which total over \$35 million for services provided to the courts, are not included. Sheriff services are provided to both the municipal and superior courts. For purposes of estimating the Sheriff's municipal court costs we have allocated half of the total Sheriff's court costs to the municipal courts but have not attempted to distribute these costs to specific court districts.

*** 1982-83.

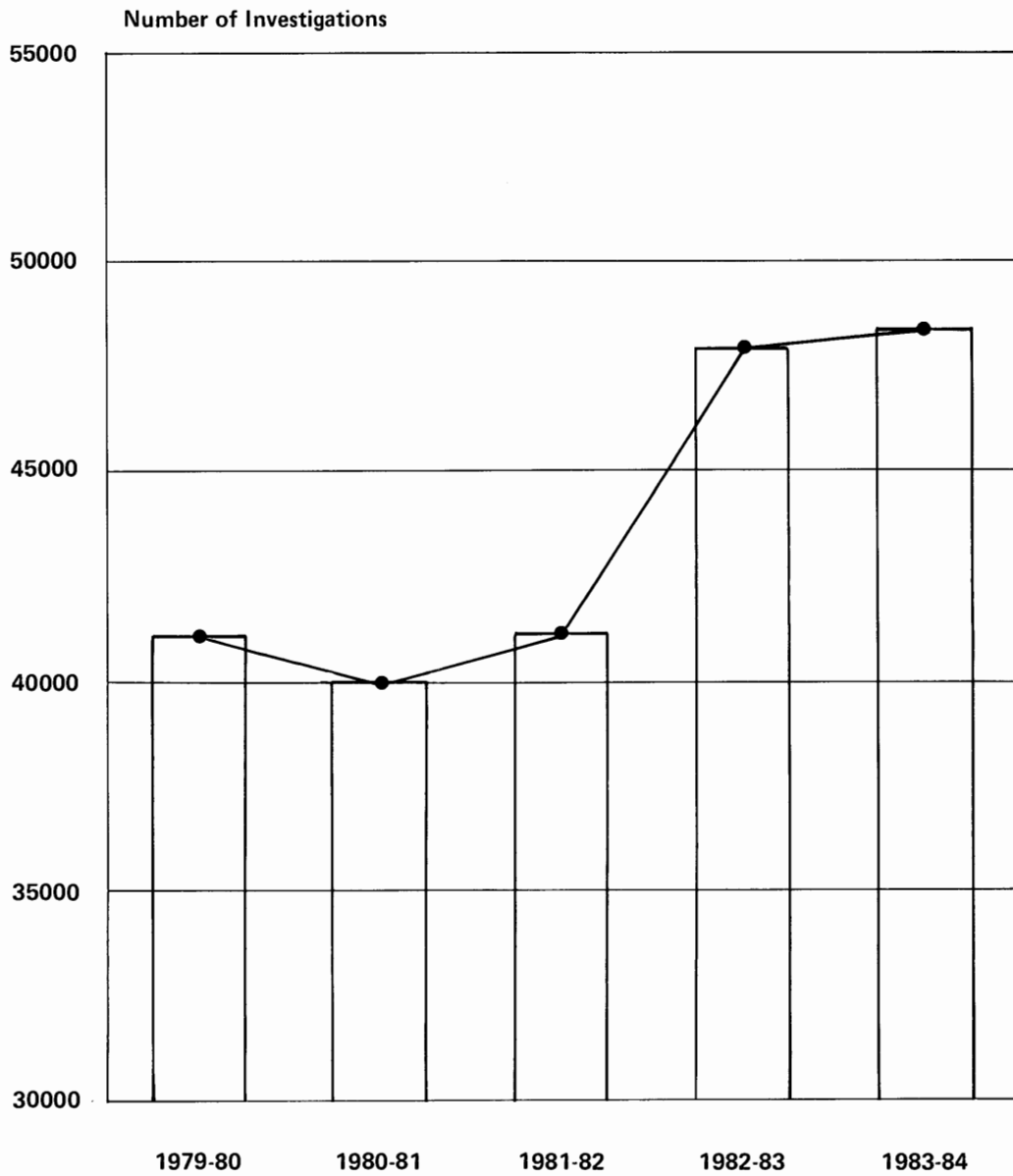
**SUMMARY OF RECURRING PROBLEMS OF MUNICIPAL COURT DISTRICTS
IN LOS ANGELES COUNTY AS DISCLOSED IN FISCAL AUDITS CONDUCTED BY THE AUDITOR-CONTROLLER**

	South-		East		Compton (1993)	Los Angeles	Beverly Hills	Citrus Beach	Long Glendale	Santa		Malibu	Inglewood
	Culver east	Los Angeles	Pasadena (1993)	Burbank						Monica	Cerritos		
Inadequate supervision		X			X		X						X
and/or training	X				X						X		
Missing court records/files	X				X								
Case docketing not updated promptly	X				X		X						
Trust account not reconciled	X	X		X		X		X			X		
Clearing account not reconciled	X	X		X							X		
Bail refund account not reconciled	X					X					X		
ETRS improperly utilized		X			X		X				X		
40508 pull for warrant list not used	X				X			X			X		
Warrant recall error list not used	X				X						X		
Employee benefit balance not kept adequately	X				X								
Outstanding bail refund checks not cancelled	X	X					X		X		X		X
Open trust items - no action taken at final disposition	X				X				X				X
Surety bond register not current	X	X		X		X		X		X			X
Faulty check handling procedures	X	X			X		X			X			X
Faulty mail handling procedures	X	X		X		X		X		X			X
Uncontrolled access to safe/vault	X				X		X						
Uncontrolled access to court records	X				X						X		X
Lack of control over miscellaneous receipt books	X					X							
Lack of control over exhibits	X			X			X		X		X		
Bookkeeping and cash handling not separated	X	X			X		X				X		X
Open NSF checks not followed up		X		X		X		X					
Faulty handling of void transactions				X		X							X
Court audit lists not used	X			X		X					X		X
Faulty revenue distribution	X			X		X					X		X
Other	X	X		X		X		X					X

PROBATION DEPARTMENT SUPERVISION
FIVE YEAR CASELOAD COMPARISON



PROBATION DEPARTMENT INVESTIGATIONS
FIVE YEAR CASELOAD COMPARISON



**DEFENSE COUNSEL COST RECOVERY PROGRAM
REFERENCES, ORDERS, COLLECTIONS AND PROGRAM COSTS**

(July 1983 – February 1984)

JUDICIAL DISTRICT	NUMBER REFERRALS	NUMBER ORDERS	\$ VALUE ORDERS	\$ ACTUALLY COLLECTED**	COST OF PROGRAM	SURPLUS (DEFICIT)
*Alhambra	724	611	\$73,244	\$22,147	\$14,220	\$ 7,927
Antelope	114	87	11,982	1,612	3,720	(2,108)
Beverly Hills	12	8	1,470	1,125	5,790	(4,665)
Burbank	—	—	—	—	—	—
Citrus	364	314	34,584	7,376	14,820	(7,444)
Compton	499	468	34,722	5,114	11,340	(6,226)
Culver	58	39	3,364	408	3,510	(3,102)
Downey	—	—	—	—	—	—
*East Los Angeles	1,628	1,291	104,070	44,307	31,920	12,387
*Glendale	901	847	96,134	23,854	21,440	2,414
*Huntington Park	408	235	33,226	4,011	14,580	(10,569)
Inglewood	174	116	12,537	3,215	10,620	(7,405)
*Long Beach	988	849	44,061	9,699	16,620	(6,921)
LA Arraign.	—	—	—	—	—	—
LA Criminal	—	—	—	—	—	—
*Los Cerritos	374	313	26,523	4,738	7,740	(3,002)
Malibu/Calabasas	30	26	2,430	515	2,850	(2,335)
Newhall	278	242	17,117	3,259	5,280	(2,021)
Pasadena	444	397	28,411	6,237	11,940	(5,703)
Pomona	276	251	17,696	3,054	10,950	(7,896)
*Rio Hondo	639	625	114,214	35,075	21,180	13,895
Santa Anita	179	138	13,581	786	7,230	(6,444)
Santa Monica	18	13	2,280	1,353	2,160	(807)
*South Bay	735	701	61,522	23,368	16,560	6,808
*South Gate	880	398	46,184	18,972	21,300	(2,328)
Whittier	481	421	28,407	3,272	15,480	(12,208)
Total	10,204	8,390	\$807,759	\$223,497	\$271,250	\$(47,753)

*Indicates program in effect for 8 months or more.

**Does not include payments made to courts.

DOC records show that many judges have not been regularly referring defendants to the program, even though it has been set up so that judicial time in the process is minimized. Judges must only order defendants to see a DOC officer, review the DOC recommendation and then issue an order to pay if they concur with the recommendation. Though court hearings are required before payment for court appointed counsel can be ordered, DOC staff routinely asks all defendants to waive their right to a hearing. In almost every case to date, defendants have agreed to this request.

By increasing the number of referrals to DOC so that approximately 68,344 or 42 percent of all defendants in the participating courts are referred for screening, net County revenues would be increased by approximately \$1.1 million annually. This assumes an average order amount of \$96.28 (as is presently the case) and that 82 percent of the 68,344 defendants referred would be determined to have the ability to pay for their court appointed legal services. This referral rate would result in total potential revenues of approximately \$5.4 million. However, assuming a continuation of the current actual collection rate of 35.7 percent for courts which have had the Defense Counsel Cost Recovery Program in operation for eight months or more, only \$1.9 million of this amount will actually be collected. Assuming collections cost average \$12 per referral, total collections cost would equal approximately \$820,000. When these costs are subtracted from the estimated collection costs of \$1.9 million, total net County revenues would equal approximately \$1.1 million.

Based on the actual referral rates in the districts that have been participating in the program for eight months or more, 16 percent of the 62,300 cases would be referred to the Department of Collections (DOC) staff for financial screenings if the districts were participating in the Defense Council Cost Recovery Program. If DOC experience were applied to the three districts not participating in the program, 82 percent would actually be ordered to pay and 35.7 percent would actually make payments during 1983-84. This would result in approximately \$280,956 in additional revenue that would offset a portion of the County's costs for court appointed legal services. The table below shows a breakdown of court appointed counsel workloads and estimated potential revenues by judicial district.

JUDICIAL DISTRICT	# DEFENDANTS WITH COURT APPOINTED COUNSEL	# DEFENDANTS REFERRED TO DOC SCREENING (@ 16%)	POTENTIAL COLLECTIONS
Burbank	3,120	499	\$14,058
Downey	5,832	933	26,294
Los Angeles			
San Fernando	9,876	1,580	44,546
San Pedro	5,472	876	24,679
Van Nuys	25,200	4,032	113,634
West Los Angeles	12,804	2,049	57,745
Total	62,304	9,969	\$280,956

The projected revenues in the table above do not include estimated increases in DOC program costs that would be associated with the additional workload. By employing the staffing standards discussed in Section IV.4 (2.5 screenings per staff hour) the costs for administering the program in the districts would be approximately \$120,000 (9,969 defendants X \$12 average cost per screening). The County's net revenue would then be approximately \$161,000 (\$281,000 less \$120,000). It should be noted that this projection is conservative since the referral rate used is based on actual experience during 1983-84 and the program has not generated a high participation rate in any judicial district during this year. As discussed in the previous section, the referral rate should more appropriately be in the range of 42.3 percent rather than 16 percent based on average employment rates and ratings of the financial status of defendants who use court appointed counsel. A referral rate of 42.3 percent would increase gross County revenues to approximately \$742,800 as follows:

JUDICIAL DISTRICT	# DEFENDANTS WITH COURT APPOINTED COUNSEL	# DEFENDANTS REFERRED TO DOC SCREENING (42.3%)	POTENTIAL COLLECTIONS
Burbank	3,120	1,320	\$37,204
Downey	5,832	2,467	69,532
Los Angeles			
San Fernando	9,876	4,178	117,757
San Pedro	5,472	2,315	65,248
Van Nuys	25,200	10,660	300,452
West Los Angeles	12,804	5,416	152,650
Total	62,304	26,356	\$742,843

Net program administration costs would rise with an increase in the number of referrals shown in the table above to an estimated \$316,000 (26,356 screenings X \$12 average cost per screening). Subtracting out these costs would leave the County with approximately \$427,000 in additional net County reimbursements for court appointed legal services.

