



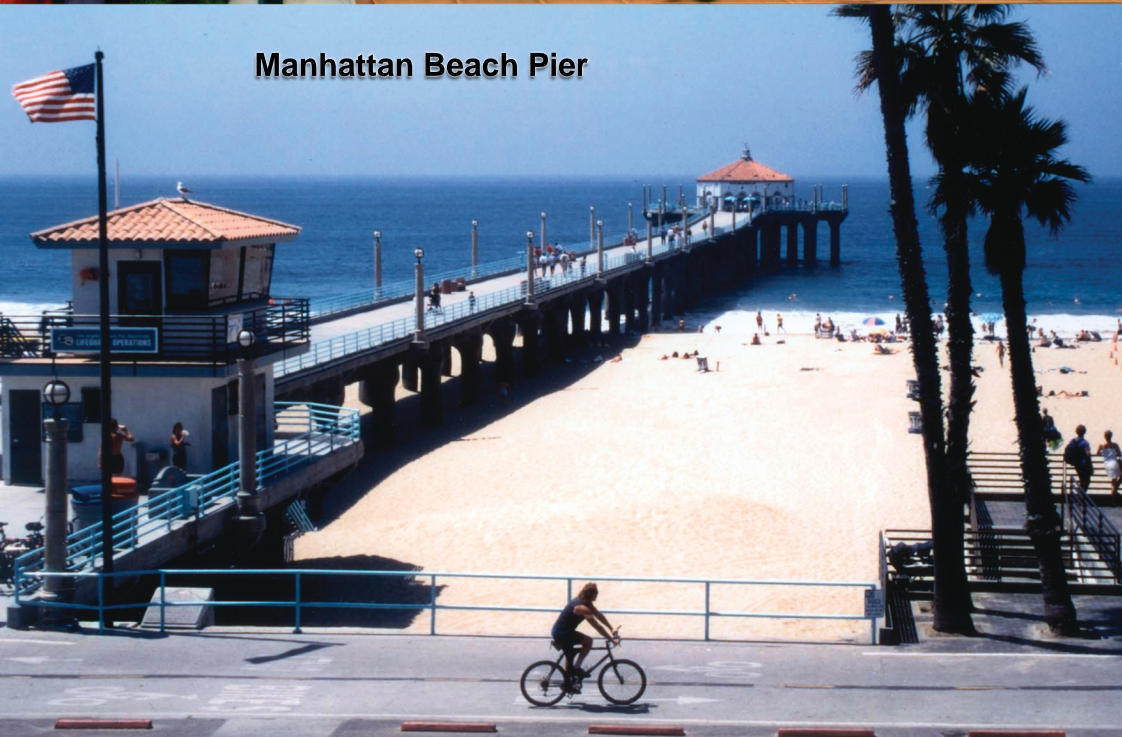
Walt Disney Concert Hall



Hollywood Bowl



Antelope Valley Court House



Manhattan Beach Pier



Watts Towers Art Center

IMAGES OF LOS ANGELES COUNTY

WALT DISNEY CONCERT HALL

FIRST SUPERVISORIAL DISTRICT

Gloria Molina, Supervisor

WATTS TOWERS ART CENTER

SECOND SUPERVISORIAL DISTRICT

Yvonne Brathwaite Burke, Supervisor

HOLLYWOOD BOWL

THIRD SUPERVISORIAL DISTRICT

Zev Yaroslavsky, Supervisor

MANHATTAN BEACH PIER

FOURTH SUPERVISORIAL DISTRICT

Don Knabe, Supervisor

ANTELOPE VALLEY COURTHOUSE

FIFTH SUPERVISORIAL DISTRICT

Michael D. Antonovich, Supervisor

2003-2004
LOS ANGELES COUNTY
CIVIL GRAND JURY



FINAL REPORT

TABLE OF CONTENTS

INTRODUCTION

Foreperson's Letter.....	v
Introduction to the Civil Grand Jury.....	vii
Oath of Office.....	xi
Photograph of the Civil Grand Jury.....	xii
Roster of the Civil Grand Jury.....	xiii

STANDING COMMITTEE REPORTS

Citizen Complaints Committee

Executive Summary.....	1
Report.....	5

Jails Committee

Executive Summary.....	15
Report.....	17
Adult Detention Facilities.....	17
Juvenile Detention Facilities.....	31

Continuity Committee

Executive Summary.....	39
Report.....	41

Audit Committee

Executive Summary.....	47
Report.....	49

Edit Committee.....

55

Speakers and Events Committee.....

59

INVESTIGATIVE COMMITTEE REPORTS

Domestic Violence Committee: Management Review of the Domestic Violence Programs in the County of Los Angeles Department of Community and Senior Services (CSS)

Executive Summary.....	65
Report.....	81
Table of Contents.....	81
Introduction.....	83
Management Review and Methodology.....	86
Domestic Violence Program Background.....	88
Findings.....	102
Recommendations.....	130

Appendices: A through D.....	151
Gang Injunction Committee: Management Audit of the Civil Gang Injunctions (CGIs)	
Executive Summary.....	169
Report.....	177
Table of Contents.....	177
Introduction and Methodology.....	179
Civil Gang Injunctions (CGI) Context.....	182
Measurable Impact of CGIs on Crime Patterns.....	197
Findings.....	216
Recommendations.....	230
Appendix A: Literature Review.....	243
Appendix B: Supplemental Data Analysis.....	251
Law Enforcement Committee: County of Los Angeles Sheriff's Department: Increased Savings with the use of Custody Assistants in Jails and Courts	
Executive Summary.....	393
Report.....	399
Table of Contents.....	399
Introduction.....	401
Methodology.....	401
Background.....	403
Findings.....	407
Recommendations.....	423
Appendix.....	435
Education Committee: Special Audits of the Lottery Education Fund Accounting and Management by Los Angeles Unified School District (LAUSD) and the Los Angeles County Office of Education (LACOE).	
Executive Summary.....	439
Report.....	443
Auditor's Executive Summary.....	443
Introduction.....	457
LAUSD Lottery Funding Update and Review of 2001-2002	
Audit Compliance.....	467
LACOE Lottery Funding Evaluation Oversight Role.....	476
Maintenance of Effort.....	489
Recommendations.....	490
Attachments.....	493
Public Integrity Committee: Community Redevelopment Agencies (CRAs)	
Table of Contents.....	529
Executive Summary.....	531
Report.....	535
Introduction.....	535

Part 1: Review of Selected Community Redevelopment	
Agencies.....	539
Project Approach.....	539
Current Situation.....	541
Findings.....	544
Recommendations.....	547
Part 2: Transaction Between the CRA of the City of Carson	
and the Owners of a Local Car Dealership.....	551
Responses to Recommendations.....	557



2003-2004 LOS ANGELES COUNTY CIVIL GRAND JURY

CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE ST., 11th FLOOR, Rm. 11-506, LOS
ANGELES, CA 90012
TELEPHONE: (213) 893-1047, FAX: (213) 229-2595

June 2004

To: Residents of Los Angeles County

The 2003-2004 Los Angeles County Civil Grand Jury is pleased to present its Final Report for your review, consideration and action. We hope that it is instructional in providing some insight into the workings of government in the County and may lead to rectifying some problems with them.

One of the most difficult aspects of the Civil Grand Jury's endeavors was the selection of topics to be investigated. Some topics are mandated by law, but the majority of the work is investigations of the jury's choosing. The objective is to conduct investigations of current problem areas, but not necessarily those with the most media attention and not just to highlight the problems; the proposal of solutions is the ultimate objective. These proposed solutions are embodied in the Recommendations of each individual investigation report.

The 23 members of the Civil Grand Jury confirmed the County of Los Angeles as being the most diverse in the nation. We came from different racial/ethnic, educational and life experience backgrounds, yet we were able to cooperate (although not without occasional controversies) to get the job done. My thanks to the other members of the jury for making my job as foreperson easier by virtue of their willingness to overcome personal desires and work for the common good.

The Civil Grand Jury would like to thank Judge David Wesley, Supervising Judge of the Criminal Division of the Superior Court, for his guidance in our endeavors and Judge Terry Green, the Assistant Supervising Judge, who acted in Judge Wesley's stead when necessary. Thanks also to our Legal Advisor, Gordon Trask, Deputy County Counsel, for keeping us from straying from the narrow path the jury is allowed by law to tread. Finally, thanks to Ms. Kim Schmerbeck, Grand Jury Assistant Manager, and her staff for their support throughout the year.

Our thanks to the Board of Supervisors, County officers and departments and representatives of all government agencies and entities involved with the Civil Grand Jury during our tenure for their assistance and cooperation in forwarding our work. Without them, we might have been stymied.

Just as it is the duty of all citizens to answer the call to serve on petit (trial) juries, those with the time, inclination and ability to serve on the Civil Grand Jury should consider doing so. It is not enough to sit back and complain about what you may perceive are the ills of our government. Get out and do something about it by volunteering for the Civil Grand Jury. New blood and perspectives are needed each year to fuel the enthusiasm that builds as the work of the Civil Grand Jury progresses through the year. See the Introduction of this report as to how to volunteer.

We hope the residents of Los Angeles County will derive some benefit from our efforts of the last year. We thank you for allowing us to serve.

Very truly yours,

A handwritten signature in black ink that reads "William A. Sullivan". The signature is written in a cursive style with a small star above the 'i' in Sullivan.

William A. Sullivan
Foreperson

INTRODUCTION

Los Angeles County Civil Grand Jury

The 2003-2004 Los Angeles Civil Grand Jury served from July 1, 2003 to June 30, 2004. The following gives a broad overview of the Civil Grand Jury, what it is and how it functions.

GRAND JURY DEFINED

California Penal Code Section 888 (as applicable to Civil Grand Juries) provides that a Grand Jury is a body of the required number of persons returned from the citizens of the county before a court of competent jurisdiction... charged and sworn to investigate or inquire into county matters of civil concern such as the needs of county officers, including the abolition or creation of offices for the purchase, lease, or sale of equipment for, or changes in the method, or system of, performing the duties of the agencies subject to investigation pursuant to Section 914.1.

For Los Angeles County, based on its population, the required number of Civil Grand Jurors is 23.

HISTORY

The California grand jury system has its historical roots in the Old English grand jury system, the purpose of which was to protect citizens from the arbitrary power of the Crown. The California system continues to retain the goal of protecting residents from abuse by local government. In civil matters, the jury performs oversight functions of city, county and other local government elements.

FUNCTIONS

For over 100 years, the Grand Jury in Los Angeles County was concerned with both criminal and civil matters. The system of Grand Jury oversight was changed with the 2000-2001 Civil Grand Jury, and the two Grand Jury system was born.

This new system uses two Grand Juries, one for criminal indictments and one for local government oversight. The Civil Grand Jury cannot investigate the Judiciary or State or Federal Agencies. It is charged with investigating all jail facilities and individual complaints from citizens.

The Civil Grand Jury is an independent and confidential body and may not, except for legal cause, be prevented from acting within its jurisdiction. The Civil Grand Jury functions as one body, with all matters discussed and votes taken to be kept private and confidential. It is a misdemeanor to violate the secrecy of the Civil Grand Jury proceedings.

REQUIREMENTS TO BECOME A GRAND JUROR

In order to be selected as a grand juror, an individual:

- Must be a United States citizen 18 years of age or older and a resident of California and Los Angeles County for at least one year immediately prior to selection
- Must not be serving as a trial juror in any California court
- Cannot have been discharged as a Grand Juror in any California court within one year of the beginning date of service
- Cannot have been convicted of malfeasance in office or any felony or other high crime
- Cannot be serving as an elected public official.

Service as a Civil Grand Juror is for an entire year (July 1 to June 30) and is basically a full time job Monday through Friday with each jury determining its work schedule. Each grand juror is required to complete a financial disclosure form in compliance with the California Government Code. Further information is available on the Grand Jury Website – <http://grandjury.co.la.ca.us>.

ORGANIZATION

The Supervising Judge of the Criminal Division of the Los Angeles Superior Court designates the foreperson to preside over all proceedings of the Civil Grand Jury. The Supervising Judge also oversees the activities of the Civil Grand Jury and must approve the jury's Final Report before its issuance.

The members select the Civil Grand Jury officers, foreperson pro-tem, secretary and sergeant at arms. The chairs of committees are selected by the foreperson.

A Deputy County Counsel is assigned as the legal advisor to assist the Civil Grand Jury on legal questions. In situations where the County Counsel has a conflict of interest, the Civil Grand Jury may seek legal advice from the State Attorney General.

INVESTIGATIONS

The Civil Grand Jury is divided into committees which investigate certain departments of city or county government or special districts. Independent auditors may be employed to examine financial records and operations of government agencies.

Members of the jury visit various government facilities, meet with government officials and develop recommendations for improvement.

At the end of the Civil Grand Jury's term, a Final Report is prepared and sent to the concerned government agencies, the Presiding Judge of the Superior Court and the County Board of Supervisors. Copies of the Final Report are distributed to other public officials, libraries and the news media. Responses to recommendations are required within ninety days.

APPOINTMENT TO THE CIVIL GRAND JURY

Any interested citizen who wishes to be considered for nomination to the Civil Grand Jury for the following fiscal year (July 1 to June 30) may obtain an application form and submit the application before the deadline in November to:

Los Angeles County Civil Grand Jury
Clara Shortridge Foltz Criminal Justice Center
211 West Temple St., 11th Floor, Rm. 11-506
Los Angeles, CA 90012
Telephone: (213) 893-1047

Each year prior to March 1st every Superior Court Judge may nominate two persons deemed qualified to serve as Civil Grand Jurors. Following the nominations, the selection process for grand jurors involves a random selection of prospective jury members and alternates. These individuals are investigated by the Sheriff's Department. In a final random selection, the members of the jury are selected. A number of alternates are also selected to serve as jurors should any of those originally chosen be unable to continue to serve.

OATH OF OFFICE

(Penal Code § 911)

" I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California, and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this state, committed or triable within this county, of which the grand jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the grand jury, nor anything which I or any other grand juror may say, nor the manner in which I or any other grand juror may have voted on any matter before the grand jury. I will keep the charge that will be given to me by the court."

Administered by
Judge David Wesley
July 1, 2003



Hon. David Wesley, Judge of the Superior Court



2003-2004 LOS ANGELES COUNTY CIVIL GRAND JURY

Front Row (left to right) – William A. Sullivan, Claire Stone, Senen De La Torre, William J. Grasska, Grayce N. Young, Gerry Rische, Shirley M. Chatters, Victoria Small

Second Row (left to right) – Richard H. Smith, Angel S. Alvarado, Carole Nielsen, Mateo C. Natividad, Robert W. Kyle, Octavio V. Chavez, John C. Lewis, John W. Capers

Third Row (left to right) – Benjamin F. Breslauer, Kenneth L. Sutton, Carolyn Brown, William H. Kelley, Sr., Ronald L. McGinley, Charles L. Follett

2003-2004

2003-2004 Los Angeles County Civil Grand Jury

Officers

William A. Sullivan, Foreperson
Carolyn Brown, Foreperson Pro Tem
Ron McGinley, Secretary
Gerry Rische, Secretary Pro Tem
William H. Kelley, Sr., Sergeant-at-Arms
Victoria Small, Treasurer



Ambrosio (A.B.) Garcia

Partial year service

John Allswang
Louise Deiparine
Marjorie Rhodes
Jean Ushijima

Grand Jurors

<u>Name</u>	<u>City or community</u>	<u>Occupation</u>
Angel S. Alvarado	Pico Rivera	Retired
Benjamin F. Breslauer	Studio City	Management Consultant
Carolyn Brown	Porter Ranch	Peace officer*
John W. Capers	Los Angeles	U.S. Postal Worker*
Shirley M. Chatters	Compton	Kaiser Business Office*
Octavio V. Chavez	Whittier	U. S. Postal Manager*
Senen D. De La Torre	Los Angeles	Notary Public/Business Consultant
Charles L. Follett	Glendale	Police Officer *
Ambrosio (A.B.) Garcia	Baldwin Park	U.S. Postal Manager*
William J. Grasska	Los Angeles	Physician & Surgeon, M.D.*
William H. Kelley, Sr.	Pasadena	U.S. Postal Service*
Robert W. Kyle	Rosewood	Teacher*
John C. Lewis	Carson	Physical Therapist*
Ronald L. McGinley	Pasadena/Sierra Madre	U. S. Government*
Mateo C. Natividad	Los Angeles	Army Officer*
Carole Nielsen	Los Angeles	Paralegal*
Gerry Rische	Torrance	Teacher*
Victoria Small	Whittier	Correctional Officer
Richard H. Smith	Cerritos	Social Worker*
Claire Stone	Inglewood	Retired
William A. Sullivan	Pasadena	Attorney
Kenneth L. Sutton	Gardena	Communications Consultant
Grayce N. Young	Los Angeles	U. S. Government/Nurse*

* Retired

CITIZEN COMPLAINT COMMITTEE

Shirley M. Chatters, Chair
Richard H. Smith, Vice-chair
Charles L. Follett
Robert W. Kyle
John C. Lewis
Victoria Small
Grayce N. Young

CITIZEN COMPLAINT COMMITTEE

EXECUTIVE SUMMARY

The primary function of the Citizen Complaint Committee is to provide means for the public to submit written complaints about city and county government operations. It is the right of all Los Angeles County residents to bring to the attention of the Los Angeles County Civil Grand Jury matters about which they have concerns. The Citizen Complaint Committee is mandated by the California Penal Code.

The 2003-2004 Los Angeles County Civil Grand Jury received 105 complaints or requests for investigation. These communications were from the general population as well as the incarcerated population. The complaints were categorized as follows:

<u>Complaint Categories</u>	<u># of Complaints</u>
Judicial	13
Police	12
State Prisons	8
L. A. County Jail	7
Federal	6
Political	5
Religious	5
Housing	4
Medical	4
Out of County	4
Student Welfare	4
Labor Dispute	3
Miscellaneous	17
Prior (2002-2003)	13

There were complaints received that were not within the jurisdiction of the Civil Grand Jury. Some were otherwise inappropriate for investigation, including 13 complaints about the judiciary, four complaints from outside Los Angeles County and five under state jurisdiction. Some were vague and made no actual complaint. In many instances, there were insufficient facts to support the complaint. Other complaints concerned cases that were pending in the courts and could not be reviewed by the Civil Grand Jury.

Several complaints alleging police non-responsiveness were referred to the individual police departments. Findings related to police responsiveness are reported in the Continuity Committee's report.

CITIZEN COMPLAINT FORM

Los Angeles County Civil Grand Jury
The Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
11th Floor, room 11-506
Los Angeles, CA 90012

See Complaint Form Guidelines
opposite side for complete instructions
All forms must be signed

1. **Who:** Your Name: _____
Address: _____
City, State, Zip Code: _____
Telephone: (_____) _____ Extension: _____

2. **What:** Subject of Complaint. Briefly state the nature of complaint and the action of what *Los Angeles County* department, section, agency, or official(s) that you believe was illegal or improper. Use additional sheets if necessary.

3. **When:** Date(s) of incident _____

4. **Where:** Names and addresses of other departments, agencies or officials involved in this complaint. Include dates and types of contact, i.e. phone, letter, personal. Use additional sheets if necessary.

5. **Why/How** Attach pertinent documents and correspondence with dates.

6. Signed _____ Date: _____

Executive Summary **Complaint Guidelines**

Communications from the public can provide valuable information to the Civil Grand Jury. Receipt of all complaints will be acknowledged. 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 further 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, which is normally published at the conclusion of the Grand Jury's term of empanelment (June 30th).

The Civil Grand Jury has no jurisdiction or authority to investigate federal agencies, state agencies, or the courts. 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.

- The 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.

CITIZEN COMPLAINT COMMITTEE

BACKGROUND

The primary function of the Citizen Complaint Committee is to provide means for the public to submit written complaints about city and county government operations. It is the right of all Los Angeles County citizens to bring to the attention of the Los Angeles County Civil Grand Jury matters about which they have concerns. The Citizen Complaint Committee is mandated by California Penal Code.

Complaints must be in writing, either by letter or by Citizen Complaint Form. Included with this report, as Attachment (A), is a copy of the Citizen Complaint Form. Response letters from the Civil Grand Jury to the complainant are included with this report as Attachment (B) and Attachment (C).

The 2003-2004 Los Angeles County Civil Grand Jury received 105 complaints or requests for investigation. These communications were from the general population as well as the incarcerated population. The complaints were categorized as follows:

<u>Complaint Categories</u>	<u># of Complaints</u>
Judicial	13
Police	12
State Prisons	8
L. A. County Jail	7
Federal	6
Political	5
Religious	5
Housing	4
Medical	4
Out of County	4
Student Welfare	4
Labor Dispute	3
Miscellaneous	17
Prior (2002-2003)	13

OBJECTIVES

The Civil Grand Jury Citizen Complaint Committee is formed to review each citizen's complaint received for possible investigation.

METHODOLOGY

Upon receipt of a complaint, the Civil Grand Jury staff sends an acknowledgement to the complainant. The Citizen Complaint Committee chairperson logs in each complaint, reviews the file and circulates it among members of the committee for

their review. The complaints are discussed in committee and appropriate action is determined. If legal advice is deemed necessary, the committee chairperson asks the Civil Grand Jury foreperson to request assistance from the County Counsel. Before final disposition, the file with the committee's recommended action is presented to the Civil Grand Jury. If appropriate, the committee refers a complaint to a separate Grand Jury Committee for further investigation and resolution. If found to be of a criminal nature, the complaint could be forwarded to the District Attorney with concurrence of counsel. If the citizen complaint is not appropriate for the Civil Grand Jury, the complaint may be forwarded to another county agency having jurisdiction. If there is not appropriate action to be taken by the Civil Grand Jury, the file is closed.

FINDINGS

There were complaints received that were not within the jurisdiction of the Civil Grand Jury. Some were otherwise inappropriate for investigation. Four complaints were from outside Los Angeles County and five were under state jurisdiction. Some were vague and made no actual complaint. In many instances, there were insufficient facts to support the complaint. Other complaints concerned cases that were pending in the courts and could not be reviewed by the Civil Grand Jury.

Several complaints alleging police non-responsiveness were referred to the individual police departments. Findings related to police responsiveness are reported in the Continuity Committee's report.

Complaints from incarcerated citizens were sometimes referred to the Department of Corrections, because the subjects of these complaints were not in the Civil Grand Jury's jurisdiction.

ATTACHMENT (A)

CITIZEN COMPLAINT FORM

Los Angeles County Civil Grand Jury
The Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
11th Floor, room 11-506
Los Angeles, CA 90012

See Complaint Form Guidelines
opposite side for complete instructions
All forms must be signed

1. **Who:** Your Name: _____
Address: _____
City, State, Zip Code: _____
Telephone: (____) _____ Extension: _____

2. **What:** Subject of Complaint. Briefly state the nature of complaint and the action of what *Los Angeles County* department, section, agency, or official(s) that you believe was illegal or improper. Use additional sheets if necessary.

3. **When:** Date(s) of incident _____

4. **Where:** Names and addresses of other departments, agencies or officials involved in this complaint. Include dates and types of contact, i.e. phone, letter, personal. Use additional sheets if necessary.

5. **Why/How** Attach pertinent documents and correspondence with dates.

6. **Signed** _____ **Date:** _____

Please see reverse side for additional instructions

COMPLAINT GUIDELINES

Communications from the public can provide valuable information to the Civil Grand Jury. Receipt of all complaints will be acknowledged. 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 further 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, which is normally published at the conclusion of the Grand Jury's term of empanelment (June 30th).

The Civil Grand Jury has no jurisdiction or authority to investigate federal agencies, state agencies, or the courts. 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.

- The 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.

ATTACHMENT B

LETTER TO COMPLAINANT

Date

Name

Address

Dear

Your letter to the Civil Grand Jury, dated _____ has been received and is being reviewed.

The fact that members of the Civil Grand Jury are reviewing this matter does not mean that the Civil Grand Jury is conducting an investigation into your complaint. Rather, a review is being done to assist the Civil Grand Jury in deciding what further action, if any, to take. By law, the Civil Grand Jury is precluded from communicating the result of its investigation except in its Final Report.

All communications are considered, but may not result in any action or report by the Civil Grand Jury.

Please note that the Los Angeles County Civil Grand Jury has no jurisdiction or authority to investigate Federal agencies, State agencies or the courts. Only causes of action occurring within the County Government of Los Angeles are eligible for review.

Please review the checked items in the list below for additional comments concerning your specific complaint.

_____ **Request for more specific facts**

Your complaint contained insufficient facts for the Civil Grand Jury to consider. If you wish the grand Jury to further review your letter, we will need more specific information.

_____ **Request for additional information**

In order to further consider your complaint, the Civil Grand Jury requests the following additional information:

___ **No jurisdiction (State or Federal)**

The Civil Grand Jury does not have jurisdiction over the subject matter of your complaint.

___ **Referral to another agency**

The Grand Jury does not have jurisdiction over the subject matter of your complaint. You may wish to contact:

_____.

___ **Suggestion for legal counsel**

The matter you describe in your letter dated _____ appears to be an issue which may require you to obtain legal advice which the Civil Grand Jury is not empowered to provide.

___ **Matter is before the Courts**

The matter referred to is pending before court. If you believe the court has incorrectly resolved the matter, you may consider appealing it to a higher court.

Sincerely,

Civil Grand Jury Staff

ATTACHMENT C



**LOS ANGELES COUNTY CIVIL GRAND JURY
2003-2004**

CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE ST., 11th FLOOR, Rm. 11-506, LOS ANGELES, CA 90012
TELEPHONE: (213) 893-1047, FAX: (213) 229-2595

Date

Dear

Your letter to the Civil Grand Jury, dated _____ has been received. The Civil Grand Jury's review of this matter does not mean that the Civil Grand Jury will conduct a full investigation into your complaint.

You will not receive any further communication from the Civil Grand Jury. By law, the Civil Grand Jury cannot communicate the results of investigations to you personally. Reports of the Civil Grand Jury investigations are available to the general public when published.

Please note that the Los Angeles County Civil Grand Jury has no jurisdiction or authority to investigate Federal agencies, State agencies, or the Courts. Only local governments within Los Angeles county are subject to Civil Grand Jury review.

Sincerely,

Civil Grand Jury Staff

JAILS COMMITTEE

Charles L. Follett, Chair
Octavio V. Chavez, Vice-chair
Angel S. Alvarado
John W. Capers
Shirley M. Chatters
A.B. Garcia
William J. Grasska
William H. Kelley, Sr.
Robert W. Kyle
Mateo C. Natividad
Carole Nielsen
Gerry Rische
Victoria Small
Grayce N. Young

JAILS COMMITTEE

EXECUTIVE SUMMARY

The 2003-2004 Los Angeles County Civil Grand Jury through its Jails Committee is mandated to inspect all jails, holding facilities and court lockups. Los Angeles County has 88 cities and an unincorporated area of 2299 square miles. The Jails Committee inspected housing conditions, availability of telephones, medical needs and food services with dietary considerations. The number of staff at each facility, their training background, policy and procedure manuals, availability of personal care items and conditions of the restrooms and showers were also inspected.

Some cities have their own police departments and jail facilities. Many of the local jails are well managed and clean. Some sentenced inmates are required to pay if they request to stay in jail.

The Los Angeles County Sheriff's Department (LASD) polices the unincorporated areas of the county. They also contract with a number of cities for jail and law enforcement services. Some cities also contract with private vendors for the operation of their jail facilities.

The Los Angeles Police Department (LAPD) operates many facilities throughout the city. Most of these facilities are short term (maximum 48 hours). LAPD Newton Street Station was found to be in a state of serious disrepair. A broken pipe caused water to be on the floor. The floor was dirty, and the facility is in need of a thorough cleaning and a fresh coat of paint. This facility is in the worst condition of all the facilities visited by the Grand Jury. The health and welfare of the inmates and the staff are in jeopardy in such an unhealthful environment. The other LAPD jail facilities were found to be compliant and to meet current standards.

The Los Angeles County Sheriff's Department maintains the largest adult jail system in the nation. The LASD operates several large facilities in North Los Angeles County. These larger facilities tend to be in better condition and well managed. The Compton City police department jail facility operated by the LASD was found to be sub-standard and closed on 9-1-03.

The Twin Towers facility operated by LASD is the newest of all the facilities within Los Angeles County. Tower 1 is used to house male inmates. Tower 2 houses women. Both of these facilities are clean and well managed. Men's Central jail was also found to be compliant and meets current standards. Health care professionals are available in each of these facilities to treat these inmates if needed.

PROBATION CAMPS

The Los Angeles County Juvenile Probation Department exists for assisting the youth in the at-risk population. Programs are offered to aid young people before and after they become involved in the juvenile justice system.

Many dedicated Probation Department employees are found willing and able to assist the minors with a myriad of justice system - related problems. These employees are found in the schools, camps and other detention facilities.

These camps provide a residential facility that is an alternative to incarceration in the California Youth Authority. They are highly structured and designed to enhance academic training. All youths are required to attend 300 minutes of classroom training per day. The academic component within the camps is provided by the Los Angeles County Office of Education (LACOE).

The 19 camps and 3 juvenile halls were inspected for compliance with health and safety standards. The inspections included, but were not limited to, housing conditions, medical needs and food services with specific dietary needs. The number of staff at each facility, their training background, policy and procedure manuals, availability of personal care items and conditions of the restrooms and showers were also inspected.

Most of the facilities are well managed and maintained despite budget restraints, lack of personnel and the increasing number of juveniles entering the system. The notable exception is Camp Scudder. This facility needs immediate management intervention. The dormitory is poorly maintained and needs a thorough cleaning and a fresh coat of paint. This includes the restrooms and showers. Debris was observed on the floor in the sleeping area.

JAILS COMMITTEE

DETENTION FACILITIES

BACKGROUND

The 2003-2004 Los Angeles Civil Grand Jury Jails Committee is mandated by California Penal Code Section 919(a) and (b) to inspect county and municipal police department jails and lockups, court holding cells, juvenile camps, juvenile detention centers and other penal institutions. These inspections include, but are not limited to, housing conditions, availability of telephones, medical needs, food service with dietary considerations, number of staff and their training background, policy and procedures manuals, local fire inspection reports, use of safety and detoxification cells, availability of rules and disciplinary penalty manuals, availability of personal care items and conditions of the restroom and showers.

The grand jury may inquire into the case of any person imprisoned in the jails of the county on a criminal charge not yet indicted. The grand jury shall inquire into the condition and management of the public prisons within the county.

Other agencies conduct in-depth inspections of these facilities on an annual or semi-annual basis. These agencies include local and state health departments, local fire departments, the California Board of Corrections and the California Department of Justice. The agencies report their findings directly to the authorities in charge of the facility. The Civil Grand Jury conducts "unannounced" inspections.

Many of the categories have minimum standards. The standards are interpreted by the Board of Corrections and are applied to adult and juvenile detention facilities as set forth in Title 15 of the California Code of Regulations.

Los Angeles County has 88 cities and an unincorporated area of 2299 square miles. The Los Angeles County jail system is the largest in the nation. It has a daily inmate population of 17,000 for all LASD facilities.

METHODOLOGY

Based on our criteria review, a form was developed to address these requirements. A form was devised to collect common data from each of the facilities. (See Attachment A) In addition to using specific criteria, the Civil Grand Jury inspected each facility and made comments based upon reasonable expectations of appearance, health and safety elements.

The County was divided into four geographic areas. Each facility was assigned to two committee members each for inspection purposes. Each team visited the facilities "unannounced." Several of the previously listed facilities were closed and are not included in this report. All operating facilities were visited by the Civil Grand Jury.

FINDINGS

Detention facilities and holding facilities can somewhat overlap. Most local police departments or branches of police departments have a jail attached to the police facility. Most courthouses have some type of holding unit for detainees to keep them secure while awaiting their court appearance. Some facilities are short term, not to exceed 48 hours, excluding holidays, prior to transferring them to the appropriate facility such as Twin Towers or Men's Central Jail unless the court releases them.

Los Angeles County Sheriff's Department manages all court holding units and the large detention facilities: Twin Towers, Men's Central Jail, and the Pitchess Centers. Overcrowding is a constant problem, and budget constraints continue to plague the system. Early release of inmates, work release programs and electronic monitoring are used to alleviate some of the overcrowded problem.

Many detention facilities located throughout the County are managed by local police departments. Some of the small cities have contracted with LASD or private correctional companies. The Jails Committee was very impressed with those facilities that are managed by outside contractors. They are able to manage with a minimum of staff and keep the facilities clean and secure. It would certainly be appropriated to investigate the possibility of expanding this type of contractor service to other facilities.

The large facilities and the activities within are well maintained. These facilities meet the basic criteria for safety and health. The staffs are well-trained and function well together. Detainees at these facilities have access to physicians, dentists and mental health professionals. Sentenced prisoners can work in the laundries and kitchens that serve the facility.

Some of the facilities have trustees. These are non-violent inmates sentenced to less than a year in custody. Some of the trustees remain at local police facilities while others are remanded to Los Angeles Sheriff's Department custody. They do chores within the jail system, which include, but are not limited to, general clean up of cells and hallways, gardening and the distribution of food to other prisoners.

CONCLUSIONS

The Los Angeles County Sheriff's Department manages the largest detention facilities in the county along with providing security services to all of the Los Angeles County Superior Courts. They do an exceptional job, but a substantial number of Deputies could be replaced by "Custody Assistants" at a lower cost to both the Los Angeles County taxpayers and the Courts. (See separate report on this issue in this Final Report.)

The Los Angeles Police Department has many detention facilities under its supervision. Most of these facilities are short-term holding facilities. The detainees in these facilities are awaiting court appearances; others are awaiting

transportation to the appropriate facility such as Twin Towers or Men's Central Jail unless the Court releases them. The actual managing of these facilities is handled by Los Angeles Police Department personnel. Most of the facilities were well managed and meet the standards for safety and health required by the State of California. However, Los Angeles Police Department Newton Street Station was found to be in a state of serious disrepair. Water was observed on the floor caused by a leaky pipe, the floor was dirty and the facility is in need of painting and a thorough cleaning. All of the deficiencies were brought to the attention of management.

A second surprise visit to Newton Street Station was conducted. The leaky pipe had been repaired, but the floor and the facility needed a thorough cleaning along with a fresh coat of paint. This facility is in the worst condition of all the facilities visited by the Grand Jury. Los Angeles Police Department – Newton Street Division has been irresponsible in the maintenance of this jail facility. The health and welfare of the inmates and the staff are in jeopardy in such an unhealthful environment.

RECOMMENDATIONS

1. The Jails Committee recommends that the Los Angeles Sheriff's Department increase the use of "custody assistants" within the jail facilities to a ratio of 50-50.
2. The jails committee recommends that the Los Angeles Sheriff's Department adopt a plan to utilize "custody assistants" in the Superior Court systems.
3. The Los Angeles Police Department should investigate the possibility of hiring outside contractors to manage their jails. This may be cost effective and eliminate the need for staff to supervise the jail operations.
4. The Los Angeles County Sheriff's Department and the District Attorney's Office should investigate the possibility of expanding the use of work release programs and electronic monitoring for non-violent inmates.

2003-2004 LOS ANGELES COUNTY GRAND JURY

Adult Detention Facilities Inspections
(Listed alphabetically by facility name)

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
Alhambra Superior Court	Los Angeles County Sheriff's Department	Meets standards.		
Alhambra PD	Contracted by: Correctional System Inc.	Above average.		Well run and clean.
Altadena LASD	Los Angeles County Sheriff's Department	Meets standards.		
Antelope Valley LASD	Los Angeles County Sheriff's Department	Above average.		Well run and clean.
Arcadia PD	Arcadia Police Department	Excellent.		New facility.
Avalon LASD	Los Angeles County Sheriff's Department	Excellent.		Well run and clean.
Azusa PD	Contracted by: Wackenhut Corporation	Excellent.		Well run and clean.
Baldwin Park PD	Contracted by: Correctional System Inc.	Excellent.		Well run and clean.
Bell Gardens PD	Los Angeles County Sheriff's Department	Above average.		
Bell PD	Bell Police Department	Excellent.		
Bellflower Courts	Los Angeles County Sheriff's Department	Meets standards.		
Beverly Hills Court	Los Angeles County Sheriff's Department	Excellent.		Well run and clean.
Beverly Hills PD	Beverly Hill Police Department	Excellent.		Well run and clean.
Burbank Superior Court	Los Angeles County Sheriff's Department	Excellent.		Well run and clean.

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
Burbank PD	Burbank Police Department	Excellent.		Well run and clean.
Carson LASD	Los Angeles County Sheriff's Department	Meets standards.		
Central Arraignment Courts	Los Angeles County Sheriff's Department	Meets standards.		Fire extinguishers last check: Mar 2002
Central LAPD	Los Angeles City Police Department	Meets standards.		
Century Sheriff's Station	Los Angeles County Sheriff's Department	Meets standards.		
Claremont PD	Claremont Police Department	Meets standards.		
Compton LASD	Los Angeles County Sheriff's Department		Below standards.	Needs renovation and closed by LASD - 09/01/2003
Compton Superior Court	Los Angeles County Sheriff's Department	Meets standards.		
Covina PD	Covina Police Department	Meets standards.		
Crescenta Valley LASD	Los Angeles County Sheriff's Department	Excellent.		Well managed and run.
Clara S. Foltz Criminal Justice Center	Los Angeles County Sheriff's Department	Excellent.		Well managed and run.
Culver City PD	Culver City Police Department	Meets standards.		
Devonshire LAPD	Los Angeles City Police Department	Above average.		Good overall appearance.
Downey Courts	Los Angeles County Sheriff's Department	Meets standards.		
Downey PD	Contracted by: Correctional Systems Inc.	Above average.		Clean and well run.

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
East LA Court	Los Angeles County Sheriff's Department	Meets standards.		Needs tile work.
East LA Sheriff's Department	Los Angeles County Sheriff's Department	Meets standards.		
Edelman Children's Court	Los Angeles County Probation Department	Meets standards		Temporary holding facility
El Monte PD	El Monte Police Department	Meets standards.		
Foothill LAPD	Los Angeles City Police Department	Meets standards.		Oven needs cleaning.
Gardena PD	Gardena Police Department	Above average.		Clean and well run.
Glendale Superior Court	Los Angeles County Sheriff's Department	Excellent.		Well run and managed.
Glendale PD	Glendale Police Department	Meets standards.		Jail being relocated to new facility.
Glendora PD	Glendora Police Department	Excellent.		Well managed and clean.
H. R. Moore Community Education	Los Angeles County Probation Department	Above average.		
Harbor Division LAPD	Los Angeles City Police Department	Excellent.		Very good, well run facility.
Hawthorne PD	Hawthorne Police Department	Above average.		
Hermosa Beach PD	Hermosa Beach Police Department	Above average.		
Hollenbeck LAPD	Los Angeles City Police Department	Excellent.		Well managed and run.
Hollywood Court	Los Angeles County Sheriff's Department	Meets standards.		

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
Hollywood LAPD	Los Angeles City Police Department	Meets standards.		
Hollywood Park Racetrack	Private Security	Meets standards.		Transfer prisoners to LAPD
Huntington Park Court	Los Angeles County Sheriff's Department	Meets standards.		
Huntington Park PD	Huntington Park Police Department	Meets standards.		
Industry LASD	Los Angeles County Sheriff's Department	Meets standards.		
Inglewood Juvenile Court	Los Angeles County Sheriff's Department	Meets standards.		
Inglewood PD	Inglewood Police Department	Above average.		
Irwindale PD	Irwindale Police Department	Meets standards.		
LA Dodgers Stadium	Private Security	Meets standards.		Transfer prisoners to LAPD.
La Verne PD	La Verne Police Department	Meets standards.		
LA County/USC Medical Center-Jail Ward	Los Angeles County Sheriff's Department	Meets standards.		Old facility but well managed and maintained.
Lakewood LASD	Los Angeles County Sheriff's Department	Meets standards.		
Lancaster Sheriff's Station	Los Angeles County Sheriff's Department	Above average.		
Lancaster Superior Court	Los Angeles County Sheriff's Department	Above average.		
LAX Airport Court	Los Angeles County Sheriff's Department	Excellent.		Very clean and well managed.

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
Lennox LASD	Los Angeles County Sheriff's Department	Meets standards.		Old facility
Lomita LASD	Los Angeles County Sheriff's Department	Excellent.		Well managed.
Long Beach PD	Long Beach Police Department	Meets standards.		Renovation in progress.
Long Beach Superior Court	Los Angeles County Sheriff's Department	Above average.		Needs a new security elevator.
Los Angeles Police Department - 77 th Division	Los Angeles City Police Department	Meets standards.		
Malibu / Lost Hills LASD	Los Angeles County Sheriff's Department	Above average.		
Malibu Superior Court	Los Angeles County Sheriff's Department	Meets standards.		
Manhattan Beach PD	Manhattan Beach Police Department	Above average.		Closing, will be transferred to Hawthorne PD
Marina Del Rey LASD	Los Angeles County Sheriff's Department	Above average.		
Maywood PD	Maywood Police Department	Above average.		Well run facility.
LASD-Men's Central Jail	Los Angeles County Sheriff's Department	Meets standards.		
Monrovia Court	Los Angeles County Sheriff's Department	Excellent.		Well run and managed.
Monrovia PD	Monrovia Police Department	Excellent.		Well run and managed.
Montebello PD	Montebello Police Department	Excellent		Well run and managed.
Monterey Park PD	Monterey Park Police Department	Excellent.		Well run and managed.

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
Newton Area LAPD	Los Angeles City Police Department		Below Standards	Needs cleaning, visible water leakage.
North Hollywood LAPD	Los Angeles City Police Department	Above average.		Clean and well run.
Northeast LAPD	Los Angeles City Police Department	Meets standards.		
Norwalk Court	Los Angeles County Sheriff's Department	Meets standards.		
Norwalk LASD	Los Angeles County Sheriff's Department	Meets standards.		
Palmdale LASD	Los Angeles County Sheriff's Department	Above average.		
Palos Verdes Estates PD	Palos Verdes Estates Police Department	Above average.		
Parker Center LAPD	Los Angeles City Police Department	Meets standards.		Floors need cleaning and sanitizing.
Pasadena Courts	Los Angeles County Sheriff's Department	Above average.		
Pasadena PD	Pasadena Police Department	Above average.		New facility, clean and well managed.
Pico Rivera LASD	Los Angeles County Sheriff's Department	Excellent.		Well maintained and managed.
Pomona Court	Los Angeles County Sheriff's Department	Above average.		Clean and well managed.
Pomona PD	Pomona Police Department	Above average.		Clean and well maintained.
Pacific Division-LAPD	Los Angeles City Police Department	Above average.		Very clean and well managed.
Redondo Beach PD	Redondo Beach Police Department	Meets standards.		
Rio Hondo Court	Los Angeles County Sheriff's Department	Meets standards.		

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
Rose Bowl	Pasadena Police Department	Excellent.		New facility. Transfers prisoners to Pasadena PD
San Fernando PD	San Fernando Police Department	Above average.		
San Fernando Superior Court	Los Angeles County Sheriff's Department	Above average.		
San Gabriel PD	San Gabriel Police Department	Excellent.		
San Marino PD	San Marino Police Department	Excellent.		Very Clean and up to date.
San Pedro Court	Los Angeles County Sheriff's Department	Meets standards.		Very old building.
Santa Anita Racetrack	Private Security	Meets standards.		Transfer prisoners to Arcadia PD
Santa Clarita Valley LASD	Los Angeles County Sheriff's Department	Above average.		Clean and well run.
Santa Monica Court	Los Angeles County Sheriff's Department	Meets standards.		
Santa Monica PD	Santa Monica Police Department	Meets standards.		
Sierra Madre PD	Sierra Madre Police Department	Above average.		Clean.
Signal Hill PD	Signal Hill Police Department	Meets standards.		
South Gate Court	Los Angeles County Police Department	Meets standards.		
South Gate PD	South Gate Police Department	Above average.		Clean.
South Pasadena PD	South Pasadena Police Department	Above average.		Temporary holding facility.

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
Southeast Area LAPD	Los Angeles City Police Department	Meets standards.		Extremely dark and needs additional lighting.
Southwest Division LAPD	Los Angeles City Police Department	Meets standards.		Needs cleaning.
Staples Arena	Private Security	Excellent.		New facility. Transfer prisoners to LAPD.
Temple LASD	Los Angeles County Sheriff's Department	Excellent.		Well maintained.
Torrance PD	Torrance Police Department	Above average.		Well managed.
Torrance Superior Court	Los Angeles County Sheriff's Department	Above average.		
Twin Towers Jail Facilities	Los Angeles County Sheriff's Department	Excellent.		Well run and managed.
Universal City - LASD	Los Angeles County Sheriff's Department	Meets standards.		Clean and well run.
Valencia-Newhall Superior Court	Los Angeles County Sheriff's Department	Above average.		
Van Nuys Court	Los Angeles County Sheriff's Department	Above average.		
Van Nuys Division LAPD	Los Angeles City Police Department	Above average.		Short-term stays
Vernon PD	Vernon Police Department	Above average.		Well maintained.
Walnut LASD	Los Angeles County Sheriff's Department	Excellent.		Well maintained.
West Covina Court	Los Angeles County Sheriff's Department	Meets standards.		
West Covina PD	West Covina Police Department	Meets standards.		

Name of Facility	Operated by	Compliant	Non-Compliant	Comments
West Hollywood LASD	Los Angeles County Sheriff's Department	Above average.		
West Valley LAPD	Los Angeles City Police Department	Meets standards.		New facility under construction.
Whittier Court	Los Angeles County Sheriff's Department	Meets standards.		
Whittier PD	Contracted by: Correctional System Inc.	Meets standards.		Needs thorough cleaning and management intervention.
Wilshire Area LAPD	Los Angeles City Police Department	Meets standards.		Needs thorough cleaning.

ADULT DETENTION FACILITIES INSPECTION REPORT
BY THE
JAILS COMMITTEE OF THE 2003-2004
LOS ANGELES COUNTY CIVIL GRAND JURY

DATE: _____ ARRIVAL TIME _____ am/pm DEPARTURE TIME: _____ am/pm

FACILITY NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ THOMAS GUIDE PAGE # _____

TYPE OF FACILITY: _____ MANAGED BY: _____

CAPACITY: _____ POPULATION: _____

INSPECTED BY: (1) _____

(2) _____

(3) _____

RATINGS: COMPLIANCE or NON-COMPLIANCE

	COMPLIANCE	NON-COMPLIANCE
POST CERTIFICATES		
FIRE EXTINGUISHERS		
OXYGEN TANKS		
SANITATION		
TELEPHONE		
NUTRITION		
REFRIGERATION / TEMP		

GENERAL APPEARANCE & COMMENTS:

Attachment A

JUVENILE DETENTION FACILITIES

BACKGROUND

The Civil Grand Jury for the County of Los Angeles (County) is mandated by California Penal Code Sections 919 and 921 to inquire about prisoners and have access to all public prisons, including jails, juvenile detention centers and camps. The County Probation Department has the mandate to promote positive change in adult and juvenile probationers, particularly the at-risk youth. To achieve this mandate, it provides probationers with academic and vocational training and physical and mental health services, and addresses remedial problems, including illiteracy.

The Probation Department has the management and operational responsibility for the County Juvenile Detention System, including 3 juvenile halls and 19 detention camps. The juvenile halls, Eastlake, Los Padrinos and Barry J. Nidorf, house minors who will be prosecuted as adults, minors arrested for misdemeanors, as well as minors awaiting assignment to foster care, group home, camp or mental health care.

The County probation camps provide an alternative to incarceration in the California Youth Authority, and offer a highly structured environment designed to enhance academic training for elementary, middle and high school youth. The camps are generally located in remote areas of the County free of urban pressures. Some camps have themes such as sports, para-military or fire fighting. All youths assigned to a camp are required to attend 300 minutes of classroom training per day. The academic component within the camp is provided by the Los Angeles County Office of Education (LACOE) Juvenile Court and Community Schools Program.

METHODOLOGY

Members of the Civil Grand Jury conducted surveys of the three Juvenile halls and all 19 camps. The Civil Grand Jury was specifically interested in the Probation Department compliance with State safety and health regulations at the juvenile detention facilities. In the conduct of facility surveys, most of the school principals were interviewed regarding their objectives and specific needs.

Based on a criteria review, a form was developed that addresses these requirements. This form was devised to collect common data from each of the facilities. (See attachment B.) In addition to using specific criteria, the Civil Grand Jury inspected each facility and made comments based upon reasonable expectations of appearance, health and safety elements.

Los Angeles was divided into four geographic areas. Each facility was assigned a minimum of two committee members each. Each team visited the facilities unannounced. The inspections of the juvenile facilities were conducted in the same manner as the adult detention facilities.

FINDINGS

The Civil Grand Jury surveyed the three juvenile halls, Eastlake, Los Padrinos and Barry J. Nidorf. All three juvenile halls were found to be well managed, clean and in good condition. The level and mix of staffing appeared to be adequate to ensure appropriate assessments of youths' special needs, as well as safety and security of juveniles and probation personnel.

The Civil Grand Jury surveyed all 19 detention camps throughout the County. The camps were found to be in generally good condition, well managed and maintained. The level of staffing was adequate to ensure safety and assess the special needs of the juvenile probationers. The programs focused upon personal responsibility for decisions and behavior. The education program offered every level of academics from elementary through high school, and provided Individual Education Programs (IEPs) for youth with learning disabilities or special needs.

The camp programs appear to promote positive change and reduce anti-social behavior by the probationers. However, the average stay within camp programs of only 12 weeks, when coupled with the fact that most youth will return to the same environment when released, has done nothing to reduce recidivism rates.

At Camps Affenbaugh and Paige, Civil Grand Jury members found substantial compliance with health and safety standards, but areas of vocational and academic training were in need of improvement.

At Camp Challenger, which is comprised of six co-located camps near Lancaster, the Civil Grand Jury found generally good conditions, with well-managed and maintained facilities. The academic and vocational training programs were impressive with dedicated and committed teachers in the classrooms. The programs appeared to adequately address the needs to decrease the will and ability of juveniles to engage in criminal activity, as well as present opportunities for social, emotional and academic development. The level of staffing appeared adequate to ensure safety of staff, teachers and juvenile probationers. However, the scarcity of resources was evident in some areas including classroom arts and crafts, perimeter security and the need for a bus loading sally port.

At Camps Gonzales, Holton Kilpatrick and Mendenhall, the Grand Jury members found general compliance with requirements and well-managed and maintained facilities. Likewise, at Camps Miller, Munz and Rocky the survey found general compliance, with corrective action having been taken regarding prior Civil Grand Jury recommendations at Camp Munz.

Again, at camps Routh, Scott and Scudder, the Grand Jury found general compliance with safety and health standards, and except for camp Scudder, well managed and well maintained facilities.

CONCLUSIONS

The Civil Grand Jury is satisfied that safety and health standards have been complied with at the three juvenile halls, and that the intake and assessment procedures are adequate to identify the special needs of at-risk youth.

The LACOE Juvenile Court and Community Schools Program provided many opportunities within the juvenile halls and camps to enhance academic achievement and address remedial problems including illiteracy.

The Civil Grand Jury is satisfied that safety and health standards have been met at all camps, and that staffing was adequate to ensure security. The programs within the camps provided academic, social and emotional development for the youth. However, there was no evidence of meaningful outcome measures, including the affect of delinquency prevention programs or measures to reduce recidivism rates as recommended by the prior Civil Grand Jury.

RECOMMENDATIONS

1. The Probation Department should review delinquency prevention programs focused on elementary and middle school youth to provide meaningful outcome measures under the County's Performance Counts Program.
2. The Probation Department should work with the Chief Administrative Officer (CAO) to ensure the County has an integrated system to track juvenile probationers needs and development to promote positive change.
3. The Probation Department should review and analyze recidivism rates to find means of reduction.
4. The Probation Department should review capital projects with priority to camp security and safety enhancements
5. The Probation Department should collaborate with the Sheriff Department regarding shared resources and complementary vocational programs.
6. The Probation Department should work with the Criminal Justice System to identify and adopt "best practices" for camp programs to promote positive change, reduce anti-social behavior and reduce recidivism rates.
7. The Probation Department should prioritize maintenance schedules with the Internal Services Division and place more emphasis on the camps' physical needs.

CONCLUSIONS

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JUVENILE DETENTION FACILITIES INSPECTION

NAME OF FACILITY	COMPLIANT	NON-COMPLIANT	COMMENTS
HALLS:			
Eastlake	Meets standards		Grounds and facilities need extensive repairs.
Los Padornos	Meets Standards		Well managed.
Barry J. Nidorf	Excellent		Tight security. Well managed.
CAMPS:			
Affenbaugh and Paige (2 camps)	Meet Standards		Need additional vocational training.
Challenger (6 camps)	Above Average		Well managed.
Gonzales	Meets Standards		Needs additional staff. Kitchen floor needs cleaning
Holton	Meets Standards		Drip Pans in kitchen need cleaning.
Kilpatrick	Above Average		Well run and managed.
Mendenhall	Above Average		Well managed facility.
Miller	Above Average		Well run and managed.
Munz	Average		Needs management intervention.
Rockey	Above Average		Needs additional modular classrooms.
Routh	Above Average		Well managed and maintained.
Scott	Average		Needs management intervention.
Scudder		Below Average	Needs immediate management intervention.
TREATMENT CENTER:			
Dorothy Kirby Center	Above average		A well-managed treatment center.

JUVENILE DETENTION FACILITIES INSPECTION REPORT
BY THE
JAILS COMMITTEE OF THE 2003-2004
LOS ANGELES COUNTY CIVIL GRAND JURY

DATE: _____ ARRIVAL TIME _____ am/pm DEPARTURE TIME: _____ am/pm

FACILITY NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ THOMAS GUIDE PAGE # _____

TYPE OF FACILITY: _____ MANAGED BY: _____

CAPACITY: _____ POPULATION: _____

INSPECTED BY: (1) _____

(2) _____

(3) _____

RATINGS: COMPLIANCE or NON-COMPLIANCE

	COMPLIANCE	NON-COMPLIANCE
POST CERTIFICATES		
FIRE EXTINGUISHERS		
OXYGEN TANKS		
SANITATION		
TELEPHONE		
NUTRITION		
REFRIGERATION / TEMP		

GENERAL APPEARANCE & COMMENTS:

Attachment B

CONTINUITY

Ronald L. McGinley, Chair
Angel S. Alvarado
John C. Lewis
Gerry Rische
Richard H. Smith

CONTINUITY COMMITTEE

EXECUTIVE SUMMARY

BACKGROUND

Under California Penal Code Section 933(c), a public agency subject to a Grand Jury review is required to respond to recommendations within 90 days, except elected County officials who must respond within 60 days. Copies of the responses are provided to the mayor when a city is involved or to the Board of Supervisors ^[1] when a county department or agency is involved (see Grand Jury website <http://grandjury.co.la.ca/us/gjreports>, Board of Supervisors Response 2002 -2003).

OBJECTIVE

On October 1, 2003, the Continuity Committee initiated a response tracking process. The responses that required follow-up action were referred to the appropriate committees. A school district and two law enforcement agencies, failed to respond to prior Grand Jury recommendations, or indicated late implementation. Accordingly, follow-up action was initiated on each of these inadequate responses.

METHODOLOGY

The Continuity Committee initiated a follow-up of the Long Beach and Torrance Police Departments to ensure compliance under Penal Code Section 832.7, Citizen Complaint Process and Early Warning System to identify officer behavioral problems.

On November 3, 2003, both the Long Beach and Torrance Police Departments were notified that members of the 2003-2004 Civil Grand Jury were not satisfied with the implementation of the prior Civil Grand Jury's recommendations. An early review to assess progress toward compliance was requested.

On December 16, 2003, members of the Civil Grand Jury met with representatives of the Torrance Police Department (TPD) to review progress toward implementation of a Citizen Complaint Process and Early Warning System, as well as to verify independent civilian oversight.

On January 6, 2004, the same members of the Civil Grand Jury met with representatives of the Long Beach Police Department (LBPD) and Police Commission to review the Citizen Complaint Process and Early Warning System, as well as to verify independent civilian oversight.

^[1] Board Policy Manual # 4-050, Audit Follow-up, dated December 7, 1995.

FINDINGS

The Civil Grand Jury verified that the T P D had implemented a Citizen Complaint Process, and that the Citizen Complaint Forms and brochures were available in all Torrance Police Stations, but were not accessible on the City of Torrance or Torrance Police Department websites "<http://www.ci.torrance.ca.us>, or www.tpd.torrcnet.com."

The T P D implemented a successful model used by another law enforcement agency, which complemented the existing system used to track Internal Affairs Division cases. This system enabled tracking of audits, provided separation of citizen complaints from procedural complaints and connected to the Internal Affairs Early Warning System.

The T P D's Information Resource improvements exhibited features similar to COPLINK,^[2] and other programs designed to improve access to many databases. These improvements yielded important new investigative tools, which enhanced the ability to sift through millions of pieces of information in different databases.

The Civil Grand Jury verified that the L B P D had published a Citizen Complaint Questionnaire and Procedure, as well as posted them on the Police Department's website "<http://www.longbeachpd.org>." The Civil Grand Jury also verified that independent oversight of the Citizen Complaint Process had been implemented, and that improvements to the L B P D's Employee Risk Management System (ERMS) were in process.

The enhanced system implemented by L B P D evolved from practices within the Phoenix Police Department and software development at the University of California, Irvine. The result was a state-of-the-art Computer Assisted Policing Program (CAPP), known as "Proxima." The system capabilities offered an improved Employee Risk Management System, as well as important new investigative tools. These improvements augment the Long Beach Policing Programs, and complement Homeland Security in the strategic Ports of Long Beach and Los Angeles.

CONCLUSIONS

The Civil Grand Jury is satisfied with the Torrance and Long Beach Police Department's implementation of the prior Grand Jury's Recommendations, and applauds the resourcefulness in implementing changes that bring general improvement to the Police Department's Internal Affairs and Investigation Divisions through Computer Assisted Policing Programs, which augment understaffed police agencies.

² COPLINK is a Computer Assisted Policing Program (CAPP) developed at the University of Arizona Artificial Intelligence Laboratory under a grant from the National Institute of Justice in collaboration with the Tucson and Phoenix Police Departments. COPLINK was designed to mesh data from different files and databases to enable a more complete picture of a suspect and save time. COPLINK is being evaluated by the Los Angeles Police Department.

CONTINUITY COMMITTEE

BACKGROUND

Under Penal Code Section 933(c), the public agency subject to a Grand Jury review is required to respond to recommendations within 90 days, except elected County officials who must respond within 60 days. Copies of the governing body response to recommendations are provided to the mayor when a city is involved or to the Board of Supervisors ^[1] when a county department or agency is involved (see Grand Jury website <http://grandjury.co.la.ca/us/gjreports>, Board of Supervisors Response 2002 - 2003 [Grand Jury]).

OBJECTIVE

On or about, October 1, 2003, which is 90 days after the 2002-2003 Civil Grand Jury Final Report was issued, the Continuity Committee initiated a response tracking process. The responses that required follow-up action were referred to the appropriate committees. The Los Angeles Unified School District had failed to respond, and two agencies, the Long Beach and Torrance Police Departments indicated implementation in late 2004. Accordingly, follow-up action was initiated on each of these inadequate responses.

METHODOLOGY

The Education Committee initiated an accountability review of the Los Angeles Unified School District and the Los Angeles County Office of Education, which is fully treated in a separate section of this report. The Continuity Committee initiated a follow-up of the Long Beach and Torrance Police Departments to ensure compliance under Penal Code Section 832.7, Citizen Complaint Process and Early Warning System to identify officer behavioral problems. The findings of the Continuity Committee regarding the Long Beach and Torrance Police Departments are treated in this report.

The City of Long Beach Police Department letter, dated September 30, 2003, and the City of Torrance letter, dated September 16, 2003, in response to the prior Civil Grand Jury recommendations were both referred to the Continuity, Law Enforcement and Citizens Complaint Committees for review and appropriate action. On November 3, 2003, both the Long Beach and Torrance Police Departments were notified in writing that members of the 2003-2004 Civil Grand Jury were not satisfied with the implementation of the prior Civil Grand Jury's recommendations, as prescribed under Penal Code Sections 832.5 and 832.7. An early review to assess progress toward compliance was requested.

¹ Board Policy Manual # 4-050, Audit Follow-up, dated December 7, 1995.

On December 16, 2003, members of the Civil Grand Jury met with representatives of the Torrance Police Department to review progress toward implementation of a Citizen Complaint Process and Early Warning System, as well as to verify independent civilian oversight.

On January 6, 2004, the same members of the Civil Grand Jury met with representatives of the Long Beach Police Department and Long Beach Police Commission to review the Citizen Complaint Process and Early Warning System, as well as to verify independent civilian oversight.

FINDINGS

The Civil Grand Jury verified that the Torrance Police Department had implemented a Citizen Complaint Process and had designed and published a Complaint Form and "A Guide for Citizens" brochure. The Civil Grand Jury also verified that the Citizen Complaint Forms and Guide for Citizens brochures were available in all Torrance Police Stations and at Torrance City Hall but were not accessible on the City of Torrance or Torrance Police Department websites "<http://www.ci.torrance.ca.us>, or www.tpd.torrnet.com."

The Torrance Police Department had surveyed other law enforcement agencies for best practices employed in tracking citizen complaints, monitoring staff performance and providing early warning of officer behavior problems. The Torrance Police Department selected a model successfully used by the Huntington Beach Police Department, which complemented the existing Microsoft Access System used to track Internal Affairs Division cases, including procedural complaints and claims. This system enabled tracking of audits, provided separation of citizen complaints from procedural complaints and connected to the Internal Affairs Early Warning System.

The Torrance Police Department's Information Resource improvements exhibited features similar to COPLINK,^[2] and other programs designed to improve access to many police databases, including arrests, traffic tickets, gang members and 911 calls. These improvements in information resources yielded important new investigative tools, which enhanced the ability to sift through millions of pieces of information in different databases. These enhancements built upon the Microsoft Access and Internal Affairs Case System to provide the Early Warning System and Citizen Complaint Process Tracking Systems.

² COPLINK is a Computer Assisted Policing Program (CAPP) developed at the University of Arizona Artificial Intelligence Laboratory under a grant from the National Institute of Justice in collaboration with the Tucson and Phoenix Police Departments. COPLINK was designed to mesh data from different files and databases to enable a more complete picture of a suspect and save time. COPLINK is being evaluated by the Los Angeles Police Department.

The Civil Grand Jury verified that the Long Beach Police Department had published a Citizen Complaint Questionnaire and Procedure, which was distributed to all field sergeants and available in all police stations, as well as posted on the Police Department's website "<http://www.longbeachpd.org>." The Civil Grand Jury also verified that independent oversight of the Citizen Complaint Process had been implemented from the Office of the City Manager. Improvements to the Long Beach Police Department's Employee Risk Management System (ERMS) were in the process of being implemented. These improvements appear to represent a best practice and comply with Civil Grand Jury Recommendations.

The Long Beach Police Department conducted an exhaustive study of Police Early Warning Systems and adopted improvements based upon successful models in Tampa, Florida and Phoenix, Arizona. The enhanced Early Warning System implemented by Long Beach evolved from practices within the Phoenix Police Department and software development at the University of California, Irvine. The outgrowth was a state-of-the-art Computer Assisted Policing Program (CAPP), known as "Proxima," developed by Speedtrack Inc., Solana Beach, California. The Proxima System employs standard building blocks and common usage tools, including Microsoft Internet Explorer, Google Search Engine Technology and Data Mining Techniques to improve the access to many police databases. The Long Beach "Proxima" program, with capabilities similar to COPLINK, offered an improved Employee Risk Management System, as well as important new investigative tools. These improvements augment the Long Beach Policing Programs, and complement Homeland Security in the strategic Ports of Long Beach and Los Angeles.

CONCLUSIONS

The Civil Grand Jury is satisfied with the Torrance Police Department's implementation of the prior Grand Jury's Recommendations regarding the Citizen Complaint and Early Warning System in compliance with Penal Code Sections 832.5 and 832.7. Further, the Civil Grand Jury applauds the Torrance Police Department's resourcefulness in implementing changes that bring general improvement to the Police Department's Internal Affairs and Investigation Divisions through Computer Assisted Policing Programs, which augment understaffed police agencies.

The Civil Grand Jury is satisfied with the Long Beach Police Department's implementation of the prior Civil Grand Jury's Recommendations in compliance with Penal Code Section 832.5 and 832.7. Further, the Civil Grand Jury commends the efforts of the Long Beach Police Department in developing advanced Computer Assisted Policing Programs. These programs provide important new investigative tools, Citizen Complaint Tracking, and enhanced Employee Risk Management Systems [Early Warning System].

AUDIT COMMITTEE

Mateo C. Natividad, Chair
Octavio V. Chavez, Vice-chair
Benjamin F. Breslauer
Carolyn Brown
Senen D. De La Torre
William J. Grasska
Ronald L. McGinley
Claire Stone

AUDIT COMMITTEE

EXECUTIVE SUMMARY

BACKGROUND AND OBJECTIVE

The Audit Committee of the Civil Grand Jury was formed to identify, interview, select and engage consultants and audit firms to assist the Civil Grand Jury's investigative committees. It is responsible for managerial control of audits and allocation of the Civil Grand Jury budget.

METHODOLOGY

Selecting from a list of 67 consultants and audit firms named in the Los Angeles County Auditor-Controller 2001-2004 Master Agreement Firms, Audit Committee members submitted their top 10 recommendations to the committee. From this new list, the committee decided to invite 13 audit firms for interview. Five firms accepted and were interviewed. Four firms were requested to submit proposals and based on cost, expertise and project plans, two firms were engaged.

AREAS OF STUDY

The following areas of study evolved from Civil Grand Jury deliberations, and investigative committees were formed to define the scope of investigations:

- Law Enforcement Committee to study the feasibility of expanding the use of Custody Assistants in several inmate facilities of the Sheriff's Department of Los Angeles County.
- Gang Injunctions Committee to study the cost effectiveness and impact of Gang Injunctions in improving the quality of life in designated areas.
- Domestic Violence Committee to study the efficiency and effectiveness of three Domestic Violence programs: Crisis or Emergency Intervention, California Work Opportunity and Responsibility to Kids (CalWorks) and General Relief Opportunities for Work (GROW).
- Education Committee to review the use and distribution of lottery monies by the Los Angeles County Office of Education (LACOE) and the Los Angeles Unified School District (LAUSD).
- Public Integrity Committee to review Community Redevelopment Agency projects in selected cities within the County.

The above projects were recommended to and approved by the Civil Grand Jury. Standard contracts were prepared by the County Counsel and signed by the Grand Jury Foreperson, the Audit Committee Chairperson and the Supervising Judge.

OBSERVATIONS

To determine how the above projects were arrived at, the Civil Grand Jury went through a process of study and survey relating to aspects of government during its first few months. It then took more time to research, discuss and decide on what areas at least fourteen members could agree on to investigate. For expediency and efficiency, it was necessary for the Audit Committee to involve the entire Civil Grand Jury in the selection of the areas of study and the breadth and depth of each in relation to the allocation of limited funds. The other factors considered were composition of the entire Civil Grand Jury, jurors' capabilities in assisting the auditors to reduce cost and their commitment to the project.

Despite the lengthy and sometimes contentious discussions, it was more necessary, however, that the Civil Grand Jury spend as much time deliberating scopes of investigation and decide exactly what it wanted to accomplish after considering recommendations by those familiar with the workings of government and its inherent problems. This further reinforced the Civil Grand Jury's independence, but, more importantly, in so doing, four major studies and one exploratory investigation were completed well under the allotted funding.

The Final Report is clearly a reflection of the mosaic of individuals that composed this fiscal year's Civil Grand Jury - a randomly selected group from a population of volunteers of varied backgrounds and interests; differences of opinion and priorities; diversities in experiences and capabilities; and similarities in knowledge and understanding of government.

AUDIT COMMITTEE

BACKGROUND

The 2003-2004 Los Angeles County Civil Grand Jury was sworn and charged with investigating matters of concern in the fiscal and operational performance activities of county departments and agencies, city governments and school and special districts within the county. The jury is a body of 23 concerned individuals striving to make an improvement in government in Los Angeles County. It has the authority to engage independent consultants and auditors to assist in investigations of government entities. Funding for these services is provided through an annual budget from the Los Angeles County Board of Supervisors.

OBJECTIVE

The Audit Committee of the Civil Grand Jury was formed to identify, interview, select and engage consultants and audit firms to assist Civil Grand Jury committees in examining specific areas concerning the operation and management of government agencies. It is responsible for managerial control of audits. Its challenge is the selection of the appropriate audit firms suitable to conduct the special studies required by the Civil Grand Jury.

METHODOLOGY

Other than sole source contracting, there are two basic means of selecting from two or more service providers and engaging their services: (1) Invitation for Bids (IFB) and (2) Request for Proposals (RFP). In the former process, audit firms are invited to bid on projects to be defined and negotiated to arrive at a contract. This method relies on the premise that the services of an audit firm are required but the scope of investigation has yet to be specified. With RFPs, audit firms are invited to submit proposals to provide the services necessary to conduct a management audit of a predefined scope of study. This method specifies what is required, and the audit firm proposes to accomplish the study for an agreed fee.

The Audit Committee received a list of 67 consultants and audit firms named in the Los Angeles County Auditor-Controller 2001-2004 Master Agreement Firms list, dated July 29, 2003. From this list, committee members submitted their top 10 recommendations to the committee. After narrowing each member's criteria, the committee decided to invite 13 audit firms for interview. Five firms accepted and were interviewed. Four firms were requested to submit proposals. After evaluating replies, two firms were selected based on cost, expertise and project plans.

AREAS OF STUDY

The Civil Grand Jury went through a deliberate process of identifying the specific elements of government that needed to be reviewed. Five areas of study evolved

from these deliberations, and investigative committees were formed to define the scope in the following:

- Law Enforcement Committee to study the feasibility of expanding the use of Custody Assistants in several inmate facilities of the Sheriff's Department of Los Angeles County.
- Gang Injunctions Committee to study the cost effectiveness and impact of Gang Injunctions in improving the quality of life in designated areas.
- Domestic Violence Committee to study the efficiency and effectiveness of three Domestic Violence programs: Crisis or Emergency Intervention, California Work Opportunity and Responsibility to Kids (CalWorks) and General Relief Opportunities for Work (GROW).
- Education Committee to review the use and distribution of lottery monies by the Los Angeles County Office of Education (LACOE) and the Los Angeles Unified School District (LAUSD).
- Public Integrity Committee to review Community Redevelopment Agency projects in selected cities within the County.

Proposals from KH Consulting Group and Harvey M. Rose Accountancy Corporation were selected for the final contract negotiations. Harvey M. Rose Accountancy Corporation had conducted a previous study of LAUSD concerning lottery monies. The Rose firm was engaged to continue the study of LAUSD with an expanded scope to include LACOE. KH Consulting Group was engaged to provide management audit services for the other four projects.

Based on the project plans proposed by the consultants and auditors, members of the Audit Committee and above-named investigative committees concerned refined and approved the scope and cost of each of the audits. All projects were recommended to and approved by the Civil Grand Jury. Standard contracts were prepared by the County Counsel and signed by the Grand Jury Foreperson, the Audit Committee Chairperson and the Presiding Judge.

OBSERVATIONS

Working with a limited budget, it was necessary and expedient for the Audit Committee to involve the entire Civil Grand Jury in the allocation of funds in light of the number of investigations and the breadth and depth of each. As a randomly selected group from a population of volunteers of varied backgrounds and interests, the Civil Grand Jury had some differences of opinion in selecting areas of study due to differences in experience, knowledge and understanding of government. Factors that were considered included the composition of the entire Civil Grand Jury, jurors' capabilities in assisting the auditors to reduce cost and their commitment to the project.

During its first few months, the Civil Grand Jury went through a process of study and survey relating to aspects of government to determine areas of concern. It then took more time to research, discuss and decide on what areas at least fourteen members could agree on to investigate. It was more necessary, however, that the Civil Grand Jury spend as much time deliberating scopes of investigation and decide exactly what it wanted to accomplish after considering recommendations by those familiar with the workings of government and its inherent problems. This further reinforced the Civil Grand Jury's independence, but, more importantly, in so doing, four major studies and one exploratory investigation were completed well under its allotted funding.

ACRONYMS

CalWorks – California Work Opportunity and Responsibility for Kids

GROW – General Relief Opportunities for Work

IFB – Invitation For Bids

LACOE – Los Angeles County Office of Education

LAUSD – Los Angeles Unified School District

RFP – Request For Proposals

EDIT COMMITTEE

Kenneth L. Sutton, Chair
Gerry Rische, Vice-chair
Carolyn Brown
A.B. Garcia
William J. Grasska
Robert W. Kyle
Claire Stone

EDIT COMMITTEE

This Final Report is, in reality, a work in progress. While it is a last step of a year- long journey, the report clearly leads to further endeavor.

It is our sense that the accomplishments of this Civil Grand Jury cannot be finally assessed until its Findings and Recommendations have been fully responded to by those government agencies to which they are directed.

The Civil Grand Jury Final Report fulfills a California Penal Code requirement to provide the Presiding Judge of the Superior Court with a final report at the completion of the jury's term of service. The Edit Committee is charged with the responsibility of producing the finalized 2003-2004 Los Angeles County Civil Grand Jury Final Report. The report comprises the results of the activities, inquiries, audits and investigations conducted by 11 committees of the Civil Grand Jury.

BACKGROUND

Penal Code Section 933 (a) requires the Civil Grand Jury "to submit a final report to the presiding judge. Final reports on any appropriate subject may be submitted to the presiding judge of the Superior Court at any time during the term of service of a Grand Jury."

Each committee of the Civil Grand Jury was responsible for determining its topics of concern, conducting studies, gathering pertinent data and/or supervising investigations within its field of interest. A specified number of members of the Civil Grand Jury must approve any investigations. Outside professional auditing firms were hired to assist some committees in their work.

METHODOLOGY

Upon the completion of investigations, written committee reports were submitted to the Edit Committee for editing and publication. The process included review by the Civil Grand Jury foreperson and approved by the Civil Grand Jury. The County Counsel reviewed the Final Report for consistency with the law. The Supervising Judge of the Criminal Division of the Los Angeles Superior Court gave final approval.

The Edit Committee was responsible for choosing a printer, selecting layout, format, stylization, presentation, delivery and project management. The production of the Final Report was a joint venture of all committees. The Edit Committee reviewed and coordinated all reports which were then presented to the printer, with 1500 Final Reports and 100 compact discs ordered.

Two working days before releasing the Final Report, the Civil Grand Jury delivered copies to affected agencies.

FINALITY OF REPORTS

All reports issued by the Los Angeles County Civil Grand Jury are Final Reports. Once issued, they may not be changed. The law does not permit minority reports, and a report may not contain minority opinions. The Civil Grand Jury speaks with one voice through the report of its findings and recommendations that pertain to government agencies made during its fiscal year term. A Final Report is the only document through which the Civil Grand Jury may communicate with the public.

SPEAKERS AND EVENTS COMMITTEE

Senen D. De La Torre, Chair
Benjamin F. Breslauer, Vice-chair
John W. Capers
William H. Kelley, Sr.
Carole Nielsen

SPEAKERS AND EVENTS COMMITTEE

BACKGROUND

The Speakers and Events Committee of the 2003-2004 Los Angeles County Civil Grand Jury was formed at the beginning of the term to provide exposure to the jury of the functions and operations of local governments.

OBJECTIVE

The responsibility of the Speakers and Events Committee was to provide guest speakers and arrange tours and field trips within the County of Los Angeles. The impressive amount of significant information, statistical data, insights and experiences the speakers and tours imparted to the 2003-2004 Los Angeles County Civil Grand Jury enabled the jury to better carry out its mandate.

METHODOLOGY

Members of the Civil Grand Jury had the opportunity to make suggestions for speakers and field trips. Once approved by the Committee, schedules were established, arrangements were made and confirmation letters were sent. Thank you letters were sent to speakers and those who arranged for and conducted tours of sites visited.

GUEST SPEAKERS

The Honorable David S. Wesley, Judge of the Superior Court

Los Angeles County

The Honorable Michael D. Antonovich, Supervisor, Fifth District

The Honorable Yvonne Brathwaite-Burke, Supervisor, Second District

The Honorable Don Knabe, Supervisor, Fourth District

The Honorable Zev Yaroslavsky, Supervisor, Third District

Rick Auerbach, Assessor

Leroy D. Baca, Sheriff

Steve Cooley, District Attorney

Pamela Booth, Head Deputy, Family Violence Division, District Attorney's
Office

Philip Browning, Director, Department of Child Support Services

Captain David A. Campbell, Public Information Officer, Operations Bureau,
Department of Coroner

John B. Catoe, Jr., Deputy Chief Executive Officer, Metropolitan
Transportation Authority

David E. Demerjian, Head Deputy, Public Integrity Division, District
Attorney's Office

P. Michael Freeman, Chief, Fire Department

Jon W. Fullinwider, Chief Information Officer

Timothy Gallagher, Director, Department of Parks and Recreation

Thomas L. Garthwaite, M.D., Director, Department of Health Services

Captain Michael Grossman, Emergency Operations Bureau, Sheriff's
Department

Anthony T. Hernandez, Director, Department of Coroner

Jaclyn Tilley Hill, Chair, Quality and Productivity Commission

David E. Janssen, Chief Administrative Officer

Michael Judge, Public Defender

Dave Lambertson, Interim Director, Internal Services Department

J. Tyler McCauley, Auditor-Controller

Conny B. McCormack, Registrar-Recorder/County Clerk

Janet Moore, Head Deputy, Task Force Gang Unit, District Attorney's
Office

James A. Noyes, Director, Department of Public Works

Robert H. Philibosian, Chair, Citizens Economy and Efficiency Commission

Linda Quintana, Supervising Social Worker, Department of Children and
Family Services

Robert Ryans, Director, Department of Community and Senior Services

Mark J. Saladino, Treasurer and Tax Collector

David Sanders, Ph.D., Director Department of Child Support Services

Richard N. Shumsky, Chief Probation Officer

Marvin J. Southard, M.D., Director, Department of Mental Health

Bruce Staniforth, Executive Director, Citizens Economy and Efficiency
Commission

Dennis A. Tafoya, Director, Office of the Affirmative Action Compliance

Robert B. Taylor, Ombudsman

Bryce Yokomizo, Director, Department of Public Social Services

City of Los Angeles

The Honorable James K. Hahn, Mayor

The Honorable Martin Ludlow, Council Member, 10th District, Los Angeles
City Council

William J. Bratton, Chief of Los Angeles Police Department
David S. Cunningham, President, Los Angeles Board of Police
Commissioners
Detective Ralph Morton, Los Angeles Police Department
Robert R. "Bud" Ovrom, Chief Executive Officer, Community
Redevelopment Agency

Los Angeles Unified School District (LAUSD)

Don Mullinax, Inspector General, Los Angeles City Board of Education
Roy Romer, Superintendent

Orange County

The Honorable Chris Norby, Supervisor, Fourth District

EDUCATIONAL EVENTS, TOURS AND FIELD TRIPS

Los Angeles County

Board of Supervisors' Meeting, Recognition of 2003-2004 Civil Grand Jury
Conference/Meeting with the Hardcore Gang Division, District Attorney's
Office
Graduation Ceremony of Sheriff's Academy Class #333 in Whittier
Criminal Courts Building Inmate Holding Facilities
Department of Coroner
Edmund D. Edelman Children's Court in Monterey Park
Hollywood Bowl
Los Angeles County/USC Medical Center
Metropolitan Transportation Authority (MTA) Metro Rail System and
Gateway Center
Museum of Tolerance
Probation Department Challenger Memorial Youth Center in Lancaster
Sheriff's Department Emergency Operations Bureau (Homeland Security)
Sheriff's Department Inmate Facilities (Twin Towers)
Sheriff's Department Men's Central Jail
Sheriff's Department North County Correctional Facility, Peter Pitchess
Honor Rancho in Castaic
Sheriff's Department Scientific Services Bureau (Crime Laboratory)
Walt Disney Concert Hall

City of Los Angeles

Los Angeles Central Library

Los Angeles Police Department (LAPD) Crime Laboratory

The Port of Los Angeles

Others

CBS Television City

Los Angeles Times and Olympic Printing Plant

IN APPRECIATION

The Speakers and Events Committee of the 2003-2004 Los Angeles County Civil Grand Jury would like to thank the Transportation Unit of the Sheriff's Department and appreciate their providing the transportation arrangements for the tours and field trips.

DOMESTIC VIOLENCE COMMITTEE

Ronald L. McGinley, Chair
Shirley M. Chatters, Vice-chair
Mateo C. Natividad
William J. Grasska
Carole Nielsen
Gerry Rische
Kenneth L. Sutton
Grayce N. Young

**DOMESTIC VIOLENCE COMMITTEE
MANAGEMENT REVIEW OF THE DOMESTIC VIOLENCE PROGRAMS
IN THE
COUNTY OF LOS ANGELES
DEPARTMENT OF COMMUNITY AND SENIOR SERVICES (CSS)**

EXECUTIVE SUMMARY

INTRODUCTION

The 2003-2004 Civil Grand Jury selected the Domestic Violence Programs administered by the Community and Senior Services (CSS) Department in the County of Los Angeles (County) for a management review.

PREVALENCE OF DOMESTIC VIOLENCE

Domestic violence is a chronic disease in our nation today. The Center for Disease Control (CDC) and its Center for Injury Prevention refers to domestic violence as Intimate Partner Violence (IPV) and defines it as:

"An actual or threatened physical or sexual violence or psychological and emotional abuse directed toward a spouse, ex-spouse, current or former boyfriend or girlfriend, or current or former dating partner. Intimate partners may be heterosexual or of the same sex."

- Among women who are assaulted or raped by an intimate partner, 1 in 3 is injured, with more than 500,000 women requiring medical treatment each year.
- The health care costs for intimate partner rape, assault and stalking exceed \$5.8 billion each year, including nearly \$4.1 billion for direct health care services.
- As many as 324,000 women each year experience IPV during their pregnancies.
- IPV is more prevalent among women than diabetes, breast and cervical cancer.
- Each year, thousands of children witness IPV, increasing the children's risks for long-term physical and mental health problems, including alcohol abuse, being a victim of abuse and perpetrating IPV.
- Men who are physically or sexually violent toward their partners are also likely to use violence with their children.

NEW PERSPECTIVE ON DOMESTIC VIOLENCE

To break this cycle of violence, the New York Office for the Prevention of Domestic Violence has suggested new thinking:

- There is no excuse for domestic violence.
- Domestic violence is a matter of choice.
- Domestic violence is not an anger control problem.
- Domestic violence is not a matter of poor communication skills.
- Individuals who are abusive and controlling must be held accountable.

OBJECTIVES AND SCOPE

The objective was to determine the efficiency and effectiveness of the County's three Domestic Violence Programs administered by the Department of Community and Senior Services (CSS):

- Crisis or Emergency
- California Work Opportunity and Responsibility to Kids (CalWORKS)
- General Relief Opportunities for Work (GROW).

The Auditor-Controller completed its fiscal monitoring of the 42 CSS contractors that provided domestic violence services. That fiscal monitoring identified problems with management, but did not replicate the Grand Jury' Management Review.

DOMESTIC VIOLENCE PROGRAM BACKGROUND

CSS's mission is to "... provide services to residents of the County in partnership with communities, businesses, and public and private agencies." As such, CSS provides an array of "safety net" social services to County residents through 28 different programs, including assisting refugees, assisting adult victims of abuse and providing safety and security for victims and their children.

The last area – providing safety and security for domestic violence victims – is administered by CSS's Domestic Violence Unit (CSS-DVU), which:

Provides support staff for the Domestic Violence Council (DVC) and administers the local, State, and Federal funding and manages three Domestic Violence Programs:

- Crisis or Emergency Intervention Shelters (Presley Funds)
- California Work Opportunity and Responsibility to Kids (CalWORKS) Domestic Violence Supportive Services administered, by the Department of Public Social Services (DPSS)
- General Relief Opportunities for Work (GROW) Program.

CSS-DVU STRUCTURE AND STAFFING

CSS-DVU has 10 full-time equivalent staff positions. One CSS-DVU manager oversees domestic violence and aging services, and three supervisors are in charge of the project, program planning and contract monitoring activities.

CSS's PROVIDER NETWORK

CSS-DVU coordinates a wide range of services for victims of domestic violence, using networks of nonprofit organizations to provide emergency shelters, transitional housing, legal services and childcare. In 2003-2004, CSS-DVU funded 47 contractors to provide domestic violence services in the County.

DOMESTIC VIOLENCE COUNCIL (DVC)

On April 29, 1979, the County Board of Supervisors created the DVC. Today, the DVC is the oldest county DV coordinating agency in the nation. DVC was also the first joint government-private sector Program in the State of California to launch a comprehensive approach to family violence. DVC is comprised of 38 voting member agencies: 19 public and 19 private agencies.

DVC's primary role is:

- Coordination
- Ensuring accountability
- Information and training
- Public awareness.

DVC holds a monthly meeting at the Los Angeles Police Academy. It also has various committees, including Legal, Legislative, Health, Shelters, Religion and Lesbian - Gay Issues.

DVC's two staff members (a liaison consultant and an office assistant) are housed within CSS. The DVC budget has remained at \$135,000 for several years and pays for the two positions.

DOMESTIC VIOLENCE PROGRAM FUNDING

Prior to CalWORKS, the County's budget for the domestic violence emergency program and support totaled approximately \$1.5 million. With DPSS's pursuit of CalWORKS funding, the budget grew to \$14.7 million and the number of service providers expanded from 19 to 46. CalWORKS, a public assistance program, began funding domestic violence services in 1998.

FUNDING USES

CSS-DVU uses the funding sources in the following ways:

Marriage Fees and Batterers' Fines are used specifically for emergency shelter services, which include Shelter (up to 45 days stay), Food, Clothing, and Individual or Peer Counseling.

The CalWORKS and GROW sources are used specifically for case management and legal services.

The total CSS-DVU budget for FY 2003-2004 is \$15.6 million, with staff costs at 11% of the budget or \$1.6 million.

FUTURE FUNDING

Assembly Bill 352, which became law in January 2004, increased the fines assessed against batterers from \$200 to \$400, and the percentage of funds that go to the counties increased from one-third to two-thirds of all fines.

Funding Allocations, By Service Provider

For FY 2003-2004, CSS-DVU funded 47 providers as follows:

- Emergency Shelters – 19 providers for 23 Shelter sites with 687 beds
- CalWORKS – 45 providers for 55 sites
- GROW – 19 providers for 22 sites.

FEE-FOR-SERVICE MODEL

CSS changed the CalWORKS program formula of cost-per-client when the Request for Proposals (RFPs) were re-issued in July 2003 for FY 2003-2004. The previous formula allowed:

- \$2,000 per client for case management services
- \$2,500 per client for legal services.

DPSS requested that providers change to a fee-for-service model, whereby each service could be tracked and evaluated. The purpose of the change was to identify services provided and to tailor their service plans to fit a client's needs.

CONTRACT ADMINISTRATION

Contract administration consists of the preparation of a Request for Proposal (RFP) selection of a provider, contract negotiation and contract monitoring.

Funding is distributed to providers by the following formulas:

Emergency Shelter – The funds are distributed in equal amounts to each shelter regardless of district, poverty or shelter size.

CalWORKS and GROW – The funds are distributed taking into account poverty, population, district, and type of program.

CSS-DVU has established procedures for rating, evaluating, and administering contracts, including a funding methodology, where the funds are allocated according to Service Planning Area (SPA), and CalWORKS client population.

CSS-DVU AND DPSS WORKING RELATIONSHIPS

Since the CalWORKS program funding dominates the County's Domestic Violence Program, CSS's relationship with DPSS is important. DPSS monitors CSS, but does not allocate staff to the program. DPSS has 38 intake offices throughout the County where their staff members, who are trained by CSS-DVU on domestic violence issues, advise clients on the programs available.

FINDINGS

The Management Review has presented 28 findings in the areas of Strategic Planning, Staffing and Resources, Funding, Contract Administration, Performance Measurements and Service Provider Perceptions, which are as follows:

STRATEGIC PLANNING

Finding 1: The CSS-DVU portion of the CSS Strategic Plan is not a driving force in setting the course for CSS-DVU and fails to address domestic violence issues.

FUNDING

Finding 2: CSS-DVU funds a significant segment of the Domestic Violence Programs, but service providers must rely on other sources.

DVC has no dedicated funding for the mission of the Council itself.

Finding 3: Funding imbalances restrict program and service flexibility.

CalWORKS and GROW funds can only be used to serve domestic violence victims who meet certain criteria. Thus, the Emergency Shelter program (Presley funds) serves 45% of the domestic violence victims.

Finding 4: Major funding sources for Domestic Violence Programs may be in jeopardy of budgetary reductions.

Domestic violence programs are insufficiently funded and too reliant on CalWORKS, which represents 88% of the County's domestic violence funding.

Finding 5: Administrative allocations to CSS-DVU and the use of contingency fees vary by funding source.

The funding authorities apply different rules for administrative fees or contingency fees. CSS may take a percentage of the three funds for administrative costs; the percentage allowable for administrative costs varies by funding source.

Finding 6: Emergency Shelters' fees and costs vary, based on location, supplementary funding and other factors.

The Emergency Shelters have varying fees for shelter stays. The average cost per client is \$29, but the range is from a low of \$5 to a high of \$47 per client. CSS-DVU has recognized the problem and will standardize the rates in July 2004.

Finding 7: Equal allocation of domestic violence funding does not translate into equality.

AB 352 will increase the emergency shelter budget by 55%, but the additional funds will be far from what is needed to run a shelter. Each of the 23 sites receives \$70,000 toward the operation of the shelter.

STRUCTURE AND STAFFING

Finding 8: Domestic Violence does not appear to be a high priority in the County and the DVC suffers from high turnover in its leadership.

The lack of support has been blamed for the lack of ability to pursue important legislative, operational and governance initiatives. Exacerbating this situation, the DVC Executive Director position has had high turnover, and has been vacant for more than 2½ years.

Finding 9: CSS-DVU has suffered from the lack of permanent management, high turnover rates, salary problems and a tendency to focus on process rather than outcomes.

"Acting" incumbents fill all four of CSS-DVU manager and supervisory positions. Having all supervisors in acting roles has created an unstable situation, which has adversely affected program development, accountability and morale.

Management staff indicated they were unable to spend more than 5% of their time on program evaluation and analyses of outcomes.

CONTRACT ADMINISTRATION

Finding 10: Multiple factors contributed to a 4-month delay in issuing the FY 2003-2004 CalWORKS RFP.

In July 2003, the CalWORKS contracts were scheduled to be renewed for another three-year cycle. However, due to delays in approving new requirements and completing the RFP process, CSS extended the contracts four months.

Both CSS and providers have indicated that the RFP and contract length has expanded with new County requirements. Four years ago, the GROW RFP consisted of one page. Now the same GROW RFP is 189 pages in length.

Finding 11: Some providers lack the resources to pursue County contracts and have difficulties meeting the contract requirements.

Given the complexity of the contract process, some providers are unable to meet the requirements.

Finding 12: In addition to the difficulties with contracting, CSS-DVU has disincentives for service providers to work with the County.

Although CSS-DVU has established protections for contract violations, these protections cause service providers to question the worth pursuing County work.

The additional requirements may give CSS-DVU a comfort level, but many providers view the requirements as excessive, onerous and to control-oriented.

Finding 13: The contract monitoring process has improved screening instruments but is still inadequate.

It is unclear how the information is verified, or how the information is used for any analyses by either CSS or the provider.

Finding 14: CSS-DVU has limited communication within CSS and has not fully used technology for communicating.

CSS lacks lateral communication among its units and vertical communication between senior staff and program areas. Shortcomings in business automation planning, information technology and internal communications hinder productivity, team building and the development of new strategies.

PERFORMANCE MEASUREMENTS

Finding 15: CSS-DVU has built a process-driven environment but needs to develop an analytical component that will focus on data collection and evaluation.

CSS-DVU operates independently, and appears to receive information on a “need-to-know” basis rather than as part of a cohesive team.

Finding 16: The procedures for measuring Domestic Violence Program outcomes are in their infancy and, therefore, not ready to be used as a management tool.

The compiling of data depicting monthly information by provider did not begin until FY 2002-2003. Although information for each provider have been kept on file, CSS-DVU has not had access to analyses all providers.

The results did not give a true picture of the number of clients in the system or provide accurate information on the potential costs of services.

To date, CSS-DVU has not prepared any document about the new performance measurements that went into effect in July 2003. The performance measurements are a County requirement – **“Performance Counts!”**

Finding 17: The number of clients – victims and their children – served is less than plan; however, the service units exceed plan.

It is not clear what is happening in the system: Are clients staying longer are clients receiving more services or are the counts wrong?

Finding 18: The reported level of legal services was 37% above planned.

The monitoring information for legal services was thorough but the results are not used. There is no contract amount or client count that correlates with these service units, so, it is unclear what population was served or how many times a client received assistance.

SERVICE PROVIDERS’ PERCEPTIONS

An online survey was designed and distributed to 47 providers of Domestic Violence Intervention programs who currently have CSS-DVU contracts. In total, 52 individuals, representing 36 provider agencies responded, or 77%.

Finding 19: Providers are dissatisfied with their CSS-DVU relationship in a number of areas – insufficient funding and the funding model, performance measurements and the contracting process.

Respondents expressed low satisfaction in the areas of contract effectiveness and requirements, monitoring and technical assistance. The four areas that received greatest dissatisfaction scores were:

- Insufficient funding – 72%
- The new fee-for-service funding model – 67%
- The new performance measurements – 52%
- Timeliness of the contract process – 46%

Finding 20: The importance of relationships with social service agencies, community-based organizations and law enforcement agencies are critical in achieving providers’ missions.

The majority of all providers cite social service agencies, community-based organizations and law enforcement agencies as very important to their mission. Providers found the health services, Probation and faith-based groups less important, even though these organizations have a direct effect on domestic violence programs.

Finding 21: Survey respondents report that they apply sound organization and management principles to their Programs.

When asked to evaluate the effectiveness of their organizational and management skills, the agencies gave themselves high marks.

Almost 90% agreed that they use Generally Acceptable Accounting Practices and financial controls. (This is contrary to the findings of the Auditor-Controller.)

At least 75% agree their organization is technically competent and could meet information technology (IT) demands.

Finding 22: DVC is viewed as an effective body for spearheading domestic violence issues, but requires enhancements to improve its overall performance.

Perceptions regarding the effectiveness and capability of DVC are:

- 78% believe DVC needs a more prominent profile
- More than 60% of respondents believe DVC is the best advocacy and
- Some perceive that DVC lacks sufficient staff and resources, and that the committee meetings are not effective.
- Less than 30% state that the DPSS combination steering committee, or that the DPSS domestic violence committee meetings are effective.

Finding 23: Survey respondents proposed changes in a number of areas.

Providers cited the following as their highest priority changes:

- Increased funding
- A streamlined contracting process
- More flexibility in programs
- More training for CSS monitors, providers, and DPSS
- Reconsideration of DPSS's role and processes
- Improved communication with CSS
- Increased monitoring and accountability for law enforcement and judiciary.

OTHER COUNTY WORKING RELATIONSHIPS

Finding 24: The CSS-DPSS relationship is important but not without tension and ideological differences due to the mission.

Since DPSS is the lead agency, CSS must demonstrate accountability for the CalWORKS and GROW funding to DPSS. However, providers perceive that DPSS's

involvement is counterproductive to the mission. CSS-DVU staff members also share some of their concerns.

Finding 25: The County does not approach the problem of domestic violence using an integrated systems approach.

The County initiated eight Service Planning Areas (SPAs) as one means for integrating “social services” for clients across County departments. Most of the County departments and agencies involved with domestic violence come together primarily through DVC. Because the participants at DVC meetings come from different levels in their respective organizations, meaningful problem solving and commitment to solutions is impeded.

Finding 26: Domestic violence advocates perceive shortcomings in the criminal justice system create obstacles for victim protection and batterer accountability.

Based on the survey findings and interviews, there are negative perceptions about how domestic violence cases are processed:

To many victim advocates, probation for batterers under Penal Code 1203.097 has become a “bad joke.” The combination of lack of enforcement and the increase in the number of felony cases filed as misdemeanors sends the wrong signals.

Similarly, negative comments were made about the 8 to 10 week anger management programs versus the batterer intervention programs.

Advocates reported difficulties in accessing Emergency Protective Orders (EPOs), Temporary Restraining Orders (TROs) and Restraining Orders (ROs) when needed. There were complaints about breakdowns in communication between law enforcement agencies, prosecutors and service providers.

HEALTHCARE PRACTITIONER RESPONSIBILITIES

Finding 27: The mandatory reporting by healthcare practitioners of suspicious injuries has not achieved the desired outcome.

Penal Code Section 11160 is the subject of controversy, with many fearing that such reporting can exacerbate a victim’s situation rather than improve it. Although, mandatory reporting is the law, few healthcare practitioners are in compliance. Poor implementation and training, as well as ineffective procedures within law enforcement agencies, are cited as contributing problems.

DAYCARE AND SCHOOLING

Finding 28: Emergency and transitional shelters lack onsite licensed daycare and schooling facilities.

The U.S. Justice Department released statistics about the children victims of domestic violence: 50% have been subjected to physical and emotional abuse, and 34% have witnessed the trauma on their parents. As a result, they require additional support structures, including high quality of care.

In-house special education and on-site school for the children victims of domestic violence has benefits by addressing the unique social, emotional and academic development needs of these children.

The First Five Commission cited the need for additional preschool capacity. First Five research indicates that each \$1 invested in preschool children, especially disadvantaged or abused children, will yield \$7 in social cost savings. These savings are realized through reduction in special education, healthcare, welfare, probation and criminal justice system costs, as well as improved social and academic performance.

RECOMMENDATIONS

At a meeting in December 2003 in Sacramento, California, domestic violence authorities compiled some “guiding principles” that are currently being reviewed and address such concepts as: accountability, impact and coordination, planning and advancement of the field. The following recommendations are conceptually compatible with these “guiding principles.”

FUNDING

Recommendation 1: Despite the current fiscal situation, DPSS and CSS must increase the overall funding to domestic violence programs by 7% compounded for the next two years.

Even without reliable estimates, providers know that, despite their outreach efforts, the current system is only dealing with the “tip of the iceberg” of the real need.

The funding has not been linked to the need for service or the financial situation faced by providers. Many providers are under severe financial pressures. Some are facing reductions in service. Given the current strains on the system, any loss of service is problematic.

An increase the overall funding levels is needed to improve stability over the next two years while the new funding models settle in and data becomes available to set realistic rates and make appropriate adjustments to the funding formulas.

DVC’s NEW MANDATE

Recommendation 2: DVC must be strengthened with a new mandate and appropriate resources to accomplish that mandate.

Since its inception in 1979, DVC has been recognized as a leader in policy development, advocacy, and information exchange. However, there is growing sense that a renewal of the DVC mission and leadership will be needed to revitalize the domestic violence programs in the County.

Sub-recommendation 2.1: DVC must expand its mandate to combat domestic violence in the County.

Sub-recommendation 2.2: In the short-term, a new Executive Director must be recruited to build an effective organization.

A new Executive Director must have sufficient stature to command the respect of the domestic violence community.

Sub-recommendation 2.3: Once DVC's mandate is expanded and redefined, the appropriate structure must be adopted.

Sub-recommendation 2.4: CSS-DVU in cooperation with DVC must develop and implement strategies focused on the prevention of domestic violence.

Specifically, CSS-DVU in cooperation with the DVC should adopt a new goal or objective of:

Domestic Violence Prevention Objective:

Reduce the incidence of domestic violence in the County of Los Angeles by 50% every 7 years for the next 21 years so that in 2025, the incidence of domestic violence is 1/8th of what it is today.

When successful, this new focus will generate significant savings in law enforcement, court cases, incarceration, probation, child abuse, special education and health services, as well as reducing the horror and misery that is imposed upon countless adults and children.

Sub-recommendation 2.5: Decision-makers must attend DVC meetings with a goal of improving integration of domestic violence strategies across the County.

Greater efficiency and effectiveness is possible if those who attend DVC Meetings are in the position to make commitments for their agencies. In this way, decisions made at the DVC would be joint decisions and binding on the departments.

Sub-recommendation 2.6: CSS-DVU must develop new information systems to improve the coordination and sharing of domestic violence information.

Recommendation 3: CSS-DVU must immediately develop and implement a secure system available on a 24/7 basis that monitors shelter capacity.

Such a system will help in maximizing the use of current resources, and will produce planning information to anticipate needs.

CSS-DVU's MANDATE CLARIFICATION

Recommendation 4: The CSS-DVU's mandate must be clarified and its operations streamlined, as well as provided the appropriate resources to meet this new mandate.

