

2009-2010 LOS ANGELES COUNTY CIVIL GRAND JURY



FINAL REPORT



County of Los Angeles CIVIL GRAND JURY

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One morning in early July of 2009 twenty-three strangers, ranging in age from fifty-two to eighty-three met together for the first time in downtown Los Angeles. There were seven women and sixteen men whose cultural and ethnic backgrounds included Caucasian, African-American, Native American and Asian. Selected at random, they came from diverse backgrounds: Business and Industry, Clergy, Entrepreneurship, Clerical, Administrative, Social Work, Entertainment, Health Care, Law Enforcement, Engineering, Education and Military. Several were published authors. Most were retired or semi-retired. All were volunteers.

The first order of business was to attempt to answer the basic question facing many newly formed assemblages: “***What do we do now?***” made famous in the 1972 Robert Redford film, ***The Candidate***. With that, the 2009-2010 Los Angeles County Civil Grand Jury was officially under way.

The group quickly marshaled its human capital, varied experiences and diverse backgrounds along with its biases and prejudices to begin to respond to the all-important issue of what to investigate and how to go about doing it. There were fresh tracks left by earlier Grand Juries in the form of published reports as well as a transition visit from the immediately prior Grand Jury.

Standing committees were formed and staffed, speakers invited, outside site visits scheduled, brainstorming sessions held, newspaper articles clipped, lengthy animated discussions held and slowly there emerged a list of potential investigations which reflected the collective wisdom and interests of the group. From this evolved several full-fledged investigative committees which prodded and poked and ultimately found fertile ground to hopefully have some benefit and to provide the County Los Angeles with a reasonable return on its investment in the Civil Grand Jury Process.

The members had the opportunity to meet with a wide range of government officials and to visit a number of interesting venues not normally accessible to the general public. Most had never before seen the inside of a jail or had observed firsthand what goes on in the Forensics Laboratory. For those who chose, there was even an opportunity to view an autopsy at the Coroner’s office. As an educational experience, Grand Jury service was invaluable. The group learned a great deal about how government functions, and more importantly, how it doesn’t always function well.

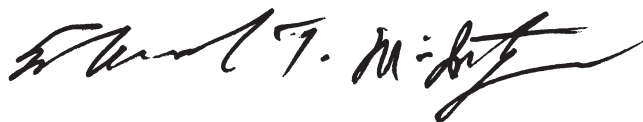
Past Civil Grand Juries have frequently utilized outside audit firms to perform some of the more complex investigations. This Grand Jury elected not to use this approach and performed all of its investigative activities with its own members. This was because several jurors had audit and management backgrounds and also to reflect the spirit of fiscal conservatism sorely needed throughout government.

The report that follows reflects the product of the Civil Grand Jury's investigative efforts as well as its sometimes arduous and deliberative report writing process. Hopefully, this effort will have a lasting beneficial effect within Los Angeles County. The Grand Jury investigated a wide range of areas from Water Management and Child Abuse Reporting to Inmate Healthcare, Video Conferencing and Systems Implementation. One common thread that the Grand Jury encountered in its investigations was that of the "Silo Effect" within government. This is the tendency of departments and agencies to operate, make decisions and spend money focused on their own narrow perspective that does not necessarily contribute to the common good of the County and its cities. Many of the Grand Jury's recommendations center around attempting to breach the silo walls and suggest collaborative actions to advance the overall mission of government which is to serve the people.

It is important to express appreciation to Judge Peter Espinoza of the Superior Court for his supervision; County Counsel Gordon Trask for his legal guidance; and Marc, Cora and Natalie of the Court staff for their support of day-to-day operations. In addition, all of the individuals in County and city governments who cooperated in the Grand Jury's investigations and contributed greatly to the Grand Jury's knowledge base are to be thanked as well.

Finally, and most importantly, the members of the Grand Jury particularly need to be thanked for giving up a year of their lives with minimal remuneration to participate in this most important civil task. In exchange they all had a rewarding experience which can last a lifetime.

Respectfully,

A handwritten signature in black ink, appearing to read "Edward T. McIntyre". The signature is fluid and cursive, with a long horizontal stroke at the end.

Edward T. McIntyre, Foreperson
2009-2010 Los Angeles County Civil Grand Jury



Seated L to R: Arnold Charitan, Carolyn Cobb, Charles Dolcey, Huong T Do Nguyen, Jeremiah Flanigan, Linda J. Banez, Irene Gilbert Gibson, Rik Shubb
 Standing L to R: Amie Spears, Bill Juden, John C. Dankowski, Jacqueline Brown, Ron Murphy, Dale Freeberg, Jim Mead, Sharon M. Buckley, Joe Kroening, H. Russell Justice,
 Fred R. Price
 Officers Standing L to R: Ray O'Keefe - Sergeant-At-Arms, Michael Whitten - Foreperson Pro-tem, Olivia Headley - Secretary
 Officer Seated: Edward McIntyre - Foreperson

TABLE of CONTENTS

REQUIRED RESPONSES	xi
---------------------------------	----

INVESTIGATIVE REPORTS

Child Abuse Reporting and Response.....	1
City of Long Beach Wireless 9-1-1.....	17
City of Palmdale.....	21
Drug Free Work Environment.....	29
Forensics.....	37
Inmate Healthcare.....	41
Los Angeles Parks and Recreation.....	49
Los Angeles Unified School District Payroll.....	57
Office of the Public Guardian.....	65
Solid Waste Management.....	69
Video-Conferencing Technology.....	73
Water for Los Angeles County.....	83

STANDING COMMITTEE REPORTS

Audit Committee.....	131
Citizen’s Complaint Committee.....	133
Continuity Committee.....	141
Detention Committee.....	149
Edit Committee.....	167
Investigative Oversight Committee.....	169
Speakers and Events Committee.....	171

AREAS OF REVIEW

Building and Safety.....	175
Cell Phone Usage in Automobiles.....	177
Cooperative Purchasing.....	179
Countywide Vehicle Usage.....	181
Department of the Coroner.....	183
Los Angeles Unified School District Ratios.....	187
Medi-Cal Retroactive Billing.....	189
State Release of Prisoners.....	191

INDEX	193
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Required Responses

The California Penal Code specifies permissible responses to the findings and recommendations contained in the Civil Grand Jury Reports. The specific sections are quoted below:

Section §933.05. For purposes of Subdivision (a) of Section 933.05, as to each grand jury finding, the responding person or entity shall indicate one of the following:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

For purposes of subdivision (b) of Section 933.05, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implementation action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for 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 where applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

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INVESTIGATIVE REPORTS



CHILD ABUSE REPORTING and RESPONSE



COMMITTEE MEMBERS

**Chairperson- Edward T. McIntyre
Arnold Charitan
Carolyn Cobb
H. Russell Justice
Michael Whitten**

CHILD ABUSE REPORTING AND RESPONSE ***AN IMPROVED SITUATION***

EXECUTIVE SUMMARY

The 2009-2010 Los Angeles County Civil Grand Jury undertook an investigation of child abuse reporting and response within the County. This was in part precipitated by the implementation of a system to speed up and standardize the reporting of and response to Suspected Child Abuse Reports to law enforcement agencies.