**COURT-APPOINTED PRIVATE COUNSEL EXPENDITURE ESTIMATES
LOS ANGELES COUNTY MUNICIPAL COURTS**

JUDICIAL DISTRICT	NUMBER OF CASES IN SAMPLE	NUMBER OF HOURS IN SAMPLE	TOTAL COST IN SAMPLE	ESTIMATED HOURS PER CASE	ESTIMATED COST PER CASE	ESTIMATED COST PER CASE
Alhambra	261	1,320.2	\$52,800	5.1	\$202	\$40
Antelope	69	461.5	16,865	6.7	244	37
Beverly Hills	133	478.9	20,378	3.6	153	43
Burbank	58	230.9	9,530	4.0	164	41
Catalina	20	147.3	5,812	7.4	291	39
Citrus	116	786.5	34,703	6.8	299	44
Compton	159	834.6	32,730	5.2	206	39
Culver	157	414.9	15,310	2.6	98	37
Downey	174	670.5	36,831	3.9	212	55
East Los Angeles	142	766.2	29,665	5.4	209	39
Glendale	165	676.4	30,127	4.1	183	45
Inglewood	134	388.1	25,052	2.9	187	65
Long Beach	148	767.6	29,928	5.2	202	39
Los Cerritos	206	995.0	45,378	4.8	220	46
Malibu	35	115.1	4,700	3.3	134	41
Newhall	36	152.2	7,865	4.2	218	52
Pasadena	121	457.2	19,416	3.8	160	42
Pomona	182	1,263.3	54,702	6.9	301	43
Rio Hondo	151	797.3	32,639	5.3	216	41
Santa Anita	41	160.7	7,785	3.9	190	48
Santa Monica	135	776.2	37,992	5.7	281	49
South Bay	127	577.9	23,879	4.6	188	41
Southeast	588	3,096.0	165,873	5.3	282	54
San Antonio	286	1,343.5	69,453	4.7	243	52
Southgate	302	1,752.5	96,420	5.8	319	55
Whittier	143	576.1	26,827	4.0	188	47
Subtotal	3,501	16,910.7	\$766,787	4.8	\$219	\$45
Los Angeles	442	2,378.3	115,263	5.4	261	48
Total	3,943	19,289.0	\$882,050	4.9	\$224	\$46

	UNAVAILABILITY				CONFLICT			
	Number of Cases in Sample	Estimated Hours Per Case	Estimated Cost Per Case	Estimated Cost Per Hour	Number of Cases in Sample	Estimated Hours Per Case	Estimated Cost Per Case	Estimated Cost Per Hour
Alhambra	152	5.1	\$207	\$41	56	5.6	\$214	\$38
Antelope	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Beverly Hills	91	3.5	148	42	36	4.2	180	43
Burbank	4	2.9	131	46	20	6.7	236	35
Catalina	4	4.9	221	46	15	6.9	292	42
Citrus	17	7.7	348	45	47	6.1	264	43
Compton	16	4.6	177	38	135	5.3	209	39
Culver	106	2.3	92	39	11	5.8	217	37
Downey	70	2.9	174	59	84	4.7	242	52
East Los Angeles	49	4.4	173	40	92	5.8	223	37
Glendale	118	3.8	174	45	26	5.2	226	44
Inglewood	43	2.0	122	61	57	3.5	225	65
Long Beach	11	5.2	202	39	128	5.1	200	39
Los Cerritos	143	3.7	180	49	56	6.7	289	43
Malibu	26	2.0	87	44	6	7.3	270	37
Newhall	—	—	—	—	30	3.9	209	53
Pasadena	50	3.2	121	38	65	4.5	195	43
Pomona	5	4.6	186	40	99	6.2	241	39
Rio Hondo	92	5.0	208	41	53	5.0	208	41
Santa Anita	16	5.6	268	48	24	2.8	156	55
Santa Monica	81	5.3	258	49	39	7.1	346	49
South Bay	76	3.9	166	42	17	5.7	236	42
Southeast	329	5.2	281	54	215	5.4	288	53
San Antonio	189	4.8	249	52	70	4.8	244	51
Southgate	140	5.8	325	56	145	5.7	310	54
Whittier	61	4.1	181	45	37	4.4	206	47
Total W/O LA	1,560	4.2	198	47	1,348	5.3	236	44
Los Angeles	260	4.0	182	46	178	7.5	378	51
Central Courts	123	3.6	159	44	91	7.6	440	58
West Los Angeles	17	3.7	189	51	17	6.1	228	37
Van Nuys/Encino	67	4.3	191	44	18	7.3	290	39
San Fernando	19	5.5	230	41	25	11.3	476	42
San Pedro	34	3.8	219	58	27	4.5	232	52
Total W/LA	1,820	4.2	\$196	\$47	1,526	5.6	\$253	\$45

Report of the Criminal Justice Committee



Left to right — front row: Allan J. Rippner, Mario C. Negri, Mary Jay, William Hirsch, Bertha H. Schwartz, James S. Rodriguez. Back row: Anthony Bavero, Walt A. Steiger, chair.

Criminal Justice Committee

PURPOSE

The Criminal Justice Committee has the following principal purposes or functions: (1) to evaluate by a screening process all criminal cases presented by the District Attorney requesting investigative and indictment hearings, including requests for subpoenas; (2) to review correspondence and citizen complaints alleging violations of criminal law or misconduct of public officials and when warranted; initiate or cause to be instituted investigations into such matters; and (3) to examine and evaluate the criminal justice system of the County and make recommendations for its improvement.

Additionally, inasmuch as most grand juries for the past 15 years have considered the question, this Committee concluded it too should consider the question of consolidating the bailiffing and process serving performed by the Sheriff's Department and the Marshal's Office.

BACKGROUND

By reviewing final reports of past grand juries, the Committee determined that previous committees concerned with criminal justice devoted much time to studying and making recommendations concerning law enforcement and policies, training and practices relating thereto. This Committee considered these questions but did not give them special emphasis. Instead, it explored ways in which it felt criminal justice could be improved in the courtroom, in addition to law enforcement in the streets.

METHOD OF INVESTIGATION

The Committee interviewed many judges and officials responsible for the administration of criminal justice and for the functions referred to in this report. It visited detention facilities, attended court proceedings, examined court files, interviewed attorneys, law professors, law enforcement officials and others involved in the criminal justice system.

AREAS OF CONCERN

Screening of cases for Grand Jury hearing and requests for subpoenas.

Review of correspondence and citizens' complaints.

Recommendations for improvement of criminal justice system.

Screening of Cases

The Criminal Justice Committee reviews in secrecy all cases presented by the District Attorney to determine whether a full Grand Jury investigative or indictment hearing is justified.

In the investigative category, which takes place prior to the institution of formal proceedings, the Grand Jury is in a position to assist the District Attorney because of its unique powers to subpoena witnesses and documents and to facilitate the granting of immunity to witnesses. The process of review is called "screening".

Historically the types of cases presented generally fall into the following categories where: 1) witnesses or suspects reside outside the county or state; 2) there are multiple witnesses or suspects as well as voluminous exhibits; 3) witnesses may be subject to harm or intimidation; 4) the prosecutor has a legitimate need to test his case and obtain a community viewpoint on its strength; 5) it is necessary to hold evidentiary hearings over an extended period of time; 6) highly publicized crimes are allegedly involved; 7) there are evidentiary matters of unusual complexity; 8) secrecy is required in the investigative and presentation phase of the case; 9) publicity or unproven allegations can be minimized and an innocent accused can be protected when no indictment is returned; 10) it is necessary to protect the cover of an informant; 11) a hearing room setting is provided that reduces anxiety and creates an atmosphere in the best interest of minors and the unsophisticated.

The Committee found that this year there were few departures, if any, from the above categories.

Through June 19, 1984, the Committee had screened two requests for investigative hearing and 13 requests for indictment hearings and voted to grant each of them. Of the 15 requests, the Grand Jury has taken final action on ten; two investigative hearings and three indictment hearings are still pending. One indictment hearing was terminated by a withdrawal of the request by the District Attorney at the conclusion of the taking of testimony. One request granted by the Committee has not as yet been brought before the Grand Jury.

The indictment hearings involved 55 suspects, 28 of whom to date have been indicted, 301 witnesses and 438 exhibits. A total of 58 days were devoted to hearings by the Grand Jury.

Review of Correspondence and Citizens' Complaints

The Grand Jury referred to the Criminal Justice Committee a total of 45 letters from citizens in the form of informal complaints, alleging various acts of criminal activity. These were made against officials of the County, City, schools, law enforcement officers, judges and attorneys. The subject matter of these complaints included misuse of public funds, fraud, conspiracy, grand theft and conversion of property. All complaint letters were reviewed. The Committee was assisted in this work by the Legal Adviser and by a part-time investigator, both of whom are assigned to the Grand Jury by the District Attorney.

Many of the complaints set forth real grievances which were seriously and thoughtfully presented. Many also were frivolous and outside our jurisdiction. For example, letters sought legal advice, which we cannot give, or sought to appeal from court decisions, which we cannot entertain. Others set forth recitations of alleged misconduct by judges and attorneys and some wanted action taken on federal questions.

Where possible, these complainants were referred to the appropriate agency or body such as the Judicial Qualifications Commission in the case of judges, the State Bar of California in the case of attorneys, and the Federal Grand Jury in cases involving federal matters.

The Committee spent about half its time reviewing correspondence and looking into matters raised in the complaints received, including interviewing persons involved, researching court files and seeking and receiving legal advice. In the aggregate many complaints consumed several days. But, based on our inquiries, in most cases we concluded the facts did not support the allegations.

Several letters did result in full-scale District Attorney investigations and one matter still pending may result in a request for an indictment hearing.

RECOMMENDATIONS

Public Defender

The Grand Jury recommends that the Board of Supervisors substantially increase the budget for the Los Angeles County Public Defender.

One of the main areas of concern to the Criminal Justice Committee was the understaffing of the Public Defender's office and the increasing costs to the taxpayers of engaging outside attorneys to represent indigent defendants when Public Defender representation was not available.

The Committee determined that the 1983-84 budget authorized by the Board for the Public Defender was approximately \$1.6 million less than recommended by the Chief Administrative Officer. Although the dollar amount authorized, approximately \$32 million, was about \$700,000 more than for the previous year, the Public Defender caseload has increased dramatically in recent years.

For example, in the 1981-82 fiscal year the Public Defender declared that office unavailable in 11,735 cases. In 1982-83 this figure rose to 23,736. In the first six months of the 1983-84 fiscal year, the Public Defender declared that office unavailable in 20,296 cases for a projected unavailability for 1983-84 of 40,592.

The legal representation of indigent defendants is mandated by the Constitution of the United States, the Constitution of California, by Section 27706 of the Government Code and by Section 23 of the Los Angeles County Charter. The County has no choice but to provide these free legal services. The Grand Jury believes that the criminal justice system and its overall cost to the taxpayers would be better served by increasing the availability of county-employed public defenders rather than relying on independent outside attorneys.

For example, this year the Public Defender will be handling an estimated 85 percent of the indigent defendant cases at a cost of \$32 million whereas outside court-appointed attorneys will be handling approximately 15 percent of such cases at an estimated cost of \$25 million.

Of course, this generalization of cases handled does not take into account the unavailability of public defenders because of conflicts of interest in representation. A detailed study made by the Criminal Justice Committee of a certain segment of the Los Angeles County court system demonstrates the inadvisability of underfunding the Public Defender when such course of action only increases the cost of engaging outside attorneys in amounts we believe are rapidly getting out of hand.

That study referred to involved only the Central Traffic Municipal Courts at 1945 S. Hill Street, Los Angeles. It showed that the taxpayers of Los Angeles County would have saved \$358,000 in costs of defense for the indigent at the Central Traffic Courts had the Public Defender been provided sufficient staffing to handle all qualified cases. The actual period measured was December 1, 1982 through October 31, 1983. This conclusion was based on the following analysis:

1. *The total cost to operate the Public Defender Central Traffic division was \$344,136. This figure, as well as additional Office costs below, assumes all lawyers were paid at the highest salary in their grade, includes all fringe benefits and overhead, but does not account for additional savings which would accrue by use of paralegals to reduce legal costs.*
2. *The Central Traffic division of the Office of the Public Defender would have handled all cases, with no cost to the taxpayers for appointment of private counsel due to office unavailability, with an additional 14 lawyers and two secretaries. The cost to the County would have been \$1,048,475.*
3. *The County actually spent \$1,406,457 for private counsel under Penal Code section 987.2 for cases the Public Defender's Office at Traffic was unable to handle due to lack of staff. Subtracting the amount it would have cost to staff the Office of the Public Defender to handle these cases properly, \$1,048,475 from \$1,406,457, the amount the County would save in taxpayer funds is \$357,982.*

In addition to expanding the staff of the Public Defender's office, the Grand Jury recommends that outside court-appointed attorneys be compensated on a parity with County-employed deputy public defenders. The above would allow, of course, additional compensation to court-appointed attorneys in percentage amounts the Board determines to be reasonable to cover their overhead costs. This recommendation seems to be in order in light of a study made covering a 12 month period from Sept. 1, 1982 through Aug. 31, 1983 in which the Grand Jury found that 31 court-appointed attorneys received compensation from the County in the sum of \$50,000 or more for Penal Code 987.2 services.

Penal Code section 987.2 funding for these same 31 attorneys was calculated for the period September 1, 1982 to December 31, 1983 and it was determined that 13 of them received from the County in excess of \$100,000, as follows:

<i>Attorney</i>	<i>Total Payments</i>	<i>Average Per Month</i>
<i>Attorney A</i>	\$ 341,362	\$21,335
<i>Attorney B</i>	296,940	18,559
<i>Attorney C</i>	281,979	17,624
<i>Attorney D</i>	264,422	16,526
<i>Attorney E</i>	238,418	14,901
<i>Attorney F</i>	218,371	13,648
<i>Attorney G</i>	163,015	10,188
<i>Attorney H</i>	160,915	10,057
<i>Attorney I</i>	159,399	9,962
<i>Attorney J</i>	128,358	8,022
<i>Attorney K</i>	128,260	8,016
<i>Attorney L</i>	105,273	6,580
<i>Attorney M</i>	102,560	6,410
<i>Total Payments -- 13 attorneys</i>	\$2,589,272	

These figures do not take into account the reason they were paid such amounts, whether due to either unavailability or conflict of interest of the Public Defender. Neither do they reflect whether such attorneys spent full or only part-time in court-appointed work. They are cited to call attention to the fact that the County is indeed expending substantial sums in employing outside attorneys in criminal matters.

