



2016 – 2017
LOS ANGELES COUNTY
CIVIL GRAND JURY

FINAL REPORT



2016-2017
LOS ANGELES COUNTY CIVIL GRAND JURY
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County of Los Angeles CIVIL GRAND JURY

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To the Citizens of Los Angeles County:

Welcome to the 2016-2017 Civil Grand Jury's Final Report. We hope you will find the diverse and far-reaching issues included in this report interesting and enlightening. It has been quite an undertaking for 23 total strangers with varying backgrounds, experiences, and social, and political viewpoints to come together and collaboratively finalize what you see in these pages.

As a truly independent body, the Civil Grand Jury is newly constituted each fiscal year and is free to choose which local governmental entities to investigate. Please see the following page which describes the function and authority in more detail.

This year's jurors were impressed by the enormity of challenges and the complexity of governing Los Angeles County and administering the extensive and essential services provided to the community. As we met and heard reports from many leaders and staff, we were struck by the expertise and dedication they bring to what some people consider an unresponsive bureaucracy. We wanted to highlight the challenges faced by the various entities; the demands and expectations versus the funding realities and operational constraints. Therein lay the task and philosophy of this year's Civil Grand Jury: bring to light the excellent work so many perform while recognizing the barriers and limitations that may keep that good work from attaining the desired results.

We approached this task twofold: One, by asking each speaker what barrier they would like lifted in order to do their work more effectively and efficiently. We started with the assumption that the people doing the work have a greater understanding of the problems and challenges they need to overcome, and we saw our efforts as a "spotlight" to bring those issues to light. The second approach is reflected in a thread you will notice throughout this report. We looked at the work of the departments through the lens of the County's 2016-2021 Five Year Strategic Plan. With the understanding that strategic plans should be a living document, we connected some of our reports to relevant areas of the Plan. We hope this brings meaning, a unifying aspect, and a broader context to our Report.

None of our work would have been possible without the support of Supervising Judge Scott Gordon and the Civil Grand Jury Staff, Mark Hoffman, Cora Artizada, and Natalie Rascon. We relied on County Counsel, Jonathan McCaverty, to help us understand the legalities of what the Jury can and cannot do while working within an environment of absolute confidentiality.

I especially want to thank my fellow jurors. They are a diverse group of dedicated people, infused with a wide range of expertise and capabilities. For all of us, the opportunity to serve the County and its citizens as a Civil Grand Juror has been a rare and privileged adventure. We thank those that shared information, resources and time to enable us to conduct our investigations in a logical and thorough manner. We are therefore confident the positive and constructive responses to our recommendations will result in better services for the people of our community.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joanne D. Saliba". The signature is fluid and cursive.

Joanne D. Saliba

Foreperson

2016-2017 Los Angeles County Civil Grand Jury

Introduction

The Los Angeles County Civil Grand Jury

History

For hundreds of years, Grand Juries have served a valuable service to society. Within Los Angeles County, there are two separate Grand Jury systems: Criminal and Civil. California Penal Code § 888, permits the Superior Court to impanel two grand juries: one to hear criminal cases and one to perform the civil function of local government oversight. Most people are aware that criminal grand juries hear cases from government prosecutors and return indictments if convinced by the government's presentation of facts. Scholars and other observers have noted, however, that the "more expansive function of the grand jury is its power to investigate into county matters of civil concern."¹ Los Angeles County, the most populous in the nation, impanels two grand juries: a criminal grand jury, which is impaneled each month, and a civil grand jury, which serves for a year.

Authority and Function

California Penal Code ² provides the grand jury with authority to investigate within Los Angeles County: county jails; county officers, departments and functions; cities, school districts and joint powers agencies. The findings and recommendations of the civil grand jury investigations are communicated publicly only in the form of a final report.³ Prior to its issuance, all matters discussed and all aspects of the grand jury's investigations are confidential.

Additional information is available at:

Los Angeles Superior Court
Civil Grand Jury
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012
213-628-7914
www.grandjury.co.la.ca.us

¹ "Final Recommendation, Reform of California Grand Jury Statutes," Capital Center for Government Law & Policy, University of the Pacific McGeorge School of Law, Professor J. Clark Kelso & Professor Michael Vitiello (January 24, 2003), p. 1

http://www.mcgeorge.edu/Documents/Publications/ccqlp_pubs_jury_final%20recommendation.pdf

² CA Penal Code § 919,920,924,925, 925(a)

³ CA Penal Code § 929



2016-2017 LOS ANGELES COUNTY CIVIL GRAND JURY MEMBERS

Back Row L to R: London Jones, Shelley Strohm, Marcie Alvarez, Alice Beener, Thomas Kearney, Reuben P. Santana,

Middle Row L to R: Gloria Garfinkel, Joyce Simily, Gerard Duiker, Marilyn Gelfand, Ronnie Dann-Honor, Joanne D. Saliba,
Dianne Kelley, Regi Block, Sharon Muravez, Douglas Benedict,

Front Row L to R: Faramarz Taheri, Lucy Eisenberg, Henry C. Guerrero, Dorothy Brown, Patrick Lyons, Hilda Dallal



**2016 - 2017
LOS ANGELES COUNTY CIVIL GRAND JURORS
ARE FROM THE FOLLOWING COMMUNITIES:**

- | | | |
|---------------------|-----------------------|---------------------|
| Alhambra | Long Beach | Santa Monica |
| Burbank | Los Angeles | Tarzana |
| Glendale | Marina del Rey | Toluca Lake |
| Glendora | Pasadena | Valencia |
| La Crescenta | Santa Clarita | |

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INVESTIGATIVE COMMITTEE REPORTS

AFFORDABLE HOUSING



Douglas Benedict **Chair**
Alice Beener
Gerard Duiker
Faramarz Taheri

AFFORDABLE HOUSING

This investigative report is responsive to the County of Los Angeles Board of Supervisors' Strategic Plan Goal I: "Make Investments that Transform Lives"

I SUMMARY

Within the County of Los Angeles (the County) there are an estimated 1.6 million people without affordable housing. Housing costs for both home purchases and rentals are high and rising. Average income in the county is stagnant or rising slowly. High housing costs combine with stagnant incomes to consume too high a portion of incomes for housing. Quality of life and the ability to fully realize potentials are compromised. The local overall economy is negatively affected.

More than 60% of County residents are hurt by the housing cost squeeze. Approximately 550,000 additional housing units (single family and rentals) are needed to stabilize housing costs.

The conversion of affordable rental units to ones with higher rents, fueled by high rental costs, contributes to the affordable housing shortage.

Without public subsidies the private housing market has failed to provide the required new housing. Current government sponsored and/or assisted housing programs for lower-cost housing are insufficient to deal with the shortage.

The time has come to declare the County housing shortage a crisis requiring crisis-appropriate actions. These actions must include rapid expansion of housing stock emphasizing the more affordable segments. The Los Angeles County Civil Grand Jury (CGJ) explores the characteristics that are would be optimum for this expansion.

The CGJ has examined a number of alternative housing concepts that promise to reduce new housing development costs. Many of these could be pilot programs to gain experience applicable to the attack on the housing shortage. "Out-of-the-box" solutions such as a design competition for an affordable community may be appropriate.

A variety of interests oppose large scale housing expansion. Some of these are local residents who are concerned with the impacts of changes in their area, housing investors, and people benefitting from short term rentals (i.e. AIRBnB™.) These contrary interests must be effectively addressed in dealing with the affordable housing crisis.

II BACKGROUND

In this section the CGJ describes the issues that were investigated.

The County of Los Angeles Housing Crisis by the Numbers

The County faces a human and economic crisis because affordable housing is grossly mismatched with the need. One estimate is that the total unmet housing demand in Los Angeles

County is 550,000 housing units (houses and apartments).⁴ With an average household size of 2.9 persons, this means that there are 1.6 million persons that lack appropriate housing. This is over 15% of the County's current total population. Much of the unmet demand for housing affects lower income families who now spend as much as 71% of the family income on rent.⁵

This crisis is defined by four significant factors⁶:

1. The quantity of available housing stock has not kept up with the increases in population creating an housing shortage.
2. The housing shortage has increased competition for available housing.
3. Competition for the available housing drives up prices.
4. Most people are required to spend >30% of their incomes, which have been stagnant or increasing slowly, to pay the higher housing prices.

The lack of affordable housing has developed over the last 27 years. Through the 1980's supply kept up with the population increase, but from 1990 through 2010 there was a significant slowdown in construction. From 2010 to the present housing construction has increased; however, the rate of construction still lags behind the rise in population and has not replenished the unit shortages from the prior 20 years. Also contributing to slow building are overly complicated local regulations, downzoning,⁷ and a sharp reduction in subsidized housing funding programs. The latter significantly affects housing for lower income households.⁸

For aspiring homeowners, home values in the County rose by 40% from 2000 to 2014 (the largest increase of any major area in the United States) as the median household income decreased by 9% (adjusted for inflation). Similarly, median rents increased by 28% while the median income of renters declined by 8% over the same period.⁹

Because of high housing costs many County residents must spend less on necessities like food, transportation, and health. This effect is not felt equally across income levels; the lower the income the greater the effect.¹⁰

One of the most visible and most extreme results of the Los Angeles housing market is the growing number of homeless people found in the County. The number of homeless people is currently estimated to be 47,000.¹¹

⁴ <http://chpc.net/wp-content/uploads/2016/05/Los-Angeles-County.pdf>

⁵ Public Policy Institute of California-“Confronting Los Angeles County's Rent and Poverty Crisis: A Call for Reinvestment in Affordable Homes”.

⁶ “The Cost of Not Housing”, Seminar, Southern California Association of Governments, October, 2016.

⁷ Downzoning is the process of reducing the allowed occupant density in an area by changes in zoning. Example: R3 (=> apartments) to R1 (=> single family residences).

⁸ Mission Impossible: Meeting California's Housing Challenge, Southern California Association of Governments (SCAG), October 2016-Foreword-Illustration2.

⁹ Housing in the Los Angeles Sustainability Plan. Bloomberg Associates, August 13, 2014, p.7-8.

¹⁰ Mission Impossible: Meeting California's Housing Challenge, SCAG, October 2016-Foreword-Illustration2.

¹¹ <https://www.lahsa.org/homeless-count/reports>

Current Provisions for Housing in Los Angeles County

The Southern California Housing Marketplace

The most significant factor for the lack of sufficient housing is the lack of private investment in affordable housing.¹²

The majority of County housing has been provided by private, for-profit investments. The housing shortage causes the market price of housing to rise. As the market price rises, it sends a signal to investors/developers that there is an attractive profit to be made in producing more housing.¹³ To some extent this has happened. However, most of the new housing has targeted the highest price part of the housing market where profits are more assured.¹⁴ The market mechanism has failed to produce affordable housing in the quantity required. If the lower priced end of the housing market cannot generate competing profits in comparison to the higher priced end, the market system should not be expected to correct the affordable housing shortage.

The above analysis is supported by recently published investor oriented market research.¹⁵ The expectation is that rents and, therefore, rental property valuations which are based on rental cash flows, will continue to rise in the near future. As an example, the year-to-year prices for homes has risen year-to-year by 7.9% as of February 2017.¹⁶

The current housing shortage has caused the following: high housing prices and high rents. This “pumps” more wealth from rent payers, typically the less wealthy, to investors, typically the more wealthy, in a reverse trickle-down effect.

An increased housing supply would mitigate this effect. Renters would have more expendable money which they are likely to spend on other, non-housing necessities.¹⁷ And, in that spending, renters are likely to increase non-housing business revenues.

Public Housing Programs

Given the County’s affordable housing shortage and the inability of the private housing marketplace to correct the situation, the CGJ examined public programs intended to increase the affordable housing supply. There are an assortment of such programs. For example, the City of Los Angeles has passed Measure HHH which will sell \$1.2B in bonds to finance housing for homeless people.¹⁸ This is estimated to produce 10,000 units over a 5-year period. So called

¹² www.scanph.org/node/3863

¹³ www.noradarealestate.com/blog/how-real-estate-markets-work/

¹⁴ losangeles.cbslocal.com/.../social-may-buck-trend-of-more-affordable-luxury-apartme...

¹⁵ *ibid*

¹⁶ <http://www.latimes.com/business/la-fi-home-prices-20170321-story.html>

¹⁷ Note: Lower income families, by necessity, will spend income freed from rent on other necessities. The money freed and spent will generate increased economic activity.

¹⁸ www.laweekly.com/.../la-passes-ballot-measures-to-build-transit-and-fight-homelessne...

“wraparound services”¹⁹ are to be paid for by an increase in sales tax in Los Angeles County from passage of Measure H in March 2017.²⁰

The County of Los Angeles has affordable housing programs, administered by the Community Development Commission/Housing Authority. Generally, the programs offer a public subsidy for housing construction which is leveraged by a developer to produce units. The selection of developers is by a competitive bidding process which is always oversubscribed.²¹ In return for the subsidy, the developer is required to maintain “affordable” rents on the resulting units for up to 55 years (55 years is the current requirement; earlier programs were commonly set at 30 years).

The County near-term subsidy programs are basically planned to continue at about the same level as the recent past.²² While these programs are to be applauded, they have been insufficient to correct the affordable housing shortage.

Loss of Affordable Housing Stock

Almost every large municipality in the United States faces the situation of a persistent affordable housing shortage; there is a simultaneous loss of existing affordable housing.²³ Units that were rent restricted or that had rented at affordable rates, are converted to market rate properties or redeveloped out of existence. This applies to the County of Los Angeles.

The chief defense against market rate conversions is the contractual commitment, currently for 55 years, to restrict rents on subsidized affordable housing. After this period, conversions to current market rate rents may occur. Beside the increased income from raised rents there is typically a large increase in market value for converted properties. These are powerful motivations to private owners to convert.²⁴

For redevelopments there are legal constraints that mitigate the impact to displaced residents.²⁵ Generally, they may require that displaced people be compensated for vacating their residences.

Unrepresented Housing Compression

The statistics used to evaluate housing stock sufficiency leave out a common occurrence in Los Angeles County housing. People who cannot afford “normal” housing situations compress into units not designed for that purpose.²⁶ Because this is often forbidden by regulations, official records are not kept. Therefore, the statistics under represent the actual housing need.

¹⁹ Note: “Wraparound Services” are the set of medical and social services prescribed for treating a previously homeless person. This definition was supplied by an official of the County’s Department of Health Services during a presentation to the CGJ.

²⁰ votersedge.org/ca/en/ballot/election/area/48/measures/measure/2959?election...

²¹ Interview with Community Housing Development Commission

²² Interview with Community Housing Development Commission

²³ www.latimes.com/local/california/la-me-apartments-demolished-20160402-story.html

²⁴ Note: Some subsidized housing is owned by “mission-driven organizations” who tend to maintain low rents as a part of their “mission”.

²⁵ <https://www.hud.gov/offices/cpd/affordablehousing/library/tenadisp.pdf>

²⁶ <https://planning.lacity.org/HousingInitiatives/HousingElement/Text/Ch1.pdf>

The Housing Shortage Crisis

The CGJ has evidence that supports the conclusion that the affordable housing shortfall is a crisis for the County.

Many authorities have pointed out that the affordable housing shortfall compromises economic performance in the County.²⁷ A large portion of the citizens of the County are experiencing negative effects from the housing affordability crisis.²⁸

The Homeless Housing Shortfall

The homeless are at the extreme edge of the unaffordable housing spectrum with no housing at all. The universal appearance of the homeless throughout the County has motivated recent actions to deal with the issues that create homelessness and to adopt more robust corrective policies.²⁹ The County has adopted a policy, yet to be fully implemented, of “housing first.”³⁰ This seeks to combine permanent housing with comprehensive “wraparound services” that address the personal issues that have kept the homeless on the street.

There may be a need for a parallel approach to “housing first”³¹ that is complementary, easier to implement, and which deals effectively with a less afflicted cohort of the homeless. Our proposal is described in the Increased Housing Supply Approaches section as “Shelter First/Housing Next.”

The Logical Housing Prescription

The treatment of the Los Angeles County affordable housing crisis has a simple prescription: create a sufficient supply of appropriately-priced housing.

Further, in expanding housing supply, the initial focus would be on the most affordable part of the shortage, giving first aid to the most affected of County residents.

Filling this simple prescription will require multiple, coordinated steps:

1. Providing funding
2. Finding sites
3. Performing planning
4. Designing affordable housing
5. Issuing permits
6. Coordinating with the community
7. Achieving construction

²⁷ www.lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.aspx !

²⁸ Public Policy Institute of California-“Confronting Los Angeles County’s Rent and Poverty Crisis: A Call for Reinvestment in Affordable Homes”.

²⁹ www.latimes.com/local/.../la-ol-tent-city-homelessness-crisis-updates-htm1story.html

³⁰ www.latimes.com/nation/la-oe-0603-lowery-homeless-utah-la-20150603-story.html

³¹ Note: The notion of “Housing First” as described by a County Health Official means providing housing as the first step in treating homeless people with various illnesses. The housing provided needs to be supported by subsequent health services which could not be delivered to a patient without the provision of housing.

8. Awarding occupancy

The first and most challenging action is funding. Increasing housing supply to the need, even exploiting lower cost approaches, will be expensive. Only by accepting the affordable housing situation as a crisis can the funding be considered.

Increased Housing Supply Approaches

Here the CGJ addresses some specific features that would optimize the expansion of affordable housing.

“Shelter First/Housing Next” Concept for the Homeless³²

This idea is to provide immediate, temporary shelter for any person in need of it in the County of Los Angeles. Shelter means a place of safety and comfort that provides nutrition, secure individual storage, resting places, and access to a clean bathroom. This is similar to the role filled by the “missions” of Skid Row. But this is not to be considered a charity; it is an obligation of society to supply shelter to any person in need as required. The supply of such shelter should be sufficient to accommodate the total demand.

Some residents may supply maintenance functions for a facility. This can provide a way to “pay for” their stay and help make the facility self-sustaining. Some residents might become facility “associates.” Some associates might become employees providing a step into the less supportive world. A corps of such “shelter graduates” may develop useful insights on homelessness and sympathy for the homeless that they may come to serve.

Location, Location, Location

Functionally, the best location for new affordable housing should be near efficient transit, close to points of employment, where available land is at “reasonable” cost, and where the existing surrounding community can be convinced to accept its presence.

Near Transit

Paralleling the need for more housing is the need for new levels of sustainability in housing. A key to providing sustainability through housing is decreasing dependence on personal automobiles.³³ Placing the housing near a public transit terminal that is well-connected to a dense public transit system seems the best approach to not requiring personal cars. This is a well-recognized goal for sustainable housing.³⁴ While some developments are meeting this criteria, they are not generally affordable.

³² The CGJ believes that this concept is at least partially original to this report and, thus, represents our opinions.

³³ https://en.wikipedia.org/wiki/Car-free_movement

³⁴ Entrepreneurs have suggested that on demand dispatched autonomous electric cars could provide a similar benefit; whether this is reasonable for residents of affordable housing in the near term is questionable.

Near Employment

Being close to employment avoids long daily commutes. It saves personal time and decreases resource usage for the commute. However, the long term stability of employment at a single location, whether it is nearby or not, is doubtful. A more realistic approach is connection into a dense, efficient transit system. Mixed use developments attempt to provide combined employment and housing. The CGJ is not aware of any success achieved in mixed developments.

Another popular alternative vision employs internet connectivity; work is performed in the home on a connected computer. Wider use of the “work-at-home” paradigm can be expected. All affordable housing should have quality internet access.

Land Available at a Reasonable Price

The following sections discuss specific strategies for dealing with the land cost issues near developed areas. Reasonable cost for available land in the County has traditionally meant remoteness from developed areas. This can destroy the ability to be well-connected. An alternative is building remote communities specifically connected by links to a central, dense transit system. A poor example of this is the Palmdale/Lancaster communities. These communities connect with downtown Los Angeles via CA Highway 14 and Metrolink trains.³⁵ The commute can be over two hours, with much traffic and the creation of abundant GHGs.^{36 37} Other remote county communities are currently being proposed (e.g. the Tejon Ranch development).³⁸ The commonly missing links in such proposals are efficient transportation to the developed areas of Los Angeles.

Near Acceptance

Any proposed project, including housing, near the developed parts of Los Angeles County usually arouses opposition from local residents who feel they may be negatively affected. This reaction has been somewhat derisively referred to as “Not in My Backyard” or by the acronym, “NIMBY.”

These reactions may be well-founded. Developers’ exploitations of communities are not unknown. Contributions to elected officials create the appearance that development policy is shaped to benefit the contributors.³⁹

Early Purchase and Reservation for Housing

This is a possible long term approach to securing housing sites advantageously. When a transportation authority (e.g. METRO) defines a major expansion of its transport network,

³⁵ <https://www.nerdwallet.com/blog/.../worst-commutes-los-angeles-insurance-gas-time/>

³⁶ There is a more efficient Metrolink alternative to commute by personal automobile. Transit time is still long, however.

³⁷ There is a more efficient Metrolink alternative to commute by personal automobile; however, transit time is long.

³⁸ tejonranch.com/the-company/the-ranch/real-estate-development/

³⁹ <http://www.citywatchla.com/...la.../12194-koreatown-skyscraper-another-pay-to-play-deal-a...>

adjoining properties become more valuable.⁴⁰ While this can work against siting low cost housing near an existing transit terminal, the preemptive acquisition of nearby property can reserve it for affordable housing at a lower purchase price. If the purchase is made very early with respect to the eventual transport facility development, the land may be temporarily leased for low value usage until the housing is developed.⁴¹

There are many ways of leveraging the increasing value of an acquired site to underwrite subsequent low cost housing development. As an example, some part of the site could be sold at increased market prices for development with the funds used to pay for the affordable housing in the remainder of the site.

Infill

Infill is the creation of increased housing density by building new housing in available spaces in previously developed areas. Targeted spaces for infill include additions on existing single family residence lots. These are referred to as Auxiliary Dwelling Units (ADUs),⁴² informally known as “granny flats.” There is also the conversion of larger lots to multiple single family residences lots (small lot residences).⁴³ Infill is recognized as a valuable approach to increasing affordable housing in developed, desirable areas. However, estimates show that the quantity of potential new residences is limited.⁴⁴ Infill alone cannot totally overcome the affordable housing crisis.

The State of California has acted in support of ADUs, by passing a recent law making them easier to approve in communities throughout the state.⁴⁵ The law says that for all cities in the State that have not adopted local ordinances about ADUs, an ADU proposal must be accepted “ministerially” by the local building department. The proposed ADU must meet all applicable building codes and there are some limits as to size. The ADU cannot be a separate residence or be sold separately from the main structures on the hosting lot. The communities of the County can exploit the ADU law in increasing affordable housing.

The City of Los Angeles has proposed a “small lot” ordinance.⁴⁶ If this is adopted it will permit the placement of several single family residences on what had been a single property lot. The ordinance recognizes that some standard requirements for single family residences on normal lots should be eased to enable the compactness of the resulting homes. No significant building code/safety issues may be compromised in the structures.

⁴⁰ www.reconnectingamerica.org/assets/Uploads/cpatransport2.pdf

⁴¹ Note: This is similar to the real estate investment approach called “land banking”.

⁴² <https://accessorydwellings.org/what-adus-are-and-why-people-build-them/>

⁴³ <http://la.curbed.com/2016/10/21/13361926/small-lot-subdivision-mid-city-for-sale>

⁴⁴ www.mckinsey.com/.../mckinsey/.../closing%20californias%20housing%20gap/mgi-c...

⁴⁵ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id...

⁴⁶ planning.lacity.org/ordinances/docs/smalllot/CodeAmendment/SummarySheet.pdf

High Density

Housing developed with increased density, more units within a given footprint, decreases the per unit land costs which is key in desirable locations. Higher density also encourages efficiency both at the time of construction and in use.⁴⁷

Common methods for achieving high density are well understood. Smaller units allow more units in any size structure. Multi-story structures increase density. Building code requirements for excessive parking space per unit work against higher densities.⁴⁸

Achieving higher density housing requires support by the necessary infrastructure. Water, sewer, electrical power, waste management, and safety systems all have to be sized for higher density.

Financial Approaches to Increased Affordable Housing

There are a set of approaches to increasing affordable housing that leverage private housing financing with publicly sourced funding. Public subsidies for privately developed projects in exchange for restricted rents are one example.⁴⁹ There are provisions to avoid taxes by donating to projects dedicated to affordable development.⁵⁰ Another financial approach is providing publicly insured, lower interest loans and lower down payment requirements to families that cannot afford a “normal” mortgage.⁵¹ For renters, Section 8 programs provide recurring rent subsidies to qualified low income families or individuals.⁵² This subsidy pays the portion of rent that is over 30% of family income.

These financially-based approaches have been employed for some time but have not decreased the affordable housing shortage. They could be expanded, given the necessary funding.

By participating in the housing marketplace these approaches support, not control, increasing housing costs. A Section 8 rental is still rented at market rates; a lower cost mortgage still pays market rates for the property it is used to buy.⁵³

Alternative Lower Cost New Housing Approaches

There are many ideas for producing lower cost housing. The CGJ has investigated several of these. The CGJ observed one approach in detail that was being built during our investigation; a container-based, multi-unit facility which is described in Appendix 1.

From its investigations, the CGJ has identified four general approaches that appear to have significant advantages for new affordable housing. They are described below:

⁴⁷ <https://www.theguardian.com> › Environment › Planning policy

⁴⁸ <https://www.planning.org/pas/reports/report214.htm>

⁴⁹ Interview with Community Housing Development Commission

⁵⁰ www.treasurer.ca.gov/ctcac/program.pdf

⁵¹ https://en.wikipedia.org/wiki/FHA_insured_loan

⁵² https://portal.hud.gov/hudportal/HUD/.../housing_choice_voucher_program_section_8

⁵³ <https://catalog.data.gov/.../fair-market-rents-for-the-section-8-housing-assistance-pay...>

House Parks

The “house park” concept is similar to a mobile home park with a higher quality design aesthetic. It is composed of a number of small sites that provide standardized utility hook ups, an address, and access. Each site could be populated with any of several types of the housing alternatives – container-based, tiny, yurt, manufactured, mobile, even co-housing, etc. The individual sites would be complemented by a large amount of shared open space allowing the overall feel of the park to be open, not crowded. A “house park” would probably need to be sited in an undeveloped area. Density could be reasonably high. Standardized hook ups are the critical enablers for a house park. Sites in a house park could either be owned or rented, depending on agreements.

Manufactured Housing (mobile homes)

The modern mobile home is an outstanding example of providing a habitable structure at a low cost.⁵⁴ There is a functional marketplace assuring competition in pricing and identifiable equity. The structures are certified by FHA as appropriate for loan guarantees, providing assurance of a suitable level of quality and avoiding local inspections.⁵⁵ Mobile homes are factory manufactured in quantity achieving manufactured housing benefits. Because mobile homes exist in relatively large quantities, specific financing is available for them. Relatively low cost, low down, and low monthly payments for purchase are possible. Rapid delivery and low set up labor costs are also properties of mobile homes.⁵⁶

A drawback for our purposes of mobile homes are that they do not support the highest possible densities because they are not designed to be stacked. The County is large and there remain substantial open areas which are appropriate for mobile home sites. Unfortunately, these sites are away from already developed areas. Efficient transit links need to be considered as a part of the design of a new mobile home community.

High Density, Multi-Family, Manufactured Housing

This concept combines the high density of a multi-unit structure with the advantages of factory manufacturing. This is a good choice for siting in a developed, desirable area where per unit land cost needs to be reduced. The on-site assembly labor can be minimized at the design stage. It would be advantageous if the same design could be replicated at several sites, achieving a quantity based cost reduction at the factory. The Star Apartments complex in Los Angeles is a partial example of this.⁵⁷

Affordable Housing Community Design Competition

A device frequently used to elicit a variety of innovative design approaches is a competition for designs that meet certain design targets. This approach may be applied to the County’s affordable housing crisis. In this case the design target might be a complete, affordable

⁵⁴ <https://thehomeoutletaz.com/>

⁵⁵ https://www.fha.com/fha_article?id=209

⁵⁶ <http://www.nolo.com/legal-encyclopedia/buying-mobile-home-instead-regular-home-pros-cons.html>

⁵⁷ skidrow.org/buildings/star-apartments/

community. A competition may provide a high benefit-to-cost ratio since outcomes are conceptual representations, not actual builds. A competition would signal the County's advocacy for innovations targeting affordable housing. In the best cases, competitors may find their concepts realized in actual builds.

Interests Opposed to Aggressive Affordable Housing Expansion

What about "Not in My Backyard" situations?

A significant part of the affordable housing shortage now being faced originated in "Not in My Backyard" (NIMBY) reactions. Original planning and zoning typically provided for significantly higher density development than has been achieved. Examining how this downzoning has occurred, community members raised objections to proposed planning/zoning. They specifically objected to dense, multifamily housing. These objections succeeded in reducing zoning density.⁵⁸ This process has occurred in almost every community of the County.⁵⁹

Housing advocates have suggested that an advertising/education campaign that identifies the housing shortage as "everybody's problem" could be created.⁶⁰ In order to rebalance the public's concepts on housing approaches and obligations, an educational program seems appropriate.

Recently, a California State law was proposed which required municipalities that fall behind housing allocations lift restrictions that are slowing housing production.⁶¹ This is an aggressive approach to affordable housing development.

Another movement that has recently favored affordable housing development in the County is the decisive actions to deal with the homeless population, particularly families with children, and veterans. This public attitude may be extendable to further support for affordable housing.

Current Housing Investments

If a rapid affordable housing expansion occurs, housing prices could be stabilized. This could mean that prices stop rising or slightly decline. This reduces expected returns on private housing investments. Opposition can be expected from those who have made investments based on the assumption of continued price growth. Beside developers and landlords, every homeowner is affected. This is a powerful interest group who may oppose rapid affordable housing development.

Anecdotally, some suggest asking if the children of current homeowners could afford to live in Los Angeles County. Invariably, the answer is "No!" This may be a basis of enlarging the scope of concerns for homeowners to encompass the greater County community.⁶²

⁵⁸ blogs.anderson.ucla.edu/.../the-real-deal-from-downzoning-to-community-plans-stalle...

⁵⁹ www.laweekly.com/news/2016-the-year-of-the-nimby-7742914

⁶⁰ <http://www.flhousing.org/wp-content/uploads/2012/07/NIMBYism-Overcoming-Community-Opposition-to-Affordable-Housing.pdf>

⁶¹ www.latimes.com/.../la-pol-ca-essential-politics-updates-california-cities-will-have-to-...

⁶² SCAG Housing Summit Keynote Address

Misuse of California Environmental Quality Act (CEQA)

It is appropriate to consider the environmental impacts of any development in the State. CEQA has been frequently misappropriated to either delay or stop developments for “Not in My Backyard” objectives.⁶³ This misuse has been recognized by the Governor of California who has proposed a requirement to complete all CEQA actions within 90 days of report issuance.⁶⁴ It is unknown whether this approach is effective.

Conversions to Short Term Rentals

A new force in the real estate marketplace is the internet-enabled access to rentals of private housing for short terms by AIRBnB™, et al.⁶⁵ Short-term rentals range from a single room to an entire house. In some cases the additional income may allow AIRBnB™ hosts to remain in housing that they could not otherwise afford.⁶⁶ In other cases, the short term rental model can encourage real estate speculative activity.

The short-term rental model could divert large numbers of housing stock to rental usage if it provides higher profit. Available housing would be reduced, further raising housing prices.⁶⁷

To avoid hotel-like usage of housing, local ordinances have been written to restrict or forbid use of housing for short term usage. AIRBnB™ has aggressively attacked some of these ordinances in court.⁶⁸ Relevant cases are in process.

III METHODOLOGY

Seminar:

Attendance at one-day seminar, “The Cost of Not Housing”, sponsored by Southern California Association of Governments (SCAG), October 2016.

Tours/Visits:

American Family Housing, Midway City, CA
Community Development Commission /Housing Authority
Growth Point Structure, Los Angeles, CA

Media:

Numerous websites (see footnotes)

Other pamphlets and newspaper articles (see footnotes)

⁶³ www.planningreport.com/.../new-ceqa-study-reveals-widespread-abuse-legal-process-...

⁶⁴ www.latimes.com/opinion.../la-ed-brown-affordable-housing-20160527-snap-story.h...

⁶⁵ <https://www.airbnb.com> › United States › California › Los Angeles

⁶⁶ www.latimes.com/local/lanow/la-me-ln-airbnb-rentals-20160623-snap-story.html

⁶⁷ realestate.usnews.com/real.../whats-causing-the-housing-shortage-in-your-hometown/

⁶⁸ www.latimes.com/.../la-fi-airbnb-lawsuit-santa-monica-20160903-snap-story.html

IV FINDINGS

1. The affordable housing shortage is a crisis that affects all residents in the County of Los Angeles

The majority of County residents are negatively affected by the current gross housing shortage. These range from the 47,000 homeless people to wage earners who must spend an unaffordable 60+% of their incomes on housing to the 1.6M people currently without suitable housing to professionals who compromise their spending priorities to work in the County of Los Angeles.

2. Existing approaches are expanding housing stock but have proven inadequate.

The following approaches to creating new housing have been tried but are not adequate for correcting the County housing shortage: Private housing developments, subsidized housing developments, public housing stock, subsidized rent, and affordable unit set asides.

3. Negative repercussions from the affordable housing crisis on the County's economy are already present and are likely to increase without corrective action.⁶⁹

Talented workers, particularly the young, cannot afford to work in the County of Los Angeles. Businesses must consider worker's wages burdened by high rents before choosing the County as a location. Some people with jobs must commute unreasonable distances to afford a residence. High housing costs created by the housing shortage are preventing the optimum economic development for the County.

4. The "housing first" paradigm may be extended and improved by adding a "shelter first/housing next" component.

A commitment to humane, safe, and temporary shelter for all those who would otherwise be "homeless" can be an effective and economical precursor to the County's praiseworthy "housing first" commitment.

5. Interests opposed to a housing supply expansion are powerful and are culturally and financially motivated.⁷⁰

To correct the housing shortage, NIMBY-ism, unrestricted short term housing, real estate investors, established homeowners, etc., all must be addressed.

⁶⁹ <http://www.latimes.com/business/la-fi-california-growth-nation-20160927-snap-story.html>

⁷⁰ <http://uccs.ucdavis.edu/uccs-crre-housing-policy-brief-white-paper>

6. There are a number of alternative approaches for new housing that promise high quality at lower cost.

While the CGJ has examined some of these here, there are probably many more that deserve evaluation in curing the housing shortage. An “everything is on the table” attitude would allow the best approaches to be rationally selected for replication.

7. The California Environmental Quality Act (CEQA) has been misused as a tool for NIMBY purposes.

CEQA is good and necessary but can probably be improved to provide its intended purpose without some of the unintended uses it has spawned.

8. Short-term rentals are increasing the housing shortage.

Without restrictions, the AIRBnB™ business model is one more way to reduce housing stock. With appropriate restrictions, it can help stressed homeowners stay in place. It would be even better if the same units were used as permanent housing infill.

V RECOMMENDATIONS

The 2016-2017 Los Angeles County Civil Grand Jury recommends the following:

1. The County of Los Angeles Board of Supervisors should formally declare the Los Angeles County housing shortage a crisis.
2. The City of Los Angeles Mayor and City Council, should formally declare that the Los Angeles City housing shortage is a crisis.
3. The County of Los Angeles Board of Supervisors should form a County-wide Affordable Housing Crisis Joint Powers Authority (AHCJPA) as follows:
 - a. The AHCJPA is charged to increase the affordable housing stock in the County as rapidly as possible.
 - b. The AHCJPA will define methods and plans to achieve 3.a.
 - c. The AHCJPA has the authority within the participating jurisdictions to implement the measures necessary to achieve 3.a.
 - d. The current Community Development Commission/Housing Authority is folded into the AHCJPA to provide initial staffing and apply their experience. The AHCJPA may consider launching an affordable communities design competition, encouraging the exploration of a wide variety of lower cost building approaches and arrangements including House Parks and multi-family manufactured housing.
 - e. AHCJPA may restrict, by law, conversion of housing to short term rentals.
4. The County of Los Angeles Board of Supervisors should adopt a “shelter first/housing next” extension to “housing first” paradigm to speed eliminating street homelessness.

5. The City of Los Angeles Mayor and City Council should adopt a “shelter first/housing next” extension to the “housing first” paradigm to speed eliminating street homelessness.
6. The County of Los Angeles Board of Supervisors should develop a plan to educate/incentivize against “NIMBY – ism.”
7. The County of Los Angeles Board of Supervisors should consider early purchase of land around proposed transport facilities, as defined by METRO, to reserve it for affordable housing.
8. The County of Los Angeles Board of Supervisors should lobby the California State Governor and Legislature to prevent the misuse of CEQA to delay and kill projects beyond its legitimate purpose.
9. The County of Los Angeles Board of Supervisors should restrict, by law, conversion of housing to short term rentals.
10. The City of Los Angeles should restrict, by law, conversion of housing to short term rentals.

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
 Los Angeles County Superior Court
 Clara Shortridge Foltz Criminal Justice Center
 210 West Temple Street
 Eleventh Floor-Room 11-506
 Los Angeles, CA 90012

Responses to the recommendations above are requested from the following:

Responding Agency	Recommendations
The County of Los Angeles Board of Supervisors	1.1, 1.3, 1.4, 1.6, 1.7, 1.8, 1.9
City of Los Angeles Mayor	1.2, 1.5, 1.10
Los Angeles City Council	1.2, 1.5, 1.10

VII ACRONYMS

AHCJPA	Affordable Housing Crisis Joint Powers Authority
AIRBnB™	AIRBnB™, Inc. the company
BOS	County of Los Angeles Board of Supervisors
CEQA	California Environmental Quality Act
GHGs	Greenhouse Gases
NIMBY	“Not in My BackYard”
SCAG	Southern California Association of Governments
TEU	Twenty-Foot Equivalent Unit

VIII COMMITTEE MEMBERS

Douglas Benedict Chair
Alice Beener
Gerard Duiker
Faramarz Taheri

APPENDIX 1: SHIPPING CONTAINERS REBORN

This technique for housing construction employs the use of standardized shipping containers. Invented by Malcom McLean in 1956, these are designed to withstand the harsh rigors of shipping.⁷¹ They are inherently strong and built to last.

There is an excess of empty containers in Los Angeles ports. In February, 2017 there were 143.6 thousand more Twenty-Foot Equivalent Units⁷² imported into the Port of Los Angeles than were shipped out.⁷³

The excess can be reused for housing construction! A patent was issued in 1987 to Phillip C. Clark for conversion of containers into habitable buildings.⁷⁴ They can be adapted and assembled into quality housing structures.

Potter's Lane (see picture below), funded by American Family Housing,⁷⁵ is comprised of sixteen 480 square foot units located in northern Orange County. The two story structure is built by assembling groups of modified shipping containers. The containers are modified at the Los Angeles factory of Growth Point Solutions.⁷⁶ They are shipped from the factory to the build site on trucks and placed on prepared foundations by cranes. The sections are then "fastened" together, either by welding or with bolts. Specific exterior design features are added on-site to complete the build.



⁷¹ www.containerhomeplans.org/2015/03/a-complete-history-of-the-shipping-container/

⁷² Note: TEUs- international standard for measuring container-based shipping volume- (1) TEU is 20' long by 8' wide by 8.5' high for 1,360 cubic feet volume.

⁷³ <https://www.portoflosangeles.org/maritime/stats.asp>

⁷⁴ <http://boxmanstudios.com/blog/industry-knowledge/a-short-history-of-shipping-container-architecture/>

⁷⁵ <http://afhusa.org/>

⁷⁶ <http://www.growthpointstructures.com/>

Growth Point Solutions has quoted pricing of \$185 per square foot for finished sections at their factory.⁷⁷ Finished sections provide everything required including electrical, plumbing, flooring, paint, internal walls and doors, external doors, windows, etc. Because Potter's Lane was a "first" of its kind, lower overall costs can be expected if it were replicated.

On Wednesday, February 8 2017, America Family Housing (AFH) hosted the Grand Opening of Potter's Lane. Quoting Donna Gallup, American Family Home President and CEO:

"This is a model that can be replicated. It's an innovative approach to development because the structures are manufactured off-site while site work is being done. Then the units are delivered to the site and are put together to create housing – shortening the time it would normally take to build a project. The units are designed to be very strong, sustainable, and energy efficient."⁷⁸

Another AFH official has said:

"We will build wherever there is need."⁷⁹

Build completion, despite a steep, "first time" learning curve, had been accomplished on an impressively short schedule.

⁷⁷ Interview at Growth Point Structures

⁷⁸ Quote and attribution used by permission.

⁷⁹ Interview at American Family Housing office.

HIRING ISSUES IN THE CORONER'S OFFICE



Joanne Saliba Chair
Regi Block
Sharon Muravez

HIRING ISSUES IN THE CORONER'S OFFICE

Too Many Bodies . . . Not Enough Staff

I SUMMARY

What do all of these scenes have in common?

...On a Los Angeles Freeway in the pouring rain...Inside a burned-out structure...On the side of a mountain in the Angeles National Forest...In a pack-rat cluttered house.

They are locations in the County of Los Angeles (the County) where a dead person was found. These are just a few of the places in the County where you will find personnel from the Operations Bureau of the Los Angeles County Department of Medical Examiner-Coroner (DMEC) conducting forensic investigations.¹

When the Los Angeles County Civil Grand Jurors (CGJ) took a tour of the DMEC in January 2017, we learned about the wide-ranging, extraordinary, and comprehensive DMEC services. Our interest was especially heightened to discover that much good work is being accomplished within the confines of severe personnel shortages in the DMEC. We were curious to learn what barriers there were to keeping these, what seemed to us, essential and vital personnel positions from being filled. Was it a budgetary issue? Was it an efficiency issue? Was it bureaucratic complexity?

Regrettably, especially for the hardworking personnel in the department, negative media coverage is abundant: “Coroner accidentally cremated wrong man as his family planned a funeral and viewing . . . The incident occurred as the coroner’s office is trying to reduce a major backlog in cases caused by staffing shortages. The backlog has sparked complaints from families and law enforcement officials”.² “(T)he office (DMEC) was poised to lose its accreditation because of a backlog in the toxicology lab, staffing vacancies, and a shortage of budgeted positions.”³

¹ County of Los Angeles Department of Medical Examiner-Coroner Website

<http://mec.lacounty.gov/wps/portal/mec/home/> <http://mec.lacounty.gov/wps/portal/mec/home/>

² Los Angeles Times, Richard Winton, October 28, 2016 <http://www.latimes.com/local/lanow/>

³ Los Angeles Times, Matt Hamilton, January 20, 2017 <http://www.latimes.com/local/lanow/la-me-ln-coroner-appointment-20170120-story.html>

Last year's 2015-2016 Los Angeles County Civil Grand Jury Final Report⁴ studied many issues related to the DMEC, some of which made headlines: "The Los Angeles County Board of Supervisors has failed to adequately fund and staff the county coroner's office, despite repeated warnings, and the inaction has led to a "sobering" backlog of bodies waiting for tests."⁵ This year's CGJ investigation focuses solely on personnel shortages: (1) the effect of personnel shortages, (2) the barriers and challenges to relieving the shortages, and (3) any efforts made to ameliorate shortages since last year's CGJ Final Report.

II BACKGROUND

The Department of Medical Examiner-Coroner (DMEC) is mandated by law to inquire into and determine the circumstances, manner, and cause of all violent, sudden, or unusual deaths occurring within Los Angeles County, including all homicides, suicides, accidental deaths, and natural deaths where the decedent has not seen a physician within 20 days prior to death.⁶ About 78,000 to 80,000 people die in the County each year. The coroner's office investigates about 22,000 to 25,000 of those deaths.⁷ "The department conducts more than 8,500 cases (autopsies) a year."⁸ The caseload continues to increase in the County due to a growing population in general and the indigent population in particular.⁹

The DMEC is comprised of five divisions: Administration, Operations, Forensic Laboratory, Modeling, and Continuing Medical Education. Our report focuses on staffing shortages for the largest and most diverse: the Operations Bureau and the Forensic Laboratory.

The Operations Bureau is the largest segment of the DMEC, consisting of the Investigations and Decedent Services sections. It is responsible for the 24 hour-a-day, 7 day-a-week operation of the DMEC. The Operations Bureau is also responsible for disaster and community services, fleet management, and other ancillary programs within the DMEC. The Special Operations Response

⁴ <http://grandjury.co.la.ca.us/pdf/LOSANGELESCOUNTY2015-2016CIVILGRANDJURYFINALREPORT.pdf>

⁵ Los Angeles Daily News, Mike Reicher, April 21, 2016, "400 Bodies Await Testing at Backlogged LA County Morgue, Grand Jury Says." <http://www.dailynews.com/general-news/20160421/400-bodies-await-testing-at-backlogged-la-county-morgue-grand-jury-says>

⁶ Department of Medical Examiner-Coroner Website
<http://mec.lacounty.gov/wps/portal/mec/aboutus/missionstatement>

⁷ Los Angeles Daily News, Sarah Favot, March 11, 2016, "Outgoing LA Coroner Describes Department in Turmoil 'It's Nuts'" <http://www.dailynews.com/government-and-politics/20160311/outgoing-la-county-coroner-describes-department-in-turmoil-its-nuts>

⁸ Senior Staff Member at the DMEC

⁹ Ibid.

Team (SORT), which provides response in the event of any mass fatality or high explosive incident, is also under the control of the Operations Bureau.¹⁰

Deaths investigated by the Investigations Section of the Operations Bureau require dispatching a Coroner Investigator to the scene of the death regardless of the time or location. Coroner Investigators interview witnesses and emergency responders, photograph the scene, follow up on leads, collect evidence, make identifications, notify next of kin, secure valuables, and interface with law enforcement agencies. They prepare reports that are forwarded to the medical division for use in the determination of the cause and mode of death. Coroner Investigators are frequently summoned to court to provide testimony on coroner cases. Under the California State Penal Code, all Coroner Investigators are sworn peace officers.¹¹

The Forensic Laboratory conducts a scientific investigation into the cause and manner of any sudden, suspicious, or violent deaths occurring in the County. The Laboratory performs analysis in four distinct forensic disciplines: Drug Chemistry, Analysis of Biological Specimens, Toxicology, and Trace Evidence.¹²

The CGJ has found the DMEC, through its dedicated and indefatigable staff, embodies and strives to implement the mission and vision articulated in the 2016-2021 County of Los Angeles Strategic Plan: “Establish superior services through inter-Departmental and cross-sector collaboration that measurably improves the quality of life for the people and communities of Los Angeles County. (It is) a value driven culture, characterized by extraordinary employee commitment to enrich lives through effective and caring service, and empower people through knowledge and information.”¹³

III METHODOLOGY

The CGJ Committee members thank the people who gave their valuable time and expertise to inform this report. The committee members reviewed the County’s Civil Service Codes,¹⁴ the outside consultant Strategica, Inc.’s Report to the Board of Supervisors (BOS),¹⁵ the 2015-2016 CGJ Interim and Final Reports, news items, and websites. We interviewed senior staff members

¹⁰ Senior Staff member at the DMEC

¹¹ Department of Medical Examiner-Coroner Website, <http://mec.lacounty.gov/wps/portal/mec/home/>

¹² Ibid.

¹³ County of Los Angeles 2016-2021 Strategic Plan, <http://www.lacounty.gov/strategic-plan-and-goals>

¹⁴ County of Los Angeles Civil Service Commission Website

https://www.municode.com/library/ca/los_angeles_county/codes/code_of_ordinances

¹⁵ Strategica, Inc. Report to the County of Los Angeles Board of Supervisors 12/01/2016
http://file.lacounty.gov/SDSInter/bos/bc/1007230_ReporttoCEO-FINAL11-17-16.pdf

of the following relevant County departments: The DMEC, the Department of Human Resources (DHR), the Civil Service Commission (CSC), and the Chief Executive Office (CEO).

IV FINDINGS

Personnel Shortages

1. Unfilled staff positions are fully funded.¹⁶ Unlike many County challenges, solving this problem does not rely necessarily on increasing the personnel budget of the DMEC.
2. In February 2017, the DMEC requested 56 new positions from the County. Since that time, the DMEC has been able to hire personnel to fill 26 positions. The recruitment and examination process is currently underway to fill all open positions.¹⁷
3. The DMEC is attempting to build a redundancy of employees because they typically operate with a 10% - 12% labor decrease due to personal leaves. With a small department of 220 employees in addition to the diverse, extensive, and expert-specific work, the net effect of a variable (daily) reduced permanent workforce is problematic.¹⁸
4. The DMEC has been operating without a permanent Chief Medical Examiner-Coroner for over a year.¹⁹

Effect of Personnel Shortages and Barriers/Challenges to Relieving the Shortages

5. Backlog Problems: The CGJ committee found, in discussions with County staff and in reviewing media coverage,²⁰ lack of sufficient personnel in the DMEC creates a backlog of investigations and autopsies. This causes potential heartache for families and frustration for staff. In January 2017, when the CGJ toured the DMEC, there were in excess of 450 bodies awaiting disposition. It is the opinion of the CGJ, backlogs may be perceived by the public as the most egregious result of personnel shortages in the DMEC.
6. Hiring Issues: The County's hiring rules and procedures are created to implement a fair and transparent process. However, Civil Service Codes²¹ and complicated County hiring

¹⁶ Senior staff member at DMEC

¹⁷ Ibid

¹⁸ Ibid

¹⁹ Ibid

²⁰ Los Angeles Daily News, Mike Reicher, April 21, 2016 <http://www.dailynews.com/genral-news/20160421/400-bodies-await-testing-at-backlogged-la-county-morgue>

²¹ Civil Service Codes

https://www.municode.com/library/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT5PE_APX1CISE
[RU](#)

processes²² are particularly time-consuming and cumbersome for a small department of 220 people. Additionally, the hiring process can take up to 18 months. This includes formulating requirements, standards, examinations, interviews, background checks, and vetting.²³ Included in this process is “Banding” which is the process whereby an applicant’s name is put in a “band” based on test scores. By County rules, the DMEC must interview and hire from the top “band” (or the banded applicants need to voluntarily withdraw) before candidates from the next “band” can be considered.²⁴ It is the opinion of the CGJ, this is a highly restrictive and inefficient process for such specialized jobs within the DMEC. When these restrictions have caused hiring backlogs in specialty jobs in other County departments, “Alternative Banding” procedures have been instituted to fill critical shortages.²⁵ Alternative Banding opens the levels of banding, resulting in a larger pool of candidates available for consideration.

7. Accreditation Issues: “An outside consultant’s report (Strategica, Inc.) completed in November 2016 found that the office was poised to lose its accreditation (with the National Association of Medical Examiners) because of a backlog in the toxicology lab, staffing vacancies, and a shortage of budgeted positions.”²⁶ In part, the National Association of Medical Examiners (NAME) “promotes the highest practice of medical professional and ethical conduct; acts as a clearinghouse of relevant scientific information and administrative procedures and policy matters; and provides leadership and advocacy.”²⁷ It is considered by many people we interviewed to be the standard-bearer of excellence and for the County to lose its accreditation would be regrettable.
8. Data Analysis: The County expressed concern for insufficient data analysis on the part of the DMEC to support the need to fill certain job vacancies.²⁸ Historically, lack of maintaining sufficient data recognized by the County has disadvantaged the DMEC in successfully advancing its justification for more personnel. The outside consultant Strategica, Inc.’s report to the BOS did not agree with the DMEC in its assessment of how many personnel were needed.²⁹

²² County Department of Human Resources <http://hr.lacounty.gov/our-organization/>

²³ Senior staff member at DMEC

²⁴ Senior staff members at DHR and DMEC

²⁵ Ibid.

²⁶ LA Times Local/LA Now, January 20, 2017, Matt Hamilton, <http://www.latimes.com/local/lanow/la-me-ln-coroner-appointment-20170120-story.html>

²⁷ National Association of Medical Examiners Website
<https://netforum.avectra.com/eweb/StartPage.aspx?Site=NAME&WebCode=HomePage>

²⁸ Senior staff member in CEO’s Office

²⁹ Strategica Report to BOS re DMEC, December 1, 2016 “Workload Analysis of the Department of Medical Examiner-Coroner” including DMEC’s response to the recommendations in the report.
http://file.lacounty.gov/SDSInter/bos/bc/1007230_ReporttoCEO-FINAL11-17-16.pdf

Efforts Made to Ameliorate Personnel Shortages

9. This year's CGJ was pleased to learn that since the 2015-2016 CGJ Final Report, the BOS and the CEO have committed ongoing time and resources to help ameliorate the personnel shortages in the DMEC through the formation of a Work Group.³⁰
10. The Work Group is comprised of staff from the DMEC, the CEO's office, and the Department of Human Resources (DHR). Issues are reviewed in detail and solutions created where possible. Relevant staff members from other departments are brought into the Work Group when needed, i.e., Civil Service Commission and County Counsel. The Work Group has succeeded in creating an effective open dialogue between the three County departments (CEO's Office, DHR, and the DMEC).³¹ Most importantly, the Work Group has the authority to solve problems and implement solutions, as issues are researched and understood.³² In discussions with staff of the three County departments, the following issues were presented to the CGJ committee members:
 - Due to "Surging" (the application of extensive temporary overtime) the DMEC is close to eliminating backlogs and attaining the industry standard of 90% of all investigations completed within 90 days from time of autopsy.³³ However, this approach has resulted in 20,000 hours of overtime in twelve months.³⁴
 - A new labor resource for DMEC has been instituted using students studying for a Masters of Social Work (MSW) degree. Students from the USC School of Social Work are utilized as interns to assist indigent families in crisis and help identify available social service resources. This time-consuming but vital service releases permanent staff to perform other duties.
 - A nurse intern program is also being explored by the Work Group which would introduce a new discipline in the DMEC: The nurse intern would work with the investigators' unit and the doctors' unit to read through medical records and request reports from hospitals, etc., helping both units. This activity is also time-consuming

³⁰ Senior staff members of DMEC, CEO Office and DHR

³¹ Ibid.

³² Ibid.

³³ National Association of Medical Examiners (NAME) "Inspection & Accreditation Checklist"

<https://netforum.avectra.com/public/temp/ClientImages/NAME/c43b8bca-ad7b-4a40-990b-7f45283a66ab.pdf>

³⁴ Pasadena Star News, April 18, 2017 Susan Abram "LA Coroner cuts body backlog, but request for more funding rejected", <http://www.pasadenastarnews.com/government-and-politics/20170417/la-county-coroner-cuts-body-backlog-but-request-for-more-funding-rejected>

and requires certain expertise. If implemented, this nurse intern program also promises to relieve permanent staff to perform other duties.

- Transitional Subsidized Employees (TSEs) from the County’s Department of Public Social Service (DPSS) are being utilized to assist in clerical work. The TSEs work for ten months and those eligible are encouraged to take the County examination for fulltime permanent employment with the DMEC. There have been some successful transitions into fulltime employment.
- Due to the high media profile of the DMEC, the County established a new position of Public Information Officer (PIO) for the DMEC. The PIO will provide vital information to news organizations and the public for the myriad events occurring daily in the nation’s largest coroner’s office.

11. There have been promising developments made in relation to hiring issues. “(The Work Group) has been very helpful in facilitating . . . issues with open positions. . . (the Work Group) helped prioritize and moved the process from 18 months to six to eight months.”³⁵ It is the opinion of the CGJ that shortening the timeframe even more would remove unnecessary delays to more quickly bring staffing to required levels. Also, the DMEC created new test criteria, reviews, job analysis, and re-designed the exam process. The following information was learned from CGJ discussions with senior staff with the DMEC, CEO’s Office, and DHR:

- The number of applicants, previously capped at 400, has been increased to 1000, thereby providing a larger pool of candidates.
- Applicants are advised in more detail as to what constitutes an extensive background check, thereby giving applicants the opportunity to withdraw their applications before time and effort is put into an applicant who will not pass the background check.
- A PowerPoint Presentation was designed by the DMEC and is given to prospective applicants, as well as scheduled possible “ride-alongs” and tours. These efforts are established to dispel the popular and misleading impression made by “CSI TV” (Crime Scene Investigation Television Series) that many applicants have of the work. Additionally, a strength and agility test was added so as to emphasize the physical strength and dexterity needed for lifting and moving bodies.

³⁵ Senior staff member at the DMEC

- Applicants can prefill applications enabling them to make submissions as soon as the job opening is posted.
 - Although the independent consultant’s report suggested combining different job functions to limit the need for more people, the DMEC was successful in explaining in its response to the report to the BOS, “to suggest that a criminalist could be an expert toxicologist on Mondays and Wednesdays, and then an expert microscopist and tool mark analyst on Tuesdays and Thursdays is not practical or realistic.”³⁶
 - Unfortunately, the DMEC has had a “revolving door” of top people in the last few years.³⁷ However, the DMEC just hired a new Chief of Labs who began work on April 17, 2017,³⁸ and a national search for a permanent Chief Medical Examiner-Coroner is underway.
 - Each department in the County has a dedicated Human Resources Manager (HRM). Each HRM is classified based on his/her level of experience. The size of the County department determines the classification level of HRM. Currently, the DMEC, being a relatively small department by County standards, is eligible only for the lowest Level I HRM. The complexity and uniqueness of the skill set of the DMEC personnel requires hiring a HRM with more expertise and a higher level rating.
12. The current provisional accreditation for the DMEC has been extended and will be reviewed later this year.³⁹ If positions continue to be filled and the 90% / 90 days standard continues to be met, the staff expressed hope that the DMEC will be re-certified, or at the very least, have its certification extended.
 13. With the support of the Work Group, and the assistance of the CEO’s Office, the DMEC is implementing an Electronic Case Filing System (ECFS) to better gather and disseminate data. Phase I of this system is scheduled to be in place and operational by May 2017, at which time Phase II will commence.
 14. In the County’s 2017-2018 proposed budget, \$57,000 less than the current fiscal year is recommended for the DMEC, which is \$5 million less than the DMEC requested. While the new proposed budget is not in the realm of this investigation, the CGJ is concerned that the DMEC receive sufficient funding to resolve longstanding concerns.

³⁶ DMEC Response to Recommendations of the Independent Contractor, Strategica, Inc. December 1, 2016
http://file.lacounty.gov/SDSInter/bos/bc/1007230_ReporttoCEO-FINAL11-17-16.pdf

³⁷ LA Times Section Local/LA Now, January 20, 2017, Matt Hamilton

³⁸ Senior staff member CEO’s Office

³⁹ Senior staff member at DMEC

V RECOMMENDATIONS

1. The BOS should commend the partners of the Work Group formed to ameliorate the myriad issues related to the DMEC. The three partners, DMEC, DHR, and the CEO, use open dialogue and effective problem-solving approaches in identifying issues. The Work Group has made significant progress in obtaining resources for the DMEC.
2. The DHR should implement “Alternative Banding” for the DMEC to fill budgeted positions.
3. The CEO should implement “Alternative Banding” for the DMEC to fill budgeted positions.
4. The DHR should decrease the timeframe of the hiring of DMEC personnel, currently at six to eight months.
5. The DHR should assign a Human Resources Manager to the DMEC with a higher classification level.

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor-Room 11-506
Los Angeles, CA 90012

Responses are required from:

Responding Agency	Recommendations
The County of Los Angeles Board of Supervisors	2.1
The County of Los Angeles Department of Human Resources	2.2, 2.4, 2.5
The County of Los Angeles Chief Executive Office	2.3

VII ACRONYMS

BOS	County of Los Angeles Board of Supervisors
CEO	Chief Executive Officer
CGJ	2016-2017 Los Angeles County Civil Grand Jury
CSC	Civil Service Commission
DHR	Department of Human Resources
DMEC	Department of Medical Examiner-Coroner
DPSS	Department of Public Social Service
ECFS	Electronic Case Filing System
HRM	Human Resources Manager
MSW	Master of Social Work
NAME	National Association of Medical Examiners
PIO	Public Information Officer
SORT	Special Operations Response Team
TSE	Transitional Subsidized Employees

VIII COMMITTEE MEMBERS

Joanne D. Saliba Chair
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 Sharon Muravez

MENDING THE SAFETY NET



Lucy Eisenberg **Co-Chair**
Shelley Strohm **Co-Chair**
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MENDING THE SAFETY NET

Changes in the County’s Child Safety System

I SUMMARY

On May 24, 2013, an eight-year-old boy named Gabriel Fernandez died a tragic death in his home due to abuse and neglect. Gabriel’s problems were not unknown—there had been multiple calls and referrals to the County of Los Angeles Department of Children and Family Services (DCFS). But DCFS closed the case and a month later Gabriel was later found not breathing. His skull was cracked, three ribs were broken, his skin was bruised and burned and there were BB pellets in his lung and groin.¹

Faced with the facts of Gabriel’s case and other tragic fatalities, the County of Los Angeles Board of Supervisors (BOS) decided to establish a Blue Ribbon Commission on Child Protection (BRCCP), which was assigned to review child protection failures and develop a plan for reform. The BRCCP worked for eight months, conducted 13 public hearings and interviewed more than 300 stakeholders. On April 18, 2014 it issued a lengthy report calling for a fundamental transformation of the current child protection departments and providing the BOS with “a roadmap for creating an integrated, effective child safety system.”²

The Los Angeles County Civil Grand Jury (CGJ) reviewed the BRCCP report and investigated some of the recommendations in the report with the goal of determining whether the child safety system has indeed been reformed and improved. Specific areas that have been reviewed include: the training and supervision of the Children’s Social Workers (CSWs), who are assigned to oversee children at risk; what is being done to increase the number of children who are placed in the care of relatives after being removed from their homes; efforts to provide medical examination for children in DCFS care; and the development of resources to provide housing and care to high risk children for whom no relative is found.

II BACKGROUND

Since the BRCCP issued its report in 2014, the DCFS has hired approximately 2,100 additional social workers to staff its 18 district offices. The CSWs currently have an average caseload of 23 children,³ and there is one Supervising Children’s Social Worker (SCSW) for every 6-7 CSWs. DCFS established a new “University” for training newly hired social workers. But the real responsibility for helping social workers work with parents and children lies on the shoulders of

¹Melissa Etehad and Richard Winton, “Red Flags Were Everywhere,” Los Angeles Times, March 21, 2017

²Los Angeles County Blue Ribbon Commission on Child Protection, Executive Summary, p.2

³ A state-by-state study shows the standard case worker caseload to be significantly lower, at 12 per emergency responder and 15 for standard case workers.

the supervising social workers who may, or may not, accompany their social workers into the field, and who are responsible for monitoring their performance.⁴

When a child is removed from a home because of abuse and/or neglect, the first goal for placement is to find a relative to care for the child. In the last ten years, studies from Canada and Hawaii have provided strong support for the conclusion that placement with relatives should be the preferred choice when a child is removed from parental care. An article by retired Judge Leonard Edwards (Santa Clara County) quotes these and other studies which indicate that the best way to improve outcomes for abused and neglected children is to engage relatives early.⁵

The BOS moved to improve relative finding in Los Angeles County by passing a motion on May 31, 2016, instructing DCFS and the Los Angeles County Probation Department to establish a “Countywide Upfront Family Finding Protocol.” In response to the Board motion, a pilot project was established in two DCFS district offices, Glendora and Santa Fe Springs. The project began in November 2016, and is expected to finish in April or May 2017.

Overseeing the health condition of children under DCFS care is the joint responsibility of DCFS and the Department of Mental Health (DMH), with services provided by the Department of Health Services (DHS). DHS, DCFS, and DMH run a countywide Medical Hub system that includes six Medical Hub clinics: the High Desert Health system; Olive View-UCLA Medical Center; the Los Angeles County-USC Medical Center (LAC+USC) Medical Center; the LAC+USC East San Gabriel Hub; the Martin Luther King, Jr. Ambulatory Care Center; and the Harbor-UCLA Medical Center. (Another service center is located at Children’s Hospital of Los Angeles, which is a non-public entity but is available to provide services to DCFS-supervised children.)⁶

The Hub clinics are responsible for providing an initial medical examination for all newly-detained children. State regulations require the initial medical examination to be performed within 30 days after placement. Some of the Hubs are also staffed to conduct a forensic examination of a child when there are allegations of physical or sexual abuse.⁷ When a forensic examination is required it must be made within 72 hours of the time the child was taken into custody. (If allegations of physical abuse are made when a child is already in custody, the forensic examination must be made within 72 hours of the time the allegations were made.)

The Hub at LAC+USC is part of the Violence Intervention Program (VIP), which was established by a physician at the USC Keck School of Medicine and has become a model for hundreds of programs around the world. The VIP program is housed on the campus of the Los Angeles County-USC Medical Center (LAC+USC). In addition to the services provided by the

⁴ The supervising social workers in turn are monitored by an assistant regional administrator who in turn reports to a regional administrator in each district office.

⁵ The Bench, Summer 2016, p6.

⁶ Interview with Hub management.

⁷ The High Desert and the East San Gabriel Hubs do not currently conduct forensic examinations.

Hub, the VIP program provides medical care for children suffering from sexual assault and includes an LGBTQ clinic. The VIP program provides services 24/7, and also does screening for Fetal Alcohol syndrome, a condition that may result in abnormal appearance, low intelligence, behavioral problems, and trouble in school.

Finding a placement for some “high risk” children has proven difficult. If/when a child is removed from his/her home and no placement is found immediately, the child will need a bed and shelter. In some cases the search for a placement will take more than 24 or 72 hours. In some cases it may take longer.⁸

Establishing and maintaining temporary placement shelters has not been easy either. In 2013 two “Welcome Centers” were opened, also on the LAC+USC campus, to house children and teens as they waited to be placed. The centers were initially licensed for only a 24-hour stay. A licensing process was begun to extend the stay to 72 hours. But in 2016 state regulators recommended that the centers be closed. The State then brought a lawsuit, alleging that children were staying for more than the allowed 72 hours and that the centers amounted to illegal foster care facilities.⁹

To address the problem, DCFS has established an Accelerated Placement Team (APT), which is dedicated solely to the job of locating placements for high risk children. Members of the APT can be contacted by social workers in any of the DCFS district offices, and they utilize their connections with organizations throughout the county to locate a placement. In the meantime, while waiting for a new home, the detained children stay at one of 4 facilities that together have 68 beds.¹⁰

III METHODOLOGY

The CGJ investigation of child safety included interviews with numerous members of the DCSFs staff including staff in charge of training social workers, staff working on the family finding project, staff in charge of the Division of Shelter Care, and the APT. The jurors visited two of the 18 district offices (Glendora and Torrance). The jurors also met with staff from the Office of Child Protection (OCP) and attended one of the Transitional Shelter Care (TSC) meetings hosted bimonthly by OCP. Regarding health care, the jurors met with staff members from the six Hubs and reviewed recent statistics on Hub services.

The CGJ began its investigation with a thorough review of the BRCCP report and a review of articles in the press about child fatalities and the need for change. The jurors also reviewed motions by the BOS, and reports by the OCP regarding the progress being made. The jurors received and reviewed large numbers of DCFS documents regarding caseloads and outcomes.

⁸ Interview with APT staff.

⁹ Barbara Davidson, “L.A. County is Shutting Down troubled Centers for Foster Kids With Nowhere Else to Go”, Los Angeles Times, 3/01/16.

¹⁰ Interview with APT team.

IV FINDINGS

1. Supervision of Social Workers

In the words of the Blue Ribbon Commission, the DCFS CSWs are “the most visible and accountable frontline practitioners,” and are “primarily responsible for case management services designed to protect children...”¹¹ And the CSWs are in fact on the frontline. They are the ones who respond to calls alleging abuse, and who, after a consultation with their supervisors, make the decision of whether a child should be removed from his or her home. The time they spend with children and families determines the accuracy of their decision; the decision of whether a child who has been abused should stay with the family under a Voluntary Family Maintenance (VFM) plan or be removed and placed with a relative or, if necessary, in foster care.

Reducing a CSW’s caseload is one step that can improve his or her performance. Recognizing this need, DCFS has hired approximately 2,100 new social workers since the BRCCP report was published in June, 2014. Important steps have been taken to ensure that the new CSWs are well trained. A DCFS “University” was built in collaboration with seven universities that have social worker programs.¹² The University training includes simulation labs in which CSWs are put in situations that they might encounter when they knock at the door of a home when a child has been reported to be in distress. Praising the program, a former senior staff member of DCFS said, “Now I think workers are much better prepared to handle those situations they’re going to deal with on a real time basis.”¹³

But simulation labs do not replace on-the-job learning, and one critical element for a new social worker is interaction with a supervisor who has had extensive experience dealing with children and families. A DCFS Management Directive issued on 9/28/10 makes clear the importance of the Supervising Social Worker’s (SCSW’s) work in training CSWs. The Directive states that the SCSWs “have an enormous impact” on the CSW’s performance and details their responsibility for training and guidance. One key requirement in providing supervision and training is that the SCSW “accompany CSWs during their investigations or home calls on a periodic basis (no less than two occasions per year/per CSW) to provide guidance and learning opportunities for the CSW in their field work practices.”¹⁴

On visits to two field offices the jurors were told that in many cases the SCSW does not make two or even one field visits per year with the social workers under their supervision during their investigations or home calls. This and other provisions of the Management Directive are not being followed; a staff member stated that the Management Directive is no longer in place and no new directive regarding the supervision of social workers has yet been issued.

¹¹ Los Angeles County Blue Ribbon Commission on Child Protection, p 20.

¹² L.A. Daily News, September 10, 2015.

¹³ Ibid.

¹⁴ Management Directive #MD-09-11, p.7 (f).

During their visits, the jurors also learned that another important thing is often missing when a CSW responds to a call regarding potential abuse: information about the child and family he/she is assigned to. CSWs are allowed to read the child/family files before they visit but they are not required to do so. A highly placed official at one district office stated that she thought the CSWs did so “often” but not always. The CGJ believes that if the CSWs were required to read the files before a visit they might more often recognize when the “minor” injuries they see are part of a large and terrifying pattern. More children might be spared months or years of abuse and possibly even death.

2. Family Finding

In many states, including California, a new movement is underway to reduce the number of children being placed in congregate care and to place them instead with relatives or Non-Related Extended Family Members (NREFM). Recent changes in federal law contain strong language requiring social workers to provide documentation of efforts made to obtain a family placement.¹⁵ And the State of California has enacted amendments to the Welfare and Institutions Code (WIC) which provide funding and services to support children in family settings and, perhaps most importantly, establishes that when a child is placed with a relative, the relative will receive the same level of reimbursement paid to foster care providers.¹⁶

As documented by Judge Edwards in his article on engaging relatives, finding a relative placement is a time-sensitive and difficult task for a single social worker to carry out.¹⁷ Recognizing the difficulty of the task and the importance of relative care, and in response to a motion from the BOS, DCFS prepared a “Countywide Upfront Family Finding Protocol” on September 20, 2016, which includes a plan “to increase relative placements and the overall role of relatives and Non-Related Extended Family Members (NREFMs) ...”¹⁸ The plan sets forth three steps for identifying relatives and engaging them in the case. The plan also proposed initiating a pilot program to take place in two DCFS regional offices and which was “tentatively scheduled” to begin in November 2016.¹⁹

The pilot program did begin in November 2016 and is underway in the district offices in Glendora and Santa Fe Springs. There are six half-time staffers working on the project in Glendora and five in Santa Fe Springs. In the pilot program the search for relatives begins immediately after a child is removed from the home. The staffers interview family members to

¹⁵ Preventing Sex Trafficking and Strengthening Families Act, (H.R. 4980)

¹⁶ California Welfare and Institutions Code Section 11462. <http://codes.findlaw.com/ca/welfare-and-institutions-code/wic-sect-11462.html>

¹⁷ “Among her other duties she has to provide services that will prevent the need for removal, ensure that the child is safe, explain to the parents what is happening and why, identify and engage relatives and prepare reports for any proceeding which will occur in a day or two.” Leonard Edwards, “How to Improve Outcomes for Abused and Neglected Children: Engaging relatives Early”, *The Bench*, Summer 2016, p29

¹⁸ County of Los Angeles Department of Children and Family Services, Response to the May 31, 2016 Board Motion (Item No. 5) On a Countywide Upfront Family Finding Protocol, September 30, 2016, and attachment

¹⁹ *Ibid.* Attachment, p. 9

establish a family tree and typically send out 20-30 letters to relatives to notify them about the child who is seeking a home. The letters are sent one or two days after the initial detention. Before the pilot was in place the relative search typically took a year or more, but in the pilot project there is a ninety-day turnaround.²⁰

The (OCP) has been closely involved in the pilot project and meets with the project staff monthly. A senior staff official at the OCP strongly believes that placing a child with a relative (as opposed to foster care) will improve his/her chance for success after leaving the foster care system. The officer is hopeful that the success achieved by the pilot project, which in early months has resulted in close to 80% of placements with relatives in Santa Fe Springs, can be rolled out countywide and increase relative placements by 10 to 20%.

3. Providing Medical Services

There are six Medical Hubs in L.A. County run by the County Department of Health Services (DHS). These Hubs provide medical screening and services to children who might otherwise never be seen by a health care provider. In the last six months of 2016, a total of 15,582 children were referred to a Hub by DCFS and actually came to their appointment. Most of these children received an initial medical examination. Others who appear to have suffered from physical abuse received a forensic examination. Unfortunately, a report for Medical Hub visits for fiscal year 2016/2017 also shows that in a large number of cases the child did not show up for a scheduled appointment.²¹ The “no show” rate is distressingly high: it ranges from 14.7% at the LAC-USC Hub to 25.9% at Martin Luther King, Jr. and 29.1% at the Hub in the East San Gabriel Valley.²²

The Hubs see a large number of children who act out, are unable to cooperate, and have been in multiple placements. The Hubs are working on ways to connect these children with mental health providers, and to arrange for a home visit by a therapist as needed. There is a Community Mental Health Center, run by a private non-profit group that is adjacent to the LAC-USC Hub and is able to provide continuing mental health care to the difficult and hard-to-place children. Another group of children requiring mental health care are those who suffer from Fetal Alcohol Syndrome, which can result in growth abnormalities and learning disorders. These children are well served at the Community Mental Health Center.

The six Hub clinics are stationed around the County of Los Angeles. Unfortunately, not all of the clinics are adequately staffed. The LAC-USC Hub has a staff of nine physicians and 10 nurse practitioners but the clinic in East San Gabriel Valley has only one physician and two nurse practitioners. Senior staff stated that this clinic, along with some others, needs additional staff.

²⁰ Interview with pilot program staff.

²¹ L.A. County Department of Health Services, 1/09/2017, Medical Hub Visits, Fiscal Year 2016/2017

²² Ibid.

4. Finding a Place for “Hard to Place” Children

The DCFS is responsible for a large number of “high-risk” children who are difficult to place. Twice a month the OCP convenes a Transitional Shelter Care (TSC) meeting which brings together members of multiple agencies as well as non-profit groups that are dedicated to child welfare.²³ The TSC pilot program puts together a team to help prepare a high-risk child for placement.

A recent TSC meeting, attended by jurors, profiled a 14-year-old girl, “Jane Doe,” who had been in and out of the court system since the age of six. She had had 17 placements in group homes, foster homes, and relative placements. At the time of the meeting Jane Doe was currently living at one of the six TSC facilities run by the DCFS Division of Shelter Care.

Jane Doe is not the only “high risk” child in need of a placement. Staff estimates that at any given time there are approximately 900 children with difficult behavioral and mental health needs who have been removed from their homes. To assist these children (i.e. to find them a home or at least a bed) DCFS established an Accelerated Placement Team (APT) within the Division of Transitional Shelter care.(TSC). The APT team focuses on a number of critical placement issues, including placement for children leaving a hospital and children in “shelter care” (with a limited stay of 72 hours). The APT is currently staffed by nine SCSWs and two Eligibility Social Workers. The number of children referred to the APT varies from day to day—in many cases children who have left placement because the caregiver is unable to deal with their behavior. Of those referred to APT, most will go to a TSC facility to stay for up to 72 hours before being placed. Approximately 12% of these children are very high risk, with a history of sexual exploitation or having been severely molested. Many overstay the 72-hour limit. Every child in a TSC shelter receives a medical screening at the VIP Hub in the LAC+USC medical center, and each child is linked to a mental health field worker.

The APT is also part of the pilot program established by the OCP to provide services to the very high risk children, those who have exceeded 72 hours at a TSC facility or 30 days in an Emergency Care shelter. A child who agrees to join the OCP pilot program receives care from a mental health team including a CSW and a SCSW who meet with the child to identify the behaviors that impede the child’s progress and what triggers them. By identifying the “triggers” and working with the ultimate caregiver, the team increases the chance of a final successful placement.²⁴

²³ The participants at a TSC meeting on March 20, 2017, attended by civil grand jury members, included staff from the Department of Child and Family Services (DCFS), the Department of Mental Health (DMH) the Department of Health Services, Probation, County Counsel, Court Appointed Special Advocates (CASA), Children’s Law Center of California (CLC), Mental Health Advocacy Team (MHAT), and the Alliance for Children’s Rights.

²⁴ Interview with APT staff.

V RECOMMENDATIONS

The 2016-2017 CGJ recommends:

1. The DCFS should prepare and implement a new Management Directive for Supervising Social Workers which would require that Supervising Children's Social Workers have hands-on supervision of their assigned Children's Social Workers in the field and on home visits, at least twice yearly.
2. The DCFS should make finding a relative to care for a child that has been removed from his or her home a first priority, and ensure that a search for relatives is initiated within 30 days following a child's detention.
3. The DCFS should keep records of missed Hub appointments, and when an appointment is missed, require that the Supervising Social Worker ensures that the appointment is rescheduled and that the child is taken to the Hub.
4. The DCFS should require that each Children's Social Worker, prior to his or her first three visits to a child or a child's home, read the child/family file and sign off that the file has been read. DCFS should track and enforce compliance with this rule.
5. The DCFS should develop a plan to ensure that all children in Transitional Shelter Care receive mental health screening, and if appropriate, receive continuing mental health care.
6. The OCP should define and adopt measures of success for the performance of DCFS, and require quarterly reports from DCFS on its performance with respect to those measures.

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

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Responding Agency	Recommendations
County of Los Angeles Department of Children and Family Services	3.1, 3.2, 3.3, 3.4, 3.5, 3.6
County of Los Angeles Office of Child Protection	3.6

VII ACRONYMS

APT	Accelerated Placement Team
BRCCP	Blue Ribbon Commission on Child Protection (BRCCP)
CSW	Children’s Social Worker
DCFS	Los Angeles County Department of Children and Family Services
DHS	Department of Health Services
DMH	Department of Mental Health
LAC + USC	Los Angeles County/ University of Southern California
NREFM	Non-Related Extended Family Members
OCP	Office of Child Protection
SCSW	Supervising Children’s Social Worker
TSC	Transitional Shelter Care
VIP	Violence Intervention Program
VFM	Voluntary Family Management

VIII COMMITTEE MEMBERS

Lucy Eisenberg
 Shelley Strohm
 Joyce Simily

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SCHOOLS OF THE FUTURE



Gloria Garfinkel **Co-Chair**
Thomas Kearney **Co-Chair**
Hilda Dallal
Marilyn Gelfand

SCHOOLS OF THE FUTURE

I SUMMARY

The “Los Angeles County Strategic Plan for Economic Development (2016-2020)” recognizes the need to shift the educational focus. The plan’s introduction states:

“Unlike the move from an agricultural economy to a manufacturing-based one 150 years ago, when a worker needed little training to move seamlessly from the field to a factory floor, moving from a production-based economy to an information-age one today requires much higher levels of skills and education.”¹

The first goal within this plan focuses on preparing our students for the highly technical, knowledge-based careers of the future. This goal aligns with today’s world of product globalization, instant world-wide communication, entrepreneurship, and rapidly developing scientific advancements. The challenge will be implementing change within the public educational system, which has not historically been an institution to quickly implement change in curricula or teaching methodologies.