DOMESTIC VIOLENCE BEST PRACTICES

Recommendation 5: CSS-DVU and DPSS must work with DVC and the criminal justice system to identify "best practices" and work cooperatively to implement them in the County.

The County stakeholders would benefit from ongoing investigation of "best practices" proven successful elsewhere. The Attorney General of the State of California has established a Task Force on the "Local Criminal Justice Response to Domestic Violence" to identify promising practices and propose uniform standards for those agencies. Also, SafeState website ("<http://www.safestate.org/index>") offers an extensive array of information and resources.

CONTRACT ADMINISTRATION

Recommendation 6: The R F P, contracting and monitoring processes for Domestic Violence Programs must be simplified and streamlined for the next funding cycle.

When RFPs and contracts with small agencies run over hundreds of pages, the system is impractical and needs reconsideration.

CSS and DPSS should seek the advice of the County Counsel and Auditor-Controller before the streamlined processes are finalized to ensure that they meet the requirements of the County's Contracting Manual and Audit Guide.

SYSTEM INTEGRATION: ONE COUNTY – ONE SYSTEM

Recommendation 7: The Chief Administrative Officer (CAO) must work with CSS-DVU and DVC to ensure the County plans and acts as an integrated system in tackling domestic violence.

It is a County goal to deliver services, programs and interventions as "one system," seamless to the user. As such, all the County and nonprofit entities involved with domestic violence must embark on a "system thinking" approach to ensure services are integrated. At a minimum, system thinking requires a Countywide strategic plan on domestic violence, vitally needed information integrated across websites and interdisciplinary collaboration in tackling the domestic violence challenges.

Recommendation 8: CSS-DVU should initiate a DVC campaign for full implementation of mandatory reporting of potential domestic violence injuries by healthcare practitioners.

Penal Code 11160 mandates healthcare practitioners report potential domestic violence injuries. However, few practitioners are reporting domestic violence cases, and there is no effective mechanism between healthcare practitioners and law enforcement agencies. Potential remedies include the training of healthcare practitioners, and the design of appropriate procedures within law enforcement agencies, (Penal Code 11164, the Abused Child Protocol is a model to build on.)

Recommendation 9: CSS-DVU in cooperation with DVC must continue to advocate for a series of critical initiatives.

Bases upon interviews, there is a general concern that batterers are getting off too easily the CSS-DVU and DVC must continue to advocate for the following:

Sub-recommendation 9.1: CSS-DVU and DVC must advocate for the prosecution of batterers to the full extent of the law.

New York State has instituted a “no tolerance” policy, and is promoting cross-system responses to domestic violence. City of San Diego prosecutes about 70% of their domestic violence cases under Penal Code 273.5 with or without the victim's cooperation. However, a recent ruling by the Supreme Court (Crawford vs. Washington) may undermine the good intentions of these policies. New solutions will need to be explored.

Sub-recommendation 9.2: CSS-DVU and DVC must advocate for domestic violence training and not short-term anger management programs.

CSS-DVU and DVC should encourage the use of probation and batterer intervention training, as well as zero tolerance for any willful violations of the terms of probation.

Sub-recommendation 9.3: CSS-DVU and DVC should support HR 4091, the Domestic Violence Courts Assistance Act, and similar legislation.

Sub-recommendation 9.4: CSS-DVU and DVC should advocate for increased domestic violence training.

The CSS-DVU should work with DVC to reestablish the Training Committee.

Sub-recommendation 9.5: CSS-DVU, Probation and DVC must advocate for the reassessment of the batterers programs.

Sub-recommendation 9.6: CSS-DVU and DVC must advocate for an aggressive effort to collect batterers fines.

Sub-recommendation 9.7: CSS-DVU and DVC must advocate for needed support to ensure victims obtain restraining orders.

Penal Code Section 13701(a) states that every Law Enforcement Agency will develop, adapt and implement written policies and standards for officers' response to domestic violence calls.

The absence of compliance with Penal Code Sections 13701 and 13710 undermines the effectiveness of victim services programs and case development.

Sub-recommendation 9.8: CSS-DVU, DCFS and DVC should advocate for protecting the children of domestic violence situations.

The County should become a national model of innovative practices that have a positive impact on the lives of the children who are in domestic violence situations.

The National Center for State Courts (NCSC) identifies best practices as potential national models. One identified was the "Child Protective Domestic Violence" in Bronx, New York. It was established to address the over-use of foster care placement in child abuse cases involving domestic violence.

PERFORMANCE MEASUREMENTS

Recommendation 10: The County's "Performance Counts" initiative should be rigorously applied in measuring outcomes or progress made in Domestic Violence Programs.

The outcomes will help to determine what programs and services yield the most positive impacts and what resources to allocate. This effort ties in with Sub-recommendation Nos. 2.4 & 2.5 and Recommendation No. 7.

DAYCARE AND SCHOOLING

Recommendation 11: CSS-DVU and DVC should encourage Shelters to pilot different approaches for providing quality daycare and schooling for the children victims of domestic violence.

Children caught in domestic violence situations require supportive daycare and educational services.

Childcare is a necessary service provided by emergency and transitional shelters. The shelters should have daycare facilities and workers that, at a minimum, meet the standards of on-site licensed day care operations and should set higher standards commensurate with the needs of children.

In-shelter school programs represent another opportunity. First Five LA (Proposition 10 funding) is a logical source of funding for a demonstration project to develop and evaluate this type of a program for preschoolers. First Five Commission

research shows that preschools make more of a difference for children from low-income families and with special needs.

An in-house school and special education for the children of victims of domestic violence could be tailor-designed to address the unique social, emotional, and academic development needs these children face. The combination of developmental delays and disorders suffered by these children frequently requires special and individual attention. Further, the stigma attached to these children can retard their acceptance and social development in regular schools.

**MANAGEMENT REVIEW OF
THE DOMESTIC VIOLENCE PROGRAM IN THE
COUNTY OF LOS ANGELES,
COMMUNITY AND SENIOR SERVICES (CSS)**

TABLE OF CONTENTS

A. INTRODUCTION	83
Prevalence of Domestic Violence	83
Media Attention.....	85
New Perspective on Domestic Violence	85
B. MANAGEMENT REVIEW METHODOLOGY	86
Objectives and Scope.....	86
Tasks Completed	87
Management Review Sections	87
C. DOMESTIC VIOLENCE PROGRAM BACKGROUND	88
CSS's Domestic Violence Program Overview	88
2003 CSS-DVU Accomplishments	89
CSS-DVU Structure and Staffing	89
CSS's Provider Network	90
Domestic Violence Council (DVC).....	90
Domestic Violence Program Funding	92
Funding Sources	92
Funding Uses	93
Future Funding	94
Funding Allocations, By Service Provider	95
Fee-For-Service Model	98
Contract Administration.....	100
RFPs and Contracts	100
Contract Monitoring.....	101
CSS-DVU and DPSS Working Relationships	101
D. FINDINGS	102
Strategic Planning	102
Funding.....	103
Structure and Staffing.....	110
Contract Administration.....	112
Performance Measurements	116
Service Providers' Perceptions.....	121
Other County Working Relationships	124
Healthcare Practitioner Responsibilities	128
Daycare and Schooling.....	129
E. RECOMMENDATIONS.....	130
Funding.....	130

Recommendation 1	130
DVC's New Mandate.....	131
Recommendation 2	131
Recommendation 3	135
CSS-DVU's Mandate Clarification	136
Recommendation 4	136
Domestic Violence Best Practices.....	136
Recommendation 5	136
Contract Administration.....	137
Recommendation 6	137
System Integration: One County – One System	138
Recommendation 7	138
Recommendation 8	141
Recommendation 9	142
Performance Measurements.....	145
Recommendation 10	145
Daycare and Schooling.....	147
Recommendation 11	147
ACRONYMS	149
 APPENDICES	
APPENDIX A: Glossary of Terms	151
APPENDIX B: Legislative Framework Highlights	155
APPENDIX C: Domestic Violence Websites and Information Sources.....	159
APPENDIX D: Shelter Service Provider Survey Results.....	161

COUNTY OF LOS ANGELES COMMUNITY AND SENIOR SERVICES (CSS) DEPARTMENT: DOMESTIC VIOLENCE PROGRAM

A. INTRODUCTION

In the Fall 2003, the 2003-2004 Civil Grand Jury selected the Domestic Violence Program administered by the Community and Senior Services (CSS) Department in the County of Los Angeles (County) for a management review. KH Consulting Group (KH) was retained to work jointly with the Grand Jury's Domestic Violence Committee to perform this review.

PREVALENCE OF DOMESTIC VIOLENCE

Domestic violence is almost a chronic disease in our nation today. National indicators cite such risk factors as income, age, educational level, childhood victimization, alcohol or drug abuse, and presence of firearms in the home. Domestic violence occurs in every segment of our society – both in communities with high socio-economic standards as well as in low-income neighborhoods. Domestic violence knows no geographic or cultural boundaries. We have victims of color, victims with disabilities, victims who are immigrants and speak languages other than English, victims of other sexual orientations, and, saddest of all, we have children who are victims.

The Center for Disease Control (CDC) and its National Center for Injury Prevention and Control¹ refers to domestic violence as Intimate Partner Violence (IPV) and defines it as:

"An actual or threatened physical or sexual violence or psychological and emotional abuse directed toward a spouse, ex-spouse, current or former boyfriend or girlfriend, or current or former dating partner. Intimate partners may be heterosexual or of the same sex."

Other terms used are domestic abuse, courtship violence, battering, marital rape, and date rape. CDC reports that:

- ❑ 1.5 million women and 834,700 men are raped or physically assaulted by an intimate partner each year. According to the National Violence Against Women Survey:
 - 1 out of 4 U.S. women have been physically assaulted or raped by an intimate partner
 - Nearly one-third of African-American women, compared with one-fourth of white women, experience IPV in their lifetimes

¹ "Intimate Partner Violence Prevention Fact Sheet Definition," National Center for Injury Prevention and Control, Center for Disease Control.

- American Indian/Alaskan Native women and men are most likely, and Asia/Pacific Island women and men are least likely to report IPV
 - 1 out of every 14 U.S. men reported such an experience.
- ❑ Nearly two-thirds of the women who reported being raped, physically assaulted, or stalked since age 18 were victimized by a current or former husband, cohabitating partner, boyfriend, or date.
 - ❑ Among women who are physically assaulted or raped by an intimate partner, one in three is injured, translating into more than 500,000 women requiring medical treatment each year.
 - IPV is more prevalent among women than diabetes, breast cancer and cervical cancer.
 - ❑ As many as 324,000 women each year experience IPV during their pregnancies.
 - ❑ Firearms were the major weapon type used in intimate partner homicides from 1981 through 1998.
 - Women ages 20 to 29 years are of greatest risk of being killed by an intimate partner.
 - ❑ Each year, thousands of U.S. children witness IPV within their families, increasing the children's risks for long-term physical and mental health problems, including alcohol abuse, being a victim of abuse, and perpetrating IPV.
 - ❑ The health care costs for intimate partner rape, physical assault, and stalking exceed \$5.8 billion each year, including nearly \$4.1 billion for direct medical and mental health care services.
 - ❑ Alcohol use is frequently associated with violence between intimate partners. In 45% of the IPV cases, men have been drinking and, in about 20% of the cases, women have been drinking.
 - ❑ Men who are physically violent toward their partners are also likely to be sexually violent toward their partners and use violence with their children.
 - ❑ A high percent of IPV perpetrators report more depression, lower self-esteem, and more aggression than non-violent intimate partners.
 - IPV perpetrators lack some social skills, such as communication skills, or have more personality disorders, such as schizoid or borderline personality, antisocial or narcissistic behaviors, and dependency and attachment problems.

MEDIA ATTENTION

Not a week goes by without some tragic domestic violence story reported in the media. During the course of this management review, the following headlines appeared regarding the County of Los Angeles alone:

- ☐ "County Calls Domestic Abuse a Key Factor in Child Deaths," by Carla Rivera, Los Angeles Times, April 28, 2004.
- ☐ "Accessory to Murder," (Manuel Castenado Banos suspected of killing Mary Cortez of Burbank after his early release from the County's jail, having only served one-third of his 12-month sentence for felony domestic abuse against Cortez,) Editorial Page, Daily News, April 20, 2004.
- ☐ "Warning Signs Didn't Save Teen: The killing of a Long Beach student by her teacher-turned lover leaves some wondering why a high school hired a confessed batterer," by Nancy Wride, Los Angeles Times, March 21, 2004.
- ☐ "Halting Domestic Violence: California group stresses need for gun control," by Devlin Barrett, Pasadena Star News, March 10, 2004.
- ☐ "Officer Killed: Suspect is Caught in Manhunt," (LAPD officer gunned down while responding to a woman flagging him down for help in a domestic disturbance), Los Angeles Times, February 21, 2004.

To raise awareness, the U.S. Postal Service has issued a "Stop Family Violence" stamp, which promotes domestic violence awareness and links users with the National Domestic Violence Hotline (1-800-799-7233), operated by the Texas Council on Domestic Violence. The stamps cost extra, and the net proceeds are being transferred to the U.S. Department of Health & Human Services (DHHS) to support domestic violence programs.

NEW PERSPECTIVE ON DOMESTIC VIOLENCE

To break this cycle of domestic violence, many need to abandon old beliefs and adopt new ways of viewing domestic violence. Some of the "newer thinking," as stated by the New York Office for the Prevention of Domestic Violence,² is that:

- ☐ There is absolutely no excuse for domestic violence.
- ☐ Domestic violence is a matter of choice.
- ☐ Nothing can force an individual to be violent or controlling toward an intimate partner.
- ☐ Domestic violence is not caused by alcohol or substance abuse.
- ☐ Domestic violence is not an anger control problem.
- ☐ Domestic violence is not a matter of poor communication skills.

² New York Office for the Prevention of Domestic Violence (NY OPDV) Bulletin, "Collusion and the Impact on Accountability: A Message for Criminal Justice Professionals," Fall Issue 2003, Vol. 15, No. 2.

- ☐ Individuals who are abusive and controlling must be held accountable for their choices.

Approximately 90% of the batterers are male (the use of the male pronoun does not ignore the fact that there are women who are also batterers). Offenders – regardless of gender – must take responsibility for:

- ☐ Their abusive and controlling behavior
- ☐ Sexist attitudes and belief system
- ☐ Use of derogatory language to describe their partners or others.

B. MANAGEMENT REVIEW METHODOLOGY

In Domestic Violence: The War on the Home Front, a report prepared by a Special Panel on Domestic Violence in the mid-1990s for the Los Angeles County Board of Supervisors, the Honorable Yvonne Brathwaite Burke, Supervisor, Second District, eloquently observed: *"Domestic violence must be addressed by all of us. If we fail to take this problem seriously, we will sanction the worsening of this type of abuse – one partner against another – by our acquiescence."* This management review is an effort to make sure we as a society and a County do not acquiesce.

OBJECTIVES AND SCOPE

The overall objective of this management review was to determine the efficiency and effectiveness of the County's three Domestic Violence Programs in the Community and Senior Services (CSS) Department:

- ☐ Crisis or Emergency
- ☐ California Work Opportunity and Responsibility to Kids (CalWORKS)
- ☐ General Relief Opportunities for Work (GROW).

The scope of the management review was:

- ☐ Verification of sources and application of funding
- ☐ Appropriateness of mechanisms for collecting and disbursing funding
- ☐ Reasonableness of budgets
- ☐ Compliance with financial reporting standards
- ☐ Appropriateness of staffing, organization, and management
- ☐ Results measurements
- ☐ Contractual arrangements with community-based service providers
- ☐ Coordination with other agencies and with programs and resources available with other service providers.

The Auditor-Controller completed its annual fiscal monitoring³ for FY 2002-2003 of the 42 contractors that provided domestic violence services for CSS. That fiscal monitoring identified specific problems with fiscal management, involving:

³ Through Simpson & Simpson, Certified Public Accountants (CPA), fiscal audit, performed on behalf of the Auditor-Controller, County of Los Angeles. Note: This Management Review has not replicated that work effort.

- ☐ Improper recording and documentation of in-kind matches
- ☐ Lack of cost allocation plans
- ☐ Insufficient documentation for expenditures
- ☐ Lack of County required approval prior to purchase of fixed assets or making discretionary expenditures
- ☐ Lack of recording in the contractors' accounting records for expenditures billed to the County
- ☐ Failure to meet County contract in-kind match requirements.

CSS-Domestic Violence Unit (CSS-DVU) reported that these problems have been rectified.

TASKS COMPLETED

In performing this management review of CSS's Domestic Violence Programs, the following tasks were completed:

- ☐ Development of a Work Plan
- ☐ Data gathering and analysis of CSS's 3 Domestic Violence Programs
- ☐ Extensive review of documents
- ☐ 10 interviews with CSS managers and staff
- ☐ 13 interviews with Domestic Violence Council (DVC) representatives and other County departments affiliated with the Domestic Violence Program
- ☐ The design and implementation of a CSS-Domestic Violence Provider Survey, which 36 of 47 providers completed (a 77% response rate)
- ☐ 8 site visits to shelters in the County:
 - Antelope Valley – Lancaster
 - Chicana Service Action Center – Los Angeles
 - Haven Hills – Canoga Park
 - Haven House – Pasadena
 - House of Ruth – Pomona
 - Angel Step-Inn – Downey
 - WomenShelter of Long Beach
 - 1736 Family Crisis Center – Los Angeles/Redondo Beach
- ☐ A review and analysis of a sampling of CSS contracts with shelters
- ☐ A review of the monitoring instruments, budgets, and program statistics
- ☐ Identification of State-wide programs
- ☐ Review of "Best Practices" in other jurisdictions
- ☐ Development of the report (this document)
- ☐ An Exit Conference with CSS (and representatives of the Auditor-Controller and DPSS)

MANAGEMENT REVIEW SECTIONS

This management review is divided into the following sections:

- A. **Introduction**, discussing the prevalence, media attention, and a new perspective that is needed regarding domestic violence

- B. **Management Review Methodology** (this section), including the review's objectives, scope, tasks completed, and sections of the report
- C. **Domestic Violence Program Background**, including an overview of the County's CSS Department, provider network, Domestic Violence Council (DVC), and funding mechanisms
- D. **Findings**, focusing on strategic planning, funding, DVC and CSS structure and staffing, contract administration, performance measurements, service providers' perceptions, other County working relationships, health practitioners' responsibilities, and daycare and schooling for children of domestic violence crimes
- E. **Recommendations**, outlining needed changes in funding, new mandates, new strategic directions with greater focus on prevention, application of "best practices", contract administration, system integration, performance measurements, and daycare and schooling needs.

Acronyms, listing the acronyms cited in this report.

Appendices, which include

- Appendix A: "Glossary of Terms"
- Appendix B: "Legislative Framework Highlights"
- Appendix C: "Domestic Violence Websites and Information Sources"
- Appendix D: "Shelter Service Provider Survey Results."

C. DOMESTIC VIOLENCE PROGRAM BACKGROUND

CSS's DOMESTIC VIOLENCE PROGRAM OVERVIEW

CSS's mission is to *"... provide comprehensive human services to residents of Los Angeles County in partnership with communities, businesses, and public and private agencies."* As such, CSS provides an array of "safety net" social and human services to County residents through 28 different programs aimed at:

- ☐ Assisting residents in obtaining self-sufficiency
- ☐ Developing services that are needed within local communities
- ☐ Strengthening and promoting the independence of older persons
- ☐ Providing employment and training for unemployed adults, displaced workers, seniors, and young people
- ☐ Assisting refugees in resettlement and becoming self-sufficient
- ☐ Protecting and assisting adult victims of abuse
- ☐ Providing safety and security for domestic violence victims.

The last area – providing safety and security for domestic violence victims – is administered by CSS's Domestic Violence Unit (CSS-DVU), which:

- ☐ Provides support staff for the Inter-Agency Los Angeles County Domestic Violence Council (DVC)
- ☐ Administers the local, State, and Federal funding and program management of three Domestic Violence Programs:

- Crisis or Emergency Intervention Shelters (Presley Funds)
- California Work Opportunity and Responsibility to Kids (CalWORKS) Domestic Violence Supportive Services administered, by the Department of Public Social Services (DPSS)
- General Relief Opportunities for Work (GROW) Program, administered by DPSS.

The Domestic Violence Program's goal is to *"move victims of domestic violence from an abusive situation to a safe, stable, and self-sufficient way of life."*

2003 CSS-DVU ACCOMPLISHMENTS

During 2003, some of its accomplishments were:

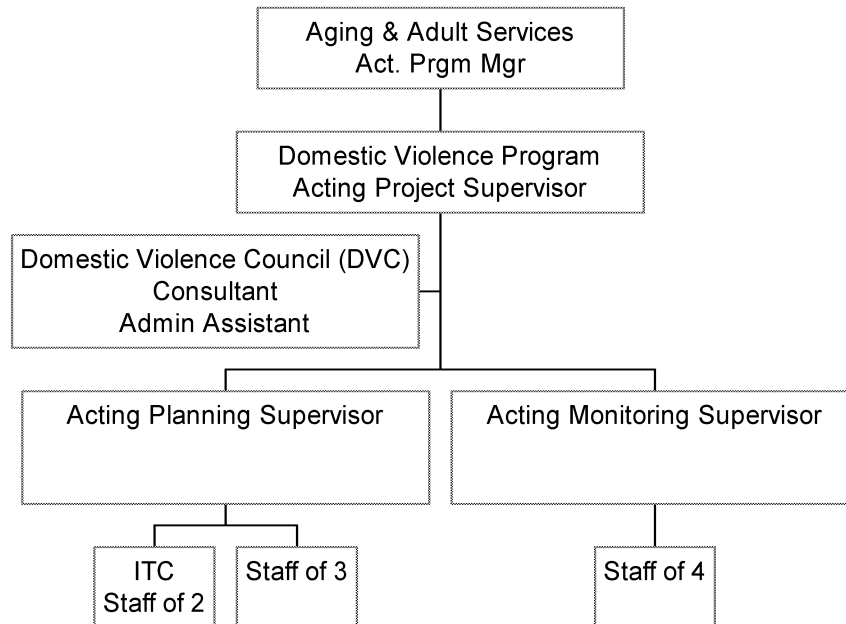
- ☐ Information dissemination to the County's 90,000 employees, coupled with manager and supervisory training, on the "Los Angeles County Employee Domestic Violence Assistance Program"
- ☐ Doubling of attendance at DVC meetings from an average of 35 attendees to an average of 80 in the past year
- ☐ Recommended support for critical domestic violence legislation
- ☐ Co-sponsorship of a County-wide conference with nationally recognized speakers
- ☐ Development of the County-wide Domestic Violence Training Curriculum
- ☐ Training of more than 1,000 individuals
- ☐ Maintenance of the domestic violence resource line: 1-888-994-7575. There were on average 12 calls per day to this resource line (warm-line), or almost 4,500 calls in 2003.
- ☐ Speakers for local, State, national, and international conferences.

CSS-DVU STRUCTURE AND STAFFING

CSS-DVU has 17 full- and part-time staff members, which are equivalent to 10 full-time positions. One CSS-DVU manager oversees domestic violence and aging services and three supervisors are in charge of the project, program planning, and contract monitoring activities. Line staff support program and contract monitoring activities. Exhibit 1 displays the CSS-DVU structure, including the staff assigned to support the Domestic Violence Council (DVC), discussed later.

EXHIBIT 1

COMMUNITY AND SENIOR SERVICES DOMESTIC VIOLENCE INTERVENTION PROGRAM: CSS-DVU AND DVC ORGANIZATIONAL STRUCTURE



CSS's PROVIDER NETWORK

CSS-DVU coordinates and supports a wide range of services for victims of domestic violence, using networks of nonprofit organizations and vendors – emergency shelters, transitional housing, legal services, and childcare. While the number varies from year-to-year, CSS-DVU funded 47 contractors in 2003-2004 to provide domestic violence services in the County.

DOMESTIC VIOLENCE COUNCIL (DVC)

The Los Angeles County Board of Supervisors created the DVC on April 29, 1979. Today the DVC is the oldest county DV coordinating agency in the nation. DVC was also the first joint government-private sector Domestic Violence Program in the State of California to launch a comprehensive approach to family violence. DVC is comprised of 38 voting member agencies: 19 public and 19 private agencies. The following list identifies these 38 agencies:

DOMESTIC VIOLENCE COUNCIL MEMBERSHIP 2004

Public Members

Los Angeles County:

1. LA Commission for Women
2. Dept. of Children & Family Services
3. Community and Senior Services
4. Department of Public Social Services
5. District Attorney's Office
6. Department of Health Services
7. Department of Mental Health
8. Municipal Court (Vacant – no longer exists)
9. Public Defender's office
10. Probation Department
11. Sheriff's Department
12. Superior Court – Family Court Services
13. Superior Court – Department 8

Los Angeles City:

14. City Attorney's Office
15. Commission on the Status of Women
16. Mayor's Office of Criminal Justice Planning
17. Los Angeles Police Department

State:

18. Attorney's General Office

Long Beach:

19. City Prosecutor's Office

Private Members

1. Antelope Valley Domestic Violence Council
2. Center for Pacific Asian Family
3. Chicana Service Action Center
4. Family Violence Project of Jewish Family Services
5. Haven Hills, Inc.
6. Haven House
7. House of Ruth, Inc.
8. Jenesse Center
9. WomenShelter of Long Beach
10. Los Angeles County Bar Association
11. Los Angeles Women Lawyer's Association
12. Rainbow Services
13. Sojourn
14. Southern California Coalition for Battered Women
15. Su Casa
16. Women and Children Crisis Shelter
17. YWCA Glendale Shelter
18. YWCA Wings Shelter – San Gabriel
19. 1736 Family Crisis Center

The DVC mission is to *"Provide leadership in the creation and support of a victim-centered, County-wide and coordinated approach to prevent and respond to domestic violence."* As such, DVC analyzes the problems and causes and recommends ways to reduce and prevent domestic violence in the County. DVC's primary role is one of:

- ☐ Coordination
- ☐ Ensuring accountability
- ☐ Information and training
- ☐ Public and community awareness.

DVC holds a monthly meeting every third Tuesday of the month from noon until 2:00 p.m. at the Los Angeles Police Department (LAPD) Training Academy. It also has various committees on: Training, Legal Issues, Legislative Issues, Health

Issues, Shelter Directors, Lesbian Gay/Bisexual/Transgender Issues, and Religion and Domestic Violence.

The relationship between CSS and the DVC has been in place for approximately 20 years. DVC's staff members are housed within CSS and consist of: a consultant who serves as the liaison between CSS and DVC members and an office assistant. The DVC budget has remained at \$135,000 for several years now and pays for the two positions.

DOMESTIC VIOLENCE PROGRAM FUNDING

Prior to CalWORKS, the County's budget for the domestic violence emergency shelter program and staff support totaled approximately \$1.5 million. With DPSS's pursuit of CalWORKS funding, the budget grew to \$14.7 million and the number of providers expanded from 19 to 46. CalWORKS, a public assistance program that aids in moving people back into the workforce, began funding domestic violence services in 1998.

FUNDING SOURCES

Today, the CSS's Domestic Violence Program has five different funding sources, two of which are grouped together for program purposes. (The marriage license fees and batterers' fines are known jointly as the Presley Funds).

- ❑ **Marriage License Fees** – A special fee of \$23 is assessed on each marriage license, which is sent to the Domestic Violence Program Trust Fund⁴, and used for emergency shelters. The Registrar-Recorder collects approximately \$1.6 million every year.
- ❑ **Batterers' Fines** – The CSS-DVU receives approximately \$340,000 per year from fines assessed to batterers. The fine was \$200 per offense⁵ with one-third of the fines collected from convicted batterers going to the Domestic Violence Program Trust Fund. As of January 1, 2004, the fine has increased to \$400 per offense⁶ with two-thirds going to the County via the Trust Fund. The courts collect these fines.
- ❑ **CalWORKS**⁷ is funded through the Department of Public Social Services (DPSS). These funds assist clients in removing domestic violence barriers to

⁴ The Domestic Violence Program Trust Fund was established in 1980 by the State of California for the collection of both marriage fees and batterers' fines and used for the Domestic Violence Emergency Shelter Programs.

⁵ Senate Bill No. 169, State of California Legislature, 1995, which amended the Penal Code to allow one-third of fines collected from convicted batterers to go to the Domestic Violence Program Trust Fund.

⁶ Through Assembly Bill 352, State of California Legislature, January 2004, introduced by Assembly Member Goldberg.

⁷ CalWORKS is the result of the 1996 Welfare Act (Personal Responsibility and Work Opportunity Reconciliation Act).

move successfully toward employment and economic self-sufficiency. Participants must be low-income residents with children. The program offers 16 different case management services, such as emergency transportation, independent living skills, supervised children's activities, etc. Legal services may be provided as well, including preparation of temporary restraining orders, paternity matters, etc. CSS receives approximately \$13.2 million annually for this program.

- ❑ **GROW** funds are also administered by DPSS and are directed toward participants who are victims of domestic violence by assisting them to overcome barriers to employment and move toward self-sufficiency. Clients must be low-income, employable, and without children (or if they have children, the children must be age of majority, emancipated youth, or in foster care). Funding of \$500,000 is provided for this program. Clients receive nine months of aid (\$200 per month) along with domestic violence intervention services.
- ❑ **County General Funds** – Los Angeles County provides funding to the CSS-DVU in the amount of \$135,000, which is used for administrative staff for the Domestic Violence Council. In addition, GROW funds are provided by the County, as well as 20% of the CalWORKS-DV funds (\$2.6 million) as part of the County's Performance Incentives program.

FUNDING USES

CSS-DVU uses the funding sources in the following ways:

- ❑ **Presley Funds: Marriage Fees and Batterers' Fines** – are used specifically for emergency shelter services, which include:
 - Shelter (up to 45 days stay depending on availability and funding)
 - Food
 - Clothing
 - Individual and peer group counseling.
- ❑ **CalWORKS and GROW** – These sources are used specifically for case management and legal services although the first three days of emergency shelter can be covered by CalWORKS.

The total CSS-DVU budget for FY 2003-2004 is \$15.6 million, which includes provider funds and administrative costs, as shown in Exhibit 2.

EXHIBIT 2
COMMUNITY AND SENIOR SERVICES (CSS) DEPARTMENT:
BREAKDOWN OF FUNDING, BY PROGRAM

FUNDING PROGRAM	DOLLAR AMOUNT	PERCENTAGE
CalWORKS	\$13,200,000*	84%
Presley Fund: Marriage Fees and Batterers' Fines	\$1,800,000	12%
GROW	\$500,000*	3%
County of Los Angeles General Fund	\$135,000	1%
Totals	\$15,635,000	100%

Source: Financial Administration, CSS, County of Los Angeles.

Note: The total includes CSS administrative costs.

* The County provides \$2.6 million for CalWORKS and \$500,000 for GROW

Exhibit 3 shows the allocation of the administrative fees and program costs associated with the three major programs.

EXHIBIT 3
COMMUNITY AND SENIOR SERVICES (CSS) DEPARTMENT:
ALLOCATION OF ADMINISTRATIVE FEES AND PROGRAM COSTS,
BY PROGRAM

Programs	Providers (n=)	Sites Funded (n=)	Total Program Funding	Contingency		Administrative Costs		Totals
				Dollars	% of Subtotal	Dollars	%*	
Emergency Shelter	19	23	\$1,610,000	\$46,000	2.85%	\$144,000	8%	\$1,800,000
CalWORKS	45	55	\$11,975,783	\$4,217	.04%	\$1,320,000	10%	\$13,200,000
GROW DV	19	22	\$425,000	\$0	.00%	\$75,000	15%	\$500,000
Subtotals			\$13,910,783	\$50,217		\$1,539,000		\$15,500,000
County General Fund						\$135,000		\$135,000
Totals						\$1,674,000		\$15,635,000

* = Percent of grand total, not program total.

The administrative portion of the budget (CSS staffing costs) is 11% or \$1.6 million of the entire CSS-DVU budget, including funds allocated for DVC. The entire program budget is 89% or approximately \$14 million.

FUTURE FUNDING

Assembly Bill 352 became law in January 2004. This bill increases:

- ☐ The amount of the fines assessed against batterers from \$200 to \$400
- ☐ The percentage of funds that go to the counties from one-third to two-thirds of all fines.

As a result, it is estimated this will generate more than \$1 million annually for the shelters. However, this assumes maintaining the current level of payment schedules and current number of defendants in the system, which may not be realized due to potential collections problems.

FUNDING ALLOCATIONS, BY SERVICE PROVIDER

Exhibit 4 displays the funding allocations, by service provider, for FY 2003-2004. CSS-DVU funds 47 providers, which is an increase of 5 providers from FY 2002-2003. The number of sites funded are:

- ☐ Emergency Shelters – 19 providers for a total of 23 Emergency Shelter sites with a total of 687 beds
- ☐ CalWORKS – 45 providers for 55 sites
- ☐ GROW – 19 providers for 22 sites.

Overall, 66% of all providers receive funds from more than one program, and 33% receive funds from only one program. Funding patterns are:

- ☐ 19 providers are funded by only one program
- ☐ 20 providers are funded by two programs
- ☐ 8 providers (or 17%) are funded in all three programs
- ☐ 17 of the 19 Emergency Shelter providers (or 90% of the Emergency Shelter providers) receive CalWORKS.

As already indicated, the bulk of the CSS-DVU funds are CalWORKS, which were originally identified and secured through DPSS's long-term planning efforts. The average CalWORKS grant is \$265,000, which often includes legal services. All case management programs include "soft legal" assistance, which means assistance with obtaining a temporary restraining order (TRO). There are 13 programs that offer "hard legal" services, which include assistance with paternity, child custody, divorce, and immigration issues. Most of these providers also offer case management services.

EXHIBIT 4
COMMUNITY AND SENIOR SERVICES (CSS) DEPARTMENT:
DOMESTIC VIOLENCE PROGRAM
SERVICE PROVIDER PROFILE
FY 2003-2004

Provider	Emergency Shelters		CalWORKS		GROW		Totals
	Funding	Sites	Funding	Sites	Funding	Sites	
1736 Family Crisis Center	\$210,000	3	\$898,333	2	\$32,500	2	\$1,140,833
Akila (aka Charlotte House)	\$0	0	\$108,000	1	\$15,000	1	\$123,000
Antelope Valley Domestic Violence Council	\$70,000	1	\$420,000	1	\$7,000	1	\$497,000
Asian Pacific American Legal Center	\$0	0	\$133,333	1	\$0	0	\$133,333
Association to Aid Victims of Domestic Violence	\$70,000	1	\$0	0	\$0	0	\$70,000
Bienvenidos Children's Center	\$0	0	\$146,670	1	\$12,000	1	\$158,670
Cambodia Association of America	\$0	0	\$100,000	1	\$0	0	\$100,000
Center for Pacific-Asian Family	\$70,000	1	\$140,000	1	\$0	0	\$210,000
Chicana Service Action Center	\$140,000	2	\$836,670	2	\$0	0	\$976,670
Central Recovery & Development Project	\$0	0	\$100,000	1	\$0	0	\$100,000
Children's Institute International	\$0	0	\$145,000	1	\$0	0	\$145,000
Community Counseling Service	\$0	0	\$293,333	1	\$0	0	\$293,333
Coalition of Mental Health Professionals	\$0	0	\$100,000	1	\$0	0	\$100,000
Community Legal Services	\$0	0	\$436,670	2	\$0	0	\$436,670
Domestic Abuse Center	\$0	0	\$100,000	1	\$0	0	\$100,000
East Los Angeles Women's Center	\$0	0	\$135,000	1	\$4,000	1	\$139,000
Foothill Family Service	\$0	0	\$300,000	1	\$8,000	1	\$308,000
Grace Center	\$0	0	\$100,000	1	\$0	0	\$100,000
Harriet Buhai Center for Family Law	\$0	0	\$220,000	1	\$0	0	\$220,000
Haven Hills, Inc	\$70,000	1	\$163,333	1	\$0	0	\$233,333
Haven House	\$70,000	1	\$0	0	\$0	0	\$70,000
Helpline Youth Counseling, Inc.	\$0	0	\$140,000	1	\$0	0	\$140,000

Provider	Emergency Shelters		CalWORKS		GROW		Totals
	Funding	Sites	Funding	Sites	Funding	Sites	
House of Ruth, Inc.	\$70,000	1	\$270,000	1	\$10,000	1	\$350,000
Human Services Association	\$0	0	\$293,333	1	\$0	0	\$293,333
IMCES	\$0	0	\$372,770	2	\$25,500	2	\$398,270
Interval House	\$0	0	\$120,000	1	\$0	0	\$120,000
Jenesse Center, Inc.	\$70,000	1	\$453,333	1	\$0	0	\$523,333
Jewish Family Services	\$70,000	1	\$140,000	1	\$0	0	\$210,000
Legal Aid Foundation of Los Angeles	\$0	0	\$643,333	4	\$0	0	\$643,333
Los Angeles Center for Law and Justice	\$0	0	\$253,333	1	\$0	0	\$253,333
MJB Transitional Recovery, Inc.	\$0	0	\$163,333	1	\$36,000	1	\$199,333
National Council on Alcohol and Drug – Long Beach	\$0	0	\$280,000	1	\$35,000	1	\$315,000
Neighborhood Legal Services – Los Angeles County	\$0	0	\$460,000	3	\$0	0	\$460,000
Ocean Park Community Center – Sojourn	\$70,000	1	\$80,000	1	\$0	0	\$150,000
Peace and Joy Care Center	\$70,000	1	\$313,333	1	\$68,000	1	\$451,333
Project Peacemakers, Inc.	\$0	0	\$235,000	1	\$33,000	1	\$268,000
Prototypes	\$0	0	\$576,000	2	\$67,500	2	\$643,500
Rainbow Services, Ltd.	\$70,000	1	\$180,000	1	\$0	0	\$250,000
San Fernando Valley Community Mental Health	\$0	0	\$180,000	1	\$10,000	1	\$190,000
San Pedro Community Legal Services	\$0	0	\$130,000	1	\$0	0	\$130,000
Santa Anita Family Services	\$0	0	\$240,000	1	\$5,000	1	\$245,000
Angel Step Inn – Southern California Alcohol and Drug Program	\$140,000	2	\$163,333	1	\$0	0	\$303,333
Su Casa Family Crisis & Support Center	\$70,000	1	\$84,000	1	\$0	0	\$154,000
WomenShelter of Long Beach	\$70,000	1	\$346,670	1	\$28,000	1	\$444,670
Women's and Children's	\$70,000	1	\$230,000	1	\$6,000	1	\$306,000

Provider	Emergency Shelters		CalWORKS		GROW		Totals
	Funding	Sites	Funding	Sites	Funding	Sites	
YWCA of Glendale – Domestic Violence Project	\$70,000	1	\$316,670	1	\$7,500	1	\$394,170
YWCA of San Gabriel Valley – Women in Need	\$70,000	1	\$335,000	1	\$15,000	1	\$420,000
Totals	\$1,610,000	23	\$11,875,783	55	\$425,000	22	\$13,910,783

Funding for the Emergency Shelter program was reduced by \$5,000 from an average of \$75,000 to \$70,000 in FY 2003-2004 due to a drop in funds collected from the marriage fees and batterers fines.

FEE-FOR-SERVICE MODEL

CSS changed the formula of cost-per-client for the CalWORKS program when the Request for Proposals (RFPs) was re-issued in July 2003 for FY 2003-2004. The previous formula allowed:

- ☐ \$2,000 per client for case management services
- ☐ \$2,500 per client for legal services.

DPSS requested that providers change to a fee-for-service model, whereby each service provided to the client could be tracked and evaluated. Exhibit 5 displays the fee-for-service schedule for FY 2003-2004. The purpose of the change to fee-for-service was meant to:

- ☐ Demonstrate services provided to individual clients
- ☐ Allow providers to tailor their service plans to fit a client's particular needs.

EXHIBIT 5
COMMUNITY AND SENIOR SERVICES DEPARTMENT,
DOMESTIC VIOLENCE DIVISION: FEE-FOR-SERVICE SCHEDULE
FY 2003-2004 (Effective November 1, 2003)

Program	Unit of Service	Price Per Unit
Case Management and Counseling Services		
Service Assessment	1 maximum	\$44
Service Plan	1 annually	\$44
Client Advocacy	1 hour	\$38
Reassess or Revise Plan <i>Note: Limit of 4</i>	1 session	\$38
Follow-up Services	1 at exit	\$38
Individual Counseling	1 hour	\$71
Family Counseling	1 hour	\$98
Group Counseling <i>Note: Cost per person in a group</i>	1 hour	\$22
Independent Living Skills	1 per session	\$38
Parenting Education	1 per session	\$38
Household Establishment	1 per session	\$38
Monitored Visitation	1 per visit/child	\$55
Emergency Transportation <i>Note: Not to exceed this dollar amount per month</i>	1 one-way trip	\$375
DPSS Gain Orientation	1 hour	\$12
Supervision of Children's Activities	1 hour/child	\$10
Shelter Stay	24 hours ⁸	\$32
Legal Services		
Court Accompaniment	1 hour	\$44
Restraining Order	1 hour	\$44
Preparation for Court	1 hour	\$44
Explanation of the Court Process <i>Note: Can be done by someone who is not an attorney</i>	1 hour	\$44
Child Custody, Support, Visitation	1 hour	\$104
Paternity Matters	1 hour	\$104
Divorce Matters	1 hour	\$104
Immigration Matters	1 hour	\$104
Criminal Court Matters	1 hour	\$87
Court Representation	1 hour	\$109

In FY 2003-2004, providers are being paid by the individual services provided; however, there is still a cap of \$2,000 per case management services per client and \$2,500 for legal services per client. Providers may petition CSS to exceed the cap if

⁸ This 24 hours translates into a maximum stay of 3 nights lodging plus meals.

additional services are deemed necessary and the client is CalWORKS eligible. The appeal mechanism and new services rates went into effect in November 2003. It is too early to evaluate how often this appeal procedure will be used.

CONTRACT ADMINISTRATION

Contract administration consists of a) the preparation, issuance, and selection of a provider based on a Request for Proposal (RFP); b) contract negotiation; and c) contract monitoring. Despite staffing issues, CSS-DVU receives and processes a large amount of paperwork associated with contracts and contract monitoring every month. The contractor files are organized, and information on data and services are identifiable and available. CSS-DVU has built an array of standardized forms for the providers to use for monthly requisition forms and monitoring. At the beginning of the year, providers are given a disk with all applicable forms to ensure standardization.

RFPs AND CONTRACTS

The contracts for the Emergency Shelters, CalWORKS, and GROW are for a three-year funding cycle. The RFP and contract are issued and drawn up in Year 1, and the contract is renewed for Years 2 and 3, provided the contractor has fully met the conditions of the contract and funding is available. These conditions include meeting:

- ☐ The targeted goals of clients served
- ☐ Actual service units
- ☐ Fiscal accountability within the allocated funding.

In the CalWORKS program, providers may receive additional funds during the middle of the year if their performance is exceptional and funds are available (from contingency funds, and cancelled contracts).

The three programs distribute funding to providers by the following formulas:

- ☐ **Emergency Shelter** – The funds are distributed in equal amounts to each shelter across the County regardless of supervisorial district, poverty, or shelter size.
- ☐ **CalWORKS** and **GROW** – The funds are distributed taking into account poverty, population, supervisorial district, and type of program.

CSS-DVU has established procedures for conducting the rating, evaluation, and administration of contracts, including a contracting process checklist and a funding methodology, where the funds are allocated according to Service Planning Area (SPA), CalWORKS client population, and available funds.

CONTRACT MONITORING

The contract monitoring process consists of three types of monitoring reviews that cover the fiscal, program, and administrative aspects of the provider's Domestic Violence Program. These reviews, whereby one site visit includes all three functional areas, are conducted two to four times a year. In addition, an outside fiscal monitor is used to fully evaluate accounting procedures. CSS-DVU has designed two instruments for contract monitoring:

- ❑ **The Fiscal Monitoring Instrument.** An outside fiscal monitor (a Certified Public Accountant (CPA)) conducts fiscal monitoring biannually. The CPA uses a 21-page monitoring instrument that covers basic contract information, which includes questions regarding:
 - The nature of the accounting system
 - Rating of journal entries
 - Review of the petty cash system
 - The monitoring of bank accounts
 - Review of the payroll system
 - Personnel costs, including time sheets, job specifications, and salary determinations.
- ❑ **The Site Visit Monitoring Instrument.** The site visit-monitoring instrument for programs is a 22 page monitoring tool that looks specifically at compliance with the contract. The instrument includes, but is not limited to, a review of:
 - Performance data, including the Year-to-Date (YTD) plan and actuals for unduplicated clients⁹ and service units
 - Client records, including income eligibility, referral services, and number of clients served during a test month
 - Follow-up evaluation demonstration
 - Client feedback
 - Operational and fire and safety systems
 - Conflict of interest reporting
 - Fiscal controls
 - Purchasing and accounting systems.

CSS-DVU AND DPSS WORKING RELATIONSHIPS

Since the CalWORKS program funding dominates the County's Domestic Violence Program, CSS's relationship with DPSS is an important one. DPSS monitors CSS. It does not allocate staff to the Domestic Violence Program specifically. DPSS has 38 intake offices throughout the County where their staff members, who are trained by DPSS and CSS-DVU staff on the specific needs of domestic violence victims, advise clients on the appropriate programs available. If a client declares

⁹ That is, new and continuing clients.

herself/himself to be a victim of domestic violence to a DPSS worker, she/he is then referred to a DPSS specialized supportive service worker. The victim is then referred to a caseworker from a CSS-DVU service provider to assess the person's domestic violence situation.

D. FINDINGS

STRATEGIC PLANNING

Finding 1: The CSS-DVU portion of the CSS Strategic Plan is not a driving force in setting the future course for CSS-DVU and fails to address significant domestic violence issues of recidivism, prevention, and funding in the County.

The Board of Supervisors has mandated that all County departments embark on a strategic planning effort. A Strategic Plan should set the future course for the department for the next 3 to 5 years and have measurable objectives. At this time, CSS has neither a specific strategy nor a vision to address domestic violence issues within the County. CSS has undertaken a strategic planning process with CSS-DVU's goals and objectives contained in the CSS Strategic Plan. CSS-DVU's achievement of their objectives in the CSS Strategic Plan has not been consistent. Moreover, strategic planning does not appear to be an ongoing process where the objectives and action plans are updated as specific tasks are accomplished. Specifically, the CSS-DVU goals and objectives in the CSS Strategic Plan are:

- ☐ **Goal 1 – Workforce Excellence Objective:** Provide comprehensive competency training for domestic violence planners and monitors.
 - **Management Review Finding:** The training plan was developed in February 2002, and most tasks had been accomplished by October 2002. However, the action, results, and status columns for the tasks of implementation and evaluation of the new training plan are either ongoing or blank, indicating that the new training plan has either not been completed or the Strategic Plan has not been updated.
- ☐ **Goal 2 – Children and Families' Well-being Objective:** Develop a system to measure progress in improving the five outcomes for children and families in CSS's Community Services Block Grant (CSBG), Domestic Violence, Adult Protective Services, and Area Agency on Aging programs.
 - **Management Review Finding:** This objective is a joint venture among four different CSS units, however as of February 2004, no action has been taken. Tasks include researching outcome measures used by other departments and making recommendations for measuring five outcomes for children and families.

- ❑ **Goal 3 – Organizational Effectiveness Objective:** Establish a continuous improvement team comprised of CSS-DVU and DPSS staff to ensure seamless service integration.

- **Management Review Finding:** All tasks are noted as being completed by July 2001 (although the start date was August 2001 for two of the tasks). The tasks involved identifying, prioritizing, and recommending solutions for issues concerning contract service providers. The results are that CSS now meets monthly with DPSS following the special meetings held with DPSS and the contract providers.

- ❑ **Goal 4 – Fiscal Responsibility Objective:** Identify and pursue partnerships and new sources of funding with Health Maintenance Organizations (HMOs) and other private corporate entities.

- **Management Review Finding:** The tasks involve surveying other jurisdictions to identify other funding sources, working with DPSS and the Chief Administrative Officer (CAO) to increase funding, and working with the DVC Legislative Committee to change legislation on the Presley Bill, which has since been addressed through Assembly Bill AB 352. A final task is to hire a grant writer. The action column on the Strategic Plan indicates that the Domestic Abuse Response Team/Safety Through Our Persistence¹⁰ (DART/STOP) programs will provide \$2.2 million for CSS. DART programs provide first response assistance to victims of domestic violence. DPSS has subsequently cut these funds.

In addition, a person was identified for the grant writing position but no date was provided for completion of this task. (A person had been hired for this task but only stayed for six months.)

The significant strategic issues – how to reduce recidivism of domestic violence cases or how to reduce the occurrence of domestic violence in our society – are ignored in the Strategic Plan. Moreover, the whole issue of funding programs adequately to address unmet needs is ignored.

The current CSS management views its primary role as one of contract monitoring and maintaining the current system, and not one of advocacy or strategically dealing with the broader issues of domestic violence.

FUNDING

Finding 2: CSS-DVU funds a significant segment of the Domestic Violence Programs, but service providers must rely on funding from other sources.

¹⁰ A program of the Sheriff's Department

DVC has no dedicated funding for the purpose of the mission of the Council itself. Moreover, no program could survive on the CSS funds alone. Yet the funds provided from CSS can be one of the largest single dollar amounts an organization receives. In addition to the CSS funds, providers use other grants and contracts to compile an operating budget.

In a sample of providers ranging from small to large organizations, the highest percentage that CSS funds (all programs) contributed to a provider's funding stream was 36% or \$500,000. In other words, 64% of the funds or \$900,000 must be secured from non-County sources to meet the organization's \$1.4 million budget. For another organization with a total budget of almost \$3 million, CSS-DVU's contribution was 22% or \$600,000. With larger organizations that provide more than domestic violence services, the percentage contribution was even smaller. One organization with a budget of almost \$8 million received just over \$1 million, 14% of the overall budget, from CSS-DVU.

Funding for the emergency shelters from the Presley Fund is kept at an equal allotment of \$70,000 per site. Anecdotal statements indicate that the yearly operating cost of a shelter is close to \$400,000 per year, which includes heat, electricity, maintenance, salaries, equipment and sundries, and food and clothing for clients and their children. This means that only 19% of the average shelter budget is comprised of CSS-DVU funds. And since the equal allotment of \$70,000 per shelter is a flat rate regardless of shelter size, the larger shelters receive less CSS funds in proportion to their overall operating budget.

Of the 23 emergency shelters, 9 of the organizations also support transitional shelters, for which CSS-DVU shelter funds cannot be used (shelter funds support up to 45 day stays). And even though CalWORKS funds could be used in a transitional setting, depending on the client's long-term needs, the fee-for-service and cap-per-client criteria dissuade providers from attempting to use these funds on a long-term basis. This means that transitional shelters for domestic violence clients must rely on non-CSS domestic violence funds.

One organization uses 14 separate contracts for their program that range from the local police to cities, County, State, and Federal governments. Other providers had less diverse funding sources and less funding for their organization. There is heavy reliance on the Federal government, such as the Office of Criminal Justice Programs (U. S. Department of Justice), Housing and Urban Development (HUD), Department of Labor, and Department of Health and Human Services (DHHS), for additional funding. Other funding sources include foundation grants, donations, and in-kind volunteerism. Foundation grants are under continuing pressure, however, to fund many worthy programs. In the last three years, grant funding has decreased by 15% nationwide.¹¹

¹¹ "Fluctuating Markets a Culprit as Foundation Grants Slip," Section A, Page 19, Column 3, New York Times, April 5, 2004.

Finally, while providers are required to identify matching funds, including in-kind aid, there is a reliance on volunteers to support day-to-day operations at many centers to sustain the 24/7 operational needs of shelters and support of case management and legal programs.

<p>Finding 3: Funding imbalances restrict service flexibility and program direction.</p>

CalWORKS and GROW funds can only be used to serve domestic violence victims who meet their criteria of public assistance and resident status. This leaves only the Emergency Shelter program (Presley funds) to serve an estimated 45% of the domestic violence victims as of FY 2002-2003, or providers must use non-CSS funding.

According to both CSS-DVU and shelter providers, shelters are filled to capacity almost all the time. The number of unduplicated clients served by the emergency shelter program was 4,191 in FY 2002-2003. With a total budget of \$1.8 million, this translates to just \$430 per client.

The number of unduplicated clients served by the CalWORKS program in FY 2002-2003 was 3,799¹² or 10% fewer than the shelter program. The CalWORKS funding at \$13.2 million is 88% of the total CSS-DVU budget. This kind of discrepancy in funding levels brings added pressure on providers to find funds to meet the needs of non-CalWORKS clients.

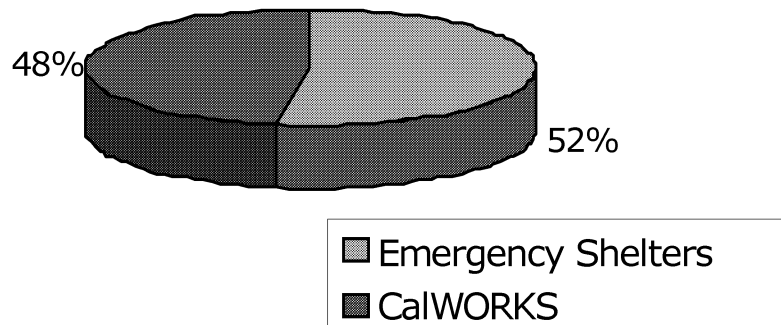
The issue of how many clients are not served by either program remains a question. Based on the number of ineligible clients seeking CalWORKS and feedback from the providers, there appears to be a greater need than the current system can sustain. Exhibit 6 indicates the funding and client comparisons between CalWORKS and the Emergency Shelter Program.

**EXHIBIT 6
FUNDING AND CLIENT COMPARISONS BETWEEN
CALWORKS AND EMERGENCY SHELTER PROGRAM**

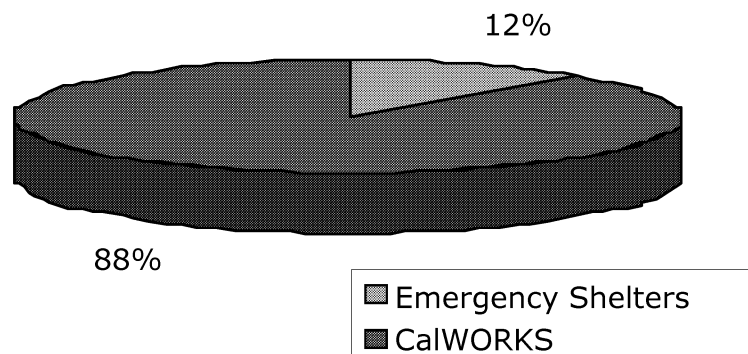
Program	Population Served FY 2002-2003 (Unduplicated)	Total Program Budget	Funding Per Unduplicated Client
Emergency Shelters (Presley Funds)	4,191	\$1,800,000	\$429.49
CalWORKS (State and County Funds)	3,799	\$13,200,000	\$3,474.60

¹² This does not include unduplicated clients for Legal Services or GROW. Many of the clients seeking Legal Services, however, who are a part of CalWORKS, are already served under CalWORKS case management as well. GROW serves a disproportionate smaller number of clients (approximately 200 in FY 2002-2003). There is also a percentage of clients who are assisted both by the emergency shelter program and CalWORKS programs at the same time. Also, 3,799 is a pro-rated year-end actual based on data from July 2002 – April 2003.

Domestic Violence Unduplicated Clients



Comparison of CalWORKS and Emergency Shelters Funding



- 1) Funding comparison is only between CalWorks and Emergency Shelters. It does not include County funds.
- 2) Charts do not reflect any long-term overlap between Shelter clients and CalWORK clients.

Finding 4: Major funding sources for Domestic Violence Programs may be in jeopardy of budgetary reductions.

Domestic violence programs are insufficiently funded and overly reliant on CalWORKS funding:

- ❑ **Over-reliance on CalWORKS funding and limitations on the use of CalWORKS funding.** Since almost 88% of the County's domestic violence funding is generated from one source, it is necessary for CSS to continue identifying alternative sources of funding to increase funding and program availability. CalWORKS-DV, with a total budget of \$13.2 million, is the most significant funding program for CSS-DVU. The CalWORKS mission is to move clients into gainful employment. CalWORKS is restricted to public assistance

recipients. A significant part of the CSS-DVU program centers around assisting this limited subset of victims eligible for public assistance.

- ❑ **The potentially adverse impact of State and Federal funding.** Due to the continuing fiscal crisis at the State level, even after the passage of the bond recovery proposition, it remains unclear what action may be taken that will affect State funding of domestic violence programs. In addition, the County and cities within the County are facing continuing fiscal pressures stemming from the State's historic fiscal problems.

Changes to Federal funding remain unclear as well. While funding for criminal justice programs are expected to remain strong, new Federal programs aimed at community criminal justice programs are being developed that do not include domestic violence programs. Many domestic violence programs are funded through the Office of Justice Programs at the Department of Justice. The dual considerations of funding increases for non-domestic violence programs and the rising deficit of the Federal budget may result in the reduction of domestic violence intervention funds.

The domestic violence programs affected by the Federal and State unstable fiscal climates would be CalWORKS, GROW, and general County funds, which together comprise 88% of the domestic violence program budget for CSS-DVU. The emergency shelter program, which is funded by fines and fees, is not expected to be affected by budgetary considerations.

- ❑ **The County's budget groupings.** The budgetary grouping of CalWORKS funding for domestic violence may jeopardize these funds in potential future reductions. The CalWORKS funds for domestic violence are grouped under the program area of "Supportive Services" in the DPSS budget. Supportive Services include:

- Domestic Violence
- Mental Health
- Substance Abuse.

Unlike Mental Health and Substance Abuse, there is no individual budget line for Domestic Violence services. Instead, DPSS groups all Domestic Violence Programs into a single allocation with:

- Employment
- Benefit administration
- Stage 1 childcare.

As a result, many are concerned that future budget cuts will reduce the funding of this single allocation, including the domestic violence share, because it is not readily identifiable. The budget for Substance Abuse is \$18.9 million and for Mental Health \$24.9 million for FY 2003-2004, which

are respectively 30% and 47% greater than the Domestic Violence budget of \$13.2 million.

- ❑ **Loss of DART/Stop Funds.** In FY 2001-2002, CSS-DVU was scheduled to receive funding for the Domestic Abuse Response Teams (DART)/Stop Program of approximately \$2.2 million through DPSS. Because of implementation and eligibility disagreements between DPSS and CSS, the program never became active, and the money was cut from the DPSS budget due to fiscal constraints. It is not known at this time whether such funds are still available, but they would provide another source of funding to the current limited funding stream.

Finding 5: Administrative allocations to CSS-DVU and the use of contingency fees vary by funding source.

The funding authorities apply different rules for administrative fees or contingency fees.

- ❑ **Allowable administrative fees.** CSS may take a percentage of the three funds for administrative costs. The percentage allowable for administrative costs varies by funding source:
 - The Presley Funds for the Emergency Shelter allows 8%
 - CalWORKS allows 10%
 - GROW allows 15%.
- ❑ **Contingency funds.** Contingency funds are part of the provider's funds and are used for any unexpected funding issues that arise during the year. They may be used to:
 - Enhance a provider's budget that has excelled in their service delivery
 - Cover unexpected costs of the provider.

Contingency funds are not allowed to be co-mingled with administrative funds. They can be rolled into the next fiscal year for the Presley Funds (Emergency Shelters) but not for CalWORKS. Since both marriage fees and batterers fines are based on continuing revenue collection, funds can remain in the trust fund for use in the following years. GROW does not have contingency funding.

Finding 6: Emergency Shelters' fees and costs vary based on location, available supplementary funding, and other factors.
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In addition to the grant provided to run County shelters, the Emergency Shelters themselves have varying fees for shelter stays. The fee differences may be due in part to the various locations across the County, time at the location, and other funding contributions. As shown in Exhibit 7, the average cost per client is \$29 but

the range is from a low of \$5 to a high of \$47 per client. CSS-DVU has recognized the internal problem of inconsistency and will standardize the rates in July 2004 for FY 2004-2005.

EXHIBIT 7
EMERGENCY SHELTERS' FEES FOR SHELTER NIGHT COST
FY 2003-2004

Domestic Violence Shelter Service Providers	Number of Planned Clients	Cost Per Client	Totals
1736 Family Crisis Center	1,081	\$42	\$45,467
Antelope Valley	5,400	\$5	\$27,000
Center for Pacific-Asian Family	1,260	\$34	\$42,840
Chicana Service Action Center	1,264	\$30	\$37,920
DV Center of Santa Clarita	800	\$25	\$20,000
Haven Hills	3,170	\$22	\$69,994
Haven House	760	\$47	\$35,720
House of Ruth	1,353	\$30	\$40,590
Jenesse Center	1,897	\$22	\$41,734
Jewish Family Services	702	\$40	\$28,248
Ocean Park	3,000	\$20	\$60,000
Peace & Joy Care	800	\$47	\$37,584
Rainbow Services	1,150	\$40	\$46,000
So. Cal. Alcohol/Angel Step Inn	1,095	\$11	\$12,078
Su Casa	2,484	\$18	\$44,712
Women & Children's Crisis	1,200	\$27	\$32,400
YWCA of San Gabriel	1,260	\$37	\$46,859
YWCA of Glendale	1,567	\$11	\$17,456
WomenShelter of Long Beach	1,400	\$35	\$49,000
Average Cost Per Client		\$29	
Minimum Cost Per Client		\$5	
Maximum Cost Per Client		\$47	

Finding 7: Equal allocation of domestic violence funding does not translate into equality.

Since AB 352 has passed, the additional funding will increase the emergency shelter budget by 55%, if collection is enforced. These additional funds will be a significant step for the County but still far from the funds needed to run a shelter. Currently the \$1.6 million program dollars are allocated equally regardless of bed capacity, population, or poverty level. Each of the 23 sites receives \$70,000 toward the

operation of the shelter. A whole host of factors – educational or socio-economic levels of clients and other mitigating factors – affect what a site’s needs might be.

STRUCTURE AND STAFFING

Finding 8: Domestic Violence does not appear to be a high organizational priority in the County, and the DVC suffers from high turnover in its leadership.

The lack of support at DVC has been blamed for the decrease in activity and lack of ability to pursue important legislative, operational, and governance initiatives for the County’s domestic violence network.

As one service provider observed, “...domestic violence is merely a small box appended to CSS where there is not sufficient staff, knowledge of the impact of domestic violence on the County’s residents, and ... insufficient funds available to shelter-based service providers.” Yet, as discussed in the introduction, domestic violence is pervasive and contributes to many of society’s problems. The criminal justice and health care costs alone are significant.

Moreover, despite its size and significance within the State of California, the County of Los Angeles lacks a strong voice in the State Legislature. When DVC or CSS-DVU work on pending legislation, the Board of Supervisors do not communicate formally with the legislators that the County either supports or disagrees with it. Yet given the County’s stature, if it speaks, its voice would be heard.

Exacerbating this situation and as shown in Exhibit 8, the DVC Executive Director position has had high turnover, particularly since 1996, and has been vacant for more than 2½ years. Some contend the high turnover is due to a low salary.

EXHIBIT 8 DVC’s LEADERSHIP TURNOVER (1979 Through Present)

Timeline	Tenure	DVC Title	Status
1979-1982	3 years	Coordinator	Left for a promotion
1983-1989	6 years	Coordinator	Left for a promotion
1990-1995	5 years	Coordinator	Resigned to relocate
1996-1997	1 year	Executive Director	Resigned
1997-1997	9 days	Executive Director	Left for a better offer
1997-1998	1 year	Interim Executive Director	Acting appointment of Assistant Director pending recruitment
1998-1999	1 year	Executive Director	Resigned
1999-2000	1 year	Interim Executive Director	Acting appointment of Assistant Director pending recruitment
2000-2001	1 year	Executive Director	Resigned
2001-2002	5 months	Executive Director	Resigned
2002-Present	2+ years	Interim Executive Director	Acting appointment pending reclassification of the position

In addition to performing her regular job responsibilities, one of the CSS-DVU supervisors serves as an Interim Executive Director for DVC. CSS-DVU has written a new job description but has been unable to secure additional support from senior CSS management to convey the urgency to the Board of Supervisors.

Moreover, the current DVC staff of one consultant liaison and one part-time clerical position is not sufficient to address the extensive information and coordination required by the DVC.

Finding 9: CSS-DVU has suffered from the lack of permanent management-supervisory staff, high turnover rates, salary problems, and a tendency to focus on process functions rather than outcomes.

CSS-DVU supervision and staffing suffers in a number of critical ways:

- ❑ **CSS-DVU lacks permanent management and supervisors.** “Acting” incumbents fill all four of CSS-DVU manager and supervisory positions. While staffing turnover and changes lead to acting positions on a temporary basis, the length of time most of the senior positions have been in an acting capacity is more than one year. Having all supervisors in acting roles has created an unstable situation, which has adversely affected staff turnover, program development, accountability, and morale.
- ❑ **High CSS-DVU staff turnover.** CSS-DVU managers cite staff turnover as a concern. The unique nature of domestic violence work, where sensitivity and discretion are necessary prerequisites, makes attracting qualified employees for the salary available within the current Civil Service job classifications difficult. This issue, in conjunction with the temporary nature of the management staff has contributed to turnover.
- ❑ **Internal pay equity and external pay competitiveness.** In reviewing the staff salaries, there are both internal and external inconsistencies. The top CSS-DVU manager, who has just received a promotion, is at the same level as other analysts in other CSS units, particularly CSS’s Adult Protective Services, even though the manager assignment is two- to three-levels above an analyst assignment. In addition, the other supervisors appear to be below the appropriate salary level for their responsibilities in comparison to other CSS-DVU staff and staff in other CSS units.
- ❑ **Insufficient time devoted to outcomes.** The CSS-DVU manager, supervisor, and staff focus their time on input processes as opposed to output. Supervisors spend most of their time in program implementation, monitoring, and contracting. Management staff indicated they were unable to spend more than 5% of their time on program evaluation and analyses of program outcomes.

CONTRACT ADMINISTRATION

Finding 10: Multiple factors contributed to a 4-month delay in issuing the FY 2003-2004 CalWORKS RFP.
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The CalWORKS contract was scheduled to be renewed for another three-year cycle beginning in July 2003. Because of delays in approving and completing the RFP process, contracts were not ready at the beginning of the fiscal year (July 1, 2003) so CSS extended the FY 2002-2003 contracts for another four months (July 1, 2003 through October 31, 2003) until new contracts were completed. The delay was due to timing and communication issues involving new RFP requirements. The kinds of problems encountered were:

- ❑ **External approval now required.** CSS states that there were several administrative changes to the CalWORKS RFP and contracting process that created more work due to the additional number of external approvals needed before contracts could be signed. In the past, CSS prepared the RFP in-house and released the RFP to the public without any other outside agency sign-off. As of FY 2003-2004, DPSS, County Counsel, the Chief Administrative Officer (CAO), and the Board Deputies – an additional four external entities – had to sign off on the RFP before it was released.

As the agency that authorizes CalWORKS and GROW funds, DPSS stated that they had reviewed the first draft of the CalWORKS RFP in early April 2003 but by late June 2003 had still not received a revision of the RFP. By late July 2003, the final RFP was released to the public. After evaluations were conducted and appeals heard, CSS requested clearance from DPSS to submit CalWORKS funding recommendations for the next Board of Supervisors' meeting.

- ❑ **Additional lead-time to obtain the Board of Supervisors' approval.** According to CSS-DVU, after the scoring of proposals and rating of proposals are completed, the time to get final approval from the Board of Supervisors is now three months. Prior to FY 2003-2004, CSS could FAX over the final award list to the Board one month prior to the Board meeting and expect immediate approval the day of the meeting, as any questions had been worked out previously. Under the new changes, CSS must provide the Board three weeks notice before filing any recommendations and sit for a formal Board briefing before sending over a final funding recommendation list.
- ❑ **Excessive contract requirements and length.** Service providers have stated that they are inundated with increased paperwork and evaluative documents from CSS for the CalWORKS program and DPSS. Some question the value of applying for County contracts given the increase in time and resources needed to fulfill the new requirements. This has been corroborated by the survey findings, discussed later, where the rate of dissatisfaction with the contracting process is high.

Both CSS and providers have indicated that the RFP and contract length has expanded with new County requirements without increases in funding levels. For example:

- In comparing the CalWORKS RFP and contract from the previous contract period, both had increased in length, the RFPs from 116 pages to 186 pages and the contracts from 27 pages to 59 pages. In addition to the monthly funding requisition form providers fill out, they must submit:
 - 1) Monthly program performance reports for case management and legal services
 - 2) A client outcome form
 - 3) A contractor monthly activities report.
- When originally drawn up four years ago, the GROW RFP consisted of one page. Now the same GROW RFP is 189 pages in length. The GROW program distributes an average of \$19,000 to each site.

Finding 11: Some providers lack the resources to pursue County contracts and have difficulties understanding and meeting the contract requirements.

Given how complex the contract process has become, some providers are unable to meet the requirements. For example:

- ❑ **Complex fiscal requirements.** Some contractors' lack an understanding of the fiscal requirements, such as matching and cost allocations, in the CSS contracts. This lack of understanding was compounded by the contractors' failure to prepare the necessary documentation to be in compliance.¹³
- ❑ **Terminated or withdrawn contracts.** CSS-DVU has terminated contracts and service providers have decided to withdraw from contracts. For example:
 - **FY 2003-2004.** Currently Grace Center, MJB Transitional Recovery, and Central Recovery are in dispute or have withdrawn themselves as providers for FY 2003-2004. One organization lost another funding grant and could not use the CSS grant at the current level of funding. The other two had outstanding compliance requirements that are unmet.
 - **FY 1999-2003.** Four providers were terminated.

Finding 12: In addition to the difficulties with contracting in general, CSS-DVU has disincentives for service providers to work with the County.

¹³ Simpson & Simpson, CPA, fiscal audit, performed on behalf of the Auditor-Controller, County of Los Angeles.

Although CSS-DVU has established protections for contract violations, these protections also cause service providers to question if it is worth pursuing County work.

- ❑ **Excessive paperwork and compliance requirements** (already noted). The additional “paper” requirements may give CSS-DVU a comfort level in ensuring their providers are in compliance with their contract requirements, but many view it as excessive, onerous, and too control-oriented.
- ❑ **Reduction in awards contract make it difficult to plan with confidence that funding will be available to meet needs over the course of a year.** CSS analyzes the productivity of all CalWORKS providers with a six-month review to determine if the providers are meeting the goals of their contract and to review final year actuals. The criteria used to evaluate the providers are the number of service units, clients, and fiscal accountability. The actuals must meet 75% of the planned goals. If providers are unable to meet the 75% target, they will receive decreases in their contracts.
 - **FY 2001-2002.** Four providers had their contractual amounts decreased from the year before. The amount of funds decreased ranged from \$10,000 to \$37,500.
 - **FY 2002-2003.** No providers had contracts decreased.
 - **FY 2003-2004.** Nine providers experienced decreases. Amounts ranged from \$4,000 to \$82,000.
- ❑ **Problems with monitoring achievement of client targets.** In reviewing the FY 2002-2003 CalWORKS six-month review chart (used for the FY 2003-2004 evaluations), the following items were noted.
 - On the six-month review list, 12 groups were under-performing in terms of achieving client targets. Only 4 of the 12 providers saw reductions in their contracts in FY 2003-2004. It was not clear to what end the six-month review served either formally with the provider or as an in-house assessment tool. Yet the year-end review indicated 22 providers did not meet their client target goals. Of these 22 providers, 8 providers received reductions in their contracts the following year. The eighth provider who received a reduction did not demonstrate non-compliance with targeted goals, and it was unclear why that contract was reduced. Based on the year-end review, it was also not demonstrated why only 8 and not all 22 were targeted for reductions.
 - In addition, the six-month review, the reduction analysis (comparison of FY 2002-2003 to FY 2003-2004 contract levels), and the year-end review contained computing errors that made it difficult to assess which providers actually received increases or decreases in their contracts.

Finding 13: The contract monitoring process has improved screening instruments but is still inadequate.
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Overall, the monitoring design is comprehensive, but its execution is not fine-tuned. It is unclear how the information is verified as to quality, and how or if the information is used for any quantitative or qualitative analyses by either CSS or the provider. Monitoring reports, however, are used for comparison with monthly funding requisition reports that providers submit to CSS monthly for payment. When a sample of contract-monitoring instruments was reviewed, several shortcomings were identified. During one three-month period of FY 2002-2003:

- ❑ **The monitoring process did not adequately reflect the time frame for the client services.** Ten clients had a point of entry that extended over a 10-month period. The clients averaged 19.7 units of service during that time. Because only an intake date was available, it was not clear why the sampling of clients did not reflect new clients for that quarter, or, if they were continuing clients, when the services were actually provided.
- ❑ **The Comprehensive Site Visit Monitoring Instrument required more time on-site to complete.** Based on the sample of monitoring reports reviewed, many questions on some instruments were deferred to the next scheduled site visit that fiscal year. This indicates that the site visit instrument may be too comprehensive or more time needs to be allocated to each site for a complete review to be accomplished. It is a requirement, however, for CSS monitors to complete a site visit monitoring review in the same fiscal year. When the monitoring instrument was not completed due to other evaluation issues that arose at the site, it was not indicated when the next site visit would take place.
- ❑ **Despite recent tighter standards, services rendered for each client remains unclear.** In FY 2003-2004, CSS-DVU established tighter standards on client monitoring. The monitor is now required to identify all services provided to all clients served by the provider during the month of the site visit and not just a sample of clients. In reviewing one provider's records, it was determined that more than 70 clients were provided services during November 2003. There was no count of the service units per client, only per category. In addition, the only evidence that clients were served is the monthly client per category tabulation. There are no sign-in sheets or invoices to corroborate the provider's services. Each client does have her/his own file, but these are not included in the monitoring reports. Due to confidentiality, actual sign-in sheets or copies of a client's file are not permitted to leave the site. This does not allow CSS to monitor the program fully.

In a review of another provider's monitoring report for the FY 2003-2004, Winter Quarter, the client services list indicated that the services verified conflicted with services reported, making it difficult to verify the service indicated. A note indicated that the monitoring report showed only 50% of

the November 2003 service units, but it was unclear whether this meant only one-half of the service units were for the clients listed or whether there were other clients that were not listed as well.

- ❑ **Not all new clients identified.** New legal clients are identified on the CSS-DVU "Performance Data" page; however, the new requirement requests that all new clients be indicated.

CSS monitors do provide written notification to providers regarding non-compliance of items in the monitoring instrument and request the provider to demonstrate compliance. Follow-up monitor reviews indicate whether the providers met their obligation. CSS-DVU requests a client feedback questionnaire be conducted as part of the service program, although it is not known how many are required per month or quarter.

Finding 14: CSS-DVU has limited communication within CSS and has not fully used technology for communicating.
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In general, CSS lacks lateral communication among its units and vertical communication between senior staff and program areas. Shortcomings in business automation planning, information technology, and internal communications hinder productivity, team building, and the development of new strategies.

Externally, CSS-DVU's primary forms of communication with providers are phone, regular mail, and facsimile (fax); there is limited use of Internet communication.

PERFORMANCE MEASUREMENTS

Finding 15: CSS-DVU has built a process-driven environment but needs to develop an analytical component that will focus on data collection and evaluation.

CSS is in the process of redesigning its financial system, which is scheduled to be operating in 2005. In the meantime, units, such as CSS-DVU, operate independently; client, costs, and service units are kept on Excel spreadsheets without any computer routing capability to other CSS managers. The type of data available now, even in its limited form, addresses the foundation needed to initiate a broader inquiry of programs and result measurements in the County's domestic violence network.

Although procedures and design instruments are available, there is a lack of emphasis on the results of data that are collected. CSS-DVU has accumulated pertinent information, but there are no procedures in place that allow for the analysis and evaluation of the data collected. Most of the quantitative information received contained errors.

As already indicated, most CSS units operate individually, and there is not a modern internal network for easy access to provide information at this time. This is also seen in the lack of information among units and between CSS-Administration and its program areas. CSS-DVU appears to receive information on a "need-to-know" basis rather than as part of a cohesive team. For instance, another CSS unit administers the Community Services Block Grant (CSBG), which is a Federal categorical grant available for a wide array of community programs. A good number of domestic violence providers also receive CSBG funds for their Domestic Violence Programs, but CSS-DVU does not know how much are allocated altogether for Domestic Violence Programs or how the funds are used. CSS-DVU knows that the amounts are small (approximately \$7,000 per provider). Considering the CSBG allocation for CSS altogether is more than \$6 million, a more comprehensive approach to planning and programming could be beneficial to CSS-DVU.

<p>Finding 16: The procedures for measuring Domestic Violence Program outcomes are in their infancy and, therefore, not ready to be used as a management tool.</p>

The analysis of the Domestic Violence Programs is problematic at this point. The collection and compiling of data and generation of analyses depicting monthly information by provider (showing all providers) did not begin until FY 2002-2003. Although monthly funding requisitions for each provider have been kept on file (showing planned vs. actuals and costs per month), CSS-DVU has not had access to analyses depicting all providers' information in one report.

In addition, prior to FY 2003-2004, the client numbers collected were only for new clients, whereas the service units collected were for all clients both new and continuing. The problem with this collection is that it:

- ☐ Did not give a true picture of the number of clients in the system or the demand for services
- ☐ Did not provide accurate information on the potential costs of services.

In FY 2003-2004, this accounting of clients has changed so providers will be reporting the total number of clients and identifying the number of new as well as continuing clients.

Providers often do not send monthly reports back in time to CSS, so monthly data compilation cannot be conducted. CSS should evaluate their non-compliance procedures so vital information is received regularly and assessments can be routinely made.

The computation errors on program spreadsheets – while minor for the most part – indicate that the usefulness of the analytical data as a management tool has not been promoted within CSS-DVU.

To date, CSS-DVU has not prepared any document about the new performance measurements that went into effect in July 2003. The performance measurements

are a County-wide requirement – called Performance Counts! – for all County agencies to use to determine service effectiveness. Many of the CSS-DVU measurements are being collected for both performance measurements and other funding or program reports. CSS has indicated that the database to analyze the new performance measurements has just begun to be developed.

Finding 17: The number of clients – victims and their children – served is less than planned; however, the service units exceed planned levels.

The reported level of ‘case management’ services was 49% above planned. The term “clients” represents the victims, many of whom also have children. Analytical problems with case management reporting involve:

- ❑ **Variations in services planned versus services rendered.** Exhibit 9 displays a sampling of contract files reviewed. Almost all the categories dealing with services are far above the plan, except Service Assessment, Service Plan, and Reassess, which focus on the individual client. Group Counseling is particularly high, as is Supervised Children’s Activities. This may indicate inadequate staffing in other programming areas and an increase in the number of clients with small children entering the system.

**EXHIBIT 9
COMMUNITY AND SENIOR SERVICES (CSS) DEPARTMENT:
CalWORKS PLAN-TO-ACTUAL
CASE MANAGEMENT SERVICES UNITS PROVIDED
FY 2002-2003**

Case Management Services	Actuals		Difference	
	Plan	(Prorated)	Number	Percent
Service Assessment*	5,702	3,799	(1,903)	-33%
Service Plan	5,805	3,798	(2,007)	-35%
Reassess/Re-advise	5,594	3,056	(2,538)	-45%
Advocacy	52,732	73,850	21,118	40%
Individual Counseling	29,094	31,224	2,130	7%
Group Counseling	35,471	66,068	30,597	86%
Court Accompaniment	1,532	14,224	12,692	828%
Emergency Food/Shelter/Clothing	16,094	26,566	10,472	65%
Independent Living Skills	13,938	22,661	8,723	63%
Parenting Education	9,719	12,596	2,877	30%
Household Establishment Skills	12,215	17,507	5,292	43%
Emergency Transportation	3,724	5,273	1,549	42%
DPSS/GAIN Orientation/Presentation	31,186	39,704	8,518	27%
Hotline and Warmline	8,822	10,228	1,406	16%

Case Management Services	Actuals		Difference	
	Plan	(Prorated)	Number	Percent
Monitored Visitation	590	193	(397)	-67%
Supervised Children's Activities	41,994	77,294	35,300	84%
Total Service Units	274,212	408,042	133,830	49%
Total Unduplicated Clients	5,702	3,799		

Source: Prorated actuals based on CSS data from July 2002 through August 2003.

- * Service assessment is done once for every client no matter how long they stay in the program. This is used to determine the new client count.

From an examination of Exhibit 9, it is not clear what is happening in the system: Are clients staying longer, are clients receiving more services, or are the counts wrong? The client monitoring sheets for FY 2002-2003 were not extensive, making it difficult to account for the numbers posted by providers based on CSS's client monitoring activities. (This situation is expected to change with the new performance measurements in FY 2003-2004).

- ❑ **Lack of qualitative indicators.** There is a lack of comparative analysis among providers regarding the quality of services provided. For instance, Foothill Family Services provided 6,478 units of advocacy service to all clients through April 2003 while expecting to pull in 99 new clients (based on the CSS CalWORKS Plan-to-Actual reports by Provider). In contrast, the YWCA of Glendale completed 1,279 units of advocacy service to all clients through April 2003 while expecting to pull in 96 new clients. Thus, one service provider is using 5 times the units of service to obtain roughly the same result.
- ❑ **Minimal analysis.** Because of CSS-DVU's emphasis on contracts and program implementation, there is little analysis of the results of the program. For example, the categories of individual and group counseling appear to be the most active categories. But CSS-DVU does not know if this is due to:
 - The type of staffing the provider has
 - The actual need
 - Any other program conditions.

Therefore, it is difficult to assess if some other category – for example, Independent Living Skills – should be emphasized. While counseling is essential, it is overwhelmingly the primary intervention and sometimes the only service clients receive¹⁴. Since counseling is the predominant service offered, it would be useful to know what kind of counseling modalities exist

¹⁴ According to the sampling of providers' client service indicators analyzed in this Management Review.

among the various providers working with CSS-DVU and which ones are more effective.

- ❑ **Fewer new clients but more services than planned.** In FY 2002-03, the overall plan for all new clients in the CalWORKS case management program was 5,702, yet the actual number of new clients was 3,799¹⁵, a 33% decrease in the number anticipated. In contrast, the service units moved in the opposite direction:

- The number of planned service units for case management was 274,212
- The actual number of service units provided was 408,042
- Based on the lower client count, this is 123% over the anticipated units of service.

These variations in planned versus actual will need to be investigated and resolved if the fee for service mechanism is to work effectively.

Finding 18: The reported level of legal services was 37% above planned.
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The monitoring information for legal services was thorough, but the results are not used. The providers maintain a timesheet for each client where the attorney or paralegal has to indicate:

- ❑ What service is performed
- ❑ How much time is allocated every day for each client.

The overall plan for services in FY 2002-2003 was 22,170, and the overall actuals were 30,481, an increase of 37% over the plan, as shown in Exhibit 10. There is no contract amount or client count that correlates with these service units, so it is unclear what population was served or how many times a client received assistance.

¹⁵ Prorated for the year-end.

EXHIBIT 10
COMMUNITY AND SENIOR SERVICES (CSS) DEPARTMENT:
CalWORKS PLAN-TO-ACTUAL LEGAL SERVICES UNITS PROVIDED
FY 2002-2003

Legal Services Category	Plan	Actuals (Prorated)	Difference	
			Number	Percent
Preparation of Restraining Orders	2,043	3,197	1,154	56%
Court Accompaniment	1,315	979	(336)	-26%
Explanation of Court Process	2,878	2,974	96	3%
Coordination of Services	1,755	2,160	405	23%
Divorce Matters	3,544	6,047	2,503	71%
Paternity Matters	733	2,875	2,142	292%
Custody and Visitation Order	1,895	2,674	779	41%
Emergency Transportation	97	355	258	266%
Outreach or Co-Location	7,144	6,690	(454)	-6%
Immigration Law Services	766	2,531	1,765	230%
Totals	22,170	30,481	8,311	37%

Source: Prorated actuals based on CSS data from July 2002 through April 2003.

SERVICE PROVIDERS' PERCEPTIONS

An online survey was designed and distributed to 47 providers of Domestic Violence Intervention programs who currently have CSS-DVU contracts. In total, 52 individuals, representing 36 provider agencies responded (or 77% of the providers). (Appendix D, "Shelter Service Provider Survey Results," contains a detailed analysis of the survey results.) The survey used a scale of "1" to "5" with ratings of "1" and "2" indicating disagreement, "3" indicating neutral stances, and "4" and "5" indicating agreement.

Finding 19: Providers are dissatisfied with their relationship with CSS-DVU in a number of key areas – insufficient funding and the funding model, performance measurements, and the contracting process.

Respondents expressed low satisfaction or "average" in the areas of contract effectiveness and requirements, monitoring requirements, and technical assistance. The four areas that received highest dissatisfaction scores were:

- ☐ Insufficient funding – 72%
- ☐ The new fee-for-service funding model – 67%
- ☐ The new performance measurements – 52%
- ☐ Timeliness of the contract process – 46%

Many providers stated in the survey that the cost-per-client was too low. Most providers do not see the new fee-for-service as an improvement because of the

additional monthly paperwork and the continuing constraint on the maximum total fee-per-client that can be charged.

Finding 20: The importance of relationships with social service agencies, community-based organizations, and law enforcement agencies are critical in achieving providers' missions.

The majority (more than 60%) of all providers cite social service agencies, community-based organizations, and law enforcement agencies as being very important to the mission of their organization. Providers found the Department of Health Services (DHS), Probation Department, and faith-based groups less important, even though these organizations have a direct effect on domestic violence victims programs.

The effectiveness of the relationship with other agencies also has a profound impact in achieving the providers' mission. The level of *effectiveness* scored slightly lower than the level of *importance* across all questions.

- ☐ The social service agencies (namely, DCFS) and community-based organizations were rated as very effective (more 60%).
- ☐ The District Attorney rated the next highest (58%), followed by the Los Angeles Police Department (LAPD).
- ☐ DPSS was considered very important to the mission (91%), but DPSS's effectiveness level was rated lower (47%).

Finding 21: Survey respondents report that they apply sound organization and management principles to their administration of Domestic Violence Programs.

When asked to self-evaluate the effectiveness of their organizational and management skills, the agencies gave themselves high marks.

- ☐ More than 80% of the survey respondents agree that they follow their ethics and values statement and that their strategic plans affected day-to-day decision-making.
- ☐ A high percentage (88%) states that their employees receive regular feedback compared to 47% that agree somewhat or strongly that referral agencies receive regular feedback.
- ☐ More than 85% state that their staff received regular training skills and knowledge development.
- ☐ More than 75% state they have a low turnover rate, and that their staff members are able to communicate in the respective languages of their clientele.

- ☐ Almost 90% agreed strongly or agreed somewhat that they use generally acceptable financial controls. (This is contrary to the findings of the Auditor-Controller.)
- ☐ More than 80% state their organization researches and uses “best practices” in the management of the organization.
- ☐ At least 75% agree their organization is technically competent and could meet information technology (IT) demands.
- ☐ A majority of respondents state they research “best practices”, conduct internal evaluations, and received high ratings on services from clients. External evaluations are conducted on a less frequent basis.

Finding 22: DVC is viewed as an effective body for spearheading domestic violence issues, but requires enhancements to improve its overall performance.

DVC strengths. Perceptions regarding the effectiveness and capability of DVC are:

- ☐ More than 60% of respondents believe DVC is the best advocacy entity, and 78% believe DVC needs a more prominent profile.
- ☐ 47% believe DVC is effective.

Needed improvements with meetings. Some perceive that DVC lacks sufficient staff and resources and that the committee meetings are not as effective as they could be.

- ☐ 44% state DVC lacks sufficient staff and resources, and another 22% gave staffing and resource levels an “average” rating.
- ☐ 44% agree DVC committee meetings are effective, while another 31% view these meetings as “average”.
- ☐ Less than 30% state that the DPSS combination steering committee meetings are effective, or that the DPSS domestic violence committee meetings are effective.

Certain factors inhibit overall effectiveness. Survey respondents raised the following concerns that inhibit DVC’s performance:

- ☐ The funding for DVC is inadequate to service and maintain the work of DVC and its various committees and projects.
- ☐ The salaries of the DVC Executive Director and staff are too low to attract and retain the talent needed.

- ☐ DVC is not afforded the same status as other County-wide committees, which reduces DVC's visibility and ability to solicit the attention that domestic violence issues deserve.

Finding 23: Survey respondents offered desired changes in a number of key areas.

Providers cited the following (in order of frequency cited) as their highest priority changes:

- ☐ Increased funding
- ☐ A streamlined contracting process
- ☐ More flexibility in programs
- ☐ More training for CSS monitors, providers, and DPSS
- ☐ Reconsideration of DPSS's role and processes
- ☐ Improved communication with CSS
- ☐ Increased monitoring and accountability for law enforcement and judiciary branches.

OTHER COUNTY WORKING RELATIONSHIPS

Finding 24: The CSS-DPSS relationship is important but not without tension and ideological differences due to the purpose of each agency.
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Several areas of program implementation, contracting, oversight, and operations affect both CSS-DVU and DPSS. Since DPSS is the lead agency, CSS must demonstrate accountability of the CalWORKS and GROW funding to DPSS. As indicated in the survey, however, providers perceive that DPSS's involvement is counterproductive to the mission of serving victims of domestic violence. CSS-DVU staff members also share some of their concerns.

- ☐ CSS-DVU staff members are concerned that DPSS workers do not inform domestic violence clients that the five-year welfare rules do not run out for domestic violence victims. There is also a question as to whether domestic violence victims even need to sign the welfare work plan for CalWORKS, although this is stipulated in Appendix A (pages 3-4) of the RFP.
- ☐ New administrative changes on the monthly billing statements from DPSS in FY 2003-2004 require CSS providers to list the name of their clients, a CalWORKS case number, and a social security number to demonstrate eligibility with CalWORKS funding criteria. The reason for the change was to ensure that CalWORKS was only paying for eligible clients and not losing money paying for ineligible clients, which occurred the previous year. Providers are concerned about name disclosure and possible security breaches in computerized client files. DPSS is open to considering better

methods of eligibility verification, but due to enrollment possibility at either the provider or DPSS end, strict identification is needed.

- ❑ CSS-DVU and providers cite incorrect referrals as a common occurrence in the GROW program. They complain that domestic violence victims are often placed in the General Relief program (also administered by DPSS) instead of in GROW. General Relief does not offer domestic violence services and is only available for people who are unemployable. As a result, many providers have difficulty meeting GROW's contractual goals due to insufficient referrals.
- ❑ The contract process and procedures have become more time-consuming for CSS-DVU and more unmanageable for providers as stated in an earlier finding and by the survey results. This problem is due in part to the additional requirements from the County in the RFP and contracting process.

Finding 25: The County does not approach the problem of domestic violence using an integrated "systems" approach.
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The County initiated eight Service Planning Areas (SPAs) as one means for integrating "social services" for clients across County departments. Most of the County departments and other agencies involved with domestic violence come together primarily through DVC. Because the participants at DVC meetings come from different levels in their respective organizations, meaningful problem solving and commitment to solutions is impeded. Some voting members showed reluctance to even attend the DVC and its committee meetings. These factors contribute to the lack of integration observed across the system.

Even the websites within the County are not "user friendly" for a domestic violence victim to obtain needed information. Users must be computer literate and conversant in searching websites. For example:

- ❑ **Los Angeles County** – There is no direct or obvious way to find out how to obtain information on domestic violence intervention services in the County. By typing in 'domestic violence' in the index, a record of historical data is generated, but there is no direct link to CSS. The District Attorney is listed first.
- ❑ **Community and Senior Services (CSS) Department** – CSS's information is directed toward the potential provider, but little information is available for a victim. The website does include a hotline, but the shelters are not listed. DVC is listed, and three programs are listed in terms of grant provisions, eligibility of provider. The website is dated Year 2000.
- ❑ **Department of Public Social Services (DPSS)** – Domestic violence programs are discussed in relation to CSS. DPSS refers to the elimination of domestic violence barriers that prevent employment. If one knows to go the "Supportive Services" portal of the DPSS website, more in-depth information on domestic violence is available.

- ❑ **Department of Children and Family Services (DCFS)** – No mention of child abuse is made in the initial web pages; no index is clearly identifiable that allows a consumer to find information on child abuse or family violence.
- ❑ **District Attorney** (www.da.co.la.ca.us/famvio.htm) – The District Attorney provides a Domestic Violence Hotline number as well as a list of the shelters in the County. The website refers to “family violence,” so searchers looking for information on “domestic violence” may be frustrated.
- ❑ **Los Angeles Sheriff’s Department** (www.la-sheriff.org) – The Sheriff provides information on the Victim Information and Notification Everyday (VINE) program, which offers notification about inmates released or transferred and provides a list of Emergency Shelters for domestic violence victims. There is no direct link to information on domestic violence programs on the home page, and a search for “domestic violence” using the search function brings up a list of Sheriff’s stations but no direct information.
- ❑ **Los Angeles Police Department (LAPD)** (www.lapdonline.org) – LAPD provides extensive information on laws related to domestic violence; facts; definitions and profiles of domestic violence; information on obtaining a restraining order; criminal proceedings; victim assistance; and victim information and hotlines, including a listing of Emergency Shelters, medical centers, legal clinics, rape hotlines, and counseling centers. Again, there is no direct link to domestic violence information on the home page; the information is found after extensive searching on the site.

Finally, many domestic violence victims may lack access to computers to obtain needed information online. Thus, a multi-media approach is needed to disseminate information to victims. Clearly, domestic violence programs need good public service announcements.

Finding 26: Domestic violence prevention advocates perceive that shortcomings in the criminal justice system in handling domestic violence cases create obstacles for mitigating domestic violence.

On the basis of the survey findings and interviews, there are many negative perceptions about how domestic violence cases are processed in the courts:

- ❑ **Low fines charged to batterers and lack of an aggressive collection effort**¹⁶ – These fines are seen as being too low to serve as deterrents. The lack of an aggressive fine collection effort results in lost revenue for the system and a further undermining of the deterrent effect of the law. (AB 352 has increased the fines as of January 1, 2004.) Furthermore, there are

¹⁶ Senate Bill No. 169, Assembly Bill No. 352.

insufficient penalties against batterers who do not comply with the terms of their probation or pay their fines.

- ❑ **Mixed opinions about law enforcement and prosecutor acknowledgement of the gravity of domestic violence** – Depending on whether one interviews providers and advocates or criminal justice representatives, two contrasting pictures are painted:

- **Domestic violence providers and advocates believe the criminal justice system is too lenient with batterers.** Providers perceive that, in the County of Los Angeles, too many domestic violence cases are either dropped or plea-bargained to misdemeanors.¹⁷ They argue that a) plea-bargaining the charge down to a misdemeanor should be used only as last resort, b) additional training on the impact of domestic violence is needed, and c) too much leniency is being shown to batterers.
- **The criminal justice system believes they aggressively pursue each case with a “no drop” process.** The District Attorney’s Office unit responsible for domestic violence cases has a “no drop” process if at all feasible. The cases that they do not prosecute when the victim refuses to testify are sex cases. The District Attorney uses plea-bargaining after weighing a complex set of factors about their ability to convince a jury “beyond a reasonable doubt” with the available evidence and witnesses. The normal plea bargain in an assault they initially assess as deserving a “one year” sentence would be six to nine months in prison, and not just a misdemeanor.

- ❑ **Potential inadequate evaluation and monitoring of the effectiveness of probation and batterers intervention programs** – Summary probation is not perceived to be effective. Similarly, negative comments were made about the 8- to 10-week anger management programs (versus the 52-week domestic violence intervention programs). The New York Judicial Subcommittee’s Policy Statement reported, in part:

"Anger management has not been shown to be efficacious in stopping domestic violence and should not be used by the judicial system as a substitute for either strong law enforcement or thorough judicial oversight of defendants. It is inappropriate for a court to order anger management for a defendant in a domestic violence case."¹⁸

¹⁷ They claim that the County of Los Angeles lets 70% of their cases go due to lack of witness cooperation.

¹⁸ New York Office for the Prevention of Domestic Violence (NY OPDV) Bulletin, “Best Practice in Case Development, and Collusion and the Impact on Accountability,” Fall Issue 2003, Volume 15, No. 2.

In addition, some questioned whether there is appropriate communication, evaluation, and monitoring of batterers attendance and results of the batterers intervention programs. CSS indicates that there is only one monitor for 135 domestic violence intervention programs in Los Angeles County.

- ❑ **Difficulties in accessing Emergency Protective Orders (EPOs), Temporary Restraining Orders (TROs), and Restraining Orders (ROs) when needed** – While there was praise for the efforts of many law enforcement officers who go the extra mile to obtain EPOs during the night, there was general criticism of the system being slow and insensitive, particularly when the victim needed to obtain an order during the day. There were complaints about breakdowns in communication among:

- The prosecutors
- Law enforcement
- The providers.

- ❑ **Complaints that enforcement has fallen off.** To many domestic violence advocates, probation for batterers under Penal Code 1203.097 has become a “bad joke” although strengthened last year by AB 352. The combination of lack of enforcement and the increase in the number of felony cases filed as misdemeanors sends two signals, one to batterers that their behavior has no consequences, and the other to the victim that “you better keep your head down and your mouth shut!” The most silent victims, of course, are the children, particularly the battered and abused children who cannot speak for themselves. The Sheriff's Department inmate information website (www.lasd.gov) has a short time span between arrest and final disposition, suggesting only limited follow-up on domestic violence investigations occurs. As a result, prosecutors may have under-developed cases, which result in a high rate of dismissals.

Interestingly, though, in Domestic Violence: The War on the Home Front prepared for the Los Angeles County Board of Supervisors, the District Attorney's Office reported a strong stance a decade ago: Filing levels had increased for three consecutive years, jail time was sought in all domestic cases, and prosecution was preferred to enable the court system to intervene in the earliest phase of violence when behavior was most likely to change.

HEALTHCARE PRACTITIONER RESPONSIBILITIES

Finding 27: The mandatory reporting by healthcare practitioners of suspicious injuries has not achieved the kinds of outcomes desired.

Penal Code Section 11160 makes it mandatory for healthcare practitioners to report suspicious injuries. This law is the subject of controversy with many fearing that such reporting can exacerbate a victim's situation rather than improve it. But it is

the law. Unfortunately, healthcare practitioners are not referring many potential cases of domestic abuse. Poor implementation and training as well as ineffective procedures with law enforcement agencies are cited as contributing problems.

DAYCARE AND SCHOOLING

Finding 28: Emergency and transitional shelters lack onsite licensed daycare and schooling facilities.

The U.S. Justice Department released statistics about the children of parents who have been victims of domestic violence: 50% have been subjected to physical and emotional abuse, and 34% have witnessed the trauma of domestic violence on their parents. As a result, they require additional support structures, such as:

- ❑ **Daycare services.** Children of victims need a high quality of care while their parent deals with the legal, emotional, job preparation, and related issues arising out of their domestic situation. Many providers have child care at their facilities but not licensed daycare. Yet these children need a high level of support as they go through this difficult transition.
- ❑ **Special education programs or onsite school programs.** These children suffer varying degrees of post-traumatic stress disorder and an array of emotional, psychological, and organic disorders. An in-house school for the children of victims of domestic violence has benefits by addressing the unique social, emotional, psychological, and academic development problems these children face.
- ❑ **First Five Commission cited the need for additional preschool capacity.**¹⁹ First Five research indicates that each \$1 invested in preschool children, especially disadvantaged or abused children, will yield \$7 in social cost savings. These savings are realized through reduction in special education, healthcare, welfare, probation, and criminal justice system costs, as well as improved social and academic performance.

¹⁹ Source: Action Alliance for Children, www.4children.org/news.

E. RECOMMENDATIONS

At a meeting in December 2003 in Sacramento, California, domestic violence authorities compiled some “guiding principles” that are currently being reviewed and address such concepts as accountability, impact and coordination, planning, and advancement of the field. Recommendations are conceptually compatible with these “guiding principles.”

FUNDING

Recommendation 1: Despite the County’s current fiscal situation, DPSS and CSS must increase the overall funding to domestic violence agencies by 7% compounded for the next two years.

During fact-finding, there were definitional differences and information systems incompatibilities, which posed problems in estimating reliably the incidence and the total cost to society of domestic violence in the County of Los Angeles. Even without reliable estimates, providers know that, despite their outreach efforts, the current system is only dealing with the “tip of the iceberg” of the real need.

Domestic violence has both direct and secondary costs. Among the direct costs are the staffing and services provided via:

- ☐ Law enforcement agencies
- ☐ Prosecutors
- ☐ The court system
- ☐ Probation system
- ☐ Health care providers
- ☐ The schools system
- ☐ The shelters that handle the identified cases.