Three groups within Los Angeles County are directly involved in responding to child abuse allegations:

- Department of Children and Family Services
- Law Enforcement Agencies
- District Attorney's Office

The child abuse reporting process generally starts with a Mandated Reporter placing a call to the Child Protection Hotline. From this a Suspected Child Abuse Report (SCAR) is generated. If the alleged abuse is deemed to be of sufficient concern, it requires cross reporting to law enforcement and the District Attorney. A system developed in 2009 generates an Electronic Suspected Child Abuse Report (E-SCAR) which is electronically transmitted to law enforcement agencies within the County as well as the District Attorney's office.

When responding to child abuse allegations, the primary groups involved face an array of information sources that, because of privacy and other concerns, can be cumbersome, time consuming and potentially incomplete. While the three responding agencies have different roles when investigating child abuse allegations, it is important that they coordinate and communicate with each other. Prior to the development of the E-SCAR system, a lack of timely distribution of SCAR information often caused law enforcement to be the last to respond. With this system in place, the police are more likely to be the first on the scene.

The 2009-2010 Los Angeles County Civil Grand Jury made several recommendations aimed at strengthening and formalizing the interfaces among the responding agencies. These included:

- Establishing a Memorandum of Understanding and a Steering Committee to formalize and maintain the relationships among the responding agencies and continue to enhance the E-SCAR system
- Providing adequate funding to maintain the E-SCAR effort
- Improving training regarding Mandated Reporters for suspected child abuse

- Considering co-locating of Department of Children and Family Services workers with law enforcement to better coordinate child abuse responses

Also commendations were made regarding the involved agencies for their cooperation in the initial implementation of the E-SCAR project and particularly the District Attorney's office, the Department of Children and Family Services and the Los Angeles County Sheriff's Department for their leadership in the development and user training associated with the E-SCAR system.

CHILD ABUSE REPORTING AND RESPONSE

AN IMPROVED SITUATION

BACKGROUND

The abuse of children, whether physical, sexual or emotional, is a major problem in Los Angeles County as it is throughout the world. A timely response by social workers and law enforcement agencies to allegations of child abuse is of utmost importance for managing a difficult and potentially dangerous situation. Responders need viable, relevant information and pertinent background data to improve the chances for a positive outcome for the abused child.

The 2006-2007 Los Angeles County Civil Grand Jury made recommendations outlining serious concerns about the sharing of information in Los Angeles County particularly in the area of medical records.

The 2009-2010 Los Angeles County Civil Grand Jury became interested in the subject of child abuse reporting and response when the Los Angeles County District Attorney (DA) raised a concern about possible reluctance to acceptance of a new child abuse reporting system designed to communicate more effectively with law enforcement agencies. The current Civil Grand Jury recognized that the area of child abuse reporting and response involved a multitude of agencies within the County and a number of data bases and systems. Underlying this is a body of confidentiality laws with differing interpretations.

METHODOLOGY

Interviews and meetings were held with a number of agencies and individuals:

- The District Attorney's Office
- Department of Children and Family Services
- Los Angeles County Sheriff's Department
- Attendance at a comprehensive training session on the use of the E-SCAR system
- Members of the Los Angeles County Board of Supervisors
- Attendance at a workshop session of users of the E-SCAR system
- Attendance at a County-wide seminar on child abuse
- Review of E-SCAR distribution and disposition reports

DISCUSSION

Major Participating Agencies

Three primary groups within Los Angeles County are directly involved in responding to child abuse allegations:

- Department of Children and Family Services
- Law Enforcement Agencies
- District Attorney's Office

Whenever children are at risk, the Department of Children and Family Services (DCFS) provides support and assistance. In addition, DCFS provides services to other children and families in need. DCFS, as an on-site responder, conducts investigations of reported actual or potential child abuse, abandonment, neglect or exploitation. The agency provides protective services in the home, short-term out-of-home services, guardianship, long term foster care and adoption. The primary goal of DCFS is to ensure that children are physically and emotionally safe. DCFS also maintains the telephone hotline for reporting of suspected child abuse.

Law enforcement agencies (LEA) are also immediate responders. Their role is to determine if a crime has been committed, to provide a thorough investigation and to provide protective custody to children who may be at imminent risk of danger. Within Los Angeles County there are more than forty LEA, the largest of which are the Los Angeles County Sheriff's Department (LASD) and the Los Angeles Police Department (LAPD).

The District Attorney's role is to prosecute cases where a crime has been committed and to make sure that nothing falls through the cracks. The DA has also taken the lead in developing and promoting the Electronic Suspected Child Abuse Reporting System (E-SCAR) including training and follow-up.

Basics Of Child Abuse Reporting

In order to be truly effective, a reporting system should be comprehensive, complete and involve commitments from those having relevant information to report plus those charged with acting on that information. The Child Abuse and Neglect Reporting Act requires Mandated Reporters to report cases of suspected allegations of sexual, physical or emotional abuse or severe neglect either to Child Protective Services or to the local police agency.

A written standard form, the Suspected Child Abuse Report (SCAR), must be generated at the time a telephone report is made. This SCAR is required to be cross reported to the local law enforcement agency, the Child Protective Services group in the area of

jurisdiction, in Los Angeles County it is DCFS, and the District Attorney's office. Individuals are also strongly encouraged to make SCAR reports.

There are thirty-seven categories of Mandated Reporters defined in California Penal Code Section 11164. These fall into the following general groupings:

- Teachers, employees of educational institutions and individuals associated with the education and care of children
- Social Workers and related individuals
- Law enforcement personnel
- First Responders such as firefighters and paramedics
- Medical personnel including physicians, nurses and medical examiners
- Photo processors
- Animal Control Officers
- Clergy
- Custodial Officers

In Los Angeles County DCFS maintains a telephone hotline to accept calls regarding suspected child abuse. The Child Protection Hotline operates 24/7 and acts as the central point for reporting possible abuse and/or neglect of children. The Hotline receives the call, assesses the level of endangerment, obtains information regarding the incident, generates a referral for investigation and sends it to the appropriate office where social workers are available 24/7 to respond.

When the Child Protection Hotline receives a call, the information is entered into the Child Welfare Services/Case Management System (CWS/CMS) used by the Department of Children and Family Services as its primary database. A structured decision making process is employed to determine whether cross reporting to law enforcement is required.

Currently, the Hotline receives as many as 200,000 calls per year, about half of which are determined not to involve child abuse. While telephone calls to the Hotline start the process, a written record of the SCAR is required. Forms are available on-line and through other sources to expedite this.

Initially SCAR's were disseminated to law enforcement via facsimile, e-mail or other methods. The process was not structured and individual LEA handled SCARs with varying levels of effectiveness. The DA's office was particularly concerned with the backlogs experienced by several LEAs.

Electronic SCARs

There was a significant case (*Alejo vs. City of Alhambra*, 1995) wherein a father reported to an officer on duty at the Alhambra, CA Police Department that his ex-wife and boyfriend were abusing his child. The police officer took no action and the child was

beaten into a coma by the ex-wife and boyfriend. The child's father sued the City of Alhambra, the Alhambra Police Department and the officer. A costly settlement followed which underscored that police have a duty to act and not just a requirement to take a report.

The concern for liability to the County and its cities and the concern about inconsistent and possible inefficient handling of SCARs by law enforcement led to an effort to better track the dissemination and responses to the SCAR information. In 2005 the Los Angeles County Quality Productivity Commission made a \$2 million grant to pursue the development of an electronic based system. This has resulted in the development of E-SCARs. The system is unique within the nation.

This system is a web-based application that allows rapid and secure electronic transmission and receipt of SCARs. It facilitates compliance with the cross reporting requirements of the Child Abuse and Neglect Reporting Act and allows the DA to audit the cross reporting compliance. E-SCAR provides a timely response for all cases. This allows the consolidation of reports from multiple mandated reporters, case tracking capability and the expediting of criminal investigation and prosecution.