The Civil Grand Jury (CGJ) decided to investigate current developments and trends in the field of public education. While the need for traditional schools remains firm, there are students who can certainly benefit from different learning models such as those highlighted in this report. In today’s society, our students need a deeper level of learning in order for them to remain competitive in the globalized market and enhance their career potential. Having a stronger knowledge and skills base will make Los Angeles County (“County”) a more desirable location for businesses and industries. Appropriate changes to our educational system will provide these requisite skills and knowledge and lead to greater opportunity for our children to succeed in the future.

II BACKGROUND

History of Public Education

Formation of the “traditional” public educational system is credited to Horace Mann along with other educational reformers in the early nineteenth century^{2,3}. They believed a free educational

¹ [Online] Available: <http://laedc.org/2016/01/04/2016-2020-l-a-county-strategic-plan-for-economic-development/>

² Massachusetts Board of Education was created in 1837 with Horace Mann appointed as its secretary. Horace Mann started a biweekly journal, Common School Journal, in 1838 for teachers and lectured on education.

³ [Online] Available: <http://www.biography.com/people/horace-mann-9397522>

system would lead to a better workforce and would be vital for a country dependent on an informed democracy.⁴

Horace Mann held six main principles:⁵

9. Society cannot remain both ignorant and free.
10. Education should be paid for, controlled, and maintained by an interested public.
11. Schools must embrace children from a variety of backgrounds.
12. Schools must be nonsectarian.
13. Instruction must embrace the spirit, methods, and discipline of a free society.
14. Instruction must be provided by well-trained, professional teachers.

For the first three-quarters of a century⁶, the McGuffey's Readers⁷ provided standardized spelling, pronunciation, and grammar instruction, and illustrated such virtues as honesty, charity, thrift, hard work, courage, patriotism, reverence for God, and respect for parents. Over 120 million sets were sold and used by four-fifths of all American school children students

A. The educational system underwent a fundamental change in the early 1900's when "Scientific management"⁸ was brought into the public school system with introduction of the Carnegie Unit⁹, which sought to improve administrative efficiency of schools. A Carnegie Unit is defined as 120 hours of contact time with an instructor, which translates into one hour of instruction on a particular subject per day, five days a week, for twenty-four weeks annually (basis for today's credit hours).¹⁰

New Educational Practices and Schools of Choice

Alternative schools have broken the mold and offered students a different way of learning;

- Magnet schools were formed in the 1960's and became a movement toward public schools of choice¹¹. They were based on a premise that not all students learn in the same

⁴ American Passages: A History of the United States, Brief Forth Edition, By Edward L. Ayers, Lewis L. Gould, David M. Oshinsky, and Jean R. Soderlund, Wadsworth Cengage Learning,

⁵ [Online] Available: <https://www.britannica.com/biography/Horace-Mann>

⁶ McGuffey's Readers – 1836, <http://www.alphaphonics.com/guffy.htm>

⁷ A set of 7 reading books first published in 1836.

⁸ Scientific management is based on the principle of continued improvement to gain greater efficiency. This management approach was introduced with the Industrial Revolution and guided large-scale manufacturing and assembly-line production to eliminate waste and improve productivity.

⁹ The Carnegie Unit was developed in 1906 and brought into the public school system shortly thereafter.

¹⁰ The Carnegie Unit, A Century-Old Standard In A Changing Educational Landscape, Elena Silva, Taylor White and Thomas Toch, Carnegie Foundation for the Advancement of Teaching, 51 Vista Lane, Stanford CA 94305

¹¹ A Brief History of Magnet Schools, Dr. Donald Waldrip, [Online] Available: <http://www.magnet.edu/resources/msa-history>

way. Application of a unifying theme or appropriate learning structure will lead to students learning more in all areas. This new premise assumed students and teachers voluntarily choosing to be at a specific school would obtain better results. Magnet schools have demonstrated that other ways of educating children is possible.

- Over time a number of alternative forms of education have developed including Montessori, Waldorf, Sudbury Model, Knowledge Is Power Program, and International Baccalaureate.
- Charter schools¹² are publicly funded and operate under contract (or charter) within a school district. Charter schools are exempt from certain state or local rules and regulations, which allows for greater flexibility and autonomy. Charter schools tend to focus on specific courses of study and attempt to create a unique learning culture.

The CGJ met with senior leadership from selected school districts, United Teachers Los Angeles, California Charter Schools Association, XQ Super School Project, University of California Los Angeles (UCLA) Community School, and a former elected member of the Los Angeles Unified School District’s Board of Education to discuss current trends in education and seek opinions on how to best prepare our children for the economy of the future. We found there was consistency from all these various viewpoints; change is needed to better prepare our high school students for college as well as entry into the job market.

Several interviewees made reference to Math and English proficiency levels. They felt the mediocre performance levels demonstrate the need for change.

Math and English proficiency is conducted at the secondary level by the California Department of Education using California Assessment of Student Performance and Progress testing. Testing is conducted at grade levels 3-8 and 11. The results for the 2015-16 school year for grade 11 are presented in Table 1.

Table 1. Math and English Proficiency – Grade 11, School Year 2015-16¹³

Grade	Number of Students Tested with Scores	Percent of Students who Exceeded Standards	Percent of Students who Met Standards	Percent of Students who Nearly Met Standards	Percent of Students who Did Not Meet Standards
Grade 11 - English	433,920	26	33	22	19
Grade 11 - Math	432,108	13	20	25	43

¹² The first charter school legislation was passed in Minnesota in 1991.

¹³ California Department of Education, Release: #16-57 dated August 24, 2016, [Online] Available: <http://www.cde.ca.gov/nr/ne/yr16/yr16rel57.asp#Table1>

The California State University system requires newly admitted students to demonstrate their proficiency in Math and English before they can enroll in college-level Math and English courses,¹⁴ unless they are exempt by their scores on other specific assessment or college admissions tests. Table 2 below identifies the statewide proficiency rates for the Fall 2016 incoming freshmen class. On average, English proficiency is at 77% and Math proficiency is at 72%.

Table 2. Math and English Proficiency – Incoming California State University Students (2016-17)¹⁵.

	# of Freshman	# Proficient in Math	% Proficient in Math	# Proficient in English	% Proficient in English
Bakersfield	1,303	726	56%	934	72%
Channel Island	994	487	49%	617	62%
Chico	2,634	1,869	71%	2,325	88%
Dominquez Hills	1,264	505	40%	800	63%
East Bay	1,566	649	41%	863	55%
Fresno	3,213	1,983	62%	2,170	68%
Fullerton	4,381	3,799	87%	3,960	90%
Humboldt	1,231	774	63%	934	76%
Long Beach	4,250	3,404	80%	3,525	83%
Los Angeles	3,695	1,783	48%	1,951	53%
Maritime Academy	239	208	87%	211	88%
Monterey Bay	776	499	64%	535	69%
Northridge	4,369	2,959	68%	2,798	64%
Pomona	4,199	3,329	79%	3,623	86%
Sacramento	3,717	2,199	59%	2,392	64%
San Bernardino	2,673	1,932	72%	1,708	64%
San Diego	4,992	4,574	92%	4,644	93%
San Francisco	3,608	2,247	62%	2,834	79%
San Jose	3,166	2,483	78%	2,484	78%
San Luis Obispo	4,279	4,266	100%	4,239	99%
San Marcos	2,126	1,585	75%	1,600	75%
Sonoma	1,750	1,240	71%	1,293	74%
Stanislaus	1,332	851	64%	955	72%
Total	61,757	44,351	72%	47,395	77%

The need for remedial classes at the college level has a significant social and financial effect:

- Increases overall cost of college to students and to public subsidies.
- Extends the overall time required to complete college, thereby delaying entry into the workforce. Such delay can negatively impact repayment of student loans, extending the payback period with increased interest expense and potentially increasing defaults.
- Extends the overall time required to complete college, which can lead some students to drop out.

¹⁴ California State University Placement Tests, [Online] Available: <https://www.ets.org/csu/about>

¹⁵ The California State University, Fall 2016 Regularly Admitted First-Time Freshmen Proficiency Campus and Systemwide, [Online] Available: <http://asd.calstate.edu/performance/proficiency/2016/index.shtml>

While this investigation did not look into factors that may be influencing these testing levels or their validity in college placement, in the opinion of the CGJ, these statistics do bring into question the efficacy of the current educational approach and highlight a need for change in order to better serve our youth.

Improving the Educational Approach

The CGJ agrees with the objective within the Los Angeles County Strategic Plan for Economic Development (2016-2020) which seeks to improve high school graduation, college matriculation, and postsecondary attainment rates. The CGJ has reviewed several educational programs that are innovative and are delivering improved results. We conducted research that included interviews with various stakeholder organizations and advocates for educational reform to gain a better understanding of the educational system, thoughts on creating and delivering instruction, and the challenges facing reform efforts.

The CGJ did not investigate or attempt to determine whether our youth are better served by traditional or non-traditional educational providers, as politics play too great a role in that discussion. We reviewed educational innovations taking place and spoke to organizations with differing agendas/purposes to gain perspective relative to generating greater interest and participation by students, teachers, administrators, and parents.

We found all the educational providers (both traditional and non-traditional) to be highly dedicated, motivated, and passionate about the field of education and the preparation of our youth for future success. None of the stakeholders or advocates we spoke with appeared content with the status quo system. They all recognized that knowledge and skills for today's students are different from those needed a decade or two ago, and the business and social environment is far more dynamic than ever before. They all expressed a desire to see changes in the educational system in order to better prepare our youth.

Our investigation revealed a number of common themes:

- Community/neighborhood-based schooling is a benefit
- Providing students with career choices can spark their interest and better engage them in the educational process
- Stakeholder collaboration (administrators, teachers, and parents) builds trust and strengthens the educational process
- A significant percentage of high school students are likely to be better served with a combination of academics, vocational skills, and mentoring
- Teachers can benefit from real-world, on the job experience to better inform students on how the class information applies to the workplace

Educational Innovations

A. The XQ The Super School Project (XQ Project)¹⁶ is a non-profit organization that supports the need for a fundamental change to the educational model in order to better prepare our children to succeed in a changing world. The organization is interested in assisting the educational community to develop a new model for high school education. They sponsored a bottom-up, collaborative effort involving several hundred professionals from various professions to create 13 Knowledge Modules that layout a framework for designing a school that empowers and supports students through key transitions in high school and beyond.

We noted three major elements in our discussion with XQ Project executives:

1. Move from the Carnegie Unit model (time based) to a knowledge based model, where students are promoted as they demonstrate knowledge of the subject matter.¹⁷
2. Recognition that people learn differently (e.g., visual or auditory learners), and teaching methods need to be developed to accommodate various types of learning.
3. Focus teaching on growth mindset rather than fixed mindset¹⁸.

The XQ Project put out an open call for proposals in September 2015 and the organization was overwhelmed by the number of positive responses. They received over one thousand proposals to establish new schools or programs within existing schools aligned with the Knowledge Modules. The organization engaged in a rigorous review and selection process. Ten awards were made with five going to traditional schools and five going to charter schools in September 2016. The phenomenal response highlights the strong desire on the part of educators to implement changes.

The XQ Project sees the need for a community of practice to showcase lessons learned from the participants and to make those lessons available to the educational community. Discovering what works and what doesn't, and sharing that information. Collaborating with peers within the educational community will lead to improved curricula, methodologies, instructional tools, and

¹⁶ [Online] Available: <https://xqsuperschool.org/whoweare>

¹⁷ Students should be grouped by ability, not age or grade level, on a class-by-class basis. For example, a school may only offer Algebra I to 10th graders or above. Under an ability model, a 9th grader that is advanced in mathematics and ready for Algebra I can take the class.

¹⁸ Carol Dweck, PhD, Psychologist, Stanford University has pioneered research on mindset. [Online] Available: <https://www.brainpickings.org/2014/01/29/carol-dweck-mindset/>

Here is a condensed definition:

Fixed Mindset assumes that character, intelligence, and creative ability are static givens. Here success is the affirmation of that inherent intelligence, and striving for success and avoiding failure are a way of maintaining the sense of being intelligent or skilled.

Growth Mindset thrives on challenge and assumes that abilities can be developed through dedication and hard work. Here success is a love of learning and a resilience that is essential for growth and accomplishment.

practices. These actions will deliver deeper learning that will better prepare them for success in their future.

B. The Long Beach College Promise (The Promise)¹⁹ extends the promise of a college education to every student in the Long Beach Unified School District (LBUSD) in order to create a more vibrant community. The Promise is a partnership between LBUSD, Long Beach City College (LBCC), California State University, Long Beach (CSULB), and the City of Long Beach. The intent is to create a culture of college expectation, increase college readiness, and improve graduation rates.

LBUSD took advantage of funding from the James Irvine Foundation, as one of nine pilot districts under the Foundation's "California Linked Learning District Initiative" launched in 2009. This initiative sought to help California school districts develop and implement plans for expanding the Linked Learning approach in their high schools. This program centers on Career Pathway standards which specify learning goals in 58 career pathways organized around 15 industry sectors.²⁰ The Career Pathway program is intended to prepare students for jobs in emerging and growing industry sectors in the local or regional economy.

The LBUSD has dedicated staff assigned to the Career Pathway program. The accomplishments of this small staff are very impressive. They coordinate with their counterparts in LBCC and CSULB to select the Career Pathways of interest to students and formulate the course curricula. The program includes outreach activities to middle school parents and students.

The LBUSD makes this specialized instruction available at multiple locations within the district. This approach ensures that all students have the opportunity to attend a school of their choice, and are not prohibited by transportation issues.

The LBUSD has demonstrated that it is possible to change the educational system. This is made more impressive by the fact that LBUSD is California's third largest school district, with approximately 80,000 students²¹. A key factor to success is the dedication and commitment of the teachers and administrators. Another significant advantage for LBUSD is the long tenure and commitment from their superintendent who has served in the position since 2002.

¹⁹ [Online] Available: <http://www.longbeachcollegepromise.org/>

²⁰ The LBUSD implemented Career Pathways under the California Partnership Academies (CPA) program and Career Technical Education (CTE) Standards. The CPA program was implemented by the state Board of Education (Education Code sec. 54690) and provides for a school-within-a-school with academies that integrate academics with career technical education, business partnerships, mentoring, and internships. Education Code Section 51226 provides legal authority to develop the CTE standards and framework.

²¹ California Department of Education, [Online] Available: <http://www.cde.ca.gov/ds/sd/cb/ceflargesmallldist.asp>

C. The UCLA Community School²² operates several K-12 schools in partnership with the Los Angeles Unified School System. The goal is to develop, study, share, and advance innovative best practices. In our opinion, this partnership is beneficial to both the attending K-12 school students and UCLA's staff and students.

UCLA Community School seeks to impart four core competencies in their students²³:

- Self-directed, passionate learner
- Mastery of academic content and skills
- Bi-literate, bi-lingual, and multi-cultural
- Active and critical participant in society

Executives at UCLA Community School informed us about their mission to teach, research, and deliver service. Their teachers are fortunate to have the resources of UCLA's Graduate School of Education & Information Studies at their disposal. At these community schools, students choose their area of study and benefit from UCLA alumni who provide mentoring. All seniors participate in an internship program. We were informed by senior administrators that 99% of the UCLA Community School graduates are college-eligible, with 77% going on to attend college.

The senior administrators at UCLA Community School firmly believe that neighborhood schools are successful because they involve parents and local businesses to help support and inspire students in their educational journey.

III METHODOLOGY

This committee would like to express its gratitude for the openness and cooperative attitudes of the people and organizations that enabled the preparation of this report. We are also very impressed with the dedication that all these parties have to creating a better learning environment and providing every child the opportunity to be ready for success in their future.

1. Interviews.

- Long Beach Unified School District, Career Pathways
- United Teachers Los Angeles
- XQ The Super School Project
- California Charter Schools Association
- UCLA Community School
- Former member of the Los Angeles Unified School District Board of Education

2. Research Conducted.

²² [Online] Available: <https://cs.gseis.ucla.edu/>

²³ UCLA Graduate School of Education & Information Studies, A Vision in Practice, <https://cs.gseis.ucla.edu/about/>

- California Education Code
 - California Department of Education website
 - The individual websites of each organization we interviewed
3. Literature
- Newspaper articles
 - Articles from various educational websites

IV FINDINGS

The integration of academics, skills training, and real-world perspective is a sound approach to providing a deeper level of learning and sparking a student’s interest in education. A significant investment has been made by LBUSD, UCLA Community School, and XQ Super School to develop new programs/approaches. It is the opinion of the CGJ that these programs are effectively delivering improved results. These results should be shared among the Unified School Districts (USDs) and replicated where appropriate.

These are the findings of the Schools of the Future committee.

1. California Assembly Bill AB790 recognized a need for innovative approaches to educational transformation. The Bill seeks innovation to lead to successful outcomes for our students, families, communities, and local and state economies. The Bill also recognizes that economic growth is dependent upon a career-ready workforce, and the need to improve graduation rates, close achievement and opportunity gaps, and prepare students for living-wage careers and/or a variety of postsecondary learning experiences. The Los Angeles County Strategic Plan for Economic Development (2016-2020) outlines objectives to achieve such innovation.
2. The Los Angeles County Strategic Plan for Economic Development (2016-2020) calls for the identification of models of high-quality, collaborative, inclusive, engaging, and innovative schools. It also envisions extension of best practices throughout all districts and schools.
3. The LBUSD Career Pathways and UCLA Community School programs have enhanced academic training with elements of vocational training and integrated real-world experience through internships and mentoring. The City of Long Beach fully supports The Promise and covers the first year of tuition at Long Beach City College. The UCLA Community School provides UCLA students attending the School of Education with the opportunity to practice new techniques and methods of delivering instruction. These educational programs focus on student “choice” in order to spark each child’s interest and curiosity, and challenge them to grow, learn, and thrive.

4. On January 11, 2017, the California State Board of Education approved implementation of the California School Dashboard²⁴ (Dashboard) starting in the 2017-18 school year. This Dashboard is intended to improve accountability within the educational system. The Dashboard consists of a color-coded five-by-five grid intended to assist in identifying strengths, weaknesses, and areas in need of improvement. These state level indicators are based on factors that contribute to a quality education, including high school graduation rates, college/career readiness, student test scores, English learner progress, suspension rates, and absenteeism. One subject matter expert expressed a desire to see this tool used like a Consumer Report. The color coded layout can “highlight the good,” and inform administrators, teachers, and parents where improvement is needed.
5. The Dashboard includes local indicators for use by local districts.
6. Educators are professionals dedicated to the classroom and to their students. They are also stakeholders who should have a voice and participate in development of local curricula and instructional methods. To attract and retain the best talent, educators need: Career development; Peer-to-peer collaboration; and Professional internships with community and industry partners to gain practical knowledge that will enrich and enable them to deliver a deeper level of instruction.
7. The neighborhood school is an institution which acts as an “anchor of society,” and provides the opportunity to integrate parents into the educational process. It should also reach out to local organizations for mentoring and internship opportunities to enrich the learning process and better enable every child to learn and become an engaged and productive member of society. Localization can lead to a better tailoring of curricula based on community priorities and unique needs of students including those who have challenging family and social circumstances. In coordination with local economic development commissions, there could be better alignment between business development and educational/career development.
8. While student test scores are an important measure of performance, they do not fully portray a teacher’s level of success or the development of a student’s growth mindset. Factors of teacher effectiveness that are not currently measured include:²⁵ Developing a thirst for knowledge; developing good study habits; achieving high scores in subjects of interest; imparting a tenacity to enroll in and complete a post-secondary education; and imparting a social consciousness and a desire to participate in community affairs.

24 California Dept of Education News Release #17-5, January 11, 2017,
[Online] Available: <http://www.cde.ca.gov/nr/ne/yr17/yr17rel05.asp>

25 Tracking Indicators of Graduation and Postsecondary Readiness, Ali Korkmaz, Long Beach Unified School District, California, Alison Gros, St. Bernard Parish Public Schools, Louisiana, Mary Lumetta, St. Bernard Parish Public Schools, Louisiana, Ashley Pierson, Education Northwest, Portland, Oregon, Center for Education Policy Research at Harvard University, not dated, sdp.cepr.harvard.edu/files/cepr-sdp/files/tracking_ccr_indicators.pdf

9. Parent engagement is a critical element in tailoring local curricula and instructional methods. Parents need to be actively engaged: informing themselves of school activities; becoming involved at school; and participating in the decision-making process to improve the learning environment
10. There is inequity within the educational system with respect to student experiences. For instance, fourth graders take California History. Yet, only a small percentage of schools will take their 4th graders to one of the California Missions to experience that part of our history. Replicating this best practice can have a profound impact on a young child.
11. Implementing change within the educational system necessitates some degree of flexibility and adaptability. Requirements within the Education Code and other education Acts may present a barrier to traditional public schools taking full advantage of some of the current successes of the programs discussed in this report. Strong leadership and full engagement of all stakeholders (administrators, educators, politicians, unions, local business, parents, and students) is needed to implement change to the current operations and culture. More than one interviewee indicated that transformational change in the educational model may require substantial political and civil will.
12. The Department of Consumer & Business Affairs has a program titled Life Smarts, which is a program designed to teach high school consumer skills. The program focuses on five key topic areas; consumer rights and responsibilities, technology, health and safety, personal finance, and the environment.
13. Proposition 51 was approved by the California voters in November 2016 and it makes available \$9 billion in bonds; \$3 billion for the construction of new school facilities, \$500 million for providing school facilities for charter schools, \$3 billion for the modernization of school facilities, \$500 million for providing facilities for career technical education programs, and \$2 billion for acquiring, constructing, renovating, and equipping community college facilities.

V RECOMMENDATIONS

1. The County of Los Angeles Board of Supervisors should formally identify the Los Angeles County Office of Education as the lead organization responsible to implement and maintain the California School Dashboard within the County.
2. The Los Angeles County Office of Education should form a task force to focus on the local indicators to include within the Dashboard. This task force should include representatives from those Unified School Districts (USD's) known to be implementing leading edge programs and those with exceptional student performance, local educational experts knowledgeable in state and County operations, and educational advocates who are knowledgeable and focused on open communications.

3. The Los Angeles County Office of Education should develop an ‘Experience Map’ that identifies recommended types of engagement activity, and include performance in the local indicators. For example, all 4th graders study California history. A school would obtain a top rating for 4th grade history if they visit a California mission.
4. The Los Angeles County Office of Education should actively monitor the Dashboard with the following goals; inform USD’s, educators, and parents of best practices within the County, and implement a community of practice to share successes. This forum should promote the exchange of information and practices and enable each USD to determine those best practices which can be brought into their own district to improve student learning.
5. The County of Los Angeles Board of Supervisors should aid teachers in acquiring real-world experiences by instructing all County departments to make a certain number of compensated internships (summer position or long-term sabbatical) available to teachers within the County. For example: Department of Public Health could offer positions associated with environmental science; Department of Child and Family Services could offer positions associated with sociology and psychology; and Department of Public Works could offer positions in engineering.
6. The County of Los Angeles Board of Supervisors should provide teachers working within the County free access to all County museums to encourage their attendance and enable them to share their experiences with their students, and/or help them arrange potential field trips.
7. The Los Angeles County Office of Education should foster collaborative relationships with industry partners and County agencies to encourage establishment of internships for students and teachers and announce openings on their website or publish links.
8. The Los Angeles County Office of Education should, in coordination with the Department of Consumer & Business Affairs, inform the USD’s about Life Smarts program and encourage them to bring the course to their campuses. This is a course that could be offered either after school, on the weekends, or during the summer break.
9. The Los Angeles County Office of Education should investigate the establishment of a formal community of volunteers who could provide life-skills education (including teaching the Life Smarts program) and mentoring of students, similar to the services offered to small businesses by the Service Corps of Retired Executives.
10. The County of Los Angeles Board of Supervisors should request a prioritized listing of projects under the five categories of funding available under Proposition 51 from the USD’s, with new facilities or any modifications or upgrades focused on enhancing learning.
11. The Los Angeles County Office of Education should identify various ways to monetize school property to support implementation of changes as described in this report. For example, renting out parking lots and play fields for events like farmers markets or renting auditoriums for local events. Revenues from these rental activities should be specifically earmarked for implementing educational improvement projects.

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor – Room 11-506
Los Angeles, CA 90012

Responses are required from:

Responding Agency	Recommendations
County of Los Angeles Board of Supervisors	4.1, 4.5, 4.6, 4.10
Los Angeles County Office of Education	4.2, 4.3, 4.4, 4.7, 4.8, 4.9, 4.11

VII ACRONYMS

CGJ 2016-2017 Los Angeles County Civil Grand Jury
CSULB California State University, Long Beach
LBCC Long Beach City College
LBUSD Long Beach Unified School District
UCLA University of California, Los Angeles
USD Unified School District

VIII COMMITTEE MEMBERS

Gloria Garfinkel Co-Chair
Thomas Kearney Co-Chair
Hilda Dallal
Marilyn Gelfand

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POLLING PLACE HOST FACILITIES



Alice Beener **Chair**
Dorothy Brown
Patrick Lyons

POLLING PLACE HOST FACILITIES

I SUMMARY

Polling place facilities help our neighborhoods; businesses and residences that host a polling place provide a very valuable service to our communities. Members of the 2016-2017 Los Angeles County Civil Grand Jury (CGJ) discovered polling place hosts earn \$25.00 for the use of their home or business; this amount has not increased in over 30 years.

II BACKGROUND

To volunteer your residence or business as a polling place the facility must have:

- A minimum square footage of 400 square feet (20 feet x 20 feet)
- Sufficient parking
- Access ramps and handicap parking
- An enclosed area with adequate lighting and heating
- One to two tables with four to six chairs
- An electric outlet for the Precinct Ballot Reader
- A location available between the hours of 6:00 am to 9:30 pm

Each facility must also provide heating, electricity, and restroom facilities for poll workers.¹

On February 23, 2017 two CGJ members went to the office of the County of Los Angeles Registrar-Recorder/County Clerk (the Registrar) and met with staff responsible for supervising poll workers. The staff did extensive research of Los Angeles County ordinances and state statutes. They could not find any documentation relevant to required payments to polling place hosts.

On October 24, 2006 the Chief Administrative Officer (CAO) reviewed and approved the CGJ's October 17, 2006 request to increase the daily stipend for both Civil and Criminal Grand Juries. In addition to supporting the stipend increase, the CAO also acknowledged the need to undertake a systemic review of all the County's stipend-based organizations. This was done to ensure that an effective process is in place to address future requests for adjustments to the amount or frequency of stipends.²

¹ <http://lavote.net/home/voting-elections/pollworker/polling-place-information>

² County of Los Angeles Chief Administrative Office memo, Approval of Ordinance Change Authorizing Increase to Civil and Criminal Grand Jury Daily Reimbursement Allowance, dated January 30, 2007

III METHODOLOGY

- Two Civil Grand Jury members conducted a telephone interview with a staff member at the Registrar's office.
- On February 23, 2017 two Civil Grand Jury members went to the Registrar's office in Norwalk.
- On April 21, 2017 VGJ members had a telephone interview with upper management of the San Francisco Department of Elections.

IV FINDINGS

1. Los Angeles County pays only \$25.00 to polling place hosts.
2. San Francisco pays as much as \$180.00 to polling place hosts.³
3. Though it was stated in the CAO's memo dated January 30, 2007, the CGJ has discovered that they have not put in place a process to periodically review the County's polling place host stipend.

V RECOMMENDATIONS

The 2016-2017 Civil Grand Jury recommends that:

1. The BOS should increase the stipend paid to polling place hosts from \$25.00 to \$150.00.
2. The BOS should implement the recommended action by the CAO to create a policy to periodically review the stipend for polling place hosts.

VI REQUIRED RESPONSES

California Penal Code Section 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) Days after the Civil Grand Jury publish its report and file it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05(a) and (b). All responses to the recommendations of the 2016-2017 Civil Grand jury must be submitted on or before September 30, 2017 to:

³ <http://sfgov.org/elections/host-polling-place>

Presiding Judge
Los Angeles County Superior Court.
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street, Eleventh Floor-Rom 11-506
Los Angeles, CA 90012
Responses are required from:

Responding Agency	Recommendations
Board of Supervisors	5.1, 5.2

VII ACRONYMS

CAO County of Los Angeles Chief Administrative Office
CGJ 2016-2017 Los Angeles County Civil Grand Jury
Registrar County of Los Angeles Registrar-Recorder/County Clerk

VIII COMMITTEE MEMBERS

Alice Beener Chair
Dorothy Brown
Patrick Lyons

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NEIGHBORHOODS AT RISK FROM TOXINS



Henry C. Guerrero Chair
Douglas Benedict
Thomas Kearney
Sharon Muravez

NEIGHBORHOODS AT RISK FROM TOXINS

I SUMMARY

Living in Southern California, we are all as vulnerable as “Canaries in the Coal Mine.” Recent catastrophic events involving contamination from toxins in Los Angeles County (the County) neighborhoods have been widely reported in the public media and greatly raised public awareness. The Civil Grand Jury (CGJ) conducted this investigation to identify why some neighborhoods are so vulnerable and how government agencies respond to communities affected by dangerous toxins.

The CGJ found that communities *disproportionately burdened* by multiple sources of pollution are primarily of color, have low incomes and are under-served by environmental regulation enforcement,¹ although risk to toxic exposure cuts across all levels of society and income. Recent events reported in county newspapers include:

- Lead contamination in the community of Boyle Heights
- Excessive levels of methane gas in Porter Ranch
- Toxic hexavalent-chromium in the City of Paramount
- Petroleum related volatiles near the University of Southern California
- Continuation of some of the worst air quality in the nation² throughout the entire Los Angeles region

We heard from community based organizations and environmental professionals and learned how challenging it is for citizens to navigate their way through a fragmented structure of governmental agencies. This structure makes it almost insurmountable to mobilize authorities into action in a timely manner.

Although there are many examples of pollution sources, the largest detrimental effects can be traced to four source types: (1) extensive oil fields extracting petroleum throughout the County, (2) the development and expansion of the Ports of Los Angeles and Long Beach and the associated distribution network carrying goods from the ports to much of the nation, (3) a

¹ Su, Jason G., etc. all, An Index for Assessing Demographic Inequities in Cumulative Environmental Hazards with Application to Los Angeles, CA., *Environmental Science and Technology*. 2009:43. 7626-7634

² Mark Gold, Stephanie Pincetl and Felicia, 2015 Environmental Report Card for Los Angeles County, UCLA Institute of the Environment and Sustainability, P32

freeway transit system shared by personal cars and trucks, and (4) industrial growth that lacked environmental regulation and oversight.

The CGJ recognizes the need for industry and strong economic growth to improve our quality of life and advance social progress. At the same time, public health and safety must be our highest priority. High risk neighborhoods are readily identifiable based on data measurement;³ they typically do not receive fair treatment with respect to enforcement of environmental laws to protect them equitably, that is, do not receive environmental justice. Quantifiable targets to remove or reduce toxins are the first step to achieving environmental justice.

The CGJ in support of the County Strategic Plan Goal – Support the Wellness of Our Communities and Prioritize Environmental Health Oversight submits this report that developed into three primary issues.

1. The location of hazardous facilities in the County, such as hazardous waste sites and industrial facilities are located primarily in low-income communities of color.⁴
2. Public health must be a priority. Health risk enforcement requires the expanded role and authority for public health analysis in the permitting process of land-use planning, zoning, business license, and building permits.
3. Environmental justice community based organizations are a rich repository of local knowledge; their voices must be heard.

³ CalEnviroScreen California Communities Environmental Health Screening Tool: from CalEPA

⁴ Bowen, William. “Environmental Justice through Research-Based Decision-Making.” New York: Garland, 2001. For specific data to support: Su, Jason G., etc. all. “An Index for Assessing Demographic Inequities in Cumulative Environmental Hazards with Application to Los Angeles, CA. *Environmental Science and Technology*. 2009:43. 7626-7634. Web. 12 July 2010. <http://pubs.acs.org/doi/pdfplus/10.1021/es901041p>

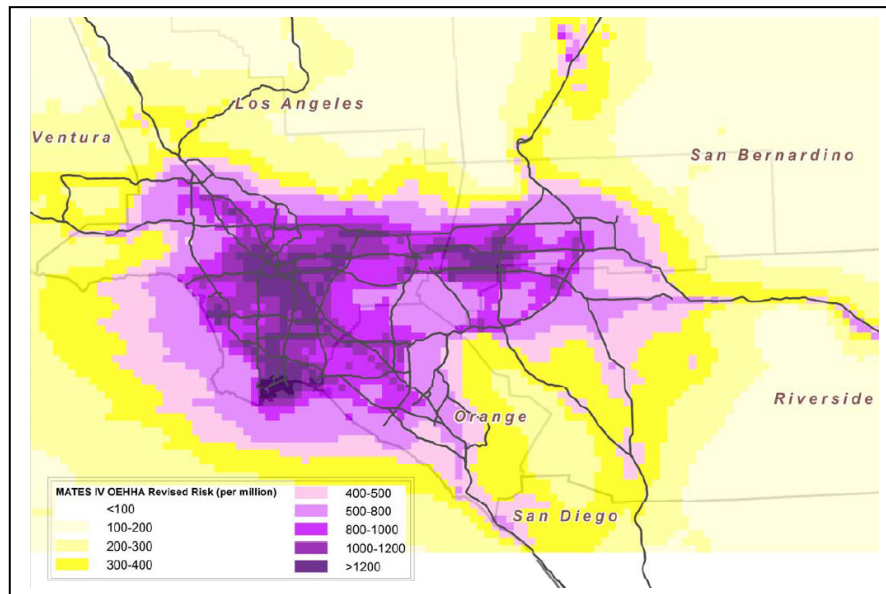
II BACKGROUND

Though risk to toxic exposure cuts across all levels of income, numerous quantitative studies document the evidentiary proof that health risks disproportionately burden communities of color in California.⁵ Liberty Hill Foundation summarizes this work and explains it in the following quote:⁶

“... environmental health disparities in Los Angeles revealed that the location of hazardous facilities, such as hazardous waste sites and industrial facilities reporting to the federal Toxic Release Inventory, are located primarily in low-income communities of color. In fact, Black and Latino residents are more than three times as likely to live close to these hazards as are Anglos...”⁷

Burdened neighborhoods are generally located around industrial facilities and transportation corridors where the higher concentrations of air pollution are found. Figure 1 shows these dense concentrations of air pollution.

Figure 1. MATES-IV Modeled Air Toxics Risk Estimates
(Using Updated OEHHA⁸ Methodology)



⁵ Bowen, William. “Environmental Justice through Research-Based Decision-Making.” New York: Garland, 2001. For specific data to support: Su, Jason G., etc. all. “An Index for Assessing Demographic Inequities in Cumulative Environmental Hazards with Application to Los Angeles, CA. *Environmental Science and Technology*. 2009:43. 7626-7634. Web. 12 July 2010. <http://pubs.acs.org/doi/pdfplus/10.1021/es901041p>

⁶ Extracted from Hidden Hazards, A Call to Action for Healthy, Livable Communities, Liberty Hill Foundation.

⁷ *ibid*

⁸ Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency

Risks from hazardous industrial facilities and waste sites

The following neighborhoods have recently experienced health risks from hazardous facilities.

Boyle Heights

Since 1922 a lead smelter had operated in the City of Vernon, CA close to Boyle Heights. This operation was transferred to Exide Technologies in 2000 and for decades this smelter operated under temporary permits.⁹ Exide processed an average of 120,000 tons of lead per year, or approximately 11 million batteries per year.¹⁰ Soil testing conducted by the State Department of Toxic Substance Control (DTSC) determined that lead contamination spread up to 1.7 miles away from the facility, encompassing 10,000 properties.¹¹ This area includes residential properties, schools, daycare centers, and parks. It took almost a decade (2008-2016), before the State of California Governor allocated \$176 million for soil testing and remediation.¹² Based on our research it only took State and County agencies about a week to begin significant relief to the community of Porter Ranch compared to years for Boyle Heights.

Maywood

In June 2016 a magnesium fire erupted in Maywood burning 10,000 pounds of the metal in a storage yard because of improper storage and disposal of hazardous material at the site.¹³ The fire created a black dust containing toxic metal particulates of copper, lead, zinc, cadmium, nickel, and chromium resulting in the displacement of three hundred residents.¹⁴ The owner of the facility had no permits from the DTSC and was charged with five felonies.¹⁵

Paramount

Metal-finishing facilities in the City of Paramount have emitted very high levels of the cancer-causing toxin, hexavalent chromium (HC) at levels of 350 times the regulatory maximum.¹⁶ HC is a byproduct emitted by chrome platters, metal finishers, and aerospace industry factories and there are 88 industrial metal facilities located in the community.¹⁷ For years, residents have complained of experiencing headaches, nausea, burning throats, and metallic odors and by 2012 South Coast Air Quality Management District (SCAQMD) focused on metal-grinding operations.¹⁸ The Department of Public Health (DPH) on December 1, 2016 ordered the one company emitting high levels of HC to suspend operations until they returned to compliance.¹⁹

⁹ <http://timelines.latimes.com/Exide-technologies-history>

¹⁰ Ibid

¹¹ Barbosa, Tony, Higher levels of Lead in blood of children near Exide plant in Vernon LA, Times, April,8, 2016

¹² Barbosa, Tony, How battery Recycler Contaminated Homes for Decades, LA Times,

¹³ Hamilton, Matt, EPA Cleanup of Magnesium fire site is underway, LA Times, October 18, 2015

¹⁴ Rocha, Veronica, Metal residue removed from homes, LA Times, June 16, 2016

¹⁵ Rocha, Veronica, Owner of Maywood metal recycling facility charged, LA Times, June 15, 2016

¹⁶ Barbosa, Tony, Working to Clear the Air, LA Times, November 8, 2016

¹⁷ Barbosa, Tony, Toxic metal in air spurs alarm, LA Times, November 27, 2016

¹⁸ Ibid

¹⁹ Rangan, Cyrus, Deputy Health Officer, Department of Public Health Directive, December 1, 2016.

Sylmar & Granada Hills

In October 2016 the communities of Sylmar and Granada Hills, near the County's largest landfill, complained of pervasive odor nuisance in their neighborhood. Residents and students at Van Gogh Elementary School were forced to remain indoors.²⁰ SCAQMD has issued over 180 notices of violation for emitting noxious odors and the DPH and the DPM are involved in efforts to control and reduce odors from the landfill.²¹

Risks from Oil Wells, Refineries, and Fuel Distribution

Los Angeles is home to the largest urban oil well fields in the country with thousands of active oil wells that are disturbingly close to homes, schools, churches, and parks.²² According to the California Division of Oil Gas and Geothermal Agency, there are 5,194 active oil and gas wells within 70 oil fields in the County.²³ According to the City of Los Angeles Planning Department, the city alone hosts 1,071 wells.²⁴

The current resurgence in oil production has introduced new extraction techniques from old wells. Only ten percent of oil production is recovered by conventional practices. The rest use "enhanced oil recovery" methods that include the injection of thousands of pounds of surfactants, hydrofluoric acid, and hydrochloric acid in a technique called acidizing.²⁵ Wells will emit chemicals such as benzene, toluene, xylene, formaldehyde, and nitrogen oxides.²⁶

In addition to wells, there exists a vast infrastructure of downstream gasoline and petroleum product refining and transportation that adds to the cumulative stack of industrial pollution sources. The County hosts 10 refineries, two marine ports that handle oil tankers, a rail system for product distribution and fleets of trucks dispensing gasoline, all of which emit chemical and diesel fuel pollutants.²⁷

The following neighborhoods have recently experienced health risks from hazardous conditions related to oil wells, natural gas storage, and refineries.

Wilmington

Wilmington homes, schools and parks are surrounded by oil wells and the Ports of Los Angeles and Long Beach. Parts of Wilmington rank in the top 5% of communities in the County with the

²⁰ Bartholomew, Dana, la-agencies-crack-down-on-sunshine-canyon-landfill-stench, LA Daily News, November 5, 2016

²¹ Boyer, Jessica, Sunshine landfill odors prompt county inquiry, SCVNews, October 3, 2016

²² Sadd, James & Shamasunder, Bhavna, Oil Extraction in LA, Drilling Down, Liberty Hill Foundation, Fall 2015.

²³ P7

²⁴ Ibid

²⁵ Ibid

²⁶ Ibid

²⁷ Ibid

²⁷ California's Oil Refineries, California Energy Commission, <http://www.aqmd.gov/docs/default-source/default-document-library/governing-board/2017-board-retreat-item-3---refinery-rules.pdf?sfvrsn=6>

highest pollution exposure according to the State Office of Environmental Health Hazard Assessment CalEnviroScreen 2.0 2014 data model.²⁸ CalEnviroScreen incorporates factors of social vulnerability. “Estimated cancer risk in some parts of Wilmington is the highest in Southern California, exceeding 1,000 additional cancers per million residents, which is three orders of magnitude than the National Clean Air Act goal of one in a million.”²⁹

Beverly Hills

The CGJ notes from its research: In contrast to Wilmington, the health and safety of Beverly Hills High School students and the community was the foremost consideration when the city engaged in the leasing of oil wells in that city. The unattractive industrial looking oil well derrick was completely enclosed and decorated as public art.³⁰

On September 27, 2011 the city council approved an ordinance to permanently ban oil drilling in the city.³¹ The operator ceased operation December 2016, filed bankruptcy in March 2016 and again in April 2017.³² The cleanup process will cost between \$5 and \$10 million. According to the city’s administrative officer, the district attorneys have notified the bankruptcy court seeking to reserve a portion of the energy company’s funds for site remediation. Otherwise, the Beverly Hills school district pays for the cleanup.³³

University Park/Historic West Adams Oil Wells

In 2009, inactive wells in University Park, near the University of Southern California (USC), were reactivated using hydrochloric and phosphoric acids to unplug the wells. About this time residents began complaining of headaches and nosebleeds.³⁴ The City Attorney alleged that the company was “willfully disregarding violation notices” from regulatory agencies.³⁵ This site was emitting elevated concentrations of methane, ethane, benzene, propane, and deadly hydrogen sulfide within 1,500 feet of the oil facility where there are five schools located.³⁶

Porter Ranch

On October 23, 2015 ninety-five thousand tons of methane was emitted from the second largest U.S. underground natural gas storage facility located in Aliso Canyon before the leak could be capped.³⁷ Porter Ranch residents were notified of a major methane gas leak on October 23,

²⁸ Barbosa, Tony, Monitor on Willington home’s roofs, LA Times, February 26, 2014

²⁹ Osborn, Barbara, “No false solutions!” Wilmington: Warren E&P Drill Site, Drilling Down, Liberty Hill Foundation, Fall 2015

³⁰ Gilmartin, Wendy, Beverly Hills Fugliest Oil Well aka Tower of Hope, LA Weekly, may 22, 2012

³¹ Taglieri, Joe , Patch Poster, Council Places Permanent Ban on Oil Drilling, September 29, 2011

³² Coleman, Laura, Venco Second Bankruptcy Filing Could Leave Beverly Hills High School Oil Well Dry Financially, Beverly Hills Courier, April 28, 2017

³³ Barragan, Bianca, Curbed News, Beverly Hills High Oil Well Cleanup Plan in Big Trouble, February 29, 2016

³⁴ Sahaugun, Louis, “Crack Down on Archdiocese Owned Oil Field..”, 2016

³⁵ Sahaugun, Louis, “South L.A. Oil Operation I fined”, LA Times, July 30, 2013

³⁶ Osborn, Barbara, When Regulators Fail, University Park: Allenco Site, Map 4, Drilling Down, P. 17, Liberty Hill Foundation, Fall 2015

³⁷ Nikolewski, Rob, Gas leak prompts feds to call for changes, LA Times, October 19, 2016

2015,³⁸ five days following the discovery, and by, January 7, 2016, 11,000 people were relocated from their homes and Governor Brown declared a state of emergency.³⁹ Porter Ranch elementary and middle schools were closed and 1,100 students relocated to other schools.⁴⁰

Torrance

On February 18, 2015 an explosion at the ExxonMobile in Torrance disburshed one quarter ton of sulfur dioxide gas into the air and a cloud of chemical ash rained down on the community.⁴¹

Since then, shutdowns, flaring incidents⁴² and a fire in November of 2016 have increased public anxiety about the refinery. The fire was extinguished within 30 minutes but a 10 inch flare pipe narrowly missed crashing into a tank containing tens of thousands of pounds of modified hydrofluoric acid.⁴³

Movement of Goods, Ports and the I-710 Corridor

Close to 40% of the containerized goods that enter the Ports of Los Angeles and Long Beach are destined to areas outside of the South Coast Air Basin. As such, South Coast Air Basin residents are the recipients of the emissions associated with the movement of goods across the region that benefits the rest of the nation.⁴⁴ There are 28 cities along or around the I-710 freeway; this is the critical linkage of routes, for interstate commerce between the San Pedro Bay ports, the BNSF and UP rail yards along I-5. Port activity is projected to triple in volume by 2035 based on a study of Southern California Association of Governments and projected container volume increases. There is a plan to increase capacity on the I-710 and it is currently under review.

The proposed plan provides environmental improvements to 28 gateway cities, but it's dependent on the outcome of the proposed I-710 Corridor Environmental Impact Report (EIR). The EIR review is scheduled to be completed in the spring of 2018. Several alternative plans in the EIR require the use of zero emission trucks. Trucks will likely be powered by electric motors or will receive electric power while traveling along the freight corridor via an overhead catenary distribution system.⁴⁵

Other Community Risks

Other sources of hazardous contaminants to humans not previously mentioned include contamination of water wells, sewage spills, rain runoff from salvage yards and recycling plants, odor from rendering plants, agricultural and vector control chemicals, noise, or fine-sized dust

³⁸ Holland, Gale, Gas seepage poses no risk, utility says, LA Times, December 27, 2015

³⁹ Johnson, juli, <http://www.inquisitr.com/2737274/porter-ranch-gas-leak-order-social-gas-ordered-to-close-leak-that-is-sickening-residents/>, January 25, 2016

⁴⁰ Kohli, Sonali, What Northridge teachers will tell their students of Porter Ranch kids, LA Times, January 11, 2016

⁴¹ Rocha, Veronica, Too much pressure in equipment triggered Torrance refinery explosion, LA Times, February 23, 2015

⁴² Goffard, Christopher, Torrance refinery cited for gas flaring, LA Times, October 15, 2015

⁴³ Penn, Ivan, Refinery incidents trouble Torrance residents, LA Time, November 20, 2016

⁴⁴ SCAQMD White Paper, "Goods Movement:", October 2015, Page 3.

⁴⁵ I-710 Corridor Draft EIR, Executive Summary, 2012

from processing and manufacturing plants. The CGJ learned about these situations from the County of Los Angeles Regional Planning staff and interviews with community based groups.⁴⁶

Why Are We at Risk ?

The key themes of risk repeatedly heard by the CGJ during this investigation were about the effect of pollution on health, the fragmentation and lack of enforcement of regulations, and the need for more and better data.

Health Risks

Human health is at risk in the County from toxic pollutants and discharges into the air, ground, and water. Evidential proof of health effects from toxin discharge are well documented from scientific knowledge and rigorous medical studies.

- The Keck School of Medicine of USC found that diesel particulate pollution impairs lung development in children ages 10 to 18 and leads to significant deficits in lung growth and performance.⁴⁷
- The National Institutes of Health, the Centers for Disease Control and Prevention, and the Food and Drug Administration all classify lead as a human carcinogen. Lead is a powerful neurotoxin that poses the greatest risks to children younger than age 6 that will result in developmental problems, learning disabilities and other harmful effects.⁴⁸
- Health impairment from air pollution is acknowledged and documented by the SCAQMD. Specific ailments from specific chemicals are cataloged in Table 1.⁴⁹

⁴⁶ Lopez, Mark, Interview with CGJ, East Yards Community for Environmental Justice, January 9, 2017

⁴⁷ New England Journal of Medicine, The Effect of Air Pollution on Lung Development from 10 to 18 Years of Age, September 2004

⁴⁸ American Academy of Child and Adolescent Psychiatry, https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/Facts_for_families_Pages/Lead_Exposure_In_Children_Affects_Brain_And_Behavior_45.aspx

⁴⁹ SCAQMD 2016 Air Quality Management Plan, Chapter 2, Air Quality and Health Effects, Table 2.1

Table 1
Health Effects from Air Pollutants

Air Pollutant	Key Health & Welfare Effects
Ozone	Pulmonary function decrements and localized lung injury in humans and animals, increased mortality risk and increased respiratory related hospital admissions and emergency room visits
Fine Particulate Matter (PM2.5)	Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease, decline in pulmonary function and growth in children and increased risk of premature death
Respirable Particulate Matter (PM10)	Aggravation of angina pectoris and other aspects of coronary heart disease, decreased exercise tolerance in persons with peripheral vascular disease and lung disease and possible impairment of central nervous system functions
Nitrogen Dioxide (NO ₂)	Potential to aggravate chronic respiratory disease and respiratory symptoms in children with asthma and increased airway responsiveness in asthmatics

Enforcement

When the CGJ asked interviewees if more laws were needed we were told that existing regulation enforcement by County departments needs to be addressed through the lens of health risk. An environmental scientist, director of an environmental justice foundation and an air quality medical researcher agreed that the County lacks a health risk enforcement approach. To implement this approach requires the expanded role and authority for public health analysis in the permitting process of land-use planning, zoning, business license, and building permits.

County, state and federal agencies' inspection and oversight resources are limited and their inspections mostly focus on singular events. The DPH has described to the CGJ a better approach to inspections. In their regulatory involvement with the City of Paramount HC contamination, they expanded their inspection to include a cluster of metal processing facilities. Though they identified the source of violation, they also inspected the other metal processing facilities. They found that up to 60% of these facilities were non-compliant to existing regulations. The DPH discovered there was a cumulative effect from the close proximity of several chromium plating facilities; while each plant may be operating (emitting) within regulatory limits, the combined emissions from all the facilities may exceed acceptable limits. For these inspections, the DPH mobilized and partnered with SCAQMD and other agencies. The DPH has the authority to shut down operations of an industrial facility that endangers public health.⁵⁰

⁵⁰ Range, Cyrus, County of Los Angeles Department of Public Health Letter, December 1, 2016

Managing staff from Coalition for Clean Air gave us examples of regulatory rules that have succeeded to include - banning, controlling, and limiting specific pollutants: lead-free gas and paints, no “bunker fuel” for ships within 200 miles of coastline, no use of perchloroethylene used in dry cleaning, etc.

Data and Monitoring

There are two key data models used in identifying areas of high concentrations of harmful chemicals. MatesIV and CalEnviroScreen. The former is the system SCAQMD developed and the latter was developed by the State.

The MATES IV Study uses monitoring data from a network of 10 fixed sites used to monitor toxic air contaminants once every six days for one year. Air toxin levels throughout the Basin are estimated from simulations using data collected from fixed sites along with data from the Air Quality Management Plan.⁵¹

CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by different sources of pollution, and where people are often especially vulnerable to pollution’s effects. It uses environmental, health, and socioeconomic information to produce scores for every census tract in the state. The scores are mapped so that different communities can be compared. An area with a high score is one that experiences a much higher pollution burden than areas with low scores.⁵²

Scientists and researchers use the Mates and CalEnviroScreen systems at Occidental College Urban and Environmental Policy Institute expressed their need for greater precision and transparency of the data. To accomplish this they recommended:

1. Relocate the existing monitors and add more SCAQMD monitors in the known areas of high contamination like the port and I-710 corridor.
2. Increase the number of data points across the basin so that estimated measurements between existing points provides real time measurements.
3. Develop an integrated information system accessible to the public.

A system concept for improving data and monitoring is described here:⁵³ This system would receive pollution measurement data from a dense set of networked sensors with emphasis on critical points (i.e. “hot spots”) that are known to have been active pollution sources. The system should analyze the input data to determine the current “pollution state” throughout the County. If the pollution state at any area of the County rises above safe levels, the system would sound an

⁵¹ MATES IV employed the Comprehensive Air Quality Model with Extensions (CAMx) as the dispersion and chemistry modeling platform used to simulate annual impacts of both gas and particulate toxic compounds in the Basin.

⁵² <https://oehha.ca.gov/calenviroscreen>

⁵³ CGJ originated concept, represent CGJ opinion

alarm intended to trigger corrective action. Pollution state information should be permanently recorded for future access and analysis. Recorded pollution state information should be made publically accessible in real time.

Cumulative Effect

Staff members of the DPH, USC School of Medicine and Coalition for Clean Air consider the cumulative effects (CE) of all pollutants to be a major concern for human health. As an example of how CE works; consider a factory operation that emits a pollutant at a permitted level of the contaminant; what is the effect of multiple compliant sites all emitting the same pollutant within proximity of each other? It would be beneficial to quantify pollution density or correlate health symptoms with specific pollutants. If high CEs are detected, business permits would be limited for an area that has reached the maximum pollution density for the area. There is no system in the County to measure cumulative effect of pollutants. Mates and CalEnviroScreen are good for reporting data at the gross level but sometimes these systems may not have been updated with current data according to a professor at Occidental College Urban and Environmental Policy Institute involved with air quality measurement.

Resources to Move Forward

This next section addresses the organizational forces that our study found to be pivotal to prevent and mitigate toxins in our environment.

Community Based Organizations

The CGJ conducted interviews with staff of the Liberty Hill Foundation, East Yards Communities for Environmental Justice and Coalition for Clean Air. We studied their web site, publications and newspaper reports of their activities. We formed the following view of these and other organizations like them: Community-based-organizations (CBOs) provide a counter balance and with trust can partner with government agencies. They accomplish this by collecting evidentiary environmental data, presenting their views through publication; participating in public meetings; obtaining grants for research; review EIRs for impacts to their communities, and proposing solutions in the interest of the community.

CBOs have resorted to filing law suits as leverage to mitigate or eliminate environmental health hazards in their communities and sometimes are successful in their efforts. Industrial violators may have legal protection because they operate under grandfathered environmental ordinances, but this can be challenged when there is scientific data to prove the existence of a health hazard.⁵⁴

Based on our interviews with staff of the Liberty Hill Foundation, East Yards Communities for Environmental Justice and Coalition for Clean Air, we observed some CBOs have strong staff

⁵⁴ Sahaugun, Louis, "South L.A. Oil Operation I fined", LA Times, July 30, 2013

and financial resources to conduct effective programs and others are short on capacity and funding. These community groups represent people who work and live in high health risk communities and have vital local knowledge of environmental conditions. All CBOs need to be heard and provided the opportunity to partner and work with government agencies.

Communities that are overburdened with environmental pollution sense a lack of environmental justice when they compare the government response times between the Porter Ranch gas leak and the Boyle Heights lead contamination.⁵⁵ In our interviews with staff of the Liberty Hill Foundation, East Yards Communities for Environmental Justice and Coalition for Clean air they said that public participation groups have lost trust in government agencies. To find a government agency to address the problem they often had to navigate through a maze of government agencies to finally be heard. Residents of historic West Adams University Park Los Angeles, in close proximity to oil wells, called SCAQMD with hundreds of complaints. This is an example of the time-consuming challenge to get the right data to the right department with the right regulatory authority. The West Adams community had to work its way to a U. S. Senator to get action. For two years this community experienced and lived with a health threat.⁵⁶

Based on all of our interviews the CGJ believes there should be an environmental ombudsman function to address citizen reports of pollution.⁵⁷ This would provide a unified, high quality point of contact allowing any person who believes they are experiencing environmental pollution to be connected to the County function which can take immediate, informed action to investigate the facts of the event and resolve it. The effectiveness of the Environmental Pollution Ombudsman function should be measured and tracked with objective performance data (e.g. time from initial contact to resolution, resolution statistics, callers' satisfaction, etc.). Performance data should be publicly accessible and should be used to improve the Ombudsman function performance.

Department of Public Health

Humans and human health were affected by the recent incidents of the Exide battery plant lead contamination and the Aliso Canyon gas leak. Neglect of the DTSC to properly regulate the Exide plant in Boyle Heights caused children in the proximity of the plant to register excessive levels of lead in their blood⁵⁸. The high concentration of methane gas at Aliso Canyon forced families in Porter Ranch to leave their homes and for nearby schools to be relocated.⁵⁹ These events clearly demonstrate there is causal relationship between the conditions of “bad toxic contamination” and “bad health.”

⁵⁵ The Times Editorial Board, “Why does affluent Porter Ranch get more urgent relief than working-class Boyle Heights”, January 29, 2016

⁵⁶ Sahaugun, Louis, “Crack Down on Archdiocese Owned Oil Field..”, 2016

⁵⁷ CGJ originated concept, represent CGJ opinion

⁵⁸ Barbosa, Tony, Higher levels of Lead in blood of children near Exide plant in Vernon, LA Times, April, 18, 2016

⁵⁹ Johnson, Juli, <http://www.inquisitr.com/2737274/porter-ranch-gas-leak-order-social-gas-ordered-to-close-leak-that-is-sickening-residents/>, January 25, 2016

The DPH pursuant to Section 11.02.190 of the Los Angeles County Code exercised its authority to abate operations of an industrial facility that endangered public health by emitting hexavalent chromium in the City of Paramount.⁶⁰ Environmental experts interviewed by the CGJ recognize health to be a factor that should be included within the regulations for land-use, zoning, business licensing and building and safety permitting. The engagement of the DPH should be expanded in authority and public health analysis in zoning, building permits, etc., for industries handling toxic elements.

As a result of the catastrophic events of Exide and Aliso Canyon, the County of Los Angeles Board of Supervisors (BOS) is addressing environmental health oversight and monitoring⁶¹ and the conditions of oil and gas wells in the unincorporated areas of the County.⁶² The SCAQMD is responsible to oversee and manage air pollution; the DTSC handles facilities above ground, and the State Department of Oil, Gas and Geothermal Resources handles pollution from below the ground. The DPH is changing this paradigm to avoid the fragmentation of enforcement in the following way. In two pilot projects, described to us by staff of the DPH, they are changing the smokestack approach of regulatory compliance with a team that includes six regulatory agencies. The agencies are:

- County Regional Planning
- County Public Works
- County Hazmat
- California Regional Water Quality Board
- Southern California Air Quality District
- California Department of Toxic Substance and Control

A key component of DPH's plan is collaborating with community groups by having them assist in identifying illegal operators and providing evidence that demonstrates the need for environmental enforcement.

The County of Los Angeles Board of Supervisors Oversight

The BOS has recognized the need for the County to have a more significant and proactive role in environmental health oversight. On March 29, 2016 they passed a motion⁶³ to convene a strike team to assess the conditions, health risks and regulatory compliance associated with existing oil and gas facilities. On June 27, 2016 they instructed the Chief Executive Officer (CEO) to prioritize needs in environmental health oversight and monitoring.⁶⁴ As a result this motion, the County Department of Health has designed a model for enhanced environmental oversight and monitoring. The title of this project is "Building Capacity to Address Environmental Health

⁶⁰ Rangan, Cyrus, Deputy Health Officer, Department of Public Health Directive, December 1, 2016.

⁶¹ Agenda, County of Los Angeles Board of Supervisors, June 27, 2016

⁶² Agenda, County of Los Angeles Board of Supervisors, Item 12, March 29, 2016

⁶³ Bruckner, Richard J., Board Letter, March 16, 2017

⁶⁴ Harnai, Sachi A., Board Letter, December 13, 2016

Threats.” Supervisor Kuehl was named to the SCAQMD board. In an interview with the LA Times the supervisor described her approach as “strongly regulatory.”⁶⁵

A deputy of County Supervisor Solis, described to the CGJ how the supervisor has initiated environmental monitoring of the Quemetco battery plant to avoid a repeat of the Exide incident. As a result of the closing of the Exide plant, Quemetco is seeking a permit from the State to increase their volume of battery recycling. The supervisor has assembled representatives of County and State environmental departments to assess and monitor the health and environmental conditions of the Quemetco battery recycling plant located in the City of Industry. The group meets regularly to coordinate their work and to assess the results of ground measurements in homes that are in the proximity of the Quemetco plant.

III METHODOLOGY

Interviews

University Professor of Environmental Science

University Professor Urban and Environmental Policy Institute

Medical School Professor

Director Social Justice Foundation

President and CEO Non-Government Air Quality Organization

Executive Director Non-Government Community Environmental Justice Organization

Office of the City of Los Angeles Attorney

Document Reviews

UCLA Institute of the Environment & Sustainability, 2015 Environmental Report Card UCLA

Liberty Hill Foundation – Drilling Down, Fall of 2015

Liberty Hill Foundation – Hidden Hazards, December 2010

California Sustainable Freight Action Plan, July 2016

South Coast Air Quality District Management, I-710 Corridor Project EIR

South Coast Air Quality District Management, Air Quality Management Plan 2016

Media Sources

Los Angeles Times

San Gabriel Valley Tribune

Pasadena Star News

Website of South Coast Air Quality District Management

⁶⁵ Barboza, Tony, Los Angeles Times, “Kuehl named to regional air quality board”, December 12, 2016

IV FINDINGS

1. The Board of Supervisors has taken the first steps to address environmental oversight and monitoring by convening a task force to review oil and gas facilities compliance to regulations and requesting the Chief Executive Officer to prioritize needs in environmental health oversight and monitoring. The County will benefit from an environmental oversight and monitoring strategy that coordinates federal, state and county agencies responsible for environment oversight.
2. The CGJ found that environmental experts we interviewed recognize health to be a factor that needs to be included in defining many regulations. Health risk enforcement requires the expanded role and authority for public health analysis in the permitting process of land-use planning, zoning, business license, and building permits. The DPH should participate in recommending health components in compliance regulations and participating in the approval process.
3. Enforcement agencies have a need for more and better evidentiary data as described in the section Data and Monitoring.
4. The CGJ found that there is a causal relation between the conditions of “bad toxin contamination” and “bad health”. Pollution has had negative health impacts on groups of residents and is likely to have further health impacts on larger groups if it is not corrected.
5. The myriad of federal, state, and local regulatory agencies have compartmentalized authority be air, water or soil resulting in a silo approach to enforcement. Enforcement authority within the County is mostly uncoordinated but the DPH is trying to change that. The DPH is piloting a promising model that identifies high health risk areas using CalEnviroScreen data, identifying clusters industrial facilities that use or generate similar toxin materials. It then conducts inspection with the appropriate County, State or Federal partner agencies. A recent example of action taken by the DPH pursuant to Section 11.02.190 of the Los Angeles County Code, they exercised its’ authority to abate operations of an industrial facility that endangered public health by emitting hexavalent chromium in the city of Paramount.
6. The CGJ found that communities *disproportionately burdened* by multiple sources of pollution are primarily of color, have low incomes and are under-served⁶⁶, although risk to toxic exposure cuts across all levels of society and income. Overburdened communities sense a lack of environmental justice when they compared the government response times between the Porter Ranch gas leak and the Boyle Heights lead contamination. Professionals that were interviewed by the CGJ say that the public and community groups have lost trust in government agencies.

⁶⁶ Su, Jason G., etc. all. An Index for Assessing Demographic Inequities in Cumulative Environmental Hazards with Application to Los Angeles, CA. *Environmental Science and Technology*. 2009:43. 7626-7634

7. The CGJ found that citizens needing to report toxic conditions affecting them had to navigate through a maze of government agencies to find the correct department with the right regulatory authority to take action. Because enforcement is fragmented by toxin or jurisdiction there currently is no central place to direct citizens to the proper regulatory authority.
8. Environmental justice community based organizations (CBOs) provide a counter balance to industry and government agencies. Through their investigative work and extensive local knowledge, they provide evidentiary environmental data and speak on behalf of people who live and work in high health risk communities. CBOs have views and recommendations and they need to be heard and given the opportunity to be a stakeholder partner with governmental agencies.
9. The opportunity to provide environmental justice to the 28 gateway cities is dependent on the outcome of the proposed I-710 Corridor Environmental Impact Report (EIR). The EIR review is scheduled to be completed in the spring of 2018. Several alternative plans in the EIR require the use of zero emission trucks. These trucks would be powered by electric motors or will receive electric power while traveling along the freight corridor via an overhead catenary distribution system.
10. Residential building permits continue to be issued regardless of scientific data near roadways. Studies show higher incidents of respiratory illness such as asthma and cancer for people living within 300 feet of freeway. A 2012 report from the SCAQMD estimated 1 million people live within 300 feet of a freeway.
11. Repeatedly, the CGJ heard from environmental subject experts and received evidence that confirms the SCAQMD environmental assessment of the Ports of Los Angeles and Long Beach. “The twin ports of Los Angeles and Long Beach are the largest in the nation as well as the single largest fixed source of air pollution in Southern California”.
12. With regards the goods movement industries, Los Angeles County does not receive tax benefit from 40% of goods transported from the San Pedro Bay ports destined for sale outside of the County. However, the County receives the burden of pollution, costs for road repair and detrimental health risks.
13. Scientists and researchers use the Mates and CalEnviroScreen systems at Occidental College Urban and Environmental Policy Institute expressed their need for greater precision and transparency of the data. To the extent that a full capabilities system as described above is not immediately feasible, the system should be designed so that it maximizes capabilities that are currently feasible and is extensible to increased capabilities as they become feasible.

V RECOMMENDATIONS

1. The BOS should adopt the framework described within the document *Environmental Oversight and Monitoring: Building Capacity to Address Environmental Health Threats* proposed by the Los Angeles County Department of Public Health (DPH) in December 2016.
2. The CEO should adequately fund the needed improvements to County preparedness, response and recovery efforts outlined in the DPH proposed environmental oversight and monitoring program titled *Building Capacity to Address Environmental Health Threats*.
3. The County of Los Angeles Department of Regional Planning in collaboration with DPH should revise land-use plans and zoning code as necessary to implement environmental health prevention measures.
4. The CEO in collaboration with DPH should review and propose revision of the regulatory authority for the DPH with regard to business licensing and building and safety permitting related to industries or projects handling toxin elements.
5. The BOS should implement a system that provides measured pollution data, accesses, records, creates warning alarms, and reports the levels of environmental pollution throughout the County in real time.
6. The DPH should conduct a regular occurring forum of County, State, and Federal environmental oversight agencies and other interested parties to include Community-Based Organizations.
7. The DPH should create an Environmental Pollution Ombudsman function. This Ombudsman function would provide a single point of contact between any person believing they are experiencing an environmental pollution event and a County entity able to take immediate, informed action to document and investigate the facts of the event and resolve it.
8. The DPH should establish the scripting to enable “211 LA County” call center representatives to make referrals to the appropriate group within DPH.
9. The DPH should implement a case management system to track case incident reports of suspected hazardous environmental air, ground or water conditions and make the system visible to the public.
10. The CEO should assign a County office with the responsibility to prepare and conduct grant writing training to CBO’s focused on environmental justice. Training should enable CBO’s to solicit grants from local, State, or Federal programs for their local environmental pollution research projects.

11. The BOS should annually conduct an environmental justice grant competition for each of the supervisors' district open to community based organizations.
12. The BOS should select a zero emission design for the I-710 Corridor Project as the best option to protect people from pollution who live and work in proximity of the I-710 corridor and set a new standard for similar future development.

VI REQUEST FOR RESPONSE

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the CG\ publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

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Los Angeles County Chief Executive Office	6.2, 6.4, 6.10	6.1, 6.2, 6.5, 6.8
Los Angeles County Department of Public Health	6.6, 6.7, 6.8, 6.9	6.5, 6.7,
Los Angeles County Department of Regional Planning	6.3	6.2

VII ACRONYMS

Basin	South Coast Air Basin
BOS	Los Angeles County Board of Supervisors
CBO	Community Based Organization
CE	Cumulative Effect
CEO	Chief Executive Office
CGJ	2016-2017 Los Angeles County Civil Grand Jury
DOGGER	State Department Oil, Gas and Geothermal Energy Resources
DPH	Los Angeles County Department of Public Health
DTSC	State Department of Toxic Substance Control
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
HC	Hexavalent Chromium
PPM	Parts Per Million
TFD	Torrance Fire Department
USC	University of Southern California

VIII COMMITTEE MEMBERS

Henry C. Guerrero	Chair
Douglas Benedict	
Thomas Kearney	
Sharon Muravez	

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OUT OF YOUR CAR AND ONTO THE METRO



Douglas Benedict Chair
Ronnie Dann-Honor
Lucy Eisenberg
Shelley Strohm

OUT OF YOUR CAR AND ONTO METRO – CAN FIRST/LAST MILE HELP?

This investigative report supports the County of Los Angeles Board of Supervisors Strategic Plan: Make Environmental Sustainability Our Daily Reality: and Metro Mission: “Metro is responsible for the continuous improvement of an efficient and effective transportation system for Los Angeles County.”

I SUMMARY

The primary objective of Los Angeles County Metropolitan Transit Authority (Metro) is the reduction of citizens’ time spent in transit due to excessive automobile traffic congestion. A second objective is to reduce transit’s impact on the environment. In pursuit of these, Metro is in a long-term expansion process to provide a dense, efficient, sustainable, affordable, and attractive public transit option for county residents. Metro has realized that success will depend not only on the actual transit systems but the supporting infrastructure necessary to encourage ridership. A significant part of the infrastructure is called “First/Last Mile,” which represents the initial and final legs of any trip taken via the Metro system. This investigation examines the current state of First/Last Mile implementations in light of the current Metro’s Strategic Plans, as well as practical considerations from a user’s-experience viewpoint. We found both outstanding examples as well as cases that need improvement.

Metro has recently accepted more responsibility for First/Last Mile implementations as well as acquiring a stable revenue stream (Measure M). However, it has generally allocated a lower percentage of funds to First/Last Mile than other metropolitan transit systems. More inclusion of safety features is needed to guide First/Last Mile design and construction, including retrofits of existing implementations. A fundamental issue is whether Southern Californians can be lured out of their cars and off the freeways and surface streets to realize the benefits from the Metro expansion.

II BACKGROUND

Defining First/Last Mile

As a user of the Metro system you have a First/Last mile experience every time you take a Metro trip. This will consist of your personal active movement from your point of origin to the local transit terminal at the beginning of the trip and from the closest transit terminal to your final destination at the end of a trip. There may also be intermediate steps between Metro parts of the journey. Your personal active movement may consist of walking, bicycling, or personal support devices (e.g. skateboards, scooters, or wheelchairs).

Within the dense public transit system that Metro aspires to become, there will always be parts of every journey that depend on active personal movement that are not provided by the transit system itself. The totality of personal active movement for a trip is called the First/Last Mile.¹ Personal active movement has substantial public health benefits. Increasing net personal active

¹Metro 2014 Strategic Plan for First/Last Mile

movement is a strategic objective for the County of Los Angeles. Metro has recognized that the designs of Metro terminals and their surroundings can enhance the personal active movement experience, increasing ridership. The characteristics of a good terminal design are defined by Metro’s First/Last Mile Strategic Plan.

Historical Background

Modern Metro train-based transit, which began in Los Angeles with the opening of the Blue Line light rail in 1990, created the need to concentrate passenger boarding and exiting at various stops – the terminals.² In order to fully benefit from the investment in new rail, passenger flow into and out of terminals needed to be higher than was common at bus stops. The Los Angeles solutions were initially “Park and Ride” facilities, with passengers driving their cars a short distance to a large parking lot before boarding the train.³ However, the highest priority areas to serve with light rail and subways are those with high population density. These urban areas are not conducive to large “Park and Ride” facilities because of land costs.⁴ Therefore, personal active movement is essential to make best use of the train transit system. Terminal design, placement, and the surrounding features could encourage, or conversely, discourage, personal active movement.⁵

This fact was made explicit in Metro’s planning in 2014 with the publication of their First/Last Mile Strategic Plan.⁶ This plan prescribes a consistent good approach to designing a terminal and its surroundings to support personal active movement. However, the plan was too late to affect Metro Rail developments before the Gold Line and Expo Line extensions of 2016. Also, realizations of the plan depended on the collaboration and funding of local governments for implementing features beyond the rail right-of-way; Metro had neither authority nor allocated funds to control these critical developments.⁷

In 2016, Metro’s Board of Directors expanded Metro’s First/Last Mile responsibilities for new projects and agreed to refurbishing existing terminals on a prioritized basis.⁸ An expanded outreach program to local governments included the offer of interactive training for First/Last Mile design and aid in procuring funding grants for local projects.⁹ The passage of Measure M in November 2016 assured a continuous funding source for future Metro expansion including First/Last Mile.¹⁰ (Measure M adds \$0.005 sales tax to finance Metro expansion with no end date.)

A Promising and Difficult Situation

This is the best of times and the worst of times for Metro!

² https://en.wikipedia.org/wiki/Los_Angeles_Metro_Rail

³ <http://www.latimes.com/local/california/la-me-california-commute-20141021-story.html>

⁴ Ibid

⁵ <https://www.metro.net/projects/active-transportation/>

⁶ http://media.metro.net/docs/sustainability_path_design_guidelines.pdf

⁷ Interview with representatives of Metro Sustainability Office.

⁸ Interview with representative from Metro Sustainability Office

⁹ Ibid

¹⁰ Ibid

It is the “best of times” because Metro has succeeded in obtaining the trust of the citizens of the County as evidenced by the 71.15% approving vote for Measure M.¹¹ ¹²The public wants Metro to succeed in their primary goals-reduced congestion and lower environmental impact-and is willing to invest toward that success. The public’s support arises from the fact that Los Angeles suffers from the world’s worst traffic congestion.¹³ The average rush hour commuter in Los Angeles spent 104 hours in congestion in 2016.¹⁴

It is the “worst of times” because despite the public’s ongoing support of Metro, actual ridership is declining, down 5.7% from 2015 to 2016.¹⁵ Automobile congestion has gotten worse.¹⁶ Pedestrian and bicycle accidents have increased. In the City of Los Angeles they were up 43% in 2016 despite the City’s Vision Zero initiative to reduce these accidents.¹⁷

Measure M is the most recent of the public’s authorizations to Metro to ease traffic congestion. Measure R, which narrowly passed in 2008, targeting subway and light rail expansion.¹⁸ Thus, Metro has had 8 years to demonstrate some easing of congestion.

Many studies that have focused on the Los Angeles congestion problem have disagreed with the effectiveness of Metro’s public transportation-based approach.¹⁹ In particular, a phenomena called “triple convergence” could quickly overwhelm any traffic decongestion achieved through enhanced public transit.²⁰ (“Triple convergence” describes a mechanism by which a potential reduction in congestion is met with higher traffic density in response to the apparent reduced congestion. The result is “conservation of congestion.”)

Metro is in a difficult situation: it has public support and funding of a plan to ease traffic congestion that may be inherently ineffective because of “triple convergence.”

In this difficult context, Metro demonstrates extreme competence in executing their plans if they are to reward the trust of the public. This includes providing excellent First/Last Mile facilities throughout the Metro system.

First/Last Mile for the Existing System

The existing Metro rail/busway system is shown in Figure 1. (Not shown is the capillary system of Metro and other traditional bus routes that are interlaced and interconnected with the major

¹¹ <http://theplan.metro.net/>

¹² Note: Measure M raises sales tax in the County of Los Angeles by \$0.005 over an indefinite period to pay for Metro expansions and other traffic decongestion improvements..

¹³ <http://www.latimes.com/local/lanow/la-me-traffic-los-angeles-20170220-story.html>

¹⁴ <http://www.newser.com/story/238609/la-drivers-waste-crazy-number-of-hours-in-traffic.html>

¹⁵ <http://isotp.metro.net/MetroRidership/Index.aspx>

¹⁶ <http://www.latimes.com/local/lanow/la-me-traffic-los-angeles-20170220-story.html>

¹⁷ <http://www.latimes.com/local/lanow/la-me-ln-2016-traffic-deaths-20170403-story.html>

¹⁸ https://en.wikipedia.org/wiki/Measure_R

¹⁹ <http://www.newgeography.com/content/001318-reducing-traffic-congestion-and-improving-travel-options-los-angeles>

²⁰ http://www.rand.org/content/dam/rand/pubs/research_briefs/2008/RAND_RB9385.pdf

transit network shown. This investigation did not evaluate First/Last Mile facilities associated with the bus networks.)

Figure 1: Metro 2016



²¹ http://media.metro.net/projects_studies/call_projects/images/map_railsystem_fy2016.pdf

First/Last Mile facilities are evaluated on a per-terminal basis. The criteria for facility quality are based on Metro’s First/Last Mile Strategic Plan document. Observations made by the CGJ, from a user’s viewpoint, are also included in the following evaluations.²²

As might be expected, newer First/Last Mile facilities are improved over earlier examples.

The best example as nominated by Metro and verified by the CGJ was the Downtown Santa Monica Expo Terminal, the last terminal of the latest light rail extension. Essentially, every feature recommended in the Strategic Plan was evidenced at this terminal: attractive approaches with full ADA support, protective pedestrian and bicycle lanes, “scramble” pedestrian crosswalks, clear signage, out-of-traffic pickup areas, and a full service bicycle shop. The bike shop featured a secure bike-parking facility and showers. Motivation for such an exemplary terminal comes from the fact that it has become Santa Monica’s “front door” for visitors to this beach community. The City has obviously heavily invested in the facility.

The worst facility inspected was the Blue Line Slausen terminal, identified as such by Metro. This was one of the earliest terminals on the first light rail line. Its location was in an industrial area some distance from any residential neighborhood. Most problematic was that there was no protected crossing of Slausen Avenue near the terminal. This missing crossing encourages dangerous jaywalking across a busy four lane thoroughfare. Slausen does not have designated bike lanes so the lack of bicycle lockers at the terminal is unfortunately expected and consistent. The “back” stairway to the elevated platform, which looked as if it were intended to be blocked off, was not. Near its top there was another unlocked gate which actually opened onto the tracks. This is dangerous! (We have pointed this out to Metro.)

Other light rail terminals inspected fall between these two examples in judged quality. Here are a few specific observations.

Sierra Madre Villa on the Gold Line – The terminal and light rail right-of-way are in the center of the 210 Freeway so access was by a bridge to a large Park and Ride structure. The platform and bridge were excessively noisy and the bridge complicated disabled access. This large Park and Ride was built when this terminal was at the end of the Gold Line. Thus, it accommodated passengers from further east before the Gold Line was extended eastward.

Mariachi Plaza on the Gold Line – This subterranean terminal connects to a very beautifully designed intermediate underground area before rising to the plaza itself. The intermediate area is so pleasant and spacious it could be used for other public purposes as well.

Chinatown on Gold Line – This was a delightfully designed terminal with a Chinese motif. It was difficult to find the Tap Card readers to pay for a ride.

Expo Line – Along much of the Expo Line there is a combination of bike and pedestrian paths that provides both First/Last Mile support to and from terminals and as well as an extended parallel bike path. This path “reuses” the rail right-of-way. There are specific traffic signals to

²² All evaluations contained herein are based on Civil Grand Jury field trips to the facilities.

protect pedestrians and bicyclists at street crossings. The Civil Grand Jury has inspected subway terminals as well. There is a great consistency in all the underground structures and facilities of these terminals, which is reassuring to passengers. At street level each subway terminal is unique. Because riders are rising up from the possibly disorienting underground, they would be helped with explicit signage making street level directions explicit.

One issue seen at many terminals is the difficulty of accessibility caused by neighboring streets, other railways, or the light rail itself. An example is the Florence terminal on the Crenshaw Line, which is under construction. Here the elevated railway crosses over nearby La Brea Boulevard. The terminal will be fairly accessible from Florence on the South. But from the North one has to pass under the railway on La Brea and then walk east on Florence to the terminal, making it much more difficult to access the Crenshaw Line from the north.

In summary, the current First/Last Mile implementations span a wide spectrum of quality. Refurbishment of older terminals in line with the current Strategic Plan would benefit users. However, refurbishments could be difficult given the pre-existing conditions.