In addition, domestic violence also creates many secondary and longer-term costs, which are currently undocumented, such as:

- ☐ Missed days from work
- ☐ A portion of gang violence and other criminal activities
- ☐ Future abuse by children raised in an abusive environment
- ☐ Lost productivity from the “crushing of spirit” caused by longtime abuse
- ☐ Long-term health problems because of physical abuse
- ☐ Uncorroborated domestic violence cases involving psychological abuse, which may be significantly more prevalent than physical abuse.

The funding for CSS and DPSS was historically determined by funds available from such sources as marriage licenses and batterers fines in the case of Presley Funds, and a “guesstimate” in the case of CalWORKS and GROW funds. The funding has never been linked directly to the need for service or the financial situation faced by specific providers.

Many providers are under severe financial pressures. In the provider survey, their number one need by far was additional funding. Some are facing reductions of their services, and a few are considering shutting down. Given the current strains on the system, any loss of service is problematic.

Federal, State, and municipal fiscal conditions are threatening the existing funding streams. The economy is also affecting the providers' ability to access outside funding sources, such as private grants and fundraising. This decline in revenues is occurring at the same time as providers are under pressure to serve a larger pool of victims.

All shelters cannot currently provide a full package of services. For example, while 45 days is the maximum amount of time a client can spend at a shelter, most shelters do not have sufficient funding to support this length of stay. The average budgeted length of stay among the 23 shelters is 15 days. The minimum stay is 2 days and the maximum is 44 days. In addition, only 14 of the shelters provide food for clients, 18 provide shelter counseling, and only 8 provide referral services to social service agencies.

Across the three programs, the per capita funding varies from \$430 per Emergency Shelter Client to \$1,000 per GROW Client to \$2,000 and \$2,500 for case management and legal services per CalWORKS Client. Providers consistently stated in interviews and in the provider survey that even at these levels the CalWORKS funding costs per client were not realistic. At this point, not enough data are available from the new fee-for-service model to evaluate this claim or the reasonableness of the fee structure.

This recommendation to increase the overall funding levels is needed to give the providers some stability over the next two years while the new funding models settle in and data becomes available to set realistic rates and make appropriate adjustments to the funding formulas. It will also help stabilize a system that is under substantial pressure, and avoid further loss of critically needed services.

DVC's NEW MANDATE

Recommendation 2: DVC must be strengthened with a new mandate and appropriate resources to accomplish that mandate.
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DVC has achieved much since its inception in 1979. DVC is generally recognized as a leader in policy development, advocacy, and information exchange on domestic issues. The growing sense of many participants, however, is that DVC needs rejuvenation. The lack of appropriate funding continues to restrict and impoverish the existing Domestic Violence Program. A renewal of the mission and leadership of the DVC will be needed to generate new and necessary programming opportunities, and revitalize the domestic violence intervention community in Los Angeles County.

Sub-recommendation 2.1: DVC must expand its mandate to combat domestic violence in the County. DVC's new mandate could be very far-reaching and encompass such areas as:

Coordination of Domestic Violence Initiatives into an Integrated System

- ☐ Develop and facilitate an effective County-wide system of intervention and prevention that is responsive to the needs of domestic violence victims and their children
- ☐ Mobilize County government, other local government agencies, and the community to take effective action – advocacy, accountability, assessment, education and training, and awareness – against domestic violence
- ☐ Implement coordinated responses to domestic violence calls, such as a DART program, discussed later in Recommendation No. 7
- ☐ Examine the feasibility of multi-disciplinary case review teams, involving the prosecutor, victim advocates, law enforcement, offender's treatment provider, shelter personnel, and social service personnel, to discuss individual cases prior to court hearings
- ☐ Coordinate the roles and services of local agencies or offices that provide services to domestic violence victims, or that investigate or prosecute domestic violence cases
- ☐ Promote effective communication among agencies, policy-makers, and interested citizens, including victims
- ☐ Facilitate interagency agreements or protocols

Advocacy of Appropriate Policies and Funding

- ☐ Assist in the development of the policies and procedures that promote effective intervention and prevention
- ☐ Ensure that essential protections and services are available and accessible to victims on an immediate and long-term basis
- ☐ Promote community involvement by publicizing legislative proposals affecting domestic violence and informing citizens how to contact legislators

Accountability and Assessment of the Effectiveness of Domestic Violence Intervention and Programs

- ☐ Monitor, evaluate, and promote the quality and effectiveness of services and protections in the community
 - Promote compliance with established protocols and local, State, and Federal laws and regulations concerning domestic violence
 - Encourage local agencies to comply with established standards of care applicable to their particular professions
 - Coordinate court ordered monitoring programs
- ☐ Identify the immediate and long-term needs of domestic violence victims and their children within the community
- ☐ Review current systems to identify gaps or problems in services and protections

- ☐ Compare the current system to “best practices” elsewhere
- ☐ Hold abusers accountable through effective consequences

Education, Training, and Information Dissemination

- ☐ Sponsor in-service training for front-line staff to clarify roles and provide education on current laws and practices
- ☐ Prevent domestic violence by modifying attitudes
- ☐ Promote victim safety and self determination
- ☐ Improve data collection and information sharing among agencies
- ☐ Serve as a clearinghouse for information on domestic violence issues
 - Identify and distribute information regarding potential funding sources for Domestic Violence Programs (e.g., foundations, Federal or State grants)
 - Provide elected officials, civic organizations, schools, businesses, and interested citizens with current printed materials, video and audiotapes, and other resources that address domestic violence

Public and Community Awareness

- ☐ Inform residents of the nature and extent of domestic violence, current laws, and community resources through public awareness campaigns, presentations to civic groups and organizations, printed materials, and the media
- ☐ Promote awareness of victims regarding the dynamics of domestic violence, victim’s rights, available resources, and current laws and protections
- ☐ Create and provide a community resource guide
- ☐ Encourage the inclusion of family violence prevention education in the schools

The overall resource requirements for DVC will need to be determined once the mandate is decided.

Sub-recommendation 2.2: In the short-term, a new Executive Director must be recruited to build an effective organization. The following actions should be taken:

- ☐ A new Executive Director must be recruited. This Executive Director must have sufficient stature to command the respect of the domestic violence advocacy and provider community and effectively represent DVC at the Board of Supervisors, as well as the State and Federal Government levels.
- ☐ DVC should be allocated sufficient funds to hire staff to conduct the daily operations and support its functions and committees.
- ☐ DVC funding must be stabilized and predictable to rebuild momentum and accomplish its goals.

- ❑ DVC should be given a clear mandate with new and ambitious goals that include outcome, cost benefit, and accountability measures.

Sub-recommendation 2.3: Once DVC’s mandate is expanded and redefined, the appropriate structure must be adopted. Structure follows strategy. In the case of DVC, depending on the extent and strategic nuances of the new DVC mandate, different organizational options might prove more viable. Therefore, DVC should consider different organizational options and then implement the one most appropriate to achieve its new mandate. To date, several organizational options have been discussed, including:

- ❑ The Inter-Agency Council on Child Abuse and Neglect (ICAN) model
- ❑ Organizational relationship under the Office of the Chief Administrative Officer (CAO)
- ❑ Charging one department, such as CSS, to be the lead department
- ❑ Transferring CSS-DVU to the DVC.

Building on what already exists often results in faster, more supportable results, provided the mandate and responsibility are clearly communicated to and understood by the participating departments, agencies, and service providers.

Sub-recommendation 2.4: CSS-DVU must develop and implement more strategies focused on the prevention of domestic violence. While it is critical to continue to address domestic violence victims’ needs, CSS-DVU should expand its emphasis and include more programs aimed at the prevention of domestic violence. Specifically, CSS-DVU in cooperation with the DVC should adopt a new goal or objective of:

Domestic Violence Prevention Objective:

Reduce the incidence of domestic violence in the County of Los Angeles by 50% every 7 years for the next 21 years so that in 2025, the incidence of domestic violence is 1/8th of what it is today.

When successful, this new focus will generate significant savings in law enforcement, court cases, incarceration, probation, child abuse, special education, and health services in addition to avoiding the misery that is currently visited upon countless adults and children.

Tough domestic violence policies and stricter enforcement of such policies are important prevention strategies. For domestic violence prevention, one of the potentially best investments is an education and awareness program targeted at elementary and high school students and their teachers.²⁰ While the bulk of the investment is longer term, new awareness will assuredly identify additional current cases of domestic violence and abuse requiring immediate action.

²⁰ The South Justice Center, Superior Court of Orange County, sponsored a Domestic Violence Training and Awareness Conference for elementary, junior high, high school teachers, guidance counselors, and psychologists from the surrounding school districts.

Sub-recommendation 2.5: Decision makers must attend DVC meetings with a goal of improving integration of domestic violence strategies across involved County departments and service providers. DVC successfully serves as a forum where the various agencies and providers can come together, reach common understandings, and increase communications among the involved entities. While this forum is important, greater efficiency and effectiveness for the County is possible if those who attend are in the position to make decisions that their agencies are then willing to make happen. *In this way, decisions made at the DVC would be joint decisions and binding on the departments and agencies.*

Sub-recommendation 2.6: CSS-DVU must develop new information systems in cooperation with DVC to improve the coordination and sharing of domestic violence information. Information in the domestic violence system is insufficiently coordinated. Any new DVC organizational arrangement should ensure that there is better integration and sharing of program information among the many departments and agencies involved in domestic violence programs in the County of Los Angeles. Being the primary focus of intelligence on domestic violence in the County would significantly increase DVC's stature and strengthen the impact of its coordination role.

One concrete way to solidify DVC's mandate is to give it the responsibility for developing and maintaining the various confidential databases required to manage, coordinate, and evaluate the performance of the County's domestic violence system.

<p>Recommendation 3: CSS-DVU must immediately develop and implement a secure system, available on a 24-hour, 7-day per week basis that monitors shelter capacity.</p>
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As one example of Sub-recommendation No. 2.6, CSS-DVU should coordinate information regarding available space in domestic shelters for victim referrals. One of the shelters currently provides an informal system, where providers can call when their shelter is full and they need to refer a domestic violence victim. Unfortunately, this informal system is operated on a part-time basis only.

Many shelters indicate that there is not the capacity to serve the real demand for services across the County. Given this situation, the use of existing resources must be maximized. To do this, CSS-DVU must establish a secure system that allows service providers to determine immediately if another shelter has an opening and then book a referral. In that way, fewer domestic violence victims will be turned away. Such a system will need to be developed jointly with the shelters so that each shelter can specify any constraints on referrals to them.

Besides maximizing the use of current resources, this formalized system will produce valuable planning information to anticipate needs and understand the potential magnitude of the unmet needs. CSS-DVU should provide DVC members the resources required to develop this system.

CSS-DVU's MANDATE CLARIFICATION

Recommendation 4: The CSS-DVU's mandate must be clarified and its operations streamlined and staffed with the appropriate resources to meet this new mandate.

CSS-DVU staff are personally dedicated and committed, but CSS-DVU has received little attention and support from top CSS management during the last few years. Depending on the new DVC mandate, CSS-DVU roles should also be revisited, taking into consideration such responsibilities as:

- ☐ Senior CSS management should stabilize the CSS-DVU management team by making permanent appointments and providing the resources required to implement the new mandate.
- ☐ The base responsibility for funding shelters should probably remain with CSS-DVU to avoid any perception of conflict of interest in DVC.
- ☐ CSS-DVU management has identified a number of training and awareness initiatives but does not currently have the resources or support to implement them.
- ☐ CSS-DVU should consider facilitating the development and implementation of a peer review accreditation process for providers. Such a system will allow for simplification of RFPs, contracting, and monitoring processes, as discussed in Recommendation No. 6.
- ☐ CSS-DVU is a logical departmental unit to undertake strategic planning for the system. *This is a role that it is not equipped to perform at this time.* A simultaneous strategic planning process with DVC is required to ensure that all responsibilities and accountabilities are clearly assigned and overlaps are avoided.
- ☐ Working with DVC, CSS-DVU should estimate and monitor the pervasiveness and total costs of domestic violence in the County of Los Angeles. Understanding the extent and the financial impact of domestic violence will provide the information needed to justify the resources and interventions required to deal with this problem.

DOMESTIC VIOLENCE BEST PRACTICES

Recommendation 5: CSS-DVU, and DPSS must work with DVC and the criminal justice system to identify "best practices" successful elsewhere and work cooperatively with the courts to implement them in the County.

The County stakeholders – CSS-DVU, DVC, other County departments, and private agencies would benefit from ongoing investigation of “best practices” proven successful elsewhere. The Attorney General of the State of California has established a Task Force on the “Local Criminal Justice Response to Domestic Violence” to identify promising practices and propose uniform standards for those agencies. In addition, the SafeState website (www.safestate.org/index) has an extensive array of information and resources including:

- ☐ Domestic Violence – Facts, Research, Promising Practices
- ☐ Resources
- ☐ Funding Opportunities
- ☐ Links
- ☐ Drug and Alcohol Abuse
- ☐ Elder and Dependent Adult Abuse
- ☐ Gangs and Youth Violence
- ☐ Hate Crimes
- ☐ Teen Dating Violence.

Appendix C displays other websites that may furnish useful information, models, and practices for the County of Los Angeles to consider. Some nationally recognized model domestic violence programs are:

- ☐ The YWCA Supervised Visitation Center of Western Massachusetts
- ☐ Dade County (Florida) Specialized Domestic Violence Division
- ☐ Advocacy for Women and Kids in Emergencies (AWAKE), discussed later
- ☐ Jacksonville (Florida) Community Partnership for the Protection of Children
- ☐ Massachusetts Department of Social Services, Domestic Violence Unit.

CONTRACT ADMINISTRATION

Recommendation 6: The Request For Proposal (RFP), contracting, and monitoring processes for Domestic Violence Programs must be simplified and streamlined for the next funding cycle.

As described in the findings, these processes are complex and time-consuming. Part of the complexity can be explained by the new performance measures and changes to a fee-for-service financial model, which is itself in flux. The financial model should be resolved immediately. Many of the other requirements in the new contracts are being driven by general County policies as well as State and Federal rules. When RFPs and contracts with small agencies run over hundreds of pages, however, the system is impractical and needs reconsideration.

To accomplish much of the streamlining of the RFP, contracting, and monitoring processes will require CSS and DPSS to resolve their differences and work with service providers. Goals for the streamlining are:

- ❑ The RFPs and contracts need to be short, simple, and easily understood documents.
- ❑ To the extent possible, the data and reporting requirements for monitoring should be minimal and easily integrated into the shelters' information systems to avoid having them incur extra costs to maintain the information.
- ❑ The financial model should give providers the incentive to provide the best service to victims in the most efficient and effective manner. For example, there appears to be no reasonable explanation for the extreme variation in services unit values, which range from \$5 to \$47 in the shelters. The current approach "punishes" the low-cost provider for having held down their service costs and overhead expenses.

CSS and DPSS should seek the advice of the County Counsel and Auditor-Controller before the streamlined processes are finalized to ensure that they meet the requirements of the County's Contracting Manual and Audit Guide.

The RFP process can be eliminated if the accreditation process, as described in Recommendation No. 4, is designed and implemented.²¹ If a shelter is accredited, for example, it should automatically have access to public funding. The accreditation process would also obviate the need for much of the program monitoring currently being done twice a year by CSS monitors.

SYSTEM INTEGRATION: ONE COUNTY – ONE SYSTEM

Recommendation 7: The Chief Administrative Officer (CAO) must work with CSS-DVU and the DVC to ensure the County plans and acts as an integrated system in tackling domestic violence.

A County goal is for departments to deliver services, programs, and interventions as "one system," seamless to the external user. As such, all the County, city and nonprofit entities involved with domestic violence must embark on a "system thinking" approach to ensure services are integrated. At a minimum, system thinking requires a County-wide strategic plan on domestic violence, vitally needed information integrated across websites, and interdisciplinary collaboration in tackling the domestic violence challenges. Many collaborative partners are necessary for success. Some of these partners are:

²¹ If for some reason, domestic violence shelters become a "growth industry," then CSS should re-evaluate its processes again because it will then have greater ability to pick and choose which shelter to support.

Within the County Government	Other Government Agencies	Non-Government Entities
<input type="checkbox"/> Sheriff <input type="checkbox"/> Probation <input type="checkbox"/> District Attorney <input type="checkbox"/> Public Defender <input type="checkbox"/> DVC <input type="checkbox"/> CSS-DVU <input type="checkbox"/> DPSS <input type="checkbox"/> DCFS <input type="checkbox"/> Commission for Women <input type="checkbox"/> Mental Health <input type="checkbox"/> Department of Health Services (DHS) and Public Health	<input type="checkbox"/> City of Los Angeles <ul style="list-style-type: none"> ▪ LAPD ▪ City Attorney ▪ Commission on the Status of Women ▪ Mayor <input type="checkbox"/> City of Long Beach, City Prosecutor <input type="checkbox"/> Other cities' law enforcement agencies <input type="checkbox"/> Schools <input type="checkbox"/> State of California <ul style="list-style-type: none"> ▪ Attorney General ▪ The Courts ▪ Interim Office of Emergency Services²² 	<input type="checkbox"/> Service providers addressing domestic violence issues <input type="checkbox"/> Faith-based communities <input type="checkbox"/> Legal services <input type="checkbox"/> Los Angeles County Bar Association <input type="checkbox"/> Los Angeles Women's Lawyer Association <input type="checkbox"/> Other nonprofit groups involved in: <ul style="list-style-type: none"> ▪ Substance abuse ▪ Workplace ▪ Job training ▪ Employment

Some collaborative efforts elsewhere in the United States are:

- ☐ **Examples of the Domestic Abuse Response Team (DART) approach.**
 DART first response teams – an early intervention strategy – are used in a variety of places, including Colorado Springs, Colorado; Princeton, New Jersey; Los Angeles and San Diego, California; and elsewhere. As an emergency response team, the DART team responds to a 911 call with 1 or 2 advocates in a car right behind the police or deputy's car. The advocates take over the call as soon as it is safe to do so. The officer writes up the report to ensure all elements are included for building a solid case. The advocates establish trust with the victims and assure them there will be follow-up so the victim knows what to report. First Response Officers and DART advocates are also able to obtain an EPO quickly and efficiently.

Implemented in 2001, San Diego's Domestic Violence Response Teams (DVRT) have served more than 2,000 families. DVRT uses a case management approach and achieved significant reductions in domestic violence through early intervention with first response calls (i.e., accompanying the police on 911 calls, assisting with protective orders, counseling, offering legal assistance, and providing related services for the batterer and victim). DVRT advocates have responded to more than 90% of the domestic violence calls from law enforcement. Their advocates include domestic violence service providers, child protective services, adult protective services, public health nurses, hospitals, animal control, and victim assistance programs. Overall, 95% of the families that received a DVRT intervention did not have a subsequent domestic violence incident reported to law enforcement for a minimum of 3 months. DVRT received a 2002

²² This Interim Office of Emergency Services replaces the Office of Justice Planning and may be reconstituted as the Office of Victim Services.

National Association of Counties Award for recognition as an innovative prevention program.

Within the County of Los Angeles, 40% of the 911 calls are for domestic violence disturbances. Even if this could be reduced by 10%, it would have a significant impact. Therefore, the County should pursue further funding for the development and expansion of a DART-type program.

- ❑ **An example of greater integration with law enforcement on domestic violence cases.** As an example of a southern California effort to integrate law enforcement efforts more closely with other domestic violation programs, the San Diego County Sheriff's Department established a specialized domestic violence unit in 1997 with the aid of an Office of Justice Programs (OJP) grant²³. At the beginning, the unit was staffed with two sergeants and ten detectives selectively recruited (staffing has since increased). Before then, domestic violence incidents were handled by the individual stations, which also handled other offenses such as burglary, assault, auto theft, robbery, etc. The goals of the project were to:

- Increase the percent of offenders arrested for cases involving criminal violations
- Provide an increased level of protection for victims of abuse
- Increase the percent of cases filed by local prosecutors
- Provide victims and their families with support and access to appropriate social services
- Provide public education and awareness programs within the community
- Establish a liaison with agencies providing domestic violence services
- Provide a tracking system to identify repeat offenders.

During the course of the project, the number of arrests for domestic violence offenses increased. The unit trained the field deputies in report writing, evidence collection, and policy and protocol²⁴. The specialized unit coordinated its efforts with other agencies and systems and gave presentations to community groups throughout the County. A sergeant had major responsibility for developing the sheriff's department policy and protocol for responding to domestic violence.

- ❑ **An example of a common response protocol.** Prior to the undertaking of this project, the San Diego County Domestic Violence Council (similar in composition to that of CSS's DVC) developed a standardized protocol for

²³ Source: www.ncjrs.org/pdffiles1/nij/grants/197051.pdf

²⁴ Unit training included a 40-hour domestic violence course in State-certified Peace Officer Standards and Training (POST), which explained pertinent penal code sections (P.C. 13552). Deputies also learned about stalking, child abuse, elder abuse, domestic violence in the workplace, profiles of batterers, and interviewing techniques plus training on TROs, and EPOs. In addition, deputies reviewed lethality assessments to determine level of risk posed by the offender.

responding and managing crimes involving domestic violence. This protocol included all components of the justice system as well as victim advocacy groups.²⁵ Up until that point, only the Police Department had a specialized domestic violence unit.

- ❑ **An example of greater integration with a government agency and a children's hospital.** The Massachusetts Department of Social Services (DSS) receives about 60,000 reports of abuse or neglect a year (1994) for about 100,000 children. Of these cases, DSS identified about 60,000 children as needing an investigation and about 30,000 were found to have been victimized.

In the late 1980s, Children's Hospital in Boston became aware that battered women were not disclosing information about their children because they feared losing them to DSS. Children's Hospital's Advocacy for Women and Kids in Emergencies (AWAKE) program²⁶ was the first to offer support for these women as well as services for their children. DSS formed Project Protect, which established a domestic violence program in the agency. As the unit grew, the responsibilities of the domestic violence specialists were defined as:

- Train and consult with DCFS and DSS managers and social workers on ways of identifying domestic violence in their caseload and developing safe and effective ways of serving these families
- Forge collaborative links with other agencies and organizations to educate all community members about the connections between child maltreatment and domestic violence
- Provide direct services (safety planning and general advocacy) to DSS-involved battered women and their children.

These and other "best practices" should be considered in integrating domestic violence services within the County of Los Angeles. For effective prosecution of a batterer alone, the County requires the coordination and communication among prosecutors, local law enforcement agencies (including the Sheriff), Probation, the Courts, DCFS, DVC, CSS-DVU, DPSS, and others. Prevention and intervention requires yet a whole other network of partnerships to bring about meaningful change.

Recommendation 8:	CSS-DVU should initiate a DVC campaign for full implementation of mandatory reporting of potential domestic violence injuries by healthcare practitioners.
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²⁵ While all law enforcement agencies signed on to the protocol, there was no official monitoring to determine if protocol policies were being followed.

²⁶ Source: aspe.os.dhhs.gov/hsp/cyp/dv/pt4.htm.

Penal Code Section 11160 mandates healthcare practitioners report potential domestic violence injuries. The general view of victim advocates is that a) few physicians are reporting domestic violence cases and b) an effective mechanism between healthcare practitioners and law enforcement agencies has not been implemented. Potential remedial measures are:

- ❑ Training of healthcare practitioners
- ❑ The design of appropriate procedures between the healthcare practitioners and law enforcement agencies (the Abused Child Protocol under Penal Code Section 11164 is a model to build upon.)
- ❑ Specification of new data requirements so that the impact of the law can be evaluated and any deleterious effects can be addressed quickly.

These measures should be undertaken as soon as possible to ensure compliance with this law.

Recommendation 9: CSS-DVU in cooperation with DVC must continue to advocate for a series of critical initiatives.

While most understand that prosecutors need to have the option to plead down their cases based on their best judgment of whether charges can be sustained in court and judges must apply discretion in their decisions, there is a general concern that batterers are getting off too easily. Given these perceptions, CSS-DVU and the DVC must aggressively continue to advocate for the following measures:

- ❑ **Sub-recommendation 9.1: The CSS-DVU and DVC must advocate for the prosecution of batterers to the full extent of the law.** As already noted, the District Attorney in the County of Los Angeles advocates a “no drop” policy. New York State has instituted a “no tolerance” policy and, to achieve it, is promoting cross-system responses to domestic violence. With a “No Tolerance Policy” when prosecuting domestic violence cases under Penal Code Section 273.5, San Diego prosecutes about 70% of their cases with or without the victim's cooperation. The recent ruling by the Supreme Court (Crawford vs. Washington, No 02-9410) may undermine the good intentions of these policies. This ruling reinforces the right of an accused individual to confront accusers. If applied to domestic violence cases, it will undermine prosecutors’ abilities to introduce statements from absent witnesses who are not available for cross-examination, or refuse to testify for safety or other reasons. New creative solutions will need to be explored.
- ❑ **Sub-recommendation 9.2: CSS-DVU and DVC must advocate for domestic violence training and not merely short-term anger management programs.** In lieu 8- to 10-week anger management programs, CSS-DVU and the DVC should encourage the use of probation and batterers intervention or domestic violence training. Moreover, any willful violations of the terms of probation should be met with zero tolerance.

- ❑ **Sub-recommendation 9.3: CSS-DVU and DVC should support HR 4091, the Domestic Violence Courts Assistance Act.** Within the domestic violence advocacy community, many are concerned about the impact of the financial restraints on the total system and the need for more effective handling of domestic violence cases. HR 4091, when coupled with the Violence Against Women Act of 1994, as amended, should help address some of these concerns.
- ❑ **Sub-recommendation 9.4: CSS-DVU and DVC should advocate for increased domestic violence training.** The DVC should reestablish the Training Committee to ensure DVC members take advantage of these bills to alleviate any training deficiencies and bottlenecks in handling domestic violence cases.
- ❑ **Sub-recommendation 9.5: CSS-DVU, Probation and DVC must advocate for the assessment of the effectiveness of batterers intervention programs.** Because of the variety of concerns about the batterers programs, these programs should be independently assessed to determine:
 - Whether the programs are effective
 - What can be done to reduce the recidivism rate
 - Whether the penalties should be increased for second and third offenses
 - Whether there is sufficient communication between affected agencies and the programs regarding the batterers accountability and status.
- ❑ **Sub-recommendation 9.6: CSS-DVU and DVC must advocate for an aggressive effort to collect batterers fines.** Questions were also raised about batterers fines and the adequacy of current efforts to collect the fines so that the appropriate amount of funding reaches the domestic violence system from these sources. Potentially tougher options for collection of fines, such as liens or paycheck garnishments, should be explored.
- ❑ **Sub-recommendation 9.7: CSS-DVU and DVC must advocate for needed support to ensure victims obtain restraining orders.** CSS-DVU should encourage the DVC to develop strategies to aid victims of domestic violence in obtaining the necessary restraining orders and ensuring violators of these orders be arrested and appropriately penalized. Penal Code Section 13701(a) states that every Law Enforcement Agency will develop, adapt, and implement written policies for officers' response to domestic violence calls.

The compliance with both Penal Code Sections 13701 and 13710 are important and have been strengthened by the Violence Against Women Act (VAWA) to require every jurisdiction in the United States to recognize and enforce valid protection orders across state, county, and tribal lines (Full Faith and Credit Provision). Law enforcement Agencies do not always know

whether protection orders have been issued, properly served, or effective dates set. This information is important to law enforcement, and prosecutors in their decision process. *The absence of compliance with Penal Code Sections 13701 and 13710 undermines the effectiveness of victim services programs and case development.*

The courts issue three types of orders:

- Emergency Protective Orders (EPOs)
- Temporary Restraining Orders (TROs)
- Restraining Orders (ROs).

Any type of a restraining order is a serious legal intervention and, as such, the system needs to have the appropriate checks and balances. If delays occur in obtaining EPOs, victims and their children are more likely to suffer more abuse and injury. Many victims and their children are under severe emotional stress and should:

- Be supported by law enforcement officers in obtaining an EPO
- Supported by victim advocate programs expeditiously and within the timelines of each type of order.

Many believe that restraining orders are ineffective in protecting victims. However, Thomas Lyon, J.D., Ph.D. a professor at the University of Southern California Law School, has presented compelling evidence of Restraining Order efficacy in a 2003 study. The study revealed that threats, contact, physical abuse, and injury were significantly reduced where restraining orders were issued and enforced. Therefore, as the primary remedy available, restraining orders should be issued efficiently and made as effective as they possibly can be by vigorously enforcing the law. Restraining order violators should be arrested and appropriate penalties applied to increase the deterrent impact.

- ❑ **Sub-recommendation 9.8: CSS-DVU, DCFS and DVC should advocate for protecting the children of domestic violence situations.** The County of Los Angeles should become a national model of caring and innovative practices that have a more positive impact on the lives of the children who are in domestic violence situations.

The National Center for State Courts (NCSC) identifies best practices as potential national models. One they identified was the “Child Protective Domestic Violence” in Bronx, New York²⁷. It was established to address the overuse of foster care placement of children in child abuse and neglect cases involving domestic violence.

²⁷ Source: www.ncsconline.org/Projects_Initiatives/BPI/DV/Multi_OtherPractices/035.htm

Domestic violence and child protection cases in the same family are consolidated. Other features are:

- Specially trained teams of prosecutors, social workers, and service providers
- Prompt provision of services
- Uniform orders of protection
- Coordination and communication between agencies affected by both civil and criminal proceedings.

Although insufficient data are available at this time, the first-year results showed that, of the children in cases served:

- 60% of the children were not remanded to foster care
- 20% of the children were placed in foster care on a short-term basis
- No children were placed in foster care as a long-term disposition.

This national model and other best practices should be thoroughly reviewed and considered by CSS-DVU, DCFS and DVC for the County.

PERFORMANCE MEASUREMENTS

Recommendation 10: The County's "Performance Counts" initiative should be rigorously applied in measuring outcomes or progress made in Domestic Violence Programs.

Both DPSS Supportive Services and CSS-DVU have developed initial measures under the County's Performance Counts! initiative, displayed in Exhibit 11:

EXHIBIT 11
COMMUNITY AND SENIOR SERVICES (CSS) DEPARTMENT:
PERFORMANCE MEASUREMENTS FOR THE DOMESTIC VIOLENCE PROGRAM

INTEGRATED MANAGEMENT SYSTEM FOR THE COUNTY'S PERFORMANCE COUNTS!	
CSS Strategic Plan Goals	Goal 1: Service Excellence Goal 5: Children and Families' Well-Being
CalWORKS Domestic Violence Supportive Services Program	
Program Result Statement	Adult victims of domestic violence have become safe and stable, both emotionally and physically, to access supportive services, including information and referrals, education, and work-related activities.
Services	<input type="checkbox"/> Three-Day Emergency Shelter <input type="checkbox"/> Transportation <input type="checkbox"/> Counseling <input type="checkbox"/> Food and Clothing <input type="checkbox"/> Information and Referral <input type="checkbox"/> Supervised Children's Activities <input type="checkbox"/> Legal Representation <input type="checkbox"/> Hotel Vouchers <input type="checkbox"/> Work-related Activities
Program Key Indicators	<input type="checkbox"/> % of clients who developed a domestic violence safety plan <input type="checkbox"/> % of clients who have a better understanding of domestic violence <input type="checkbox"/> % of clients who successfully attained court restraining orders <input type="checkbox"/> % of clients whose emotional well-being improved, as measured by a client pre-/post-survey <input type="checkbox"/> % of clients who use referrals given <input type="checkbox"/> % of clients who seek GAIN services <input type="checkbox"/> % of clients who returned to school, obtained a high school diploma, a GED, or vocational training
Presley Fund Supportive Services Program	
Program Result Statement	Adult victims of domestic violence have successfully transitioned to self-sufficiency.
Services	<input type="checkbox"/> Three-Day Emergency Shelter <input type="checkbox"/> Transportation <input type="checkbox"/> Counseling <input type="checkbox"/> Food and Clothing <input type="checkbox"/> Information and Referral <input type="checkbox"/> Assistance with Housing <input type="checkbox"/> Parenting Education
Program Key Indicators	<input type="checkbox"/> % of clients who remained in a safe and stable environment <input type="checkbox"/> % of clients who successfully attained court restraining orders <input type="checkbox"/> % of clients who developed domestic violence safety plans <input type="checkbox"/> % of clients who used referrals given

As a first effort, these are commendable measures designed to understand the performance of the various services these departments support. In the next iteration of the measures, they should include costs and follow-up information on clients who have moved out of the system to measure the results of all these activities on effectiveness and efficiency. The follow-up information should also

solicit the victims' views on what worked well and what worked poorly for them – important feedback to the service providers.

While the cost-effectiveness of domestic violence intervention programs is important, the more important performance variables will focus on domestic violence incidence and how to reduce it. This will require all the agencies to work together to measure and try to understand how their services and programs affect the total amount of domestic violence (qualitatively and quantitatively) in the County of Los Angeles.

The interactions are complex. By developing a model and measuring the performance, the Board of Supervisors and CSS management can fine-tune the system. The outcomes will help to determine what programs and services yield the most positive impacts and what resources to allocate. This effort ties in with the Sub-recommendation Nos. 2.4, 2.5 and Recommendation No. 7.

DAYCARE AND SCHOOLING

Recommendation 11: CSS-DVU and DVC should encourage Shelters to pilot a number of different approaches for providing a higher quality of daycare and schooling for the children of domestic violence situations.

Children caught in the midst of domestic violence situations require supportive daycare and educational services. Some ideas worth piloting within selected shelters include:

- ❑ **Onsite licensed day care.** Child care is a necessary service provided by emergency and transitional shelters to ensure that victims with children have the time for counseling, legal, job training, and other sessions that are part of the shelter process leading to self-sufficiency. The shelters should have facilities and daycare workers that, at a minimum, meet the standards of licensed day care operations and should set higher standards commensurate with the needs of children exposed to an abusive home life.
- ❑ **In-shelter school programs.** In-shelter school programs represent another opportunity worth exploring, namely, providing a practical vehicle for preparing victimized children for transitioning back into the public schools. First Five LA (Proposition 10 funding) is a logical source of funding for a demonstration project to develop and evaluate this type of a program for preschoolers. First Five Commission research shows that quality preschools make more of a difference for children from low-income families and children with special needs.²⁸

²⁸ Source: Action Alliance for Children, www.4children.org/news.

- ❑ **Special education support onsite.** An in-house school for the children of victims of domestic violence could be tailor-designed to address the unique social, emotional, psychological, post-traumatic stress disorders, organic disorders, and academic development problems these children face. The combination of developmental delays and disorders suffered by these children frequently requires special and individual attention. Further, the stigma attached to the children of domestic violence can retard their acceptance and social development in regular schools.
- ❑ **Better coordination between the shelters and schools.** Carefully designed in-house shelter schools, in cooperation with the local school districts, could provide a superior means of assessing and addressing the specific development needs of each child. An example of a “best practice” in this area is in Pomona, California, where there is excellent coordination and cooperation between the shelter and the school district.

ACRONYMS

ACLU	American Civil Liberties Union
ADA	Assistant District Attorney
AWAKE	Advocacy for Women and Kids in Emergencies
CalWORKS	California Work Opportunity and Responsibility to Kids
CAO	Chief Administrative Officer
CDC	Center for Disease Control
CSBG	Community Services Block Grant
CSS	Community and Senior Services Department
CSS-DVU	Community and Senior Services – Domestic Violence Unit
DART	Domestic Abuse Response Team
DCA	Deputy City Attorney
DCFS	Department of Children and Family Services
DHHS	U.S. Department of Health and Human Services
DHS	Department of Health Services
DPSS	Department of Public Social Services
DVC	Domestic Violence Council
DVRO	Domestic Violence Restraining Order
DVRT	Domestic Violence Response Team
EPO	Emergency Protective Order
GROW	General Relief Opportunities for Work
HMO	Health Maintenance Organization
HUD	Housing and Urban Development
ICAN	Inter-Agency Council on Child Abuse and Neglect
IPV	Intimate Partner Violence
LAPD	Los Angeles Police Department
NCSC	National Center for State Courts
OJP	Office of Justice Programs
RFP	Request for Proposal
RO	Restraining Order
SPA	Service Planning Area
STOP	Safety Through Our Persistence
TRO	Temporary Restraining Order
VAWA	Violence Against Women Act
VINE	Victim Information and Notification Everyday

APPENDIX A: GLOSSARY OF TERMS

CalWORKS DEFINITIONS

- ❑ Additional Legal Advocacy Services include: case status and disposition information; liaison with law enforcement agencies and health departments; contacting civilian witnesses; working with Witness Assistance to assist victims with State Victim Compensation; providing courts, law enforcement and district attorneys with information about domestic violence counseling programs and services; and support for elderly, disabled, and child victims.
- ❑ Legal Advocacy includes: preparation of a Temporary Restraining Order (TRO), accompaniment of client to court – family, immigration; preparation of victims for testimony; explanation of court procedures; coordination of services including: referrals to domestic violence case managers and appropriate community agencies and troubleshooting with DPSS.
- ❑ Family Law Services include assistance with Divorce matters - filing, resolution, division of property, and custody and support of children; Paternity –assistance with establishing paternity, and custody, visitation; and Permanent Restraining Orders and related enforcement measures.
- ❑ Immigration Law Services include any petitions that can be filed under the Violence Against Women Act (VAWA). These cover immigration matters – assisting clients to stabilize immigration status, offering English-as-a-Second Language (ESL) support, and determining the appropriate shelter and counseling for the respective languages.

CASE MANAGEMENT – CATEGORIES FOR REIMBURSEMENT

- ❑ Service Assessment – One-time assessment identifying and prioritizing the client’s service needs.
Service Unit Allotment: 1 per client
- ❑ Service Plan – Plan developed to meet client’s needs, i.e. services and referrals required (TRO, housing etc.). Plan is updated with progress reports.
Service Unit Allotment: 1 Plan annually
- ❑ Re-assess/Re-advise – Follow-Up Services – Once client has finished receiving services or participating in the Service Plan, an assessment with the client is done to determine if additional services are necessary including unforeseen emergencies.
Service Unit Allotment: Maximum of Four Per Year

- ❑ Advocacy – Coordination by case managers of all supportive services needed by client. This includes crisis intervention with law enforcement and hospital staff, information and referral to appropriate agencies (shelters, transitional housing); emergency assistance – food resources, clothing and toiletries, motel vouchers, transportation; Walk-In Center community assistance; Healthcare referrals – assisting local healthcare providers with assessment of domestic violence related injuries, deployment of domestic violence specialists to emergency rooms, crisis hotline intervention; Mental Health – assessment of client’s bio-psycho-social needs including drug and alcohol abuse problems, depression, etc.; and Substance Abuse Services – referrals for substance-abuse programs that address domestic violence victims.
Service Unit Allotment: One Session = One Hour
- ❑ Individual Counseling – Conducted by counselors who have completed a state mandatory 40-hour domestic violence counselor training; counselors will provide safety planning tools and assistance for all clients. Available for adults, teens, and children.
Service Unit Allotment: One Session = One Hour
- ❑ Group Counseling – Peer group support counseling for adults, teens, and children. Counselors have completed state mandatory 40-hour domestic violence counselor training. Groups are client-driven, supportive, non-judgmental, and confidential.
Service Unit Allotment: One Session = One Hour
- ❑ Court Accompaniment – Advocate accompanies client to court, provides information on court procedures (not a legal representative)
Service Unit Allotment: One Session = One Hour
- ❑ Emergency Food, Shelter and Clothing – Emergency crisis shelter for domestic violence victims and their children, open 24/7 that provides housing, food and clothing; emergency shelter is considered three days of housing.
Service Unit Allotment: One Unit = One Day in Shelter (max. of three days)
- ❑ Independent Living Skills Education – For both social and educational skill sets - social – assistance with anger management, improving communication skills, personal grooming and people skills; educational – assistance with GED, driver’s education and other educational credentials, identification of school loans or grants, instruction on personal budgeting.
Service Unit Allotment: One Unit Per Session
- ❑ Parenting Education – Teaching non-violent parenting skills, teaching children about home and personal safety, helping children with homework and encouraging educational activities, identifying free or low-cost activities for children, identifying specialized groups for victims of domestic violence.
Service Unit Allotment: One Unit Per Session

- ❑ Household Establishment Skills Education – Household budgeting including banking and financial planning; planning, purchasing and preparing healthy meals; learning scheduling and transportation skills; assistance with developing a safety plan for client at home and at work; information on home-safety devices; coordinate housing outside the shelter.
Service Unit Allotment: One Unit Per Session
- ❑ Emergency Transportation – Funding for safe transportation for CalWORKS clients with children to get away from locations where they may be victims of violence.
Service Unit Allotment: One Unit Per One-Way Trip
- ❑ Hotline/Warmline – (Non CalWORKS program) There must be a designated telephone line actively maintained between the hours of 8am-5pm, Monday through Friday. A 24-hour hotline is optional.
- ❑ GAIN Orientation Presentation – Mandatory presentations made by agencies to CalWORKS participants during Job Club and GAIN Orientation session to assist victims to identify domestic violence and be familiar with available services. Domestic Violence service providers are required to staff all assigned days at GAIN/Job Club.
Service Unit Allotment: One Unit Per Hour
- ❑ Monitored Visitation – As established by the court, visitation between the minor child and the non-custodial parent may occur only in the presence of a court-approved monitor. The visitation may be reimbursed through CalWORKS if the custodial parent who is a CalWORKS client must pay a portion of the cost.
Service Unit Allotment: One Unit Per Visit Per Child
- ❑ Supervised Children's Activities - Short-term, on-site supervised activities for children of adults receiving on-site CalWORKS domestic violence supportive services.
Service Unit Allotment: 1 Unit per Hour per Child

APPENDIX B:
LEGISLATIVE FRAMEWORK HIGHLIGHTS
As of January 1, 2004

During the management review, the following laws supporting domestic violence intervention and enforcement were catalogued to help understand the current legislative framework under which the various parties in the domestic violence system operate. This is not an exhaustive list of all the legislation that applies in the prosecution of domestic violence cases.

LAW ENFORCEMENT AND COURT TERMS²⁹

Emergency Protective Order (EPOs):

- ♦ Police Officers at the scene can obtain an EPO
- ♦ EPOs are good for five days
- ♦ Police Officers can use own judgment and obtain an EPO even if the victim is reluctant

Temporary Restraining Order (TRO), Restraining Order (RO), Domestic Violence Restraining Order (DVRO):

- ♦ Victim must go to Superior Court
- ♦ TRO, RO or DVRO is good for three weeks
- ♦ Victim must reinstate order after three weeks

**COMMON CALIFORNIA PENAL CODE SECTIONS
FOR DOMESTIC VIOLENCE CASES³⁰**

- ♦ Penal Code Section 13700: Domestic Violence
Abuse committed against an adult or fully emancipated minor who is the spouse, cohabitant, former spouse or cohabitant, who has a dating relationship, engagement or former dating relationship or engagement, or parties having a child in common.
- ♦ Penal Code Section 273.5: Spousal Abuse or Cohabitant Abuse
Definition: Willfully inflicts corporal injury upon person
Victim: Spouse of Cohabitant or Parties with a child in common
Condition/Results: Results in a Traumatic condition; Verifiable Injury (Officer's observation or medical exam)

²⁹ Source: City of Los Angeles, Los Angeles Police Department (LAPD):
Lapdonline.org/bldg_safer_comms

³⁰ Source: City of Los Angeles, Los Angeles Police Department (LAPD):
www.lapdonlin.org/bldg_safer_comms/gi_domestic_violence/domestic_laws.htm

- ♦ Penal Code Section 243(e)(1): Battery
 - Definition: Willfully and unlawfully uses force or violence
 - Victim: Spouse, cohabitant, parties with a child in common, non-cohabiting former spouse or fiancé/fiancée or a person with whom the defendant currently has or has previously had a dating relationship regardless of sexual orientation.
 - Condition: Visible injury not necessary

- ♦ Penal Code Section 422: Terrorist Threats
 - Definition: Threat to commit a crime, which will result in Death or Great Bodily Injury; must be unequivocal, unconditional, immediate and specific;
 - Victim: A person or their immediate family members
 - Condition: Causes sustained fear for safety

- ♦ Penal Code Section 646.9: Stalking
 - Definition: Willfully, maliciously and repeatedly follows or harasses
 - Victim: Person who is the object of the Stalking
 - Conditions: Stalker makes a credible threat, so that a reasonable person would fear for their safety or that of their immediate family

- ♦ Penal Code Section 591: Malicious Destruction of Phone Lines
 - Definition: Unlawfully and maliciously takes down, removes, injures or obstructs any telephone, telegraph or cable TV line, or any other line used to conduct electricity

- ♦ Penal Code Section 273.6: Violation of Domestic Violence Protective Order
 - Definition: Intentionally and knowingly violating a Domestic Violence Protective Order – (an Emergency Protective Order, a Temporary Restraining Order or a Restraining Order)

- ♦ Penal Code Section 12028.5: Family Violence/Firearms Seizure
 - Definition: The police, at the scene of family violence involving a threat to human life, may take temporary custody of a deadly weapon in plain sight or by consensual search for the protection of the police or other persons

- ♦ Penal Code Section 12121(g): Restrictions on Firearm Possession
 Definition: Persons subject to a restraining order may not obtain, receive, purchase or otherwise acquire a firearm. The person must know they are subject to the restraining order and the restraining order must state in bold print that they are prohibited from receiving or purchasing or attempting to receive or purchase a firearm, and the penalties.

- ♦ Penal Code Section 6389: Relinquishment of Firearms
 Definition: Prohibits a person subject to a Domestic Violence protective order from owning or possessing a firearm while protective order is in effect. Exemption may be granted if a firearm is a necessary condition of employment. A person may possess it only during scheduled work hours and during travel to and from work.

- ♦ Penal Code Section 136.1: Intimidation of Victims and Witnesses

- ♦ Penal Code Section 1203.097: Domestic Violence Probation for Crimes, Terms, Ability to Pay

- ♦ Penal Code Section 11160: Health Practitioner Mandated Report of Suspicious Injury to Law Enforcement Agency

- ♦ Penal Code Section 11164(a): Penal Code Child Abuse and Neglect Reporting

- ♦ Penal Code Section 13701(a): Law Enforcement Agency Policies and Standards for Domestic Violence Response

- ♦ Penal Code Section 13710(a): Law Enforcement Agencies Systematic Record of All Protection Orders With Respect to Domestic Violence Victims

MAJOR NEW CALIFORNIA DOMESTIC VIOLENCE BILLS AND LAWS³¹

- ❑ **SB 265 (Kuehl) Presumption Against Custody to Batterers.** Extends existing measures of state law that denies custody of a child to a parent/party who has been found to have perpetrated domestic violence. The bill clarifies that a finding of domestic violence includes any case in which the perpetrator has been convicted of domestic violence within the previous five years regardless of which court, or type of plea. Additionally, the bill

³¹ Source: California Alliance Against Domestic Violence: www.caadv.org/legislation.html

requires courts to consider all relevant evidence and may not just rely on recommendations from mediators or evaluators. In event of allegations of domestic violence, the parties must be inform of Family Code Section 3044.

- ❑ **AB 352 (Goldberg) Increased Probation Fines for Batterers.** As referenced earlier in this report, the bill increases the minimum fine for batterers granted probation from \$200 to \$400. The bill also alters the way funds are allocated, reserving 2/3 for the counties and 1/3 for the state. The bill amends Penal Code Section 1203.097. Bill is effect January 1, 2007.
- ❑ **AB 134 (Cohn) Increased Sentences for Felony Domestic Violence.** The bill provides that any person convicted of felony domestic violence within seven years of a prior conviction for misdemeanor domestic violence shall be punished with two, three, or four years in state prison, a fine up to \$10,000 or both.
- ❑ **AB 184 (Lowenthal) Confidentiality –DMV Records/Plates.** Existing law provides that an individual may suppress his or her registration or driver's license record from another if the individual demonstrates that they are the subject of stalking or is at risk of death or great bodily injury due to domestic violence. Current bill expands eligible participants to include those in the Secretary of State's confidentiality program (Safe at Home) who possess a program certificate or identification card. Amends Vehicle Code section 1808.21.
- ❑ **AB 1290 (Jackson).** Bill provides that persons subject to stalking emergency protective orders may not own, possess, purchase, receive, or attempt to purchase or receive a firearm during the time the protective order is in effect.
- ❑ **AB 1488 (Bates) Bail Release for Violation of Protective and Restraining Orders.** Existing law allows that before an individual arrested for certain crimes is released, a hearing must be held that assesses factors such as danger posed to others if person is released. This bill adds violation of a domestic violence protective order, civil harassment protective order, workplace violence protective order, and elder or dependent adult abuse protective order to the list of crimes that triggers the hearing requirement. Person also must have made threats of great bodily harm, engaged in violence or gone to the residence or workplace of protected party.
- ❑ **SB 399 (Kuehl) Out-Of-State Protection Orders.** Existing law states that California courts must enforce protection orders issued by other states under those states' domestic violence or family violence laws. This bill adds that California courts must also enforce protection orders issued by another state under anti-stalking laws.

APPENDIX C: DOMESTIC VIOLENCE WEBSITES AND INFORMATION SOURCES

The Minnesota Center Against Violence and Abuse (MINCAVA) – MINCAVA's motto is "...providing research, education, and access to violence related resources". MINCAVA provides a number of services, including an electronic clearinghouse for more than 2,000 resources, including articles, research, training resources, organizations, experts, courses, service providers, job opportunities, and funding opportunities.

Source: <http://www.mincava.umn.edu/>

Best Practices Institute

http://www.ncsconline.org/projects_initiatives/BPI/DV/DVRESULTS.htm

Domestic Violence 50 State Resource

<http://www.dv911.com/dv50state.htm>

Links To State Organizations/Programs-Crime Victim-Related Websites

Arizona

<http://www.supreme.state.az.us/dr/dv/dv.htm>

<http://www.azcadv.org/PDFs/Court%20Watch%20Program.pdf>

<http://www.mag.maricopa.gov/archive/dv/>

Cook County (Illinois) Domestic Violence Division

<http://www.statesattorney.org/aweb/dvdivisn.htm>

<http://www.statesattorney.org/aweb/dvdtac.htm>

Maricopa (Arizona) Domestic Violence Council

<http://www.mag.maricopa.gov/committee.cms?item=396>

http://www.mag.maricopa.gov/pdf/cms.resource/DV_model-guide.pdf

http://www.mag.maricopa.gov/dv/DV_Council/Publications/DV-Plan99.pdf

<http://www.mag.maricopa.gov/pdf/cms.resource/DV2002Update12-04-02.pdf>

<http://www.mag.maricopa.gov/archive/dv/2001scorecard-senate.pdf>

Maryland Network Against Domestic Violence

<http://www.mnadv.org/>

Miami-Dade (Florida) Domestic Violence Division

http://www.jud11.flcourts.org/programs_and_services/domestic_violence_overview.htm

Minnesota Center Against Violence and Abuse

<http://www.mincava.umn.edu/>

Missouri

<http://mova.missouri.org/stateslk.htm>

New York

http://www.ncsconline.org/ProjectsInitiatives/BPI/DV/Multi_OtherPractices/035.htm

<http://www.nycja.org/research/reports/ressum43.pdf>

San Diego (California) City Attorney's Domestic Violence Unit

<http://www.sandiegodvunit.org/>

San Diego (California) City Police Department, Domestic Violence Unit

<http://www.sannet.gov/police/about/domesticv.shtml>

Austin, Texas SafePlace Shelter

Source: National Public Radio:

<http://www.npr.org/news/specials/housingfirst/nprstories/030804.safeplace/index.html>

The Family Court website

www.lasuperiorcourt.org/familylaw

APPENDIX D: SHELTER SERVICE PROVIDER SURVEY RESULTS

All providers of Domestic Violence Intervention programs who currently have contracts with the Community and Senior Services Department – Domestic Violence Unit (CSS-DVU) were given access to an online survey³². CSS provides contract funding in three areas:

- ☐ Emergency shelters
- ☐ CalWORKS Supportive Services, which includes case management and legal services
- ☐ GROW, a program specifically designed to provide job training and employment for victims of domestic violence without children.

The CSS-DVU contracts with 47 providers in Fiscal Year (FY) 2003-2004. Of these, three were eliminated from the survey because they were no longer receiving funds from CSS at the time of the survey. Table 1 presents a breakdown of providers.

CSS DOMESTIC VIOLENCE PROGRAMS	
TYPES OF CSS DOMESTIC VIOLENCE PROGRAMS	NUMBER
Domestic Violence Shelters	23
CalWORKS	55
GROW	22

Some providers offer other social service programs, such as transitional housing for homeless persons and teen homes. Other providers focus exclusively on domestic violence services.

In consultation with the 2003-2004 Civil Grand Jury and CSS-DVU, KH compiled questions that addressed a variety of programmatic features, including the environment of domestic violence, type of programs administered by the agency, bed capacity, ability to serve children, financial capacity, demographics of clientele served, views on the County's Domestic Violence Programs, and overall issues and concerns regarding domestic violence intervention in Los Angeles County.

KEY SURVEY FINDINGS

The scale used for all questions ranged from 1 to 5 (disagree strongly, disagree, neutral, agree, and agree strongly). For interpretation purposes, "disagree strongly" and "disagree" were combined to indicate general disagreement; similarly, "agree" and "agree strongly" were combined to convey general agreement.

³² KH Consulting Group (KH) designed and distributed the online survey.

Working Relationship with CSS and DVU Initiatives

There were 36 respondents to this section of the survey. The ten questions covered the service delivery of the contract process, including efficiency, monitoring reports, funding amounts, and new measures (such as the fee-for-service program and performance measurement reporting).

Respondents expressed low satisfaction in the areas of reasonableness of contract requirements, effectiveness of contracting, monitoring requirements, and technical assistance. Technical assistance was the main concern of the Auditor-Controller who had recently completed a fiscal review of CSS-DVU providers and found several problems with improper recording, insufficient documentation, and lack of appropriate approval for purchases, among other concerns.

The four areas that received less than satisfactory scores were timeliness of the contract process, sufficiency of funding, reasonableness of new performance measurements, and new fee-for-service funding model.

- ☐ Respondents believed that the contract process was too time extensive, with 46% either strongly disagreeing or simply disagreeing with the statement that the “contract process was timely”.
- ☐ Funding was seen as an overwhelming concern; 72% either disagreed strongly or simply disagreed with the statement “funding is sufficient to cover their needs”.
- ☐ The new performance measurements, which are a County-mandated evaluation tool were seen by a majority of respondents (52%) as being less than reasonable and difficult to calculate.
- ☐ The new fee-for-service funding model, which was to replace the flat fee for case management and legal services was viewed as less than satisfactory by 67% of the survey participants; 53% of those responding disagree strongly that the new model was an improvement.

The Importance of Relationship With Other Agencies In Achieving Providers’ Missions

In total, 36 respondents rated on a scale of 1-5, (Not important, Important, Somewhat, Very, Extremely Important) the importance of relationships with other agencies in achieving their mission.

All agencies rated the listed agencies as average or above in their importance to the survey respondents.

- ☐ **Most important agency relationships.** The Department of Public Social Services (DPSS) and the Department of Children and Family Services (DCFS)

rated the highest in importance with 91% and 80% of the respondents, respectively, stating that those relationships were extremely important.

- ❑ **Very important agency relationships.** Other social service agencies rated the highest also in the category of extremely important include the Department of Mental Health, community-based substance abuse services, and community-based homeless services, where more than 68% of respondents stated their relationships to these groups were either very important or extremely important.
- ❑ **Importance of law enforcement and the District Attorney relationships.** Law enforcement agencies, including the Sheriff's Department, the majority of respondents rated all Los Angeles Police Department (LAPD), other local police departments, and the District Attorney as extremely important. The Sheriff's Department responses, however, were evenly split between very important and extremely important at 36% for each rating.
- ❑ **Other important agency relationships.** In comparison with other agencies, the Department of Health Services (DHS), faith-based organizations, and the Probation Department did not rate as high as either the law enforcement or social service agencies, but the majority of respondents still considered them to be important or very important.

Effectiveness of the Relationship Between Your Organization and Other Agencies in Achieving Your Mission

Again using a scale of 1-5 (not effective, less effective, effective, very effective, extremely effective), agencies stated how **effective** their relationships were with other County/community agencies.

In comparison to the importance of relationships with other agencies, the level of **effectiveness** was seen as slightly lower than the level of **importance** (former question) with the other agencies, indicating a slight gap between the optimal and actual relationship.

- ❑ **Effectiveness of Law Enforcement and the District Attorney.** The majority of respondents found the law enforcement agencies to be very effective, with the District Attorney rating slightly higher and other local Police Departments slightly lower among the four law enforcement agencies. The District Attorney received 58% effectiveness marks ranging from very effective to extremely effective, while the LAPD received 50%, the Sheriff's Department received 47% and Other Local Police received a 46% in the top two categories combined.
- ❑ **Most Effective or Very Effective Relationships.** The Social service agencies - DCFS and community-based organizations were considered very

effective or extremely effective by the majority of respondents. DCFS and the community-based organizations all received over 60% in the areas of very effective and extremely effective.

- ❑ **Effective Relationships.** The Departments of Health, Mental Health, Probation, and Faith-based organizations were considered less effective than the social service agencies, with most respondents indicating they were effective. DPSS scored almost equally in the four categories ranging from somewhat effective to extremely effective.

Delivery of Domestic Violence Programs

Using a scale of 1-5 (disagree strongly, disagree somewhat, agree, agree somewhat, agree strongly), providers responded to questions about their own service delivery of Domestic Violence Programs. Respondents were most positive about their own internal systems and client satisfaction and less about resources for their programs.

- ❑ **Resources to meet the needs of Emergency Shelters, Case Management, and Legal Services:**
 - **Emergency Shelters** – Respondents were almost equally divided as to whether there were enough resources with 39% agreeing and 36% disagreeing (25% replied not applicable).
 - **Case Management** – A slim majority (53%) of respondents agreed there were enough resources to meet the programs' needs.
 - **Legal Services** – Respondents were divided on the question of having adequate resources with 35% agreeing, 31% disagreeing, and 25% saying 'average'.
- ❑ **"Best Practices" Review.** An overwhelming majority of respondents (over 85%) stated they had top quality programs and that their organizations researched "best practices" for their domestic violence programs.
- ❑ **Client Feedback and Client Complaints.** A majority of respondents stated that their clients rated their services highly and client complaints were not problematic, either in case management or legal services. In addition, a majority of respondents stated they regularly solicit feedback from clients and that their clients receive appropriate referrals.
- ❑ **Evaluations and Assessment of Programs.** A strong number of responses indicated that providers conducted formal internal evaluations, exit interviews and annually assessed their program outcomes. The response for external evaluations was somewhat less than that for internal evaluations, but a solid majority of respondents agreed they were conducted.

Organization and Management of Domestic Violence Programs

On a scale of 1-5 (disagree strongly, disagree somewhat, disagree, agree somewhat, agree strongly), providers responded to questions about delivery of Domestic Violence Programs

- ❑ **Strategic Plan and Ethics/Values Statements.** Most respondents agreed somewhat and agreed strongly (total of 83%) that their Strategic Plan affected day-to-day decision-making. In addition, a high percentage of respondents either agreed strongly or very strongly that they had an Ethics/Values statement and followed or implemented it (86%).
- ❑ **Employee and Referral Agency Feedback.** An overwhelming percentage of respondents stated that employees received regular feedback (88%) compared to 47% that agreed somewhat or strongly that referral agencies received regular feedback.
- ❑ **Staff Skill Level, Language Skills and Turnover Rates.** Respondents replied very positively that the staff receives regular training skills and knowledge development (89% in top two categories). In addition, over 75% stated they had a low turnover rate, and that their staff was able to communicate in the respective languages of their clientele.
- ❑ **Organizational Management – IT, GAAP, “Best Practices”**
 - **Generally Acceptable Accounting Practices.** In the areas of organizational management, the responses were very high in terms of organizational competency and professionalism. Almost 90% agreed strongly or agreed somewhat/very that they used generally acceptable financial controls.
 - **“Best Practices.”** More than 80% in the top two categories believed their organization researches and uses “best practices” in the management of the organization.
 - **Technically Competent.** 75% agreed their organization was technically competent and could meet IT demands. However, respondents stated both agree somewhat and agree strongly in similar proportions, unlike the first two questions where the majority stated ‘agree strongly’, indicating perhaps a more intimate knowledge of IT capacity.

Perceptions of DVC Effectiveness and Capability

Using a scale of 1-5 (disagree strongly, disagree, agree, agree stronger, agree strongly), respondents indicated their knowledge and effectiveness of DVC and related committees.

- ❑ **DVC polity and policy.** Respondents saw DVC as a good policy tool and advocate but agreed less about the current effectiveness and resource needs.
- ❑ **DVC's effectiveness.** 47% of the respondents indicated that DVC was effective.
- ❑ **DVC as best advocacy entity.** Respondents agreed with this statement too (61%), but most responses 'agreed strongly', indicating a high level of support.

Other specific responses to survey statements were:

Areas of Agreement:

- ❑ **DVC needs more prominent profile.** A high percentage of respondents (78%) believe DVC needs a more prominent profile.
- ❑ **Effectiveness of DVC meetings.** Less than 50% believed the DVC meetings are effective while another 31% view the meetings as being 'average'.

Areas of Disagreement:

- ❑ **DVC has sufficient staff and resources.** Respondents disagreed (44%) while 22% gave this statement an average rating.
- ❑ **Effectiveness of DPSS Combination Steering Group meetings.** Respondents were less supportive with regards to the DPSS combination steering committee meetings (Substance Abuse, Mental Health, and Domestic Violence programs). Less than 30% stated the meetings were effective and another 26% had no opinion.

Mixed Opinions:

- ❑ **DPSS Domestic Violence Committee meetings.** A similar response was given to the DPSS Domestic Violence committee meetings (DPSS, CSS, DV providers) where less than 30% agreed to their effectiveness, but 31% had no opinion, perhaps indicating again the lack of information about these last two groups.

GANG INJUNCTION

Octavio V. Chavez, Chair
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MANAGEMENT AUDIT OF THE CIVIL GANG INJUNCTIONS (CGIS)

EXECUTIVE SUMMARY

INTRODUCTION

The 2003-2004 Civil Grand Jury embarked on a management audit of the Civil Gang Injunction (CGI) initiatives within the City of Los Angeles and the County of Los Angeles. Given the breadth of this management audit, two City and two County departments will need to participate in and cooperate with this effort, including:

- ☐ City Attorney, City of Los Angeles
- ☐ Los Angeles Police Department, City of Los Angeles
- ☐ Sheriff's Department, County of Los Angeles
- ☐ District Attorney, County of Los Angeles

The Grand Jury engaged a Consulting Group to assist with this effort. Under provisions of Penal Code Section 925a and 926, the Grand Jury requested the firm to:

- ☐ Examine documents and data relating to CGI
- ☐ Interview staff and personnel responsible for CGI
- ☐ Interview field staff onsite regarding CGI

BACKGROUND

Within the City of Los Angeles, Civil Gang Injunctions (CGIs) are developed and implemented in a joint effort by the Los Angeles City Attorney's Office and the Los Angeles Police Department (LAPD).¹ The Los Angeles County District Attorney's Office and the Los Angeles County Sheriff's Department (LASD) collaborate on CGIs in the County's unincorporated areas and for 40 contract cities. CGIs are the result of a civil litigation process governed by long-standing principles of due process and civil procedure. To obtain a CGI, prosecutors² present information to the Courts about gang activities that constitute a public nuisance. Injunctions can contain orders to refrain from a wide range of prohibited behaviors, including:

- ☐ Violating curfews

¹ Some of these efforts require collaboration of the City Attorney and the County's District Attorney.

² In this Management Review, the term "prosecutors" refers to both the City Attorney's Office and the County's District Attorney's Office.

- ☐ Violating curfews
- ☐ Associating in public with other gang members
- ☐ Gathering in certain areas, including common areas of specified housing complexes
- ☐ Blocking sidewalks
- ☐ Riding together in automobiles, both in the area of the injunction and in rival gang territories
- ☐ Wearing pagers or other paraphernalia known to indicate participation in drug sales.

When CGIs are granted, law enforcement officers³ have an additional tool to use to intervene in gang activity in an afflicted neighborhood. They can address CGI violations reported by residents without forcing them to step forward as witnesses or complainants.

In the Fall 2003, the Los Angeles County 2003-2004 Civil Grand Jury selected the CGI effort in the City of Los Angeles and County of Los Angeles for a management review. The Civil Grand Jury's initial understanding was that law enforcement officers and prosecutors regard CGIs as being effective, especially in combination with other initiatives. The Civil Grand Jury was also aware that some community leaders and researchers had expressed reservations about CGIs' effectiveness, and that the effort required obtaining a CGI was substantial. The question raised by the Civil Grand Jury was whether law enforcement and prosecutors should continue to pursue these injunctions or apply their energies to other more effective initiatives.

OBJECTIVES, SCOPE AND TASKS

The management review's objective was to determine the efficiency and effectiveness of CGIs in the City and County of Los Angeles. The scope encompassed the CGI efforts in the:

City of Los Angeles:

- ☐ Los Angeles Police Department (LAPD)
- ☐ City Attorney's Office

County of Los Angeles:

- ☐ Los Angeles Sheriff's Department (LASD)
- ☐ District Attorney's Office

Targeted Gangs

Between 1987 and 2000 the City Attorney and the District Attorney have attempted 24 CGIs within Los Angeles County. In 1997, the California Supreme Court deemed CGIs to be constitutional. Some of the largest gangs – with the largest memberships and turfs – are targeted for CGIs, including:

³ In this Management Review, the term "law enforcement officers" refers to both LAPD police officers and LASD deputies. Similarly, "law enforcement" refers to both LAPD and LASD.

**TABLE 1:
CITY OF LOS ANGELES:
14 INJUNCTIONS INCLUDED IN THE ANALYSIS**

Gang Name in Injunction	Timing of When Preliminary/Permanent Injunction Granted
Bounty Hunters	October 1, 2003/December 2, 2003
Rolling 60s	October 1, 2003/November 24, 2003
Avenues	January, 29, 2003/April 7, 2003
KAM	October 25, 2002/January 17, 2003
18 th Street Pico Union	No preliminary injunction/October 18, 2002
Canoga Park Alabama	February 25, 2002/April 24, 2002
Pacoima Project Boys	No preliminary injunction/August 22, 2001
Culver City Boys	June 3, 1999/January 27, 2001
Venice 13	March 17, 2000/January 12, 2001
Harbor City Boys and Harbor City Crips	January 12, 2000/February 1, 2000
Venice Shoreline Crips	July 21, 1999/October 18, 2000
Langdon Street	May 20, 1999/February 17, 2000
Harpys	August 04, 1998/July 17, 2000
Blythe Street	Under appeal until 1998/February 17, 2000

**CITY OF LOS ANGELES:
14 INJUNCTIONS INCLUDED IN THE ANALYSIS**

Gang Name in Injunction	LAPD Division	Number of RDs Covered
Bounty Hunters	Southeast	3
Rolling 60s	77 th Street	9
Avenues	Northeast	15
KAM	Hollenbeck	3
18 th Street Pico Union	Rampart	6
Canoga Park Alabama	Devonshire; West Valley	17
Pacoima Project Boys	Foothill	2
Culver City Boys	Pacific	7
Venice 13	Pacific	9
Harbor City Boys and Harbor City Crips	Harbor	3
Venice Shoreline Crips	Pacific	5
Langdon Street	Devonshire	2
Harpys	Rampart; Southwest; Newton	12
Blythe Street	Devonshire	6

The management review tasks were to:

- ☐ Develop a Work Plan and conduct an entrance conference with the involved City and County departments
- ☐ Review research and other literature pertaining to CGIs
- ☐ Gather financial and performance data and other information
- ☐ Conduct approximately 20 interviews with gang-related law enforcement experts and officials from:

- Los Angeles County District Attorney's Office
 - Los Angeles City Attorney's Office
 - Los Angeles County Sheriff's Department (LASD)
 - Los Angeles Police Department (LAPD)
 - Pasadena Police Department
 - Lodestar Management Research, Inc., the third-party monitor of the Community Law Enforcement and Recovery (CLEAR) program, described later.
- ☐ Where possible, conduct interviews with residents and community leaders in neighborhoods subject to CGIs
 - ☐ Conduct four site visits with police officers and deputies, sergeants and lieutenants assigned to the following:
 - LAPD Northeast Division
 - LAPD Pacific Division
 - LAPD Southeast Division
 - LASD Lennox Substation
 - ☐ Compare and contrast the experiences with CGIs in the City of Los Angeles with those in unincorporated areas of Los Angeles County. During the course of the study, an additional point of comparison with the City of Pasadena was added.
 - ☐ Analyze data on reported serious crimes to identify, if possible, the impact of CGIs on a neighborhood
 - ☐ Develop the report (this document).

MANAGEMENT REVIEW SECTIONS

This management review is divided into the following sections:

- A. **Introduction and Methodology** (this section), including the review's objectives, scope, tasks completed and sections of the report
- B. **Civil Gang Injunction Context**, including an overview of gang activities in Los Angeles, law enforcement responses to the issue, recent legislation, the legal basis for the initiative, the process of obtaining a CGI, the requirements for enforcement and a review of recent literature on CGIs.
- C. **Measurable Impact on Crime Patterns**, including a statistical review of reported crime within the City of Los Angeles to identify significant trends related to the establishment and enforcement of CGIs, and a review of data currently available from law enforcement sources.
- D. **Findings**, focusing on the effectiveness and, to the extent that it is possible to determine, the costs of preparing and enforcing CGIs. Findings were based on interviews with police, prosecutors, neighborhood residents and community leaders, as well as a review of relevant literature and the results of the data analysis task of the review.

DATA, TREND ANALYSIS AND OUTCOME MEASUREMENTS

Finding 1: No single law enforcement agency or joint agency effort has successfully measured the outcomes of efforts to reduce gang crime and violence.

Finding 2: Assessing the effectiveness of different strategies is hampered by the lack of data and ability to track program costs.

Finding 3: Data analysis shows a significant short-term reduction in Part 1 crime in the first year of CGI implementation.

Finding 4: CGIs are an important part of a larger strategy to reduce and confront criminal gang activities.

Finding 5: CGIs have a greater lasting impact when combined with other law enforcement initiatives, community and family commitment and concerted community development.

Finding 6: CGIs by themselves have a limited impact on gang violence and criminal behavior.

Finding 7: Effective CGI implementation offers a potential path to law enforcement professionals to divert youthful offenders before they get felony records.

Finding 8: CGIs are effective against gang activities that meet specific criteria.

Finding 9: CGIs are most effective when combined with other initiatives, such as CLEAR, because of the resources brought to bear in the CLEAR program.

Finding 10: CGIs require ongoing support if they are to be effective over time.

INTER-JURISDICTIONAL COLLABORATION

Finding 11: CGIs require the commitment of key leaders within both law enforcement and prosecution agencies if they are to be effective.

Finding 12: The City of Los Angeles places more sustained and consistent focus on CGIs than Los Angeles County, due in part to the differing ways the function is handled between the City and County.

Finding 13: There are jurisdictional issues associated with setting up injunctions that cross physical boundaries between LASD and LAPD.

- E. **Recommendations**, outlining changes to make CGIs more effective as an element of the larger effort to reduce criminal gang activity and violence.

DATA, TREND ANALYSIS AND OUTCOME MEASUREMENTS

Recommendation 1: LAPD and LASD should continue and enhance efforts to improve the quality and consistency of the definition and reporting of gang crimes.

Recommendation 2: Law enforcement agencies should exploit best practices in data processing to support their management and analysis of gang suppression and intervention outcomes.

INTER-JURISDICTIONAL COLLABORATION

Recommendation 3: LAPD, LASD, City Attorney's Office and County District Attorney's Office should continue to expand the use of CGIs in their ongoing collaboration to suppress gang crime and intervene in gang activities.

STAFF ASSIGNMENTS

**Recommendation 4: Deputy Probation Officers (DPOs) should be assigned
to each LAPD Gang Impact Team and LASD Gang Investigation Unit.**

Recommendation 5:	The City Attorney should assign one Deputy City Attorney to each LAPD Division Gang Impact Team to support the planning, development and enforcement of CGIs.
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ECONOMIC AND COMMUNITY DEVELOPMENT

Recommendation 6:	Once criminal behavior by gangs has been suppressed and intervention strategies are in place, the City and the County should marshal available resources to provide economic and community development in gang-impacted neighborhoods.
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**A MANAGEMENT REVIEW OF
THE EFFECTIVENESS OF CIVIL GANG INJUNCTIONS (CGIs)**

TABLE OF CONTENTS

A. INTRODUCTION AND METHODOLOGY	179
Background	179
Objectives, Scope and Tasks	180
Management Review Sections	181
B. CIVIL GANG INJUNCTION (CGI) CONTEXT	182
Criminal Gangs in the City and County of Los Angeles	182
The Impact of Gang Activities on Communities	183
Law Enforcement Response to Gang Activities	184
Gang Relations	184
The Suppression/Intervention/Prevention Triangle	185
Dedicated Law Enforcement Units	187
Coordination of Programs to Combat Gang Violence	190
Other Gang-Related Programs	190
Recent Gang-Related Legislation	192
Civil Gang Injunctions (CGIs)	192
History	192
Legal Basis and Process	193
CGIs' Role in the Strategic "Triangle" of Suppression, Intervention And Prevention	194
CGI Literature Review	194
CGI Impact	194
Identified CGI Benefits	195
CGI Drawbacks	195
Empirical Evidence of CGI Successes	196
C. MEASURABLE IMPACT OF CGIs ON CRIME PATTERNS	197
Description of Crime Data	197
Scope of Injunctions Studied	202
Statistical Methodology and Findings	204
Crime Trends, Using the Simple Difference-in-Differences Method	204
Fixed-Effects Regression Analysis	211
Supporting Data Analysis	213
Conclusion and Discussion	213
D. FINDINGS	216
Data, Trend Analysis and Outcome Measurements	216
Strategy to Reduce Criminal Gang Activities	220
Inter-Jurisdictional Collaboration	228
E. RECOMMENDATIONS	230

Data, Trend Analysis and Outcome Measurements	230
Inter-Jurisdictional Collaboration	234
Staff Assignments	235
Economic and Community Development.....	237
DEFINITIONS AND ACRONYMS	240
APPENDIX A:	
LITERATURE REVIEW – DETAILS AND REFERENCES	243
APPENDIX B:	
SUPPLEMENTAL DATA ANALYSIS OF TOTAL CRIMES AND	
PART 1 CRIMES, BY CGI, AND CGI MAPS	251

A. INTRODUCTION AND METHODOLOGY

BACKGROUND

Within the City of Los Angeles, Civil Gang Injunctions (CGIs) are developed and implemented in a joint effort by the Los Angeles City Attorney's Office and the Los Angeles Police Department (LAPD).¹ The Los Angeles County District Attorney's Office and the Los Angeles County Sheriff's Department (LASD) collaborate on CGIs in the County's unincorporated areas and for 40 contract cities. CGIs are the result of a civil litigation process governed by long-standing principles of due process and civil procedure. To obtain a CGI, prosecutors² present information to the Courts about gang activities that constitute a public nuisance. Injunctions can contain orders to refrain from a wide range of prohibited behaviors, including:

- ☐ Violating curfews
- ☐ Associating in public with other gang members
- ☐ Gathering in certain areas, including common areas of specified housing complexes
- ☐ Blocking sidewalks
- ☐ Riding together in automobiles, both in the area of the injunction and in rival gang territories
- ☐ Wearing pagers or other paraphernalia known to indicate participation in drug sales.

When CGIs are granted, law enforcement officers³ have an additional tool to use to intervene in gang activity in an afflicted neighborhood. They can address CGI violations reported by residents without forcing them to step forward as witnesses or complainants.

In the Fall 2003, the Los Angeles County 2003-2004 Civil Grand Jury selected the CGI effort in the City of Los Angeles and County of Los Angeles for a management review. The Civil Grand Jury's initial understanding was that law enforcement officers and prosecutors regard CGIs as being effective, especially in combination with other initiatives. The Civil Grand Jury was also aware that some community leaders and researchers had expressed reservations about CGIs' effectiveness, and that the effort required obtaining a CGI was substantial. The question raised by the Civil Grand Jury was whether law enforcement and prosecutors should continue to pursue these injunctions or apply their energies to other more effective initiatives.

¹ Some of these efforts require collaboration of the City Attorney and the County's District Attorney.

² In this Management Review, the term "prosecutors" refers to both the City Attorney's Office and the County's District Attorney's Office.

³ In this Management Review, the term "law enforcement officers" refers to both LAPD police officers and LASD deputies. Similarly, "law enforcement" refers to both LAPD and LASD.

OBJECTIVES, SCOPE AND TASKS

The management review's objective was to determine the efficiency and effectiveness of CGIs in the City and County of Los Angeles. The scope encompassed the CGI efforts in the:

City of Los Angeles:

- ☐ Los Angeles Police Department (LAPD)
- ☐ City Attorney's Office

County of Los Angeles:

- ☐ Los Angeles Sheriff's Department (LASD)
- ☐ District Attorney's Office

The management review tasks were to:

- ☐ Develop a Work Plan and conduct an entrance conference with the involved City and County departments
- ☐ Review research and other literature pertaining to CGIs
- ☐ Gather financial and performance data and other information
- ☐ Conduct approximately 20 interviews with gang-related law enforcement experts and officials from:
 - Los Angeles County District Attorney's Office
 - Los Angeles City Attorney's Office
 - Los Angeles County Sheriff's Department (LASD)
 - Los Angeles Police Department (LAPD)
 - Pasadena Police Department
 - Lodestar Management Research, Inc., the third-party monitor of the Community Law Enforcement and Recovery (CLEAR) program, described later.
- ☐ Where possible, conduct interviews with residents and community leaders in neighborhoods subject to CGIs
- ☐ Conduct four site visits with police officers and deputies, sergeants and lieutenants assigned to the following:
 - LAPD Northeast Division
 - LAPD Pacific Division
 - LAPD Southeast Division
 - LASD Lennox Substation
- ☐ Compare and contrast the experiences with CGIs in the City of Los Angeles with those in unincorporated areas of Los Angeles County. During the course of the study, an additional point of comparison with the City of Pasadena was added.
- ☐ Analyze data on reported serious crimes to identify, if possible, the impact of CGIs on a neighborhood
- ☐ Develop the report (this document).

MANAGEMENT REVIEW SECTIONS

This management review is divided into the following sections:

- A. **Introduction and Methodology** (this section), including the review's objectives, scope, tasks completed and sections of the report
- B. **Civil Gang Injunction Context**, including an overview of gang activities in Los Angeles, law enforcement responses to the issue, recent legislation, the legal basis for the initiative, the process of obtaining a CGI, the requirements for enforcement and a review of recent literature on CGIs.
- C. **Measurable Impact on Crime Patterns**, including a statistical review of reported crime within the City of Los Angeles to identify significant trends related to the establishment and enforcement of CGIs, and a review of data currently available from law enforcement sources.
- D. **Findings**, focusing on the effectiveness and, to the extent that it is possible to determine, the costs of preparing and enforcing CGIs. Findings were based on interviews with police, prosecutors, neighborhood residents and community leaders, as well as a review of relevant literature and the results of the data analysis task of the review.
- E. **Recommendations**, outlining changes to make CGIs more effective as an element of the larger effort to reduce criminal gang activity and violence.

Definitions and Acronyms

Appendix A: Literature Review – Details and References

Appendix B: Supplemental Data Analysis of Total Crimes and Part 1 Crimes, by CGI, and CGI Maps

B. CIVIL GANG INJUNCTION (CGI) CONTEXT

CRIMINAL GANGS IN THE CITY AND COUNTY OF LOS ANGELES

Criminal gang activity is chronic throughout greater Los Angeles, particularly in the City of Los Angeles and adjacent unincorporated areas of Los Angeles County. Los Angeles County law enforcement officials estimate that there are between 1,000 and 1,300 gangs in the County, with approximately 95,000 members. They believe that gang activities result in 500 to 600 homicides per year, or about one-half of the total homicides in Los Angeles County. In the most heavily affected areas at the worst of times, a gang-related murder occurs every three days. Worse, many of those killed are bystanders. It has been estimated that gang members hit the people they aim at only about one-half of the time.

"Gang-banging" is a style of dress and manner, as well as a criminal enterprise. It started in Los Angeles in the late 1940s and early 1950s in the Latino communities of Southern California. The baggy clothes worn by gang members are inspired by the uniforms issued in the jails in the early 1950s. At a high-profile trial of gang members, the defendants were deliberately given loose clothes so they would not appear respectable at the trial. Supporters of the defendants wore loose clothes to signify their sympathy, and the style appears to have been generally adopted by gang members and others in the community.

Gang membership also has powerful attractions. Gang members make great shows of respect for each other, both within and between gangs. Although it might seem hard to accept in the context of strutting pride and hair-trigger violence that characterizes gang culture, at least some of this respect and support is genuine. This is enormously valuable in communities where young men and women see themselves as essentially invisible. Not even their deaths cause much concern – at most, perhaps a day in the newspaper and a speech on the floor of the City Council that may not even mention their names. Gangs appeal to a) the young people whose families are fractured or failed, b) teenagers who desperately need a symbol and badge of inclusion with which to enter adulthood or c) intelligent and ambitious young adults who have little education and no desire to work at minimum wage positions. Entry into a gang can provide an alternate family, membership in an exclusive club, entry to a social elite and a career, all in one.

Gangs show a broad variety of membership and behaviors. Most gangs are territorial – they seek to control specific streets, parks, apartment complexes or neighborhoods. Territorial gangs frequently seek to control the sale of illegal drugs in these neighborhoods, and the sale of such drugs is probably the most common way the gangs support themselves. Others reside in one neighborhood and "do business" in others. Some gangs limit membership primarily or exclusively to one racial or ethnic group. There are Black, Hispanic and Asian gangs. Other gangs accept members from a variety of racial and ethnic groups.

Some gangs are large, encompassing numerous sub-gangs and “sets.” Others are limited to a few dozen members in a single neighborhood.

Gang members wear distinctive clothing. For example, members who identify themselves as part of the overall Crips organization – which encompasses a considerable number of gangs – wear blue, while Bloods – also a large, multi-gang organization – wear red. Gang members wear bandanas, jackets, shoes and athletic jerseys that demonstrate their loyalties. They have specific hand signs used to tell others their affiliations. They also have gang names, given to them by more senior gang members. Gang members have favorite numbers. In Northern California, they adopt the number “14”, for the 14th letter of the alphabet – “N”. Southern California gang members use one number lower – “13.” In recent years, however, gang members have become subtler in their use of these “markings.” As police have grown knowledgeable and increasingly sophisticated, gang members have learned to avoid flamboyant indicators of gang membership. As discussed later in this report, some of that reduction may be due to more determined enforcement with more effective tools.

Young people – increasingly both men and women – join gangs by committing certain crimes, having themselves decorated with specific tattoos and being “jumped in” or beaten for a specific period of time as an initiation. In return, gangs offer community, identity, pride and protection. Many gangs are multi-generational. Two and sometimes three generations of individuals will belong to the same gang, each new generation sponsored for membership by the preceding one.

Gangs have a structure of advancement. Members who “do gang work,” primarily violent crimes, become “OGs” or “Original Gangsters”. Such “work” includes drive-by shootings, retail drug sales, auto theft and street robbery. Street robberies are not “business” in the sense of revenue sources but are done for prestige and to show that the gang controls a certain area.

THE IMPACT OF GANG ACTIVITIES ON COMMUNITIES

Where gangs dominate a neighborhood, the daily life of ordinary residents is blighted. Graffiti is everywhere. People cannot walk down certain streets without being confronted by gang members. Interviewees shared anecdotes of being confronted, intimidated, physically threatened and even charged “fines” to walk on public sidewalks. There was one report that residents had been charged to park in their own driveways. The denial of the residents’ rights to quietly enjoy the use of public places, such as sidewalks, and, worse, the transgression of individuals’ rights to safety and security on their own property are frightening to residents. They are seen as evidence that the larger society, represented primarily by law enforcement officers, has lost control of the community. The thought that a street gang has replaced the forces of law and order is rightfully terrifying.

Drug sales become open, almost brazen. Marijuana, crack cocaine and crystal methamphetamine are common offerings. Customers include people from the neighborhood and “drive-through” customers from elsewhere. Gangs may take over the apartments of members or members’ families, at times virtually imprisoning their sometimes-unwilling hosts. Drug sales become the predominant activity for some gangs, generating large amounts of cash. This in turn can tempt a variety of people to steal, which leads to yet more shootings.

In some neighborhoods, the drug sales controlled by gangs are a major – perhaps the only major – economic activity. Thus, a gang may be the only significant local employer in an otherwise depressed neighborhood. This helps the gangs embed themselves in the social fabric of the area by providing a means of livelihood that the rest of society does not. More important, the gangs often provide the only avenue to material prosperity visible to young men and women in blighted, dangerous, desperate communities.

Gunfire is common. Shootings are frequent. Murder becomes part of everyday life, accompanied by the tragic accidental shooting of bystanders. One gang shoots at a rival. The rival and his friends extract revenge by return shootings. An endless cycle of insult, real or imagined, retribution, anger and revenge is ignited, killing young men and innocent bystanders without distinction.

Robberies and burglaries of ordinary residents increase in response to greater levels of drug sales. Gangs congregate around the homes of members, holding large, loud and frequently unruly parties. These parties can erupt in violence as gang members are targeted by rivals or fight among themselves.

Conventional enterprise in gang-dominated neighborhoods is almost impossible, unless storeowners are willing to meet extortion demands. Park facilities and other outdoor places of assembly are frequently taken over by gangs, making them far too intimidating and genuinely dangerous for others.

Perhaps most tragic is the situation of parents, many of them working people of modest means, who watch their children model themselves after gang members, then socialize with them, then work for them and finally graduate into full-fledged gang membership. Not infrequently, these children and young adults end up in prison, disabled or dead.

LAW ENFORCEMENT RESPONSE TO GANG ACTIVITIES

Gang Relations

Law enforcement agencies have responded to criminal gang activities with dedicated staff and a range of coordinated programs. Legislation has been adopted that increases the penalties for gang-related crime and makes it easier to prosecute juvenile gang members as adults. Gang members are increasingly identified and tracked to determine their patterns of activity. Law enforcement officers – police and deputies alike – have made strong efforts to reach out to the

community. Although much remains to be done, these efforts have had notable success in opening lines of communication and improving mutual understanding between law enforcement officers and community residents.

Despite these efforts, law enforcement officers and prosecutors face formidable obstacles. Witnesses are reluctant to come forward, fearing – with some justification – that they may be harmed if they testify against gang members. Residents of the neighborhoods where gangs develop frequently fear the police and may be openly hostile to them. Within gang-dominated communities are long memories of prejudice and injustice, some of which are perceived to have been at the hands of police.

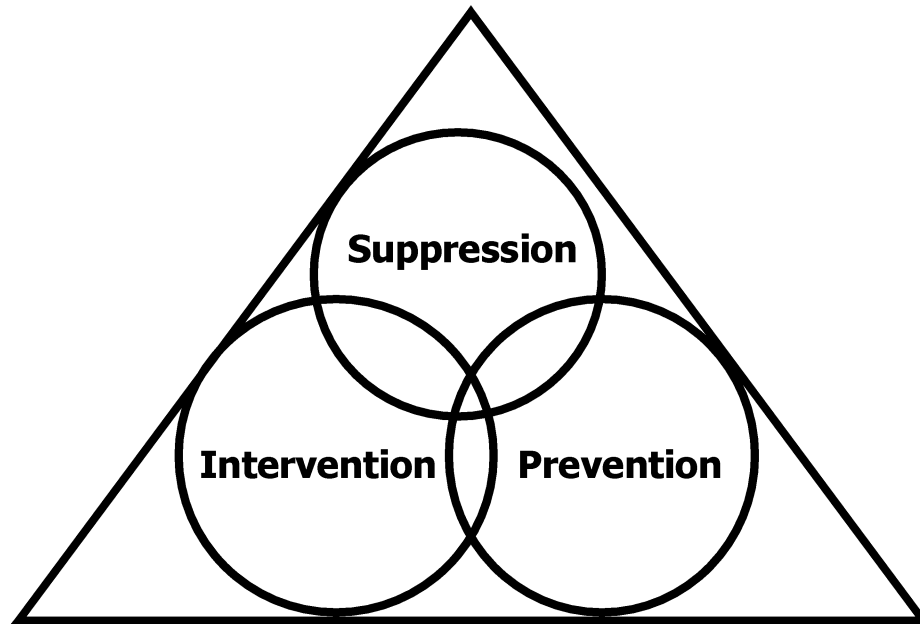
The gangs themselves make frustration of law enforcement in their territory a mark of distinction. One of their most effective and frequently employed tactics is the use of juveniles to carry out criminal activities on behalf of the gang. In response to this, legislation was passed several years ago that makes it easier to prosecute juveniles as adults for certain crimes. Gang members also take pride in refusing to cooperate with police investigation, refusing to testify against other gang members and, in some cases, even harboring fugitives.

Another factor complicates law enforcement responses to gang activities. At least some gang members – frequently the leaders – are intelligent, articulate and engaging. The harsh selection process that produces these individuals is effective in an ironic and terrifying way, producing street-smart, young “executives” with an oddly polished manner who are willing to engage in shocking violence as a normal part of their business life. Law enforcement officers have dealt with this by cultivating an extraordinary attitude of professionalism and professional courtesy that defuses both hostility and cleverness, while maintaining the officers’ dignity and self-respect.

THE/SUPPRESSION/INTERVENTION/PREVENTION TRIANGLE

As shown in Exhibit 1, the law enforcement community characterizes its activities with respect to gangs as a triangle, emphasizing suppression, intervention and prevention.

EXHIBIT 1
CITY OF LOS ANGELES/COUNTY OF LOS ANGELES:
LAW ENFORCEMENT EMPHASIS ON
GANG SUPPRESSION, INTERVENTION AND PREVENTION



For purposes of this management review, the following definitions were used for the Suppression/Intervention/Prevention Triangle. (Note: The term “intervention” is more narrowly defined than may occur among some segments of law enforcement, prosecution and community groups.) The three “corners” of their efforts are:

❑ **Suppression** – The purpose of suppression is to:

- Stop flagrant criminal behavior
- Reduce the number of casualties suffered by everyone in the community as the result of gang activities and disputes
- Reduce the level of threat and intimidation directed at local residents who are not gang members.

This facet of the overall effort requires intensive law enforcement and prosecution in gang-dominated neighborhoods. Increased police activity is focused on intensive investigation of gang-related crimes. Dedicated prosecutors conduct “vertical prosecutions,” in which a small team of prosecutors works with a LAPD division or LASD substation to ensure that repeat offenders are fully prosecuted. In a similar fashion, Probation Officers and Parole Agents may be detailed to the effort, concentrating their efforts on probationers and parolees in the involved neighborhood and ensuring that probation and parole conditions are fully enforced.

- ❑ **Intervention** – Once the most flagrant criminal conduct has been addressed, the next step in the process is intervention. The purpose of intervention is to reduce the gang’s domination of the allegiance and lifestyle of members and prospective members, increasing the possibility of the emergence of a healthy public lifestyle in the affected neighborhood. Intervention involves a reduction of public displays of gang identification, discouraging the gathering of gang members in public places and reducing or eliminating the display of items such as pagers that are frequently associated with drug sales in affected neighborhoods. Community groups and institutions may also work with some gang members to help them look for alternatives to gangbanging as a way of life.
- ❑ **Prevention** – With the flagrant selling of drugs and brandishing of weapons reduced, and the “hold” of the gang on a neighborhood weakened, prevention strategies focus on younger children and pre-teens not yet full members of a gang. Prevention strategies are intended to offer genuine hope of economic and social advancement to offset the perception by young people that the gangs offer the only meaningful association available to them. After school programs, “neutral zones” in schools and other community programs are intended to offer alternatives to a gang lifestyle to young men and women. This part of the overall anti-gang strategy can also include neighborhood improvements in streets, streetlights, utilities, parks and other public amenities to enhance the neighborhood’s place in the fabric of the larger city. Economic development programs and housing renovation may also play a part here.

DEDICATED LAW ENFORCEMENT UNITS

Some of the key units are dedicated to gang issues within the City of Los Angeles and County of Los Angeles are:

County of Los Angeles

- ❑ **Hardcore Gang Unit, Los Angeles County District Attorney’s Office.** This unit is comprised of more than 50 Assistant District Attorneys who prosecute the most difficult gang murder and attempted murder cases in Los Angeles County. The Hardcore Gang Unit vertically prosecutes cases throughout the County, which means that one Deputy District Attorney handles each case (and individual) from time of arrest to verdict. The District Attorney chairs the Executive Board of Community Law Enforcement and Recovery (CLEAR), described later.
- ❑ **Safe Streets Bureau, Operation Safe Streets (OSS) and Gang Enforcement Team (GET), LASD.** LASD has three gang-related initiatives: Operations Safe Streets (OSS), the Gang Enforcement Teams (GETs) and the Safe Streets Bureau. The mission of the Safe Streets Bureau is to take a leadership role in reducing gang violence and positively impacting the quality of life in the community through the vigorous

application of innovative law enforcement techniques. This concept is based on ethical practices and effective strategies that endorse the use of extensive prevention, intervention and suppression techniques that align the energies of families, schools, neighborhoods and other law enforcement agencies.

- ❑ **Probation Department.** The Probation Department is a member of CLEAR and the Inter-agency Gang Task Force (IGTF), both of which are discussed later.

City of Los Angeles

- ❑ **Gang Unit, Los Angeles City Attorney's Office.** This is a specialized vertical prosecution unit within the City Attorney's Office dedicated to the enforcement of civil and criminal sanctions against gangs that fall within the jurisdiction of the City Attorney. The unit secures injunctions against targeted gangs, supports the civil and criminal enforcement of those injunctions and participates in the Inter-agency Gang Task Forces (IGTFs), discussed later, and the CLEAR program.
- ❑ **Gang Support Section, Special Operations Support Division, LAPD.** The Gang Support Section (GSS) is comprised of the Asian Crime Unit, the Gang Field Unit, the Administrative Unit, and the Community Law Enforcement and Recovery (CLEAR) Coordinator. The missions of the GSS are to:
 - Identify and cause the arrest of active, violence-prone, career criminal gang members
 - Provide oversight and coordination of area Gang Impact Teams (GITs)
 - Develop and maintain an automated system to track career criminals
 - Manage the CLEAR Program Grant.

GSS is also responsible for updating the City-wide gang database, monitoring and disseminating gang-related criminal statistics, developing an active parolee database, and serving as an agency liaison to the California Youth Authority (CYA) and County's Probation Department. GSS sits as a voting member of the California Gang Node Advisory Committee (CGNAC), which is responsible for the statewide oversight of gang-related information collection efforts.

Gang Enforcement Detail/CLEAR units gather gang-related intelligence and information, identify gang crime patterns, monitor gang activity and implement crime suppression strategies by:

- Establishing and maintaining a visible police presence in communities most affected by violent street gangs and gang-related street narcotics trafficking
- Deploying strategically to selected location during periods when criminal gang activity has occurred or is likely to occur
- Monitoring city parks, schools and other locations where gang members congregate
- Collecting and maintaining gang intelligence to prevent gang-related crime and/or identify and apprehend suspects
- Identifying and focusing efforts on the most active and violent gangs and their leadership to reduce the proliferation of gangs
- Developing and maintaining working relationships with other branches of the criminal justice system, including prosecutors, probation officers/parole agents, the City Housing Authority, neighboring municipal and County law enforcement agencies and other state and federal agencies
- Developing and maintaining ongoing relationships with community-based organizations, schools and religious institutions which provide youth programs as well as intervention/prevention programs
- Participating in community meetings where gang prevention, intervention and community involvement are the focus of discussion.⁴

❑ **Gang Impact Teams (GITs), LAPD.** Criminal gang activity and narcotics trafficking are factors driving much of the violent crime in the City of Los Angeles. In response, LAPD has formed Gang Impact Teams (GITs) to facilitate the development of long-term gang and narcotics enforcement strategies, and to provide the increased supervisory oversight and accountability of Gang Enforcement Details ((GEDs) formerly Special Enforcement Units) required by the U. S. Department of Justice's Consent Decree applicable to LAPD operations.⁵ GITs will:

- Revise and expand supervisory responsibilities as they relate to GEDs and CLEAR (GED/CLEAR) units
- Revise and expand crime suppression strategies for GED/CLEAR units
- Clarify the process for GED/CLEAR selections and extensions.

GITs will be established in a specific geographic area and will operate under the line command of an area commanding officer. Each GIT will be comprised of the following minimum components:

⁴ Special Order No. 7, Office of the Chief of Police. February 25, 2004.

⁵ United States v. City of Los Angeles, Board of Police Commissioners, and the Los Angeles Police Department (CV 00-11769-GAF (RCX) Rampart Cases), June 19, 2001.

- Gang Enforcement Detail (GED)
- A CLEAR Unit, where applicable
- Narcotics Enforcement Detail (NED)
- Investigation Detail
- Gang Crime Analysis Detail (G-CAD).⁶

COORDINATION OF PROGRAMS TO COMBAT GANG VIOLENCE THROUGH THE INTER-AGENCY GANG TASK FORCE (IGTFs)

The City of Los Angeles Mayor's Office, LAPD, LASD, City Attorney's Office, County District Attorney's Office, County Probation Department and the Parole and Community Service Division of the California Department of Corrections work together as a team to combat criminal gang activities and gang violence. The primary means of coordinating the efforts of these agencies is the Inter-Agency Gang Task Force (IGTF). The County's IGTF regions include representatives from law enforcement, government agencies and other community stakeholders. Their aim is to develop effective strategies to combat gangs in their respective regions, such as:

- ☐ Identify changes in gang activity that require a response by law enforcement agencies
- ☐ Develop common approaches to gang violence and criminal gang activities in areas where gangs overlap city and county jurisdictions
- ☐ Share information on gang activities, methods and membership
- ☐ Develop common terms to measure gang activity and work toward a common data base to report it
- ☐ Develop common approaches in seeking resources from the State and Federal governments.

In addition to the efforts of law enforcement agencies, there are a number of government and non-profit agencies working to help current and prospective gang members find safer and more constructive ways to lead meaningful lives. The activities of these agencies, while of great value to the greater Los Angeles community, were beyond the scope of this review, and are not presented here except where they relate to law enforcement initiatives.

OTHER GANG-RELATED PROGRAMS

CGIs are only one of several programs used by the law enforcement community to combat criminal gang activities. Given the gravity of the problem and the tragic consequences of unchecked gang activities, it is understandable that police and prosecutors are willing to try initiatives that offer a reasonable prospect for success. In addition, some communities respond better than others to particular programs. Among the prominent efforts, all coordinated through the IGTFs, are:

⁶ Special Order No. 7, Office of the Chief of Police. February 25, 2004.

- ❑ **Civil Gang Injunctions (CGIs).** This effort requires the efforts of the City Attorney's Office, District Attorney's Office, LAPD and LASD. It is the subject of our report.
- ❑ **Community Law Enforcement and Recovery (CLEAR).** CLEAR is a multi-agency⁷ collaborative law enforcement effort that targets members of specific gangs who pose the greatest threat to a specifically defined community. By teaming with police, deputy sheriffs, probation officers, deputy city attorneys and others, prosecutors combat gang activity. Hardcore Gang Division prosecutors participate in six CLEAR sites throughout the County. CLEAR program sites include:

City of Los Angeles:

- LAPD Devonshire Division
- LAPD Foothill Division
- LAPD Newton Division
- LAPD Northeast Division
- LAPD Hollenbeck Division*

County of Los Angeles:

- LASD East Los Angeles*

*Joint efforts between the City of Los Angeles and County of Los Angeles.

- ❑ **Heightened Enforcement and Targeting (HEAT).** Deputy District Attorneys in the HEAT program work closely with local police to monitor and prosecute the most dangerous gang criminals. HEAT is similar to CLEAR, but it targets more specifically defined gang problems and activities that each community has identified. The program is tailored to each site and often focuses on juvenile gang activity. HEAT sites include:
 - Athens
 - Lancaster
 - Lennox
 - Long Beach (Juvenile)
 - Pasadena
 - Pasadena, Burbank and Glendale (Juvenile)
- ❑ **Strategies Against Gang Violence (SAGE).** Prosecutors in the SAGE program are assigned to particular cities and communities to work proactively with law enforcement, residents, local officials, businesses and others in developing and implementing crime-combating strategies.

⁷ Involves LAPD, LASD, the City Attorney's Office, the District Attorney's Office, County Probation Department and the Parole and Community Services Division of the California Department of Corrections.