The CWS/CMS system generates an E-SCAR, which is populated with available data regarding the alleged abused child and his/her family and other related records. The E-SCAR report is transmitted through secure law enforcement communications links. As of year-end 2009 LASD was fully operational in receiving E-SCARs as were all of the independent LEA's in the County.

The E-SCAR system has a comprehensive reporting capability which details the disposition of E-SCARs transmitted to each LASD station and each of the various individual law enforcement agencies within the County. The District Attorney's office uses this reporting capability to monitor the entire E-SCAR process as to responsiveness by law enforcement. The CGJ also extensively used this report in its investigation.

LAPD had traditionally used a single contact approach for dealing with SCARs. Communications were directed to a single location from which they were dispatched to detectives for investigation.

LASD used the approach of dispatching SCARs to the individual Sheriff's substations where they were assigned directly to patrol cars, rather than detectives, for action. This difference in handling was a result of the different communications and dispatch approaches utilized by the two agencies and partly by departmental philosophies.

Information Resources

Child Welfare Services/Case Management System

In Los Angeles County the primary database for managing DCFS' cases is the Child Welfare Services/Case Management System developed in 1998 by the State of California. CWS/CMS is a network-based Windows application that links all fifty-eight counties in the State to a common database. The system tracks each case from initial contact through termination of services.

CWS/CMS assists caseworkers in recording client demographics, contacts, services delivered and placement information. It also enables case workers to record and update assessments, create and maintain case plans and manage the placement of children in the appropriate foster home or facility. Because of the way its social services functions are structured, Los Angeles County uses the system solely for DCFS.

As indicated earlier, the data associated with a Suspected Child Abuse Report is entered into the CWS/CMS system and, if appropriate, an E-SCAR is generated.

A DCFS clerk receives two streams of SCAR information depending on whether or not cross reporting to law enforcement is required. In either case, the clerk queries the Family and Children's Index and forwards the information to the proper office of DCFS for action. If a cross reporting determination has been made, the notification will be made for immediate action by an Emergency Response Social Worker (ERSW), otherwise it takes a lower priority, but still receives a response.

Family and Children's Index

The Family and Children's Index (FCI) is a Los Angeles County interagency database containing information about children and their families that have had relevant contacts with public agencies and which have been identified as being at-risk for abuse or neglect. The system permits participating agencies to share basic information with a partner agency concerning a child or family identified as at-risk for abuse. This sharing of information among agencies is authorized under Welfare and Institutions Code 18961.5 providing that multidisciplinary teams are established to review the data.

The following Los Angeles County agencies currently participate in FCI:

- Sheriffs Department
- District Attorney
- Department of Children and Family Services
- Department of Public Social Services
- Department of Public Health

- Department of Probation
- Department of Mental Health
- Department of Health Services

The participating agencies have entered into a Memorandum of Understanding (MOU) updated in November, 2009 which outlines each participant's responsibilities. Each agency may have its own concerns relating to privacy legislation and other issues. In the MOU, the participants agree to regularly report critical information from their databases which meet certain criteria concerning at-risk children. The information exported into FCI includes:

- Name, address and contact information for the child and family members
- Date and place of birth for the child and family members
- Agency contact data for further case information

The criteria for inclusion of the above information in the agencies' data export vary by agency but generally includes:

- Criminal filings for physical and sexual child abuse as defined under fifty-one different Penal Code categories
- Reports relating to pregnancy or childbirth under the ages of twelve to fourteen or sexually transmitted disease reports involving children
- Referrals involving child abuse within families
- Arrests by law enforcement involving child abuse

There are stringent privacy protection provisions relating both to information entered into FCI as well as that accessed as a result of a query. Each individual with access to FCI is required to take an oath of confidentiality.

Access to the information in the participating agencies' databases is not allowed to individuals acting alone. A Multi Disciplinary Team (MDT) must be formed to provide access to the information held by the other participants in FCI. An MDT can be composed of three or more persons who are trained in the prevention, identification and treatment of child abuse and neglect cases and are qualified to provide a broad range of services related to child abuse. The team may be composed of individuals in the fields of social work, counseling, law enforcement, medicine or education

The DCFS queries FCI in the process of assigning SCARs to social workers. FCI operates as a **pointer system** to indicate there is information in the participating agencies' individual databases. It is then necessary to form an MDT to contact an individual agency that has indicated they may have relevant information concerning the case. Contact must be made with the participating agency and once the establishment of the MDT has been verified, the information can be released. In the MOU the

participating agencies have agreed to maintain a 24/7 capability to respond, but no later than 72 hours following initial contact. With heavy caseloads and telephone delays this can result in a very cumbersome process.

Other Potential Information Sources

The school systems represent another potential source of background information for social workers and other respondents to alleged child abuse. Neither the Los Angeles Unified School District nor any of the other school districts within the County participate directly with information for FCI. Privacy concerns are a major issue.

Another problem is that the information that may be useful to an investigation of suspected child abuse may not be a direct indicator of child abuse, but may be part of a pattern. Poor attendance, inattention in class, signs of injury and withdrawn behavior may be associated with child abuse, but may also be characteristics of non-abused children. It would be difficult to establish a set of parameters for inclusion in FCI. The social workers must consider the facts and circumstances of each case individually.

The LASD is charged with providing child abuse related arrest information to the FCI under the MOU. LASD represents about one-third of the law enforcement effort within Los Angeles County with LAPD representing another third and the balance associated with the other forty plus independent LEAs. This could be a potentially serious gap in the information available to the responders to child abuse allegations.

Law Enforcement can use the E-SCAR system to input notes concerning a particular investigation of alleged child abuse. The system was initially designed to exclude access by others to these notes. At year end 2009, a project was underway to provide access to the E-SCAR system by the DCFS Social Workers on a read-only basis. This would provide the social workers with additional intelligence and background regarding a particular case.

COGNOS

COGNOS is an IBM product employed by the County for creating reports to provide decision support and to monitor resource utilization and performance. The County's Business Information Services group has been producing reports from the CWS/CMS database since 2007. These reports provide summaries by the different organizational levels within DCFS including details to the case level. COGNOS has replaced earlier reports with a consistent structure and automatic refresh of data.

Safe Measures

This is a program to extract key data to produce a series of e-mail alerts to the appropriate members of management. Safe Measures has been developed to tap into the state-wide CWS/CMS data base. This reporting relates to cases of multiple reports

of abuse: with the same child or family, instances of abuse investigations remaining open and the questionable resolution of high risk cases.

Field Responses to Allegations of Child Abuse

Department of Children and Family Services

A SCAR is provided to an Emergency Response Social Worker. He or she receives the basic information, identifies the relevant LEA, accesses CWS/CMS for additional case information and may need to join an MDT to access relevant data from FCI participating agencies. The ERSW visits the child, conducts interviews and makes a preliminary determination as to potential child abuse. Upon consultation with a supervisor the ERSW makes a final determination and, if necessary, makes arrangements for removal and placement of the affected child.

ERSWs spend approximately 50% of their time entering and abstracting information from various computer systems. The ERSW has thirty days for case resolution. This includes child placement, court involvement, record reviews, other agency contacts, and report writing and submission. The case is then transferred to a Family Maintenance Unit Worker who is responsible for the on-going maintenance of the case which includes home visits, parental supervision, court and government agency contact. The Family Maintenance Unit Worker's job involves extensive computer usage.