Future Plans and Approach

Metro Expansion

Figure 2 shows the growth anticipated for the overall Metro arterial system by 2040. Given the experience Metro has gained to date, its high quality strategic plans, its new level of responsibility, and a steady stream of funding from Measure M, every new terminal can provide excellent support of First/Last Mile. The only potential problem in achieving this level of quality may be the actual funding available for facilities. There will be a continuing mix of Metro and local city funding which are likely to be unpredictably variable over time. There is evidence that other public transit systems allocate a higher percentage of funds to First/ Last mile.²³

Refurbishments

Metro has proposed a prioritized list of existing terminals for refurbishments under Measure M funding.²⁴ Although it is unlikely that these can be brought to a quality level expected in new terminals because of the existing hard physical limitations, significant problems identified by actual use can be corrected. Safety of use can be expected to be the highest priority in refurbishment plans.

²³ Interview with Bicycle/Pedestrian Safe Design Standards Consultant.

²⁴ Interview with representative of Metro Sustainability Office

Bicycle Use

The CGJ has observed an underdeveloped policy with respect to bicycle usage on Metro. We were told that initially bicycles were not allowed on trains. Later they were allowed.²⁵ Currently a passenger hears the announcement that bicycles should only use doors marked by “yellow decals”.²⁶ However, identifying and then moving to the “bicycle doors” as a train comes to a stop and within the time allowed for boarding while other passengers are exiting and entering all around the cyclist is challenging.²⁷ In most cases, bicyclists get on at the closest train door, decal or no. Non-cycling passengers seem to feel no obligation to avoid either doors or spaces that bicyclists are supposed to use. The “bicycle doors” on trains are aligned with spaces inside trains where spaces are provided for bicycles. This design seems inefficient and confusing. There are many bicyclists on trains and at terminals despite this awkwardness.

Secure bicycle lockers are not available at all terminals.²⁸ A Metro staffer has stated that the lockers that are available are consistently oversubscribed. Perhaps a denser bike locker design would help. Rentable bicycles may or may not be present near Metro terminals.²⁹

Bicycle policy is unclear and, to encourage personal active movement by bicycle, it could be better defined and implemented.

Ideally, Metro could consistently support the use of bicycles both as transit to/from terminals as well as on trains/busways. Easily accessible, universal, affordable, secure bicycle storage quickly reserved by smartphone and universal, affordable, rentable bicycles would support the terminal access. Bicycles on-train usage could be enhanced by reserving specific, well-defined doors on trains aligned with boarding points at terminals for bicyclists that were aligned for every arrival of every train, limiting the forced mixing of pedestrian and bicycle traffic at boarding times. Is this feasible? Train interiors for bicycle-specific usage might be equipped with hanger sections that better secure bikes while using less space. These same cars would contain proper passenger spaces for the dismounted bicyclists.

Incorporating New Personal Transit Technologies

Metro needs to accommodate personal transit assists that do not yet exist. As an example, there are now miniature, foldable, battery-power-assisted bicycles costing \$900.³⁰ These provide ranges of about 20 miles per charge at up to 16 mph, and weigh about 35 pounds. These would seem to be the ideal First/Last Mile personal transit appliances. More mundane is the current wide usage of rolling carts to increase a pedestrian’s load-carrying capacity. Baby strollers are also common on Metro; they need to be systematically accommodated. It would be appropriate

²⁵<http://www.discoverlosangeles.com/blog/bike-metro>

²⁶ CGJ observation from riding Metro trains.

²⁷ Note: Purposely long sentence attempts to simulate for the reader the time-critical complex problem a bicyclist faces in trying to honor the “use the doors marked with yellow decals” imperative! As does the current overlong footnote.

²⁸ <https://www.metro.net/riding/bikes/>

²⁹ <https://www.metro.net/riding/bikes/>

³⁰ <https://shop.urb-e.com/collections/all>

for Metro to pre-plan accommodations for whatever (reasonable) accessories passengers might bring to support their First/Last Mile trips.

Figure 2: Metro 2040³¹



³¹ <http://www.scp.org/blogs/news/2014/02/18/15879/a-potential-2040-los-angeles-metro-subway-system-m/>

Taxis/Uber/Lyft/Autonomous Cars (A-Cars)

Taxis were common. Driver-equipped Uber and Lyft services are now common. There are a few Metro terminals which provide suitable “ports” for pickup or drop-off from these services. These ports are best located safely out of the local traffic flow. The services are a tiny fraction of the current First/Last mile solutions used. But to their credit, these services do not require long-term parking, may be requested by smartphone, and may avoid the expense of a personal car. As they become more affordable, Uber/Lyft could be attractive for the First/Last Mile.

Coming in the near future is the driverless versions of these services with the development of the autonomous car (A-Car). Will the A-Car be a significant part of the First/Last Mile solution? Many people believe this will be the case.³² A-Car ports at terminals would be basically identical to the Uber/Lyft facilities. The common thread is the universal provision of safe, out-of-the-flow-of-traffic ports.

Improving Safety

Unfortunately, if Metro succeeds in increasing ridership and with it the personal active movement volume, the opportunities for pedestrian and bicycle accidents will almost certainly increase. A quantum improvement in safety surrounding Metro terminals seems necessary to avoid this. Currently, programs to decrease such accidents have absolutely failed in the City of Los Angeles.³³ This implies that the priority of safety features in First/Last terminal design must be increased.

Two clear approaches to improve safety around Metro terminals are (1) restricting the density of car traffic and (2) reducing speeds of traffic. Reduced traffic density reduces the number of car/pedestrian interactions. Some of these interactions cause injuries. Severity of pedestrian injury rises spectacularly with car speed at impact.³⁴ The risk of pedestrian fatality is 10% at 23 mph and rises to 90% at 58 mph.³⁵

Metro success at supplying an attractive public option for efficient transit can decrease automotive congestion. Lower traffic density improves safety. However, if lower congestion is “exploited” by drivers to increase their speeds, any potential safety improvement may be wiped out.

III METHODOLOGY

Document Reviews

In support of this investigation, the CGJ reviewed a number of documents relevant to First/Last Mile. Most of these were supplied by Metro and were of high quality:

³² <https://www.bloomberg.com/news/features/2016-08-18/uber-s-first-self-driving-fleet-arrives-in-pittsburgh-this-month-is06r7on>

³³ <http://www.latimes.com/local/lanow/la-me-ln-2016-traffic-deaths-20170403-story.html>

³⁴ <https://www.aaafoundation.org/sites/default/files/2011PedestrianRiskVsSpeed.pdf>

³⁵ <https://www.aaafoundation.org/sites/default/files/2011PedestrianRiskVsSpeed.pdf>

Metro First/Last Mile Strategic Plan
Metro Active Transportation Strategic Plan (ATSP)
Metro ATSP Case Studies
Metro: The First, Last, and Toughest Mile: First/Last Mile Training Workbook
Metro Countywide Sustainability Annual Report – April 2015
Various Metro Board Minutes and Memos
Viewgraphs Presentation – Metro© Board Motions on First / Last Mile
Los Angeles City Vision Zero Plan and Reports
Measure M Advocacy Material

Interviews

The CGJ conducted in person interviews and/or attended meetings with many informed sources of First/Last Mile knowledge:

Bicycle/Pedestrian Safe Design Standards Consultant
Metro System Overview to the Civil Grand Jury
Los Angeles County Board of Supervisors Meeting – Placing Proposition M on Ballot
Metro First/Last Mile Planning Team, Sustainability Office

Tours

The Civil Grand Jury (CGJ) determined that inspections of a sampling of Metro terminals would make First/Last Mile issues clearer. We prepared for these inspections by reviewing the Metro's First/Last Mile Strategic Plan. We asked Metro representatives to escort us to best and not-the-best examples. Metro showed us the Santa Monica Expo terminal as the best example and the Expo Palms terminal as more problematic. The Metro representatives nominated the Blue Line Slauson terminal as the actual worst case example. With this background, the CGJ performed the following terminal inspections:

26TH Street/Bergamot Expo Terminal
7th Street Transit Center
Blue Line/Expo Line Terminal
Red Line and Purple Line Terminal
Culver City Expo Terminal
Santa Monica Expo Terminal
Palms Expo Terminal
Union Station Red Line and Purple Line Terminal
Slauson Blue Line Terminal
Wardlow Blue Line Terminal
Florence/LaBrea Terminal on Crenshaw Line (under construction)
Gold Line Terminals –selected from end-to-end
Purple Line Terminals – McArthur Park and Western terminals

IV FINDINGS

1. Metro system transit has not captured enough riders to reach its sustainability and traffic decongestion goals. First/Last Mile implementations shares in the responsibility for this.
2. The so-called “triple-convergence” phenomena (see “A Promising and Difficult Situation” in section II, above) may be contributing to decreasing ridership.
3. Metro’s First/Last Mile Strategic Plan and various associated planning documents are of high quality.
4. Treatment of some specific site details is missing from First/Last Mile Strategic plan.
5. Historically, First/Last Mile implementations have depended upon cooperation of local governmental entities and local funding. This has resulted in some sub-optimum results.
6. Metro’s new policy assuming more responsibility for First/Last Mile implementations is a better approach toward high quality First/Last Mile implementations.
7. Metro has made a smaller relative investment in First /Last Mile implementations than other comparable systems in other California metropolitan areas.
8. Current First/Last Mile implementations show a wide spectrum of quality.
9. Existing First/Last Mile implementations have shown improvement based on experience gained from previous implementations.
10. Exactly how First/Last Mile designs interact with the prime railway design is unclear.
11. Proposed First/Last Mile implementations/improvements are not reviewed by actual users.
12. Safety statistics for existing terminals are critical for their refurbishment.
13. Pedestrian and bicycle safety has deteriorated recently in the County of Los Angeles; First/Last Mile bears some responsibility for this.
14. Policy for bicycle usage to/on/from Metro is not completely developed.
15. Automotive interactions with pedestrians and bicyclists within First/Last Mile zones are not well controlled.
16. New passenger accessories and assists will affect First/Last Mile planning and implementations.
17. Uber/Lyft/autonomous car support is not included in First/Last Mile plans to date.

V RECOMMENDATIONS

1. Metro should consider strategies that are effective against “triple-convergence” in support of its ridership goals.
2. Metro should continue producing high-quality First/Last Mile planning documents.
3. Metro should take responsibility for the quality of the resulting (from 2. above) First/Last Mile implementations.
4. Metro should deal with more site-specific design problems in their First/Last Mile planning documents.
5. Metro should further extend its influence over communities for First/Last Mile implementations with more extensive collaboration and funding.
6. Metro should budget more of its funding stream to First/Last Mile implementation (see 5, above).
7. Metro should explicitly include First/Last Mile design considerations beginning at the earliest stage of its system expansion designs.
8. Metro should formalize actual user reviews for refurbishments and new developments.
9. Metro should use safety data from existing terminals as the highest priority consideration for refurbishments.
10. Metro should expand and make consistent the pedestrian and bicycle facilities at each terminal.
11. Metro should encourage or require First/Last Mile designs that constrain automobile speeds and maximally separate vehicle routes and pedestrian and bicycle paths in terminal footprint areas.
12. Metro should further develop bicycle usage policies to/on/from Metro and First/Last Mile support for bicyclists.
13. Metro should explicitly provide for the use of accessory items on trains – rolling carts, baby carriages, etc.
14. Metro should anticipate the development of potential new accessories and assists within First/Last Mile plans and implementations.
15. Metro should plan for Uber/Lyft/A-Car ports at Metro terminal.

VI RESPONSES REQUESTED

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

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Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
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Los Angeles, CA 90012

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Responding Agency	Recommendations
Metro	7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15.

VII ACRONYMS

A-Car Autonomous Car
ADA Americans with Disabilities Act
ATSP Active Transit Strategic Plan
CGJ 2016-2017 Los Angeles County Civil Grand Jury

VIII COMMITTEE MEMBERS

Douglas Benedict Chair
Ronnie Dann-Honor
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TRANSFORMING THE LIVES OF HOMELESS VETERANS



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TRANSFORMING THE LIVES OF HOMELESS VETERANS LIVING IN LOS ANGELES COUNTY

I SUMMARY

The Los Angeles County 2016-2017 Civil Grand Jury (CGJ) formed an investigative committee to assess the effectiveness of delivering services to Homeless Veterans (HV).

The CGJ found that in October 2015 the County of Los Angeles Board of Supervisors (BOS) approved \$5 million to be set aside from homeless prevention initiative funds, emanating from the Federal government, specifically to the County of Los Angeles to launch a Home for Heroes Program.¹ In addition, the Housing Authority of the County of Los Angeles (HACoLA) awarded \$1.1 million dollars, emanating from the federal government, to implement the Landlord Incentive Program.² The CGJ had concerns regarding the percentage of funds going directly to the veterans versus the percentage of administrative costs to implement the programs. (See Page 97, Figure 1 and 2).

At the local level there are up to 4,700 HV throughout the County of Los Angeles (the County), with approximately 2,700 of them within the City of Los Angeles.³ Approximately one in five veterans return home with combat related psychological injuries (invisible wounds) such as Post-Traumatic Stress Disorder and major depression. The CGJ does not believe those who made such a huge sacrifice to defend our freedom should be left behind. Freedom wasn't free; veterans paid the price for it.

The CGJ set out to discover why, despite Federal, County, and local funding and a variety of programs specifically targeted to HV, they continue to be homeless. This committee researched the issuance and use of veteran vouchers and benefits, veteran housing, alcohol and drug abuse programs, and mental health services that are available to veterans. While there are a variety of services available to HV, improvements are needed to increase access to, and delivery of, necessary services to best serve those who served us.

In late 2009, the White House and the Veteran's Administration (VA) announced an ambitious goal to end Veteran homelessness. The plan to address this urgent national priority was outlined in the "Opening Doors" Strategic Plan which was the nation's first comprehensive federal policy to prevent and end homelessness by 2015.⁴ Notwithstanding the Opening Doors Plan, initial

¹ Per interviews with upper management of the Homeless Initiative, Los Angeles County CEO

² Ibid

³ U.S. Interagency Council on Homelessness, <https://www.usich.gov/opening-doors>

⁴ U.S. Interagency Council on Homelessness, <https://www.usich.gov/opening-doors>

research by the CGJ revealed that as of 2013 there were 58,000 HV across the United States with over 15,000 in California.^{5,6}

According to the experts that the CGJ interviewed, many veterans have problems readjusting to civilian life because of their unique hardship. These veterans are at much higher risk for mental illness, unemployment, substance abuse, homelessness, violence, relationship problems and suicide. A senior staff member at Union Rescue Mission stated that those veterans who do not have strong family support have a high likelihood of becoming homeless within five years of discharge, and therefore have a greater need for supportive services.

There is a personal context to this investigation. While outside a restaurant a couple of years ago, a member of the CGJ was approached by a homeless person. Strangely, this homeless person was calling the CGJ member by name and eventually the CGJ member recalled this person. The two of them served in the Army together during the Vietnam War. Several other members of the CGJ are also military veterans, and they all fully understand the sacrifice a citizen makes when they put aside their personal life to serve for this great country of ours. The CGJ is troubled to know there are veterans who have been left behind, continue to lack job skills, suffer from homelessness and battle health issues.

II BACKGROUND

California Military and Veteran Code Section 920 states that unless the context otherwise indicates, “Veteran” refers to a person that has been honorably discharged from the United States military force, i.e. Army, Navy, Air Force, Marine Corps, Coast Guard, and Merchant Marines.

Los Angeles County is home to the largest veteran population in the country. Unfortunately a large number of these veterans are homeless. In fact up to an estimated 4,700 HV are on the streets of the County on any given day or night.⁷

There are many ways of classifying HV. For the purposes of this report; the committee chose to use the following three categories:

1. Transitional/Situational - When someone is forced into homelessness because of uncontrollable circumstances.
2. Critical Episodes - When someone repeatedly falls in and out of homelessness. This often happens with episodes of severe depression or drug abuse.

⁵ Los Angeles Homeless Services Authority, 2016 Homeless Count Results, Los Angeles County & Los Angeles Continuum

⁶ Los Angeles Times, Who Are L.A. County’s Homeless? October 26,2016

⁷ According to Veteran Incentive Programs

3. Chronic - When someone has no resources at his/her disposal, often suffers from mental health issues and lacks the ability to modify their situation without the support of others.

A. Accommodations for Homeless Veterans

The CGJ conducted their own personal investigation of HV. Committee members walked through Skid Row, one of the most concentrated examples of homelessness in the United States. As it is currently, Skid Row in Los Angeles is a historically condoned “Homeless Zone” which today is a more severe version of its past.⁸ Skid Row is one of the places in the County where homeless individuals, including veterans, find themselves when they lack money, family support and hope.

The committee found that much of the humanitarian assistance received by the homeless veteran is provided by nonprofit organizations. The CGJ was advised by officials at several missions, that some of these organizations receive government funding through grants or via contracts for services, however the majority of the funding is raised privately through donations.

Many of the HV camp in tents or other make-shift shelters in places like Skid Row. The committee visited several Missions. We discovered that veterans with housing vouchers lived in this area, either in the Missions themselves or in nearby tenement buildings that accept vouchers. The tenement buildings tended to be located within walking distance from the Missions. The CGJ found lines of people waiting for food and other supportive services. While the Missions and tenement buildings provide a severely needed service, and their members and volunteers work tirelessly in helping people in need, the facilities themselves are very old and are far from what we would consider desirable (See attached CGJ photos).

On the plus side the CGJ found that the transitional Single Resident Occupancy (SRO) housing did provide a mailbox for each resident and a locker to secure possessions.

B. Budget Set Asides for Veterans:

In recent years, the general homeless population has become an extremely desperate situation. We attempted to find budget set-asides for supportive services specifically for HV. Unfortunately, the County budget for homeless services, does not provide a line itemization for veterans. Funding for supportive services is pooled and budgeted over the entire homeless population.⁹ CGJ found that lack of a HV itemization precludes evaluating the County’s commitment to HV.

⁸ (Fn) Shunsky, Neil: Homelessness: A Documentary and Reference Guide

⁹ Per interviews with Senior Management Homeless Initiative Affairs, Los Angeles County CEO

C. Supporting Services for Veterans:

The support assistance available to veterans consists of the following:

- Housing vouchers
- Tokens for transportation
- Food vouchers issued in a form of money card
- Federal assistance
- Mental Health Services
- Medical Treatment

Through interviews with veteran organizations, the CGJ learned that getting this assistance is a lengthy process that can take an extended period of time once an application is completed. The Los Angeles County Office of Military and Veterans Affairs (OMVA), located in Patriotic Hall in downtown Los Angeles, assists veterans in completing the appropriate forms and receiving the benefits to which they are entitled.

According to senior administrators for the OMVA, HV that are in the Transitional/Situational or Critical Episode categories normally receive their minimum assistance within weeks. However, those in the chronic category with the greatest need for assistance are typically delayed. HV on Skid Row are, at best, offered veterans' voucher housing in substandard tenement motels in areas frequented by homeless populations, close to missions that serve food. These living conditions make it even harder for chronically HV to be reintegrated into society.

D. Poor Treatment of Veterans:

HV have been stereotyped and treated unfairly due to administrative problems. By example, we show here continuing issues involving HV.

- The local residents and businesses do not want the HV in their neighborhoods. Therefore the local police do everything they can to deter the HV from remaining. A simple unpaid jay walking ticket goes to warrant and the HV is arrested, thereby removing him from the neighborhood.¹⁰
- The approved transitional housing for HV, toured by the CGJ, proved to be extremely substandard. It was old and deteriorating, located in the middle of the Skid Row area of trash filled streets lined with tents.¹¹
- The transitional housing and missions where veteran vouchers are accepted are for men only and the families cannot stay together. HV family members, women and children, must find other transitional housing most often many miles away.¹²

¹⁰ Per Senior Management of SRO Housing Corp and various missions

¹¹ See attached CGJ pictures

¹² Per Veteran SRO Transitional Housing Corporation Upper Management

- Everyone is entitled to General Relief from the County if they meet certain criteria. One the criteria is that one must have an address. HV do not have addresses and therefore they do not qualify to collect General Relief.¹³

Federal funds earmarked for veterans are administered by the County in the form of vouchers. These vouchers are specifically for housing. These particular vouchers are referred to as Veteran Affairs Supportive Housing (VASH) Vouchers or PORT Vouchers (transferred from other counties, states and cities). Because of the vouchers limited use, mostly in substandard facilities, the majority of vouchers are not used and become void, within the allocated time period. These voided vouchers go back to the County for reassignment to other HV waiting for housing.¹⁴

“Considering the fact that Los Angeles County is one of the tightest rental markets in the country with a vacancy rate below 3%, this overall lack of affordable rental units presents a significant barrier to housing HV.”¹⁵

The committee found that a great percentage of HV simply don’t know how or where they can go to seek assistance. Because veterans’ outreach services are difficult to find, it was common for them to give up completely after futile attempts and settle for living on the streets, which became their only option. The CGJ asked many staff members at Veterans SRO Transitional Housing Corporation and the Rescue Mission, both located on Skid Row, where the HV reside and congregate, “where can HV go and who can help them with services?” We found it extremely difficult to find any point person to answer this question in the Skid Row area. The concentration of outreach services is located in two places, those being Patriotic Hall and the Veterans Administration in West Los Angeles. Those two areas are not where the majority of HV establish themselves. Patriotic Hall is 2.9 miles from Skid Row and the Veterans Administration is 12 miles from Skid Row.

Some of the greatest hindrances in the lives of HV are that all of their belongings are often carried around in unsecured grocery carts. They desperately need a secure place to leave their belongings. “Projects that should have been relatively easy to implement have been anything but. For instance, proposals to set up storage facilities . . . where homeless people can store their belongings have stalled due to vehement community opposition.”¹⁶

E. The County’s Homeless Initiative:

On October 20, 2015, the BOS approved \$5 million of federally earmarked funds, grants and bonds to implement programs over an eighteen-month period. The purpose of the funds is to

¹³ Per Veteran SRO Transitional Housing Corporation Upper Management

¹⁴ Per Housing Authority of the County of Los Angeles

¹⁵ Housing Authority of the County of Los Angeles, Press Release “Homes for Heroes Initiative, 1-12-16

¹⁶ Los Angeles Times, 11-15-16 “Los Angeles passed Measure HHH, but there are still hurdles ahead for housing homeless people.”, The Times Editorial Staff

expeditiously connect HV who have housing vouchers with stable, permanent homes.¹⁷ The program known as Home for Heroes includes the programs identified in Figures 1 and 2. The Home for Heroes program is administered by the Los Angeles Homeless Services Authority (LASHSA) (see Figure 1) and the Housing Authority of the County of Los Angeles (HACoLA) (see Figure 2). A separate program was developed under Homeless Initiative Strategy C5.

F. Homeless Initiative Strategy C5

Homeless Initiative (HI) Strategy C5 (Establish a Countywide Veterans Benefits Advocacy Program for Veterans Experiencing Homelessness or At Risk of Homelessness) will serve veterans who are homeless or at risk of homelessness.¹⁸ HI Strategy C5 was allocated \$1.2 million, of federally earmarked funds, and the Departments of Military and Veteran Affairs (DMVA) and Health Services (DHS) are the departmental leads¹⁹.

To provide the most comprehensive services for veterans HI Strategy C5 was partnered with HI Strategies C4 and C6 focused on SSI Benefits Advocacy.²⁰

The committee members discussed the numbers in Figure 1 with a senior member of LASHA and learned that the competitive procurement process for the Bridge Housing element has been underway since September 2016. The selection of service providers to implement Strategy HI C5 is scheduled to begin in April 2017.

The committee found the administration of the Homes for Heroes program obtains their budget from program funds (See Figures 1 and 2). In turn, each service contractor will also fund its operations through application of its general and administrative costs.²¹ After removing the administrative overhead, we estimate that the actual portion of the \$5 million in funding going directly into services for HV is in the 60% to 70% range. We were informed by LASHA that their administrative cost is 15%. As no contracts have been awarded, we were not able to obtain the actual administrative cost for the contractors, although we were informed that contractor administrative costs do exist.²² Pursuant to California Military & Veteran Code Section 927 “All money paid out by any county under this article shall be used by the organization receiving it exclusively for the relief of indigent veterans and no part of it shall ever be used for administration or overhead expenses”. This jury questioned who is watching the contractors, as their administrative costs are not allowed to be claimed as part of their contract award.

¹⁷ Per interviews with senior management in the Los Angeles CEO

¹⁸ Department of Military & Veterans Affairs, Chief Executive Office

¹⁹ County of Log Angeles Homeless Initiative January 2016

²⁰ Per interview with Upper Management of Los Angeles County Dept. of Military and Veterans Affairs

²¹ Per interview with Senior Management Homeless Initiative Affairs, Los Angeles County CEO

²² Per interview with Upper Management of Los Angeles County Dept. of Military and Veterans Affairs

Figure 1. LAHSA - Status of Homes for Heroes Program Expenditures.²³

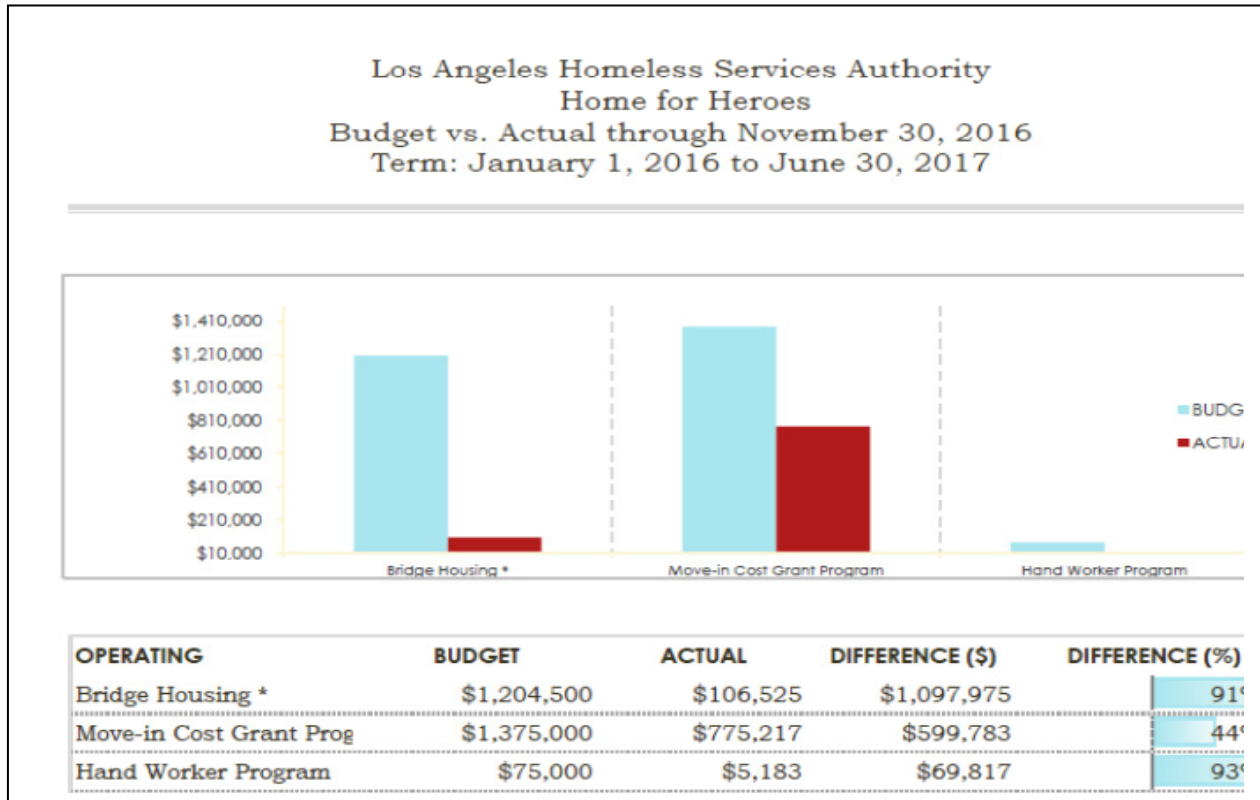


Figure 2. HAcOLA – Status of Home for Heroes Program Expenditures (As of Dec 13, 2016).²⁴

HAcOLA Administered Programs	Budget Amount	Amount Expended	Percent Expended
VIP Housing Stock Identification/Retention Program	\$225,000.00	\$68,421.00	30%
Administration	\$34,000.00	\$4,210.00	12%
VIP Landlord Incentive Program	\$750,000.00	\$549,948.00	73%
Administration	\$113,000.00	\$54,522.00	48%
Total	\$1,122,000.00	\$677,101.00	60%

These activities have produced some results as depicted in Figure 3.

Figure 3. Housing Placements under the Homes for Heroes Program.²⁵

# of Potential Rental Units Identified	485
# of Los Angeles Landlords who Received Incentives	363
# of Veterans Housed	268

²³ Chart supplied by upper management of LAHSA

²⁴ Ibid

²⁵ Ibid

With the passage of the City of Los Angeles proposition HHH and the County of Los Angeles proposition H, there will be millions of dollars flowing into city and County agencies responsible for providing care and services to the homeless. Because most of the work is carried out through contracted services, we have several concerns including; the procurement process which appears to be very slow and cumbersome, the transparency of service contractor expenditures (administrative costs, overhead, and costs of direct services to the homeless), data collection and performance measurement of the service contractors, and oversight process on the part of the responsible government agencies.

G. Alternative Housing Solutions:

We visited the County/USC Medical Center. In the back of the hospital was the old General Hospital building, the majority of which was unoccupied. Other entities such as schools, hotels, etc. have abandoned buildings within the County and its Cities. It is the contention of the CGJ these buildings could house HV and their families.

III METHODOLOGY

The Los Angeles County 2016-2017 Civil Grand Jury (CGJ) formed an investigative committee to assess the effectiveness of delivering services to the HV. The CGJ committee research procedure consisted of interviews and site tours. Site tours included The Los Angeles Rescue Mission and their affiliate SRO Housing, a Corporation that has veterans only housing, the Union Rescue Mission where Women and Children are housed on Skid Row, the Veterans Affairs office at Bob Hope Patriotic Hall, and the CAL VET Veterans Home of California in West Los Angeles.

The committee gathered information from a number of sources:

- The Office of Veterans Affairs
- SRO Transitional Housing Corporation
- Los Angeles County Chief Executive Office
- Union Rescue Mission
- Wellness Works Organization for Veterans
- Los Angeles County Chief Executive Office, Homeless Initiative
- Los Angeles County Auditor/Controller

IV FINDINGS

These are the findings of the Transforming Lives of HV committee:

1. Many of HV simply didn't know how or where to go to seek assistance, other than the Veterans Administration. There is no outreach to veterans in the areas of heavy HV concentration, which is mainly the Skid Row area.
2. County benefits are given only for one year of assistance, after which one needs to reapply for extended benefits. This is not enough time to achieve a lifestyle readjustment. There must be a minimum of two years assistance per application period in order to seek and find housing, establish medical support and job training in order to ensure that the HV regains a smooth entry into civilian society.
3. Much of the humanitarian assistance to the HV e.g. medical, housing and counseling, is provided by nonprofit organizations, for example Los Angeles Rescue Mission and Union Rescue Mission. Many HV camp in tents or make-shift shelters in places like Skid Row. The CGJ visited several missions and hotels on Skid Row which feed the general homeless population, and found that the majority of HV live within short walking distance of these missions.
4. The OMVA is located in Patriotic Hall. They help veterans with the paperwork to obtain their military benefits. Many HV are unaware of or unable to get to Patriotic Hall which is approximately 2.9 miles from the Skid Row area. We discovered through our interviews with HV that they will not travel across the city because they lack the ability of securing their possessions. If HV venture out to Patriotic Hall, all their belongings would be in jeopardy of being confiscated, as they are kept in shopping carts and tents.
5. Measure HHH was passed by the City of Los Angeles to provide housing for the homeless. The initiative allocated approximately \$1.2 billion a year. The CGJ would like to see the City allocate a percentage of these monies specifically to HV in the City of Los Angeles.
6. Measure H was passed by the County to provide supportive services for the homeless to include coverage for first and last months' rent payments. This proposition added a .25% sales tax for the County of Los Angeles, which is expected to bring in approximately \$300 million annually. The CGJ would like to see the County allocate a percentage of these monies specifically to HV and their families for supportive services in the County.

7. The CGJ found that approximately \$5 million in federal grant money was given to the Homeless Initiative for the Home for Heroes and the HACoLA programs.²⁶ The LASHA and HACoLA programs' expenditures, reflected in Figures 1, 2, 3, show the breakdowns. Pursuant to interviews with executives in the Homeless Initiative Department of the CEO's office, 15% was utilized for administrative services by the CEO before it was distributed to the Home for Heroes Program. Once the contracts are awarded, additional administrative fees will incur. Pursuant to California Military & Veterans Code Section 927, this is not allowed.
8. A number of County and Los Angeles City offices have a working relationship with the missions throughout the County. These relationships have assisted HV to obtain housing and supportive services. However, as seen in Figure 3, and as described to us during our interviews, successes have not been as plentiful as desired.
9. As seen in Figures 1 and 2, the procurement process is very slow. Authorized funding is not reaching those in need in a timely manner. Funding allocated in 2015 was to be distributed over an 18 month period through June 30, 2017. As of this writing, no contracts have been approved or funded.

V RECOMMENDATIONS

1. The County Board of Supervisors should increase the time period for services allocated to the HV for dental, medical, and psychiatric evaluation for a period of not less than two years for each application approval.
2. The County Department of Military and Veterans Affairs should establish a mobile outreach service and set up operations at the various missions on a regularly scheduled basis.
3. The County Board of Supervisors should establish a system of temporary storage facilities for HV to enable them to safeguard their possessions while they conduct their business affairs.
4. The County Board of Supervisors should establish a task force with the explicit goal being to identify facilities that are vacant and suitable for use as shelter for homelessness, within the County. Specifically buildings that can be converted and used as transitional and permanent housing for HV.

²⁶ Per interviews with senior management of HACoLA, LAHSA, LA County Department of Military & Veterans' Affairs.

5. The County Chief Executive Office should review and revamp their procurement process, as it relates to the Home for Heroes Program, to enable expedited placement of service contracts for housing and supportive services.
6. The County Chief Executive Office should ensure all contracts with service providers under the Home for Heroes Program and the HI Strategies C-5 Program provide transparency on administrative cost expenditures so as to insure that contractors are not in violation of CA Military & Veterans Code 927.
7. The County Board of Supervisors should set aside a portion of funds under Measure H for HV and include nontraditional service providers (i.e. Missions) as recipients to effectively deliver permanent housing solutions and supportive services.
8. The Mayor of the City of Los Angeles should set aside a certain percentage of funds under Measure HHH strictly for HV and their families to help with their transition, and to accommodate first and last month rent payments.
9. The County Board of Supervisors should form an Independent Oversight Commission to oversee the implementation of projects and expenditures of funds under Measure H.
10. The Mayor of the City of Los Angeles should form an Independent Oversight Commission to oversee the implement of projects and expenditures of funds under Measure HHH.

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Short ridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor-Room 11-506
Los Angeles, CA 90012

Responses required from:

The Director of Homeless Initiative, Chief Executive Officer and Veteran’s Affairs Manager for the County of Los Angeles:

Responding Agency	Recommendation
County Board of Supervisors	8.1, 8.3, 8.4, 8.7, 8.9
County Department of Military and Veterans Affairs	8.2
County Chief Executive Office	8.5, 8.6
Los Angeles City Mayor’s Office	8.8, 8.10

VII ACRONYMS

- CAL-VET** Veterans’ Home of California – West Los Angeles
- CGJ** 2016-2017 Los Angeles County Civil Grand Jury
- DMVA** Department of Military and Veterans’ Affairs
- HACoLA** Housing Authority County Los Angeles
- HI** Homeless Initiative
- HV** Homeless Veteran
- HUD** Housing Urban Development
- LAHSA** Los Angeles Homeless Services Authority
- LASA** Los Angeles Supportive Authority
- SRO** Single Resident Occupancy
- VA** Veteran Administration
- VASH** Veteran Affairs Supportive Authority

VII COMMITTEE MEMBERS

- Reuben P. Santana Chair
- Joyce Simily Co-Chair
- Marcie Alvarez
- Dorothy Brown
- London Jones
- Faramarz Taheri

Picture Taken by the Civil Grand Jury

Veteran's Transitional Hotel in the City of Los Angeles



Skid Road Street Picture taken by the Civil Grand Jury



Picture taken by the Civil Grand Jury

6th Street-Skid Road



Measure H, quarter-cent sales tax to fight LA County homelessness, passes



File photo

By City News Service

Posted: 03/20/17, 4:28 PM PDT | Updated: on 03/20/2017

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SHERIFF'S INMATE WELFARE FUND



Sharon Muravez Chair
Gerard Duiker Co-Chair
Dorothy Brown
Gloria Garfinkel

SHERIFF'S INMATE WELFARE FUND

The following investigative report is offered in support of the County of Los Angeles Board of Supervisors' Strategic Plan Goals: Pursuing Operational Effectiveness, Fiscal Responsibility and Accountability

I SUMMARY

This report initially set out to investigate the Los Angeles County Sheriff's Department (LASD) Inmate Welfare Fund (IWF) to ensure that expenditures are being used "primarily for the benefit, education, and welfare of the inmates confined within the jail," as governed by California Penal Code §4025. Our research followed the evolution of amendments to §4025 which ultimately expanded the use of funds to allow for maintenance of jail facilities. We learned of programs and services that have been funded, sources of revenue and the authority of the Inmate Welfare Commission (IWC). We also learned that this is the largest inmate welfare fund in the country.¹ It was when we attempted to gather information from the IWC that we encountered some resistance and became concerned about the overall lack of transparency of the LASD's IWF.

II BACKGROUND

The Los Angeles County Civil Grand Jury (CGJ) became aware of the existence of the Sheriff's IWF during the 2016-2017 CGJ inspections of the jails and detention facilities operated by the LASD. During various jail inspections, questions were asked by CGJ members regarding the accessibility of phone lines for inmates, costs for making phone calls, method of payment, and what phone contract(s) were in place. During our jail inspections we also learned about weekly commissary deliveries to LASD detention facilities, inmate vending machines, and sales of inmate crafts through the Jail Enterprise System. We were also informed of the various programs and services that are provided to the inmates. The CGJ formed a team to educate ourselves on the expenditures from this large \$49 million fund² and how the IWF came to be established.

In 1949, §4025 granted authority for county sheriffs to establish jail stores to provide certain supplies for sale to inmates. The profits from the jail store operations were to be deposited into an inmate welfare fund and kept in the treasury of the respective counties. It also provided that ten percent of the gross sales of inmate hobby crafts could be added to the fund.

The LASD IWC was formed in 1951 by Los Angeles County Sheriff Eugene Biscailuz without ordinance or Board of Supervisors' (BOS) resolution.³ It is recognized as a discretionary commission and the meetings are not open to the public. We were informed that the commission does not operate under the regulations of the Brown Act and minutes of the meetings are not available to the public.⁴ The commission is currently comprised of 11 private citizens who are

¹ LASD Legal Advisor, County Counsel, IWC Minutes 5/20/16, pg. 3

² LASD IWF –K02 Statement of Net Assets FY 2016-17 as of 1/13/17

³ <http://shq.lasdnews.net> Education Based Incarceration pg.20

⁴ Legal Advisor/Los Angeles County Counsel, 2/16/17

appointed by and serve at the pleasure of the Sheriff. They meet monthly and are not compensated for their service on the commission.

In 1987, §4025 was amended to provide an additional source of revenue for the IWF from telephone companies or pay telephone providers. This revenue source was significant because of the additional revenue it would generate and also because it brought about a significant change in how IWF funds could be allocated. Originally, §4025 provided that IWF funds: "... shall be expended by the Sheriff solely for the benefit, education and welfare of the inmates confined within the jail." §4025 was amended in 1993 to provide that: "...the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. Any funds that are not needed for the welfare of the inmates may be expended for the maintenance of county jail facilities." (Emphasis added.)

It appears that the term "not needed" as used in §4025 has not been challenged or addressed. The definition of "not needed" according to Merriam-Webster⁵ is: dispensable, gratuitous, inessential, needless, non-essential, uncalled-for, unessential.

LASD has designated 51% of the annual IWF revenue to be assigned solely and exclusively to programs for the benefit of jail inmates. The remaining 49% of the annual revenue is earmarked solely for jail maintenance.⁶ The IWC oversees the expenditures and makes recommendations to the Sheriff for inmate programs and services. The Sheriff's Correctional Services Division/Facilities Services Bureau, County Counsel Representative, and Budget Authority oversee the expenditures for jail maintenance.

The LASD Custody Division Manual, §3-05/020.00 – Inmate Welfare Fund states: "Inmate Welfare Fund monies and supplies shall not be used to offset necessary and required expenses of confinement such as meals or housing. The facility/station unit commander shall submit a memo to the Inmate Services Unit commander, including the amount of the expenditure and a justification statement explaining why the expenditure satisfies the requirements of Penal Code Section 4025..."⁷

At the time of this report, an amendment to the IWC bylaws pertaining to the Duties of the Commission is in progress. The proposed amendment reads: "Approve funding requests by the Los Angeles County Sheriff's Department for projects benefiting inmates housed in the jail facilities of Los Angeles County, review ongoing projects, and discuss funding priorities from/for the Inmate Welfare Fund of Los Angeles County, in accordance with Penal Code 4025."⁸ IWF funding requests are routed and reviewed by LASD staff and County Counsel before being presented to the commission for consideration. The Commission can deny any request but their decision can be overridden by the Sheriff.

Inmates are allowed to make commissary purchases at their own expense or receive commissary gift packs purchased by their family or loved ones who place orders through the LASD's

⁵ www.merriam-webster.com

⁶ <http://shq.lasdnews.net> Education Based Incarceration pg.20

⁷ LASD Custody Div. Manual 12/10/01 CDM

⁸ Draft Bylaws provided by Inmate Services Bureau Sr. Staff

website.⁹ The following “Gift Packs” consist of a varied selection of snack foods that can be purchased, each one unique in the variety of items available:

- Gift Pack #1: \$53.34 for 26 snack food items
- Gift Pack #2: \$52.52 for 15 snack food items
- Gift Pack #3: \$31.86 for 16 snack food items
- Gift Pack #4: \$21.98 for 15 snack food items

Commissary items are delivered once a week to LASD detention facilities. The Keefe Group, LLC has the Commissary contract and refunds a percentage of the yearly revenue to IWF. In 2016, the IWF received \$17.9 million from Keefe Commissary.¹⁰

At the time of this investigation, GlobalTelLink (GTL) holds the contract with LASD to provide telephone service for local and long-distance inmate calls. In 2016, the FCC set new rate caps, reining in the excessive rates and egregious fees on phone calls paid by families trying to stay in touch with loved ones serving time in jail or prison.¹¹ These factors, combined with unrestricted rates, have often resulted in unreasonably high phone bills for inmates’ families. LASD is currently seeking a Request for Proposals from telephone providers to serve the needs of inmates.

III METHODOLOGY

The CGJ conducted research and gathered information from the following sources:

Examined §4025, and subsequent revisions, which govern county inmate welfare funds

Reviewed A.B. 920, Chapter 178 Legislative Counsel’s Digest (August 25, 2016) amending §4025 to establish a pilot program to assist indigent inmates with the reentry process

Examined two previous (1998-1999 and 1999-2000) Los Angeles County Civil Grand Jury investigations which focused on the LASD IWF

Reviewed Los Angeles Police Department’s 2015 audit and inspection plan for their Inmate Welfare Fund

Reviewed 2015-2016 Education Based Incarceration program information provided by LASD, which included charter schools, career technical education, vocational education, and life skills

Obtained GTL rate information on phone rates and transactions fees charged to LASD inmates¹²

Examined FCC.gov information on new rate caps for local and long-distance inmate calls, effective March 13, 2017 (but currently stayed by court order pending judicial review)

⁹ [https://www.accesscatalog.com/shop/index/Keefe Commissary Network](https://www.accesscatalog.com/shop/index/Keefe%20Commissary%20Network)

¹⁰ LASD Statement of Revenues and Expenditures FY 2016 (as of 13th Accounting Period-Closing)

¹¹ <https://www.fcc.gov/consumers/guides/inmate-telephone-service>

¹² GTL Rate Change Notice to comply with FCC Order 15-36, effective 6/20/16

Reviewed and compared prices of commissary items offered through Keefe Commissary service¹³

Examined provisions of Section 3-05/020.00 Inmate Welfare Fund, from the LASD Custody Division Manual

Reviewed Minutes from past IWC meetings (January 2016 – November 2016) that were released to the CGJ

Reviewed IWF financial data contained in “Blue Book” agenda packages from 2/24/17 and 3/24/17 IWC meetings.

Reviewed LASD IWF 2013-2014 Final Budget, County of Los Angeles; IWF Expenditures by Unit Report (eCAPS)

Attended the 3/24/17 meeting of the IWC

Meetings with senior officials and staff from LASD Custody Services, Specialized Programs; LASD Fiscal Services; LASD Facilities Services Bureau; members of IWC

Legal Advisors, Los Angeles County Counsel

IV FINDINGS

1. There is a lack of public transparency involving the LASD IWF.
2. The LASD IWF is a “discretionary fund” of the Sheriff and is governed by California Penal Code §4025.
3. The 11 members of the IWC are appointed by the Sheriff and serve at his pleasure. They do not receive any compensation and meet once a month.
4. There is no representation of a former inmate who has successfully re-entered society on the IWC or in attendance at IWC meetings, acting in an advisory capacity.
5. The Sheriff can override any recommendations made by IWC Commissioners.
6. IWC meetings are not open to the public. Meetings are not governed by the Brown Act.
7. Minutes from the IWC Meetings are not available to the public.
8. Annual Financial Statements are prepared by the Los Angeles County Auditor’s Office and submitted to the BOS.

¹³ LASD website and internet search

9. Audits by outside auditing firms are conducted every two to three years. IWC members did not receive copies of the 2011-2014 audit until they inquired, as evidenced in January 29, 2016 Minutes.¹⁴
10. Prior to its repeal in 1998, Section 1043, Title 15, State Correction Standards, recommended that “an annual itemized report of expenditures be submitted to the BOS, posted in each jail facility, and made available to the public,” as reported in the 1999-2000 CGJ report.
11. This year’s CGJ discovered many valuable and worthwhile programs being funded by the IWF; i.e., Tattoo Removal Program, “Back on Track” Program, Birth Certificate Program, GED Educational and Vocational programs.
12. In reviewing the Minutes of past IWC meetings, it was found that some members of the Marketing/Branding Committee expressed frustration in not publicizing the programs that are funded by the IWF (i.e. farm program at Pitchess Detention Center; Tattoo Removal Program) and that their suggestions about informing the public about Inmate Welfare funded programs are not being fully addressed.¹⁵
13. In reviewing copies of the LASD (draft) revised IWC Bylaws,¹⁶ it appears that the role of the IWC is being diminished; e.g. “Duties of the Commission: Approve funding requests by the Los Angeles County Sheriff’s Department for projects benefiting inmates housed in the jail facilities of Los Angeles County, review ongoing projects, and ~~set~~ discuss funding priorities from/for the Inmate Welfare Fund of Los Angeles County, in accordance with Penal Code 4025.” (Emphasis added).
14. In reviewing the Minutes of IWC meetings, it appears that annual spending plans are not being reviewed or approved in a timely manner, as set forth in the Bylaws.¹⁷
15. The LASD Director of Facilities Bureau has authority to spend up to 49% of the IWF proceeds without official review or approval of the IWC. The Director appears at the IWC meetings as a courtesy and provides updates pertaining to the IWF expenditures on maintenance to LASD jail facilities.¹⁸
16. The CGJ is not aware of any inappropriate usage of IWF. We do, however, question the follow-up and oversight of some of the programs that are in place and whether adequate performance measures are being used to report back to the IWC in recommending continuance or improvements needed in programs.¹⁹
17. The CGJ witnessed a presentation of the Tattoo Removal Program at the March 2017 IWC meeting wherein \$250,000 in overtime was requested by staff to continue the program.

¹⁴ 1/29/16 IWC chairman inquired when last audit was completed. Dir. Joe advised it was completed August 2015 and a copy would be provided to the IWC

¹⁵ IWC Minutes: January, February, March, October, November 2016

¹⁶ Draft of revised Bylaws obtained 3/2/17 from LASD Inmate Services Bureau senior official

¹⁷ Ibid.

¹⁸ Meeting with LASD senior staff Facilities Bureau

¹⁹ IWC Minutes, 2/26/16 requesting program reports to show value

When commissioners questioned staff on the funding request, staff was unclear on how many months it would cover. Many questions were raised about the need for overtime instead of straight time. Alternatives or suggestions from the commissioners in efforts to avoid the use of overtime in providing tattoo removal services to inmates was not taken up at that time.

18. Some senior LASD program managers were unable to readily explain to the CGJ the financial status of various programs, activities and expenditures.
19. In reviewing IWC Minutes, it does not appear that commissioners are aware of weekly Town Hall meetings with inmates, or getting feedback in soliciting inmates' comments regarding IWF expenditures and/or programs.²⁰
20. The term "not needed" as used in §4025 is vague.

V RECOMMENDATIONS

1. The LASD should require the IWC Strategic Planning Committee to adhere to the timeline spelled out in the Commission Bylaws to produce and submit a spending plan by August in order to determine the funding priorities for the coming fiscal year. (Finding 14)
2. The LASD should require the IWC to complete an assessment of program performance by March 1 of each year. (Findings 14, 16, 17)
3. The LASD should annually receive measurable program and financial objectives from the Strategic Planning Committee of the IWC. (Findings 14, 16, 17, 18)
4. The LASD should establish such methods and procedures to identify expenditures and enable the respective Fiscal and Facilities program managers to clearly identify which expenditures have been encumbered for their area of responsibility and what is unencumbered to date. (Finding 18)
5. The LASD should implement IWC program priorities set forth in their annual strategic planning process. (Findings 13, 14, 16)
6. The LASD should make a presentation to the IWC on the LASD's Strategic Plan and related programs in order for the IWC to have sufficient relevant information in setting their priorities. (Findings 8, 9)
7. In the event of potential loss of revenue from telephone provider(s), the IWC should review and refrain from committing funds to expensive and long-term programs until the FCC case is resolved and new phone contracts are issued. (Finding 11)

²⁰ Attachment I.1 Highlights of Survey of Inmate Welfare Funds in Other Jurisdictions (Self-Reported Information)
BOS Management Audit Division FY 2014-2015

8. The LASD staff should report regularly to the IWC on the weekly Town Hall meetings with inmates, in soliciting inmates' comments regarding IWC expenditures and/or programs. (Finding 19)
9. The LASD should clarify and implement, after IWC approval, the methods and procedures used to identify expenditures by purpose and the inter-fund transfers between the Program and Facilities funds. (Finding 18)
10. The LASD should practice transparency of the Inmate Welfare Fund by posting IWC meeting agendas and minutes. (Findings 1, 5, 6, 9, 10, 11, 14)
11. The LASD should post an annual itemized report of IWF expenditures in each LASD jail facility and make it available to the public for greater transparency. (Finding 10)
12. The BOS should require LASD to implement greater public transparency of the Sheriff's Inmate Welfare Fund. (Findings 1, 6, 7, 10, 12)
13. The LASD should appoint an individual to the IWC who has successfully reentered society after incarceration. (Finding 4)
14. The Los Angeles County Counsel should provide LASD with a legal opinion on the definition of "not needed" as stated in §4025. (Finding 20)

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street, Eleventh Floor-Room 11-506
Los Angeles, CA 90012

Responses are required from:

Responding Agency	Recommendations
Los Angeles County Sheriff's Department	9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11, 9.13
County of Los Angeles Board of Supervisors	9.12
Los Angeles County Counsel	9.14

VII ACRONYMS

BOS	Board of Supervisors
CGJ	2016-2017 Los Angeles County Civil Grand Jury
FCC	Federal Communications Commission
GED	General Educational Development
GTL	Global TelLink
IWC	Inmate Welfare Commission
IWF	Inmate Welfare Fund
LASD	Los Angeles Sheriff's Department

VIII COMMITTEE MEMBERS

Sharon Muravez	Chair
Gerard Duiker	Co-Chair
Dorothy Brown	
Gloria Garfinkel	

WHEN ARE LANDLINES A GOVERNMENT WASTE?



Henry C. Guerrero **Chair**
Regi Block **Secretary**
Hilda Dallal
London Jones
Patrick Lyons

WHEN ARE LANDLINES A GOVERNMENT WASTE?

I SUMMARY

The Internal Services Department (ISD) of the County of Los Angeles (County) estimates that 25,000 cellular telephones are assigned to County employees. There are many jobs in the County where employees possess a cellular and a desk phone. In 2014, 41% of the U.S. households eliminated their landline telephones as they transitioned to cellular smartphones, however, offices will take longer to follow in this trend.¹ Senior management of the County Auditor-Controller recognizes this trend and sees this as an opportunity for cost savings by eliminating redundancy.

The 2016-2017 County Civil Grand Jury (CGJ) undertook a survey to estimate the savings that can be achieved when redundant landlines are eliminated. This effort is consistent with the Los Angeles County Strategic Plan 2016-2021:

Goal III of the County's Strategic Plan - Realize Tomorrow's Government Today

- Goal III.2.3 Prioritize and Implement Technology Initiatives That Enhance Service Delivery and Increase Efficiency
- Goal III.3.2 Manage and Maximize County Assets
- Goal III.3.6 Implement a Workplace of the Future

The CGJ found that the County can achieve savings of 19% for every landline phone that is eliminated where employees possess a cellular and a desk phone.² We also found that savings can be achieved by offering employees a stipend (a fixed regular dollar amount) to pay them for using their personal cellular phones to conduct County business. In a stipend pilot program, the County achieved up to 25% savings in lieu of County issued employee cellular phones from contracted service carriers.³

Given the growth trend in the use of mobile telephone technology, the County is encouraged to develop guidelines for managers to help them decide whether there is no longer a need for a landline when an employee has been issued a cellular phone.

¹ Forbes Magazine February 27, 2015 Niall McCarthy

² ISD Telecommunications Service Management provided phone charges for cell and Land lines. Annual Costs: Cellular is \$630, Desk is \$150, [\$150/(\$630+\$150)]*100=19%

³ Correspondence from Office of CEO

II BACKGROUND

Policy and Procedures:

In 2011 the Los Angeles County Board of Supervisors (BOS) directed the County Auditor-Controller to conduct audits to address former problem areas of tracking and managing usage of cellular phones and to develop the appropriate County policy and procedures.⁴ Gartner Consulting and the three cell phone agreement carriers were engaged to review the existing County contract agreement structures. They compared the County's processes, costs and controls to other government agencies and made recommendations for efficiencies and cost savings. As a result the County has addressed former problem areas and has augmented its best practice procedure to manage cellular telephone costs and to address inconsistencies among many departments.⁵ The County has established Board Policy 3.160⁶ and Fiscal Manual Reference 4.7⁷ each titled - County Cellular Telephone and Other Wireless Data Devices Usage Policy and Procedure.

The County continues to review and update these policies as needed.⁸ These procedures guide managers in assigning cellular phones, requires departments to use rates from existing negotiated service contracts and to monitor personal use/reimbursement of County cellular phones.⁹ The policy was developed in response to audits and included recommendations of outside consultants and the three cellular phone agreement carriers.¹⁰

Consequential Dilemma of Cellular Phones

Cellular phones may be authorized as stated in Board Policy 3.160 "...in the circumstance in which the employee's use on a non-cellular telephone is inadequate to meet departmental needs." The CGJ asks the question: If a staff member job requires the use of a cellular phone because a landline is inadequate to meet department needs, can the employee give up their desk phone?

A senior manager of the Auditor-Controller told the CGJ they identified, but not quantified cost savings should landlines be eliminated for cellular users. The CGJ decided to conduct a survey to estimate savings if cell phone users could give up a desk phone. Details of the methodology used for the survey are explained in the Methodology Section of this report.

⁴ The BOS letter "County Cell Phone Usage – Status Report no. 2 (Agenda of January 4, 2011) from the Chief Executive Office, March 10, 2011

⁵ Ibid

⁶ BOS Policy Manual

⁷ The County of Los Angeles Fiscal Manual Section 4.7.0 Cellular Telephone and Other Wireless Data Devices Usage Policy

⁸ Auditor Controller letter, "Review of Board Policy 3.160", from Auditor-Controller, John Naimo, to Audit Committee, September 6, 2016

⁹ BOS Policy Manual

¹⁰ BOS letter, "County Cell Phone Usage – Status Report No. 3 (Item No. 3, Agenda of January 4, 2011" from CEO, William T Fujioka

Cellular Procurement, Tracking and Billing

The Fiscal Manual¹¹ sets out procedures for procurement, tracking and billing. For example it states:

- Departments are required to procure cellular phones at rates available through County master agreements
- Department heads are responsible for justifying, approving cellular phones
- Each department is responsible for tracking and auditing employee personal usage reimbursement

Telecommunications Service Management Section¹² (TSM) staff described to the CGJ how monthly cellular-vendor printed bills are manually distributed to the respective departments, and then circulated between managers and employees for review and approve. TMS said this manual process is burdensome and prone to error and inefficiencies. TMS demonstrated the County Expense Management System (EMS) that automates landline and cellular phone billing and tracking processes. The CGJ was impressed how EMS increases efficiency; provides improved accountability, and results in added productivity.

We verified the system features that manage electronic phone billing distribution, personal use reimbursement, inventory, low volume usage, and provides approval mechanisms and reports. As demonstrated, the EMS system posts monthly cellular bills via the web, displays telephone usage, provides user and manager tools to identify personal costs, automates the approval process, and maintains cellular phone inventory.

TMS informed the CGJ that EMS can handle cellular and landline phone bills and tracking and that ISD intends to adapt EMS functions in a phone application (APP). The CGJ agrees with ISD staff that use of this system provides the opportunity to reduce administrative costs by shifting to an automated and paperless process provides.

TMS staff told the CGJ they have no accurate electronic method to match employees to a cellular and a desk phone because County departments phone-tracking systems are not integrated or do not capture the required data. TMS staff told the CGJ that ISD plans a mid-2017 roll out the Wireless Management Module of the EMS system for County departments who voluntarily decide to subscribe to this more efficient process.

Landlines

TMS staff informed the CGJ that they centrally manage all services for landlines, but not for all cellular phones. TMS explained to the CGJ that the County telephone system is an integrated

¹¹ The County Fiscal Manual Section 4.7.0 Cellular Telephone and Other Wireless Data Devices Usage Policy

¹² TMS is the ISD section that manages all landline billing for the County and cellular billing for County departments that subscribe to the EMS system.

phone service consisting of Centrex, PBX, and VoIP (internet) networks; these telecommunication service costs are bundled and charges back to the County departments. TMS informed the CGJ there are 140,000 landlines and while most are for employee-desks there are many other miscellaneous uses such as lines for alarms, elevators, sprinkler systems, facsimile machines, etc.

Costs

The following estimates were supplied by ISD Telecommunication Service Management Division:

The single estimated monthly average landline County charge to the departments is \$12.50 and consists of:

- The average single line charge for Centrex (\$14.00), PBX (\$5.00) and VoIP (\$10.00), is approximately \$10.00.
- The average usage per line is approximately \$2.00
- The average taxes/surcharges per line is approximately \$0.50

The single estimated monthly cellular phone charge to the departments is \$52.50 and includes:

- Older model basic smartphone
- Voicemail
- Capped pooled talk minutes/data/unlimited text

Not included in the \$52.50 monthly cellular phone cost:

- County pays the sales tax on the retail price of the phone
- County incurs the cost of loss or breakage

Stipend Program

A stipend is sum of money paid periodically for services or to defray expenses.¹³ In a cellular phone stipend program the County plans to provide a taxable stipend to employees in lieu of their existing County-issued cellular equipment; to reduce County cellular equipment and administrative costs.¹⁴

On January 8, 2013, the Los Angeles County Board of Supervisors approved a Phase I Pilot Stipend Program selecting a small number of employees for the test.¹⁵ The program reimbursed

¹³ Merriam-Webster Dictionary

¹⁴ County of Los Angeles BOS letter, Cellular Phone and Data Stipend Program Pilot”, October 2, 2012 from the Chief Executive Office

¹⁵ County BOS letter “Cellular Phone and Data Stipend Program Pilot Phase II, July 2,2013 from the Chief Executive Office

employees up to \$40 a month to use their personal cellular phone for County business.¹⁶ Forty (\$40) is \$12.50 less than the monthly cost of \$52.50 for a County cellular phone.¹⁷ The CGJ compared differences between a County-issued phone and a stipend phone and identified tangible and not quantifiable indirect administrative cost savings of the stipend program to include:

- County does not incur cost for breakage or stolen phones
- County does not incur cost for sales tax on retail price of a new phone
- No monthly production and distribution of billing reports
- Eliminates employee and manager tasks for reviewing and approving monthly bills
- Eliminates auditing of personal use of a County asset

In 2013, the County approved Phase II Pilot, a second stipend program pilot, to arrange for further refinement of policies and procedure related to implementation of the program and to include a larger pool of users.¹⁸ Management of the Chief Executive Office (CEO) informed the CGJ that the cellular phone and data stipend program pilot phase II (Pilot II) achieved savings of up to 25% in cellular phone costs.¹⁹ The critical issue of cyber-security for County information on personal phones is being addressed.²⁰ The following is a quote from correspondence from the Office of the CEO:

“It was determined through this exercise that we needed to develop a Bring Your Own Device (BYOD) policy that would address security concerns of County Data residing on private devices and the County’s ability to wipe data remotely in the result of a device being lost or stolen. The BYOD policy is currently being developed. Once this policy is in place and we believe we can protect County data on all devices, we will bring back [to] the Board a recommendation for a Stipend Program that complies with the BYOD. In the current environment related to cyber-security our main concern is to make sure we can protect all County data before moving forward with a Stipend Program.”²¹

¹⁶ County BOS letter “Cellular Phone and Data Stipend Program Pilot Phase II, July 2,2013 from the Chief Executive Office

¹⁷ Ibid

¹⁸ Ibid

¹⁹ Correspondence from Office of CEO to CGJ

²⁰ Ibid

²¹ Ibid

III METHODOLOGY

Data Collection

Cellular and landline data was collected manually because it was too complex and costly and time consuming than initially expected to extract data from electronic databases. For this reason the scope of data collection is limited to obtain sufficient data to calculate an approximation of cost savings. The project does not intend to collect data to qualify and decide which jobs should have their landlines removed, that decision is for management. However, the CGJ presupposes it is important to develop guidelines for managers to help them decide if there is no longer a need for a landline when an employee has been issued a cellular phone.

Sources of Information

Consultation with the County’s Audit Division of the Auditor Controller informed us that a survey, collecting a small sample of cellular data, is sufficient for the objective of this project. Our approach was selected after learning from the County’s ISD there is no accurate electronic method to identify employees assigned to a cellular and landline number.

ISD’s TSM provided the CGJ with the costs for all phones and demonstrated their computer Expense Management System (EMS) that tracks telephone billing and inventory.

Information about the stipend program was obtained from reports presented to the Board of Supervisors, the Office of the Auditor-Controller, Office of the CEO, and Chief Information Security Officer.

Survey

The survey was distributed to 10 departments with various jobs that require employees to be away from their desks a majority of the time. The design of this survey was to obtain a quantitative snapshot of users who maintain a cellular and desk telephone. See Figure 1.

Figure 1 - Survey Questions

Please select a minimum of 35 randomly selected field employees in your department:
1. Number of employees selected for this survey:
2. Number of these employees assigned a desk phone:
3. Number of these employees who share a desk :
4. Please provide a sample list of job titles for the employees used in the survey:
5. Please provide the name of your primary department administrator for cell phones:
6. Does your department utilize the “Stipend” program? (Yes or No):
7. Does your department use ISD Master Agreements for cellular devices or does your department negotiate directly with cellular providers? (ISD or Negotiate directly):

Table 1 - Survey Data

Number of Departments Surveyed	Number of cell users selected for survey:	Number of cell users assigned a desk phone	Number of cell users who share a desk	Does dept. utilize the "Stipend" program?	Does dept. use ISD Master Agreements
10	351	286	63	None	8 yes, 2 no

Using the numbers from Table 1, the CGJ calculates that 64% of the 25,000 cellular users have a dedicated desk phone. Computation is as follows:

$$[(286-63)/351] \times 100=63.53\%$$

Table 2 shows the potential annual savings when desk phones are relinquished. Savings is computed at \$150 (\$12.50 Charge per Month*12 Months) per each landline and using a cellular population of 64% (16,000) of 25,000 cellular users. The CGJ's study is only an approximate gauge but the resulting numbers are significant enough to justify a formal audit.

Table 2 – Potential County Annual Savings

Percent of cellular users who have a desk phone and relinquish it.	Annual Savings from relinquishing desk phone
20% relinquishment	\$ 480,000
33% relinquishment	\$ 792,000
50% relinquishment	\$1,200,000

IV FINDINGS

1. The CGJ's study is only an approximate gauge but the resulting numbers are found to be significant enough to justify a formal audit.

Potential County Annual Savings

Percent of cellular users who have a desk phone and relinquish it.	Annual Savings from relinquishing desk phone
20% relinquishment	\$ 480,000
33% relinquishment	\$ 792,000
50% relinquishment	\$1,200,000

2. Given the growth trend in the use of mobile telephone technology, guidelines for managers would be advantageous to help them decide whether there is no longer a need for a landline when an employee has been issued a cellular phone.
3. The County employee population is approximately 100,000 and it operates 140,000 landlines. There is a potential for part of the 40,000 hard wired miscellaneous functions to shift to wireless communication.
4. Internal Services Department's (ISD) Expense Management System (EMS) reduces the disarray associated with handling, reviewing and approving monthly paper telephone bills that were previously delivered by telephone service providers. This system can handle both cellular and landline phone bills.
5. Subscription to EMS is currently voluntary by each department. By having all departments subscribe to this system the County will possess a centralized inventory for cellular phones. EMS can be modified to track stipend phones.
6. ISD is working to convert from legacy PBX and Centrex technology to VoIP where possible to reduce costs. PBX is being phased out as a communication technology in the telecommunication industry.
7. The single estimated monthly average landline charge to the County departments is \$12.50.
8. Implementation of a stipend program can reduce cellular phone costs for the County based on the results of Phase I and II pilot programs. A stipend program allows employees to use a personal cellular device in lieu of a County-issued device as a cost-effective option. The Phase II pilot demonstrated savings of up to 25% when compared to the cost of a cellular phone purchased from a telephone carrier approved by the County.
9. Security concerns regarding County Data residing on private devices and the County's ability to wipe data remotely due to a device being lost or stolen is to be addressed. The storage and retrieval of information subject to the California Public Records Act should be addressed.^{22,23} Implementation of a Bring Your Own Device (BYOD) policy and associated technical solution is in development and is a prerequisite to rolling out a stipend program.
10. The County's monthly cost for a smartphone is approximately \$52.50 for those procured through ISD. These smartphones are the previous years' models with voicemail service, capped pooled minutes/data/unlimited text. The County pays the sales tax on the retail price of the phone and incurs the cost of loss or breakage.

²² California Government Code, Sec. 6250, et seq.

²³ City of San Jose v. Superior Court (Smith), No S218066, March 2017.Re. conduct of public business on personal account may be subject to disclosure under the California Public Records Act.

11. The County has established appropriate policies identified in Board Policy 3.160²⁴ and Fiscal Manual Reference 4.7²⁵ for managing cellular phones.
12. There is no centralized procurement policy for cellular phones. Some departments negotiate their own agreements though this service is available from the County ISD. This is permissible providing they acquire services at rates available through County master agreements negotiated by ISD.
13. Based on technology trends²⁶, the County workplace of the future will likely see a continuous growth in use of mobile devices with the expectation that costs will be off-set with measured increase of productivity.

V RECOMMENDATIONS

1. The Auditor-Controller should conduct an audit to quantify cost savings from eliminating cellular/ landline redundancy, where possible, when these devices are assigned to the same person.
2. The Auditor-Controller should recommend guidelines for determining when a landline should be eliminated or shared by two or more employees.
3. The Internal Services Department should modify the inventory process for tracking 40,000 landlines dedicated to miscellaneous functions like elevators, alarms and facsimile to flag devices that will be converted to wireless communication.
4. The Chief Executive Office should require all departments to use the Internal Service Department Expense Management System (EMS) to ensure all cellphones are tracked, monitored and cost-controlled.
5. The Chief Executive Office should seek approval of the Board of Supervisor to implement a County Cellular Phone and Data Stipend Program and associated Bring Your Own Device (BYOD) policy.
6. The Chief Executive Office should require that cyber security and information subject to the California Public Records Act be addressed in a stipend phone policy.
7. The Chief Executive Office should initiate a project to determine how to track stipend phones.

²⁴ BOS Policy Manual

²⁵ See County of Los Angeles Fiscal Manual Section 4.7.0 Cellular Telephone and Other Wireless Data Devices Usage Policy: footnote 7

²⁶ Forbes Magazine February 27, 2015 Niall McCarthy

8. The Internal Services Department should modify the Expense Management System to track and inventory stipend phones.

VI REQUEST FOR RESPONSE

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
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 Eleventh Floor-Room 11-506
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Responses are required from:

Responding Agency	Recommendations	Findings
Los Angeles County Auditor-Controller	10.1, 10.2	10.1, 10.2
Los Angeles County Chief Executive Office	10.4, 10.5, 10.6, 10.7	10.4, 10.5, 10.8, 10.9, 10.12
Los Angeles County Internal Services Department	10.3, 10.8	10.3,10.4,10.5

VII ACRONYMS

APP	Application
BOS	Los Angeles County Board of Supervisors
BYOD	Bring Your Own Device
CEO	Chief Executive Office
CGJ	2016-2017 Los Angeles County Civil Grand Jury
EMS	Expense Management System
ISD	Internal Service Department
PBX	Private Branch Exchange
TMS	Telecommunications Service Management Section
VoIP	Voice over Internet Protocol

VII COMMITTEE MEMBERS

Henry C. Guerrero Chair
Regi Block Secretary
Hilda Dallal
London Jones
Patrick Lyons

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LOS ANGELES RIVER REVITALIZATION



Douglas Benedict **Chair**
Gerard Duiker
Gloria Garfinkel
Shelley Strohm

LOS ANGELES RIVER REVITALIZATION

The following investigative report is offered in support of the County of Los Angeles Board of Supervisors' Strategic Plan: "Foster Vibrant and Resilient Communities"; "Expand Access to Recreational and Cultural Opportunities".

I SUMMARY

The Los Angeles River has been visualized as a public resource combining ecological recovery, water conservation, and massively expanded public recreation opportunities. These visions would likely catalyze the redevelopment of the adjoining areas, impacting nearby communities. The river is currently a largely concrete channel, frequently bordered by freeways and railroad right-of-ways. The resulting "river" is critically important for flood control when infrequent but heavy rains occur. While the Los Angeles River revitalization vision has been pursued for over 20 years, a number of recent developments indicate that parts of the river will see actual improvements in the near future. This investigation has examined the intersecting efforts targeting the Los Angeles River revitalization. The Los Angeles County Civil Grand Jury (CGJ) had particular interest in the process of identifying and prioritizing the public interests in revitalization efforts.

The CGJ investigation found that the many partial plans are combining into one integrated, consistent project dealing with the entire 51 miles of the river. However, we have not found an explicit and prioritized definition of the public interests. This should be sought with public input, review, and transparency. Once obtained, the public interests should be required within all revitalization plans.

II BACKGROUND

Introduction

Los Angeles may have a reputation for glamour, but its namesake river has a definite public relations problem. The words "Los Angeles River" conjures up an image of a large but nearly-empty concrete trough—unnatural and unattractive. Even now, some parts of the River do not fit that image, and once, none of it did. We may not be able to turn back the clock, but we can expose the River's strengths and possibilities and, with care, we can make the River a source of beauty, serenity, recreation, community feeling, and even economic growth.

River History

A Vital Resource

A thousand years ago, well before the arrival of Europeans, the River served as a vital source of water and other resources for the Tongva Indians. Over two hundred Tongva were living in a settlement near what is now City Hall, when the Spanish explorer Portola arrived in 1769.¹



Picture Taken by Civil Grand Juror, March 2017

Altogether there were an estimated 5,000 Tongva in the area.² To the Tongva, the River provided not only food and water, but the reeds they used to make their sturdy, earthquake-resistant huts.³

Later, Spanish settlers clustered by the life-giving River, to be followed in time by Americans. By the 19th and 20th centuries the area around the river was an important industrial center and railway shipping corridor.⁴

Unfortunately, the River could also be a hazard. The original Pueblo de Los Angeles was “washed away” in 1815;⁵ this disaster was followed by other major floods in 1825 and 1861. Nevertheless, the growing city expanded into the River’s floodplain. Punishing floods in 1914,

¹ <http://lapw.org/wmd/watershed/LA/History.cfm>

² <http://www.laalmanac.com/history.hi05.htm>

³ <http://www.haramokngna.org/education/tongva/>

⁴ 2007 Los Angeles River Revitalization Master Plan, Executive Summary

⁵ <http://aldpw.org/wmd/watershed/LA/History.cfm>

1934, and 1938 caused major damage and loss of life; more than 100 people were lost and over 5,000 buildings were destroyed in the 1938 flood alone.⁶ The Los Angeles County Flood Control District and the U.S. Army Corps of Engineers responded by building the familiar concrete channel which contains the River along most of its course.⁷

A Neighborhood Vision, Vital Once More

Ed P. Reyes, former LA City Councilman and head of the committee that formulated the 2007 Plan, credits the genesis of the Plan to a “neighborhood vision” of the early 1990s. The vision was remaking of the disused and disreputable Taylor Yard “...from an old rail yard into a park.”⁸ Eventually that vision proved contagious. A 1996 County of Los Angeles Master Plan was adopted and in June 2002 the Ad Hoc Committee on the Los Angeles River was established consisting of five City of Los Angeles Council Members.⁹ In October 2005 public workshops drew “thousands of people” to share their opinions and ideas on river revitalization, ideas that were “captured,” as Reyes put it, in a new 2007 Plan. As the Plan went to press, Reyes noted with pride that Taylor Yard was being “transform(ed) . . . into a 40-acre state park.” Today, Reyes’ vision is named: Rio de Los Angeles State Park.¹⁰

The River Today

Today’s Los Angeles River, the starting point for any future revitalization efforts, is shown in the map below. Having “headwaters” in Canoga Park and emptying 51 miles downstream into the Port of Los Angeles, it has a watershed of 820 square miles.¹¹ From beginning to end it has an elevation change greater than the mighty Mississippi.¹² Water flows from the surrounding mountains. This region typically receives an average of 15 inches of rain a year.¹³ When heavy rains occur and/or are spread widely over the watershed area, the River suddenly can carry heavy flows.¹⁴

Over a period of years (1938-1960) the Army Corps of Engineers has locked the flow into a robust concrete channel over almost all of its 51 miles to stop it from flooding downtown Los Angeles on heavy rain days.¹⁵ ¹⁶ But these are rare in Los Angeles, so the amount of water flowing in the channel is usually only a small fraction its capacity.¹⁷ However slight the dry day flows are, the amount of water reaching the harbor is embarrassingly large for a region frequently struggling with drought.¹⁸ See map illustration below.¹⁹

⁶ <http://www.takepart.com/feature/2015/12/14/la-river>

⁷ 2007 Los Angeles River Revitalization Master Plan, Executive Summary

⁸ http://mlagreen.com/wp-content/uploads/LA-River-Revitalization-Master-Plan_2007_Exec-Summary_TOC.pdf

⁹ http://ladpw.org/wmd/watershed/la/la_river_plan.cfm

¹⁰ https://www.parks.ca.gov/?page_id=22277

¹¹ <https://dpw.lacounty.gov/wmd/watershed/la/>

¹² www.theriverproject.org › Learn › Know Your Watershed

¹³ www.laalmanac.com/weather/we13.htm

¹⁴ www.theriverproject.org › Learn › Know Your Watershed

¹⁵ www.nbclosangeles.com/.../Anniversary-of-the-LA-River-Flood-A-Look-Then-and-N...

¹⁶ <https://dpw.lacounty.gov/wmd/watershed/LA/History.cfm>

¹⁷ www.theriverproject.org › Learn › Know Your Watershed

¹⁸ www.forbes.com/.../why-does-california-let-billions-of-gallons-of-fresh-water-flow-st...

¹⁹ Map Credit: Council for Watershed Health

Map: Los Angeles River Watershed



Credit: Council for Watershed Health

[21]

To complement the robust channel on wet days, the Corps built the Sepulveda Flood Control Basin to temporarily store water and safely release it downstream.²⁰ The Basin is intended to fill up on wet days; otherwise, it is an open area useful for various recreations.²¹ It is also home to a

²⁰ www.spl.usace.army.mil/Missions/Asset-Management/Sepulveda-Dam/

²¹ Ibid.

sewage processing plant that serves much of the San Fernando Valley and empties a reasonably clean effluent into the River. In fact, on most days, the sewage plant supplies most of the flow going down the river from it.²² The Basin is the only designated Wildlife Reserve on the River.²³

Along its length, the main channel has feeders that are mostly inactive except on a few rainy days. There are also a large number of small rainwater drains. Each feeder may contribute water with various undesirable substances in it. The pollutants are worse on rainy days.²⁴

Controlling the River flow on wet days is a task assigned to the County of Los Angeles Department of Public Works via a centralized control center in Alhambra. It is a very complex operation.²⁵ The Swift Water Rescue Team of the Los Angeles County Fire Department stands alert during periods of heavy rainfall to help people who are surprised by the sudden and dangerous river behavior.²⁶

At various places along the banks of the Los Angeles River there are publicly accessible parks, trails and bike paths.²⁷ At other points, particularly in the downtown Los Angeles area, the river banks are occupied by railroad tracks and/or freeways, making the river essentially inaccessible.²⁸ There are also unused industrial areas, sometimes quite polluted, ripe for cleaning and repurposing.²⁹

Throughout its length the River is crossed by bridges shared by cars and people. However, these are generally widely spaced, so neighborhoods are separated by the River.³⁰

Finally, there are places along the River which have housing or industrial sites adjacent to its concrete banks. Clearly, these places are heavily dependent on the River being contained on the wettest of days.³¹

Current Plans in the Works

As this report was being written, there were four active river planning efforts which are described on the following page.

²² https://en.wikipedia.org/wiki/Tillman_Water_Reclamation_Plant

²³ <http://www.sepulvedabasinwildlife.org/sbwr.html>

²⁴ Presentation of the WaterKeeper™

²⁵ Presentation Los Angeles County Department of Public Works

²⁶ www.latimes.com/local/lanow/82268035-157.html

²⁷ folar.org/larivermap/

²⁸ <https://dornsife.usc.edu/la-walking-tour/la-river/>

²⁹ www.riverproject.org › Projects

³⁰ https://en.wikipedia.org/wiki/List_of_crossings_of_the_Los_Angeles_River

³¹ losangeles.cbslocal.com/2016/01/.../banks-of-los-angeles-river-to-be-raised-temporari

“Alternative 20”³²

This plan for the lower 11- mile stretch of the river within the City of Los Angeles, Griffith Park to Downtown, is the result of an agreement between the US Army Corps of Engineers and the City and was a part of the Federal Water Resources Development Act (WRDA). Implementation costs are to be shared by the Federal government and the City of Los Angeles and are currently estimated at about \$1.36B.