RECENT GANG-RELATED LEGISLATION

In the last several years, the California legislature and voters, acting through the initiative process, have enacted laws intended to make more effective the efforts of police and prosecutors in dealing with juvenile offenses and specifically gang-related crime. These include:

- ❑ **The Street Terrorism Enforcement and Prevention (STEP) Act.** Penal Code Sections 186.20 – 186.33, the STEP Act, enables prosecutors to seek enhanced penalties and longer sentences for gang members. It also provides an expanded definition of gang membership, provides for the abatement of building-related nuisances and requires convicted gang members to register in their county of residence.
- ❑ **The Gang Violence and Juvenile Crime Prevention Act (Proposition 21).** This act, passed by initiative in 2000, makes it easier – and in some cases mandatory – to prosecute as adults juveniles who commit certain crimes. It significantly increases the penalties for certain offenses committed by juveniles as young as 14, increases the penalties for gang-related crimes, and expands the definition of gang membership for the purpose of determining whether a crime is gang-related. Proposition 21 allows wider use of wiretaps and electronic surveillance to combat criminal gang activities. Finally, the act requires the state to establish and maintain a registry of known gang members.

CIVIL GANG INJUNCTIONS (CGIs)

HISTORY

It is not surprising that injunctions were developed in Los Angeles, where gang activity has historically been persistent and severe. In the early 1980s, law enforcement officers in Orange and Los Angeles Counties obtained a series of civil court injunctions to prohibit gang activity at specific locations in Santa Ana (1980), Pomona (1981), West Covina (1982) and East Los Angeles (1986). The Los Angeles City Attorney was the first to sue a gang as an unincorporated association in 1982. In 1987, a highly publicized injunction was issued against the Playboy Gangster Crips gang that, unlike others, covered the entire City of Los Angeles. The next injunction, issued in 1992, started a precedent of limiting the association of one defendant gang member with another. Injunction activity accelerated beginning in 1996 when a Southern California gang was enjoined, on average, every two months. Los Angeles County has two-thirds of the 31 injunctions granted in Southern California in the 1990s, while San Diego, Orange, San Bernardino and Ventura Counties issued the remaining one-third. In July 2003, the 17th injunction was implemented in Los Angeles County. While CGIs remain primarily a Southern California experience, other California communities are considering the strategy. Texas and other states have also used gang injunctions.

LEGAL BASIS AND PROCESS

CGIs are one of several programs used by police and prosecutors to reduce gang violence and improve the living conditions in neighborhoods subject to gang activity. CGIs are founded on the assertion that criminal gang activities constitute a public nuisance that may be enjoined by an order of the civil court. Essentially, CGIs are civil proceedings that result in an injunction against both specific individuals and the unincorporated association that is the gang.

To obtain a CGI, prosecutors work with police in areas of high gang activity to gather information about the activities of gang members who are believed to constitute a public nuisance. These can include records of contact, known as Field Interview Cards, statements taken during police questioning of subjects and witnesses, arrest records and criminal convictions. The prosecutors ultimately complete their work, which can take as long as six months and involve hundreds of documents, into a series of declarations. The declarations are sworn (signed and witnessed by police officers under penalty of perjury) and become the foundation for a petition to the civil court for a preliminary injunction.

CGIs are the result of a civil litigation process governed by long-standing principles of due process and civil procedure. In the eyes of the court, they are not essentially different from the injunctive relief sought by any other petitioner before the court, and they must meet all applicable standards of evidence, due process and evidentiary standards. Prosecutors first seek a preliminary injunction. If it is granted, a judge schedules a hearing to decide whether to make it permanent. At that time, the people named in the petition can appear with their attorneys to contest the allegations against them.

Injunctions can include a wide range of remedies. Curfews can be imposed on gang members. Members named in the injunction can be ordered to refrain from associating in public with other gang members. Gang members can be prohibited from gathering in certain areas. They may be ordered to refrain from blocking sidewalks or gathering in named housing units. They can be enjoined from riding together in automobiles, both in the area of the injunction and in rival gang territories.

After the petition is presented to the court, all individuals named in it must be served with legal notice of the complaint and the date of hearing. This is done by police officers and is one of the highly visible events in the CGI process. Large teams of officers are dispatched on a given date to serve these legal notices in the threatened neighborhoods where gang members reside and which are typically the neighborhoods they dominate. It is an indicator of the level of risk in such neighborhoods that notice is served by teams of three or four law enforcement officers.

If an injunction is granted, gang members can be cited for both civil and criminal contempt if they violate the terms of the injunction. Penalties can include fines of as much as \$1,000 and up to 6 months imprisonment. More importantly, law

enforcement officials no longer need a complainant at the scene if they are called to the site of a disturbance or other event in which gang members are violating the terms of the order. The CGI itself effectively serves as both probable cause for investigation and the complainant in case of a violation.

CGIs' ROLE IN THE STRATEGIC "TRIANGLE" OF SUPPRESSION, INTERVENTION AND PREVENTION

CGIs are aimed at all three stages of gang-related response efforts.

- ❑ CGIs' most important impact lies in Intervention. Intervention is aided by specific prohibitions against gathering, presenting gang identifiers and displaying or using pagers or other communications devices.
- ❑ CGIs have played an important but lesser role in Suppression of gang activities by providing police and prosecutors with a tool to disrupt and confront gang members.
- ❑ CGIs have been shown to be a useful tool in bringing about the Prevention of further gang activities by reducing gang visibility and discouraging new gang membership.

CGI LITERATURE REVIEW

On the basis of a survey of available research literature in the field, the most relevant points from the literature are highlighted next, but the Appendix contains a more detailed summary of the research.

CGI IMPACT

The literature identifies several mechanisms by which CGIs may be effective.

- ❑ **The first, and most obvious, is deterrence, when gang members are threatened with punishment for the enjoined activities** (Maxson *et. al.* (2003a) (2003b)). The notifications of hearings and injunction papers may increase the perception by targeted gang members that they are being closely watched and are now more likely to be apprehended and prosecuted for violations (Klein, 1993). Vigorous policing and enforcement of an injunction is crucial to maintain this effect.
- ❑ **An additional CGI effect is a process of individualization that decreases identification with the gang** (Zimbardo, 1969). Social psychology suggests that individuals may feel less responsible for their behavior when they strongly identify with a group (Erikson, 1968). As Maxson suggests, being served with CGI papers may send the message to the particular gang members that they are being closely watched, and increase their sense of personal responsibility for their own behavior. In this process, identification with the gang might decrease, as could the

overall gang cohesiveness that is associated with violent gang activity (Klein, 1995).

- ❑ **CGIs may also work because of greater community empowerment**, an idea derived from social disorganization theory (Bursik and Grasmick, 1993). Maxson hypothesizes that the process of developing and implementing a CGI may engage community members in an overall effort to build informal social control, social capital and supportive organizational structures in neighborhoods where gangs arise. By reducing the level of the immediate threat of the gang to community residents, CGIs may lay a foundation for shoring up community control that reduces criminal activity. The Strategies Against Gang Violence (SAGE) manual of the Los Angeles District Attorney, as well as other injunction practitioner literature, emphasizes the community policing perspective as the ideological foundation for a CGI. When Mayor James Hahn was the City Attorney, he popularized CGIs in Los Angeles, contending that CGIs provide communities with the breathing space “to get those resources into the neighborhood, and once you get those established, gangs can’t really come back and control everything” (*LA Weekly*, January 15, 1999). CGI goals are typically couched in community policing terms, such as solving specific community crimes, decreasing disorder and overcoming fear (Greene, 2003). Higher levels of community involvement and greater impact on community environments might be expected from CGIs developed and implemented with this philosophical orientation, as compared with other forms of gang enforcement (Decker, 2003).

IDENTIFIED CGI BENEFITS

Literature and articles about CGIs cite the following benefits:

- ❑ Residents are relieved from particular actions by gangs that were bothersome before (e.g., the public feels safer going to the local parks where CGIs prohibit gangs from congregating).
- ❑ Residents gain a greater sense of control. They can anonymously report CGI violations to the law enforcement agencies, gaining substantially more leverage in their attempts to control gang activities.
- ❑ Vigorous law enforcement provides an excuse for some members to get out of the gang.
- ❑ Youth are less exposed to gang activities when gangs stay off the streets.

CGI DRAWBACKS

At the same time, some scholars and community activists have expressed reservations about CGIs’ widespread use.

- ❑ In some cases, a CGI may serve as a common threat that helps to unite a gang and induce retaliation against individuals.
- ❑ Gang activities might be displaced to the neighboring areas not covered by the CGI when other factors do not prohibit this.
- ❑ CGIs may not have any effect in the long run when gang members not named in the injunction become more active or when gangs learn how to get around the CGI, especially when enforcement is low.
- ❑ CGIs can further alienate youths, labeling them “forever” as gang members and making it more difficult to return to normal life, especially because CGIs do not provide positive alternatives.
- ❑ The suppression of a local gang may attract rival, neighboring gangs.
- ❑ CGIs limit the civil rights of individuals. The American Civil Liberties Union (ACLU) has challenged CGIs on those grounds but, to date, the California Supreme Court has ruled CGIs to be constitutional.
- ❑ A CGI requires substantial investment in resources 1) at the CGI preparation stage when evidence is collected and documents are presented and 2) in enforcement, which includes increased policing and injunction-related arrests. Some critics claim that these expenses could be spent on alternative prevention programs.

EMPIRICAL EVIDENCE OF CGI SUCCESSES

The law enforcement agencies responsible for implementing CGIs perceive them as successful interventions and cite anecdotal evidence collected through interviews. Success is reported in multiple dimensions, including reduction in gang activity, the splintering of gang structures resulting from relocation of targeted gang members, decreases in crime rates and police calls and the increase in residents’ sense of security.

Outside observers are not always as uniformly positive. An article in the Long Beach Press-Telegram,⁸ focusing on CGIs in Long Beach, contained the following conclusions:

- ❑ One injunction was followed by reduction in crime rates, the other by an increase.
- ❑ Other gang-related programs were launched at the same time as the CGIs, making it difficult to attribute the changes in gang activity to the injunctions alone.
- ❑ Nearly 80% of the gang members named in the injunctions were convicted of at least one crime after the CGIs were imposed.

⁸ <http://www.presstelegram.com/Stories/0,1413,204~29997~1770117,00.html>

- ❑ Out of 20 people named in the East Side Longos Injunction (2001), 4 were convicted of violating the injunction in the year-and-a-half after the injunction was implemented.

There is no systematic recording of the number of arrests in CGIs, but findings from interviews (conducted by Maxson et al (2003)) suggest that relatively few arrests and prosecutions typically result from CGIs. Newspapers report that often police prefer not to arrest for CGI violations, but to use them as a negotiation tool to extract information from the gang members (Long Beach Press-Telegram).

The most scientifically rigorous study was conducted by Grogger (2000), using data from 14 injunctions imposed in Los Angeles County between 1993 and 1998. He established a control group of 14 areas which he compared to 14 areas in which CGIs were imposed. He then contrasted crime rates in the control and CGI areas. From his analysis, Grogger concluded that reported violent crimes fell on average between 5 to 10 percent⁹ compared with the pre-injunction period. The largest crime reductions were concentrated in assault, while the effect on the reduction in robberies was less pronounced. In contrast, CGIs affected neither murders nor rapes. Finally, this study uncovered no evidence of the displacement of criminal activity into adjoining areas due to an injunction.

This study has a number of limitations in interpreting CGI effectiveness. Due to limited data availability, the study measures only the effects of injunctions on murder, rape, robbery and aggravated assault, while other gang-related problems for which injunctions are believed to be the most effective (e.g., drug-related crimes, residents' sense of safety) are not measured. It is also possible that CGIs are part of a wider strategy involving other programs, which were launched together. In such cases, one cannot attribute the entire crime reduction effect to any one initiative.

C. MEASURABLE IMPACT OF CGIs ON CRIME PATTERNS

The objective of this data analysis is to estimate the effects of CGIs on crime in target areas as well as areas adjacent to the target areas. To do this, a statistical trend analysis of crime statistics over a 14-year time period (January 1990 through March 2004) was undertaken. Because of the commitment and experience with CGIs within LAPD and Office of the City Attorney, the data analyzed pertain to the City of Los Angeles.

DESCRIPTION OF CRIME DATA

Reported crimes are not an absolutely direct measure of the effectiveness of law enforcement efforts. A number of forces affect the number of Criminal Complaint

⁹ The upper boundary excludes injunction areas affected by the Rampart police scandal, where injunctions were suspended in some cases, possibly decreasing their effectiveness. Thus, the average effect of crime rate reduction increases.

Reports (CCRs), including citizen trust in the police, the policy of senior police officials, demographics¹⁰ and overall police morale. Nonetheless, CCRs are the most objective measure easily available over the period of time that CGIs have been in use and, therefore, were applied to this study. Three types of measures of crime are relevant to this study:

- ❑ **Total Crimes.** Total Crimes are tabulations of all crimes, including Part 1 and gang-related crimes.
- ❑ **Part 1 Crimes.** Part 1 Crimes are the eight “serious offenses” for which the Federal Bureau of Investigation (FBI) gathers national data, including:
 - Homicide
 - Rape
 - Robbery
 - Aggravated Assaults
 - Burglary
 - Larceny
 - Vehicle Theft
 - Arson¹¹.

Part 1 Crime statistics are subject to the FBI’s Uniform Crime Reporting (UCR) program. Although participation is strictly voluntary, most law enforcement agencies participate in it. Therefore, Part 1 Crimes are the most reliable data source with the greatest consistency across police divisions and over time.

- ❑ **Gang-related crimes.** Gang-related crimes are the direct measure of the effects of injunctions, but inconsistency in gang-related crime data limits its use. One reason is that there are several competing concepts about gang crime. At one end, some argue that any crime committed by a gang member should be included. At the other end, some argue that only crimes clearly motivated by gang dynamics or rivalry should be included. Some would exclude narcotics offenses from gang-related crimes, arguing that the sale of narcotics is an illegal business that would exist in our communities with or without gangs. In addition, crimes can be reclassified into or out of the “gang-related” category as investigators uncover more evidence about specific crimes. Another complicating factor is that the definition of gang-related crimes may change over time. For these reasons, consistency¹² in reporting gang-related crimes across police

¹⁰ For example, people who speak English-as-a-second language are not believed to report crimes as often.

¹¹ Arson was not originally part of the crime reporting process. Arson became the eighth Index crime as the result of a limited Congressional mandate in October 1978. With the passage of the Anti-Arson Act of 1982, arson was permanently designated as reportable.

¹² Comparisons of the data provided by LAPD Information Technology, reports from individual LAPD divisions and crime statistics published on the LAPD website reveal

divisions over time is problematic, which makes it difficult to estimate the effects of CGIs on the level of gang-related crimes.

Although CGIs are supposed to have the most effect on gang-related crimes, the ultimate goal is to reduce total crimes and severe crimes. Therefore, in this analysis, the focus is on Part 1 Crime and Total Crime statistics.

The analysis is based on reported crimes. Injunctions may change the proportion of crimes reported to police or deputies either by encouraging victims or witnesses to come forward or forcing crimes to go underground. As a result, analysis of reported crimes would be biased because of the effects injunctions may have on reported crime levels. Instead, this analysis addresses the question of whether injunctions have spillover effects (i.e., injunctions merely displace gang activities and lead to increases in crime levels outside target areas).

LAPD furnished the data. The data contain information on all types of crimes within LAPD's jurisdiction. Crime data were extracted from back-up tapes of the LAPD mainframe computer system. The extracted data provided incident level statistics for the period from January 1990 through March 2004. LAPD has various levels of reporting data, including 4 police bureaus, 18 police divisions and 1,168 Reporting Districts (RDs). Data were reported by:

- ☐ Police Bureau, Division and RD
- ☐ Docket number
- ☐ Date and time of occurrence
- ☐ Specific crime-type code.

discrepancies. The inconsistency problem of gang-related crime data is confirmed by law enforcement agencies.

A total of more than 4.8 million data entries were analyzed. We collapsed the raw crime data into crime counts¹³ by RD and quarter-year, totaling 58,324 observations.¹⁴ Crime counts rather than crime rates were more useful because¹⁵:

- ☐ Population data at the RD level are currently not available¹⁶.
- ☐ For small areas such as RDs, residential population may not be a good measure of "risk set" (i.e., the total number of persons at risk of being victimized in the RDs because of high level of population flow in these areas).

Figure 1 shows the crime trend from 1st quarter 1990 to 1st quarter 2004 in the City of Los Angeles.

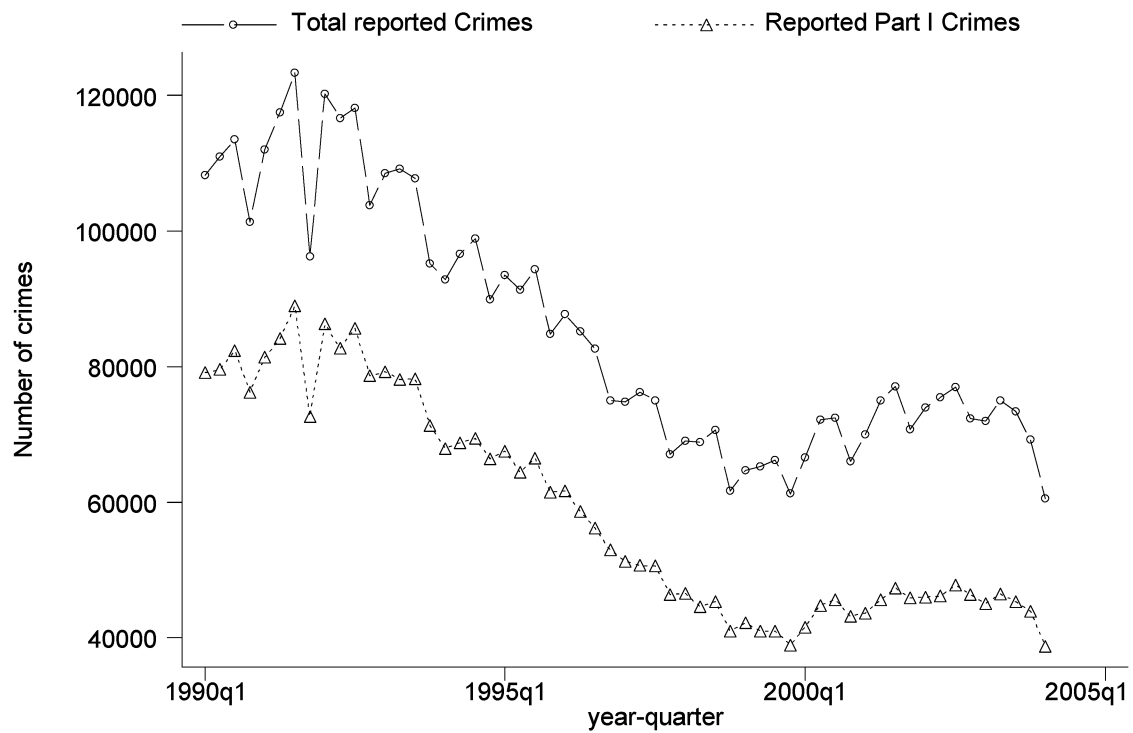
¹³ One incidence of crime can face multiple charges. In our analysis, we counted multiple charges on the same incidence as one crime.

¹⁴ There are 8,252 missing values in the data due to either zero number of crimes for some RDs in certain periods or changes in the division of RDs over time. It turns out most of the missing values are due to missing data in periods: 1st quarter 1990 - 4th quarter 1992; 1st quarter 1990 - 4th quarter 1994; 2nd quarter 1992 - 1st quarter 2004; and 3rd quarter 1992 - 1st quarter 2004. These time periods account for 6,063 missing values or 73% of the missing data. This is probably the result of splitting or merging of RDs and therefore no action was taken. In the other cases, zero number of crimes is assigned to the missing periods according to the observed crime trends before or after the missing periods. For example, when the number of crimes before and after the missing periods is low or close to zero, zero number of crimes is assigned to the missing periods. Later analysis shows that the results are not sensitive to this adjustment.

¹⁵ Also discussed by Grogger in his paper "The Effects of Civil Gang Injunctions on Reported Violent Crimes: Evidence from Los Angeles County", Journal of Law and Economics, Vol. XLV, April 2002.

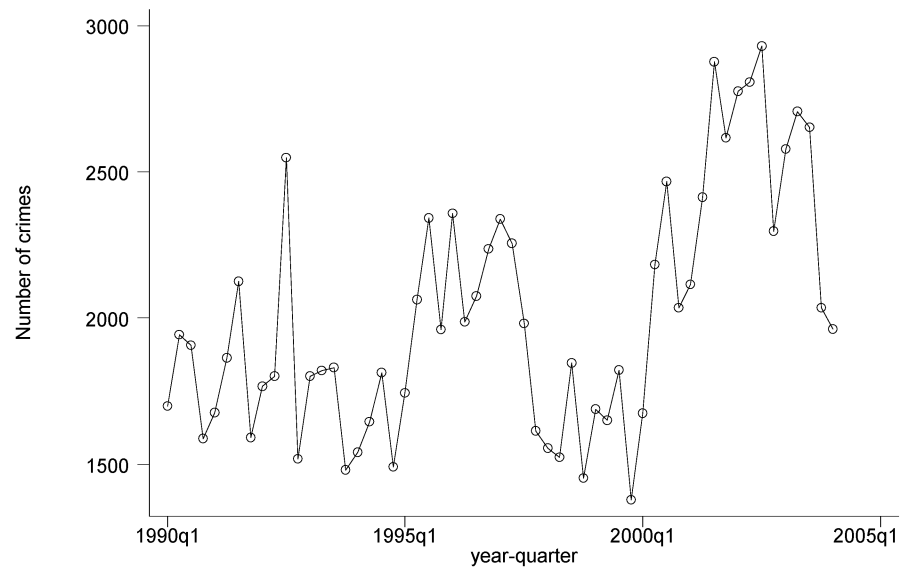
¹⁶ Although RDs are comparable to Census tracts, matching them is beyond the scope of this study.

**FIGURE 1:
CITY OF LOS ANGELES:
CRIME TRENDS FOR TOTAL CRIMES AND PART 1 CRIMES**



Total Crimes and Part 1 Crimes have similar trends while gang-related crimes are volatile, as shown in Figure 2.

**FIGURE 2:
CITY OF LOS ANGELES:
GANG-RELATED CRIME TRENDS**



Source: www.LAPDOnline.org

The study by Grogger uses crime data from 1992 to 2000, in a period when crimes had been constantly declining.¹⁷ This study's data cover periods when crimes had been declining and periods when crimes had been rising, which allowed a study of CGI effects when crimes are declining and when crimes are rising. The effects found by Grogger might be solely due to the fact that crimes decline faster in areas with high levels of crime than in areas with low levels of crime, especially when crime counts are used as the measure of crime level.

SCOPE OF INJUNCTIONS STUDIED

The study included 14 injunctions in the City of Los Angeles, as shown in Table 1.

**TABLE 1:
CITY OF LOS ANGELES:
14 INJUNCTIONS INCLUDED IN THE ANALYSIS**

Gang Name in Injunction	Timing of When Preliminary/Permanent Injunction Granted
Bounty Hunters	October 1, 2003/December 2, 2003
Rolling 60s	October 1, 2003/November 24, 2003
Avenues	January, 29, 2003/April 7, 2003
KAM	October 25, 2002/January 17, 2003
18 th Street Pico Union	No preliminary injunction/October 18, 2002
Canoga Park Alabama	February 25, 2002/April 24, 2002

¹⁷ Grogger's research is based on a sampling of LAPD data.

Gang Name in Injunction	Timing of When Preliminary/Permanent Injunction Granted
Pacoima Project Boys	No preliminary injunction/August 22, 2001
Culver City Boys	June 3, 1999/January 27, 2001
Venice 13	March 17, 2000/January 12, 2001
Harbor City Boys and Harbor City Crips	January 12, 2000/February 1, 2000
Venice Shoreline Crips	July 21, 1999/October 18, 2000
Langdon Street	May 20, 1999/February 17, 2000
Harpys	August 04, 1998/July 17, 2000
Blythe Street	Under appeal until 1998/February 17, 2000

Four other injunctions were excluded for reasons shown in Table 2.

**TABLE 2:
CITY OF LOS ANGELES:
FOUR INJUNCTIONS NOT INCLUDED IN THE ANALYSIS**

Gang Name in Injunction	Preliminary Injunction Granted	Reasons not Included in The Analysis
18 th Street (Jefferson Park)	July 10, 1997	Injunction is currently in litigation; the City Attorney does not comment or release information on matters before a court.
Mara Salvatrucha (MS)	April 13, 1998	This was an old injunction granted in a different area and since discontinued; a new MS injunction was granted April 8, 2004.
Shatto Park Locos	June 9, 1998	This injunction was tainted by the Rampart scandal; enforcement was suspended in 1999; and the injunction was subsequently dismissed.
Columbia Little Cynos	June 9, 1998	This injunction was tainted by the Rampart scandal; enforcement was suspended in 1999; and the injunction was subsequently dismissed.

Table 3 shows the location of each injunction and the number of RDs targeted by each injunction.

**TABLE 3:
CITY OF LOS ANGELES:
14 INJUNCTIONS INCLUDED IN THE ANALYSIS**

Gang Name in Injunction	LAPD Division	Number of RDs Covered
Bounty Hunters	Southeast	3
Rolling 60s	77 th Street	9
Avenues	Northeast	15
KAM	Hollenbeck	3
18 th Street Pico Union	Rampart	6
Canoga Park Alabama	Devonshire; West Valley	17
Pacoima Project Boys	Foothill	2
Culver City Boys	Pacific	7
Venice 13	Pacific	9

Gang Name in Injunction	LAPD Division	Number of RDs Covered
Harbor City Boys and Harbor City Crips	Harbor	3
Venice Shoreline Crips	Pacific	5
Langdon Street	Devonshire	2
Harpys	Rampart; Southwest; Newton	12
Blythe Street	Devonshire	6

STATISTICAL METHODOLOGY AND FINDINGS

To estimate the effects of injunctions on crimes, ideally one needs to know what the crime level would have been had injunctions not been implemented in the target areas and then take the difference of crime levels with and without injunctions. To do so, all RDs were classified into target areas, adjacent areas, neighboring areas and other areas. Target areas include RDs covered by the injunctions; adjacent areas include:

- ☐ RDs sharing boundaries with target areas
- ☐ Neighboring areas include RDs sharing boundaries with adjacent areas

Adjacent areas are important to assess to determine if there are any “spillover” or “displacement” effects (i.e., migration of crimes to adjacent areas). The rest of the RDs are included in other areas.

Because there are multiple injunctions, one RD can be classified as a target area according to one injunction and as an adjacent area according to another one. For purposes of this analysis, the following distinctions were made:

- ☐ **Target RDs** – RDs classified as target areas and adjacent areas or target areas and neighboring areas
- ☐ **Adjacent RDs** – RDs classified as adjacent areas and neighboring areas.

Neighboring areas were used as control groups to estimate:

- ☐ The crime level in the target areas
- ☐ The crime level in adjacent areas had injunctions not been implemented
- ☐ The effects of injunctions on crimes in the target areas and spillover effects in the adjacent areas.

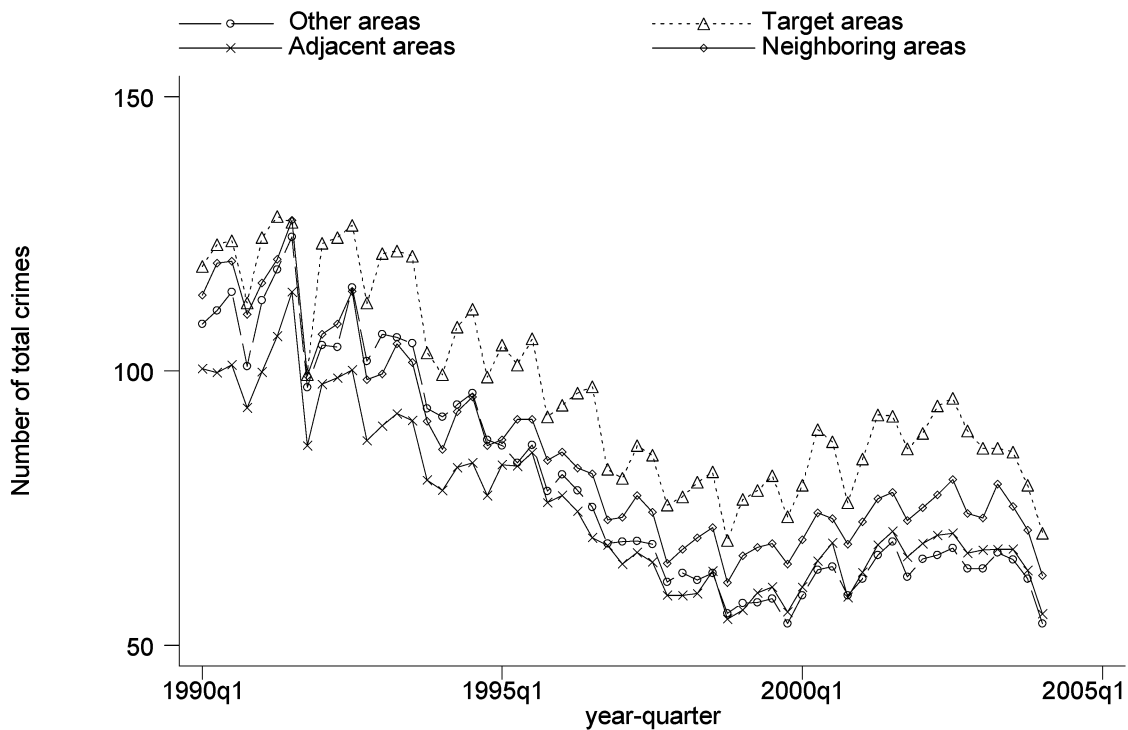
CRIME TRENDS, USING THE SIMPLE DIFFERENCE-IN DIFFERENCES METHOD

The Difference-in-Differences method compares the mean change in the crime level within the target areas before and after the CGIs were implemented with the contemporaneous mean change in the crime level in the comparison areas. This method can produce unbiased estimates of the effects of injunctions on crime level by controlling for the factors that drive common crime trends in both the target and comparison areas (as long as those factors have the same effects

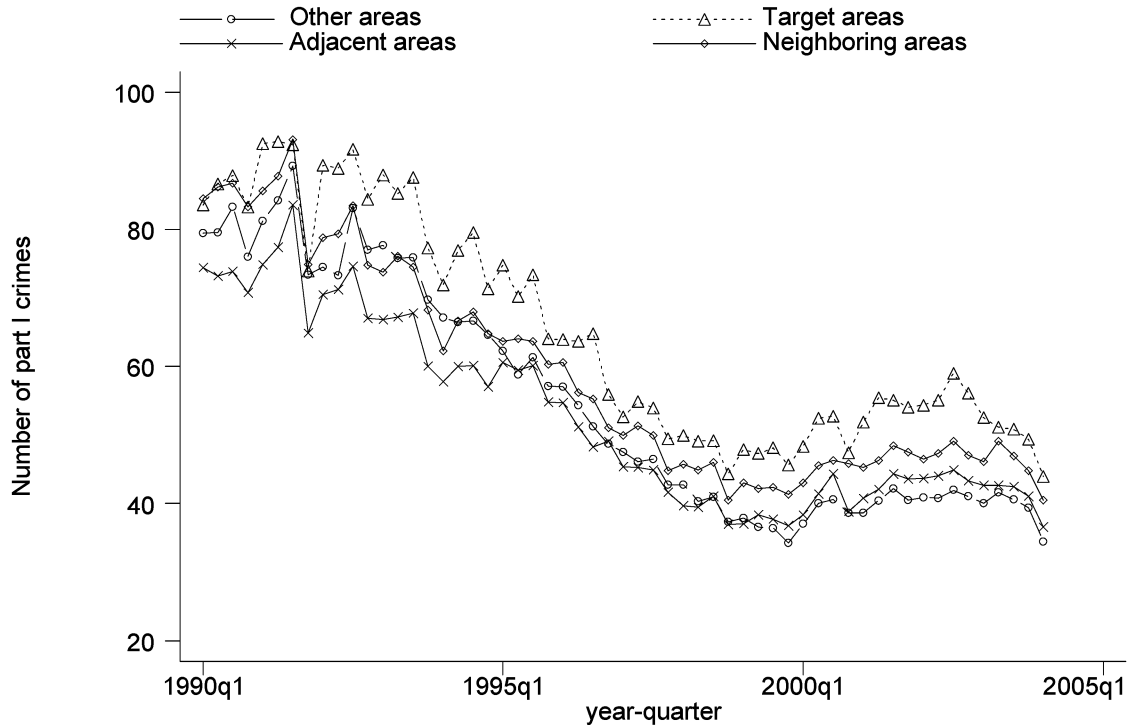
on crime activities in the target areas and the comparison areas). Another important assumption underlying Difference-in-Differences method is that the characteristics of both the target areas and comparison areas stay constant over time.

Figure 3 and Figure 4 show Total Crime and Part 1 Crime trends respectively in the four types of areas, just defined.

**FIGURE 3:
CITY OF LOS ANGELES:
AVERAGE NUMBER OF TOTAL CRIMES
(Quarterly Averages)**



**FIGURE 4:
CITY OF LOS ANGELES:
AVERAGE NUMBER OF PART 1 CRIMES
(Quarterly Averages)**



Although crime level in neighboring areas are lower than in target areas, they show similar trends over time; and, therefore, neighboring areas may serve as a good control for common crime trends. Another surprising finding is that, for Part 1 Crimes and Total Crimes, crime level in adjacent areas is generally lower than crime levels in neighboring areas, even lower than crime levels in other areas in periods before 1999.¹⁸

Given that CGIs occurred at different time periods, it was necessary to define “before” and “after” injunction periods. To define the “before” period, a longer pre-injunction period is preferred to a shorter pre-injunction period, because a longer pre-injunction period provides a more accurate baseline against which to estimate the mean change before and after the CGIs were implemented. In contrast, the longer the pre-injunction period, the more likely the characteristics of the target areas and comparison areas have changed. Such a change could result in biased estimates of the effects of CGIs on crime levels. The Difference-in-Differences approach was estimated by using various lengths of pre-injunction periods and the results are not sensitive to the specification. The effects of CGIs were estimated for 2 quarters, 4 quarters, 6 quarters, 8 quarters, 10 quarters and 12 quarters after the injunctions were implemented. With these estimates,

¹⁸ The study by Grogger has similar findings.

the changes in the crime levels could be assessed over time, to determine if the CGI effects are sustainable. Some CGIs have less than 12 quarters of post-injunction period:

- ❑ Bounty Hunters and Rolling 60s with 2 quarters of a post-injunction period
- ❑ Avenues with 5 quarters of a post-injunction period
- ❑ KAM and 18th Street Pico Union with 6 quarters of a post-injunction period
- ❑ Canoga Park Alabama with 9 quarters of a post-injunction period.

Excluding these injunctions from the analysis, however, does not significantly change the results.

- ❑ **Total Crime Statistical Trends.** Table 4 shows the results of injunctions on Total Crimes. The estimates indicate that injunctions reduce Total Crimes by 2.92 per quarter or 3.4% in 2 quarters after the injunctions were implemented, 3.07 in 4 quarters, 2.75 in 6 quarters, 3.10 in 8 quarters, 3.16 in 10 quarters and 1.91 in 12 quarters. The magnitude of these estimates is quite stable over different post-injunction periods, although most of them are statistically insignificant. No spillover effects are found in Total Crimes.
- ❑ **Part 1 Crime Statistical Trends.** Table 5 shows the estimates of the effects of injunctions on Part 1 Crimes. In the target areas, the average quarterly Part 1 Crimes are 52.17 in the pre-injunction period and 46.15 in the post-injunction period (2 quarters after injunctions were implemented). The difference is an 11.5% reduction¹⁹ in Part 1 Crimes in target areas. This may overestimate or underestimate the effects of injunctions depending on the common trend of Part 1 Crimes as estimated by using the comparison areas.

In the comparison areas or neighboring areas, the average quarterly Part 1 Crimes are 46.04 in the pre-injunction period and 42.97 in the post-injunction period. The difference is a 6.7% reduction²⁰ in Part 1 Crimes per quarter.

Because Part 1 Crimes decrease across all RDs during this period, only part of the 6.02 reduction in Part 1 Crimes in the target areas can be attributed to the injunctions. The Difference-in-Differences estimate is the difference between total reduction in the target areas and total reduction in the comparison areas (-2.95)²¹. The 2.95 difference is statistically significant at the 5% significance level. Therefore, the Difference-in-Differences method shows that injunctions reduce Part 1 Crimes by 2.95 per quarter within 2 quarters after the injunctions were implemented, which represents a 5.6% reduction in Part 1 Crimes. The estimate is –

¹⁹ 46.15 - 52.17 = -6.02

²⁰ 42.97 - 46.04 = -3.07

²¹ -6.02 - (-3.07) = -2.95

1.00 in 4 quarters after the injunctions were implemented, -0.08 in 6 quarters, -0.08 in 8 quarters, -0.08 in 10 quarters and 0.21 in 12 quarters. All estimates with post-injunction periods longer than 2 quarters are statistically insignificant.

The Difference-in-Differences method does not find significant spillover effects by comparing the before and after change in the adjacent areas and in the neighboring areas.²²

²² The estimate is 0.35 in 2 quarters after the injunctions were implemented, -0.70 in 4 quarters, -0.70 in 6 quarters, 0.05 in 8 quarters, 0.11 in 10 quarters and 0.96 in 12 quarters and all estimates are statistically insignificant.

TABLE 4:
CITY OF LOS ANGELES:
THE EFFECTS OF CIVIL GANG INJUNCTIONS ON TOTAL CRIMES –
DIFFERENCE-IN-DIFFERENCES ESTIMATES

Total Crimes													
Reporting Districts	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error) ²³	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	85.60	78.67	-6.93 (1.66)	77.93	-7.68 (2.05)	77.80	-7.80 (2.14)	77.67	-7.93 (2.47)	78.00	-7.60 (2.87)	78.54	-7.06 (3.21)
Adjacent	64.97	61.31	-3.66 (1.25)	59.66	-5.31 (1.63)	59.22	-5.75 (1.88)	60.19	-4.78 (2.15)	60.64	-4.33 (2.40)	60.77	-4.20 (2.61)
Neighboring	71.89	67.88	-4.01 (1.12)	65.76	-6.12 (1.57)	65.15	-6.74 (1.77)	65.55	-6.34 (2.06)	66.17	-5.72 (2.34)	66.73	-5.15 (2.58)
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-2.92 (2.00)		-3.07 (2.58)		-2.75 (2.78)		-3.10 (3.22)		-3.16 (3.70)		-1.91 (4.12)
Adjacent			0.35 (1.68)		-0.70 (2.26)		-0.70 (2.58)		0.05 (2.98)		0.11 (3.35)		0.96 (3.67)

* Based on 6 Quarters of Pre-injunction period.

Note: Numbers in parentheses are standard errors.

***: Significant at 1%; **: Significant at 5%; and *: Significant at 10% for Difference-in-Differences estimates.

²³ Standard error compares the difference between the two means.

TABLE 5:
CITY OF LOS ANGELES:
THE EFFECTS OF CIVIL GANG INJUNCTIONS ON PART 1 CRIMES –
DIFFERENCE-IN-DIFFERENCES ESTIMATES

Part 1 Crimes													
Reporting Districts	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
		Quarterly Mean	Difference (Standard Error) ²⁴	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	52.17	46.15	-6.02 (1.19)	46.56	-5.61 (1.38)	47.04	-5.13 (1.42)	47.26	-4.91 (1.68)	47.65	-4.52 (1.97)	48.24	-3.93 (2.21)
Adjacent	42.38	38.39	-3.99 (0.87)	37.79	-4.59 (1.00)	37.72	-4.67 (1.19)	38.26	-4.12 (1.40)	38.50	-3.88 (1.58)	38.74	-3.64 (1.75)
Neighboring	46.04	42.97	-3.07 (0.79)	41.43	-4.61 (0.97)	40.99	-5.05 (1.09)	41.21	-4.83 (1.27)	41.60	-4.44 (1.46)	41.90	-4.14 (1.61)
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-2.95** (1.42)		-1.00 (1.69)		-0.08 (1.79)		-0.08 (2.11)		-0.08 (2.45)		0.21 (2.73)
Adjacent			-0.92 (1.17)		0.02 (1.39)		0.38 (1.61)		0.72 (1.89)		0.56 (2.15)		0.50 (2.38)

* Based on 6 Quarters of Pre-injunction period.

Note: Numbers in parentheses are standard errors.

***: Significant at 1%; **: Significant at 5%; and *: Significant at 10% for Difference-in-Differences estimates.

²⁴ Standard error compares the difference between the two means.

FIXED-EFFECTS REGRESSION ANALYSIS

The simple Difference-in-Differences approach uses the before-and-after change in the comparison areas as a control for common crime trends to estimate the net effects of CGIs. This method implicitly assumes that factors other than CGIs have exactly the same effects on crime levels in both target areas and comparison areas. The Fixed-Effects method estimates the effects of CGIs on crime level by explicitly modeling RD specific characteristics and time trends in crime levels. The Fixed-Effects method models crime level by RD and quarter while the Difference-in-Differences method compares crime levels between target areas and comparison areas before and after the CGIs. Therefore, the Fixed-Effects method could potentially yield more accurate estimates. Also in the Fixed-Effects methods, RDs can be classified as target areas in some periods and as adjacent areas or neighboring areas in other periods, or as adjacent areas in some periods and as neighboring areas in other periods, and this may generate better comparisons and estimates.

The Fixed-Effects model can be described as:

$$y_{i,t} = \beta_0 + \beta_1 * CGI_{i,t} + \beta_2 * ADJ_{i,t} + \alpha_i + \gamma_t + \varepsilon_{i,t}$$

Where:

- *y* is the outcome of interest: either Total Crimes or Part 1 Crimes in the case of linear model, and log Total Crimes or log Part 1 Crimes in the case of Log-linear Fixed-Effects model.
- *i* indexes RDs.
- *t* indexes time (quarter-year).
- $CGI_{i,t}$ indicates whether RD *i* is in the target areas at time *t*.
- $ADJ_{i,t}$ indicates whether RD *i* is in the adjacent areas at time *t*.
- α_i is RD fixed-effects and γ_t is time fixed effects.
- $\varepsilon_{i,t}$ is an independently identically distributed (i.i.d.) error term.
- Parameter estimate for β_1 shows the effects of injunctions on crime level.
- Parameter estimate for β_2 indicates whether there are any spillover effects.

Table 6 shows the estimates from linear Fixed-Effects model. Overall, CGIs reduce:

- ❑ Part 1 Crimes by 2.86 per quarter, which represents a 5.5%²⁵ reduction in Part 1 Crimes, although it is statistically insignificant
- ❑ Total Crimes by 4.63 per quarter, which represents a 5.4%²⁶ reduction in Total Crimes and is statistically significant at the 10% significance level.

No spillover effects are found for Total Crimes and Part 1 Crimes.

²⁵ Use 52.17 per quarter as the baseline as in the Difference-in-Differences method.

²⁶ Use 85.60 per quarter as the baseline as in the Difference-in-Differences method.

TABLE 6:
CITY OF LOS ANGELES:
THE EFFECTS OF CIVIL GANG INJUNCTIONS –
LINEAR FIXED-EFFECTS ESTIMATES

Time Frames	Part 1 Crimes		All Crimes	
	Effects of Injunctions	Spillover Effects	Effects of Injunctions	Spillover Effects
Overall	-2.86 (2.06)	2.16 (1.91)	-4.63* (2.45)	1.48 (2.28)
1-4 quarters	-4.33** (2.00)		-4.98* (2.60)	
5-8 quarters	-1.70 (2.52)		-4.11 (3.00)	
9-12 quarters	-1.97 (3.15)		-5.06 (3.91)	
13 quarters or above	-2.06 (3.73)		-4.29 (4.41)	

Note: Numbers in parentheses are standard errors.

***: Significant at 5%; **: Significant at 10%.

There are generally more crimes in target areas than in adjacent areas and neighboring areas. When crimes are declining, crime levels in high crime areas decline faster than in low crime areas in terms of number of crimes. In contrast, when crimes are rising, crime levels in high crime areas rise faster than in low crime areas in terms of number of crimes. In this case, the percentage change may be a better measure of change in crime levels than change in number of crimes. The parameters from Log-linear models can be interpreted as the percentage changes in the outcome for one unit change in the intervention. For example, β_1 can be interpreted as the percentage change in crime levels due to the injunctions.

Table 7 shows the estimates from the Log-linear Fixed-Effects model. Overall, CGIs reduce:

- ☐ Part 1 Crimes by 8.0% -- which is statistically significant at the 5% significance level
- ☐ Total Crimes by 8.0% -- which is statistically significant at the 5% significance level.

No spillover effects are found for Part 1 Crimes and Total Crimes.

**TABLE 7:
CITY OF LOS ANGELES:
THE EFFECTS OF CIVIL GANG INJUNCTIONS –
LOG-LINEAR FIXED EFFECTS ESTIMATES**

Time Frame	Part 1 Crimes		All Crimes	
	Effects of Injunctions	Spillover Effects	Effects of Injunctions	Spillover Effects
Overall	-0.077**	0.010	-0.080**	-0.005
	(0.035)	(0.034)	(0.038)	(0.032)
1-4 quarters	-0.088***		-0.071**	
	(0.033)		(0.035)	
5-8 quarters	-0.039		-0.060	
	(0.038)		(0.042)	
9-12 quarters	-0.078		-0.089*	
	(0.056)		(0.053)	
13 quarters or above	-0.102		-0.112	
	(0.072)		(0.075)	

Note: Numbers in parentheses are standard errors

'***': Significant at 1%; '**': Significant at 5%

To compare CGI's short-term versus long-term effects, the effects of injunctions were also estimated for 1-4 quarters, 5-8 quarters, 9-12 quarters and 13 quarters or more after the injunctions were implemented, as shown in Table 7. The Linear Fixed-Effects model shows that there are large and significant effects in 1-4 quarters with 4.33 per quarter or 8.3% reduction in Part 1 Crimes and 4.98 per quarter or 5.8% reduction in Total Crimes. There are sizeable effects after the first 4 quarters but they are not statistically significant. The Log-linear Fixed-Effects model shows similar results.

SUPPORTING DATA ANALYSIS

Appendix B contains the supporting data for the 14 CGIs analyzed for both Total Crimes and Part 1 Crimes from the 1st Quarter of 1990 through the 1st Quarter of 2004.

CONCLUSIONS AND DISCUSSION

Using 1990-2004 crime data from LAPD, the Difference-in-Differences method, linear Fixed-Effects model and Log-linear Fixed-Effects model were applied to estimate the effects of CGIs on crime levels. The hypothesis that CGIs simply displace crime activities outside the target areas was also tested. Part 1 Crimes and Total Crimes as our measures of crime level were used because of inconsistency problems with the classification of gang-related crimes.

STATISTIC IMPLICATIONS

All three models show similar results. There are strong short-term effects of injunctions. On average, CGIs reduce Part 1 Crimes by 5.5% to 8.8% and Total Crimes by 3.4% to 7.1% in the first 2 to 4 quarters after the CGIs were implemented depending on the estimation methods. The Difference-in-Differences method shows no long-term effects on Part 1 Crimes, but the Fixed-Effects model suggests there are smaller long-term effects on Part 1 Crimes, although not statistically significant. Both the Difference-in-Differences method and Fixed-Effects models show less evidence that injunctions have sizeable long-term effects on reducing Total Crimes.

Both the Difference-in-Differences method and Fixed-Effects model try to control for factors such as common crime trends and RD characteristics in estimating the effects of CGIs. There are still other factors that are not accounted for and may bias the estimates. For example, it is not precisely known how police enforcement in the target areas changed after CGIs were implemented, and there might be other programs initiated to reduce gang activities or crime levels in the target areas at the same time, such as CLEAR. Also, crime-reporting behaviors might have changed after CGIs were implemented. Without specific information on these programs, one cannot differentiate their effects from the total effects found in the analysis.

No spillover or displacement effects are found in any of the models. But this could be due to the fact that the effects are too small to be detected because the displaced crime activities were spread into large adjacent areas.

CONCLUSIONS

1. **In the first year of implementation, CGIs cause a significant reduction in both Part 1 Crimes and Total Crimes.** For about a year after the granting and enforcement of a CGI, both Part 1 Crimes and Total Crimes decrease significantly. *Part 1 Crimes decrease 6% to 9% and Total Crimes decrease 3% to 7%.* These decreases are statistically significant, and the breadth of this analysis indicates that the decrease is the result of the enforcement of the CGI or some activity intimately associated with it. These findings coincide with those published by Grogger (as discussed in the previous section on the Literature Review).

Seldom do outcomes of public initiatives produce results of this clarity. The independent analysis of data conducted as part of this study do not simply suggest that lower crime rates are somehow related to CGIs, or that CGIs might be influential with respect to crime rates. *These data indicate that CGIs do in fact cause a reduction in Part 1 Crimes and Total Crimes.* This is a strong finding and indicates that *the CGI effort is a successful weapon against criminal activity.*

At the same time, it should be noted that several of the CGIs included in this analysis were part of larger efforts, primarily through (but not exclusively) CLEAR. The effects of the combined programs could not be dissociated, and

so this analysis may be measuring their combined impact in the first year. If that is the case, then it is the combination of efforts that is so effective.

2. **Although the results fall short of strict statistical cause-and effect thresholds, both Part 1 Crimes and Total Crimes are lower in succeeding years.** Beyond the first year, areas subject to a CGI show decreases in both Part 1 Crimes and Total Crimes, but these increases do not rise to the level of statistical significance. These results suggest that there may be a long-term effect associated with CGIs, but the cause-and-effect relationship is not as apparent as it is in the first year after the CGI is issued and enforcement begins.

From a programmatic and management perspective, however, there is still strong evidence that CGIs are successful. Seldom do the outcomes of public programs of this type show such clear and unequivocal results. Although statistical causality cannot be demonstrated beyond the first year, it appears that areas subject to CGIs show relatively lower overall crime rates. In subsequent sections of this report, a number of steps are outlined that should enhance the “out-year” performance of CGIs.

3. **There does not appear to be significant displacement of crime from CGI areas to adjacent neighborhoods.** Crime rates in adjacent neighboring areas did not show significant increases in either Part 1 Crime or Total Crime. No spillover or displacement effects were found in the statistical analysis. The areas surrounding the CGI boundaries are large enough that small spillover effects might not be noticeable. The fact that there are not measurable spillover effects, however, is significant.
4. **Although the overall trend in reported crimes was downward, experience varied noticeably among CGIs.** We have shown the results for each CGI in the detailed analysis contained in Appendix B. *Continued investigation to identify the differences between these areas and their results would be fruitful and should be pursued.* It would be particularly interesting to identify CGIs associated with CLEAR sites or other intensive law enforcement efforts to determine whether there is a significant enhancement in effectiveness that can be credited to the combined effort.
5. **Areas selected for the implementation of CGIs generally showed high and volatile Part 1 Crime rates prior to the enforcement of the injunction.** Crime rates in these areas continued to show volatility even after the injunction was issued and enforcement began. This suggests that there is a strong underlying potential for criminal activity in these neighborhoods and that, at least in most cases, the City has selected genuine high-crime neighborhoods as targets for CGIs.

Discussion

These results are a close fit with the themes of the site interviews conducted with a cross-section of the law enforcement community. In the interviews, there was a consensus that CGIs are an effective tool in combating gang crime. The data

appear to strongly support that perception and seem to confirm CGIs as a potent approach to reducing Part 1 Crimes and Total Crimes, both independently and in combination with other efforts.

The analysis results also appear to support the interviewees' perceptions that continuing support and retraining of enforcement staff is necessary to maintain the momentum of CGIs that have been in effect for some time. Beyond the first year, CGI target areas or "safe zones" show reduced levels of crime. The differences in these "out years" do not meet the scientific hurdle of 95% probability of a causal relationship, although they are still clearly related. This lower level of effect suggests that, as time goes on, enforcement efforts are not as vigorous as they are at the beginning of the CGI. Some CGIs appear to be more effective than others. These results support the arguments for:

- ☐ Long-term support and development of CGI efforts
- ☐ Continued research to identify particularly effective CGI efforts
- ☐ More analysis of the long-term effect of CGIs.

Over time, crime continues but the magnitude is smaller. The CGIs' effect on crime is less certain. This demonstrates the experience that has led experts in the field to argue for long-term support and development of CGI efforts. The results also support continued research to identify particularly effective CGI efforts, and to analyze more fully the long-term effect of CGIs.

D. FINDINGS

DATA, TREND ANALYSIS AND OUTCOME MEASUREMENTS

Finding 1: No single law enforcement agency or joint agency effort has successfully measured the outcomes of efforts to reduce gang crime and violence.

To some extent, this situation is understandable. "Gang-dominated" neighborhoods are under siege. Residents are afraid to walk the streets. Drugs are sold openly. Gunfire is common at night and unsurprising in daylight. Gang members, some barely in their teens, are routinely shot. Many are killed. Bystanders are also in danger of being injured or killed. Some of them are young mothers; others are their children. To counteract this, resources seem woefully inadequate when compared to the gravity of the consequences of gang domination. Under these circumstances, the emphasis – rightly – is on stopping the killing, by any available means, as quickly as possible.

The result of the measurement problems is that policy differences appear to be based more on intuition and experience than rigorous measurement of outcomes. LAPD, LASD, the City Attorney's Office, the District Attorney's Office, Los Angeles County Probation Department and the Los Angeles Department of Children and Family Services do try to work toward common approaches through the IGTF, but their discussions do not appear to be based on the careful analysis of outcomes.

Law enforcement agencies do attempt to assess their progress. Each agency has some form of internal review, and the IGTF meets regularly to identify and respond to issues within the IGTF regions. There is little in the way of careful outcomes measurement. In the past, there has been a perception within the law enforcement community that such measurement was unlikely to produce significant results, or – worse – that the data might suggest that ongoing efforts were either ineffective or actually deleterious. This investigation suggests strongly that neither of these concerns is supported by the facts.

- ❑ **Each agency has developed its own approach to gathering data.** There appears to be a lack of organized, consistent data that gives a clear picture of progress – or lack of it – in the abatement of gang activity and gang-related crime. Both the LAPD and LASD keep a variety of statistical records related to crime levels, and they conduct analyses that identify trends. These statistics, however, are not easily related to activities of a specific program or initiative, and overall crime statistics seem to rise and fall in response to larger social and economic trends that appear unrelated to actions by the law enforcement community.
- ❑ **LASD lacks trend data and related analyses.** There did not appear to be readily available data within LASD that tracked gang crimes in all areas, including unincorporated areas, where the Sheriff's deputies provide law enforcement.
- ❑ **Each agency has its own point of view, based on the experience of the people who work with gangs.** Where experiences or assumptions vary, however, there is a dearth of sound data to help reconcile them. The CLEAR Executive Board has developed a program model for the CLEAR Program and has taken steps to try to understand the effects of CLEAR on the communities where it is implemented. This effort includes a substantial data collection element and the retention of a third-party oversight contractor. The data collected are limited to CLEAR sites, however, and there are no immediately available estimates of the resources required to achieve those results.
- ❑ **Definitions of gang crime are inconsistent between agencies and, at times, within agencies.** Gang crime definitions can vary from one law enforcement agency to another. In some cases, definitions are not always consistent within the same police agency. Beyond that, definitions of gang crimes, gang-related crimes and gang-motivated crimes tend to vary in ways that reflect the values and strategies of the agencies that develop them. This year, LAPD has begun to work toward more consistent definitions²⁷. LAPD has also recently assigned Lieutenants to each of its Gang Impact Teams. One of the anticipated benefits of this deployment is expected to be greater consistency of gang crime definitions.
- ❑ **Data processing equipment and systems are unique to each agency and, in many cases, obsolete.** Existing data are fragmented and

²⁷ Special Order No. 3, Office of the Chief of Police. January 28, 2004.

inconsistent (discussed next), and access to available data is hampered by obsolete data processing equipment. Gathering data for this report required the use of cumbersome and obsolete tapes, which could only be read and reconfigured using special equipment. Even then, the data was not in standard ASCII format, and several weeks of effort were required to get even partially useful information.

Due to these problems, it is difficult to track and analyze the results of efforts to reduce gang crime and gang activity. Outcomes that cannot be anticipated on the basis of experience and intuition are difficult to identify and even more problematic to support. For example, the statistical analysis suggests that a strong secondary effort is needed to address gang behavior about a year after the initial enforcement effort begins. Although there was a consensus that long-term support was needed, no one in the community interviewed was able to identify the timing of that support specifically.

Finding 2: Assessing the effectiveness of different strategies is hampered by the lack of data and ability to track program costs.

Without strong measurement data and effective models, it is difficult to demonstrate to the City and the County budget authorities – themselves beset by far more demands than their resources will accommodate – that CGIs, alone or in combination with other approaches, are effective. It is also difficult to assess objectively whether expanded or reduced resources are the appropriate course to follow, and whether CGIs are a productive investment of public funds.

None of the law enforcement entities could segregate the costs associated with gangs or CGI programs. It is possible only to vaguely estimate the costs associated with CGIs. Therefore, it is difficult to clearly answer questions about the balance of costs and benefits for CGIs.

As just stated, the costs of the program can only be generally estimated. Similarly, exactly how a CGI impacts gang behavior is not measurable, and benefits of reduced gang behavior and violence are not readily measurable. There is substantial statistical evidence that CGI efforts reduce Part 1 Crimes. On balance it appears the impact of CGIs is positive. To more systematically address this issue, we would look to ask three questions:

- ❑ **Can resources devoted to gang suppression, intervention and prevention be reduced if CGIs were eliminated?** Demand for gang related law enforcement exceeds available resources throughout the Los Angeles metropolitan area. This has been true for some time, and the situation is now even more critical than ever due to the State's current financial crisis. Resources devoted to law enforcement are established through a political process which weighs anticipated benefits against an avalanche of alternative demands, including, for example, health, welfare and education. Even considering only law enforcement resources, leaders are regularly forced to make difficult decisions about which activities and individuals to investigate, prosecute or monitor. Defendants are regularly

allowed to plead to lesser offenses than the serious crime committed because there are not enough courts or prosecutors to try the accused in a timely manner. The scarcity of police officers and deputy sheriffs in the City of Los Angeles and County of Los Angeles, respectively, is a common element of public discourse. On this basis, the expansion or cessation of CGIs would not materially affect the availability of resources for other law enforcement or gang suppression activities. Resources would simply be devoted to other law enforcement activities.

- ❑ **Do the financial and non-financial benefits of the measurable outcome exceed the financial inputs of the CGI?** We will not attempt to quantify the anguish and emotional prices of the individual tragedies associated with the negative impacts of gangs on neighborhoods and individual lives. The LAPD estimates that the cost to the City of one murder is approximately \$3 million. This does not include the financial loss suffered by families; nor does it include the incalculable loss to friends and family resulting from the murder of a child, a teenager or young adult.

When the negative impacts of gangs are effectively addressed by CGIs, a community is positively affected by:

- Improved neighborhood activity, including safety in walking the streets, fewer loud gang gatherings and improved access to safe parks.
- Improved environment for legal commercial activity
- Reduced visible drug sales
- Reduced incidence of shootings of gang members and unintended victims of gun violence
- Lower gang membership
- Fewer juvenile felons.

It is possible to financially quantify many of these benefits. For example, one could gather information about property values, the number of new businesses in targeted areas, the potential lifetime earnings of victims of violence and the reduced lifetime earnings of felons. That said, it is difficult to isolate the CGIs' impact on those measures. For example, property values are affected by interest rates, the quality of schools, proximity to transportation and work opportunities, quality of the housing stock and the overall market availability of buyers and sellers. Reduced gang behavior, while indisputably making for a better neighborhood, might not affect any of the other factors.

On the cost side of the equation, none of the participating agencies were able to develop accurate estimates of costs associated with gang injunctions or gang-related activities. Nevertheless, it is reasonable to believe that the costs are significantly less than the impact of gangs on community and human life.

- ❑ **Will an alternate strategy or use of the resources generate a better outcome?** This question would be easier to answer if CGIs were the only

tool used in Los Angeles's gang-infested areas to achieve gang suppression, intervention and prevention activities. In fact, it is only one of the weapons used because CGIs alone are not always sufficient. When CGIs are combined with programs (such as CLEAR), they appear to be useful. Isolating the effect of the resources devoted to implementing CGIs was not possible in the context of this study. Beyond that, the police and prosecutors working to reduce gang-related crime and violence know that lives are literally in the balance. They cannot ever hope to stop all of the drug sales, all of the shootings, all of the senseless killings of innocent bystanders. They have literally sworn to do everything they can, knowing that it will never be enough. Under these circumstances, those charged with law enforcement in gang-impacted neighborhoods make every effort, employ every tool and try every approach their limited budgets will allow that shows the promise of positive results.

Finding 3: Data analysis shows a significant short-term reduction in Part 1 Crime in the first year of CGI implementation.

On the basis of the analysis, it is evident that there is a demonstrable reduction in Part 1 Crimes due to CGIs in the first year of their implementation. The findings of the analysis are as follows:

- ❑ **CGIs appear to cause a short-term reduction in Part 1 Crime.** For about a year after the granting and enforcement of a CGI, Part 1 Crimes decrease. These decreases are statistically significant, and the decrease is the result of the enforcements of the CGI or some activity intimately associated with it.
- ❑ **CGIs may deter Part 1 Crime in the long term, although the data do not show a clear cause-and-effect relationship.** Beyond the first year, areas subject to a CGI show decreases in Part 1 Crime but these decreases are not statistically significant. These results suggest there may be a long-term effect associated with CGIs; however, a cause-and-effect relationship is harder to demonstrate after the first year of the injunction.
- ❑ **There does not appear to be significant displacement of crime from CGI areas to adjacent neighborhoods.** Crime rates in adjacent neighborhoods did not show significant relative increases, adding to the existing evidence that CGIs do not result in "spillover" crimes.

STRATEGY TO REDUCE CRIMINAL GANG ACTIVITIES

Finding 4: CGIs are an important part of a larger strategy to reduce and confront criminal gang activities.

CGIs are widely viewed by law enforcement professionals as a useful tool. There is a substantial consensus among the District Attorney's Office, the City Attorney's Office, the LAPD and LASD that CGIs are one element of an effective response to criminal gang behavior. At all levels of the law enforcement

community, experienced staff members cite CGIs as important in the struggle to stabilize gang-dominated neighborhoods. There is a particularly strong consensus in the City Attorney's Office that CGIs are effective in combating gang activities. The City Attorney's Office was a pioneer in advocating and pursuing these injunctions, and members of the Office continue to express confidence in their efficacy. They believe that the civil rights of gang members are adequately protected by the due process of the civil litigation that leads to the injunctions, and they believe that the injunctions, if vigorously pursued, reduce gang violence.

- ❑ **Both Sheriff's deputies and LAPD police officers expressed confidence in CGIs.** Their experience suggests that the injunctions are useful in disrupting gang activities. They point to the fact that, once an injunction has been issued, it effectively provides them with probable cause to stop and detain individuals who appear to be in violation of the injunction. This is especially important to police officers, who are often confronted with people who know of criminal activities, but who fear retaliation if they come forward. With an injunction in place, law enforcement officers can respond to a report of gang activity and detain suspects who appear to be in violation of the CGI; they no longer require complainants to step forward and expose themselves. Law enforcement officers feel that this significantly enhances their effectiveness in gang-dominated neighborhoods, and encourages residents to report gang activities when they occur. Injunctions also make more difficult the conduct of illegal business, because law enforcement officers are empowered to stop known gang members who are congregating on the street in the CGI area. Some of those meetings are attempts to discuss illegal activities without being overheard. With in-person communications prohibited in public, some gangs have attempted to use cell phones to conduct their businesses. Some of those conversations have been legally intercepted by law enforcement agencies with serious crackdowns on the gang members.

In the experience of the law enforcement community, CGIs help to suppress flagrant illegal behavior by gangs. Among other things, the injunctions prohibit gang members from congregating in public areas; harassing or intimidating community members; holding loud, late parties; or cruising through the neighborhood in automobiles. If gang members violate the injunction, law enforcement officers can arrest them without seeking a specific citizen complaint. If residents have been thoroughly briefed on this ability – as frequently happens in the community outreach associated with CLEAR sites – they are more likely to call in their complaints, allowing the law enforcement officers to intervene before a particular situation becomes volatile or attracts attention from a rival gang. Law enforcement officers credit CGIs with helping to reduce the rate of gang shootings by forcing gang members off the streets.

- ❑ **Labor intensive despite the benefits.** Some prosecutors have concerns about the effort required to obtain an injunction. They willingly acknowledge that the injunctions are effective in disrupting gang activities, but they are less sure that the injunctions are the most effective way to apprehend and

convict repeat felony offenders – the primary targets of the District Attorney’s Office.

- ❑ **Fewer gang targets for rival gang members.** Vigorously enforced, a CGI will reduce gang members’ ability to congregate in public places. It has been well established in the literature that individuals will undertake more extreme actions as members of groups than they will by themselves. As it becomes more difficult for gang members to assemble – this is one of the more common prohibitions in a CGI – there are correspondingly fewer occasions where groups of gang members loiter together. This results in fewer opportunities for someone to be challenged or intimidated into an act of violence.

At another level, gang members standing on street corners, in parking lots or on the front lawn of a dwelling are targets for rival gangs. If their rivals decide to intimidate a gang, or if they seek revenge for some real or imagined insult or injury, groups of gang members standing or sitting in a public location provide ready targets. When CGIs are effective, it is much more difficult for gang members to do this, since they are often subject to arrest and fine or imprisonment for congregating under the terms of the injunction. The net effect of this is to reduce the number of gang groups in the neighborhood, thereby reducing the number of targets for their rivals.

- ❑ **CGIs are key to the Intervention and Suppression strategies against gangs.** Perhaps most important from an intervention standpoint, violations of the CGI are misdemeanors. Law enforcement officers can enforce the injunction swiftly and vigorously, knowing that the cumulative effect of the injunction violations will be much less damaging to the individual’s prospects than would be the case with a felony conviction.

Once flagrant gang crimes have been abated, a CGI can be effective in reducing the overall level of public gang activity. It also deters young men and women in the neighborhood from becoming full-fledged gang members. A CGI, vigorously enforced, can result in the arrest of new recruits for lesser violations related to gang injunctions before they go on to more serious crimes. These young men and women can then, at least at times, be diverted into counseling and community programs before they commit more serious offenses.

Finding 5: CGIs have a greater lasting impact when combined with other law enforcement initiatives, community and family commitment and concerted community development.

Once CGIs and other law enforcement efforts have reduced crime and gang dominance in a community, these benefits can be most effectively sustained with a combination of active law enforcement and concerted community development. Community and economic development are ultimately the best strategy to combat the development and proliferation of street gangs. Opportunities in gang-dominated neighborhoods include:

- ☐ Expanded, community-based treatment for drug and alcohol addiction
- ☐ Community, business and individual developmental training designed to provide higher levels of personal confidence and interpersonal skills
- ☐ School improvements, including physical repairs, landscaping and security enhancements
- ☐ Sanitation sweeps to remove debris and discarded items
- ☐ Trimming, maintaining and replacing street trees as needed
- ☐ Street and sidewalk repairs
- ☐ Sidewalk maintenance
- ☐ Street light repair and maintenance
- ☐ Repair and replacement of street furniture, especially for bus stops
- ☐ Installation of bus shelters
- ☐ Public transportation improvements
- ☐ Job training
- ☐ Home ownership assistance and counseling
- ☐ Microplan programs to assist the founding of home-based or other small businesses.

Law enforcement and community development agencies must join forces with community groups, faith-based organizations and neighborhood leaders so the community can take a stand against gang activity and gang crime. This cannot take place unless law enforcement can establish a level of security that will permit community leaders to take a public position against the gangs. Once this has happened, however, it is essential for men and women of courage and conviction to come forth and speak out against the cycle of crime and violence bred by gangs. The effort should be carried out right down to individual families so that parents can take the same stand with their children. Educational programs designed to help parents support their children in staying out of gangs would be desirable.

The other critical area where the community can address gang behavior is in the schools. Some schools already have active programs, including after school study and athletic programs. Other schools forbid the wearing of gang colors, in some cases by establishing specific school dress standards. The schools could engage in open and frank discussion of gang behavior and its consequences in ways that would drive home to the students the frequently tragic consequences of gang membership.

One encouraging development in this area is the Greater L.A. Project sponsored by Pete Carroll and the University of Southern California. This project is designed to help law enforcement and community-based organizations (CBOs) support each other toward the common goal of reducing and preventing the gang violence. Efforts such as this, which seeks to bridge real differences in perception and strategy, could have a significant effect on outcomes if pursued with patience and vigor.

Finding 6: CGIs by themselves have a limited impact on gang violence and criminal behavior.

By themselves, CGIs can have only limited impact on gang behavior. They do not directly address rampant drug sales or the tragic cycle of insult, shooting and revenge that can send gang-dominated neighborhoods spinning into violence. It is true that CGI provisions can include banning the wearing of pagers, prohibitions against public association, assembly in public places and even riding together in the same car in a rival gang's territory. All of these provisions, if enforced, reduce the number of situations in which gang violence is likely. They cannot, however, replace intensive investigation and enforcement efforts targeted at the hard-core gang members responsible for so much trouble in already-troubled communities.

Many gangs support themselves by selling illegal drugs. Such crimes are not the subject of an injunction, although some related behavior, such as the carrying of pagers or cell phones, can be. Selling drugs is already illegal – and a felony at that – so it does not need to be enjoined by court order. Unless law enforcement officers are able to at least limit drug sales by a gang, it is difficult to reduce overall gang activity. Although a CGI can address related behavior, it cannot be used to make cases against gang members for the possession and sale of drugs. That requires the concerted efforts of local investigators, LAPD or Sheriff's Department-wide narcotics detectives, and perhaps Federal law enforcement officers. That is one reason why CGIs are seen as part of a larger approach to gang crime and violence.

LAPD has calculated that 10% of criminals account for 50% of crime in its jurisdiction. Therefore, in most gang-dominated areas, there will be a small group of individuals who account for the bulk of the major crimes in the community. These individuals are often intelligent and frequently violent. A concerted effort by law enforcement investigators and prosecutors is required to assemble evidence and conclude successful prosecutions, and this effort is separate from a CGI initiative. These individuals must be removed from the community through intensive law enforcement work to reduce crime to tolerable levels.

To return civil order to gang-dominated neighborhoods, LAPD or LASD, on occasion narcotics investigators, and perhaps dedicated illegal weapons investigators must collaborate to assemble evidence and carry out quality arrests. Once that is done, prosecutors, probation officers and Parole Agents must work together to ensure that, once convicted, habitual offenders will not be given easy opportunities to return to their old neighborhoods and habits. Then – and perhaps only then – will such intervention initiatives as CGIs be able to stabilize neighborhoods.

<p>Finding 7: Effective CGI implementation offers a potential path to law enforcement professionals to divert youthful offenders before they get felony records.</p>

If a young person is convicted of a serious felony, he or she faces serious consequences. This is especially true for offenses involving drug sales ("possession with intent to distribute"), felony assault or manslaughter. Individuals convicted of such crimes are likely to be sentenced to an adult prison for at least 5 years, and in many cases for longer.

When released, they find themselves with permanent societal disabilities. Convicted felons may not vote. They are ineligible for many kinds of jobs, including almost all forms of public employment. They cannot be bonded – a requirement for most trucking and delivery jobs. Only a lucky few find genuine rehabilitation programs, and even fewer are able to take advantage of them to start a new life. The most common outcome is a return to the old neighborhood, to old acquaintances, to old habits and ultimately to the life of crime and violence, which resulted in their initial incarceration.

A second felony conviction is virtually the social and financial ruin of an individual. The few potential employers who might take a chance on someone convicted of a felony are even less likely to hire a “two time loser.” Such individuals, with few exceptions, are eligible only for work as minimum wage workers or as participants in illicit enterprises. And the most common illicit enterprises available are generally the drug sales operations being run by their very own gang. This process produces hard, violent, essentially unreachable young men and women whose only practical prospects are long-term prison sentences or death at the hands of rivals, fellow gang members or the authorities.

CGIs give law enforcement officers, prosecutors and even gang members another option. Gang members who have not yet become trapped in the cycle of felony conviction, ruined prospects and further violent crime can be actively prosecuted for CGI violations. These violations, although they can carry fines and short jail sentences, are misdemeanors – much less damaging to the people convicted of them than are felonies. A misdemeanor conviction – even several of them – does not prevent the person convicted from voting, obtaining a visa or being considered for wide ranges of employment. There are still prospects in the “straight” world for individuals convicted of these violations. The dedicated men and women who work to divert young people from gangs have many more options where this approach is applied.

Finding 8: CGIs are effective against gang activities that meet specific criteria.

In determining whether a CGI will be effective, participating agencies consider key criteria.

- ❑ **CGIs are used against territorial gangs, which dominate specific neighborhoods.** As a CGI can only prohibit behavior in a limited area, it is critical to assure that the gang will not simply move their activities to an adjacent location not covered by the CGI. Therefore, the targeted gang must be territorial. Some limits on movement may be geographic. Others are imposed by rival gangs. Others are affected by multi-generational gang links to specific areas. Even when many gang members move to another community, they often return to “terrorize” their former home base. Some gangs are not territorial, however; they live in one area and conduct their activities in another, sometimes far away. Such gangs are not good candidates for injunctions and must be addressed through other means.

- ❑ **Another important criterion is that the patterns of gang activity include regular public gathering, outdoor activity and cruising.** The injunctions are most effective when they permit the law enforcement officers to interrupt public activity, such as gathering on street corners to intimidate or harass passers-by or cruising to enforce gang territorial claims.

Finding 9: CGIs are most effective when combined with other initiatives, such as CLEAR, because of the resources brought to bear in the CLEAR program.

Law enforcement entities in Los Angeles support the combination of a CLEAR site and a CGI as effective in reducing the impact of gangs on communities. The CLEAR site provides additional resources and substantially increased levels of law enforcement and prosecution. Among the most often mentioned enhancements are the assignment of dedicated Deputy Probation Officers (DPOs) to Divisions and Substations.

As the DPOs gain experience with local gang members, they prepare more accurate pre-sentencing reports, and their caseload allows them to provide effective supervision of probationers. The assignment of Parole Agents to conduct at least occasional sweeps of CLEAR sites is also noted as an important element. Parole Agents have broad authority to question and search the persons and property of parolees, and the threat of parole violations is a powerful one.

A CGI multiplies the effectiveness of these additional resources. The information gathered to support a CGI forms a solid background for the intensified enforcement of a CLEAR program. The law enforcement officers can act quickly and effectively to remove gang members who violate the CGI from the street without endangering residents brave enough to complain. The net effect of this combined assault on criminal behavior by gangs significantly reduces the ability of gangs to function at the same time the CLEAR program is building cases against the repeat serious offenders in the gang.

An additional benefit is impaired gang communication. Gang members must stay off the streets because the injunction forbids public association. That means that they must communicate more by telephone – but those telephones may be tapped in the course of the CLEAR program, exposing key gang members to prosecution if they discuss planned or current criminal activity on the telephone.

In summary, the CLEAR program attacks serious crimes and career criminals. Its intent is to apprehend and remove from the community those who commit multiple felonies, particularly crimes of violence. The CGI broadens and magnifies the pressure on gangs by interfering with their ability to control a neighborhood by congregating in public, intimidating residents and roaming the streets in cruising automobiles. The combination of these programs appears to reduce gang activity to the point that residents are once again granted peaceful enjoyment of public places, and can complain about annoying or threatening behavior without fear of retribution.

Finding 10: CGIs require ongoing support if they are to be effective over time.
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- ❑ **CGIs need the support of law enforcement agencies in their initial phase to maximize their impact and effectiveness.** Throughout the CGI enforcement effort, adequate resources need to be devoted to assure the ongoing effectiveness of the injunctions. Gang membership changes as time goes on, and amendments to the court order may be needed. This entails the gathering of evidence, preparation of declarations and civil litigation. Law enforcement officers routinely rotate to different assignments, and their successors must be trained in the specifics of the injunction and the proper enforcement practices. Commanding officers are transferred, and their successors must be briefed and in some cases convinced that the CGI benefits justify the substantial resources that may be needed to support them.

As already noted, there are many benefits when DPOs are available to work with gang units. Namely, they are able to:

- Work with many youthful offenders so that they will not be incarcerated in juvenile detention facilities
- Question, investigate and, if necessary, detain probationers, interrupting potentially troublesome behavior
- Prepare sentencing recommendations for those convicted of crimes and recommend severe or reduced sentences.

This enhances the effectiveness of the CGI. Similarly, when Deputy City Attorneys are available to gang units, they can help to ensure that the CGIs are sustained in court, and provide effective assistance to the Gang Impact Teams in enforcing the injunctions once they are granted.

Data analysis shows that CGIs are clearly effective in the first year of enforcement, with measurable but less clear-cut results in the second year and beyond. This is consistent with the consensus of the law enforcement community that sustained support is needed to maintain the benefits of the initial law enforcement effort.

- ❑ **CGIs will not be effective at sustaining reduced gang participation without additional community and economic development resources.** Although gang activity may decline, the problems that give rise to gang behavior do not automatically go away. Only consistent efforts across the broad spectrum of the community – including but by no means limited to the law enforcement officers and prosecutors – will be sufficient to keep vulnerable neighborhoods from slipping back into a cycle of criminal enterprise, civil disorder and violence. Prevention activities entail economic opportunity, education and other community and family support to youngsters who would otherwise be tempted by gang activities.

INTER-JURISDICTIONAL COLLABORATION

Finding 11: CGIs require the commitment of key leaders within both law enforcement and prosecution agencies if they are to be effective.

As already discussed, CGIs do not serve to increase the level of resources available to law enforcement and prosecutors. In addition, with the possible exception of the City Attorney, there is little dedicated funding for the effort. There are individuals who devote all or most of their time to CGIs in the District Attorney's Office, LASD and LAPD. The work that these individuals do, however, is essentially a reallocation of existing resources. They do not represent a net addition to any agency. Because of that, CGIs must maintain the support of senior executives and commanders in all of the concerned agencies. Continuing CGI efforts mean that resources desperately needed elsewhere are being allocated from a resource pool that, at best, has not increased in the past few years.

Support must also extend deeply into the local law enforcement community. Even given a commitment by top leaders in several agencies, the pressures faced by the Commanding Officers at LASD Substations and LAPD Divisions are enormous. They are constantly pulled in several directions at once, and the demands on them consistently exceed the resources with which they can respond. Under these circumstances, CGIs cannot be effective unless these commanders believe in them; assign people to obtain and enforce them; and allocate overtime, supplies, equipment and space to the effort. In fact, there is anecdotal evidence that some of the less successful CGIs may have been substantially impaired by a failure to enroll key police commanders in their usefulness.

Finding 12: The City of Los Angeles places more sustained and consistent focus on CGIs than Los Angeles County, due in part to the differing ways the function is handled between the City and County.

The City and County approach CGIs differently:

- ❑ **City of Los Angeles.** The City of Los Angeles supports its CGI effort with dedicated staff in the City Attorney's Office. Given the nature of the City Attorney's mission, Deputy City Attorneys are usually experienced civil litigators. They are familiar with civil procedure and the mechanisms of the civil courts. Beyond that, City Attorney's Office pioneered the aggressive use of CGIs as a means of moderating gang activities, and succeeding City Attorneys have continued their support for the program. As a result, the CGI group in the City Attorney's Office has been provided with resources, staff and leadership support for its mission.

The City Attorney's Office and LAPD are both committed to CGIs as an effective tool. Many LAPD Gang Detail officers are familiar with the CGI process, and understand what must be done to obtain one and enforce it. They have had significant experience in using an injunction, and now know how to employ it to disrupt gang activities. They are also, by now, confident

of the result. They know that if they employ an injunction vigorously, they will be able to keep gangs from returning to “ownership” of a neighborhood.

- ❑ **County of Los Angeles.** The situation in Los Angeles County is slightly different. Sheriff’s deputies assigned to gang crimes are usually part of the Investigators’ Section. They work as hard as they can, as long as they can, to help those gang members they can, and to arrest and incarcerate those they cannot. The District Attorney assigns a full-time Deputy District Attorney (DDA) to work with the deputies assigned to the Hardcore Gang Division. The District Attorney is dedicated to meeting LASD’s needs in this arena.

The deputies must deal with all of the crime in the Substation’s area that calls for Investigators. In the Hardcore Gang Division, this ordinarily means a steady workload of murder and manslaughter. The DDAs generally are not dealing with cases where the District Attorney will accept a plea bargain. They are taking defendants to trial where the normal minimum term of incarceration for conviction is 25 years to life. Resources are frequently inadequate to meet even those workload demands. In fact, while the number of gang murders has increased in recent years, the Sheriff’s involvement in CGIs has not increased and only one DDA is assigned to the Hardcore Gang Division.

If the number of the Sheriff’s requests for CGIs change, this could pose workload problems for the District Attorney’s Office. The County’s DDAs are criminal prosecutors and their specialty is California criminal law. To provide support for CGIs, they must reacquaint themselves with civil procedure in general and the idiosyncrasies of the Los Angeles County Civil Court in particular. Thus, this learning curve may overburden the District Attorney’s Office because a DDA’s capacity is limited and difficult to expand.

of the injunctions – is that they ever find time to help LASD pursue one.

Finding 13: There are jurisdictional issues associated with setting up injunctions that cross physical boundaries between LASD and LAPD.

Areas covered by injunctions generally fall within the boundaries of a single LAPD precinct or division. But gangs do not recognize the LAPD or LASD jurisdictions when they set up their operations. Because of the difficulty of gathering sufficient justification for injunctions, it is easier for those who are responsible for establishing CGIs to work with staff from a single jurisdiction. Therefore, a CGI is not a readily available tool to fight a gang when it operates in an area that is the split responsibility of LAPD and LASD.

E. RECOMMENDATIONS

The following recommendations are based on the background information developed, data collection, the crime experience data analyzed and the consensus of the experienced law enforcement officials contacted. They are intended to support and reinforce the efforts of the dedicated men and women who work hard to deal with the tragic and frustrating issues that surround gangs and the people who join them.

The recommendations include the conviction that the most effective approach to reducing criminal gang behavior and crime is a combination of concerted law enforcement efforts, such as CLEAR and CGIs. Experience indicates that this combination is effective in reducing criminal gang activities. Beyond the term of the CLEAR effort, vigorous enforcement of a CGI is generally accepted as a strong intervention strategy, extending the gains won by CLEAR and slowing the re-escalation of gang activity.

Neither suppression nor intervention strategies address the blight, poverty, injustice and hopelessness that provide such fertile ground for the growth of gangs. Lasting improvement in gang-dominated communities requires investment in restored public amenities, focus and coordination of available community service organizations and the encouragement of patient private-sector investments. Without strong law enforcement, no one will invest in blighted neighborhoods. Without investment, blighted communities will remain poor and desperate, and gangs will continue to prosper in them. And as gangs grow stronger, our entire society pays the price in an impaired economy and the tragic death of both gang members and innocent bystanders.

DATA, TREND ANALYSIS AND OUTCOME MEASUREMENTS

Recommendation 1: LAPD and LASD should continue and enhance efforts to improve the quality and consistency of the definition and reporting of gang crimes.

To measure outcomes and the effectiveness of CGIs and other gang-deterrent initiatives, common definitions, criteria, data gathering and analysis are necessary. Special Order No. 11, 2000, *Activation of the CAL/GANG System and Gang File Guidelines*, established the CAL/GANG System as LAPD's only authorized database and case management system on gang members. Since then, LAPD has identified the need to refine the procedures for collecting and maintaining gang-related information to conform to State standards²⁸. Once violent crimes are determined to be gang-related, LAPD should monitor them statistically to assess the level of gang crime in an area.^{29,30} LASD should enforce similar procedures.

²⁸ In the future, LAPD's area GIT Officer in Charge will approve the gang-related crime classification. When the classification cannot be determined at the area level, the Bureau Gang Coordinator will make the determination. When the Bureau Gang Coordinator cannot determine the classification, the Commanding Officer, SOSD, will make the final determination.

²⁹ The statistically monitored gang-related crimes are:

- ☐ Murder
- ☐ Attempted murder

- ❑ **Common definitions.** Common definitions of gang crimes would allow comparable reports by multiple jurisdictions. This would support efforts including two or more police agencies to combat gang crime as a joint mission. It would also be easier to make early identification of the adaptations gangs make to each law enforcement initiative. In addition, the process of reaching a consensus could help agencies reconcile policy differences.

The definition of “gang crime” or “gang-related crime” can vary from agency to agency. Definitions also seem to change somewhat over time, and may even vary within jurisdictions as one command adapts the definition of gang crime to meet local needs. This means that crime rates may not always be comparable, and it introduces an element of uncertainty in determining whether a program or innovation has had the desired effect. (Note: Inconsistency with gang-related crime definitions is not unique to California. It is also a nationwide issue.)

- ❑ **Law enforcement and gang membership criteria.** In the State of California, the CAL/GANG Executive Board that oversees the operation of the CAL/GANG System statewide has established the following criteria for identifying individuals as gang members or gang affiliates. These criteria should serve as good starting point for common definitions.

- **Gang membership criteria.** Indicators of gang membership shall include at least two of the following criteria³¹:
 - Individual admits to being a gang member in a non-custodial situation.
 - A reliable informant or source has identified the individual as a gang member.³²

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- ❑ Felony assault
 - ❑ Assault on a police officer (includes battery, assault with a deadly weapon, and attempted murder on a police officer)
 - ❑ Robbery
 - ❑ Shots fired into an inhabited dwelling
 - ❑ Kidnap
 - ❑ Rape
 - ❑ Arson
 - ❑ Witness intimidation (includes criminal threats)
 - ❑ Extortion
 - ❑ Carjacking
 - ❑ Gang-related narcotics violations (Felony, Health and Safety Code Sections 11350, 11351, 11352, 11357(a), 11358, 11359, 11360, 11370.1, 11377, 11378, and 11379).

³⁰ Special Order No. 3, Office of the Chief of Police. January 28, 2004

³¹ When two or more of these criteria are met, a gang officer will complete a CAL/GANG Card for entry into the CAL/GANG System.

³² This includes the required registration by court order as described in Penal Code Section 186.30.

- An untested informant or source with corroboration has identified an individual as a gang member.
 - Individual is wearing gang attire.
 - Individual has been seen displaying gang hand signs or symbols.
 - Individual has gang tattoos.
 - Individual frequents gang areas.
 - Individual openly associates with documented gang members.
 - Individual has been arrested, alone or with known gang members, for a crime consistent with usual gang activity.
- **Gang affiliate criteria.** An individual, who meets only one of the above criteria and is linked with a documented gang member, may be designated as a gang affiliate and entered into the CAL/GANG System.^{33,34}
- ❑ **Data access and usefulness.** As already noted, there are several sources of information regarding gang behavior, gang-related crime and law enforcement efforts to address it. LAPD has a rich pool of data and has recently increased the sophistication of its analysis. There is much accumulated wisdom in the experience of its officers, but that has not yet been distilled into a coherent theory of gang behavior. LAPD also finds it difficult to capture all of the cost information that pertains to gang abatement activities. In some cases, data on gang crimes reported by the Divisions seems to vary from that reported Department-wide. In others, gang crime data reported on the Department's website appears to vary from month to month as investigations reveal additional information. These weaknesses erode confidence in the core information set required to measure the outcomes of gang crime suppression and intervention strategies. They also make it difficult to validate theories pertaining to gang crime and behavior.
 - ❑ **Gang trends.** LASD cannot readily prepare information on gang crime trends for the totality of the areas where it provides services. LASD polices contract cities and unincorporated areas, which include urban communities, suburbs, "exurbs," and agricultural enclaves, as well as areas of open desert and mountain wilderness. It is a significant challenge to collect, assemble and synthesize information from these diverse sources. In many cases, it is not desirable; there is too much risk of masking local issues in a specific area. On balance, it appears that the judgment of experienced deputies would be strengthened if it were complemented by better data on outcomes. LASD appears to have strong cost accounting and reporting systems, possibly because of its long history of contracting to provide law enforcement services for local municipalities. These, however, have not been applied in ways that provide easily accessible information on the cost of gang crime suppression and intervention.

³³ The gang officer will document the name of the documented gang member with whom the affiliate is associating, the gang member's date of birth and his/her CAL/GANG number on the affiliate's CAL/GANG card.

³⁴ Special Order No. 3, Office of the Chief of Police. January 28, 2004

- ❑ **Meaningful statistics.** It would be useful if one aspect of gang crime statistics included crimes per thousand people. This can be a problem, since the neighborhoods most susceptible to gang activities are also the places where an accurate estimate of the population is most difficult to keep. Nonetheless, this measure is important because it offers a strong indicator of the effectiveness of police efforts – one significantly more accurate than simple counts of crimes reported or committed. Some measures are being developed to address this need, but they are not yet in general use. LASD should use the Performance Counts! initiative to establish meaningful outcome measurements for gang intervention and suppression.
- ❑ **Commitment to the CAL/GANG case management system.** Both LAPD and LASD recognize the need for better data, and both have begun to act. The departments have jointly adopted the CAL/GANG case management system. This promises to bring greater consistency and reliability to gang crime reporting, and holds the promise of more confident comparisons between LAPD and LASD. It even holds the possibility that LAPD and LASD might be able to offer consolidated reporting in areas of mutual concern. These efforts should be encouraged and expanded.
- ❑ **Commitment to a clearinghouse of gang intelligence.** In another effort, LAPD has joined the Los Angeles Regional Gang Information Network. Begun in August 2003, the Network is expected to begin operations in Summer 2004. It will serve as a regional clearinghouse for gang intelligence. If it works well, it will significantly multiply the effectiveness of gang crime responses throughout the greater Los Angeles metropolitan area. This effort, too, should be encouraged and supported.

Recommendation 2: Law enforcement agencies should exploit best practices in data processing to support their management and analysis of gang suppression and intervention outcomes.

It became evident during the course of this review that some law enforcement agencies are still using obsolete data processing systems to report and analyze crime data, including data on gang crimes. Continuing to use these systems long after they have been superseded in both power and economic efficiency is not a sound investment on behalf of the residents of Los Angeles County. All law enforcement agencies should move swiftly to identify more effective and efficient alternatives to existing systems. This may entail the acquisition of new data processing equipment and the retraining of existing staff to operate it; or it may involve contracting with other domestic providers of data processing services.

In addition to modernizing information technology equipment and staff, both LAPD and LASD should add to their staffs a small number of expert and experienced analysts who can help to frame insightful research questions and carry out sound research that will produce clear and useful conclusions. Such conclusions could form the basis for significant policy and program initiatives that could make

meaningful improvements in the performance of the governments of the City of Los Angeles and County of Los Angeles.

Such investments would be prudent uses of public funds, even in a time of economic stringency. The benefits of improved intelligence and more effective police work should more than offset the costs. Crime costs any city – including Los Angeles – literally billions of dollars a year in victims’ lost wages, court costs, jail costs and the loss of individuals who could otherwise act as legitimate, tax-paying citizens.

INTER-JURISDICTIONAL COLLABORATION

Recommendation 3: LAPD, LASD, City Attorney’s Office and County District Attorney’s Office should continue to expand the use of CGIs in their ongoing collaboration to suppress gang crime and intervene in gang activities.

This expansion should include wider use of CGIs that extend across jurisdictional lines and multiple CGIs that address the activities of more than one gang in a single neighborhood.

CGIs offer powerful leverage against gang activities. If gang members are less able to gather in public, wear “colors,” and demonstrate their control of a neighborhood, they are less able to attract potential recruits. If they are prohibited from driving in neighborhoods dominated by rivals, they are less likely to shoot at others or be shot at themselves. If gang members cannot meet in parks or parking lots or on street corners, they cannot plan criminal enterprises with as much impunity as they would otherwise enjoy; and if they substitute telephone conversations for personal ones, they are vulnerable to legal electronic surveillance. The effects of these changes in the ways gang members can behave are both measurable and significant. Part 1 Crimes fall significantly once a CGI is implemented.

- ❑ **Example 1.** Traditionally, CGIs are sought for a single gang in a single neighborhood. Recently, however, the City and County have collaborated to obtain a CGI in an area of Los Angeles County and an adjoining neighborhood of the City of Los Angeles. In these areas, the City and County are working through the IGTF to initiate a joint effort across jurisdictional lines to reduce gang activities. This is a promising strategy, and it should be expanded wherever possible.
- ❑ **Example 2.** Another promising development is the recent granting of a CGI that includes 4 separate LAPD Divisions in 2 Bureaus (there are 18 Divisions in LAPD, organized into 4 Bureaus). This injunction is more directly aimed at the activities of a gang without consideration of the jurisdictional and bureaucratic boundaries it may cross. This is an approach that should be encouraged and expanded, with the intent that CGIs will be sought more on the basis of gang activity than on the organizational or civic boundaries that usually limit government activity.

Especially attractive would be combinations that would, in total, deny one or more gangs the opportunity to shift activities in response to increased law enforcement pressures. Other opportunities might be sought to identify areas where, if gang activities could be at least partially abated, private, non-profit or even commercial investment in a community might be possible. Finally, consideration should be given to the possibility of defining the public nuisance and obtaining injunctions that would address the activities of “mobile” gangs, in which members live in one neighborhood but commit crimes in another.

STAFF ASSIGNMENTS

Recommendation 4: Deputy Probation Officers (DPOs) should be assigned to each LAPD Gang Impact Team and LASD Gang Investigation Unit.

One of the most common advantages cited for both CLEAR and CGI’s is the presence of dedicated Deputy Probation Officers (DPOs) who can support gang abatement activities. Both law enforcement officers and prosecutors repeatedly cited DPOs’ presence as one of the highlights of the CLEAR effort. DPOs assigned to gang units would likely concentrate on juvenile probation, although they should work in areas which maximize their deterrent effect.

The advantages of involvement of Probation Officers are many:

- ☐ Probation Officers prepare sentencing recommendations for those convicted of crimes and, by virtue of this, have a significant influence on the sentences that are imposed.
- ☐ They also have extensive rights to question, investigate and, if necessary, detain probationers.
- ☐ DPOs acquire detailed knowledge of the community and its residents when they work on a team with law enforcement officers.
- ☐ They are better able to identify criminals and make appropriate recommendations.
- ☐ They are also much better equipped to make confident recommendations for lighter sentences where someone personally known to them as a potentially productive citizen becomes entangled with the law.

Probation is the most common punishment handed out for the first violation of the CGI terms. In addition, many youthful offenders, even those convicted of serious crimes, are placed on probation so that they will not be incarcerated in juvenile detention facilities – facilities that often do not educate, rehabilitate, or otherwise improve the job skills or attitude of their charges. Revocation of probation can be a serious matter, and the daily presence of a DPO in a neighborhood is a powerful incentive to probationers to abide by the terms of their release. The threat of revoked probation, carrying as it does the prospect of incarceration, appears to be a powerful deterrent to many late preteens and younger teenagers. A DPO can also obtain information from community residents that may not be easily available to a law enforcement officer. In contrast, law enforcement officers can provide DPOs

with escorts and local knowledge that allows them to be more effective than they would be alone, or with only occasional accompaniment by law enforcement officers.

For these reasons, the investment required to assign one DPO to each LAPD Division and to each LASD Substation with an active anti-gang program, seems a wise investment.

Recommendation 5: The City Attorney should assign one Deputy City Attorney to each LAPD Division Gang Impact Team to support the planning, development and enforcement of CGIs.

The City Attorney's Office currently assigns one or more Deputy City Attorneys (DCAs) to each LAPD Division. These DCAs provide legal support to the police on a wide variety of matters, including gang crime. In addition, when a Division seeks a CGI, members of the City Attorney's Gang Unit are assigned to the effort.

DCAs from the Gang Unit help to train officers in the collection of evidence needed to obtain an injunction, and work with them to develop sustainable cases against gang members. DCAs then oversee the preparation of the formal declarations of the officers, and ensure that they are thoroughly checked for accuracy. These declarations provide much of the legal support for the petition to the court for a CGI. DCAs also provide assistance in helping field forces stay current with best practices and current legal developments with respect to CGIs. According to many of those interviewed, DCAs assigned to CGI efforts frequently become integral parts of the enforcement team. Some of them continue to provide support even after their assignments – which are intended to be temporary – are concluded.

DCAs assigned to the CGI process are assigned to the Division only while the injunction is being sought. Absent supplementary funding, such as that found in CLEAR, the City Attorney's Office finds it difficult to detail DCAs to the divisional Gang Impact Teams on a permanent basis.

It appears that the assignment of a DCA to each LAPD Gang Impact Team that is contemplating, preparing or enforcing a CGI will:

- ☐ Expedite the preparation of the injunctions
- ☐ Help to ensure that they are sustained in court
- ☐ Provide effective assistance to the Gang Impact Teams in enforcing the injunctions once they are granted.

At a relatively low cost, these legal professionals will leverage existing efforts and encourage more active intervention against criminal gang behavior throughout the City of Los Angeles.

ECONOMIC AND COMMUNITY DEVELOPMENT

Recommendation 6: Once criminal behavior by gangs has been suppressed and intervention strategies are in place, the City and the County should marshal available resources to provide economic and community development in gang-impacted neighborhoods.

The hard, sometimes dangerous work on the part of law enforcement officers and prosecutors can, for a time, sharply reduce the level of overt gang activity in a neighborhood. This effort, though demanding, has measurable results in Part 1 Crime reduction. The combination of CLEAR and CGIs appears to be highly effective in this regard. Unless there is strong support for community and economic development as a follow-on program, the laudable efforts undertaken to accomplish this reduction may well be in vain. Both the City and County must seize the opportunity the law enforcement community has won for them, and ensure constructive action is taken that can make permanent the benefits of civil order and the renewal of shared optimism. These kinds of efforts can sustain the gains that can be documented in the early years of CGI implementation.

A number of supportive efforts can be controlled by the City and County, and should be put in place in the immediate future where gang activities have been reduced. These include:

- ☐ Develop, in cooperation with existing community leadership organizations, strong, broadly based advisory groups that accurately and eloquently reflect the needs and aspirations of the community. This should include programs to support and protect community leaders and organizations willing to step forward and publicly oppose gangs and gang behavior, especially the tragic cycle of revenge killings.
- ☐ Implement an intensive graffiti removal program, aimed at removing or painting over all graffiti in the neighborhood within 24 hours
- ☐ Clear the neighborhood of abandoned vehicles, large pieces of refuse such as furniture and general street trash
- ☐ Conduct all scheduled building inspections and vigorously enforce code violations on commercial properties
- ☐ Replace damaged or broken street lights
- ☐ Repair streets, curbs and sidewalks
- ☐ Replace damaged or missing traffic and street signs
- ☐ Repaint curbs; restripe crosswalks and intersections
- ☐ Trim or replace street trees
- ☐ Assign dedicated teams to provide intensified efforts to deliver needed health and social services
- ☐ Review existing traffic patterns to determine whether traffic calming strategies or street diversions can be used to reduce cruising or even create "safety corridors" that would provide access to schools and other public services.

In addition, the City and County can and should work in partnership with other agencies to:

- ☐ Provide public transportation alternatives that offer access to centers of employment for the community
- ☐ Repair or replace, as needed, bus time tables, bus signs and bus stop furniture
- ☐ Carry out repairs and improve maintenance at local schools
- ☐ Seek funding for after-school programs and evening sporting events
- ☐ Modify school buildings and grounds to improve security, including added lighting, fencing, or other needed modifications

Finally, the City and County should forge partnerships with private non-profit and financial institutions to develop agreements that would:

- ☐ Enrich educational and recreational opportunities for children and teenagers, including the open discussion of the facts of gang life, the sales and use of illegal drugs and the tragic consequences of gang violence. Consideration should also be given to successful programs adopted elsewhere. (See Appendix A for examples of other programs.)
- ☐ Provide educational and job-seeking assistance to adults
- ☐ Earmark funds for investment in the community, including small business loans, home improvement loans and home ownership programs for renters
- ☐ In some neighborhoods, provide legitimate immigration counseling and legal representation.

A number of promising programs are in place in the City and County. Others have been recently initiated. They should be encouraged and expanded. Their results should be measured as carefully as possible, and those that show the most promise should be given the resources and organizational scope to operate on a larger scale.

Both the City and County face difficult financial choices, and the additional money for any of these initiatives would be gained only by painful reductions elsewhere. The list above may be incomplete, or that some of our recommendations may ultimately prove to be impractical, but they are offered as starting points.