Human Services Aides are sometimes used within DCFS to lighten the load of the other social workers. These aides are not as highly trained, or paid, as the regular social workers but are capable of handling much of the social workers' responsibilities. In addition they can provide a cadre of experienced individuals for future training and promotion.

Law Enforcement Agencies

As indicated earlier, law enforcement's role is to determine if a crime has been committed and to provide protective custody to children in imminent danger if no other arrangements are immediately available. Agencies such as the LASD consider every E-SCAR as a call for service and dispatch a patrol car. That can put them on the scene well before the social worker. If a determination of no-crime-suspected is made, it must be approved by the deputy's supervisor before the case is closed out. LAPD receives E-SCARs at a central location which are then dispatched via a network separate from LAPD's Central Dispatch unit.

Coordination and Timing of Investigations

The ERSW makes a notation in the CWS/CMS system to indicate whether or not child abuse is determined to be present. In a similar manner, the responding law enforcement

officer makes a notation in the E-SCAR system as to whether or not a which will highlight instances where the two responder groups differ in their crime is suspected. Under development in the E-SCAR system is an exception report determination of child abuse. A process is also being established to reconcile and investigate the difference between the two agencies' determinations to make sure that both groups are working with the same criteria and that no case is ignored.

The timing and order of response between the ERSW and the LEA can be critical in terms of providing the best solution to a report of suspected child abuse. Prior to the introduction of E-SCARs the slower dissemination of SCAR information to LEA often resulted in delayed investigation by the LEAs. With E-SCARs in place, the chances are greater that the police may arrive on the scene well before the ERSW.

In the ideal situation, the two first responder groups coordinate their investigation even though each agency has a somewhat different thrust to its investigation. DCFS workers are housed in several of the Sheriff's stations which appear to lead to a more timely coordination of effort between the two agencies. The DCFS response effort is understandably more time consuming than that of the LEAs.

As soon as a cross-reporting determination is made, law enforcement is notified and can have a unit on the scene shortly. DCFS has more paper handling and the need to access FCI to determine if there are any *hits* relating to the child before the SCAR goes through the review step to determine if immediate action is required. It is then assigned to the appropriate office for action.

FINDINGS

SCARs and E-SCARs

- The SCAR system does not currently have a good method of tracking the sources of SCARs e.g., schools and hospitals. This would be helpful in historical comparisons to determine where training and education should take place.
- The E-SCAR grant is scheduled to terminate June 30, 2010. There would be funds still available within the grant. This can be extended by the CEO.
- There is a concern that law enforcement officers are not aware of the need to make SCAR reports in cases of child endangerment. The case of a DUI arrestee with a small child in a vehicle is an example that needs to be reported and more thoroughly investigated by both DCFS and law enforcement.
- There remain a number of improvements to E-SCARs to be made. These include the handling of rerouted E-SCARs, proper contact individuals, the roles of the users and E-SCAR search capabilities.

DCFS

- An insufficient number of Human Service Aides are used to augment the efforts of the social workers.
- DCFS co-location with law enforcement appears to have benefits toward improving child abuse response and investigation effectiveness

RECOMMENDATIONS

MEMORANDUM OF UNDERSTANDING/OPERATIONAL AGREEMENT

1. **The Office of the District Attorney, Department of Child and Family Services and LASD should lead an effort to develop a Memorandum of Understanding or Operational Agreement, as appropriate, among all of the parties within Los Angeles County involved in the E-SCAR system for communicating cases of suspected child abuse.**
2. **The E-SCAR Memorandum of Understanding/Operational Agreement should define the roles of the participants as to the communication and transmission of data and information among themselves and their coordination of responses. Time-to-respond and best practices standards should be established by DA, DCFS, LASD and the other parties to the Memorandum of Understanding/Operational Agreement for use as benchmarks by the participants. The Memorandum/Agreement should not, however, attempt to define or dictate the operations of the various groups as to their internal processes and protocols used in investigating, prosecuting or resolving reported child abuse allegations.**

STEERING COMMITTEE

3. **The DA's Office, DCFS and LASD should lead an effort to establish an expanded, permanent Steering Committee composed of representatives of the various agencies that participate in the E-SCAR process to oversee the system from the standpoint of enhancements, user friendliness and effectiveness of the various stakeholders.**
4. **The Steering Committee as a body should assure that the system receives optimal use and is enhanced periodically with such items as:**
 - **Clarifying documentation of the procedures for rerouting E-SCARs that have been sent to the incorrect LEA**
 - **Establishing and maintaining a list of the critical contact individuals in the various groups involved. This list should be part of the system and should be available to all who have access to it**
 - **Expanding the search capabilities of the system to the extent possible within statutory privacy concerns to include responding officer's name, victim's mother's name and other relevant criteria**

- Incorporating a list of Frequently Asked Questions (FAQ's) into the system as a ready reference for users to assure that the system is receiving optimal use
- Establishing a formal process to seek suggested enhancements or modifications to the system among its various users
- Incorporating a list of recent enhancements or changes to the system for ready reference
- Monitoring the consistency and speed of handling of E-SCARs by the various law enforcement agencies
- Encouraging training of Mandated Reporters as to their reporting role
- Maintaining, updating and communicating a chart of information flows and action responsibilities for all of the participants in the child abuse reporting and response effort in Los Angeles County (An abbreviated flowchart of DCFS's recently updated version is attached as Appendix A.)

SCARs

5. The DA's office and DCFS should amend the SCAR/E-SCAR process to improve the identification of the sources of SCARs to the maximum extent possible under privacy law concerns. This will help to better monitor the compliance with Mandated Reporter rules at the institution level e.g., schools, hospitals, and law enforcement. This can be accomplished by requiring the use of the existing fields in the SCAR input process. Results should be monitored and followed up with the appropriate training and education.

E-SCARs

6. The Los Angeles County Board of Supervisors should take steps to assure that there will be adequate continuing funding to maintain the systems integrity of the E-SCAR process. Any complex system requires ongoing maintenance to make minor improvements and changes as the system matures. It has been estimated that one to two full time systems analysts plus support for a cost of \$100,000 to \$250,000 per year would be adequate.
 opment grant until all authorized funds have been expended.
7. The DA's Office, DCFS and LASD should expand the awareness of all law enforcement personnel as to their roles as Mandated Reporters especially as the requirement to cross-report suspected child abuse or endangerment cases encountered in the field.

DCFS

8. The Department of Children and Family Services should consider the employment of additional Human Services Aides to alleviate some of the less critical work performed by the social workers.

9. As demonstrated at the Palmdale Sheriff's station, co-location of DCFS social workers at law enforcement facilities has helped foster better cooperation and more effective communication between the two groups. LASD and DCFS should make a thorough evaluation of this approach and expand the concept wherever practical.