The goals of the plan are both habitat restoration and recreational provisions. The most significant feature of the river in this area is its “soft bottom.” Unlike most of the current channel, the river bottom is actual soil, not concrete. Plants can grow in the soil. Most of the cost of the project would be incurred by the purchase and cleaning of the adjoining land. The City of Los Angeles has purchased the G2 parcel for \$60M. The G2 parcel is a critical 41 acres of the Taylor Yards, previously a railroad switching facility. Cleanup costs are estimated to be several times this amount. The Army Corps of Engineers is about to begin more detailed design work.³³

Lower Los Angeles River Working Group (AB530)³⁴

Supported by California State legislation, a Working Group has been formed to develop a revitalization plan for the Los Angeles River’s southern 21-mile segment from the southern border of the City of Los Angeles (about Washington Blvd) to the harbor. The working group consists of 39 members from 37 organizations with staff from The Rivers and Mountains Conservancy. Membership represents all adjoining municipalities, the County, and various interested Non-Governmental Organizations (NGO). To date the Group has met six times. There is about \$50M budgeted from a previous Water Bond issue for the current work. Release of a plan is intended for February 2018. Currently there is no funding identified for implementation. The intent of the Lower Los Angeles River Working Group is to complement the County of Los Angeles’ revised 51-mile plan.

The scope of the Lower River Plan is to include the Rio Hondo and Compton Creeks. The River in this area can be characterized as a high flow capacity, concrete channel which is designed to handle heavy rain events. Flood control during these events is the overwhelmingly highest priority in this river section because of areas built right up to the River’s edge.

The Lower Los Angeles River Working Group started work slightly earlier than the revised County Los Angeles River Master Plan team.

County of Los Angeles Revised Plan³⁵

In 2016 the County of Los Angeles Board of Supervisors (BOS) ordered an update to the Master Plan for Revitalization of the Los Angeles River that was originally released in 1996. This effort deals with the entire 51 miles of the river. This includes the upper 30 miles that are within the City of Los Angeles, together with the lower 21-miles which is the topic of the previous section. In particular, the City river run contains the 11-mile section that had been identified by the City

³² www.spl.usace.army.mil/Portals/17/docs/publicnotices/DraftIntegratedReport.pdf

³³ Telephone interview with local USACE official.

³⁴ Interview with County of Los Angeles Department of Public Works person in charge of revising the 1996 plan.

³⁵ la.curbed.com/2016/10/18/13326094/county-will-update-la-river-master-plan

and the US Army Corps of Engineers for revitalization under partial funding from the Federal government.

The BOS's action is intended to provide a unifying force to the overall river revitalization efforts. It is based on the County's authority to manage the flood control functionality of the river. Supervisor Kuehl cleverly captured the spirit of the County's action: "We wanted to avoid plan-demonium."³⁶

As this report is being written, the overall organization of Master Plan revision effort is under way but no meetings have been held. The effort is intended to be collaborative, building on as much of the previously done planning as possible while achieving overall coordination. Like most of the other revitalization efforts the immediate targets are plans; but funds for implementation have not been identified.

LA River Index³⁷

This is a publicly available, online collection of information gathered and generated over a 25-year period about the Los Angeles River and the possibilities for its improvement. It is from a non-profit organization, River LATM, which has the mission statement: "We integrate design and infrastructure to bring people, water and nature together along all 51 miles of the Los Angeles River."

The collection was produced by Frank Gehry and his team, partners Tensho Takemori and Anand Devarajan, with GeosyntecTM and OLINTM. The index covers the following topic areas: Flood Risk Management; Water Recharge; Water Quality; Greenhouse Gases; Ecology and Habitat; Open Space and Parks; Public Health and Social Equity; Transportation; and Programming.

Existing Ecological State of the Los Angeles River

A Vital Natural Resource

It is surprising to learn that the Los Angeles River still supports many species of plants and animals, even fish.³⁸ This is despite the fact that 90 to 95 percent of the original riparian³⁹ habitat has been lost to channelization and urbanization. Nearly all of the original wetlands are gone. The only remaining riparian habitat areas are in the Sepulveda Flood Control Basin and the Glendale Narrows which are soil-bottomed – not concrete. The 225-acre Sepulveda Basin Wildlife Preserve is at risk from both flooding and direct human actions.⁴⁰

What has been lost? Animals, of course, and some of the plants they and the Native Americans and European settlers depended on. Those parts of the watershed which still exhibit part of their original ecosystems can give us an idea of the area's original ecological state. For example, the

³⁶ <http://supervisorkuehl.com/board-votes-to-update-la-river-master-plan/>

³⁷ riverlareports.riverla.org/

³⁸ http://eng.lacity.org/techdocs/emg/docs/lariver/LA_River_Reader_Guide.pdf

³⁹ Note: riparian => river, creek, or stream banks

⁴⁰ lariver.org/ecosystem

sturdy-looking toyon shrub whose red berries caused settlers to think they were holly, giving Hollywood its name.⁴¹

The 2012 State of the Watershed Report lists eight separate plant natural habitats of the Watershed; only dry chaparral is “still abundant.” The others are described as fragmented, sensitive, and “heavily impacted.” The River in its natural state protected itself. The roots of the flood-resistant arroyo willows prevented erosion of riverbanks and cottonwood roots reached deep to help purify groundwater. But the River’s natural life-support system has been diminished and compromised.⁴²

Creatures of the River Habitats

Some species are beloved and iconic, like mule deer, bobcats, grey foxes, badgers, and mountain lions. Some, like the California Brown Pelican (E⁴³), California Least Tern (E), Least Bell’s Vireo (E), Red-legged Frog (T), Arroyo Toad (E), Arroyo Chub (T), and Santa Ana Sucker (T) are listed as threatened or even endangered. One perished victim is the Steelhead Trout. Three-foot specimens of this fish were common here before channelization,⁴⁴ but the steelhead now appears to be gone.⁴⁵

Estimates for number of bird species sighted in or along the river is over 300!⁴⁶ The River is a migration stopover for many bird species.

Defining the public interest and priorities

Deserved or not, there is concern that Los Angeles River Revitalization will generate private profits from a public investment in the River while underserving public interests.⁴⁷ There are rising property values in Elysian Valley from the “Alternative 20” agreement.⁴⁸ Is river revitalization causing the neighborhood to be gentrified? Are previously satisfied residents being expelled and future ones who cannot afford the higher housing costs, disqualified? If that happens in Elysian Valley, why won’t it happen along the entire 51 miles of the revitalized River? An initiative on the March, 2017 ballot - Measure S - demonstrated how deeply these concerns are held and how destructive to Los Angeles progress they may become.^{49 50 51}

An antidote to these negative public reactions may be an explicit definition of the legitimate public interests in river revitalization, giving priority to these interests in future river projects.

⁴¹ <http://www.theriverproject.org/learn/habitat/native-plants>

⁴² Ibid.

⁴³ Note: (E) indicates an officially endangered species; (T) indicates threatened.

⁴⁴ <http://www.theriverproject.org/learn/habitat/wildlife>

⁴⁵ <http://www.latimes.com/local/la-me-adv-steelhead-search-20140517-story.html>

⁴⁶ <http://www.theriverproject.org/learn/habitat/wildlife>

⁴⁷ <https://www.thenation.com/.../will-the-los-angeles-river-become-a-playground-for-the...>

⁴⁸ la.curbed.com/2014/6/4/.../how-will-la-mitigate-gentrification-on-a-beautified-la-river

⁴⁹ https://ballotpedia.org/Los_Angeles,_California,_Changes_to_Laws_Governing_the_...

⁵⁰ Note: Measure S was an initiative that sought to slow high density development in the City of Los Angeles and included a 2-year moratorium of such development.

⁵¹ Note: For example, restricting dense housing would lead to even higher housing costs in a market that is already amongst the most expensive in the nation.

In the following section we will explore a potential list of public interests.

Maintain/improve flood control function:

We have been warned about the unpredictable and destructive behaviors of the original wild Los Angeles River.⁵² There is absolutely no desire to return to that situation. The rapid descent and occasional high flows from the watershed have been tamed by the existing concrete channel.⁵³ Nothing should be done to the river that increases the flooding risk over the current protections. There may be “higher risk” sections where flood protection could be improved.⁵⁴

Consideration should be given to the possibility that global warming/climate change effects may generate rain events more severe than have been previously experienced, even while Southern California gets drier.⁵⁵ Resetting expectations for 100-year and 1,000-year rain events may be appropriate when deciding on the appropriate level of flood protection.

Provide safety for all river flow rates:

Unfortunately, we have recently suffered a river drowning.⁵⁶ This proves that the Los Angeles River has not been rendered totally safe for people venturing near it despite a largely fenced-in protective system. Experience shows that the river is most dangerous when it is in an “excited”, high flow rate condition. River flow changes can occur very rapidly when rainfall is heavy because of the large watershed area and rapid descent.

Many of the proposals for river revitalization include more public access to the river’s surrounds.⁵⁷ The accesses need to be complemented by safety measures which minimize tragic results from rapid river flow changes. An example might be an alarm system indicating imminent changes sensed upstream. Such an alarm system must, in turn, be complemented by clearly marked paths to safety by rapid egress if required. The river should be a safe place to enjoy.

Improve water quality in the river:

Recent measurements of river water have shown unacceptably high levels of biological agents and toxins even at normal low flow rates.⁵⁸ These are not acceptable for a body of water that passes near so many of our citizens and empties into the harbor and ocean. If the river is to be more accessible for recreation, it is more important that the flow be free of dangerous substances.

Cleaning the river water is difficult given the exposure to runoff from so many different activities as the river winds through Los Angeles County. It is even more difficult during a heavy rain event where all the sources of toxins, like those that have accumulated on the streets, sum to a dangerous mixture.

⁵² <http://www.lamag.com/citythinkblog/citydig-when-the-los-angeles-river-ranwild/>

⁵³ www.theriverproject.org › Learn › Know Your Watershed

⁵⁴ www.latimes.com/local/.../la-me-ln-los-angeles-river-flood-zone-20161017-snap-story.h...

⁵⁵ www.latimes.com/.../op.../la-oe-debuys-drought-foretells-future-20150817-story.html

⁵⁶ www.latimes.com/.../la-me-ln-missing-boy-accidental-drowning-20170228-story.html

⁵⁷ lariver.org/blog/visit-la-river

⁵⁸ <https://www.healthebay.org/sites/default/.../LA-River-study-press-release-FINAL.pdf>

Recover river ecosystems:

Estimates are that 95 % of the flora and fauna of the Los Angeles River area has been lost in its current state.⁵⁹ The concrete channel is not conducive to plant recovery and this has led to loss of animal life. Ecosystem recovery along the Los Angeles River is an important contribution to the community. Plans for revitalization should support this end. Emphasis should be on reestablishing native flora and fauna populations to the fullest extent possible.

Improve water flow to underlying aquifers:

The County of Los Angeles Department of Public Works and other agencies have explicit knowledge of the state of the local underground aquifers.⁶⁰ This awareness is coupled with a disciplined approach in controlling access to them. However, we could improve our aquifer refilling practices as a part of the river revitalization. When there is a rain event in Southern California, a very high percentage, greater than 50%, of the water falling in the Los Angeles River watershed is quickly emptied into the harbor.⁶¹ Many of the plans offered for river revitalization include riverside diversion ponds which could capture a significant amount of runoff and allow it to soak through the ground into the aquifers. These are frequently presented as versatile public recreational facilities depending on their fullness.⁶²

Provide for public recreation:

Imagine 51 miles of linear parks and a 51 mile continuous riverside bike path! These would wind through areas of the County currently without many public recreational facilities.⁶³ These are possibilities as a part of the river revitalization. Some of these facilities already exist along the river.⁶⁴

Access to public restrooms at conveniently close points in these parks must be addressed. In order to exploit the recreational opportunities, there must be access points from public transportation and some limited amount of parking. It would be pleasant to access some refreshments available near the parks.^{65 66}

Control impacts on existing adjoining communities:

This is perhaps the most complex of the public interest areas in river revitalization. If the current river configuration is improved by revitalization, the adjoining neighborhoods will become more desirable. Property values will increase. Investors, sensing opportunities for profit, will

⁵⁹ newsroom.ucla.edu/stories/the-future-for-wildlife-in-a-revitalized-l-a-river

⁶⁰ From an overview of the Department of Public Works of the County of Los Angeles.

⁶¹ www.dailynews.com/...and.../how-does-los-angeles-county-use-storm-water-runoff

⁶² http://boe.lacity.org/larivermp/CommunityOutreach/pdf/LARRMP_Final_05_03_07.pdf

⁶³ http://boe.lacity.org/larivermp/CommunityOutreach/pdf/LARRMP_Final_05_03_07.pdf

⁶⁴ folar.org/larivermap/

⁶⁵ From interview with RiverLA representative.

⁶⁶ Note: An on-river snack source was mentioned as a positive example of a public/private partnership by one involved RiverLA official during an interview.

participate in increasing property values. More affordable neighborhoods become less affordable, and, over time, the communities of people living there change. They are “gentrified.”⁶⁷

There are three distinct viewpoints on gentrification.⁶⁸

1. People who were satisfied with their neighborhood see it change because of river improvements. The improved river is better and they enjoy it. But the neighborhood culture is changing. Neighbors become more affluent with potentially different interests. Neighborhood businesses adjust to serve their new customers. The change is beyond the control of the original residents. They may feel discomfort from the changes. Their property is worth more. They could sell to get more money. But where can they afford to live now? Where do they want to relocate?
2. For people wanting to find a neighborhood with pleasant nearby parks at reasonable but rising prices and with funds to invest, the gentrified neighborhood is attractive.
3. People involved in the real estate business are glad to see gentrification. It creates a new target for productive real estate investments. The property transactions resulting from gentrification produce commissions and fees for businesses providing transaction-based services: real estate agents, lenders, escrow companies, etc. However, these interests might be considered secondary to those of current or future residents.

Overall Priority of Los Angeles River Revitalization Investments

While one can endorse the principle and potential outcomes of the river revitalization, the funding is in competition with other investments that could be made with the same funds. Some of the historical proposals for revitalization would be extremely expensive, particularly when applied over the entire 51 miles of the river.⁶⁹ For all the good outcomes possible with revitalization, the fact is that the current river configuration mostly works for the highest public priorities: flood prevention and public safety for all river states.⁷⁰ This suggests that in the competition for funding, river revitalization is at a disadvantage because new its objectives are at lower priority on the public interests list.

There is the possibility of “windfall” funding sources for the river revitalization. An example is the funding split that may be offered by the Federal government for the “Alternative 20” plan.⁷¹ This would allow the City of Los Angeles to leverage local funding with that from the Federal government. This increases the motivation to invest in “Alternative 20”. It would create construction jobs and achieves some of the benefits of overall river revitalization.

Some “windfalls” could arise from private sources that see a return based on an investment in the river.⁷² An example might be a value increase for property adjoining the River that the sources have invested in. These “windfalls” need to be tested against the clearly defined public interests. Some private offers will pass that test and become viable options. It remains imperative that such

⁶⁷ <http://la.curbed.com/2016/8/30/12712942/gentrification-map-los-angeles-county>

⁶⁸ <http://www.pbs.org/pov/flagwars/what-is-gentrification/>

⁶⁹ www.citywatchla.com/.../la.../12385-cha-ching-eric-s-pet-la-river-project-balloons-to-...

⁷⁰ abc7.com/news/socal-prepping-for-heavy-rainstorm-possible-flooding/1693089/

⁷¹ la.curbed.com/2016/7/2/12064494/la-river-restoration-alternative-20-army-corps

⁷² <https://www.theeastsiderla.com/.../public-may-have-to-pay-millions-more-for-a-free-l-...>

private investments are transparent to the public; “backdoor” surprise investments could dispel hard-won public goodwill.

Because of the high cost of the work, the fact that the river is stably functional as is, and the ever-present competition for government funds, river revitalization will likely be realized part-by-part over a long period of time. This makes the disciplined identification and preservation of public interests even more important. It suggests that interests and priorities be regularly revisited to account for the changing circumstances.

III METHODOLOGY

Plans reviewed

We were fortunate that there are detailed proposals available for the Los Angeles River Revitalization from many sources and from over a 20-year period. We have reviewed these plans as a baseline for this investigation.

County of Los Angeles 1996 River Revitalization Plan⁷³

This plan deals with the entire 51 miles of the River. Many of the aspects of this plan are contained in every later plan. This plan is currently under revision by the County of Los Angeles Department of Public Works of, which is the flood control authority for the River.

City of Los Angeles 2007 River Revitalization Plan⁷⁴

This plan deals with the upstream 31 miles of the River that lies within the boundaries of the City of Los Angeles, from the official “headwaters” of the River in Canoga Park to the crossing of Los Angeles’ southern boundary at Washington Boulevard. A part of this stretch of the River has been revisited in the “Alternative 20” plan below.

United States Army Corps of Engineers (USACE)/City of Los Angeles “Alternative 20” Plan⁷⁵
LA River Index⁷⁶

Interviews

We have conducted in person or telephone interviews with many of the people involved in River Revitalization planning:

A Deputy from Supervisor Kuehl’s office

United States Army Core of Engineers (USACE) Local Office (we were provided access to the massive work done by the USACE to support the “Alternative 20” plan.)

⁷³ ladpw.org/wmd/watershed/la/la_river_plan.cfm

⁷⁴ boe.lacity.org/lariverrmp/CommunityOutreach/pdf/LARRMP_Final_05_03_07.pdf

⁷⁵ www.spl.usace.army.mil/Portals/17/docs/publicnotices/DraftIntegratedReport.pdf

⁷⁶ riverlareports.riverla.org/

Los Angeles County Department of Public Works – Senior Manager
RiverLA – Senior Manager
Los Angeles County Department of Public Works – Overall Department Overview

River Tours

In order to make the current state of the Los Angeles River familiar to us, we toured some parts of the river and some adjoining parks:

Carson Creek Overpass – a tributary flowing into the lower River
River Wetlands in Long Beach – a wetland and absorption basin, adjoining the River in Long Beach
Riverside Park 1 – an adjoining park on lower River being developed
Riverside Park 2- an adjoining park on lower River north of Riverside Park 1

Media Coverage

CurbedLA – Frogtown (Elysian Valley) Riverside Development - Blog
CurbedLA – Frogtown (Elysian Valley) Property Values Increase - Blog
CurbedLA - LaKretz Bridge Contribution - Blog
LA Times – Series of articles on Taylor Yards Purchase Opportunity / Acquisition / Clean up
LA Times – Series of articles on Arts District Development

IV FINDINGS

1. Flood control is imperative. The importance of absolutely preventing floods from the Los Angeles River persists to this day. Nothing should be done that compromises this function, which is well-served by the current River configuration.
2. There have been many disparate plans and planning efforts. Since the idea of Los Angeles River revitalization was launched by Lewis MacAdams and his Friends of the Los Angeles River (FOLAR) Non-Governmental Organization (NGO) in 1986, there have been recurrences of planning efforts aimed at making concepts into reality. Some small, disparate projects may have resulted from these plans. However, no plan has reached full implementation. This is due to high cost and competing non-river interests.
3. There have been multiple independent actions. Even now River revitalization efforts are fragmented and not well coordinated. This is true for both planning efforts and actual small-scale implementations.
4. There is a move to integrated, systematic planning. There are calls for a systematic, integrated approach in River revitalization coming from the Los Angeles County Board of Supervisors and the RiverLA Non-Governmental Organization.
5. Progress has been limited by the high costs and limited resources. Planning has not been converted to implementation because of the extremely high cost of doing something significant to the River. As usual, high costs are met with limited (public) resources.

6. Lewis MacAdams, Founder of Friends of the Los Angeles River (FOLAR), has referred to the Los Angeles River as his “50 year artwork”. Since a comprehensive implementation is too expensive, attention has turned to subsets of the plans which may be opportunistically affordable. Waiting for the pieces to be assembled into the whole greatly slows completion. When MacAdams referenced his “50 year artwork” with respect to river revitalization he seems to have gotten it right. Working on sections of the river at a time also risks not achieving a satisfying unified whole.
7. What are the public’s interests in the Los Angeles River? The plans we have reviewed seem to have posited the public interests and their priorities. There may have been efforts that we are unaware of to solicit these from the actual public. The posited public interests may turn out to be the actual public interest. We are not able to assert either of these possibilities as true based on our investigation.

V RECOMMENDATIONS

1. The Los Angeles County Department of Public Works should publicly develop and periodically review a catalog of public interests and priorities for the overall (51 mile) Los Angeles River revitalization. These should be widely published. The following are likely to be amongst the most supported interests:

- Flood Control
- Public Safety
- Water Quality
- Water Conservation
- Ecological Recovery
- Recreational Opportunities
- Impacts on Existing Adjoining Communities
- Long-term Economic Development

2. The County of Los Angeles Department of Public Works while collaboratively revising the Master Plan for Los Angeles River Revitalization should include support the catalog of public interests, once it is created. The resulting Master Plan should govern any River sub-developments.
3. The County of Los Angeles Department of Public Works, working with the Lower Los Angeles River Working Group and the City of Los Angeles, should identify priorities and funding opportunities for river development for incremental River revitalization within the overall plan developed in 2 above.
4. The Lower Los Angeles River Working Group, working with the County of Los Angeles and the City of Los Angeles should identify priorities and funding opportunities for river development for incremental River revitalization within the overall plan developed in 2 above.
5. The Mayor of the City of Los Angeles, working with the County of Los Angeles Department of Public Works and the Lower Los Angeles River Working Group should

identify priorities and funding opportunities for river development for incremental River revitalization within the overall plan developed in 2 above.

6. The County of Los Angeles Board of Supervisors should include the agreed upon public interest catalog as a requirement for revitalization plans.
7. The Lower Los Angeles River Working Group should include the agreed upon public interest catalog as a requirement for revitalization plans.
8. The Mayor of the City of Los Angeles should include the agreed upon public interest catalog as a requirement for revitalization plans.
9. The Mayor of the City of Los Angeles should include a specifically-native flora and fauna riparian experience section within its “Alternative 20” implementation emulating the original Los Angeles River ecology.

VI REQUEST FOR RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
 Los Angeles County Superior Court
 Clara Shortridge Foltz Criminal Justice Center
 210 West Temple Street
 Eleventh Floor-Room 11-506
 Los Angeles, CA 9001

Responses are required from:

Responding Agency	Recommendations
County of Los Angeles Department of Public Works	11.1, 11.2, 11.3
Lower Los Angeles River Working Group	11.4, 11.7
Mayor of the City Los Angeles	11.5, 11.8, 11.9
County of Los Angeles Board of Supervisors	11.6

VII ACRONYMS

CGJ	2016-2017 Los Angeles County Civil Grand Jury
FOLAR	Friends of the Los Angeles River
NGO	Non-Governmental Organization
USACE	United States Army Corps of Engineers
WRDA	Water Resources Development Act

VIII COMMITTEE MEMBERS

Douglas Benedict Chair
Gerard Duiker
Gloria Garfinkel
Shelley Strohm

VEHICLE PURSUITS INVOLVING LAW ENFORCEMENT



Marcie Alvarez **Chair**
Alice Beener **Co-Chair**
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VEHICLE PURSUITS INVOLVING LAW ENFORCEMENT

This investigation is motivated by the County of Los Angeles Sheriff's Department (LASD) Core Value, "With integrity, compassion, and courage, we serve our communities,"¹ and a Los Angeles Police Department (LAPD) Strategic Goal, "Reduce harms from employee-involved traffic collisions" and "Reduce harms from workplace conduct".²

I SUMMARY

When a police officer engages in a vehicle pursuit, there is a potential risk of injury or death to him or her-self, the pursued and to innocent bystanders. The vehicles involved become dangerous tools, even weapons. There are unintended injuries and deaths in the County of Los Angeles (the County) from pursuits. Any pursuit must balance the increased risk against the law enforcement goals. The Los Angeles County Civil Grand Jury (CGJ) investigated the factors that determine this balance in the County. The CGJ found that these are:

- the likelihood that the potential crime causing the pursuit is one that justifies the increased risk.
- the likelihood that a vehicle pursuit will achieve its law enforcement goal.
- the likelihood that pursuits at elevated risk can cause injury or death to bystanders, the police officer, and/or the pursued.
- the quality of skill that the police officer possesses in order to evaluate the evolving risks of the pursuit, including his/her driving skills.
- the policies that govern police vehicle pursuits in the County.
- the assignment of responsibility for the consequences of a pursuit.

The CGJ has found that each of these can be a source for potentially improving police pursuit practices. With improvements in practices, the County can reduce the number of consequential injuries and deaths from police vehicle pursuits.

II BACKGROUND

A police pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspected violator of the law in a motor vehicle while the driver is using evasive tactics. Evasive actions can be high speed driving, driving off a highway, turning suddenly, or even driving in a legal manner but failing to yield to the officers' signal to stop.³ A high speed pursuit is one at speeds greater than that of the normal surrounding traffic.⁴

¹ <http://shq.lasnews.net/pages/PageDetail.aspx?id=2066>

² <http://assets.lapdonline.org/assets/pdf/LAPD%20Strategic%20Plan.pdf>

³ <https://definitions.uslegal.com/p/police-chase/>

⁴ Note: Although frequently pursuits are conducted with flashing lights and sirens, these signaling devices are not required to define a pursuit according the LASD driving policy, for example.

One County Example of Unintended Consequences of Police Vehicle Pursuits

On November 15, 2015 at 8:45 pm a 15-year-old boy was decapitated after being hit by a stolen car that was fleeing the police. In court one of the officers testified that she radioed for a police helicopter and other officers so they could stop the vehicle as they followed behind. The officer stated that she and her partner continued to follow the car at speeds exceeding 60 mph without turning on their lights and sirens. They did not attempt to stop the driver as he sped along Venice Blvd. The stolen car was traveling at 90 mph when it struck the 15-year-old as he was walking across the street. The Los Angeles Police Department claimed that they were not in a pursuit, although the officers admitted in court to following the suspects' car at speeds exceeding 60 mph.⁵

A USA Today analysis shows more than 5,000 bystanders and passengers have been killed across the United States in police chases since 1979.⁶ Tens of thousands more were injured as officers repeatedly pursued drivers at high speeds and in hazardous conditions, often for minor infractions.⁷

Elevated Risk Justified?

According to a report from the International Association of Chiefs of Police (IACP) and the National Institute of Justice, 91% of high-speed chases are initiated in response to a non-violent crime. The study analyzed nearly 8,000 high-speed chases in the IACPs database. It found that 42% involved a simple traffic infraction, another 18% involved a stolen vehicle, and 15% involved a suspected drunk driver.⁸ Similar statistics are expected for the County.

These results suggest some questions. Is it worth putting lives at risk by traveling through urban areas at high speed to apprehend somebody who ran a red light? Or who failed to signal a turn? If a driver is drunk, does it make sense to engage him in a high-speed pursuit, making him even more dangerous to bystanders?

⁵ <http://www.latimes.com/local/lanow/>

⁶ USA Today July 30, 2015

⁷ Ibid.

⁸ <http://www.theiacp.org/portals/0/pdfs/ManagingPolicePursuitsExecBrief.pdf>

Pursuit Successes

Information on the probability of law enforcement success for vehicle pursuits in the County are suggested by the following data sent to us by email directly from the California Highway Patrol (CHP).

For the Reporting Period: 10/1/ 2015 through 09/30/2016:

- Count of Total Pursuits: 421
- Count of Multi-Agency Pursuits: 59

Event Terminating the Pursuit	Apprehension Count	Non-Apprehension Count
Suspect vehicle voluntarily stopped	111	-
Suspect vehicle involved in a collision	64	8
Suspect abandoned vehicle and fled on foot	33	24
Pursuit aborted by law enforcement agency	19	47
Forcible stop	18	-
Suspect vehicle escaped patrol vehicle	12	59
Suspect vehicle and patrol vehicle collided	1	-
Patrol vehicle became involved in a collision	1	-
Suspect vehicle became disabled	17	1
Unspecified	6	-
Subtotal	282	139
Total	421	

If law enforcement's goal is to achieve apprehension, the above statistics show a 67% success rate. However, in 17% of the pursuits there was a collision with the possibility of injury and/or death, and the certainty of property damage. Is this the best balance that can be realized between law enforcement goals and the risk of unintended consequences?

Injuries or Deaths from Vehicle Pursuits in California

From CHP for the County Reporting Period: 10/1/ 2015 through 09/30/2016:

	Deaths	Injuries
Suspect Driver	3	32
Suspect Passenger(s)	0	4
Officers	0	9
Uninvolved Third Party	0	0
Total	3	45

The above statistics show an 11% rate of death and/or injury from the reported 421 County pursuits reported for the period.

California leads the nation in high-speed pursuit deaths. Hopefully the state and local jurisdiction will enact legislation to limit this kind of senseless tragedy.⁹

In the City of Los Angeles (Los Angeles) there were injuries in about 15% of the pursuits in 2015.¹⁰ This was up markedly from prior years. Los Angeles has averaged 45 injuries per year from vehicle pursuits over the recent past.

At the national level, the Department of Justice stated that police pursuits are the “most dangerous of all ordinary police activities.” Police chases have killed nearly as many people as justifiable police shootings. 322 people died as a result of police pursuits in 2013.¹¹

Police Training for Vehicle Pursuits

The CGJ visited the vehicle pursuit training facilities for the LASD and LAPD. There was a wide discrepancy in the quality of the two facilities, as described below. In addition, the CGJ found that the policies for on-going pursuit training are inadequate to insure high levels of skill in the field.

Vehicle Pursuit Training for the LASD

The CGJ visited the LASD’s Emergency Vehicle Operations Center (EVOC) located in Pomona, CA. This training facility is owned by the County. The tour given by the sheriff’s field training officer showed the training for vehicle pursuits. The track and the equipment at the facility left a negative impression. This facility was at one time shared with LAPD (see next section.) To improve the operations at this facility to a higher standard, County awareness of its condition and additional funding is required.

The following are some observations of the CGJ from the EVOC tour:

⁹ <http://articles.latimes.com/print/1998/may/27/news/mn-53889>

¹⁰ Ibid.

¹¹ <https://www.usatoday.com/story/news/2015/07/30/police-pursuits-fatal-injuries/30187827/>

- LASD does not require a regular re-certification process or training for high speed driving under stressful conditions. This is a perishable skill and will deteriorate over time unless practiced.
- The 16 cars assigned to EVOC are all out of date and none of these vehicle types are used in the field.
- The LASD has a current budget of \$40,000 a year for EVOC.
- Only 40 hours of training per officer is allocated for LASD vehicle pursuits.
- A system consisting of a long hose with an employee posted on a milk crate directing the flow of water to one specific area is employed for skid recovery training.
- There are no portable lights on the track to simulate a real street corner.
- LASD trainers are not involved in patrol school where deputies are trained before being assigned to patrol duty. Patrol school might be improved by presenting pursuit information.
- The collision avoidance exercise is given while traveling at speeds of only 35 MPH. This test is intended to measure the driver's quick response avoiding cones and wrong lanes.
- It was noted that pursuit training could be enhanced if actual field experiences could be reproduced at EVOC. LASD pursuit driving trainers could investigate pursuit-related injuries at the scene to harvest this kind of information.

Vehicle Pursuit Training for the Los Angeles Police Department

The CGJ visited the LAPD Edward M. Davis training facility in Granada Hills, CA. The officer leading the tour was extremely professional and shared a vast amount of knowledge on vehicle pursuits, weapons training, and simulator training. No question went unanswered. The CGJ discovered a state of the art training facility complete with a Pursuit Training Facility that rivals a professional racetrack complete with turns, straightaways, side streets and cul-de-sacs. The buildings had class rooms, and what was described as a million-dollar simulator room which places police cadets in actual driving and pursuit simulations. There was also video shown to the cadets of what not to do after a vehicle pursuit. Our observations included:

- The facility was well organized with up-to-date equipment.
- The water reclamation system reuses the water utilized on the track.
- The fleet of cars was comparable with what was used in the field.
- The trainers displayed high enthusiasm.
- A high quality simulator provides lifelike pursuit situations to the student.
- The high quality of the state-of-the-art LAPD facility was apparent.
- Although not discussed during the tour, the LASD suggestion about bringing field pursuit injury data into training is also applicable to the LAPD.

Policies on Vehicle Pursuits

In the CGJ's opinion, the onset and execution of a police vehicle pursuit should be governed by a well-thought out policy that is internalized by officers who receive effective training. These policies should be informed by the best data available on the factors affecting a pursuit. It should be expected that the policies would be almost entirely common to all police jurisdictions. There have been some efforts to realize this ideal condition as described here.

The passage of California Senate Bill 601 (Marks) in 1993 added new language to Penal Code §13519.8. This new section required the Commission on Peace Officer Standards and Training (POST) to establish guidelines and training for law enforcement's response to vehicle pursuits. Draft guidelines were reviewed by law enforcement executives and trainers, legal advisors, communication center managers, and public representatives several times before they were approved by the POST Commission and published in 1995.¹²

Since the County has numerous police authorities, in the CGJ's opinion, it would be sensible to have a unified set of vehicle pursuit policies that apply throughout the County. By example, the LASD and the LAPD each have a different governing policy document which are not identical.¹³
14

As a result of Senate Bill 719, POST assembled law enforcement trainers, managers and executives, as well as members of the public to update the California Law Enforcement Vehicle Pursuit Guidelines 1995. These guidelines are not a pursuit policy. The guidelines provide a starting point for local police authorities in drafting their actual pursuit policies.¹⁵

As an example of how pursuit policies updates might reduce the risk of injuries and deaths, an FBI study in 2010 indicated that if police broke off pursuits in a manner that was obvious to the fleeing driver, he/she was likely to drive more safely within a short time. This would reduce the likelihood of the fleeing driver causing injuries at the cost of potentially allowing his escape.¹⁶

Responsibility from Vehicle Pursuits Consequences

Laws and court decisions described below have shielded police in various ways from responsibility for unintended consequences of vehicle pursuits. In the opinion of the CGJ these protections tend to reduce barriers to vehicle pursuits for police officers and their departments.

The United States Supreme Court shielded police from being sued in federal court for deaths and injuries resulting from high-speed chases, even reckless ones.¹⁷ The Supreme Court has decided that police officers are to be given maximum deference when sued for damages. The high court said officers are often forced to make split-second judgments. When a suspect ignores the law and speeds away, an officer's instinct is to pursue. The court ruled that the decision to pursue a fleeing vehicle, while perhaps unwise and imprudent, does not violate constitutional rights. The decision threw out a federal lawsuit filed by the parents of a Sacramento teenager who died in 1990 when he fell from a motorcycle while being chased by police at speeds up to 100 mph.¹⁸

(California) Senate Bill 719 modified Penal Code §13519.8 and the related Vehicle Code §17004.7. Agencies must now adopt and annually train their peace officers on a pursuit policy

¹² The California Law Enforcement Vehicle Pursuit guideline

¹³ LASD Driving Policy (3-01/090.07 thru 5-09/210.30)

¹⁴ <http://www.pursuitwatch.org/stories/LAPD.htm>

¹⁵ http://lib.post.ca.gov/Publications/vp_guidelines.pdf

¹⁶ <https://leb.fbi.gov/2010/march/evidence-based-decisions-on-police-pursuits-the-officers-perspective>

¹⁷ <http://articles.latimes.com/print/1998/may/27/news/mn-53889>

¹⁸ Ibid.

that addresses each of the pursuit guidelines (from Penal Code §13519.8) in order to qualify for immunity under Vehicle Code §17004.7.¹⁹

California has one specific area of law that is unique among all 50 states. California Vehicle Code Section 17004.7 provides immunity to law enforcement for injury to and death of innocent bystanders even when officers do not follow the vehicle pursuit policy their agency has adopted. Accountability for innocent victims and the families left behind is removed.²⁰ The Supreme Court's ruling together with the California law close the door to virtually all claims resulting from police pursuits.

III METHODOLOGY

The following resources were used for this report. The CGJ Vehicle Pursuits Committee would like to express our gratitude for the openness and cooperation of the people and organizations that enabled the preparation of this report.

Tours and Interviews

- Tours of the facilities of the LASD Emergency Vehicle Operations Center (EVOC); and the LAPD Edward M. Davis Training Facility
- Visits to the County Coroner's Office; and the Bureau of Victim Service in the County District Attorney's Office
- Phone interviews with the LASD Field Operations Support Services; and the LAPD Air Bureau
- A report received from CHP

Media Coverage

- Manual of Policy from www.lasd.org
- Los Angeles Times, various articles
- USA Today, various articles

IV FINDINGS

1. Police pursuits are causing unnecessary bystander injuries and deaths.
2. Most vehicle pursuits are not provoked by serious crimes.
3. Vehicle pursuits are not assured of satisfying police goals – for example: arrests, reducing dangers to the public, issuing citations.

¹⁹ The California Law Enforcement Vehicle Pursuit guideline

²⁰ <http://www.kristieslaw.org/indexhome.htm>

4. The Sheriff's vehicle pursuit training facility EVOC is substandard, particularly when compared with the LAPD's facility. Training hours are limited and vehicles used are not the same as those used in the field.
5. The LAPD vehicle pursuit training facility sets a high standard.
6. Neither the Sheriff nor the LAPD have a policy for recurring or continued vehicle pursuit training. As a result, continuous quality of driving skill in the field cannot be assured.
7. Current vehicle pursuit policies do not reflect the best statistical information with respect to causation by serious crimes, the likelihood of law enforcement successes, and the probability that injuries or deaths that may occur.
8. Pursuit training could be made more realistic if actual field injury data associated with pursuits were incorporated in the training.
9. The legal protections of police involved in vehicle pursuits lower the barriers to initiating pursuits.

V RECOMMENDATIONS

1. The County of Los Angeles Sheriff's Department (LASD) should work with the Los Angeles Police Department (LAPD) to establish a task force to define/update sheriff pursuit policies that are likely to result in fewer civilian casualties and less property damage.
2. The LAPD should work with the LASD to establish a task force to define/update police pursuit policies that are likely to result in fewer civilian casualties and less property damage.
3. The Los Angeles City Council should recommend LAPD to adopt best practices for police policies defined in Recommendations 1 and 2 above.
4. The County of Los Angeles Board of Supervisors (BOS) should call on all police authorities within the County to adopt the best practice for pursuit policies defined in 1 and 2 above.
5. The LASD should increase the required training hours for vehicle pursuit training.
6. The LASD should require regular re-certification of vehicle pursuit skill.
7. The LAPD should require regular re-certification of vehicle pursuit skill.

8. The BOS should upgrade the County’s vehicle pursuit facility to a standard similar to the LAPD’s facility.
9. The LASD’s vehicle pursuit trainers should investigate injuries involving vehicle pursuits at the scene.
10. The LAPD’s vehicle pursuit trainers should investigate injuries involving vehicle pursuits at the scene.

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
 Los Angeles County Superior Court
 Clara Shortridge Foltz Criminal Justice Center
 210 West Temple Street
 Eleventh Floor-Room 11-506
 Los Angeles, CA 90012

Responding Agency	Recommendations
County of Los Angeles Board of Supervisors	12.4, 12.8
County of Los Angeles Sheriff’s Department	12.1, 12.5, 12.6, 12.9
Los Angeles Police Department	12.2, 12.7, 12.10.
Los Angeles City Council	12.3

VII ACRONYMS

- BOS** County of Los Angeles Board of Supervisors
CGJ 2016-2017 Los Angeles County Civil Grand Jury
CHP California Highway Patrol
EVOC Emergency Vehicle Operation Center
FBI Federal Bureau of Investigation
IACP International Association of Chief Police
LAPD Los Angeles Police Department
LASD Los Angeles Sheriff Department
POST Peace Officer Standards Training

VIII COMMITTEE MEMBERS

Marcie Alvarez	Chair
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Joyce Simily	

POLICE RIDE-ALONG



Alice Beener
Dorothy Brown
Ronnie Dann-Honor
Gerard Duiker
Marilyn Gelfand
Thomas Kearney
Patrick Lyons
Shelley Strohm

POLICE RIDE-ALONG

I SUMMARY

The Civil Grand Jury (CGJ) heard consistent statements from a number of speakers regarding the social conditions associated with those members of the public touched by the justice system. These include socio-economic conditions leaving people without opportunity to actively participate in our economy, mental illness that incapacitates people and prevents them from participating within society, and drug addiction that can lead to a life of crime. In an effort to improve the criminal justice system, the County of Los Angeles (the County) has focused its attention on treatment and diversion programs.

The shift to treatment and diversion requires a paradigm shift within the policing communities and integration of policing, health, and other supportive services. We were informed by leaders of several police and health organizations of positive developments, such as the deployment of Mental Health Evaluation Teams (MET) within police departments. These conversations led the CGJ to want a better understanding of what police officers and sheriff deputies see and deal with on a daily basis. Four police ride-along teams of two CGJ jurors each were formed. These jurors witnessed how situations are approached. They also observed the effectiveness of the various initiatives and policy changes prescribed by the County Board of Supervisors and city police departments.

The CGJ wants to commend the men and women of law enforcement and extend our gratitude for their dedication and service in helping keep our cities and neighborhoods safe. They are first responders who, at times, need to comfort and care for people who have been in an accident or suffered a traumatic event. We discovered that this is a very demanding job physically, mentally and emotionally performed by men and women who put their lives on the line in responding to events within the community.

II BACKGROUND

Strategy I.3 of the County Board of Supervisor's Strategic Plan (2016-2021) calls for reformation of the justice system as follows;

- Reduce involvement with the justice system among vulnerable populations
- Increase appropriate health, mental health and substance use disorder services
- Expand the number of Mental Health Evaluation Teams (METs) and training for policing agencies
- Support statewide efforts to decriminalize homelessness

One ride-along team was informed by their ride-along officer that there is a segment of the homeless population that suffers from severe mental illness, and there is another segment that suffers from drug induced psychoses. This information was consistent with the statistics shared by several guest speakers that met with the CGJ. Our guest speakers informed the CGJ that these statistics were consistent for both the homeless population as well as with jail inmates. The CGJ wanted to gain first-hand knowledge of the extent of the underlying problem, its effect on local communities and how first-line responders were addressing the situation.

III METHODOLOGY

The CGJ decided that the best way to gain direct knowledge of changes within police departments was to participate in a police ride-along. This way, members of the CGJ could experience a day in the life of an officer. A ride-along would provide jurors direct access to officers in the field and allow them to witness incidents and to ask direct questions. Two person teams were formed, cities were selected, and ride-alongs were conducted. Ride-alongs were conducted in several different cities and with both police departments and sheriff's deputies to get a cross-section of the County. The police agencies were responsive and gracious in making us a part of their daily patrols. Our ride-alongs were conducted as part of normal shift operations within each of the selected departments.

IV RIDE-ALONG OBSERVATIONS

A. Burbank Police Department (BPD)

Two jurors rode along with the first shift at 6:00 am, and witnessed three incidents during the ride-along:

1. A female pedestrian was struck by a car while crossing the street. She appeared to have an injury and was taken to the hospital. The officers spent considerable time recording the incident, taking measurements, and assessing evidence to determine whether or not the pedestrian was within the crosswalk. The police report may also be used by the involved parties in the event there is a civil law suit arising from this incident.
2. Two motorists were engaged in a minor scuffle stemming from an earlier traffic accident where one of the involved parties fled the scene. The second motorist was attempting to be a good citizen and followed the motorist that fled the scene. The fleeing driver and the good citizen ended up causing a second traffic accident. Again, officers on the scene were taking statements and assessing evidence in an attempt to determine who was at fault for causing the second accident.
3. An individual was openly selling stolen merchandise on a city sidewalk next to a bus stop on a heavily traveled street. This individual was also found to be in possession of stolen mail as well as heroin and crack cocaine. He was arrested for possession, cuffed, and brought back to the station. The individual was very cooperative with the officers.

In addition to the ride-along, we spoke with several officers and were given a tour of the BPD headquarters. We learned the following:

1. Officers are constantly receiving information and must multi-task. They have two radio systems including a walkie-talkie and a separate earbud, and officers in squad cars have a separate video display in addition to the two radio systems.
2. There are homeless people in the city.
 - a. One officer categorized the homeless population by those who are severely mentally ill (our interpretation would be those that should be institutionalized), those with drug induced psychoses and are no longer capable of functioning normally, and people that are in a difficult situation and find themselves on the street.
 - b. When asked about the involvement of social services, one officer informed us that not all homeless people who receive housing vouchers will use them. Given that some vouchers are only for very temporary housing, some homeless people choose to stay in their encampment rather than pack up their belongings, move to a temporary facility, then find a new location and setup their lodging again. The disruption and potential loss of a comfortable setting dissuades them from using vouchers.
3. When asked if there were homeless people who were regular detainees of the jail, one officer informed us that they have a few people that will commit minor infractions in order to get into the jail. For these homeless people, the jail offers an opportunity to get cleaned up, fed, and be off the street for a short period.
4. When asked, one officer informed us there are a couple of organized gangs known to operate within the city.
5. We were shown a map with the various precincts within the city. When asked if officers rotate through the precincts, one officer informed us that most officers prefer to have an assigned precinct. This way they learn the neighborhood and its residents, and they can tell more easily if something isn't right. In addition to residents and businesses, officers have the opportunity to check on the welfare of the local homeless people.
6. BPD has a full-time Mental Health Evaluation team. The health clinician will accompany officers on certain calls to help diffuse situations.
7. When asked about recruitment, one officer informed us that recruiting is difficult. There is a stigma regarding police officers. The majority of recruits are college graduates. One officer said "When it goes right, no one hears about it. When it goes bad, everyone hears about it."
8. We were informed that only a small percentage of the force is ex-military.
9. An officer described the Ferguson Effect, stemming from the shooting of Michael Brown in Ferguson, MO. In their opinion, there appears to be some hesitation on engaging in proactive policing by officers across the nation in order to avoid damaging their careers or their department's reputation.
10. The County Probation Department has a dedicated office within BPD for an assigned juvenile officer.

11. Burbank PD has several community outreach programs. One such program is the Community Academy which provides civilians with a nine-week training program, finishing with the final session at the Police Academy.

We were very impressed by the professionalism of the Burbank PD and their dedication to the community.

B. Culver City Police Department (CCPD)

Two jurors were given a brief tour of the station and spoke with officers and the watch commander before heading out on a ride-along. We rode in an unmarked car with a supervisor who monitors the police radio as he drives. The supervisor supports the field officers and does not respond to calls unless they are especially urgent or backup is needed. Our supervisor has intimate knowledge of the city. While many calls came in over the radio as we rode, none were of the sort to which the supervisor would normally respond. For our benefit, he did respond to one incident in order for us to gain experience with an officer-involved action.

Four young men had been pulled over for a minor infraction; their car apparently had a broken headlight. The young men were recognized as local gang members, so the officer asked and was allowed to search the car. The supervisor had us wait at a safe distance while he went to investigate, as he did not feel the situation would be a safe one for us to approach. The young men sat and “mouthed off” at the officers as their car was searched. Though we couldn’t hear what they said to the officers, the officers did not appear to be distracted and went about their work in a professional manner. In the end, nothing illegal was found in the car and the young men were allowed to go. By the time they left, the demeanor of the young men had changed; they appeared much less tense.

During our station visit and ride-along we learned the following:

1. Culver City is a long, narrow, oddly-shaped community, which poses some problems for patrolling and policing. The city is divided into four precincts. There has been discussion about splitting the city into five precincts, but they do not currently have the manpower. Despite this challenging geographic situation, the Department boasts a four-minute response time, and they aim for three minutes. The CCPD regards itself as “one of the most proactive agencies you’ll see.”
2. They have a good relationship with the Los Angeles Police Department, and they offer each other mutual aid. They have a similar arrangement with the Santa Monica Police Department, the University of California, Los Angeles Police Department, and the West Hollywood Sheriff’s Station. Any of these agencies can request that a squad be on standby for large demonstrations and other anticipated events.

3. The first shift of the day starts at 7 am, with half an hour to discuss training.
4. The station has about 13 holding cells, and usually two or three persons are detained there. Those who are not transported to other locations but released back into the community are always released in the daytime.
5. The Department has a full-time mental-health professional. The Department calls upon him frequently and relies heavily on him.
6. The Department participates in several community outreach programs, including the annual Coffee with a Cop event and Citizen's Police Academy, an eight-week program in which 12-15 people meet once a week to learn about such issues as police use of force.
7. Our officer told us that the Culver City Police Department enjoys a remarkable level of support from the community.

C. Los Angeles County Sheriff Department, Lancaster Station

Two jurors arrived at 7:45 am and attended roll call at 8:10 am. There were 11 uniformed deputies present. The daily assignments were made, along with a recap of the previous shift's unusual occurrences and incidents regarding problematic known violators.

The morning briefing included the following topics:

1. They discussed laws pertaining to the killing of animals. There had been several recent incidents of animals (dogs, cows, and deer) being killed without a court order or the Post Commander's permission. A pit bull attack put an officer in immediate danger, which warranted the killing of that animal. Emphasis was placed on the proper treatment of animals.
2. There was a discussion regarding an officer who was recently fired for the lying about something he had done. The department can and will address mistakes, but will not accept lying. "Tell it like it is."
3. Transitional Housing was discussed. We learned a person living in congregate housing is called a "program participant" not a "tenant." Instead of being labeled a "landlord," the owner or manager is a "program operator." Violations of conditions of program arrangements can be a criminal offense. Eviction of a program participant only needs a signed move out order from a judge. If the participant does not comply with the order, it becomes a criminal matter, as opposed to a tenant eviction, which is a civil matter.
4. Vehicle safety and costs were discussed. One fully equipped vehicle costs \$88,000. The need to drive safely was emphasized.

We joined a senior officer with over 20 years of experience, and responded to six dispatched calls during our ride along.

1. There was a suspected burglary at a local restaurant, which was later identified as malicious mischief and vandalism, as nothing was stolen. A corner window of the restaurant was smashed and broken. Our officer explained that if the cost to repair the damage exceeds \$1,000, the charges change from a misdemeanor to felony vandalism. The alleged suspect(s) are unknown, but a truck has been identified as the vehicle used during the incident.

2. The Fire Department was called to a retailer because of an inebriated male in a parking lot. Because he was drunk, the man was taken to the hospital for evaluation before being taken into custody.
3. We responded to an abandon vehicle call. However, there was no car at the location when we arrived. The car most likely had run out of gas.
4. We responded to a hit and run at a local fast food restaurant. A non-English speaking woman and her daughter were on the scene when we arrived. Their car was struck by someone backing out of a parking space. The driver of the other car fled the scene. Our deputy spoke Spanish to the victims and was able to generate a police report. The motorist was given the report and number for insurance purposes. The offending driver had used an Electronic Fund Transfer Card to make the purchase at the restaurant. The card user can be identified thru another government agency. Our officer stated he would refer this incident to the detective bureau for investigation. The detectives will trace the card user then determine if charges will be filed.
5. We were called to a “Face Book Fracas”. Four high school students were involved in an altercation over a posting on Facebook. One student, the victim, had visible facial bruising. These bruises prompted the alleged victim’s mother to call the school and report the incident. It was learned that the victim was the one who instigated the incident. All students involved will get a five-day suspension.
6. A County Sheriff’s patrol car was rear ended by a tow truck hitch. There was minor damage to the patrol car and a report was generated.

Prior to the ride along, we addressed the following issues:

1. Homeless Population: A deputy explained the high presence of homeless near and around the police station. This is because of its proximity to several community-based program operators and homeless shelters. The deputy told us how the nearby vacant lot is set up with tents to house 300 people during rain, sleet and snow.
2. High speed chases are a non-issue. There are many dead end streets and dirt roads, which makes it almost impossible for someone to escape in a high speed chase. If there is a high speed chase, helicopter support would be rare because of frequent high winds in the area.
3. Unattended deaths are called into the County coroner. The 1-2 hour drive time response time is not an issue. During this time, officers have time to conduct and conclude their investigation.
4. Police gear. We were informed that all the gear the deputies wear weighs between 25-30 pounds.

D. Los Angeles City Police Department, Rampart Division

Two jurors arrived at the Rampart Police Station at 6:45 am on March 6, 2017 for the 7:00 am roll call. The roll call was attended by the watch-commander, a supervisor and eleven patrol officers.

The watch commander began the roll call by first discussing that weekend's officer involved fatality of a civilian. He summarized that this was an unfortunate example of the sometimes justifiable use of force that the general public unfortunately does not understand.

Each patrol car is staffed with two officers. Since there were eleven officers attending this early morning roll call one of our jurors asked if one of the cars would be patrolling with only one officer in what is purported to be the most notorious areas in Los Angeles. We were advised that in case of an incident, the officer would contact a supervisor who would be dispatched to assist.

We learned about a tactic used by gang members wanting a particular officer removed from the district is to constantly make unwarranted complaints. A claim would be made that the officer stopped them because of their race or ethnicity. They would then demand a supervisor, who would be immediately dispatched. This is not only time-consuming but a wasteful use of resources.

After a tour of the facility we went on a ride along through the densely populated 5.4 square mile Rampart district patrol area. The Rampart Police Division includes Chinatown, Downtown, East Hollywood, Echo Park, Koreatown, Pico-Union, Silver Lake, and Westlake.

Our ride along with a supervisor included driving through Alvarado Street between 6th and 7th and around McArthur Park. The Park has become a homeless encampment burdened with massive debris piles, homeless and other indigent people, drug dealers and gangs. Across the street from the park the sidewalks are clogged with make-shift tables of street vendors selling all types of products and food items.

We encountered no incidents during our ride-along. We did observe the massive amount of sensory information bombarding officers during their patrols. This included listening to reports through an ear piece while also receiving and sending information via computers during the patrol.

After returning to the Rampart Station, we were invited to participate in a demonstration of Force Option Simulator (FOS) training practice. This training gives interactive practice and instruction on handling encounters with aggressive perpetrators in a number of changing scenarios by quickly choosing between available tools such as pepper spray, police Taser or a sidearm. At the conclusion of the practice we were given feedback on our performance and both jurors passed with flying colors.

The men and women of the Rampart Police Division have a very difficult assignment with the ever changing population they are committed to protect and to serve. The CGJ is profoundly concerned about the Rampart Division Patrol officers and their staff being crippled due to budget cuts and staffing shortages. The massive amount of paperwork needed after an incident when an

officer has been on duty for twelve hours is prohibitive and negatively impacts the effectiveness of the entire department.

All residents of Los Angeles deserve to have a safe and healthy environment for themselves and their families without being victimized by the criminal element.

V FINDINGS

1. Homelessness is an issue affecting virtually every community within the County. Unfortunately, there is a stigma associated with homelessness. In reality every homeless person has a unique story and set of circumstances associated with their situation. Police departments are aware of this situation and some have dedicated teams devoted to assisting the homeless population.
2. The Los Angeles Homeless Services Authority (LAHSA) is a joint powers authority of the City and the County of Los Angeles created to address the problems of homelessness in the County. On February 2, 2016, the County Board of Supervisors approved LAHSA's County Homeless Initiative's set of 47 comprehensive strategies to combat homelessness. These include First Responders Training (Strategy E.4) for law enforcement, fire departments, and paramedics throughout the County.
3. Some local police departments have specialized units that connect the homeless to local agencies offering supportive services. Examples include: Long Beach Police Department's Quality of Life Unit; Pasadena Police Department's Homeless Outreach Psychiatric Evaluation team; and Santa Monica Police Department's Homeless Liaison Program.
4. Police officers are showing compassion for homeless people. They are coordinating with local social service providers and accommodating homeless people who create nuisance crimes in order to get cleaned up and receive a meal. As an example, during a detention visit to one police station, jurors were told of a particular homeless person who would periodically urinate in the lobby in order to get checked into the station. There were officers at other police stations that also stated they had certain homeless people that would check in on a regular basis.
5. Some city police departments may be unnecessarily weeding out ex-military personnel during the recruitment process. This is because some cities want to avoid the risk of these individuals being accused of having Post Traumatic Stress Disorder and incur undue legal damages. On the other hand, the CGJ was informed by leadership within the Sheriff's Department their staff is comprised of approximately 25% ex-military personnel. It appears the mental health screening portion of the hiring process may be arbitrarily disqualifying otherwise qualified applicants.

VI RECOMMENDATIONS

1. The Los Angeles Homeless Services Authority should review the specialized care units within the Long Beach, Pasadena, and Santa Monica Police Department to identify best practices to incorporate into first responders training materials as an overall part of the County's Continuum of Care.
2. The Los Angeles Police Department should increase manpower in the Rampart Division.

VII REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor-Room 11-506
Los Angeles, California 90012

Responses are required from:

Responding Agency	Recommendations
Los Angeles Homeless Services Authority	13.1
City of Los Angeles Police Department	13.2

VIII ACRONYMS

BPD	Burbank Police Department
CCPD	Culver City Police Department
CGJ	2016-2017 Los Angeles County Civil Grand Jury
LAHSA	Los Angeles Homeless Services Authority
MET	Mental Health Evaluation Teams
PD	Police Department

IX RIDE ALONG TEAMS

1. Burbank Police Department
Marilyn Gelfand
Thomas Kearney
2. Culver City Police Department
Gerard Duiker
Shelley Strohm
3. Lancaster Sheriff's Station
Alice Beener Facilitator
Ronnie Dann-Honor
4. Los Angeles Police Department, Rampart Community Police Station
Dorothy Brown
Patrick Lyons

THE PROBATION DEPARTMENT AND OUR KIDS?



Gloria Garfinkel **Chair**
Hilda Dallal
Ronnie Dann-Honor

The Probation Department and Our Kids?

This investigation by the Los Angeles County Civil Grand Jury (CGJ) reviews the Los Angeles County Probation Department (LACPD) to assess its administration and how well it handles the oversight of juvenile offenders. The LACPD has a significant role in transforming the lives of troubled youth. This is consistent with the County's Strategic Plan of making investments that transform lives.

I SUMMARY

The LACPD has been the subject of many news articles. It has also been the subject of specific actions on the part of the Los Angeles County Board of Supervisors (BOS), some of which included proposed blue ribbon commissions.¹ There have been reports of abuse of juvenile detainees by probation officers,² as well as fiscal mismanagement.³ Separately, the LACPD was placed under the direction of the Department of Justice (DOJ) from 2008 to 2015 to correct some practices pertaining to juvenile detainees that the DOJ deemed inappropriate.^{4,5} These reports prompted the CGJ to think about an investigation of the LACPD to focus on its supervision of juveniles.

In November 2016, the BOS appointed a new Chief Probation Officer and a new Chief Deputy Probation Officer, who will be in charge of the juvenile side of the LACPD. The CGJ decided to investigate the LACPD to see if there were any recommendations to be made to the new leadership of the LACPD to aid in the needed transformation.

¹ Los Angeles Times Editorial Board, Los Angeles Times, Oct. 13, 2016, p. A12.

² Los Angeles Times, March 16, 2017, "3 Charged in Beating of Teen Inmate" by James Queally, p. B1; WitnessLA July 27, 2016, "Supes Meeting: Addressing Juvenile Hall Beating, Transforming a Girls' Camp, and Placing a Animal Shelter in a Jail", by Taylor Walker; WitnessLA, July 28, 2016, "A Disturbing Report of Another Assault of a Teenager by a Los Angeles County Probation Staffer", by Celeste Fremon; WitnessLA, March 20, 2017, "LA Probation Chief Says Probe Found 7 Other Force Incidents Against Kids, But Are There More?", by Celeste Fremon.

³ WitnessLA, November 16, 2016, "Los Angeles County's New Probation Chiefs Must Act to Reform Department" by Madeline Otilie.

⁴ Ibid.

⁵ "More than six years after agreement, feds say LA probation camps 'in full compliance' with reform", Frank Stoltze, March 09, 2015, <http://www.scpr.org/news/2015/03/09/50250/more-than-six-years-after-agreement-feds-say-la-pr/>

II BACKGROUND

The LACPD has approximately 6,500 employees and a yearly budget of approximately \$860 million.⁶ The LACPD supervises those adults placed on probation in Los Angeles County and also operates facilities for housing juvenile offenders. On any given day the LACPD has supervised 693 youth in juvenile halls, 568 youth in camps, 6,080 youth in the community that are monitored by the LACPD, and an additional 957 youth placed in group homes by the Juvenile Court. (See Exhibit 1.)⁷

III METHODOLOGY

The CGJ interviewed a wide variety of individuals associated with the workings of the LACPD. Interviewees included personnel with the Los Angeles County Civil Service Commission (CSC); the Office of Independent Monitor; representatives of two county supervisors; a representative of AFSCME Local 685, the union representing deputy probation officers in Los Angeles County; various personnel during inspections of Juvenile camps and a senior official with the LACPD. In addition, the CGJ read many outside articles written about the LACPD. The CGJ also looked at various internal reports put out by or written about the LACPD.

IV FINDINGS

1. The Civil Service Commission is the appellate body for County employees who have received disciplinary actions. The CSC is a County Charter-mandated independent commission and serves as a quasi-judicial appellate body for classified employees who received a formal hearing and have been disciplined.⁸ The disciplined employee may file an objection with the CSC. In 2014 (the last year that figures were available), the CSC sustained 56% of the LACPD's decisions, sustained in-part 31% of the decisions and did not sustain 13% of the decisions.⁹
2. Disciplined employees of the LACPD have the assistance of an advocate, an attorney who works with AFSCME 685, the union representing the Los Angeles County Deputy Probation Officers. This advocate represents LACPD employees in 80% of the disciplinary proceedings.¹⁰ The CGJ was interested in the promotional practices within the LACPD. The

⁶ Los Angeles County Probation Department-News Room-Media Information website, Jan. 10, 2017.

⁷ County of Los Angeles Probation Department, Juvenile - # of Youth on Active Probation Supervision by Age (Snapshot Data – as of October 3, 2016).

⁸ County of Los Angeles Civil Service Commission 2014 Annual Report.

⁹ Ibid.

¹⁰ Meeting at AFSCME 685, Dec. 12, 2016, 3701 Wilshire Blvd., #501.

advocate confirmed that “all other things being equal, promotions are based primarily on seniority and that this is a long-time understanding with the County.”

3. In a meeting with staff from the offices of two members of the Board of Supervisors, the CGJ was told that there was a recent motion passed by the BOS to determine if a formal Probation Oversight Commission should be established. The BOS hired Resource Development Associates (RDA) to conduct an assessment of best practices in criminal and juvenile justice and the optimal organizational structure. This would include a potential split between youth and adults and how to best serve the Transitional Aged Youth (ages 18-24) population. (The RDA report will not be completed prior to the publication of this CGJ Final Report.)¹¹

Additional findings from this meeting were:

- a. Diversion programs for youth are a major focus. These programs are to help youth avoid a life of crime and to avoid going to jail when a minor crime is committed.
 - b. It is believed that new progressive leadership is needed in the LACPD and the newly appointed executives are the right people to implement necessary changes.
 - c. The current promotional policy within the LACPD is based on seniority. The BOS are looking into this policy; however, there is a concern about keeping turnover to a minimum.
 - d. The Alternate Public Defender’s Office now represents juveniles in court when there is a conflict of interest with the Public Defender’s Office.¹²
 - e. As of May 2016 solitary confinement was eliminated in juvenile detention facilities.¹³
 - f. A redesigned juvenile facility, Camp Kilpatrick, is scheduled to be re-opened in April 2017. This camp will feature a cottage-type organization that focuses strongly on rehabilitation and not punishment.
4. In an interview with a senior official at the LACPD the CGJ learned of changes the LACPD feels will benefit the juvenile offenders it serves. This official feels that treating the youth in custody with respect is of the utmost importance.

Points discussed were:

- a. Every job in the LACPD is an important job. Working in a juvenile hall should not be considered a stepping-stone to a job in the field. An employee working in a hall should be able to hone skills and remain as an experienced, valued employee.
- b. Recruitment of employees is important, as is retention. It is very important to have the right staff in the right places.

¹¹ Meeting in the Hall of Administration, Jan. 5, 2017.

¹² WitnessLA, Oct. 12, 2016, Alt Public Defenders Before Panel Attorneys for Juvenile Defendants by Taylor Walker.

¹³ WitnessLA, Nov. 16, 2016. Board of Supervisors action.

more offenses. Often children start out as victims and then become offenders. The CBOs work with juvenile offenders under the supervision of the LACPD to aid in their re-entry to society.

- d. The goal of the organization of new camps is to create “campuses” and not “camps.”
 - e. RDA is looking at whether to separate the areas of adult and juvenile probation. These two branches are currently separate in San Francisco. RDA’s report will be looked at by the LACPD and the BOS.¹⁴
5. As part of the CGJ’s mandate to inspect detention facilities within Los Angeles County each year, members of the CGJ visited all the juvenile camps and halls within the County. These inspections revealed the low number of detainees and empty areas in all the facilities.

The CGJ was informed of the change from a philosophy of punishment to one of rehabilitation. Retraining will need to be implemented to bring all employees up to date on these changes.

Most camps are in remote areas of the County. It is very important that juvenile offenders be able to keep in contact with their families and vice versa. This will keep the families bonded so there will be mutual support upon the release of the juvenile offender.

The CGJ witnessed improvements within these facilities. During the unannounced CGJ visits to these camps and halls, members witnessed many positive activities. While we noted that some of the facilities are old and in need of repair or replacement, the educational programs at the halls and camps were functioning very well with dedicated staffs. Many of the staff members have been on the job for quite a few years and are dedicated to helping these youth succeed.

In talking to several officers at the facilities we found that while many are long-term employees, working between 20-30 years, there has been a frequent turnover in LACPD leadership in the last several years. In the last 10 years, there have been five Chief Officers of the LACPD.

V RECOMMENDATIONS

1. The County Board of Supervisors should insure the LACPD includes a new promotional process that removes the seniority-based promotion system in the Memorandum of Understanding (MOU) with the AFSCME Local 685, upon the expiration of the current MOU.

¹⁴ Interview at LACPD headquarters, 9150 Imperial Highway, Downey, CA, on Feb. 2, 2017.

2. The County Board of Supervisors should task the LACPD to identify excess capacity that may be used to house the homeless.
3. The LACPD, in conjunction with the other county partners, such as the Metropolitan Transit Authority, should develop a transportation plan to transport families from central locations within the city to the various halls and camps

VI REQUIRED RESPONSES:

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

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 Eleventh Floor-Room 11-506
 Los Angeles, CA 90012

Responses required from:

Responding Agency	Recommendations	Findings
Los Angeles County Probation Dept.	14.1, 14.2, 14.3	14. 2
County of Los Angeles Board of Supervisors	14.1, 14.2	

VII ACRONYMS

- AFSCME** American Federation of State, County & Municipal Employees
BOS Los Angeles County Board of Supervisors
CBOs Community-based organizations
CGJ 2016-2017 Los Angeles County Civil Grand Jury
CSC Los Angeles County Civil Service Commission
DOJ U.S. Department of Justice.
LACPD Los Angeles County Probation Department
RDA Resource Development Associates

VIII COMMITTEE MEMBERS

Gloria Garfinkel Chair

Hilda Dallal

Ronnie Dann-Honor

Exhibit 1¹⁵

County of Los Angeles Probation LACPD

Juvenile - # of Youth on Active Probation Supervision by Age

(Snapshot Data – as of October 3, 2016)

		Youth by Age					
Supervision	# of Youth	<11	12-14	15-17	18-20	21-23	24>
Field	6,080	15	524	3,497	1,788	147	109
Placement	957	0	68	725	163	1	0
Camp	568	0	26	355	170	15	2
Hall	693*						
Total	8,208	15	618	4,577	2,121	163	111
Percentage of Youth		0%	8%	60%	28%	2%	1%

* Breakdown by age not available at time of report.

Definitions:

Field: Youth is receiving probation supervision in the community

Placement: Youth is in placement with a group home, foster home or relative/non-relative

Camp: A Probation LACPD-run facility for secure confinement

Hall: A Probation LACPD-run facility that is a holding facility

Juvenile - # of Youth on Active Probation Supervision by

Supervisorial District

Supervisorial District	% of Youth
District 1	21%
District 2	31%
District 3	10%
District 4	20%
District 5	17%
Other **	1%
Total	100%

** Other = Youth resides out of County

¹⁵ County of Los Angeles Probation Department, Juvenile - # of Youth on Active Probation Supervision by Age (Snapshot Data – as of October 3, 2016), provided by the LACPD.

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THE SUSTAINABILITY PRINCIPLE IN GOVERNANCE



Douglas Benedict **Chair**
Gerard Duiker
Henry C. Guerrero

THE SUSTAINABILITY PRINCIPAL IN GOVERNANCE

This investigation endorses the 2016-2021 County of Los Angeles Board of Supervisors Strategic Goal II.3: “Make Environmental Sustainability Our Daily Reality:Envision and implement a comprehensive and integrated approach to improving the environmental, economic, and social well-being of our communities now and into the future.”

I SUMMARY

For this report sustainability is defined as the planned balancing of critical resource consumption with assured, long-term resource supplies. In the best case, this commitment is captured in wide-scope, documented Sustainability Plans with metrics defined to measure success. Achieving sustainability for the region requires that all of our local governmental functions embrace the sustainability principle.

Some consequences that have arisen from violations of the sustainability principle are identified in this report: climate change, potable water shortages, and environmental pollution. The County of Los Angeles Chief Sustainability Officer (CountyCSO) and the City of Los Angeles Chief Sustainability Officer (CityCSO) are in unique positions to lead the effort to bring the principle to all governmental entities within the County of Los Angeles. They can provide consistency across the County in this effort.

II BACKGROUND

Defining Sustainability

The concept of sustainability is straightforward: consume fewer critical resources than can assuredly be supplied in the future.¹

Critical resources are those that are required to sustain the Earth’s biosphere.

- A life sustaining atmosphere
- Potable water
- Survivable weather
- Food
- Energy
- Raw Materials
- Cultures
- Economies
- Sustainable population levels

¹ <https://www.mcgill.ca/sustainability/files/sustainability/what-is-sustainability.pdf>

Sustainability for these items must be achieved over the entire Earth.²

Governments are the logical mechanisms for managing sustainability.³

Overconsumption of a critical resource by one generation will result in a critical resource shortage to following generations. Failure to practice sustainability may do harm to future generations.⁴

Each level of government is responsible for assuring the balance of consumption/production for its governed entity. Local sustainability is guided by Federal and State goals and policies.

Sustainability as a Principle in Governance

Sustainability as a principle in governance means that each governing entity, including the County of Los Angeles and the municipalities and agencies with governing responsibilities within the County, should consider the sustainability consequences for all the actions it takes.⁵ As an example, consider the long-term drought that threatens Los Angeles County's water supply. A set of water use restrictions was formulated by water agencies and passed on to water consumers.⁶ The restrictions were largely followed and water use was reduced by about 20%.⁷ This was effective in making the available water supply sufficient for critical needs. The water agencies' actions and the public's cooperative response reduced consumption and balanced water demand and supply, a positive example of the sustainability principle in governance.

Governing entities can directly implement this principle by the actions they take. For example, if a police department needs to purchase a fleet of cars, they could decide that electric cars would be a more sustainable choice than gasoline-powered cars. Federal Corporate Average Fuel Economy (CAFE) standards encourage similar sustainability for the individual or business purchaser of cars.

Current Sustainability Issues

While a sustainability principle of governance would apply to all critical resources, at this moment there are three especially critical issues.^{8,9,10}

² <https://www.thebalance.com/SustainabilityResourcesandInformation>

³ https://en.wikipedia.org/wiki/Sustainable_Development_Goals

⁴ <https://stats.oecd.org/glossary/detail.asp?ID=820>

⁵ www.huffingtonpost.com/steven-cohen/the-role-of-government-in_b_4759621.html

⁶ www.waterboards.ca.gov/water_issues/programs/.../emergency_regulation.shtml

⁷ <http://www.drought.ca.gov/>

⁸ www.globalstewards.org/issues.htm

⁹ www.latimes.com/local/lanow/la-me-g-california-drought-map-htmlstory.html

¹⁰ <https://www.epa.gov/environmentaljustice/los-angeles-area-environmental-enforceme...>

Climate Change/Global Warming

Climate change (or global warming), caused by accumulating human-caused greenhouse gases in the atmosphere, is the most threatening sustainability issue worldwide. This has been agreed to by the United Nations.¹¹ The US military has stated that climate change is the most likely future cause of security threats to the United States.¹² Global average temperature has risen in 16 of the last 17 years.¹³

According to the science, limiting climate change to a tolerable level requires a drastic reduction of manmade greenhouse gases, mainly carbon dioxide and methane, in the atmosphere.¹⁴ ¹⁵ There is an excess of these pollutants arising from the production and use of fossil fuels. Our ecological system can absorb and process a limited amount of carbon dioxide before its concentration becomes problematic.¹⁶

The effects of climate change are expected to be more severe than our recent experiences.¹⁷ Some effects are already present or can be predicted: sea level rise, longer and hotter summers, spreading of tropical weather areas, more and hotter forest fires, and Arctic/Antarctic/Greenland ice melting, etc.¹⁸

The sustainability principle applied to climate change requires a reduction in the amount of fossil fuels burned, in the amount of methane (natural gas) produced, and in methane-producing agriculture. This implies the adoption of more sustainable sources of energy and food.¹⁹ ²⁰

Long-Term Drought in Southern California

The potential for long-term drought is a sustainability issue for Southern California. Historically, this has been dealt with by a program of “water sharing,” with Northern California sharing its relative water abundance with Southern California and Owens Valley

¹¹ UN Document: Sustainable Development – <http://www.un.org/sustainabledevelopment/climate-change-2>

¹² “Military experts say climate change poses ‘significant risk’ to security”, the Guardian – <https://www.theguardian.com/environment/2016/sep/14/military-experts-say-climate-change-poses-significant-risks-to-security>

¹³ “U.S. scientists officially declare 2016 the hottest year on record. That makes three in a row.”, Chris Mooney, The Washington Post, January 18, 2017.

¹⁴ “Climate Change Solutions for Healthcare Professionals to Promote”, - <http://www.climate-change-emergency-medical-response.org/climate-change-solutions-for-healthcare-professionals-to-promote>

¹⁵ “10 Solutions for Climate Change”, Scientific American – <https://www.scientificamerican.com/article/10-solutions-for-climate-change>

¹⁶ Climate Change: What Everyone Should Know. Joseph Romm, Oxford University Press, 2016

¹⁷ Ibid

¹⁸ UN Document: Sustainable Development – <http://www.un.org/sustainabledevelopment/climate-change-2>

¹⁹ Note: The reductions could partially be achieved by conservation measures (e.g. - increasing the efficiency of transport systems) which are almost always more economical than finding and adopting revolutionary technological solutions.

²⁰ www.davidsuzuki.org/what-you-can-do/top-10-ways-you-can-stop-climate-change/

sharing its Sierra runoff with the City of Los Angeles. Historical data has shown that ongoing water shortages can be expected in Southern California.²¹

There have been actions taken to mitigate these shortages. William Mulholland's Los Angeles Aqueduct from the Owens Valley provided enough water to populate the San Fernando Valley and was an engineering "miracle" at the time it was created.²² The California Water System brings water from the confluence of the Sacramento/American and San Joaquin rivers to Southern California.²³ Each of these projects has had negative environmental consequences. The LA Aqueduct has seriously dried out that environment. The California Water System threatens some endangered species and consumes large amount of electrical power.^{24 25}

During the recent drought some water conservation methods have been applied: replacing lawns, using low-flow plumbing, and "waiting to flush". These have been effective, saving about 20% over historical water usage without significantly affecting the quality of life.²⁶

These methods could be extended with the following:

- Gray Water reuse
- "Toilet-to-Tap" Sewage Processing
- Aquifer cleaning/recharging
- Seawater to Potable Water Reverse Osmosis Plants²⁷

At the time this was written, Northern and Central California had substantial drought relief.²⁸ However, Southern California potable water shortages are historical and likely to worsen with global warming.

Environmental Pollution

The health impacts of environmental pollution are a sustainability issue. A separate investigation and report dealing with communities identified as environmental justice areas is contained in this CGJ Final Report.²⁹

Sustainability Efforts within Los Angeles County

The County of Los Angeles Civil Grand Jury (CGJ) has reviewed current examples of the sustainability principle in governance within the County. Appendix 1 contains a table summary of the sustainability plans that were reviewed. The table is an approximation to the actual plans; some terminology has been adapted to improve comparability between the plans.

²¹ "Droughts in California", Wikipedia – https://en.wikipedia.org/wiki/Droughts_in_Caifornia/

²² "Los Angeles Aqueduct", Wikipedia – https://en.wikipedia.org/wiki/Loa_Angeles_Aqueduct/

²³ "California Aqueduct", Wikipedia – https://en.wikipedia.org/wiki/California_Aqueduct/

²⁴ <https://www.wildlife.ca.gov/Conservation/Watersheds/Water-Operations>

²⁵ <http://www.climatecentral.org/news/california-drought-water-scarce-increasing-energy-demands-18676>

²⁶ "Southern California: A Leader in Water Conservation"- [PDF] <http://www.SoCalWater.org/>

²⁷ Note: While reverse osmosis processing of seawater into potable water is proposed for completeness of this list, the power requirements and cost impacts on utility bills probably makes it unaffordable to large portions of the community.

²⁸ 2016 in Review: California drought eased, but it's not over", San Jose Mercury News – <http://mercurynews.com/2016/12/26/fire-and-rain-in-california...>

²⁹ See "Community Impacts of Environmental Pollution", in the this Final Report.

Appendix 1 also has text descriptions of the plans' histories.

The best plan examples have wide scopes, measurable goals, and contain provisions for evaluating progress on a regular rate.

Future of the Sustainability Principle in Governance

In the County of Los Angeles a strong set of laws, standards, and policies that codify sustainability does not exist.³⁰ This leaves the enforcement of sustainable actions uncertain.

The County's sustainability plan is currently in development. The future success of sustainability practices depends on a more complete adoption of plans throughout the County.

Some governing entities within Los Angeles County have sustainability plans (Appendix 1). They can be a basis for a complete, comprehensive, and consistent set of sustainability plans for the entire County.

In Los Angeles County, it is logical that the County and the City of Los Angeles form a sustainability partnership to provide leadership and support for all governing entities of the County.

III METHODOLOGY

Document Reviews.

The CGJ found that those cities that have adopted the sustainability principle in governance have codified their work in written documents. The CGJ reviewed the following sustainability plans and related documents in our research.

- City of Santa Monica Sustainability City Plan³¹
- City of Santa Monica 2012 Sustainability City Report Card³²
- City of Los Angeles pLAN for Sustainability³³
- City of Long Beach Sustainability Plan³⁴
- City of Glendale Greener Glendale Plan³⁵
- Los Angeles County Board of Supervisors Motion on creating and hiring a Chief Sustainability Officer (28 April 2016)³⁶

³⁰ www.mdpi.com/2071-1050/3/3/531/pdf

³¹ "Sustainable City Plan – City of Santa Monica" -

<https://www.smgov.net/uploadedFiles/Departments/OSE/Categories/Sustainability/Sustainable-City-Plan.pdf>

³² "2012 Sustainable City Plan Report Card – City of Santa Monica" -

https://www.smgov.net/Departments/OSE/Categories/Sustainability/Sustainable_City_Report_Card.aspx

³³ "pLAN" – <http://www.lamayor.org/sustainability>

³⁴ "Sustainable City Action Plan – City of Long Beach" - www.longbeach.gov/sustainability/nature-initiatives/action-plan/

³⁵ "Greener Glendale Plan – City of Glendale" - www.glendaleca.gov/home/showdocument?id=6934

³⁶ "Los Angeles County Board of Supervisors Motion on Chief Sustainability Officer" - file.lacounty.gov/SDSInter/bos/supdocs/101801.pdf

- Job Brochure for County of Los Angeles Chief Sustainability Officer ³⁷

Interviews

The CGJ conducted interviews with governmental officials associated with the various sustainability efforts within Los Angeles County. These included the following:

- Los Angeles County Office of Sustainability (within the Internal Services Department)
- City of Santa Monica Office of Sustainability.
- Los Angeles County Board of Supervisors Staff Members (2 Supervisorial Districts)
- City of Los Angeles Sustainability Office
- County of Los Angeles Sustainability Office (within the County of Los Angeles Office of the Chief Executive Officer)

Media Sources

The CGJ reviewed news items concerning sustainability from the following sources:

- Los Angeles Times
- San Gabriel Valley Tribune
- Beverly Press
- Green Car Report (email series)
- UCLA Grand Challenges – Sustainability (Website)
- Planning Report (Website)
- LA Mayor (Website)
- Think Progress (Website)
- My New LA (Website)
- Supervisor Sheila Kuehl (Website)

We would like to express our gratitude for the openness and cooperative attitudes of the people and organizations that have enabled this work.