Despite these difficulties, the City of Los Angeles and the County of Los Angeles might find it possible to truly raise the level of safety and the possibility of an improved way of life in one or more of its communities. Even if tax revenues increase only modestly, community improvement reduces feelings of futility on the part of the police, deputies, firefighters, probation officers, public health employees and the hundreds of others who now serve such neighborhoods without any reasonable hope of success. Those individuals, seeing that they may actually be able to make a difference, may find it difficult not to increase the pace and energy of their work. If more work is done, what remains is less intimidating. Slowly, with missteps and restarts and sometimes-painful discoveries, the quality of life in the City and the County improves; and slowly, just a bit at a time, administering the City and County become less expensive.

It is in these communities that prudent public investment can produce economic benefits for both residents and the government that claims to represent them. Even modest improvements in these desperate communities can produce

remarkable results. During the fact-finding, many brave businesspersons were interviewed. Merchants who moved businesses into difficult neighborhoods shortly after gang behavior was diminished – and at a time when it was not at all clear that the improvement would be more than an interlude. People were willing to buy dilapidated apartment buildings and repair them in hopes of gradually increasing rents. What was remarkable was the speed with which these small entrepreneurs – many not far removed from poverty themselves – were willing to venture into neighborhoods that were only recently the scenes of flagrant gang activity.

There is more good news for both the City and the County here. All of those small entrepreneurs pay taxes. Many of them will provide desperately needed entry-level jobs to neighborhood residents – residents who will also pay taxes and then patronize stores that pay yet more taxes in their turn. These desperate, blighted areas can, with good will and patient effort, find their way to a better, safer, more stable way of life.

DEFINITIONS AND ACRONYMS

DEFINITIONS

- ❑ **Gang.** A group of three or more persons who have a common identifying sign, symbol, or name, and whose members individually or collectively engage in, or have engaged in, a pattern of criminal activity creating an atmosphere of fear and intimidation within the community. Any group, including outlaw motorcycle gangs, prison gangs, posses, taggers, party crews, subversive groups and their associated membership can qualify under the definition of a gang.
- ❑ **Gang member.** A juvenile or adult who has been positively identified and documented as a gang member under the California Department of Justice's approved criteria.
- ❑ **Affiliate gang member.** A juvenile or adult who is identified by a gang officer as one who associates with a gang, but is not necessarily a full member.
- ❑ **Gang officer.** Any officer or detective assigned to an authorized gang investigation unit, including, but not limited to, area Gang Impact Team (GIT) and Special Operations Support Division in LAPD or in the Safe Streets Bureau of LASD.
- ❑ **Gang-related crime.** Any crime may constitute a gang-related crime when the suspect or victim is an active or affiliate gang member, or when circumstances indicate that the crime is consistent with gang activity. Crime consistent with gang activity can include, but is not limited to, incidents when:
 - The suspect or victim has a gang tattoo
 - The suspect or victim has a gang moniker
 - A statement indicating gang involvement was made
 - The suspect or victim demonstrated gang behavior
 - Multiple suspects and gang *modus operandi* were involved.³⁵

³⁵ Special Order No. 3, Office of the Chief of Police, LAPD, January 28, 2004.

ACRONYMS

ACLU	American Civil Liberties Union
ADA	Assistant District Attorney
CBO	Community-based organization
CCR	Criminal Complaint Report
CGI	Civil Gang Injunction
CGNAC	California Gang Node Advisory Committee
CLEAR	Community Law Enforcement and Recovery
CYA	California Youth Authority
DCA	Deputy City Attorney
DDA	Deputy District Attorney
DPO	Deputy Probation Office
FBI	Federal Bureau of Investigation
G-CAD	Gang Crime Analysis Detail
GED	Gang Enforcement Detail
GET	Gang Enforcement Team, LASD
GIT	Gang Impact Team, LAPD
GSS	Gang Support Section, Special Operations Support Division, LAPD
HEAT	Heightened Enforcement and Targeting
IGTF	Inter-Agency Gang Task Force
LAPD	Los Angeles Police Department
LASD	Los Angeles County Sheriff's Department
MS	Mara Salvatrucha
NED	Narcotics Enforcement Detail
OSS	Operation Safe Street, LASD
RD	Reporting District (of LAPD)
SAGE	Strategies Against Gang Violence
SSB	Safe Streets Bureau, LASD
STEP	Street Terrorism Enforcement and Prevention Act
UCR	Uniform Crime Reporting (for the FBI)

APPENDIX A:

LITERATURE REVIEW – DETAILS AND REFERENCES

CGIs AS WEAPONS AGAINST CRIMINAL GANG BEHAVIOR

In a legal sense, CGIs are civil actions that prohibit specifically named individuals from engaging in particular activities within a clearly defined target area. It is usually a neighborhood-level intervention with a goal to rid the community of the actions that present a public nuisance, e.g., drug selling, prostitution, vandalism, etc.

It is not surprising that injunctions were developed in Los Angeles, where gang activity has historically been persistent and severe. According to Maxson *et. al.*, (2003a), in the early 1980s, law enforcement officers in Orange and Los Angeles Counties obtained a series of civil court injunctions to prohibit gang activity at specific locations in Santa Ana (1980), Pomona (1981), West Covina (1982) and East Los Angeles (1986). The Los Angeles City Attorney was the first to sue a gang as an unincorporated association in 1982. In 1987, a highly publicized injunction was issued against the Playboy Gangster Crips that, unlike others, covered the entire City of Los Angeles. The next injunction, issued in 1992, started a precedent of limiting the association of one defendant gang member with another. Injunction activity accelerated beginning in 1996 when a Southern California gang was enjoined, on average, every two months. Los Angeles County has two-thirds of the 31 injunctions issued in Southern California in the 1990s, while San Diego, Orange, San Bernardino and Ventura Counties issued the remaining one-third. In July 2003, the 17th injunction was implemented in Los Angeles County. While CGIs remain primarily a Southern California experience, the strategy has been used in Texas and other states as well (Maxson *et al*, 2003b).

THE PROCESS OF OBTAINING A CGI

As an action in civil court, an injunction begins with a petition to the court for the relief from public nuisance caused by specific members of a gang. According to Maxson *et. al.*, (2003a), local prosecutors typically work with police to develop evidence to support a suit brought before a civil court judge. The evidence is a series of declarations by residents and law enforcement officers supported by criminal histories that name particular gang members, who have created and maintained a public nuisance. They are also used to document the fact that the gang is an unincorporated association responsible for such behaviors. It requires substantial effort on the part of prosecutors to obtain reports from residents fearful of retaliation, and usually takes several months to accomplish. This evidence becomes known to the gang members when the complaint is filed with the court. Each defendant is presented with a copy of the complaint to include them in the lawsuit. If they are not served with papers (i.e. they cannot be found), they may be excluded from the suit.

The suit alleges that a certain gang and its members present a public nuisance to its community in violation of Civil Code Sections 3479 and 3480. The petition asks that named members of the gang be prohibited, within a specified geographic area, from conducting a range of illegal activities, or legal activities which contribute to the gang activities constituting the nuisance. All named defendants are notified of the initial hearing date and served with a copy of the petition. One to three months after the petition is filed, there is a court hearing during which the judge may approve the issuance of the CGI as requested. If the judge finds the petition deficient (e.g., due to a vague description of activities sought to be proscribed or insufficient evidence), the proposed CGI may be modified to delete some defendants or in its terms. If the CGI is approved, a temporary restraining order is issued, and the defendants are served with notice that the preliminary injunction has been issued. If the defendants do not take the lawsuit to trial, the preliminary injunction becomes permanent; otherwise, the preliminary injunction remains in effect pending the outcome of the trial. CGI violations, whether the CGI is preliminary or permanent, subject the named individuals to arrest for violating a court order. The violators may be prosecuted criminally with penalties ranging from fines up to \$1,000 and/or incarceration for up to six months for a criminal prosecution. Civil enforcement of a CGI results in lesser penalties, including incarceration for up to 5 days, but the penalties may be imposed without the rigors of the criminal process.

EXPECTED CGI BENEFITS AND DRAWBACKS

Maxson *et. al.* (2003a) (2003b) draw from the literature of criminology and social psychology three possible mechanisms through which injunctions might affect gang activity. The first, and most obvious, is deterrence, when gang members are threatened with punishment for the enjoined activities. The notifications of hearings and injunction papers may increase the perception by targeted gang members that they are being closely watched and are now more likely to be apprehended and prosecuted for violations (Klein, 1993). Vigorous policing and enforcement of an injunction are crucial to maintain this effect.

An additional effect of injunctions is a process of individualization that decreases identification with the gang (Zimbardo, 1969). Social psychological theory suggests that individuals may feel less responsible for their behavior when they strongly identify with a group (Erikson, 1968). As Maxson suggests, being served with injunction papers may send the message to the particular gang members that they are being closely watched, and increase their sense of personal responsibility for their own behavior. In this process, identification with the gang might decrease, as could the overall gang cohesiveness that is associated with violent gang activity (Klein, 1995).

Injunctions may also work through community empowerment, an idea derived from social disorganization theory (Bursik and Grasmick, 1993). Maxson hypothesizes that the process of developing and implementing a CGI may engage community members in an overall effort to build informal social control, social capital and supportive organizational structures in neighborhoods where gangs arise. By reducing the level of the immediate threat of the gang to community residents, injunctions may lay a foundation for shoring up community control that reduces

criminal activity. The Strategies Against Gang Environment (SAGE) manual of the Los Angeles County District Attorney, as well as other injunction practitioner literature, emphasizes the community policing perspective as the ideological foundation for a CGI. Former City Attorney James Hahn, who popularized CGIs in Los Angeles, believes that a CGI provides communities with the breathing space “to get those resources into the neighborhood, and once you get those established, gangs can’t really come back and control everything” (*LA Weekly*, January 15, 1999). The goals of injunctions typically are couched in community policing terms, such as solving specific community crimes, decreasing disorder and overcoming fear (Greene, 2003). Higher levels of community involvement and greater impact on community environments might be expected from injunctions developed and implemented with this philosophical orientation, as compared with other forms of gang enforcement (Decker, 2003).

The expected benefits of CGIs can be summarized as follows:

- ☐ Residents are relieved from particular actions by gangs that were bothersome before (e.g., the public feels safer going to the local parks where the injunction prohibits gang from congregating)
- ☐ Residents gain a greater sense of control; they can anonymously report injunction violations to the police, gaining substantially more leverage in their attempts to control gang activities.
- ☐ Vigorous police enforcement provides an excuse for some members to get out of the gang.
- ☐ Youths are less exposed to gang activities when gangs stay off the streets.

At the same time, some scholars and community activists have expressed reservations about the widespread use of CGIs.

- ☐ In some cases, an injunction may serve as a common threat that helps to unite a gang and induce retaliation against individuals.
- ☐ Gang activities might be displaced to the neighboring areas not covered by the injunction when other factors do not prohibit this.
- ☐ Injunctions may not have any effect in the long run when gang members not named in the injunction become more active or when gangs learn how to get around injunctions, especially when enforcement is low.
- ☐ Injunctions can further alienate youths, labeling them forever as gang members and making it more difficult to return to normal life, especially since CGIs do not provide positive alternatives.
- ☐ The suppression of a local gang may attract rival, neighboring gangs.
- ☐ The injunction limits the civil rights of an individual. The ACLU has challenged CGIs on those grounds, causing some injunctions to be denied or reversed.
- ☐ A CGI requires substantial investment in resources 1) at the injunction preparation stage, when evidence is collected and documents are presented and 2) in enforcement, which entails increased policing and injunction-related arrests. These expenses could be spent on alternative prevention programs.

Maxson undertook a survey of gang officials in the jurisdictions of Southern California that issued 30 injunctions. Survey respondents typically described an impetus for an injunction as an intolerable level of violent criminal and nuisance

behavior concentrated in a particular area that was claimed by the enjoined gang. Injunctions are usually regarded as a last resort, when more common measures are exhausted. Law enforcement, the City Attorney, or the District Attorney take the lead in deciding to pursue an injunction. The survey revealed that two-thirds of the respondents did not feel that community support is crucial. Approximately one-half of the respondents suggested that the community played no role in the development of injunctions.

While a CGI might be obtained with little or no community involvement, such involvement might be crucial for the long-term success of a CGI. The injunction obtained in the City of Inglewood, where the community commitment was especially weak, has not been successful (Maxson and Allen, 1997).

Sometimes, injunctions depart from the established trend to target neighborhood-based gangs and are used to prevent fledgling gangs from becoming entrenched in the neighborhood, such as in San Bernardino in 1999, or to secure certain neighborhood events (e.g., the county fair in Ventura in 1998) (Maxson, 2003a). Although most injunctions rely solely on deterrence, communities – such as Redondo Beach – supplemented their CGI with skill training programs and employment opportunities for gang members.

The proscribed activities vary because the nature of the nuisance is specific to a particular community. Gang members are typically prohibited from congregating in or near certain locations (e.g., parks and schools), committing vandalism, harassing or intimidating residents, trespassing on private property or engaging in behaviors commonly associated with selling drugs (e.g., possessing pagers or acting as a lookout). Other prohibited activities may include using a cell-phone, riding a bike, whistling, using abusive language or violating a curfew.

There is no systematic recording of the number of arrests in gang injunctions, but findings from interviews conducted by Maxson et al (2003) suggest that relatively few arrests and prosecutions typically result from injunctions. Newspapers report that often police prefer not to arrest for injunction violations, but use them as a negotiation tool to extract information from the gang members (Press-Telegram).

EMPIRICAL EVIDENCE OF CGI SUCCESS

The law enforcement agencies responsible for implementing CGIs perceive it as a successful intervention, as is typical of practitioners' assessment of their own programs. Maxson *et. al.* present some anecdotal evidence they collected through their interviews. Success is reported in multiple dimensions:

- ☐ Reduction in gang activity
- ☐ The splintering of gang structures resulting from relocation of targeted gang members
- ☐ Decreases in crime rates
- ☐ Increase in residents' sense of security.

The Redondo Beach and San Bernardino injunctions are perceived to be particularly successful, reporting up to 90% reduction in reported crime. Newspaper articles

and practitioners' literature also laud the success of the injunctions (e.g., Cameron et al. 1997).

The observations of outside observers are not always as uniformly positive. An article in the Long Beach Press-Telegram,³⁶ focusing on CGIs in Long Beach, contained the following conclusions:

- ❑ One injunction was followed by reduction in crime rates, the other by an increase.
- ❑ Other gang-related programs were launched at the same time as the injunctions, making it difficult to attribute the changes in gang activity to the injunctions alone.
- ❑ Nearly 80% of the gang members named in the injunctions were convicted of at least one crime after the injunctions were imposed.
- ❑ Out of 20 people named in the East Side Longos Injunction (2001), 4 were convicted of violating the injunction in the year-and-a-half after the injunction was implemented.

Unfortunately, CGI efforts suffer from a lack of systematic evaluation. The most scientifically rigorous study was conducted by Grogger (2000), using data from 14 injunctions imposed in Los Angeles County between 1993 and 1998. He established a control group of 14 areas that he compared to 14 areas in which injunctions were imposed. He then contrasted crime rates in the control and CGI areas. Grogger used two alternative methods to pick the comparison areas for each injunction 1) areas neighboring (but not bordering) the injunction area and 2) areas with a matching pre-injunction crime level. The same technique was used to detect spillover or displacement effects of the injunction on the bordering areas. The data he used allowed for comparison of crime trends in the five quarters preceding the injunctions with the crimes in the following year.

From his analysis, Grogger concluded that reported violent crimes fell on average between 5 to 10 percent compared with the pre-injunction period. The largest crime reductions were concentrated in assault, while the effect on the reduction in robberies was less pronounced. His analysis revealed that neither murders nor rapes were affected by injunctions. Finally, this study uncovered no evidence of the displacement of criminal activity into adjoining areas due to an injunction.

This study has a number of limitations in interpreting the effectiveness of injunctions. Due to limited data availability, the study measures only the effects of injunctions on murder, rape, robbery and aggravated assault, while other gang-related problems for which injunctions are believed to be the most effective (e.g., drug-related crimes, residents' sense of safety) are not measured. Also, the study method measures the average effect of the injunctions, regardless of its characteristics (a small number of injunctions do not allow one to measure the effects of specific characteristics). Thus, there may be some injunctions that were much more successful than the mean, and some that were ineffective or even harmful (e.g., the Inglewood injunction, widely perceived as ineffective, was

³⁶ <http://www.presstelegram.com/Stories/0,1413,204~29997~1770117,00.html>

included in the analysis). Also, the study only reports short-term effects of an injunction, while longer-term outcomes remain unclear.

The effect of injunctions may be overestimated in the study if police patrols and aggressive law enforcement investigations are reduced before an injunction is implemented. The speculative cause of this reduction is the need to assign police officers to the substantial task of collecting evidence and preparing for the injunction. It is also possible that an injunction is part of a wider strategy involving other programs, which were launched together. In such cases, one cannot attribute the entire crime reduction effect to any one initiative.

The effects of injunctions cannot be judged unless compared to other programs. Some anti-gang interventions are similar to injunctions, including common elements such as community policing, Inter-agency cooperation and place-based enforcement efforts. Grogger (2000) also presented information on other comparable programs in his study. He does not compare injunctions with community policing programs because they have not been evaluated rigorously.

- ❑ The best-known example of interventions relying on Inter-agency cooperation is the Boston Gun Project. It first used intelligence from several law enforcement agencies to identify chronically offending gang members. The gang members were told that the police would respond swiftly to future reports of gun violence and that the penalties for such violence would effectively increase. The project has been credited with a nearly 60 percent reduction in youth homicides, even though the question remains of other factors contributing to this outcome.
- ❑ Place-based enforcement interventions typically involve direct patrols by police, which, like the gang injunctions, focus on small geographic areas with particularly acute crime problems. One such program in Kansas City that deployed special police patrols and focused on seizing illegal guns within an 8-by-10-block neighborhood was estimated to reduce gun crimes in the target area by nearly 50 percent over a 6-month period.
- ❑ Another program in Minneapolis increased patrols within a randomly selected group of 55 crime "hot spots." As a result, the number of calls to police regarding "hard crimes" decreased by about 5 percent, and disorder witnessed by trained observers decreased by 25 percent.
- ❑ A Jersey City experiment, which also included small target areas that were randomly assigned to intervention, reduced reported crime by 32 percent and calls to police by 14 percent.

In comparison with these other place-based enforcement efforts, the effects of the gang injunctions are relatively small. This may be the result of differences in patrolling efforts, because in all of the place-based interventions cited, the evaluators document a substantial increase in police presence within the targeted areas. Although there are no data on injunction-related patrols, the smaller effects of the injunctions are consistent with anecdotal evidence from prosecutors that, in many cases, police patrols changed little in response to the injunctions. The

effectiveness information alone is not enough to prefer one intervention against another; it is also important to know the costs of the interventions, which are unknown at present.

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COUNTY AND CITY OF LOS ANGELES

**A MANAGEMENT REVIEW OF THE EFFECTIVENESS OF
CIVIL GANG INJUNCTIONS (CGIS)**

**APPENDIX B
SUPPLEMENTAL DATA ANALYSIS OF
TOTAL CRIMES AND PART 1 CRIMES, BY CGI,
AND CGI MAPS
FOR THE
2003-2004 LOS ANGELES COUNTY
CIVIL GRAND JURY**

**SUPPLEMENTAL DATA ANALYSIS OF
TOTAL CRIMES AND PART 1 CRIMES, BY CGI,
AND CGI MAPS
FOR THE
2003-2004 LOS ANGELES COUNTY
CIVIL GRAND JURY**

TABLE OF CONTENTS

- 1. Bounty Hunters**
- 2. Rolling 60s**
- 3. Avenues**
- 4. KAM**
- 5. 18th Street Pico Union**
- 6. Canoga Park Alabama**
- 7. Pacoima Project Boys**
- 8. Culver City Boys**
- 9. Venice 13**
- 10. Harbor City Boys and Harbor City Crips**
- 11. Venice Shoreline Crips**
- 12. Langdon Street**
- 13. Harpys**
- 14. Blythe Street**

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

1. Bounty Hunters

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

1. Total Crimes and Part 1 Crimes: Bounty Hunters

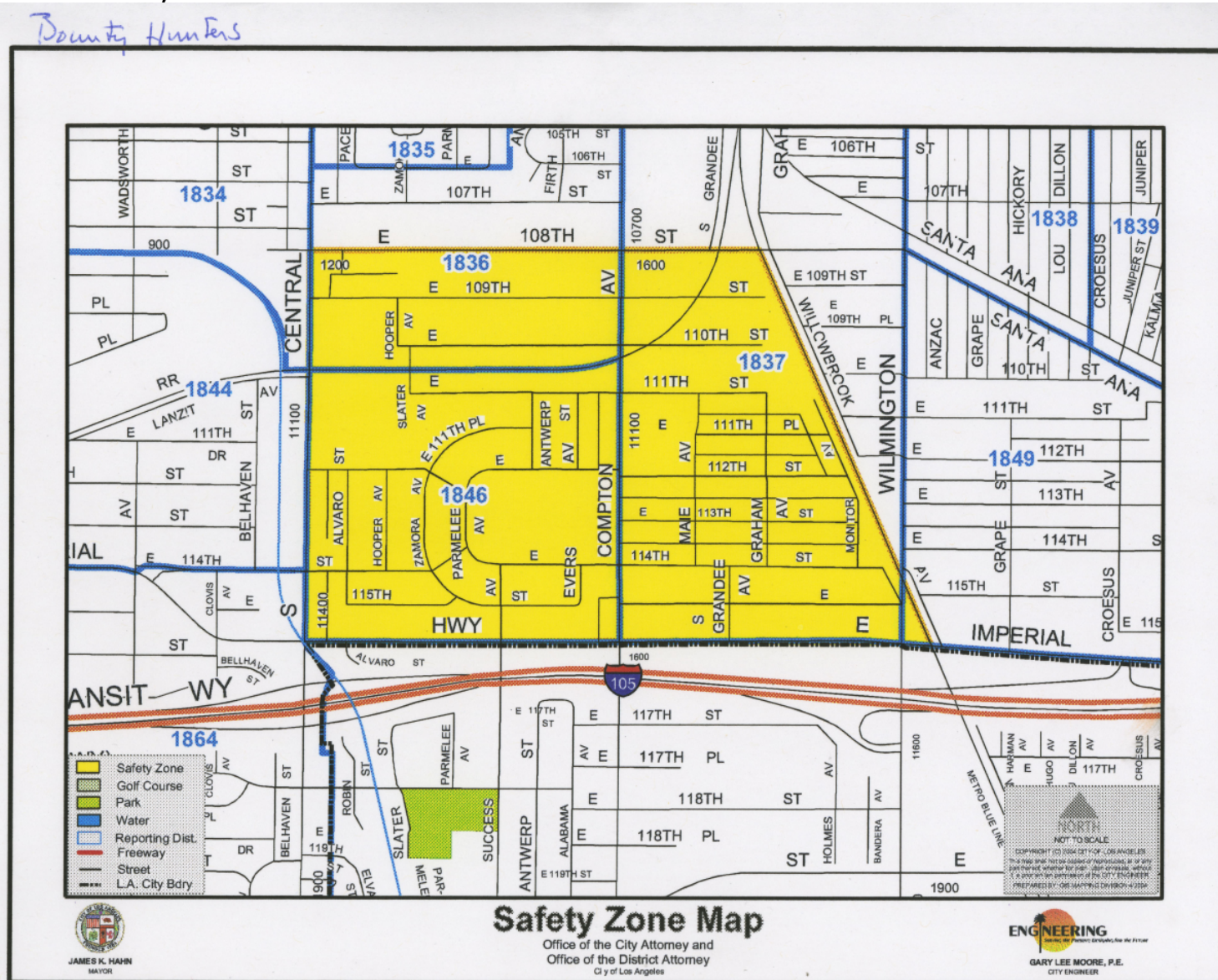
Areas	Total Crimes		Difference
	Pre-injunction*	Post Injunction (2 Quarters)	
Target	147.50	100.17	-47.33
			22.32
Adjacent	101.47	86.30	-15.17
			3.70
Neighboring	120.38	107.95	-12.42
			3.37
			Difference-in-difference
Target			-34.91
			22.57
Adjacent			-2.74
			5.01
Areas	Part 1 Crimes		Difference
	Pre-injunction*	Post Injunction (2 Quarters)	
Target	96.89	63.33	-33.56
			17.27
Adjacent	65.27	56.30	-8.97
			2.95
Neighboring	76.33	69.55	-6.79
			2.52
			Difference-in-difference
Target			-26.77
			17.45
Adjacent			-2.18
			3.88

* Based on 6 Quarters of Pre-injunction period

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



261



**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

2. Rolling 60s

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

2. Total Crimes and Part 1 Crimes: Rolling 60s

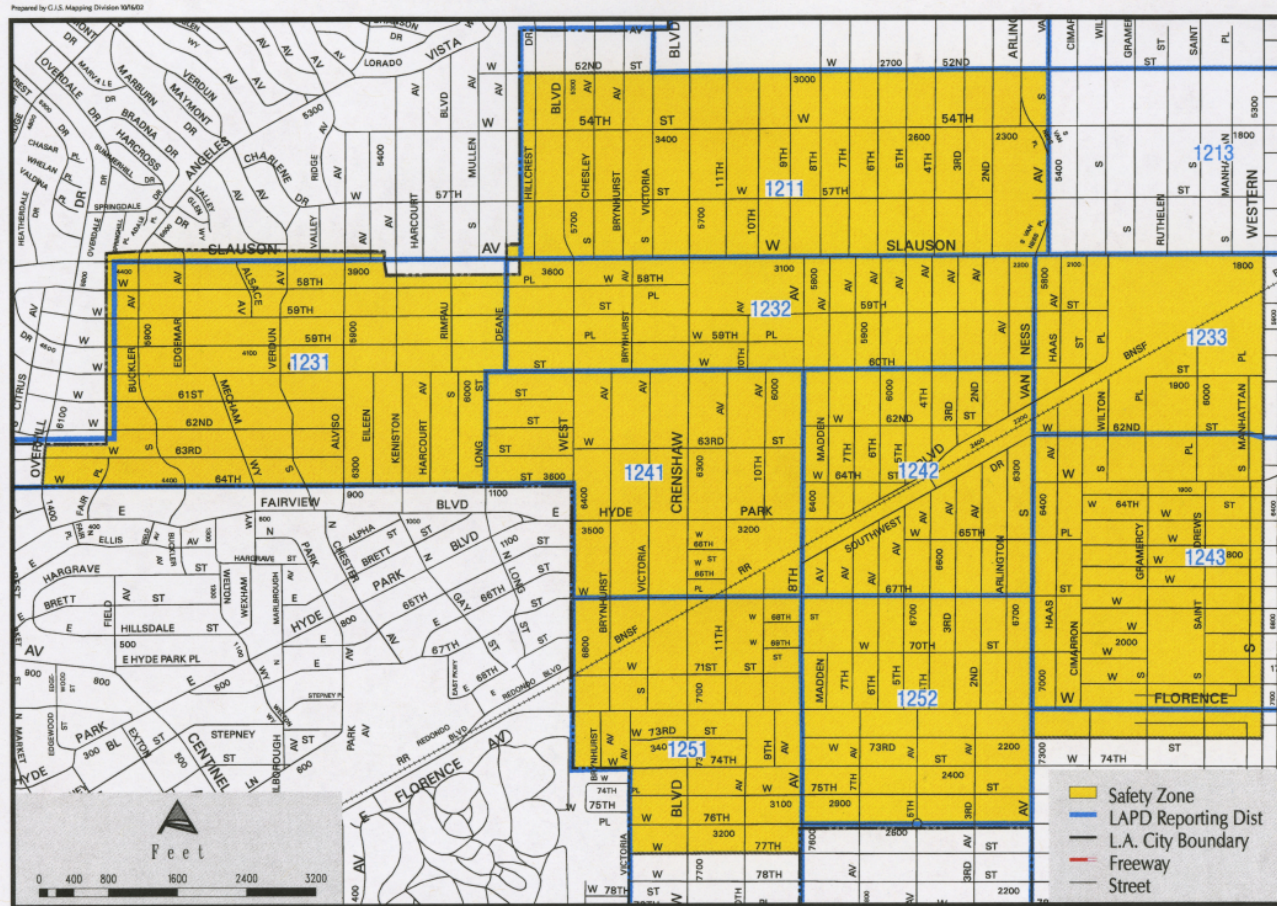
Areas	Total Crimes		Difference
	Pre-injunction*	Post Injunction (2 Quarters)	
Target	123.94	110.22	-13.72
			5.07
Adjacent	134.83	112.70	-22.13
			6.72
Neighboring	112.46	98.86	-13.61
			3.91
			Difference-in-difference
Target			-0.12
			6.40
Adjacent			-8.53
			7.77
Areas	Part 1 Crimes		Difference
	Pre-injunction*	Post Injunction (2 Quarters)	
Target	74.35	69.89	-4.46
			3.47
Adjacent	83.03	70.30	-12.73
			3.36
Neighboring	67.45	60.39	-7.06
			2.40
			Difference-in-difference
Target			2.60
			4.22
Adjacent			-5.67
			4.13

* Based on 6 Quarters of Pre-injunction period

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



James R. Smith
City Engineer

Rolling 60's Safety Zone

Office of the City Attorney

City of Los Angeles



VITALY B. TROYAN, P.E.
CITY ENGINEER

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**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

3. Avenues

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

3. Total Crimes and Part 1 Crimes: Avenues

Areas	Total Crimes						
	Pre-injunction*	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)	
	Total Crimes	Total Crimes	Difference	Total Crimes	Difference	Total Crimes	Difference
Target	82.61	77.98	-4.63	78.49	-4.12	75.90	-6.70
			2.83		2.24		2.34
Adjacent	30.83	29.00	-1.83	29.25	-1.58	28.56	-2.28
			1.58		1.73		1.79
Neighboring	37.12	38.25	1.13	38.25	1.13	36.48	-0.64
			2.36		1.53		1.46
			Difference-in-difference		Difference-in-difference		Difference-in-difference
Target			-5.76		-5.49		-6.99
			3.68		2.71		2.76
Adjacent			-2.96		-2.96		-2.57
			2.84		2.31		2.32

* Based on 6 Quarters of Pre-injunction period

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

3. Total Crimes and Part 1 Crimes: Avenues

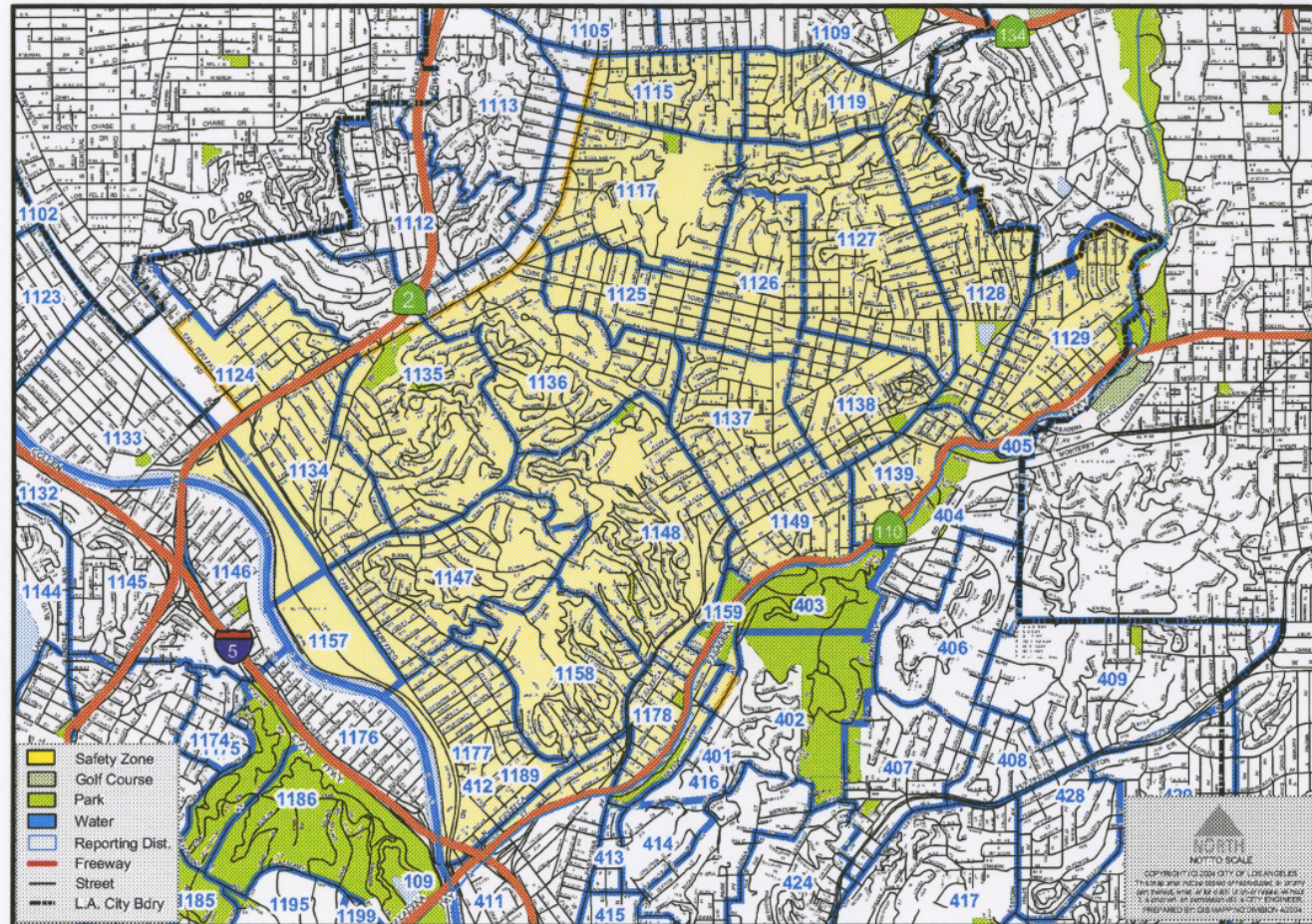
Areas	Part 1 Crimes						
	Pre-injunction*	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)	
	Part 1 Crimes	Part 1 Crimes	Difference	Part 1 Crimes	Difference	Part 1 Crimes	Difference
Target	46.70	41.96	-4.74	43.76	-2.94	42.79	-3.91
			2.33		1.81		1.94
Adjacent	19.20	17.21	-1.99	18.34	-0.86	17.97	-1.23
			1.47		1.28		1.29
Neighboring	22.83	23.83	1.00	24.21	1.38	23.12	0.29
			1.52		0.82		0.74
			Difference-in-difference		Difference-in-difference		Difference-in-difference
Target			-5.74		-4.32		-4.20
			2.78		1.98		2.08
Adjacent			-2.99		-2.24		-1.52
			2.11		1.52		1.49

* Based on 6 Quarters of Pre-injunction period

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**



**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**




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**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

4. KAM

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

4. Total Crimes and Part 1 Crimes: KAM

Areas	Total Crimes						
	Pre-injunction*	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)	
	Total Crimes	Total Crimes	Difference	Total Crimes	Difference	Total Crimes	Difference
Target	71.56	63.67	-7.89	63.58	-7.97	64.33	-7.22
			3.55		5.19		4.35
Adjacent	74.65	74.06	-0.58	73.78	-0.86	70.50	-4.15
			5.61		3.81		3.78
Neighboring	55.14	54.61	-0.54	56.13	0.98	53.83	-1.31
			2.98		2.41		1.97
			Difference-in-difference		Difference-in-difference		Difference-in-difference
Target			-7.35		-9.14		-6.95
			4.64		5.72		4.78
Adjacent			-0.05		-2.03		-3.87
			6.35		4.51		4.26

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

4. Total Crimes and Part 1 Crimes: KAM

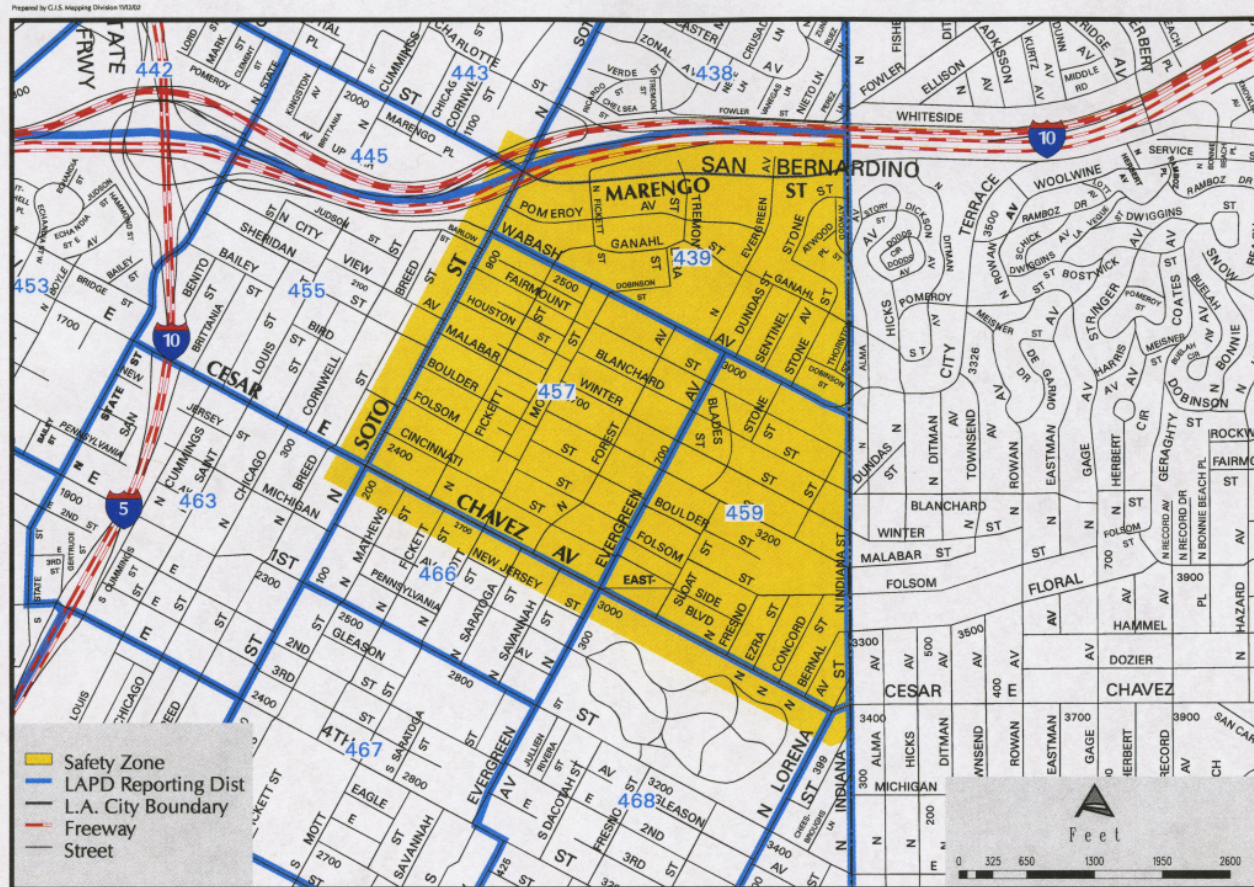
Areas	Part 1 Crimes						
	Pre-injunction	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)	
	Part 1 Crimes	Part 1 Crimes	Difference	Part 1 Crimes	Difference	Part 1 Crimes	Difference
Target	45.28	39.83	-5.44	38.83	-6.44	39.72	-5.56
			4.48		3.68		3.03
Adjacent	47.98	48.63	0.65	46.78	-1.20	44.75	-3.23
			5.26		3.49		3.63
Neighboring	35.40	36.68	1.27	36.57	1.17	35.13	-0.27
			2.48		2.10		1.89
			Difference-in-difference		Difference-in-difference		Difference-in-difference
Target			-6.72		-7.61		-5.28
			5.12		4.24		3.57
Adjacent			-0.63		-2.36		-2.96
			5.82		4.0		4.09

* Based on 6 Quarters of Pre-injunction period.

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**



James E. Bain
City Engineer
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K.A.M. Safety Zone

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**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

5. 18th Street Pico Union

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

5. Total Crimes and Part 1 Crimes: 18th Street Pico Union

Areas	Total Crimes						
	Pre-injunction	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)	
	Total Crimes	Total Crimes	Difference	Total Crimes	Difference	Total Crimes	Difference
Target	73.89	63.58	-10.31	62.04	-11.85	60.86	-13.03
			6.55		7.24		7.99
Adjacent	61.13	53.27	-7.86	53.85	-7.28	52.12	-9.01
			3.70		3.22		3.26
Neighboring	110.29	96.77	-13.53	101.08	-9.22	99.77	-10.53
			5.34		4.66		5.29
			Difference-in-difference		Difference-in-difference		Difference-in-difference
Target			3.22		-3.38		-4.93
			8.46		8.61		9.58
Adjacent			5.67		1.19		-0.91
			6.50		5.66		6.22

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

5. Total Crimes and Part 1 Crimes: 18th Street Pico Union

Areas	Part 1 Crimes						
	Pre-injunction*	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)	
	Part 1 Crimes	Part 1 Crimes	Difference	Part 1 Crimes	Difference	Part 1 Crimes	Difference
Target	50.64	42.17	-8.47	40.83	-9.81	40.56	-10.08
			4.66		5.82		6.45
Adjacent	41.69	35.85	-5.85	35.31	-6.38	34.23	-7.46
			2.13		2.23		2.41
Neighboring	74.14	61.54	-12.60	65.67	-8.47	66.04	-8.10
			3.96		3.50		4.22
			Difference-in-difference		Difference-in-difference		Difference-in-difference
Target			4.13		-1.34		-1.98
			6.12		6.80		7.71
Adjacent			6.76		2.08		0.64
			4.49		4.15		4.86

* Based on 6 Quarters of Pre-injunction period.

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



299



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6. Canoga Park Alabama

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

6. Total Crimes and Part 1 Crimes: Canoga Park Alabama

Reporting Districts	Total Crimes										
	Pre-injunction*	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)		Post Injunction (8 Quarters)		Post Injunction (10 Quarters)	
	Quarterly Mean	Quarterly Mean	Difference	Quarterly Mean	Difference	Quarterly Mean	Difference	Quarterly Mean	Difference	Quarterly Mean	Difference
Target	82.99	83.53	0.54	88.90	5.91	88.35	5.36	84.72	1.73	82.91	-0.08
			2.16		2.41		1.91		1.80		1.80
Adjacent	72.92	71.06	-1.85	70.19	-2.73	70.19	-2.73	70.67	-2.24	69.50	-3.42
			3.58		2.88		3.37		3.52		3.86
Neighboring	61.65	65.90	4.25	68.90	7.25	66.77	5.12	64.72	3.07	63.37	1.72
			2.60		2.55		1.99		1.80		1.68
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-3.71		3.44		3.40		0.73		-0.25
			3.38		3.51		2.75		2.55		2.46
Adjacent			-6.10		-5.20		-4.69		-3.24		-3.59
			4.42		3.84		3.92		3.95		4.21

* Based on 6 Quarters of Pre-injunction period.

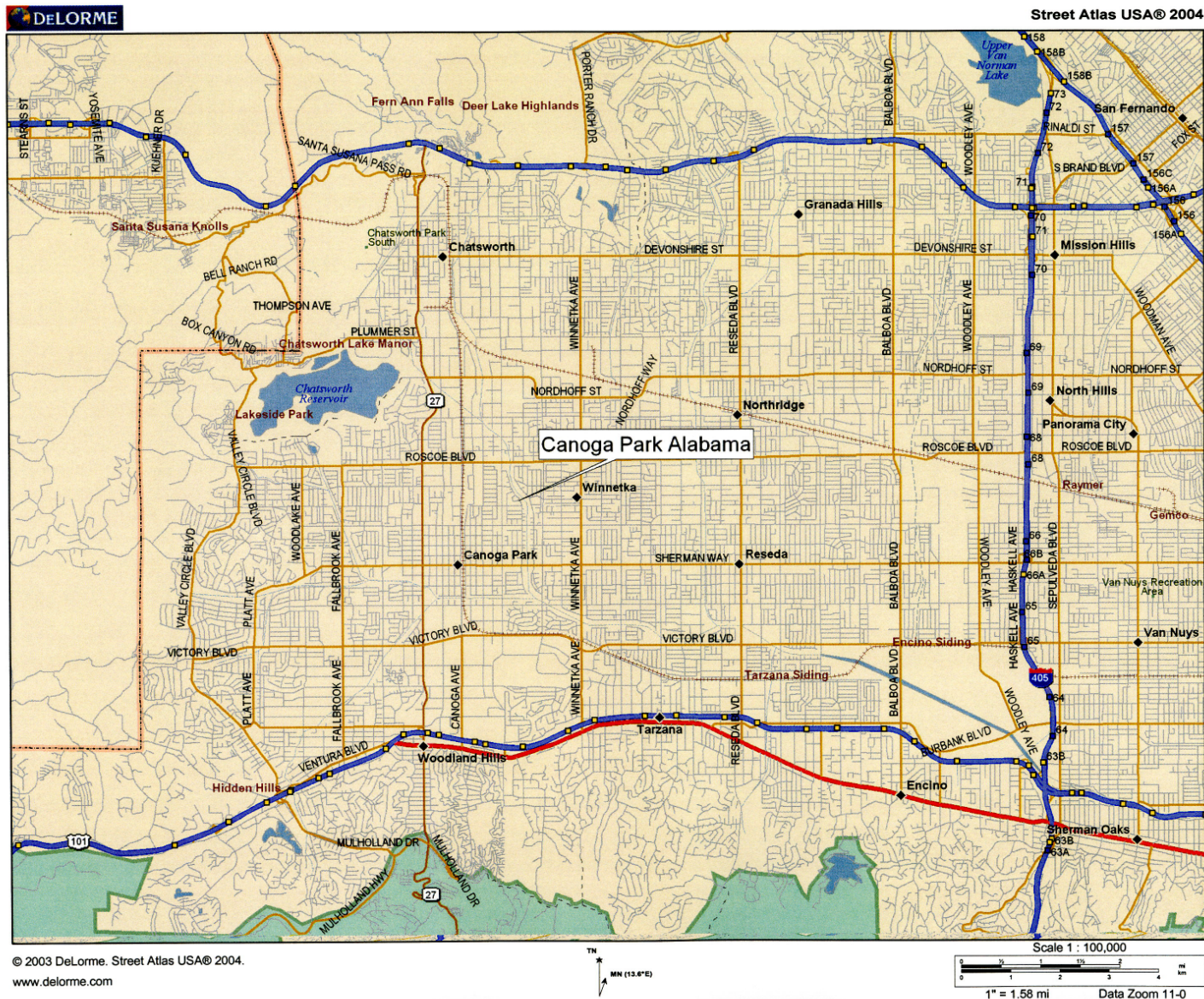
**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

6. Total Crimes and Part 1 Crimes: Canoga Park Alabama

Reporting Districts	Part 1 Crimes										
	Pre-injunction*	Post Injunction (2 Quarters)		Post Injunction (4 Quarters)		Post Injunction (6 Quarters)		Post Injunction (8 Quarters)		Post Injunction (10 Quarters)	
	Quarterly Mean	Quarterly Mean	Difference	Quarterly Mean	Difference	Quarterly Mean	Difference	Quarterly Mean	Difference	Quarterly Mean	Difference
Target	51.02	47.56	-3.46	53.43	2.41	53.50	2.48	51.36	0.34	50.39	-0.63
			1.16		1.31		1.27		1.24		1.25
Adjacent	45.15	40.38	-4.77	42.41	-2.74	42.69	-2.46	43.55	-1.60	42.75	-2.40
			2.11		1.96		2.02		2.14		2.09
Neighboring	37.58	37.18	-0.41	40.05	2.47	39.54	1.96	38.58	1.00	37.76	0.17
			1.87		1.56		1.24		1.13		1.07
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-3.05		-0.06		0.52		-0.66		-0.81
			2.20		2.03		1.77		1.68		1.65
Adjacent			-4.36		-5.21		-4.42		-2.60		-2.57
			2.82		2.50		2.37		2.42		2.35

* Based on 6 Quarters of Pre-injunction period.

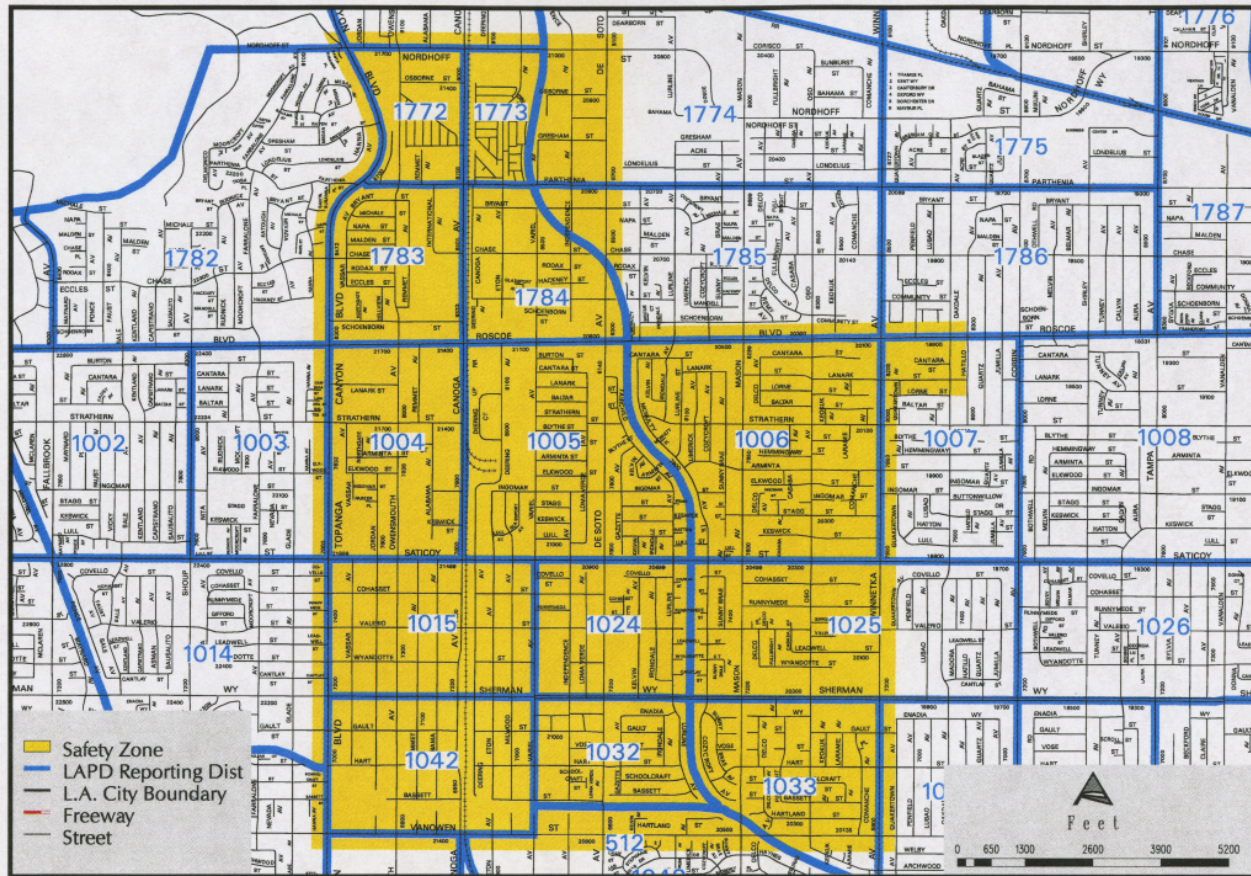
THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

309

Prepared by Dept. of Public Works, Bureau of Engineering, GIS Mapping



JAMES E. SHAIN
Mayor

Canoga Park Safety Zone

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7. Pacoima Project Boys

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

7. Total Crimes and Part 1 Crimes: Pacoima Project Boys

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	78.83	97.00	18.17	99.88	21.04	94.50	15.67	91.44	12.60	88.80	9.97	87.41	8.58
			12.08		4.67		2.39		3.29		1.08		1.37
Adjacent	76.33	83.36	7.02	85.29	8.95	82.33	6.00	82.16	5.83	82.51	6.18	80.97	4.64
			2.87		4.30		2.48		2.07		1.92		1.89
Neighboring	54.03	59.90	5.87	60.73	6.69	59.75	5.72	59.85	5.82	60.25	6.22	59.83	5.79
			3.81		3.62		3.74		3.76		4.10		4.08
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			12.30		16.07		11.52		8.53		5.36		2.78
			12.66		5.91		4.43		5.00		4.24		4.31
Adjacent			1.16		3.98		1.85		1.75		1.57		-1.15
			4.76		5.63		4.48		4.30		4.53		4.50

* Based on 6 Quarters of Pre-injunction period.

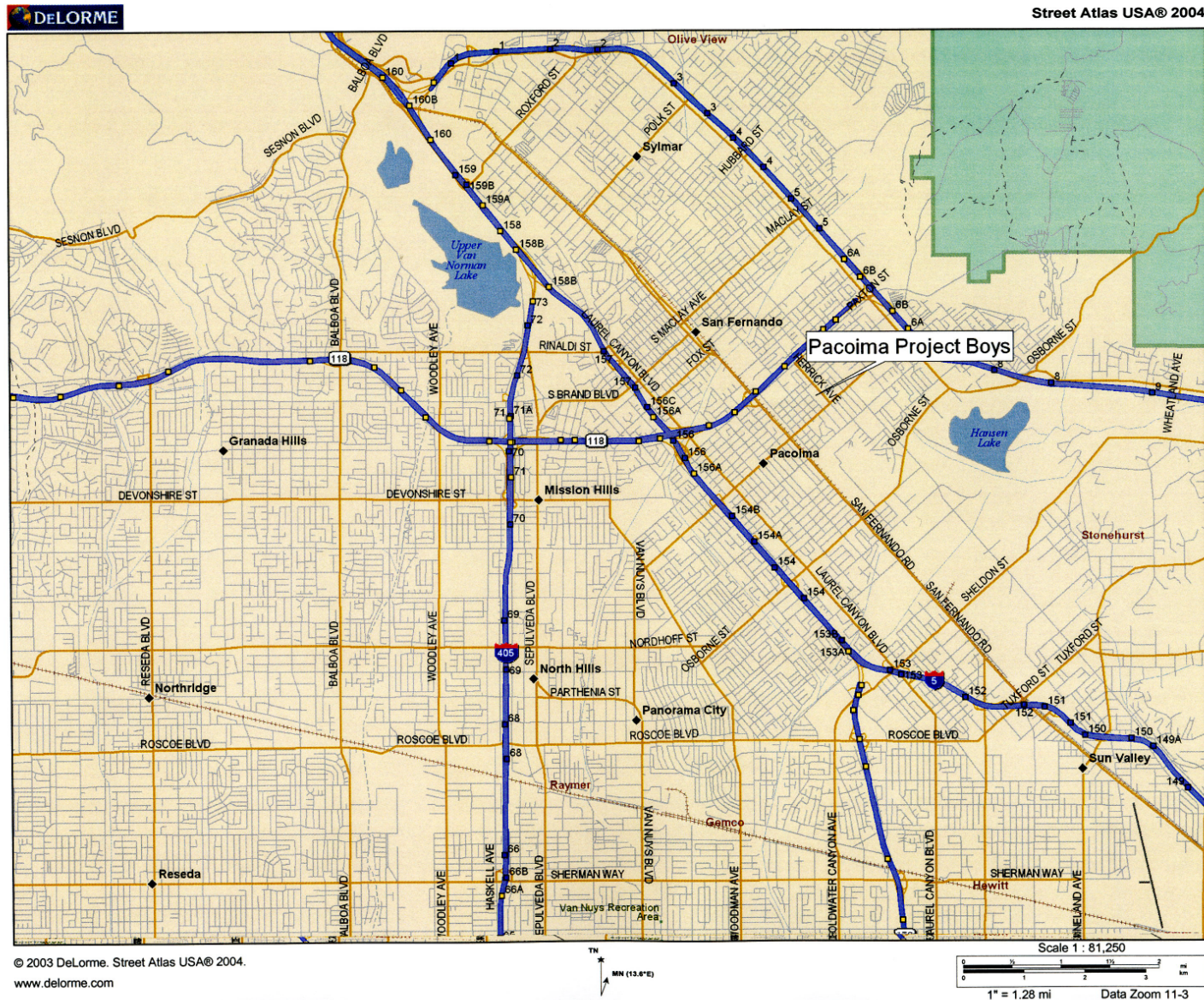
**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

7. Total Crimes and Part 1 Crimes: Pacoima Project Boys

Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	44.00	54.50	10.50	54.13	10.13	52.58	8.58	51.50	7.50	50.25	6.25	49.32	5.32
			1.55		1.93		2.98		1.91		3.71		3.46
Adjacent	44.71	47.79	3.07	47.07	2.36	45.45	0.74	45.93	1.21	46.44	1.73	45.84	1.13
			2.10		1.50		0.98		0.66		0.72		0.77
Neighboring	32.60	38.50	5.90	37.58	4.98	36.75	4.15	36.68	4.08	37.21	4.61	36.75	4.15
			2.72		2.48		2.45		2.42		2.79		2.76
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			4.60		5.15		4.43		3.43		1.64		1.17
			3.13		3.14		3.86		3.08		4.64		4.43
Adjacent			-2.83		-2.62		-3.41		-2.86		-2.88		-3.02
			3.44		2.90		2.64		2.51		2.88		2.86

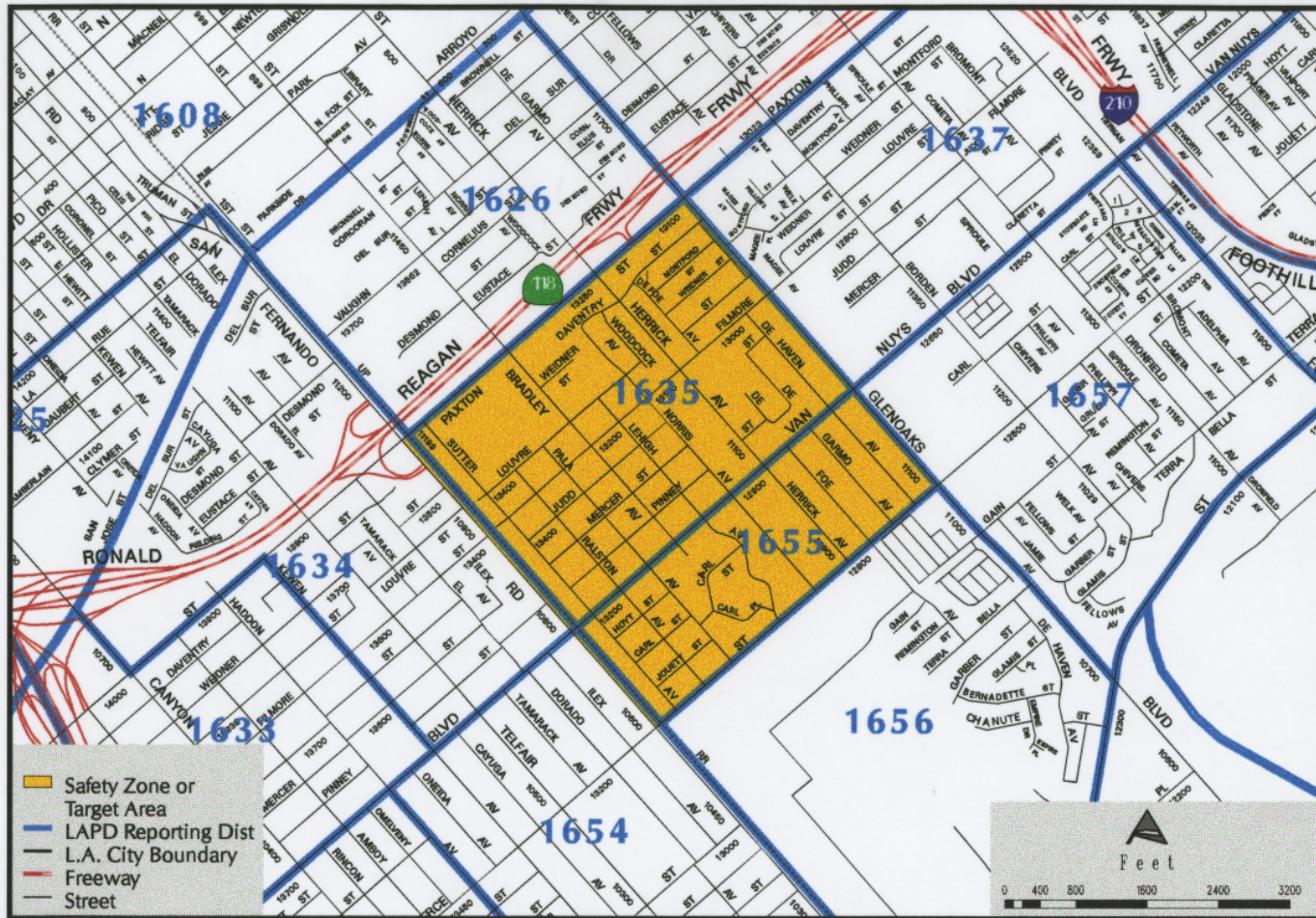
* Based on 6 Quarters of Pre-injunction period.

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

Prepared by Dept. of Public Works, Bureau of Engineering, C.I.S. Mapping Division 06/05/01



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Pacoima Project Boys

Foothill Safety Zone

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8. Culver City Boys

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

8. Total Crimes and Part 1 Crimes: Culver City Boys

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	48.26	42.00	-6.26	40.96	-7.30	43.05	-5.21	42.61	-5.65	41.94	-6.32	40.98	-7.29
			1.93		1.47		1.10		1.58		1.45		1.67
Adjacent	40.79	37.07	-3.71	38.79	-2.00	39.36	-1.43	39.14	-1.64	39.03	-1.76	38.62	-2.17
			1.80		2.76		2.56		2.60		2.51		2.32
Neighboring	41.24	36.83	-4.40	35.92	-5.32	35.72	-5.51	36.63	-4.61	37.14	-4.09	36.66	-4.58
			2.52		1.95		1.64		1.42		1.24		1.33
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-1.86		-0.47		2.13		0.85		-0.36		-2.71
			3.18		2.44		1.97		2.12		1.91		2.13
Adjacent			0.69		4.83		5.92		4.86		4.21		2.41
			3.10		3.38		3.04		2.96		2.80		2.67

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

8. Total Crimes and Part 1 Crimes: Culver City Boys

Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	28.50	22.43	-6.07	21.36	-7.14	22.55	-5.95	22.66	-5.84	22.56	-5.94	21.95	-6.55
			1.29		0.93		0.91		0.74		0.99		1.22
Adjacent	26.64	22.43	-4.21	24.57	-2.07	25.19	-1.45	24.57	-2.07	23.91	-2.73	23.77	-2.87
			1.75		2.52		2.11		2.05		1.96		1.77
Neighboring	28.81	22.25	-6.56	21.98	-6.83	21.46	-7.35	22.30	-6.50	22.84	-5.96	22.66	-6.15
			2.00		1.64		1.64		1.46		1.35		1.42
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			0.48		-0.32		1.39		0.66		0.02		-0.40
			2.38		1.88		1.88		1.64		1.68		1.87
Adjacent			2.34		4.75		5.89		4.43		3.24		3.28
			2.66		3.00		2.67		2.51		2.38		2.27

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**



329


ENGINEERING

VITALY R. TROYAN, P.E.

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**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

9. Venice 13

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

9. Total Crimes and Part 1 Crimes: Venice 13

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	74.69	74.94	0.26	73.36	-1.32	70.15	-4.54	70.75	-3.94	72.39	-2.30	72.22	-2.46
			4.40		3.89		3.22		2.85		2.78		2.56
Adjacent	42.86	41.58	-1.28	43.79	0.93	45.69	2.83	46.35	3.49	46.13	3.27	46.58	3.72
			2.53		2.04		1.98		2.18		2.60		2.38
Neighboring	35.79	39.25	3.46	38.88	3.08	36.54	0.75	37.00	1.21	37.65	1.86	38.27	2.48
			3.96		2.70		1.62		2.11		2.38		2.29
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-3.20		-1.30		-3.83		-3.48		-2.14		-4.94
			5.92		4.73		3.60		3.54		3.66		3.43
Adjacent			-4.74		0.95		3.54		3.95		3.43		1.24
			4.70		3.38		2.56		3.04		3.52		3.31

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

9. Total Crimes and Part 1 Crimes: Venice 13

Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	44.44	47.67	3.22	46.56	2.11	44.00	-0.44	44.42	-0.03	45.26	0.81	45.32	0.88
			2.51		2.21		1.74		1.59		1.74		1.62
Adjacent	27.58	24.92	-2.67	26.13	-1.46	27.58	0.00	28.63	1.04	28.45	0.87	28.54	0.96
			2.07		0.60		0.73		0.98		1.18		0.99
Neighboring	22.58	22.38	-0.21	22.56	-0.02	21.88	-0.71	22.13	-0.46	22.43	-0.16	23.29	0.71
			1.38		1.62		1.77		1.14		1.30		1.33
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			3.43		2.13		0.26		0.43		0.97		0.17
			2.86		2.74		2.48		1.95		2.17		2.10
Adjacent			-2.46		-1.44		0.71		1.50		1.03		0.25
			2.49		1.73		1.91		1.50		1.76		1.66

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**



Prepared by Dept. of Public Works, Bureau of Engineering, G.I.S. Mapping Division 06/05/01



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10. Harbor City Boys and Harbor City Crips

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

10. Total Crimes and Part 1 Crimes: Harbor City Boys and Harbor City Crips

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	94.78	100.50	5.72	104.25	9.47	107.22	12.44	107.25	12.47	110.60	15.82	108.83	14.06
			3.31		6.09		4.31		4.61		5.67		5.83
Adjacent	35.44	36.00	0.56	40.00	4.56	39.72	4.28	40.71	5.26	40.63	5.19	40.19	4.75
			3.25		5.19		3.99		4.12		4.07		3.84
Neighboring	72.69	80.06	7.38	78.06	5.38	77.31	4.63	77.45	4.77	77.65	4.96	77.92	5.23
			3.86		4.20		3.21		3.28		2.62		2.22
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-1.65		5.26		10.13		9.80		13.58		8.83
			5.09		7.39		5.37		5.65		6.25		6.24
Adjacent			-6.82		0.35		1.97		2.59		2.94		-0.48
			5.05		6.68		5.12		5.27		4.84		4.44

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

10. Total Crimes and Part 1 Crimes: Harbor City Boys and Harbor City Crips

Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	57.56	60.33	2.78	62.58	5.03	64.78	7.22	64.50	6.94	67.83	10.28	67.31	9.75
			5.01		6.56		4.74		3.99		4.34		4.54
Adjacent	23.94	23.83	-0.11	26.75	2.81	27.28	3.33	28.25	4.31	28.03	4.09	27.39	3.44
			3.21		4.36		4.03		4.44		4.18		3.61
Neighboring	46.10	52.00	5.90	50.31	4.21	48.42	2.31	48.78	2.68	48.35	2.25	48.50	2.40
			3.12		3.81		2.61		2.37		2.00		1.73
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-3.12		0.82		4.91		4.27		8.03		7.35
			5.90		7.58		5.41		4.64		4.78		4.86
Adjacent			-6.01		-1.40		1.02		1.63		1.84		1.05
			4.48		5.79		4.80		5.04		4.64		4.00

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**



349

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Harbor City Boys/
Crips

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11. Venice Shoreline Crips

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

11. Total Crimes and Part 1 Crimes: Venice Shoreline Crips

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	93.53	81.10	-12.43	84.10	-9.43	83.77	-9.77	81.25	-12.28	81.18	-12.35	82.22	-11.32
			8.11		8.17		8.75		8.12		7.72		7.87
Adjacent	50.25	42.00	-8.25	41.00	-9.25	41.75	-8.50	44.31	-5.94	45.05	-5.20	44.21	-6.04
			3.19		2.65		2.56		1.42		2.17		2.41
Neighboring	28.58	28.00	-0.58	26.63	-1.96	27.08	-1.50	26.06	-2.52	25.30	-3.28	25.88	-2.71
			0.26		0.90		0.51		0.06		0.76		0.13
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-11.85		-6.18		-7.68		-10.03		-9.60		-8.61
			8.11		8.22		8.76		8.12		7.76		7.88
Adjacent			-7.67		-6.00		-6.42		-3.69		-2.45		-3.33
			3.20		2.80		2.61		1.42		2.30		2.41

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

11. Total Crimes and Part 1 Crimes: Venice Shoreline Crips

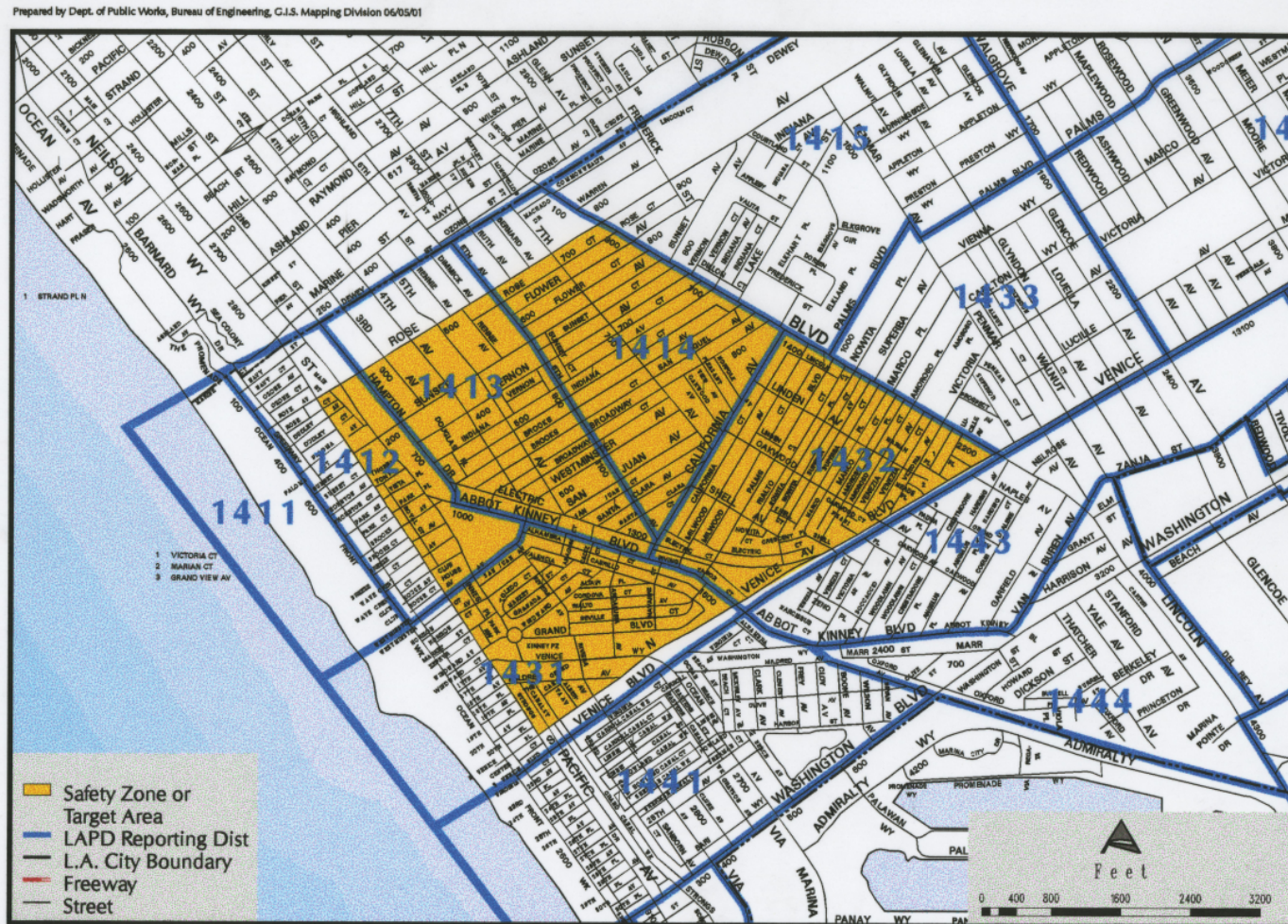
Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	55.63	49.00	-6.63	52.80	-2.83	52.90	-2.73	50.63	-5.01	50.64	-4.99	51.50	-4.13
			5.89		5.57		5.71		5.38		5.04		5.32
Adjacent	31.17	21.25	-9.92	22.38	-8.79	23.83	-7.33	25.94	-5.23	26.50	-4.67	26.17	-5.00
			4.23		3.55		2.90		2.82		3.08		2.54
Neighboring	17.75	14.25	-3.50	14.50	-3.25	15.67	-2.08	15.50	-2.25	15.00	-2.75	15.25	-2.50
			2.42		1.11		0.77		0.85		1.20		0.51
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-3.13		0.42		-0.65		-2.76		-2.24		-1.63
			6.36		5.68		5.76		5.45		5.18		5.35
Adjacent			-6.42		-5.54		-5.25		-2.98		-1.92		-2.50
			4.87		3.72		3.00		2.95		3.31		2.59

* Based on 6 Quarters of Pre-injunction period.

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**



Venice Shoreline Crips

The Oakwood Area

Office of the City Attorney

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12. Langdon Street

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

12. Total Crimes and Part 1 Crimes: Langdon Street

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	108.67	106.75	-1.92	95.63	-13.04	107.25	-1.42	104.81	-3.85	107.05	-1.62	107.42	-1.25
			0.78		1.41		3.83		1.08		2.59		1.78
Adjacent	45.69	49.57	3.88	47.86	2.17	50.45	4.76	50.38	4.68	51.57	5.88	52.57	6.88
			2.89		2.42		2.06		2.23		2.50		3.27
Neighboring	51.80	64.58	12.78	64.69	12.88	66.18	14.38	67.41	15.60	69.06	17.26	70.03	18.23
			19.22		18.31		18.78		19.32		19.90		19.77
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-14.70		-21.48		-10.57		-13.54		-11.86		-19.48
			19.23		18.37		19.17		19.35		20.07		19.85
Adjacent			-8.90		-6.27		-4.39		-5.00		-4.36		-11.35
			19.43		18.47		18.89		19.44		20.06		20.04

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

12. Total Crimes and Part 1 Crimes: Langdon Street

Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	64.08	54.00	-10.08	49.88	-14.21	58.33	-5.75	57.63	-6.46	58.55	-5.53	59.79	-4.29
			4.57		3.38		1.11		0.42		0.54		0.72
Adjacent	26.55	28.29	1.74	28.18	1.63	29.67	3.12	29.46	2.92	30.20	3.65	31.01	4.46
			1.58		1.65		1.62		1.88		2.09		2.85
Neighboring	32.96	40.92	7.96	41.40	8.44	42.11	9.15	42.65	9.69	43.20	10.24	43.71	10.75
			11.97		11.86		12.11		12.55		12.78		12.72
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-18.04		-22.65		-14.90		-16.15		-15.78		-15.04
			12.81		12.33		12.17		12.56		12.79		12.74
Adjacent			-6.22		-6.81		-6.03		-6.77		-6.59		-6.29
			12.08		11.97		12.22		12.69		12.95		13.04

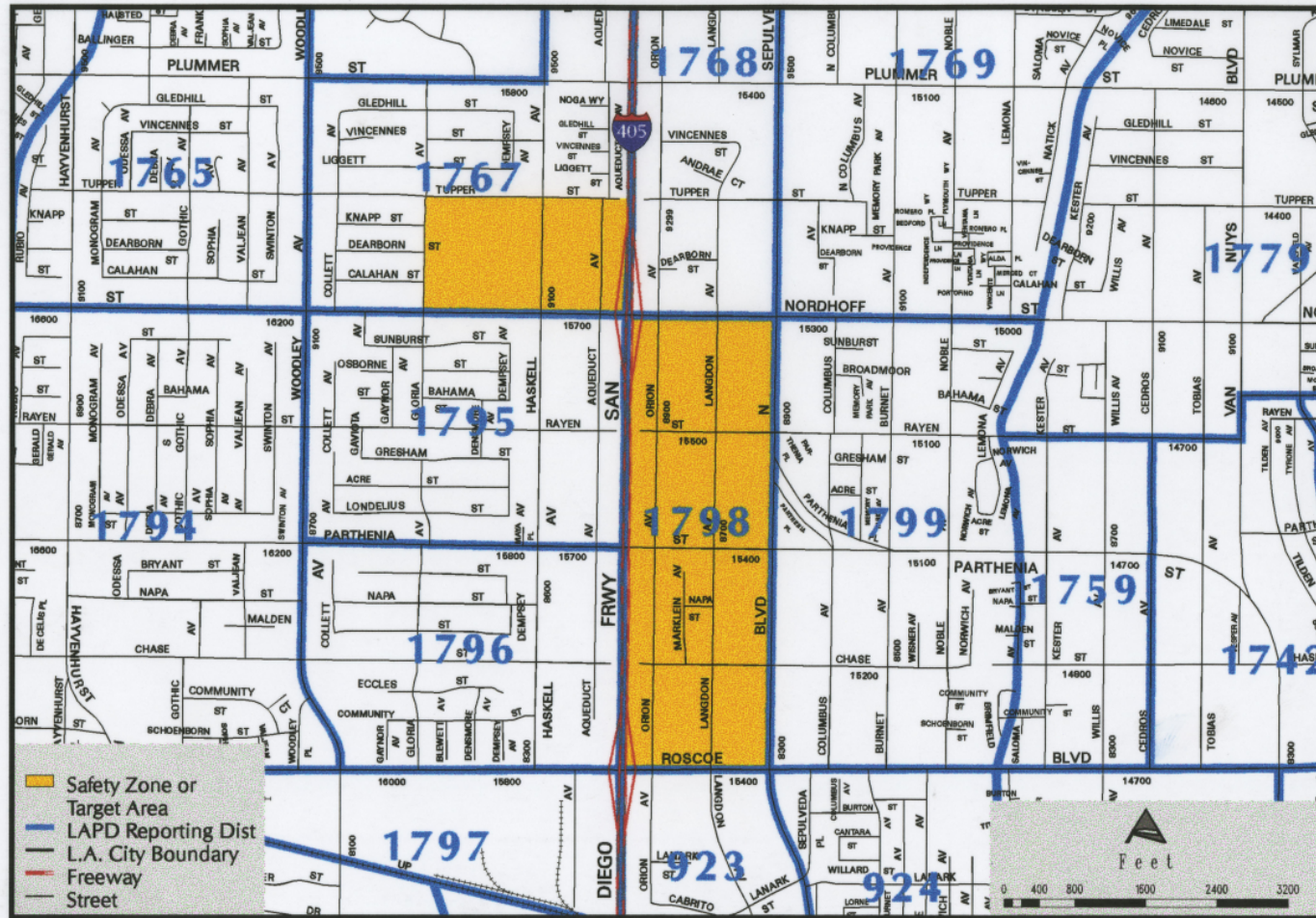
* Based on 6 Quarters of Pre-injunction period.

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



369

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Langdon Street Target Area

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**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

13. Harpys

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

13. Total Crimes and Part 1 Crimes: Harpys

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	58.97	53.00	-5.97	53.10	-5.87	54.03	-4.94	54.68	-4.30	54.80	-4.17	57.83	-1.15
			2.77		1.97		1.44		1.24		1.43		1.38
Adjacent	72.25	69.11	-3.14	69.04	-3.21	69.42	-2.83	70.85	-1.40	71.16	-1.09	72.23	-0.02
			4.79		2.60		1.78		1.42		1.31		1.44
Neighboring	76.02	71.48	-4.55	72.74	-3.29	72.73	-3.29	73.79	-2.23	75.40	-0.62	75.91	-0.11
			1.94		2.43		2.13		2.18		2.18		2.23
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-1.42		-1.42		-0.06		0.01		-1.42		-1.03
			3.38		3.13		2.57		2.50		2.60		2.62
Adjacent			1.40		1.23		2.05		2.90		1.67		0.09
			5.17		3.56		2.77		2.60		2.54		2.65

* Based on 6 Quarters of Pre-injunction period.

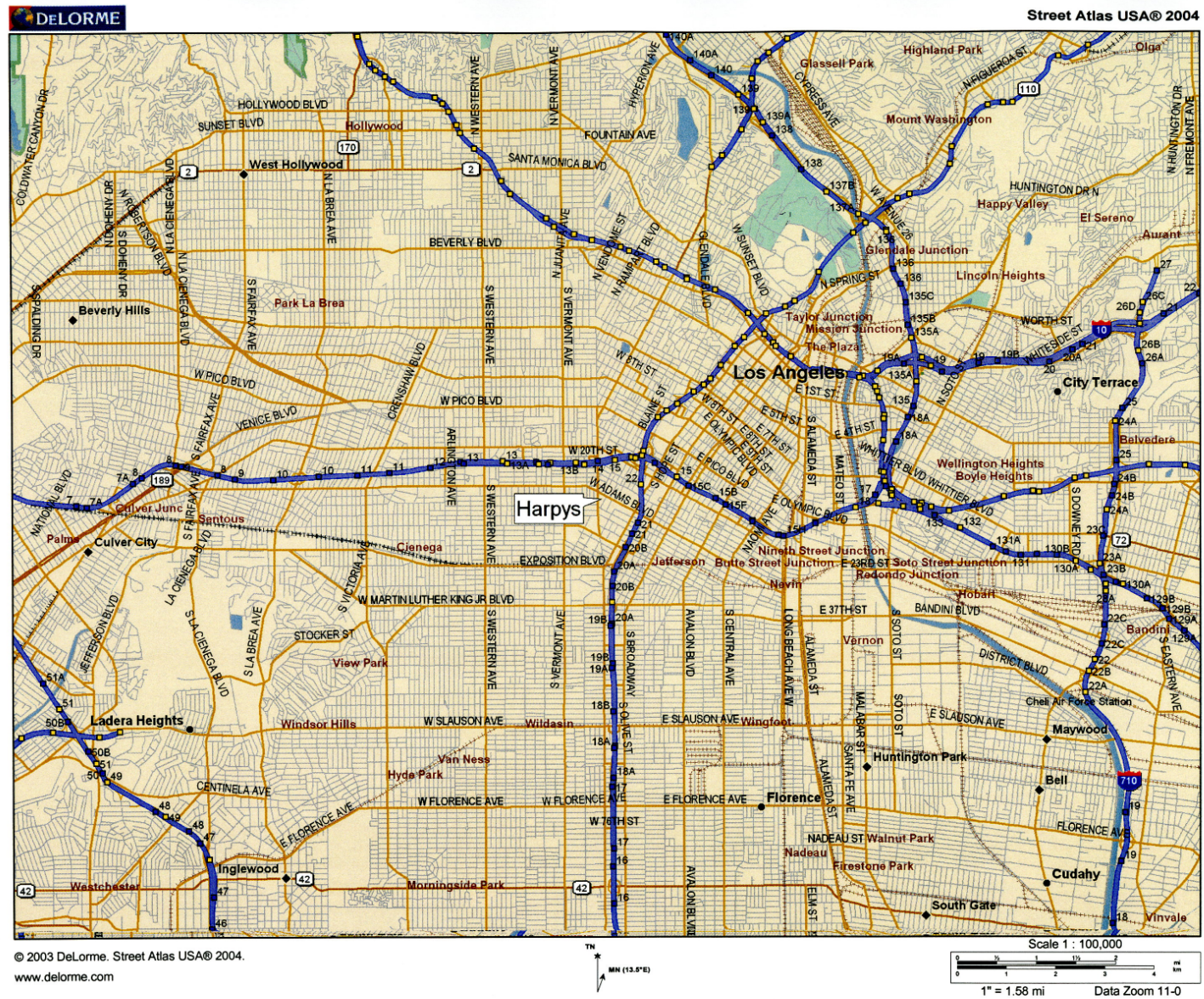
**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

13. Total Crimes and Part 1 Crimes: Harpys

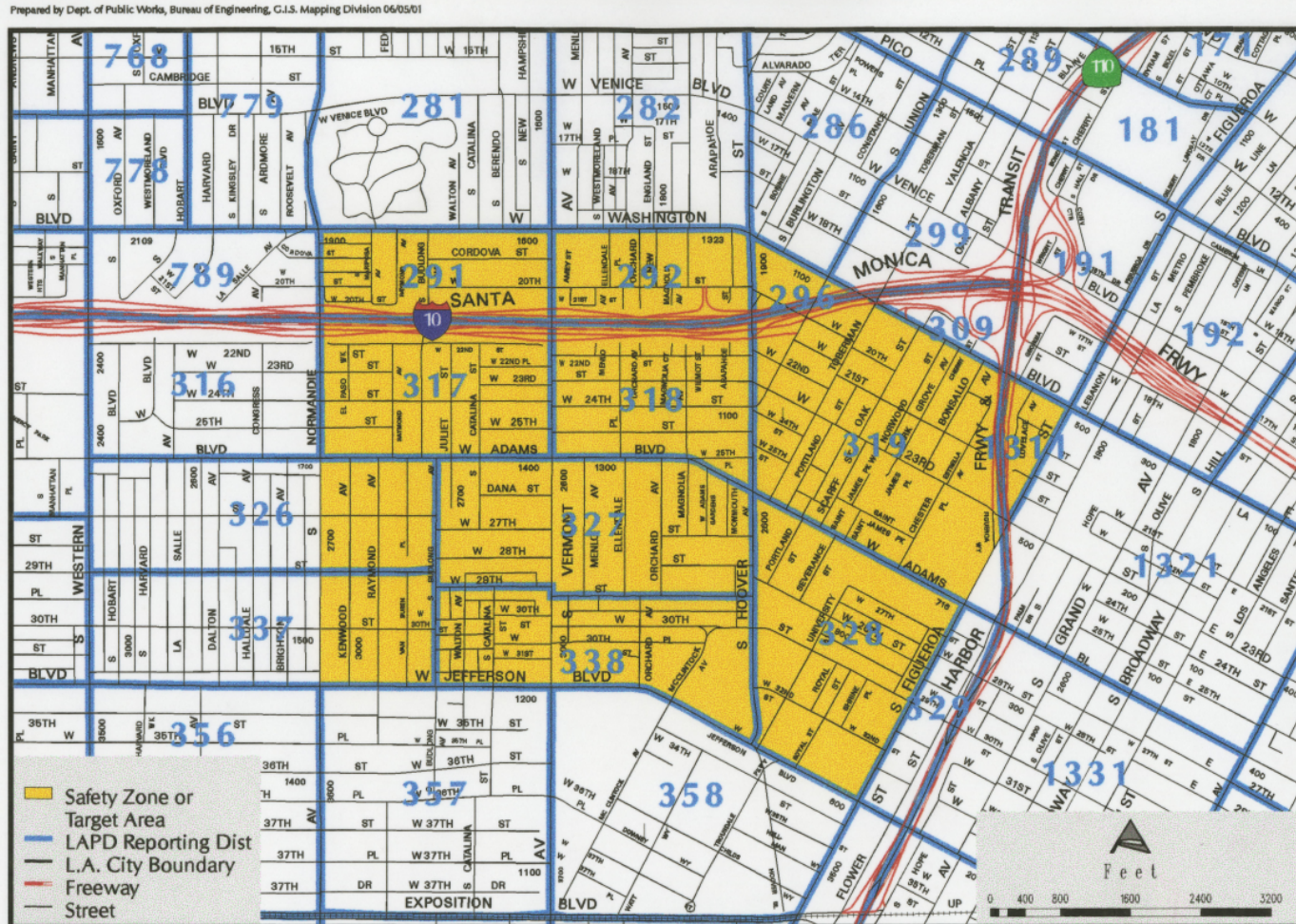
Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	42.04	35.75	-6.29	37.04	-5.00	37.54	-4.50	38.11	-3.93	38.11	-3.93	40.75	-1.29
			1.90		1.45		1.08		0.99		0.98		1.13
Adjacent	54.27	47.32	-6.95	49.29	-4.99	49.88	-4.39	50.38	-3.90	50.98	-3.30	51.80	-2.48
			2.95		1.51		1.16		0.88		0.93		0.98
Neighboring	54.13	50.62	-3.51	49.68	-4.45	49.25	-4.88	49.82	-4.31	51.37	-2.76	51.39	-2.73
			1.23		1.24		1.36		1.44		1.48		1.61
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-2.78		-0.55		0.38		0.38		-1.18		1.44
			2.27		1.91		1.74		1.74		1.77		1.97
Adjacent			-3.44		-0.54		0.49		0.41		-0.54		0.26
			3.20		1.95		1.79		1.69		1.74		1.89

* Based on 6 Quarters of Pre-injunction period.

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**



Richard L. Jordan
Atty. Gen.

Harpys

Hoover Park Target Area

Office of the City Attorney

City of Los Angeles



VITALY B. TROYAN, P.E.

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14. Blythe Street

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

14. Total Crimes and Part 1 Crimes: Blythe Street

Reporting Districts	Total Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	154.92	117.00	-37.92	118.60	-36.32	135.23	-19.68	144.95	-9.97	153.26	-1.66	157.27	2.35
			28.18		29.61		17.80		14.04		14.41		15.52
Adjacent	90.50	83.00	-7.50	83.80	-6.70	84.03	-6.47	85.68	-4.83	87.94	-2.56	88.85	-1.65
			3.67		3.01		5.55		6.29		6.20		6.81
Neighboring	102.44	90.00	-12.44	86.88	-15.57	96.90	-5.54	102.96	0.52	107.54	5.10	110.84	8.40
			10.35		9.96		6.02		7.28		9.08		10.14
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-25.47		-24.55		-13.25		-7.25		-1.00		-6.05
			30.02		31.24		18.79		15.82		17.03		18.54
Adjacent			4.94		5.06		-0.03		-2.11		-1.90		-10.05
			10.98		10.41		8.19		9.62		11.00		12.21

* Based on 6 Quarters of Pre-injunction period.

**THE EFFECTS OF CIVIL GANG INJUNCTIONS –
DIFFERENCE-IN-DIFFERENCE ESTIMATES
FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES**

14. Total Crimes and Part 1 Crimes: Blythe Street

Reporting Districts	Part 1 Crimes												
	Pre-injunction*	Post Injunction (2 quarters)		Post Injunction (4 quarters)		Post Injunction (6 quarters)		Post Injunction (8 quarters)		Post-injunction (10 quarters)		Post-injunction (12 quarters)	
	Quarterly Mean	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)	Quarterly Mean	Difference (Standard Error)
Target	92.17	65.80	-26.37	68.90	-23.27	81.37	-10.80	89.80	-2.37	95.62	3.45	97.80	5.63
			18.93		20.00		10.92		10.44		11.76		12.66
Adjacent	56.60	51.70	-4.90	51.10	-5.50	50.83	-5.77	50.95	-5.65	51.30	-5.30	52.23	-4.37
			3.26		3.24		4.42		5.10		5.20		5.74
Neighboring	63.04	54.25	-8.79	51.28	-11.76	56.60	-6.44	60.33	-2.71	62.38	-0.66	64.40	1.36
			6.46		6.30		4.21		5.24		6.80		7.55
			Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences		Difference-in-Differences
Target			-17.58		-11.50		-4.36		0.35		4.11		4.27
			20.00		20.97		11.71		11.68		13.58		14.74
Adjacent			3.89		6.26		0.67		-2.94		-4.64		-5.73
			7.24		7.08		6.10		7.31		8.56		9.48

* Based on 6 Quarters of Pre-injunction period.

THE EFFECTS OF CIVIL GANG INJUNCTIONS – DIFFERENCE-IN-DIFFERENCE ESTIMATES FOR EACH INJUNCTION, BY TOTAL CRIMES AND PART 1 CRIMES



389



Serving the Present; Designing for the Future

VITALY B. TROYAN, P.E.

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**COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT:**

**INCREASED SAVINGS
WITH THE USE OF CUSTODY ASSISTANTS
IN THE JAILS AND COURTS**

EXECUTIVE SUMMARY

INTRODUCTION

The Los Angeles County Sheriff's Department began using Custody Assistants in County jails in the 1980s. Custody Assistants, civilian employees of the Los Angeles County Sheriff's Department, were used to support and assist Sheriff's Deputies in the performance of routine duties within the County jails. The use of Custody Assistants was initiated because of the potential cost savings generated by the difference between the cost of a Deputy and the cost of a Custody Assistant. In 1997, the Grand Jury recommended that the Sheriff increase the use of Custody Assistants in the Men's Central Jail.

FINDINGS

1. The Sheriff's Department has expanded the use of civilian staff within Men's Central Jail, as recommended by the 1996-1997 Los Angeles County Grand Jury Final Report.

After review of the recommendation, the Sheriff's Department civilianized 79 of the recommended 100 positions, increasing the total number of Custody Assistants to 117 by FY 1996-1997. Subsequently, more Custody Assistants were placed in Deputy positions. The FY 2003-2004 budget for Men's Central Jail has 147 Custody Assistant positions, 109 more than in FY 1995-1996. During the seven-year time period, the Average Daily Inmate Population (ADIP) remained somewhat stable: 6,562 ADIP in FY 1997-1998 and 6,756 ADIP in February 2004.

The FY 2003-2004 average annual cost of salary and benefits is \$100,191 for a Deputy and \$59,902 for a Custody Assistant. For every Deputy position replaced with a Custody Assistant position in the jails, there is a savings of approximately \$40,000. The incremental 109 Custody Assistant positions save the County approximately \$4.4 million each year.

2. Additional efforts to convert Deputy positions into Custody Assistant positions in the Sheriff's Department are limited by bargaining unit Memorandums of Understanding (MOUs).

As part of the expanded implementation of the Custody Assistant program in November 1997, the Sheriff's Department agreed, among other things, with ALADS to:

- ❑ Limit the percent of Custody Assistants in the Custody Division to no more than 35% (referred to as the 35%-65% ratio of Custody Assistants and Deputies)
- ❑ Not use "Custody Assistants in lieu of Deputies in lockup assignments in the Court Services Division".

3. Custody Assistants are assigned a wide-range of duties, ranging from no inmate contact to inmate contact typical of daily routine jail operations.

When the Custody Assistant position was introduced in the 1980s, the specifications called for "no inmate contact". A typical duty assignment would be a fixed-post control booth position, separated from inmates by a physical barrier, from which the Custody Assistant would monitor inmate housing or control movement into, out of, or between secure areas. In 1997, the class specification for Custody Assistant was changed to allow inmate contact. Custody Assistants were placed in module or dorm positions where they would supervise the conduct of inmates in their sleeping quarters, during meals and bathing, at recreation, and on work assignments. While the amount of inmate contact increased, assignments were generally in tandem with a Deputy performing identical duties in an adjacent module or dorm.

4. Although Custody Assistants and Deputies perform similar duties during routine jail operations, Deputies have additional duties inside the jail and on an as-needed basis outside of the jail.

Custody Assistants and Deputies can work side-by-side performing virtually all routine duties associated with jail operations. Deputies are assigned additional duties within jail operations which Custody Assistants cannot perform – these duties include armed positions, powers of arrest, transportation of inmates, handling of recalcitrant inmates, cell extractions, and emergency response team duties, among others. Deputies are also part of the Sheriff's Department's pool of sworn Peace Officers available for deployment in times of natural disaster, civil unrest, or other emergencies.

5. Because of differences in the career aspirations and training programs of Deputies versus Custody Assistants, Custody Assistants can contribute to the operational and organizational stability of custody operations.

Deputies are trained to respond to a wide-range of law enforcement activities. Although routinely assigned to custody operations after completing their Academy training, deputies are required to successfully complete patrol training and therefore ultimately must leave their assignments in custody. In contrast, after completing their Academy training, Custody Assistants are assigned to the Custody Division and will spend their entire career as a Custody Assistant working in the jails or performing jail duties at a patrol station.

Unlike the Deputies, for whom custody is only small part of their Academy training, Custody Assistants are trained exclusively to perform custody duties and are

dedicating their careers to the performance of those duties. With experience and appropriate advanced custody training, they have the potential to rise to a level of competency in jail operations greater than a Deputy. Having an experienced, seasoned cadre of Custody Assistants, who know custody operations and bring maturity and judgment to routine daily jail operations, bring a heightened sense of stability and professionalism to the jails.

6. The working relationship between some Deputies and Custody Assistants can be strained because of a lack of mutual respect and trust.

Custody Assistants and sworn officers at the sites visited exhibited a high level of professionalism and dedication to their assigned duties. An unspoken tension and underlying distrust, however, exists in the working relationships between the Deputies and Custody Assistants.

Although a particular Custody Assistant may have the respect and trust of a particular Deputy, in general, the Deputies tended to look on Custody Assistants as being less competent, less willing, and less important than their Deputy counterparts. Custody Assistants expressed concerns similar to the Deputies, but from the other side. Because policies governing the use of Custody Assistants are vague and applied inconsistently and the expectations of the Deputies with whom they work vary, Custody Assistants were not clear on what was expected.

These perceptions of disrespect, distrust, and lack of fair treatment are detrimental to the effective performance of daily duties within the jail. It not only reduces cooperation and professionalism, it can make a dangerous environment even more dangerous.

7. Personnel have expressed a concern for their safety as the profile of inmates has become increasingly more violent.

There is a growing sense of concern and frustration by Sheriff's employees regarding the continuing need to do more, or even the same duties, with fewer resources. Safety in the jails has become an issue because the "quality" of the inmate population has changed over the years, evolving from a mix of misdemeanor and felony inmates to predominately felony inmates. The profile of the current inmate population has become increasingly violent and dangerous. This trend in the profile of the typical inmates reinforces the requirement and importance of Deputies and Custody Assistants working together and being about to trust each other.

8. In collaboration with Superior Court security, the Sheriff identified 57 positions in court lockups that Custody Assistants could assume, resulting in potential savings of \$2.3 million.

In conjunction with the Superior Court's security officer, the Court Services Division visited court facilities to determine how many Custody Assistants might be used in the courts. In total, 57 positions were identified as appropriate for Custody

Assistants. The introduction of 57 Custody Assistants into the court lockups would generate a cost savings of approximately \$2.3 million annually.

9. The budgeting/control methodology system in the County does not encourage or reward innovation and risk-taking, and offers little incentive to save money.

A main thrust of this review is to reduce personnel costs by using Custody Assistants to perform duties currently handled by Deputies. The County system is driven by item count rather than dollars spent and absorbs any departmental cost savings, generating little incentive to save money that cannot be retained for other uses. Moreover, the cost of Deputies in the courts is reimbursed, making it less of a cost-savings concern to the Sheriff or the County.

10. The period of time that current "new" Deputies spend in Custody Operations, Correctional Services, and Court Services prior to being assigned to patrol duties is excessive and has increased to at least five years.

RECOMMENDATIONS

- 1. The Sheriff should achieve the 35%-65% ratio in the jails, which would achieve a savings of \$3.9 million.** The Sheriff should also review all administrative assignments currently filled by sworn officers to determine if the skills of a sworn officer are required to perform the administrative duties. If Peace Officer skills are not essential to the performance of the position, appropriate civilian classifications should be considered to replace the assigned Deputies, most likely at a lower cost.
- 2. The Sheriff should aggressively move from the 35%-65% ratio to a 50%-50% ratio (equal numbers of Custody Assistants and Deputies) in the jails by FY 2008-2009 with an annual savings of \$18.1 million.** The Sheriff should renew his efforts to realize his strategic goal to "Civilianize Los Angeles County Sheriff's Custody Facilities to 50% within five years..." as outlined in the Sheriff's LASD² Long-Term Strategic Plan, dated November 1, 2003. Additional savings, such as direct training costs and indirect payroll costs during training, can also be realized.
- 3. The Sheriff should use 57 Custody Assistants in the courts, resulting in savings of at least \$2.3 million.** The proposed pilot program to put Custody Assistants into the court lockups 57 Custody Assistants deployed in three phases into 22 different court locations. Most of the proposed deployments placed Custody Assistants into positions requiring no or minimal inmate contact. Once implemented, the Sheriff should assess and increase the number of Custody Assistants beyond 57 in the courts and explore the potential use of civilians in transporting inmates to the courts.