COMMENDATIONS

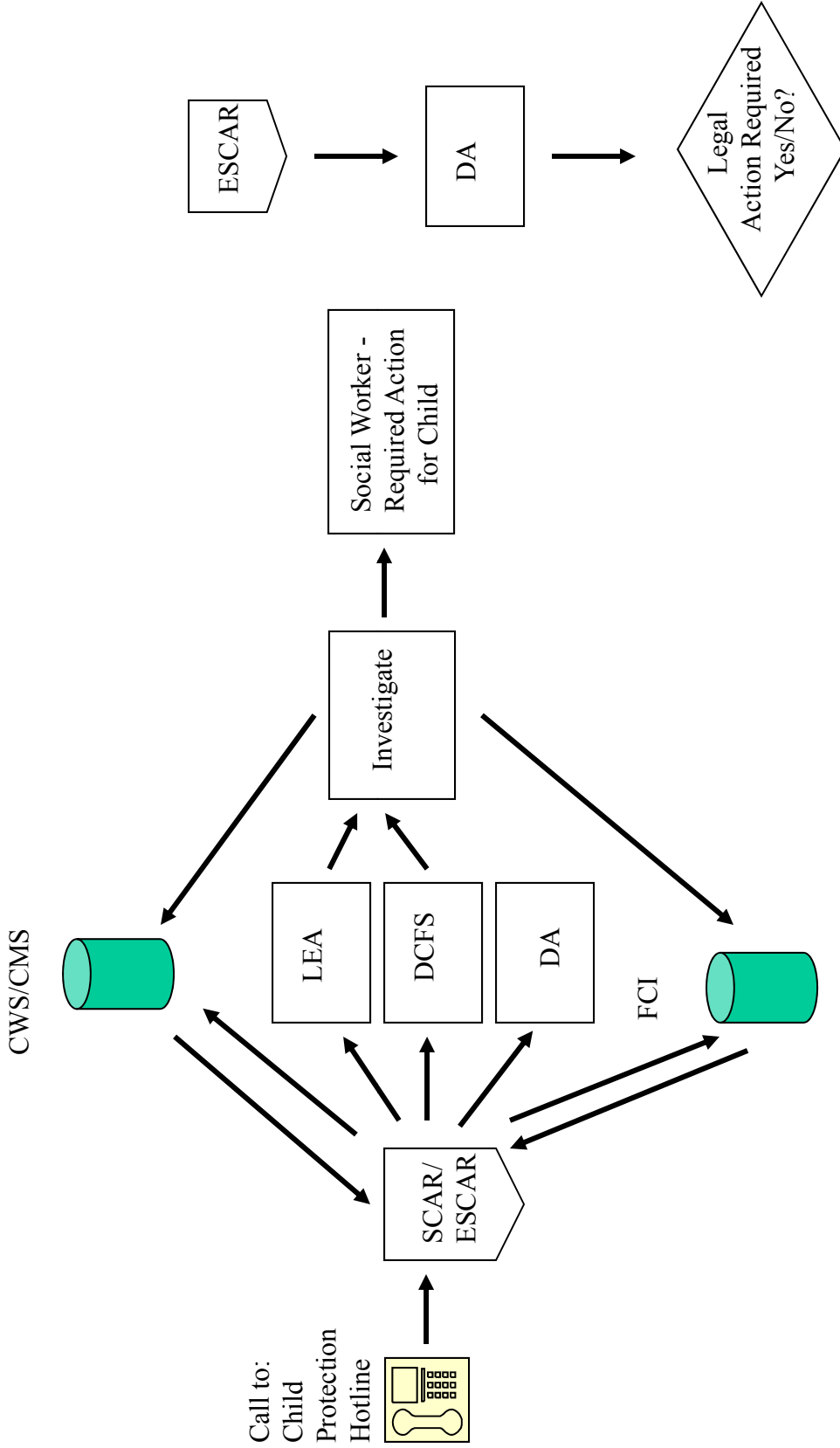
The District Attorney's office, the Department of Children and Family Services and the Los Angeles County Sheriff's Department should be commended for their leadership in the development of the E-SCAR system and for conducting comprehensive training in its use.

During its discussion throughout Los Angeles County, the term *Silo Effect* was heard quite often. This refers to the tendency of individual departments and agencies within government to operate independently with little regard to other agencies. All of the parties involved in the E-SCAR project should be commended for demonstrating a measure of cooperation that has helped to break down this *Silo Effect* to advance a common purpose.

LIST OF ACRONYMS

CWS/CMS	Child Welfare Services/Case Management System
DA	District Attorney
DCFS	Department of Children and Family Services
ERSW	Emergency Response Social Worker
E-SCAR	Electronic Suspected Child Abuse Report
FCI	Family and Children's Index
LASD	Los Angeles County Sheriffs Department
LAPD	Los Angeles Police Department
LEA	Law Enforcement Agency
MDT	Multi-Disciplinary Team
MOU	Memorandum of Understanding
SCAR	Suspected Child Abuse Report

APPENDIX A ESCARS SIMPLIFIED FLOWCHART



Note: DCFS has extended version of flowchart

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CITY of LONG BEACH WIRELESS 9-1-1



COMMITTEE MEMBERS

**Chairperson- Carolyn Cobb
Charles Dolcey
Jeremiah Flanigan
Dale Freeberg
Bill Juden
Arnie Spears**

CITY OF LONG BEACH WIRELESS 9-1-1

INTRODUCTION

The 2009-2010 Los Angeles Civil Grand Jury (CGJ) investigated a complaint submitted to the Citizens' Complaint Committee (CCC) regarding the City of Long Beach Wireless 9-1-1 calls (W911). The CCC is a standing committee that receives complaints from the public. In November 2008, the City of Long Beach Police Communications Center began deployment of W911. Until implementation of W911, the California Highway Patrol answered all wireless calls made from cell phones within the Long Beach city limit. The City of Long Beach had previously processed only the land line emergency calls.

The complaint alleged:

- Inadequate staffing to respond to the additional call volume received by PCS
- Inadequate planning to implement and deploy W911 service
- Inadequate answer time jeopardized public safety

BACKGROUND

The City of Long Beach Police Communications Section (PCS) is located in the Emergency Communications and Operations Center which houses Police Communications, Fire Communications and Homeland Security offices. The PCS operates 24/7/365 and is the primary answering point for:

- Long Beach Police Department, dispatch operations
- Long Beach Fire Department
- Long Beach Public Works (after hours)
- SWAT Command Post, tactical dispatch services and field operations
- Homeland Security

W911 originally slated for deployment in early 2002, was delayed until the County of Los Angeles Board of Supervisors' Commission on Local Government Services intervened. The plans to deploy were finalized by the City of Long Beach. The PCS began deployment of W911 for Long Beach in November 2008 and completed the phased-in project in March 2009. Until implementation of W911 the California Highway Patrol (CHP) answered all wireless calls. Statistical reports indicated a delay in the California Highway Patrol answering the calls, which threatened the public safety of Long Beach residents.

METHODOLOGY

An investigative committee of the 2009-2010 Los Angeles Civil Grand Jury (CGJ) conducted interviews with the complainant and officials of the City of Long Beach

Administration, Office of City Attorney and Police Department. In addition, the CGJ reviewed statistical data, reports and other document, including news articles.

FINDINGS

1. The complainant contended that during the planning and deployment phase the staffing allocation was not adequate to handle the anticipated increase in calls. The PCS civilian staff allocation, originally budgeted in FY 2004, included: Communication Dispatcher levels I-IV (sixty-one), Supervisors (five) and Center Coordinator (one) for a total of sixty-seven staff positions. A concentrated effort to add staff was deferred until August 2009.

In response to the public posting of the Communication Dispatcher position, over 400 applications were received. The application process includes: written test, oral interview, psychological assessment and background check. Of the total applicants only thirty-seven candidates advanced to the background check. Twenty-seven applicants did not proceed in the process for the following reasons:

- Seven declined to participate in the process
- Two disqualified
- Six not recommended for hire as a result of background check
- Twelve withdrew

The standards and requirement levels are high. As of January 2010 there were ten applicants still in the hiring process. Upon hiring, trainees will be required to complete training for twelve months, plus an additional six months of supervised training.