³⁷ “Los Angeles County Chief Sustainability Officer Job Brochure” - file.lacounty.gov/SDSInter/dhr/245652_CS0.pdf

IV FINDINGS

Our investigation produced the following findings:

1. Examples of Los Angeles County Sustainability Successes and Need for Coordination

There are many examples within Los Angeles County of the successful adoption of the sustainability principle in governance. For this report we examined the plans of four cities. Each has formal plan documents that define the areas of sustainability they address and provide measurable goals. These goals are regularly evaluated to determine progress and allow corrective action. The goals of sustainability plans are applied to other government plans and actions for implementation. The CGJ endorses the current plans of Santa Monica, Los Angeles, Long Beach, and Glendale. Other governmental entities may also have plans. Because of the disparate paths to sustainability followed by the cities, there are some inconsistencies in these plans (Appendix 1).

2. Sustainability Encouragement from the State

The State of California has offered significant support for sustainability.³⁸ Prime examples are in the state's legislation encouraging the reduction of carbon dioxide emissions and increasing renewable energy sources. There are many more specific cases in which the state has acted to facilitate sustainability practices.

3. Foundation for Sustainability Principle is Not Firm

The CGJ found that the plans are not built upon a strong foundation. We believe this exposes the plans to legal and political challenges that otherwise could be avoided. Lacking a strong foundation limits how enforcement can be performed. An example demonstrating this is that the City of Los Angeles' pLAN relies on Mayor Garcetti's intention to include sustainability goal performance in the personnel evaluations of his managers. While this can be effective for the City of Los Angeles and its current mayor, there is no assurance that the next mayor will be as active in favor of sustainability.

4. Differences between Federal and California Sustainability Policies

The Federal government is in the process of changing its policies regarding sustainability. A recent example is the setting aside of the Clean Power Plan executive order.^{39 40} The County of Los Angeles' support for sustainability may be challenged where it depends upon Federal collaboration.

³⁸ <https://www.kcet.org/define/lots-of-new-environmental-laws-in-california>

³⁹ "Will sustainability survive a Trump presidency" - <http://www.tgdaily.com/science/will-sustainability-survive-a-trump-presidency>

⁴⁰ <https://www.theguardian.com › Environment › Trump administration>

5. The Climate Change Threat Has Not Caused “Emergency” Action in the County of Los Angeles

The warnings on the results of humankind-caused climate change are daunting.⁴¹ “Emergency” local programs that deal specifically with reducing greenhouse gases may be appropriate even while complete sustainability plans are in development.

6. Successful Drought Response but Needs Follow Up

As discussed in Section II, the recent drought in California has caused a set of emergency response programs to reduce water consumption throughout Los Angeles County. This is a positive example of emergency actions taken on a sustainability issue. However, because Southern California has a persistent semi-arid climate, the temporary drought actions taken are appropriate as long-term policies. In addition, because of the large amounts of energy required to import or desalinate water, their extensive use may not be sustainable.

V RECOMMENDATIONS

The 2016-2017 Los Angeles County Civil Grand Jury makes the following recommendations with respect to “The Sustainability Principle in Governance” investigation.

1. The City of Los Angeles Chief Sustainability Officer and the County of Los Angeles Chief Sustainability Officer jointly should continue to build upon sustainability success examples by creating and leading a countywide Sustainability Working Group (SWG) including all governing entities of the County.
2. The City of Los Angeles Chief Sustainability Officer and the County of Los Angeles Chief Sustainability Officer jointly leading the SWG should complete the set of governing entity-specific sustainability plans covering the entire County.
3. The City of Los Angeles Chief Sustainability Officer and the County of Los Angeles Chief Sustainability Officer jointly leading the SWG should identify interdependencies between plan elements and working group member entities.
4. The City of Los Angeles Chief Sustainability Officer and the County of Los Angeles Chief Sustainability Officer jointly leading the SWG should use existing plans to create reusable plan templates.
5. The City of Los Angeles Chief Sustainability Officer and the County of Los Angeles Chief Sustainability Officer jointly leading the SWG should create a public awareness campaign demonstrating the practical value of the sustainability principle in governance.
6. The County of Los Angeles Board of Supervisors should fully exploit California state resources supporting sustainability by coordinating their sustainability plans with State guidance.

⁴¹ Climate Change: What Everyone Should Know. Joseph Romm, Oxford University Press, 2016

7. The City of Los Angeles Mayor and City Council should fully exploit California state resources supporting sustainability by coordinating their sustainability plans with State guidance.
8. The County of Los Angeles Board of Supervisors should lobby the State for additional sustainability support.
9. The City of Los Angeles Mayor and City Council should lobby the State for additional sustainability support.
10. The County of Los Angeles Board of Supervisors should strengthen the sustainability principle in governance in law, standards, and policies and with suitable enforcement mechanisms.
11. The County of Los Angeles Board of Supervisors should adopt strategies in combination with the State and other agreeable governing entities to ensure sustainable practices despite uncertainties in sustainability support from the Federal government.
12. The County of Los Angeles Board of Supervisors should pursue policies that reduce the total greenhouse gas emissions in the County given the global climate change risks. For example, specify electric vehicles and renewable-based charging infrastructure whenever feasible and require renewable energy sources for government consumption.
13. The City of Los Angeles Department of Water and Power should pursue policies that reduce the total greenhouse gas emissions in the City given the global climate change risks. For example, specify electric vehicles and renewable-based charging infrastructure whenever feasible and require renewable energy sources for government consumption.
14. The County of Los Angeles Board of Supervisors should continue water conservation measures put in place for recent drought as a sustainable long term policy for the semi-arid Southern California climate.
15. The City of Los Angeles Department of Water and Power should continue water conservation measures put in place for recent drought as a sustainable long term policy for the semi-arid Southern California climate.
16. The County of Los Angeles Board of should minimize dependence on imported and/or desalinated water because of the large amounts of energy they require.
17. The City of Los Angeles Department of Water and Power should minimize dependence on imported and/or desalinated water of the large amounts of energy they require.

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor-Room 11-506
Los Angeles, CA 90012

Responding Agency	Recommendations
County of Los Angeles Chief Sustainability Officer	15.1, 15.2, 15.3, 15.4, 15.5
City of Los Angeles Chief Sustainability Officer	15.1, 15.2, 15.3, 15.4, 15.5
County of Los Angeles Board of Supervisors	15.6, 15.8, 15.10, 15.11, 15.12, 15.14, 15.16
City of Los Angeles Mayor	15.7, 15.9
Los Angeles City Council	15.7, 15.9
City of Los Angeles Department of Water and Power	15.13, 15.15, 15.17

VII ACRONYMS

CAFE	Corporate Average Fuel Economy
CGJ	2016-2017 Los Angeles County Civil Grand Jury
BOS	Los Angeles County Board of Supervisors
CSO	Chief Sustainability Officer
EV	Electric Vehicle
GHG	Greenhouse Gases
LEED	Leadership in Energy and Environmental Design
PACE	Property Assessed Clean Energy
SWG	Sustainability Working Group

VII COMMITTEE MEMBERS

Douglas Benedict Chair
Gerard Duiker
Henry C. Guerrero

APPENDIX 1

SELECTED SUSTAINABILITY, PLANS OF LOS ANGELES COUNTY

The following table is a summary and comparison of the sustainability plans that were reviewed in preparing this report. Some liberty has been taken with terminology to provide better comparability between the individual reports.

The paragraphs below present some additional facts concerning the sustainability plans we have reviewed.

The City of Santa Monica’s Sustainability City Plan

The City of Santa Monica has the longest history in the application of a Sustainability Plan in Los Angeles County. A citizens’ committee proposed the original concept and the original plan was produced in 1994. The plan had been revised three times through 2014. The plan includes nine “Goal Areas” (Resource Conservation, Environmental and Public Health, Transportation, Sustainable Local Economy, Open Space and Land Use, Housing, Community Education and Civic Participation, Human Dignity, and Arts and Culture). Each of these have specific targets with measurable criteria for success. These criteria are evaluated yearly and a letter grade is given in a proprietary process. In some cases criteria are subjective or are declared to have “no target”.⁴²

Santa Monica’s sustainability efforts are recognized for their quality and success. In particular, Santa Monica has a large number of solar roofs; a large number of LEED-certified buildings; an increasing number of efficient, high-density apartment buildings; and excellent light rail terminals. It also has a high level of waste recycling, is very bicycle-friendly, and is close to being self-sufficient for potable water (based on local wells).⁴³

The City of Long Beach’s Sustainable City Action Plan

Long Beach has a Sustainability Plan similar to Santa Monica’s but specific to the Long Beach situation. It has been in place since 2010.⁴⁴

The City of Los Angeles Sustainability Plan

The City of Los Angeles in an action sponsored by Mayor Eric Garcetti wrote and released a Sustainability pLAN in 2015 and is in the process of performing the first evaluations of progress for 2017.⁴⁵ It lists 14 elements for sustainable management (Local Water, Local Solar Power, Energy-efficient Buildings, Carbon and Climate Leadership, Waste and Landfills, Housing and Development, Mobility and Transit, Prosperity and Green Jobs, Preparedness and Resiliency, Air Quality, Environmental Justice, Urban Ecosystem, Livable

⁴²“Sustainable City Plan-City of Santa Monica”,

<https://www.smgov.net/uploadedFiles/Departments/OSE/Categories/Sustainability/Sustainable-City-Plan.pdf>

⁴³“Sustainability Report Card for Santa Monica”,

https://www.smgov.net/Departments/OSE/Categories/Sustainability/Sustainable_City_Report_Card.aspx

⁴⁴“Sustainable City Action Plan – City of Long Beach”, www.longbeach.gov/sustainability/nature-initiatives/action-plan/

⁴⁵ pLAN, <http://www.lamayor.org/sustainability>

Neighborhoods, and Lead by Example). Los Angeles has a potential advantage because the Department of Water and Power is a City-owned public utility. The pLAN took about two years to write. Performance to the goals is “motivated” by having their performance achievements being included in the Mayor’s performance appraisal of the various responsible managers. Since adoption of a Sustainability pLAN was a Garcetti initiative, it could be set aside by the next mayor(s).

The City of Glendale’s Greener Glendale Plan⁴⁶

Glendale has produced a sustainability plan comparable to the others reviewed here.

The County of Los Angeles Board of Supervisors (BOS)

The County has recently adopted a more aggressive sustainability approach with the creation of the position of Chief Sustainability Officer (CSO) for the county⁴⁷. This position was filled in the fall of 2016. The first action for the CSO is the preparation of a County Sustainability Plan which is expected to require about two years to negotiate and prepare. Before the current County effort was begun, there had been a voluntary effort between County departments to create sustainability actions. This approach had been unsuccessful in defining and reaching sustainability goals, motivating the new approach.

⁴⁶ www.glendaleca.gov/government/city-departments/public-works/greener-glendale

⁴⁷ “County Hires First-Ever Chief Sustainability Officer”, Supervisor Sheila Kuehl – <http://supervisorkuehl.com/conuty-hires-first-ever-chief-sustainability-officer/>

	Los Angeles 'Sustainable City pLAN'	Santa Monica (Sustainable City Plan)	Long Beach (Sustainable City Action Plan)	Glendale (Greener Glendale Plan)
Local Water				
Increase local water sourcing	Yes	Yes	Yes	Yes
Improve stormwater quality	Yes	Yes	Yes	Yes
Conserve through per capita potable water reduction	Yes	Yes	Yes	Yes
Conserve through municipal water reduction	Yes	Yes	Yes	Yes
Reduce number of annual sewer spills	Yes			
Expand recycled water production	Yes	Yes	Yes	Yes
Replace water pipe infrastructure	Yes			Yes
Create an integrated water strategy				Yes
Smart grid approach to inform customers of their consumption	Yes			Yes
Local Solar				
Increase installed capacity	Yes	Yes	Yes	Yes
Increase total cumulative energy storage capacity	Yes	Yes		
Leverage private and public partnerships to advance solar	Yes	Yes		
Expand solar-ready requirements to retrofit projects	Yes			
Fund electrical-grid upgrades	Yes			Yes
Create bidirectional grid to prepare for electric vehicles	Yes			
Energy Efficient Buildings				
Use PACE financing to retrofit residential homes	Yes	Yes	Yes	Yes
Create benchmarks to monitor building energy use	Yes	Yes		
Make workforce training investments to meet increased demand for qualified building professionals	Yes	Yes	Yes	
Increase participation in energy-efficiency and green business certification programs	Yes	Yes	Yes	Yes
Incentivize or require LEED Silver or better for new construction and major rehabilitation	Yes	Yes	Yes	Yes
Pilot Net-Zero Energy municipal buildings	Yes	Yes		
Production of green housing		Yes		Yes
Carbon & Climate Leadership				
Increase percentage of electricity from renewable sources	Yes	Yes	Yes	Yes
Develop comprehensive climate action and adaptation plan with inventory reporting	Yes		Yes	Yes
Sign on to the Mayors' National Climate Action Agreement	Yes			
Retire coal power plants	Yes			
Incorporate GHG reduction targets into City Planning	Yes	Yes	Yes	Yes
Reduce energy consumption of individuals and buildings	Yes	Yes	Yes	Yes
Assist companies with technologies related to climate change mitigation and adaptation	Yes	Yes	Yes	
Reduce municipal transportation vehicle emissions	Yes	Yes	Yes	Yes

	Los Angeles 'Sustainable City pLAN'	Santa Monica (Sustainable City Plan)	Long Beach (Sustainable City/Action Plan)	Glendale (Greener Glendale Plan)
Waste & Landfills				
Investigate emerging conversion technologies	Yes	Yes	Yes	Yes
Increase commercial recycling rates, reduce pollution from heavy-duty waste-hauling vehicles recovery opportunities	Yes	Yes	Yes	Yes
Move toward zero waste	Yes	Yes	Yes	Yes
Encourage materials recovery	Yes	Yes	Yes	Yes
Develop infrastructure for recycling of specialty waste	Yes	Yes	Yes	
Recruit remanufacturers for material recovery and resale	Yes		Yes	
Increase recycled content asphalt	Yes		Yes	
Reduce per capita waste generation	Yes	Yes	Yes	Yes
Develop commercial food-waste recovery programs and expand edible food redistribution programs			Yes	Yes
Promote use of recycled materials	Yes	Yes	Yes	Yes
Promote composting	Yes	Yes	Yes	Yes
Housing & Development				
Transit Oriented Development	Yes	Yes	Yes	Yes
Increase affordable housing	Yes	Yes		Yes
Minimize the loss of existing affordable housing units	Yes	Yes		
Update parking regulations to include standards for bike and car-share infrastructure	Yes	Yes	Yes	Yes
Mobility & Transit				
Complete integrated biking and bike share plan	Yes	Yes	Yes	Yes
Increase multi modal connections at rail stations	Yes	Yes	Yes	Yes
Implement first/last mile strategic plan	Yes	Yes	Yes	
Move to Transportation Management Organizations (TMOs) with car sharing, and improved pedestrian connectivity for major events and destinations	Yes	Yes	Yes	Yes
Prosperity & Green Jobs				
Increase minimum wage/maintain livable wage	Yes	Yes	Yes	
Create green jobs	Yes		Yes	Yes
Attract private investment through Clean Tech Incubator	Yes		Yes	
Remove barriers to entrepreneurship and business growth	Yes		Yes	
Attract mature green industries	Yes	Yes	Yes	Yes
Create public/private partnerships for apprenticeship programs in green industries	Yes		Yes	
Create partnerships with higher education institutions to retain high-skill graduates	Yes		Yes	
Preparedness & Resiliency				
Implement enhanced Reverse 911 system	Yes			
Install new cool roofs	Yes			Yes
Pilot installation of "cool slurry" pavement	Yes			
Increase electrical and water backup systems	Yes			
Plan for disaster recovery at major installations	Yes			
Avoid dependence on single company or small group of companies for local jobs		Yes		Yes

	Los Angeles Sustainable City Plan ¹	Santa Monica (Sustainable City Plan)	Long Beach (Sustainable City Action Plan)	Glendale (Greener Glendale Plan)
Environmental & Public Health				
Increase access to fresh, local, and organic produce		Yes	Yes	Yes
Encourage reduction in meat and dairy usage		Yes		
Encourage consumption of low-carbon food		Yes		Yes
Reduce residential household hazardous waste		Yes	Yes	Yes
Restore and maintain wetlands		Yes	Yes	
Maintain clean beaches		Yes	Yes	
Increase City purchase of sustainable products		Yes	Yes	
Sustainable Local Economy				
Encourage sustainable business practices		Yes		Yes
Establish Job/Housing balance		Yes		Yes
Establish workforce housing near large job centers		Yes	Yes	Yes
Seek businesses that pay greater than or equal to cost of living		Yes		
Measure energy use to total economic activity by business sector		Yes		
Measure water use to total economic activity by business sector		Yes	Yes	
Establish live/work districts		Yes		Yes
Encourage government & businesses to buy local				Yes
Encourage residents to buy local				Yes
Sustainability coordination within the City to continue outreach and educational programs (residents and businesses)				Yes
Monitor City's progress consistent with the Beacon Award criteria				Yes
Maintain list of businesses and schools that are implementing green practices		Yes		Yes
Open Space and Land Use				
Install regionally appropriate plants		Yes	Yes	Yes
Incorporate neighborhood elements (roundabouts, meandering sidewalks, etc.) that create a sense of place			Yes	Yes
Improve community education and civic participation		Yes		
Increase number of registered voters		Yes		
Increase attendance at a city-sponsored meetings		Yes		
Residents should feel free to voice their concerns on community decisions that affect their lives		Yes		
Residents are positive about the city as a good place to live		Yes	Yes	Yes
Increase participation in active neighborhood organizations		Yes	Yes	
Increase community involvement in sustainability programs		Yes	Yes	
Human Dignity				
Provide shelter and city services to homeless		Yes		
Improve public safety		Yes		
Reduce incidents of physical abuse		Yes		
Improve educational results		Yes		
Empower women, minorities, and people with disabilities with leadership roles				
Resident satisfaction rating with government services		Yes		
Create environmentally friendly jobs in low-income neighborhoods		Yes		Yes
Arts and Culture				
Promote creative sector business		Yes		
Community participation in the arts		Yes		
Create and expand unique neighborhood identity using special signage, public art, and unique architectural styles				
Promote the City as a green city				Yes
Attract sustainability-related events			Yes	Yes

TOWS AND IMPOUNDS

PART A: IMPOUND PRACTICES IN TWELVE SELECT CITIES



Dianne Kelley **Chair**
Sharon Muravez **Co-Chair**
Regi Block
Hilda Dallal
Ronnie Dann-Honor

IMPOUND PRACTICES IN TWELVE SELECT CITIES

THE GOOD, THE BAD AND THE UGLY

I SUMMARY

History

From 1995 to 2011 California Law allowed police to confiscate (i.e. impound) the vehicle of unlicensed drivers for a mandated 30 days. This law was vigorously enforced, especially in predominately Hispanic, African-American, and low income communities.^{1,2} Traffic Safety, Driver's License, and Driving under the Influence (DUI) checkpoints resulted in 80 to 130 vehicles impounded per checkpoint, yet very few DUI arrests were made.^{3,4} The statewide average is 6 DUI arrests for every scheduled checkpoint.⁵

Impounding vehicles created profitable opportunities for cities and police departments in cash-strapped cities, especially during the recession from 2007 to 2010.⁶ Many cities became reliant on the revenue that vehicle impounds brought into their city coffers. It also became very profitable for the city-contracted tow companies. Impound fees charged by cities and tow vendors could easily add up to over \$2,000 for unlicensed drivers. "Each of the impounds was worth at least \$2,035 in tow charges and fees, according to city financial records (El Monte)."⁷ Many impounded vehicles were not retrieved, often up to 70% in some low income communities.⁸ The un-retrieved impound vehicles were sold in lien sales, often to the same unlicensed drivers. This practice was commonly known as "catch and release" because these unlicensed drivers were caught more than once at the numerous checkpoints that were instituted during that period.⁹ It took the California Department of Motor Vehicles (DMV) to crack down on tow companies selling lien sale vehicles to unlicensed drivers without fulfilling all the DMV regulations and required paperwork on vehicle registration.¹⁰

¹ Ryan Gabrielson, "Are Checkpoints Police Profit Centers?", Mother Jones, 2/14/10

² Dennis Romero, "When it Comes to DUI Crackdown, Westside Residents Get a Pass," LA Weekly 4/28/16

³ Thomas Hines, "Baldwin Park Nets 1.2 Million on Vehicle Seizures", San Gabriel Valley Tribune, 8/17/10

⁴ Ryan Gabrielson, "Are Checkpoints Police Profit Centers?", Mother Jones, 2/14/10

⁵ Ryan Gabrielson, "Like Bell and Maywood, Montebello reaps funds from car seizures", California Watch, Center for Investigative Reporting, U. C. Berkeley 4/25/11

⁶ Ryan Gabrielson, "Car seizures at DUI checkpoints prove profitable for cities, raise legal questions", California Watch, Center for Investigative Reporting, U. C. Berkeley,) 2/13/10

⁷ Ibid.

⁸ Interview tow company owner, 9/28/16

⁹ Thomas Hines, "Vehicles police seize from unlicensed drivers re-sold to unlicensed buyers", San Gabriel Valley Tribune, 8/25/10

¹⁰ Ibid.

Overzealous Enforcement (2007-2011)

- Baldwin Park went from 6 checkpoints in 2007 to 26 checkpoints in 2009/2010, confiscating up to 150 vehicles in one weekend,¹¹ and amassing over \$1.2 million in impound fees in 2009.¹² Some of their tactics included scheduling checkpoints on Sundays after church services,¹³ and conducting checkpoints during police SWAT¹⁴ operations by using SWAT perimeter roadblocks to conduct safety/driver's license checkpoints.¹⁵
- El Monte impounded 680 vehicles for driver's license violations in 2007 during holiday checkpoints.¹⁶
- California Watch reported that in Montebello "officers failed to conduct a single field sobriety field test during 4 out of 6 roadway operations....in 2010."¹⁷ The article also stated that this city impounded 100 vehicles for every 1 drunk driver arrest. Montebello required their contracted tow vendor to increase what it pays to the city to \$200 per tow when 151 vehicles were impounded in a month.¹⁸

In Baldwin Park and El Monte, change followed through the vigilant efforts of residents who attended city council meetings to protest and voice their complaints on abusive impound practices, in addition to the persistent attention of the news media.

In 2011, the State of California passed Assembly Bill 353 (AB 353) which eliminated the 30-day mandated impound hold on unlicensed drivers' vehicles. This was done in an attempt to remedy the abuses, bad press, and law suits against many municipalities in the State regarding unlicensed driver impounds. AB 353 also changed the law to allow a person whose vehicle is being impounded to call a licensed driver to retrieve the vehicle, thus escaping an impound and costly fees. Persons driving with a revoked or suspended license still get a mandated 30-day impound hold on their vehicle.¹⁹

In January 2015 the State of California passed AB 60, which allowed undocumented immigrants to legally obtain a California Driver's License. The 2 legislative actions in 2011 and 2015 should have significantly reduced the number of impounded vehicles and the length of time many vehicles are held. This investigation seeks to determine what has changed since these legislative actions were implemented.

¹¹ James Figueroa, "Tribune Wins Statewide Public Service Award," San Gabriel Valley Tribune 4/18/11

¹² Thomas Hines, "Baldwin Park Nets 1.2 Million on Vehicle Seizures," San Gabriel Valley Tribune, 8/17/10

¹³ James Figueroa, "Tribune Wins Statewide Public Service Award," San Gabriel Valley Tribune 4/18/11

¹⁴ Police: Special Weapons and Tactics (SWAT) Teams

¹⁵ Interview police officer San Gabriel Valley, 1/27/17

¹⁶ Ryan Gabrielson, "Car seizures at DUI checkpoints prove profitable for cities, raise legal questions", California Watch, Center for Investigative Reporting, U C Berkeley, 2/13/10

¹⁷ Ryan Gabrielson, "Like Bell and Maywood, Montebello reaps funds from car seizures", California Watch for Investigative Reporting, U C Berkeley, 4/25/11

¹⁸ Ibid.

¹⁹ California Vehicle Code §14602.1

Purpose and Scope

The CGJ investigated the current practices and procedures within 12 small and medium-size cities in Los Angeles County. The 12 incorporated cities represent different geographical areas, socio-economic levels, and diverse populations. The investigation examined the number of impounds, fees, and city information that is accessible and useful for the public on city impound procedures, number of Traffic Safety and DUI checkpoints, types of California Vehicle Code (CVC) violations resulting in impounds, tow vendor contracts/Request for Proposal (RFP), conflict of interest, code of ethics policies and in-kind contributions by tow vendors to the 12 selected cities. Research and numerous interviews were conducted by the CGJ. An audit firm, Harvey M Rose and Associates LLC (HMR), was hired to conduct a management audit of impound practices in the select 12 cities: Baldwin Park, Beverly Hills, El Monte, Glendale, Glendora, Huntington Park, Inglewood, Irwindale, Montebello, San Fernando, West Covina, and Whittier. The HMR audit focused on City Impound Survey and a separate Contracted Tow Vendor Survey, review of the 12 cities tow vendor RFP's and contracts; and phone interviews. The audit began in late December 2016. The information requested was for the 2015 calendar year, as it was determined that information should be complete and on file for 2015. There were a few areas in the survey that also went back to 2014 as the California Office of Traffic Safety (OTS) uses 2014 accident data to award 2015 checkpoint grants to cities.

Information obtained by the CGJ and the audit results warranted a separate report titled "Tow Vendor Contracts in 12 Select Cities." (See infra companion report)

The full HMR audit report²⁰ can be found on <http://grandjury.co.la.ca.us/gjreports.html>.

II BACKGROUND

A. What Happens When a Vehicle is Towed?

This investigation studied what happens when a city initiates a vehicle impound. A city can impound/tow a vehicle for an "impoundable" CVC violation.²¹ The driver may be present when a vehicle is towed through a police-initiated traffic stop, or Driver's License/DUI checkpoint for violations such as: DUI, unlicensed driver, driving with a suspended license, etc. A driver may be absent and have their vehicle towed for violations such as: parking on a public street before or after posted parking hours, parking in a restricted area, parking on a city street after 72 hours in the same location, etc.

When a vehicle is impounded, a California Highway Patrol (CHP) Form 180 is filled out by the police officer who initiated the impound. CHP Form 180 is a simple form that takes 5 to 10 minutes to complete. It also documents any visible personal property left in the towed vehicle.

²⁰ HMR audit report is from actual data collection

²¹ California Vehicle Code sections § 22650 through § 22856 grant governmental agencies the power to impound vehicles

An impounded vehicle is towed to the city's contracted vendor's tow lot with a copy of the completed CHP Form 180. Personal property in a towed vehicle is to be secured by the tow vendor. This is a problem area in a few impound lots. Most tow companies follow the CHP tow contract regulations that require personal property to be secured in the locked towed vehicle. A few tow lots remove valuable personal property to a more secure locked area inside the offices of the tow vendor. A vehicle owner has the right to their personal property at any time the vendor is open for business whether they retrieve their vehicle or not, but this must be done before the lien process is completed.²² After the DMV lien process²³ is completed (usually 30-45 days), the tow vendor obtains ownership to the vehicle and all personal possessions still left with the vehicle.

It is not uncommon for drivers to return to where their car was parked and realize their car is missing and presumed stolen, only to eventually realize that the car was towed. How to navigate through the city policies and procedures to locate their towed vehicle and have it released is not easy and, as set forth below, information is not readily accessible.

- Where does a person go to obtain information on a towed vehicle, and the procedures and payment to release the vehicle?
- What are the days and hours the city office is open to receive impound payment and are they open on Fridays or weekends?
- What are the days and hours the tow company is open, and are they open on weekends or after hours?
- Which contracted tow company has the vehicle, as there can be two or three city contracted tow vendors?
- Where is the correct tow vendor located?
- Where does a person go first; the city office or tow lot?
- Does the city have an office or a person to call for information and who to call after hours and on weekends and holidays?
- Does the city have a web site that provides information on the procedures and payment required for a vehicle release?
- How does a driver appeal the vehicle impound, length of impound, or the monetary charges?

Step 1

The first step in retrieving an impounded vehicle is to go to the city office that accepts payment. Which office collects the impound fees and issues a vehicle release document varies from city to city. It may be located in the police department or another city office. Some cities charge a flat city impound fee and some add on extra charges for processing, etc. Fees vary from city to city and the DUI fees are significantly more expensive, i.e. \$500 in El Monte. Some city offices are

²² California Vehicle Code § 22651.07 (d)

²³ The lien process initiates a transfer of vehicle ownership to the tow vendor business for future sale

closed on Fridays, which extends the time to pay the city and obtain the vehicle release document. If a person is unable to pay the city when the city office is open, that vehicle owner accrues extra daily storage fees that the tow vendor charges. To obtain the vehicle release document, the vehicle owner must present to the city the current vehicle registration, proof of insurance, and drivers' license, and must pay all the city fees in cash or credit card.

Step 2

After paying the city fees and obtaining the vehicle release document, the vehicle owner will go to the "correct" tow contractor's lot to pay tow vendor fees and retrieve their vehicle. A city may have one contracted tow vendor, or may rotate among two or three vendors, or assign a vendor by geographical area. CVC Section §22851. (b) states that a tow vendor's office only needs to be open to the public on Monday through Friday from 8AM to 5PM. A contracted tow vendor does not have to be open after hours or on weekends unless the contracting city includes that requirement in the contract. Limited tow vendor office hours makes retrieving a vehicle from a tow lot difficult for many working people. Drivers seeking to access a vehicle after hours or on a weekend pay significantly more in extra fees charged by the tow company that is only open Monday through Friday. The 2016-2017 CGJ Tow Vendor Survey did find a few tow vendors that had extended weekday and weekend hours.

When both Step 1 and Step 2 are completed, the combined city and tow fees for a non-DUI violation for one day's storage can vary from a minimum of \$228 in Glendale to \$494 in Baldwin Park. As daily storage fees accrue, the total fees can escalate to thousands of dollars (See Exhibit 3.6). The highest reported individual payment to a tow vendor in the 12 surveyed cities for 2015 ranged from \$1,675 in Beverly Hills to \$5,160 in Baldwin Park.²⁴

B. Cities Lack Accessible Information on Impound Vehicle Retrieval, Payment and Appeal Through Impound Hearing

Many cities in our survey lack accessible information on how to retrieve and pay for an impounded vehicle, as well as how to appeal the impound and/or fees charged. All of this information should be available to residents 24 hours a day, 7 days a week, not just during weekly business hours, which is often Monday through Thursday in the cities that have closed offices on Friday. City web sites should be a source of complete information for citizens and residents and offer translated versions in cities that have large populations that speak a language other than English.

The majority of the 12 surveyed city web sites are difficult to navigate and do not have complete impound information. If any information is offered in a city web site it is not well identified, and is often located under police and traffic sections. The exception is Glendora, which had complete information on all aspects of impound. Baldwin Park recently revised their web site, which has

²⁴ Information from CGJ City Surveys

information on impounds retrieval, payment, and hours of operation but no information on impound hearings. El Monte's only website information is a rationale and explanation of why the City of El Monte conducts DUI safety checks. Ten city web sites are sorely lacking useful information for individuals who have had a vehicle towed. Obtaining information on what city office takes payment, what days and hours the office is open, the fees to be paid and how to pay (cash or credit card) is not available on most of the surveyed city web sites.

Lack of Posted impound fees in city offices

The City Impound Surveys found that only four cities (Baldwin Park, Beverly Hills, Inglewood, and Montebello) post their impound fees in the office that accepts impound payments -- either a city office or police department. El Monte, Glendale, Glendora, Huntington Park, Irwindale, West Covina, Whittier, and San Fernando do not post this information for the public in their city offices. In El Monte, the public must ask for this information when the city office is open or a person is available by phone, since their web site does not provide this information. On October 12, 2016, members of the CGJ were in the El Monte Police Department after completing a yearly CGJ jail inspection. A CGJ member asked police personnel for information on the city fees to be paid to retrieve an impounded vehicle. An El Monte City employee responded: "Don't give him that information. They are from the Grand Jury."²⁵ The Civil Grand Juror left without the information. No individual should be denied public information on city fines and fees. El Monte demonstrated "bad practice" for not posting impound fee information and verbally withholding public information when requested on October 12, 2016.

Lack of cities holding impound hearings

Citizens and residents have the right to an impound hearing to appeal the reason for a vehicle impound, length of impound, and/or the various city and tow vendor fees.²⁶ Few cities post information on the "Right to an Impound Hearing" for an impounded vehicle. City police departments that initiated the impound have 48 "workweek" hours to send a "Notice of Stored Vehicle" to the registered owner, which includes information on impound hearings. This mailed notice can take up to a week to arrive by mail to the owner's address as listed on DMV records. Posting impound hearing information in city offices and on city websites makes this information immediately accessible to the public. Only 3 cities in the Impound Survey reported that they held impound hearings in 2015: Glendale held 108 hearings out of 544 impounds, Beverly Hills held 104 hearings out of 2,065 impounds, and Glendora held 60 hearings out of 454 impounds. Whittier's web site had information on Impound Hearings being held weekly, but on their city survey they reported no information on the number of impound hearings held in 2015. The CGJ City surveys show that the information on impound hearings is not getting to the vehicle owner in a timely manner, and often not until after payment has been made to both the city and tow lot vendor. The right to an impound hearing should be posted in all city offices where payment of

²⁵ Reported by Civil Grand Jury Member to all jury members on 10/15/16

²⁶ California Vehicle Code §22659.9 and CVC §22852

city impound fees are made, as well as on the city web site. A city should not rely on impound hearing information to only be sent through the mail.

Translating impound information

Cities have residents who speak other languages. Montebello, Baldwin Park, and Inglewood translate their city impound fee information into another language. Irwindale reports it has a Spanish telephone hot line. The CGJ consider this a “best practice”.

C. Multiple Costly Fees to Recover an Impounded Vehicle Vary from City to City

City Fees:

- San Fernando charges a flat vehicle release fee of \$50, the lowest of the 12 cities
- Beverly Hills charges a flat vehicle release fee of \$117
- Baldwin Park has a standard vehicle release fee of \$245
- El Monte has varied vehicle release fees: Storage (abandoned, parking) \$120, Unlicensed/impound \$240, DUI infraction \$500, Prostitution infraction \$720

Tow Company Fees:

The tow vendor has different fees it can charge: Tow fee, hook-up fee, and at least one day of daily storage, etc. All tow vendor fees must be added together to see what is actually charged to retrieve a vehicle. Fees add up quickly. Some examples of one day tow vendor fees are as follows:

- Tow vendor Glendale: Tow \$118; Daily storage \$37 = \$155 for one day retrieval
- Tow vendor El Monte: Tow \$205; Daily storage \$60 = \$265 for one day retrieval
- Tow vendor Baldwin Park: Tow \$195; Daily storage \$54 = \$249 for one day retrieval

HMR Audit Exhibit 3.6: Current Estimated Costs to Release a Regular Vehicle

Cities	City Release Fee ¹	Tow Fee ²	Daily Storage ²	1 Day	2 Days	3 Days	7 Days	15 Days	30 Days
Baldwin Park	\$245.00	\$195	\$54	\$494	\$548	\$602	\$818	\$1,250	\$2,060
Beverly Hills	\$117.00	\$160	\$42	\$319	\$361	\$403	\$571	\$907	\$1,537
El Monte	\$120.00	\$205	\$60	\$385	\$445	\$505	\$745	\$1,225	\$2,125
Glendale	\$72.00	\$118.50	\$37	\$228	\$265	\$302	\$450	\$746	\$1,301
Glendora	\$120.00	\$175.00	\$52.00	\$347	\$399	\$451	\$659	\$1,075	\$1,855
Huntington Park	\$108.23	\$185	\$60	\$353	\$413	\$473	\$713	\$1,193	\$2,093
Inglewood	\$150.00	\$121.90	\$33.00	\$305	\$338	\$371	\$503	\$767	\$1,262
Irwindale	\$50.00	\$185	\$53.00	\$288	\$341	\$394	\$606	\$1,030	\$1,825
Montebello	\$180.00	\$154	\$52	\$386	\$438	\$490	\$698	\$1,114	\$1,894
San Fernando	\$130.00	not provided		n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
West Covina	\$178.00	\$195	\$54	\$427	\$481	\$535	\$751	\$1,183	\$1,993
Whittier	\$121.00	\$175	\$45	\$341	\$386	\$431	\$611	\$971	\$1,646
Median	\$121	\$175	\$52	\$347	\$399	\$451	\$659	\$1,075	\$1,855
Minimum	\$50	\$119	\$33	\$228	\$265	\$302	\$450	\$746	\$1,262
Maximum	\$245	\$205	\$60	\$494	\$548	\$602	\$818	\$1,250	\$2,125

Source: Review of Civil Grand Jury city and towing vendor surveys

¹Release fees in this analysis are for basic vehicle storage releases. The City of San Fernando charges a release fee and an administrative fee.

²Vendor tow and daily storage fees are current rates for regular vehicles. Cities with more than one vendor charging different tow and storage rates were averaged out for this cost analysis.

CVC mandates a 30-day impound when the driver was driving on a suspended or revoked license, or driving with “exhibited speed” (racing) or reckless driving.²⁷ Those 30 days of daily storage can add up: El Monte’s and Huntington Park’s daily storage fees are \$60 x 30 days hold = \$1,800. This large fee is in addition to all the other city and tow company fees. After-hours vehicle retrieval fees are over \$100. A lien process²⁸ is initiated by the tow vendor after the first 72 hours the vehicle is on the tow lot, which costs an additional \$70.

The HRM audit of the 12 surveyed cities found that most vehicles are released within 72 hours. Of the 9 tow vendors that provided information, 57% of vehicles were released in the first 3 days, but 32% remained on the lot for 7 days or more.²⁹

HMR Audit Exhibit 3.5: Volume of Vehicles Towed by Days before Release, 2015

²⁷ CVC §14602

²⁸ Lien process is the beginning step initiating the transfer of ownership of a vehicle held for 72-hours or more

²⁹ HMR audit report Exhibit 3.6, pg. 23 gives a detailed 1 day to 30 day fee accrual chart for all 12 cities

City and Towing Vendor	Days before Vehicle Release								Total
	1 day	2 days	3 days	4 days	5 days	6 days	7 days	7+ days	
Baldwin Park: Royal Coaches	931	322	225	109	79	41	27	814	2,548
Beverly Hills: Tip Top	445	35	8	-	-	-	-	2	490
Glendale: Gay's	283	232	115	91	63	37	34	179	1,034
Glendora: Jan's	65	29	46	35	30	21	20	127	373
Irwindale: Jan's	48	28	14	7	5	1	5	68	176
Irwindale: Royal Coaches	64	17	8	8	10	4	5	57	173
Montebello: Helms & Hill	240	264	144	4	48	24	48	600	1,372
West Covina: Royal Coaches	173	65	48	34	36	16	14	217	603
Whittier: Hadley	73	82	54	39	36	29	17	13	343
Totals	2,322	1,074	662	327	307	173	170	2,077	7,112
Percentage	33%	15%	9%	5%	4%	2%	2%	29%	100%
Grouped Percentages	57%			10%			32%		

Source: Review of Civil Grand Jury towing vendor surveys

Note: The following towing vendors have not completed their surveys: Freddie Mac from El Monte; Gay's, Monterey, and Crescenta Valley from Glendale; HP Tow from Huntington Park; Black and White from San Fernando; and Bob & Dave's from Whittier. Bryant's and B&H from Inglewood completed their surveys, but reported that this information is not tracked. The Civil Grand Jury's survey to cities included the same question to delineate the volume of tows by the number of days before release, but only three cities (Beverly Hills, Irwindale, Whittier) provided this data while the other nine reported that this information is not tracked.

Lien Sales

Many times the accrued city and tow company fees are so expensive that vehicles are not retrieved by owners, and the tow companies take ownership of the vehicle through a DMV lien process. The state regulated lien process usually takes 30 to 45 days, as the registered vehicle owner and loan company must be notified before a lien sale can proceed. Tow company fees still accrue for the first 30 days a vehicle is on the impound lot, no matter the cause of the impound. The tow vendor takes ownership of the vehicle after the 30 to 45 days required to complete the DMV lien process.³⁰ Upon assuming ownership of a vehicle, the tow company can sell the un-retrieved vehicles at an advertised lien sale to help recover the tow company's costs. Some cars go to salvage. The percentage of vehicles that go to lien sales and salvage depends on the financial ability of the vehicle owners to pay the fees. Our survey showed unrecovered vehicles ranged from .03% in Beverly Hills to 32% in San Fernando.³¹

Franchise fees: Reimbursement to the contracting city

The 2015 City Tow Vendor contracts in ten of the selected cities required a franchise fee to be paid to the city from the tow vendor. The franchise fee the tow company refunds to the city come out of the fees a vehicle owner pays to the tow vendor to retrieve their vehicle. A franchise fee can be a flat dollar amount per vehicle, a guaranteed annual fee, and/or a percentage of all

³⁰ Lien sales are regulated in CVC §3067 through §3074

³¹ Ref. HMR audit Exhibit 1.3 Outcomes for Impounded Vehicles, 2015

tow company fees taken in by vehicle recovery fees (tow fee, hook-up fee, and daily storage fee), lien sales and salvage. Beverly Hills, Huntington Park, and Whittier were the only cities in our 2014 and 2015 survey that did not receive franchise fees from their tow vendors. However, in 2016-2017 Huntington Park initiated a franchise fee with its new tow vendor.

Sample city franchise fees from the City Impound Survey:

- Flat fee per vehicle: \$45.00 San Fernando, \$75.00 Glendora, \$125.00 El Monte
- Percentage rate of total fees and yearly guarantee: 30% with a guaranteed \$100,000 annually in West Covina
- No franchise fee: Beverly Hills and Huntington Park received no fees in 2014 and 2015
- Whittier reports it does not receive franchise fees but does collect \$250.00 for every 30 day impound

CGJ Exhibit A: Comparison of City Population, Number of Impounds and Impound Fees

City	Population	Sq. Miles	2015 Impound	Impound per 1000 People	2015 Fees CITY	2015 Fees VENDOR	Total City Revenue
Baldwin Park	77,056	6.8	2361	30.6	334,070	318,513	652,583
Beverly Hills	34,869	5.7	2065	59.2	176,202	no franchise	176,202
El Monte	116,732	9.6	No Response	-	176,190	76,145	252,325
Glendale	201,020	30.6	544	2.7	33,530	364,379	397,909
Glendora	52,009	19.6	454		43,275	28,540	71,815
Huntington Park	59,430	3	1358	22.9	102,877	no franchise	102,877
Inglewood	111,656	9.1	No Response	-	No response	44,503	44,503
Irwindale	1,437	9.6	337	234.5	30,250	47,154	77,404
Montebello	63,291	8.4	1011	16	130,462	197,120	327,582
San Fernando	24,931	2.4	435	17.4	16,941	20,753	37,694
West Covina	108,484	16.1	587	5.4	47,882	98,059	145,941
Whittier	87,438	14.7	1156	13.2	92,453	9,000	101,453

Source: CGJ 12 City Surveys and Tow Vendor Surveys; data from OTS & TIMS-SWITRS
(Whittier reports that it does not collect franchise fees, but does get reimbursed \$250 for every 30 day impound)

1. The broad range of fee revenue collected from tow vendors and vehicle owners whose vehicles are towed and stored by the tow vendors for the surveyed cities indicate that cities take very different approaches to how much of their tow and impound program costs are paid for by vehicle owners, how they identify the allowable costs that cities can recover through these fees and the extent to which these costs are ultimately passed on to the vehicle owners.

2.

Cities have a Statutory Obligation to Periodically Assess the Cost of Administration

Vehicle Code Section 12110(b) allows cities to impose franchise fees on towing vendors that may not exceed the amount necessary to reimburse the public entity for its actual and reasonable costs incurred in connection with the towing program. Vehicle Code Section 22850.5 allows cities to impose fees on vehicle owners to recover administrative costs relating to the removal, impound, storage, or release of vehicles. Cities need to examine their charges and fees on a periodic basis to ensure they are not exceeding the cost of service justifying the fees.

Potential Misuse of Impounds as a Source of Revenue

Impounding vehicles can increase revenue to cities and tow companies. In the past, cities that participated in holding numerous Driver's License (DL)/Traffic Safety and DUI checkpoints (roadblocks) created a climate of "Policing for Profit" under the guise of public safety. The CGJ understands the importance of safety check points and saturation patrols³² that are judiciously conducted. It is the excessive use of these police enforcement tactics that raises questions. Saturation Patrol grants from the California Office of Traffic Safety (OTS) are used to fund additional police to patrol targeted roadways with a high volume of accidents and DUI's during a select time period. Besides check points and saturation patrols, a city may employ "increased enforcement" by stopping more drivers for small non-impoundable infractions, which can lead to discovering an impoundable violation. The more cars impounded, the more money received by both the city and tow vendor. This can create an opportunity for abuse. Police officers welcome the opportunity to receive overtime for working check points and saturation patrols. It also creates an atmosphere of close connections among the city, tow vendors and police. It is the opinion of the CGJ that this atmosphere can lead to "special friend of the city" status for the tow vendor as well as the vendor "greasing the wheels" of contract-awarding by special gifts or in-kind contributions to the city, city management or elected city officials.

D. What criteria is used to determine when, where and how many Traffic Safety-Driver's License and DUI Checkpoints and Saturation Patrols are Conducted? How are they funded?

How Checkpoints and Saturation Points are Determined?

Where the Los Angeles County Sheriff (LASD) has jurisdiction, there are three factors LASD Traffic Services use in determining where checkpoints or saturation patrols are needed to increase safety and DUI awareness: number of accidents, number of DUIs, and a safe location to hold the checkpoint.³³ If the location is not safe to conduct a checkpoint, such as a busy street or intersection, then a saturation patrol can be used instead. Certain holidays also receive extra

³² Saturation patrols involve law enforcement deploying additional patrol vehicles to targeted roadways during select time periods to detect and apprehend impaired drivers.

³³ Interview personnel Los Angeles Sheriff Department, Traffic Services Division, 2/9/17

enforcement. This formula is not always followed and cities can conduct checkpoints and saturation patrols with OTS grants anywhere within city limits, often targeting certain geographical areas.

California Office of Traffic Safety (OTS) Grants

DL/Traffic Safety and DUI Checkpoints, as well as Saturation Patrols, are usually paid for by an application for a State Grant from the OTS. Federal highway safety money from the National Highway Traffic Safety Administration (NHTSA), is given to the State and combined with State money to be administered by OTS in yearly grants to cities or police departments that apply. OTS has eight different types of grants which include:

- Traffic Safety
- Alcohol Impaired Driving, Drug Impaired Driving
- Distracted Driving
- Pedestrian and Bicycle Safety
- Occupant Protection (child passenger safety)

The first 2 grants are usually used for checkpoints and saturation patrols. These OTS grants are based on an OTS matrix from different variables: city size, reported accidents, DUI, etc. From this, OTS gives the cities a rating that helps determine the amount of grant money awarded. Cities in our Tow and Impound 2015 Survey reported a range from \$200,870 in Glendale to conduct 22 checkpoints, to \$22,374 in Montebello to conduct 4 checkpoints. Inglewood, Whittier and Glendale held numerous checkpoints in 2015.

Cities are Not Tracking the Number of their Impounded Vehicles

HMR auditors reported that impounds were not tracked in nine of the surveyed cities. Additionally, none of the cities conducting checkpoints tracked the number of vehicles impounded at their checkpoints. Of the three cities that did track 2015 impounds, two city tow vendors reported different impound counts than their contracted cities. The third city relied on its tow vendors to provide the city impound count.

What Determines When a Vehicle is Impounded: The California Vehicle Code (CVC)

The CVC determines when a violation can result in an impound. Such violations include: DUI, driving on a revoked or suspended license, five or more unpaid traffic tickets, unlicensed driver, unregistered vehicle, parking in a tow zone, arrest, speeding, and evidence hold on the vehicle. The CGJ Survey contained a segment on the type and number of CVC violations which occurred in each city in 2015 that resulted in an impound. Only five cities completed the CVC violation portion of the survey. Six cities did not complete the CVC survey: Inglewood, El Monte,

Baldwin Park, Glendora, San Fernando, and Montebello. Montebello and El Monte reported that this section of the survey “required a hand count” and refused to do the count. Baldwin Park and Glendora stated they do not keep this information.

Knowing the number of specific CVC violations that resulted in an impound gives a clearer picture of what type of violations are occurring in each city. The CGJ commends the cities of Beverly Hills, Glendale, Huntington Park, Whittier and Irwindale for completing their CVC surveys. West Covina turned in numerous pages for the auditors to hand count, a step above Montebello and El Monte and the other non-responding cities.

Partial Breakdown of Most Numerous CVC Violations by Reporting Cities

The following information details the most frequent CVC violations that resulted in impounds by reporting cities.

Irwindale, proportional to its 1,466 population, has the largest number of impounds at 337, and reported 31 DUI’s and 293 accidents. It must be noted that Irwindale includes 700 businesses and 25,000 daily workers. It also has major commuter highways that bisect the city, transporting many thousands of commuters and trucks daily. The largest number of impound causes were: 75 unlicensed drivers, 71 suspended license (30-day impound), 73 arrested driver, 26 expired registration.

Beverly Hills, with a population of 34,677, had no checkpoints, yet reported 2,065 impounds, the second largest proportional to population, in our survey. When looking at this city’s CVC survey it shows that the largest number of impounds causes are: 549 impounds for parking in a tow zone, 403 impounds for expired registration fees, and 253 impounds for not paying five or more tickets. Most of these impounds involved high-value vehicles.

Glendale, with a population of 195,799, had 10 checkpoints in 2014 and 8 checkpoints in 2015. The CVC survey indicated that out of Glendale’s total 544 impounds in 2015, 237 impounds were for expired registration, 156 impounds for evidence (relating to a crime or accident), 62 impounds for unlicensed or suspended license, and 45 impounds for reckless/excessive speed.

Huntington Park, with a population of 59,033, had 7 checkpoints in 2014 and 2 checkpoints in 2015. This city reported 1,358 impounds for 2015: 426 impounds for expired registration, 340 for unlicensed driver, 100 for arrested driver, 95 for DUI, and another 95 for blocked driveway.

Whittier, with a population of 86,538, had 12 checkpoints in 2014 and 10 in 2015. They reported 1,156 impounds for 2015: 475 impounds for expired registration, 206 for unlicensed/suspended 30 day impound,³⁴ 79 for 72-hour parking violation; and 67 for DUI.

³⁴ Whittier receives no franchise fee from its tow vendor, but receives \$250 per 30-day impound from their vendor

Three cities with large number of impounds failed to disclose CVC violations: Baldwin Park with 2,361 impounds in 2015, Montebello with 1,011 impounds. El Monte did not disclose the number of impounds or CVC violations. The failure of these three cities (with historical media coverage on abusive impound practices)^{35,36} to record CVC violations and number of impounds, obscures the violations causing impounds, as well as any abuses that may still be occurring.

The Chart below gives the statistical information on population, impounds, accidents and DUI's for the 12 surveyed cities.

CGJ Exhibit B: Comparison of City Population, Accidents, DUI's, Impounds and Checkpoints

City	Population	Sq. Miles	Collisions OTS*	DUI OTS	Impound		Checkpoints	
					2015	2014	2015	2014
Baldwin Park	77,056	6.8	369	141	2361	2316	0	0
Beverly Hills	34,869	5.7	525	120	2065	1997	0	0
El Monte	116,732	9.6	696	187	N.R.	N.R.	6	N.R.
Glendale	201,020	30.6	983	579	544		22	27
Glendora	52,009	19.6	284	210	454	N.R.	2	2
Huntington Park	59,430	3	252	185	1358		2	7
Inglewood	111,656	9.1	95	212	N.R.	N.R.	8	10
Irwindale	1,437	9.6	293	31	337	342	0	0
Montebello	63,291	8.4	403	118	1011		4	4
San Fernando	24,931	2.4	109	81	435		0	0
West Covina	108,484	16.1	736	113	587	728	0	0
Whittier	87,438	14.7	556	225	1156	N.R.	10	12

*2014 OTS information is used for 2015 OTS Grants to cities for checkpoints and saturation patrols and TIMS-SWITRS³⁷
 N.R. No Response

E. Increased Enforcement

Obviously not all impounds are generated from checkpoints and saturation patrols. So what is happening in some cities with significant numbers of police-initiated impounds that do not

³⁵ Ryan Gabrielson, “Like Bell and Maywood, Montebello reaps funds from car seizures”, California Watch for Investigative Reporting, U. C. Berkeley, 04/25/11

³⁶ Ryan Gabrielson, “Car seizures at DUI checkpoints prove profitable for cities, raise legal questions”, California Watch, Center for Investigative Reporting, U. C. Berkeley, 02/13/10

³⁷ TIMS-SWITRS Transportation Injury Mapping System-Statewide Integrated Records System

involve checkpoints? Increased enforcement equates to more traffic stops, often for minor infractions that can generate citations that often lead to bigger discoveries, such as lack of current registration or driving without a license, which generates an impound. CGJ interviews with a citizen activist and a businessman in Baldwin Park reported that drivers in Baldwin Park are often stopped for minor infractions, such as a cracked windshield, light out, no seat belt, etc., which are not impoundable offenses but often result in an impound.^{38, 39} This reasonable suspicion by community members leads to the question: was the vehicle improperly impounded for a non-impoundable violation, or did the police officer discover an impoundable offense, such as an unlicensed driver or unregistered vehicle? The suspicion can easily be cleared when specific CVC violation(s) are recorded and tracked by a city and available to the public. It is difficult to determine in the cities that did not fill out the CVC violation survey, because they “do not keep the information”. Whatever the case, the public is denied information that is not kept or is not reported or available.

The same businessman and a police officer in a city adjacent to Baldwin Park reported that increased enforcement has occurred in Baldwin Park, with the contracted tow vendor assisting and identifying vehicles with out-of-date registration tags on license plates, as well as other violations that could result in impounds.^{40 41} Looking at this city’s 2,361 impounds in 2015 supports the suspicion that this city has increased enforcement.

F. Holding On To Vehicles

“Holding on to vehicles” was first noted by the CGJ when reading a newspaper article regarding El Monte’s 2014 former tow vendor which had limited office hours and lack of accessibility. Holding on to cars can also occur because of delay in police-initiated paperwork, as witnessed by two Civil Grand Jurors who were in the lobby of the Baldwin Park Police Department before noon on Friday, September 2, 2016. The two CGJ members were in the lobby while waiting to start their CGJ inspection of the jail and observed the following:

A young man came into the police station lobby and said that his car was impounded on Wednesday, August 31, 2016, and he was there to pay his fees in order to obtain the release document needed to retrieve his vehicle. The civilian employee stated, “The officer was too busy to complete the paperwork”⁴² to release the car. The young man asked if he could return in a few hours. The civilian employee said no, the officer would not be available. The employee told the young man to come back on Tuesday, September 6th, as Monday was a holiday.

³⁸ Interview citizen-activist, 10/4/16 AM

³⁹ Interview Baldwin Park businessman, 10/4/16

⁴⁰ Ibid.

⁴¹ Interview police officer San Gabriel Valley, 1/27/17

⁴² Witnessed by two Civil Grand Jury members in the Baldwin Park Police lobby on 9/2/16

This man's car was in the tow lot for at least 7 days, which would accrue 8 days of daily storage fees (8 days x \$54 = \$432). There was no posting of the Right to an Impound Hearing in the police lobby. This situation demonstrates the importance of having cities post the Right to an Impound Hearing, so a driver can challenge the length of impound and the accruing daily storage fees.

The city's performance in the above case is very questionable. Police officers use CHP Form 180 for impounds and citing the vehicle code violation. This form is completed at the time of impound and takes 5 to 10 minutes to complete. It is always done before the end of an officer's shift in the other 11 surveyed cities. It is common practice that police departments require their officers to complete impound documents by the end of their shift. The CGJ finds that the city of Baldwin Park is "Holding on to Vehicles" which increases impound fees. This city exhibits lax police department training in officer-initiated paperwork, recordkeeping, and accountability. Those cities not posting impound information on their web sites and/or in their city offices are delaying public access to information. This results in vehicles being held more days, thus increasing the tow vendor's daily storage fees and franchise fee paid back to the city.

III METHODOLOGY

The CGJ Tow and Impound Committee conducted this investigation using the following methodologies.

Interviewed: Police and Sheriff administrators, officers and civilian personnel, current and retired city employees, tow and impound company owners, private business owners, legal aid lawyer, newspaper and television reporter, city residents and community activists. Also, two members of the CGJ attended a City Council meeting on Tow/Impound contract approval.

Research included: newspaper articles, television reports, archived radio programs on tow and impound practices; internet; numerous legal briefs; viewing city and community activists web sites, and observing an unannounced site inspection of a Sheriff's Department contracted tow vendor location by Sheriff's personnel.

The CGJ conducted the following analysis: After 3 months of studying the numerous issues and possible abuses of impound practices, the CGJ developed criteria to create detailed surveys. A contract was awarded to HMR to conduct a management audit of the Tow and Impound practices of 12 selected cities and their Tow/Impound contractors. HRM auditors implemented the surveys and analyzed the information reported from the 12 cities and their tow vendors. CGJ and HRM analyzed RFPs, contracts, reports and city websites; California State Controller audit reports on select cities; OTS and Transportation Injury Mapping System-Statewide Integrated Traffic Records System (TIMS-SWITRS) regarding traffic statistics on each city, as

well as the awarding of State checkpoint grants to city police departments from the aggregate of the OTS traffic statistics.

IV FINDINGS

1. Cities lack accessible information on impound vehicle retrieval, payment, location of payment office and hours of operation. Most cities in our survey lack accessible information on how to retrieve and pay for an impounded vehicle, as well as how to appeal the impound and/or fees charged. All of this information needs to be available to residents 24 hours a day, 7 days a week, not just during weekly business hours, which are often Monday through Thursday in the city offices that are closed on Friday. The lack of accessible information leads to increased tow vendor impounds fees for the vehicle owner.
2. Impound fees are not posted in all city offices that accept impound fee payment. El Monte, Glendale, Glendora, Irwindale, Huntington Park, San Fernando, West Covina and Whittier indicated on their respective City Impound Surveys that they do not post impound fee information in their city/police offices.
3. City web sites lack information on impounds. The cost of retrieving a vehicle is substantial and cities should improve the transparency of their systems by providing a clear user-friendly webpage detailing the vehicle retrieval process, links to tow company sites detailing all the elements of costs, including both city fees and tow vendor fee schedules. Seven cities indicated on their survey that they posted impound information on their web sites. CGJ members searched the 7 city web sites and determined that only Glendora listed complete impound information. Baldwin Park needs to add the Right to Impound Hearing on their web site. All of the other 10 cities had little or no information on impounds in their web sites.
4. Many of our sample cities have populations that speak other languages. Only Montebello, Baldwin Park and Inglewood stated on their survey that they translate their city impound fee information into another language used by their city residents.
5. This investigation found a lack of information on Impound Hearings. The right to an impound hearing should be posted in the city offices that receive payment of impound fees. Not posting the right to an impound hearing in the city office that accepts payment is withholding public information and indicates a lack of transparency in city governmental procedures.
6. The right to an impound hearing is not included on all city websites providing information on impounds. Not including information on the web regarding the right to an impound hearing denies the public timely information needed to challenge the impound, length of impound and fees charged.

7. There is a need for city management to monitor and track the number of impound hearings and the ratio of hearings to impounds, as well as their results, as a way of determining if there are trends that may warrant corrective action regarding police procedures, as well as tow vendor performance.
8. City impound fees and tow vendor franchise fees paid back to a city can encourage a city to “police for profit” by increasing impounds to keep the revenue flowing into the city. There is even more impound incentive when cities request an increased franchise fee triggered by a certain pre-determined number of impounds being achieved, such as the practice in Montebello.⁴³ HMR auditors state in their findings that higher franchise fees can also create larger relative burdens on tow companies and/or vehicle owners since tow companies will need to build these costs into their tow and storage fees paid by vehicle owners.
9. Cities have an obligation under CVC 12110(b) and 22850.5 to ensure that their tow vendor franchise fees and city administrative release fees are recovering no more than the actual and reasonable cost of administering their towing program. Reviewing and comparing fees with other cities in the county will ensure the fairness of their fees being charged relative to other jurisdictions.
10. City impound release fees are generally lower in economically advantaged cities compared to economically disadvantaged/challenged cities.
11. Tow vendor fees are generally lower in economically advantaged cities compared to economically disadvantaged/challenged cities.
12. All 12 surveyed cities need to record and track detailed records on the number of impounds their city initiates. The CGJ surveys found the following problems:
 - Many cities do not track the number of annual impounds, nor the number of impounds at scheduled checkpoints.
 - A few cities relied on their tow vendor(s) to provide the number of impounded vehicles in a given year.
 - In other instances, the reported survey numbers of city-initiated impounds varied from the tow vendors’ count.
 - The amount of money that is coming into the city through the city-collected impound fees and the tow vendor franchise fees that are paid back to the city is being obscured.
13. Many of the surveyed cities lack transparency, as well as auditing checks and reconciliation on the number of impounded vehicle fees.

⁴³ Ryan Gabrielson, “Like Bell and Maywood, Montebello reaps funds from car seizures”, California Watch, Center for Investigative Reporting, U. C. Berkeley, 4/15/11

14. In the past few years, checkpoints have decreased in some of the select cities who have had negative press on their numerous checkpoints and impound volume. Checkpoints have been replaced in a few cities with increased enforcement. Glendale was highest in the number of scheduled checkpoints: 27 checkpoints in 2014 and 22 checkpoints in 2015, but with a lower rate of 544 impounds for its population of 195,799. Baldwin Park, with no checkpoints in 2014 and 2015, had a high level of 2,361 impounds in 2015.
15. Having data from the 12 City Impound Surveys on the number of specific CVC violations that resulted in impounds, would give a clear picture of the type and frequency of violations that result in impounds. This information needs to be recorded, tracked, and available to the public. The lack of CVC information obstructs the city's ability to identify trends and solutions to CVC violations within their city and obscures impound practices. The cities of Baldwin Park, El Monte, Montebello, Glendora, San Fernando, Inglewood and West Covina need to record and track their city's CVC code violations.
16. Baldwin Park, El Monte, Montebello, Glendora, San Fernando and Inglewood lacked transparency and withheld public information by not fully completing their CGJ Survey. The CGJ considers these cities to be "withholding public information" and also questions their impound practices.
17. Baldwin Park, Montebello, El Monte, Glendora, Inglewood and San Fernando are not using or do not have a workable computerized record management system for their Police Departments and could not track the number of impounds or the specific CVC violations that resulted in impounds. It was also found that many cities' records of impound numbers varied from those recorded by their tow vendors, who reported higher number of impounds.
18. Baldwin Park, as reported earlier, did not complete CHP Form 180 at the time of impound, or by the end of the officer's shift.⁴⁴ This incident resulted in holding on to the impounded vehicle by increasing the days the vehicle was held at the tow vendor's lot, resulting in the vehicle owner accruing extra tow vendor fees (daily storage and lien initiating fees). The CGJ is concerned this may be reoccurring. It is common practice in police departments to have their officers complete impound documentation by the end of their shift.
19. El Monte is identified for refusing to give out public information as stated earlier in this report. A CGJ member asked for information on the impound fees while in the lobby of the police department. A civilian employee called out "Don't give it to him. He is from the Grand Jury."⁴⁵ This is public information that was refused by employees of the city and the police department. This city does not post its impound fees in its city offices nor on its web site. This raises the issue of concealing information which should be public.

⁴⁴ Two CGJ members in the lobby of Baldwin Park P. D. witnessed a city employee telling a citizen the impound paperwork had not been completed by the officer who initiated the impound, 9/2/16

⁴⁵ Witnessed by two CGJ members in the lobby of El Monte Police Department, 10/12/16

20. Overall, the number of vehicle impounds has decreased in cities.⁴⁶ It is noted that a few cities continue to have high impound rates, but they are lower than in 2008-2010.
21. The CGJ impound investigation was limited to 12 select cities. Many of the CGJ findings most likely occur in many other cities in the County of Los Angeles

V RECOMMENDATIONS

1. Baldwin Park

- 16A.1.1 The City Manager of Baldwin Park (CMBP) should improve the website to include a source of complete information on the impound procedures required to retrieve and release a vehicle including information on the right to an impound hearing. (Findings 3 and 6)
- 16A.1.2 The CMBP should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.1.3 The CMBP should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.1.4 The CMBP should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.1.5 The Baldwin Park Police Department (BPPD) should both record and track the information on the California Vehicle Code violations that result in impounds. This information can assist the police department and the public in assessing the type of violations occurring within the city. (Finding 15)
- 16A.1.6 The BPPD should implement a computerized record management system that has the ability to keep, record, track, organize, coordinate and retrieve the number of impounds, impound locations, and specific CVC violations. This is needed to improve the data base and recordkeeping for the police department, as well as making public information accessible to the public. (Finding 17)
- 16A.1.7 The BPPD should complete the CHP Form 180 at the time of a vehicle impound, or no later than the end of the initiating police officer's shift, on the day the officer impounded the vehicle. (Finding 18)
- 16A.1.8 The City Council of Baldwin Park (CCBP) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)

⁴⁶ As a result of AB 353

16A.1.9 The CCBP should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

2. Beverly Hills

16A.2.1 The City Manager of Beverly Hills (CMBH) should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 and 6)

16A.2.2 The CMBH should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)

16A.2.3 The CMBH should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)

16A.2.4 The City Council of Beverly Hills (CCBH) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)

16A.2.5 The CCBH should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

3. El Monte

16A.3.1 The City Manager of El Monte (CMEM) should post all city impound fees in the city office that accepts impound payments. (Finding 2)

16A.3.2 The CMEM should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release

- form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 and 6)
- 16A.3.3 The CMEM should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.3.4 The CMEM should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.3.5 The CMEM should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.3.6 The El Monte Police Department (EMPD) should both record and track the information on the California Vehicle Code violations that result in impounds. This information can assist the police department and the public in assessing the type of violations occurring within the city. (Finding 15)
- 16A.3.7 The EMPD should implement a computerized record management system that has the ability to keep, record, track, organize, coordinate and retrieve the number of impounds, impound locations, and specific CVC violations. This is needed to improve the data base and recordkeeping for the police department, as well as, making public information accessible to the public. (Finding 17)
- 16A.3.8 The EMPD should provide public information when requested. (Finding 20)
- 16A.3.9 The EMPD should train and instruct their civilian and police staff of the public's right to public information and provide their employees with customer relations training. (Finding 20)
- 16A.3.10 The City Council of El Monte (CCEM) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.3.11 The CCEM should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

4. Glendale

- 16A.4.1 The City Manager of Glendale (CMG) should post all city impound fees in the city office that accepts impound payments. (Finding 2)
- 16A.4.2 The CMG should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Finding 3 and 6)
- 16A.4.3 The CMG should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.4.4 The CMG should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)

5. Glendora

- 16A.5.1 The City Manager of Glendora (Glendora) should post all city impound fees in the city office that accepts impound payments. (Finding 2)
- 16A.5.2 Glendora should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.5.3 Glendora should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.5.4 The Glendora Police Department (Glendora Police) should both record and track the information on the California Vehicle Code violations that result in impounds. This information can assist the police department and the public in assessing the type of violations occurring within the city. (Finding 15)
- 16A.5.5 Glendora Police should implement a computerized record management system that has the ability to keep, record, track, organize, coordinate and retrieve the number of impounds, impound locations, and specific CVC violations. This is needed to improve the data base and recordkeeping for the police department, as well as, making public information accessible to the public. (Finding 17)
- 16A.5.6 The City Council of Glendora (Glendora City Council) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.5.7 Glendora City Council should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including

detering certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

6. Huntington Park

- 16A.6.1 The City Manager of Huntington Park (CMHP) should post all city impound fees in the city office that accepts impound payments. (Finding 2)
- 16A.6.2 The CMHP should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 and 6)
- 16A.6.3 The CMHP should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.6.4 The CMHP should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.6.5 The CMHP should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.6.6 The City Council of Huntington Park (CCHP) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.6.7 The CCHP should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

7. Inglewood

- 16A.7.1 The City Manager of Inglewood (CMI) should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees

required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing.

(Findings 3 and 6)

- 16A.7.2 The CMI should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.7.3 The CMI should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.7.4 The CMI should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.7.5 The Inglewood Police Department (IPD) should both record and track the information on the California Vehicle Code violations that result in impounds. This information can assist the police department and the public in assessing the type of violations occurring within the city. (Finding 15)
- 16A.7.6 The IPD should implement a computerized record management system that has the ability to keep, record, track, organize, coordinate and retrieve the number of impounds, impound locations, and specific CVC violations. This is needed to improve the data base and recordkeeping for the police department, as well as, making public information accessible to the public. (Finding 17)
- 16A.7.7 The City Council of Inglewood (CCI) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.7.8 The CCI should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

8. Irwindale

- 16A.8.1 The City Manager of Irwindale (Irwindale) should post all city impound fees in the city office that accepts impound payments. (Finding 2)
- 16A.8.2 Irwindale should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form,

- tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 and 6)
- 16A.8.3 Irwindale should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.8.4 Irwindale should record and track accurate count of the number of impounds it initiates, and reconcile¹ this count with their tow vendor(s) count. (Finding 12)
- 16A.8.5 Irwindale should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.8.6 The City Council of Irwindale (Irwindale Council) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.8.7 The Irwindale Council should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)
9. Montebello
- 16A.9.1 The City Manager of Montebello (CMM) should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 and 6)
- 16A.9.2 The CMM should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.9.3 The CMM should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.9.4 The CMM should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant

- corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.9.5 The Montebello Police Department (MPD) should both record and track the information on the California Vehicle Code violations that result in impounds. This information can assist the police department and the public in assessing the type of violations occurring within the city. (Finding 15)
- 16A.9.6 The MPD should implement a computerized record management system that has the ability to keep, record, track, organize, coordinate and retrieve the number of impounds, impound locations, and specific CVC violations. This is needed to improve the data base and recordkeeping for the police department, as well as, making public information accessible to the public. (Finding 17)
- 16A.9.7 The City Council of Montebello (CCM) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.9.8 The CCM should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

10. San Fernando

- 16A.10.1 The City Manager of San Fernando (CMSF) should post all city impound fees in the city office that accepts impound payments. (Finding 2)
- 16A.10.2 The CMSF should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 and 6)
- 16A.10.3 The CMSF should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.10.4 The CMSF should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.10.5 The CMSF should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant

- corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.10.6 The San Fernando Police Department (SFPD) should both record and track the information on the California Vehicle Code violations that result in impounds. This information can assist the police department and the public in assessing the type of violations occurring within the city. (Finding 15)
- 16A.10.7 The SFPD should implement a computerized record management system that has the ability to keep, record, track, organize, coordinate and retrieve the number of impounds, impound locations, and specific CVC violations. This is needed to improve the data base and recordkeeping for the police department, as well as, making public information accessible to the public. (Finding 17)
- 16A.10.8 The City Council of San Fernando (CCSF) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.10.9 The CCSF should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

11. West Covina

- 16A.11.1 The City Manager of West Covina (CMWC) should post all city impound fees in the city office that accepts impound payments. (Finding 2)
- 16A.11.2 The CMWC should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 & 6)
- 16A.11.3 The CMWC should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.11.4 The CMWC should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.11.5 The CMWC should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant

- corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.11.6 The West Covina Police Department should both record and track the information on the California Vehicle Code violations that result in impounds. This information can assist the police department and the public in assessing the type of violations occurring within the city. (Finding 15)
- 16A.11.7 The City Council of West Covina (CCWC) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)
- 16A.11.8 The CCWC should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

12. Whittier

- 16A.12.1 The City Manager of Whittier (CMW) should post all city impound fees in the city office that accepts impound payments. (Finding 2)
- 16A.12.2 The CMW should improve the website to be clear, user friendly, and provide a source of complete information on the impound procedures required to retrieve and release a vehicle including: identify the city office that accepts payments, hours and days the city office is open, office phone number, required documents to bring to the city office that accepts payment, total city fees required to obtain vehicle release form, tow vendor total fees required to release vehicle, links to the tow vendors site, identify type of payments that are accepted (cash and credit card), and information on the right to an impound hearing. (Findings 3 and 6)
- 16A.12.3 The CMW should post information on the right to an impound hearing in the city office that accepts impound payments. (Finding 5)
- 16A.12.4 The CMW should record and track an accurate count of the number of impounds it initiates, and reconcile this count with their tow vendor(s) count. (Finding 12)
- 16A.12.5 The CMW should monitor the number of impound hearings and their results as a way to determine if there are trends in the outcomes of hearings that may warrant corrective action concerning police procedures and measuring tow vendor performance. (Finding 7)
- 16A.12.6 The City Council of Whittier (CCW) should adopt policies that require the cost of administering their towing programs to be reassessed on a periodic basis to ensure that franchise fee and administrative fees are not exceeding the cost of service. Since

personnel costs typically adjust annually, this cost assessment should be conducted no less than every two years. (Finding 9)

16A.12.7 The CCW should annually review their city and tow contractor fees charged to vehicle owners, including comparisons with other cities in Los Angeles County, to evaluate and justify the amounts charged, considering the potential hardship on their citizens relative to the policy objectives of the fees including deterring certain types of behavior, as well as considering the fairness of the fees being charged relative to other jurisdictions. (Finding 9)

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
 Los Angeles County Superior Court
 Clara Shortridge Foltz Criminal Justice Center
 210 West Temple Street
 Eleventh Floor-Room 11-506
 Los Angeles, CA 90012

Responses are required from:

Responding Agency	Recommendations
Baldwin Park Police Department	16A.1.5, 16A.1.6, 16A.1.7
City Manager of Baldwin Park	16A.1.1, 16A.1.2, 16A.1.3, 16A.1.4
City Council of Baldwin Park	16A.1.8, 16A.1.9
City Manager of Beverly Hills	16A.2.1, 16A.2.2, 16A.2.3
City Council of Beverly Hills	16A.2.4, 16A.2.5
El Monte Police Department	16A.3.6, 16A.3.7, 16A.3.8, 16A.3.9
City Manager of El Monte	16A.3.1, 16A.3.2, 16A.3.3, 16A.3.4, 16A.3.5
City Council of El Monte	16A.3.10, 16A.3.11
City Manager of Glendale	16A.4.1, 16A.4.2, 16A.4.3, 16A.4.4
Glendora Police Department	16A.5.4, 16A.5.5
City Manager of Glendora	16A.5.1, 16A.5.2, 16A.5.3
City Council of Glendora	16A.5.6, 16A.5.7

City Manager of Huntington Park	16A.6.1, 16A.6.2, 16A.6.3, 16A.6.4, 16A.6.5
City Council of Huntington Park	16A.6.6, 16A.6.7
Inglewood Police Department	16A.7.5, 16A.7.6
City Manager of Inglewood	16A.7.1, 16A.7.2, 16A.7.3, 16A.7.4
City Council of Inglewood	16A.7.7, 16A.7.8
City Manager of Irwindale	16A.8.1, 16A.8.2, 16A.8.3, 16A.8.4, 16A.8.5
City Council of Irwindale	16A.8.6, 16A.8.7
Montebello Police Department	16A.9.5, 16A.9.6
City Manager of Montebello	16A.9.1, 16A.9.2, 16A.9.3, 16A.9.4
City Council of Montebello	16A.9.7, 16A.9.8
San Fernando Police Department	16A.10.6, 16A.10.7
City Manager of San Fernando	16A.10.1, 16A.10.2, 16A.10.3, 16A.10.4, 16A.10.5
City Council of San Fernando	16A.10.8, 16A.10.9
West Covina Police Department	16A.11.6
City Manager of West Covina	16A.11.1, 16A.11.2, 16A.11.3, 16A.11.4, 16A.11.5
City Council of West Covina	16A.11.7, 16A.11.8
City Manager of Whittier	16A.12.1, 16A.12.2, 16A.12.3, 16A.12.4, 16A.12.5
City Council of Whittier	16A.12.6, 16A.12.7

VII ACRONYMS

AB60	Assembly Bill 60
AB353	Assembly Bill 353
BPPD	Baldwin Park Police Department
CCBP	City Council Baldwin Park
CCBH	City Council Beverly Hills
CCEM	City Council El Monte
CCHP	City Council Huntington Park
CCI	City Council Inglewood
CCM	City Council Montebello
CCSF	City Council San Fernando
CCWC	City Council West Covina
CCW	City Council Whittier
CGJ	2016-2017 Los Angeles County Civil Grand Jury
CHP	California Highway Patrol
CHP Form 180	California Highway Patrol Form 180
CMBP	City Manager Baldwin Park
CMBH	City Manager Beverly Hills
CMEM	City Manager El Monte
CMG	City Manager Glendale
CMHP	City Manager Huntington Park
CMI	City Manager Inglewood

CMM	City Manager Montebello
CMS	Computerized Management System
CMSF	City Manager San Fernando
CMWC	City Manager West Covina
CMW	City Manager Whittier
CVC	California Vehicle Code
DL	Driver's License
DMV	Department of Motor Vehicles
DUI	Driving Under the Influence
EMPD	El Monte Police Department
HMR	Harvey M Rose Associates, LLC
IPD	Inglewood Police Department
LASD	Los Angeles County Sheriff's Department
LLC	Limited Liability Corporation
MPD	Montebello Police Department
OTS	(California) Office of Traffic Safety
RFP	Request for Proposal
SFPD	San Fernando Police Department
TIMS-SWITRS	Transportation Injury Mapping System-Statewide Integrated Traffic Records System

VIII COMMITTEE MEMBERS

Dianne Kelley	Chair
Sharon Muravez	Co-chair
Regi Block	
Hilda Dallal	
Ronnie Dann-Honor	

TOWS AND IMPOUNDS

PART B: TOW VENDOR CONTRACTS IN TWELVE SELECT CITIES



Dianne Kelley Chair
Sharon Muravez Co-Chair
Regi Block
Hilda Dallal
Ronnie Dann-Honor

TOW VENDOR CONTRACTS IN TWELVE SELECT CITIES

The Gift that Keeps on Giving

I SUMMARY

While conducting a companion investigation entitled “Impound Practices in Twelve Select Cities” (see previous report) problematic issues were revealed relating to tow vendor contracting practices. The current report pursues these issues.

Some of the contract problems the Civil Grand Jury (CGJ) and Harvey M. Rose Associates, LLC (HMR) found are as follows:

1. Lengthy contract durations that limit competition.
2. Undisciplined processes for soliciting, evaluating, and recording scoring for proposals for towing vendor contracts.
3. Limited inclusion of Performance-Based Management (PBM) provisions in Request for Proposals (RFP), awarding contracts, and performance evaluation reporting. These include:
 - a. Definition of performance requirements and objectives.
 - b. Requirements for regular reporting of performance against the requirements.
 - c. Contractual provisions for recognizing performance level.
 - d. Use of past performance data in contract awards and extensions.
4. Disconcerting appearance of mechanisms for inappropriate, non-transparent influences in contract awards.
5. Limited provisions for avoiding actual or apparent conflicts of interest and other ethical issues.
6. Limited consideration of complaints against tow vendors.

As in the companion investigation the cities included in this report are:

1. Baldwin Park
2. Beverly Hills
3. El Monte
4. Glendale
5. Glendora
6. Huntington Park
7. Inglewood
8. Irwindale
9. Montebello
10. San Fernando
11. West Covina
12. Whittier

In the opinion of the CGJ, correcting these issue areas will provide better, more effective and efficient government to the residents of the affected communities. We also believe that while we have considered the specific case of towing vendor contracts for twelve cities, it is likely that

there are numerous other local contract types and communities that have similar issues that should be corrected.