4. **Custody Assistants' duties should be clearly defined in operational terms.** To avoid repeating the experience of what happened with the Correctional Officer program in the 1960 and 1970s, the duties and responsibilities of the Custody Assistants and Deputies filling line positions in custody operations must be clearly defined and uniformly performed by both classifications. Custody Assistants need to recognize and accept that the duties assigned to Custody Assistants in the jails are only a part of the duties assigned to Deputies. The additional duties performed by a Deputy are what differentiate a Deputy from a Custody Assistant, even if both are currently assigned to line operations within a jail.
5. **In addition to existing internal promotional opportunities, consideration should be given to developing a "career path" for Custody Assistants.** The development of a "career path" for Custody Assistants will recognize the importance and integral part that Custody Assistants play in maintaining safe and secure jails. This is a difficult and delicate subject. The *raison d'être* for Custody Assistants is the cost savings that can be achieved through the use of civilian personnel in place of Deputy Sheriffs. The Correctional Officer and Modified Academy Deputy programs were eliminated because they lacked desired flexibility in job assignments and did not generate the anticipated cost savings. A successful "career path" needs to provide the Custody Assistant with a progression of positions within jail operations that offer growth, but will not precipitate the issue of "equal pay for equal work." The "career path" will also need to realistically differentiate the positions.
6. **New Deputy Sheriffs should be assigned to patrol duties after completing approximately two years of service in custody operations.** The experience and training that a new Deputy receives while assigned to custody duties in a jail is an important factor contributing to their likely success when assigned to patrol. The incremental benefit of extending the custody duty assignment in a jail beyond two years, however, is minimal. Because the bulk of training at the Deputy Sheriff's Academy focuses on the duties of a Peace Officer on patrol, the longer it takes to get a Deputy assigned to patrol duties the more likely it will be that remedial training in certain skill areas addressed in Academy training will be needed.

**COUNTY OF LOS ANGELES SHERIFF’S DEPARTMENT:
INCREASED SAVINGS
WITH THE USE OF CUSTODY ASSISTANTS
IN THE JAILS AND COURTS**

TABLE OF CONTENTS

A. INTRODUCTION.....	401
B. METHODOLOGY.....	401
Objectives	401
Tasks	402
C. BACKGROUND.....	403
Historical Context	403
Custody Assistant Program	404
Prior Studies Performed.....	404
Union Contracts.....	405
D. FINDINGS.....	407
E. RECOMMENDATIONS	423
F. ACRONYMS	434
APPENDIX	
Article 29: Custody/Court Lockup Staffing.....	435

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT:

INCREASED SAVINGS WITH THE USE OF CUSTODY ASSISTANTS IN THE JAILS AND COURTS

A. INTRODUCTION

The 2003-2004 Civil Grand Jury of the County of Los Angeles performed a management review of the Los Angeles County Sheriff's Department (Sheriff), focusing on the a) expanded use of Custody Assistants in the Custody Division and b) use of Custody Assistants in the Court Services Division.

This management review first sets forth the methodology, followed by background information, findings, and recommendations. For ease in communication, the following terms are used:

- ☐ "Deputy" refers to the Deputy Sheriff positions, which are sworn officer positions within the Sheriff's Department. Sworn officers refer to all sworn personnel, from line Deputies up to and including the Sheriff. The Sheriff's Department currently employs a sworn population of 8,432.
- ☐ "Custody Assistants" refers to the civilian positions performing duties within the Sheriff's jails today. The Sheriff currently employs 927 Custody Assistants.

B. METHODOLOGY

OBJECTIVES

The purpose of this management review was to:

- ☐ Assess progress made by the Sheriff's Department in implementing the 1996-1997 Grand Jury recommendations for using Custody Assistants in the Men's Central Jail (MCJ) and any further implementation within the Custody Operations Division and the Correctional Services Division.
- ☐ Analyze the feasibility of extending the use of Custody Assistants by the Court Services Division in the lockup areas of the Los Angeles County Superior Courts

- ❑ Determine the staffing level of Deputies and Custody Assistants for performing their duties for the Superior Court system and, in turn, the potential cost savings with a change in the staffing.

TASKS

The tasks had four primary components:

- ❑ **Document review.** Among the documents reviewed were:
 - County's website
 - Civilianization¹ Plan, dated December 22, 1998
 - "Comparison of Staffing and Average Daily Inmate Population Levels – FY 1985-1986 vs. FY 1997-1998" (Amended Memorandum), dated January 27, 1999
 - "Staffing and Average Daily Inmate Population Levels – FY 1985-86 versus FY 1997-1998" (Amendment to the January 14, 1999, Memorandum), dated February 17, 1999
 - Custody Division Reorganization Study, dated March 10, 1999
 - Staffing Levels – Deputy Positions, dated June 18, 1999
 - Civilianization Feasibility Study: Concepts and Issues Paper, dated October 1999
 - Sheriff's Department LASD² Long-Term Strategic Plan, dated November 1, 2003 (the superscript ² is part of the title, not a footnote)
 - Article 29, "Custody/Court Lockup Staffing," effective February 1, 1997 (contained in the Appendix of this report), in the Memorandum of Understanding (MOU) with the Association for Los Angeles Deputy Sheriffs (ALADS) for the Deputy Sheriffs Employee Representation Unit
 - In-Service Sheets
 - "Civil Grand Jury Inquiry" Office Correspondence, March 26, 2004, from Personnel Administration to Correctional Services
 - Other documents as provided.
- ❑ **21 interviews with management.** Exhibit 1 displays the types of individuals interviewed. Most were from the Sheriff's Department, representing the Custody Operations Division, Correctional Services Division, and Court Services Division.

EXHIBIT 1 CROSS-SECTION OF INTERVIEWEES

Organization	Management*	Unit ²	Totals
Sheriff's Department			
Sheriff Headquarters	1	--	1

¹ The Sheriff's Department uses the term "civilianization" when referring to the increased use of civilians in areas formerly staffed with Deputies or other sworn officers.

² A Unit refers to a sub-organization of a Division organization that is usually facility-based (e.g., each of the jails is a Unit in the Custody Operations Division).

Organization	Management*	Unit ²	Totals
Correctional Services (Jails)	1	1	2
Custody Operations (Jails)	3	6	9
Court Services (Courts)	2	5	7
Courts			
Superior Courts	2	--	2
Totals	9	12	21

* Judge, Assistant Sheriff, Chief, Commander positions.

- ☐ **9 site visits to custody and court facilities.** The following custody and court facilities were visited and toured:

Custody Operations/Jails

- Inmate Reception Center
- Men's Central Jail (MCJ)
- North County Correctional Facility (NCCF)
- Pitchess Detention Center – East Facility (PDC-E)
- Pitchess Detention Center – North Facility and Annex (PDC-N/A)
- Twin Towers Correctional Facility (TTCF)

Court Operations/Court Houses

- Clara Shortridge Foltz Criminal Justice Center
- Compton Court Facility
- Van Nuys–West Court Facility

- ☐ **6 focus groups with Deputies and Custody Assistants.** Additional information and perspectives concerning the Custody Assistant program were obtained through focus groups held with both Custody Assistants and Deputies. Focus groups were held at Men's Central Jail, North County Correctional Facility, and Twin Towers Correctional Facility. At each location two focus groups were held, one for Deputies and one for Custody Assistants. Participants were selected randomly from the Daily In-service Roster and had no prior knowledge of the purpose of the focus groups.

C. BACKGROUND

HISTORICAL CONTEXT

In conducting this management review, the findings and recommendations need to be considered in the context of the history of the Sheriff's prior efforts to increase the number of civilian employees in the jails. The primary reasons for introducing civilian custody personnel into jail operations are to:

- ☐ Reduce operational costs by replacing Deputy personnel with civilian personnel paid at a lower rate while maintaining safe and secure jails and the Department's professionalism
- ☐ Redeploy Deputy personnel into law enforcement positions where better use can be made of their training and skills.

Since the 1960s, the Sheriff's Department has implemented two programs, in addition to the Custody Assistant program:

- ❑ **Correctional Officer program.** Implemented in the 1960s, the Correctional Officer program replaced Deputies with Correctional Officers, who were paid at a rate lower than Deputies. This program was eliminated in the late 1970s because the job duties performed by the Correctional Officers and Deputies had become significantly similar to prompt "equal pay for equal work" litigation.
- ❑ **Modified Academy Deputy program.** The Modified Academy Deputy program was implemented in the mid-1990s with the intent of lowering operational costs by reducing the Academy training from 18 weeks to 10 weeks. This program was discontinued in 1999 because it failed to generate the anticipated cost savings.

CUSTODY ASSISTANT PROGRAM

The Sheriff initiated the Custody Assistant program in the mid-1980s. Similar to other programs, it sought to reduce operational costs and release Deputies for other critical law enforcement services. To differentiate the civilian Custody Assistant from the sworn Deputy and avoid "equal pay for equal work" pay issues, Custody Assistants initially performed non-contact or minimal contact duties previously performed by Deputies. Custody Assistants were typically assigned fixed-post positions that were separated from inmates by a physical barrier.

In the mid-1990s, the duty statement for Custody Assistants was amended to include some inmate contact. During FY 1996-1997, 70 sworn station jailer positions were civilianized with the introduction of Custody Assistants as the station jailers.

As a result of the allowance for some inmate contact, by 1999 Deputies and Custody Assistants were working side-by-side, performing virtually all duties associated with daily routine jail operations. Deputies performed additional duties that Custody Assistants did not.

After 1999, the Sheriff reorganized the Custody Division into two divisions, namely, Custody Operations Division and Correctional Services Division.

PRIOR STUDIES PERFORMED

During the 1990s, a number of studies were performed regarding civilianization of selected functions within the County's jails:

- ❑ **External Reviews of the Use of Civilians in the Jails.** Over the years other agencies and reports have encouraged the Sheriff's Department to

review Deputy positions to determine if they could be converted to civilian status. Among these external reports are:

- November 1996 State Audit Report
 - 1996-1997 Los Angeles County Grand Jury Final Report
 - 1997 KPMG Audit
- ❑ **Sheriff's Reviews of the Potential for Using Civilians in the Jails.** In addition to these external reviews, the Sheriff's Department conducted its own internal reviews and studies to determine which positions staffed by Deputies might be converted to civilian status. The term the Sheriff's Department has used for this conversion is "civilianization." In a 1999 study, Civilianization Feasibility Study: Concepts and Issues Paper, a survey by the Sheriff's Department of civilianization programs in other California jails³ outlined the advantages and disadvantages for each county visited. The general conclusion of this study was:

*"If it is the Department's goal to civilianize the jails to a great extent, based solely on the potential for saving money, then the research indicates that this is false economy. On the other hand, **if it is the Department's intent to initially save money, provide for a stable cadre of trained correctional professionals in the jails, and focus its attention on moving deputy sheriffs out of the jails and into field operations and other assignments requiring a sworn police officer, [then additional civilianization should be considered].**" (Bold emphasis added)*

UNION CONTRACTS

Two Memorandums of Understanding (MOUs) are in place with the following unions:

- ❑ The **Association for Los Angeles Deputy Sheriffs (ALADS)**, which represents the Deputy Sheriffs Employee Representation Unit of which Deputies are members.
- ❑ The **Los Angeles County Professional Peace Officers Association (PPOA)**, which represents the Custody Assistants/Corrections Officers Employee Representation Unit of which Custody Assistants are members.

35%-65% Ratio and Lockup Assignments

³ Counties the Sheriff's Department surveyed:

- ❑ Santa Clara County Department of Corrections
- ❑ Merced County Sheriff's Department
- ❑ Tulare County Sheriff's Department
- ❑ San Diego County Sheriff's Department
- ❑ Imperial County Sheriff's Department

As part of the expanded implementation of the Custody Assistant program in November 1997, the Sheriff's Department agreed, among other things, with ALADS to:

- ❑ Limit the percent of Custody Assistants in the Custody Division to no more than 35% (referred to as the 35%-65% ratio of Custody Assistants to Deputies)
- ❑ Not use "Custody Assistants in lieu of Deputies in lockup assignments in the Court Services Division".

The original agreement, known as Article 29⁴, Custody/Court Lockup Staffing, was effective February 1, 1997 through January 31, 2000 and, through extensions, is still in force.

Labor Negotiations Concession

Until late 2003, Provisions of Article 29, including the 35%-65% ratio and Court Services work restrictions, were open items in the current labor contract negotiations with ALADS. The following list details meetings and correspondence that occurred during this period.

- ❑ September and October 2003 – Several disruptive "sickouts" by ALADS members occurred.
- ❑ October 28, 2003 – Law Enforcement Committee members of the Los Angeles County Civil Grand Jury met with the Sheriff's Court Services Division management to discuss the use of civilian Custody Assistants in the Court Services Division and the forthcoming study by the Civil Grand Jury.
- ❑ November 6, 2003 – Law Enforcement Committee members of the Los Angeles County Civil Grand Jury met with the Sheriff's Custody Operations Division management to discuss the use of additional civilian Custody Assistants in the Custody Operations Division and the forthcoming study by the Civil Grand Jury.
- ❑ On or about December 3, 2003 – Sheriff Baca met with ALADS representatives and tentatively agreed to withdraw the proposal to increase the number of Custody Assistants in the Custody Operations and Correctional Services Divisions beyond the 35%-65% ratio and not to expand the use of civilian Custody Assistants into the Court Services Division.
- ❑ December 11, 2003 – Law Enforcement Committee members of the Los Angeles County Civil Grand Jury held an entrance conference with members of the Sheriff's Department to formally initiate the Civil Grand Jury's study of the use of Custody Assistants in the Sheriff's Department.

⁴ See Appendix, Article 29, Custody/Court Lockup Staffing.

- ❑ December 12, 2003 – The ALADS requested in writing to the Sheriff's Department that Los Angeles County withdraw its bargaining proposals on Article 29, Custody/Court Lockup and Civilianization of the Crime Lab.
- ❑ December 16, 2003 – The Los Angeles County Office of the Chief Administrative Officer (CAO) confirmed in a letter that the bargaining proposals on Article 29, Custody/Court Lockup and Civilianization of the Crime Lab, were withdrawn.

There was no explicit *quid pro quo* for removing Article 29 from the bargaining table. Sheriff's management purportedly reported that the concession was made as an indication of bargaining in "good faith". They extended this good faith gesture because of a desire to make progress on other important open issues and ensure that there was a ready force of Deputies capable of responding in time of emergency.

To the Civil Grand Jury, the timing of the removal of Article 29 from the ALADS bargaining table has placed an unfortunate obstacle for implementing recommendations in this report.

D. FINDINGS

<p>Finding 1: The Sheriff's Department has expanded the use of civilian staff within Men's Central Jail, as recommended by the <u>1996-1997 Los Angeles County Grand Jury Final Report</u>.</p>
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As displayed in Exhibit 2, in FY 1995-1996, the Sheriff had 38 Custody Assistants in the Men's Central Jail. The 1996-1997 Los Angeles County Grand Jury Final Report recommended that Custody Assistants replace 100 Deputy positions at Men's Central Jail.

After review of the recommendation, the Sheriff's Department civilianized 79 of the recommended 100 positions, increasing the total number of Custody Assistants to 117 by FY 1997-1998. Subsequently, more Custody Assistants were placed in Deputy positions. The FY 2003-2004 budget for Men's Central Jail has 147 Custody Assistant positions, 109 more than in FY 1995-1996. During the seven-year time period, the Average Daily Inmate Population (ADIP) remained somewhat stable: 6,562 ADIP in FY 1997-1998 and 6,756 ADIP in February 2004.

EXHIBIT 2
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
KEY CUSTODY ASSISTANT MILESTONE COMPARISONS
IN MEN'S CENTRAL JAIL (MCJ)

Budgeted for FY 1995-1996 through FY 2003-2004

Fiscal Year	Number of Custody Assistants	Difference (+/-)	Estimated Annual Savings* (Against Baseline Year)
1995-1996	38	Baseline	n.a.
1997-1998	117	+79	\$3.2 million
2003-2004	147	+109	\$4.4 million

* In current FY 2003-2004 dollars.

The FY 2003-2004 average annual cost of salary and benefits is \$100,191 for a Deputy and \$59,902 for a Custody Assistant. For every Deputy position replaced with a Custody Assistant position in the jails, there is a savings of approximately \$40,000. The incremental 109 Custody Assistant positions save the County approximately \$4.4 million each year.

Across the Sheriff's Department, there is also an increase in the number of budgeted Custody Assistants from 268 in FY 1995-1996 to 850 in FY 2003-2004. As shown in Exhibit 3, that translates to savings of approximately \$23.3 million annually over using Deputies in those positions.

EXHIBIT 3
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
KEY CUSTODY ASSISTANT MILESTONE COMPARISONS DEPARTMENT-WIDE
 Budgeted for FY 1995-1996 through FY 2003-2004

Fiscal Year	Number of Custody Assistants	Difference (+/-)	Estimated Annual Savings* (Against Baseline Year)
1995-1996	268	Baseline	n.a.
2003-2004	850	+582	\$23.3 million

* In current FY 2003-2004 dollars.

The 1996-1997 Grand Jury Final Report identified Deputies assigned to administrative and support positions (scheduling, legal, medical liaison, computerized record maintenance, and operations) in the jails that could be replaced with Custody Assistants or other County civilian classifications. The Sheriff has not conducted a thorough, critical review to determine whether sworn officers should perform these administrative and support functions rather than an appropriate civilian classification.

Finding 2: Additional efforts to convert Deputy positions into Custody Assistant positions in the Sheriff's Department are limited by bargaining unit MOUs.

As already noted, the ALADS Contract Article 29 restricts the ability of the Sheriff to expand the use of Custody Assistants readily at this time. These restrictions arbitrarily:

- ☐ Limit the number of Custody Assistants who can work in Custody Operations or Correctional Services (i.e., the 35%-65% ratio)
- ☐ Reserve certain job duties exclusively for Deputies
- ☐ Prevent the use of Custody Assistants to supplant any current Deputy position elsewhere in the Department
- ☐ Prohibit the use of Custody Assistants to replace Deputies in lockup assignments in the Court Services Division.

Finding 3: Custody Assistants are assigned a wide-range of duties, ranging from no inmate contact to inmate contact typical of daily routine jail operations.

The Custody Assistant position has evolved over the years, starting from "no inmate contact" in the 1980s to limited inmate contact in the 1990s:

- ☐ **1980s – "No inmate contact"**. When the Custody Assistant position was introduced in the 1980s, the specifications called for "no inmate contact". A typical duty assignment would be a fixed-post control booth position, separated from inmates by a physical barrier, from which the Custody Assistant would monitor inmate housing or control movement into, out of, or between secure areas.

- ❑ **1997 – Limited inmate contact allowed.** In 1997, the class specification for Custody Assistant was changed to allow inmate contact. This permitted Custody Assistants to become station jailers. As the Custody Assistant classification was further introduced into the jails, the assigned duties of a Custody Assistant began to vary from facility to facility based on:

- Facility design
- Custody Assistants' initiative
- Operational expediency
- Overtime requirements
- How rigidly the MOU was interpreted.

Custody Assistants were placed in module or dorm positions where they would supervise the conduct of inmates in their sleeping quarters, during meals and bathing, at recreation, and on work assignments. Custody Assistants also supervised inmate work crews, which were assigned various tasks within the jails. While the amount of inmate contact increased, assignments were generally in tandem with a Deputy performing identical duties in an adjacent module or dorm.

- ❑ **Today.** Custody Assistants continue to perform fixed post, dorm and module posts, and support duties in the jails. Custody Assistants have occasionally taken on "prowler"⁵ duties and supervision of inmates work crews.

The role of the Custody Assistant has moved beyond the "assistant" and become more independent. These assignments challenge more directly the "limited contact" criterion. Factors influencing the type of assignment an individual Custody Assistant might get include:

- Initiative and bearing of a particular Custody Assistant
- The evaluation and confidence that local supervision has in particular Custody Assistants
- Operational needs (e.g., overtime to cover staffing shortfalls).

As operational necessities change, or if something happens to refocus attention on the "inmate contact" provision, Custody Assistant assignments to these posts are withdrawn. During the focus groups, a number of Custody Assistants indicated that they were pulled out of performing certain duties sometime during the October through December 2003 period – the same time period when the Sheriff was discussing Article 29 with ALADS and meeting with the Civil Grand Jury members.

⁵ Prowlers are not assigned to a specific duty or fixed post station; they provide support and backup to an assigned area of a jail. Prowlers provide flexible support as necessary within their assigned area as well as perform other duty assignments. As such, prowlers can provide back-up to others assigned in a prescribed area, provide special escorts, serve as relief or back-up, move inmates, and conduct cell searches.

Because of the different duties Custody Assistants are assigned among the various facilities, the overall perception of Custody Assistants' competencies is inconsistent. This inconsistency contributes to the Deputies' concerns about how Custody Assistants may respond in emergency situations and whether they can be trusted.

Finding 4: Although Custody Assistants and Deputies perform similar duties during routine jail operations, Deputies have additional duties inside the jail and on an as-needed basis outside of the jail.

Custody assistants and Deputies can work side-by-side performing virtually all routine duties associated with jail operations. Deputies are assigned additional duties, which are displayed in Exhibit 4.

EXHIBIT 4
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
WORK DUTY COMPARISON OF DEPUTIES AND CUSTODY ASSISTANTS:
ROUTINE VERSUS ADDITIONAL DEPUTY DUTIES

Routine Duties Performed by Either a Deputy or Custody Assistant	Additional Deputy Duties
<input type="checkbox"/> Operation of main or dormitory control booths <input type="checkbox"/> Supervision of inmates in dorms <input type="checkbox"/> Supervision of inmates on work assignments <input type="checkbox"/> Processing of inmates for court appearances <input type="checkbox"/> Fingerprinting and photographing of inmates <input type="checkbox"/> Classification of inmates <input type="checkbox"/> Various administrative duties	<input type="checkbox"/> Armed positions <input type="checkbox"/> Powers of arrest <input type="checkbox"/> Transportation of inmates <input type="checkbox"/> Handling of recalcitrant inmates <input type="checkbox"/> Cell extractions <input type="checkbox"/> Emergency response teams

In addition to Deputies' additional duties performed in support of custody operations, Deputies are also part of the Department's pool of sworn Peace Officers available for deployment in times of natural disaster, civil unrest, or other emergencies. According to the Emergency Operations Bureau in the Sheriff's Department, the number of Deputies available for deployment during any catastrophic event from Custody, Correctional Services, and Court Services Divisions can only be determined based on the need of the significant event. At this time, the Sheriff has no specific plan in place detailing how many Deputies might be available at any given time during the day.⁶ Moreover, out of operational necessity, Deputy or Custody Assistant personnel may temporarily or routinely work out of their defined classification.

⁶ Source: "Civil Grand Jury Inquiry" Office Correspondence, March 26, 2004, from Personnel Administration to Chief, Correctional Services.

Finding 5: Because of differences in the career aspirations and training programs of Deputies versus Custody Assistants, Custody Assistants can contribute to the operational and organizational stability of custody operations.

Having an experienced, seasoned cadre of Custody Assistants, who know custody operations and bring maturity and judgment to routine daily jail operations, should bring a heightened sense of stability and professionalism to the jails.

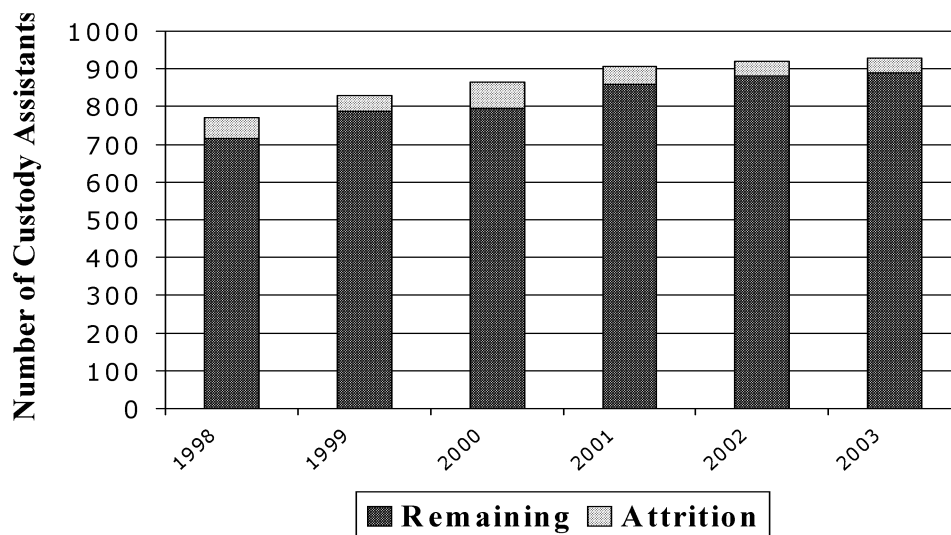
The career paths for a Deputy and a Custody Assistant differ:

- ❑ **Deputies' training is broader at the Academy.** The Deputy Sheriff trainee goes through an 18-week Academy program. The Deputy is trained to respond to a wide-range of law enforcement activities, but the focus is not on custody operations. Less than 8 hours of training deals directly with jail operations. After graduating from the Academy, new Deputies complete a two-week jail operations course prior to being assigned to custody operations.
- ❑ **Deputies' career path goes beyond the jails.** After completing Academy training, Deputies are normally assigned to the Custody Division and spend several years working in the jails. Interviewees agreed that this initial assignment in custody operations provides an invaluable opportunity for Deputies to learn about the various methods, motivations, gang dynamics, scams, mind games and thought processes of inmates, all in a more controlled environment. When subsequently assigned to patrol, such training provides the Deputy a significant and important advantage over a recent Academy graduate assigned directly to patrol without custody operations experience. While working in the jails and in anticipation of reassignment from custody to patrol, Deputies may periodically ride along with Deputies on patrol duty. As discussed later in Finding 12, the time period before Deputies are first assigned to patrol duty is too great.
- ❑ **Custody Assistants' Academy training focuses only on custody operations.** Unlike the Deputies, for whom custody is only small part of their Academy training, Custody Assistants are trained exclusively to perform custody duties and are dedicating their careers to the performance of those duties. The Custody Assistant trainee goes through a 7-week Academy program dedicated to custody operations, thereby establishing a solid foundation on which to build a career in custody operations. Many argue that the new Custody Assistants come to their first jobs better trained in custody operations than new Deputies. With experience and appropriate advanced custody training, they have the potential to rise to a level of competency in jail operations greater than a Deputy.
- ❑ **Deputies and Custody Assistants share in the same training experiences for routine duties.** Upon reaching their first assignment,

both Custody Assistants and Deputies go through a facility-based training program that lasts approximately four months and is monitored by a training officer or senior Deputy. Although the Deputy has extensive training in other areas of law enforcement, both the Deputy and Custody Assistant are equally prepared for the routine duties in a jail.

- ❑ **Custody Assistants are a stable workforce.** Custody Assistants have a steady turnover rate of 5.5%. As shown in Exhibit 5, the average attrition rate for Custody Assistants during the last 6 years ranged from 4% to 8%.

EXHIBIT 5
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
CUSTODY ASSISTANTS' ATTRITION RATES⁷
 Estimated for 1998 through 2003*



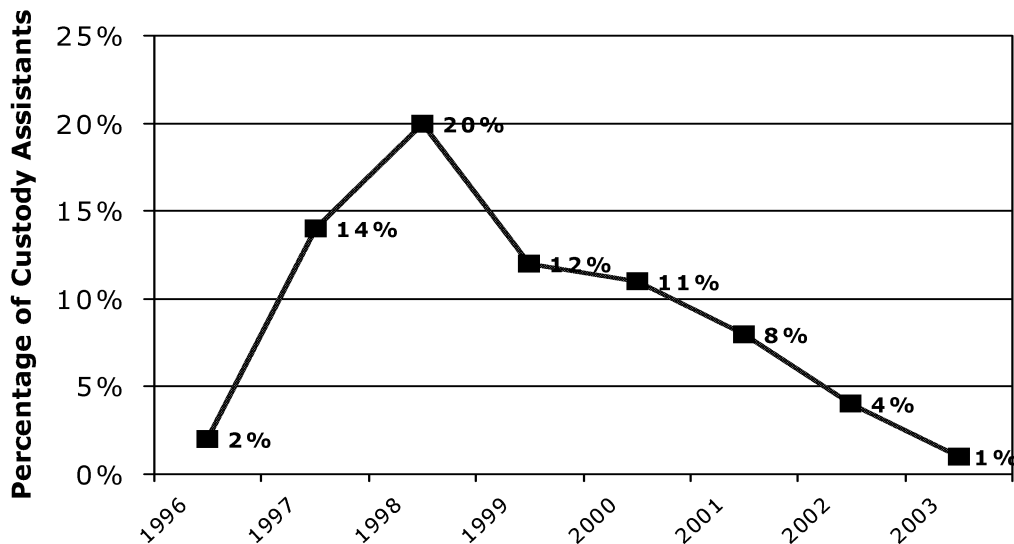
*Note: Estimated based on FY staffing levels and calendar year changes in job classifications. The Sheriff lacked data for 1996 and 1997.
 Source: Sheriff's Department, Personnel Administration, March 2004.

- ❑ **Custody Assistants are committed to working in the jails.** Deputies, although routinely assigned to custody operations after completing their Academy training, are required to successfully complete patrol training and therefore ultimately must leave their assignments in custody. In contrast, after completing their Academy training, Custody Assistants are assigned to the Custody Division and will spend their entire career as a Custody Assistant working in the jails or performing jail duties at a patrol station.
- ❑ **Fewer Custody Assistants are becoming Deputies each year.** According to the Sheriff, a career path for Custody Assistant does not exist, but the Department's policy is to encourage employees to pursue higher-level positions. The Department views positions, such as Custody Assistant and Community Services Assistant, as "feeder" classifications to the Deputy

⁷ Staffing fluctuations occur monthly due to resignations, hiring, and data consistency.

Sheriff classification, but solely at the desire of the employee.⁸ Since 1996, 576 Custody Assistants have become Deputies. On average, for the last 8 years, 9% of the Custody Assistants have opted to become Deputies – with a peak of 20% in 1998 and a low-point of 1% in 2003, as shown in Exhibit 6. This decline may be explained in part by the County’s hiring freeze and difficult fiscal times during the past few years, which have restricted transitional opportunities.

EXHIBIT 6
COUNTY OF LOS ANGELES, SHERIFF’S DEPARTMENT:
PERCENTAGE OF CUSTODY ASSISTANTS WHO BECOME DEPUTIES
 Estimated for 1996 through 2003*



*Note: Estimated based on FY staffing levels and calendar year changes in job classifications.

Source: Sheriff’s Department, Personnel Administration, March 2004.

Finding 6: The working relationship between some Deputies and Custody Assistants can be strained because of a lack of mutual respect and trust.

Custody Assistants and sworn officers at the sites visited exhibited a high level of professionalism and dedication to their assigned duties. An unspoken tension and underlying distrust, however, exists in the working relationships between the Deputies and Custody Assistants.

- ❑ **Deputies’ concerns about Custody Assistants.** Many sworn officers expressed concerns regarding the efficacy of using Custody Assistants in an expanded role because:

⁸ Source: “Civil Grand Jury Inquiry” Office Correspondence, March 26, 2004, from Personnel Administration to Correctional Services.

- An incremental increase in the number of Custody Assistants assigned to the jail facilities will result in the reduction in the number of Deputies in the Department overall.
- Deputies are working without a new MOU.

Although a particular Custody Assistant may have the respect and trust of a particular Deputy, in general, the Deputies in the focus groups tended to look on Custody Assistants as being less competent, less willing and less important than their Deputy counterparts. During interviews and in focus groups, the Deputies expressed concerns about Custody Assistants':

- Training
- Reduced ability to respond because Custody Assistants were not part of the Emergency Response Team
- Lack of respect by inmates
- Avoidance of paperwork
- A different approach to work caused by no possibility of career advancement
- Less intense interest in what was going on.

Because the expectations and duty assignments of Custody Assistants have been different over the years, it was possible to be partnered with a Custody Assistant on one day who was "gung-ho" and willing to do whatever was needed. On a different day, a Deputy might be paired with a Custody Assistant who worked strictly according to the written word of the MOU – or as the Custody Assistant chose to interpret the MOU.

These perceptions generated a concern that the Custody Assistants might not act appropriately in crisis situations and would therefore be a danger to the Deputies as well as to themselves.

- ❑ **Custody Assistants concerns about Deputies.** The Custody Assistants noted this sense of being treated like second-class citizens. They expressed concerns similar to the Deputies, but from the other side. For example, because policies are vague and assignments are inconsistent, Custody Assistants could be assigned as prowlers one day and told they are not qualified the next day.

Even the title, Custody Assistant, generates difficulties. Because of the title, line Deputies think they can treat Custody Assistants as subordinates. In contrast, with the expanded duties that Custody Assistants have been assigned, equivalent to the line Deputy for most routine daily jail operations, the title does not reflect the judgment and independence expected of the Custody Assistant.

To the Deputies and Custody Assistants with these viewpoints, their perceptions are their reality, regardless of what the facts may be. What is critical is that perceptions of disrespect, distrust and lack of fair treatment are detrimental to the effective performance of daily duties within the jail. It not only reduces cooperation and professionalism, it can make a dangerous environment even more dangerous.

Finding 7: Personnel have expressed a concern for their safety as the profile of inmates has become increasingly more violent.

There is a growing sense of concern and frustration by Sheriff's employees regarding the continuing need to do more, or even the same duties, with fewer resources. Certain sworn officers have expressed their feelings that the Sheriff's Department is its own worst enemy, because, no matter what cuts are made, the job always seems to get done. Their "can do against any odds" spirit is commendable.

Although the Inmate-to-Staff Ratio has improved over the years, as shown in Exhibit 7, sworn officers are concerned about their safety.

**EXHIBIT 7
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
INMATE-TO-STAFFING RATIOS**

FY 1985-1986, FY 1997-1998, and FY 2003-2004*

Facility	FY 1985-1986	FY 1997-1998	FY 2003-2004
Men's Central Jail	11.6:1	10.3:1	9.1:1
North County Correctional Facility	n.a.	9.7:1	7.6:1
Pitchess Detention Center-East Facility	12.0:1	9.4:1	7.1:1
Pitchess Detention Center-North Facility and Annex	n.a.	8.3:1	6.1:1
Twin Towers Correctional Facility	n.a.	6.8:1	5.7:1

n.a. = not available.

*Note: Based on January/February 2004 ADIP and January 2004 budgeted staffing.

Safety in the jails has become an issue because the "quality" of the inmate population has changed over the years, evolving from a mix of misdemeanor and felony inmates to predominately felony inmates. The profile of the current inmate population has become increasingly violent and dangerous because of: a) budgetary issues, which have forced the closing of jails, and b) court rulings, which limit the number of inmates permitted to be confined to the jails that remain open.

Compounding the situation is the added complexity of how inmates must be "sorted" within the jails for transport to and from the courts and at court lockups. Sorting involves the separation and handling of different classifications of inmates based on their gang affiliation, sexual orientation, gender, "keep away" status⁹, high-escape risk, or condemned status. As the jail population becomes principally comprised of violent felon inmates, the tensions and animosity among the various inmate subgroups increase the risk of violence between inmates and, as a result, to all custody personnel.

⁹ Keep away is a classification used to identify inmates who must be kept separate from certain other inmates. There are multiple types of "keep away" classifications.

This trend in the profile of the typical inmates reinforces the requirement and importance of Deputies and Custody Assistants to:

- ☐ Work together as a team to keep the jails safe and secure
- ☐ Trust one another and work with confidence in their co-workers' abilities and willingness to competently perform their routine daily jail duties and come to their aid when required.

As already discussed, not all Deputies or Custody Assistants have that mutual respect and trust for each other.

Finding 8: The Sheriff has had limited job postings for hiring Custody Assistants.

The Custody Assistant examination for hiring is an "Open and Continuous" examination. Exhibit 8 displays the examination trends, including the number of examinations and number of applicants scheduled for testing, failing the written testing, passing the test, selected for background checks, and hired. From August 1996 through September 2000, the Sheriff's Department was more actively involved in examining and hiring Custody Assistants, ranging from a peak of 622 hired between August 1996 and June 1997 to none hired since March 2002.

During the past few years, due to budget cuts and fiscal constraints, hiring has been largely curtailed. During the period August 21, 2002 through August 26, 2003, no test dates were held for the Custody Assistant position. There has been a recent increase in the number of applicants scheduled for testing: for the six month period ending January 2004, an average of 55 candidates per month were scheduled for testing, while in the two months ending March 2004, an average of 735 candidates per month were scheduled.

EXHIBIT 8
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
CUSTODY ASSISTANT EXAMINATION TRENDS

August 1996 through March 2004

Time Frame¹⁰	Examinations		Number of Applicants				
	Number of Bulletins	Number of Test Dates	Scheduled for Testing ¹¹	Failing Written Test	Passed Test	Selected for Background Checks	Hired, as a % of those Scheduled for Testing
11 Months: August 1996-June 1997	3	10	10,481	4,468	2,467	2,144	622 5.9%
22 Months: July 1997-April 1999	1	20	12,436	3,857	2,592	1,090	321 2.6%
17 Months: May 1999-September 2000	3	29	8,855	2,329	1,584	2,258	330 3.7%
17 Months: October 2000-February 2002	2	12	1,287	619	295	45	80 6.2%
17 Months: March 2002-July 2003	4	18	819	324	155	537	0 0%
Open Months: August 2003-Open	2	15	1799	126	--	--	0 0%

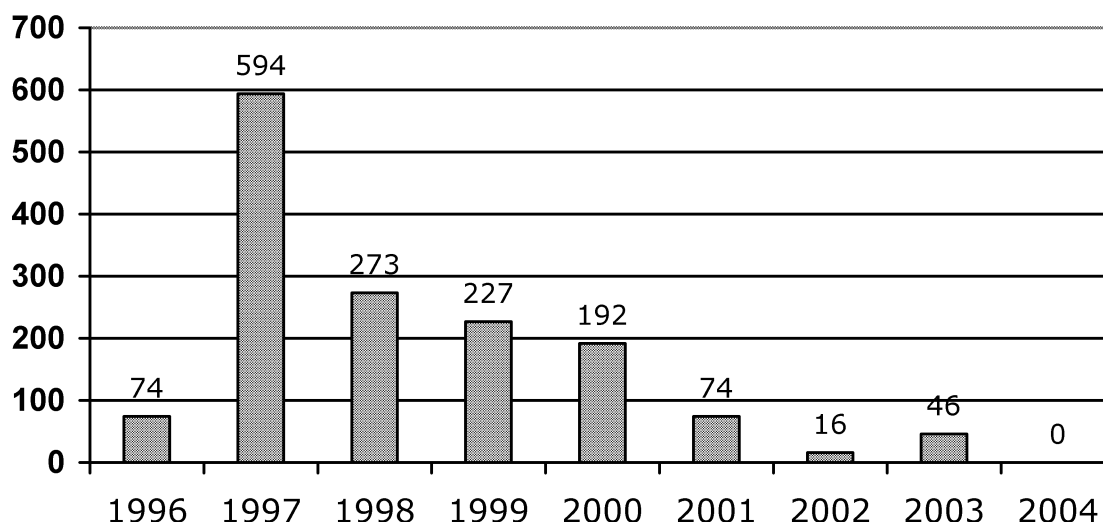
Source: Compiled from data from the Sheriff's Department, using the County's Personnel Administration's Tracking Recording Applicant Certification (TRAC) system, Certification Desk Management System (CDMS), and the Pre-Employment Tracking System (PTS). Sheriff's Department, Personnel Administration, March 2004.

¹⁰ The Sheriff's Department does not track data by fiscal or calendar year because of the varying time periods between when bulletins are posted, examinations are given, and background checks are completed. An Academy class for Custody Assistants may be comprised of applicants from multiple bulletins based on the length of time the applicant remained in background check status and when Academy classes are scheduled.

¹¹ Not all applicants who were scheduled for any given examination actually arrived to take the examination.

Similarly, as shown in Exhibit 9, the number of Custody Assistant graduates from the Academy has also declined to zero since its peak year of 1997 with 594 graduates.

EXHIBIT 9
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
CUSTODY ASSISTANT GRADUATION TRENDS
1996 through 2004



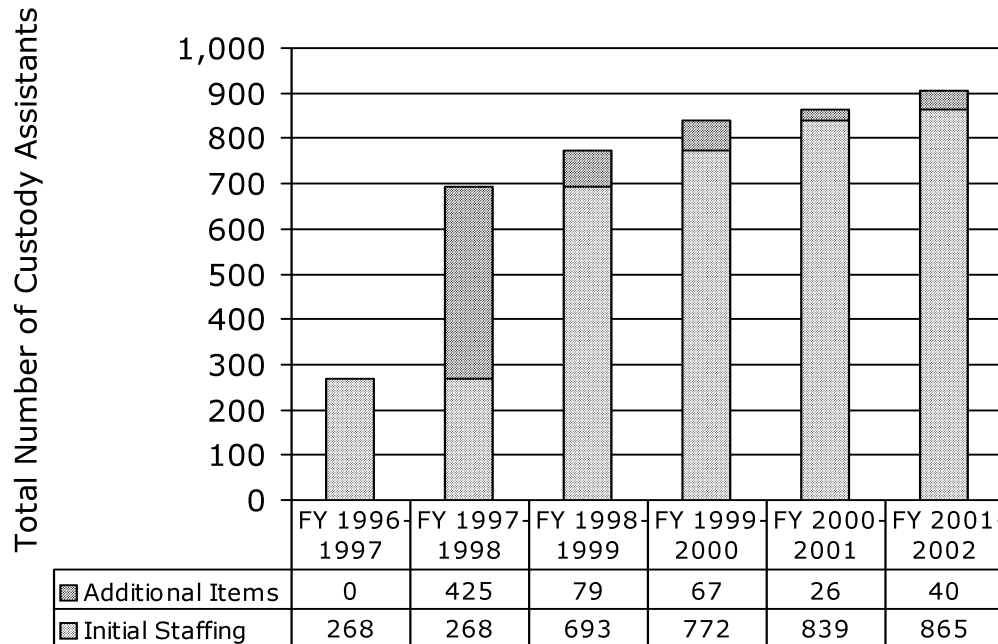
Finding 9: The Sheriff has not formally analyzed the optimal staffing configuration or potential cost savings from using Custody Assistants or other civilian classifications in combination with Deputies in the jails in the last few years.

The documentation provided by the Sheriff regarding Custody Assistants and the use of Custody Assistants in the jails was all dated 1999 or before¹². The expanded use of civilian Custody Assistants in the jails had great momentum in the mid-to-late 1990s. Interest in the use of civilians was heightened due to external reviews and the desire to mitigate costs.

During the late 1990s, the number of Custody Assistants in the Custody Division increased dramatically – an increase of approximately 190% – from 268 Custody Assistants in FY 1996-1997 to 772 Custody Assistants in FY 1999-2000, as shown in Exhibit 10.

¹² The documentation was supportive of the Sheriff's goal for civilianization of the jails.

EXHIBIT 10
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
NUMBER OF CUSTODY ASSISTANTS
ASSIGNED TO THE CUSTODY DIVISION
FY 1996-1997 through FY 2001-2002



The Sheriff supports the Custody Assistant program in its current form. Custody Assistants have performed well, and the program has provided significant savings. At an approximate savings of \$40,000 per year when compared with a Deputy, 800 Custody Assistants generate savings of approximately \$32 million annually.

- ❑ The Sheriff's Long-Term Strategic Plan, published in November 2001, cited "Civilianize Los Angeles County Custody Facilities to 50% within five years" as one of its strategies.
- ❑ Similarly, the LASD² Long-Term Strategic Plan, published in November 2003, listed "Civilianize Los Angeles County Sheriff's Custody Facilities to 50% within five years..." as one of the strategies.

Although the Custody Assistant program continues to receive strong support by the Sheriff, there does not appear to be any ongoing effort to refine and enhance the program. Several reasons can be offered to help explain the reduced focus:

- ❑ The ALADS Article 29 MOU has placed significant contractual limits to expanded use of civilians in custody facilities. As a union, ALADS will be concerned about the size of its membership.

- ☐ The Sheriff's 1999 survey of other counties' efforts to use civilians generated concerns that alternatives to the Custody Assistants program (as it is currently constituted) would not continue to generate cost savings.
- ☐ Efforts to bring innovative approaches to improve staffing and budgeting efficiencies are not rewarded in the County.

Finding 10: In collaboration with Superior Court security, the Sheriff identified 57 positions in court lockups that Custody Assistants could assume, resulting in potential savings of \$2.3 million.

The Court Services Division of the Sheriff's Department operates the court lockups, among other services that it provides under contract to the courts in the County of Los Angeles. The use of Custody Assistants in court lockups is a logical extension of the use of Custody Assistants in the jails.

In conjunction with the Superior Court's security officer, the Court Services Division visited court facilities to determine how many Custody Assistants might be used in the courts. **In total, 57 positions were identified as appropriate for Custody Assistants.** The proposed program provided for a three-phase introduction of Custody Assistants into 22 court locations.

The introduction of 57 Custody Assistants into the court lockups would generate **a cost savings of approximately \$2.3 million**, using the average annual cost of salary and benefits for Deputies and Custody Assistants. In addition, based on our interviews, these savings are conservative because they assume "no contact" duties (e.g., control booths, sally ports) for the assigned Custody Assistants.

The restrictions under Article 29 prevent the use of Custody Assistants in lockup assignments in the Court Services Division. These restrictions were open for renegotiation during current contract talks with ALADS but, on December 16, 2003, were accepted in their current form, thereby preventing the introduction of Custody Assistants into court lockups.

Finding 11: The budgeting/control methodology system in the County does not encourage or reward innovation and risk-taking, and offers little incentive to save money.

A main thrust of this review is to reduce personnel costs by using Custody Assistants to perform duties currently handled by Deputies. The County system is driven by item count rather than dollars spent and absorbs any departmental cost savings. If the Sheriff replaces a Deputy with a Custody Assistant, the Department may get some salary and benefit cost savings but the Department has:

- ☐ Given up a more broadly trained employee
- ☐ Lost flexibility in staffing assignments

- ❑ Lost backup capabilities of sworn officer to respond to certain emergency situations
- ❑ Increased the risk of something happening and not having the right person there to respond.

The Sheriff contends that there is no incentive to save money that cannot be retained for other uses, particularly when left with an employee with fewer operational skills, lost staffing flexibility and increased risk. Moreover, the costs of Deputies in the court lockups are reimbursed, making it less of a cost-savings concern to the Sheriff or the County.

Finding 12: The period of time that current “new” Deputies spend in Custody Operations, Correctional Services, and Court Services prior to being assigned to patrol duties is excessive and has increased to at least five years.

Upon successful completion of the Deputy Sheriff’s Academy course, new Deputies are Peace Officers Standards and Training (POST) certified and qualified as a California Peace Officer. After receiving additional training that focuses on jail operations, these Deputies are routinely assigned to duty in the Custody Operations Division or the Correctional Services Division. This first assignment provides exposure to various types of inmates in a controlled environment, providing an opportunity for the new Deputy to learn about criminal behavior.

Referred to as Rule 214¹³, it is currently Sheriff’s Department practice that all Deputies be assigned to patrol duties and be patrol qualified. Patrol qualification is seen as a natural and necessary part of a Deputy’s training and career development. New Deputies currently are waiting an average of five years before being assigned to patrol duties.

Most new Deputies are highly motivated to complete their custody duties and move on to their patrol assignment. The extended waiting period to be assigned patrol duties has negatively affected the morale of new Deputies and, in some cases, adversely affected their motivation to accept patrol duties.

The professionalism of the Department is enhanced by having all Deputies trained, experienced and competent in both custody and patrol duties. Having Deputies trained in both custody and patrol provides the Department with essential flexibility when responding to both routine operational demands as well as any emergency requirements.

¹³ The transfer policies of the Sheriff’s Department (reference Personnel Policy Manual, Section 3-02/010.20 Transfer-Deputy Personnel) requires deputies who graduated from the Academy on or after May 6, 1983 (Class #214) to transfer to Field Operations and successfully complete patrol training.

E. RECOMMENDATIONS

BARRIERS TO CHANGE

Two barriers to change – and saving money – need to be overcome to make the recommendations easier to implement.

- ❑ **Rescind Article 29.** The Sheriff's verbal commitment to ALADS and the CAO's later withdrawal of Article 29 from the bargaining table is a major obstruction. Although this commitment was made after several disruptive "sick outs" by ALADS members in September and October 2003, no *quid pro quo* concessions were made. It occurred after the Civil Grand Jury had informed the Sheriff's Department concerning this study and its objective.
- ❑ **Resolve the MOU.** As an over-arching issue, the MOU is the cause of inefficiencies and unnecessary costs. Our recommendations do not address the contents of the MOU but instead describe the potential use of the Custody Assistant. Implementation of many of these recommendations will require a MOU that permits the prudent use of Custody Assistants' skills and capabilities.
- ❑ **Establish incentives to save money.** As long as the Sheriff is reimbursed by the courts for furnishing Deputies and is concerned that the County will take any savings away (i.e., number of Deputies in the force), there are no monetary incentives for the Sheriff to implement new measures.

GUIDING PRINCIPLE

Deputies and Custody Assistants can perform much of the same routine work in the jails and the court lockups. This is an important guiding principle as a framework for the subsequent recommendations. Although the Deputy has extensive training in other areas of law enforcement, both the Deputy and Custody Assistant are equally prepared for most of their routine duties in a jail.

For the Custody Assistant program to be successful, Custody Assistants need to be recognized and accepted as a competent, dedicated and equal members of the custody team. Line Deputies and line Custody Assistants need to perceive each other as equals in the execution of routine duties in jail operations. As discussed in the following recommendations, the effectiveness of the Custody Assistant program requires that:

- ❑ Recruited Custody Assistant candidates desire a career in the Sheriff's Department and exhibit a mindset that lends itself to custody operations
- ❑ Custody Assistants and Deputies' duties in custody operations be clearly and unambiguously defined
- ❑ Appropriate training be offered that enables Custody Assistants and Deputies to perform their custody operations duties efficiently and effectively

- ❑ Opportunities exist for Custody Assistants to grow and develop within the organization.

Recommendation 1: The Sheriff should achieve the 35%-65% ratio in the jails, which would achieve a savings of \$3.9 million.

Relevant Findings: 1, 2, 8, 9, 11

The ALADS Article 29 Custody/Court Lockup currently allows for a 35%-65% ratio of Custody Assistants to Deputies. In addition to the explicit exclusion of the Mira Loma Detention Facility, certain programs in the Correctional Services Division may be excluded from the 35%-65% calculation based on program design or funding source. Exhibit 11 displays the ratios, by facility, for FY 2003-2004. For the jail facilities, the Sheriff is only at a 30%-70% ratio. Even with the other programs to boost the ratio, the overall ratio is just 31%-69%. **Bottom Line: The Sheriff has room to add more Custody Assistants within the current MOU.**

EXHIBIT 11
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
35%-65% RATIO CALCULATIONS FOR SELECTED FACILITIES
FY 2003-2004 (Budgeted)

Facility	Custody Assistants	Deputies	Custody Assistant Percent ¹⁴	In Comparison to 35% Target (+/-)
Men's Central Jail	147.0	496.0	23%	-12%
North County Correctional Facility	51.0	228.0	18%	-17%
Pitchess Detention Center-East Facility	37.0	82.5	31%	-4%
Pitchess Detention Center-North Facility and Annex	66.0	138.0	32%	-3%
Twin Towers Correctional Facility	239.0	412.5	37%	+2%
Inmate Reception Center	134.0	220.0	38%	+3%
Subtotal	674.0	1,577.0	30%	-5%
Other Programs ¹⁵	53.0	49.0	52%	+17%
Total	727.0	1,626.0	31%	-4%

A first step would be to move to the currently agreed-to ratio. Exhibit 12 shows the number of Custody Assistants necessary to increase from 31% to 33%, and then to 35%. An increase of 97 Custody Assistants would generate a savings of approximately \$3.9 million annually, based on the \$40,000 differential between the cost of a Custody Assistant and a Deputy in the jails. Additional savings, such as direct training costs and indirect payroll costs during training, can also be realized.

¹⁴ The calculation for the 35%-65% ratio = the number of Custody Assistants divided by the combined number of Custody Assistants and Deputies.

¹⁵ Includes Administration, Correctional Services Division Headquarters, CRDF, Community Transition Unit, Food Services, Inmate Services, and Medical Services. It is not clear that all Custody Assistants in these areas should be included in the 35%-65% ratio calculation.

EXHIBIT 12
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
SAMPLE CALCULATIONS FOR ALL FACILITIES
TO MOVE TO A 35%-65% RATIO
FY 2003-2004

Facility	Custody Assistants	(+/-)	Deputies	(+/-)	Progress Toward 35%-65% Ratio*
Total (current)	727		1,626		31%
Total (adjusted to 33%)	776	(+49)	1,577	(-49)	33%
Total (adjusted to 35%)	824	(+97)	1,529	(-97)	35%

* The total number of Custody Assistants and Deputies is 2,353.

This is not to suggest that it is a simple process to move to a 35%-65% ratio. Each facility has its own needs. In addition, assignments to cell extraction teams, emergency response teams, armed positions, and certain other duties can be handled only by Deputies. But to move forward on this strategy, the Sheriff's Department should determine the most expeditious way to achieve the 35%-65% ratio and take the necessary actions to achieve that goal by the end of FY 2004-2005.

The Sheriff should also review all administrative assignments currently filled by sworn officers to determine if the skills of a sworn officer are required to perform the administrative duties. If Peace Officer skills are not essential to the performance of the position, appropriate civilian classifications should be considered to replace the assigned Deputies, most likely at a lower cost.

<p>Recommendation 2: The Sheriff should aggressively move from the 35%-65% ratio to a 50%-50% ratio (equal numbers of Custody Assistants and Deputies) in the jails by FY 2008-2009 with an annual savings of \$18.1 million.</p>
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Relevant Findings: 2, 5, 8, 9, 11

The Sheriff should renew his efforts to realize his strategic goal to "Civilianize Los Angeles County Sheriff's Custody Facilities to 50% within five years..." as outlined in the Sheriff's LASD² Long-Term Strategic Plan, dated November 1, 2003. The achievement of a 50%-50% ratio would result in significant savings of \$18.0 million annually (based on the current staffing levels), as shown in Exhibit 13. Additional savings, such as direct training costs and indirect payroll costs during training, can also be realized.

EXHIBIT 13
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
SAMPLE CALCULATIONS FOR ALL FACILITIES
TO MOVE TO A 50%-50% RATIO
FY 2003-2004 (Budgeted)

Fiscal Year	Custody Assistants	Deputies	Assuming Current Staffing Totals	Progress Toward 50%-50% Ratio
FY 2003-2004	727	1,626	2,353	31%
FY 2004-2005	824 (+97)	1,529 (-97)	2,353	35%
FY 2005-2006	941 (+117)	1,412 (-117)	2,353	40%
FY 2006-2007	1,059 (+118)	1,294 (-118)	2,353	45%
FY 2007-2008	1,176 (+117)	1,177 (-117)	2,353	50%
Changes Over 5 Years	+452	-452	2,353	+19%

Note: These projected numbers are based on: a) the current number of Custody Assistants and Deputies and b) incremental changes of 5% per year to reach the target goal of 50%-50%.

The Sheriff's Department needs to reallocate these projected staffing levels, based on the specific staffing needs of each facility. Certain positions must be staffed with Deputies. The requirement to use Deputies for specific duties (e.g., armed positions, transportation of inmates, handling of recalcitrant inmates, cell extractions, emergency response teams and other assignments deemed appropriate) must take precedence over meeting a statistical target.

To move beyond the 35%-65% ratio, it will be necessary to work with the representation units, the CAO, and other stakeholders to develop a plan that allows all parties to participate in and benefit from the new agreement. The Sheriff should be able to meet the 50% goal by FY 2008-2009.

In addition to the cost savings, the use of additional Custody Assistants within the Custody Division will help develop a stable, reliable, and professional workforce within the jails. As the Custody Assistants and Deputies learn to respect and trust each other, issues associated with new assignments, rotations, shift changes, and new personnel will diminish.

Simultaneously, the Sheriff will need to review current operations to ensure safe operations – both within the jails and elsewhere. The County should be receptive to the Sheriff using a portion of the dollar savings – say 20% – for preserving Deputy positions that are needed in the field or in the case of a disaster.

<p>Recommendation 3: The Sheriff should use 57 Custody Assistants in the courts, resulting in savings of at least \$2.3 million.</p>

Relevant Findings: 2, 10, 11

The movement of Custody Assistants into court lockups under the Court Services Division is a natural and logical extension of the Custody Assistant program developed for the custody facilities.

The proposed pilot program to put Custody Assistants into the court was developed jointly by Superior Court security and the Sheriff's Court Services Division. The proposal has 57 Custody Assistants deployed in three phases into 22 different court locations. Most of the proposed deployments placed Custody Assistants in positions requiring no or minimal inmate contact – in keeping with the original Custody Assistants' MOU. Smaller court locations, because of the small number of Deputies assigned to the court lockups, are not generally conducive to the use of Custody Assistants instead of Deputies.

At an estimated savings of \$40,000 per Custody Assistant assigned to Court Services, the 57 proposed positions would yield savings of approximately \$2.3 million. Additional savings may be generated by the difference in the current trial court billing rate for Deputies and the actual cost of a Deputy for the Sheriff's Department. The Sheriff had developed a plan for allocating the 57 Custody Assistants, by court, in 2003. Exhibit 14 highlights the Sheriff's distribution of Custody Assistants, by Bureau.¹⁶ The Department plan breaks the numbers down by specific court facility.

EXHIBIT 14
COUNTY OF LOS ANGELES, SHERIFF'S DEPARTMENT:
SHERIFF'S PROPOSED CHANGES IN CONTRACT SERVICE LEVELS FOR
THE LOS ANGELES SUPERIOR COURT

Branch/Bureau	Lockup Service Levels ¹⁷		Proposed Custody Assistant Staffing
	Table of Organization	Filled Positions	
Central Bureau	82	81	11
East Bureau	91	90	22
West Bureau	110	108	24
Totals	283	279	57

The initial mix would be 20% Custody Assistants (57 positions) and 80% Deputies. The proposed three phases for implementation were:

- ☐ Phase I – 30 Custody Assistant positions assigned to 6 court facilities
- ☐ Phase II – 16 Custody Assistant positions assigned to 9 additional court facilities
- ☐ Phase III – 11 Custody Assistant positions assigned to 7 additional court facilities

¹⁶ Source: Los Angeles Sheriff's Department, "Contract Service Levels for FY 2003-2004 – Los Angeles Superior Court," July 23, 2003.

¹⁷ As of July 1, 2003.

As negotiations are under way with ALADS to permit the introduction of Custody Assistants into the court lockups, a review of selection, training, and operational needs should be undertaken. By establishing standard practices for the use of Custody Assistants in court lockups prior to agreement with ALADS, implementation can commence immediately upon agreement. As displayed in Exhibit 15, the Sheriff should clearly distinguish between the Deputies' and Custody Assistants' duties in the courts.

EXHIBIT 15
FRAMEWORK FOR THE DESIGN OF WORK DUTIES OF
DEPUTIES AND CUSTODY ASSISTANTS IN THE COURTS

(Illustrative Only)

Routine Duties Performed by Either a Deputy or Custody Assistant	Additional Deputy Duties
<input type="checkbox"/> Operation of main or courtroom cell areas <input type="checkbox"/> Supervision of inmates in holding cells <input type="checkbox"/> Supervision of inmates from control booths <input type="checkbox"/> Processing of inmates for court appearances <input type="checkbox"/> Segregation of inmates by classification <input type="checkbox"/> Various administrative duties	<input type="checkbox"/> Armed positions <input type="checkbox"/> Powers of arrest <input type="checkbox"/> Transportation of inmates <input type="checkbox"/> Handling of recalcitrant inmates <input type="checkbox"/> Cell extractions <input type="checkbox"/> Emergency response teams

The initial pilot program will need to be monitored during the first phase, with appropriate adjustments and lessons learned documented. Subsequent phases will benefit by making appropriate adjustments.

Recommendation 4: The Sheriff should assess and increase the number of Custody Assistants beyond 57 in the courts and explore the potential use of civilians in transporting inmates to the courts.

Relevant Findings: 2, 9, 10, 11

There are currently 283 lockup Deputies assigned to the courts in Los Angeles County. Some of these courts are large operations while others are much smaller operations. After implementing the initial pilot of 57 Custody Assistants in the courts, the Sheriff should study and, where feasible, implement the expanded use of Custody Assistants in the courts.

In addition to generating cost savings, the use of Custody Assistants will enhance the career rotation opportunities for Custody Assistants and continue to free up Deputies for field operations and other assignments requiring a sworn officer. The

cost savings will benefit the courts, the Sheriff, the County, and the County's residents.

Finally, the Sheriff should review and study the use of civilians as part of the transportation teams assigned to buses for transporting inmates between the courts and jails. There are currently 248 Deputies assigned to Court Services Transportation, the organization responsible for transporting inmates between the courts and the jails.

Recommendation 5: Custody Assistants' duties should be clearly defined in operational terms.

Relevant Findings: 2, 3, 4, 5, 6

To avoid repeating the experience of what happened with the Correctional Officer program in the 1960 and 1970s, the duties and responsibilities of the Custody Assistants and Deputies filling line positions in custody operations must be clearly defined and uniformly performed by both classifications.

Although the particular details will vary based on the operational necessities of each of the custody facilities, the following offers a conceptual model of how to avoid "equal pay for equal work" litigation. As detailed earlier in Exhibit 4, the Custody Assistants and Deputies will do substantially the same work during routine daily jail operations. What must be clear is that the Deputies have additional duties not only inside the jail but outside of the jail as well.

Appropriate specific training for Deputies, covering the additional jail duties they perform (e.g., cell extraction or emergency response) needs to be provided. To ensure effective cooperation and mutual support, both Deputies and Custody Assistants should attend each others' training classes to develop a thorough understand of all jail duties and assignments. This would provide Custody Assistants with an understanding of the additional duties that Deputies must perform, expose Custody Assistants to all aspects of jail operations, and clearly define the differences between the Custody Assistants' duties and the Deputies' duties within the jail.

Custody Assistants need to recognize and accept that the duties assigned to Custody Assistants in the jails are only a part of the duties assigned to Deputies. The additional duties performed by a Deputy are what differentiate a Deputy from a Custody Assistant, even if both are currently assigned to line operations within a jail.

Recommendation 6: The Sheriff should seek out candidates for Custody Assistant positions who are interested in a career with the Sheriff's Department.

Relevant Findings: 5, 6, 7

Selecting candidates who are genuinely interested in a career with the Sheriff's Department is essential in establishing a high morale and professional organization.

Among all relevant selection criteria, one of them should be related to ambition and motivation. Both Deputies and Custody Assistants should sincerely want to join a law enforcement team. Candidates without this motivation should be viewed as less desirable candidates, such as candidates who are only interested in the Custody Assistant position as: a) a secondary career choice or b) simply to improve pay (e.g., a transfer from an administrative position within the department).

Physical, mental, emotional, and ethical criteria should not be waived. To gain and maintain the respect of other Custody Assistants, Deputies, and even inmates, candidates must be truly qualified.

There needs to be consistency in physical conditioning and capabilities. The Custody Assistant should not be held to a different standard than the Deputy. One of the concerns expressed by Deputies regarding the reliability of Custody Assistants to respond had to do with physical conditioning and ability.

Proper selection of candidates will reduce turnover, improve morale, provide operational flexibility, and promote excellence. The successful selection of qualified candidates is a critical part of developing a professional workforce and a career path for Custody Assistants, discussed next.

Recommendation 7: In addition to existing internal promotional opportunities, consideration should be given to developing a "career path" for Custody Assistants.
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Relevant Findings: 3, 4, 5, 6

The development of a "career path" for Custody Assistants will recognize the importance and integral part that Custody Assistants play in maintaining safe and secure jails.

This is a difficult and delicate subject. The *raison d'être* for Custody Assistants is the cost savings that can be achieved through the use of civilian personnel in place of Deputy Sheriffs. The Correctional Officer and Modified Academy Deputy programs were eliminated because they lacked desired flexibility in job assignments and did not generate the anticipated cost savings.

A successful "career path" needs to provide the Custody Assistant with a progression of positions within jail operations that offer growth, but will not precipitate the issue of "equal pay for equal work." The "career path" will also need to realistically differentiate the positions. The following positions, offered for conceptual discussion purposes only, might be developed into a career path:

- | | |
|--|-------------------------------------|
| <input type="checkbox"/> Custody Assistant I | - Fixed Posts/Dorm and Module Posts |
| <input type="checkbox"/> Custody Assistant II | - Prowler/Escort |
| <input type="checkbox"/> Custody Assistant II+ | - Training Officer/Senior |
| <input type="checkbox"/> Custody Assistant III | - Civilian Sergeant |

Without going into great detail, the differentiations among these positions might be:

☐ **Custody Assistant I – Fixed Post and Dorm/Module Posts**

- **Fixed Post** – The Fixed Post position would be the entry-level assignment for Custody Assistants. This position would have no or minimal contact with inmates and normally be in a secure booth physically separated from inmates. For current Custody Assistants who are not willing or unable to step up to the anticipated higher level of professionalism and responsibilities, this position would allow for a career terminal assignment.
- **Dorm/Module Posts** – This position is similar to the current Custody Assistant position allowing some contact with inmates in the monitoring and control of inmate living areas. Individuals in this position would be available for fixed-post positions as well.

☐ **Custody Assistant II – Prowler/Escort and Training Officer/Senior**

- **Prowler/Escort** – This position would allow for greater responsibility and contact with inmates. Current Custody Assistants have performed at this level. Custody Assistants at this level would be capable of performing any routine daily line functions within the jail. This would offer increased flexibility in staffing, overtime assignment, and relief.
- **(+) Training Officer/Senior** – This position would be similar to the Deputy Training Officer/Senior in responsibilities. Initially this position would focus on the training of Custody Assistants, but with time and demonstrated professionalism, knowledge, and competencies, this position could offer advice to all personnel. This could be a temporary assignment as necessary.

- ☐ **Custody Assistant III** – Similar to a civilian sergeant, this position would require a significant shift in how Deputies view civilian personnel in the jails and particularly Custody Assistants. Although there may be other administrative problems, conceptually this position would act in the same capacity as a line Sergeant in the jails. Both Deputies and Custody Assistants could report to this individual. Implementation of this position would demonstrate the success in establishing Custody Assistants as professional equals with Deputies within jail operations.

To differentiate the job duties of Custody Assistants from Deputies so that the cost differential could be maintained and "equal pay for equal work" litigation avoided, the Custody Assistant can not by law perform certain tasks that would be the sole responsibilities of Deputies (e.g., armed positions, transportation of inmates, handling of recalcitrant inmates, cell extractions, and participation on emergency response teams [except as videographer]). Further, Deputies have additional job duties beyond the jail operations environment (e.g., response in time of natural or manmade disasters or emergencies and Penal Code 830.1 Peace Officers' responsibilities).

Successful implementation of a "career path" will require a multi-year effort in selecting, training, and recognizing personnel as the quality and professionalism of the Custody Assistant improves. The Sheriff already has a solid base of committed, professional Custody Assistants. Command support, team building, and encouragement of mutual respect will be necessary to change the culture so that Deputies and Custody Assistants will accept each other as "equals" in the performance of routine daily jail duties.

The benefits of successfully implementing a "career path" for the Custody Assistant include a cadre of stable, well-trained corrections professionals in the jails, enhanced morale, an attractive career for recruiting purposes, reduced turnover, continued cost savings (versus paying higher Deputy salaries), and more employees with greater job satisfaction.

Again, this Custody Assistant job hierarchy is only a conceptual model of how the "career path" issue might be approached; it is offered as a discussion point. Other "career path" opportunities for Custody Assistants should also be recognized and encouraged, especially the possibility of becoming a Deputy.

<p>Recommendation 8: As Custody Assistants develop a consistent professional approach to their jobs, the Sheriff can initiate other changes that would complement, support, and encourage this change.</p>

Relevant Findings: 5, 6, 7

Periodic team building sessions could be held in which Deputies and Custody Assistants meet to discuss common work issues and jointly develop approaches to solving them. Such sessions would help them develop mutual trust and respect.

A change in the Custody Assistant working title (if not the job class) from Custody Assistant to a less pejorative title, such as Custody Officer, would diminish the perceived second-class status of an "assistant." This would improve Custody Assistants' morale and recognize their participation as an "equal" on the custody operations team. Such a change may also increase the respect shown to the Custody Assistant by inmates.

An issue mentioned in the focus groups was that the inmates did not respect Custody Assistants as much as they respect Deputies. An often-cited reason was that the inmates did not respect the Custody Assistants' uniform. Basically, the inmates knew Deputies had the authority and that Custody Assistants did not. With improved professionalism, this may not remain a problem. A consideration should be given to changing the Custody Assistants' clothing uniform to one similar to that of the Deputies'.

Recommendation 9: New Deputy Sheriffs should be assigned to patrol duties after completing approximately two years of service in custody operations.

Relevant Finding: 12

The experience and training that a new Deputy receives while assigned to custody duties in a jail is an important factor contributing to their likely success when assigned to patrol. The incremental benefit of extending the custody duty assignment in a jail beyond two years, however, is minimal. Because the bulk of training at the Deputy Sheriff's Academy focuses on the duties of a Peace Officer on patrol, the longer it takes to get a Deputy assigned to patrol duties the more likely it will be that remedial training in certain skill areas addressed in Academy training will be needed.

When candidates sign on to become Deputies, most look forward to and eagerly anticipate assignment to patrol duties. Having a targeted timeframe for assignment to patrol duties will:

- ☐ Capture and maintain the motivation of new Deputies
- ☐ Improve the morale and motivation of Deputies while performing custody duties.

Allowing the waiting period before being assigned to patrol duties to be undefined and extend for an indefinite period of time subjects Deputies to additional outside factors that may affect their motivation to go to patrol. For example, once a Deputy is married and starts a family, the desire for predictable hours and a routine schedule, as provided in most custody assignments, may diminish their motivation to go to patrol. Having a standard practice of assigning Deputies to patrol after approximately two years of custody duty would make patrol duty an expected part of a Deputy's career progression.

Although there is some discussion to remove the requirement (Rule 214) that all Deputies be patrol trained and certified, this removal would not be in the best interest of the Department or the County residents because:

- ☐ The availability of a ready force of uniformly trained Deputies would be diminished.
- ☐ The flexibility of assignment within the pool of Deputies would be diminished.
- ☐ The mutual respect and trust among Deputies would be split between patrol certified and those not patrol certified – "real" Peace Officers and those that only work in custody.
- ☐ Releasing Deputies to the field would enhance public protection by having more Deputies on patrol.

Unless an adjustment was made to differentiate the compensation of a patrol-certified Deputy from a non-patrol certified Deputy (lowering the non-patrol Deputy compensation), the County would be paying a premium for non-patrol certified Deputies.

F. ACRONYMS

ADIP	Average Daily Inmate Population
ALADS	Association for Los Angeles Deputy Sheriffs
BC	Biscailuz Center
CAO	Office of the Chief Administrative Officer
CDMS	Certification Desk Management System
CRDF	Century Regional Detention Facility
HOJJ	Hall of Justice Jail
IRC	Inmate Reception Center
MCJ	Men's Central Jail
MOU	Memorandum of Understanding
NCCF	North County Correctional Facility
PDC-E	Pitchess Detention Center – East Facility
PDC-N/A	Pitchess Detention Center – North Facility and Annex
PDC-S	Pitchess Detention Center – South Facility
PHR-R	Pitchess Detention Center – Ranch Facility
POST	Peace Officer Standards and Training
PPOA	Los Angeles County Professional Peace Officers Association
PTS	Pre-Employment Tracking System
SBI	Sybil Brand Institute
Sheriff	Sheriff's Department
TTCF	Twin Towers Correctional Facility
TRAC	Tracking Recording Applicant Certification system

APPENDIX:

ARTICLE 29: CUSTODY/COURT LOCKUP STAFFING

The parties agree to the following for the term of this Memorandum of Understanding:

1. The number of employees in the class of Custody Assistant, Sheriff (Item No. 2749) shall not exceed 35% of the total number of employees in the class of Deputy Sheriff generalists (exclusive of Bonus Level positions)¹⁸, assigned to the following Custody Division Facilities, (exclusive of the Mira Loma Facility), for the term of this agreement:
 - ☐ Century Regional Detention Facility (CRDF)
 - ☐ Inmate Reception Center (IRC)
 - ☐ Men's Central Jail (MCJ)
 - ☐ North County Correctional Facility (NCCF)
 - ☐ Pitchess Detention Center - East Facility (PDC-E)
 - ☐ Pitchess Detention Center - North Facility (PDC-N)
 - ☐ Pitchess Detention Center - South Facility (PDC-S)
 - ☐ Twin Towers Correctional Facility (TTCF) (including LCMC).
2. The County agrees that it will not utilize Custody Assistants in lieu of Deputy Sheriffs in lockup assignments in the Court Services Division during the term of this Agreement.
3. The County further agrees that no additional Custody Assistants will be used elsewhere in the Department to supplant any current Deputy position during the term of this Agreement.
4. While Mira Loma Facility is operated under a contract with the United States Government, and the classifications of employees assigned to the facility are set by the contract, the Department agrees to first meet with ALADS before renewing or modifying said contract in any way.
5. Notwithstanding one (1) above, and prior to the opening of any new Custody Facility or re-opening of a previously closed Custody Facility, which includes Sybil Brand Institute (SBI), Biscailuz Center (BC), Hall of Justice Jail (HOJJ) and Pitchess Honor Rancho - Ranch Facility (PHR-R), the parties agree to meet and confer over the impact of said management decision. However, the parties agree in principle that the Department may determine the staffing ratio at new

¹⁸ Informational Note (not contained in original document): Deputy Sheriff Generalist is the generic title given to a POST Academy certified Peace Officer. This title differentiates the Deputy Sheriff Generalist from a Deputy Sheriff – Bonus 1, or a Deputy Sheriff – Bonus 2, which are also Deputy Sheriffs but have tested and qualified for special assignments.

and/or re-opened Custody Facilities subject to officer safety concerns and to the following exceptions for which Deputies shall be used exclusively:

- a. Prowlers
- b. Supervision, escort, and control of the following inmates (as defined in the Manual of Policy and Procedures):
 - (1) Noteworthy
 - (2) Condemned prisoners
 - (3) Highly dangerous
 - (4) High escape risk
 - (5) K1: Keep away from all except other K-1s
 - (6) K-9: Informants - Keep away from all except other K-9s
 - (7) K-10: Keep away from all
 - (8) Any inmates requiring handcuffs and waist chains
 - (9) Romero hearings.¹⁹
- c. Custody Division shall ensure that a sufficient number of Deputies are available to be assembled on an Emergency Response Team based on a situational Facility need using resources within the immediate area (including north region, south region, and any/all Field Operations Region Stations).

¹⁹ Informational Note (not contained in original document): The California Supreme Court unanimously stated that judges have the right to disregard prior convictions if they think a mandatory prison sentence would be too cruel (Los Angeles Times, June 21, 1996). The State Supreme Court gave trial judges authority to make such judgments in a 1996 order, known as the "Romero ruling" after the defendant in the case.

EDUCATION COMMITTEE

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EDUCATION COMMITTEE

SPECIAL AUDIT OF LOTTERY EDUCATION FUND ACCOUNTING AND MANAGEMENT BY THE LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD) AND THE LOS ANGELES COUNTY OFFICE OF EDUCATION (LACOE)

EXECUTIVE SUMMARY

As one of its objectives, the 2003-2004 Los Angeles County Civil Grand Jury determined to perform an audit / update of LAUSD lottery financial information, and independently verify that the recommendations contained in the 2001-2002 Civil Grand Jury report on LAUSD lottery funding compliance have been implemented by the District. In addition, the 2003-2004 Los Angeles County Civil Grand Jury requested an audit of LACOE's compliance with the lottery statutes, and the appropriateness of accounting procedures used by LACOE as a direct provider of lottery-funded educational services. Lastly, the Civil Grand Jury evaluated LACOE'S effectiveness as the organization charged with disbursing lottery revenues, controlling expenditures and generally monitoring school district lottery finances.

FINDINGS

LAUSD's lottery expenditures generally comply with the restrictions established by state law; however, some reported by the District in FY 2002-2003 may be questionable. The Standardized Account Code Structure (SACS) source code shows possible violations in public education and instructional material spending. The J-200L form of expenditure checks and balances submitted to LACOE needs to be revised to reflect the accurate balance. Memos to LACOE for its educational programs budget and lottery allotment do not clearly identify the amount and restrictions of the various categories, priorities and goals for expenditures at each LACOE education site. Comprehensive line-by-line assessments of expenditures according to Government Codes Section 8880.5 are inadequate to accommodate compliance testing for audit.

Once locally funded charter schools submit their unaudited Financial Statements to LAUSD, the district only allocates reported expenditures to the lottery accounts in the charter schools' fund, which may not be accurate or conform to State law. These written procedures are weak and inadequate, without oversight and accountability related to purchasing and to contracting for goods and services.

RECOMMENDATIONS

For the reasons stated in the report, the following recommendations should be implemented:

The LAUSD Superintendent of Schools should:

1. Revise Form J-200L for FY 1995-1996 and FY 1999-2000 to reflect the accurate

amount of expenditures, and submit revised copies to the Los Angeles County Office of Education.

2. Develop written procedures to specify appropriate budgeting and expenditures of public education (or unrestricted) lottery monies as described in Government Code Section 8880.5.
3. Modify the letters discussing lottery funds that are sent to fiscally independent charter schools so that they clearly discuss the transfer and restrictions of the two forms of lottery funds.
4. Revise the policy manual for charter schools to reflect the recent changes in State law resulting from Assembly Bill 1137. This manual also should require fiscally independent charter schools to provide information by object code on the use of their public education and instructional materials lottery monies, as well as establish a procedure for correcting unallowable expenditures.
5. Expand the scope of work for external financial auditors to include compliance testing of lottery funding. Such testing should be performed for both components of lottery funding, including (1) public education monies and (2) instructional materials monies.

The LACOE Superintendent of Schools should:

6. Develop a standard memo for all specialized educational programs to send to their sites providing clear instructions on how public education and instructional materials lottery monies can be used and the amounts allocated for each purpose. At the same time, the memo should allow programs to continue to suggest priorities or goals for lottery expenditures, as long as they comply with Government Code Sections 8880.4 and 8880.5.
7. Prepare and submit to the State a corrected Form J-400L for the incorrect years. For FY 2003-04, Standardized Account Code Structure (SACS) resource code for public education and instructional materials Lottery funds should reflect accurate balances.
8. Establish procedures for reporting accurate unexpended balances for lottery funds.
9. Advise school districts of the restrictions placed on lottery funds by Government Code Sections 8880.4 and 8880.5, and work with school districts to develop written procedures for the receipt and expenditures of both public education and instructional materials lottery funds.
10. Work with school district financial auditors to test and report on the compliance of Lottery expenditures with State law.

11. Expand the scope of work for external financial auditors to include compliance testing of lottery funding. Such testing should be performed for both components of lottery funding, including (1) public education monies and (2) instructional materials monies.

Special Audit of Lottery Education Fund Accounting and Management by the Los Angeles Unified School District (LAUSD) and Los Angeles County Office of Education (LACOE)

AUDITOR'S EXECUTIVE SUMMARY

The 2003-2004 Los Angeles County Civil Grand Jury is pleased to present this *Special Audit of Lottery Education Fund Accounting and Management by the Los Angeles Unified School District (LAUSD) and Los Angeles County Office of Education (LACOE)*. This limited scope audit was conducted in accordance with the task plan submitted and approved in December 2003. In addition, the report was conducted in accordance with *Government Auditing Standards, 2003 Revision* by the Comptroller General of the United States, United States General Accounting Office.

As first audit objectives, the 2003-2004 Los Angeles County Civil Grand Jury requested that an independent auditor update LAUSD lottery financial information, and independently verify that the recommendations contained in the 2001-2002 Civil Grand Jury report on LAUSD lottery funding compliance have been implemented by the District.

In addition, the 2003-2004 Los Angeles County Civil Grand Jury requested an audit of LACOE's compliance with lottery statutes, and the appropriateness of accounting procedures used by LACOE as a direct provider of lottery funded educational services. Lastly, the Civil Grand Jury requested an evaluation to determine LACOE's effectiveness as the organization charged with disbursing lottery revenue, controlling expenditures and generally monitoring school district lottery finances. These audit objectives have been met.

Lottery Funding Description

Since FY 1985-1986, the State of California reports that it has allocated approximately \$13.9 billion to Local Educational Agencies (LEAs), including community colleges, K-12 schools and county offices of education. The County of Los Angeles has received approximately \$3.5 billion of that amount. LAUSD has received \$1.5 billion (43.0 percent), and LACOE has received \$46.4 million (1.3 percent) during this 18-year period. The balance of the funds was allocated to other local school districts, charter schools and community college districts within the County.

While the amount of these funds is substantial, it is important to recognize that lottery funds represent a small percentage of the income received by LEAs. Specifically, LAUSD received approximately 1.71 percent of its total operating revenues from lottery proceeds in FY 2002-2003. In that same year, LACOE received approximately 0.40 percent of its total operating revenue from this source. Although this relatively small amount of income is immaterial from an accounting perspective, the dollars are substantial. Further, because voters specifically authorized lottery funding as a supplemental revenue source for schools, it is particularly important that public officials ensure that lottery funds are equitably disbursed, expenditures comply with the law, and the receipt and use of the funds are accurately reported.

Other Audits and Reports on Lottery Funding

As part of this audit, we reviewed various publicly available reports on school finances and State lottery funding. Two significant prior reports were identified.

1. One report, the *2001-2002 Report on Lottery Expenditures for K-12 Education*, was prepared by the State Superintendent of Public Instruction in July 2003. This report surveyed a sample of 100 LEAs from throughout California, in an effort "to determine how lottery revenues were utilized in the 2001-2002 fiscal year." It concluded: "The information collected from the sample of LEAs reflects an increase in spending lottery funds for salaries and benefits."

However, the report also noted that there has been a significant decrease in the proportion of lottery funds spent on salaries and benefits beginning in FY 2000-2001. The State Superintendent of Public Instruction attributed this decline to the growing percentage of lottery funds earmarked for books and supplies as a result of Proposition 20. The State Superintendent of Public Instruction stated, "The percentages spent on salaries and benefits reflected in 2000-2001's Lottery sample (73.3 percent) and 2001-2002's Lottery sample (77.8 percent) are significantly lower than those of the previous seven years. Simultaneously, the percentages spent on books and supplies (16.1 percent in 2000-2001's sample and 18.6 percent in 2001-2002's sample) are the highest ever reported by sampled districts."

2. A second report, prepared by the California State Auditor on the California Department of Education (CDE), evaluated "the State's process for identifying, assessing and overseeing education-related categorical programs." In this report, the State Auditor concluded that "for a few categorical programs, such as the Lottery Education Fund program, CDE does nothing to review recipient's compliance with applicable requirements."

Recommendation Number 5, stated, "To improve oversight of categorical programs, CDE should continue its plan to propose changes to the K-12 Audit Guide to determine whether Proposition 20 funds are being spent in compliance with State law. Additionally, it should propose a similar change to the K-12 Audit Guide to ensure that funds are not being spent for the acquisition of real property, construction of facilities, financing of research, or other non-instructional purpose." At the time of this report, no changes requiring auditors "to determine whether Proposition 20 funds are being spent in compliance with State law," had yet been made to the K-12 Audit Guide.

The remainder of this report updates the 2001-2002 LAUSD audit, provides lottery financial data for LACOE, and discusses other findings and recommendations.

Los Angeles Unified School District (LAUSD) Lottery Update and 2001-2002 Audit Compliance

Inconsistencies in Lottery Reporting

LEAs must annually report to the State of California on lottery revenue, expenditures and unexpended balance. When conducting audit testing of LAUSD's lottery unexpended balance, inconsistencies were found for public education expenditures for FY 1995-1996 and FY 1999-2000, when compared with amounts reported to the State on Form J-200L. These inconsistencies resulted because LAUSD (1) did not include a beginning balance of \$9,947,348 as a resource in FY 1995-1996, and (2) added the instructional materials ending balance of \$4,503,504 as an expenditure from public education resources in FY 1999-2000. We confirmed the District's assertion that, "These errors only affect the lottery expenditure reports (made to the State), as the reported balances on the forms agree to our books." Nonetheless, the District should revise its Form J-200L for these years and submit revised copies to the Los Angeles County Office of Education so that the public record is accurate.

Lottery Expenditures by Local District

Since the FY 2001-2002 Civil Grand Jury audit, LAUSD continued to increase its General Fund expenditures on "Books and Supplies." Expenditures on books and supplies from the General Fund increased 12 percent from about \$332.6 million in FY 2000-2001 to \$372.6 million in FY 2002-2003. Expenditures on books and supplies from instructional materials lottery monies amounted to only about \$9.6 million, or 2.6 percent, of the General Fund expenditures for books and supplies in FY 2002-2003. Thus, the District expends much more on books and supplies through the General Fund than is available from instructional materials lottery monies.

Nonetheless, in FY 2002-2003, the average amount of instructional materials lottery funds expended per student varied by as much as \$20 between local districts. This variation in expenditures and order of local districts differs from the FY 2001-2002 audit, which used figures obtained for FY 2000-2001. For instance, the average amount of instructional materials lottery funds expended per student (based on ADA) varied less, by as much as \$14 in FY 2000-2001. Local District A had the third highest average expenditure per student at \$26.79 in FY 2000-2001, while it had the fourth lowest at \$9.88 in FY 2002-2003. However, in both fiscal years, Local District J had among the highest and Local Districts B, E and F had among the lowest of the average expenditures.

District managers stated that instructional materials expenditures made from lottery funds can be expected to vary by year. The District explained that it spends a large proportion of its instructional materials appropriation during "textbook campaigns." In a single year, the District believes that a disproportionate amount may be spent on textbooks for elementary, middle or high school students, as textbooks are purchased on a subject or grade level basis. Accordingly, depending

on the school mix in each district, expenditures can vary considerably. The District also stated that such comparisons have limited value unless all instructional materials expenditures are analyzed (Lottery and non-Lottery), since the lottery finances only 2.6 percent of total instructional materials expenditures.

Inappropriate Lottery Expenditures by Charter Schools

Despite general compliance, some of the FY 2002-2003 lottery expenditures reported by LAUSD may violate restrictions established by State law. These possible violations occurred with both public education (or unrestricted) expenditures, and instructional materials (or restricted) expenditures. Analysis of the SACS lottery Report prepared by the District indicates that the locally funded charter schools are responsible for these possible violations totaling approximately \$283,187 that year.

LAUSD explained that it did not receive detailed financial information from the locally funded charter schools to accurately report their actual expenditures from lottery funds. Therefore, we were unable to validate whether these expenditures comply with Government Code Sections 8880.4 and 8880.5. The District added, "Effective January 2004, in accordance with the new State law on charter operations, we intend to require charters to provide information by object code on the use of their lottery funds, both restricted and unrestricted." In order to formalize its intention, LAUSD should incorporate this requirement as part of its written policy manual for charter schools.

Compliance with 2001-2002 Civil Grand Jury Recommendations

In early 2002, the 2001-2002 Los Angeles County Civil Grand Jury retained auditors to conduct a limited scope audit of LAUSD Lottery funding. That audit focused on State Lottery receipts and expenditures for FY 1998-1999, FY 1999-2000, and FY 2000-2001. In addition, the audit compared actual receipts and reported expenditures to determine the unexpended balance of restricted lottery monies as of June 30, 2001.

As a result of that effort, the 2001-2002 Los Angeles County Civil Grand Jury issued six recommendations to the LAUSD and to the State legislature. The District's compliance with these recommendations is summarized below.

<p><u>2001-2002 Audit Recommendation 1: Establish separate funds for the receipt and expenditure of Lottery monies in order to ensure that such funds are expended in accordance with the restricted purposes specified by State law.</u></p>
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Since FY 2001-2002, the LAUSD has created separate accounts, referred to as "Program Codes," for budgeting and accounting for public education and instructional materials lottery monies in the General Fund. Specifically, in response to the Civil Grand Jury's recommendation, the District established Program Code 0751 as the Public Education Lottery Account within the unrestricted General Fund. This account complemented Program Code 4153, the Instructional Materials Lottery Account within the restricted General Fund, which was established prior to the

2001-2002 Civil Grand Jury audit. In addition, the District established lottery accounts for the locally funded charter schools in the Charter Schools Fund – Program Code 3685 for public education lottery monies and Program Code 3735 for instructional materials lottery monies.

However, the figures in the Charter Schools Fund Lottery accounts only reflect budgeted resources for the locally funded charter schools. LAUSD does not obtain actual expenditure data that is recorded in charter schools' general ledger systems and reported in their Unaudited Financial Statements. Instead, once the locally funded charter schools submit their Unaudited Financial Statements, LAUSD merely allocates reported expenditures to the lottery accounts in the Charter Schools Fund. This allocation may not conform to the charter school general ledger information on actual expenditures and is likely inaccurate.

2001-2002 Audit Recommendation 2: Develop written procedures to specify appropriate budgeting, expenditure, and public hearing processes, as described in Government Code Section 8880.4 and Education Code Section 60119.

Documents provided by LAUSD confirm implementation of the recommendation to develop written procedures specifying the budgeting and expenditure process described in Government Code Section 8880.4. LAUSD also provided evidence that it has complied with the recommendation by developing written procedures for the public hearing process described in Education Code Section 60119.

LAUSD was asked whether it has developed written procedures for public education lottery monies. The District responded that it has not developed such written procedures but explained that it transfers teachers' salaries from non-lottery accounts to the Public Education Lottery Account in order to comply with Government Code Section 8880.5. The District should formalize these procedures in a written format so that staff turnover or any other interruption does not result in the expenditure of public education lottery monies on the "acquisition of real property, construction of facilities, financing of research, or any other non-instructional purpose."

2001-2002 Audit Recommendation 3: Transfer approximately \$14.3 million of General Fund monies to the Lottery Instructional Materials Special Fund to account for prior year expenditures not in compliance with Government Code Section 8880.4 restrictions.

LAUSD provided journal vouchers from FY 2001-2002, confirming the transfer of approximately \$14.3 million from non-Lottery accounts to the Instructional Materials Lottery Account (Program Code 4153) as reimbursements for expenditures that did not comply with Government Code Section 8880.4. However, the total amount transferred was \$67,984 less than the amount recommended. This difference corresponds with the amount of instructional materials expended by the locally funded charter schools in FY 2000-2001. LAUSD confirmed that its transfer of non-lottery monies to the Lottery Instructional Materials Account did not include

the amount expended by the locally funded charter schools, since the District does not manage the accounting of actual expenditures for these schools.

In addition to restoring monies, LAUSD transferred approximately \$30.4 million in expenditures from non-Lottery accounts to the Instructional Materials Lottery Account. About \$14.3 million of the total transfer consisted of FY 2000-2001 expenditures, while the remaining \$16.2 million consisted of FY 2001-2002 expenditures. In both cases, the transferred expenditures included textbooks, books other than textbooks, and other instructional materials, all of which are permitted under Government Code Section 8880.4.

2001-2002 Audit Recommendation 4: Transfer approximately \$13.0 million of General Fund monies to the Lottery Educational Special Fund to account for prior year expenditures not in compliance with Government Code Section 8880.5 restrictions.

The FY 2001-2002 journal vouchers provided by LAUSD confirm the transfer of approximately \$13.2 million from non-Lottery accounts to the Public Education Lottery Account (Program Code 0751) to reimburse for expenditures that were not in compliance with Government Code Section 8880.5.

LAUSD also transferred approximately \$109.4 million in expenditures from non-Lottery accounts to the Public Education Lottery Account. Based on a review of journal vouchers, the transferred expenditures consisted of teachers' salaries, which are eligible for public education lottery monies. The expenditure transfer was large enough to replace the unallowable expenditures from public education lottery monies with allowable expenditures, as well as cover approximately \$96.2 million in FY 2001-2002 expenditures.

2001-2002 Audit Recommendation 5: Establish procedures to monitor the expenditure of Lottery monies allocated to charter schools to ensure that such expenditures are in accordance with the restrictions of State law.

In FY 2003-2004, LAUSD wrote and mailed a letter notifying the fiscally independent charter schools that they each should have received an allocation of Proposition 20 Lottery funds. The letter described the restrictions placed on these funds by Government Code Section 8880.4. However, the letter mentioned neither the transfer of non-Proposition 20 Lottery funds nor their restrictions described in Government Code Section 8880.5. The District should modify this letter to locally and direct funded charter schools so that the transfer and restrictions of the two forms of lottery funds are clearly defined.

In addition, LAUSD developed back-end procedures to monitor fiscally independent charter schools. However, these policies do not provide special instructions for lottery funds. Further, LAUSD has been unsuccessful obtaining compliance from the charter schools on general financial reporting requirements.

The California State Legislature and Governor recently approved legislation, Assembly Bill 1137, reinforcing the financial reporting requirements of charter schools. Effective January 1, 2004, charter schools are required by State law to submit the following reports to their chartering authority and the county superintendent of schools: a preliminary budget, two interim financial reports, and a final unaudited report for the full prior year. LAUSD states that it will be able to utilize these documents to ensure that the fiscally independent charter schools' lottery expenditures comply with the restrictions imposed by State law.

The District also intends to require fiscally independent charter schools to provide information by object code on the use of their public education and instructional materials lottery funds. In order to formalize these processes, they should be incorporated into the District's policy manual for charter schools along with a procedure for correcting unallowable expenditures.

Los Angeles County Office of Education (LACOE) Lottery Funding Evaluation

Site-Level Budgeting and Expenditure

The process to budget and expend lottery funds starts in the Fall of each fiscal year when designated staff in each of LACOE's educational programs send memos to program principals and administrators, notifying them of the programs' allotment, based on average daily attendance (ADA). Based on a review of a sample of these memos, none of the programs appear to be separating the lottery allotment into public education funding and instructional materials funding.

Since the memos are the weakest link in the site-level budgeting and expenditure process, LACOE should develop a standard memo for use by all educational programs that clearly identifies the amount and restrictions of the Lottery Program allotment, and segregates funds by the public education and instructional materials categories. Within the structure of this memo, the programs may continue to suggest priorities or goals for lottery expenditures at each of its sites, as long as such priorities and goals comply with Government Code Section 8880.4 and Section 8880.5.

Analysis of Lottery Revenue and Expenditures

LACOE received a total of \$31,065,542 in State Lottery revenue since FY 1991-92, as reported in the Unaudited Financial Reports made available during this study. This amount includes \$30,568,737 of public education lottery monies and \$496,805 of instructional materials lottery monies. LACOE, as compared to LAUSD, did not establish separate accounts for the two Lottery programs but rather commingled the funding with other General Fund resources.

In addition, between FY 1991-92 and FY 2002-2003, LACOE expended a total of \$25,171,319 in State Lottery revenue based on figures obtained from Lottery Reports (Form J-400L) submitted with the Unaudited Financial Reports. During this

period, LACOE did not track lottery expenditures by source, so we were unable to determine the amount expended for public education or instructional materials purposes. According to LACOE, this will change in FY 2003-2004 because LACOE has implemented SACS, which uses Resource Codes to report its actual expenditures by source.

When attempting to reconcile revenues and expenditures, we found that the calculated unexpended balance equated to approximately \$9.0 million, or approximately \$5.3 million more than the \$3.7 million amount reported on the LACOE documentation that was provided to us. LACOE provided the following explanations for these differences:

1. The reported annual revenues are correctly presented, but the reported unexpended balance excludes certain carry-forward balances. Therefore, total resources are understated on the Form J-400L, although LACOE states that carry-forward balances are recorded accurately in the General Ledger.
2. The reported annual expenditures represent current year expenditures recorded in the General Ledger in the educational programs' individual lottery expenditure accounts. However, the reported annual expenditures do not include expenditures that are financed from carry-forward balances. LACOE failed to report \$3.7 million in expenditures by its public education programs and \$883,126 in expenditures by the student worker and other programs.
3. The reported annual expenditures also do not include allocations to LACOE's charter school (SEA Charter School), which amounted to \$496,805 since FY 1997-1998, even though revenues allocated to the Charter School are reported.
4. LACOE was unable to explain \$236,663 in unexpended balance discrepancies.

In order to account accurately for the receipt and expenditure of all lottery funds, LACOE should change how it calculates the unexpended balance. In each fiscal year, the unexpended balance should be the difference between all available funds (including the beginning balance and current year revenue) and all expenditures (including expenditures of lottery funds received in the current year and prior years, and expenditures by the charter school). Without manually correcting these accounting practices, inaccurate unexpended balances will continue to be reported to the State since SACS reporting software does not force reconciliation or adjustment of the unexpended balance for lottery funds. LACOE should prepare and submit to the State a corrected Form J-400L for the incorrect years. For FY 2003-2004, SACS Resource Codes should reflect accurate balances. In addition, LACOE should establish procedures for reporting accurate unexpended balances for lottery funds.

Over the past six fiscal years, unallowable lottery expenditures totaled only \$100,928, or 0.4 percent, of the total expenditures. This amount includes \$82,875 in services and other operating expenses and \$18,053 in capital outlay. Some of the items expended with these funds included travel and conference costs,

computer repair and parts, brochures, flyers, advertisements and business cards, attorney services, maintenance on school facilities, cleaning equipment, and an electric tram. Although a legal opinion has not been issued on the term "non-instructional purpose," we were able to determine that these expenditures did not directly contribute to the education of students, so they do not meet the restrictions placed on lottery funds by Government Code Section 8880.5.

Identifying some unallowable expenditures underscores the need for LACOE to develop a standard memo for the educational programs to send to their sites that clearly identifies the amount and restrictions of their lottery allotment separated by public education monies and instructional materials monies.

LACOE Lottery Funding Oversight Role

At the outset of this audit, we were advised by LACOE that it does not perform extensive monitoring or testing of external school district Lottery programs to determine compliance with State law. Instead, LACOE officials explained that they perform four basic functions:

1. LACOE acts as a Controller for the receipt and disbursement of lottery funds to the school districts within the County. After the State apportions Lottery funds to the County, LACOE posts the funds to the appropriate school accounts. This posting triggers the release of the funds to each school district on the basis of the ADA computations provided by the State.
2. Each school districts' financial transactions are recorded in LACOE's accounting system, on an ongoing basis. However, LACOE "makes no attempt to audit the transactions or review the transactions for compliance with State law." Those functions are left to the financial management staff at each of the school districts and the independent external auditors of the school districts.
3. Each year, LACOE receives copies of the SACS Unaudited Actual Financial Reports from each school district. LACOE verifies that the cash is reported correctly, conducts a "superficial review" of the reported numbers for "obvious errors," and then forwards the reports to the California Department of Education.
4. Each year, LACOE receives the Comprehensive Annual Financial Reports (CAFR) prepared by outside auditors for each of the school districts. Staff from LACOE's Division of Business Services reviews these reports for audit findings and verifies that each district takes corrective action to resolve any findings or exceptions.

Neither the California Department of Education nor LACOE closely monitor the use of lottery funds by local school districts
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These LACOE activities provide very limited oversight of lottery activities at the school district level. In addition, the CDE provides virtually no lottery oversight. In

a 2003 audit report, the State Auditor concluded that "for a few categorical programs, such as the Lottery Education Fund program, CDE does nothing to review recipient's compliance with applicable requirements."

In order to test whether the school districts overseen by LACOE expend their lottery funds in accordance with State law, we sampled the FY 2002-2003 SACS Lottery Reports (Form L) from the 31 school districts with lottery allocations in excess of \$1.5 million in that year. Based on the sample, we identified a total of 62 possible exceptions valued at approximately \$42.2 million from the SACS Lottery Reports. Approximately \$34.2 million of these possible exceptions were identified because school districts were carrying large beginning and/or ending fund balances. We contacted 10 school districts to follow-up on the major issues.

Based on the sample, we found that the majority of school districts provided explanations that justify their use of lottery funds. For instance, Downey Unified and Glendale Unified admitted making errors on their SACS Lottery Report, while Pomona Unified expended \$165,732 from restricted funds on the printing of testing materials, an instructional material according to Education Code Section 60010(h). However, we also found school districts that have failed to comply with the restrictions established by State law. Two school districts, for instance expended their unrestricted lottery funds on non-instructional purposes: Compton Unified expended approximately \$3.5 million on utility bills, and Long Beach Unified expended \$8,265 on maintenance (but not construction) that falls outside the scope of typical maintenance performed by district staff at school sites.

Lastly, none of the school districts contacted had any written policies on the receipt and expenditure of lottery funds. In order to prevent confusion over the use of lottery funds, as well as problems resulting from staff turnover, LACOE should advise schools districts of the restrictions placed on lottery funds by Government Code Sections 8880.4 and 8880.5. LACOE also should work with school districts to develop written procedures for the receipt and expenditure of both public education (or unrestricted) and instructional materials (or restricted) lottery funds.

School district financial auditors generally do not test or report on Lottery funding compliance

Each year each school district is required to retain the services of an external financial auditor to perform an audit of the district's financial statements. Audit procedures and the scope of review that are to be included in the CAFR are defined in the *Standards and Procedures for Audits of California K-12 Local Educational Agencies*, which is published annually by the California State Controller (referred to as the "Audit Guide"). The 2003-2004 Audit Guide includes various sections requiring the external auditors to test programs for compliance with federal and State laws. However, the Audit Guide does not require specific testing or reporting on lottery funding.