Jury Selection

The Grand Jury recommends that the Board of Supervisors initiate or support whatever measures are necessary, either through legislation or an amendment to the State Constitution, which would adopt the Federal Court methods of petit jury selection in criminal trials. The Jury believes that this is a much needed change and would result in an improvement in the criminal justice system.

Presently, the state court system of jury selection allows attorneys for the prosecutorial agency and attorneys for the criminally charged defendant to conduct *voir dire* questioning of prospective jurors. Under the Federal Court system, *voir dire* questioning is performed basically by the judge but questions from the participating attorneys are permitted if first submitted in writing and approved by the judge. *Voir dire* is recognized as a legitimate procedure to inquire into a prospective juror's interests, competency, experience, bias and open-mindedness.

The Grand Jury makes this recommendation for two reasons. The first is that under the state's system, attorneys are allowed unlimited time in *voir dire* examination. In a recent case in Los Angeles County it took nine months to select a jury in a murder trial. Experience has shown that under the Federal system, the jury selection process is more expeditious, resulting in substantial savings in time and money.

The estimated cost of operating each superior courtroom in Los Angeles County is \$4,000 to \$5,000 per day. When jury selection takes weeks or even months to accomplish, it is obvious substantial savings can be achieved by a reduction in the time it takes to select a jury. A study in New York revealed that the Federal system of jury selection would mean "trial time savings equivalent to work product of 26 additional judges."

The second reason for this recommendation is that the original melting-pot idea of trial jury composition no longer prevails in California. No longer does the present criminal justice system of jury selection result in a jury composed of a cross-section of the general public. The emphasis is entirely on winning the case. The emphasis is on obtaining 12 jurors who are "right" for one side or the other; that is, are perceived to be slanted, either in favor of the prosecution or the defense. Attorneys' interrogation of prospective jurors is aimed at obtaining a prejudiced jury, not one whose collective mind is free and open.

The use of teams of psychologists sitting in a courtroom and evaluating potential jurors to assist attorneys during jury selection process in a growing practice. These specialists are trained in analyzing nonverbal communications. The trial attorney's use of psychologists is obviously to find jurors who are likely to adopt the proponent's views or side of the case, not the opposition's.

A keen observer of the California jury selection system, Judith Dancoff, recently made this observation:

"The year is 2030. In a small Los Angeles courtroom an antitrust case is underway between two laser-appliance companies . . . Both sides hire large legal-marketing firms to identify key advertising points and make statistical surveys of audiences most likely to champion the issues representing their side. Ideal audience profiles are graphed and potential jurors are carefully investigated, with the most intimate details of their lives punched into computers for careful screening and a possible match. Meanwhile, scores of seasoned lawyers write elaborate trial scripts while younger lawyers, hired for their delivery rather than their wits, memorize lines. In the vicinities

of jurors' homes, billboards are rented by both sides and plastered with seemingly innocuous advertisements which actually telegraph subliminal messages promoting key issues. In short, not a detail is missed. Down to the color of each lawyer's clothes and the scent of cologne, both sides are armored for the hard sell. This may seem far-fetched. But this bit of science fiction is not far around the corner"

It is not far around the corner in criminal cases either, unless efforts are made to place jury *voir dire* examination in the hands of the judge, a system already in effect in the Federal courts and a system this Jury recommends for the state courts of California.

Non-Unanimous Verdicts

The Grand Jury recommends the Board of Supervisors initiate or support whatever measures are necessary, either through legislation or an amendment to the State Constitution, which would allow for 10-2 verdicts, for either conviction or acquittal in all criminal cases, except when the defendant is charged with a crime for which the death penalty is sought. In death penalty cases the verdict should be unanimous.

The origin of the unanimous verdict is difficult to trace; it probably had its origin in English common law. Some believe it was adopted to preserve a religious aura to the composition of a jury of 12 by replicating the number of apostles at the Last Supper. Others believe that the number 12 had its origin in the division of the Zodiac which was invested with some soothsaying power.

Whatever its origin, the Grand Jury believes there is no justification in logic or law to perpetuate an anachronism which modern society has generally abandoned in the decision-making process.

In California, 9 of 12 jurors can reach a civil verdict. In spite of the venerable background of our adopted English common law system, England now accepts a 10 vote majority in jury verdicts in criminal cases except where the death penalty is sought. In modern society most all deliberative bodies have accepted decisions arrived at by less than a unanimous vote.

The states of Oregon and Louisiana have both modernized their respective criminal justice systems by providing for less than unanimous verdicts. The United States Supreme Court has approved such action and it does not appear either state is denying justice to the criminally accused.

About 200 hung juries occur in felony trials in Los Angeles County each year. A mistrial results which requires repeated presentation of the same case. The failure to reach a unanimous decision most commonly is unrelated to the presented evidence but rather to personality factors of jurors or witnesses or to psychological stresses within the group.

When it is considered that it costs between \$4,000 and \$5,000 per day for a Superior Court session, it is obvious that mistrials are extremely expensive. In addition, the pace of the criminal justice system is slowed and witnesses are inconvenienced by having to testify at multiple trials. In some cases, witnesses and victims are not available when the case is re-presented. Also in repeating a trial, there is the immeasurable cost of preparation, coordination and agony.

Many members of the Grand Jury have served as jurors in criminal trials. Based upon this experience we believe there is no reason why five-sixths cannot be trusted to find the evidence "beyond a reasonable doubt" and arrive at a fair and just decision. A 10 vote verdict will be as fully accepted by the public as a unanimous verdict.

Citizen Complaints

The Grand Jury recommends that all departments and agencies which are subject to Pen. Code 832.5 undertake to make wider circulation of the required complaint filing procedure and that notices of such procedures be more prominently displayed in the public areas of all law enforcement agencies.

Penal Code Section 832.5 provides:

"(a) Each department or agency in this state which employs peace officers shall establish a procedure to investigate citizens' complaints against the personnel of such departments or agencies, and shall make a written description of the procedure available to the public.

(b) Complaints and any reports or findings relating thereto shall be retained for a period of at least five years."

This recommendation is made because the Grand Jury has received several communications from citizens this past term asking how or where to file complaints against law enforcement agencies.

Court Security

The Grand Jury recommends that consideration be given to improving security in courtrooms in which arraignments, preliminary hearings and trials in criminal cases are held.

Several incidents have been reported where persons have caused bodily harm to judges, attorneys and jurors either in the courtroom or adjacent areas. There have been reports also of incidents of harassment of witnesses and others in the courtrooms. It is particularly important that improved security be provided at

courtroom entrances especially when proceedings are underway involving high risk or dangerous individuals.

The Grand Jury has observed that metal detectors have been installed at the doors in the United States Courthouse where Federal criminal courts are housed. We recommend that the County install the same protection.

Victim's Rights

The Grand Jury recommends that all concerned, particularly the Probation Department and the courts, strictly adhere to the provisions of the Victims' Bill of Rights Initiative Measure adopted on June 8, 1982. That law regards the giving of notice to victims of crimes and the right to appear and be heard at the sentencing of the accused.

The law referred to is contained in Section 1191.1 of the Penal Code, which provides in part:

“The victim of any crime, or the next of kin of the victim if the victim has died, has the right to attend all sentencing proceedings under this chapter and shall be given adequate notice by the probation officer of all sentencing proceedings concerning the person who committed the crime.

“The victim or next of kin has the right to appear, personally or by counsel, at the sentencing proceeding and to reasonably express his or her views concerning the crime, the person responsible, and the need for restitution. The court in imposing sentence shall consider the statements of victims and next of kin made pursuant to this section and shall state on the record its conclusion concerning whether the person would pose a threat to public safety if granted probation.”
(Emphasis added.)

There have come to the attention of the Grand Jury instances where inadequate or no notice was given to the victim of the sentencing date. Inasmuch as the court “shall consider the statements of victims. . . ” the Grand Jury believes it is very important that the probation officer give the required “adequate notice.”

The Grand Jury recognizes that the law is deficient in defining adequate notice. Further there are no guidelines for the sentencing court to use in determining if adequate notice was given or whether nonappearance was intended as a waiver of the victim's right or whether it was a result of inadequate notice.

We believe it would be helpful if Section 1191.1 was amended to provide that notice, to be deemed adequate, must be given by registered mail and proof of receipt thereof by the victim filed with the clerk of the sentencing court. If this is done, the court would be entitled to determine that as a matter of law adequate notice was given and that nonappearance constitutes a waiver of the right to appear.

Sheriff-Marshal Consolidation

The Grand Jury recommends that the Board of Supervisors again actively support legislation that would give the Board authority to consolidate the court related services provided by the Sheriff's Department and the Marshal's Office.

For more than 15 years, there has been publicly expressed concern over duplication and overlap in the services supplied to the Superior and Municipal Courts by the Sheriff and by the Marshal's office. Specifically, the areas of concern focused on the bailiffing and process serving functions performed by both.

Records going back to 1967 indicate that past Grand Juries have studied the topic and have invariably recommended some form of consolidation. In 1980 a majority of the electorate of Los Angeles County voted favorably on an Advisory proposition that would allow the Board to consolidate the civil functions of the two bodies. As of this time the California Legislature has failed to adopt enabling legislation.

At the present time, the Sheriff serves process and provides bailiffs for the Superior Courts. The Marshal's Office provides the same type of services for the Municipal Courts. It is noted that the Sheriff is elected every four years in a county-wide election. The Marshal is appointed by the judges of the Municipal Court. Past Grand Jury reports have concluded that attempts to obtain legislative action have failed because of lobbying efforts by the Marshals' Association, Sheriff's Association and the Municipal Court Judges' Association.

No one disputes the fact that a consolidation into one agency of court-related services would result in financial savings which in past years have been estimated to be between \$2 and \$4 million.

This Grand Jury makes no recommendation as to whether the services should be rendered by the Sheriff or the Marshal. The decision rests with the Board of Supervisors. What is suggested is that the Board should make a determination as to the savings that could be realized and be ready to act as soon as enabling legislation is obtained. This legislation should be actively supported by the Board.

Report of the Editorial/Continuity Committee



Left to right – front row: Phyllis E. Amboss, Harold S. Keating, chair. Back row: Joseph M. Quesada, Glenn E. Quillin, Arthur Armas

Editorial/Continuity Committee

PURPOSE

The tasks of the Editorial and Continuity Committee are twofold; primary is the supervision and publication of the Grand Jury's Final Report and secondarily the survey of findings and recommendations of past Grand Juries to determine needed follow-up. This year the Committee, in concert with the Foreman, also made a detailed study of Grand Jury financing.

BACKGROUND

The editorial function of the Committee is not exercised until the final quarter of the term after each of the Jury's committees is ready to submit its report for approval to the Grand Jury as a whole.

The continuity function begins early in the term and consists mainly of reading the recommendations of prior Grand Juries and contacting the appropriate county departments to determine if the recommendation was implemented.

As both of the above functions are relatively simple, the Committee this year studied the financing and budget problems of not only the Los Angeles County Grand Jury but also Juries in most of the other counties of the State of California.

FUNDING OF THE GRAND JURY

The 1983-84 Los Angeles County Grand Jury found, as had many other Grand Juries before them, that its organization is woefully underfunded.

Not only does the County actually allocate proportionally less money for the Grand Jury for its audit function than do many of the smaller California counties, but the actual amount budgeted for the Grand Jury's critical audit function has been declining at an alarming rate.

This decline should be examined from the standpoint that the audit function, a primary reason for the Grand Jury's very existence, now has greater importance than ever in light of recent legislation which gives the Jury the power to conduct management audits of cities within the County.

As the accompanying table indicates, this largest county in the State of California actually allocates fewer audit dollars per million dollars of total County budget as well as fewer dollars on a "per citizen" basis, than do most of the other counties in the state.

In October, 1983, the Grand Jury submitted a request for an additional appropriation of \$148,801. This request was amended slightly by the office of the Chief Administrative Officer and, in November, the Board of Supervisors approved an additional appropriation of \$133,971. The Jury welcomed the additional funding which permitted completion of some of the investigations reflected elsewhere in this report.

As shown in the accompanying table, the funding of the Los Angeles County Grand Jury had dwindled to the embarrassingly low point of \$32.71 per million dollars of the County's budget or slightly more than 2 cents per citizen. The table does not include some major counties such as Santa Clara, San Diego and San Francisco. These are not listed as their audit funds do not derive directly from the budget process.

The significant comparison is that even after the increase in the Grand Jury's budget during 1983, County managers were spending \$685.90 per citizen in governing the multitudes and allowing less than 4 cents per citizen for the Grand Jury to audit the activities of government.

The sample comparison which should be distressing to a taxpayer in Los Angeles County would be with Alameda County which spends about \$450 per year in governing and allows more than 6 cents per citizen for audit.

We believe that an index should be identified so that future Grand Jury budgets may be established by formula rather than be subject to the whims and fancies of County managers.

Following discussions over the past seven months, the Chief Administrative Officer of the County has delivered four reasons why his office is opposed to any formula which would establish the Grand Jury's budget as a percentage of the total County budget.

The following are the CAO's four reasons followed by the Grand Jury's comment:

1. Nonprogrammatic adjustments such as salary and employee benefits, welfare caseload changes, program shifts, changes in State and Federal pass-through funds, etc., which annually influence County budget totals, but which may not alter service levels, are not a valid indicator of additional workload needs of the Grand Jury.

Reply: The above is an example of "bureaucratise" at its best. We translate it as: "We want to keep absolute control over exactly how much money the Grand Jury has to work with in monitoring our activities."

2. Each year's budget should reflect a specific work program, which has not been provided in past and current Grand Jury budget requests.