The general corrective for these contract issues is likely to be the adoption by local governments of the best examples of contracting processes as represented in the National Performance Management Advisory Commission's (NPMAC): "A Performance Management Framework for State and Local Government: From Measurement and Reporting to Management and Improving"¹

The full HMR audit report² can be found on <http://grandjury.co.la.ca.us/gjreports.html>.

II BACKGROUND

A. TOW VENDOR CONTRACTS

Cities contract with service vendors in different ways. A city may select a vendor without a bidding process. This is often done when there are good working relations with long standing city vendors or vendors that provide gifts to the city, which has the potential for inappropriate influence. Whittier and Inglewood do not use an RFP process. The HMR auditors report that Whittier does not use an open, competitive bidding process. Inglewood issues a towing business permit to their city's pool of tow vendors upon approval by the Police Department. Thereafter, tow vendors are reviewed annually to renew their tow vendor permits.³

Ten of the twelve surveyed cities conduct competitive bidding for their tow vendors through a RFP process. This process is standard.

- The RFP is advertised by the city and different vendors submit their company's proposal for evaluation by the city that will ultimately choose the contracted vendor(s).
- Cities chose committee representatives to rate the RFPs and inspect the bidder's tow lot.
- These rating committees, who make the final recommendations to the city council, may be made up of one or more of the following representatives from: the police department, city manager or his representative, purchasing department and/or a city fiscal official.
- The city council is the ultimate final decision-making body that approves which companies receive the city's contracts, regardless of the recommendations from the contract review committee, city departments, citizens, or police.

Proposal Evaluation Documentation is Scarce

RFP evaluation criteria are minimal in many of the surveyed cities, and documentation of evaluation rating is even scarcer. HMR listed 20 criteria for cities to choose from in identifying the criteria they used to rate RFP's. They also asked the cities to indicate and identify if other

¹<http://www.gfoa.org/sites/default/files/APerformanceManagementFramework.pdf>

² HMR audit report is from actual data collection

³ HMR audit of Investigation of Towing and Impound Management Practices in Select Los Angeles County Cities, 5/02/17, pg. 11

criteria are used. Twelve cities responded they use criteria in their RFP and non-RFP contract evaluation, but only three cities provided documentation of their evaluation rating process and criteria used.⁴ The survey results below shows the criteria used for RFP and vendor selection is minimal in many cities and could be improved.

Beverly Hills: RFP Evaluation Criteria included: Facility assessments which include office, storage, police holds, references, financial stability, and prior violations.

Glendale: Criteria included in the 2016 RFP: Scoring sheets of personal service requirements, facility and equipment requirements, prior experience, references, and financial viability.

Irwindale: Criteria included in the 2011 RFP: Interview assessments provided with ratings on appearance, community involvement, compliance with city requirements, and motivation to serve.⁵

Better managed cities tie their RFP and vendor evaluation and rating to include specific evaluation criteria on current and past performance, previous contract compliance, risk management, safety measures, fiscal viability, history of litigation, and police and public complaints and vendor resolution. The use of scoring templates for towing vendor bidders and maintaining records of these completed forms ensure that proposal evaluations are conducted in a fair and unbiased manner.⁶

The CGJ finds cities limit risk and provide residents with the best service from their contracted vendors where there is a competitive bidding process, good vetting of tow vendor and tow vendor complaints, detailed rating of the proposal, short term contracts of three to five years, and a transparent process void of outside monetary or in-kind/gift influence.

Length of Tow Vendor Contracts

The CGJ survey showed that contracts vary from 1 year (Inglewood)⁷ to 13 years (West Covina). Most cities awarded their tow vendor contracts for 3 to 4 years, with a possible option of an extension. Contract provisions that allow for terms of 7 to 13 years are not in the best interests of cities or their residents because this does not keep vendors competitive on price and performance.

Changes in contracted tow vendors occurred in four of the surveyed cities for the 2016-2017 survey period. Glendale and El Monte reported a contracted tow vendor's business was purchased by another company. Huntington Park, in 2015, and West Covina, in 2016, removed a contracted tow vendor through litigation.

⁴ HMR audit of Investigation of Towing and Impound Management Practices in Select Los Angeles County Cities, 5/02/17, pg. 29

⁵ Ibid., pg. 30 Exhibit 4.3 Responses to Evaluation Criteria

⁶ Ibid., pg. 31

⁷ Inglewood uses a 1-year Business Permit

B. USE OF PERFORMANCE CRITERIA FOR TOW VENDOR REPORTING

Current General Reporting Information

The city surveys showed that tow vendors periodically report the number of impounds and various impound fees the tow vendor collects from tow fees, daily storage fees, lien vehicle sales (from unretrieved vehicles) and salvaged vehicle income. The contracted tow vendor will reimburse a pre-determined portion of the collected fees to their contract city in franchise fees per the tow vendor contract. Tow vendors report their franchise fees and impound volume with their attached franchise checks to the city. This often is the extent of tow vendor reporting to cities. Other informational records may be kept at the tow vendor's office if the city wishes to review.

Five cities (Huntington Park, Inglewood, Montebello, West Covina, and Whittier) did not require any activity reporting of their tow vendors.

The CGJ believes that best interests are served by PBM and that requires reporting, performance evaluation and contractual inducements. In order to achieve PBM, cities need to include the following reporting:

1. **General Activity Information:** Secondary inventory of vehicle personal property, location of tow, information on tow incident, and vehicle descriptors (make, model, Vehicle Identification Number), dates of impound and release (which allows for assessing total impound time) and police case numbers (to easily track cases back to individual officers and incidents).⁸
2. **Performance Information:** Tow response times, phone response times, citizen's complaints and tow vendor's resolution(s) to those complaints, compliance with state and local laws and regulations, compliance with contract requirements, training of staff, and demonstration of safe behaviors.

These more specific reporting requirements should be evaluated by the city as measurable criteria in contract management performance. Of the 12 cities, 5 cities report no activity.⁹

⁸ HMR audit, pg. 13

⁹ Ibid. pg. 14-15

HMR Audit Exhibit 2.5: Tow Contractor Activity Reporting Required by Surveyed Cities

City	No Activity Reporting Requirement	Regular Activity Report Required	Must Report Amount of Time Vehicle Stored	Must Report Tow Location	Must Report When Personal Property Inventoried	Must Report Information on Tow Incident
Baldwin Park		✓				
Beverly Hills		✓	✓			
El Monte		✓	✓			
Glendale		✓	✓	✓	✓	
Glendora		✓				
Huntington Park	✓					
Inglewood	✓					
Irwindale		✓	✓	✓		✓
Montebello	✓					
San Fernando		✓	✓			✓
West Covina	✓					
Whittier	✓					
Total	5	7	5	2	1	2

Specific requirements put the contracting city in a much better position to monitor their contractors' and police department's performance and prevent improper towing and storage activities and provide greater assurance to the public that their city's towing and impound operations are functioning efficiently and properly.¹⁰

HMR Exhibit 2.6 Performance Metrics Reported or Evaluated by City

City	No Performance Reporting Required	Tow Response Time	Customer Complaint	Phone Wait Time	Quality Assurance Plan Compliance
Baldwin Park		✓			
Beverly Hills		✓			
El Monte	✓	*			
Glendale	*	*	*	*	*
Glendora	✓	*			
Huntington Park		*	✓		
Inglewood	✓	*			
Irwindale		*			
Montebello		*	✓		
San Fernando	✓	*			
West Covina		*	✓		
Whittier	*	*			

* This city does not mandate regular reporting but requires that the tow vendor has specific records available for inspection in the performance areas shown.

¹⁰ Ibid, pg. 15

While most cities address contractor performance in one or two areas, it is obvious that 11 of the 12 cities are lacking in quality and number of performance metrics. Only 1 city (Glendale) stood out from its peers with many specific metrics requiring their tow vendors to maintain and provide records on phone wait times. They also included a Quality Assurance Plan detailing how the vendor will meet 93 performance standards outlined in their contract.¹¹ Glendale gets a “Best Practice” from the CGJ for their performance standards.

C. BETTER MANAGEMENT THROUGH PERFORMANCE-BASED CONTRACTING

HMR Auditors report that only Glendale had developed a comprehensive contract management plan and integrated it into their towing franchise agreement while five cities failed to incorporate any specific performance reporting requirements. Six cities mentioned minimal performance metrics in their contracts (such as customer complaints and response times) which do not meet the test of a comprehensive approach to monitor performance in fulfilling the contract, as well as service to the public.¹²

As part of their findings, HMR referenced practices from the National Performance Management Advisory Commission (NPMAC) when entering into contract agreements, as stated below:

- 1) “Identify and prioritize service objectives for contractors: a. Cities can identify specific performance objectives addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other objectives.
- 2) Develop a system to collect and analyze performance data: a. Cities could require periodic reporting of performance statistics to assess the impact of their towing vendors on the community. Data could include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sold, as well as performance measures to assess compliance with service objectives.
- 3) Establish contract provisions for meeting, exceeding, or not meeting performance objectives: a. In addition to simply stating that the city may terminate its contract at any time due to noncompliance with the terms of a contract, cities could also impose liquidated damages¹³ against contractors based on the volume and severity of contract violations, and specify corrective action steps to remedy contract violations. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.

¹¹ Ibid, pg. 16

¹² HMR Audit, pg. 16

¹³ Contractual monetary penalties

4) Link contractor performance to future procurement decisions: a. Since most contracts offer term extensions, contracts should require that contractor’s documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension.

5) Reflect the provisions outlined above, as well as the process for regular performance monitoring, in the final agreement.”¹⁴

D. ETHICS AND TRANSPARENCY

In-Kind Gifts Explained

In-kind contributions are free services or contributions to cities, city events and programs, and occasionally city personnel. They may be classified into three types:

1. Free use of a tow vendor’s services and materials. This usually entails free services of a tow vendor’s vehicle and crew to clean up after accidents, towing of city vehicles and use of tow vendor barricades and lights. These are an accepted and appropriate in-kind services for cities and are usually offered by tow vendors.
2. “Opportunity for Sponsorship” of city programs and events such as: Fourth of July Fireworks, Children’s Day Parades, youth programs, and holiday and senior programs. This creates additional financial burdens a tow vendor must pay to the city, in addition to the franchise fees it returns to its contracted city. “Sponsorship” contributions for city events often gives extra weight in the contract decision-making process of City Council members, and can result in higher fees the public pays to the tow vendor.
3. Gifts to city personnel and city council members. Examples include: hospitality suites for the police department to use on the “Baker to Vegas Run”, catering trucks for police officers at traffic safety checkpoints, and free services for city council members, such as free storage for recreational vehicles on the tow vendor’s overflow lot, and auto body and paint services offered by the vendor’s auxiliary business.^{15 16} For public officials at the state and local level, these services are usually considered gifts and should be reported on State Financial Interest Forms. Gift reporting requirements, however, are not required if gifts are provided to city employees who are not designated officials, city departments, labor unions, or employee associations.¹⁷

¹⁴ NPMAC: A Performance Management Framework for State and Local Government: From Measurement and Reporting to Management and Improving 2015

¹⁵ Interview, police officer, San Gabriel Valley, 1/27/17

¹⁶ Interview, tow vendor, 9/28/16

¹⁷ HMR audit, pg. 26

Questionable City Council Decision-Making by Six Surveyed Cities

1. Irwindale -- RFP Evaluation Irregularities

- In early 2012, Irwindale advertised an RFP that stipulated it was for one tow vendor. This RFP contained a section titled “An Opportunity for Sponsorship” of city events.¹⁸
- In March of 2012, the City Council “rejected all proposals” after one of the five bidding vendors “indicated it planned substantial sponsorship of city programs.”¹⁹ This led the City Council to re-open the bidding process.
- In July 2012, the City Council directed the city staff to issue a new RFP for tow vendors that changed the wording on the RFP that allowed for the possibility of two rotational vendors.
- One of the bidding tow vendors gave a \$1,000 donation to the Mayor’s son’s college fund. This donation created a conflict of interest and the Fair Political Practices Commission deemed the gift illegal.²⁰
- By September 2012, Irwindale’s Tow RFP Review Committee evaluated and rated the RFP bids of the five bidding tow companies. The committee rated only two vendors above the 80 cut-off score (out of a possible 100), identified here as Vendor 1 and Vendor 2. The City Council directed the Tow Vendor Rating Committee to go back and re-score.²¹ The rating committee adjusted their scoring and came up with three vendors: Vendor 1, Vendor 2, and now Vendor 3 who offered substantial sponsorship of city programs.²² The City Council chose Vendor 1 and Vendor 3 because “they could do so” and Vendor 3 “had paid his dues to the city.”²³
- In the November 2016 California State Auditor Report #2016-111 identified this contract manipulation as “the City Council Made a Financial Decision that could give the Appearance of Favoritism.”²⁴ The practice of this city requesting in-kind contributions continues today, but it occurs in the interview portion of the RFP bidding process.²⁵

¹⁸ Irwindale tow vendor RFP, 9/2011

¹⁹ California State Audit Report 2016-111 (Irwindale), pg.41, 11/2016

²⁰ Ibid, pg. 41

²¹ Interview with a member of the 2012 Irwindale tow RFP rating committee, 1/27/17

²² Ibid.

²³ Ibid.

²⁴ California State Audit Report #2016-111, pg.40, 11/2016

²⁵ Interview tow company owner, 12/6/16

2. West Covina – Lengthy Vendor Contracts of 13 to 20 years

In-kind considerations on awarding contracts was a focal point in the 2015 California State Audit Report of West Covina, where in-kind contributions appeared to be a driving force in the awarding of vendor contracts. The audit findings stated: “The city awarded or extended large contracts without competitive bidding including a waste management contract extended to 2037 in return for a promise that the contract would contribute funds each year for the city’s Fourth of July celebration and summer contract series.”²⁶

The CGJ’s City Impound Survey on Impound Practices in the 12 Select Cities found that West Covina awarded a 13-year term to its current tow vendor. The contract was initiated in 2009 and in 2012 it was extended for 10 years, until 2022. Competition on price and performance is negated by West Covina’s practice of awarding lengthy vendor contracts.

A good example for many cities is LASD which prohibits in-kind gifts or contributions to Sheriff’s Department, Sheriff’s Stations or Sheriff’s personnel.

3. Huntington Park - Campaign Contribution Considerations in Awarding City Contracts

Huntington Park is a good example of the influence of campaign contributions. Huntington Park emerged in a highly publicized 2015 FBI probe into the city’s former tow vendor. The FBI charged the two owners of the tow vendor of attempting to bribe a Huntington Park City Council member to support increasing city-approved tow fees for the vendor.²⁷ The city’s tow contract regulates what a tow vendor may charge in fees to the public on city initiated tows. The FBI allegation was that the former tow vendor owners had offered to help pay off the city council member’s campaign debt and that some of the campaign contributions would come from “friends” and not directly from the tow company.²⁸ The Los Angeles Times reported that the bribery charges against the owners of the city’s former tow vendor were thrown out by the court because the FBI agents “did not clearly advise the men (owners) of their rights during the hours-long interrogation, and improperly pressed ahead after (owner) indicated he wanted an attorney present.”²⁹

Another Los Angeles Times article (February 16, 2017) details how a Huntington Park City Council member, in her side job as a fundraiser/political consultant, solicited various Huntington Park City contract vendors, including the tow, street sweeping, and bus-dial-a-ride vendors to “GIVE” to a candidate for State Assembly. This council member raised \$25,000 from Huntington Park City contracted vendors for the Assembly candidate and took a 27% fee

²⁶ California State Controllars Audit PR 15:32, 7/09/2015

²⁷ Joel Rubin, Los Angeles Times, “How a Corrupt Case Unraveled,” 10/18/16

²⁸ Ibid.

²⁹ Ibid.

(\$6,800) from the collection for her efforts.³⁰ This situation creates an environment that raises ethical and legal questions. Are these contributions for the Assembly seat alone, or to help create a positive connection with a City Council member with the authority to vote yes or no on city contracts?

Contract vendor issues keep unfolding in Huntington Park with their bus and dial-a-ride contact vendor. What happens with one city service vendor is often replicated with other city service vendors: tow, trash services and bus-dial a ride vendors. The Los Angeles Times on April 16, 2017 reported on Huntington Park's 2015 non bid contract with their current bus and dial a ride vendor. The city is paying this new vendor three times the amount of the previous vendor. The article goes on to state that Huntington Park purchased new city public transport vehicles for \$250,000 and rents them to the new bus vendor for \$100 a month per vehicle.³¹ This is in contrast to their neighboring City of South Gate that rents their transport vehicles at \$1,200 a month per vehicle.³² To complicate matters more, the campaign manager for three of the Huntington Park city council members was hired as the General Manager of this new city contracted bus-dial a ride vendor. The vendor also hired a city council member's brother as an employee. The Los Angeles Times reported, "City council members say (*name withheld*) connection to their campaigns played no role in the contract selection process."³³

These situations point to the need for clear, detailed and enforced city ordinances on Conflict of Interest and Code of Ethics policies. When city council members make decisions that appear to be questionable and self-serving, the residents suffer and the opportunity for open and transparent government is lost.

UNRESPONSIVE CITY COUNCILS TO COMPLAINTS

A source of significant information for evaluating tow vendors is from the number and type of complaints made by city residents and police personnel on tow vendor performance. In some of the cities surveyed, this information was not used in the rating RFP's or performance evaluations of tow vendors. Three cities in our study had news media coverage³⁴ of city council members who were unresponsive to the complaints by their residents, city employees, police department, and news media coverage of abuses. This report details the following examples:

³⁰ Adam Elmahrek, Los Angeles Times, "D A Probing Councilwoman's Side Work," 2/16/17

³¹ Adam Elmahrek, Los Angeles Times, "Bus Costs Up in Huntington Park", 4/16/17

³² Ibid

³³ Ibid

³⁴ San Gabriel Valley Tribune, La Opinion, Whittier Daily News, Univision, Los Angeles Times, U. C. Berkeley, Center for Investigative Reporting

4. Whittier -- The City That Impounded Their Own Tow Vendor's Truck for 30 Days

It is not only citizens and residents that raise alarms on Impound and Tow vendors. In 2014 and 2015 the alarm was raised by the Whittier Chief of Police, but was ignored by the City Council. In December 2014 the Whittier City Council voted 3-2 to award the Impound and Tow contract back to a second city-contracted tow vendor (Vendor 2) after a short hiatus. This was over the objection of Whittier's Police Chief, who cited serious allegations and concerns about this second city tow vendor. The Whittier Daily News reported on September 24, 2015 that: the Chief of Police "had recommended against renewing the contract, citing instances when (tow vendor 2) failed to maintain evidence for vehicles involved in serious or fatal collisions, for intimidating customers to use (tow vendor 2's) repair services, for traffic citations and other problems."³⁵ The contract was to be reviewed in six months. On June 23, 2015 this vendor's tow truck was requested by Whittier Police but never showed up. That same month the State Dept. of Justice reported a driver from vendor 2 had been arrested for driving under the influence.³⁶ These continuing problems did not dissuade Whittier's City Council, on Sept. 22, 2015, which voted 4-0 to continue to keep tow vendor 2. After the council's vote, the vendor's performance still did not improve, as documented in the Whittier Police Six-Month Tow Vendor Review³⁷ that cited the following vendor company and vendor driver(s) incidents from November 2015 through April 10, 2016: speeding, running through a red light, reckless driving, road rage, smoking marijuana on duty, and unsafe lane change.

There are two more problematic incidents:

- January 12, 2016: Reported refusal by tow vendor to give personal property from stored vehicle, unless vehicle owner paid \$400 and turned over their vehicle pink slip.
- April 10, 2016: Whittier Police stopped tow vendor 2's tow truck for expired registration tags and discovered the tow driver was driving on a suspended license with no insurance. The Whittier Police impounded this tow vendor's truck on a mandated 30-day impound.³⁸

These documented incidents point to a serious problem concerning a few tow vendors who are not vetting their employees for proper licensing, background checks and drug testing. Cities need to demand full vetting³⁹ of tow vendor owners and tow vendor employees, such as done with the Los Angeles County Sheriff's Department (LASD).⁴⁰

³⁵ Mike Sprague, "Whittier Council Agrees to Keep Hadley Tow as Towing Company Despite Problems", Whittier Daily News, 9/24/16

³⁶ Ibid.

³⁷ Whittier Police Department Memorandum Subject: Tow Agreement Six-Month Review 5/31/16. (Submitted to CGJ as part of vendor evaluation on city survey)

³⁸ Ibid.

³⁹ Conduct a careful and critical examination of owners and employees including background checks and state licensing

⁴⁰ LASD requires yearly background and drug testing of tow vendor owners and employees

5. El Monte Lost \$120,000 in Franchise Fees in 2014

For four decades El Monte had a contract with a city tow vendor. Although this investigation looks at city initiated tows, this city's former tow vendor was repeatedly in the news during the last ten years they were in business, for predatory tow practices in privately owned shopping mall parking lots where vehicle owners were legitimately shopping. Despite continuous negative coverage by newspapers, television, lawsuits, and extensive citizens' complaints, El Monte did not penalize this city tow vendor by cancelling the city contract, nor does it appear the city offered any "assistance and guidance" to this city's contract vendor. La Opinion newspaper reported in the Albert's Towing Case that "there was an agreement between (former tow vendor), the local police and elected officials in El Monte, who apparently defended the entrepreneur's interests in exchange for favors and donations."⁴¹ It was not until El Monte finally felt the financial sting that so many of its own residents had felt that things changed. The change agent was the tow vendor owner disappearing with \$120,000 owed to the City of El Monte in franchise fees due to the city.⁴² After this monetary loss, it appears the El Monte City Council finally listened to the residents (who had been vociferously complaining for years) and selected a reputable tow vendor in 2015.⁴³

6. Baldwin Park – Many Years of Citizens' Complaints

For many years, the residents of Baldwin Park have voiced their complaints to the City Council and the city's contracted tow vendor, but to no avail. Many of the complaints concerned stolen/lost personal property, such as laptops, cell phones, and work tools missing from impounded vehicles.^{44,45,46} Most recently this contracted tow vendor sold a vehicle that was placed on a police evidence hold.⁴⁷ This situation creates an insurance problem for the tow company and the city, increases city risk management, and the loss of evidence jeopardizes litigation. It appears that both this tow vendor and Baldwin Park Police share poor recordkeeping⁴⁸ (see CGJ companion report on Impound Practices in 12 select Cities, (see previous report recommendation 1.6). Other city resident complaints concerned the close connections between the city council, police, and tow vendor which was encouraged by the tow vendor's generous in-kind contributions to city programs and police personnel (hospitality suites and catering trucks).^{49, 50}

⁴¹ Isais Alverado, La Opinion, "Albert's Towing Case", La Opinion, 2/13/2015

⁴² Rebecca Kimitch, "El Monte tries to stop unscrupulous towing companies", The San Gabriel Valley Tribune, 2/5/16

⁴³ El Monte's 2015 tow vendor was purchased by Whittier's troubled tow vendor #2 in February 2017

⁴⁴ Rebecca Kimitch, "El Monte tries to stop unscrupulous towing companies", San Gabriel Valley Tribune, 2/5/16

⁴⁵ Interview police officer San Gabriel Valley, 1/27/17

⁴⁶ Interview businessman, 11/4/16

⁴⁷ Interview police officer San Gabriel, 1/27/17

⁴⁸ 2016-2017 Los Angeles County Civil Grand Jury Report, "Impound Practices in Twelve Select Cities", 1/1/17

⁴⁹ Interview Baldwin Park businessman, 10/4/16

The 2015 Brown Armstrong Accounting audit⁵¹ of Baldwin Park offered these two observations:

- “A review of contracts showed no formal policy to verify that there is no conflict of interest between council or staff and contractors hired by the city...”
- “City officials were not submitting campaign disclosure forms on time:...”⁵²

Lien Vehicle Sales Abuse

Lien vehicle sales can be a source of abuse. There was a well-publicized report in early 2016 of a Los Angeles County Sheriff’s (LASD) official purchasing a recovered stolen vehicle at a greatly reduced price from a tow vendor.⁵³ This prompted the Sheriff to ban vehicle sales to Sheriff’s personnel from LASD contracted vendors.

The CGJ also was told by an owner of a tow company of a city councilman shopping for a lien sale vehicle from this same tow vendor who was in the bidding process with the councilman’s city.⁵⁴

E. CONFLICT OF INTEREST, CODE OF ETHICS ORDINANCES AND FINANCIAL DISCLOSURE

The CGJ and HMR auditors found that most of the cities surveyed do not maintain specific policies addressing potential conflict of interest with tow vendors. Since State financial disclosure laws apply to specific designated officials, another way for cities to mitigate conflicts of interest is to adopt and enforce local policies that prohibit all city employees from using their position of influence for personal gain. Of the surveyed cities, only 2 cities, Glendale and West Covina, maintain policies regulating or prohibiting towing vendors from selling auctioned lien vehicles to city officials or city agencies. Only 5 of the 12 cities maintain policies regulating or prohibiting the city from contracting with vendors that are owned by city employees: Baldwin Park, Beverly Hills, Glendale, Glendora, and Whittier. Finally, only 1 city, Glendora, has a policy regulating or prohibiting the city from contracting with vendors who employ relatives of city officials.⁵⁵

⁵⁰ Interview police officer San Gabriel Valley, 1/27/17

⁵¹ Melissa Masatani, “Baldwin Park to hear report from auditing firm”, San Gabriel Valley Tribune, 2/1/2015

⁵² Ibid.

⁵³ Cindy Chang, “Top LA County Sheriff’s Official Bought Stolen Audi” LA Times 10/8/15

⁵⁴ Interview Tow Company Owner, 12/6/16

⁵⁵ HMR audit, pg. 27

HMR Exhibit 4.1: Select Conflict of Interest Policies in the Twelve Surveyed Cities

City	Policies in Place for:		
	Prohibiting Auctioning Vehicles to City Officials/ Agencies	City Contracts with Businesses Owned by City Employees	City from Contracting with Businesses Employing City Official Relatives
Baldwin Park		✓	
Beverly Hills		✓	
El Monte			
Glendale	✓	✓	
Glendora		✓	✓
Huntington Park			
Inglewood			
Irwindale			
Montebello			
San Fernando			
West Covina	✓		
Whittier		✓	
TOTAL	2	5	1

Source: City responses to the Civil Grand Jury survey

In their survey responses, the cities of El Monte, Huntington Park, Inglewood, Irwindale, Montebello and San Fernando reported they do not maintain city or departmental policies specifically addressing the three areas above. Each of their towing contracts, however, contains a brief general “Conflict of Interest” clause wherein the vendor must acknowledge that no city officials’ or employees’ financial interests will be served by the contract award. Whittier’s towing contract also contains a similar clause in addition to their policies.⁵⁶

Financial Interest Disclosure Laws

California Government Code Sections 87200 – 87210 require that certain public officials at the state and local level disclose their financial interests and abstain from making decisions that result in personal gain and that may be considered conflicts of interest. Public officials include candidates running for office, elected officials, city managers, city attorneys, and other public administrators who manage and make decisions on the use of public resources. Government Code Sections 87300 – 87314 require local governments to adopt local conflict of interest codes that designate officials and employees who must disclose their financial interests.⁵⁷

⁵⁶ HMR Audit, pgs. 27-28

⁵⁷ Ibid, p. 26

These designated employees must file annual statements of economic interests either with the California Fair Political Practices Commission and/or the local filing officer, usually the City Clerk. Financial interests include income, investments, equity in property and businesses, and gifts. Aggregate gifts from a single source totaling \$50 or more in one year must be disclosed in the statement of economic interests.⁵⁸

Cities are Obligated to Avoid and Reduce the Risk of Abuse in the Contracting Process

In recent years, there have been several instances throughout the County of towing vendors providing gifts, donations, and other financial interest to various government officials and employees, potentially undermining the public's trust. The existing provisions for defending against these have not proven effective.^{59 60 61}

Internal control best practices recommend that governments respond to risk by accepting, avoiding, reducing, or sharing risk.⁶² Since each city manages its own towing vendor, and contracting is the predominant method for providing towing services, governments can avoid and reduce the risk of fraud and abuse by establishing, monitoring, and enforcing policies that dissuade or prohibit city officials and employees from using their contract oversight authority or position in the procurement process for personal gain.

III METHODOLOGY

The CGJ awarded a contract to HMR to conduct an audit and investigation of Towing and Impound Management Practices in 12 Select Los Angeles County cities.

The CGJ conducted its study using the following methodologies:

Analysis on the information reported in the extensive 12 City Impound Surveys and Tow Vendor Surveys and research conducted by the CGJ. This report focused on areas related to contracts:

- Different bidding process in each city
- Evaluation criteria of RFP's in ten of the surveyed cities
- Identifying different city departments that participated in the RFP evaluation process
- Number of towing contracts and vendors used by city location
- Types of citizens' and police complaints on city contracted tow vendors

⁵⁸ Gift limits adjust with inflation every odd year, the most recent adjustment increasing from \$460 to \$470 for 1/2/17 through 12/31/18

⁵⁹ Cindy Chang, "Top LA County Sheriff's Official Bought Stolen Audi" LA Times 10/8/15

⁶⁰ Sarah Fabot, "Former Irwindale Mayor Agrees to \$2,000 Fine for Political Action Violation" Pasadena Star News 8/11/14

⁶¹ Adam Eklmahrek, "Huntington Park Councilwoman's Consulting Business Raises Questions about Conflicts of Interest, LA Times 2/12/17

⁶² Government Accountability Office: Federal Internal Control Standards, Principal 7, Identify, Analyze, and Respond to Risks.

- Vetting and background checks, or lack thereof, of tow vendor and tow company employees
- Analyzing each jurisdiction's laws, policies, business practices and provision of in-kind services and campaign contributions from contractors and how it may affect contract awarding
- Evaluating contract administration practices and tow vendor compliance with their contractual requirements
- Identifying variations in practices and procedures in the twelve surveyed cities and determining best practices

Interviews conducted with police and sheriff administrators, officers and civilian personnel, current and retired city employees, tow and impound company owners, private business owners, legal aid lawyer, newspaper reporter, television reporter, city residents and community activists.

Research included: newspaper articles; television reports; archived radio programs on tow and impound practices; city documents such as RFP's, contracts, tow vendor evaluation reports, police documents; internet; numerous legal briefs; viewing city and community activists' web sites; observing an unannounced site inspection of a Sheriff's Department contracted tow vendor location by Sheriff's personnel; and attending a city council meeting on tow/impound contract approval.

IV FINDINGS

1. Of the twelve surveyed cities, ten cities used an open and competitive bidding process for selecting towing vendors in their most recent solicitations. Two cities, Inglewood and Whittier, do not use RFP's in the contract awarding process. Inglewood has an annual business permit process with yearly evaluations of their tow vendor(s) by the police department.
2. Through the survey we found that criteria used for RFP evaluation varies greatly from city to city and for the most part is minimal. Only three cities provided documentation of RFP scoring.
3. On average, the surveyed cities offer base contract agreements for four years, but extensions vary greatly. The most notable is West Covina where towing vendors went from a three-year contract term to a 10-year extension and could end up with a 13 year or more term if granted the 5-year extensions allowed in their contract.
4. Many cities require that their towing vendor maintain a primary storage facility and office within or proximate to the contract city's limits. In addition, every city measures the response time for tow trucks dispatched to police calls, the average maximum response time being 20 minutes for a tow truck to arrive on the scene.
5. Some cities stipulate in their contracts that their towing vendors must provide periodic reports, usually monthly or quarterly, detailing towing activity, service charges, and franchise

fee payments. More specific information would be desirable, such as impounded vehicle descriptors (make, model, Vehicle Identification Number, owner information), dates of impound and release (which allows for assessing total impound time), and police case numbers (to easily track cases back to individual officers and incidents). These requirements put the contracting city in a much better position to monitor their contractors' and police department's performance and to better ensure that improper towing and storage activities are not taking place.

6. Nine cities have contracts that include clauses that require some performance reporting. However, six of these cities only required evaluating customer complaints or tow response time performance and two cities only vaguely state that the police chief retains the right to review contractor performance. Glendale stood out for requiring their vendors to track and monitor several performance measures including response time for answering city calls, wait times for customer calls, and implementing a Quality Assurance Plan to meet 93 other performance standards outlined in their contract.
7. NPMAC recommends that cities identify and prioritize service objectives for contractors. Cities can identify specific performance objectives addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolution, and other objectives.
8. NPMAC recommends that cities develop a system to collect and analyze performance data. Cities could require periodic reporting of performance statistics to assess the impact of their towing vendors on the community. Data could include activity measures, such as the volume of vehicles towed, stored, impounded, and lien vehicles sold, as well as performance measures to assess compliance with service objectives.
9. NPMAC recommends that cities establish contract provisions for meeting, exceeding, or not meeting performance objectives. In addition to simply stating that the city may terminate its contract at any time due to noncompliance with the terms of a contract, cities could also impose liquidated damages against contractors based on the volume and severity of contract violations, and specify corrective action steps to remedy contract violations. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
10. NPMAC recommends that cities link contractor performance to future procurement decisions. Since most contracts offer term extensions, contracts should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension.

11. In-kind gifts and contributions made to city management, personnel, members of city council, city departments and/or city events are not always reported to the city and made available for the public.
12. California Government Section 87200 – 87210 requires that gifts provided by vendors or their employees to designated city officials must be disclosed in those officials’ statements of economic interests. However, gift reporting requirements can be avoided if gifts are provided to city employees who are not designated officials, city departments, or city related organizations, like labor unions, employee associations, or professional associations.
13. Six of the twelve cities surveyed for this investigation (Baldwin Park, Beverly Hills, Huntington Park, Irwindale, San Fernando and West Covina) indicated that their towing vendors provided in-kind services and gifts outside of their contract requirements. The vendors’ donations and services typically included free meals at public safety checkpoints and community meetings and events, sponsorships for luncheons and athletic events, and supporting community events.
14. Of the surveyed cities, only two cities (Glendale and West Covina) maintain policies regulating or prohibiting towing vendors from selling auctioned lien vehicles to city officials or city agencies. Five cities (Baldwin Park, Beverly Hills, Glendale, Glendora and Whittier) maintain policies regulating or prohibiting the city from contracting with vendors that are owned by city employees. One city (Glendora) has a policy regulating or prohibiting the city from contracting with vendors who employ relatives of city officials.
15. Police department personnel are heavily involved in the contracting process in nine of the twelve cities. Single departments were found to be solely responsible in a number of key stages in the tow vendor procurement processes in three surveyed cities.
16. Individual city employees may have too much involvement in the procurement process and may benefit from gifts and services of interested parties and not be subject to financial disclosure.
17. There have been several instances of impropriety involving towing vendors that provided in-kind services and donations to government officials and employees in Los Angeles County in recent years. Cities have an obligation to mitigate fraud and abuse by adopting and enforcing conflict of interest policies, enhancing the competitive bidding process to include more stakeholders documenting proposal evaluations, and increasing reporting requirements for gifts and services provided by towing vendors.

V RECOMMENDATIONS

1. The City Council of Baldwin Park

- 16B.1.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create scoring templates to be completed by each individual participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)
- 16B.1.2 Should identify and prioritize specific contract performance objectives for their tow vendor(s) including: towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.1.3 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD⁶³ have good performance data criteria to emulate. (Finding 8)
- 16B.1.4 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:
- Imposing liquidated damages against contractors based on the volume and severity of contract violations.
 - Specifying corrective action steps to remedy contract violations.
 - Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
 - Specifying criteria for contract termination. (Finding 9)
- 16B.1.5 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)
- 16B.1.6 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city. (Findings 12, 13 and 17)
- 16B.1.7 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.1.8 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts to a vendor in which the employee may possess equity or which employs a relative of the city employee. (Findings 14 and 17)
- 16B.1.9 Should adopt policies that require more than one department be involved in the tow vendor procurement process: developing Requests for Proposals for towing and vendor services, evaluating proposals received, and recommending a contract award to the final decision maker. (Findings 16 and 17)

⁶³ Major Crimes Bureau/Towing, LASD

16B.1.10 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

2. The City Council of Beverly Hills

16B.2.1 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)

16B.2.2 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:

- a. Imposing liquidated damages against contractors based on the volume and severity of contract violations.
- b. Specifying corrective action steps to remedy contract violations.
- c. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
- d. Specifying criteria for contract termination.
(Finding9)

16B.2.3 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)

16B.2.4 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city.
(Findings 12, 13 and 17)

16B.2.5 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)

16B.2.6 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee.
(Findings 14 and 17)

16B.2.7 Should adopt policies that require more than one department be involved in the tow vendor procurement process: developing Requests for Proposals for towing and vendor services, evaluating proposals received, and recommending a contract award to the final decision maker. (Findings 16 and 17)

16B.2.8 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

3. The City Council of El Monte

- 16B.3.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)
- 16B.3.2 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.3.3 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate. (Finding 8)
- 16B.3.4 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:
 - a. Imposing liquidated damages against contractors based on the volume and severity of contract violations.
 - b. Specifying corrective action steps to remedy contract violations.
 - c. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
 - d. Specifying criteria for contract termination. (Finding 9)
- 16B.3.5 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)
- 16B.3.6 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city. (Findings 12, 13 and 17)
- 16B.3.7 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.3.8 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)
- 16B.3.9 Should adopt policies that require more than one department be involved in the tow vendor procurement process: developing Requests for Proposals for towing and vendor services, evaluating proposals received, and recommending a contract award to the final decision maker. (Findings 16 and 17)

16B.3.10 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

4. The City Council of Glendale

16B.4.1 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)

16B.4.2 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city. (Findings 12, 13 and 17)

16B.4.3 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)

16B.4.4 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

5. The City Council of Glendora

16B.5.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)

16B.5.2 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)

16B.5.3 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate. (Finding 8)

16B.5.4 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:

- a. Imposing liquidated damages against contractors based on the volume and severity of contract violations.
- b. Specifying corrective action steps to remedy contract violations.
- c. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.

- d. Specifying criteria for contract termination. (Finding 9)
- 16B.5.5 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)
- 16B.5.6 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city. (Findings 12, 13 and 17)
- 16B.5.7 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.5.8 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

6. The City Council of Huntington Park

- 16B.6.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 6)
- 16B.6.2 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.6.3 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate. (Finding 8)
- 16B.6.4 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:
 - a. Imposing liquidated damages against contractors based on the volume and severity of contract violations.
 - b. Specifying corrective action steps to remedy contract violations.
 - c. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
 - d. Specifying criteria for contract termination. (Finding 9)
- 16B.6.5 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)
- 16B.6.6 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their

service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city.
(Findings 12, 13 and 17)

- 16B.6.7 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.6.8 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)
- 16B.6.9 Should adopt policies that require more than one department be involved in the tow vendor procurement process: developing Requests for Proposals for towing and vendor services, evaluating proposals received, and recommending a contract award to the final decision maker. (Findings 16 and 17)
- 16B.6.10 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

7. The City Council of Inglewood

- 16B.7.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)
- 16B.7.2 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.7.3 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate. (Finding 8)
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- 16B.7.6 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city. (Findings 12, 13 and 17)
- 16B.7.7 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.7.8 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)
- 16B.7.9 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Finding 16 and 17)

8. The City Council of Irwindale

- 16B.8.1 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.8.2 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate. (Finding 8)
- 16B.8.3 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:
- a. Imposing liquidated damages against contractors based on the volume and severity of contract violations.
 - b. Specifying corrective action steps to remedy contract violations.
 - c. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
 - d. Specifying criteria for contract termination. (Finding 9)
- 16B.8.4 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)
- 16B.8.5 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city

- affiliated associations or events be documented and reported to the city. (Findings 12, 13 and 17)
- 16B.8.6 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.8.7 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)
- 16B.8.8 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)
9. The City Council of Montebello
- 16B.9.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)
- 16B.9.2 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.9.3 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate. (Finding 8)
- 16B.9.4 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:
- a. Imposing liquidated damages against contractors based on the volume and severity of contract violations.
 - b. Specifying corrective action steps to remedy contract violations.
 - c. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
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(Findings 12, 13 and 17)

- 16B.9.7 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.9.8 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)
- 16B.9.9 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site.
(Findings 16 and 17)

10. The City Council of San Fernando

- 16B.10.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)
- 16B.10.2 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.10.3 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate.
(Finding 8)
- 16B.10.4 Should establish contract provisions for meeting, exceeding, or not meeting performance objectives. This should be specific and include:
- a. Imposing liquidated damages against contractors based on the volume and severity of contract violations.
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- 16B.10.5 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension.
(Finding 10)
- 16B.10.6 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their

service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city.

(Findings 12, 13 and 17)

16B.10.7 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)

16B.10.8 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)

16B.10.9 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

11. The City Council of West Covina

16B.11.1 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)

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d. Specifying criteria for contract termination. (Finding 9)

16B.11.5 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)

16B.11.6 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their

service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city.
(Findings 12, 13 and 17)

- 16B.11.7 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)
- 16B.11.8 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site. (Findings 16 and 17)

12. The City Council of Whittier:

- 16B.12.1 Should implement a competitive bidding process for their towing services upon the completion of their current contract term to conform to performance based management. (Finding 1)
- 16B.12.2 Should adopt policies outlining specific criteria to be used for evaluating towing vendor proposals, create templates to be completed by individuals participating in the proposal evaluation, and maintain historical records to ensure fair and unbiased scoring in the evaluation process. (Findings 2 and 16)
- 16B.12.3 Should identify and prioritize specific contract performance objectives for their tow vendor(s) addressing towing response times, wait times for customer service over the phone and at the counter, customer complaints resolutions, and other city identified objectives. (Finding 7)
- 16B.12.4 Should develop a system to collect and analyze tow vendor performance data which requires periodic reporting of performance statistics to assess the impact of their towing vendors on the community. This data should include activity measures, such as the volume of vehicles towed, stored, impounded, and lien sales, as well as performance measures to assess compliance with service objectives. Glendale and LASD have good performance data criteria to emulate. (Finding 8)
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 - b. Specifying corrective action steps to remedy contract violations.
 - c. Alternatively, if a contractor meets or exceeds service objectives, the contract should require that this performance be used when approving rate adjustments or providing bonuses.
 - d. Specifying criteria for contract termination. (Finding 9)
- 16B.12.6 Should link contractor performance to future procurement decisions including decisions to offer contract term extensions should require that contractor's documented performance against defined service objectives be used in determining whether the contractor deserves a contractor renewal or extension. (Finding 10)

- 16B.12.7 Should incorporate a clause in their towing vendor contracts to require that all donations, gifts, and free services provided by the towing vendor outside of their service agreement to any city official or employee, city department, or city affiliated associations or events be documented and reported to the city.
(Findings 12, 13, and 17)
- 16B.12.8 Should adopt policies that prohibit the sale of lien vehicles to city entities or employees. (Findings 14 and 17)
- 16B.12.9 Should adopt policies that prohibit city employees from participating in the procurement or management of contracts of which employees may possess equity in a vendor or of which the vendor may be employing a relative of the city employee. (Findings 14 and 17)
- 16B.12.10 Should adopt policies that require more than one department be involved in the tow vendor procurement process: developing Requests for Proposals for towing and vendor services, evaluating proposals received, and recommending a contract award to the final decision maker. (Findings 16 and 17)
- 16B.12.11 Should require that any in-kind gift or contribution by vendors to city management, personnel, city council members, city departments and/or city events be reported to the city and available to the public on the city's web site.
(Findings 16 and 17)

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street, Eleventh Floor-Room 11-506
Los Angeles, CA 90012

Responses are required from:

Responding Agency	Recommendations
City Council of Baldwin Park	16B.1.1, 16B.1.2, 16B.1.3, 16B.1.4, 16B.1.5, 16B.1.6 16B.1.7, 16B.1.8, 16B.1.9, 16B.1.10
City Council of Beverly Hills	16B.2.1, 16B.2.2, 16B.2.3, 16B.2.4, 16B.2.5, 16B.2.6, 16B.2.7, 16B.2.8
City Council of El Monte	16B.3.1, 16B.3.2, 16B.3.3, 16B.3.4, 16B.3.5, 16B.3.6, 16B.3.7, 16B.3.8, 16B.3.9, 16B.3.10
City Council of Glendale	16B.4.1, 16B.4.2, 16B.4.3. 16B.4.4
City Council of Glendora	16B.5.1, 16B.5.2, 16B.5.3, 16B.5.4, 16B.5.5, 16B.5.6, 16B.5.7, 16B.5.8
City Council of Huntington Park	16B.6.1, 16B.6.2, 16B.6.3, 16B.6.4, 16B.6.5, 16B.6.6, 16B.6.7, 16B.6.8, 16B.6.9, 16B.6.10
City Council of Inglewood	16B.7.1, 16B.7.2, 16B.7.3, 16B.7.4, 16B.7.5, 16B.7.6, 16B.7.7, 16B.7.8, 16B. 7.9
City Council of Irwindale	16B.8.1, 16B.8.2, 16B.8.3, 16B.8.4, 16B.8.5, 16B.8.6, 16B.8.7, 16B.8.8
City Council of Montebello	16B.9.1, 16B.9.2, 16B.9.3, 16B.9.4, 16B.9.5, 16B.9.6, 16B.9.7, 16B.9.8, 16B.9.9
City Council of San Fernando	16B.10.1, 16B.10.2, 16B.10.3, 16B.10.4, 16B.10.5, 16B.10.6, 16B.10.7, 16B.10.8, 16B.10.9,
City Council of West Covina	16B.11.1, 16B.11.2, 16B.11.3, 16B.11.4, 16B.11.5, 16B.11.6, 16B.11.7, 16B.11.8,
City Council of Whittier	16B.12.1, 16B.12.2, 16B12.3, 16B.12.4, 16B.12.5, 16B.12.6, 16B.12.7, 16B.12.8, 16B.12.9, 16B.12.10, 16B.12.11

VII ACRONYMS

CGJ	2016-2017 Los Angeles County Civil Grand Jury
HMR	Harvey M. Rose Associates, LLC
LASD	Los Angeles County Sheriff's Department
NPMAC	National Performance Management Advisory Commission
PBM	Performance Based Management
RFP	Request for Proposal

VII COMMITTEE MEMBERS

Dianne Kelley Chair
Sharon Muravez Co-Chair
Regi Block
Hilda Dallal
Ronnie Dan-Honor

PRISONER TRANSPORTATION: THE DEVIL IS IN THE DETAILS



Gerard Duiker Chair
Sharon Muravez Co-Chair

PRISONER TRANSPORTATION: THE DEVIL IS IN THE DETAILS

The following investigative report is offered in support of the County of Los Angeles Board of Supervisors' Strategic Plan Goals:

- Realize Tomorrow's Government Today
- Pursuing Operational Effectiveness, Fiscal Responsibility and Accountability
- Measure impact and Effectiveness of Our Collective Efforts

I SUMMARY

For decades, videoconferencing a court appearance has been widely recognized as an alternative and improvement over transporting inmates to court.^{1,2} This investigation explores the history of videoconferencing by the law and justice community and successive attempts in Los Angeles to develop and sustain a viable criminal arraignment program. In 1983 the California Legislature amended Penal Code Section 977.2 permitting felony and misdemeanor video arraignments to:

1. Reduce transportation costs
2. Improve safety
3. Improve efficiencies
4. Avoid prisoner discomfort in being shackled and spending long periods in court holding cells.³

The first California conversion to video arraignments occurred at the San Diego Municipal Court in 1983.⁴ During the next ten years, 14 more California courts converted to video arraignments.⁵

Every court day 1,500⁶ inmates are bused for arraignment and court appearances to 29 criminal courthouses in Los Angeles County (County).⁷ With few exceptions, transporting inmates is the job of the Los Angeles County Sheriff's Department (Sheriff).⁸ Planning and executing the daily busing schedule is a complex and challenging undertaking. In-custody arraignments must be held within 48 hours from the time of arrest.⁹

The Sheriff successfully ran a video arraignment program for about 12 years until 2002. Since that time several official bodies encouraged the stakeholders¹⁰ to restart a videoconferencing

¹ Megan Cotter (<http://govtech.com/authors/98565884.htm>), 11/30/95

² With Videoconferencing, Liberty and Justice For All, <https://vsee.com/blog/author/anne>, 2010

³ CA Penal Code §977.2

⁴ Justice in the Balance, Commission on the Future of the California Courts, p. 107, 12/21/93

⁵ Judicial Council of California, Report to the Legislature on Videoconferencing at 14 courts, December 1991, pl

⁶ Sheriff's Courtline Tour 3/13/17

⁷ Sheriff's Court Services Division, 2/23/17

⁸ Ibid

⁹ County of Riverside v. McLaughlin, Wikipedia

¹⁰ The Superior Court (Court), DA (District Attorney), PD (Public Defender), APD (Alternate Public Defender), Sheriff (Los Angeles County Sheriff's Department), and LAPD (Los Angeles Police Department)

program with more documentation of costs and benefits and fiscal viability.^{11, 12} A decade later a video arraignment program was started as a pilot program, but aborted after one year when the participants decided that the existing process was not broken, and changing the process might force staff to work overtime.

The Civil Grand Jury (CGJ) was concerned by the large number of mentally ill inmates who are particularly unsuited to the busing program for court appearances. About a third of the County's inmates are mentally ill, and busing in many cases aggravates their condition. Many programs and significant staffing resources are being invested in addressing mental health problems and busing has proved to be counter-therapeutic.¹³

During its investigation, the CGJ also evaluated a second alternative to transporting inmates to court by locating a court within or adjacent to a detention facility. This alternative offers advantages similar to videoconferencing, but all parties would be present at the same location and all relevant documents would be executed in an expeditious and timely manner. It also improves the flexibility of the court to accommodate ad hoc changes in the court schedule.

II BACKGROUND

Videoconferencing and Law Enforcement

An early use of audio video technology in the criminal justice system was utilized in 1972, with the use of video phones for bail hearings in the State of Illinois. An early use in California occurred in San Diego in 1983, the same year the California Legislature changed the California Penal Code to permit video arraignments for felony and misdemeanor arraignments.¹⁴ By 1995, there were 27 states using or with the ability to use videoconferencing for criminal justice purposes after federal and state courts' decisions settled the use of videoconferencing for arraignments.¹⁵

A review of the literature about savings derived from videoconferencing reveals little operational information or useful metrics. For example, in response to a survey by the National Center of State Courts, 80% of the respondents indicated that videoconferencing helps to administer justice, and mentioned staff and fuel savings as other videoconferencing benefits. Pennsylvania courts reported they have saved \$32 million since videoconferencing was introduced.¹⁶ The most frequent uses were found to be initial proceedings and criminal arraignments.

An in-depth study of video arraignments was undertaken in Pennsylvania in 2004.¹⁷ Cost surveys of police, district attorneys and court administrators found that the average time to arraign a detainee using videoconferencing was 1.8 hours compared to 6.3 hours for face-to-face

¹¹ Los Angeles County Citizens' Economy and Efficiency Commission, Video Arraignment And Its Potential For Use In The County Criminal Justice System, November 2004

¹² Los Angeles County Civil Grand Jury 2009-2010 Final Report

¹³ Meeting with Mental Health Senior Staff and Sheriff Technical Liaison 3/8/17

¹⁴ California Penal Code §977

¹⁵ Los Angeles County Citizens' Economy and Efficiency Commission, Video Arraignment And Its Potential For Use In The County Criminal Justice System, November 2004

¹⁶ Videoconferencing Survey, 2011, National Council of State Courts, September 2010

¹⁷ An Evaluation of Video Preliminary Arraignment Systems in Pennsylvania, Karen Shastri, Fall 2004

arraignments. The cost of installing the system was recovered in less than five months through savings from busing and operations. Similarly, video preliminary hearings took less than half as long as face-to-face hearings. The study reiterated that videoconferencing is as much about cost avoidance as it is about cost reductions. Streamlining the process may not reduce labor expenses but allows staff to perform other functions instead of processing arraignments. Improved safety generally does not show up in budgets. In a note to changing practices, the study found that district attorneys who had been in office for a long time still favored face-to-face arraignments instead of using videoconferencing.

Similar to Pennsylvania's videoconferencing experience, video technology is widely accepted in New Jersey and Ohio for law and justice purposes. Sixteen years ago, New Jersey claimed to have one of the largest videoconferencing networks in the nation with 29 remote sites.¹⁸ The Ohio Supreme Court reported 82 courts using video arraignment systems, and an Ohio regional detention facility reports a hookup with 20 courts for video arraignments to improve public and inmate safety and lower transportation costs.¹⁹

A 2014 report, "Video Remote Technology in California Courts-Survey and Findings," noted that video technology use varied greatly among the most populous California counties, ranging from 12.3% of the Los Angeles County bench²⁰ using video remote technology compared to 43.2% of the Alameda County bench.²¹

Managing The Sheriff's Inmate Transportation Program

The Sheriff's Court Services Division includes the Transportation Bureau which spends \$63 million annually for the local busing program.²² To manage the program, the Bureau has a fleet of 118 vehicles, including 87 buses and a variety of vans and sedans. Buses require large and secure areas, including sally ports²³ with truck bays to securely load and unload inmates. Transfer areas within detention centers are also required to gather, pat down and segregate inmates as part of the massive daily movement of inmates to court holding cells where they await their court hearing or return bus. These activities require large spaces which are expensive to construct and maintain to meet safety and security standards.²⁴

Buses are costly because they must be specially outfitted with separate seating and cage areas to maintain a secure environment for deputies and inmates alike during transport. In 2016 the Los Angeles County Board of Supervisors (BOS) approved the purchase of 6 Sheriff's buses at cost of \$3.7 million.²⁵ Courts are normally secured with the presence of bailiffs, but occasionally inmate outbursts occur. Not to be overlooked is the need for special safety measures prior to and during bus trips.

¹⁸ Courts Celebrate 10 years of Video Technology, Trial Court Administrator's Office, New Jersey, Bulletin

¹⁹ Video Court Appearances/Video Arraignments, October 2016, www.cnoregionaljail.org

²⁰ "Bench" includes judges, commissioners, and referees but not vacancies

²¹ Video Remote Technology in California Courts-Survey and Findings, Judicial Council of California, 2014

²² Auditor-Controller, Email 1/29/17

²³ A sally port is a secure, controlled entryway to a fortification or prison

²⁴ Sheriff's Administrative Services Division, Phone Call 4/7/17

²⁵ Board of Supervisors Meeting, 9/13/2016

Planning and executing the daily busing activity is a complex undertaking, beginning each evening and ending the following morning at 4:00 am.²⁶ The result is a bus roster which is an amalgam of 2 legacy applications and manual adjustments. The first report is a court report produced at 6:00 pm showing future hearings for each inmate.²⁷ This information is matched with a second program - the bus loading program. The latter is used to remove inmates from their cells, and after certifying security, “keep-aways”²⁸ and co-defendants, the inmates are segregated into up to 20 different categories for transportation. A roster is then prepared for each bus crew listing the inmates with a court destination. Assembling the inmates for busing begins at 5:00 am. The inmates are chained prior to embarking and the bus crew verifies each inmate against that day’s bus roster as they enter the bus.

The Sheriff also supports and manages a countywide booking system used by all arresting agencies in the County. Arresting agencies enter a booking number for each arrest along with the name, time of arrest and the charge. The time is important because defendants charged with a criminal offense must be arraigned to hear the charge against them within 48 hours of arrest.²⁹

It is the Sheriff’s responsibility to transport inmates to court. Transportation is not needed if the District Attorney (DA) or City Attorney notifies the Sheriff that the defendant was released because charges were dismissed, had posted bail, or was released on his/her own recognizance. On busy days the DA may receive paperwork for filing a case from early in the morning to midafternoon on the day that an arraignment is due. DA officials indicated that the Sheriff was willing to accommodate late appearances, but the court resisted late filings past 4 PM because it would lead to staff overtime.³⁰ If the case filing is incomplete when the defendant is already in court, the case will likely be dismissed and the defendant is released from court. A one month survey in 2016 showed that 18% of the defendants arrested by LAPD were bused to court but released for incomplete filings.³¹

While the actual court arraignment only takes minutes,³² it may take the better part of a day to pick up and transport an inmate to court and in many cases be remanded to the jail where they came from.

In 1991, the Judicial Council of California reported that video arraignment programs at 14 California courts met with enthusiastic support from the participants and that success depended on the cooperation of the stakeholders.³³ Several efforts were undertaken to convert to video-conferencing in the County, beginning in 1986 with the Glendale Court, a program which is still ongoing.³⁴ A second video arraignment program operated successfully for 12 years in the City of

²⁶ Pick-up Procedures, Sheriff Court Services Division, Email 3/2/17

²⁷ Sheriff’s, Court Services, Senior Staff, 2/28/17

²⁸ Inmates that commit crimes inside the jail

²⁹ County of Riverside et al. v McLaughlin et al, number 89-1817 Supreme of the U.S. 5/13/91

³⁰ Los Angeles County District Attorney, Interview, Senior Staff, 3/6/17

³¹ Sheriff’s Presentation to CGJ Committee, 11/4/16

³² Department 30, Criminal Court Building , CGJ site visit 3/17/17

³³ Judicial Council of California, Report to the Legislature on Videoconferencing at 14 courts, December 1991, p1

³⁴ Glendale Court Jail, CGJ site visit 10/20/16

Los Angeles from 1991 to 2002.³⁵ It connected Department 30 with the LAPD's Parker Center. The program was managed by the Sheriff.³⁶

In 2010 the stakeholders initiated a one year pilot program to test video arraignments by connecting the same court used in the 1991-2002 program but with a large county jail this time to test the fiscal viability of video arraignments.³⁷ Based on a sample of slightly over 1% of the cases heard over the course of one year, the stakeholders concluded that video arraignments were not fiscally viable and that "the system was not broken."³⁸ The final report identified significant start-up and operating costs but identified no savings from lower transportation costs, improved safety, more efficient operations, or improved inmate conditions as anticipated in the penal code amendment that permitted video arraignments.³⁹

Often the primary interest in converting to videoconferencing court appearances is the expectation of significant savings. Advocates identify other advantages, such as cost avoidance in lowering stress on mentally ill inmates, avoiding "medical no-go"⁴⁰ patients from being transported to court by ambulance, lessening the need for temporary holding areas, and generally improving safety.⁴¹ An example would be reducing the risk of injury to staff and inmates and the potential of law suits stemming from such injuries.

Experience shows that inmates prefer video court hearings to being bused to a court hearing.⁴² Busing between secure jails and secure courts is where the likelihood of violence is highest and as such there is a need for extra security. The number of incidents that involved in-custody inmates in a courtroom or court holding cells increased by 58% and 72% respectively from 2012 to 2016.⁴³

An Alternative to Busing Prisoners to Court

Another alternative to transporting inmates is to locate a court inside or adjacent to a jail. In 2009, Orange County placed an in-custody arraignment court inside its main county jail complex, which holds 1,400 male inmates and 400 female inmates.⁴⁴ This solution offers advantages similar to videoconferencing, but adds the flexibility for the court to multitask on different hearings simultaneously. All stakeholders are onsite, limiting the amount of time spent sending and receiving case information, and improving the ability to settle cases quickly with all parties (inmate, District Attorney, Judge, and Public Defender) present. It allows the DA almost a day more to complete a case filing prior to the actual court appearance; eliminates the need for court holding cells, and also eliminates the need for inmates to be searched, shackled, and face long waits for a court appearance.

³⁵ Los Angeles County Citizens' Economy and Efficiency Commission, Video Arraignment And Its Potential For Use In The County Criminal Justice System, November 2004, p. 11

³⁶ Ibid

³⁷ Assessment & Business Case Analysis: Foltz Courthouse Dept. 30 Video Arraignment Pilot Project1, 3/16/11

³⁸ Assessment & Business Case Analysis: Foltz Courthouse Dept. 30 Video Arraignment Pilot Project1, 11/17/2011

³⁹ Ibid

⁴⁰ Inmates that have difficulty getting to court due to medical reasons

⁴¹ An Evaluation of Video Preliminary Arraignment Systems in Pennsylvania, Karen Shastri, Fall 2004

⁴² Countywide Criminal Justice Coordinating Committee, ISAB subcommittee minutes pg. 8, 9/16/09

⁴³ Sheriff's Meeting, Senior Staff, 2/23/2017

⁴⁴ Santa Ana Men's Central Jail Arraignment Court, Orange County, Interview with Judge, 3/13/17

Locating the jail and court in close proximity is an option being considered in planning for the new Los Angeles County Men's Central Jail (MCJ) to be completed in 2024-2025.⁴⁵ This would replicate the current configuration of MCJ and the Men's Central Jail Arraignment Court which are adjacent to one another.

The History of Videoconferencing in Los Angeles County

In 1979, the ACLU won a case against the County to address overcrowding in the Sheriff's MCJ which, among other things, led to consideration of video technology as a means to solve that problem.⁴⁶

In 1991, a successful video arraignment program was created by installing a line between the LAPD's Parker Center and Department 30 of the County of Los Angeles Superior Court for misdemeanor and felony arraignments. The program was managed by the Sheriff at both locations.⁴⁷ The program ended in 2002 following disagreements about equitable sharing of perceived savings and separately LAPD's closure of Parker Center. There is no record of the effect on improved safety, improved detainee comfort, or actual savings.⁴⁸

In 1992, the Los Angeles Countywide Criminal Justice Coordinating Committee (CCJCC) led an effort to produce a Strategic Long Range Videoconferencing Plan with staff support from the County's Internal Services Department and the Warner Group, a consultancy. Following discussions with the criminal justice stakeholders, there were 45 applications identified as likely to benefit the criminal justice system. The top five, in order of priority, were: arraignments, non-contested hearings, defendant/attendant meetings, pretrial service/interviews, and presentencing interviews.⁴⁹ Two of the five applications, not including arraignments, were implemented for use by the Public Defender and Alternate Public Defender Offices.⁵⁰

In 2004, the DA issued a special report on problems with busing arising from co-mingling inmate witnesses with other inmates during transport and/or at transfer points. The report noted the Sheriff's logistical challenges in managing the complex inmate busing program leaving vulnerable inmates exposed to violent encounters. One of the recommendations was to videoconference the court appearance of vulnerable inmates, such as inmate witnesses.⁵¹

Also in 2004, the Los Angeles County Citizens Economy and Efficiency Commission (EEC) investigated video arraignments. In its cover letter to the Final Report, the Commission stressed its inability to determine the cost effectiveness of video arraignment and urged that future efforts assess the effectiveness and potential cost savings of videoconferencing.⁵² The EEC noted that hundreds of jurisdictions used videoconferencing as a cost effective and efficient alternative to

⁴⁵ Sheriff, Administrative Services Division Senior Staff, Interview, 1/17/17

⁴⁶ ACLU Asks Judge to Enforce His Jail Orders, Los Angeles Times 10/24/87

⁴⁷ Sheriff, Court Services Division, Interview 2/28/17

⁴⁸ Los Angeles County Citizens' Economy and Efficiency Commission, Video Arraignment And Its Potential For Use In The County Criminal Justice System, November 2004

⁴⁹ Videoconferencing in Los Angeles County, Court Technology News Letter, National Center for States Courts, June 1993

⁵⁰ Public Defender Office, Interview, Senior Staff 3/30/2017

⁵¹ Jailhouse Witness Protection Task Force-Final Report, Los Angeles District Attorney, p.22, August 2004

⁵² Los Angeles County Citizens' Economy and Efficiency Commission, Video Arraignment And Its Potential For Use In The County Criminal Justice System, November 2004

transporting inmates, and noted the additional benefits of improving the legendary Los Angeles traffic congestion⁵³ and air pollution problems.⁵⁴ Listed among the institutional challenges to converting to videoconferencing court appearances were staff resistance, lukewarm commitment by top management, and technology problems. To better prepare for a conversion, the EEC recommended that the Sheriff improve its data collection effort and that stakeholders change policies and procedures to take advantage of videoconferencing to its fullest.⁵⁵

The 2009-2010 CGJ issued a report on the use of videoconferencing technology with a focus on video arraignments as a platform for change. It noted that the 2 year delay in completing LAPD's Metropolitan Detention Center due to architectural and recruitment problems contributed to the demise of a successful video arraignment program that had operated successfully for 12 years. The CGJ called on the LAPD to correct the inadequate physical accommodations for video arraignment and videoconferencing requirements. The CGJ recommended that the stakeholders sign a Memorandum of Understanding (MOU) to develop a countywide videoconferencing technology hub system with an oversight committee representing each stakeholder, and draft a 5 year plan for a countywide strategic videoconferencing plan.⁵⁶

Despite CGJ's recommendations to take a careful and deliberate approach, a month later the criminal justice system stakeholders, not including the LAPD, signed a MOU to investigate the viability of video arraignments. Each participating stakeholder appointed a member to a Project Evaluation and Management Committee (PEMC) to oversee the pilot project. The pilot project utilized the same court, Department 30, that was part of the successful LAPD 1991-2002 program, but this time the line was connected to Sheriff's Inmate Reception Center/Twin Towers. The project was initiated in October 2010 and designed to operate in two phases: first to develop the necessary protocols and, if approved, proceed to a second stage to test the fiscal viability.

Phase I ended within months, with protocols deemed satisfactory to all parties. Early in Phase II, one of the stakeholders opined that a video arraignment program should have at least 100-150 video arraignments per day to be workable.⁵⁷ This genesis of the metric was not explained or validated, but the program was destined to fail because the annual caseload of the court in question handled only about 20,600 hearings per year, (82 per day) including 12,400 felonies (50 per day).⁵⁸

The PEMC decided to only use cases that the Sheriff could identify for videoconferencing prior to the day of court appearance in order for the Public Defender and/or the Alternate Public Defender to have the discovery paperwork early enough for interviews. This limited the pilot program to process only 1-2 cases per day.⁵⁹ The PEMC's conclusions of fiscal viability were eventually based on a sample of 1% of the court's hearings conducted during one year. Prior to ending the project, the debate focused on filing deadlines with the court. To generate the volume

⁵³ "Los Angeles has the worst traffic congestion in the world", LA Weekly 2/21/17

⁵⁴ "Los Angeles and Bakersfield Top List of Worst Air Pollution in the Nation", Los Angeles Times 4/20/17

⁵⁵ Los Angeles County Citizens' Economy and Efficiency Commission, Video Arraignment And Its Potential For Use In The County Criminal Justice System, November 2004

⁵⁶ Los Angeles Civil Grand Jury 2009-2010

⁵⁷ The Video Arraignment Pilot Project-Fact Sheet 2/18/11

⁵⁸ Assessment and Business Case Analysis Report –Foltz Courthouse Department 30

⁵⁹ Video Arraignment and Business Case Analysis Report, 11/8/11

deemed necessary, LAPD's participation became crucial, but LAPD insisted on filing cases as late as 4:00 pm on the day prior to appearance and just before court closing time. This ostensibly presented a problem for the other stakeholders, as they were not able to properly plan the court schedule, conduct defense interviews, and prepare a transport schedule by the evening before the day of appearance. It meant that some inmates were transported to court before a case filing was complete, a hearing could not take place, and the inmate would then be released.⁶⁰ It was the second time in a decade that LAPD forced the decision to abort a video arraignment project.

This appears to be an ongoing problem. The Sheriff recently analyzed cases that appeared in Department 30 during a one-month period in 2016, principally consisting of LAPD arrestees, showing that 18% of the cases were dismissed due to incomplete filings. The Sheriff also reported that another 42% of the LAPD cases during that same period were released by the court for other reasons.⁶¹

The PEMC final report only documented initial start-up and operating expenses. For example, it suggested a need for 10 LAPD staff to support a similar videoconferencing program that required only 4 Sheriff's staff during the 1991-2002 videoconferencing program.⁶² Start-up and ongoing labor and equipment costs were listed, but not one example of savings. The PEMC relied on "hard" financial data, which meant that a staff effort supporting a minimal case load of 1-2 cases per day would never prove to be financially viable. PEMC's interim reports gave only fleeting reference to the other purposes for video arraignments: improve safety, increase processing efficiencies, and reduce inmate waiting times in holding cells. In the end, contrary to documented national experience,⁶³ the PEMC found that a video arraignment program was not fiscally viable, might require staff overtime, and that the current system "was not broken". As such, it confirmed the institutional challenges of staff resistance and lukewarm commitment by top management noted elsewhere.⁶⁴

Despite the call for a cost benefit analysis of videoconferencing, little hard information is available and most of the information is anecdotal. Videoconferencing equipment has changed little in cost over time as quality improved, with low ongoing maintenance and operating costs. By comparison, busing inmates to court is likely to see increasing security costs (labor), higher equipment expenses (buses, vehicles, and related equipment), higher expenses to create the necessary infrastructure (temporary holding cells), and higher expenses to better manage inmates.

Mentally Ill Inmate Population

The number of inmates with mental health issues in the County is increasing and the professional estimate is that on the average 25% of the male inmate population and 40% of

⁶⁰ Assessment and Business Case Analysis Report –Foltz Courthouse Department 30

⁶¹ Sheriff's presentation to CGJ 11/4/16

⁶² Sheriff's, Court Services Division, Interview 2/28/17

⁶³ Los Angeles County Citizens' Economy and Efficiency Commission, Video Arraignment And Its Potential For Use In The County Criminal Justice System, November 2004

⁶⁴ Ibid

female inmates have mental health conditions.⁶⁵ Many homeless people that are brought to court also exhibit mental health issues.⁶⁶

Transport can be very detrimental for those suffering from paranoia and sensory overload. Their treatment may be compromised as they struggle with the stress and counter-therapeutic effects of transport and sharing holding cells with others while awaiting a court appearance. Some inmates cannot even tolerate coming out of their cells for fear of co-mingling with others. There is a negative impact on the mentally ill who return from court as late as 7 PM. According to the mental health professionals we interviewed, such adverse effects may increase the chance for self-harm.⁶⁷

When mentally ill inmates are released at court, they must be returned to their place of detention to receive a mental health evaluation for release. The mental health release diagnosis is quite lengthy and may go late into the night if the inmate is returned from court in the late afternoon. Sometimes the process requires the inmate to stay overnight and be released the next morning. Busing contributes to these undesirable outcomes.⁶⁸

III METHODOLOGY

The committee conducted interviews with:

- Sheriff's senior staff representing: Custody Operations, Court Services Division, Transportation Bureau/Fleet Management, Administrative/Construction Services, IT Technical & Support Division
- County Public Defender's Office, senior administrative and field staff
- County Alternate Public Defender's Office, senior staff
- County District Attorney's Office, senior officials
- County Health Department, Mental Health Section, senior administrative staff
- County Auditor, senior staff
- County Superior Court, senior staff
- County Superior Court Department 95, bench
- Los Angeles County Citizen's Economy & Efficiency Commission member and staff
- LAPD, Custody and Detective Captains
- Los Angeles City Police Commission, senior staff
- Los Angeles City Attorney, senior staff
- Glendale Police Department, video arraignment officer and administrative staff
- Orange County Superior Court, bench
- Orange County Deputy District Attorney

⁶⁵ Meeting with Mental Health Senior Staff and Sheriff Technical Liaison 3/8/17

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ Ibid

The committee conducted the following site visits:

- Department 30, Criminal Justice Center
- Criminal Justice Center holding cells and lock up areas
- Department 95, Mental Health Court, Metropolitan Courthouse, Los Angeles
- Mental Health Courthouse, jail inspection, San Fernando Road, Los Angeles
- Sheriff's Men's Central Jail Arraignment Court
- Sheriff's Twin Towers and Inmate Reception Center
- Sheriff's "Courtline" process, Inmate Reception Center
- Los Angeles County-USC Medical Center, Sheriff's Jail Ward
- Sheriff's Century Regional Detention Facility, Lynwood
- LAPD Metropolitan Detention Center
- Pomona Courthouse and Jail Inspection, Pomona
- Orange County Superior Court, Santa Ana

Investigative research included findings from the internet, analysis of documents, reports, audits, budgets, findings and recommendations of past CGJ reports, EEC report, and video arraignment programs and pilot programs conducted in the County.

IV FINDINGS

1. In considering videoconferencing, the stakeholders only focused on costs.

In addressing the costs/benefit question of videoconferencing, the stakeholder representatives on the PEMC gave only fleeting attention to the issues of safety, cost avoidance, and inmate condition. The PEMC ignored the legacy of prior and ongoing videoconferencing efforts in the County.

Clearly the stakeholders were unable to come to an agreement about how to implement an arraignment program, including the oversight to calculate the payback periods for such an investment. In 2009 the CCJCC looked into the possibility of hiring a consulting firm and issued a Request for Proposal but the request failed to attract any bids.

2. Busing is expensive

The estimated annual inmate transportation cost for 2016-2017 in the County is estimated to be \$63 million. This cost estimate reflects labor, equipment (buses, vans), maintenance, repair, and fuel. The average cost to transport inmates is \$89/trip or \$29/mile. The estimated annual cost for one bus to move inmates from detention facilities to and from local courts is \$1.6 million annually. The average number of inmates transported to local courts is 723,000 annually. The costs for transportation equipment and maintenance will continue to rise while the purchase cost of video systems will remain constant or decrease with relatively stable maintenance.

3. Busing is labor intensive, affecting costs

The Sheriff's Transportation Bureau has a staff of 288 people that manages inmate transportation from local holding and county detention facilities to courts in Los Angeles County. It is part of the Court Services Division with a staff of 2,032 and a budget of \$306 million.

4. Busing is inefficient, affecting costs

Arraignments last only a few minutes, but inmates spend the better part of a day in court holding cells. At each step of the way, inmates are monitored and in many cases shackled to one another to avoid flight and violent confrontations. This process is repeated several times per day on the way to and from court.

5. Scheduling court appearances affects operating costs

It takes a day to prepare and deliver inmates to court for a court hearing using expensive equipment and significant manpower, whereas a video arraignment would only take an hour to arrange at any time of the day using regular custody staff.

6. The Sheriff's data collection and data management systems are substandard for the size and complexity of the organization. A number of times the CGJ requested standard operations reports that had to be created manually. These "one-of" reports take too much time and reflect a substandard data management system.

7. Busing of inmates invites violence not seen in secure detention and courthouse settings

Holding cell incidents increased by 58% and courtroom incidents increased by 72% during the past five years.

8. "Use of Force" action is extremely rare but may be necessary if an inmate refuses to leave a cell. Occasionally, the action is preempted by using videoconferencing to conduct a court hearing.

9. "Keep-Aways" are bused with other inmates but segregated before, during transport and in court holding cells.

A Sheriff's survey conducted in two different months showed that 29% and 38% of inmates required special handling, including gang members, sexual orientation, high security inmates, mentally ill inmates, and violent inmates. This suggests that about one-third of the inmates may be problematic during transport.

10. "Medical No-Go's" and physically handicapped inmates are bused to court.

During a previous attempt to test the viability of video arraignments, "Medical No-Go's" were identified as primary candidates for video arraignments. Ironically, "Medical No-Go" patients were one of the first categories of inmates to be deleted from the 2010-2011 pilot

project. Inmates are transported to court regardless of their physical or mental condition. Medical “No-Go’s” are transported to court by ambulance with the assistance of two emergency medical technicians. The inmate, on a gurney with medical assistants, is kept in the secure inmate holding area, for minutes or hours, awaiting the court appearance. After completion of the court appearance, the inmate is returned to the loading area for the return trip to the hospital or detention facility.

Physically handicapped inmates are also transported to court in large vans/buses specially outfitted for wheelchairs or other pieces of equipment to aid the physically handicapped.

11. Busing exacerbates the condition of inmates diagnosed with mental health problems

If mentally ill inmates are released by the court, they must return to their detention facility in order to be evaluated by mental health professionals before they can be released. Videoconferencing would eliminate that problem if the inmate had remained at the original detention facility. The number of inmates diagnosed with mental health problems is significant. In discussions with mental health professionals and a senior Sheriff’s official, the estimate is about 33% of the inmate population is diagnosed as mentally ill. Mental health professionals have used videoconferencing for telepsychiatric evaluations and consultations.

12. Busing contributes to traffic congestion

The fleet of 118 Sheriff’s buses and vehicles exacerbates Los Angeles traffic congestion, which has the worst traffic congestion of any major metropolitan area in the world.

13. Busing contributes to air pollution

The fleet of 118 vehicles includes 87 buses which use diesel fuel. Although Sheriff’s buses are equipped with emission control devices to mitigate the effect of diesel exhaust, the effects have not been entirely eliminated. Diesel fumes and particulates have been identified as the primary source of nitrogen oxide emissions in Southern California and are a main contributor to air pollution in the County. According to the SCAQMD, air pollution affects our respiratory and cardiovascular health. It is reported that the Los Angeles County area has the worst air pollution condition in the nation.

14. The Sheriff transports inmates to court without evidence of a completed case filing

On many occasions, inmates are bused to court for arraignment with the expectation that charges will be filed by the DA or City Attorney before the 48-hour deadline. In 2016, a Sheriff survey reported that 18% of inmates who had been arrested by LAPD were bused to court for arraignment and were released due to insufficient information to prosecute.

15. LAPD's Inadequate video conferencing facilities

After the completion of the LAPD Metropolitan Detention Center (MDC) it was discovered that the intended facilities and equipment for video conferencing, specifically for arraignments, were inadequate, as noted in the 2009-2010 CGJ report.

16. LAPD requires a long time to complete discoveries in narcotics cases

In 2011 the LAPD declined to join a video arraignment program because the time for completing discoveries for narcotics cases was longer than the stakeholders could agree go. As a large arresting agency potentially contributing the largest number of cases, it caused the project to be aborted.

17. A large percentage of LAPD arrestees have been transported to court without a completed case filing.

18. Many cases are filed during the day of court appearance

Many cases are filed early each court day, causing a slow morning calendar and crowded afternoon calendar. During several visits to Dept. 30, the CGJ noticed that few cases were disposed of before noon. On one day, 6 cases were disposed by 10:10 am; by 11:30 am the number increased to 17, while the day's calendar showed a schedule of 108 cases. In the meantime, attorneys were lined up in front of the Court Clerk with completed filings for that day's calendar. The DA noted that the paperwork for many cases was completed between 8:00 am and 2:00 pm on the day of appearance.

19. Nationwide, law and justice stakeholders report favorable results from videoconferencing

A wide range of favorable reports by the Judicial Council and The Council of State Courts, and numerous articles, describe a range of legal procedures that warrant video-conferencing, principle among them being arraignments and preliminary hearings. Arraignments were identified as the most favored application for videoconferencing in the 1992 Los Angeles County Strategic Videoconferencing Plan. Another application among the top five options for videoconferencing was a "defendant/defender" application which was implemented by the Public Defender program.

20. In September of 2009, at a meeting of the CCJCC, the PD reiterated its longtime support to implement video arraignments. The PD is already actively using video visitation and videoconferencing for inmates.

21. Stakeholder reticence is an impediment in changing practices and using new technology

A lack of stakeholder commitment has been a problem for establishing and sustaining a video arraignment program, as evidenced in the PEMC pilot program conducted in 2010 as part of a state-wide initiative to test video arraignments. The most recent effort by stakeholders

concluded that the system “was not broken” and recommended continuing the antiquated and expensive process of transporting inmates to courts.

22. Locating a court adjacent to or inside a detention facility

With few exceptions, detention facilities and courthouses are in locations remote from one another. It requires extended trips and security measures to transport inmates to court for a hearing that is often short and perfunctory. Co-locating the court and jail captures the advantage of videoconferencing, but makes the administrative process even more efficient and gives more flexibility in scheduling appearances.

In 2009, Orange County created an in-custody arraignment court inside its main county jail complex that holds 1,400 male inmates and 400 female inmates.⁶⁹ This arrangement offers the advantages of videoconferencing, but adds the flexibility for the court to multitask on different hearings simultaneously.