Because lottery funding typically has not been considered "material," it is merely touched on in relation to other audit activities that are required. Nonetheless,

lottery funding is a significant and high profile categorical aid program that should be reviewed. These same conclusions were reached by the State Auditor, who concluded that "for a few categorical programs, such as the Lottery Education Fund program, CDE does nothing to review recipient's compliance with applicable requirements."

Extending from this conclusion, the State Auditor recommended that, "To improve oversight of categorical programs, CDE should continue its plan to propose changes to the K-12 Audit Guide to determine whether Proposition 20 funds are being spent in compliance with State law. Additionally, it should propose a similar change to the K-12 Audit Guide to ensure that funds are not being spent for the acquisition of real property, construction of facilities, financing of research, or other non-instructional purpose." We were advised that no official action had been taken by the State as of April 9, 2004, but that the State Controller intends to include the requirement in the 2004-05 Audit Guide. We were advised that the requirement will be published sometime before July 1.

In addition, we recommend that the scope of work for external financial audits be expanded at LACOE and LAUSD to include compliance testing of their lottery funding. This recommendation exceeds that being considered by the State Controller, which addresses compliance testing for the Proposition 20 Instructional Materials portion of the funding, only.

Maintenance of Effort

In 2001-2002, the Los Angeles County Civil Grand Jury recommended that "a maintenance of effort requirement, based on FY 1997-1998 expenditure levels per ADA (average daily attendance) should be established and annually adjusted in accordance with annual changes in the consumer price index, to ensure local educational agencies do not supplant existing funding sources." This recommendation, made to the State Legislature, has not been implemented.

Formula based guarantees, including maintenance of effort provisions, are common in government finance. Proposition 98 (California Constitution Article 16, Section 8) establishes a minimum funding level guarantee for K-12 education and community colleges. Based on measurements of the economic condition of the State, the Legislature can only suspend these guarantees for one year at a time and then must restore full funding in a subsequent year. Given that the core funding base for K-12 schools is formula based, similar provisions could be enacted for Proposition 20 Lottery funding to insure that spending for instructional materials does not diminish over time, in relation to other expenditures of the schools in California.

This was clearly a concern of the voters when Proposition 20 was passed, since the voters took funds that were previously more general in nature and earmarked them for instructional materials purposes. Although not explicitly stated in the law, implicit in Proposition 20 was the argument that the Lottery should supplement and not supplant funding that was already being spent on instructional materials. Further, it is a recognized intent by the State Superintendent of Schools.

It is important that the voters' intent be measured and supported by State law. Accordingly, we continue to recommend that a maintenance of effort requirement, based on FY 1997-1998 expenditure levels per ADA (average daily attendance) should be established and annually adjusted in accordance with annual changes in the consumer price index, to ensure local educational agencies do not supplant existing funding sources. We also recommend that the State Superintendent of Schools regularly measure and report to the Legislature on instructional materials Lottery expenditures compared with total instructional materials expenditures, made by the school districts that are included in the annual Lottery sample.

Recommendations

For the reasons stated in the report, the following recommendations should be implemented.

The LAUSD Superintendent of Schools should:

1. Revise Form J-200L for FY 1995-1996 and FY 1999-2000 to reflect the accurate amount of expenditures, and submit revised copies to the Los Angeles County Office of Education.
2. Develop written procedures to specify appropriate budgeting and expenditure of public education (or unrestricted) lottery monies as described in Government Code Section 8880.5.
3. Modify the letters discussing lottery funds that are sent to fiscally independent charter schools so that they clearly discuss the transfer and restrictions of the two forms of lottery funds.
4. Revise the policy manual for charter schools to reflect the recent changes in State law resulting from Assembly Bill 1137. This manual also should require fiscally independent charter schools to provide information by object code on the use of their public education and instructional materials lottery monies as well as establish a procedure for correcting unallowable expenditures.
5. Expand the scope of work for external financial auditors to include compliance testing of lottery funding. Such testing should be performed for both components of lottery funding, including (1) public education monies and (2) instructional materials monies.

The LACOE Superintendent of Schools should:

6. Develop a standard memo for all specialized educational programs to send to their sites providing clear instructions on how public education and instructional materials lottery monies can be used and the amounts allocated for each purpose. At the same time, the memo should allow programs to continue to suggest priorities or goals for lottery expenditures, as long as they comply with Government Code Sections 8880.4 and 8880.5.

7. Prepare and submit to the State a corrected Form J-400L for the incorrect years. For FY 2003-2004, SACS Resource Codes for public education and instructional materials lottery funds should reflect accurate balances.
8. Establish procedures for reporting accurate unexpended balances for lottery funds.
9. Advise schools districts of the restrictions placed on lottery funds by Government Code Sections 8880.4 and 8880.5, and work with school districts to develop written procedures for the receipt and expenditure of both public education and instructional materials lottery funds.
10. Work with school district financial auditors to test and report on the compliance of lottery expenditures with State law.
11. Expand the scope of work for external financial auditors to include compliance testing of lottery funding. Such testing should be performed for both components of lottery funding, including (1) public education monies and (2) instructional materials monies.

Introduction

The 2003-2004 Los Angeles County Civil Grand Jury is pleased to present this *Special Audit of Lottery Education Fund Accounting and Management by the Los Angeles Unified School District (LAUSD) and Los Angeles County Office of Education (LACOE)*. This limited scope audit was conducted in accordance with the task plan submitted and approved in December 2003.

Audit Scope

The California State Lottery Act of 1984 was enacted to supplement the total amount of money allocated for public education in California. Government Code Section 8880.4 provides for the allocation of lottery revenues and requires that at least 34 percent of the total annual State lottery revenues be allocated for the benefit of public education. Government Code Section 8880.5 restricts the use of these funds exclusively for the education of pupils and students, and prohibits the expenditure of funds for the "acquisition of real property, construction of facilities, financing of research, or any other non-instructional purpose."

In March 2000, Proposition 20 (the Cardenas Textbook Act of 2000) was approved by California voters. This proposition amended Section 8880.4 of the Government Code, effective July 1, 1998, by placing further restrictions on the use of Lottery monies and allocating future increases in Lottery proceeds, as follows. Beginning in fiscal year 1998-1999 and each fiscal year thereafter, 50 percent of any growth in lottery funds allocated for educational purposes over the 1997-1998 base fiscal year is to be allocated to school districts for the purchase of instructional materials, on the basis of an equal amount per unit of average daily attendance. Government Code Section 8880.5(k) requires, as a condition of receiving such monies, that each district and county superintendent of schools establish a separate account for the receipt and expenditure of the monies and identify the account as a Lottery education account.

Limited Scope Follow-up Audit of LAUSD Lottery Compliance, Accounting Procedures and Reporting

In early 2002, the 2001-2002 Los Angeles County Civil Grand Jury contracted with an independent auditor to conduct a limited scope audit of Los Angeles Unified School District Lottery funding. That audit focused on State Lottery receipts and expenditures for FY 1998-1999, FY 1999-2000, and FY 2000-2001. In addition, the audit compared actual receipts and reported expenditures to determine the unexpended balance of instructional materials lottery monies as of June 30, 2001.

As a result of that effort, the 2001-2002 Los Angeles County Civil Grand Jury issued six recommendations to the LAUSD and to the State legislature. The Civil Grand Jury recommended that LAUSD should:

1. Establish separate funds for the receipt and expenditure of lottery monies in order to ensure that such funds are expended in accordance with the restricted purposes specified in State law.
2. Develop written procedures to specify appropriate budgeting, expenditure, and public hearing processes as described in Government Code Section 8880.4 and Education Code Section 60119.
3. Transfer approximately \$14.3 million of General Fund monies to the Lottery Instructional Materials Special Fund to account for prior year expenditures that were not in compliance with Government Code Section 8880.4 restrictions.
4. Transfer approximately \$13.0 million of General Fund monies to the Lottery Educational Special Fund to account for prior year expenditures that were not in compliance with Government Code Section 8880.5 restrictions.
5. Establish procedures to monitor the expenditure of lottery monies allocated to charter schools to ensure that such expenditures are spent in accordance with the restrictions established by State law.

The Civil Grand Jury also recommended that the State Legislature should:

6. Amend Government Code Section 8880.4 to require local educational agencies to establish special funds for the receipt and expenditure of lottery educational and instructional material monies to ensure the use of such funds in accordance with the intent of State law. Further, a maintenance of effort requirement based on FY 1997-1998 expenditure levels per ADA (average daily attendance) should be established and annually adjusted in accordance with annual changes in the consumer price index, to ensure local educational agencies do not supplant existing funding sources.

On May 6, 2002, the LAUSD Chief Financial Officer responded to the first five recommendations developed by the independent auditor.¹ In his response, the Chief Financial Officer indicated that the LAUSD concurred with the five recommendations and stated that each would be implemented. In an August 26, 2003 letter from the LAUSD Chief Financial Officer, the 2003-2004 Los Angeles County Civil Grand Jury was advised that recommendations had generally been addressed. However, there was no assurance that recommendations related to the development of procedures to monitor charter school lottery expenditures had been implemented. LAUSD stated that "The District ensures that expenditures of lottery funds are in accordance with State law for all District-affiliated charter schools. For those charter schools which are fiscally independent of the District, they have been informed of the statutory requirements and the need to have their audit reports certify that the restricted funds were expended appropriately." No official response

¹ The Chief Financial Officer was responding to the audit report by the independent auditor that was being submitted to the Education Committee of the Civil Grand Jury. The Civil Grand Jury later adopted these recommendations, intact.

was received from LAUSD regarding recommendations to the State legislature. At the entrance conference for this current study, representatives from the District indicated that the LAUSD School Board generally does not take a position on recommendations for legislative changes at the State level.

As first audit objectives, the 2003-2004 Los Angeles County Civil Grand Jury requested that an independent auditor update LAUSD lottery financial information, and independently verify that the recommendations contained in the 2001-2002 report have been implemented by LAUSD.

Limited Scope Fiscal Audit of LACOE Lottery Funding

The Los Angeles County Office of Education performs two functions related to California State Lottery funding:

1. LACOE is a direct provider of specialized educational programs within the County, and thus is a direct recipient of lottery funds. Included are eight of the 15 special education programs operated in the County, a variety of alternative education programs, a regional occupational program (ROP), juvenile court schools provided in the County's juvenile halls and probation camps, and Head Start. With the exception of Head Start, all of these programs receive an apportionment of lottery funds based on Average Daily Attendance (ADA).
2. In addition, LACOE provides limited oversight of lottery funds allocated to 81 of the 94 Local Educational Agencies (LEAs) in the County.² In this role, LACOE functions as the County "auditor-controller" for these districts in the areas of "revenue disbursement and expenditure control."³ However, during discussions with LACOE representatives, it was stated that LACOE has no specific responsibilities for lottery funding disbursed to independent school districts, except for the general receipt and disbursement of money that is received from the State, certain "limited" expenditure control and monitoring functions, and some financial reporting functions.⁴

In recognition of these dual roles, the 2003-2004 Los Angeles County Civil Grand Jury requested an audit of LACOE's compliance with Lottery statutes, and the appropriateness of accounting procedures used by LACOE as a direct provider of lottery funded educational services. In addition, the Civil Grand Jury requested an evaluation of LACOE's effectiveness as the organization charged with disbursing lottery revenue, controlling expenditures and generally monitoring LEA lottery finances.

Audit Methodology

² The remaining 13 LEAs are community colleges for which LACOE states that it has no oversight responsibilities.

³ Until 1971, these auditor-controller functions were provided by the County of Los Angeles.

⁴ Explanation provided by Mr. Kenneth Shelton at the January 21, 2004 audit entrance conference. At the April 26, 2004 audit exit conference, Ms. Betty Ng further explained that LACOE reviews school districts' financial reports in accordance with Education Code Section 42100.

The limited scope audits of lottery funding allocated to LAUSD and LACOE were conducted in accordance with *Government Auditing Standards, 2003 Revision* by the Comptroller General of the United States, United States General Accounting Office. This publication provides guidance to auditors who perform audits and financial analyses of governmental entities. The standards provide an "overall framework for ensuring that auditors have the competence, integrity, objectivity and independence in planning, conducting and reporting on their work."

To conduct these audits, independent audit staff performed the following procedures:

Entrance Conferences were conducted with representatives of LAUSD and LACOE to describe the audit scope, process and timeline, and to collect basic information regarding each agency's Lottery funding. Representatives from the 2003-2004 Los Angeles County Civil Grand Jury attended both meetings.

Field Work was conducted to obtain documentation, financial data and explanations of the lottery funding in the two organizations. In addition to basic interviews and document collection, audit staff (a) analyzed financial and procedural information from LAUSD and LACOE, and (b) sampled financial reports from school districts that are overseen by LACOE. The purpose of these analytical reviews was to identify financial accounting exceptions to State law and locally established procedures. As noted elsewhere in this report, all exceptions were reviewed with the affected agencies and they were provided with an opportunity to respond with explanations and additional documentation.

A Draft Report was prepared, which included detailed audit findings, conclusions and recommendations. This draft report was provided to LAUSD and LACOE officials for review and comment.

Exit Conferences were held with each organization to review the findings, conclusions and recommendations contained in the report. At those meetings, each organization was requested to provide their comments and indicate basic agreement or disagreement with the report content.

A Final Report was prepared and issued to the 2003-2004 Los Angeles County Civil Grand Jury for its consideration.

The entrance conferences were held with LACOE and LAUSD on January 21 and January 28, 2004, respectively. Field work was conducted from those dates through March 2004. The draft report was issued to each organization on April 13, 2004, with exit conferences conducted on April 26, 2004.

Review of Other Audits and Reports on State Lottery Funding

As part of this audit, we reviewed various publicly available reports on school finances and State Lottery funding.

Comprehensive Annual Financial Reports

Each year, Local Educational Agencies (LEAs) are required to produce audited financial statements, which are termed Comprehensive Annual Financial Reports (CAFR). As part of this audit, we reviewed the CAFRs for LACOE and for some school districts within the County. As will be discussed later in this report, the financial statements for school districts do not typically include detailed financial information for lottery revenues and expenditures, because such information has not been required by the State of California. Therefore, these reports were not useful sources of information for this audit.

Reports on Lottery Expenditures for K-12 Education

We also reviewed the *2001-2002 Report on Lottery Expenditures for K-12 Education*, which was prepared by the State Superintendent of Public Instruction in July 2003. This report surveyed a sample of 100 LEAs from throughout California, in an effort "to determine how Lottery revenues were utilized in the 2001-2002 fiscal year." The report concluded, "The information collected from the sample of LEAs reflects an increase in spending Lottery funds for salaries and benefits." The State Superintendent of Public Instruction reported the "proportion of Lottery expenditures for the surveyed LEAs devoted to salaries and benefits for the last 16 years," as follows:

1986-1987	57.2%
1987-1988	60.6%
1988-1989	65.0%
1989-1990	74.2%
1990-1991	83.0%
1991-1992	91.4%
1992-1993	73.2%
1993-1994	86.3%
1994-1995	87.1%
1995-1996	85.7%
1996-1997	87.7%
1997-1998	87.8%
1998-1999	90.4%
1999-2000	90.8%
2000-2001	73.3%
2001-2002	77.8%

Of note is the significant decrease in the proportion of lottery funds spent on salaries and benefits beginning in FY 2000-2001. The State Superintendent of Public Instruction attributes this decline to the growing percentage of lottery funds earmarked for books and supplies as a result of Proposition 20. The State

Superintendent of Public Instruction further states, "The percentages spent on salaries and benefits reflected in 2000-2001's Lottery sample (73.3 percent) and 2001-2002's Lottery sample (77.8 percent) are significantly lower than those of the previous seven years. Simultaneously, the percentages spent on books and supplies (16.1 percent in 2000-2001's sample and 18.6 percent in 2001-2002's sample) are the highest ever reported by sampled districts."

Other Available Audit Reports

Lastly, we reviewed a report prepared by the California State Auditor⁵ on the California Department of Education (CDE), which evaluated "the State's process for identifying, assessing and overseeing education-related categorical programs." The State Auditor concluded that "for a few categorical programs, such as the Lottery Education Fund program, CDE does nothing to review recipient's compliance with applicable requirements." Recommendation Number 5, from this report, stated, "To improve oversight of categorical programs, CDE should continue its plan to propose changes to the K-12 Audit Guide to determine whether Proposition 20 funds are being spent in compliance with State law. Additionally, it should propose a similar change to the K-12 Audit Guide to ensure that funds are not being spent for the acquisition of real property, construction of facilities, financing of research, or other non-instructional purpose."

In response to this recommendation, CDE reported its planned corrective action, as follows: "On October 7, 2003, CDE proposed to the State Controller's Office Audit Committee that the K-12 Audit Guide for fiscal year 2004-2005 include steps to determine whether Proposition 20 funds are being spent in compliance with state law. It is anticipated that the Audit Committee will make a decision in November 2003. "

"Regarding the restrictions placed on Lottery funds, State law does not define the term 'non-instructional purpose' making it difficult to audit. Therefore, CDE will consult with its Legal Division regarding CDE's authority to monitor Lottery expenditures in light of *Education Code* Section 14600, which states that expenditure of Lottery funds "shall not be subject to state control" and take the appropriate course of action."

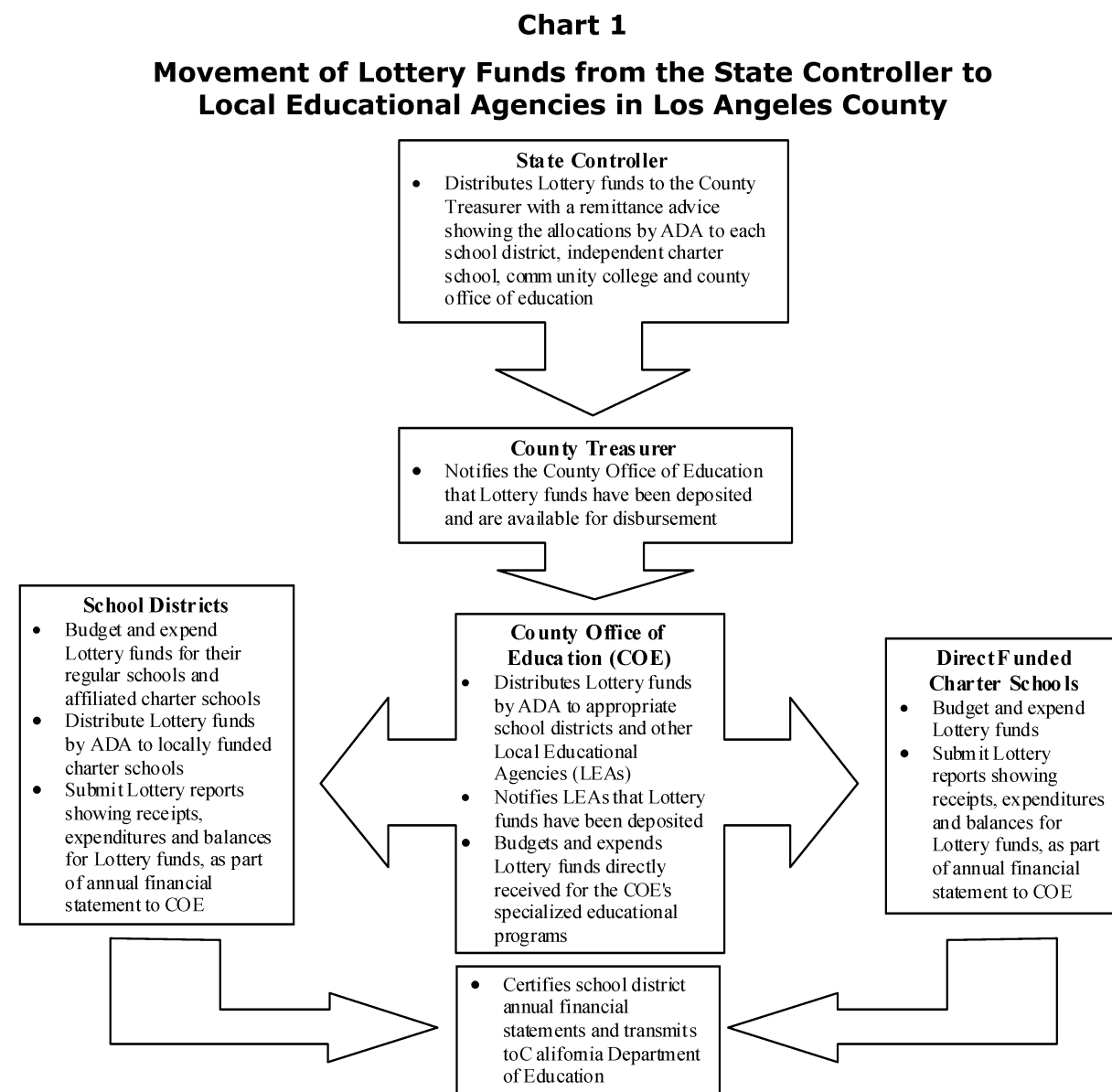
At the time of this report, the FY 2004-2005, K-12 Audit Guide was not yet published, so we were unable to independently verify whether State Auditor recommendations to include steps to conduct compliance testing of Proposition 20 funds will be included. We were advised by the CDE that the legal opinion regarding its authority to monitor Lottery expenditures by LEAs had not yet been issued.

Lottery Funding Description

Lottery funds are paid to each County Treasurer, which in turn disburses the funds to each Local Educational Agency (LEA) within its jurisdiction. In Los Angeles County, disbursement and certain accounting and monitoring functions are

⁵ California State Auditor Report 2003-107

performed by the County Office of Education. The following chart illustrates the movement of Lottery funds from the State Controller to LEAs in Los Angeles County.⁶



Since FY 1985-1986, the State of California reports that it has allocated approximately \$13.9 billion in lottery funds to LEAs, including community colleges, K-12 schools and county offices of education. The County of Los Angeles has received approximately \$3.5 billion of that amount. LAUSD has received \$1.5 billion (43.0 percent) and LACOE has received \$46.4 million (1.3 percent) during this 18-year period. The balance of the funds was allocated to other local school districts, charter schools and community college districts within the County.

⁶ Direct funded charter schools are included in their charter-granting agency's charter school figures but are separated in the chart for the purpose of showing from whom they receive Lottery funds.

While the amount of these funds is substantial, it is important to recognize that lottery funds represent a small percentage of the income received by LEAs. As shown in Table 1, LAUSD received approximately 1.71 percent of its total operating revenues from lottery proceeds in FY 2002-2003. In that same year, LACOE received approximately 0.40 percent of its total operating revenue from this source. This is an important perspective: the total amount of lottery funding received by these two LEAs is significant, equaling nearly \$103.0 million per year, but represents a small proportion of their total budget. Consequently, both LAUSD and LACOE have questioned the reasonableness of establishing reporting and monitoring procedures for lottery funds that require significant staff effort.

Table 1
FY 2002-2003 Lottery Funding Compared to Total Budget
For the Los Angeles Unified School District and
Los Angeles County Office of Education

	Lottery Funds	Total Budget	%Budget	Lottery Received 1986 through 2003
Los Angeles Unified	100,088,372	5,850,480,233	1.71%	1,503,630,195
County Superintendent	2,774,742	700,617,315	0.40%	46,375,842

Although the relatively small amount of income from lottery funds is immaterial from an accounting perspective, the dollars are substantial. Further, because voters specifically authorized lottery funding as a supplemental revenue source for schools, it is particularly important that public officials ensure that lottery funds are equitably disbursed, expenditures comply with the law, and the receipt and use of the funds are accurately reported.

Charter School Distinctions

LACOE has granted charters to two schools but has only one charter school for which it is directly responsible. In FY 2002-2003, that charter school received \$125,984 in lottery funds from LACOE. This school is considered "locally funded," which means that it receives its allocation of lottery funds through LACOE, but has had limited financial reporting obligations to the County.

LAUSD has 50 charter schools located within its boundaries in FY 2003-2004. These charter schools are placed into three general categories, including:

1. Direct Funded Charter Schools are those charter schools that receive lottery funds directly from the State allocation. LAUSD has a limited financial oversight role or fiscal relationship with these schools. In FY 2003-2004, there are 39 charter schools within the LAUSD boundary area that are direct funded.
2. Locally Funded Charter Schools are those schools that receive a direct allocation of lottery funds from LAUSD, based on Average Daily Attendance (ADA). In FY 2002-2003, LAUSD appropriated \$980,720 to locally funded charter schools. LAUSD provides these schools with a high degree of

autonomy on the use of these monies and other funding that they receive. In FY 2003-2004, there are three charter schools within the LAUSD boundary area that are locally funded.

3. *Affiliated Charter Schools* are those schools that have filed a charter school petition, but which are funded in the same manner as the regular schools (i.e., they receive an expenditure appropriation from LAUSD General Fund resources but do not receive lottery funds as a distinct categorical source of funds). In FY 2003-2004, there are eight charter schools within the LAUSD boundary area that are affiliated.

Changes in Financial Reporting to the State

Since the original Grand Jury audit in FY 2001-2002, the California Department of Education (CDE) has developed a standardized chart of accounts for use by school districts and county offices of education. Known as the Standardized Account Code Structure (SACS), this chart of accounts ensures that LEAs conduct uniform financial data collection and reporting to the State.

At the time of the FY 2001-2002 audit, the State only required a sample of school districts and county offices of education to report their lottery expenditures and ending balances. These were reported on Form J-200L (school districts) and Form J-400L (county offices of education). With SACS, all LEAs are now required to report on lottery revenues and expenditures on Form L (through Resource Codes).

Activities related to the receipt and use of lottery funds, pursuant to Government Code Sections 8880.4 and 8880.5, are reported in SACS through the use of a "Resource Code". SACS has designated two Resource Codes for Lottery funds – "1100 State Lottery" for unrestricted funds and "6300 Lottery: Instructional Materials" for restricted funds. It should be noted that while the Government Code prohibits the expenditure of all lottery funds on real property, construction, research, or any other "non-instructional purpose," the CDE has classified a majority of lottery funds as "unrestricted."

According to representatives from the CDE Financial Accountability and Information Systems Division, SACS is not a general ledger system but a chart of accounts. SACS software is an application that converts existing general ledger data from each LEA into a SACS format, and produces basic financial reports. LEAs have their own, non-standardized, general ledger systems. However, with the implementation of SACS, it was necessary for LEAs to acquire new general ledger systems, customize their existing systems, or create "crosswalks" between their systems and SACS. Under the previous system, data was re-keyed.

According to the CDE, there are no built-in edits or controls in SACS that prohibit LEAs from posting transactions and balances into prohibited revenue and expenditure categories or "object" codes. While the SACS Lottery Report has particular object codes shaded or blacked-out, these serve primarily as a flag to reviewers that the accounts need reconciling and adjustment. Further, as noted previously, LEAs have their own general ledger systems. Accordingly, these

systems may or may not automatically post lottery activity to balance sheet accounts. If activity is not automatically posted to the balance sheet accounts in the general ledger, LEAs must manually make the accounting entries at year-end. If the entries are not completed, then SACS reports will show that the lottery funds are out of balance. As noted above, there is no mechanism in the system to force reconciliation and adjustment.

In Los Angeles County, beginning in FY 2002-2003 for school districts and FY 2003-2004 for the County Office of Education, the SACS system of reporting was implemented.⁷ However, for the reasons discussed above and as will be demonstrated in this report, the implementation of SACS has not ensured that financial reporting to the State is accurate.

Quality of Records and Limitations

Various documents requested from LACOE and LAUSD were not made available to our audit staff during this study. For LACOE, lottery financial records were not available for the period prior to FY 1991-1992.⁸ Accordingly, our report for LACOE does not include lottery financial information from FY 1985-1986 through FY 1990-1991. For LAUSD, we were unable to obtain lottery historical financial information for any of the Locally Funded Charter Schools, which until recently, were not required to report such information to LAUSD or the State. Because the amount of lottery funding received by these schools is not material, we did not take extraordinary steps to obtain such data.

The remainder of this report updates the 2001-2002 LAUSD audit, provides lottery financial data for LACOE and discusses other findings and recommendations.

⁷ LAUSD created "crosswalks" between accounts in its general ledger system and SACS; whereas, LACOE acquired a new general ledger system from Peoplesoft.

⁸ LACOE only had copies of its Lottery Reports (Form J-400L) since FY 1991-92 and was unable to obtain copies of prior years from the California Department of Education.

Los Angeles Unified School District (LAUSD) Lottery Funding Update and Review of 2001-2002 Audit Compliance

As discussed in the *Introduction* to this report, two principal tasks of this project have been (1) to update Lottery financial information for LAUSD, and (2) to determine the extent to which LAUSD has complied with prior Lottery audit recommendations made by the 2001-2002 Los Angeles County Civil Grand Jury. This section updates the financial data and examines compliance with each of the five recommendations made to the District in that year.

Lottery Funding Update

Based on LAUSD Unaudited Financial Statements, the District received a total of \$1,516,513,182 in State Lottery revenue since the enactment of the 1984 California State Lottery Act. This amount includes \$1,471,802,410 of public education funding and \$44,710,772 of instructional materials funding for the District's regular schools, affiliated charter schools and locally funded charter schools. Table 2 shows State Lottery revenue by category and fiscal year for each of the 18 years between FY 1985-1986 and FY 2002-2003.

Table 2
LAUSD California State Lottery Revenue by
Fiscal Year: FY 1985-1986 through FY 2002-2003

Fiscal Year	Public Education Revenue	Instructional Materials Revenue	Total Revenue
1985-1986	73,274,879		73,274,879
1986-1987	60,644,902		60,644,902
1987-1988	83,412,011		83,412,011
1988-1989	118,950,974		118,950,974
1989-1990	96,859,361		96,859,361
1990-1991	78,402,821		78,402,821
1991-1992	55,158,009		55,158,009
1992-1993	60,584,287		60,584,287
1993-1994	65,752,018		65,752,018
1994-1995	79,406,706		79,406,706
1995-1996	84,375,503		84,375,503
1996-1997	75,482,330		75,482,330
1997-1998	84,218,995		84,218,995
1998-1999	88,987,003		88,987,003
1999-2000	89,397,948	4,503,504	93,901,452
2000-2001	89,677,457	13,963,871	103,641,328
2001-2002	96,962,453	16,409,778	113,372,231
2002-2003	90,254,753	9,833,619	100,088,372
Total	1,471,802,410	44,710,772	1,516,513,182

In FY 1985-1986 through FY 2000-2001, LAUSD accounted for State Lottery revenue for its regular schools, affiliated charter schools and locally funded charter schools in the General Fund. Starting in FY 2001-2002, the District separated State Lottery finances for its locally funded charter schools by placing them in a special fund entitled the Charter Schools Fund. As will be discussed, both funds have separate Program Codes to account for public education and instructional materials Lottery funding.

Based on Lottery Reports (Form J-200L and SACS Form L) filed with the Unaudited Financial Statements, LAUSD has expended a total of \$1,516,094,893 since the enactment of the 1984 California State Lottery Act. This amount includes \$1,471,802,409 of public education monies and \$44,292,484 of instructional materials monies expended by the District's regular schools, affiliated charter schools and locally funded charter schools. As of June 30, 2003, LAUSD reported no unexpended balance of public education monies but reported a \$418,288 unexpended balance for instructional materials monies. As shown in Table 3, the District carried an unexpended balance of instructional materials monies, but not public education monies, in recent years.

Table 3
LAUSD California State Lottery Expenditures and
Calculated Unexpended Balance by
Fiscal Year: FY 1985-1986 through FY 2002-2003

Fiscal Year	Public Education Expenditures	Calculated Unexpended Balance	Instructional Materials Expenditures	Calculated Unexpended Balance	Total Expenditures
1985-1986	-	73,274,879			-
1986-1987	116,007,995	17,911,786			116,007,995
1987-1988	61,524,635	39,799,162			61,524,635
1988-1989	139,060,103	19,690,033			139,060,103
1989-1990	115,878,925	670,469			115,878,925
1990-1991	79,073,290	-			79,073,290
1991-1992	55,158,009	-			55,158,009
1992-1993	57,184,287	3,400,000			57,184,287
1993-1994	69,152,018	-			69,152,018
1994-1995	69,459,358	9,947,348			69,459,358
1995-1996	79,413,535	14,909,316			79,413,535
1996-1997	80,968,040	9,423,606			80,968,040
1997-1998	80,873,106	12,769,495			80,873,106
1998-1999	101,756,497	-			101,756,497
1999-2000	89,397,948	-	-	4,503,504	89,397,948
2000-2001	89,677,457	-	18,400,562	66,813	108,078,019
2001-2002	96,962,453	-	16,282,692	193,899	113,245,145
2002-2003	<u>90,254,753</u>	-	<u>9,609,230</u>	418,288	<u>99,863,983</u>
Total	1,471,802,409		44,292,484		1,516,094,893

When conducting audit testing of the District's Lottery unexpended balance, inconsistencies were found for public education expenditures for FY 1995-1996 and FY 1999-2000 when compared with amounts reported to the State on Form J-200L. These inconsistencies resulted because LAUSD (1) did not include the beginning balance of \$9,947,348 as a resource in FY 1995-1996, and (2) added the instructional materials ending balance of \$4,503,504 as an expenditure from the public education resources in FY 1999-2000. We confirmed the District's assertion that, "These errors only affect the Lottery expenditure reports (made to the State), as the reported balances on the forms agree to our books." Consequently, the District should revise its Form J-200L for these years and submit revised copies to the Los Angeles County Office of Education.

LAUSD also provided documentation on the amount of instructional materials Lottery funding expended by each of its 11 local districts in FY 2002-2003.⁹ (Attachment 1 provides a map of the local districts and list of schools.) These figures were compared with enrollment and average daily attendance (ADA) in each of the local districts that year, rather than only ADA as done in the previous audit, since the District stated that it bases its instructional materials purchases on the total number of students enrolled. Table 4 shows the amount of these monies spent per student in each circumstance. Clearly, the order of local districts based on their expenditures of instructional materials Lottery monies does not change based on enrollment or ADA.

Table 4
Analysis of FY 2002-2003 Lottery Expenditures for
Instructional Materials by Local District

Local District	Instructional Materials Expenditures	Enrollment	Average Expenditure per Student	Average Daily Attendance	Average Expenditure per Student
J	1,629,090	63,695	25.58	58,781	27.71
I	1,283,457	56,608	22.67	50,748	25.29
H	1,544,840	71,330	21.66	66,215	23.33
C	951,617	72,850	13.06	67,534	14.09
D	699,132	58,990	11.85	54,255	12.89
G	709,834	62,134	11.42	55,692	12.75
K	651,017	69,525	9.36	64,107	10.16
A	667,484	72,997	9.14	67,580	9.88
E	512,822	68,893	7.44	62,963	8.14
B	510,469	76,609	6.66	70,837	7.21
F	304,310	60,964	4.99	58,493	5.20
Ed Programs	91,405				
Charter Schools	53,751				
Total	9,609,230				

⁹ Visit http://notebook.lausd.net/servlet/page?_pageid=1215&_dad=ptl&_schema=PTL_EP for more information on the local districts.

In FY 2002-2003, the average amount of instructional materials Lottery funds expended per student varied by as much as \$20 between local districts. However, the variation in expenditures and order of local districts differs from the FY 2001-2002 audit, which used figures obtained for FY 2000-2001. For instance, the average amount of instructional materials Lottery funds expended per student (based on ADA) in FY 2000-2001 varied by as much as about \$14. Local District A had the third highest average expenditure per student at \$26.79 in FY 2000-2001, while it had the fourth lowest at \$9.88 in FY 2002-2003. In both fiscal years, Local District J was at the top and Local Districts B, E and F were at the bottom of the average expenditures.

District managers stated that instructional materials expenditures made from Lottery funds can be expected to vary by year. The District explained that it spends a large proportion of its instructional materials appropriation during "textbook campaigns." In a single year, the District believes that a disproportionate amount may be spent on textbooks for elementary, middle or high school students, as textbooks are purchased on a subject or grade level basis. Accordingly, depending on the school mix in each local district, expenditures can vary considerably. The District also stated that such comparisons have limited value unless all instructional materials expenditures are analyzed (Lottery and non-Lottery), since the Lottery finances only 2.6 percent of total instructional materials expenditures.

Since the FY 2001-2002 audit, LAUSD continued to increase its General Fund expenditures on "Books and Supplies." Expenditures on books and supplies from the General Fund increased 12 percent from about \$332.6 million in FY 2000-2001 to \$372.6 million in FY 2002-2003. In addition, expenditures on books and supplies from instructional materials Lottery monies amounted to only about \$9.6 million, or 2.6 percent, of the General Fund expenditures in FY 2002-2003. Thus, the District expends much more on books and supplies through the General Fund than is available from instructional materials Lottery monies.

In addition, LAUSD's Lottery expenditures comply with the restrictions established by State law. The District controls the expenditure of Lottery monies by transferring eligible expenditures made by regular schools and affiliated charter schools from non-Lottery to Lottery accounts at the end of the year. The FY 2001-2002 expenditures consisted of approximately \$96.2 million in teachers' salaries transferred to the Public Education Lottery Account and \$16.2 million in instructional materials, including textbooks, transferred to the Instructional Materials Lottery Account. Similarly, the FY 2002-2003 expenditures consisted of approximately \$89.3 million in teachers' salaries and \$9.6 million in instructional materials transferred to the Public Education and Instructional Materials Lottery Accounts, respectively.

Despite general compliance, some of the FY 2002-2003 Lottery expenditures reported by the District may violate the restrictions established by State law. Attachment 2 is a copy of the FY 2002-2003 SACS Lottery Report (Form L) that shows the possible violations in public education (or unrestricted) expenditures, and instructional materials (or restricted) expenditures. Since the SACS Lottery Report

includes expenditures from both the General Fund and Charter Schools Fund, and since the District's General Fund expenditures complied with State law, the locally funded charter schools are responsible for the possible violations totaling \$283,187. These expenditures are included in the italicized figures shown in Table 5.

Table 5
LAUSD California State Lottery Expenditures by
Object Code in FY 2002-2003

Object Code	Public Education Expenditures	Instructional Materials Expenditures	Total Expenditures
Salaries & Benefits	89,905,254	33,657	89,938,911
Books & Supplies	62,996	9,558,959	9,621,956
Services & Other Op	64,167	3,721	67,887
Duplicating Costs	53,587	3,107	56,694
Capital Outlay	160,744	9,321	170,065
Other Outgo	8,006	464	8,470
Total	90,254,754	9,609,230	99,863,983
Possible Violations	232,916	50,271	283,187

When asked for more detailed information on these expenditures, LAUSD explained that it did not receive detailed financial information from the locally funded charter schools to accurately report their actual expenditures from Lottery funds. Therefore, we were unable to validate whether these expenditures comply with Government Code Sections 8880.4 and 8880.5. The District added, "Effective January 2004, in accordance with the new State law on charter operations, we intend to require charters to provide information by object code on the use of their Lottery funds, both restricted and unrestricted." In order to formalize its intention, LAUSD should incorporate this requirement as part of its written policy manual for charter schools.

The remainder of this section discusses LAUSD efforts to comply with the recommendations contained in the 2001-2002 Los Angeles County Civil Grand Jury report.

Fund Structure and Accounting

2001-2002 Audit Recommendation 1: Establish separate funds for the receipt and expenditure of Lottery monies in order to ensure that such funds are expended in accordance with the restricted purposes specified by State law.

Since FY 2001-2002, the LAUSD has created separate accounts, referred to as "Program Codes," for budgeting and accounting for public education and instructional materials Lottery monies in the General Fund. The FY 2001-2002 audit

noted that the District had established Program Code 4153 as the Instructional Materials Lottery Account in the restricted General Fund in order to track its "restricted" monies. At the time, however, there was no Program Code to track the public education, or "unrestricted," Lottery monies being received by the District. In response to the Grand Jury's recommendation, the District established Program Code 0751 as the Public Education Lottery Account within the unrestricted General Fund.

LAUSD develops a budget for both Lottery accounts using the estimated per-ADA amount provided by the Los Angeles County Office of Education (LACOE). To control the expenditure of these funds, LAUSD identifies and transfers eligible expenditures from non-Lottery accounts to Lottery accounts in the General Fund at the end of each fiscal year. The expenditures are transferred through journal vouchers to either the Public Education or Instructional Materials Lottery Accounts. The District writes, "This process relieves the schools of the burden of identifying the specific program code to be charged for a particular expenditure line or requisition."¹⁰ The District's regular schools and affiliated charter schools are both treated in this manner, because they are fiscally dependent on LAUSD.

Currently, LAUSD also receives and separates State Lottery revenue for locally funded charter schools. In FY 2001-2002, the District established Lottery accounts for the locally funded charter schools in the Charter Schools Fund – Program Code 3685 for public education Lottery monies and Program Code 3735 for instructional materials Lottery monies. For the prior fiscal year, the first year in which charter schools received State Lottery revenue, the District accounted for these monies in the General Fund.

Similar to General Fund Lottery accounts, LACOE provides a per-ADA allocation that LAUSD uses to appropriate Lottery revenues to the locally funded charter schools. Thus, the figures in the Lottery accounts reflect budgeted resources for the locally funded charter schools. LAUSD does not obtain actual expenditure data that is recorded in charter schools' general ledger systems and reported in their Unaudited Financial Statements. Instead, once the locally funded charter schools submit their Unaudited Financial Statements, LAUSD merely allocates reported expenditures to the lottery accounts in the Charter Schools Fund. Accordingly, this allocation may not conform to the charter school general ledger information on actual expenditures and is likely inaccurate. The potential for reporting discrepancies and recommendations to correct this information is discussed more fully later in this report.

¹⁰ LAUSD Procedure Manual, "Restricted Lottery Funds – Budget and Accounting Procedures."

Government Code 8880.4 and Education Code 60119 Compliance

2001-2002 Audit Recommendation 2: Develop written procedures to specify appropriate budgeting, expenditure, and public hearing processes, as described in Government Code Section 8880.4 and Education Code Section 60119.

Documents provided by LAUSD confirm implementation of the recommendation to develop written procedures specifying the budgeting and expenditure process described in Government Code Section 8880.4. Attachment 3 provides a copy of the budget and accounting procedures for the instructional materials (or restricted) Lottery funds that are specified in Government Code Section 8880.4. These procedures outline the steps for the receipt and expenditure of the instructional materials monies, with discussions of the following:

1. The restrictions placed on State Lottery revenue by Government Code Section 8880.4.
2. The process to identify the amount of State Lottery revenue for the expenditure of instructional materials from information provided by LACOE;
3. The accounts, or Program Codes, that have been established for the budgeting and accounting of instructional materials Lottery monies; and,
4. The method used to identify and transfer expenditures, which satisfy the requirements of Government Code Section 8880.4, from non-Lottery to Lottery accounts.

LAUSD was asked whether it has developed similar written procedures for the public education Lottery monies. The District responded that it has not developed such written procedures but explained that it transfers teachers' salaries from non-Lottery accounts to the Public Education Lottery Account in order to comply with Government Code Section 8880.5. The District should formalize these procedures in a written format so that staff turnover or any other interruption does not result in the expenditure of public education Lottery monies on the "acquisition of real property, construction of facilities, financing of research, or any other non instructional purpose."

LAUSD also provided evidence that it has complied with the recommendation by developing written procedures for the public hearing process described in Education Code Section 60119. As part of this evidence, the District provided a "Textbook Plan and Implementation" statement discussing the policy, key plan elements, accountability and certification standards, interventions and issues, and implementation recommendations to ensure sufficient textbooks. Additional documents included statements and memoranda outlining the procedures for teachers to report their concerns that there are inadequate textbooks and other instructional materials. Lastly, the District provided copies of memoranda, reports, public notices, inter-office correspondence and resolutions proving that the District

had sufficient textbooks in core subjects for grades K-12 and complied with Education Code Section 60119 for each of the last three fiscal years.

Instructional Materials Lottery Account Reimbursement

2001-2002 Audit Recommendation 3: Transfer approximately \$14.3 million of General Fund monies to the Lottery Instructional Materials Special Fund to account for prior year expenditures not in compliance with Government Code Section 8880.4 restrictions.

LAUSD provided journal vouchers from FY 2001-2002, confirming the transfer of approximately \$14.3 million from non-Lottery accounts to the Instructional Materials Lottery Account (Program Code 4153) as reimbursements for expenditures that did not comply with Government Code Section 8880.4. However, the total amount transferred was \$67,984 less than the amount recommended, as shown in Table 6. This difference corresponds with the amount of instructional materials Lottery monies expended by the locally funded charter schools in FY 2000-2001. LAUSD confirmed that its transfer of non-Lottery monies to the Lottery Instructional Materials Account did not include the amount expended by the locally funded charter schools, since the District does not manage the accounting of actual expenditures for these schools.

Table 6

**FY 2001-2002 Transfers to the LAUSD
Instructional Materials Lottery Account**

	Transfer of Monies
Amount Transferred	14,263,244
Amount Recommended for Transfer	<u>14,331,228</u>
Amount Over (Under) Recommended	(67,984)

In addition to restoring monies, LAUSD transferred approximately \$30.4 million in expenditures from non-Lottery accounts to the Instructional Materials Lottery Account. About \$14.3 million of the total transfer consisted of FY 2000-2001 expenditures, while the remaining \$16.2 million consisted of FY 2001-2002 expenditures.¹¹ In both cases, the transferred expenditures included textbooks, books other than textbooks, and other instructional materials, all of which are permitted under Government Code Section 8880.4. In effect, the transfer of FY 2000-2001 expenditures replaced the unallowable expenditures from instructional materials Lottery monies with allowable expenditures.

¹¹ The transfer of FY 2000-2001 expenditures was \$14,263,244, and the transfer of FY 2001-2002 expenditures was \$16,158,831. Thus, the total transfer of expenditures was \$30,422,075, which rounds to \$30.4 million.

Public Education Lottery Account Reimbursement

2001-2002 Audit Recommendation 4: Transfer approximately \$13.0 million of General Fund monies to the Lottery Educational Special Fund to account for prior year expenditures not in compliance with Government Code Section 8880.5 restrictions.

The FY 2001-2002 journal vouchers provided by LAUSD confirm the transfer of approximately \$13.2 million from non-Lottery accounts to the Public Education Lottery Account (Program Code 0751) to reimburse for expenditures that were not in compliance with Government Code Section 8880.5. Table 7 shows that the District transferred \$239,396 more than the amount recommended in the FY 2001-2002 audit.

Table 7
FY 2001-2002 Transfers to the LAUSD
Public Education Lottery Account

	Transfer of Monies
Amount Transferred	13,230,000
Recommended for Transfer	<u>12,990,604</u>
Amount Over (Under) Recommended	239,396

LAUSD also transferred approximately \$109.4 million in expenditures from non-Lottery accounts to the Public Education Lottery Account. Based on a review of journal vouchers, the transferred expenditures consisted of teachers' salaries, which are eligible for public education Lottery monies. The expenditure transfer was large enough to replace the unallowable expenditures from public education Lottery monies with allowable expenditures, as well as cover approximately \$96.2 million in FY 2001-2002 expenditures.

Procedures to Monitor Charter Schools

2001-2002 Audit Recommendation 5: Establish procedures to monitor the expenditure of Lottery monies allocated to charter schools to ensure that such expenditures are in accordance with the restrictions of State law.

Within LAUSD, there are three types of charter schools: affiliated, locally funded and direct funded (see description of the distinctions in the *Introduction* to this report). LAUSD currently oversees eight charter schools that are affiliated, three that are locally funded and 39 that are direct funded. As shown in Table 8, charter schools are distinguished by the agency from which they receive Lottery payments and whether they account for their actual expenditures.

Table 8
Types of Charter Schools within LAUSD

Type of Charter School	Payment of Lottery Funds	Accounting of Lottery Funds
Affiliated	Budget received from LAUSD	Accounting performed by LAUSD
Locally Funded	Payments received from LAUSD	Accounting performed by charter school
Direct Funded	Payments received from State via LACOE	Accounting performed by charter school

Affiliated charter schools (also known as "fiscally dependent") receive a budget from LAUSD and utilize LAUSD for accounting in the same way as the District's regular schools; whereas, both locally funded and direct funded charter schools (also known as "fiscally independent") do their own accounting of actual expenditures. The main difference between these charter schools is (1) those that are "locally funded" receive Lottery payments from LAUSD and (2) those that are "direct funded" receive Lottery payments directly from the State, via the Los Angeles County Office of Education. Since affiliated charter schools are treated similarly to the District's regular schools, the focus of the recommendation is on locally funded and direct funded charter schools – those that are fiscally independent.

In FY 2003-2004, LAUSD wrote and mailed a letter notifying the fiscally independent charter schools that they each should have received an allocation of Proposition 20 Lottery funds. The letter described the restrictions placed on these funds by Government Code Section 8880.4. However, the letter, which is provided in Attachment 4, mentioned neither the transfer of non-Proposition 20 Lottery funds nor their restrictions described in Government Code Section 8880.5. The District should modify this letter to locally and direct funded charter schools so that the transfer and restrictions of the two forms of Lottery funds are clearly defined. While the letter serves as a guide to fiscally independent charter schools on the use of Lottery funding, charter schools maintain the primary responsibility to comply with State law.

In addition, LAUSD developed back-end procedures to monitor fiscally independent charter schools. In particular, the District's Charter Schools Unit developed financial reporting policies to be followed by these schools. However, these policies do not provide special instructions for Lottery funds. In addition, LAUSD has been unsuccessful obtaining compliance from the charter schools on general financial reporting requirements. For example, the policy on financial matters requires charter schools to engage an independent public accountant to audit the schools' financial statements, and submit financial reports to LAUSD within four months following the close of the fiscal year. Charter schools also are required to submit

two interim reports and a year-end report that includes actual and revised budget figures and projected revenues, expenditures and fund balances.¹² Despite these policies, LAUSD has been unable to obtain this financial information. Representatives from LAUSD stated that this lack of success stems from an unwillingness of fiscally independent charter schools to submit such information.

The California State Legislature and Governor recently approved legislation, Assembly Bill 1137, reinforcing the financial reporting requirements of charter schools. Effective January 1, 2004, charter schools are required by State law to submit the following reports to their chartering authority and the county superintendent of schools: a preliminary budget, two interim financial reports, and a final unaudited report for the full prior year.¹³ LAUSD states that it will be able to utilize these documents to ensure that the fiscally independent charter schools' Lottery expenditures comply with the restrictions imposed by State law. The District also intends to require fiscally independent charter schools to provide information by object code on the use of their public education and instructional materials Lottery funds. In order to formalize these processes, they should be incorporated into the District's policy manual for charter schools, which was last revised on June 25, 2002, along with a procedure for correcting unallowable expenditures.

¹² These requirements have been part of LAUSD's policies for charter schools since June 25, 2002 but did not become State law until January 1, 2004.

¹³ Assembly Bill 1137 Chaptered Bill Text

Los Angeles County Office of Education (LACOE) Lottery Funding Evaluation

As described in the *Introduction* to this report, LACOE provides two different Lottery-related functions in the County of Los Angeles. First, LACOE is a direct provider of specialized educational programs within the County, and thus is a direct recipient of Lottery funds. Second, LACOE provides limited oversight of Lottery funds allocated to 81 of the 94 Local Educational Agencies (LEAs) in the County. This section of the audit report discusses LACOE's role as a direct provider.

Lottery Budgeting and Public Hearing Processes

LACOE Budgeting Process

Like other LEAs in the County of Los Angeles, LACOE receives its allocation of Lottery funds from the State. These are received through LACOE's Division of School Financial Services as part of that division's Controller function. The funds are then appropriated to the various LACOE programs and school sites by the County Board of Education.

According to the Budget Planning Guide for FY 2003-2004, and our review of budget documents, LACOE budgets the current year of projected State Lottery revenue in a reserve for "economic uncertainty." Therefore, revenue received in FY 2003-2004 is being placed into a reserve for allocation to programs and school sites in FY 2004-05, and revenue that was received in FY 2002-2003 has been released from reserve and allocated to programs and school sites for expenditure in FY 2003-2004. This policy, to hold one year of Lottery funds in reserve, has been in place for the past two fiscal years. From FY 1993-1994 to FY 2000-2001, LACOE held two years of Lottery funds in reserve for this same purpose. Because of the volatility of Lottery revenues from year-to-year, LACOE believes this process is conservative and prevents the over- or under-allocation of Lottery resources to programs.

Site-Level Budgeting and Expenditure

The process to budget and expend Lottery funds starts in the Fall of each fiscal year when designated staff in each of LACOE's educational programs send memos to program principals and administrators, notifying them of the programs' allotment, based on average daily attendance (ADA). Based on a review of a sample of these memos, provided in Attachment 5, none of the programs appear to be separating the Lottery allotment into public education funding and instructional materials funding. While the memos provide instructions on developing a budget and submitting requisition/expenditure requests to expend Lottery monies, only the Regional Occupational Program attempted to identify the restrictions placed on Lottery funds by State law. The memo from Special Education, moreover, cited "disaster supplies" as one use, even though such an expenditure clearly has no

instructional purpose and is an unallowable expenditure under Government Code Section 8880.5.

The programs also are responsible for reviewing and approving site budgets and requisition/expenditure requests. If approved, the budgets are loaded into individual Lottery expenditure accounts, and the programs forward the requisition/expenditure requests to Purchasing, where staff checks that the sites have a budget in their Lottery account. If an account has no budget, then Purchasing returns the requisition/expenditure to the appropriate program. Since Purchasing is familiar with the account codes, staff also check that the correct codes are matched with the purchases. As a final check on the Lottery expenditures, each division's fiscal person and each school site's principal or administrative unit receives monthly reports listing all approved transactions. These individuals check the account codes on the transactions to ensure, once again, that they are matched correctly with the purchases.

Thus, the weakest link in the site-level budgeting and expenditure process appears to be contained in the memos on developing budgets for Lottery allocations that are received by each site in LACOE's educational programs. The major problem is that the memos fail to clearly distinguish between lottery funds for public education and instructional materials. As a result, LACOE should develop a standard memo for use by all educational programs that clearly identifies the amount and restrictions of the Lottery allotment, and segregates funds by the public education and instructional materials categories. Within the structure of this memo, the programs may continue to suggest priorities or goals for Lottery expenditures at each of its sites, as long as such priorities and goals comply with Government Code Section 8880.4 and Section 8880.5.

LACOE Public Hearing Process

As part of this study, we reviewed the LACOE public hearing process to ensure that it complies with the requirements of Education Code Section 60119 regarding the public notice, hearing processes and certification processes for determining instructional material sufficiency. We were provided with evidence of that these requirements have been met in each of the preceding fiscal years, through the budget process. Specifically, we were provided with (1) public notices announcing the public hearings on "Pupil textbook and Instructional Materials Sufficiency Public Hearing and Compliance", (2) minutes from the meetings where these hearings were conducted, and (3) copies of the resolutions adopted by the Board of Education certifying compliance with the requirements of Education Code Section 60119. Accordingly, it appears that LACOE is currently in compliance with all public hearing requirements for determining instructional materials sufficiency that are defined in the code.

Analysis of Lottery Revenue and Expenditures

As part of this audit, we attempted to compile information on the amount of State Lottery revenue and expenditures reported by LACOE since the first allocation of funds in FY 1985-1986. However, as discussed in the *Introduction*, Lottery financial records were not available for the period prior to FY 1991-1992. According to LACOE officials, these records had been sent to long term storage and subsequently destroyed in accordance with LACOE's records retention policies.

Accordingly, we were only able to reconstruct records for the 12-year period FY 1991-1992 through FY 2002-2003, instead of for the full 18 years since Lottery implementation.

LACOE received a total of \$31,065,542 in State Lottery revenue since FY 1991-1992, as reported in the Unaudited Financial Reports made available during this study.¹⁴ This amount includes \$30,568,737 of public education Lottery monies and \$496,805 of instructional materials Lottery monies. LACOE, as compared to LAUSD, did not establish separate accounts for the two Lottery funding categories but rather commingled these funds with other General Fund resources. Table 9 shows the State Lottery revenue for the past 12 fiscal years.

Table 9
LACOE California State Lottery Revenue by
Fiscal Year: FY 1991-1992 through FY 2002-2003

Fiscal Year	Public Education Revenue	Instructional Materials Revenue	Total Revenue
1991-1992	1,734,167		1,734,167
1992-1993	1,754,454		1,754,454
1993-1994	1,970,111		1,970,111
1994-1995	2,636,871		2,636,871
1995-1996	2,674,250		2,674,250
1996-1997	2,436,336		2,436,336
1997-1998	2,663,611	40,812	2,704,423
1998-1999	2,698,169	57,960	2,756,129
1999-2000	2,905,167	62,976	2,968,143
2000-2001	3,125,622	97,623	3,223,245
2001-2002	3,321,221	111,450	3,432,671
2002-2003	2,648,758	125,984	2,774,742
Total	30,568,737	496,805	31,065,542

¹⁴ LACOE only had copies of its Lottery Reports (Form J-400L) since FY 1991-1992 and was unable to obtain copies of prior years from the California Department of Education.

Between FY 1991-1992 and FY 2002-2003, LACOE expended a total of \$25,171,319 in State Lottery revenue based on figures obtained from Lottery Reports (Form J-400L) submitted with the Unaudited Financial Reports. During this period, LACOE did not track Lottery expenditures by source, so we were unable to determine the amount expended for public education or instructional materials purposes. According to LACOE, this will change in FY 2003-2004 because LACOE has implemented SACS (see previous discussion) to report its actual expenditures by source, since public education and instructional materials Lottery monies are now identified with separate Resource Codes.

Form J-400L shows that LACOE reported a \$3,703,656 unexpended balance of Lottery monies as of June 30, 2003. Unexpended balances, moreover, appear for all years because of LACOE's policy to reserve State Lottery payments to meet the State's unrestricted reserve requirement. Two years of Lottery were held in reserve from FY 1993-1994 through FY 2000-2001. In FY 2001-2002 and FY 2002-2003, LACOE reduced this reservation by including only the current year of Lottery payments in order to reduce the educational programs' deficits.

However, when reconciling revenues and expenditures, we found that the calculated unexpended balance equated to approximately \$9.0 million, or approximately \$5.3 million more than the \$3.7 million amount reported on the LACOE documentation that was provided to us. This calculated balance is shown in Table 10.

Table 10
LACOE California State Lottery Expenditures and
Calculated Unexpended Balance by
Fiscal Year: FY 1991-1992 through FY 2002-2003

Fiscal Year	Total Revenue	Total Expenditures	Calculated Unexpended Balance
1991-1992	1,734,167	1,562,726	3,302,664
1992-1993	1,754,454	1,188,496	3,868,622
1993-1994	1,970,111	1,276,287	4,562,446
1994-1995	2,636,871	1,643,119	5,556,198
1995-1996	2,674,250	1,693,832	6,536,616
1996-1997	2,436,336	2,187,472	6,785,480
1997-1998	2,704,423	2,290,125	7,199,778
1998-1999	2,756,129	2,371,157	7,584,750
1999-2000	2,968,143	2,372,443	8,180,450
2000-2001	3,223,245	2,033,613	9,370,082
2001-2002	3,432,671	5,117,113	7,685,640
2002-2003	2,774,742	1,434,936	9,025,446
Total	31,065,542	25,171,319	

The calculated unexpended balances, and differences from the reported unexpended balances, are shown by year in Table 11.

Table 11
Comparison of the Reported Unexpended Balance and
Calculated Unexpended Balance for LACOE Lottery Funds by
Fiscal Year: FY 1991-1992 through FY 2002-2003

Fiscal Year	Reported Unexpended Balance	Calculated Unexpended Balance	Reported Over (Under) Calculated
1991-1992	3,302,664	3,302,664	-
1992-1993	3,868,622	3,868,622	-
1993-1994	4,573,639	4,562,446	11,193
1994-1995	5,654,895	5,556,198	98,697
1995-1996	5,082,009	6,536,616	(1,454,607)
1996-1997	5,079,946	6,785,480	(1,705,534)
1997-1998	5,095,154	7,199,778	(2,104,624)
1998-1999	5,107,107	7,584,750	(2,477,643)
1999-2000	5,681,380	8,180,450	(2,499,070)
2000-2001	5,410,712	9,370,082	(3,959,370)
2001-2002	3,726,271	7,685,640	(3,959,369)
2002-2003	3,703,656	9,025,446	(5,321,790)

LACOE provided the following explanations for these differences:

- The reported annual revenues are correctly presented, but the reported unexpended balance excludes certain carry-forward balances. Therefore, total resources are understated on Form J-400L, although LACOE states that carry-forward balances are recorded accurately in the General Ledger.
- The reported annual expenditures represent current year expenditures recorded in the General Ledger in the educational programs' individual Lottery expenditure accounts. However, the reported annual expenditures do not include expenditures that are financed from carry-forward balances. LACOE failed to report \$3.7 million expenditures by its public education programs and \$883,126 in expenditures by the student worker and other programs.
- The reported annual expenditures also do not include allocations to LACOE's charter school (SEA Charter School), which amounted to \$496,805 since FY 1997-1998, even though revenues allocated to the Charter School are reported.

However, LACOE was unable to explain \$236,663 in unexpended balance discrepancies. Table 12 provides a summary of LACOE's explanations for the unexpended balance discrepancies that we identified.

Table 12
Summary of LACOE Explanations for
Discrepancies in Lottery Unexpended Balances

Calculated Unexpended Balance	9,025,446
Reported Unexpended Balance	<u>3,703,656</u>
Over (Under) Reported Balance	5,321,790
<i>Unreported Expenditures</i>	
Educational Program Carry-Forward	3,705,196
Transfer to Student Worker & Other Programs	883,126
Transfer to SEA Charter School	<u>496,805</u>
Total Unreported Expenditures	5,085,127
Net Over (Under) Reported Balance	236,663

In order to account accurately for the receipt and expenditure of all Lottery funds, LACOE should change how it calculates the unexpended balance. In each fiscal year, the unexpended balance should be the difference between all available funds (including the beginning balance and current year revenue) and all expenditures (including expenditures of Lottery funds received in the current year and prior years, and expenditures by the charter school). Without manually correcting these accounting practices, inaccurate unexpended balances will continue to be reported to the State since SACS reporting software does not force reconciliation or adjustment of the unexpended balance for Lottery funds. LACOE should prepare and submit to the State a corrected Form J-400L for the incorrect years. For FY 2003-2004, SACS Resource Codes should reflect accurate balances. In addition, LACOE should establish procedures for reporting accurate unexpended balances for Lottery funds.

Lottery Reports also provide details on expenditures by object code. Although LACOE was unable to determine whether Lottery expenditures were taken from public education or instructional materials funds, LACOE expended nearly twice as much on "Books and Supplies" from Lottery as it received in instructional materials Lottery revenue for all 12 years. At the same time, LACOE has increased its General Fund expenditures on books and supplies. Over the last three fiscal years, the amount expended on books and supplies from the General Fund increased 42.7 percent from approximately \$12.1 million in FY 2000-2001 to \$17.3 million in FY 2002-2003. In addition, expenditures on books and supplies from Lottery monies amounted to only about \$283,974, or 1.6 percent, of the General Fund expenditures in FY 2002-2003. It is clear that LACOE expends much more on books and supplies through the General Fund than is available from instructional materials Lottery monies. Therefore, we do not believe that LACOE has expended funds in a manner that is inconsistent with State law. Nonetheless, reporting deficiencies should be corrected to ensure a more accurate accounting trail in the future.

In order to test whether LACOE is expending Lottery funds in compliance with State law, we reviewed transactions posted to "Services and Other Operating Expenses" and "Capital Outlay" for FY 1997-1998 through FY 2002-2003. As shown in Table 13, minor violations of State law were found in these object codes.

Table 13
Detail of LACOE California State Lottery Expenditures by
Object Code in FY 1991-1992 through FY 2002-2003

Fiscal Year	Salaries & Benefits	Books & Supplies	Services & Other Oper	Capital Outlay	Other Outgo	Total Expenditures
1991-1992	140,578	424,441	437,766	559,941	-	1,562,726
1992-1993	54,123	332,380	363,350	438,643	-	1,188,496
1993-1994	41,391	260,422	306,406	668,068	-	1,276,287
1994-1995	371,294	515,087	754,269	2,469	-	1,643,119
1995-1996	299,355	288,924	302,746	802,807	-	1,693,832
1996-1997	143,665	821,235	351,131	871,441	-	2,187,472
1997-1998	148,914	783,989	377,493	979,729	-	2,290,125
1998-1999	115,244	1,079,436	543,520	632,957	-	2,371,157
1999-2000	89,058	1,236,012	563,026	484,347	-	2,372,443
2000-2001	85,353	756,892	743,182	448,186	-	2,033,613
2001-2002	94,265	3,033,117	1,964,842	24,889	-	5,117,113
2002-2003	93,820	283,974	1,057,142	-	-	1,434,936
Total	1,677,060	9,815,909	7,764,873	5,913,477	-	25,171,319
Violations	-	-	82,875	18,053	-	100,928
%Total	0.0%	0.0%	1.1%	0.3%		0.4%

Over the past six fiscal years, unallowable Lottery expenditures totaled only \$100,928, or 0.4 percent, of the total expenditures. This amount includes \$82,875 in services and other operating expenses and \$18,053 in capital outlay. Some of the items expended with these funds included travel and conference costs, computer repair and parts, brochures, flyers, advertisements and business cards, attorney services, maintenance on school facilities, cleaning equipment, and an electric tram. Although a legal opinion has not been issued on the term "non-instructional purpose," we were able to determine that these expenditures did not directly contribute to the education of students, so they do not meet the restrictions placed on Lottery funds by Government Code Section 8880.5.

Identifying some unallowable expenditures underscores the need for LACOE to develop a standard memo for the educational programs to send to their sites that clearly identifies the amount and restrictions of their Lottery allotment separated by public education monies and instructional materials monies.

LACOE Lottery Funding Oversight Role

At the outset of this audit, we were advised by LACOE that it does not perform extensive monitoring or testing of external school district Lottery funding to determine compliance with State law. Instead, LACOE officials explained that they perform four basic functions:

1. LACOE acts as a Controller for the receipt and disbursement of Lottery funds to the school districts within the County. After the State apportions Lottery funds to the County, LACOE posts the funds to the appropriate school accounts. This posting triggers the release of the funds to each school district on the basis of the ADA computations provided by the State.
2. Each school districts' financial transactions are recorded in LACOE's accounting system, on an ongoing basis. However, LACOE "makes no attempt to audit the transactions or review the transactions for compliance with State law." Those functions are left to the financial management staff at each of the school districts and the independent external auditors of the school districts.
3. Annually, LACOE receives copies of the SACS Unaudited Actual Financial Reports from each school district. LACOE verifies that the cash is reported correctly, conducts a "superficial review" of the reported numbers for "obvious errors," and then forwards the reports to the California Department of Education.¹⁵
4. Each year, LACOE receives the Comprehensive Annual Financial Reports (CAFR) prepared by outside auditors for each of the school districts. Staff from LACOE's Division of Business Services review these reports for audit findings, and verifies that each district takes corrective action to resolve any findings or exceptions.

Neither the California Department of Education nor LACOE closely monitor the use of Lottery funds by local school districts
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These LACOE activities provide very limited oversight of Lottery activities at the school district level. In addition, as discussed in the *Introduction* to this report, the CDE provides virtually no Lottery oversight. In a 2003 audit report, the State Auditor concluded that "for a few categorical programs, such as the Lottery Education Fund program, CDE does nothing to review recipient's compliance with applicable requirements." Recommendations to strengthen this oversight will be discussed in a later section of this report.

¹⁵ LACOE conducts its review in accordance with Education Code Section 42100.

Nonetheless, in order to test whether the school districts overseen by LACOE expend their Lottery funds in accordance with State law, we sampled the FY 2002-2003 SACS Lottery Reports (Form L) from the 31 school districts with Lottery allocations in excess of \$1.5 million in that year. Attachment 6 provides a list of the districts included in the sample along with their Lottery allocations. Based on the sample, we identified a total of 62 possible exceptions valued at approximately \$42.2 million from the SACS Lottery Reports. Approximately \$34.2 million of these possible exceptions were identified because school districts were carrying large beginning and/or ending fund balances. We contacted 10 school districts to follow-up on the major issues, which are summarized in Table 14.

Table 14
Sample of Exceptions Found on FY 2002-2003 SACS
Lottery Reports by School Districts within LACOE

School District	Major Issue	Explanation
ABC Unified	No restricted Lottery revenues and expenditures reported	Non-reporting of restricted funds was made in error
Baldwin Park Unified	Transferred \$2.2 million from unrestricted Lottery revenues	Transfer paid for athletic and music programs out of the General Fund
Compton Unified	Reported \$3.5 million in questionable expenditures from unrestricted funds	Funds expended on electricity and water bills
Downey Unified	Reported ending balance of \$106,438 did not reconcile with the calculated balance	Ending balance was reported in error and should be zero
Glendale Unified	Transferred \$379,778 from unrestricted Lottery revenues	Transfer was an error so an adjustment was made
Hacienda La Puente Unified	Reported significant beginning balance of \$4.6 million and ending balance of \$8.8 million	End-of-year expenditure transfer were not performed due to staff turnover
Lancaster Unified	Reported \$184,896 in inappropriate expenditures from restricted funds	Funds expended on salaries for noon-duty aids, campus supervisors, crossing guards and supplies
Long Beach Unified	Reported inappropriate expenditures from both unrestricted and restricted funds	Transfers were charter schools' Lottery apportionment, and support costs consisted of school maintenance
Pomona Unified	Reported \$165,732 in inappropriate expenditures from restricted funds	Funds expended on the printing of testing materials
Torrance Unified	Transferred \$434,607 out of unrestricted funds	Transfer went to Regional Occupational Center for its Lottery apportionment

Based on the sample, we found that the majority of school districts provided explanations that justify their use of Lottery funds. For instance, Downey Unified and Glendale Unified admitted making errors on their SACS Lottery Report, while Pomona Unified stated that the \$165,732 from restricted funds was expended on the printing of testing materials, an instructional material according to Education Code Section 60010(h). In addition, the large beginning and ending fund balances at Hacienda La Puente Unified resulted from the District's failure to transfer teachers' salaries to the unrestricted Lottery account and textbooks to the restricted Lottery account in FY 2001-2002 and FY 2002-2003, due to staff turnover. The new Fiscal Services Director is aware of the problem and stated that the appropriate expenditure transfers will be made in FY 2003-2004.

We also found a few school districts that have failed to comply with the restrictions established by State law. Compton Unified, for instance, expended approximately \$3.5 million in unrestricted Lottery funds on utility bills, a non-instructional purpose. The District transfers its electricity and water bills at the end of the year to the unrestricted Lottery funds – a process followed in both FY 2001-2002 and FY 2002-2003. Similarly, Long Beach Unified expended \$8,265 in unrestricted Lottery funds on a non-instructional purpose: maintenance (but not construction) that falls outside the scope of typical maintenance performed by district staff at school sites. Examples of this maintenance include the installation of a washer and dryer in the custodian's room, wiring an office for a telephone, installing walking gates for student safety and traffic control, fabricating shelves to fit under a counter, and replacing light fixtures. While these expenditures may have been needed, they should not have been made from Lottery resources.

Lastly, none of the school districts contacted had any written policies on the receipt and expenditure of Lottery funds. In order to prevent confusion over the use of Lottery funds, as well as problems resulting from staff turnover, LACOE should advise schools districts of the restrictions placed on Lottery funds by Government Code Sections 8880.4 and 8880.5. LACOE also should work with school districts to develop written procedures for the receipt and expenditure of both public education (or unrestricted) and instructional materials (or restricted) Lottery funds.

School district financial auditors generally do not test or report on Lottery compliance

As mentioned earlier in this report, each year each school district is required to retain the services of an external financial auditor to perform an audit of the district's financial statements. The audit report, or CAFR, includes a number of components. These include (1) the financial statements prepared by the district, (2) the independent auditor's report on whether the statements are fairly presented, (3) management's discussion and analysis, (4) notes to the financial statements, and (5) supplementary data and various supporting schedules. Audit procedures and the scope of review that are to be included in the CAFR are defined in the *Standards and Procedures for Audits of California K-12 Local Educational Agencies*, which is published annually by the California State Controller (referred to as the "Audit Guide").

The 2003-2004 Audit Guide includes various sections requiring the external auditors to test programs for compliance with federal and State laws. Audit Guide Section 313 states, in part, "The objectives of tests of compliance with laws and regulations are to determine whether there have been events of noncompliance that may have a material effect on the financial statements or to provide a basis for reporting on the entity's compliance with such laws and regulations." The State programs to be tested for compliance are included in Audit Guide Section 520. In 2003-2004, the Guide included the following programs and activities: (1) Attendance Accounting, (2) Staff Development Days, (3) Incentives for Longer Instructional Day, (4) Gann Limit Calculation, (5) Early Retirement Incentive Program, (6) Community Day Schools, (7) Class Size Reduction Program, (8) Programs to Reduce Class Size in Two Courses in Grade 9, (9) Instructional Materials Funding Realignment Program, and Schiff-Bustamante Standards-Based Instructional Materials, (10) Digital High School Education Technology Grant Program, (11) California Public School Library Act of 1998, K-12, and (12) Ratios of Administrative Employees to Teachers. The Audit Guide does not require specific testing or reporting on the Lottery funding.

Based on discussions with LACOE Business Advisory Services staff, Lottery funding probably has not been identified as a unique area for testing because of its small size relative to other programs at schools (for example, Lottery represents only 1.71 percent of all funding at LAUSD). Because Lottery funding typically has not been considered "material," it is merely touched on in relation to other audit activities that are required. For example, the Audit Guide Section on Attendance Accounting states, "Lottery revenue allocations for K-12 programs will be based on current-year annual ADA. However, prior year annual ADA will be used for calculating the distribution of funds until the actual current-year data is available. Adjustments to reflect actual current-year data will occur in the subsequent fiscal year. Thus the annual attendance report should form the basis for Lottery allocation ADA audits."

While Lottery may not represent a significant portion of total funding to school districts, it is a significant and high profile categorical aid program that should be reviewed. As discussed in the *Introduction*, these same conclusions were reached by the State Auditor, who concluded that "for a few categorical programs, such as the Lottery Education Fund program, CDE does nothing to review recipient's compliance with applicable requirements." Extending from this conclusion, the State Auditor recommended that, "To improve oversight of categorical programs, CDE should continue its plan to propose changes to the K-12 Audit Guide to determine whether Proposition 20 funds are being spent in compliance with State law. Additionally, it should propose a similar change to the K-12 Audit Guide to ensure that funds are not being spent for the acquisition of real property, construction of facilities, financing of research, or other non-instructional purpose." In response to this recommendation, the CDE stated that it had made these proposals to the State Controller's Office Audit Committee.

As part of this audit, we contacted the State Controller's Office to determine the status of implementing this recommendation. We were advised that no official action had been taken as of April 9, 2004, but that the Controller intends to include

the requirement in the 2004-2005 Audit Guide. We were advised that the requirement will be published sometime before July 1.

Although the Audit Guide is the primary tool used by auditors to conduct annual financial statement audits of school districts, it is clear that school districts can require the auditors to exceed the minimum stated standards. Section 110 of the 2003-2004 Audit Guide states that the *Standards and Procedures for Audits of California K-12 Local Educational Agencies* "offers general insight into the nature and scope of audit engagements, provides guidelines for the administration of the audits, and identifies the minimum audit and reporting requirements necessary to comply with statutory requirements. It is not intended to be a complete manual of procedures, nor is it intended to supplant the auditor's judgment." Accordingly, we recommend that the scope of work for external financial audits be expanded at LACOE and LAUSD to include compliance testing of their Lottery funding. This recommendation exceeds that being considered by the State Controller, which addresses compliance testing for the Proposition 20 Instructional Materials portion of the funding, only.

Maintenance of Effort

In 2001-2002, the Los Angeles County Civil Grand Jury recommended that "a maintenance of effort requirement, based on FY 1997-1998 expenditure levels per ADA (average daily attendance) should be established and annually adjusted in accordance with annual changes in the consumer price index, to ensure local educational agencies do not supplant existing funding sources." This recommendation, made to the State Legislature, has not been implemented.

School administrators are generally reluctant to endorse any proposal that may reduce budgeting flexibility. This was a topic of discussion at the entrance conference with LAUSD, and has been a topic in relation to Proposition 20 funding since the program's inception. A report on "Newly Enacted Reform Programs," authored by School Services of California stated, "The 'no-strings' nature of California Lottery dollars - where the only prior prohibitions were that funding could not be used for real property, facilities, research or other non-instructional purposes - took a blow in March 2000 as California voters passed Proposition 20." Despite the "misplaced good intentions on the part of the voters," the "good news" was that "there is no supplement-not-supplant" language for this proposition, giving districts significant budgetary flexibility."

Yet, formula based guarantees, including maintenance of effort provisions, are common in government finance. Proposition 98 (California Constitution Article 16, Section 8) establishes a minimum funding level guarantee for K-12 education and community colleges. Based on measurements of the economic condition of the State, the Legislature can only suspend these guarantees for one year at a time

and then must restore full funding in a subsequent year. Given that the core funding base for K-12 schools is formula based, similar provisions could be enacted for Proposition 20 Instructional Materials Lottery funding to insure that spending for instructional materials does not diminish over time, in relation to other expenditures of the schools in California.

This was clearly a concern of the voters when Proposition 20 was passed, since the voters took funds that were previously more general in nature and earmarked them for instructional materials purposes. Although not explicitly stated in the law, implicit in Proposition 20 was the argument that Lottery funding should supplement and not supplant funding that was already being spent on instructional materials. Further, it is a recognized intent by the State Superintendent of Schools, who concluded in his last Lottery sample that, "The percentages spent on salaries and benefits reflected in 2000-2001's Lottery sample (73.3 percent) and 2001-2002's Lottery sample (77.8 percent) are significantly lower than those of the previous seven years. Simultaneously, the percentages spent on books and supplies (16.1 percent in 2000-2001's sample and 18.6 percent in 2001-2002's sample) are the highest ever reported by sampled districts." Missing in the State Superintendent's evaluation is any comparison to total instructional materials spending, over time, to determine how Proposition 20 may have impacted this area of operations.

It is important that the voters' intent be measured and supported by State law. Accordingly, we continue to recommend that a maintenance of effort requirement, based on FY 1997-1998 expenditure levels per ADA (average daily attendance) should be established and annually adjusted in accordance with annual changes in the consumer price index, to ensure local educational agencies do not supplant existing funding sources. We also recommend that the State Superintendent of Schools regularly measure and report to the Legislature on instructional materials Lottery expenditures compared with total instructional materials expenditures, made by the school districts that are included in the annual Lottery sample. Because of its relative size, LAUSD is regularly chosen as part of that sample. In addition, an analysis should be made by the State Superintendent annually to compare Lottery and non-Lottery instructional material spending patterns by all school districts in the State, using available SACS financial reports.

Recommendations

The LAUSD Superintendent of Schools should:

1. Revise Form J-200L for FY 1995-1996 and FY 1999-2000 to reflect the accurate amount of expenditures, and submit revised copies to the Los Angeles County Office of Education.
2. Develop written procedures to specify appropriate budgeting and expenditure of public education (or unrestricted) Lottery monies as described in Government Code Section 8880.5.

3. Modify the letters discussing Lottery funds that are sent to fiscally independent charter schools so that they clearly discuss the transfer and restrictions of the two forms of Lottery funds.
4. Revise the policy manual for charter schools to reflect the recent changes in State law resulting from Assembly Bill 1137. This manual also should require fiscally independent charter schools to provide information by object code on the use of their public education and instructional materials Lottery monies as well as establish a procedure for correcting unallowable expenditures.
5. Expand the scope of work for external financial auditors to include compliance testing of Lottery funding. Such testing should be performed for both components of Lottery funding, including (1) public education monies and (2) instructional materials monies.

The LACOE Superintendent of Schools should:

6. Develop a standard memo for all specialized educational programs to send to their sites providing clear instructions on how public education and instructional materials Lottery monies can be used and the amounts allocated for each purpose. At the same time, the memo should allow programs to continue to suggest priorities or goals for Lottery expenditures, as long as they comply with Government Code Sections 8880.4 and 8880.5.
7. Prepare and submit to the State a corrected Form J-400L for the incorrect years. For FY 2003-2004, SACS Resource Codes for public education and instructional materials Lottery funds should reflect accurate balances.
8. Establish procedures for reporting accurate unexpended balances for Lottery funds.
9. Advise school districts of the restrictions placed on Lottery funds by Government Code Sections 8880.4 and 8880.5, and work with school districts to develop written procedures for the receipt and expenditure of both public education and instructional materials Lottery funds.
10. Work with schools district financial auditors to test and report on the compliance of Lottery expenditures with State law.
11. Expand the scope of work for external financial auditors to include compliance testing of Lottery funding. Such testing should be performed for both components of Lottery funding, including (1) public education monies and (2) instructional materials monies.

Los Angeles Unified School District

Accounting and Disbursements Division

ROY ROMER
Superintendent of Schools

RICHARD J. KNOTT
Controller

TIMOTHY BURESH
Chief Operating Officer

KENNETH C. GOTSCH
Chief Financial Officer

May 4, 2004

Harvey M. Rose Accountancy Corporation
1390 Market Street, Suite 1025
San Francisco, CA 94102

RE: District Response to Special Audit of Lottery Education Fund Accounting and Management by
LAUSD and LACOE

The District is able to implement recommendations 1-4 made for the Los Angeles Unified School District. Recommendation 5 is, we believe, covered under the 2004 Audit Guide issued by the State Controller's Office, but will be considered for audit by the District's Office of the Inspector General in other years.

The District does not agree with Recommendation 12 regarding establishment of maintenance of effort requirement. When voters approved the lottery, state role was to be minimized. The report references Education Code Section 14600. This section states: "The Legislature finds and declares that one purpose of the California State Lottery Act of 1984... was to provide school districts... with additional funds free of state control. In order to further the purpose identified... the expenditure of funds received by a school district... shall not be subject to state control." Additional requirements from "maintenance of effort" negate a district's ability to prioritize based on their needs. In this time of financial distress, this issue exacerbates the problem.

Likewise, for the same reasons as mentioned above, the District does not agree with Recommendation 13 which requires the Superintendent of Public Instruction to measure and report on instructional materials Lottery expenditures and compare Lottery and non-Lottery instructional material spending patterns

The District is undertaking a new ERP financial system which will address our ability to report in SACS. While we are currently able to comply with all State reporting requirements, the transition to a SACS structure will be more efficient for District staff.

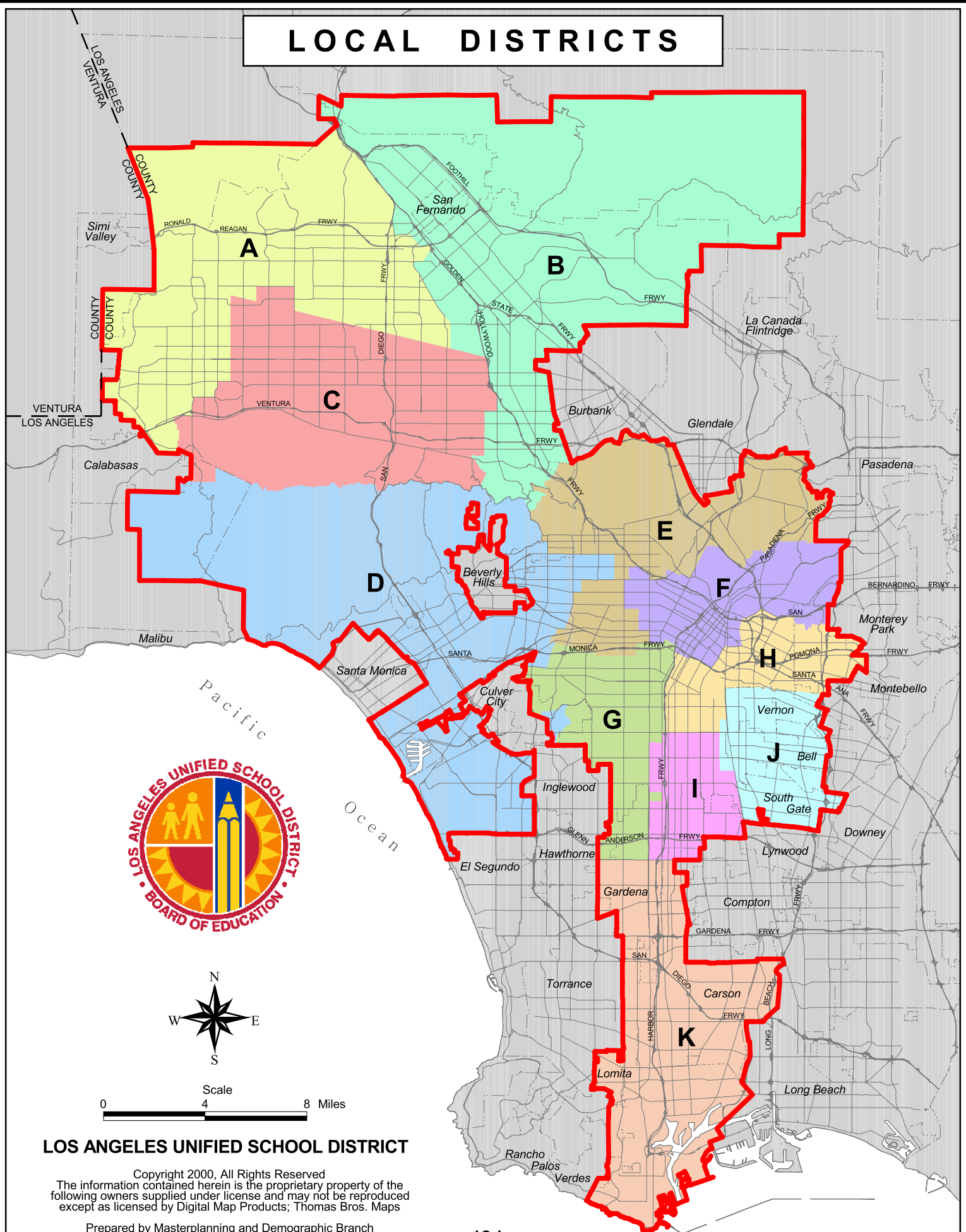
Sincerely,



Richard J. Knott

RJK:ELO/ae
c: K. Gotsch

LOCAL DISTRICTS



List of Schools by Local District in LAUSD

Location	Local District	School Name	Instructional Complex
8726	A	ADDAMS HS	KENNEDY SH
8507	A	AGGELER HS	CHATSWORTH SH
2117	A	ANDASOL EL	GRANADA HILLS HS
2269	A	BALBOA G/HA MAG	GRANADA HILLS HS
2335	A	BECKFORD EL	GRANADA HILLS HS
2658	A	BURTON EL	MONROE SH
2704	A	CALABASH EL	EL CAMINO REAL SH
2753	A	CANOGA PARK EL	CANOGA PARK SH
8571	A	CANOGA PARK SH	CANOGA PARK SH
8572	A	CANOGA PK ENV/SCI MG	CANOGA PARK SH
2802	A	CAPISTRANO EL	CANOGA PARK SH
2881	A	CASTLEBAY LN EL	GRANADA HILLS HS
8506	A	CDS AGGELER	CHATSWORTH SH
3014	A	CHASE EL	MONROE SH
3027	A	CHATSWORTH EL	CHATSWORTH SH
8583	A	CHATSWORTH SH	CHATSWORTH SH
8102	A	COLUMBUS MS	CANOGA PARK SH
8101	A	COLUMBUS MS M/S/MED	CANOGA PARK SH
3335	A	DANUBE EL	KENNEDY SH
3340	A	DARBY EL	GRANADA HILLS HS
3377	A	DEARBORN EL	MONROE SH
8682	A	DOUGLAS HS	GRANADA HILLS HS
8770	A	EINSTEIN HS	MONROE SH
8617	A	EL CAMINO REAL SH	EL CAMINO REAL SH
3545	A	EL ORO EL	KENNEDY SH
8137	A	FROST MS	KENNEDY SH
8138	A	FROST MS COMP/M/S MG	KENNEDY SH
4117	A	GERMAIN EL	CHATSWORTH SH
4130	A	GLEDHILL EL	MONROE SH
4132	A	GLEDHILL MATH/SCI MG	MONROE SH
4233	A	GRANADA EL	GRANADA HILLS HS
8681	A	GRANADA HILLS HS	GRANADA HILLS HS
8678	A	GRANADA HLS/CSUN MAG	GRANADA HILLS HS
8169	A	HALE MS	EL CAMINO REAL SH
4349	A	HAMLIN EL	CANOGA PARK SH
4445	A	HART ST EL	CANOGA PARK SH
4452	A	HASKELL EL	KENNEDY SH
4453	A	HASKELL MATH/SCI MAG	KENNEDY SH
4473	A	HAYNES EL	EL CAMINO REAL SH
8174	A	HENRY MS	GRANADA HILLS HS
8175	A	HENRY MS COMP/M/S MG	GRANADA HILLS HS
8183	A	HOLMES INT HUMAN MAG	MONROE SH
8182	A	HOLMES MS	MONROE SH
4692	A	JUSTICE EL	CANOGA PARK SH
8724	A	KENNEDY HS ARCH/DIGT	KENNEDY SH
8725	A	KENNEDY SH	KENNEDY SH
4762	A	KNOLLWOOD EL	KENNEDY SH
4775	A	LANGDON EL	MONROE SH
4790	A	LASSEN EL	MONROE SH
8217	A	LAWRENCE MS	CHATSWORTH SH
8218	A	LAWRENCE MS G/HG/HA	CHATSWORTH SH
8620	A	LEONIS HS	EL CAMINO REAL SH
4870	A	LIGGETT EL	MONROE SH
4881	A	LIMERICK EL	CHATSWORTH SH
4887	A	LOCKHURST EL	EL CAMINO REAL SH
5198	A	MAYALL EL	MONROE SH

Location	Local District	School Name	Instructional Complex
8769	A	MONROE LAW/GOV MAG	MONROE SH
8767	A	MONROE POLICE ACD MG	MONROE SH
8768	A	MONROE SH	MONROE SH
3550	A	MULTICULT LRN CTR	CANOGA PARK SH
5459	A	NEVADA EL	CHATSWORTH SH
8273	A	NOBEL MATH/SCI MAG	GRANADA HILLS HS
8272	A	NOBEL MS	GRANADA HILLS HS
5603	A	NOBLE EL	MONROE SH
8573	A	OWENSMOUTH HS	CANOGA PARK SH
6027	A	PARTHENIA EL	MONROE SH
6123	A	PLUMMER EL	MONROE SH
6140	A	POMELO EL	EL CAMINO REAL SH
8360	A	PORTER G/HA MAG	KENNEDY SH
8354	A	PORTER MS	KENNEDY SH
4776	A	PRIMARY ACADEMY	MONROE SH
6192	A	RANCHITO EL	MONROE SH
6479	A	SAN JOSE EL	KENNEDY SH
6480	A	SAN JOSE HG MAG	KENNEDY SH
8364	A	SEPULVEDA G/HA MAG	MONROE SH
8363	A	SEPULVEDA MS	MONROE SH
8585	A	STONE POINT HS	CHATSWORTH SH
6986	A	SUNNY BRAE EL	CANOGA PARK SH
7007	A	SUPERIOR EL	CHATSWORTH SH
7201	A	TOPEKA DR EL	CHATSWORTH SH
7247	A	TULSA EL	KENNEDY SH
2018	A	VALLEY COMMUNITY CHT	MONROE SH
7422	A	VAN GOGH EL	KENNEDY SH
7562	A	VINTAGE MATH/SCI MAG	MONROE SH
7637	A	WELBY EL	EL CAMINO REAL SH
7638	A	WELBY WAY G/HA MAG	EL CAMINO REAL SH
7877	A	WOODLAKE EL	EL CAMINO REAL SH
2164	B	APPERSON EL	VERDUGO HILLS SH
2205	B	ARMINTA EL	POLYTECHNIC SH
2329	B	BEACHY EL	SAN FERNANDO SH
2486	B	BRAINARD EL	VERDUGO HILLS SH
3829	B	BROADOUS EL	SAN FERNANDO SH
3830	B	BROADOUS MTH/SCI MAG	SAN FERNANDO SH
2630	B	BURBANK EL	NO HOLLYWOOD SH
8081	B	BYRD MATH/SCI MAG	POLYTECHNIC SH
8080	B	BYRD MS	POLYTECHNIC SH
2726	B	CAMELLIA EL	NO HOLLYWOOD SH
2781	B	CANTERBURY EL	POLYTECHNIC SH
2782	B	CANTERBURY G/HA MAG	POLYTECHNIC SH
1944	B	CARLSON HOSP (K-12)	NO HOLLYWOOD SH
2822	B	CARPENTER EL	NO HOLLYWOOD SH
3164	B	COLFAX EL	NO HOLLYWOOD SH
8453	B	COMMUNITY CHARTER MS	SAN FERNANDO SH
8758	B	DISCOVERY CHRTR PREP	POLYTECHNIC SH
3493	B	DYER EL	SYLMAR SH
8788	B	EARHART HS	NO HOLLYWOOD SH
3541	B	EL DORADO EL	SYLMAR SH
8876	B	EVERGREEN HS	SYLMAR SH
3712	B	FAIR EL	NO HOLLYWOOD SH
3747	B	FENTON AVE SCHOOL	SAN FERNANDO SH
3753	B	FERNANGELES EL	POLYTECHNIC SH
4192	B	GLENWOOD EL	POLYTECHNIC SH
4295	B	GRIDLEY EL	SYLMAR SH
4329	B	HADDON EL	SAN FERNANDO SH

Location	Local District	School Name	Instructional Complex
4431	B	HARDING EL	SYLMAR SH
4515	B	HERRICK EL	SYLMAR SH
4603	B	HUBBARD EL	SYLMAR SH
8106	B	IMAGINE ACADEMY	KENNEDY SH
4781	B	LANKERSHIM EL	NO HOLLYWOOD SH
8638	B	LEWIS HS	POLYTECHNIC SH
1948	B	LOWMAN SP ED CTR	POLYTECHNIC SH
8228	B	MACLAY MS	SAN FERNANDO SH
5016	B	MACLAY PRIMARY CTR	SAN FERNANDO SH
8845	B	MISSION HS	SAN FERNANDO SH
1946	B	MONTAGUE SPECIAL ED	POLYTECHNIC SH
5370	B	MONTAGUE ST SCHOOL	POLYTECHNIC SH
5397	B	MORNINGSIDE EL	SAN FERNANDO SH
8240	B	MOUNT GLEASON MS	VERDUGO HILLS SH
5404	B	MOUNTAIN VIEW EL	VERDUGO HILLS SH
8916	B	MT LUKENS HS	VERDUGO HILLS SH
8787	B	NHHS/LA ZOO BIOL MAG	NO HOLLYWOOD SH
8785	B	NO HOLLYWOOD HG MAG	NO HOLLYWOOD SH
8786	B	NO HOLLYWOOD SH	NO HOLLYWOOD SH
5726	B	O MELVENY EL	SAN FERNANDO SH
8306	B	OLIVE VISTA MS	SYLMAR SH
5894	B	OSCEOLA EL	SAN FERNANDO SH
5918	B	OXNARD EL	NO HOLLYWOOD SH
8323	B	PACOIMA COMP/MTH MAG	SAN FERNANDO SH
5973	B	PACOIMA ELEMENTARY	SAN FERNANDO SH
8321	B	PACOIMA MS	SAN FERNANDO SH
8322	B	PACOIMA TV/TH/FA MAG	SAN FERNANDO SH
6068	B	PINEWOOD EL	VERDUGO HILLS SH
6096	B	PLAINVIEW EL	VERDUGO HILLS SH
8809	B	POLY MATH/SCI MAG	POLYTECHNIC SH
8636	B	POLYTECHNIC SH	POLYTECHNIC SH
8355	B	REED MS	NO HOLLYWOOD SH
6288	B	RIO VISTA EL	NO HOLLYWOOD SH
6356	B	ROSCOE EL	POLYTECHNIC SH
6452	B	SAN FERNANDO EL	SAN FERNANDO SH
8844	B	SAN FERNANDO M/SC MG	SAN FERNANDO SH
8358	B	SAN FERNANDO MS	SAN FERNANDO SH
8843	B	SAN FERNANDO SH	SAN FERNANDO SH
6565	B	SATICOY EL	POLYTECHNIC SH
6665	B	SHARP EL	SAN FERNANDO SH
6945	B	STONEHURST EL	POLYTECHNIC SH
6959	B	STRATHERN EL	POLYTECHNIC SH
8396	B	SUN VALLEY MS	NO HOLLYWOOD SH
6973	B	SUNLAND EL	VERDUGO HILLS SH
6975	B	SUNLAND ES GIFTED	VERDUGO HILLS SH
7014	B	SYLMAR EL	SYLMAR SH
8879	B	SYLMAR MATH/SCI MAG	SYLMAR SH
8878	B	SYLMAR SH	SYLMAR SH
7068	B	TELFAIR EL	SAN FERNANDO SH
7192	B	TOLUCA LAKE EL	NO HOLLYWOOD SH
7452	B	VAUGHN NEXT CENT LC	SAN FERNANDO SH
7466	B	VENA EL	POLYTECHNIC SH
7467	B	VENA G/HA MAG	POLYTECHNIC SH
8914	B	VERDUGO HILLS SH	VERDUGO HILLS SH
8913	B	VERDUGO HLS MEDIA MG	VERDUGO HILLS SH
7521	B	VICTORY EL	NO HOLLYWOOD SH
7548	B	VINEDALE EL	POLYTECHNIC SH
8591	C	ALISO HS	CLEVELAND SH

Location	Local District	School Name	Instructional Complex
2110	C	ANATOLA EL	RESEDA SH
2323	C	BASSETT EL	BIRMINGHAM SH
2438	C	BERTRAND EL	RESEDA SH
8558	C	BIRMINGHAM JOURN MAG	BIRMINGHAM SH
8557	C	BIRMINGHAM SH	BIRMINGHAM SH
2470	C	BLYTHE EL	CLEVELAND SH
2706	C	CALAHAN EL	CLEVELAND SH
2712	C	CALVERT EL	TAFT SH
2767	C	CANTARA EL	CLEVELAND SH
2959	C	CHANDLER EL	VAN NUYS SH
2020	C	CHIME CHARTER	CLEVELAND SH
8452	C	CHIME CHARTER MS	CLEVELAND SH
8593	C	CLEVELAND HUMAN MAG	CLEVELAND SH
8590	C	CLEVELAND SH	CLEVELAND SH
3137	C	COHASSET EL	BIRMINGHAM SH
3151	C	COLDWATER CYN EL	GRANT SH
7432	C	COLUMBUS AVE EL	VAN NUYS SH
3438	C	DIXIE CANYON EL	GRANT SH
3589	C	EMELITA EL	RESEDA SH
3616	C	ENCINO EL	BIRMINGHAM SH
3630	C	ERWIN EL	GRANT SH
4027	C	FULLBRIGHT EL	TAFT SH
8142	C	FULTON MS	VAN NUYS SH
4055	C	GARDEN GROVE EL	CLEVELAND SH
4110	C	GAULT EL	BIRMINGHAM SH
8684	C	GRANT COMM MAG	GRANT SH
8683	C	GRANT SH	GRANT SH
8816	C	GREY HS	RESEDA SH
4493	C	HAZELTINE EL	VAN NUYS SH
8559	C	INDEPENDENCE HS	BIRMINGHAM SH
4726	C	KESTER EL	VAN NUYS SH
4727	C	KESTER G/HA MAG	VAN NUYS SH
7439	C	KINDERGARTEN LRN ACD	VAN NUYS SH
4760	C	KITTRIDGE EL	GRANT SH
4764	C	LANAI EL	BIRMINGHAM SH
1908	C	LEICHMAN SP ED CTR	RESEDA SH
4849	C	LEMAY EL	BIRMINGHAM SH
1947	C	LOKRANTZ SP ED CTR	RESEDA SH
8685	C	LONDON HS	GRANT SH
4973	C	LORNE EL	CLEVELAND SH
4974	C	LORNE MATH/SCI MAG	CLEVELAND SH
1959	C	LULL SP ED CTR	BIRMINGHAM SH
8229	C	MADISON M/S/MED MAG	GRANT SH
8230	C	MADISON MS	GRANT SH
8454	C	MAGNOLIA SCI ACAD	RESEDA SH
5233	C	MELVIN EL	CLEVELAND SH
1910	C	MILLER HS	CLEVELAND SH
8238	C	MILLIKAN MS	GRANT SH
8239	C	MILLIKAN PER ARTS MG	GRANT SH
5342	C	MONLUX EL	GRANT SH
5343	C	MONLUX MATH/SCI MAG	GRANT SH
8259	C	MULHOLLAND MS	BIRMINGHAM SH
5446	C	NAPA EL	CLEVELAND SH
5452	C	NESTLE EL	RESEDA SH
5479	C	NEWCASTLE EL	RESEDA SH
8283	C	NORTHRIDGE MS	CLEVELAND SH
8344	C	PARKMAN MS	TAFT SH
8108	C	PORTOLA HG MAG	RESEDA SH