Reply: Each year's Grand Jury budget simply *cannot* reflect a specific program of work because their budget is established well before the next Jury is empaneled and the present Jury has no authority to force an audit program on the Jury that follows.

3. The Grand Jury's budget is treated no differently than that of any other County Department with a mandated role and, as demonstrated last year, the current process is flexible enough to allow for supplemental adjustments if required.

Reply: The Grand Jury's budget *must* be treated differently than the budgets of other County departments. All other departments are part of the bureaucracy while the Jury is an anomaly and an exception which requires special consideration. Last year's adjustment did not demonstrate flexibility on the part of the County but rather pointed up the bureaucratic excesses which had led to the emasculation of the Grand Jury Budget.

4. The budget for the Grand Jury should be developed within the context of the County's overall budget policy and the Board's budget priorities. Although the Grand Jury is a mandatory function, the Board annually is forced to allocate the County's scarce budget resources among numerous mandates and, where necessary, adjust service levels.

Reply: We *agree* that the Grand Jury budget should relate to the County's overall budget as this is the very reason we recommend a formula to tie one budget as a percentage of the other. The Grand Jury is a mandatory and inviolate function and should be as free from budgetary discretion on the part of the bureaucratic establishment as is possible.

A formula would ensure that the Grand Jury budget would be safe from erosion by both the bureaucracy and the economy. This also would terminate the unequitable procedure whereby one year's Grand Jury requests an appropriation for the next year's Grand Jury.

Without an index on which to rely, we already have had to submit a somewhat arbitrary recommendation for next year's budget. We asked for a sum equal to this year's total appropriation and to that figure we added an increase to 20 percent, justifying this increase as 5 percent to cover inflation and 15 percent to cover the additional legislated scope of Grand Jury investigations.

We have reason to hope that our request will be approved by the Board of Supervisors, particularly as we

believe that our request is modest and is in line with recent appropriations.

Because we believe that the Grand Jury's budget should be established by formula, we therefore recommend that the Grand Jury's *audit budget* be established as \$65 per million dollars of the County budget and that the Grand Jury's *total budget* be 1/100 of 1 percent of the total budget for the County.

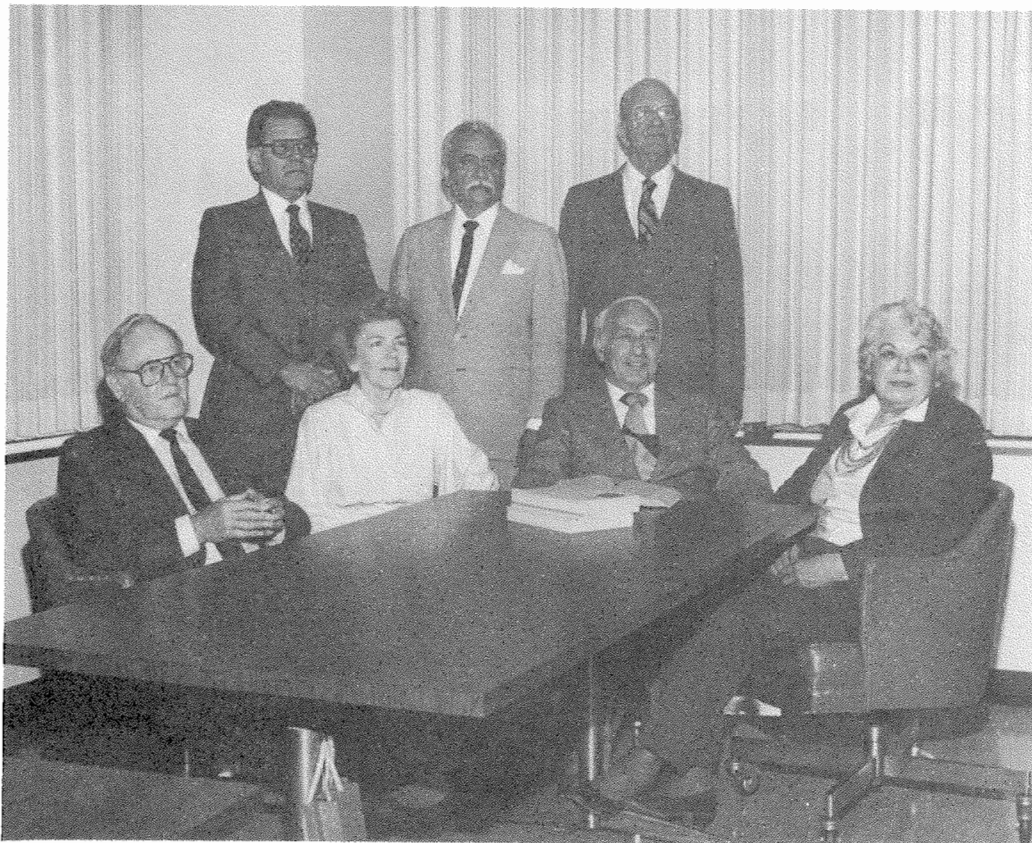
This Grand Jury also recommends that future juries deal early in their terms with the funding issue.

COUNTY/YEAR	POPULATION*	TOTAL COUNTY BUDGET	AMOUNT BUDGETED PER CITIZEN	TOTAL GRAND JURY BUDGET	GRAND JURY BUDGET AS % TOTAL BUDGET	GRAND JURY AUDIT BUDGET	AUDIT DOLLARS PER MILLION \$ OF BUDGET	PER CITIZEN
Los Angeles 73/74	7,085,380	2,946,500,522	415.86	395,500	.014	245,000	84.83	.035
Los Angeles 74/75	7,096,740	2,888,212,067	407.00	452,971	.015	276,000	90.00	.039
Los Angeles 75/76	7,034,139	3,068,185,126	436.20	442,471	.013	257,000	78.32	.037
Los Angeles 76/77	7,020,722	3,281,368,435	467.40	442,750	.012	253,000	70.00	.036
Los Angeles 77/78	7,042,538	3,623,097,025	514.50	395,145	.010	207,000	52.38	.029
Los Angeles 78/79	7,083,431	3,951,952,637	558.00	395,145	.009	203,595	48.60	.028
Los Angeles 79/80	7,146,500	4,189,491,199	586.20	386,100	.009	227,000	52.00	.030
Los Angeles 80/81	7,477,503	4,363,786,028	583.60	380,115	.008	186,604	39.27	.025
Los Angeles 81/82	7,522,400	4,751,535,434	631.70	397,170	.008	175,000	34.71	.023
Los Angeles 82/83	7,699,400	5,041,162,134	654.80	384,199	.007	175,000	32.71	.022
Los Angeles 83/84	7,800,000	5,350,000,000	685.90	498,170	.009	309,000	55.89	.040
Los Angeles 83/84	7,800,000	5,529,000,000	708.80	588,115	.010	371,000	62.88	.047
Los Angeles 84/85	7,900,000	5,900,000,000	746.84					
1983/84 COUNTY								
Alameda	1,109,100	498,517,025	449.48	64,000		64,000	138.41	.062
Kern	406,400	358,397,643	881.88	93,500		93,500	260.88	.230
Lassen	21,900	16,000,000	730.59	30,000		30,000	1,875.00	1.370
Nevada	52,700	32,436,889	615.50	22,560		22,560	695.50	.428
Orange	1,942,200	809,828,804	416.96	82,000		82,000	101.26	.042
San Luis Obispo	156,900	76,426,000	487.10	14,000		14,000	183.18	.090
Santa Cruz	189,400	105,000,000	554.38	30,000		30,000	285.71	.160
Solano	237,300	85,265,547	359.32	11,520		11,520	135.11	.048
Sonoma	301,500	145,800,000	483.58	15,000		15,000	102.88	.050
Ventura	532,000	235,615,140	442.89	19,500		19,500	82.76	.037

* Population figures taken from 1980 census except Los Angeles County, which reflects most recent County estimates
** Budget figures for Santa Cruz County are for 82/83 fiscal year
*** Approved budget for 83/84
**** Revised Grand Jury budget for 83/84 after adjustment
***** Los Angeles County 84/85 figures are estimates

Table

Report of the Education Committee



Left to right – front row: Allan J. Rippner, Judith Rosen, William Hirsch, chair, Evelyn V. Benson. Back row: Joseph M. Quesada, Cirilo M. Montero, Benjamin N. Scott.

Education Committee

PURPOSE

The Education Committee of the Grand Jury concentrated on drug abuse and the resultant high rate of truancy in the public schools of Los Angeles County.

AREAS OF CONCERN

The Committee became aware early in its investigation of the many problems facing public schools during these times of budgetary cutbacks and educational changes. These include classroom discipline, teacher recruitment and retention, salaries and working conditions. However, because of the reported low rate of academic achievement and the purported allied increase in juvenile crime resulting from drug and alcohol abuse, this area of concern became the Committee's primary focus.

METHOD OF INVESTIGATION

The Committee met with administrators and principals of the Los Angeles City Schools, the County's Superintendent of Schools' office law enforcement officials and other experts in education and juvenile crime. The Committee attended seminars on juvenile drug and alcohol abuse and reviewed current literature on the subject. Experts in these and in related fields were invited to meet with the Committee at Grand Jury offices.

RECOMMENDATIONS

The Grand Jury recommends three ways to combat drug and alcohol abuse among students in the County's public schools:

1. *A prevention program in the elementary grades such as DARE (Drug Abuse Resistance Education) conducted*

by the Los Angeles Police Department in the Los Angeles Unified School District.

2. *The suppression of the supply of drugs by undercover officers in a drug-buy program to arrest sellers on or near schools.*
3. *All fines collected for drug law violations and funds derived from confiscated illegal drugs should be used for a school drug abuse prevention program.*

BACKGROUND

National, state and local studies show that public schools generally are not meeting their goal to develop the full student potential. Locally, problems seriously impeding the educational process include:

1. Difficulty in recruiting teachers because of low beginning salaries (13,000-\$16,000). Difficulty in finding entry-level teachers. (The number of college freshmen enrolled in teacher training has dropped 35 percent over the past few years.)
2. Severe disciplinary problems and a school environment which is threatening to all. During 1983, statistics from school and law enforcement agencies list the following incidents of crime and violence on county school campuses:
 - A. Attacks on school personnel – 567
 - B. Attacks on students – 3,756
 - C. Possession of guns – 128
 - D. Possession of knives – 706
3. The wide use of drugs and alcohol on school campuses, particularly the use of marijuana.
4. A high incidence of truancy with resultant increase in crime.

The California Juvenile Narcotics Enforcement Agency reports that marijuana purchases make up to 89 percent of all drugs bought by students. Its recent study shows some 75 to 80 percent of all students who graduate as well as drop out of school have used marijuana one or more times. Drug usage is not demographic; studies show drug usage in all areas, regardless of a community's affluence.

The survey estimates that 35 to 40 percent of all high school students use marijuana three or more times a week and nearly seven percent are daily users.

The National Institute on Drug Abuse reports a definite connection between marijuana use and crime, saying 27 percent of those convicted for the first time admitted to so-called heavy use of marijuana.

The National Institute for Drug Abuse also reports that research indicates three of five marijuana smokers had their first encounter with the drug between sixth and ninth grades. In the meantime, the Los Angeles County Sheriff anticipates a wider use of cocaine as supplies increase and prices are reduced locally. Marijuana, cocaine, LSD, heroin, amphetamines and PCP have all been found by the Los Angeles Police Department in its undercover School Drug Buy Program, begun in 1974, which arrests only drug sellers, thereby reducing the availability of drugs on school grounds. During the spring of 1983, for example, this program in 10 high schools resulted in 228 arrests.

Parents are encouraged to participate in community programs which deal with drug abuse. Among the prevention and treatment agencies in the county are:

Coalesce, in San Gabriel Valley
Watts Health Foundation
Asian-American Drug Abuse Program
Bridge Back, Inc.
United Mexican American & Parents of Azusa-residential
Services
Drug Abuse Program Office (monitors contact compliance for
the County)
Open Door Clinic
El Dorado Community Services Center
Drug-Free Youth
Parents Alert
DARE (Drug Abuse Resistance Education)

Seminars offered by these and similar agencies attempt to alert parents to the early symptoms of drug abuse which include withdrawal from the family, letting grades slip, use of eye drops, missing school and sleeping more than usual.

DARE

An excellent program is one offered by the Los Angeles Police Department in cooperation with the Los Angeles Unified School District to students in fifth and sixth grades. DARE (Drug Abuse Resistance Education) de-emphasizes the traditional approach of warning about dangers and, instead, stresses ways to resist peer pressure. It also suggests alternatives to drug use, and it helps to build self-esteem, consequently lowering vulnerability to drug usage.

With prevention rather than law enforcement as DARE'S aim, the Los Angeles Police Department selected 50 elementary schools for the pilot project. One officer was assigned to five schools and each officer learned a 15-step lesson plan which was developed by the school district. This plan, incidentally, qualified those officers as vocational teachers.

Of all programs examined, the Committee deems DARE the most effective project of prevention.

PRESENTATION

The Sheriff's Department has contracted with 35 school districts in the County to conduct anti-drug abuse and truancy reduction programs. Prevention is the major emphasis of this program.

The Sheriff's activities in these areas include close cooperation with the various school districts such as: Adopt-a-Deputy program; kindergarten to third grade instructor's guide; training teachers in the fourth to sixth grades in the drug abuse area; participation in the implementation of the La Follette Bill – school and law enforcement; Help Our Youth (HOY) program; narcotics experts of the Sheriff's Department lectures to teachers, parents, and pupils; and effective cooperation with school districts in discouraging and reducing truancy.