The complainant alleged that the number of calls upon deployment of W911 increased by 67%. Statistical records indicated an overall increase of calls at 53%. The complainant also contended the increase in calls caused a delay in answering Calls For Service. The standard time for answering emergency calls is ten seconds.

The first phase-in of the six major wireless carriers began in November 2008 and was completed March 2009. The CGJ reviewed Calls For Service statistical data for January 2009 through December 2009. The record indicates that during ten months of the period reviewed, the ten second standard for answering calls was met 91.7% of the time. Records indicated the answer time dropped below the ten second standard during a two month period in July and August 2009 when it declined to 86.7% and 89.4%, respectively.

2. The City of Long Beach is currently conducting an audit of the CPS which includes operations, increase of calls and best business practices. Results of that audit are pending.

RECOMMENDATIONS

- 1. Long Beach should continue to aggressively hire staff to operate the PCS in spite of the difficulties of hiring and training qualified applicants.**
- 2. An Audit firm should be hired to:**
 - Conduct a comprehensive review of the staffing, operations and practices**
 - Determine what additional procedures should be implemented**
 - Evaluate a cost-effective-manner to operate the PCS**

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CITY of PALMDALE



COMMITTEE MEMBERS

Chairperson- Rik Shubb
Bill Juden
Ron Murphy
Fred R. Price

CITY OF PALMDALE SHERIFF'S STATION IN THE SPIRIT OF COOPERATION

EXECUTIVE SUMMARY

The Los Angeles County Civil Grand Jury 2009-2010 (CGJ) Detention Committee subgroup visited the Palmdale Sheriff's Station in October 2009 for its annual inspection. The watch Commander stated that this facility was unique in that there was a ***Spirit of Cooperation***. When questioned by the CGJ, the Watch Commander proceeded to explain the unique situation of the Palmdale experience. Palmdale designed the Sheriff's Station with the intention of including many different agencies with dedicated space in the Station. These government entities were Palmdale's Partners Against Crime (PAC) team that consisted of Code Enforcement officers including:

- Building and Safety Personnel
- Crime Prevention staff
- Los Angeles County Housing Authority including a Section 8 investigator
- Zone Deputies
- Career Criminal Task Force
- Deputy Probation Officer
- State Parole Agent
- Dedicated graffiti officer
- Sergeant-At-Arms for City Council Meetings
- Deputies assigned to the Youth Crime Task Force
- PAC building program representative

The PAC program's success was in large part due to the cooperation between various City, County, and State Departments. The Palmdale Station maintained a close relationship with several other government agencies including:

- The California Highway Patrol
- Alcohol Beverage Control Agents
- Safe Insurance Fraud investigators
- Postal Inspectors
- Alcohol, Tobacco and Firearms Agents
- Federal Bureau of Investigation Agents
- Immigration Control and Enforcement Agents

This ***Spirit of Cooperation*** program has been modeled in several other cities. Joseph Schilling, Professor of Urban Affairs and Planning, at Virginia Tech University, reviewed the program and stated that he knows of no other program as innovative or as effective as that of Palmdale Station's PAC program.

BACKGROUND & HISTORY

The Palmdale Station opened in 1996 and is located in the Antelope Valley in northern Los Angeles County. It serves the incorporated City of Palmdale as well as the unincorporated areas of Acton, Agua Dulce, Littlerock, Pearblossom, Juniper Hills, Lake Elizabeth, Lake Hughes, Leona Valley and Green Valley, encompassing 770 square miles and approximately 200 thousand residents. Several aspects of Palmdale's operations are worthy of adaptation to other Sheriff's stations and facilities. The most important is a philosophy that the Sheriff's Department is part of a larger community and cannot be successful without the close cooperation of the City of Palmdale; the Board of Supervisors; other County departments; a host of local, state and federal government entities and the public it serves. This philosophy drives the quest for excellence at Palmdale Station.

STATION DESIGN

The new facility was designed with cooperation in mind. Before the first plans were made, consultants queried deputies, supervisors, managers, professional staff as well as Palmdale city staff on the day-to-day operations of the facility. This resulted in specific design features. The station was carefully located to provide adequate space and easy access to all parts of the community served. The lobby was designed for a friendly welcoming atmosphere with personnel manning the front counter to greet and assist the public, while bullet resistant glass behind protects dispatch and complaint personnel.

The Palmdale Station has 207 sworn members and fifty-six assigned professional staff. The layout of the workspace was a critical design consideration. A large open bay was created for detectives and specialized team members. This area was replete with desks and dividing walls at desk height to allow open communication between detectives and other employees. On several occasions, deputies have overheard other personnel discussing a case that linked with their own investigations, or that involved a suspect they knew from prior cases. The station was also designed with space to house representatives from other agencies in the building to strengthen working relationships.

GOVERNMENT PARTNERSHIPS

Palmdale Station's philosophy requires active participation from several other government entities as well as other Sheriff's Department units. The anchor of this philosophy is the Partners Against Crime (PAC) unit. The PAC unit was formed in 1992 as a part of the general trend toward community orienting policing strategies. Over the years it has developed and grown into a vibrant collective effort of many entities working toward more than traditional crime fighting to improve the quality of life of Palmdale residents.

The PAC team works with the City of Palmdale's Code Enforcement officers, Building and Safety Personnel and Crime Prevention staff provide comprehensive inspections of properties that have received public complaints or that have reports of ongoing illegal activity. An investigator from the Los Angeles County Housing Authority (Section 8) is also housed in the station. The Section 8 investigator immediately acts upon reports of criminal violations at locations receiving federal subsidies. Deputies accompany Section 8 investigators during routine Section 8 inspections to provide added security for the investigator and often find criminal violations at suspected locations.

Another aspect of the PAC team are four Zone Deputies, each assigned to a specific geographic area of the city. These deputies and city Crime Prevention staff jointly present meetings and crime information for over 300 active neighborhood watch groups. This gives neighborhoods and city staff a single, consistent point of contact for any ongoing issues in their area. These deputies gain intimate knowledge of other people in their areas and continuing problems by the constant interaction with the public and by working an area for an extended time.

PAC also is involved in the Career Criminal Task Force, which focuses on repeat offenders. As part of the Career Criminal Task force, a Deputy Probation Officer and a State Parole Agent have been provided desks in the PAC office. This physical proximity allows a constant flow of information between the agencies. PAC team members have completed over 450 parole and probation searches in 2009, most with joint participation of parole or probation personnel. This serves as a valuable tool as parole and probation officers can quickly revoke the parole or probation status of individuals for technical violations and immediately arrest the violator. Parole and Probation personnel are able to convey information to deputies what the underlying crimes are for supervised release cases. When burglaries became a problem in one area, the team began targeted compliance checks with known burglars that were on a supervised release status in the area, efficiently using the time and abilities of all personnel.

The PAC team has a dedicated graffiti investigator working with city maintenance crews. This arrangement allows city maintenance staff to photograph and remove graffiti as soon as they become aware of the graffiti. The staff has been trained to enter the photographs into a database that allows for criminal follow-up by the investigator. The dedicated investigator also trains school staff to recognize the meaning and significance of various forms of graffiti.

Another member of the PAC team serves as Sergeant-At-Arms for City Council meetings, Planning Commission meetings and Administrative Hearings. He trains city Park Rangers and conducts orientation meetings with the seasonal staff and the Parks and Recreation staff hired for summer programs. This deputy also is assigned to work directly with the City Attorney when new municipal codes are drafted or existing codes are modified.