Location	Local District	School Name	Instructional Complex
8107	C	PORTOLA MS	RESEDA SH
6233	C	RESEDA EL	RESEDA SH
8815	C	RESEDA ENV/PHY SC MG	RESEDA SH
8813	C	RESEDA POLICE ACD MG	RESEDA SH
8814	C	RESEDA SH	RESEDA SH
6315	C	RIVERSIDE EL	GRANT SH
8895	C	ROGERS HS	VAN NUYS SH
6606	C	SERRANIA EL	TAFT SH
6699	C	SHERMAN OAKS EL	VAN NUYS SH
6712	C	SHIRLEY EL	RESEDA SH
8842	C	SOCES MAG	RESEDA SH
6890	C	STAGG EL	BIRMINGHAM SH
8406	C	SUTTER MS	CLEVELAND SH
7027	C	SYLVAN PARK EL	VAN NUYS SH
8880	C	TAFT SH	TAFT SH
7041	C	TARZANA EL	RESEDA SH
8883	C	THOREAU HS	TAFT SH
7384	C	VALERIO EL	VAN NUYS SH
7440	C	VALERIO NEW PC	VAN NUYS SH
7390	C	VALLEY ALTERN MAG	BIRMINGHAM SH
7438	C	VAN NUYS EL	VAN NUYS SH
8435	C	VAN NUYS M/SC MS MAG	VAN NUYS SH
8892	C	VAN NUYS M/SC SH MAG	VAN NUYS SH
8891	C	VAN NUYS MEDICAL MAG	VAN NUYS SH
8434	C	VAN NUYS MS	VAN NUYS SH
8894	C	VAN NUYS PER ARTS MG	VAN NUYS SH
8893	C	VAN NUYS SH	VAN NUYS SH
7411	C	VANALDEN EL	RESEDA SH
1958	C	WEST VALLEY SP ED	BIRMINGHAM SH
7774	C	WILBUR EL	TAFT SH
7836	C	WINNETKA EL	CLEVELAND SH
7890	C	WOODLAND HILLS EL	TAFT SH
5507	D	98TH ST EL	WESTCHESTER SH
8038	D	BANCROFT MS	FAIRFAX SH
8039	D	BANCROFT PER ART MAG	FAIRFAX SH
2342	D	BEETHOVEN EL	VENICE SH
2479	D	BRADDOCK DRIVE EL	VENICE SH
2480	D	BRADDOCK ES G/HG/HA	VENICE SH
2507	D	BRENTWOOD SCI MAG	UNIVERSITY SH
2534	D	BROADWAY EL	VENICE SH
2548	D	BROCKTON EL	UNIVERSITY SH
2740	D	CANFIELD EL	HAMILTON SH-COMPLEX
2795	D	CANYON EL	PALISADES CHRTR SH
2849	D	CARTHAY CENTER EL	FAIRFAX SH
2877	D	CASTLE HTS EL	HAMILTON SH-COMPLEX
8730	D	CDS WEST HOLLYWOOD	FAIRFAX SH
3002	D	CHARNOCK ROAD EL	HAMILTON SH-COMPLEX
8688	D	CHEVIOT HILLS HS	HAMILTON SH-COMPLEX
3123	D	CLOVER EL	HAMILTON SH-COMPLEX
6342	D	COEUR D ALENE EL	VENICE SH
2741	D	COMMUNITY MAGNET	HAMILTON SH-COMPLEX
5961	D	CORNERSTONE PREP	VENICE SH
3260	D	COWAN EL	WESTCHESTER SH
3288	D	CRESCENT HTS EL	HAMILTON SH-COMPLEX
8945	D	DEL REY HS	WESTCHESTER SH
8123	D	EMERSON MS	UNIVERSITY SH
3726	D	FAIRBURN EL	UNIVERSITY SH
8621	D	FAIRFAX SH	FAIRFAX SH

Location	Local District	School Name	Instructional Complex
8622	D	FAIRFAX VIS ARTS MAG	FAIRFAX SH
4247	D	GRAND VIEW EL	VENICE SH
8687	D	HAMILTON HUMAN MAG	HAMILTON SH-COMPLEX
8594	D	HAMILTON MUS ACAD MG	HAMILTON SH-COMPLEX
8686	D	HAMILTON SH-COMPLEX	HAMILTON SH-COMPLEX
4397	D	HANCOCK PARK EL	FAIRFAX SH
8888	D	INDIAN SPRINGS HS	UNIVERSITY SH
4699	D	KENTER CANYON EL	PALISADES CHRTR SH
4712	D	KENTWOOD EL	WESTCHESTER SH
8741	D	LACES MAG	HAMILTON SH-COMPLEX
4808	D	LAUREL EL	FAIRFAX SH
5015	D	LOYOLA PER ARTS MAG	WESTCHESTER SH
5014	D	LOYOLA VILLAGE EL	WESTCHESTER SH
5192	D	MAR VISTA EL	VENICE SH
8235	D	MARINA DEL REY MS	VENICE SH
8234	D	MARINA DEL REY PA MG	VENICE SH
8425	D	MARK TWAIN MS	VENICE SH
5164	D	MARQUEZ EL	PALISADES CHRTR SH
5179	D	MARVIN DUAL LANG MAG	HAMILTON SH-COMPLEX
5178	D	MARVIN EL	HAMILTON SH-COMPLEX
1952	D	MCBRIDE SP ED CTR	VENICE SH
5219	D	MELROSE EL	FAIRFAX SH
5889	D	OPEN CHARTER MAGNET	WESTCHESTER SH
5904	D	OVERLAND EL	HAMILTON SH-COMPLEX
5959	D	PACIFIC PALISADES EL	PALISADES CHRTR SH
5960	D	PACIFICA COMM CHTR	HAMILTON SH-COMPLEX
8798	D	PALISADES CHRTR SH	PALISADES CHRTR SH
8799	D	PALISADES MTH/SCI MG	PALISADES CHRTR SH
5986	D	PALMS EL	HAMILTON SH-COMPLEX
8341	D	PALMS G/HA MAG	HAMILTON SH-COMPLEX
8340	D	PALMS MS	HAMILTON SH-COMPLEX
6052	D	PASEO DEL REY NAT SC	WESTCHESTER SH
8909	D	PHOENIX HS	VENICE SH
6110	D	PLAYA DEL REY EL	VENICE SH
8357	D	REVERE MATH/SCI MAG	PALISADES CHRTR SH
8356	D	REVERE MS	PALISADES CHRTR SH
6260	D	RICHLAND EL	UNIVERSITY SH
6363	D	ROSCOMARE EL	UNIVERSITY SH
6384	D	ROSEWOOD EL	FAIRFAX SH
2644	D	SATURN EL	HAMILTON SH-COMPLEX
6671	D	SHENANDOAH EL	HAMILTON SH-COMPLEX
6740	D	SHORT EL	VENICE SH
6932	D	STERRY EL	UNIVERSITY SH
6952	D	STONER EL	VENICE SH
8802	D	TEMESCAL CANYON HS	PALISADES CHRTR SH
7198	D	TOPANGA EL	PALISADES CHRTR SH
8886	D	UNIVERSITY SH	UNIVERSITY SH
7425	D	VAN NESS EL	FAIRFAX SH
8911	D	VENICE FOR LANG MAG	VENICE SH
8907	D	VENICE SH	VENICE SH
7534	D	VINE EL	FAIRFAX SH
7603	D	WALGROVE EL	VENICE SH
7616	D	WARNER EL	UNIVERSITY SH
8481	D	WEBSTER MS	VENICE SH
7649	D	WEST HOLLYWOOD EL	FAIRFAX SH
8943	D	WESTCHESTER SH	WESTCHESTER SH
7699	D	WESTMINSTER EL	VENICE SH
7697	D	WESTMNSTR COMP SC MG	VENICE SH

Location	Local District	School Name	Instructional Complex
7712	D	WESTPORT HTS EL	WESTCHESTER SH
3311	D	WESTSIDE LDRSHIP MAG	VENICE SH
7740	D	WESTWOOD EL	UNIVERSITY SH
8623	D	WHITMAN HS	FAIRFAX SH
7822	D	WINDSOR M/S AERO MAG	WESTCHESTER SH
7849	D	WONDERLAND EL	FAIRFAX SH
7850	D	WONDERLAND G/HA MAG	FAIRFAX SH
8494	D	WRIGHT M/S AERO MAG	WESTCHESTER SH
8493	D	WRIGHT MS	WESTCHESTER SH
8944	D	WSTCHSTR M/S AER MAG	WESTCHESTER SH
7301	E	24TH ST EL	LOS ANGELES SH
7110	E	3RD ST EL	LOS ANGELES SH
2027	E	ALDAMA EL	FRANKLIN SH
2068	E	ALLESANDRO EL	MARSHALL SH
2069	E	ALLESNDRO COOP LR MG	MARSHALL SH
2082	E	ALTA LOMA EL	LOS ANGELES SH
2151	E	ANNANDALE EL	FRANKLIN SH
2178	E	ARAGON EL	FRANKLIN SH
2192	E	ARLINGTON HTS EL	LOS ANGELES SH
4322	E	ARROYO SECO MUSM SCI	FRANKLIN SH
2233	E	ATWATER EL	MARSHALL SH
1943	E	BLEND EL	HOLLYWOOD SH
2603	E	BUCHANAN EL	FRANKLIN SH
2604	E	BUCHANAN MTH/SCI MAG	FRANKLIN SH
8066	E	BURBANK MS	FRANKLIN SH
8076	E	BURROUGHS G/HA MAG	LOS ANGELES SH
8075	E	BURROUGHS MS	LOS ANGELES SH
2671	E	BUSHNELL WAY EL	FRANKLIN SH
8692	E	CA ACAD FOR LS #2	EAGLE ROCK HS
8154	E	CA ACADEMY FOR LS	EAGLE ROCK HS
3041	E	CHEREMOYA EL	HOLLYWOOD SH
3110	E	CLIFFORD EL	MARSHALL SH
8001	E	COMMUNITY HARVEST CH	DORSEY SH
3329	E	DAHLIA HTS EL	EAGLE ROCK HS
3356	E	DAYTON HEIGHTS EL	MARSHALL SH
3397	E	DELEVAN DRIVE EL	EAGLE ROCK HS
3479	E	DORRIS PLACE EL	MARSHALL SH
4165	E	EAGLE RCK G/HA EL MG	EAGLE ROCK HS
8615	E	EAGLE RCK G/HG/HA MG	EAGLE ROCK HS
3507	E	EAGLE ROCK EL	EAGLE ROCK HS
3508	E	EAGLE ROCK HG EL MAG	EAGLE ROCK HS
8614	E	EAGLE ROCK HS	EAGLE ROCK HS
3877	E	FLETCHER DR EL	FRANKLIN SH
3986	E	FRANKLIN EL	MARSHALL SH
8644	E	FRANKLIN MATH/SCI MG	FRANKLIN SH
8643	E	FRANKLIN SH	FRANKLIN SH
4068	E	GARDNER EL	HOLLYWOOD SH
4082	E	GARVANZA EL	FRANKLIN SH
4123	E	GLASSELL PARK EL	FRANKLIN SH
4164	E	GLENFELIZ BLVD EL	MARSHALL SH
4260	E	GRANT EL	HOLLYWOOD SH
8645	E	HIGHLAND PARK HS	FRANKLIN SH
4548	E	HOBART BLVD EL	LOS ANGELES SH
8694	E	HOLLYWOOD PER ART MG	HOLLYWOOD SH
8693	E	HOLLYWOOD SH	HOLLYWOOD SH
8189	E	IRVING MS	MARSHALL SH
4671	E	IVANHOE EL	MARSHALL SH
8208	E	KING MS	MARSHALL SH

Location	Local District	School Name	Instructional Complex
8209	E	KING MS G/HG/HI ACH	MARSHALL SH
8739	E	LA MATH/SCI MAG	LOS ANGELES SH
8225	E	LE CONTE INT HUM MAG	HOLLYWOOD SH
8226	E	LE CONTE MS	HOLLYWOOD SH
4890	E	LOCKWOOD EL	MARSHALL SH
4982	E	LOS ANGELES EL	LOS ANGELES SH
8736	E	LOS ANGELES SH	LOS ANGELES SH
4986	E	LOS FELIZ EL	MARSHALL SH
8751	E	MARSHALL HS G/HG/HA	MARSHALL SH
8750	E	MARSHALL SH	MARSHALL SH
5205	E	MAYBERRY EL	MARSHALL SH
5288	E	MICHELTORENA EL	MARSHALL SH
5384	E	MONTE VISTA EL	FRANKLIN SH
8245	E	MOUNT VERNON MS	LOS ANGELES SH
5411	E	MT WASHINGTON EL	FRANKLIN SH
4980	E	PIO PICO EL	LOS ANGELES SH
6164	E	QUEEN ANNE EL	LOS ANGELES SH
6178	E	RAMONA EL	HOLLYWOOD SH
8456	E	RENAISSANCE ARTS ACD	EAGLE ROCK HS
5385	E	RIORDAN PC	FRANKLIN SH
6329	E	ROCKDALE EL	EAGLE ROCK HS
6493	E	SAN PASCUAL EL	FRANKLIN SH
6548	E	SANTA MONICA COMM CH	HOLLYWOOD SH
6589	E	SELMA EL	HOLLYWOOD SH
7178	E	TOLAND WAY EL	EAGLE ROCK HS
7397	E	VALLEY VIEW EL	HOLLYWOOD SH
1914	E	WIDNEY HS	LOS ANGELES SH
7795	E	WILSHIRE CREST EL	LOS ANGELES SH
7808	E	WILTON PL EL	LOS ANGELES SH
7959	E	YORKDALE EL	FRANKLIN SH
7082	F	10TH ST EL	BELMONT SH
5505	F	9TH ST EL	BELMONT SH
2202	F	ACAD SEMILLAS PUEBLO	BELMONT SH
2014	F	ALBION EL	LINCOLN SH
2041	F	ALEXANDRIA EL	BELMONT SH
2137	F	ANN EL	LINCOLN SH
2379	F	BELLEVUE PRIMARY	BELMONT SH
8599	F	BELMONT NEWCOMER CTR	BELMONT SH
8543	F	BELMONT SH	BELMONT SH
8057	F	BERENDO MS	BELMONT SH
8754	F	BRAVO MEDICAL MAG	LINCOLN SH
2699	F	CAHUENGA EL	BELMONT SH
8000	F	CAMINO NUEVO CHT MS	BELMONT SH
2017	F	CAMINO NUEVO CHTR AC	BELMONT SH
2863	F	CASTELAR EL	BELMONT SH
8991	F	CDS TRI-C	BELMONT SH
8719	F	CENTRAL CITY VALUE	MANUAL ARTS SH
8580	F	CENTRAL HS	BELMONT SH
8801	F	CITY OF ANGELS	
3096	F	CITY TERRACE EL	WILSON SH
3192	F	COMMONWEALTH EL	BELMONT SH
1987	F	CTR ADV TRANS SKLS	
8746	F	DBM/ELCTRON INFO MAG	BELMONT SH
4765	F	DOWNTOWN VALUE SCH	BELMONT SH
8738	F	DOWNTWN BUSINESS MAG	BELMONT SH
8581	F	EAGLES ACAD-HOLLYWD	BELMONT SH
3562	F	EL SERENO EL	WILSON SH
8120	F	EL SERENO G/HA MAG	WILSON SH

Location	Local District	School Name	Instructional Complex
8119	F	EL SERENO MATH/SC MG	WILSON SH
8118	F	EL SERENO MS	WILSON SH
2680	F	ELEMENTARY CDS	BELMONT SH
3575	F	ELYSIAN HEIGHTS EL	BELMONT SH
2383	F	ESPERANZA EL	BELMONT SH
3740	F	FARMDALE EL	WILSON SH
8625	F	FASHION CAREERS MAG	BELMONT SH
4096	F	GATES EL	LINCOLN SH
4137	F	GLEN ALTA EL	LINCOLN SH
2385	F	GRATTS EL	BELMONT SH
4301	F	GRIFFIN EL	LINCOLN SH
4438	F	HARRISON EL	WILSON SH
4534	F	HILLSIDE EL	LINCOLN SH
4589	F	HOOVER EL	BELMONT SH
4630	F	HUNTINGTON DR EL	LINCOLN SH
8560	F	INDEPENDNT STUDY CTR	
4696	F	KENNEDY EL	WILSON SH
8457	F	KIPP LA COLLEGE PREP	LINCOLN SH
8756	F	LA LDRSHP ACA CHRTR	BELMONT SH
2543	F	LAFAYETTE PARK PC	BELMONT SH
4795	F	LATONA EL	LINCOLN SH
8732	F	LINCOLN HS MTH/SC MG	LINCOLN SH
8729	F	LINCOLN SH	LINCOLN SH
4904	F	LOGAN EL	BELMONT SH
4959	F	LORETO EL	LINCOLN SH
2544	F	MACARTHUR PARK PC	BELMONT SH
5055	F	MAGNOLIA EL	BELMONT SH
1918	F	MC ALISTER HS-CYESIS	BELMONT SH
5425	F	MULTNOMAH EL	WILSON SH
5427	F	MULTNOMAH ENV SC MAG	WILSON SH
5426	F	MULTNOMAH HG MAG	WILSON SH
5438	F	MURCHISON EL	LINCOLN SH
2023	F	NEW ACADEMY-SCI&ARTS	BELMONT SH
8545	F	NEWMARK HS	BELMONT SH
8264	F	NIGHTINGALE MS	LINCOLN SH
2615	F	PARA LOS NINOS CHT	BELMONT SH
3247	F	PLASENCIA EL	BELMONT SH
6080	F	PLASENCIA MTH/SC MAG	BELMONT SH
2384	F	POLITI EL	BELMONT SH
8731	F	PUEBLO DE L.A. HS	LINCOLN SH
6370	F	ROSEMONT EL	BELMONT SH
8497	F	SECONDARY CDS	BELMONT SH
6753	F	SIERRA PARK EL	WILSON SH
6767	F	SIERRA VISTA EL	WILSON SH
6836	F	SOLANO EL	LINCOLN SH
8524	F	SR HIGH OPTNTY UNITS	
7356	F	UNION EL	BELMONT SH
8462	F	VIRGIL MS	BELMONT SH
7766	F	WHITE HSE PL PRIMARY	BELMONT SH
8619	F	WILSON ADM/LAW MAG	WILSON SH
8613	F	WILSON POLICE ACD MG	WILSON SH
8618	F	WILSON SH	WILSON SH
7137	G	32ND/USC PER ART MAG	MANUAL ARTS SH
3959	G	42ND ST EL	CRENSHAW SH
3808	G	52ND ST EL	MANUAL ARTS SH
3781	G	54TH ST EL	CRENSHAW SH
3795	G	59TH ST EL	CRENSHAW SH
6781	G	6TH AVE EL	DORSEY SH

Location	Local District	School Name	Instructional Complex
6644	G	74TH ST EL	CRENSHAW SH
6645	G	74TH ST G/HG/HA MAG	CRENSHAW SH
5521	G	95TH ST EL	WASHINGTON PREP SH
2123	G	ANGELES MESA EL	CRENSHAW SH
8029	G	AUDUBON G/HA MAG	DORSEY SH
8028	G	AUDUBON MS	DORSEY SH
2274	G	BALDWIN HILLS EL	DORSEY SH
2275	G	BALDWIN HLS G/HA MAG	DORSEY SH
7123	G	BRADLEY ENV/HUMAN MG	CRENSHAW SH
7164	G	BRIGHT EL	DORSEY SH
2616	G	BUDLONG EL	MANUAL ARTS SH
8515	G	CDS OWENS	DORSEY SH
2945	G	CENTURY PK EL	WASHINGTON PREP SH
3068	G	CIENEGA EL	DORSEY SH
3082	G	CIMARRON EL	WASHINGTON PREP SH
8099	G	CLAY MS	WASHINGTON PREP SH
3178	G	COLISEUM EL	DORSEY SH
8654	G	CRENSHAW ARTS-TECH	CRENSHAW SH
8584	G	CRENSHAW G/HG/HA MAG	CRENSHAW SH
8596	G	CRENSHAW SH	CRENSHAW SH
8595	G	CRENSHAW TCH TRN MAG	CRENSHAW SH
7028	G	CULTURE & LANG ACAD	CRENSHAW SH
8603	G	DORSEY LAW/GOV MAG	DORSEY SH
8601	G	DORSEY MATH/SCI MAG	DORSEY SH
8604	G	DORSEY POLICE ACD MG	DORSEY SH
8600	G	DORSEY SH	DORSEY SH
8930	G	ELLINGTON HS	WASHINGTON PREP SH
8132	G	FOSHAY LC	MANUAL ARTS SH
8170	G	HARTE PREP MS	WASHINGTON PREP SH
4529	G	HILLCREST CES/MUS MG	DORSEY SH
4528	G	HILLCREST DR EL	DORSEY SH
4658	G	HYDE PARK EL	CRENSHAW SH
6534	G	KING JR EL	MANUAL ARTS SH
8458	G	KIPP ACADEMY OF OPP	CRENSHAW SH
4786	G	LA SALLE EL	WASHINGTON PREP SH
1919	G	LANTERMAN HS	MANUAL ARTS SH
8745	G	LAUSD/USC MTH/SC MAG	MANUAL ARTS SH
5110	G	MANHATTAN EL	WASHINGTON PREP SH
8236	G	MANN MS	CRENSHAW SH
8744	G	MANUAL ARTS COL PREP	MANUAL ARTS SH
8743	G	MANUAL ARTS SH	MANUAL ARTS SH
1949	G	MARLTON	DORSEY SH
5247	G	MENLO EL	MANUAL ARTS SH
3500	G	MID-CITY MAGNET	DORSEY SH
8760	G	MIDDLE COLLEGE HS	WASHINGTON PREP SH
8256	G	MUIR MATH/SCI MAG	MANUAL ARTS SH
8255	G	MUIR MS	MANUAL ARTS SH
5630	G	NORMANDIE EL	MANUAL ARTS SH
5699	G	NORWOOD EL	MANUAL ARTS SH
2617	G	PARKS/HUERTA PRIMARY	MANUAL ARTS SH
6219	G	RAYMOND AVE EL	WASHINGTON PREP SH
1955	G	SALVIN SP ED CTR	MANUAL ARTS SH
2588	G	STELLA ACADEMY CHTR	DORSEY SH
7479	G	VERMONT EL	MANUAL ARTS SH
8602	G	VIEW PARK CONTN HS	DORSEY SH
2016	G	VIEW PARK PREP CHTR	CRENSHAW SH
8653	G	VIEW PK PREP ACC HS	CRENSHAW SH
8460	G	VIEW PK PREP CHT MS	CRENSHAW SH

Location	Local District	School Name	Instructional Complex
7575	G	VIRGINIA EL	DORSEY SH
8929	G	WASHINGTON COM MAG	WASHINGTON PREP SH
8927	G	WASHINGTON M/SC MAG	WASHINGTON PREP SH
8926	G	WASHINGTON MUSIC MAG	WASHINGTON PREP SH
8928	G	WASHINGTON PREP SH	WASHINGTON PREP SH
7151	G	WEEMES EL	MANUAL ARTS SH
7644	G	WEST ATHENS EL	WASHINGTON PREP SH
7671	G	WESTERN EL	CRENSHAW SH
7863	G	WOODCREST EL	WASHINGTON PREP SH
8598	G	YOUNG HS	CRENSHAW SH
3836	H	1ST EL	ROOSEVELT SH
7274	H	20TH ST EL	JEFFERSON SH
7288	H	28TH ST EL	JEFFERSON SH
6575	H	2ND ST EL	ROOSEVELT SH
3932	H	49TH ST EL	JEFFERSON SH
3973	H	4TH ST EL	GARFIELD SH
2015	H	ACCELERATED CHARTER	JEFFERSON SH
8828	H	ACCELERATED HS	JEFFERSON SH
8008	H	ADAMS G/HA MAG	JEFFERSON SH
8009	H	ADAMS MS	JEFFERSON SH
3105	H	ARCO IRIS PRIMRY CTR	JEFFERSON SH
2219	H	ASCOT EL	JEFFERSON SH
2397	H	BELVEDERE EL	GARFIELD SH
8049	H	BELVEDERE LAT MUS MG	GARFIELD SH
8048	H	BELVEDERE MEDIA MAG	GARFIELD SH
8047	H	BELVEDERE MS	GARFIELD SH
8831	H	BOYLE HEIGHTS HS	ROOSEVELT SH
2493	H	BREED EL	ROOSEVELT SH
2521	H	BRIDGE EL	ROOSEVELT SH
2562	H	BROOKLYN AVE EL	GARFIELD SH
8094	H	CARVER MS	JEFFERSON SH
8670	H	CDS JOHNSON	JEFFERSON SH
8827	H	DE LA HOYA ANIMO SH	ROOSEVELT SH
3315	H	DENA EL	ROOSEVELT SH
3521	H	EASTMAN EL	GARFIELD SH
3671	H	EUCLID EL	ROOSEVELT SH
3672	H	EUCLID G/HA BIL MAG	ROOSEVELT SH
3699	H	EVERGREEN EL	ROOSEVELT SH
3918	H	FORD BLVD EL	GARFIELD SH
8680	H	GARFIELD COMP SCI MG	GARFIELD SH
8679	H	GARFIELD SH	GARFIELD SH
8167	H	GRIFFITH MATH/SCI MG	GARFIELD SH
8168	H	GRIFFITH MS	GARFIELD SH
6274	H	HAMASAKI EL	GARFIELD SH
4356	H	HAMMEL EL	GARFIELD SH
8179	H	HOLLENBECK MS	ROOSEVELT SH
8180	H	HOLLENBECK MS MTH MG	ROOSEVELT SH
4575	H	HOOPER EL	JEFFERSON SH
4616	H	HUMPHREYS EL	GARFIELD SH
4617	H	HUMPHREYS MTH/SC MAG	GARFIELD SH
8714	H	JEFFERSON SH	JEFFERSON SH
4767	H	LANE EL	GARFIELD SH
4945	H	LORENA EL	ROOSEVELT SH
8200	H	LOS ANGELES ACAD MS	JEFFERSON SH
5068	H	MAIN ST EL	JEFFERSON SH
5082	H	MALABAR EL	ROOSEVELT SH
5137	H	MARIANNA EL	GARFIELD SH
8757	H	METROPOLITAN HS	ROOSEVELT SH

Location	Local District	School Name	Instructional Complex
8677	H	MONTEREY HS	GARFIELD SH
5466	H	NEVIN EL	JEFFERSON SH
1953	H	PEREZ SP ED CTR	GARFIELD SH
2621	H	PUENTE CHARTER	ROOSEVELT SH
8807	H	RAMONA HS	ROOSEVELT SH
8833	H	ROOSEVELT MTH/SC MAG	ROOSEVELT SH
8829	H	ROOSEVELT SH	ROOSEVELT SH
6425	H	ROWAN EL	GARFIELD SH
6507	H	SAN PEDRO EL	JEFFERSON SH
6685	H	SHERIDAN ST EL	ROOSEVELT SH
6849	H	SOTO EL	ROOSEVELT SH
8388	H	STEVENSON G/HA MAG	GARFIELD SH
8387	H	STEVENSON MS	GARFIELD SH
6988	H	SUNRISE EL	ROOSEVELT SH
7219	H	TRINITY EL	JEFFERSON SH
7370	H	UTAH EL	ROOSEVELT SH
7589	H	WADSWORTH EL	JEFFERSON SH
7654	H	WEST VERNON EL	JEFFERSON SH
5857	I	107TH ST EL	LOCKE SH
5858	I	107TH ST MATH/SCI MG	LOCKE SH
5836	I	109TH ST EL	LOCKE SH
5884	I	112TH ST EL	JORDAN SH
5863	I	116TH ST EL	LOCKE SH
5740	I	118TH ST EL	LOCKE SH
5887	I	122ND ST EL	LOCKE SH
6808	I	61ST ST EL	FREMONT SH
6822	I	66TH ST EL	FREMONT SH
6795	I	68TH ST EL	FREMONT SH
6630	I	75TH ST EL	FREMONT SH
5548	I	92ND ST EL	JORDAN SH
5582	I	93RD ST EL	FREMONT SH
5575	I	96TH ST EL	JORDAN SH
5534	I	99TH ST EL	LOCKE SH
5562	I	BARRETT EL	LOCKE SH
8060	I	BETHUNE MS	FREMONT SH
8061	I	BETHUNE MS MATH/SCI	FREMONT SH
3205	I	COMPTON EL	JORDAN SH
8109	I	DREW G/HA MAG	FREMONT SH
8112	I	DREW MS	FREMONT SH
8113	I	EDISON MS	FREMONT SH
3822	I	FIGUEROA EL	LOCKE SH
5781	I	FLOURNOY EL	JORDAN SH
5783	I	FLOURNOY MATH/SC MAG	JORDAN SH
8651	I	FREMONT MATH/SCI MAG	FREMONT SH
8650	I	FREMONT SH	FREMONT SH
8160	I	GOMPERS MS	LOCKE SH
4219	I	GRAHAM EL	JORDAN SH
4274	I	GRAPE EL	JORDAN SH
5849	I	GRIFFITH JOYNER EL	JORDAN SH
8652	I	HOPE HS	FREMONT SH
8722	I	JORDAN MATH/SCI MAG	JORDAN SH
8721	I	JORDAN SH	JORDAN SH
8727	I	KING-DREW MED MAG	JORDAN SH
8733	I	LOCKE SH	LOCKE SH
5096	I	MANCHESTER EL	FREMONT SH
8232	I	MARKHAM HLTH CAR MAG	JORDAN SH
8237	I	MARKHAM MS	JORDAN SH
6658	I	MC KINLEY EL	FREMONT SH

Location	Local District	School Name	Instructional Complex
5321	I	MILLER EL	FREMONT SH
5329	I	MIRAMONTE EL	FREMONT SH
6021	I	PARMELEE EL	FREMONT SH
1917	I	RILEY HS-CYESIS	JORDAN SH
6301	I	RITTER EL	JORDAN SH
8723	I	RODIA HS	JORDAN SH
6438	I	RUSSELL EL	FREMONT SH
6439	I	RUSSELL G/HA MAG	FREMONT SH
6863	I	SOUTH PARK EL	FREMONT SH
8735	I	TRUTH HS	LOCKE SH
7620	I	WATTS LC CHARTER SCH	LOCKE SH
7634	I	WEIGAND EL	JORDAN SH
8948	I	YTH OPP UNLTD ALT HS	FREMONT SH
2372	J	BELL #3 NEW PC	BELL SH
8536	J	BELL SH	BELL SH
2589	J	BRYSON EL	SOUTH GATE SH
2590	J	BRYSON EL M/S/T	SOUTH GATE SH
3219	J	CORONA EL	BELL SH
3548	J	ELIZABETH LC	BELL SH
3849	J	FISHBURN EL	BELL SH
3890	J	FLORENCE EL	HUNTINGTON PARK SH
8151	J	GAGE MS	HUNTINGTON PARK SH
8150	J	GAGE MS M/S/T MAG	HUNTINGTON PARK SH
4507	J	HELIOTROPE EL	BELL SH
4562	J	HOLMES EL	HUNTINGTON PARK SH
2375	J	HUGHES EL	BELL SH
2374	J	HUGHES MATH/SCI MAG	BELL SH
8700	J	HUNTINGTON PARK SH	HUNTINGTON PARK SH
6880	J	INDEPENDENCE EL	SOUTH GATE SH
6881	J	INDEPENDENCE EL MST	SOUTH GATE SH
4863	J	LIBERTY EL	SOUTH GATE SH
4877	J	LILLIAN EL	HUNTINGTON PARK SH
4918	J	LOMA VISTA EL	BELL SH
5301	J	MIDDLETON EL	HUNTINGTON PARK SH
5315	J	MILES EL	HUNTINGTON PARK SH
5316	J	MILES MTH/SCI BIL MG	HUNTINGTON PARK SH
6878	J	MONTARA AVE EL	SOUTH GATE SH
6882	J	MONTARA EL M/S/T	SOUTH GATE SH
8268	J	NIMITZ MS	BELL SH
2378	J	NUEVA VISTA EL	BELL SH
5702	J	NUEVA VISTA P/V MAG	BELL SH
8873	J	ODYSSEY HS	SOUTH GATE SH
1954	J	PACIFIC BL SP ED CTR	HUNTINGTON PARK SH
6005	J	PARK AVE EL	BELL SH
4641	J	SAN ANTONIO ELEM	HUNTINGTON PARK SH
8702	J	SAN ANTONIO HS	HUNTINGTON PARK SH
4644	J	SAN ANTONIO M/SC MAG	HUNTINGTON PARK SH
6466	J	SAN GABRIEL EL	SOUTH GATE SH
6875	J	SAN MIGUEL EL	SOUTH GATE SH
6876	J	SAN MIGUEL MTH/SC MG	SOUTH GATE SH
8377	J	SOUTH GATE MS	SOUTH GATE SH
8871	J	SOUTH GATE SH	SOUTH GATE SH
6904	J	STANFORD EL	SOUTH GATE SH
6918	J	STATE EL	HUNTINGTON PARK SH
7260	J	TWEEDY EL	SOUTH GATE SH
7493	J	VERNON CITY EL	HUNTINGTON PARK SH
7507	J	VICTORIA EL	SOUTH GATE SH
4640	J	WALNUT PARK EL	HUNTINGTON PARK SH

Location	Local District	School Name	Instructional Complex
7904	J	WOODLAWN EL	BELL SH
5877	K	135TH ST EL	GARDENA SH
5822	K	153RD ST EL	GARDENA SH
5808	K	156TH ST EL	GARDENA SH
3767	K	15TH ST EL	SAN PEDRO SH
5753	K	186TH ST EL	GARDENA SH
7329	K	232ND PL EL	CARSON SH
6616	K	7TH ST EL	SAN PEDRO SH
2089	K	AMBLER EL	GARDENA SH
2091	K	AMBLER G/HA MAG	GARDENA SH
2096	K	AMESTOY EL	GARDENA SH
2097	K	AMESTOY TRILNGUAL MG	GARDENA SH
8852	K	ANGEL'S GATE HS	SAN PEDRO SH
2146	K	ANNALEE EL	BANNING SH
2247	K	AVALON GARDENS EL	GARDENA SH
8531	K	AVALON HS	BANNING SH
2288	K	BANDINI EL	SAN PEDRO SH
1941	K	BANNEKER SP ED CTR	GARDENA SH
8530	K	BANNING CIP MAG	BANNING SH
8529	K	BANNING SH	BANNING SH
2315	K	BARTON HILL EL	SAN PEDRO SH
2473	K	BONITA EL	CARSON SH
2527	K	BROAD AVE EL	BANNING SH
2530	K	BROADACRES EL	BANNING SH
2685	K	CABRILLO EL	SAN PEDRO SH
8090	K	CARNEGIE MS	CARSON SH
2815	K	CAROLDALE LRNG COMM	CARSON SH
2836	K	CARSON EL	CARSON SH
8575	K	CARSON SH	CARSON SH
2890	K	CATSKILL EL	CARSON SH
8589	K	CDS COOPER	SAN PEDRO SH
2986	K	CHAPMAN EL	GARDENA SH
3302	K	CRESTWOOD ST EL	SAN PEDRO SH
8105	K	CURTISS MATH/SCI MAG	BANNING SH
8103	K	CURTISS MS	BANNING SH
8104	K	DANA MS	SAN PEDRO SH
3384	K	DEL AMO EL	BANNING SH
3425	K	DENKER EL	GARDENA SH
8111	K	DODSON G/HA MAG	SAN PEDRO SH
8110	K	DODSON MS	SAN PEDRO SH
3452	K	DOLORES EL	CARSON SH
3466	K	DOMINGUEZ EL	BANNING SH
8578	K	EAGLE TREE CONTN HS	CARSON SH
3640	K	ESHELMAN EL	NARBONNE SH
8127	K	FLEMING MS	NARBONNE SH
8128	K	FLEMING MS MATH/SCI	NARBONNE SH
4014	K	FRIES EL	BANNING SH
4041	K	GARDENA EL	GARDENA SH
8662	K	GARDENA FOR LANG MAG	GARDENA SH
8664	K	GARDENA SH	GARDENA SH
4315	K	GULF EL	BANNING SH
4342	K	HALLDALE EL	NARBONNE SH
4425	K	HARBOR CITY EL	NARBONNE SH
6014	K	HARBOR M/SC G/HA MAG	SAN PEDRO SH
8518	K	HARBOR TCHR PREP ACD	BANNING SH
4466	K	HAWAIIAN EL	BANNING SH
4829	K	LEAPWOOD EL	CARSON SH
4836	K	LELAND EL	SAN PEDRO SH

Location	Local District	School Name	Instructional Complex
4932	K	LOMITA MATH/SCI MAG	NARBONNE SH
7342	K	MEYLER EL	NARBONNE SH
8666	K	MONETA HS	GARDENA SH
8778	K	NARBONNE MATH/SC MAG	NARBONNE SH
8779	K	NARBONNE SH	NARBONNE SH
5644	K	NORMONT EL	NARBONNE SH
6013	K	PARK WESTERN EL	SAN PEDRO SH
8781	K	PATTON HS	NARBONNE SH
8351	K	PEARY MATH/SCI MAG	GARDENA SH
8352	K	PEARY MS	GARDENA SH
6137	K	POINT FERMIN EL	SAN PEDRO SH
6148	K	PRESIDENT EL	NARBONNE SH
6158	K	PURCHE EL	GARDENA SH
6159	K	PURCHE ES SCI/TECH	GARDENA SH
6870	K	S SHORES PER ARTS MG	SAN PEDRO SH
8851	K	SAN PEDRO MAR/M/S MG	SAN PEDRO SH
8847	K	SAN PEDRO POL ACD MG	SAN PEDRO SH
8850	K	SAN PEDRO SH	SAN PEDRO SH
1956	K	SELLERY SP ED CTR	GARDENA SH
7035	K	TAPER EL	SAN PEDRO SH
7036	K	TAPER ES TECHNOLOGY	SAN PEDRO SH
7205	K	TOWNE EL	CARSON SH
7419	K	VAN DEENE EL	NARBONNE SH
8487	K	WHITE MS	NARBONNE SH
7767	K	WHITE POINT EL	SAN PEDRO SH
1957	K	WILLENBERG SP ED CTR	SAN PEDRO SH
8490	K	WILMINGTON MS	BANNING SH
7781	K	WILMINGTON PK EL	BANNING SH

Attachment 2

Los Angeles Unified
Los Angeles County

Unaudited Actuals
2002/03 Unaudited Actuals
LOTTERY REPORT
Revenues, Expenditures and
Ending Balances - All Funds

19 64733
Form L

Description	Object Codes	Unrestricted Lottery Dollars (Resource 1100)	Transferred to Other Resources for Expenditure	Restricted Lottery Dollars (Resource 6300)	Totals
A. REVENUES					
1. Beginning Balance	9791-9795	0.00		193,899.00	193,899.00
2. State Lottery Revenue	8560	90,254,753.27		9,833,619.19	100,088,372.46
3. Other Local Revenue	8600-8799	0.00		0.00	0.00
4. Contributions from Unrestricted Resources	8980	0.00			0.00
5. Total Available (Sum Lines A1 through A4)		90,254,753.27	0.00	10,027,518.19	100,282,271.46
B. EXPENDITURES					
1. Certificated Salaries	1000-1999	70,929,340.86		20,825.90	70,950,166.76
2. Classified Salaries	2000-2999	160,677.34		7,274.13	167,951.47
3. Employee Benefits	3000-3999	18,815,235.37		5,557.40	18,820,792.77
4. Books and Supplies	4000-4999	62,996.49		9,558,959.49	9,621,955.98
5. Services, Other Operating Expenses	5000-5999, except 5710, 5800	64,166.54		3,720.74	67,887.28
6. Duplicating Costs for Instructional Materials	5710, 5800	53,587.04		3,107.28	56,694.32
7. Capital Outlay	6000-6999	160,743.69		9,320.84	170,064.53
8. Tuition	7100-7199	612.73		35.53	648.26
9. Other Transfers Out	7200-7299	0.00			0.00
10. Direct Support Costs	7300-7399	7,393.21		428.70	7,821.91
11. Debt Service	7400-7499	0.00			0.00
12. Other Uses	7630-7699	0.00			0.00
13. Total Expenditures (Sum Lines B1 through B12)		90,254,753.27	0.00	9,609,230.01	99,863,983.28
C. ENDING BALANCE					
(Must equal Line A5 minus Line B13)	979Z	0.00	0.00	418,288.20	418,288.20
Unbalanced					

Data from this report will be used to prepare a report to the Legislature as required by Control Section 24.60 of the Budget Act

000

0 • *

LAUSD 99 107 652 • +

CHARTERS 980 720 • +

002

100 088 372 • +

TOTAL 100 088 372 • -

003

0 • *

58

**RESTRICTED LOTTERY FUNDS –
BUDGET AND ACCOUNTING PROCEDURES**

Government Code (GC) Section 8880.4(a)(2) mandates that:

At least 34 percent of the total annual (lottery) revenues shall be allocated to the benefit of public education . . . however, for the 1998-99 fiscal year and each fiscal year thereafter, 50 percent of any increase in the amount calculated . . . from the amount calculated in the 1997-98 fiscal year shall be allocated . . . for the purchase of instructional materials, on the basis of an equal amount per unit of average daily attendance, as defined by law, and through a fair and equitable distribution system across grade levels.”

In order to promote the District’s compliance with this provision, the District has established the following procedures:

- Based on information received from the Los Angeles County Office of Education (LACOE), the District identifies the amount of California State Lottery funding that are unrestricted and the amount that is restricted under GC §8880.4(a)(2).
- Separate accounts (“Program codes”) have been established for budgeting and accounting for the expenditure of restricted lottery funds. Program Code 4153 is utilized for this purpose in the General Fund; Program Code 3735 is utilized for this purpose in the Fiscally Independent Charter Schools Fund. The estimated per-ADA amount recommended by LACOE is appropriated in the District’s budget to these accounts.
- Following the conclusion of each fiscal year, the District identifies instructional material expenditures satisfying the requirements of GC §8880.4(a)(2). These costs are transferred through journal vouchers to the restricted lottery accounts described in the preceding paragraph. This process relieves the schools of the burden of identifying the specific program code to be charged for a particular expenditure line or requisition.
- The District’s budgeting and accounting systems do not reflect grade level detail for any particular budget line-item or purchase; therefore, costs transferred from non-lottery to lottery accounts through the above-described process do not reflect consideration as to grade level.
- In creating the journal vouchers transferring charges from non-lottery to lottery accounts, the District does not consider school location or Local District Office affiliation. Costs are transferred from non-lottery to lottery accounts for purposes of compliance with GC §8880.4(a)(2) without consideration as to location or Local District Office affiliation. Over a series of years, it is anticipated that this procedure would result in equitable distribution of charges by location against the restricted lottery account.



Attachment 4

Los Angeles Unified School District

Accounting and Disbursements Division

ROY ROMER
Superintendent of Schools

TIMOTHY BURESH
Chief Operating Officer

KENNETH C. GOTSCH
Chief Financial Officer

RICHARD J. KNOTT
Controller

MARUCH ATIENZA
Director

March 8, 2004

Mr. Kevin Sved
The Accelerated Charter School
116 E. ML King Jr. Blvd.
Los Angeles, CA 90011

Re : FY 2002-03 Proposition 20 Lottery Funds

Dear Mr. Sved :

Your school's share of the Proposition 20 Lottery funds for FY 2002-03 in the amount of \$3,414.98 is included in February revenue payment.

Please note that use of these funds, identified as Proposition 20 funds, is restricted to instructional materials, per Government Code §8880.4. Because you are a fiscally independent charter school, your auditor must certify, as part of the annual audit, that the Proposition 20 restricted funds have been expended appropriately.

Proposition 20 made the following changes. It:

- Amends Government Code section 8880.4 which provides that at least 34% of the total annual state lottery revenues shall be allocated to benefit public education.
- Provides that beginning with 1998-99 fiscal year and each fiscal year thereafter, one-half of the amount of the share allocated to public education that exceeds the amount allocated in fiscal year 1997-98 shall be allocated to school and community college districts for the purchase of instructional materials.

If you have any questions about these funds or their uses, please contact Eileen Okazaki or Ken Furuya of General Accounting Branch at (213) 241-3188.

Sincerely,

Maruch D. Atienza

c: M. Atienza
P. Ilagan
File

Post-It® Fax Note	7671	Date	4/1/04	# of pages	1
To	NICOLE D. PRIMERO	From	KEN FURUYA		
Co./Dept.	H.R. Accountancy	Co.	LAUSD - Gen. Acctg.		
Phone #	(408) 299-6434	Phone #	(213) 241-7952		
Fax #	(408) 299-6004	Fax #	(213) 241-6809		

Attachment 5



Los Angeles County
Office of Education

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 5
To <i>Berna</i>	From <i>Karen</i>	
Co.	Co. <i>DSE</i>	
Dept.	Phone # <i>X8300</i>	
Fax # <i>51401-5787</i>	Fax #	

August 28, 2003

TO: All Principals
All Program Administrators (LSS/APE/Mobility)

FROM: Joe Capino *JC*

SUBJECT: Lottery Funds Distribution 2003-04

Lottery funds will be provided this year. The estimated amount for Special Education to be distributed to the PAUs and program administrators is \$322,340. Central Office will retain a portion already excluded from this total.

Attached, is a summary of the distribution of lottery funds and the lottery allocations by Principal Administrative Unit (PAU). Site allocations were based on 02-03 P2 count excluding takebacks.

Site lottery plan forms, attached must be completed and returned to the central office by October 1, 2003. This deadline is final. Each site lottery plan must be approved by the Division. Please convene a site based decision making (SDM) committee for the decision making process.

The Division's focus is to correct obvious shortages which have been mentioned by staff as high priority needs. Please follow the agreed upon criteria below:

1. Furniture or equipment for instructional/classroom use to bring classes up to office standards. (Computers may be included here with plan. Computers may be purchased for office use providing computers currently located in the office are released for classroom use. Consideration will also be given for purchases of office equipment to bring offices up to division standards).
2. Instructional materials for pupil use. (textbooks, supplementals, service kits)
3. Disaster supplies.
4. MOVE equipment, augmentative communication equipment.

The assurance portion of the site plan lottery budget must be completed. Also, list each school/site decision making committee member's name and position i.e. Jane Smith, teacher or Mary Jones, parent.

Lottery Funds Distribution 2003-04
August 28, 2003
Page 2

Please follow the steps listed below to expedite the encumbrance process:

1. Begin completing the requisition process as soon as decisions are made, and submit with your lottery plan to your area administrator, on or before October 1, 2003.
2. Budget plans must be summarized by account and amounts on your Site Lottery Plans. A complete account number must be used. Plans with insufficient information will be returned to the PAU.

It is imperative that lottery plans and requisitions be submitted in a timely manner. Please indicate what portion will be used for infant classes, preschool classes and K to 12 classes.

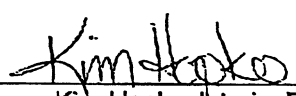
The analytical unit will maintain a manual encumbrance system to monitor this financial information on all expenditures.

If you have any questions, please call me at (562) 803-8311.

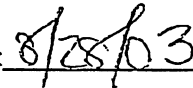
Attachments

cc: Ray Guillaume
Helen Harris

Approved: _____


Kim Hopko, Interim Director
Division of Special Education

Date: _____



2003-04 Site Lottery Plan

PAU _____

Principal or
Program Administrator _____Lottery Allocation

Narrative: Please describe the major focus for the improvement and enrichment of existing program. Provide a rationale for the expenditure of lottery funds to meet this focus.

Assurance: Completely describe the process used to involve all staff and parent Representatives to gather their input on the use of lottery funds.

Approved: _____
Area Administrator_____
Date

2003-04 Site Lottery Plan

PAU _____

Principal or
Program Administrator _____

Budget: Please provide the following information for each category of expenditures. In Developing your budget, please remember to include tax and delivery costs for equipment and supplies. Please note that infant, preschool and K to 12 budgets must be separated.

<u>Budget Category</u>	<u>Description</u>	<u>Amount</u>
------------------------	--------------------	---------------

Approved: _____	_____
Area Administrator	Date

Lottery Funds Distribution			
Fiscal Year 03-04			
PAU	Allocations		
Avalon	27,715		
Buena Vista	18,614		
Cortez	12,628		
Larson/DM	10,250		
Larson/MC	5,330		
Larson West	21,156		
El Camino	8,200		
Esg	33,128		
Fairvalley/Esg	26,322		
Fairvalley/Ph	4,920		
Imperial	21,484		
Lincoln	30,175		
Mission	16,646		
Mokler	21,156		
Campbell	20,418		
Pride	14,350		
Santa Clarita	25,748		
Sub-Total	318,240		
APE	1000		
LSS-Moir	700		
LSS-Trounson	700		
LSS-Lane	700		
VH & Mobility	1000		
Grand Total	322,340		
Footnotes:			
Distribution is based on P2 02-03 count less takeback.			

LOTTERY ALLOCATIONS FOR 2003-2004

The County Board of Education has allocated \$1,006,083 of 2001-02 lottery funds to the ROP. In keeping with past practices, the district funds are allocated based on District of Residence ADA for two years prior, in this case 2001-02. Starting in 2000-01, the district allocations were charged a 3% indirect rate.

1. Overalllocation of ADA: 25 ADA x \$1375 \$34,364
2. Remainder allocated using District of Residence
ADA for 2001-02 at a rate of \$119.35/ADA

	<u>ADA</u>	<u>Allocations</u>
◆ School Districts	7650.97	\$913,143
◆ Arts High School*	74.97	8,948
◆ Juvenile Court Schools*	64.85	7,740
◆ Journeyman*	89.13	10,638
◆ LACOE Indirect Cost		
Districts 3%		27,394
All Others 6.25%		3,856
	Subtotal	\$971,719
	Total	\$1,006,083

*Hosted ADA was used since DOR ADA does not apply. (Notify appropriate staff via e-mail)

Calculation of ADA Rate and Indirect

Factors:

- District ADA (DOR) @ 3%: 7650.97 ADA
- Non-District ADA (Hosted) @ 6.25%: 228.95 ADA
- ADA Overalllocation: \$34,375
- 6.25 % of above: \$2,148

Let x = lottery rate/ADA

$$1.03 (7650.97 x) + 1.0625 (228.95 x) + \$34,375 + \$2,148 = \$1,066,083 \text{ (Total allocation)}$$

$$7880.50 x + 243.26 x + \$36,523 = \$1,006,083$$

$$8123.76 x = \$969,560$$

$$x = \$119.35/\text{ADA}$$

BH:jw
9/03

3.2 ROP BUDGET GUIDELINES

The budget guidelines are reviewed each year by the Budget Committee. Any changes to the guidelines must be approved by the Steering Committee.

The ROP budget will be developed by using the following ratios:

DISTRICT ALLOCATIONS

Beginning in 2000-01 the district allocations were grouped into three categories:

- A. Classroom/Program Guideline
- B. Support Allocation consisting of Direct Support, Pupil Transportation, ROP Technician, Material Fee, Technology, Special Allocations and the Instructional Allocation which includes Public Relations and Equipment Maintenance.
- C. Other: Lottery, School Site, Perkins, etc. which require separate tracking by the California Department of Education.

A. Classroom/Program Guideline:

Classroom/program costs are funded at \$1,375 per ADA. Starting in 1994-95, \$100,000 of the adult fees will be used each year to fund the classroom/program guideline.

B. Support Allocation

The Steering Committee approved three general guidelines for the Support Allocation:

- Support funds can be used for ROP expenditures including ROP Technician services, public relations, classroom supplies and equipment, equipment maintenance, transportation and technology.
- No more than 25% of the Support Allocation may be used for administrative costs.
- Support funds must only be used for ROP purposes.

1. Direct Support Pool:

Direct support pool funded at a total of \$874,200; funds are prorated using the higher of each district's Hosted ADA or District of Residence ADA from the prior year.

See direct support procedures that follow these guidelines.

2. **Pupil Transportation:**

Pupil transportation costs funded at a total of \$492,550 and allocated based on the attached formula.

3. **ROP Technicians:**

ROP technician budget funded at a total of \$1,446,815*. A Technician Service Unit (TSU) will be funded at a rate of \$28,271 per TSU for salaries, benefits, mileage, and supplies. The first priority is to allocate a minimum of one-half TSU for each regular high school including the Los Angeles County High School for the Arts (LACHSA). The balance of ROP technician funds would be prorated to districts using the guideline of one TSU for each 150 ADA from the prior year (higher of Hosted ADA or District of Residence ADA).

*Includes a one-time increase of \$127,220 for 2003-04 which was approved by the Steering Committee on April 4, 2003.

Comment: Some districts use part of their ROP technician allocation to buy back additional counselor time.

4. **Instructional Allocation:**

Instructional allocation funded at a total of \$1,716,847* and prorated using the higher of each district's Hosted ADA or District of Residence ADA from the prior year. Funds from this allocation should be used to maintain sufficient ROP Technician staffing, if this is not possible through the technician allocation. Included in the Instructional Allocation are funds previously allocated for Supplemental Career Guidance (\$30,785), Maintenance of Equipment (\$34,630), Public Relations (\$28,875) and Replacement of Stolen Program Equipment (\$4,800).

*For 2002-03 there will be an additional one-time Instructional Allocation funded at a total of \$637,291.

C. **Other Allocations**

1. **Lottery:**

Lottery funding depends on state disbursements. The Lottery funds are prorated using district of residence ADA from two years prior.

Starting in 2000-01, LACOROP established a policy that lottery funds be carried over for no more than one fiscal year, with exceptions to the policy being brought to the attention of the Budget Committee. LACOROP also established a guideline that districts spend a minimum of 50% of their lottery allocations in the year the funds are allocated.

L. A. COUNTY ROP STAFFING/OTHER

1. Coordinator Team:

One coordinator team (a Coordinator-in-Charge and an Assistant Administrative Analyst) for each 1150 district of residence ADA.

2. Counselor:

One counselor for each 400 ADA based on the higher of each district's Hosted ADA or District of Residence ADA from the prior year.

The counselor guideline was modified in 1999 (and updated in 2001) to include the following provisions:

- Each district would receive a minimum of two days per week of counseling time.
- Each comprehensive high school would receive a minimum of two days per week of counseling time.
- Each comprehensive high school with an enrollment of 2,800 or higher based on the previous year CBEDS 9-12 grade count, would receive one additional day per week of counseling time.
- Give one-year grace period to any school district that could experience a reduction of the counselor allocation for the new school year as a result of any changes in their counselor allocation factors.

Comment: Some districts use ROP Technician funds to buy back additional counselor time.

3. Clerical Support:

One clerical position for each 350 ADA, which includes LACOE's ratio of .50 secretary per coordinator.

4. Career Guidance:

The career guidance program is budgeted as follows:

Career Guidance Resource Library	\$2,000
Priority Program Interest Survey	\$6,000

BH:jw

8/93
Revised 6/94
Revised 9/96
Supersedes 5/96
Revised 10/98
Revised 11/99
Revised 12/00
Revised 7/01
Revised 10/02
Revised 4/03
Revised 9/03

DISTRICT USE OF LACOROP ALLOCATIONS

During September of each year, participating districts receive the following allocations:

- A. Classroom/Program Allocation
- B. Support Allocation
- C. Lottery Allocation

Following is a list of approved and unapproved uses for each funding category.

Allocation	Approved Uses	Unapproved Uses
A. Classroom/Program	<ul style="list-style-type: none"> Teacher Salary & Benefits Instructional Supplies Teacher Mileage Printing, Equipment Maintenance, and other direct classroom costs 	<ul style="list-style-type: none"> Equipment Non-ROP Expenditures
B. Support*	<ul style="list-style-type: none"> Administrative Costs (up to 25% of Support Allocation) Building purchase, rent, and remodeling Career Center costs Classroom Supplies and Equipment Negative Margins Printing, Equipment Maintenance, and other Contract Services Public Relations ROP Technicians Staff Development Technology Transportation Other ROP-Related Costs 	<ul style="list-style-type: none"> Non-ROP Expenditures
C. Lottery	<ul style="list-style-type: none"> Classroom Supplies and Equipment Negative Margin Other Instructional Uses Transportation 	<ul style="list-style-type: none"> Administrative costs Financing research Non-ROP Expenditures Ongoing Salary Costs (e.g., ROP Technicians) Purchase, rent, construction, or remodeling of buildings/real property

*The Support Allocation is made up of the following subcategories:

- ROP Technician
- Direct Support
- Instructional Allocation
- Material Fee
- Transportation
- Reallocated ADA Funds from the Prior Year

BH/jw
11/03



Los Angeles County
Office of Education

Division of Juvenile Court and Community Schools

9/22/00
DISTRIBUTED

September 20, 2000

DUPLICATE

TO: All Unit Leaders
FROM: Larry Springer (S)
SUBJECT: 2000-01 Lottery Funds

Yesterday, the Los Angeles County Board of Education, upon the recommendation of Superintendent Ingwerson, approved the 2000-01 distribution of California Lottery funds to the eligible office programs. Your unit's allocation of these funds is identified on the attached form.

1. Ensure that the SDM body of the unit develops and approves the expenditure plan and signs the memorandum covering the requisitions/expenditure requests.
2. Ensure that all expenditures are in support of the six goals of the unit's Maximizing Resources Plan (that is in support of LACOE's Goals and the Division's 2000-01 Strategic Action Plan).
3. Ensure that the standards-based textbooks and instructional materials needs of all students are addressed among the highest priorities.

Your lottery plan with attached requisitions/expenditure requests are due to Evelyn Camper for processing on or before October 16, 2000. Please do not miss the deadline, as retention of the funds beyond the established due date cannot be guaranteed.

I have also included a delineation of the Division's full allotment. Should you have any questions regarding the lottery expenditure process, your unit's allocation or any aspect of "lottery 00-01," please do not hesitate to contact me.

One destiny – Student Achievement!

LS/EC:cap
Attachment

cc: H. Jennifer Hartman
Evelyn Camper
Judith A. Fenderson

**Juvenile Court & Community Schools
2000-01 Lottery Allocation Summary**

Division Lottery Allotment

\$ 773,771

Support to School Sites

• PAU's	450,000
• New Sites Startup Funds	40,000
• CECs Security Systems	37,000
• Reading and Math Instl Materials	10,000
• College Courses via Instructional TV	11,000
• Instructional Technology	40,000
• Interscholastic Athletics	64,648

Subtotal

\$ 652,648

Support Units

Special Education	15,000
Curriculum, Instruction and Assistant	15,000
Services/Student File Ctr	15,000
EP Support	15,000
Ed Initiative	5,000

Subtotal

\$ 65,000

Total Allocation to Units/Programs

\$ 717,648

Part D and I Charges (7.2%)

\$ 55,712

Total Lottery Allotment

\$ 773,360

**Sample of School Districts in Los Angeles County with
FY 2002-03 Lottery Allocations in Excess of \$1.5 million**

No	School District	Average Daily Attendance	Public Education Allocation	Instructional Materials Allocation	Total Allocation
1	Los Angeles Unified	775,507	87,171,841	9,871,510	97,043,350
2	Long Beach Unified	97,030	10,746,705	1,214,397	11,961,103
3	Montebello Unified	40,871	4,538,892	513,148	5,052,039
4	Pomona Unified	39,810	4,434,757	501,593	4,936,350
5	Hacienda La Puente Unified	35,575	3,933,799	444,486	4,378,285
6	Compton Unified	32,794	3,606,572	407,270	4,013,842
7	Glendale Unified	30,453	3,323,380	374,789	3,698,168
8	Torrance Unified	29,179	3,256,567	368,501	3,625,068
9	ABC Unified	26,939	2,963,435	334,579	3,298,014
10	Norwalk-La Mirada Unified	26,250	2,887,342	325,983	3,213,324
11	Downey Unified	24,061	2,707,722	306,688	3,014,410
12	Pasadena Unified	23,464	2,566,162	289,484	2,855,645
13	Baldwin Park Unified	21,981	2,448,302	276,909	2,725,211
14	Palmdale Elementary	21,416	2,440,742	276,949	2,717,690
15	Rowland Unified	20,342	2,248,653	254,052	2,502,705
16	Inglewood Unified	19,867	2,217,648	250,811	2,468,460
17	Lynwood Unified	19,419	2,204,597	250,005	2,454,602
18	Antelope Valley High	19,647	2,204,260	249,558	2,453,818
19	William S. Hart Union High	17,893	2,056,668	233,625	2,290,293
20	Paramount Unified	18,137	2,045,453	231,724	2,277,177
21	Covina-Valley Unified	16,967	1,897,975	214,793	2,112,768
22	Walnut Valley Unified	16,628	1,871,850	212,023	2,083,873
23	Bellflower Unified	16,319	1,822,512	206,206	2,028,717
24	Burbank Unified	16,092	1,778,147	200,885	1,979,032
25	Lancaster Elementary	14,995	1,732,037	196,879	1,928,916
26	El Monte Union High	15,038	1,631,162	183,790	1,814,952
27	Azusa Unified	13,813	1,557,300	176,481	1,733,781
28	Whittier Union High	13,303	1,509,007	171,109	1,680,115
29	El Rancho Unified	13,312	1,472,597	166,392	1,638,989
30	Santa Monica-Malibu Unified	12,690	1,375,762	155,001	1,530,763
31	El Monte City	12,133	1,355,622	153,394	1,509,016

PUBLIC INTEGRITY COMMITTEE

Benjamin F. Breslauer, Chair
Angel S. Alvarado, Vice-chair
Carolyn Brown
John W. Capers
Gerry Rische
Richard H. Smith
Kenneth L. Sutton

TABLE OF CONTENTS

EXECUTIVE SUMMARY	531
INTRODUCTION	535
PART 1: REVIEW OF SELECTED COMMUNITY REDEVELOPMENT AGENCIES ..	539
A. PROJECT APPROACH	
Objectives and Scope	539
Tasks Completed.....	539
Limitations of the Review	539
B. CURRENT SITUATION	541
CRA Staffing	542
CRA Project Overview	542
CRA Financials Overview	543
Land Banking.....	543
C. FINDINGS	544
D. RECOMMENDATIONS.....	547
E. ACRONYMS.....	550
PART 2: TRANSACTION BETWEEN THE CRA OF THE CITY OF CARSON AND THE OWNERS OF A LOCAL CAR DEALERSHIP	551

PUBLIC INTEGRITY COMMITTEE

EXECUTIVE SUMMARY

BACKGROUND

State law allows a city council to create a redevelopment agency to administer one or more project areas within its boundaries. An area may be small, or it may encompass the entire city. The purpose of a redevelopment agency is to eliminate blight. State law is so vague that most anything can be designated as "blight."

A redevelopment agency has four extraordinary powers held by no other government authority:

- Tax Increment: A redevelopment agency has the exclusive use of all increases in property tax revenues (tax increment) generated in its designated project areas.
- Bonded Debt: An agency has the power to sell bonds secured against future tax increments, and may do so without voter approval.
- Business Subsidies: An agency has the power to give public money directly to developers and other private businesses in the form of cash grants, tax rebates, free land or public improvements.
- Eminent Domain: An agency has expanded powers to condemn private property, not just for public use, but to transfer to other private owners.

Potential for abuses by redevelopment agencies include:

- Designation of project areas including large areas that are not blighted. (These can create tax increment, which would normally flow to the county for provision of public services, to be diverted to the redevelopment agency.)
- When, after 30 years, a project area designation expires, significant portions of the old project areas are included in new project areas, maintaining tax increment benefits for another 30 years.
- Inappropriate use (or threatened use) of the power of eminent domain may allow a favored developer to take over another individual's land, affecting what once was a purely private transaction.
- After a required public hearing, there may be substantial changes in the original redevelopment plan.

OBJECTIVE

The objective of the Public Integrity Committee was to focus on activities of Community Redevelopment Agencies (CRA). The intent was to determine if CRAs are acting in the best interests of the public and following proper procedures. This work effort was exploratory in nature rather than an in-depth review. Therefore, the overall objective was to conduct limited site visits and interviews at CRAs in three cities to assess:

- Internal controls
- Fiduciary responsibilities
- Ethical responsibilities.

Three CRAs were selected from a listing of cities with recent larger CRA projects in the County of Los Angeles. These CRAs were the City of Carson, City of Lancaster and City of Irwindale. The time frame covered the last three fiscal years. The tasks undertaken consisted of:

- Document review
- CRA site visits
- Analysis of findings
- Development of recommendations.

The Civil Grand Jury issued Final Report #1 in April, 2004, which questioned the appropriateness of a transaction between Carson's CRA and the owners of a local car dealership. Subsequent to the release of this Final Report in April 2004, the Carson CRA scheduled a new public hearing on May 18, 2004. For this hearing, they prepared a Restated and Amended Disposition and Development Agreement (DDA) and a Revised Section 33433 Summary Report.

FINDINGS

The Public Integrity Committee has discovered that the CRA system is not fully understood by many of the governmental agencies in the county.

1. CRAs lack a formal business ethics policy and program.
2. CRAs lack a formal whistleblowing policy and program.
3. Not all involved with CRAs are knowledgeable of contracting procedures and some of the latest "best practices".
4. CRAs have not systematically taken advantage of the latest changes from the Governmental Accounting Standards Board (GASB) regarding transfer of completed projects that benefit their respective cities.

RECOMMENDATIONS

For each recommendation and related findings, the audited agencies should be held accountable for its implementation.

1. CRAs should put in place a formal ethics program, which includes whistleblowing policy.
2. CRAs should take advantage of “best practices” proven effective elsewhere and incorporate fitness-and-integrity checks into their contractor selection process.
3. CRAs should regularly assess the appropriateness of transferring to the city completed projects benefiting their respective cities.

INTRODUCTION

WHAT ARE COMMUNITY REDEVELOPMENT AGENCIES (CRAs)?

There is an unknown government in California: Redevelopment.

State law allows a city council to create a redevelopment agency to administer one or more project areas within its boundaries. An area may be small, or it may encompass the entire city.

These project areas are governed by the redevelopment agency with its own staff and governing board, usually the members of the city council. Legally, a redevelopment agency is an entirely separate government entity, with its own revenue, budget, staff and expanded powers to issue debt and condemn private property.

The purpose of a redevelopment agency is to eliminate blight. State law is so vague that most anything can be designated as "blight." A redevelopment agency, once created, has four extraordinary powers held by no other government authority:

- Tax Increment: A redevelopment agency has the exclusive use of all increases in property tax revenues (tax increment) generated in its designated project areas.
- Bonded Debt: An agency has the power to sell bonds secured against future tax increments, and may do so without voter approval.
- Business Subsidies: An agency has the power to give public money directly to developers and other private businesses in the form of cash grants, tax rebates, free land or public improvements.
- Eminent Domain: An agency has expanded powers to condemn private property, not just for public use, but to transfer it to other private owners.

POTENTIAL FOR ABUSE

The following are examples of areas of potential abuse by CRAs. This Civil Grand Jury has observed many of them.

- Designation of project areas that include large areas that are not blighted.

Property tax increases (tax increment) in project areas flow back to the CRA for 30 years. The larger the project area, the larger the tax increment that flows to the CRA—to the detriment of the Los Angeles County, which would otherwise receive it for use in providing services.
- At the expiration of almost 30 years, the maximum lifespan for a project area, significant portions of the old project areas maybe included in new project areas, thus continuing the tax increment benefits for another 30 years.

- Inappropriate use (or threatened use) of the power of eminent domain. Under redevelopment, “public use” now includes privately owned shopping centers, auto malls and movie theaters. “Public use” may now be something a favored developer wants to do with another individual’s property. Eminent domain is used to affect what once were purely private transactions.

Example: A CRA threatened the use of eminent domain to acquire a parcel of land in order to resell it (at a significant discount to the purchase price) to the owners of a business that had leased that parcel for more than thirty years.

- Inappropriate use of CRA funds to subsidize private business, where the transaction did nothing to relieve blight.

Example: A CRA initially gave a retailer \$1,000,000 and rebated the city’s portion of sales tax up to \$478,187 per year for ten years (a total of more than \$5,000,000) in order to induce this retailer to rent a vacant department store space in a shopping center. Although the city benefited from its share of the sales tax generated in excess of the \$478,187, the major benefactors of this transaction appear to be the retailer and the owner of the shopping center. There was no elimination of blight or apparent benefit to the CRA.

- Misleading the public.

The law provides that the CRA board must have a public hearing before approving a transaction.

We observed several instances where the transaction described to the public was approved and then substantially changed after the public hearing. Although the description of the transaction provided that changes could be made, often the changes were very substantial. In one case (described later in this report), the “cost to the agency” was \$1.4 million as disclosed to the public for the hearing, while the eventual actual cost to the agency could have been \$4.2 million. In another case, two years after a project was started, the CRA substantially modified the terms by increasing the loan, reducing the interest rate by 25% and significantly extending the due date of the loan.

CRA ISSUES THAT SHOULD BE ADDRESSED

Eminent Domain: Controls must be placed on the widespread abuse of eminent domain.

Debt Control: Make redevelopment debt subject to voter approval. This would limit debt issuance and make agencies more publicly accountable.

Mandatory Sunsets: The 40-year sunset law for redevelopment agencies must be given teeth and enforced. If redevelopment agencies truly have eliminated blight, then there should be no further need for them.

Infrastructure: Redevelopment funds are public funds that should be spent on public infrastructure, not on private projects. Tighter state laws should restrict expenditures to improving public streets, parks and other facilities.

Comprehensive Fiscal Reform: A rational and stable method of funding local government must be found, shifting cities back to greater reliance on property taxes and less on sales taxes.

Oversight: The CRA's real power lies in widespread ignorance of what redevelopment is and how it operates. Redevelopment agencies are created pursuant to state law, yet there is virtually no state oversight. This isolation has spawned abuses that would not be tolerated in any other government agency.

COMMENDATION

The 2003-2004 Los Angeles County Civil Grand Jury commends

Orange County Supervisor Chris Norby
Municipal Officials for Redevelopment Reform

for their dedicated and ongoing efforts to:

- Make public the abuses of CRAs and
- Lobby the California legislature to change the laws in ways to reduce abuses by CRAs and to provide greater oversight of CRAs.

SUMMARY

We are reporting the results of our investigations in two parts:

1. Part 1 reports on an investigation of CRAs in three Los Angeles County cities. In this investigation, the Grand Jury was assisted by KH Consulting Group.
2. Part 2 is a copy of Final Report issued by the Grand Jury in April, 2004*. This Final Report questions the appropriateness of a transaction between Carson's CRA and the owners of a local car dealership. This investigation was conducted solely by the Grand Jury.

* The timeliness of this Final Report was deemed by the Grand Jury to be so important that it was released prior to this major Final Report issued at the end of its term. It is copied here so that a reader can see all of the work of this Grand Jury in a single document.

PART 1

REVIEW OF SELECTED COMMUNITY REDEVELOPMENT AGENCIES (CRAs)

Cities deteriorate causing many communities to suffer from unsafe, unfit and economically dislocated buildings and properties. Such communities eventually require reconstruction or redevelopment. The California Constitution, Article XVI, Section 16, and the Health and Safety Code, beginning with Section 33000,¹ provide funding from local property taxes to promote the redevelopment of such blighted areas.

A. PROJECT APPROACH

Over the years, Community Redevelopment Agencies (CRAs) have received intense press coverage about their business practices and ethics, including claims of kickbacks, bribes and misuse of public funds. As a result, the Public Integrity Committee of the 2003-2004 Los Angeles County Civil Grand Jury (Civil Grand Jury) conducted a review of three CRAs.

OBJECTIVES AND SCOPE

This work effort was exploratory in nature. The overall objective was to conduct limited site visits and interviews at CRAs in three cities to assess:

- ☐ Internal controls
- ☐ Fiduciary responsibilities
- ☐ Ethics responsibilities.

Criteria for selection included size, geography and recent or active large projects. The three CRAs in the City of Carson, City of Lancaster and City of Irwindale were selected. The study time frame was the last three fiscal years (FYs).

TASKS COMPLETED

After developing a work plan, the tasks undertaken were:

- ☐ **Document review.** The following list of documents were requested and reviewed for background information and to develop questions for the subsequent visits:
 - CRA organization chart with titles and names
 - Audited financial statements
 - Copies of contracts pertaining to the most recent major CRA projects

¹ The California State Legislature enacted the Community Redevelopment Law, Chapter 710, Statutes of 1951, with the objective of redeveloping blighted areas.

- Audits or reports that the CRAs are required to submit annually to their local legislative boards and the State of California Controller's Office
 - Copies of relevant city, state and federal rules and regulations pertaining to all aspects of managing, directing and funding CRA projects, including ethics rules
 - Bidding procedures and internal controls for contracts and purchases
 - Statements/declarations by public officials and employees relating to potential conflicts of interest or related ethics rules compliance
 - Compensation of the top five CRA management positions for each city
 - Payments made to the five contractors or consultants with the largest contracts, indicating hours billed and dollars paid by contractor or consultant
 - Policy and procedures in effect to prevent or detect fraud
 - Public information available on CRA projects
 - Transaction records for payment of services
 - Copies/files of the bid analyses and records documenting the review and contractor selection process
 - Project records including:
 - Percentage of completion records of inspections to validate payments
 - Approved copies of change notices, including supporting engineering or other technical records supporting the change
 - Payment authorizations and supporting documents (e.g., invoices, completion notices)
 - Board of Director's (or similar body) minutes for the period under review, including minutes of public meetings/hearings related to CRA
 - Records of CRA project authorization and involved funding agencies
 - Documents collected during the site visits.
- **CRA site visits.** CRA management actively participated and expressed receptivity to the purpose of the site visits. During the site visits, the following tasks were accomplished:
- **Entrance conferences.** Site visits commenced with an entrance conference, which oriented the CRA to the purpose of the review.
 - **CRA project tours.** Civil Grand Jury members toured CRA projects that were complete or in the process of being built.
 - **Additional document and work review.**
 - **Interviews.** In total, 18 key management (e.g., city manager, city attorney, CRA managers) and elected officials (e.g., mayors, city council members) were interviewed at the three CRAs to gain an understanding of the current organization, structure, fiduciary responsibilities and the overall internal controls. We also explored their receptivity and understanding of control and ethics concepts.
- **Analysis of findings and development of recommendations.** Results of the site visits were summarized for the three CRAs visited to identify trends and

consistencies among the cities in terms of understanding and accepting of ethics and the potential need for addressing existing control issues.

LIMITATIONS OF THE REVIEW

The findings are based on interviewees' perceptions and a reliance on the authenticity and accuracy of the documents provided. With regard to the documents provided, our review did not include a substantive review of internal controls. Government Code Section 12463.3² requires the California State Controller to compile and publish a report of the financial transactions of community redevelopment agencies. All agencies created pursuant to the statute³, commencing with Section 33000 of the Health and Safety Code, must file a report annually. The law⁴ also requires the California Department of Housing and Community Development to publish housing data regarding the Low and Moderate Income Housing Fund.

B. CURRENT SITUATION

Exhibit 1 presents an overview of the three cities and their CRAs. The selected CRAs represent small and medium-sized cities, ranging in population from the small City of Irwindale (population 1,490) to the larger City of Lancaster (population 122,000). Their CRAs have existed for at least 25 years.

**EXHIBIT 1
OVERVIEW OF THE THREE CRAs AND THEIR CITIES**

CITY OVERVIEW	CITY OF CARSON	CITY OF LANCASTER	CITY OF IRWINDALE
City Founded	1968	1977	1957
CRA Founded	1971	1979	1973
Population	89,730	122,000	1,490
City Motto/ Vision	"Future Unlimited"	"The heart of the Antelope Valley"	"Jardin de Roca"
CRA Vision/ Mission	"We lower the cost of doing business."	"Appreciating your business; revitalizing our community"	"A rock solid foundation for the future of your business."

CRAs accomplish their missions by identifying qualified redevelopment projects. Using federal, state and local funding to fund projects, the CRAs may hire consultants, contractors and other service providers to complete the identified projects. Such projects are critical for urban renewal and economic development and require large dollar amounts. The CRAs' fiduciary and ethics practices must be above-board and withstand any public scrutiny.

² As added by Senate Bill 1387, Chapter 1523, Statutes of 1984.

³ Division 24, commencing with Section 33000 of the Health and Safety Code.

⁴ Senate Bill 1387.

CRA STAFFING

At the three CRAs visited, the CRA employees were on the cities' payroll, but their employment costs were billed back to the CRAs. City Council members served in the additional capacity as members of the CRA boards of directors.

CRA PROJECT OVERVIEW

Exhibit 2 presents an overview of the CRAs. The three CRAs have a total of 13 active project areas. In addition, the exhibit highlights six sample CRA projects – two per CRA visited. These projects represent large projects, such as the Home Depot Center (\$140 million) in the City of Carson, and smaller projects, such as La Casitas Senior Housing (\$2.2 million) in the City of Irwindale. These project costs consist of all expenditures to complete a given CRA project, including the cost of land and construction and development costs to complete it.

EXHIBIT 2 REPRESENTATIVE SAMPLE OF CRA PROJECTS, BY CITY (Completed or in Process)

CRA OVERVIEW	CITY OF CARSON (FY 2001-2002)	CITY OF LANCASTER (FY 2002-2003)	CITY OF IRWINDALE (FY 2002-2003)
Number of Project Areas	3	7	3
Project Name	Carson Depot	Antelope Valley Fairgrounds	Civic Center Development
Project Cost	\$140 million (final)	\$18 million (final)	\$7.5 million (estimated)
Completion Date	June 1, 2003	December 31, 2003	In Process
Project Name	Toyota Auto Dealership	North Downtown Transit Village	La Casitas Senior Housing (Phase II)
Project Cost	\$17.5 million (estimated)	\$20 million (estimated)	\$2.2 million (estimated)
Completion Date	In Process	In Process	Pending

CRA FINANCIALS OVERVIEW

Exhibit 3 presents an overview of the financials for the three CRAs.

EXHIBIT 3 KEY CRA FINANCIAL INFORMATION (FY 2002-2003)

Total Assets	\$152,245	\$86,565	\$107,526
Total Liabilities	\$62,535	\$278,224	\$127,152
Total Debt	\$54,405	\$182,383 ⁵	\$109,435
Expenditures	\$23,304	\$5,679	\$5,875

Exhibit 4 displays the tax increment revenues for FY 2002-2003 for each CRA.

EXHIBIT 4 TAX INCREMENT REVENUES (FY 2002-2003)

CITY OF CARSON	CITY OF LANCASTER	CITY OF IRWINDALE
\$21,062, 687	\$9,014,328 ⁶	\$11,287,213

LAND BANKING

Land banking is a regular practice at the CRAs visited. Once an area has been designated as blighted, cities can acquire real estate by buying listed real estate, negotiating with owners or exercising the power of eminent domain. Although neither a master plan nor a commercial end-use is required to land bank, CRAs planning to use acquired land for low-income housing do have a time limit to reach a disposition on land acquired. Such time constraints are not in place for commercial property development. To protect the public's interests, CRA staff members must strive to attain the best value for the land. Some of the economic considerations in land banking are:

- ☐ Funds used to acquire property and held for many years have a cost because funds are tied up in non-earning assets waiting for a viable project to be defined.
- ☐ Eventual property development may often involve selling land to businesses or to developers at below market values. This situation makes the payback calculations for a commercial project critical to explain or justify the sale to the public.
- ☐ Standards, models or formulas used for determining payback on a commercial or housing project are often subjective and may use various consultants to perform the valuations, making comparisons difficult.

⁵ Includes debt issued on behalf of the school districts and County of Los Angeles, which is paid out of their pass-through revenues. Actual CRA debt is \$129 million.

⁶ Net tax increment revenues exclude the pass-through agreement funds to the school districts and the County of Los Angeles. The total tax increment is \$32,084,145.

The land banking practices of the three CRAs visited are:

- ❑ **CRA/City of Carson:** The CRA in the City of Carson is currently land banking along Carson Avenue for future commercial development.
- ❑ **CRA/City of Lancaster:** Land banking occurs but only after evaluating the property (including Environmental Impact Reports (EIRs), Phases I and II as needed) within identified areas. Eminent domain is used typically when the ownership of a parcel is necessary to execute a planned use of the land.
- ❑ **CRA/City of Irwindale:** The City Council and CRA staff members have been land banking in recent years for subsidized home development and commercial development.

C. FINDINGS

Finding 1: CRAs lack a formal business ethics policy and program.
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What is ethics? According to Webster, ethics is defined as "*the discipline dealing with what is good and bad and with moral duty and obligation.*" Each CRA visited had an understanding of ethics concepts and, to varying degrees, were receptive to enhancing or documenting practices in that area.

The Miami-Dade County Commission on Ethics conducted a national survey of 547 cities and counties with populations of 50,000 or more in 2002.⁷ The purpose of the survey was to find out what local governments were doing to promote the goals of ethics and accountability in administration and decision-making. More than 80% reported that "general conflict of interest questions" posed the greatest concern, followed by lack of public trust by 37% of the survey respondents.

The board of a large urban CRA recently rejected a motion to approve a code of ethics. Shortly thereafter, in the same city, the media reported that \$2.8 million in CRA inventory was allegedly lost, much of it potentially taken by CRA employees.

The CRAs visited consistently placed a high reliance on the California Form 700 – Statement of Economic Interests filed by employees and City Council/Board members annually. Form 700 requires disclosure of economic interests which could lead to potential conflicts of interest. Although the CRAs recognize the potential value of a formal ethics program, such formal programs are not currently in place. The need for adopting a formal and comprehensive ethics program varied by city.

- ❑ **CRA/City of Carson:** In addition to the California Form 700 – Statement of Economic Interests, Carson has gone a step further and adopted an ordinance

⁷ "Survey Finds that Local Governments Do Not Fully Embrace Ethics Training," PA Times, American Society for Public Administration, Vol. 27 No. 1, January 2004.

which prohibits persons doing business with the city from collusion with any city official, officer or employee. This is an important first step in developing a comprehensive ethics program.

- ❑ **CRA/City of Lancaster:** Interviewees agreed in principle that an ethics policy or program, if already in place, would be good, but they were not convinced that such a program was necessary. They expressed a firm belief that the staff and elected officials already conduct themselves in an ethical manner.
- ❑ **CRA/City of Irwindale:** CRA staff and elected officials were supportive of implementing an ethics or integrity program but do not currently have one. One department head indicated he had an informal policy in place within his unit

Finding 2: CRAs lack a formal whistleblowing policy and program.

CRA management and staff interviewed believe they foster an environment that encourages employees, City Council members and citizens to disclose information which could be categorized as whistleblowing. None of the CRAs had formal policies regarding the protection of whistleblowers. The absence of such protection makes it difficult to assess if potential fraudulent practices are occurring because of fear of retribution. In other governmental agencies, such protection has shown that individuals are more apt to report potential problems if they feel there is some sensitivity to their whistleblowing and protection from retaliation.

At the three CRAs visited:

- ❑ The CRAs and their respective cities had not developed a policy or position on whistleblowing, implemented an ethics hotline or adopted a methodology to provide an anonymous flow of potential information.
- ❑ Most believe that their CRAs foster an open and safe environment that encourages employees to follow or bypass the chain of command (i.e., approach human resources or the City Manager) to report issues or concerns.
 - Note: The chain of command solution poses problems, particularly if an employee has identified questionable practices of his/her boss and fears retribution.
- ❑ Most CRA staff and City Council members interviewed agree that an effective whistleblowing policy would encourage staff to step forward with concerns.

In contrast, the Miami-Dade County Commission on Ethics survey found that:

- ❑ More than 50% of the local governments have hotlines or other avenues to report wrongdoing.
- ❑ Nearly 75% of them provide whistleblower protection.

Finding 3: Not all involved are knowledgeable of contracting procedures and some of the latest “best practices”.

The Request for Proposal (RFP), competitive review, reference checking, background checks, contractor selection and negotiation processes were defined and understood at each CRA visited. The CRAs visited were not uniformly aware of some of the “best practices” used within their own CRAs and cities or elsewhere.

- ❑ **Master agreements.** During the CRA interviews, many were unaware of the use of master agreements in identifying consultants, contractors and other service providers for multi-year periods. Most interviewees reported that the CRA either issued a RFP or contacted a firm they had used in the past. During further discussions with the CRAs, they indicated that they do use master agreements, often times prepared by other agencies, such as the Department of Public Works in the County of Los Angeles or from their own public works agencies in their city governments.
- ❑ **Economic commitment to use local businesses.** The CRAs stated that they use local business enterprises that are capable and competitive as part of their commitment to their business communities. They argue that many of these local businesses are small and are reluctant to complete the paperwork to be part of master agreement listings.
- ❑ **Fitness-and-integrity (ethics) verification.** The process of certifying a contractor’s technical qualifications appears well developed and understood at each CRA visited. The process for determining contractor fitness-and-integrity (ethics) is not as clearly defined or verification practices are not uniform and consistent across the three CRAs visited.
 - **CRA/City of Carson:** Although currently not in place, City Council and CRA staff members indicate they would look into requiring that a fitness-and-integrity process be standardized and included as part of the procurement process.
 - **CRA/City of Lancaster:** Interviewees indicate they understand the importance of performing background checks and are comfortable with their procurement process and the level of background checking performed. Most of the contract work let in the city was to local contractors, who were well known, had prior histories working with the city and had reputations to maintain; therefore, CRA management believe the risk of a bad contractor slipping through was minimal.
 - **CRA/City of Irwindale:** Irwindale staff members undertake an ancillary procurement process to solicit and select a separate contractor to perform independent verification of compliance with contract requirements and applicable laws. But, a formal policy calling for fitness-and-integrity checks was not in place. The normal process of checking on contractors’

references includes verifying prior performance and any issues or disputes that affected the contract. The process is not formalized.

- ❑ **Independent verification of contractor compliance with their contract requirements.** The CRAs report that they do conduct verification (e.g., routine inspections, review of salary payments made, onsite interviews with workers) of large development or construction contractors' compliance with their various contract requirements, such as prevailing wage laws and related governmental procurement requirements. The random application of random independent verification, however, was not used everywhere. As a best practice, the City of Lancaster withholds 10% of their contracts until they can verify that the work performed and the contractual requirements are met. The CRA seeks the public approval of the city council before closing out the project and releasing the 10% of retained funds.

Finding 4: The CRAs have not systematically taken advantage of the latest changes from the Governmental Accounting Standards Board (GASB) regarding the transfer of completed projects that benefit their respective cities.

The enactment and implementation of Governmental Accounting Standards Board (GASB) Statement No. 34 in June 1999 gives CRAs within city governments an opportunity to assess and revalue their assets and liabilities to conform to the new financial statement rules.⁸

During the interviews, CRA management questioned the allocation of certain assets to the CRA balance sheets and which assets should be transferred to the city. For example, the CRA in the City of Carson used redevelopment monies to build a community center for the city. Yet this asset is currently on the CRA books. The CRA in the City of Irwindale has a Certification of Participation (COP), which is still active on one of their potentially eligible projects. The CRA in the City of Lancaster has transferred most of their eligible projects but some, such as the performing arts center, the City leases from the CRA.

With GASB's latest enactment of GASB, the CRAs have an opportunity to determine if they have any assets built for the benefit of the city that should be transferred to the city. (Note: The CRA is not permitted to spend its funds to maintain and operate such a facility.)

D. RECOMMENDATIONS

For each recommendation and related findings, the listed agencies should be held accountable for its implementation.

⁸ Capital assets, such as roadways and improvements, must be shown on a depreciated basis. Financial instruments must be shown on a full accrual basis.

Recommendation 1: The CRAs should put in place a formal ethics program, which includes a whistleblowing policy.

Accountability: CRA/City of Carson
CRA/City of Lancaster
CRA/City of Irwindale

Related Findings: 1, 2

Given the business ethics crisis in the private sector and the mandate for transparency in the public sector, the need for a formal ethics program in government is paramount today. The CRAs should develop and adopt a comprehensive ethics policy, which defines such principles and concepts as:

- ☐ Appearance issues
- ☐ Independence and objectivity
- ☐ Undue influence
- ☐ Conflict of interest.

The components of an ethics plan would include:

- ☐ An ethics policy, including a code of ethics and conflict of interest, for CRA employees and officials
- ☐ Ethics training
- ☐ An ethics hotline
- ☐ Mechanisms to render ethics advice
- ☐ Whistleblowing protections.

The content of the ethics plans should be reinforced in various CRA documents, including employee handbooks, procurement manuals and procedural manuals. To be effective, the ethics plans should be accompanied by ethics training to reinforce the principles and concepts.

The development of ethics principles, manuals and training alone are not enough. What is needed is a comprehensive approach that combines effective laws, training programs and enforcement procedures and penalties. These practices should be integrated into City Council and CRA staff members' day-to-day activities, which would provide the public with a level of assurance that their elected officials and city employees operate under ethics principles.

Given the need for formalized ethics and integrity programs, smaller cities might want to collaborate, possibly through the League of California Cities or a similar organization, to develop a set of guidelines for policies and programs. Such collaboration could result in a higher quality of ethics programs across cities and agencies, and would avoid the costs of having each entity develop its own.

Recommendation 2: CRAs should take advantage of “best practices” proven effective elsewhere and incorporate fitness-and-integrity checks into their contractor selection processes.

Accountability: CRA/City of Carson
CRA/City of Lancaster
CRA/City of Irwindale

Related Finding: 3

CRAs should take advantage of work already completed by the larger jurisdictions, such as master agreements or background and fitness-and-integrity checks on potential contractors, particularly if they are new to that CRA.

- ❑ **Master agreements.** Multi-year master agreements reduce the need to go through an entire selection process each time when relatively non-complex, but necessary, tasks orders may arise. Some of the CRAs have such master agreements in place; others do so to a lesser extent. They can either develop their own or take advantage of existing master lists with other jurisdictions, such as the County of Los Angeles, City of Los Angeles, State of California, Los Angeles County Metropolitan Transportation Authority (LACMTA) or others. Such cooperation with other jurisdictions would reduce the cost of developing a master list and potentially would enable the CRAs to benefit from better-negotiated rates that the larger jurisdictions can obtain.
- ❑ **Background and fitness-and-integrity checks.** In addition to the current CRA contracting practices which consider past contractor performance, experience and technical competence as part of the evaluation process, the CRAs should either conduct or obtain a fitness-and-integrity check. A cost-effective option would be to determine if larger jurisdictions have already performed such a fitness-and-integrity review of potential contractors. If they have, the smaller CRAs could piggyback on these larger jurisdictions’ analyses. These reviews typically involve:
 - A review of the Federal debarment/suspension or exclusion actions database
 - Background checks on companies and their principals, which may disclose similar actions taken by State or local agencies
 - An affirmative questionnaire completed by the contractor, requiring the disclosure of current or prior debarment/suspension actions or any negotiated settlements of contract disputes, including pending or past litigation involving government entities
 - The completion of routine reviews, such as “Good Standing” status with Dunn & Bradstreet (D&B) on a company’s performance.

- ❑ **Independent verification of contractor compliance with contract requirements.** In addition to their internal checks and balances, spot site visits, payroll reviews, etc., the CRAs should consider independent verification of the contractor’s compliance with:

- Prevailing wage laws
- Related governmental procurement requirements.

This verification often requires that an independent contractor be hired to perform the verification. What results is a costly ancillary procurement process to solicit and select a separate contractor to perform independent verification of compliance to contract requirements and applicable laws. To avoid this costly process each time verification is required, the CRAs could compile a master agreement list of potential individuals or firms who could conduct these verifications.

Recommendation 3: The CRAs should regularly assess the appropriateness of transferring completed projects benefiting their respective cities.

Accountability: CRA/City of Carson
CRA/City of Lancaster
CRA/City of Irwindale

Related Finding: 4

CRAs should reevaluate their balance sheets and reallocate properties to the cities if a redevelopment project has been completed and is used for the benefit of the city. This reallocation would appear to more accurately conform to the CRAs’ purpose of acquiring and holding land or carrying projects in process on its balance sheet. In future years, once a redevelopment project involving a city asset that will be used for the community is completed, the appropriate holder of this asset should be determined.

E. ACRONYMS

COP	Certification of Participation
CRA	Community Redevelopment Agency
D&B	Dunn & Bradstreet
DDA	Disposition and Development Agreement
EIR	Environmental Impact Report
FY	Fiscal Year
GASB	Governmental Accounting Standards Board
LACMTA	Los Angeles County Metropolitan Transportation Authority
RFP	Request for Proposal

PART 2

TRANSACTION BETWEEN THE CRA OF THE CITY OF CARSON AND THE OWNERS OF A LOCAL CAR DEALERSHIP

The following was released as a Final Report in April, 2004. It is included so that all of the Final Reports are consolidated into a single document. At the end of this report is an update of subsequent events.

Should Carson's Community Redevelopment Agency give \$4.2 million to the owners of Carson Toyota?

INTRODUCTION

The Civil Grand Jury operates under authority of the California Penal Code with responsibilities which include investigations of county, city and other local government agencies. The selection of entities to investigate is at the initiative of the Grand Jury. The Grand Jury may use outside consultants to assist in the investigations.

The results of Grand Jury investigations, including its findings and recommendations, are published in a Final Report. Penal Code §933 requires each governmental body that is the subject of a finding or recommendation in a Final Report published by the Grand Jury to respond within 90 days of its submission. Final Reports and responses are public documents.

BACKGROUND

State law permits a city to create a redevelopment agency to administer one or more "project areas" within its boundaries. To do so, the redevelopment project area must be declared "blighted." The statutes give the community redevelopment agencies broad powers to identify and eliminate blight and improve the land use within the designated project areas. These powers include the acquisition of land, sale of land below market value, eminent domain, sale of bonds without voter approval and the right to receive all increases in property tax revenues generated in the project areas.

There is very little oversight of community redevelopment agencies. Thus, it is important that their powers are used prudently for the benefit of the whole community as contrasted with benefiting selected individuals at the expense of the community.

This Final Report is being issued prior to the end of this Grand Jury's term because the first step in the transaction described herein is scheduled to close in May, 2004. Making public the details of the transaction and the process, as the Grand Jury understands it, may lead the Carson Community Redevelopment Agency (CRA or Agency) to rethink the transaction or at least give the public another opportunity to consider it.

THE TRANSACTION

The Agency is scheduled to purchase a parcel of land in May, 2004, from the Watson Land Co. (Watson) for approximately \$6,050,000 (plus closing costs). The land is currently leased by Watson to the Carson Toyota⁹. Carson Toyota has been at that location for more than thirty years.

The Agency plans to sell the Watson parcel along with an adjacent parcel currently owned by the CRA (current value is estimated to be \$2,703,000) to a limited liability corporation (Developer) owned by the owners of Carson Toyota for a total sales price of \$4,573,800.

Pursuant to Section 33433 of the California Health and Safety Code, if a property owned by a community redevelopment agency is to be sold at less than the fair market value of the interest to be conveyed, the community redevelopment agency must secure approval of the proposed sale from its legislative body after a public hearing. A 33433 Report summarizing the transaction must be available to the public prior to the public hearing.

The 33433 Report relating to this transaction was dated February 25, 2003. The following table compares the cost, sales price and net cost (a) disclosed in the 33433 Report with (b) the current information.

TABLE 1
Net Cost to Agency

	<u>From Exhibit 1,</u> <u>33433 Report</u>		<u>Using Current</u> <u>Information</u>	
	<u>Per sq. ft.</u>	<u>Total</u>	<u>Per sq. ft.</u>	<u>Total</u>
Cost				
Watson Parcel	\$18.17	\$4,790,000	\$22.95	\$6,050,000
Agency Parcel	10.64	1,250,000	22.95	2,703,000
Closing Costs		<u>16,000</u>		<u>16,000</u>
Total cost		6,056,000		8,769,000
Sale	12.00	<u>4,573,800</u>	12.00	<u>4,573,800</u>
Net Cost to Agency		<u>\$1,482,200</u>		<u>\$4,195,200²</u>

The appraised value in the 33433 Report for the Watson parcel is \$4,790,000. The \$6,050,000 negotiated value for the Watson parcel was reached after threat of condemnation under the powers of eminent domain.

⁹ Aldon, Inc., dba Carson Toyota.

² Does not include other direct costs incurred, such as legal costs, appraisals and consultants, of approximately \$110,000.

The Agency parcel is currently being used by Carson Toyota for auto storage at a below-market rent of \$1000 per month. There is no lease.

The three different values of the Agency parcel are indicated below:

TABLE 2

Description	Per Sq. Ft.	Total
Cost—Value as reflected in Exhibit 1 of 33433 Report and used to compute Net Cost to Agency of \$1,482,200	\$10.64	\$1,250,000
Market—Value estimated by Agency and disclosed in 33433 Report; not used to estimate "Net Cost to Agency"	18.00	2,114,700
Market—Current information value used to determine Net Cost to Agency; CRA officials indicated that the fair market value per square foot is approximately the same as the Watson parcel.	22.95	2,703,200

The selling price of \$12.00 is supported by a restricted use appraisal. This appraisal assumes that the parcels will be used for an auto dealership. Should the land be appraised at its highest and best use, the value would be significantly higher.

As indicated in Table 1 herein, (a) the 33433 Report reflected the Net Cost to Agency as \$1,482,200, and (b) the current estimated Net Cost to Agency is \$4,195,200—almost three times as much.

CLAIMED BENEFITS TO CARSON

The benefits to Carson and the CRA would be:

1. The Developer will build a modern automobile showroom and facility, thus erasing the "blight" of the current site.
2. Officials of the CRA estimate that the property tax increment would contribute an additional \$100,000 to the CRA each year. This assumes increased property assessment in excess of \$10,000,000 from the construction and land transaction.
3. Officials of the CRA estimate an annual increase of \$300,000 of sales tax revenue. To realize this, the auto dealer(s) in the area would have to increase their sales in excess of \$30,000,000 as a result of the improved facility—an estimate questioned by the Grand Jury.

FINDINGS

1. The 33433 Report dated February 25, 2003, is misleading in that it shows a "Net Cost to Agency" of \$1,482,200 based on the cost, rather than the then current market value, of the Agency parcel.

2. The 33433 Report states the cost of the Watson parcel based on an appraisal. Because the final negotiated cost (after threat of condemnation) was significantly higher, the economic rationale as well as the substance of the transaction has significantly changed to the detriment of the CRA.

3. In these circumstances, the acquisition of property in order to sell it to another private company currently occupying that property for an amount significantly below its fair market value is an abuse of the CRA purpose and process.

4. The Agency parcel currently used by Carson Toyota has no lease, and rental payments are below market value.

RECOMMENDATIONS

1. The CRA should not proceed with this transaction.

2. If the CRA determines that it is in its best interest to make a grant of assets worth approximately \$4.2 million to the Developer, it should prepare a current and accurate 33433 Report and hold another public hearing.

3. The CRA should negotiate a market value lease with Carson Toyota for its use of the Agency parcel.

Subsequent to the release of Final Report #1 in April, 2004, the Carson CRA scheduled a new public hearing on May 18, 2004. A Restated and Amended Disposition and Development Agreement (DDA) and a revised and updated Section 33433 Report were made available to the public prior to the public hearing. Subsequent to the public hearing, the Board of the Carson CRA approved the revised transaction.

The revised DDA cosmetically improved the transaction (when compared with the Civil Grand Jury's description above). However, on a substantive basis the transaction was improved only marginally for the CRA and the City of Carson.

RESPONSES

RESPONSES

The California Penal Code specifies both the deadlines by which responses shall be made to grand jury final report recommendations, and the required content of those responses.

DEADLINE FOR RESPONSES

Penal Code Section 933 (c) states:

"Not later than 90 days after the grand jury submits a final report on operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elective county officer or agency head for which the grand jury has responsibility pursuant to section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor should also comment on the findings and recommendations..."

The code requires that responses from governing bodies and elected officer and agency heads be made to the presiding judge. The 90-day deadline applies to the governing body required to respond to a grand jury report. The 60-day deadline applies to an elected county officer or agency head.

CONTENT OF RESPONSES

Recommendations-

For each grand jury *recommendation*, the responding person or entity shall report one of the following actions:

- The recommendation has been implemented, with a summary regarding the implemented action
- The recommendation has not been implemented, but will be implemented in the future, with a time frame for implementation.

- The recommendations require further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame from the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
- The recommendation will not be implemented because it is unwarranted or unreasonable, with a supportive explanation.

RESPOND TO

Responses to grand jury final report recommendations should be sent to:

The Honorable Robert Dukes
Presiding Judge
Los Angeles County Superior Court
111 North Hill Street
Room 222
Los Angeles, California 90012