Project SMART (Self Management and Resistance Training) is a University of Southern California study, funded by the National Institute of Drug Abuse, to find the most effective way to discourage teenagers from using drugs and alcohol. With 2,500 students in elementary and junior high schools, the study is searching for the optimum grade in which to begin anti-drug abuse education.

ALTERNATIVES

Other methods of drug education used effectively in County and City schools to combat abuse include:

Anti-drug abuse instruction is often assigned to health education classes where experts are invited to speak. Use of former addicts as speakers has not been found effective and is not encouraged.

A firm and consistent policy of dealing with offending students produces significant and positive results. This includes arrest, parental involvement, suspension and even expulsion.

Guidelines should be distributed at the beginning of each semester, clearly stating the unwavering prohibition of drug abuse. Arrests may be dramatized by having the offender escorted from the school grounds in handcuffs.

Selected teachers meet one period a day with students who have drug and truancy problems.

Committees of parents, community leaders and representatives from schools and courts should be formed to work out ways locally to combat drug abuse.

Probation officers in agencies are used by the schools to combat drugs and truancy.

Extensive use is made of liaison contract personnel to supply the court with school progress information in juvenile cases.

Authorities are asked to be alert and eliminate areas around schools which serve as breeding places for drug abuse. Cooperation with law enforcement agencies has resulted in arrests of drug dealers.

Mothers and fathers should be organized into committees to alert parents and teachers to early signs of usage.

The Automobile Club of Southern California has an alcohol awareness program which distributes educational material to teachers.

The Bridge Back Program in South-Central Los Angeles offers drug offenders intense counseling with court cooperation.

The formation of a Committee of Mothers Against Drunk Driving (MADD) uses community resources to combat alcohol and drug abuse.

The business community works with school administrators to solve problems common to both.

All schools in the Los Angeles Unified School District are required to inform students of the penalties for unauthorized possession of marijuana – up to \$250 for the first offense for those under 18 years of age and up to \$500 for the second. Juvenile Hall or camp placement may also be added to the sentence [sec. 11357(e) Health and Safety Code].

Truancy

The Grand Jury Recommends that the Board of Supervisors support a study by the County Superintendent of Schools to identify school-related predictors of delinquent behavior; seek greater enforcement of parental responsibility under Education Code section 829 regarding attendance of minors at school; encourage and support the assignment of school/court liaison personnel in each juvenile court; enhance and financially support the role of the Sheriff in programs to reduce truancy in areas of its jurisdiction.

Although recognized as a social and criminal predictor, school truancy has been given a low priority by the public and by governmental agencies despite its long range costs in delinquency and in school failure.

Law enforcement agencies cite the relationship between truancy and increased daylight crimes such as burglary, robbery and auto theft. Studies show a concomitant reduction in such criminal behavior, however, when a strong truancy reduction program is used. Among the more successful programs are Operation Stay in School (OSIS), Project HOPE, and Clean Sweep.

OSIS is a joint effort by city schools and law enforcement agencies, particularly LAPD and the Sheriff, relying on a combination of police interception and school counseling. Youngsters are taken by police to OSIS reception centers where counselors immediately notify school personnel and parents. Parents and students

are counseled on the legal requirements of school attendance with stress placed on parental responsibility to keep the student in school. OSIS has made contact with more than 120,000 youngsters during its nine years of operation and believes it has lowered juvenile daytime crimes significantly by interrupting truancy patterns.

Project HOPE reports similar success in its program which relies on cooperation between the Inglewood Police Department, schools and the HOPE Counseling Center. Inglewood Police and Inglewood Unified School District security officers pick up school age students (6-18) found off school grounds during class hours and take them to the HOPE Counseling Center. Students who are found to be on probation are referred immediately to the Probation Department and to the Juvenile Court.

Students who are suspended from school are referred to HOPE where they are provided homework and are counseled and tutored. Judge Roosevelt Dorn along with Judge Charles Scarlett and Commissioner Michael Price conduct daily truancy courts to help the district in this program.

Clean Sweep in West Covina began in 1981 as a pilot truancy project by the West Covina Police Department in cooperation with school districts in and around the city. It was found during the study that when truancy rules were strictly enforced citywide, daytime crime decreased 51.2 percent. Included in this figure is a 42.5 percent decrease in residential burglaries, a 43.4 percent reduction in larceny and a 75 percent decrease in auto theft. The data also showed a 99 percent correlation between truancy arrests and the reduction of daytime crime activity.

APPENDIX

Partial list of visitations:

Lynwood High School
Lynwood Unified School District
Inglewood Unified School District
Inglewood Juvenile Courts
Sylmar Juvenile Courts
Garfield High School
Pioneer High School
Woodrow Wilson High School
Roosevelt High School
Los Angeles Unified School District
 Administrative Offices
 Health Services
 Student Adjustment
 School Operations
 Dr. Harry Handler, Superintendent
 Jerry Halvorson, Associate Superintendent
Los Angeles Police Department, Captain Robert Taylor, Lt. Patrick Froehle
Los Angeles Sheriff's Department, Undersheriff Theodore Von Minden, Eugene
 D. Rudolph, Narcotics Division
Manchester Elementary School
University High School
Dorsey High School
Canoga Park Elementary School
Washington High School
Braddock Elementary School
Ruth Rich, DARE Program Los Angeles Unified School District
Bridge Back Rehabilitation Center

Report of the Health and Hospitals Committee



Left to right – front row: Mary Jay, Mario Negri, chair, Lillian Naiman. Back row: Aurora C. Galindo, Anthony Bavero, Ida M. Martinez

Health and Hospitals Committee

PURPOSE

The Committee examined major County hospitals and health facilities to make recommendations for improvement of health care. The aim was to see that quality and service do not deteriorate and to investigate increases in costs to the government.

BACKGROUND

Previously, the economically disadvantaged were allowed under MediCal to select physicians and hospitals of their choice. Now, however, legislation dictates that this segment may be treated only by those few hospitals, including County facilities, that contract with the State. Through action last year by the California Legislature, County hospitals are now the only ones authorized to treat indigents.

As a result County facilities are overcrowded thereby threatening not only normal service but the quality of that service.

Federal Medicare coverage for hospitalization is based on a fixed formula which pays for diagnosed-related groups. This formula does not differentiate between the seriously and the marginally ill. Payment to the hospital is the same, which may mean lack of attention for some seriously ill.

In the meantime, hospital-health care costs increased 10.7 percent in 1983 while government subsidies were curtailed, thus creating a survival challenge.

METHOD OF INVESTIGATION

The Committee discussed health issues and asked questions of all County Supervisors as well as such key officials as Robert White, director of Health Services; Ed Tanaka, director of the Department of Public Social Services; and Judge Ronald M. George, supervising judge of the Superior Court Criminal Division.

Visits were made to administrators, chiefs of staff, supervisors and officials of these hospitals and health centers: LAC/USC Medical Center, LAC/Harbor-UCLA Medical Center, Martin Luther King, Jr. General Hospital, Olive View-Midvalley Hospital, Mira Loma Hospital, Rancho Los Amigos Hospital, H. Claude

Hudson Comprehensive Health Center, Edward R. Roybal Comprehensive Health Center, and the Hubert H. Humphrey Comprehensive Health Center.

The Committee also met with representatives of Superior Court Mental Health Departments 95 and 95A.

AREAS OF CONCERN

Laboratory tests at hospital and health centers

Computer monitoring of physicians

Patient complaint forms

Carcinogen agent – asbestos – in old County buildings

County health education programs for the public

Operating room suites at LAC/Harbor-UCLA Medical Center

Smoking

Control of contagious and infectious diseases

Expansion of Mira Loma Hospital

Physical facilities of Superior Court Mental Health Departments 95 and 95A

RECOMMENDATIONS

Laboratory Test Costs

The Grand Jury recommends a reduction of costly laboratory tests for in-patients and out-patients at most Los Angeles County hospitals and health centers.

<i>Hospital</i>	<i>Fiscal Year</i>	<i>Lab Procedures</i>	<i>Patient Days</i>
<i>Harbor UCLA</i>	<i>1979-1980</i>	<i>1,182,764</i>	<i>424,307</i>
<i>Medical Center</i>	<i>1982-1983</i>	<i>1,254,471</i>	<i>387,091</i>

Comparing the above activity 1979-1980 with 1982-1983, we are concerned with the lab procedure *increase* of 71,707, while the patient days *decreased* 37,216. The above results show an increase in laboratory tests per patient visit (procedures/visit) of 2.79 to 3.24.

<i>LA County/USC</i>	<i>1979-1980</i>	<i>16,593,246</i>	<i>1,017,912</i>
<i>Medical Center</i>	<i>1982-1983</i>	<i>18,065,135</i>	<i>1,051,908</i>

Comparing the above activity 1979-1980 with 1982-1983, lab procedure *increased* 1,471,889 while patient days increased only 33,996. Patient days did not increase commensurate with the increase in laboratory test activity. The above results show an increase in laboratory tests per patient visit (procedures/visit) of 1.63 to 1.71.

<i>Martin Luther King</i>	<i>1979-1980</i>	<i>2,309,723</i>	<i>299,978</i>
<i>Gen. Hospital & King/Drew Medical Center</i>	<i>1982-1983</i>	<i>2,566,399</i>	<i>269,136</i>

Comparing the above activity 1979-1980 with 1982-1983, we are concerned with lab procedure *increase* of 256,676 while patient days *decreased* 30,842. The above results show an increase in laboratory tests per patient visit (procedures/visit) of 7.70 to 9.54.

<i>Mira Loma</i>	<i>1979-1980</i>	<i>75,349</i>	<i>56,299</i>
<i>Hospital</i>	<i>1982-1983</i>	<i>121,022</i>	<i>64,722</i>

Comparing the above activity 1979-1980 with 1982-1983, we noticed a patient day *increase* of 8,324; nevertheless, lab procedures *increased* 341,540, while patient days *decreased* 37,225. The above results show an increase in laboratory tests per patient visit (procedures/visit) of 6.10 to 9.04.

<i>H. Claude Hudson</i>	<i>1979-1980</i>	<i>398,897</i>	<i>185,002</i>
<i>Comprehensive Health Center</i>	<i>1982-1983</i>	<i>1,143,866</i>	<i>154,633</i>

Comparing the above activity 1980-1981 with 1982-1983 we are concerned with a lab procedure *increase* of 744,969 while patient days *decreased* 30,369. The above results show an increase in laboratory tests per patient visit (procedural/visit) of 2.16 to 7.40.

<i>Edward R. Roybal</i>	<i>1980</i>	<i>381,279</i>	<i>144,326</i>
<i>Comprehensive Health Center</i>	<i>1983</i>	<i>1,530,130</i>	<i>207,008</i>

Comparing the above activity 1980 with 1983 we find the lab procedure increased 1,148,851 while the patient days increased only 62,682. The above results show an increase in laboratory tests per patient visit (procedures/visit) of 2.64 to 7.39.

The Grand Jury recognizes that each test has an autonomous history and that screening, monitoring, quality control, tests for specific diseases, etc., are required for positive results.

The Grand Jury also recognizes that the volume of laboratory testing may be affected by student teaching and could be the result of medical and admission protocol as well as by instrumentation and methodology changes. However, the Grand Jury became concerned with physician-ordering patterns which could indicate a possible misuse of lab tests.

The Grand Jury feels that a reduction in laboratory tests by all County health facilities could save up to \$250 million a year.

The New England Journal of Medicine, Nov. 1983, states: "The use of diagnostic tests and procedures is excessive and numerous studies suggest at least 15 to 30 percent of these tests are not useful in diagnosis or treatment. This appears to apply to routine batteries of tests as well as to specific diagnostic procedures."

The Wall Street Journal, Jan. 19, 1984, wrote that doctors determine most hospital costs by prescribing tests and other forms of treatment. Consequently, they are under new pressure to be cost conscious when ordering tests and treatments.

It is further suggested that laboratory tests performed at all County hospitals and health centers be strictly monitored by the Los Angeles County Department of Health Services.

Physician Evaluation

The Grand Jury recommends that major County hospitals install a computer system to evaluate the efficiency of physicians by monitoring the amount of money and time spent in treating patients. This will help reduce expenses which must be cut due to the changes in Medicare and other insurance payments.

The large County hospitals are trauma centers and acute-care hospitals that derive a large percentage of revenue from Medicare and Medicaid. This percentage continues to increase because there are more persons over the age of 65 now than ever before and there is an increase in those who depend on County health care due to the influx of persons from Asia, Mexico and Central America.

The Committee believes that in monitoring the 675 full-time staff physicians in the six major County hospitals, these criteria should be considered:

Surgeons should reach a consensus on treatment routines for common elective surgical procedures.

Practices should be adopted to improve efficiency of hospital care without compromising quality.

With careful planning and possibly better clinical care, the surgeon should discharge patients after a short stay if there is no risk to the patient.

Established testing and x-ray routines should be reassessed to eliminate tests which are antiquated or only marginally useful.

The excessive use of County hospital resources is a major expense with the cost of full-time staff physicians adding to the burden. The Department of Health Services reports that the low and high salary range of those doctors is \$47,652 to \$95,544 annually. Ironically, a high-ranking physician says some doctors work six hours a week while others work 60. Strict monitoring of all physicians' activities should be mandatory, he added.

Four acute-care hospitals in the Glendale-Burbank area now use a computer monitor to determine how long patients stay, record their diagnoses, and analyze the number and types of tests and procedures ordered by doctors.