The PAC team has assigned deputies to the Youth Crime Task Force. These deputies work with other deputies assigned to elementary and high schools in the area. The City of Palmdale provides a Teen Court and the Families In Action program. The Youth Crime Task Force working with a representative from the Probation Department and the

Juvenile Court refer appropriate cases to the Teen Court instead of the Superior Court. Deputies can refer parents and children to the Families In Action to provide counseling and mediation services.

The final component of the PAC program is the PAC building program. This program is specifically designed for multi-family complexes that sign up to be a part of PAC property. Each designated PAC property has a dedicated team deputy assigned who is responsible to act as a liaison with tenants and landlords on that property. This feature allows the deputy, tenants and landlords to address chronic problems at specific locations. The team members from the Sheriff's Department and Palmdale Public Safety Department provide training to landlords and property managers. The training includes:

- Applicant screening
- Rental agreements
- Ongoing management
- Crisis resolution
- Choices for eviction
- Apartment/Neighborhood Watch
- Warning signs of drug and gang activity
- The roles of the Sheriff's Department
- The roles of Building and Safety
- The roles of Code Enforcement

The training has been well received and attended by members of the Simi Valley Police Department, East Los Angeles Sheriff's Station, Lakewood Sheriff's Station and others. Property owners from all over Southern California also have attended.

The PAC program's success is in large part due to the cooperation between the various City, State, and County Departments. Each deputy and agency or department has an area of expertise. When an issue requires specific information that one component has available, all of the team members work on the project and bring differing perspectives and expertise together in a cohesive blend that offers flexible and timely solutions. Other cities have modeled programs similar to the PAC program.

Palmdale Station maintains a close working relationship with several other government agencies. The CalGRIP program puts a California Highway Patrol officer in a car with a Gang Enforcement Team deputy. This allows cross training that transcends traditional geographic and jurisdictional boundaries, building police skills for both units while building personal relationships. When a crisis situation occurs, such as the recent wildfires in Southern California or other emergencies, these stalwart relationships create a positive cooperative work force.

A Safe Passage grant, administered by the Probation Department, allows the deputies to work to improve traffic and pedestrian safety around the area schools. School deputies that are hired by local districts, work on high school, middle school, and elementary school campuses. These deputies train teachers in school safety, gang and

drug intervention, provide extra security and expose young people to a deputy in a personal and unthreatening environment.

Palmdale deputies maintain a relationship with local Alcohol Beverage Control Agents, State Insurance Fraud Investigators, Postal Inspectors, Alcohol, Tobacco and Firearms Agents, Federal Bureau of Investigation Agents, and Immigration, Control and Enforcement Agents. The details of these working relationships are confidential at present.

The Palmdale Station is continually working hard and cooperating with other units of the Sheriff's Department through the Antelope Valley Crime Fighting Initiative (AVCFI). Formed by the Sheriff in 2007 and now headed by a Sheriff's Lieutenant, the AVCFI is responsible for coordinating the various Sheriff Department units in Northern Los Angeles County, including Lancaster, Santa Clarita and Palmdale stations. By eliminating jurisdictional boundaries, the program avoids pushing the problem into a neighboring area. There are elements of the Community Oriented Policing Bureau, Narcotics Bureau, Gang Enforcement Team, Safe Streets Bureau and Vital Intervention and Development Alternatives units assigned to all areas. All of these agencies have been provided space in the Palmdale Station in order to facilitate the flow of information and cooperation. The Lieutenant in charge coordinates the various activities, using the Crime Analysis unit to identify problems and directs a coordinated approach to solve problems. Resources are not wasted or underutilized with this approach.

Each Department unit brings different expertise and ideas to address a problem. As part of this joint effort, gang investigators have been assigned to narcotics investigations, addressing the drug problems as an organized crime issue. The City of Palmdale Station (COPS) team deputies have worked with station detectives and PAC members to address a burglary problem in one area of the city of Palmdale. In addition, all units have been directed at specific criminal street gangs, seeking to eradicate the entire gangs' illegal activities. Some gang members may sell drugs, while others commit burglaries or larceny. Harassment and domination by fear is another gang activity that may be prevalent in a neighborhood. By focusing on the whole gang activities, working cooperatively with the various agencies should help eradicate some parts of the gang activities.

PUBLIC PARTNERSHIPS

The ***Spirit of Cooperation*** extends to the public sector as well. Public support and participation is high in Palmdale's Station area. Unincorporated communities have formed Town Councils under the guidance of the Board of Supervisors. Three resident deputies are assigned to these communities.

One for the South communities:

- Acton
- Agua Dulce

One for the Lakes communities:

- Lake Hughes
- Leona Valley
- Green Valley

One for the Eastside communities:

- Littlerock
- Pearblossom
- Juniper Hills

There are also two COPS team deputies who work closely with representatives of Supervisor Antonovich's office to address quality of life issues such as illegal dumping, zoning violations, and dog and cock fighting operations. The Resident deputies and assigned COPS team deputies meet regularly with the Town Council members as well as Animal Control, Zoning and Code Enforcement personnel to address ongoing problems. Station traffic enforcement and COPS Bureau personnel team up to form an off-road motorcycle enforcement team, an area of concern where rural communities interface with open land.

The Palmdale Station is committed to a positive partnership with a Community Volunteer program. The Station currently has approximately 125 active volunteers. These volunteers provide countless hours of service, doing everything from clerical filings, traffic control, and area patrol. The Volunteer Search and Rescue unit is trained in finding lost hikers and provides snow, ice, cave, and mine rescues. An Explorer Post provides opportunities for public involvement also.

Palmdale has an active Booster Club that help the cooperative efforts of the Palmdale Station financially as well as an opportunity for civic and business leaders to interact with the Sheriff's deputies. The relationship between the detectives and security personnel has improved store security and made information available on repeat offenders. A Clergy Council and a Community Advisory Committee also is part and parcel of the package. Regular meetings with these committees provide feedback from citizens about what is important to the community and provide suggestions for improvement.

One of the stated goals for the Palmdale Station's philosophy was to reduce the crime rate calculated by the FBI for eight serious categories of crime over a five-year period. The goal was to have fewer than 300 of these serious crimes (referred to as Part 1 crimes by the FBI) per 10,000 residents. Since the initial visit by the CGJ, the crime rate in the city of Palmdale has reached this goal.

In twenty-seven months, the crime rate has been reduced to 276 crimes per 10,000 residents in the city and 291 crimes in their jurisdictional area. The city of Palmdale is now experiencing the lowest crime rate in fifteen years. The unincorporated areas are seeing the lowest crime rate since the Palmdale Station opened in 1995.

The Captain at the Palmdale Station said that the ***tipping point*** (that magic moment when an idea, trend or social behavior crosses a threshold, tips, and spreads like wildfire) as stated by Malcolm Gladwell in his book ***The Tipping Point***, was the control of gangs in the community since the public was continually in fear of gangs. The Palmdale Sheriff deputies deliver letters to all known gang members in the area stating that law enforcement is aware of the affiliation with a gang and the gang involvement with crime. These letters are hand delivered by deputies to the homes of the gang members so that the other family members are aware of the gang affiliation.

RECOMMENDATION

The 2009-2010 Los Angeles County Civil Grand Jury recommends that the Los Angeles County Sheriff's Department review this program and act as the coordinator for implementation throughout the County of Los Angeles.