V RECOMMENDATIONS

1. The BOS should retain a competent management and consulting firm to implement the 2009-2010 CGJ recommendations to develop a county videoconferencing hub system that could be the platform for video arraignments and appearances. (Findings 1, 10, 19, 20, 21, 14, 21, 22)
2. The Sheriff should contract with an experienced and competent management consulting company familiar with Law and Justice practices to review the Sheriff’s data collection and management capabilities and its ability to produce a wide variety of management reports quickly. It should also examine means to improve the interface with the LA City and court systems. The review should recommend upgrades and replacement of existing data management programs as well as indicate the necessary time, material and staff resources to accomplish this improvement. (Findings 5, 6, 14)
3. The DA should implement a Swing Shift (Noon to 8:00 pm) within the Charge Evaluation Division to process late case filings, thereby avoiding the release of inmates from court for incomplete filings. (Finding 18)
4. The BOS should recommend the use of videoconferencing court appearances for the mentally ill, “No-Go” medical and physically handicapped inmates. (Findings 10, 22)
5. The Sheriff should renegotiate its contract with LAPD to not transport inmates without proof of a completed case filing with the court. (Findings 16, 17, 18)
6. The Los Angeles City Attorney should make sure that a case filing is complete before an arrestee is transported to court. (Findings 16, 17)

⁶⁹ Orange County Court, Santa Ana, Interview with Bench, 3/13/17

7. The Sheriff should recommend the location of a courthouse adjacent to the new MCJ to be completed in 2024-2025. (Findings 2, 3, 4, 6, 8, 11, 12, 13, 18, 22)
8. The BOS should recommend the location of a courthouse adjacent to the new MCJ to be completed in 2024-2025. (Findings 2, 3, 4, 6, 8, 11, 12, 13, 18, 22)
9. LAPD Chief of Police should implement Recommendation #4 of the 2009-2010 CGJ⁷⁰ in order to facilitate the operation of a videoconferencing program with particular attention to ensuring privacy for defendant and attorney conferences. (Finding 15)
10. LAPD should expedite the discovery process for misdemeanor narcotic cases in order to participate in video arraignments. (Finding 16)

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report and files it with the Clerk of the Court. Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
 Los Angeles County Superior Court
 Clara Shortridge Foltz Criminal Justice Center
 210 West Temple Street, Eleventh Floor-Room 11-506
 Los Angeles, CA 90012

Responses are required from:

Responding Agency	Recommendations
County of Los Angeles Board of Supervisors	17.1, 17.4, 17.8
County of Los Angeles District Attorney	17.3
County of Los Angeles Sheriff	17.2, 17.5, 17.7
City Attorney, Los Angeles	17.6
Los Angeles City Chief of Police	17.9, 17.10

⁷⁰ 2009-2010 CGJ Final Report, pg. 80

VII ACRONYMS

ACLU	American Civil Liberties Union
APD	Alternate Public Defender
BOS	Board of Supervisors
CCJCC	Countywide Criminal Justice Coordinating Committee
CGJ	2016-2017 Los Angeles County Civil Grand Jury
CRDF	Century Regional Detention Facility
DA	District Attorney
EEC	Los Angeles County Citizens Economy & Efficiency Commission
LAPD	Los Angeles Police Department
SHERIFF	Los Angeles County Sheriff's Department
MCJ	Men's Central Jail
MOU	Memorandum of Understanding
PD	Public Defender
PEMC	Project Evaluation and Management Committee
SCAQMD	Southern California Air Quality Management District

VIII COMMITTEE MEMBERS

Gerard Duiker	Chair
Sharon Muravez	Co-Chair

ARE YOU GETTING LESS THAN WHAT YOU PAY FOR?



Regi Block **Chair**
Dorothy Brown
Hilda Dallal
Ronnie Dann-Honor
Marilyn Gelfand
Dianne Kelley

ARE YOU GETTING LESS THAN WHAT YOU PAY FOR?

I SUMMARY

Los Angeles County does not have a Package Inspection Program in place and as such is unable to adequately oversee its responsibility for inspecting and testing consumer packaged goods. Other counties in the state have Package Inspection Programs codified in their ordinances to cover program costs and to set out procedures and standards.

The Federal Fair Packaging and Labeling Act (ACT) requires manufacturers and packagers to provide a statement on packaged items identifying, among other things, the quantity contained therein.¹ Pursuant to the ACT, consumers in Los Angeles County are guaranteed protection and should expect that what is stated on the outside of a commodity label is actually what is on the inside of the package.

The ACT provides uniform standards to be followed throughout the nation for commodity labeling and packaging while delegating oversight to the states. The State of California, in turn, hands over the job of oversight to the counties within the state, specifically each county “Sealer.”^{2,3} In Los Angeles County the County Sealer is the Director of the Department of Weights & Measures.⁴

Focusing on the consumers’ rights to fair packaging, committee members of the 2016-2017 Civil Grand Jury (CGJ) explored and researched Los Angeles County Office of the Agricultural Commissioner/Director of Weights and Measures (Weights & Measures) with their attention on consumers’ rights to fair packaging and labeling. This resulted in the following observations:

1. Consumers in the County are shortchanged, when commodities have unreliable labeling, as there is a lack of adequate protection.
2. Businesses have a difficult time competing because their products can be sold at a lower price by unethical competitors who short the quantity of like products.
3. The general public is economically vulnerable when packaged products originating or gaining entry into the County are incorrect in their labeling and weights practices.
4. The public is poorly educated on consumer rights regarding package shortages.

¹ CA Business and Professions Code §12211

² CA Business and Professions Code §12211

³ Merriam-Webster Dictionary: An official who verifies accuracy of weights and measures

⁴ CA Business and Professions Code §12006

II BACKGROUND

Los Angeles County is the largest county in population in the United States.⁵ If the County were a state, it would be the 8th largest state in the Country.⁶ If the County were a nation it would have the 19th largest economy in the world.⁷ The County through its two ports, the Port of Los Angeles and the Port of Long Beach is responsible for receiving 40% of the imported commodities arriving in the United States.⁸ These two ports combined are the largest port complex in the Western Hemisphere.⁹ The CGJ felt compelled to mention these statistics so the reader has a visualization of the enormity of the job needed to protect Los Angeles County consumers in the marketplace.

Need for an Ordinance:

The ACT requires manufacturers and packagers to provide certain information regarding commodities directly on packages. This is commonly known as the IRQ Statement (Identity, Responsibility and Quantity). The product's IRQ Statement identifies these three important labeling requirements. The ACT requires statements regarding quantity such as net weight, count, volume, length, or other measurement of content on labels to be accurate and truly reflect what is actually inside the packaging whether wholesale or retail. The CGJ investigation focused on the Quantity declaration of a product.

California Business and Professions Code §12211 states “each Sealer shall... weigh or measure packages, containers, or amounts of commodities sold, or in the process of delivery, in order to determine whether they contain the quantity or amount represented...” Currently there are no provisions allowing Weights & Measures to recover the costs of enforcing this part of §12211. Because Weights & Measures **does not** have a Package Inspection Program in place, it is unable to adequately enforce this provision of the law.

In 1984 a merger of departments occurred between the County of Los Angeles Department of Agriculture and the County of Los Angeles Department of Weights & Measures.¹⁰ Although together they are one department today, the two Bureaus stand independently as to functions and statutory mandates.¹¹

Weights & Measures has made attempts to establish an ordinance in the County which would create revenue allowing for the establishment of a Package Inspection Program. To date all attempts have been futile. Through discussions with senior management at Weights & Measures and County Counsel, the interpretation of Government Code §54985(c)(4), by County Counsel, has been a barrier to instituting such an ordinance. This code prohibits counties from initiating fees, not otherwise authorized, which would be “...charged or collected by a county agricultural commissioner.” Here in Los Angeles County the “Agricultural Commissioner” and the “Weights

⁵ 2013 United States Census Bureau

⁶ 2013 United States Census Bureau

⁷ <http://www.lacounty.gov/business>

⁸ City of Los Angeles Port Officials

⁹ 10th Annual International Trade Outlook So. Ca. Region 2015-2016

¹⁰ Los Angeles County Code of Ordinances 2.40.010

¹¹ Los Angeles County Code of Ordinances 2.40.030

and Measures Sealer” are the same person having two completely separate mandates and functions, thereby making this prohibition moot.¹²

In undertaking this investigation, the CGJ found that numerous counties in the state do have a Package Inspection Program in place. These programs are funded through revenue attached to Package Registration Permit Fees levied upon businesses which package, import, warehouse or distribute packaged commodities pursuant to individual county ordinances established in each county.¹³

Weights & Measures field tests items which have a licensing/registration fee attached to them.¹⁴ The licensing/registration fees cover the cost of inspection and testing, making these programs “cost-neutral.”¹⁵ The two programs in the County presently in place are for (1) “Automatic Point of Sale Stations” aka “Scanners”, and (2) “Scales”.^{16,17}

Currently, Weights & Measures sporadically and randomly field tests items for quantity. When “spot” inspections have been done, they have found critical shortages in quantities e.g. the weight of the item measured was less than the weight stated on the package. From 2003-2013 Weights & Measures performed random spot package inspections on a total of 91 “Lots”¹⁸ of items. This breaks down to less than 10 “Lots” a year.

Several egregious short findings during that period of time are extrapolated here as an eye opener. Out of the “Lots” sampled the following average shortages per “Lot” were uncovered:¹⁹

- a. 57.74% on packaged flour tortilla
- b. 47.45% on bagged fresh cucumbers
- c. 51.02% on bathroom tissue
- d. 21.61% on ice

In 2014 Weights & Measures randomly inspected and tested “Lots” of 34 personal care, cleaning and maintenance items during a two day period at retail establishments. Again, the inspections revealed many package shortages. Several troubling short findings during that inspection are

¹² Per Weights & Measures upper management

¹³ San Bernardino County Code of Ordinances Title 4 Chap 22 §41.2201(a)-§41.2211, and §16.0201(d)(2); Santa Barbara County Code of Ordinances Chapter 34c, Sec 34c-1 to Sec 34c-10; Riverside County Ordinance No. 832 in its entirety; Ventura County Ordinance Art 9.5§6297-1 to 6297-7

¹⁴ Weights & Measures Executive Staff

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Los Angeles County Code of Ordinances 2.40.050 through 2.40.190 and 2.41.010 et seq

¹⁸ Merriam-Webster: A unit of inventory

¹⁹ Los Angeles County Sample Wholesale Package Inspection Shortages (2003 through 2013)

listed here for example. Out of the “Lots” sampled the following average shortages per “Lot” were uncovered:²⁰

- a. 18.88% clear stick deodorant
- b. 31.86% air freshener
- c. 21.66% acrylic nail powder natural

Pursuant to information provided by Weights & Measures executive staff:

- Weights & Measures would like to conduct a minimum of a one day inspection annually at every “identified location”.
- There are a minimum of 3,400 “identified locations” to inspect in the County. There are many more unknown and unidentified, as of this writing. An “identified location” for these purposes is defined as a business location that packs, imports, warehouses or distributes more than 10,000 packages or containers per year.
- The best way to inspect for quantity is by looking at the wholesale and distribution centers. Ideally the department would like to check shipments when they arrive at the dock, distribution centers, or at manufacturers within the County. The problem with inspecting at the retail level is that one is dealing with a much smaller sampling. The law allows for confiscation of entire “Lots” when a shortage shows up in samplings within the “Lot.”
- Weights & Measures currently has only two Quantity Control Inspectors. This is inadequate to protect our population of 10 million. The Department needs to add at least 10 more Quantity Control Inspectors.

Public Outreach:

Per information provided by the management team of Weights & Measures, they receive almost no complaints from the public regarding quantity issues or discrepancies. There is no active outreach exposing this issue to the public. Weights & Measure’s web site is the main place where information regarding quantity control is available. The Department publishes a brochure relative to marketplace integrity. The CGJ opines that the actual distribution of this brochure is minimal; therefore with public exposure to the issue of shortages, public support would skyrocket.

The CGJ spoke to upper management of the Los Angeles County Department of Consumer and Business Affairs (Consumer & Business Affairs) and found currently that Consumer & Business Affairs does not provide outreach or information regarding commodity packaging shortages to the public. Consumer & Business Affairs does have Consumer Counselors who are trained to take calls and advise on a myriad of consumer issues. Management was extremely open and interested in collaborating with Weights & Measures in adding this information to the Consumer

²⁰ Los Angeles Wholesale Package Inspection Shortages Personal Care/Cleaning & Maintenance Supply Products (2 Day Spot-Check: April 14 & 15, 2014)

& Business Affairs Department website. In the opinion of the CGJ the correct department to handle the outreach on commodity packaging shortage issues is Consumer & Business Affairs, as this is the obvious department that a consumer would look to for help if they had an issue with labeling.

This obviously was apparent to the creators of Los Angeles County Code of Ordinances 8.09.060(C) which addresses the prohibition of overpricing following the proclamation or declaration of an emergency, “The Department of Consumer and Business Affairs shall be responsible for the administration of this Chapter, including, but not limited to, public education and outreach, and investigation of complaints. . .the Department of Consumer and Business Affairs shall be designated as the enforcement officer. . .”

Members of the CGJ called the County’s Help Line 211 to register a complaint regarding a false report of quantity shortage. The 211 operator did not direct complainants to any source within the County departments. The 211 operator directed our jurors to return to the store where the problem was found and recommended reporting the issue to the store manager.

Members of the CGJ called City of Los Angeles Information Services 311 to register a complaint regarding a false report of quantity shortage. The 311 operator directed our jurors to the State of California’s Consumer Affairs Department.

Members of the CGJ navigated their way through the Weights & Measures website and found that there are direct links for consumers to follow to make formal complaints regarding quantity package issues. The public is left with two unanswered questions: a) how would one know to visit Weights & Measures website in order to lodge a complaint? b) how would one know what to look for in packaging shortages?

Members of the CGJ navigated their way through the Consumer & Business Affairs’ website. The CGJ found there is no information relative to quantity control and packaging issues contained on that website. The website does have information directed to both consumers and businesses relative to overcharging and accurate pricing. In both instances the reader is directed to Weights & Measures. The CGJ feels that information regarding commodity packaging shortages needs to be added to the Consumer & Business Affairs website with direct links to the Weights & Measures Complaint Form.

The CGJ read an article titled “Be Proactive When Combating Food Fraud” which broached the topic of this investigation. The article recommended that the consumer report fraud of this nature to “the FDA or the United States Department of Agriculture”.²¹ Nowhere in the article is the reader directed to County departments. The CGJ interviewed the author of the article who stated that during the research she found no information that the County was an oversight agent for these problems.

²¹ San Gabriel Valley Tribune, 12-11-16, “Be Proactive When Combating Food Fraud”, LeeAnn Weintraub

Lawsuits and Remedies:

The County has no ordinance which provides the consumer with a personal remedy for packaging shortages. The County does have an ordinance which provides the consumer with a personal remedy for violations of item pricing laws.²² Why these two consumer violations are treated differently deserves attention. The CGJ did their own field inspections weighing prepackaged bags of produce in grocery stores. Shortages were in fact found. The CGJ as well as all citizens of Los Angeles County need their own remedy.

Los Angeles Code of Ordinance Chapter 8.08 covers “Consumer Commodity Retail Pricing”. Section 8.08.040(B) codifies the remedy an individual has against an establishment due to a violation of item pricing laws, e.g. \$50. Although the CGJ did not have their focus on the topic “item pricing laws”, we do note that this ordinance was last updated in 1980 and should currently be brought in line with 2017 dollars. Pursuant to the Bureau of Labor Statistics’ Inflation Calculator that same \$50 today is \$147.82.²³

The CGJ was advised by a City of Los Angeles senior government official that direct jurisdiction for filing consumer lawsuits, including packaging shortages, is equally shared by the State, counties and cities. The CGJ was further advised that the prosecuting agency that chooses to handle a case is solely based on the commitment and dedication of that agency toward consumer protection.

A recent case was brought jointly by the Cities of Los Angeles, Santa Monica and San Diego against a major retail supermarket chain for selling “...packaged items with less product by weight than was indicated on labels.”²⁴ Not only are these lawsuits deterrents, but this lawsuit brought attention, headlines and awareness to the subject.

Data Management System:

Weights & Measures does not have a data management system in use by their field inspectors. All field inspectors record inspection data and input the data into reports manually.²⁵

The CGJ witnessed a demonstration of a software program which was developed specifically to optimize time, manpower and organization of the various consumer programs run by Weights & Measures. All neighboring counties are currently running this data management system.²⁶ Consistent with the promotional statements of the software developers, upper management of neighboring counties confirmed that the program saves an average 83% of their field inspector’s time on inspection reports.

²² Los Angeles County Code of Ordinance Section 8.08.040(B)

²³ <https://data.bls.gov/cgi-bin/cpicalc.pl>

²⁴ <http://ktla.com/2014/06/24/whole-foods-to-pay-800k-for-overcharging-california-consumers-settlement>
L.A. Times 6-24-14, “Whole Foods paying \$800,000 for overcharging in California”, Shan Li

²⁵ Per information supplied by Weights & Measures senior management

²⁶ Per County Officials of San Bernardino County, Riverside County, Ventura County and Santa Barbara County

III BOARD OF SUPERVISORS STRATEGIC PLAN

The CGJ found the efforts and recommendations contained in this report to be consistent with the Board of Supervisors “County’s Strategic Plan 2016-2021”:

- Enhance County’s Fiscal Strength Through Long Term Planning: Develop and implement a plan to address the County’s long term unfunded liabilities.
- Promote Consumer Financial Stability: ...provide services in areas of ...consumer education...
- Prioritize and Implement Technology Initiatives that Enhance Service Delivery and Increase Efficiency: Support implementation of technological enhancements and acquisitions that increase efficiency (e.g. infrastructure, software, hardware, applications). . .

IV METHODOLOGY

The committee reviewed numerous California Codes and many individual county ordinances within the State. We viewed demonstrations of deceptive packaging practices, package inspection programs and software engineered specifically for governmental weights and measures departments programs. We interviewed 18 people knowledgeable in various areas directly related to the topic at hand. Among those interviewed were the upper management teams of Weights & Measures and Consumer & Business Affairs. Additionally, a representative of Los Angeles County Counsel, a senior official in the Los Angeles City Attorney’s Office, and a journalist from a local newspaper were interviewed. In addition, our committee spoke to various Sealers and the Weights & Measures’ management/personnel of numerous adjacent counties in Southern California. Lastly, the CGJ conducted their own field study weight inspections.

V FINDINGS

Need for an Ordinance

1. The County is mandated to “weigh or measure packages, containers, or amounts of commodities sold or in the process of delivery. . .”²⁷ in order to protect our citizenry from unscrupulous packagers of commodities.
2. Due to lack of funding, Weights & Measures is unable to adequately perform package inspections, as required by California Business & Professions §12211.
3. Extremely small sampling inspections, by Weights & Measures have revealed gross package shortages.
4. In order to properly protect our consumers, Weights & Measures needs to perform a one day inspection annually at every business location within the County that packs, imports, warehouses or distributes more than 10,000 packages or containers per year.

²⁷ California Business and Professions Code §12211

5. Weights & Measures currently has only two Quantity Control Inspectors. This is inadequate to protect our population of 10 million. The Department needs to add at least 10 more Quantity Control Inspectors.
6. All surrounding counties in the State are meeting their mandated obligations under California Business & Professions Code §12211. These counties have ordinances in place which allow them to raise revenue to pay for the cost of their package inspection programs²⁸.
7. The County needs to have a Package Inspection Program which will assure that inspections are done on a regular basis so as to protect the consumers of Los Angeles County. A Package Inspection Program needs to be funded in order to have the necessary personnel on staff to carry it out.
8. Weights & Measures has previously attempted to have an ordinance created which would allow for a package permit registration and tariff to be required by every “identified location”. County Counsel opined that the County is prohibited from creating such an ordinance per Government Code §54985(c)(4). The CGJ believes that interpretation of §54985(c)(4) needs to be revisited in light of findings 6, 9 and 10.
9. Los Angeles County Department of Agriculture and the Department of Weights & Measures were separate departments until they merged in 1984. Each of these departments stands independently as to functions and statutory mandates.
10. The Agriculture Commissioner in Los Angeles County wears two hats: (1) “Agriculture Commissioner” and (2) “Director of Weights and Measures” also known as the “County Sealer”. This occurred as a result of the 1984 merger of the two County Departments of Agriculture and Weights & Measures. Although together they are one department today, the two Bureaus stand independently as to functions and statutory mandates.

Public Outreach

11. Currently Weights & Measures is responsible for their own outreach on packaging shortages. Weights & Measures has the information available on their website. This Department is virtually unknown to the public, hence there are almost no complaints regarding quantity issues or discrepancies. There is no active outreach exposing this issue to consumers. The CGJ believes that with proper exposure to the issue of shortages, public support would skyrocket, hence reining in the abuses that are occurring by packagers.
12. Consumer & Business Affairs does not provide outreach or information regarding commodity packaging shortages to the public. Consumer & Business Affairs does provide information on pricing inconsistencies and is mandated by County Ordinance to take the

²⁸ San Bernardino County Code of Ordinances Title 4 Chap 22 §41.2201(a)-§41.2211, and §16.0201(d)(2); Santa Barbara County Code of Ordinances Chapter 34c, Sec 34c-1 to Sec 34c-10; Riverside County Ordinance No. 832 in its entirety; Ventura County Ordinance Art 9.5§6297-1 to 6297-7

reins during emergencies to provide outreach relative to price gouging. In the opinion of the CGJ the correct department to handle the outreach on commodity packaging shortage issues is Consumer & Business Affairs.

13. The County's Help Line 211 and the City of Los Angeles Information Services 311 do not have information regarding packaging shortages and registering complaints in their databases. The CGJ believes this information needs to be supplied to both services so that residents of the County can be properly directed to the correct department.

Lawsuits and Remedies

14. Los Angeles County Code of Ordinance Chapter 8.08 covers "Consumer Commodity Retail Pricing". Section 8.08.040(B) codifies the remedy an individual has against an establishment due to a violation of item pricing laws. There is no similar ordinance for violations of packaging shortages. Consumers of Los Angeles County have a right to have their remedy for package shortages codified so as to pursue an action on their own.
15. Los Angeles County Code of Ordinance Section 8.08.040(B) codifies the remedy an individual has against an establishment due to a violation of item pricing laws, e.g. \$50. This ordinance was last updated in 1980 and should currently be brought in line with 2017 dollars, which is \$147.82.²⁹
16. Jurisdiction for pursuing consumer lawsuits relative to packaging shortages is equally shared by the State, counties and cities. Since the prosecuting agency that chooses to handle a case is solely based on the commitment and dedication of that agency toward consumer protection, the CGJ feels that Weights & Measures should seek all legal avenues in referring out cases.

Data Management System

17. Weights & Measures does not have a data management system in use by their field inspectors. Approximately 83% of field inspector's time can be saved writing inspection reports. This would save the County money in labor and allow the Department to hire more field inspectors with the savings.

VI RECOMMENDATIONS

1. The County of Los Angeles Board of Supervisors should establish an ordinance creating a mandatory "Package Permit Registration." The funds collected will enhance the fiscal strength and long term financing needed to allow Weights & Measures to create a "cost neutral" Package Inspection Program which will allow quantity inspections at regular intervals in order to protect the consumers of Los Angeles County.

²⁹ <https://data.bls.gov/cgi-bin/cpicalc.pl>

2. The County of Los Angeles Board of Supervisors should direct Consumer and Business Affairs, after consulting with Weights & Measures, to assume responsibility of oversight for consumer outreach and complaints, relative to quantity control and package shortages.
3. Weights & Measures, after consulting with Consumer and Business Affairs, should direct both the County's Help Line 211 and the City of Los Angeles Information Services 311 to include quantity control and package shortages information as part of their database and referral system and supply supporting information.
4. The County of Los Angeles Board of Supervisors should amend Los Angeles County Code of Ordinances Section 8.08.040(B) to include package shortages in addition to item pricing violations or, in the alternative, create a new ordinance giving consumers a remedy at law to pursue actions on an individual basis for package shortages.
5. The County of Los Angeles Board of Supervisors should amend Los Angeles County Code of Ordinances Section 8.08.040(B) raising the financial remedy an individual has against an establishment due to a violation of item pricing laws from \$50 to \$150, thereby bringing the 1980 dollar amount in line with 2017 Bureau of Labor Statistics' Inflation Rate.
6. Weights & Measures should refer cases which grossly violate IRQ Statements to all prosecuting agencies within the County, including all City Attorneys. This allows maximum exposure of consumer fraud and misrepresentation.
7. Weights & Measures should conduct a cost benefit analysis to ensure and justify the purchase/licensing of a data management system as it relates to their field inspection programs, as this will enhance service delivery and increase efficiency.

VII REQUEST FOR RESPONSE

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017 to:

Presiding Judge
Los Angeles County Superior Court
Clara Shorridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor – Room 11-506
Los Angeles, CA 90012

Responses are required from:

Responding Agency	Recommendations
County of Los Angeles Board of Supervisors	18.1, 18.2, 18.4, 18.5
County of Los Angeles Department of Weights & Measures	18.2, 18.3, 18.6, 18.7
The County of Los Angeles Department of Consumer Affairs	18.2, 18.3

VIII ACRONYMS

ACT Federal Fair Packaging and Labeling Act
CGJ 2016-2017 Los Angeles County Civil Grand Jury
IRQ Identity, Responsibility and Quantity

IX COMMITTEE MEMBERS

Regi Block Chair
Dorothy Brown
Hilda Dallal
Ronnie Dann-Honor
Marilyn Gelfand
Dianne Kelley

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JURY ROOM



Regi Block
Hilda Dallal
Lucy Eisenberg
Marilyn Gelfand

Chair

CIVIL GRAND JURY SPACE

I SUMMARY

We, the 2016-2017 Los Angeles County Civil Grand Jury (CGJ), have had a wonderful educational experience this year. We have learned a lot about the workings of county government, and seen things we believe could be improved. One thing we do believe should be changed for the benefit of future jurors is the space in which the CGJ meets, works and receives presentations from outside speakers.

II BACKGROUND

In Los Angeles County, the county provides the budgeted funding and space for the grand jury.¹

CA Penal Code § 938.4 (2016) states:

“The superior court shall arrange for a suitable meeting room and other support as the court determines is necessary for the grand jury. Any costs incurred by the court as a result of this section shall be absorbed by the court or the county from existing resources.”

We would like to emphasize the word “suitable” as stated in the code. The CGJ meeting room, along with the bathroom and lunch/workroom, is far from “suitable” as the code suggests.

The CGJ has two rooms:

1. One is a meeting room, with no windows, which measures 40' x 20', containing 7 computer desks, 2 telephones, a conference table measuring 26'x 6', 4 bookshelves, a 3 drawer lateral file cabinet, a speaker's podium, 29 high-back oversized desk chairs and a couch. The meeting room has an adjoining storage area and bathroom with one sink and one toilet which measures 4'8" x 5'8" that is for the use of 23 jurors.
2. The other is a lunch/workroom which measures 40' x 14' containing 29 lockers, 4 tables each measuring 81"x 34", a refrigerator, a coffee station, a microwave, a toaster, a water dispenser (with no less than ten 5 gallon bottles of water stored on the floor at any time), 23 mailboxes, 3 computer stations, 2 printers, a copy machine, a FAX machine, a TV perched atop a media rack, a large shredder, a paper cutter, a 4-drawer lateral file cabinet, a 5-drawer file cabinet, a small file cabinet, 21 full sized desk chairs, a 4' wide storage cabinet, a 3' storage cabinet, and a 2' storage cabinet.

¹ Information provided by Los Angeles County Superior Court management and Chief Executive Office senior executive

History

Prior to 2000, the Los Angeles County Grand Jury was one body comprised of both Criminal and Civil². In 2000 the jury was split and the 2 entities thereafter operated separately³. At the time of the split the CGJ took over the space it currently occupies on the 11th floor of the Clara Shortridge Foltz Criminal Courts Building (CCB).⁴ The building belonged to the County of Los Angeles. In 2008 the State of California took over the courts and the CCB. Through an exclusive-use transfer agreement, 31% of the CCB space remained in the County's control, while 69% is controlled by the State. The CGJ space is part of that 31% under County control.⁵

The CGJ space is directly adjacent to the former jury assembly room. The jury assembly room was located on the 11th floor until April 2017 when it was moved to new facilities on the first floor. The old jury assembly room on the 11th floor currently sits empty. That floor space encompasses an area which is significantly larger and more efficient than the current CGJ space. The main assembly room measures 40' x 60' with a 10' x 12' walled off facilities barrier located in the first third of the space. There is a 10' x 12' conference space off the main assembly area. Additionally there is a 20' x 40' room off of the main assembly room, along with rest rooms for men and women.⁶

Demographics, The Americans with Disabilities Act (ADA), Safety

The CGJ is comprised of 23 citizens who either apply to serve or are nominated by a judicial officer in Los Angeles County. The tenure of the CGJ lasts one year on a full time basis. Historically, the CGJ positions attract retired individuals. Demographics for the CGJ over the last 10 years (2007-2008 to 2016-2017) document only nine jurors having been under the age of 55 while the large majority, in fact over 2/3s, have been over 65 (See Exhibit 1).⁷

² Information provided by Los Angeles County Superior Court Management

³ Ibid

⁴ Information provided by Los Angeles County Superior Court Management

⁵ Information provided by Los Angeles County Chief Executive Office

⁶ Personal observations and measurements by CGJ

⁷ <http://grandjury.co.la.ca.us/demographics.html>

Exhibit 1
Civil Grand Jury Demographic Analysis*

Civil Grand Jury Year	Ages 18-25	Ages 26-34	Ages 35-44	Ages 45-54	Ages 55-64	Ages 65-74	Ages 75 & over	Totals
2016-2017	0	0	0	0	7	12	4	23
2015-2016	0	0	0	0	7	13	3	23
2014-2015	0	0	0	0	7	11	4	23
2013-2014	0	0	0	1	7	12	4	23
2012-2013	0	0	1	1	5	13	3	23
2011-2012	1	0	0	1	3	12	6	23
2010-2011	0	0	0	0	15	5	3	23
2009-2010	0	0	0	1	2	13	7	23
2008-2009	0	0	0	1	10	12	0	23
2007-2008	0	0	0	2	9	10	2	23
Totals	1	0	1	7	72	113	36	230

*Taken from the LA County Web Site
<http://www.lacourt.org/division/jury/JR0223.aspx>

None of the members of the 2016-2017 CGJ are officially “handicapped” under the provisions of the ADA, however, several members had problems during the year which made maneuvering through the crowded space in the two rooms exceedingly difficult. Under the ADA every government facility which functions as a meeting room, as well as offices and other work areas, must have a “path of travel” created in those spaces to accommodate individuals with disabilities.⁸ We believe that better provisions for a “path of travel” must be made to ensure that future jurors can function safely and effectively.

Temperature

The temperature has been an ongoing issue in the CGJ meeting room. We, the CGJ, have fondly referred to it as a “Meat Locker.” Attached is a picture of our thermometer registering 59° (See Exhibit 2). This temperature was the norm throughout our service as can be attested to by the entire body of the CGJ and the CGJ staff. Complaints to facility services have been ongoing all year, but to no avail.

⁸ https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35101

Exhibit 2:



Photo taken by CGJ

Computers

The 23 members of the CGJ are mandated to investigate and report on their findings. This entails research and writing. The CGJ has only has 10 computers. This is not enough to do the job adequately. This creates a lot of contentiousness as to whose research and writings are paramount and should be given priority.

In addition to the shortage of computers, the computers provided represent antiquated technology, with frequent breakdowns on two of the computers, losing work in progress on many occasions. Additionally tech support was extremely weak.

Computer work space

Our computer desks and workspace are inefficient. Several of the desks were specifically designed for first generation computers, while the other desks are exactly that, “desks.” The keyboards are too high and create wrist fatigue, among other complaints. Ergonomics need to be taken into consideration. Additionally there is very little space to place papers and reference material being used to compile reports. Papers are always spilling over onto the floor, as they are piled high in tight corners of desk space.

Phones

The CGJ has four phones for its exclusive use, 2 in the meeting room and 2 in the lunch/workroom. All phones are positioned on computer desks in tight quarters in the open space of these two rooms. A very important aspect of the CGJ work is conducting investigations and interviews on the telephone. All phone calls must follow the “Rule of Two” requiring a minimum of 2 jurors on each phone call and more often than not, entire committees of 4-6 jurors in attendance. The calls are conducted on speaker phone lines in multi-purpose rooms, while other things are going on causing distraction (e.g. shredding, copying, printing, committee meetings and lunch room conversations).

Additionally two of the phones are positioned directly in front of doorways. When conducting a conference call, the jurors are forced to block the doorways in order to partake in the session. While writing this report our committee was conducting a phone interview with the Chief Executive Office (CEO), when we were interrupted by staff attempting to pass through the blocked door and we were informed that we were not in compliance with fire regulations.

Providing a phone conference room which would accommodate up to 8 persons would allow the CGJ to not only conduct interviews in a more professional manner, but would aide in efficiency and accuracy in the exchange of sensitive and information.

Private Quiet Space

Much of the work which the CGJ does involves reading, composing and editing. This type of work requires quiet thinking space in order to focus. The CGJ has no space to fill this requirement. Since April 2017 the CGJ has borrowed the empty jury assembly room and treated it as the “quiet room” in order to find the needed solitude to read, compose and edit.

Private Conference Room for Investigative Interviews

Several of the 2016-2017 CGJ investigative teams conducted confidential interviews with important sources that came to meet with jurors at the CCB. These important personal interviews were conducted in the CGJ lunch/workroom, in an atmosphere of inefficiency, unprofessionalism, and constant interruption.

III METHODOLOGY

The committee reviewed various laws and statutes and researched the history of the CGJ in the County. We interviewed several individuals knowledgeable about the relevant spaces. Among those interviewed were the executive management of the County of Los Angeles Chief Executive Office, Los Angeles Superior Court management staff and CGJ staff. Lastly, the CGJ conducted their own field study measuring spaces and furniture described in this report.

IV FINDINGS

1. The temperature situation in the main meeting room is consistently out of control and is often below 60°.
2. Space between meeting tables and chairs is so narrow that jurors often trip to get by one another to move around the room.
3. In excess of 2/3s of jurors over the last ten years have been in excess of 65 years old; due to this fact attention must be given to the “path of travel” within the office space.
4. There is one restroom for 23 jurors, which is inadequate.
5. Ergonomics has not been taken into consideration with the computers, keyboards and monitors.
6. There is no space affording “acoustical privacy”⁹ for jurors to have committee meetings of up to 8 people.
7. There is no space affording “acoustical privacy” for jurors to read, compose, focus, and concentrate.
8. There is no space affording “acoustical privacy” for jurors to conduct telephone conference calls and private investigative interviews without interruptions.

⁹ Definition – Can people talk in privacy, according to the level of confidentiality required; do noises or conversations make it difficult to hear or understand speech if much of their work involves using the telephone?
https://www.ccohs.ca/oshanswers/ergonomics/office/working_space.html

V RECOMMENDATIONS

1. The Los Angeles County CEO should find space in the CCB which will accommodate the needs of the CGJ after completing an analysis.
2. The Los Angeles County Auditor-Controller should provide budget for additional updated computers and workstations in the CGJ budget.

VII REQUEST FOR RESPONSE

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

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Presiding Judge
Los Angeles County Superior Court
Clara Shorridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor – Room 11-506
Los Angeles, CA 90012

Responding Agencies	Recommendations
The County of Los Angeles Chief Executive Office	19.1
The County of Los Angeles Auditor-Controller	19.2

VIII ACRONYMS

ADA	The Americans with Disabilities Act
CCB	Clara Shorridge Foltz Criminal Courts Building
CEO	Chief Executive Office
CGJ	2016-2017 Los Angeles County Civil Grand Jury

IX COMMITTEE MEMBERS

Regi Block Chair
Hilda Dallal
Marilyn Gelfand
Lucy Eisenberg

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STANDING COMMITTEE REPORTS

AUDIT COMMITTEE



Gerard Duiker
Henry C. Guerrero

Co-Chair
Co-Chair

AUDIT COMMITTEE

I SUMMARY

The function of the Audit Committee of the Civil Grand Jury (CGJ) is to oversee contracting with outside auditors and to assist investigative committees to examine issues that require an audit.

II BACKGROUND

Only one audit was requested by the Los Angeles County 2016-2017 CGJ. The Tows and Impounds Committee sought to quantify police and tow company charges incurred by vehicle owners in connection with municipal or state code violations.

III METHODOLOGY

A scope of work document was jointly composed by the Audit and Tows and Impounds committees and submitted with Letters of Solicitation to five audit firms approved by the Los Angeles County Auditor-Controller. Three firms submitted proposals and were jointly interviewed by the Audit and Tows and Impounds committees. Harvey M. Rose, LLC was selected for this audit.

IV ACRONYMS

CGJ 2016-2017 Los Angeles County Civil Grand Jury

V COMMITTEE MEMBERS

Gerard Duiker	Co-Chair
Henry C. Guerrero	Co-Chair

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CITIZENS' COMPLAINTS COMMITTEE



London Jones	Chair
Joyce Simily	Co-Chair
Marilyn Gelfand	Secretary
Alice Beener	
Hilda Dallal	
Ronnie Dann-Honor	
Lucy Eisenberg	

CITIZENS' COMPLAINTS COMMITTEE

I SUMMARY

The Citizens' Complaints Committee (CCC) of the 2016-2017 Los Angeles County Civil Grand Jury (CGJ) consisted of seven members. As required by state law, the CCC is a standing committee of the CGJ. It is the means by which citizens can file a formal written complaint regarding the actions of local government entities or public officials within Los Angeles County. The primary function of the CCC is to receive, review and evaluate complaints. All complaints are confidential.

II BACKGROUND AND METHODOLOGY

A Citizen Complaint Form (CCF) and the complaint guidelines are attached. (See Appendix A). These are available on the website: www.lacourt.org/forms/pdf/CitizensComplaint.pdf

The following is the method used by the (CGJ) for processing a complaint.

1. A complaint is received.
2. The complaint is logged.
3. Each complaint is assigned a unique file number.
4. An acknowledgment letter is sent to the complainant.
5. The complaint is referred to the CCC Chairperson.
6. The complaint is then assigned to a CCC member for review.
7. The CCC meets collectively to review the complaints.
8. The CCC evaluates the complaint and suggested findings. A determination is made if an investigation is needed.
9. If the CGJ determines that a matter is within the legally permissible scope of its investigative powers and would warrant further inquiry, additional information may be requested. If a matter does not fall within the jury's investigative authority or the jury decides not to investigate, no action will be taken and there will be no further contact with the complainant.
10. Responses may or may not be sent to the complainant.
11. All files are sealed and placed in storage for five years.

III 2016-2017 CITIZENS' COMPLAINTS

46 Complaints were processed and divided into the following categories:

DISPOSITION BY CIVIL GRAND JURY	TALLY
Insufficient Information	17
No Jurisdiction over Subject Matter	17
Ongoing Investigation with Another Agency	1
Referred for Further Investigation	0
Reviewed, No Action Taken	9
Unsupported	2

IV COMPLAINT FORM AND GUIDELINES

Citizens who wish to submit complaints to the CGJ should do so by using the complaint form and guidelines which are found on the CGJ Website:

www.lacourt.org/forms/pdf/CitizensComplaint.pdf

The 2016-2017 CGJ included additional information on the Citizen Complaint Form to clarify and help to make the information required from the claimant easier to follow. The attached sample complaint form includes this information:

If you need assistance completing this form: Los Angeles County residents dial 211, Los Angeles City residents dial 311. You will be directed to a local legal help center.

See Following Page for

APPENDIX A:

Citizen Complaint Form

Complaint Guidelines

Communications from the public can provide valuable information to the Civil Grand Jury. Any private citizen, government employee, or officer may submit a completed complaint form to request that the Civil Grand Jury conduct an investigation. This complaint must be in writing and is treated as confidential. Prior to submitting the Complaint Form to the Grand Jury office, please retain a copy for your records if needed. Receipt of all complaints will be acknowledged. Exhibits or supporting documents attached to the complaint become property of the Grand Jury and will not be returned.

If the Civil Grand Jury determines that a matter is within the legally permissible scope of its investigative powers and would warrant further inquiry, additional information may be requested. If a matter does not fall within the Civil Grand Jury's investigative authority, or the jury determines not to investigate a complaint, no action will be taken and there will be no further contact from the Civil Grand Jury.

The findings of any investigation conducted by the Civil Grand Jury can be communicated only in a formal final report published at the conclusion of the Grand Jury's term, June 30th.

Some complaints are not suitable for civil grand jury action. For example, the Civil Grand Jury has no jurisdiction over judicial performance, actions of the court, or cases that are pending in the courts. Grievances of this nature must be resolved through the established judicial appeal system. The Civil Grand Jury has no jurisdiction or authority to investigate federal or state agencies. Only causes of action occurring within the County of Los Angeles are eligible for review.

The jurisdiction of the Civil Grand Jury includes the following:

- Consideration of evidence of misconduct against public officials within Los Angeles County.
- Inquiry into the condition and management of the jails within the county.
- Investigation and report on the operations, accounts, and records of the officers, departments or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts.
- Investigation of the books and records of any incorporated city or joint powers agency located in the county.

If you need assistance completing this form: Los Angeles County residents dial 211, Los Angeles City residents dial 311. You will be directed to a local legal help center.

Mail complaint form to: Los Angeles County Civil Grand Jury
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street, Eleventh Floor, Room 11-506
Los Angeles, CA 90012

V ACRONYMS

CCC	Citizens' Complaints Committee
CCF	Citizen Complaint Form
CGJ	2016-2017 Los Angeles County Civil Grand Jury

VI COMMITTEE MEMBERS

London Jones,	Chair
Joyce Simily,	Co-Chair
Marilyn Gelfand,	Secretary
Alice Beener	
Hilda Dallal	
Ronnie Dann-Honor	
Lucy Eisenberg	

CONTINUITY COMMITTEE



Douglas Benedict **Chair**
Dorothy Brown
Lucy Eisenberg
Patrick Lyons
Reuben P. Santana
Joyce Simily
Faramarz Taheri

CONTINUITY COMMITTEE

I SUMMARY

The Continuity Committee serves as a bridge between prior and future Civil Grand Juries.

II BACKGROUND AND METHODOLOGY

Each Los Angeles County Civil Grand Jury (CGJ) serves for one year and ends its term with the publication of a Final Report. The mandated responses (per California State Penal Code Section 933.05) to that report arrive after that Jury has ended its term. It necessarily falls to the next CGJ to receive, analyze and report on these responses. The Continuity Committee has been assigned responsibility for this task. This section of the 2016-2017 Los Angeles County Civil Grand Jury Final Report contains the findings and recommendations of the 2015-2016 Civil Grand Jury Final Report.

The information is presented in the following of tables:

Table 1 shows the current status of the recommendations from the Final Reports for the preceding five years: 2011-2012, 2012-2013, 2013-2014, 2014-2015 and 2015-2016.

Table 1. Total Number of Evaluated Recommendations and Responses.

	2011 2012	2012 2013	2013 2014	2014 2015	2015 2016	Total
Number of Recommendations Analyzed	116	732	131	60	1650	2689
Number of "No Responses"	3	0	0	0	104	107
Number of "Further Analysis Needed"	22	36	12	8	11	89
Grand Total	141	768	143	68	1765	2885

Table 2 provides the response status to the recommendations within each investigative report from the 2015-2016 Final Report. It also highlights those entities that failed to respond and are found to be out of compliance with section 933.05 of the penal code. In addition, some entities still have responses pending.

Table 2. Response Status by Report.

Report	In Compliance	Not In Compliance	Pending
Inadqueate El Nino Planning	All Except	City of Bell City of Hawthorne City of South El Monte	5
Who Cares for the Dead When the Dead Don't Vote	All		
Close Look at Aging & Mentally Ill	All		
Alternative to Squalor: Need to House the Homeless	All		
Appointment Commissions: Transparency Maintained Public Trust	All Except	City of Duarte City of El Monte City of Sierra Madre City of West Hollywood	5
Capital Appreciation Bonds & Other School District	All Except	Acton-Agua Dulce USD Inglewood USD Lawndale Elementary School District	2
Everybody Turn-Out to Vote	All		
ICE In Los Angeles	All		
LAUSD: Follow the Money	All		
Park and Ride: A Los Angeles Illusion	All		
Politics 101: Observations on Los Angeles County Governance	All		
Ready or Not: Adulthood is Now	All		
Renter or Landlord: Who Benefits?	All		
Save Our Seniors: Nursing Home Inspections	All		
The Los Angeles County Probation Department & Technology	All		
Trying to Keep "MOM AND POP" Afloat	All		
Where Has the L.A.'s Property Gone: To Whom and How Much?	All		

Table 3 reflects the facilities which failed to respond to the recommendations contained within the Detention Committee Report from the 2015-2016 Final Report.

Table 3. Missing Responses to Recommendations Within the Detention Report.

Recommendation	Not In Compliance
21.2	Azusa Police Department
21.3, 21.4, 21.5	Bell Gardens Police Department
21.1, 21.11, 21.12, 21.13, 21.14, 21.18, 21.42, 21.43, 21.44, 21.45, 21.52, 21.53, 21.54	County Probation Department

Responses to the 2015-2016 Civil Grand Jury Final Report are available online at the following website: <http://grandjury.co.la.ca.us/gjreports.html>

III ACRONYMS

CGJ 2016-2017 Los Angeles County Civil Grand Jury

IV COMMITTEE MEMBERS

Douglas Benedict Chair
 Dorothy Brown
 Lucy Eisenberg
 Patrick Lyons
 Reuben P. Santana
 Joyce Simily
 Famarz Taheri

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DETENTION COMMITTEE



Sharon Muravez **Chair**
Henry C. Guerrero **Scheduling Coordinator**
Faramarz Taheri **Scheduling Coordinator**

Marcie Alvarez
Alice Beener
Douglas Benedict
Regi Block
Dorothy Brown
Hilda Dallal

Ronnie Dann-Honor
Gerard Duiker
Lucy Eisenberg
Gloria Garfinkel
Marilyn Gelfand
London Jones

Thomas Kearney
Dianne Kelley
Patrick Lyons
Joanne D. Saliba
Reuben P. Santana
Joyce Simily
Shelley Strohm

DETENTION COMMITTEE

I SUMMARY

California Penal Code Section 919(b) requires the Civil Grand Jury (CGJ) to inquire into the condition and management of the public prisons within Los Angeles County (LACO). These include public jails, courthouse lockups, and juvenile detention facilities. All 23 members of the CGJ participated in unannounced inspections of 122 detention facilities. The CGJ gained a great deal of knowledge from the experience. The inspections furnished us with a unique perspective on an important part of the criminal justice system and enabled us to have informed discussions with various speakers and interviewees.

The structure of the LACO jail system is a massive network of facilities operated by combinations of LACO Sheriff's Department, local police departments, and LACO Probation Department. Each facility performs a step in the process which consists of:

- taking in persons who have been arrested
- ensuring detainees are present at arraignments to inform them of the charges being filed
- housing detainees who have not been released on bail during or pending trials
- housing convicted persons for the time determined by a judge or until transferred to state prison

Type I Facilities

The jail system assumes obligations toward the detainees concerning their safety and well-being. Detainees are screened for medical, mental, sexual orientation, gender and criminal factors that determine how and where they are housed. A tracking mechanism is in place for each detainee. Personal property is inventoried and secured for return as required. In most cases, detainees are temporarily housed and fed in a local police department or sheriff's jail until they are arraigned or released, as in the case of misdemeanors. Most facilities that make up the county jail system are these small, widely-distributed stations, referred to as Type I facilities.

A second kind of Type I facility are the jails associated with the Court system where holding cells are located within courthouses. On a daily basis, detainees are transported on busses from holding locations to court facilities for arraignments, preliminary hearings and trials. Courthouse jails have no "overnight" capabilities.

Some Type I facilities categorize and segregate detainees to improve inmate safety. All Type I facilities have separate, supervised areas for detained juveniles to ensure their safety.

Type II Facilities

Type II facilities provide longer term detentions. These facilities are larger than Type I facilities and provide a wide variety of services to cover the needs of all detainees. There is a classification system to insure that groups are categorized and segregated to avoid interaction and improve inmate safety. Mentally ill, or potentially self-destructive detainees, are placed in a high observation area where mental health professionals can work to stabilize them. Detainees who exhibit more violent behaviors are placed in carefully controlled lockups.

Detainees in these larger facilities fall into four groups:

1. Individuals who have been arrested but not yet arraigned or tried.
2. Those convicted of minor misdemeanor offenses that require less than a year of incarceration.
3. Felons who were sentenced to more than a year of incarceration for major offenses. AB109 decreased the population in overcrowded state prisons by sending inmates to serve their sentences in county facilities.
4. Detainees who have been judged mentally incompetent to stand trial. With medication, they may become mentally competent and a determination to stand trial is made by mental health professionals.

An integral part of the Type II classification is the Sheriff's Inmate Reception Center (IRC). This facility handles the massive intake/output work processing and classifying all detainees prior to their incarceration in one of the Type II jails within the county, in addition to handling the inmate release process. The IRC:

1. Secures, stores and releases personal property
2. Documents the inmates' health status
3. Determines group classification
4. Creates a record for each inmate
5. Transfers each inmate to the appropriate place of incarceration
6. Provides supportive service advice upon intake and release
7. Dispenses small supply of medication upon release to medicated inmates.

The Type II facilities in the county are Twin Towers Correctional Facility, Men's Central Jail, Century Regional Detention Facility, North County Correctional Facility, and Pitchess Detention Center, all operated by the Los Angeles County Sheriff's Department.

II BACKGROUND AND GENERAL OBSERVATIONS

There are numerous facilities that are very old and in need of revitalization or replacement. Age notwithstanding, we generally found the facilities to be clean and well maintained. With limited exceptions, facilities had health, safety and maintenance records that were up to date and readily available for our review.

Upon arrival at a detention facility, detainees are queried and segregated according to race, gang affiliation and/or sexual orientation. They are questioned about medical conditions and dietary needs. Color-coded uniforms are issued to inmates in order to quickly identify their classification: General Population (royal blue), Trustee (green), High Risk (orange), Mentally Ill (yellow/blue), Medical status (brown), LBGT (light blue).

We found jailers to be attentive to the health and mental condition of their detainees. If their condition is deemed serious, detainees are taken directly to a medical facility for treatment and observation. Some conditions include, but are not limited to, situations where detainees are experiencing severe stress that may lead to a coronary or mental health episode including thoughts of suicide.

Some facilities are using electronic tools to assist in periodic rounds of safety checks as opposed to manually logging information.

With few exceptions, the locations we visited had first aid kits available as well as defibrillators. The CGJ was pleased that the recommendation from last year's CGJ, regarding the need for defibrillators, was acted upon and the situation corrected.

Juveniles

The California Code of Regulations provides for special treatment of detained juveniles. In a Type I facility, minors must be kept separate from the adult detainees while they await their immediate release or transport to a juvenile hall. Long-term detention of juveniles is the responsibility of the Probation Department.

During inspections of the Probation Department's juvenile camps and juvenile halls, the CGJ saw evidence of a change in culture with respect to the treatment and confinement of youth. Isolation cells, known as Special Handling Units (SHUs), have been decommissioned and HOPE Centers (Healing / Opportunity / Positive Engagement) have been opened to offer Life Skills Lessons (LSL) and Aggression Replacement Training (ART) to the youth.

There are a variety of educational programs offered to juvenile offenders in Los Angeles County to support the goal of positive adjustments for juveniles being detained. These include vocational training, psychological therapies, credit recovery, GED and college level classes, and sports, among others.

III METHODOLOGY

All 23 members of the CGJ formed teams and participated in the unannounced inspections of every jail, detention center, courthouse, juvenile justice center and juvenile camp in the County of Los Angeles. The CGJ feels the experience and knowledge gained from these inspections should be shared with the general public to “de-mystify” the jail system and we have attempted to do so in this report.

To fulfill our obligation under Section 919(b) of the California Penal Code, the Detention Committee prepared a standardized inspection checklist to ensure each visiting team conducted a sound and uniform inspection. Development of this checklist involved reviewing relevant titles under the California Code of Regulations along with the results of the biennial inspections conducted by the Board of State and Community Corrections (BSCC) which is mandated under California Penal Code Section 6031.

A small group was established to review the California Code of Regulations related to the health and welfare of detainees held in local detention facilities. The following two Titles were reviewed:

- a) California Code of Regulations Title 15, Crime Prevention and Corrections, Division 3, Rules and Regulations of Adult Institutions, Programs, and Parole Department of Corrections and Rehabilitation.
- b) California Code of Regulations Title 24, Part 1, Section 13-102 and Part 2, Section 1231, Minimum Standards for Local Detention Facilities.

The information within Titles 15 and 24 is extensive and covers a wide variety of matters associated with the various types of detention facilities and their management. Recognizing we are not criminal detention inspection professionals, we limited our checklist to key elements related to the condition and management of our local detention facilities. Each CGJ inspection team had a copy of the most current BSCC inspection results and last year’s CGJ inspection results for each local detention facility.

IV GENERAL FINDINGS

- Management of the various Type I facilities, whether operated by city police, sheriff’s deputies, private contractors, or probation officers is consistent and in accordance with state regulations.
- Staffing shortages, mandatory shifts and overtime seem to be a universal issue which may have an effect on morale. Despite efforts by LACO Sheriff’s Department to recruit additional deputies and non-sworn custody assistants, there is a shortage of staff at Type I

facilities. This results in mandatory overtime, long regular shifts and using patrol deputies to work in the jails.

- Almost all Type II facilities are operating over capacity. Part of this is due to AB 109, the legislation that reduced state prison over-crowding by shifting inmates to county jails. AB 109 has changed the make-up of the jail population. More violent, hard-core inmates are now in the County jail system. This adds significant burdens on a system not designed to serve and house violent hard-core offenders.
- There has also been a huge growth of inmates with mental health issues. This can be traced to the closure of state hospitals or lack of community mental health facilities. We were informed by Sheriff's Department senior management that mentally ill inmates at Type II facilities continues to increase and currently constitute 25% of incarcerated male inmates and 40% of females.
- Senior management of the Sheriff's Department, as well as several of our invited speakers, stated that the Sheriff's Department is not well equipped to act as a mental health agent. Interviewees indicated the need for greater integration of supportive services from the Los Angeles County Department of Mental Health, both inside Type II facilities as well as upon inmate release. Many of the people who would previously have been institutionalized now find themselves homeless. We were informed by officers at numerous locations throughout the County that there are homeless people who will commit minor offenses simply to gain entry to the jail system, where they receive food, shelter and services.
- Many inmates have drug addiction problems. These issues add complexity to the justice system as treatment for a variety of health issues must be provided to inmates during their jail confinement.
- Bail Reform is one potential remedy that could help lower population in these facilities. Such reform would put a greater number of accused persons out on their own recognizance while awaiting court hearing. A need for bail reform was highlighted by several of our invited speakers, although this was not a topic investigated by the CGJ.

The following pages in this section document the specific findings and recommendations of the CGJ members who visited sheriffs' jails, police stations, detention facilities, criminal courthouses, and juvenile camps and halls within the County.

POLICE STATIONS

Facility Name Address Phone Number	Date & Inspection Results	Comments
77 TH STREET STATION (LAPD) 7600 S. Broadway Los Angeles, CA 90003 213-473-4851	9/26/16 Satisfactory	This facility houses inmates for LAPD’s Harbor/Southwest stations. Jail operated by Detention Officers, supplemented by police patrolmen as needed. Clean jail. Public notices are posted for incoming inmates. Staff is looking forward to new mobile devices that will reduce time and paperwork when receiving inmates. There are 3 Safety Cells. Cell #9 is not used unless jail is overcrowded. Safety checks conducted randomly every 30 minutes. Electronic buttons for logging cell checks are hardwired into the wall close to the banks of cells. Checks are monitored at Watch Commander’s office and forwarded to Area Captain. Detention officers prepare meals and special diets with prepackaged food that is color coded. Juveniles are transferred quickly to Los Padrinos or released to parents. Suicide Kits and defibrillators in place. Inmates in safety cells without water fountains are provided water hourly. A suicide occurred in 2015 and is still under investigation. The procedure changed requiring officers to enter holding cells.
ALHAMBRA POLICE DEPT. 211 S. 1 st Street Alhambra, CA 91801 626-570-5151	10/7/16 Satisfactory	Jail is privately operated by the GEO Group (GEO), with 10 Custody Assistants scheduled 2 per shift. Facility consists of holding, sobering, safety and housing cells and dormitories for combined housing capacity of 44 inmates. This is a \$100/day pay-to-stay facility. Cells have four beds, television, phone and shower. Jail rules are in writing and given to inmates during booking. Facility receives arrestees from South Pasadena, San Marino, Los Angeles County District Attorney’s Office, and U.S. Marshal’s Service Immigration & Custody Enforcement Agency. Meals are delivered by private vendor, three hot meals/day.
ARCADIA POLICE DEPT. 250 W. Huntington Drive Arcadia, CA 91723 626-574-5150	9/9/16 Satisfactory	Rated capacity is 20. This is a \$100/day pay-to-stay facility. Regulatory inspections are current. This is a very clean, well lit, facility. Inmates usually held up to 48 hours. Jail staff trained 24 hours/year. There is camera monitoring in cells. Defibrillator is mounted on wall and staff is trained. First aid kit and suicide kits are on hand. There are two handicapped- ADA

Facility Name Address Phone Number	Date & Inspection Results	Comments
		cells. The department has a Mobile Command Post “Coffee with a Cop” program in the community. 85% of inmates are Asians. Staff includes Chinese police officers, and record clerks. Translators are available 24/7 by phone.
AZUSA POLICE DEPT. 725 N. Alameda Avenue Azusa, CA 91702 626-812-3200	9/23/16 Satisfactory	Rated Capacity is 35. There are 5 cells and 2 sobering cells. Jail is operated by G4S with 7 Custody Assistants. G4S is the largest security company in the world. Regulatory inspections are current. Pest control is done twice a year by an outside company. There is a five minute response time for the fire department. The jail’s Custodial Assistant did not know where the AED defibrillator was housed. Suicide kit was on hand.
BALDWIN PARK POLICE DEPT. 14403E. Pacific Avenue Baldwin Park, CA 91706 626-960-4011	9/2/16 Satisfactory	Jail is privately operated by GEO with 7 Correction Officers. This is a \$100/day pay-to-stay facility. Rated capacity is 16 with 2 holding cells and 4 regular cells. Free local telephone calls for first 9 minutes. Females are processed at Century Regional Detention Facility (CRDF) in Lynwood. Cameras used inside and outside of cells. Police officers do not have keys to the cells; only GEO officers have keys. All forms are retained in booking area. Complaint forms are kept with the Sergeant. Safety checks done every 30 minutes. Defibrillator and Suicide Kit visible. Juveniles are isolated and taken to Los Padrinos.
BELL POLICE DEPT. 6326 Pine Avenue Bell, CA 90201 323-585-1245	9/2/16 Satisfactory	Facility was clean and operated by a contract agency. Manual was updated with the exception of the current Inmate Grievance Procedure. Good documentation on safety checks in sobering and general population cells. Jailer on duty was not familiar with the location of Suicide Kit. There is a problem with the jail’s Live-Scan system failing at least monthly, resulting in delayed inmate processing.
BELL GARDENS POLICE DEPT. 7100 Garfield Avenue Bell Gardens, CA 90201 562-806-7600	9/2/16 Unsatisfactory	Staff consists of one supervising Sergeant, one full-time Jailer and 16 part-time jailers who work a maximum of 30 hours/week. No overtime allowed which caused staffing issues. Records examination showed there was a pattern of inebriated inmates being held in sobering cells beyond 6 hours without approval of watch commander to assess whether inmate should be transferred to hospital or kept under

Facility Name Address Phone Number	Date & Inspection Results	Comments
		observation. There were vague and confusing handwritten notations in jail logs on condition of inmates and staff coverage. There were repeated instances where inebriated females were held in sobering cells for many hours with no female jailers on duty. Inmate Grievance Forms were not readily available. The Jail Manual was confusing and contained out of date material. The Jail Sergeant said that LEXIPOL 900 was accessed on line but that was not reflected in Jail Manual, which was last revised 10/27/13. One cell had a sink that was not draining and had standing water. No work order had been issued.
BEVERLY HILLS POLICE DEPT. 464 N. Rexford Drive Beverly Hills, CA 90210 310-550-4951	9/7/16 Satisfactory	This is a pay-to-stay facility. Arrestees kept maximum of 48 hours. Inmate notices are posted in English and Spanish for bail, phone, rules. Meals come from LASD. All cells have cameras. Safety cell is well padded. Mental patients are transferred to Harbor General Hospital or other facility within an hour. Defibrillator and suicide kits were on hand.
BURBANK POLICE DEPT. 200 N. Third Street Burbank, CA 91502 818-238-3217	9/9/16 Satisfactory	Exceptionally clean and well run facility. This is a \$100/day pay-to-stay facility. Rated Capacity is 70, staffed by 8 Jailers, a Sergeant, and a Support Services Lieutenant. Dorms have 8 beds and cameras. Sobering cell was well padded. First Aid Kit, Defibrillator and Suicide Kit easily accessed. Cameras are in all cells. Good records for safety checks. Food is from LASD. Rules of conduct posted in English, Spanish, and Armenian. Jail Manual updated 5/2/16. Paramedics share same building. Inmates transferred to St. Joseph Hospital when necessary. They are hiring one additional female jailer now. Recruitment is a problem.
CLAREMONT POLICE DEPT. 570 W. Bonita Avenue Claremont, CA 91711 909-399-5411	9/9/16 Satisfactory	Rated capacity is 12, with 6 cells, staffed by 5 jailers, 5 supervisors and 1 administrator. Safety Cell is not padded and has granite wall. Female jailer is on duty 24/7. Signs are posted clearly. Each cell station has suicide kit. Inmates held up to 24 hours or transferred to IRC. Facility has cameras in all locations. Parking lot needs to be gated to provide security for officers' vehicles.
COVINA POLICE DEPT. 444 N. Citrus Avenue	9/2/16 Satisfactory	Rated capacity 24, staffed by two jailers. Video cameras are in use. Clean facility, well organized.

Facility Name Address Phone Number	Date & Inspection Results	Comments
Covina, CA 91733 626-858-4413		All safety equipment functioning.
CULVER CITY POLICE DEPT. 4040 Duquesne Avenue Culver City, CA 90232 310-837-1221	9/7/16 Satisfactory	This is a clean facility. All cells and holding cells have cameras and toilets. Showers are near the cells. The sobering cell is padded and no inmate is kept longer than 6 hours without a medical exam. Arrestees' rights are posted in holding area. There is also a notice about abortion rights for female inmates. Female inmate was in custody, with only a male jailer on duty. Staffing seemed to be an issue.
DEVONSHIRE POLICE STATION (LAPD) 10250 Etiwanda Avenue Northridge, CA 91325	10/28/16 Satisfactory	Rated capacity is 8. This is an older facility. Video cameras are in use. A defibrillator is on hand. There was no Suicide Kit. There was a First Aid Kit on hand and a medical dispenser. Prisoners are booked at the station and transferred to Van Nuys Jail.
DOWNEY POLICE DEPT. 10911 Brookshire Avenue Downey, CA 91502 562-861-0771	10/7/16 Satisfactory	Rated capacity is 14, consisting of 4 holding cells, a sobering cell and a secure booking area. It is operated by 4 contracted Custody Assistants, working 1-2 per shift. All cells and hallways have video cameras. This is a clean, well-run facility. Arrestees are processed and released on citation or transferred to county jail, normally in less than 3 hours. Food is purchased for inmates, if necessary, due to delay in transfer to Inmate Reception Center (IRC). Juveniles are separated from adults and held in room next to officer on duty. All regulatory inspections are current.
EL MONTE POLICE DEPT. 11333 E. Valley Blvd. El Monte, CA 91731 626-580-2110	10/12/16 Satisfactory	This is an old jail, built in the 1950's, but in clean condition. Rated capacity is 24, with five jailers. Holding cells hold up to 6 inmates. There is a segregated cell for LBGT arrestees. Arrestees normally are held for two days before transfer. Cleaning crew comes daily in evening. All regulatory inspections are up to date. They are experiencing more hardened arrestees since AB 109 / Prop. 47. There is an AB 109 Task Force in San Gabriel Valley and one El Monte police officer is assigned to that detail.
EL SEGUNDO POLICE DEPT.	9/2/16	Capacity is 17 with 11 cells, 1 sobering cell and 1 safety cell. There is a staffing issue and two more

Facility Name Address Phone Number	Date & Inspection Results	Comments
348 Main Street El Segundo, CA 90245 310-524-2200	Satisfactory	jailers are being hired. The facility is old but clean. There are phones in the cells. Inmates with medical issues are transferred to IRC. Complaints are handled by the supervisor on duty. Library is available to inmates.
GARDENA POLICE DEPT. 1718 162 nd Street Gardena, CA 90247 310-217-9632	9/16/16 Satisfactory	Rated capacity is 31, staffed by 6 jailers, budgeted for 7. Staff would like to have two jailers per shift. The facility was clean but somewhat dated. There is no sobering or safety cell but inebriants are closely monitored and checked at 15 minute intervals. The jail does not have a defibrillator. Health inspections are current and latest fire inspection identified corrections that are now being addressed. The department has a team of one sworn Police Officer and one LA County Mental Health Specialist on duty to evaluate and intervene if a citizen or detainee has mental health problems. Detainees with medical issues are transferred to Gardena Memorial Hospital or Harbor/UCLA. Inmates are taken to Torrance Court for arraignment.
GLENDALE POLICE DEPT. 131 N. Isabel Street Glendale, CA 91206 818-548-4840	10/11/16 Satisfactory	<p>This is a state-of-the-art facility with a rated capacity of 105. There are 48 cells, operated by one Jail Supervisor and 4 Custodial Officers working 12 hour shifts. There is housing available for 10 trustees. It is a \$90/day pay-to-stay facility. Meals are contracted with the county, serving 2 cold and one hot meal. First Aid Kit and defibrillators are on hand. Instead of a conventional Suicide Kit in the jail area, each jail officer carries a department-issued 911 tool/hook blade to be used in the event of an attempted suicide. Custodial officers receive weekly training on procedures and operations. Safety checks in the sobering cells are logged appropriately and the jail Policy and Procedure Manual was complete. Signs were posted in English, Spanish and Farsi. The booking area has a designated room to process prisoners who require medical evaluation or treatment. The entire facility was immaculate and well supervised by the Jail Administrator.</p> <p>Glendale Police Department has an efficient video conferencing system set up with the Glendale Courthouse for arraignments and visitation with</p>

Facility Name Address Phone Number	Date & Inspection Results	Comments
		attorneys and family. Video arraignments are used in two of the courtrooms, thereby eliminating the necessity of prisoners being transported to the courthouse and housed there for their brief court appearance.
<p>GLENDORA POLICE DEPT. 150 S. Glendora Avenue Glendora, CA 91741 626-914-8250</p>	<p>9/23/16 Satisfactory</p>	<p>Rated capacity is 14, operated by 5 jailers who work 12 hour shifts. Regulatory inspections are current. The jail is very clean and well lit. Defibrillator and suicide kits were on hand. New program for digitizing jail records and inmate safety checks is in process. There are data text screens in inmate cells, beta technology, providing inmates the ability to text family.</p>
<p>HAWTHORNE POLICE DEPT. 12501 Hawthorne Blvd. Hawthorne, CA 90250 310-675-4443</p>	<p>9/2/16 Satisfactory</p>	<p>This is a \$75/day, plus \$40 administrative fee, pay-to-stay facility. Capacity is 60 beds, with 11 cells which include 4 holding cells, 3 sobering cells, 3 dorms and one safety cell. The jail is managed by one sworn officer and two Custody Assistants. Regulatory inspections need to be scheduled. Facility is clean. Signs are well posted. Complaint forms are in the lobby area, logged by supervisor. Inmate can complete form in the booking cell.</p>
<p>HERMOSA BEACH POLICE DEPT. 540 Pier Avenue Hermosa Beach, CA 90254 310-318-0300</p>	<p>9/16/16 Satisfactory</p>	<p>The jail is staffed by Police Safety Officers. Sworn officers do prisoner bookings. Jail capacity is 14, staffed by 9 PSO's, two per shift. There are three holding cells, with phones. This is a \$251/day pay-to-stay facility. All regulatory inspections were current. Two of the PSO's had CPR training. Defibrillator was on hand and all had received training. Suicide Kit was present. Inmate checks are conducted every 30 minutes. Juveniles are kept in the briefing room until release to parents or transfer to Los Padrinos. Females are searched by a female PSO but can be booked by a male. Detainees showing mental problems are put on a 72-hour hold at a nearby hospital. Those with physical illness are taken to county jail or hospital. Personal property is kept in marked drawers. There is video and audio monitoring in all areas. Safety checks are conducted every 30 minutes. Monitors are visible to PSO's. Inmate notices are posted, plus evacuation procedures. Complaint forms are in the lobby for general public or inmates. If use of force is</p>

Facility Name Address Phone Number	Date & Inspection Results	Comments
		necessary, a report must be made and saved on the shared drive.
HOLLENBECK POLICE STATION (LAPD) 2111 E. 1 st Street Los Angeles, CA 90033 323-342-4100	10/12/16 Satisfactory	This is a beautiful modern station with an inviting lobby design. The station has five holding areas for adults and two holding areas which are separate for juveniles. All cells are monitored with cameras. There is a First Aid Kit but no defibrillator. Prisoners are held for 1-3 hours before transfer to IRC. Immaculate appearance, facility is well-run.
HOLLYWOOD STATION (LAPD) 1358 Wilcox Avenue Los Angeles, CA 90028 213-485-2510	9/2/16 Satisfactory	Health Department inspections are current. There was an infestation of bed bugs which was treated by pest control services. A staph infection was brought in by an inmate and seriously affected an officer. There are increased mental health and homelessness issues with inmates. All cells have cameras; no safety cells. Meals are delivered and heated in kitchen. There is a space problem, resulting in no secure area for inmates' belongings.
INGLEWOOD POLICE DEPT. One W. Manchester Blvd. Inglewood, CA 90301 310-412-5211	9/9/16 Satisfactory	Rated capacity is 22 with 6 cells. Jail can accommodate 29 beds. Jail is staffed with 6 trained jailers (4 certified, 2 part-time and 6 open positions). Cells are categorized for male and female use but staff accommodates other categories as needed. Juveniles are kept in a secure area away from adult detainees and under direct supervision of jail staff. No safety cell, but one sobering cell. There is a nursing station with nurse on call and an area for arresting officer to remain while nurse diagnoses, treats or refers cases to local hospital. This reduces time that officers need to wait in hospitals and nurse is called as needed. There are two defibrillators and a suicide kit. Inmate belongings are secured in a locked cabinet. Very clean facility, well-maintained, and staffed with qualified professional personnel. Grievance forms available in lobby for public or inmate complaints.
LA VERNE POLICE DEPT. 2061 Third Street La Verne, CA 91750 909-596-1913	9/9/16 Satisfactory	Clean facility with rated capacity of 16, staffed by 5 Custody Assistants. This is a \$75/day pay-to-stay facility. Facility has cameras which can be viewed at dispatch and watch commander. All regulatory inspections are current. Juveniles booked and

Facility Name Address Phone Number	Date & Inspection Results	Comments
		transferred to Los Padrinos. 15 minute safety checks of sobering cell are well documented in log. Defibrillator is present and staff is trained. Body scanner is used. Inmates are taken to Pomona Court.
LONG BEACH POLICE DEPT. 400 W. Broadway Long Beach, CA 90802 562-570-7260	10/7/16 Satisfactory	Rated capacity 201 with 252 actual beds operated by 24 Custody Assistants. Cells accommodate 80 female prisoners and 122 males. Video cameras are in cells and halls. Juveniles are not held at facility. This is a clean, well-run facility. All training is current and policy & procedure manuals are up to date. There are two nursing stations on site for medical issues. Wheelchairs can be accommodated in jail. First aid kit, suicide kit and defibrillator on hand. TV and recreational space in cell pod area. Meals are catered by outside vendor.
MANHATTAN BEACH POLICE DEPT. 420 15 th Street Manhattan Beach, CA 90266 310-802-5140	9/16/16 Satisfactory	Rated capacity is 14. The cell block has 8 cells. There are two individual cells and a drunk tank. There is no safety cell. Booking of prisoners is done by sworn officers. There is a female officer to process female inmates. There are four booking cells with phones. Two of the cells have separate restrooms. Fire department EMT is next door. Food is provided by LASD. Safety checks are done every 15 minutes and logged on paper. Staff receives annual training on CPR and AED. The sally port has an eye wash station. Regulatory inspections are current. This is a clean, well-run facility.
METROPOLITAN DETENTION CENTER (LAPD) 180 N. Los Angeles Street Los Angeles, CA 90012 213-356-3400	9/16/16 Satisfactory	Capacity is 504, operated by 40 sworn officers and 60+ Detention Assistants. There is a general staffing shortage. No mental health staff is onsite. Spotless, clean facility that is large, modern and well-run. LAPD still uses paper-tracking on detainees. Inmates are segregated according to classification designation. Inmates with mental health issues increase on weekends and evenings. There is full time 24/7 medical staff on duty. Police Commission mandated "inspect and shutdown" policy for unused pods. Complaint forms are available at public entry, in many languages. Sysco supplies food. There is a full vehicle sally port. Inmate evacuation plan is in place for secure yard/car park.
MISSION HILLS STATION (LAPD)	10/28/16	Capacity is 15. Juveniles are held separately from adults in two secure areas. Defibrillator, first aid kit

Facility Name Address Phone Number	Date & Inspection Results	Comments
11121 N. Sepulveda Blvd. Mission Hills, CA 91345 818-838-9800	Satisfactory	and Suicide Kit on hand. Prisoners are booked and transferred to Van Nuys Jail within an hour. There are staffing issues. Clean facility with lobby decorated for Halloween.
MONROVIA POLICE DEPT. 140 E. Lime Avenue Monrovia, CA 91016 626-256-8000	9/16/16 Satisfactory	Rated capacity is 26, operated by four jailers. Three additional officers will be hired. Jail has 3 small booking cages. The sobering cell was not padded. There are two female cells. Cameras are inside and outside of cells. Signs are posted in English and Spanish. Complaint forms were visible. Suicide Kit, first aid kit and defibrillator on hand. Sworn officers requested dash cameras in squad cars.
MONTEBELLO POLICE DEPT. 1600 Beverly Blvd. Montebello, CA 90640 323-887-1313	9/16/16 Satisfactory	The jail is privately operated by GEO. Capacity of 20 with 6 Detention Officers, two on duty/8 hour shifts. There are two female jailers. This is a \$100/day pay-to-stay facility. Juveniles are held separately until being transferred to Eastlake Juvenile Hall or released to parent. All cells have a toilet and water basin. There are two holding cells and one sobering cell. Safety checks are conducted every 30 minutes. The jail is very well maintained and very clean. Inmates needing medical attention are taken to Beverly Hospital. There is a Suicide Kit and first aid kit in the front office. All staff has CPR training and are trained on the defibrillator. Staff also receives 24 hour training annually on use of force and suicide prevention. There is a secure outdoor exercise-recreation area for detainees and pay-to-stay inmates.
MONTEREY PARK P.D. 320 W. Newmark Avenue Monterey Park, CA 91754 626-307-1266	8/26/16 Satisfactory	Very clean facility that is well run. It is a pay-to-stay facility with a trustee program. The Watch Commander observes everything that affects facility from his office. There is one jailer and no custody assistants. Maximum occupancy is 24.
NEWTON STATION (LAPD) 3400 S. Central Avenue Los Angeles, CA 90011 323-846-6547	8/26/16 Satisfactory With Reservation	Jail is clean and well run. Capacity is 20, with booking and holding cells. Arrestees are booked and transferred to another facility within 30-60 minutes. No meals served, no bedding in cells. Facility was clean. Water was available to detainees. There was one death in custody where detainee had a meth balloon that ruptured within ten minutes of booking. Cameras are requested in the cell galley and processing room. Previous cameras were removed. Watch commander's station has limited view of cells.