These hospitals are now "disease staging" and have divided doctors' activities into five levels of abilities. Ultimately, doctors are graded as to keenness of perception and level of performance. This practice has been a success in England for many years. We believe that monitoring of doctors' activities could save thousands of dollars without jeopardizing patient care.

Grievance Procedure

The Grand Jury Recommends that Los Angeles County hospitals and health centers use a formal, standardized grievance procedure form for patient complaints.

Major County hospitals all have Patient Complaint Forms, although none is uniform. Two hospitals use questionnaires with only two lines for comments and two lines for suggestions. Other hospitals' forms have adequate space to describe the nature of the complaint but not all forms are bilingual (English/Spanish).

The Committee calls attention to the Federal Register, Patients' Rights in California, Section 70707, Administrative Code V Standard Grievance Mechanism:

"All patients are encouraged and assisted to understand and exercise their rights. Grievances and recommended changes in policies and services may be addressed to facility staff, administration, the Network Council and agencies or regulatory bodies with jurisdiction over the facility, through any representative of the patient's choice, without restraint or interference, and without fear of discrimination or reprisal."

Further, the Accreditation Manual for Hospitals of the Joint Commission on Accreditation of Hospitals states: "Patients are entitled to information about the hospital's mechanism for the initiation, review and resolution of patient complaints."

The Grand Jury suggests that the Patient Complaint Form be patterned after the Citizen Complaint Form used by the Los Angeles County Sheriff. The form is in English and Spanish and is as follows:

1. The first page is written in layman's language, simplifying and explaining the procedure for filing a complaint.
2. The second page calls for fundamental information: name, address, phone, but with adequate space for the complaint.
3. The third page lists seven complaint investigating agencies.

We suggest the use of a similar form telling the patient where to direct the complaint. The form should urge the patient to seek further recourse through any of several agencies such as any of the Los Angeles County hospitals or health centers, Attn: Administration, or Health Services Dept., 313 N. Figueroa St., Los Angeles, CA 90012, Telephone 974-7711.

Appendix A includes the above-described County Sheriff's forms.

Asbestos Dangers

The Grand Jury recommends an intensive survey of old County buildings by trained specialists. Buildings which contain asbestos should be remodeled so that the asbestos either is removed or safely excapsulated. The Committee is concerned over the possible exposure to asbestos by the public and by County employees.

Only 46 of the County's owned or leased 1,508 buildings have been surveyed for asbestos exposure. Of the remaining 1,462 structures, 135 are more than 50 years old; 386 are more than 25 years old and the rest pre-date 1975. The Federal Occupational Safety and Health Administration (OSHA) reports that more than 375,000 persons in the United States are now in danger of contacting some form of asbestos-related illness and it claims there is no known safe level of exposure to asbestos.

The main problem seems to occur when the product begins to crumble with age, releasing dangerous, deadly and nearly invisible particles into the air. Those persons breathing that air run the risk of asbestosis, a disease in which the lungs become brittle and the victims experience shortness of breath or they develop mesothelioma, a cancer of the lung lining. The National Cancer Institute says some 67,000 persons yearly are diagnosed with some form of asbestos related cancer and this is expected to continue for the next 30 to 35 years. Unfortunately, the latent period of asbestos diseases is 15 to 30 years before the onset of cancer.

The Grand Jury recognizes that eliminating asbestos is not inexpensive and it is difficult to weigh the cost against the risk. However, if the asbestos problem is met, the result may save the County costly litigation and, more important, it may save lives.

Health Education

The Grand Jury recommends that the Department of Health Services develop and promote an intensive educational program to tell the public about services available at all health centers and at the six major County hospitals.

Many new Southern California residents are unaware of the health services in Los Angeles County, and, among the immigrant population, a large number become alarmed and confused, fearing deportation, if they apply for treatment of a communicable disease.

The Grand Jury is concerned about the current increase of communicable diseases such as AIDS, tuberculosis, measles, influenza and venereal diseases, believing that if the influx of both documented and undocumented aliens continues at its current rate, these diseases may go unchecked. This could reach epidemic proportions county-wide.

Two large medical centers in Glendale have a series of 90 health tips published as a public service through the Los Angeles Times. Kaiser Permanente hospitals also publish monthly health tips and educational pamphlets which are mailed to members. Other hospitals have similar programs.

It is suggested that the County Health Services Department arrange for guest speakers on television and radio to emphasize the importance of immediate medical attention when any symptoms of a communicable disease are apparent. We also suggest an intensive educational campaign in addition to a continuous educational program directed at those who are reluctant to seek help yet who are a hazard to the community. Such a program would help curb and control communicable diseases.

Harbor-UCLA Medical Center

The Grand Jury recommends immediate addition or replacement of the operating room (OR) suite at Harbor-UCLA Medical Center.

After an extensive tour of the nine-room suite, the Committee finds these problems:

1. Because of the lack of pre-anesthesia induction rooms, patients are crowded into hallways before transport to the OR. The design of the area impedes the flow of patients. There is no control to monitor the time each OR is in use,

- the time patients are prepped, ready for surgery and ready for recovery.
2. As there is no preinduction/prep room, valuable staff and OR time is lost on each case. Consequently, preparation is completed in the patient's room or in the suite, a practice which violates infection control policies.
 3. There is no separate isolation area for patients with contagious diseases. Strict infection control measures are required in the post-anesthesia recovery room.
 4. Sterile equipment and nonsterile supplies and equipment are intermingled as there is no separate exit for soiled equipment which would prevent cross-contamination.
 5. Oxygen tanks are stored in adjacent hallways as there is insufficient space in the OR.
 6. For lack of space, pathologists store specimens next to other general hospital supplies.
 7. Another storage room is cluttered with a heart-lung machine and a heart pump, creating a problem in case of emergency.
 8. The design of the area easily permits nonsupervised access to the OR. Since there is no waiting or reception room for visitors, people often stand in the narrow hallways adjacent to the OR. This violates the area's sterile dress code and creates a hazard for patients being wheeled to and from the OR.

The OR suites have not been remodeled or expanded since the facility opened in 1963. As a result, this primary trauma hospital, with surgeries exceeding 7,400 a year, faces acute problems affecting the safety and efficiency of those using the area.

To summarize, the basic problems include inadequate mechanical support systems, OR rooms too small to accommodate modern surgical equipment and the inflexibility of the area to expand and handle required changes in infection control techniques.

It is also felt that service levels required by Title 22, Joint Commission on the Accreditation of Hospitals Standards, are not adequate. We believe the OR facilities at Harbor-UCLA Medical Center would be more efficient if replaced with a conforming, modern surgical complex.

Smoking

The Grand Jury recommends legislation be enacted to contend with the economic and personal losses caused by the hazards of smoking which is said by the United States Surgeon General to be a danger to the public health and welfare.

The Jury has reviewed the comments on smoking prepared by the County Health Commission and not only concurs with those recommendations but urges the adoption and enforcement of their proposed ordinances.

Statistics abound from such respected agencies as the American Cancer Society and the National Cancer Institute:

1. Smoking is a major cause of heart disease.
2. Smoking is the cause of 25 percent of all cancers.
3. Smoking is specifically related to 80 percent of emphysema and 75 percent of chronic bronchitis.
4. Smoking increases the risk of miscarriage, lowers birth weight, raises a baby's chances of complications at delivery and the likelihood of health problems during infancy.
5. Smoking-related disorders are estimated to cause some 325,000 premature deaths nationwide each year.
6. Smokers have a 33-45 percent excess absenteeism rate compared to nonsmokers.

The economic impact of smoking in the workplace is borne by such facts as:

The average one pack plus per day smoker, over a lifetime, will cost an employer \$624 per year.

The annual excess insurance costs per smoker are estimated at \$274-278.

The average smoker costs a company \$80 per year in absenteeism.

Lung cancer costs U.S. private industry and estimated \$785,500,000 annually.

Recognizing the seriousness of this subject, the Committee believes that new laws should protect nonsmokers and smokers alike.

Contagious Diseases

The Grand Jury recommends legislation mandating that sanitary conditions be practiced in Los Angeles County to reduce food contamination and spread of contagious disease.

The Grand Jury also suggests continuous monitoring and reporting of all contagious and infectious diseases.

The Grand Jury believes that proper legislation and attention to the spread of contagious diseases not only will save lives but may also curb escalating County medical expenses. There is evidence of an increase of some contagious diseases in the County during the past year.

With the influx of aliens from all parts of the world, many diseases formerly under control have now escalated. These include leprosy, amebiasis, acquired immune deficiency syndrome (AIDS), tuberculosis and such food-borne diseases as hepatitis A and salmonellosis.

Leprosy: Although transmission of leprosy is rare, there is a reported increase from 166 cases in 1973 to 331 in 1982. Surveillance of these individuals is maintained for life. It is believed the increase is due to immigration from such leprosy-endemic countries as Mexico, Vietnam and the Philippines.

Amebiasis: Recent immigration from Latin America and Southeast Asia accounts for an increase in reported cases with more than 57 percent of the victims having Hispanic surnames.

Tuberculosis: This country has an effective program for control of tuberculosis, offering free testing and treatment for those in need. However, many alien immigrants do not take advantage of these facilities. They are not properly informed and fear they may face deportation if reported. The number of reported cases is currently greater among Hispanics while Blacks and Caucasians have remained fairly stable and the number of cases reported among the Indo-Chinese has decreased as their migration slows. In 1983, more than 1,400 new cases of tuberculosis were identified and treated. As children and older adults are particularly susceptible, diligent monitoring of immigrants must be practiced and information must be available giving location of free treatment centers.

AIDS: One of the most pressing problems today is AIDS, first noted in the homosexual community, although later research revealed a high incidence among Haitian immigrants. Los Angeles is one of three cities reporting the greatest number of cases, along with San Francisco and New York.

The laboratories for the County Health Dept. perform more than 75,000 tests annually which are the bases for legal requirements allowing quarantine of infectious persons.

Food Handling

In Los Angeles County, more than 21 million meals are served each week by an ever-changing crew of workers. Unfortunately, thousands of undocumented aliens are used as cheap labor for menial tasks. The increase in fast food establishments and the rapid growth of the mobile food serving industry have made educating these workers in better sanitary practices a major problem.

Mira Loma Expansion

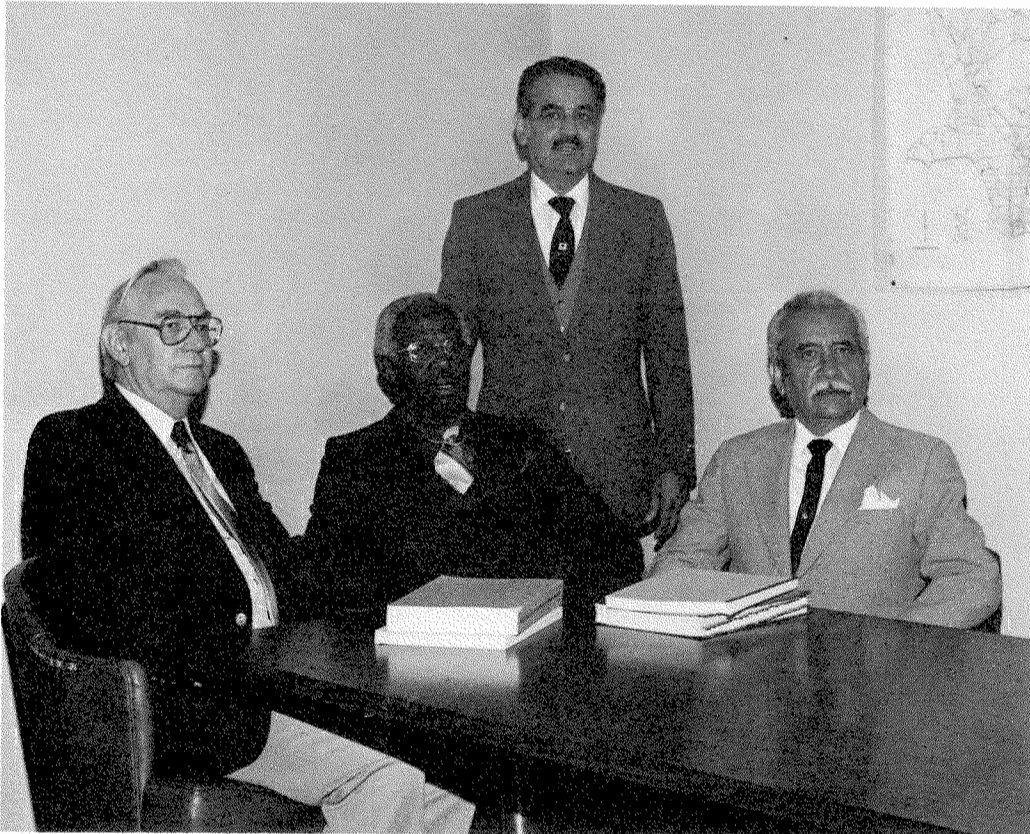
The Grand Jury recommends an expansion of medical services and working space at Mira Loma Hospital as well as implementation of a computer system to facilitate surgeries.

Mira Loma is an acute medical facility and the only County hospital serving approximately 2,500 square miles of the Antelope Valley. The majority of the population lives in Lancaster, Palmdale, Little Rock, Pearblossom, Quartz Hill, Acton, Rosamond and Mojave.

Mira Loma provides in-patient medical, surgical and long-term nursing as well as pediatric, out-patient, public health and medical services. It is isolated from other County medical facilities and has to provide for a large population of retirement age who need prolonged care and frequent out-patient visits. Transportation presents a problem to these people because of the widespread service area. The dental department operates with only one dental chair in overcrowded quarters.

Total patient days for 1979-1980 were 75,349. This increased to 121,022 in 1982-83. Mira Loma Hospital recently has achieved community hospital status and community physicians will now be allowed to admit their patients thereby increasing the hospital's load.

Report of the Jails Committee



Left to right – front row: Harold S. Keating, Clifford B. Green, Cirilo M. Montero.
Back row: Arthur Armas, chair.

Jails Committee

PURPOSE

The Jails Committee of the 1983-84 Grand Jury was organized to “. . . inquire into the conditions and management of the public prisons within the county” [California Penal Code section 919(b)]. The committee also has the right to inquire into the cases of persons imprisoned in jails, as well as to hear inmate complaints.

BACKGROUND

Los Angeles County has approximately 125 jails and/or detention facilities within its borders with the majority under direct control of the Los Angeles County Sheriff's Department. The City of Los Angeles Police Department is the second largest, with smaller incorporated cities making up most of the balance. Detention facilities are also maintained by many of the 19 community colleges in the county. State and federal prisons are not within the jurisdiction of the Grand Jury.

During the 1983-84 fiscal year, an estimated 14,500 inmates were confined in County jails; the estimated annual cost of these facilities and their maintenance exceeds \$110 million.

It must be noted that while the Grand Jury traditionally has been a prime watchdog over the county's jails, there are at least seven other organizations performing the same function on an ongoing basis.

AREAS OF CONCERN

Inspection of jails

Inspection of community college jails

Investigation of inmate complaints

Investigation and site consideration for a new Central Jail

METHOD OF INVESTIGATION

1. Inspection of Jails - The Jails Committee was formed into two teams of two persons each whose primary duty was to make unannounced visits to various facilities on a random basis. Some visits were the result of complaints or were prompted by comments by past Grand Juries.

2. Inspection of community college jails – The discovery of jails or detention facilities at community colleges was the result of one member's close association with one of the colleges. That ranking officers of the Sheriff's Department and Los Angeles Police as well as local law enforcement agencies knew nothing of these facilities caused the committee to devote more than a usual amount of time to the inspection of these facilities. All but seven of the colleges were visited in the time available.

3. Investigation of inmate complaints – All correspondence from present or past inmates was carefully reviewed and speedy inquiry was made to resolve the alleged problems. As this report was written, 16 complaints had been received.

4. Investigation and site consideration for a new Central Jail – Early in its term, evidence of extreme overcrowding was found at Central Jail and its ancillary facility, the Criminal Courts Building (CCB) in downtown Los Angeles.

FINDINGS AND RECOMMENDATIONS

Community Colleges

The Grand Jury recommends that the Board of Supervisors immediately seek or authorize legislation to allow annual inspections of jail facilities at community colleges located in Los Angeles County.

There exists in Los Angeles County 19 community colleges with an estimated day and night population of 360,000 students and staff. All but one of the colleges have a security or police force as well as some form of detention facility. Crimes on campus have ranged from murder to rape, assault, robbery, grand and petty theft.

While jails and prisons operated by Los Angeles County and incorporated cities within the county also have jails, all of these latter are routinely inspected by one or more of approximately seven commissions or committees.

The community colleges of Los Angeles County are inspected by no one. What exists is a wide disparity in quality of facilities, expertise in personnel and general regard for the prisoners.

The result of this situation is that while El Camino College near Torrance has a professional police department and jail any small community would be proud of, comparable facilities at, for instance, Long Beach Community College are primitive.

The Long Beach College Safety Department is in one small room in the Administration Building which contains several desks, no dressing or locker room

and no holding facility. A person arrested on campus and held for local police is handcuffed to a chair, if necessary.

Although Long Beach has two separate campuses, the security force has no legal vehicle in which to travel between them. The officers also have no weapons. There is a single revolver stored in an old locker in case of emergency.

The situation at Long Beach would not be allowed to exist in any other jurisdiction in the county.

At Los Angeles Harbor College, a unit of the Los Angeles Community College District, police headquarters occupy most of a corridor plus an adjacent room in the Administration Building. The corridor, filled with desks, is a passageway for students and the adjacent room is open to the public.

Officers change into uniform by opening a refrigerator door and standing behind it. Prisoners held for transfer to Los Angeles Police Department are handcuffed to any convenient chair in the office.

The police at Santa Monica College are housed in an old frame cottage across the street from the campus. The cottage, acquired during a recent expansion, was formerly a private residence.

The prisoner detention facility is what appears to have been a walk-in closet with a wooden bench running lengthwise. Three prisoners may be secured with steel shackles bolted into the wall about two feet above the level of the bench.

At Compton College where security is under the direction of the Director of Business Services, the police are housed in half of a large steel warehouse-like building next to what appears to be a student machine shop. They have an enormous amount of space but virtually no facilities or equipment.

The list of community college police facilities visited is relatively short because the Grand Jury's jurisdiction was in question until mid-January when County Counsel issued an opinion holding that the Jury did have jurisdiction under Penal Code section 933.5.

Consequently, the Grand Jury suggests that following juries do an in-depth study of the community college police/security/detention problem.

The following were visited:

Cerritos College, Cerritos Community College District
Compton Community College, Compton Community College District
El Camino College, El Camino Community College District
Glendale Community College, Glendale Community College District
Long Beach City College, Long Beach Community College District
Los Angeles City College, Los Angeles Community College District
Los Angeles Harbor College, Los Angeles Community College District
Los Angeles Trade-Technical College, Los Angeles Community College District
Pasadena City College, Pasadena Area Community College District
Rio Hondo College, Rio Hondo Community College District
Santa Monica College, Santa Monica Community College District

The following were *not* visited:

East Los Angeles College, Los Angeles Community College District
Los Angeles Pierce College, Los Angeles Community College District

Los Angeles Southwest College, Los Angeles Community College District
Los Angeles Mission College, Los Angeles Community College District
Los Angeles Valley College, Los Angeles Community College District
West Los Angeles College, Los Angeles Community College District
Citrus College, Citrus Community College District

In general, the Grand Jury found the officers at the colleges to be well-motivated although, in many cases, lacking in the kind of training needed for the job. While some were trained to standards required of city and county officers, many had only rudimentary training or next to none.

At least one college uses cadets or students in the Criminal Justice curriculum as officers. Most of the colleges use students as parking enforcement officers.

The Los Angeles Community College District was, in many cases, an exception. All of the district's colleges are staffed and supervised from a headquarters at Los Angeles Trade-Technical College and there exists a certain level of consistency in the department as concerns equipment and training.

The smaller Community College districts are where defects in training and facilities really become apparent. However, El Camino, a single campus college district with 30,000 students, requires its sworn staff to meet full POST (Police Officers Standard and Training) requirements.

The possibility for suit to recover damages due to injury or damage while in the custody of undertrained, poorly-equipped college police is a possibility these colleges must face.

New County Jail

The Grand Jury recommends that the Board of Supervisors build a high-rise Los Angeles County Jail on State-owned property on First Street Bounded by North Broadway and Spring Street.

The above recommendation, the Grand Jury believes, is a rational solution to two problems. First, the County urgently needs a new County Jail to replace the hopelessly overcrowded Central Jail. Concurrently, the State of California is looking for a site to build a state prison in Los Angeles County.

The solution, we believe, is for the two governmental agencies to work together.

If the State were to sell or in any other way convey the property at First and Spring (formerly the site of the old State Building) to the County, the County then could build a structure about the size of the Criminal Courts Building. This structure, approximating in architecture the Criminal Courts Building, would face Spring Street and have sufficient room to house County prisoners.

Then, in return, if the County were to sell or in any other way convey the property and building now the site of the existing Los Angeles County Jail to the State, the State would then have an almost ready-made State Prison convenient to State buildings in downtown Los Angeles.

The old State Building property was demolished several years ago and only the foundation remains as an eyesore. The site encompasses more than 92,000 square feet, which is more acreage than the site of the Criminal Courts Building. The current parking area between the Criminal Courts Building and the Old State Building site would be retained or multi-decked to absorb increased parking.

Additionally, we suggest that a high-security, non-public tunnel be built between the two buildings to assure the safe and secure transfer of prisoners from the Jail to the Criminal Courts Building. The latter building already has a secure prisoner reception area on the service level.

In the case of the State prison site, officials who tentatively had already chosen a remote location are now seeking another. Their choice was vetoed by the U.S. Government.

The single negative comment the Grand Jury received from State officials on the matter was that they are looking to build a prison for 1,700 inmates and that Central Jail was "too large". We believe that the extra acreage could be disposed of easily, if desired, but the Grand Jury believes that the State will have good use for additional prison space in the years to come.

Of prime concern to the County, of course, would be enormous savings in time and manpower now expended by the Sheriff's Department in transporting prisoners daily between Central Jail and the Criminal Courts Building.

Criminal Courts Building

The Grand Jury recommends that the currently inactive prisoner holding areas on the 4th, 10th and 14th floors of the Criminal Courts Building be put into service to alleviate overcrowding.

The Criminal Courts Building (CCB) is today capable of holding in excess of 475 prisoners although up to 520 prisoners per day have been processed through its various courts. These figures do not take into account those prisoners ("keep away") who by the nature of the charges against them or by court order must be isolated from other prisoners.

Sheriff's detention facilities on the 10th and 14th floors, for instance, can accommodate approximately 95 and 123 prisoners respectively. These two floors also have cell areas which have never been put into service although the basic walls as well as basic plumbing and electricity are installed.

It is the Grand Jury's opinion that putting these now idle cells into full service would alleviate overcrowding at CCB. The County Engineer has estimated the cost at \$100,000 for each floor to put the cells in service.

There are four of these cells on each of the 4th, 10th and 14th floors and, if in use, would add enough room for more than 80 prisoners per floor or an additional 250 prisoners for the building.

To clarify: although CCB is not a permanent jail inasmuch as prisoners are incarcerated only during the day while awaiting trial, the number of cells must be large enough to accommodate those prisoners. Added to this is the problem of the

previously mentioned “keep aways”; those prisoners who by court order may not be put in a cell with other prisoners.

The number of these “keep aways” is growing each year, pointing up the fact that although the CCB may have a capacity of more than 500 prisoners, the building cannot accommodate anywhere near that number if some individuals must be kept in a cell by themselves.

The Sheriffs who manage the CCB jail facilities face this problem each day the courts are in session.

CCB Fourth Floor

The Grand Jury also recommends that the air conditioning and/or air circulation in the Criminal Courts Building 4th floor detention facilities be overhauled or replaced.

Members of the Jails Committee visiting the CCB 4th floor, which houses prisoners for trial in the Municipal Court, found an extreme lack of air circulation and almost total lack of air conditioning.

Air circulation and cooling in the remainder of the building, including all other prisoner facilities, was found to be quite adequate and officials could give no reason why this particular area was affected.

Los Angeles County Courthouse

The Grand Jury recommends that the Board of Supervisors immediately undertake a study and seek a solution to the prisoner security problem at the Los Angeles County Courthouse.

The Courthouse, at 111 N. Hill Street, primarily handles civil actions with a minimum number of dangerous felons involved but both Deputy Sheriffs and Marshals admit that possibly dangerous prisoners are periodically held in their facilities.

All prisoners are brought into the building through rear entrances but from that point on are transported in public elevators and for the most part along public corridors.

The potential for problems of a violent nature is present and real as is the possibility of injury or harm to innocent bystanders.

Also present is the possibility of suit for recovery of damages as the result of possible negligence in not providing reasonable and proper security for the public and court staff.

Santa Monica Courthouse

The Grand Jury recommends that the Board of Supervisors and the Sheriff's Department completely reorganize and remodel existing prisoner holding facilities serving the Superior Court at Santa Monica Courthouse. Special emphasis should be placed on the improvement of prisoner security.

The Sheriff's holding area at the south end of the Courthouse today is capable of housing in the neighborhood of 70 inmates at one time. For this reason prisoners are usually transported, in at least two shifts, by a sheriff's bus from downtown Los Angeles and other parts of the County.

A major problem at the Courthouse is the physical facility where prisoners are unloaded from the bus. Although the vehicle nudges as close to the door to the holding area entrance as possible, prisoners are in a public parking lot and it is routine for deputies to constantly search the area for drugs and weapons secreted near the entrance by friends of prisoners.

The prisoners are then housed in any one of five existing cells, Two can accommodate up to 25 men each. One can hold 13 and two juvenile cells can hold three prisoners each.

The foregoing, of course, does not take into consideration those prisoners designated as dangerous, violent or who by the nature of the charges against them must be isolated from other prisoners.

An enclosed prisoner unloading area, recommended by earlier Grand Juries, is in the planning stage and could be completed this year. This Grand Jury concurs with the prior recommendation.

A major remodeling of the interior of the Courthouse, especially in the holding areas, is urgently needed because, as it exists today, each prisoner or group of prisoners must be escorted through public passageways and corridors to the courts.

Although the chances for escape are high, there has been no successful escape from Santa Monica Courthouse in at least the past 15 years. Perhaps the sole reason for this outstanding record is due to the excellent training and dedication shown by deputy Sheriffs assigned to this post.

City of South Gate Jail

The Grand Jury recommends the immediate removal of obsolete shower stalls from many of the cells and/or holding tanks in the City of South Gate Jail. Most of the permanent walls around the former shower stalls effectively shield any occupants from the view of jailers and create an area for possible illicit activities on the part of prisoners.