Facility Name Address Phone Number	Date & Inspection Results	Comments
		LAPD officers wear body cameras but they do have limitations to view cells from the watch commander's station.
NORTH HOLLYWOOD POLICE STATION (LAPD) 11640 Burbank Blvd. North Hollywood, CA 91601 818-623-4016	9/16/16 Satisfactory	This is a booking facility only with 4 holding cells for adults and 2 secure/2 non-secure juvenile holding areas. No food is served; water is available. Arrestees are transferred quickly. The facility is 20 years old and shows its age. Employee elevator is out of service. More janitorial services are needed. Overall, the facility is clean and organized, with knowledgeable staff. Arresting officers book detainees. Officers said they were understaffed. No Suicide Kit on hand. There is a defibrillator.
NORTHEAST STATION / EAGLE ROCK (LAPD) 3553 San Fernando Road Los Angeles, CA 90065 213-485-2266	9/9/16 Satisfactory With Reservation	<p>This new facility opened in January 2016. There were 8 cells but Watch Commander/lieutenant did not know the rated capacity because they never held prisoners longer than two hours. Prisoners are booked and transferred to Metropolitan Detention Center. Juveniles are segregated and monitored in a secure area until release to parents or transfer out. One cell had a toilet and sink. All cells have cameras which are monitored by station personnel in central area. The Jail Manual is on line.</p> <p>No signs for rules of conduct for inmates were posted. There were no phones for prisoners, although there was a sign that informed arrestees of their right to make phone calls. The lieutenant in charge said there will never be phones in the booking area and had no idea why the sign was there. He said it was a new facility and people come in and put up signs and he never questioned why it was posted.</p> <p>There was no defibrillator at facility and no First Aid Kit. There was no evidence of annual regulatory inspections available. The lieutenant did not know what a Suicide Kit was. The lieutenant was dismissive, rude and unprofessional in his contact with the two members of the CGJ inspection team.</p>
OLYMPIC STATION (LAPD) 1130 S. Vermont Avenue Los Angeles, CA 90006 213-382-9102	9/2/16 Satisfactory	Arrestees are booked and transferred to Metropolitan Detention Center in 1-4 hours. There is no food service. Signs for Public Defenders and phone calls are prominently displayed in English and Korean. No Suicide Kit at facility. All dangerous materials

Facility Name Address Phone Number	Date & Inspection Results	Comments
		are removed upon booking. There are cameras and voice recorders in all cells and push buttons in cells for emergencies. More civilian staff requested to assist with property issues.
PACIFIC AREA STATION (LAPD) 13212 Culver Blvd. Los Angeles, CA 90066 310-482-6334	9/2/16 Satisfactory	Inmate capacity reduced to 28, operated by a Senior Detention Officer and 6 custody assistants. Two jailers are on duty at all times with 12 hour shifts. No sprinklers in jail area. Every cell has camera. Juveniles and females are booked and transferred and are not held at facility. No sobering cell. Inebriated inmates are sent to 77 th St. This is an old facility but clean and well maintained. Jail and LAPD Manual on line. Jailer couldn't find complaint form but said it was online. No phones in booking area; inmates use officers phone. Larger cells do have pay phones. Outside contractor supplies food; 3 hot meals/day.
PALOS VERDES POLICE DEPT. 340 Palos Verdes Drive Palos Verdes, CA 90274 310-378-4211	9/2/16 Satisfactory	Small old (1959) facility but clean and efficiently managed by a jailer and 8 Custody Assistants, two per shift, working 12 hour shifts. Capacity is 12 with three functioning cells. A sobering cell is not used. Inebriated inmates are put in regular cells or sent to local hospital. They are short-staffed and there is mandatory overtime. Juveniles are booked and transferred to Los Padrinos. Food received from LASD, frozen and heated. Shared refrigerator with employees. Clean kitchen. Sally port planned but not scheduled.
PASADENA POLICE DEPT. 207 N. Garfield Ave. Pasadena, CA 91101 626-744-4545	9/9/16 Satisfactory	Clean, well run, \$143/day pay-to-stay facility. Rated capacity 80. Two Custody Assistants. 48 hour maximum stay. No juveniles are processed here. Defibrillator on hand. Only concern is camera system which should be updated. There are central cameras outside cells.
POMONA POLICE STATION 490 W. Mission Blvd. Pomona, 91776 909-620-2130	9/16/16 Satisfactory	Capacity is 68, operated by 3 Custody Assistants. This is a \$75/day, with \$30 administrative fee, pay-to-stay facility. Jail was well run and very clean. Trustees are used for janitorial services. Cell safety checks are recorded with electronic devices and logged on a computer.
RAMPART STATION (LAPD) 1401 W. 6 th Street	9/2/16 Satisfactory	Capacity 15-20. This is a short-term holding station. Watch commander interviews arrestees, does background checks and books inmates. Males,

Facility Name Address Phone Number	Date & Inspection Results	Comments
Los Angeles, CA 90017 213-484-3400		females and juveniles are separated. Detainees are taken to Metro Detention Center. There are no toilets in cells; no phone calls; no food services. There are cameras in holding cells. No regulatory inspection logs were available.
REDONDO BEACH POLICE DEPT. 401 Diamond Street Redondo Beach, CA 90277 310-379-2477	9/2/16 Satisfactory	Older but clean facility. Capacity 28 staffed by 2 jailers and 7 Custody Assistants. Pay to stay facility \$198/day. New audio video cameras in all cells. Many signs in Spanish but not "Notice to Arrestees". Phones in all cells for collect calls. Food provided by LASD. City Public Works performs janitorial services daily. Recent problem with bed-bug infestation. New juvenile holding room. Translating services are available by phone. Mental or physical health inmates are transferred to hospital or LASD. Staffing in jail is an issue; 12 hour shifts with 2 jailers on duty. Regular 30 minute randomized safety checks logged manually.
SAN FERNANDO POLICE DEPT. 910 First Street San Fernando, CA 91340 7818-898-1267	8/26/16 Satisfactory	This is a pay-to-stay facility. Rated capacity is 17 staffed by 4 sworn officers and one Custody Assistant. A defibrillator and emergency kit are present. Regulatory inspections are current. TV and showers available. Jail is very clean and freshly painted.
SAN GABRIEL POLICE DEPT. 625 Del Mar Avenue San Gabriel, CA 91778 626-308-2828	11/28/16 Satisfactory	This is an old facility that was built in the 1950's. A new police station is in the process of being constructed. All regulatory inspections are current. Sobering cell for men holds 8 and the women's sobering cell holds 6. There is a shower and dayroom. Minors are processed and picked up within six hours. AED's are in every police car. There are monitors only in the booking area; none in hallway or cells. Safety checks are performed every 30 minutes. They are requesting monitors in hallways.
SANTA MONICA POLICE DEPT. 333 Olympic Drive Santa Monica, CA 90401 323-458-8484	9/23/16 Satisfactory	Rated capacity is 96, operated by one jail supervisor and 13 Custody Assistants. There is one female jailer on duty at all times. Very new modern facility fully staffed and well run. They have a contract with Vital Medical Services. Urgent medical issues are handled at St. Johns Medical Center or UCLA Santa Monica. Defibrillator and suicide kits were on hand. Training on AED was provided by LASD. The

Facility Name Address Phone Number	Date & Inspection Results	Comments
		facility is very clean and maintenance is performed by city workers from the city. Complaint forms were available in English and Spanish. Advisory cards, in English and Spanish, were given to inmates to keep. Safety checks were well documented for the two sobering cells, with detailed notes, recorded on paper. Meals were contracted through Miramark and heated on site.
SOUTH GATE POLICE DEPT. 8620 California Ave. South Gate, CA 90280 323-563-5400	9/9/16 Satisfactory	Capacity is 36, operated by 6 Custody Assistants. The jail is very old and dark but very clean and well maintained. Floors are in need of refinishing and repainting. There is no air conditioning but large fans are used to lower the temperature as required. The facility was efficiently operated by the supervising jailer who monitors police radios and instructs officers to take detainees directly to the hospital if they are highly intoxicated. One attempted suicide was prevented in the jail.
SOUTH PASADENA POLICE DEPT. 1422 Mission Street South Pasadena, CA 91030 626-403-7270	9/16/16 Satisfactory	Clean small facility which shares the building with the city fire department. They presently house no prisoners but maintain facility to be put back into use if necessary. Arrestees are booked at Alhambra Police Department. Cells are checked throughout the day; cameras are inside the cells and in corridor. Sworn personnel indicated desire for body cameras.
TORRANCE POLICE DEPT. 3300 Civic Center Drive Torrance, CA 90505 310-618-5631	8/26/16 Satisfactory	This is a \$99/day pay-to-stay facility. Very clean and very well run "model operation". Capacity is 44, staffed by one sworn officer and 14 Custody Assistants. Juveniles are transferred after booking. Disabled inmates are sent to Hawthorne or Manhattan Beach. Facility layout was conducive to easy observation and safety checks. Sobering cell padding looked adequate. Very clean, small kitchen.
WEST COVINA POLICE DEPT. 14444 W. Garvey South Ave. West Covina, CA 91790 626-939-8500	9/2/16 Satisfactory	Facility was clean and well maintained for its age. Capacity is 22, operated by Jail Supervisor and two Custody Assistants. Defibrillator and necessary safety equipment on hand. Kitchen was clean. Hot meals are served.
WHITTIER POLICE DEPT. 7315 S. Painter Ave.	9/16/16 Satisfactory	Capacity is 32, privately operated by G4S and staffed by 8 jailors; two on duty with 12-hour shifts. Three jailors are female. They are hoping for two more

Facility Name Address Phone Number	Date & Inspection Results	Comments
Whittier, CA 90602 888-557-0383		jailors. Regulatory inspections were current. The jail was extremely clean and well managed. Meals are provided by LASD. Twenty cells include 2 safety cells, 2 sobering cells plus 6 holding cells. Inmates needing medical attention are taken to Whittier Presbyterian or Whittier Hospital. Paramedics are minutes away. The jail had a complete first aid kit and Suicide Kit. The AED was upstairs. Logs included jail checks and daily activity; also a separate sobering cell log and safety cell log.
VAN NUYS POLICE STATION (LAPD) 6240 Sylmar Avenue Van Nuys, CA 91401 818-374-9502	9/16/16 Satisfactory With Reservation	Capacity 247 operated by a Sr. Detention Officer and 15 Custody Assistants. All regulatory inspections are current. Prisoners held for 48 hours. Many inmates have mental health issues. There are two nurses and one doctor on duty at all times. Staff indicated need for mental health assistance. Every cell has video and cells are monitored every 30 minutes. There was a strong odor in the jail area; better ventilation is needed. The smell is very bad in the men's and women's cell areas. There are sobering and safety cells. Suicide Kit and defibrillator is on hand and all are trained in AED use.

LOS ANGELES COUNTY SHERIFF'S STATIONS & DETENTION CENTERS:

Facility Name Address Phone Number	Date & Inspection Results	Comments
AVALON SHERIFF'S STATION 215 Sumner Avenue Avalon, CA 90704 310-510-0174	10/21/16 Satisfactory	This is a small station with a capacity of 6 and staffed by a dispatcher and one deputy. There is one sobering cell, two holding cells and one booking cell. Catalina Island has 15 deputies, 2 sergeants and one captain assigned. There are three female deputies. If a female officer is not available during a female booking, a Jail Matron is always on call. Janitorial services are performed by a Trustee. The public restroom was very dirty but the jail

		was well maintained. Pest control services are performed as needed. All regulatory inspections are current. First aid kit, Suicide Kit and defibrillator on hand. Signage was posted in English and Spanish. Jail procedures manual and logs were in order. Juveniles are segregated from adults and released to parents or transported to Los Padrinos by Sheriff's boat or ferry as soon as possible. Camera monitoring is in booking cell but not in other cells or halls. Prisoner possessions are inventoried and sealed in a clear plastic bag with booking card before being put in locked cabinet. Cells are monitored every 30 minutes. The jail is attached to the courthouse which is open once a week. Meals are prepared by hospital which is located across the street.
CARSON SHERIFF'S STATION 21356 S. Avalon Blvd. Carson, CA 90945 310-830-1123	8/26/16 Satisfactory	The jail is understaffed and patrol officers work overtime for coverage. New procedure implemented using SmartPhone Scan for safety checks. Signs posted for incoming inmates. No safety cell. Video conferencing with lawyer available from lobby. Juveniles isolated and transferred out as quickly as possible. Meals received from LASD and microwaved. Alarm buttons have been added in jail area since last year's inspection.
CENTURY REGIONAL DETENTION FACILITY 11705 Alameda Street Lynwood, CA 90059 213-473-6100	8/31/16 Satisfactory	This is a women's jail facility with population of 1,887 on day of inspection, operating with 118% rated capacity and overcrowded conditions. Facility is understaffed. Deputies are required to work four overtime shifts a month which is hard on morale. 40% of inmates have mental health issues. Body scanners are in use instead of strip searches, except with pregnant inmates. Better training is needed on body scanners. There is a problem with drugs being smuggled inside facility. There is limited outside exercise areas but new area to be opened soon. Lighting was dim in dormitory areas; stairs to upper cells were dirty. Classes are offered through charter school for high school diplomas. This facility prepares meals for 48 police stations, Sheriff's Stations, and Pitchess Detention Center under the Sheriff's Contract Meal program, benefiting the Inmate Welfare Fund. A new women's facility is scheduled to be opened in Mira Loma in 2018.
CITY OF INDUSTRY SHERIFF'S STATION 150 Hudson Avenue City of Industry, CA 91744 626-330-3322	9/2/16 Satisfactory	Jail capacity is 48, staffed by 7 Custody Assistants, 2 per shift. The jail does not have sufficient staffing which results in patrol deputies being used for supplemental staffing. This is a busy jail that also receives female arrestees from other facilities. Summer is busy with gang sweeps. Cells were modified 10 years ago because of

		suicide attempts. Sobering and safety cells are not padded. Hot meals served twice a day; two breakfast deliveries a week. Frequently there is a problem with running out of food. The Trustee dorm sleeps 10 inmates. Station has one of the largest Explorer programs in the State. Staff is involved with city-sponsored youth programs in judo, fencing, swimming, scuba diving, basketball, baseball, Camp Courage -- all free to area youth.
CRESCENTA VALLEY SHERIFF'S STATION 4554 N. Briggs Avenue La Crescenta, CA 91214 818-248-3464	9/9/16 Satisfactory	Rated capacity of 30, staffed with 4 Custody Assistants. Regulatory inspections were current. Jail facility is very clean and orderly. Pest control services scheduled twice a month. There are 4 sobering cells for men and 2 for women. Defibrillator is available and staff is trained. Suicide Kit is present. Juveniles are transferred out or released to parents. Closed circuit TV system is in use in the jail hallway but not in cells.
EAST LOS ANGELES SHERIFF'S STATION 5019 E. Third Street Los Angeles, CA 90022 323-264-4141	9/9/16 Unsatisfactory	Rated capacity is 34, staffed by 6 Custody Assistants. The jail is understaffed and falls below the state regulations. Staffing shortage is supplemented by sworn station officers. Defibrillator, first aid kit and Suicide Kit were on hand. Most of the toilet commodes in the cells are porcelain; only 3 are stainless steel. Requests for replacement to all steel commodes have been denied by maintenance staff because pre-1978 Title 24 allows porcelain. Jail management acknowledges that broken porcelain presents a weapons risk. This condition has existed for years and it presents an untenable high risk of injury or death. The sobering cell is not padded. Floor pads are laid on the floor. Arrestees with medical conditions are transferred to IRC or CRDF. There is still a lack of privacy in the showers, as previously addressed in 2015-2016 CGJ Report with Recommendation to correct.
INMATE RECEPTION CENTER 450 Bauchet Street Los Angeles, CA 90012 213-893-5165	8/12/17 Satisfactory	The Inmate Reception Center was visited by the entire Civil Grand Jury during a combined tour with Twin Towers. IRC processes approximately 120,000 inmates into and out of the county jail system each year. This includes maintenance and storage of all inmate court records, inmate clothing, property and inmate trust accounts. IRC is the transfer and pickup point for inter-facility transfers, custody transfers and custody releases. The IRC "Court Line" processes approximately 270,000 inmates to and from court yearly.

<p>LAKEWOOD SHERIFF'S STATION 5130 N. Clark Avenue Lakewood, CA 90712 562-623-3500</p>	<p>9/16/16 Satisfactory</p>	<p>Jail capacity is 46, operated by two sworn officers and 7 Custody Assistants. All regulatory inspections are current. Clean jail facility with video cameras in hallways. Juveniles are segregated and held in separate room until release to parents or transferred out. Sobering cells are monitored every 15 minutes.</p>
<p>LANCASTER SHERIFF'S STATION 501 W. Lancaster Blvd. Lancaster, CA 93534 661-948-8466</p>	<p>9/16/16 Satisfactory</p>	<p>Capacity is 54, manned by 11 Custody Assistants. The facility was clean and well maintained. The lobby area was clean and proper. One cell is set up for ADA and single cells are used for those who need to be segregated. They conduct practice fire drills and put all inmates in an outside cell, chained together. Inmate records are taken out in a wheeled cart. The fire station is very close by. Pest control services performed a minimum of once a month. The sobering cell did not seem to be padded. Suicide Kit and defibrillator on hand, along with first aid kit. New camera equipment has been installed. The closed circuit TV is also being upgraded.</p>
<p>LOMITA SHERIFF'S STATION 26123 Narbonne Avenue Lomita, CA 90717 310-539-1661</p>	<p>8/26/16 Satisfactory</p>	<p>It is clean and well run. Rated capacity is 28, staffed by 4 Custody Assistants, supplemented by sworn personnel. Trustees are assigned from IRC. Juveniles separated and transferred to Los Padrinos as quickly as possible. Good signage in booking area for inmates. No video monitoring. Defibrillator was on hand.</p>
<p>LOST HILLS (MALIBU) SHERIFF'S STATION 27050 Agoura Road Calabasas, CA 91301 818-878-1808</p>	<p>9/9/16 Satisfactory</p>	<p>Capacity of 42 operated by 2 sworn officers and 4 custody assistants. They are in need of two more jailers. Facility is very clean and well managed. Defibrillator is on hand. CPR training recently provided. All regulatory inspections are current. Monthly pest control services are done by outside vendor. There is a procedure for safety checks. Scan bar is used to open and close cells. Juveniles are interviewed separately and transferred or released to parent.</p>
<p>MARINA DEL REY SHERIFF'S STATION 13851 Fiji Way Marina Del Rey, CA 90292 310-482-6000</p>	<p>9/2/16 Satisfactory</p>	<p>This is a small facility with only one functional cell. One cell is out of service due to floor damage from pervasive water table. There is a separate Trustee dorm for 4 trustees. Cameras are in cells, Trustee dorm and the DNA room. There was one suicide attempt in the last year. Females are transferred immediately to CRDF. Grievance procedure posted but no complaint forms were available.</p>
<p>MEN'S CENTRAL JAIL 441 Bauchet Street Los Angeles, CA 90012 213-974-4082</p>	<p>10/14/16 Satisfactory with</p>	<p>The Visitor Reservation computer kiosk in the MCJ main lobby is frequently out of service and is in need of updated software or replacement. This is an old jail facility that is out of date and presents a high risk to staff.</p>

	Reservation	<p>“Gassing” is still taking place where guards are being assaulted with prisoners’ urine and feces being thrown from cells, resulting in exposure to HIV and Hepatitis C. Inmate population on day of inspection was 4,103. The rated capacity is 5,100. Staffing is an issue and overtime is a constant problem. Monitoring of cells is done on 30 minute intervals and recorded with scanner. The population is separated to protect those with gender-identification issues. There are 8 modules in the cell blocks, 13 cells in a row with 2 and 4 man cells. Prisoners have 3 hours weekly recreation in dayroom. There is a library cart that circulates in the cellblock areas. There are four sick calls a day where pills are dispersed by nurses. EBI (education-based incarceration) is offered and various classes are available through a charter school. The escalators in the facility are frequently out of service and were not working on day of inspection. There are no defibrillators inside the cell blocks. Crash carts are used when necessary but it may take 5-6 minutes to arrive.</p>
<p>NORTH COUNTY CORRECTIONAL FACILITY 29340 The Old Road Castaic, CA 91384 661-295-6547</p>	<p>8/26/16 Satisfactory</p>	<p>Rated capacity is 2,208 with 3,800 inmates in custody on date of inspection, staffed by 360 sworn officers and 85 custody assistants. Facility was built in 1990 and is very clean and well maintained. Inmates are provided with dental care, tattoo removal, eye examinations and glasses. Four (trustee) barbers are available. Classrooms are well equipped and well lit and staffed by local school district teachers. Attorney visits are in person or via Skype video-conferencing. Staff speaks many languages but Tagalog and Arabic speakers would be helpful. Most signs are in English and Spanish.</p> <p>Facility has excellent vocational programs and shops make many prisoner items. All LASD inmate uniforms, mattress covers, and inmate clothing bags are made here. There are also vocational shops for offset printing, banners and signs. Proceeds from sale of these items are directed to the Inmate Welfare Fund. Inmates can earn time off their sentences and learn valuable skills with a Certificate of Competence in these programs. Kitchen was large, clean and well-staffed. Inmates get 3 hours of outdoor exercise a week. Area is large and well equipped. The 900 Wing is used for discipline. The grievance forms for inmates are reviewed by guards and forwarded to the watch commander. The ACLU phone number is displayed. Military veterans have their own section. Inmate release is done at IRC. Suicide kit and</p>

		Crash kit is on every floor. Inmates are transferred to County USC when necessary. There was one recent death of a 480 lb. obese prisoner. Staffing is a constant issue and guards are required to do mandatory overtime shifts monthly. There are sleeping quarters for guards who work 16 hours and require sleep before their next shift. There is limited weekend visitation for prisoners. Two new body scanners are expected.
NORWALK SHERIFF'S STATION 12335 Civic Center Drive Norwalk, CA 90650 562-863-8711	10/12/16 Satisfactory	Rated capacity is 55, managed by a team of active volunteers and supervised by jailer and sworn personnel. Five trustees were housed in the jail. All regulatory inspections are current. Informational signage was posted in two languages. Defibrillator, first aid kit and Suicide Kit were on hand. This is a very clean, well run station. Two of the showers are currently being refurbished. There are video monitors in halls. There is a need for monitors in cells as the cells are wide spread and inspecting every 30 minutes is a full time job for jailer. The volunteer program at the station is excellent and they decorate the jail area for holidays.
PALMDALE SHERIFF'S STATION 750 E. Avenue Q Palmdale, CA 93550	9/2/16 Satisfactory	Rated capacity 32, operated by 11 Custody Assistants and supplemented by Deputy Sheriffs. Female staff scheduled on each shift. Safety checks and sobering logs are well documented. There is a crack in floor of sobering cell. Clean facility. Daily visiting hours are 12-4 PM, plus video visits.
PICO RIVERA SHERIFF'S STATION 6631 Parsons Blvd. Pico Rivera, CA 91101 562-949-2421	9/9/16 Satisfactory	Capacity is 31, operated by 5 Custody Assistants, two of which are females. There is a staffing shortage. The jail was very clean and well-maintained. The facility consists of holding, sobering and housing cells. The sobering cell checks were properly logged. Several checks exceeded the 6 hour limit but the proper procedure was followed wherein the Commander reviews the condition of the inmate and decides to continue monitoring. Two hot meals are provided and one cold. LASD Station Jail Manual is being revised.
PITCHESS DETENTION CENTER – EAST 29310 The Old Road Castaic, CA 91384 661-295-8815	8/26/16 Satisfactory	This facility houses inmates involved in the Fire Camp Training program. These are inmates convicted of non – serious, nonviolent, nonsexual offenses, who volunteer to participate in physically-demanding firefighter training and to do so under the supervision of local law enforcement. The program is the result of AB 109, the State's realignment plan.
PITCHESS DETENTION CENTER – SOUTH 29330 The Old Road	8/26/16 Satisfactory	Inmate population on day of visit was 1,312. Rated capacity is 846. Facility is staffed with 230 sworn officers and 73 Custody Assistants. Regulatory

<p>Castaic, CA 91384 661-295-8805</p>		<p>inspections were all current. This camp is air conditioned with many bunkhouse buildings. Beds are 3-bunks high. Inmates get more than 3 hours of outside exercise weekly. There is a special building for young vulnerable inmates. Over 40 inmates per building. No smoking allowed anywhere on prison grounds although we saw a deputy assistant smoking. Charter school classes are offered by Five Keys Charter School, along with music classes. Facility was clean and well run. There was a recent Incident of an inmate being bitten by a rattlesnake while clearing brush.</p>
<p>PITCHESS DETENTION CENTER – NORTH 29320 The Old Road Castaic, CA 91384 661-295-8840</p>	<p>8/26/16 Satisfactory</p>	<p>Rated capacity is 768, however there were 1,575 inmates housed in this facility on the day of inspection. Staff consisted of 130 sworn officers and 64 Custody Assistants. There are 4 prisoner dorm modules on this site. Module 1 has child molester convicts and sex offenders segregated from other inmates. Module 2 houses men with physical issues. Module 3 houses men who work in the facility, getting worker credit. Module 4 is a dorm for men with mental issues. Mental health training is a new requirement from the DOJ. It is difficult to recruit staff for the mental dorms. The facility accepts books for the inmates and they can watch films through a special program. Inmates can earn college credits in Theology taught by the Malachi Men through the Toomey charity. Services are available for all religions. There are many educational opportunities and independent study for GED. There is a commissary delivery once a week. Vending machines were clean and well stocked. Inmates are served 3 meals a day. Prisoner visits are 30 minutes, with telephone and glass barrier. Exercise yard was large and well used. Careful segregation is implemented in not combining inmates from different modules during periods of outdoor exercise. Defibrillator was present, along with crash cart. All regulatory inspections were current. Pest control services are weekly. Inmates, along with their belongings, are transferred to IRC for release. Men without money are provided with an “indigent kit” of personal hygiene items.</p>
<p>SAN DIMAS SHERIFF’S STATION 270 S. Walnut Avenue San Dimas, CA 92173 909-450-2700</p>	<p>9/23/16 Satisfactory</p>	<p>Rated capacity 32, consisting of holding, sobering and housing cells, and dormitories. One cell is set up for disabled, equipped with intercom. There were 6 trustees housed at the jail on the day of inspection. The LASD is currently writing a revised station jail manual. Supervision of the jail is provided by 5 Custodian</p>

		Assistants, supplemented by Deputy Sheriffs. Minimum staffing for the facility is two jailers. Vacancies are covered by overtime or Patrol Deputies. Trained female staff is scheduled on each shift. In the absence of female staff, female bookings are sent to another facility. There is an issue of understaffing in the jail. Regulatory inspections are current. Pest control services are done monthly by an outside company.
SANTA CLARITA VALLEY SHERIFF'S STATION 23740 W. Magic Mountain Parkway Valencia, CA 91355 661-255-1121	9/2/16 Satisfactory	Supervision in the jail is provided by Custody Assistants supplemented by Deputy Sheriffs. Minimum staffing is two jailers. In the absence of female staff, female bookings are sent to another station. This is an older facility, but clean and well run. All logs and paperwork were available and accessible. Daily showers are available for inmates. Turnout gear and fire equipment visible; frequent fire drills. Juveniles are held in a separate room next to Custody Assistants and transferred out or released to parents. Informational signs and forms are posted. There is one sign that says " <i>Black and white is the color of our cars, not the process of our thinking.</i> "
SOUTH LOS ANGELES SHERIFF'S STATION 13210 W. Imperial Hwy. Los Angeles, CA 90012 323-820-6700	9/2/16 Satisfactory	Capacity is 34 with 13 Custody Assistants. This is a very busy facility. The jail is understaffed and not up to state standards. Sworn officers fill the gap as needed. There are 19 cells, which include 3 booking cells, 2 sobering cells and 2 female cells. Cells were clean and staff was knowledgeable. This jail houses high profile arrestees from LAX Airport or prisoners being extradited from LAX. It is a preferred jail for CHP bookings. iPods connected to computers via Wi-Fi are used to record safety cell checks. Because of weak signals or dead spots in the jail, Custody Assistants duplicate the logs on paper as a backup. Wi-Fi needs to be fixed. Medical transfers for females are sent to the local hospital for evaluation but staff recommends they be taken to Century Regional Detention Facility to save resources in time, staff and transportation scheduling. Watch commander would like to possess a complete compliment of HazMat clothing and equipment to perform cell extractions instead of waiting for a centralized HazMat team to arrive and have the situation escalate. Staff requested a third set of block keys.
TEMPLE CITY SHERIFF'S STATION 8838 Las Tunas Drive Temple City, CA 91780 626-285-7171	10/7/16 Satisfactory	Rated Capacity is 24, operated by a jailer and 5 Custody Assistants. They process arrestees from Bradbury, Duarte, Monrovia, Temple City, East Pasadena, San Gabriel, Rosemead and South El Monte. All regulatory inspections are current. Pest control services are

		scheduled once a month. There is a defibrillator but not all personnel have been trained. The sobering cell has no padding on floor. The monitoring and documentation was very thorough.
TWIN TOWERS 450 Bauchet Street Los Angeles, CA 90012 213-893-5100	8/12/16 Satisfactory	Twin Towers was visited by the entire Civil Grand Jury during a combined tour of the Inmate Reception Center. Twin Towers serves mostly male inmates with mental health, addiction or other special needs. There is an area that can house women with similar needs. Education and sober-living classes are offered.
L.A. COUNTY- USC MEDICAL CENTER JAIL WARD 1200 N. State Street Los Angeles, CA 90022 323-226-4563	10/25/16 Satisfactory	The Jail Ward at L.A. County-USC Medical Center was visited by the entire Civil Grand Jury during a tour of the Los Angeles County-USC Medical Center.
WALNUT- DIAMOND BAR SHERIFF'S STATION 21695 E. Valley Blvd. Walnut, CA 91790 909-595-2264	8/26/16 Satisfactory	Capacity is 15, staffed by Custody Assistants and supplemented by Deputy Sheriffs. Adequate staffing is an issue. This is a clean facility, operated by professional staff.
WEST HOLLYWOOD SHERIFF'S STATION 780 N. San Vicente Blvd. West Hollywood, CA 90089 310-855-8850	9/2/16 Satisfactory	All regulatory inspections are current. Capacity is 32, staffed by Custody Assistants and supplemented by Deputy Sheriffs. Detainees are given two hot meals and one cold. The food comes from LASD Lynwood. Daily showers are available to inmates. Defibrillators and suicide kit was in place. Staff has had CPR training. Good signage for detainees' rights and rules of conduct. Phone is available for calls. Cells have toilets; no cameras. Safety checks logged every 30 minutes. Sobering cell is padded foam. Inebriants are in sobering cell for 2-6 hours. Juveniles are segregated in an unsecured common room and released to parents or transferred out to a juvenile facility. Facility has locked bins marked <i>Safe Drug Drop Off</i> in front of the station for needles, drugs and prescription medications.

COURTHOUSES & JUVENILE JUSTICE CENTERS

Facility Name Address Phone Number	Date & Inspection Results	Comments
ALFRED MC	9/16/16	This is a courthouse jail for juveniles and adults from

<p>COURTNEY JUSTICE CENTER 1040 W. Avenue J Lancaster, CA 93534 661-949-6503</p>	<p>Satisfactory</p>	<p>throughout the county. Probation Department handles the minors in custody. The minors are kept separate from adults in custody. A defibrillator is on hand but not all staff has been trained on usage. Suicide Kit and first aid kit were present. Turn out gear visible. Cells were clean and safety checks occur every 30 minutes. Food locker was well stocked with sack lunches. A lot of sandwiches had to be disposed because of overage. Phones were available for inmates. Fire department, paramedics and hospital close by. They are understaffed and normally have 6 officers who staff the jail.</p>
<p>ALHAMBRA COURTHOUSE 150 W. Commonwealth Ave. Alhambra, CA 91801 626-308-5209</p>	<p>10/7/16 Satisfactory</p>	<p>This courthouse has 6 criminal courts. Monterey Park and Alhambra cases appear at this facility. The capacity of holding cells is 40, supervised by 3 sworn officers and one Custody Assistant. All regulatory inspections were current. Monthly pest control services are scheduled. There are 10 holding cells on the 3rd Floor. Defibrillator on site, but not all personnel have received training.</p>
<p>ANTELOPE VALLEY COURTHOUSE 42011 4th Street West Lancaster, CA 93534 661-974-7200</p>	<p>9/16/16 Satisfactory</p>	<p>This courthouse was built in 2003. It is well designed, high-tech and organized. There are 45 cells manned by 15 sworn officers and two Custody Assistants. They are understaffed. Cameras are in all cells, with audio. Security checks are done every 30 minutes at minimum. Elevators are controlled from a central panel. Facility was very clean. Defibrillator and Suicide Kit was present. Hospital is 4.5 miles away. Fire department is next door.</p>
<p>BARRY J. NIDORF JUSTICE CENTER 16350 Filbert Street Sylmar, CA 91342 818-364-2011</p>	<p>1/18/17 Satisfactory</p>	<p>This juvenile courthouse consists of 3 courtrooms, averaging 100 cases a day. On Wednesday afternoons, one judge presides over a Drug Court. This is a voluntary program which currently involves 47 juveniles, 14-18 years old, in a collaborative court setting. There is a 50% success rate in the program, which benefits the juveniles by having their drug offense dismissed and record expunged. A one year after-care program is in place once graduates leave the program. Drug Courts are currently being expanded to Inglewood, Eastlake and other courts.</p> <p>There is one holding cell in the jail area of the courthouse which can accommodate 6 detainees and is staffed by two Sheriff's Deputies. There are video/audio cameras in the cell and sally port area. All regulatory inspections were current and a</p>

		defibrillator, first aid kit and Suicide Kit were on hand. This is a very low-volume holding facility. The Lock-up Deputy is often dispatched to Santa Clarita Court to LiveScan an inmate and remand to custody.
BELLFLOWER COURTHOUSE 10025 Flower Street Bellflower, CA 90706 562-804-8053	9/16/16 Satisfactory	Capacity is 70, operated by 5 sworn officers and one Custody Assistant. Satisfactory inspection; clean facility. Prisoners are segregated by classification designation. One restraint bench was observed. Paramedics are close by. There are no cameras in holding cells. Visual inspections are logged. Food is provided by LASD. Courthouse jail area needs a new gun locker.
BURBANK COURTHOUSE 300 E. Olive Avenue Burbank, CA 91502 818-557-3493	9/9/16 Satisfactory	Holding cells are located on all three floors of the courthouse, housing an average of 40 inmates daily. Facility is very clean and is steam-cleaned monthly. Sergeant in charge is pro-active in overseeing operations in the courthouse jail and maintains good records.
CENTRAL (EASTLAKE) JUVENILE COURTHOUSE 1601 Eastlake Avenue Los Angeles, CA 90033 323-227-4399	9/23/16 Satisfactory With Reservation	This was a Satisfactory inspection, but Unsatisfactory as to condition of building and insecure conditions in holding area. The courthouse is very old and in dire need of replacement. It was built in 1954 and contains numerous deficiencies in access, efficiency, security, overcrowding, compliance with ADA and physical condition. There is a need for more sophisticated cameras in the holding areas. Two Deputy Sheriffs handle adult detainees in one wing of the building and Probation Officers handle minors in the opposite wing. Detainees over 18 years of age are housed at Men's Central Jail and appear here when they have cases pending in juvenile court. There are three cells where adults are held, capable of housing 11 detainees. Officers are stationed directly outside the cells and safety checks are recorded manually. Minors are not housed in cells or restrained but are detained in a large open waiting area with supervision. There is insecure movement in public hallways to and from courtrooms. If there is a situation where a minor must be restrained with handcuffs, it must be approved by an officer of the court. All safety equipment was on hand but there has not been formal training on the defibrillator. Paramedics are called for any emergency.

<p>COMPTON COURTHOUSE 200 W. Compton Blvd. Compton, CA 90220 310-762-9100</p>	<p>1/10/17 Satisfactory</p>	<p>This is a large 12-story courthouse with 27 courtrooms. The basement lockup area has 3 attorney rooms and 11 cells which accommodates 265 inmates. The west satellite lockup area has 8 attorney rooms and 20 cells which accommodates 217 inmates. The east satellite lockup area has 6 attorney rooms and 20 cells which accommodates 285 inmates. There are two custody elevators, both of which can accommodate wheelchair inmates. There were 132 inmates in custody on day of inspection. Lockup area was staffed by 12 Sheriff's Deputies and 3 Custody Assistants who handled Live Scan, booking and release of prisoners. It is typical to have 20-25 arrestees brought in daily and booked directly at the courthouse for arraignment and disposition. There is an issue with overtime and adequate staffing in the court jail. The holding cells had peeling paint on the walls and deep etching of graffiti on the metal bars. Plumbing issues arise only when prisoners deliberately sabotage the system. New upgraded cameras are currently being installed throughout the facility. Cameras are used in all cells, hallways, elevators. Suicide Kits were on hand. First aid kits were in jail area but staff did not immediately know where they were located. Defibrillator was present but staff not fully trained. All regulatory inspections were current. No medical staff is assigned to this facility to administer prescribed medication to inmates in the afternoon.</p>
<p>CRIMINAL JUSTICE CENTER (CLARA SHORTRIDGE-FOLTZ) 210 W. Temple Street Los Angeles, CA 90012 213-974-6581</p>	<p>7/26/16 Satisfactory</p>	<p>There is an average of 450 inmates daily at this courthouse where a complex classification system is carefully employed. There are continuing staffing issues which necessitates overtime. Consideration should be given to use of video conferencing in Departments 30, 40 and 48 for arraignments and hearings in order to avoid mass movement of inmates to and from the courthouse. This would eliminate inherent safety issues in moving prisoners from holding cells to courtrooms for an appearance that is handled in minutes. Video conferencing would also be beneficial for inmates who appear in court on gurneys and are accompanied by 2 EMTs.</p>
<p>DOWNEY COURTHOUSE 7500 Imperial Highway Downey, CA 90242</p>	<p>10/7/16 Satisfactory</p>	<p>Rated capacity is 60, with 10 holding cells operated by 3 sworn officers and one Custody Assistant. All regulatory inspections were current and up to date. There was a defibrillator but officers need training.</p>

562-803-7044		All policy and procedure manuals were current. First aid and suicide kits were on hand. Juveniles are kept separate from adults in view of control room. There is limited use of video monitoring. Physical inspections are done regularly. Staff would like cameras. This is a very clean facility. Maintenance is done by private vendor.
EAST LOS ANGELES COURTHOUSE 4848 E. Civic Center Way Los Angeles, CA 90022 323-780-2017	9/9/16 Satisfactory	Rated capacity is 25, operated by 6 sworn officers and one female Custody Assistant. This is a low-volume facility which averages 10-15 inmates daily. The cells were clean. Snacks were available. Unlimited phone calls were permitted. Graffiti has been carved in steel beams and surfaces and need repainting.
EDELMAN CHILDREN'S COURT 201 Centre Plaza Drive #2700 Monterey Park, CA 91754 323-526-6610	10/28/16 Satisfactory	This is a civil court for parental custody. It is a large facility which can hold up to 200 inmates utilizing four holding cells. Two deputies are assigned to the lockup area. They are short-staffed and need two more deputies. The average inmate population varies from 6 – 35 daily. The jail area is very clean and well maintained. All regulatory inspections are current. The cells have handicapped ADA sinks. AED's are present and staff is trained yearly on use. Monitors and cameras are in cells and hallway. The jail staff requests a set of inmate clothing for men and women in all color-codes to have on hand when inmates soil their clothing.
EL MONTE COURTHOUSE 11333 E. Valley Blvd. El Monte, CA 91731 626-575-4116	10/12/16 Satisfactory	Rated capacity is 198. This is a large facility with lots of activity. There is a holding cell that houses 26 females and a special "keep away" cell that is monitored every 15 minutes. If prisoners are on medication they are on a four-hour turn-around trip. There is an Interview Room for attorneys. All handcuffs and restraints are constantly cleaned for MRSA. All regulatory inspections are current.

<p> GLENDALE COURTHOUSE 600 E. Broadway Avenue Glendale, CA 91206 818-500-3524 </p>	<p> 10/11/16 Satisfactory </p>	<p> Rated capacity is 42, with 6 cells operated by 6 sworn officers. There are two unfilled positions and overtime is an issue. All regulatory inspections are current. Facility is clean and well managed. First aid kit, Suicide Kit and defibrillator were on hand. Video cameras are in use. This is an older courthouse with cramped holding cells. Oftentimes prisoners who are transported to the courthouse must be returned without making their court appearance because of crowded cells and necessary segregation of inmates, causing court appearances to be delayed and rescheduled. </p> <p> There is an on-going security issue involving the loading and unloading of prisoners from the Sheriff's transportation bus in the public parking lot behind the courthouse. Deputies utilize a temporary sally port chain-link fence that is rolled out when the Sheriff's transportation bus arrives, resulting in a vulnerable and insecure environment for the public, transportation deputies and court personnel. One courtroom utilizes video arraignments with inmates detained in Glendale Jail. </p>
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<p>INGLEWOOD JUVENILE COURT One E. Regent Street Inglewood, CA 90301 310-419-5132</p> <p>INGLEWOOD SUPERIOR COURT One E. Regent Street Inglewood, CA 90301 310-419-5132</p>	<p>9/9/16 Satisfactory</p> <p>9/9/16 Unsatisfactory</p>	<p>This is a Juvenile Court holding facility for Inglewood (two stations) and Hawthorne. The facility was built in early 1970's. Rated capacity is 22, with 6 cells. There are three courtrooms with a staff of 2 Sheriffs Assistant Deputies, court security, and 6 LA County Probation Department staff to oversee holding areas. Two first aid kits on hand. Jail holding area was clean but quarters are small and cramped.</p> <p>Facility built in the 1970's. It is the court holding facility for Inglewood and Hawthorn. The jail appears seriously neglected in normal maintenance and repairs. It should be refurbished, graffiti removed, walls painted, floors must be resurfaced not just patched, ceilings redone. Repairs would include replacing shattered glass, making sure that toilets, urinals and plumbing is maintained in working condition for staff and detainees.</p> <p>There are 7 courtrooms with staff of 20 Sheriff Security Officers and Custodial Assistants. They are understaffed. Rated capacity is 22, with 6 cells that accommodate 29 beds. Cells are categorized for male and female use but staff segregates other race or sexual categories as needed. Juveniles are held in the adjacent Juvenile Court. Two defibrillators and suicide kits on hand. Inmate belongings are locked in new intake area.</p>
<p>LAX COURTHOUSE 11701 S. La Cienega Blvd. Los Angeles, CA 90045 310-727-6020</p>	<p>9/16/16 Satisfactory</p>	<p>All regulatory inspections were current. The building is 16 years old. Facility is clean and well-run; janitorial services are contracted. There are separate cells for females, men, and special segregation classifications. Holding cells have phones. There are no padded cells. Visual checks are done every 30 minutes with logs on the cell doors. Only the female cells have cameras. Cameras will be installed in all cells soon. Mental health observation logs are kept in a notebook. Inmates are scanned in from the transport bus. If there is a court remand, the person can be booked on site. There are 14 courtrooms in the building. Veteran and military inmate rights are posted at the entrance to courtrooms. One defibrillator is in the holding area; another one is on the 2nd floor. Suicide Kit is on hand. Translation services are available. They have</p>

		limited, part-time mental health professionals and are in need of full time professionals to deal with mentally ill inmates.
LOS PADRINOS JUVENILE HALL COURTHOUSE 7285 Quill Drive Downey, CA 90242 562-940-8681	10/7/16 Satisfactory	Capacity is 12, with two holding cells, three courtrooms, operated by 6 sworn police officers and 2 probation officers. All regulatory inspections are current and up to date. First aid kit, Suicide Kit and two defibrillators on hand. This is an old facility but immaculate, extremely well run and maintained by dedicated personnel.
MENS CENTRAL JAIL ARRAIGNMENT COURT 429 Bauchet Street Los Angeles, CA 90012 213-974-6075	10/14/16 Satisfactory	This facility is no longer being used for court arraignments. It is used for Hearings by the County Probation Department and the State Parole Office. There are four courtrooms that handle an average of 80 cases daily. There are 19 sworn officers and 5 unfilled positions. First aid kit, Suicide Kit and defibrillator are on hand. There are two general cells and 6 segregated cells on each side of the facility. Cells are monitored with cameras, but not in hallway. The facility is old, with some peeling paint, but everything is clean. All regulatory inspections are current.
MENTAL HEALTH COURTHOUSE 1150 N. San Fernando Rd. Los Angeles, CA 90065 323-266-2908	10/12/16 Unsatisfactory	There were unsatisfactory findings on day of inspection related to the deteriorating condition of the building and the crowded conditions in the cell holding areas which compromised the safety and security for all involved. There were serious issues with the plumbing, air conditioning system and leaking roof when it rained. On November 3, 2016 this courthouse was abruptly closed down due to the possibility of roof collapse and other structural issues. Court operations were immediately transferred to four courtrooms located in the Metropolitan Courthouse in Los Angeles. Detainees are transported to the Mental Health Court from Twin Towers and State mental hospitals. The Hollywood Courthouse is being renovated and scheduled to open in May/June, 2017 to become the new and permanent location of the Mental Health Court.
METROPOLITAN COURTHOUSE 1945 S. Hill Street	9/2/16 Satisfactory	This is an older court facility with 15 courtrooms and handles high volume caseload. There is a problem with the elevators. All cells have cameras. Suicide

Los Angeles, CA 90007 213-742-1884		Kit on hand. A new defibrillator is available but staff had not yet received training. The facility was clean. Inmate complaints are done verbally.
PASADENA COURTHOUSE 300 E. Walnut Street Pasadena, CA 91101 626-356-5680	9/9/16 Satisfactory	Clean well-run facility with 17 courtrooms.
POMONA COURTHOUSE 400 W. Mission Blvd. Pomona, CA 91766 909-802-9944	9/16/16 Satisfactory	Capacity is 100 with 9 sworn officers and 10 Custody Assistants. There are two courthouse buildings. Court proceedings are conducted in the south building. The north building is closed for court proceedings but the cells are used when segregation by prisoner classification is necessary. Inmates are transferred between buildings using a secured van which drives 50 yards to the north sally port. There is a prisoner elevator that transfers detainees to three court floors. The cell areas on each floor are very crowded with officer's desks and equipment necessary for processing and transferring inmates to courtrooms. Deputies are constrained by the building design but they have adapted procedures commensurate with the constraints.
SAN FERNANDO COURT 900 Third Street San Fernando, CA 91340 818-898-2403	8/26/16 Satisfactory	All regulatory inspections are current. Capacity is 244, operated by 35 sworn officers and one Custody Assistant. There is a camera in the basement that controls each cell.
SANTA CLARITA COURTHOUSE 23747 W. Valencia Blvd. Valencia, CA 91355 661-255-7439	9/2/16 Satisfactory	This is an older facility. Capacity is 15-20 with 16 cells, operated by 3 sworn officers. It has been painted. HAVC seemed to have been repaired since last inspection, but no date of repair. There are 2 defibrillators. Floors were dirty, low lighting, cameras in all 16 cells. Inmate sandwiches were thrown on floor. Juveniles are sent next door to jail facility and kept in special room with supervision.
TORRANCE COURTHOUSE 3300 Civic Center Drive Torrance, CA 90505 310-618-5631	8/26/16 Satisfactory	Capacity is 189, operated by 9 sworn officers and 1 Custody Assistant. Facility is clean and well run, but very old facility which needs updating. Tight jail quarters and hallways. Manual safety checks are done on all floors of building.

VAN NUYS COURTHOUSE – WEST 14400 Erwin Street Mall Van Nuys, CA 91401 818-374-2511	9/16/16 Satisfactory with Reservation	Old facility which needs renovation and painting. There are 41 holding cells. All cells have cameras. Staff said that more observable cells for special needs inmates were needed. Safety checks made every 15-30 minutes. Earthquake emergency kits were on all 9 floors. Suicide Kit and defibrillator on hand. Walls were dirty and graffiti was etched into the walls and metal bars. Plumbing needs attention. There is a problem with leaking pipes which is causing damage to ceiling. Females are held separately. There is always a female officer on staff.
WEST COVINA COURTHOUSE 1427 W. Covina Parkway West Covina, CA 91790 626-813-3239	9/2/16 Satisfactory	This is a busy regional county courthouse which handles 100-200 inmates daily. Staff was professional and helpful. Facility has its own narcotics lab on premises.

JUVENILE DETENTION CAMPS & FACILITIES:

Facility Name Address Phone Number	Date & Inspection Results	Comments
BARRY J. NIDORF JUVENILE HALL 16350 Filbert Street Sylmar, CA 91342 818-364-2011	1/18/17 Satisfactory	<p>This is a large juvenile holding facility with rated capacity of 591. There was a population of 222 on day of inspection (19 females and 203 males) ages 15-18. Average length of stay is 14-21 days. There are many youth with high-level offenses and they are assessed for camp placement. The facility has a staff of 300 who work three shifts. Minimum staffing ratio is 1/10 but currently the ratio is 1/6. There is a secure compound for juveniles being tried as adults who never mix with the general population. There were 70 juveniles held as adult detainees in custody on day of inspection.</p> <p>There are no open dorms at this facility. Each housing building has small private rooms, with doors, for detainees. The open shower area for girls is in need of a privacy screen. Three meals are served daily plus an evening snack. Special diets are provided. A food cart delivers meals to each building's multi-purpose room. Every youth entering this facility receives medical screening by onsite staff at the medical housing unit. There is 24/7 nursing coverage. Medications are distributed by nursing staff. A physician is always on call and is present 8 hours a day. Dental services are</p>

		<p>available on site. Every unit has mental health services and assessments.</p> <p>The HOPE Center opened in September 2016 for Aggression Replacement Therapy (ART) for “cooling down” and de-escalation space, replacing the Special Handling Unit (SHU) solitary confinement model from the past. There is a Behavior Management Program where points are awarded for grades, behavior, good housekeeping and hygiene, resulting in movie nights and other incentives.</p> <p>Los Angeles County Office of Education offers classroom environment and schooling for all detainees. Each classroom is equipped with computers and a SmartBoard. There is a large computer lab and library. Library carts also visit all housing units. The library media specialist offers Virtual Field Trips with museum curators, introducing robotics, geology, character building exercises, and art. The school program has received WASC accreditation every six years, without review – a high honor. All students are assessed for math and English reading scores. The goal is to increase literacy with Operation Read. Most of the youth read at 3-6 grade level. The library program is popular among the youth, and more books have been requested.</p> <p>It was noted there is a high turnover of new Probation Officers who oversee the housing units and movement of youth. It was suggested that supervisory levels be created in this group to retain valuable experienced personnel in this facility instead of frequently transferring out after two years.</p>
<p>CAMP CLINTON AFFLERBAUGH 6631 N. Stephens Ranch Road La Verne, CA 91750 909-593-4937</p>	<p>9/23/16 Satisfactory</p>	<p>Capacity at this camp is 60 and provides youth with education, medical and mental health services. Youth also have access to structured work experiences, vocational training, tutoring, counseling services and athletic activities. Probation officers work 2-1/2 day shifts, living on premises. A nurse is on duty from 6 AM – 2 PM. A nurse is needed for evenings. Mental health staff is available from 7 AM to 9 PM. Video conferencing with parents is promoted. There is a swimming pool at the camp. A separation life line is needed which separates the shallow and deep end of the pool. A raised lifeguard chair is also requested.</p>
<p>CAMP DAVID GONZALES</p>	<p>9/9/16</p>	<p>This is a boys camp built in the 1950’s. It has a capacity of 60. The population on day of inspection</p>

<p>1301 N. Las Virgenes Road Calabasas, CA 91302 818-222-1192</p>	<p>Satisfactory</p>	<p>was 41. Education groups are well managed with two teachers and two assistant teachers, grade levels 9-12. Graduate rate is 35%. College courses are offered by Mission College. Library is available in classrooms and dormitories. Nurses are on duty 7 days a week. Disciplinary action is two hours maximum in an open room with seat and mattress. The linoleum flooring in the dining room is sticky and needs to be replaced due to age. All regulatory inspections are current.</p>
<p>CAMP GLENN ROCKEY 1900 Sycamore Canyon Road San Dimas, CA 91773 909-599-2391</p>	<p>12/6/16 Satisfactory With Reservation</p>	<p>On day of inspection 48 boys, ages 14-18, were housed at this camp. The maximum population is 60. The camp was built in the 1960's. The average stay is 5 to 7 months. There are 12 Probation Department staff assigned to the camp, working 56-hour shifts (two 16-hour shifts 6 AM to 10 PM and one 8-hour shift). There are sleeping quarters on-site for staff. Incoming boys are introduced to a 4 stage merit program where points are earned based on behavior, school, hygiene and grooming. They have the ability to reach Stage 4 within 21 days and opportunity for bonus camp activities and possible early release. The dormitories consist of four wings, housing 15 boys in each wing. Visiting is 1-4 PM on Sundays. There is a monthly Family Reunification program. Transportation for family members is provided by Mental Health, if necessary. The HOPE Center is being repainted and Special Housing Units (SHU's) are now used for temporary cool-down spaces with constant one-on-one supervision and counseling. An Arcade/Game Room is to open soon in the HOPE Center which will be available to the "top 15" in school and behavior program. Twice a week a community group brings 9-10 dogs to the HOPE Center for visits and interaction with the youth, a popular program.</p> <p>Forty percent of the youth at the camp are on medications, administered by nurses who work a 16 hour shift. An integrated treatment program involves mental health services that are provided a minimum of once a week. Youth can request a therapist or service at any time. Behavior therapy group skills are practiced. Interagency meetings involving mental health, probation, LACOE, Juvenile Court and Health Services are held regularly with all partners involved. They are guided by the goal of "<i>discharge starts at entry</i>" in providing counseling, life-skills and services to the youth at the camp. There are four classrooms at the</p>

		<p>camp and one Special Ed class operated by the LACOE. School is from 8:20 AM to 2:40 PM. Students participate in <i>Operation Read</i> program. A remedial APEX program is offered to recover credits, on line. There is a Vocational Education program offered with certification in Culinary Arts, taught by the camp Cook. Class is held on Saturdays; there are currently 14 students. The camp Landscape Manager also teaches gardening and landscape maintenance to interested youth. The gymnasium has temporary padding attached to the walls exposed beams and pipes. Permanent safety padding on all walls is requested.</p> <p>There were two escapes this year. Youth scaled a perimeter block wall that has no razor-wire. The youth were quickly apprehended with no associated problems. Two months ago there was a discipline/behavior problem among the camp youth when it was discovered that six members of a gang were sentenced to the same camp. Camp administrators feel it is important to carefully investigate the backgrounds of youth when determining camp placements to avoid these serious issues in the future.</p>
<p>CAMP JOHN MUNZ 42220 Lake Hughes Rd. Lake Hughes, CA 93532 661-724-1211</p>	<p>9/16/16</p>	<p>This camp was closed and all detainees were transferred to Mendenhall Camp, an adjoining property.</p>
<p>CAMP JOSEPH PAIGE 6601 N. Stephen Ranch Road La Verne, CA 91750 909-593-4921</p>	<p>9/23/16 Satisfactory</p>	<p>On day of inspection there were 44 youth at this camp. The facility is managed by 10-13 Probation staff. The youth are all low-level non-violent individuals, ages 16-1/2 to 18, who have been carefully screened. Camp Paige is a Fire Camp that actively assists the community with fire related assignments and fire prevention duties. The youth participate in training that is coordinated with the Los Angeles County Fire Department / Camp 17 for fire suppression and fighting forest fires. There is also a strong physical fitness program. A certificate is awarded upon completion of the program. They indicated a need for boots, helmets and uniforms. Camp Paige is now engaged in starting an EMT program where first aid, CPR and other life-saving procedures are taught, with certification upon completion.</p> <p>All youth at the camp are enrolled in classes to complete high school and participate in online college courses. Camp Afflerbaugh shares their school campus. The kitchen was well maintained and dining room was</p>

		spotless. The seats that are attached to the tables have sharp edges on the bottom which could cause injury. The grounds are well-maintained. All regulatory inspections are current.
CAMP JOSEPH SCOTT 28700 N. Bouquet Canyon Road Santa Clarita, CA 91390 661-296-8500	9/2/16 Satisfactory	This girls camp was built in 1957 and is in need of an upgrade. Staff is highly motivated and experienced. Thirty girls, ages 14-18, usually stay 6-9 months for felonies and gang issues. The State's prestigious <i>Golden Bell Award</i> was presented for school and vocational programs. College classes are being planned. The library has ordered upgraded electrical outlets for computers. A nurse is on duty for 16 hours a day. Defibrillator is on order. Manual gates are hard to move; electric gate is needed. Dorms and bathroom are very basic and military-like. Mirror-metal plates need to be replaced. The floor has a large crack in the concrete.
CAMP KENYON SCUDDER 28750 N. Bouquet Canyon Road Santa Clarita, CA 91390 661-296-881	9/2/16 Satisfactory	This girls camp was built in 1957 and buildings are showing their age. On day of inspection there were 31 youth, with one staff person to every 8 girls. There is a dorm for officers to sleep as they have 56-hour shifts. Education program has a state-of-the-art computer system for every girl to use. Teachers are part of the LACOE system. Vocational education classes are offered. Many girls have learning problems and special needs. Video-conferencing with parents is available when personal visits are not possible. Modern surveillance cameras are on order. Defibrillator is on order.
CAMP MENDENHALL 42230 Lake Hughes Road Lake Hughes, CA 93532 661-724-1213	9/16/16 Satisfactory	Facility is currently undergoing remodeling and construction. Occupants of the camp were evacuated to Camp Challenger in Lancaster for the sixth time in a year, due to fire, mud slides, broken water pipes and sewage problems. Camp Mendenhall should be reopened in the spring 2017 after extensive remodeling. The camp normally houses about 60 youth, ages 15 to 18. There is a staff of 16 with additional mental health counselors. They have initiated Dialectic Behavior Therapy (DBT) from the David Harrison model of communication therapy. This is from a Camp Scott program dealing with mental health issues and anger management programs. The kitchen and dining room were well maintained and four new air conditioning units have been installed. A new fire alarm network has been installed in the camp,

		<p>which alerts the fire department directly. Metal tables and seats are welded together. The seats are stamped metal with sharp edges on the bottom which caused a major injury to a boy and also injuries to staff. This needs to be corrected. There is a model school, library, basketball court and woodworking studio. The facility is very well run. The director requested staff to handle the laundry room.</p>
<p>CENTRAL JUVENILE HALL 1605 Eastlake Avenue Los Angeles, CA 90033 323-226-8611</p>	<p>9/23/16 Satisfactory</p>	<p>‘Excellent’ inspection. On day of inspection there was a population of 220. The overall capacity is 240. Central Juvenile Hall is an old facility, very large, and some parts are older than 100 years. The grounds are well maintained. Facilities are in the process of being updated. One housing unit is being refurbished and is not in use. The older buildings, while in need of upgrade, are well maintained and clean. Safety equipment is available in all control rooms. Kitchen is very clean and well organized and serves 950 meals a day.</p> <p>The staff is engaged and energetic. There has been a marked transition from punishment to treatment-based approach. Youth are held in traditional housing units for an average of 8 days pending court hearings. Mental health services and a program for developmentally disabled youth are in self-contained units where the average stay is 9 months. The Developmentally Disabled Program, serving youth aged 12-19, currently houses 23 youth. The staff voiced their desire to have a PAWS Pet program at their unit. The Hope Center offers enhanced treatment and supervision for youth who may harm themselves.</p> <p>The LACOE is performing a great service for the students on this campus. The learning centers are designed to educate and inspire the youth. Their <i>Road to Success</i> Program has been given the prestigious Golden Bell Award. Current textbooks are due for an update. The “Credit Recovery Program” is an independent study program established to recover credits for students to complete high school. <i>Operation Read</i> is a high school graduate program, working with Southwest Trade Tech and Mission College. There is a certification program available for Food Service Handler.</p> <p>Staff likes the Victory Outreach transition program for youth being released to the community because it is a</p>

		funded mentor program, not a volunteer program, which eliminates the inconsistency of volunteers.
<p>CAMP CHALLENGER 5300 W. Avenue I Lancaster, CA 93536 661-940-4144</p>	<p>11/10/16 Satisfactory</p>	<p>Current population on day of inspection was 207 boys between ages of 15-19. Rated capacity is 720. Population is decreasing because first time offenders are being directed to community centers. Challenger is currently providing housing for the youth at Camp Mendenhall which is closed for renovation. The average stay at Challenger is six months. There is 500 on staff, with 300 probation employees and 24/7 nursing care. Emergencies are handled at Olive View Hospital. The 26-year old facility is located on 42 acres. Empty buildings have been repurposed for sports activity, operations and gym. Many of the water fountains in buildings and outside were either non-functioning or had low water pressure. An Igloo water jug was observed on a playground but no cups were available.</p> <p>Camp Challenger is named for the Challenger Space Shuttle and the six different camp dorms are named for the Challenger astronauts. Camp Kilpatrick, one of the six dorm-camps, is a model for the future with a rehabilitative and mental health emphasis treating a small group model of 1:1 to help the juveniles.</p> <p>Crista McAuliffe School offers an Advance Path Academy within LACOE where students gain credits for high school diploma with a “<i>Goal is to Graduate</i>” philosophy. Since 2012, one hundred students have gone through this program and received credits that are transferred toward graduation. Currently there are 4 students from Onizuka and 9 from McNair. There are 8 students currently enrolled in hands-on Vocational Education classes in a fully-equipped Wood Shop and Electrical Shop. OSHA certifications are earned which allow students to later enroll in classes at Trade Tech or elsewhere in the community. Mission College offers on-line classes for students in Criminal Justice, Humanities and Physical Education. High school youth can take college classes and accumulate college credits. The HOPE Center (Healing/Opportunity/Positive Engagement) was mandated by the Board of Supervisors due to federal law against solitary confinement for juveniles (SHU’s). This Center provides a “time out” and cooling down unit where anger management and behavioral problems are</p>

		<p>addressed and a counselor is constantly with the youth.</p> <p>Inter-mural sports (baseball, basketball, football) activity is popular and teams participate in outside community games. Two young men at Challenger played in CIF playoffs. Management is positive. Save-and-Spend points can be earned in an early release program. Mental health contracts offer 16-point assessment for evaluation.</p> <p>As observed at other camps, metal tables and seats are welded together. The seats are stamped metal with sharp edges on the bottom which can cause injuries. This needs to be corrected. New furniture and redecoration programs are planned.</p>
<p>DOROTHY F. KIRBY CENTER 1500 S. McDonnell Ave. Commerce, CA 90040 323-981-4301</p>	<p>9/9/16 Satisfactory</p>	<p>This camp provides treatment for emotionally disturbed girls and boys. The Center was built in 1960 and is in need of upgrades. Professional staff shows much concern for the youth.</p> <p>There were 48 youth at time of visit, with one staff person for every 5 students. Ages range from 13-1/2 to 18. There are 8 dorm cottages that are clean and basic. Many educational opportunities are available to earn a GED and take college classes on-line through local community colleges. The library has many books. Vocational classes are offered for boys and girls. Longest stay is 9 months. There are 4 merit levels and students earn their way up by earning points for behavior, school, grooming. There is a program through Homeboy Industries for tattoo removal.</p> <p>Nurse is on duty 16 hours a day. Psychiatrist is bi-lingual. Half of students are on medication for mental or physical issues. Visiting is on Sundays, 1-4 PM or by special request.</p>

<p>LOS PADRINOS JUVENILE HALL 7285 Quill Drive Downey, CA 90242 562-940-8681</p>	<p>10/7/16 Satisfactory With Reservation</p>	<p>Population on date of visit was 164 males and 46 females, ages 13 – 19. Rated capacity is 240. All regulatory inspections were current and up to date. There is a full kitchen on site, operated by outside vendor, preparing 3 hot meals daily for staff and juveniles in custody. Menus were nutritious and kitchen was clean.</p> <p>The HOPE Center has been renovated and is an inviting area decorated with outstanding wall murals done in collaboration with detainees and staff. There is a 1/10 staff ratio. Sometimes one-on-one observation is necessary for aggressive behavioral issues or suicide watch. Special Housing Units are no longer used. Behavior management teams resolve issues once aggressive behavior has de-escalated and clinicians work with youth on behavior management. The Interactive Behavior Management Program (IBMP) combines a team from Probation, Mental Health, Juvenile Court and HOPE Center counselors which meets once a week to work with troubled youth.</p> <p>Los Angeles County operates educational classes in a classroom setting, each with 14-16 students. There are four Special Education classrooms. 40% of the students have IEP programs. There is a Student Planning Team where parents can request an assessment of students. Full curriculums are offered and 3 school counselors are on staff. There are no vocational programs offered. There is a beautiful new L.A. County Library on site, funded by the Probation Department, which receives classroom visits, typically 16 groups in a week, which is very popular.</p> <p>There are no defibrillators at this facility, even though they have been requested in the past. This needs to be corrected.</p>
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V FINDINGS AND RECOMMENDATIONS

Bell Gardens Police Department

Findings:

1. Pattern of inebriated inmates held in sobering cell beyond 6 hours without approval of watch commander or transfer to hospital
2. Jail Log is handwritten, with confusing and unreadable entries
3. Pattern of no female jailer(s) or matrons on duty to monitor inebriated female inmates
4. Jail Manual out of date
5. Plumbing problem in cell sink

Recommendations:

1. Reinforce training and adhering to procedures in handling inebriates in custody. Institute better practices and oversight by watch commander when inebriates are in sobering cell beyond 6 hours.
2. Replace handwritten Jail Log with computerized Jail Log for accurate and timely entries
3. Do not rely on female station personnel for monitoring incarcerated females
4. Revise Jail Manual
5. Repair plumbing problems in jail area on timely basis

Newton Station (LAPD)

Finding:

6. Cameras removed in Cell Gallery and processing room

Recommendation:

6. Reinstall new cameras in Cell Gallery and processing room

Northeast Station / Eagle Rock (LAPD)

Findings:

7. Improper and inadequate signage in jail holding area

8. No first aid kit in jail
9. No evidence of annual environmental inspections

Recommendations:

7. Post inmate rules of conduct
8. Install first aid kit in jail
9. Schedule required annual environmental inspections

Van Nuys Police Station (LAPD)

Finding:

10. Strong odor in jail area

Recommendation:

10. Install better ventilation system in jail area

East Los Angeles Sheriff's Station

Findings:

11. Porcelain toilets in cells
12. No privacy curtain in shower area
13. No padding in sobering cell

Recommendations:

11. Replace porcelain toilets with stainless steel toilets
12. Install privacy curtain in shower area
13. Install padding in sobering cell

Men's Central Jail

Findings:

14. Visitor Reservation Kiosk in MCJ Main Lobby is frequently out of service
15. No defibrillators are in cell blocks. Crash Carts are used, sometimes with added 5-6 minute response delay.

Recommendations:

14. Repair, replace, or update Reservation Kiosk software in MCJ Main Lobby
15. Evaluate safety of time delay when Crash Carts are used in a jail emergency

Central (Eastlake) Juvenile Courthouse

Findings:

16. Courthouse was built in 1954 shows severe deterioration and is in need of replacement
17. Numerous deficiencies in access, efficiency, security, overcrowding and ADA compliance
18. Insecure movement of juveniles in public hallways to and from courtrooms

Recommendation:

16. Close and relocate Central Juvenile Courthouse

Inglewood Superior Court

Findings:

19. Seriously neglected maintenance and repairs in holding cells. Much graffiti
20. Walls need painting
21. Floors are severely worn
22. Many plumbing problems

Recommendations:

19. Remove graffiti

20. Clean and paint walls
21. Resurface floors
22. Repair plumbing

Van Nuys Courthouse

Findings:

23. Dirty walls in holding cells area
24. Plumbing in disrepair
25. Ceiling is damaged because of water leaks

Recommendations:

23. Clean and paint walls
24. Repair plumbing
25. Repair damaged ceiling

Camp Glenn Rockey

Findings:

26. Temporary padding attached to walls in gymnasium, exposing beams and pipes
27. Two escapes this year at a perimeter block wall with no razor-wire

Recommendations:

26. Install permanent padding to gymnasium walls
27. Install razor-wire at perimeter block wall

Los Padrinos Juvenile Hall

Finding:

28. No defibrillators at the facility, even though requested in the past

Recommendation:

28. Install sufficient defibrillators at facility and provide adequate training

VI REQUIRED RESPONSES

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accord with Penal Code Sections 933.05 (a) and (b).

California Penal Code sections 933 (c) and 933.05 require a written response to all recommendations contained in this report. Such responses shall be made no later than ninety (90) days after the Civil Grand Jury publishes it report and files it with the Clerk of the Court.

All responses to the recommendations of the 2016-2017 Civil Grand Jury must be submitted on or before September 30, 2017, to:

Presiding Judge
Los Angeles County Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Eleventh Floor-Room 11-506
Los Angeles, California 90012

Responses are required from:

Responding Agency	Recommendations
Bell Gardens Police Department	22.1, 22.2, 22.3, 22.4, 22.5
LAPD Newton Station	22.6
LAPD Northeast Station / Eagle Rock	22.7, 22.8, 22.9
LAPD Van Nuys Police Station	22.10
LASD East Los Angeles Sheriff's Station	22.11, 22.12, 22.13
LASD Men's Central Jail	22.14, 22.15
LACPD Central (Eastlake) Juvenile Courthouse	22.16
LASD Inglewood Superior Court	22.19, 22.20, 22.21, 22.22
LASD Van Nuys Courthouse	22.23, 22.24, 22.25
LACPD Camp Glenn Rockey	22.26, 22.27
LACPD Los Padrinos Juvenile Hall	22.28

VII ACRONYMS

ADA	Americans with Disabilities Act
AED	Automated External Defibrillator
ART	Aggression Replacement Training
BSCC	Board of State and Community Corrections
CGJ	2016-2017 Los Angeles County Civil Grand Jury
CPR	Cardiopulmonary Resuscitation
CRDF	Century Regional Detention Facility

DBT	Dialectic Behavior Therapy
DOJ	Department of Justice
EBI	Education Based Incarceration
EMT	Emergency Medical Technician
GED	General Educational Development
HIV	Human Immunodeficiency Virus
HOPE	Center Healing/Opportunity/Positive Engagement
IEP	Individualized Education Program
IRC	Inmate Reception Center
LASD	Los Angeles Sheriff's Department
LACOE	Los Angeles County Office of Education
LACPD	Los Angeles County Probation Department
LGBT	Lesbian Gay Bisexual and Transgender
LSL	Life Skills Lessons
MCJ	Men's Central Jail
MRSA	Methicillin-resistant Staphylococcus Aureus
OSHA	Occupational Safety & Health Administration
PSO	Public Service Officer
SHU's	Special Handling Units

VIII COMMITTEE MEMBERS

Sharon Muravez	Chair
Henry C. Guerrero	Scheduling Coordinator
Famarz Taheri	Scheduling Coordinator
Marcie Alvarez	
Alice Beener	
Douglas Benedict	
Regi Block	
Dorothy Brown	
Hilda Dallal	
Ronnie Dann-Honor	
Gerard Duiker	
Lucy Eisenberg	
Gloria Garfinkel	
Marilyn Gelfand	
London Jones	
Thomas Kearney	
Dianne Kelley	
Patrick Lyons	
Joanne D. Saliba	
Reuben P. Santana	
Joyce Simily	
Shelley Strohm	

EDIT AND PUBLICATION COMMITTEE



Gloria Garfinkel Chair
Dorothy Brown
Hilda Dallal
Gerard Duiker
Lucy Eisenberg
Shelley Strohm

EDIT AND PUBLICATION COMMITTEE

I SUMMARY

California Penal Code Section 933(a) requires that the Civil Grand Jury (CGJ) prepare a Final Report for presentation to the Presiding Judge of the Los Angeles County Superior Court. Prior to publication, all reports are submitted to the Edit and Publication Committee for editing and must be approved by a majority vote of the entire Civil Grand Jury. Each report is then submitted to the Legal Counsel to the Civil Grand Jury for comments and approval. The report is then given to the Presiding Judge for final approval. The 2016-2017 Civil Grand Jury Final Report summarizes the results of the activities, inquiries, audits and investigations conducted by the current CGJ.

The CGJ is mandated to publish a final report at the end of its term of office. This committee works closely with the contracted publisher. Seven hundred fifty (750) published reports are delivered to Superior Court Judges, the Board of Supervisors and all county officials. The CGJ's report is also posted online to provide access to the general public.

II BACKGROUND AND METHODOLOGY

The committee was charged with standardizing the format and layout of the final report. A template was created containing the format, heading and footing for each committee's report. Using the template, each investigative and/or standing committee of the CGJ submitted their report to the Edit and Publication Committee for review and editing. The Committee's responsibility was to read each report and suggest changes to make the final report clear, unambiguous and concise.

The entire CGJ is responsible for choosing the appearance, style of binding and cover materials of the final report.

III ACRONYMS

CGJ 2016-2017 Los Angeles County Civil Grand Jury

IV COMMITTEE MEMBERS

Gloria Garfinkel	Chair	Gerard Duiker
Dorothy Brown		Lucy Eisenberg
Hilda Dallal		Shelley Strohm

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INFORMATION TECHNOLOGY COMMITTEE



Thomas Kearney **Chair**
Faramarz Taheri **Secretary**
Henry C. Guerrero

INFORMATION TECHNOLOGY COMMITTEE

I SUMMARY

The Information Technology (IT) Committee assisted the Civil Grand Jury (CGJ) members and all committees with computer usage.

II METHODOLOGY

The IT Committee assisted CGJ members in using the computer system and software provided by the County of Los Angeles. The IT Committee supported all the committees, as well as individual jurors, by developing templates and charts to aid jurors in data collection and report preparation. The IT Committee organized and protected data developed by the jurors through regular scheduled backups.

III ACRONYMS

CGJ	2016-2017 Los Angeles County Civil Grand Jury
IT	Information Technology

IV COMMITTEE MEMBERS

Thomas Kearney	Chair
Famarz Taheri	Secretary
Henry C. Guerrero	

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SOCIAL COMMITTEE



Gloria Garfinkel

Marilyn Gelfand

Douglas Benedict

Regi Block

Joyce Simily

Chair

Secretary/

Treasurer

Coffee

Enthusiast

SOCIAL COMMITTEE

I SUMMARY

The Social Committee of the 2016-2017 Los Angeles County Civil Grand Jury consisted of five members. This committee organized monthly lunches, and provided beverages and supplies.

II BACKGROUND AND METHODOLOGY

Monthly contributions were collected and this fund was utilized for the monthly in-house lunches and supplies. The treasurer maintained a spreadsheet to document expenses and reported regularly on spending. A coffee enthusiast handled coffee purchases and committee members pitched in for all clean up. Monies left at the end of the jury term went toward a final group meal to wrap up the 2016-2017 year. Other surplus money was left for the incoming 2017-2018 jury members for supplies to get their year started.

III COMMITTEE MEMBERS

Gloria Garfinkel	Chair
Marilyn Gelfand	Secretary/Treasurer
Douglas Benedict	Coffee Enthusiast
Regi Block	
Joyce Simily	

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SPEAKERS AND TOURS COMMITTEE



Dianne Kelley	Chair
Regi Block	Co-Chair
Hilda Dallal	Secretary
Marilyn Gelfand	

SPEAKERS AND TOURS COMMITTEE

I SUMMARY

The Speakers and Tours Committee of the 2016-2017 Los Angeles County Civil Grand Jury (CGJ) was formed at the beginning of the term to provide guest speakers, and to arrange tours and field trips within the County of Los Angeles. The tours and field trips were to enable the 2016-2017 CGJ to better carry out its mandate.

II FINDINGS AND METHODOLOGY

The speakers who appeared before this body were the individuals most knowledgeable in their respective fields and departments. We found speakers more than willing to answer our myriad of questions and in many cases went back to their offices, did further research and thereafter provided us with completed information.

The field trips involved viewing the day-to-day operations, physical structure, managerial/employee composition and other issues of many departments, agencies and districts.

Through our speakers and field trips, the CGJ became aware of issues which formed the basis of several investigations. It is also through this method that we viewed extraordinary elements of our government at work. We observed impressive amounts of significant information, statistical data, insights, and experiences. We came to realize that the average citizen does not have a complete view or full understanding of many aspects of our government. It is because of this that the true appreciation of our jury responsibility and mandate came to light. Being a “watch dog” faction gave our small group of 23 citizens the opportunity to be the eyes and ears for the more than 10 million citizens of Los Angeles County.

The following tables show the speakers that appeared before the CGJ (Tables 1A - 1C)) and tours that were taken by the CGJ (Table 2).

Table 1A. County Government

LA COUNTY	SPEAKER	POSITION
Auditor-Controller	Arlene Barrera	Chief Deputy, Auditor-Controller
Auditor-Controller	John Naimo	Auditor-Controller
Auditor-Controller	Peter Hughes	Assistant Auditor-Controller
Auditor-Controller	Robert Smythe	Division Chief-Auditor
Civil Service Commission	Lawrence Crocker	Executive Director
Department of Children & Family Services	Representative	
Department of Mental Health	Robin Kay, PhD	Acting Director
Office of Sustainability	Howard Choy	General Manager
Department of Health Services	Mitchell Katz, MD	Director
Sheriff's Department	Jim McDonnell	Sheriff
Sheriff's Department	Daniel Dyer	Commander-in-Chief
Military Veteran's Affairs	Stephanie Stone	Chief Deputy
Office of Emergency Management	Jeff Reeb	Chief Executive Officer
Community Development Commission & Housing Authority	Sean Rogan	Executive Director
County Counsel	Mark Yanai	Attorney
Office of the Assessor	Jeffrey Prang	Assessor
Office of the Assessor	George Renkei	Assistant Assessor
Public Health Substance Abuse Prevention & Control	Wayne Sugita	Interim Director
Community & Senior Services	Cynthia Banks	Director
County Metropolitan Transportation Authority	Pauletta Tonilas	Chief Communications Officer
Department of Regional Planning	Richard Bruckner	Director
Vector Control District	Truc Dever	General Manager
District Attorney's Office	Jackie Lacey	District Attorney
Probation Department	Representative	
Animal Care and Control	Marcia Mayeda	Director
Department of Agriculture, Weights & Measures	Kurt Floren	Agricultural Commissioner/Director
Department of Public Health	Jeffrey Gunzenhauser, MD	Interim Health Officer
Department of Public Health	Angelo Bellomo	Deputy Director, Health Protection
Board of Supervisors - District 1	Representative	
Board of Supervisors - District 2	Mark Ridley-Thomas	Supervisor, Second District
Board of Supervisors - District 2	Dhakshike Wickrema	Deputy for Homelessness and Mental Health
County Chief Executive Office	Sachi Hamai	Chief Executive Officer
County Chief Executive Office	Joel Sappell	Deputy Director, Countywide Communications
Department of Public Social Services	Representative	
Department of Public Works - Sustainability	Representative	
Consumer & Business Affairs	Brian Stiger	Director
Consumer & Business Affairs	Dawnmesha Smith	Community Outreach Manager

Table 1B. City Government

CITY GOVERNMENT AGENCIES	SPEAKER	POSITION
City of Glendale	Ara James Najarian	Councilmember
LA Police Commission	Matthew Johnson	President, Board of Police Commissioners
LA Police Commission	Alexander Bustamonte	Inspector General, Board of Police Commissioners
LA Police Commission	Richard Tefank	Executive Director
LA City Department of City Planning	Vincent Bertoni	Director
LA City Department of City Planning	Claire Bowin	Senior City Planner
LA City - My 311 LA	Donna Arrechea	Director
LA City - My 311 LA	Cheryl Gibbs	Supervisor

Table 1C. Other Agencies and Institutions

NON GOVERNMENT AGENCY	SPEAKER	POSITION
Board of State and Community Corrections	William Crout	Field Representative
Occidental College	Bhavna Shamasunder, PhD	Assistant Professor, Urban & Environmental Policy
Mental Health Advocacy Services	Jim Preis	Executive Director
Southern California Association of Governments	Hasan Ikhata	Executive Director
Los Angeles Waterkeeper	Bruce Resnick	Executive Director
Los Angeles Community College District	Francisco Rodriguez, PhD	Chancellor
Transpogroup	Ryan Snyder	Principal Owner
League of Women Voters of Los Angeles	Maria Montero	Co-President
League of Women Voters of Los Angeles	Thea Brodtkin	Voter Service
Local Agency Formation Commission of LA County	Paul Novak, ED	Chief Executive
Alameda Corridor Transportation Authority	John Doherty	Chief Executive Officer
University of California, Los Angeles (UCLA)	Zev Yaroslavsky	Director, Los Angeles Initiative, Public Policy & History
National Wildlife Federation	Molly Judge	Director of Philanthropy, West Coast
National Wildlife Federation	Beth Pratt	California Director
National Park Service & UCLA	Seth Riley, PhD	Department of Ecology & Evolutionary Biology
Educational Consultant	David Tokofsky	Former LA Unified School District Board Member
UCLA Graduate School of Education & Information Studies	Jody Priselac, Ed.D	Associate Dean for Community Programs
UCLA Graduate School of Education & Information Studies	Karen Hunter Quartz, Ed.D	Research Director
211 LA County	Alana Hitchcock	Communications Manager/Director
211 LA County	Laura James	Resource Supervisor
211 LA County	Kiara Lopez	Outreach Coordinator

Table 2

TOURS and VISITS	LOCATION
Clara Shortridge-Foltz Criminal Courts Building Criminal Justice Center	Los Angeles
LA County Board of Supervisors Hall of Administration, 3rd Floor Weekly Board Meeting	Los Angeles
Twin Towers Detention Center	Los Angeles
Inmate Reception Center, LA County Sheriff's Department	Los Angeles
Los Angeles Police Commission Board Meeting Police Headquarters	Los Angeles
Men's Central Jail	Los Angeles
Century Regional Detention Facility Women's Facility	Lynwood
LA City - Hyperion Water Treatment Plant	Playa del Rey
Edelman Children's Court	Los Angeles
LA City - Emergency Operations Center	Los Angeles
LA County Registrar Recorder	Los Angeles
LA County - USC Medical Center and Jail Ward	Los Angeles
Challenger Memorial Youth Center	Lancaster
Port of Los Angeles	San Pedro
Hall of Justice, Los Angeles Conservancy	Los Angeles
LA County Department of Medical Examiner - Coroner	Los Angeles
Inspections of jails, courtroom detention facilities, and probation holding facilities throughout LA County were divided among groups of 2 or more Civil Grand Jurors.	Los Angeles County

III IN APPRECIATION

The Speakers and Tours Committee of the 2016-2017 Los Angeles Civil Grand Jury would like to thank the Transportation Unit of the Sheriff's Department for transportation arrangements for many of the tours and field trips. In addition, we would like to express our gratitude for their help, kindness, courtesy and safe driving throughout the jury's tenure.

We also want to express appreciation to our many speakers and tour guides for their generosity in sharing their time and knowledge.

IV ACRONYMS

CGJ	2016-2017 Los Angeles County Civil Grand Jury
LA	Los Angeles
UCLA	University of California, Los Angeles
USC	University of Southern California

V COMMITTEE MEMBERS

Dianne Kelley	Chair
Regi Block	Co-Chair
Hilda Dallal	Secretary
Marilyn Gelfand	Co-Secretary

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2016-2017 Los Angeles County Civil Grand Jury
Tour of LAC/USC Medical Center