The South Gate Police Department facilities, built circa 1950, have approximately 14 holding cells or tanks with a capacity of near 60 prisoners. Prisoners are held here for from 24 to 48 hours before processing at Southeast Municipal Court, almost next door.

The shower stalls, recommended for immediate removal, were probably installed in an attempt to give the prisoners a modicum of privacy while bathing. Today, however, the stalls remain only as a place for prisoners to hide or practice any number of illicit activities almost completely shielded from the view of their jailers.

Signal Hill Police Department

A compliment.

During the Committee's visits and inspections of county detention facilities, one stood out from all of the rest; the Signal Hill Police Department.

The physical facilities are a model of a modern, clean and well-equipped jail with full television coverage, absolute cleanliness and well-trained and highly competent officers.

The Committee, were it within their purview, would give the Signal Hill department a triple-A rating or at least a Gold Star.

Lennox Station

The Grand Jury recommends the immediate replacement of the Lennox Sheriff's Station.

Built in 1946, Lennox Station is either the oldest or one of the oldest in the Sheriff's system of stations. Perhaps only the Hall of Justice facility in downtown Los Angeles, built in 1926, is older.

Originally built to accommodate 85 deputies plus staff, Lennox this year served as headquarters for up to 245 sworn deputies plus 26 civilians and approximately 10 trustees. The number of prisoners handled ranges up to 200 each week.

The station commander is proud of his men whom he calls the best in the department but admits that the station is hopelessly overcrowded and antiquated. Statistically, the area served by Lennox Station is rated as a "high crime" area.

Carson Station

The Grand Jury recommends that the Board of Supervisors continue funding to complete waterproofing of the foundation at the Carson Sheriff's Station.

The Carson station was built in 1974 and is one of the most modern and best-equipped facilities in the Sheriff's system. However, almost since its initial occupancy, there have been persistent seepage and leakage problems around and

through the foundation. Part of the problem stems from the unusually high water table level in the area.

Since the Jury's first visit to the Carson Station, work has been completed on the east side and County representatives say that plans and specifications are being drawn to repair the west side of the building.

Contracting Out

The Grand Jury recommends that the Los Angeles County Sheriff's Department consider and perhaps survey the need to contract out certain services and materials procurement at some of the more remote Sheriff's facilities.

Station commanders at such stations as Lomita, Norwalk and Carson all agree that many relatively minor items and services could be purchased locally and at less cost to the County.

Food for prisoners and minor vehicle maintenance were just two of the things mentioned at one station although other officers added that routine station maintenance jobs also could be done more cheaply and quickly if contracted locally.

Another commander agreed that laundering of prisoner linens and routine but important electrical problems could be solved quicker by local contracting. It appears that although on paper the centralization of Sheriff's services to the stations is a cost-saving measure, down-time on equipment and bureaucratic red tape may not be cost-effective when it comes to servicing these more remote stations.

Report of the Juvenile Concerns Committee



Left to right – front row: Evelyn V. Benson, chair. Back row: Aurora C. Galindo, Judith Rosen, Lillian M. Naiman.

Juvenile Concerns Committee

PURPOSE

The Juvenile Concerns Committee was organized to research and examine the status of children legally under the protection of Los Angeles County and to evaluate how they may best be served.

BACKGROUND

In April, 1983, Supervisor Edmund D. Edelman called attention to a large increase in incidents of child abuse and neglect and requested that administrative changes be made in an attempt to cope with this problem.

During the past five years, the number of abuse cases filed in Dependency Court increased 35 percent and the number of children made dependents of the court rose 75 percent.

Present Federal and State laws mandate that the County's Department of Public Social Services (DPSS) serve these children. Unfortunately, DPSS has been forced to reduce its budget resulting in curtailed protective services.

AREAS OF CONCERN

Improvement of departmental care for abused, abandoned or neglected children.

Care of Latch-Key children.

Parenting, to improve care for children.

METHOD OF INVESTIGATION

The Committee consulted with departmental executives responsible for services to children: DPSS, Probation, Adoptions, Juvenile Court and state licensing. The Committee also studied reports issued by various departments.

SB 1754 (Torres) recognizes that child care licensing requires staff with an understanding of the unique needs and elements of child care and established a child care licensing division within the Department of Social Services.

SB 1620 (Torres) requires the Department of Social Services to prepare regulations specifically for school age care, with legislative guidance.

SB 1674 (Rosenthal) appropriates an additional \$24 million to support child development programs administered by the Office of Child Development.

The proposed package of legislation seeks to meet the child care need of California's estimated 800,000 "latchkey children" defined as children between 5 and 13 years of age who arrive home to an unsupervised environment because they are primarily the product of a single parent home and that single parent is a full-time worker.

Although the Federal Government first entered the picture in 1942 by funding child care centers (Lanham Act), the number of women in the labor force today has risen to approximately 60 percent. Most of these mothers have children under the age of 18 years.

The Latchkey package will attempt to establish child care centers at neighborhood school sites, thus solving the problem of poorer parents finding or providing safe transportation for their unsupervised children.

The legislators also plan a set of licensing regulations specifically aimed at school-age care centers so as to improve the quality of care. The Grand Jury suggests that semi-annual inspections be made of day care centers.

Probation

The Grand Jury recommends that additional probation officers be assigned to the Dorothy Kirby Center to provide after care, specifically in the areas of placement and serious sex offenders released from the center. One deputy probation officer would also provide intake service.

Dorothy Kirby Center is a 100-bed co-ed institution of high school age youth. An intensive treatment program of counseling, working with both child and parents, takes place. The program also includes a Foster Grandparent component to provide a personal family touch. Administrative staff members strongly encourage the continuation of this program.

Dependency Court

The Grand Jury recommends that additional courtrooms be assigned to the Dependency Court. During the past five years the number of abuse cases filed in the court increased 35 percent, and the number of children made dependents of the court rose 75 percent. In the first three months of this year, new filings have risen more than 1,000 per month.

Parenting

The Grand Jury recommends that the Los Angeles County Board of Education review the innovative programs discussed below and develop similar programs for all County schools.

Background

The Committee reviewed the curriculum in several County school systems, especially in the areas of sex education, acceptance of responsibility for parenthood decision making and the teaching of parenting skills.

Among the districts reviewed were the Pasadena, Beverly Hills, and Culver City Unified School Districts and the Compton, Alhambra and Whittier School Districts. Following are some of the programs.

An elective course for senior high school students covers reproduction, teenage pregnancies, contraception, prenatal care, birth, care of the newborn, and observation of pre-school children at a nearby child care center.

Students may also apply to work at the same day care center after school, allowing them to develop a realistic expectation of how two to four year olds actually behave.

Classes are offered in sex education in the fifth, sixth, seventh, and tenth grades, taught by nurses, physical education teachers and health/driver education instructors.

Another school district begins its health education curriculum as early as kindergarten, teaching students the parts of the body and ensuring that the child recognize that life comes from the same kind of life, and explaining the role of the family.

One first grade objective is to explain that all persons need a father and mother to begin a new life. High school students receive sex education in the required courses of health education and science. Students in kindergarten, first, third, fifth, sixth and seventh grades receive instruction from the teacher, science teacher, or sometimes the nurse.

One district offers a special curriculum dealing with sex education and family planning. Its Responsible Adolescent Sexuality Project, provides an innovative approach to the myriad complex problems associated with early adolescent pregnancy.

The class is taught in a 20-day instructional module in which the classroom experiences focus on values, decision making, consequences of adolescent pregnancy, alternatives to pregnancies, and encouraging self esteem and doing what is right for the individual.

Familia en Flor

The Grand Jury recommends that the Board of Supervisors support the “Familia en Flor” program and see that it is adequately funded.

“Familia en Flor” is a component of the Parent Education Project established to develop and implement parent education materials for low-income Latinos. All project staff are affiliated with Harbor/UCLA Medical Center and UCLA’s Research and Education Institute.

“Familia En Flor” focuses on the health decisions parents make during the prenatal period and the first two years of the child’s life. The program is geared toward young married couples. The materials developed can be used in a wide range of settings – day-care centers, public clinics or doctors’ offices.

The topics developed to date, with one year of funding left, include adjusting to parenthood, labor/delivery, prenatal health promotion, breast feeding, care of the newborn, family planning, and child passenger safety.

Report of the Transportation Committee



Left to right – front row: Natalie Arnold, Bertha H. Schwartz, chair, Phyllis E. Amboss. Back row: Glenn E. Quillin, Walt A. Steiger, Clifford B. Green, James S. Rodriguez.

Transportation Committee

PURPOSE

The Committee was formed to examine and evaluate transportation and environmental conditions in Los Angeles County as they exist today and could exist in the future.

METHOD OF INVESTIGATION

The Committee met with persons and organizations involved with plans for mass transportation including: administrative heads and executives of the Southern California Rapid Transit District (SCRTD), representatives of the Southern California Association of Governments (SCAG), Los Angeles County Transportation Commission, and the County Engineer's office, Airport Division.

The Committee also communicated with representatives of the Air Quality Management District (AQMD), members of the Board of Supervisors, Air Resources Control Board, and Bureau of Automotive Repair.

AREAS OF CONCERN

Mass Rapid Transit

Solid Waste Dump Sites

Music Center Security

Vehicle Emissions Control

FINDINGS AND RECOMMENDATIONS

Light Rail System

The Committee studied current and past methods of transportation. During the days of the "Red Cars" Los Angeles had an extensive form of transportation. Had the anticipated population growth been addressed, many of the present difficulties could have been avoided.

Studies of population growth strongly indicate that some form of mass transportation must be implemented. The Grand Jury recommends immediate implementation of plans for the Light Rail System from Long Beach to downtown Los Angeles with a contemplated extension to Glendale. The Grand Jury also recommends that other Light Rail routes be addressed immediately.

As this is a surface operation, there is a significant difference in estimated costs compared with Metro Rail. Anticipated cost for the Light Rail is \$450 million for the 22-mile route.

Solid Waste Management

The Grand Jury recommends that the County study the feasibility of transporting solid waste at night by covered railroad hoppers to designated outlying areas.

An officer of the Southern Pacific Transportation Company stated that technology makes possible removal of up to 10,000 tons of waste a day by covered rail containers. Arrangements could be made to move such cars at night to designated areas.

It is further suggested that the City of Industry be viewed as a model with respect to use of filled land. In the City of Industry, filled land is used as golf courses, equestrian trails and tennis courts. Methane gas produced by the waste material under the surface is used to power buildings and the landscape is watered with recycled water.

The Chief Engineer and General Manager of the Sanitation Districts of Los Angeles County provided a great deal of material on hazardous waste sites in the County.

Landfill Certification

The Grand Jury recommends that the Board of Supervisors enforce, by ordinance if necessary, current regulations concerning the sale of property. The seller should be required to furnish the buyer with all data and information that is a

matter of public record concerning any prior landfill history of the property involved.

In Los Angeles County there are many abandoned hazardous waste dumps, some toxic, others thus far undetermined as to degree of possible danger to the public. One such site is the Cadillac Fairview Industries site, a World War II landfill where children play, unaware of the toxic substances present under their feet. Persons have bought homes without knowledge that they are near or on abandoned toxic sites.

The State Department of Health Services has begun a stringent new enforcement policy of seeking more jail terms and stiffer fines for chemical polluters.

Music Center Security

The Committee investigated parking security at the Music Center complex. Security at the complex is provided by a private vendor through contract with the County. Numerous suggestions for improvement of security were offered by the Committee which has been assured that implementation of recommendations has begun. Those suggestions include better notice of exits, more maps, better placement of telephones and security personnel assigned to each level.

Emission Exemptions

The Grand Jury recommends the County Board of Supervisors seek legislative action to amend the Health and Safety Code Section 44000 et seq., "Motor Vehicle Inspection Program" to require that all vehicles, including diesel powered, meet the California emission requirements with no exemptions.

The Committee attempted to gather information from the SCRTD but was unsuccessful because the Grand Jury does not have jurisdiction over that body. We appeal to the Los Angeles County Board of Supervisors to seek stronger legislative action than presently exists.

Gasoline and diesel vehicles owned and operated by governmental and quasi-governmental agencies such as SCRTD, Caltrans, Los Angeles School District, along with privately owned school buses, should not be exempt from pollution controls. The Grand Jury feels that no solution for clean air is possible which does not impose the same standard for all vehicles operated in the County.

SCRTD complains that to submit to California emissions requirements would delay operation of their new buses and reduce their ability to provide extra service when the city is deluged with visitors next summer.

Pollution Problems

The Committee also investigated pollution problems in the basin as the Los Angeles area has long been plagued with this problem. Population growth means more people as well as more cars and consequently more pollutants in the atmosphere. Corrective measures must be taken now.

We learned that diesel fuel obtained from crude oil includes hydrocarbons such as benzene, nitrofluorene propane, nitrofluorene butane, nitrofluorene toluene and ethane – all carcinogenic agents.

The Grand Jury recommends that stringent limits be placed on the operation of diesel passenger cars until their emissions are controlled to the level of comparable gasoline-powered vehicles.

The current Smog Check Program specifically exempts diesel vehicles from the program due to the general unavailability of low-emission tune-up procedures for diesel engines. Unlike gasoline vehicles, diesel vehicles emit relatively low amounts of hydrocarbons and carbon monoxide emissions, the primary targets of the program. But a program aimed at soot and odor reduction, rather than at reducing gaseous pollutants, should be designed and implemented for diesel vehicles.