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DRUG FREE WORK ENVIRONMENT



COMMITTEE MEMBERS

Chairperson- Carolyn Cobb
Charles Dolcey
Irene Gilbert Gibson
Olivia Headley
Bill Juden
Ray O'Keefe
Arnie Spears

DRUG FREE WORK ENVIRONMENT

EXECUTIVE SUMMARY

It is the policy of both the County of Los Angeles (LAC) and the City of Los Angeles (LA) that abuse of drugs, including alcohol, by employees is unacceptable. Drug and alcohol abuse not only affects the health of the user but also damages overall job productivity and imposes a safety and security risk on fellow employees and the public. The possession and use of illegal drugs is unlawful and dangerous. Medical use of marijuana is not acceptable and is a violation of county and city policy. LAC and LA have independently adopted drug free policies in the work place.

LA and LAC test certain employee candidates: Police, Sheriff, Safety Officers, Firefighters, transportation/drivers and other safety and sensitive jobs. The tests used by both agencies are by urine specimen. Procedures are followed to ensure that the test sample is from the correct individual. Very strict chain of custody protocols are followed. Both LA and LAC confirmed that test results are completed in a timely manner. The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) learned that under the jurisdiction of the Federal Department of Transportation (DOT), both LA and LAC randomly test their commercial vehicle drivers. Further investigation of practices found that there appears to be no coherent city/county-wide code to report substance abuse. If an employee is suspected of drug abuse, County and City departments may request their respective Occupational Health Departments to test the employee. When results prove to be positive, disciplinary action is determined and applied within the appropriate department. Both follow established procedural guidelines to treat each incident on a case-by-case basis and may offer employee assistance.

As a result of the fact finding, the CGJ recommends:

1. Pre-employment positive test results should preclude an applicant from applying for any county position for at least one year. An applicant's positive test result should be available to other Los Angeles County departments for reference.
2. Los Angeles County Department of Occupational Health and Safety should collaborate with Los Angeles City Department of Personnel regarding joint contracts for Drug Testing clinics.
3. The LAC Sheriff's Risk Management Department should utilize the appropriate numbers of Sergeants to resume random testing.
4. Department of Probation employees should be randomly tested.
5. The Los Angeles Safety Police Hotline number should be integrated into the Sheriff's Department and continue to function.
6. LAC Auditor-Controller should develop a policy/procedure manual for its Hotline number to categorize and maintain statistical records of complaints.
7. The Los Angeles Department of Personnel should share drug testing contractor information with other agencies. Utilization of the same contractor may result in cost savings.

METHODOLOGY

The CGJ interviewed managers from the LAC and LA. The managers of the City of Los Angeles Department of Personnel were initially reluctant to meet with the CGJ, but eventually agreed and provided valuable information. The managers of the LAC Department of Occupational Health and Safety (DOH) were very forthcoming, cooperative and responsive to the CGJ request for information.

COUNTY AGENCIES INTERVIEWED

1. Department of Occupational Health and Safety
2. Los Angeles Sheriff's Risk Management Department
3. Los Angeles County Fire Department
4. Los Angeles County Probation Department
5. Los Angeles County Safety Police
6. Office of the Auditor Controller

CITY AGENCIES INTERVIEWED

7. City of Los Angeles Personnel Department
8. Los Angeles Police Department
9. Los Angeles City Fire Department

BACKGROUND

LA and LAC have independently adopted drug free policies in the work place. Drug or alcohol abuse not only affects the health of the user but also damages job productivity and imposes a safety and security risk on fellow employees and the public. The possession and use of drugs is unlawful and dangerous. Medical use of marijuana is not acceptable and is a violation of county and city policy.

LA and LAC test certain employment candidates: Police, Sheriff, Safety Officers, Firefighters, transportation/drivers and other safety and sensitive jobs. The tests used by both agencies are by urine specimen. Procedures are followed to ensure the test sample is from the correct individual. Very strict chain of custody protocols are followed. Both LA and LAC confirmed that test results are completed in a timely manner. Under the jurisdiction of DOT, both LA and LAC randomly test their drivers.

The county and the city have established procedures for employees suspected of substance abuse. If the test results are positive, disciplinary action is determined within the appropriate county or city department. County and city departments treat each incident on a case-by-case basis and offer employee assistance.

COUNTY OF LOS ANGELES FINDINGS

Department of Occupational Health and Safety

The LAC Board of Supervisors established a policy for a drug free workplace as an essential element in discharging the County's responsibility to provide a safe and healthful work place for the protection of the public. The DOH maintains a zero tolerance policy. Any employment candidate testing positive will be rejected, although this person may apply at a later date for a different position with LAC. The county uses any of twelve available federally certified contract clinics for testing and analysis of samples. The cost per test is \$35.00.

Employment categories tested:

- Transportation/drivers
- Sheriff's sworn personnel
- Safety Police
- Fire Department
- Selected safety and at-risk positions within the Agricultural Commission, Parks & Recreation, District Attorney, Public Works, Los Angeles County Employee Retirement Association, Mental Health, Probation, Public Social Services, Health Services and Beaches and Harbors

All pre-employment testing is under the purview of DOH. If an employee exhibits **reasonable suspicion**, supervisors and managers must follow established guidelines to refer the employee for testing. The chain of custody protocol is very strict and if there is any indication the chain is being violated the sample is considered to be negative and is destroyed. All analyses are completed and reported in a timely manner. The time span is twenty-four hours for a negative sample and forty-eight to seventy-two hours for a positive analysis. A re-test follows the same protocol. If a test is positive, the disciplinary action is at the discretion of the referring department. The prevailing policy is to treat each incident, as well as any sanctions, suspensions and terminations on a case-by-case basis. The County offers the Employee Assistance Program for employees to receive help for their addiction and recovery.

In compliance with DOT regulations, DOH oversees the random drug and alcohol testing program for all drivers of county motor vehicles. LAC has approximately one thousand drivers and at least 50% of them are randomly tested each year. Drivers who test positive are immediately relieved from driving status and may be subject to disciplinary action up to and including termination.

The following table, obtained from DOH, displays the number of positive tests and disciplinary actions taken during the past two years:

Discipline	Pre-Placement		Random		Follow up	
	2008	2009	2008	2009	2008	2009
None	0	1*	0	0	0	0
Written Warning	0	1	2	4	0	0
30-day Suspension	0	0	0	0	0	2
Resigned	1	0	1	0	0	1
Discharged	1	1	1	0	0	0
Total Positives	2	3	4	4	0	3

**This employee was not disciplined for testing positive on his Pre-Placement drug test since the employee completed his rehabilitation program prescribed by the Substance Abuse Professional and tested negative on his return to duty drug test.*

RECOMMENDATIONS

- 1. A Department of Occupational Health and Safety pre-employment positive drug test should preclude an applicant from applying for any county position for at least one year. An applicant's positive test result should be available to other county departments for reference.**
- 2. DOH should coordinate with the City of Los Angeles Department of Personnel in negotiating for drug testing contractors. Utilizing the same contractors may result in significant cost savings.**

Los Angeles Sheriff Risk Management

Los Angeles County Sheriff's Department (LASD) has 10,000 sworn officers and 8,000 civilian employees. Random drug testing began in 1993 with all ranks tested, as well as civilian personnel who handle drug evidence. The CGJ reviewed the LASD drug testing procedures. Random selection of an employee to be tested has a number of thorough steps. Each step protects the employee's privacy and rights. The results are revealed only to the supervisor when a test is positive. In the final step, a Medical Review Officer interviews the employee to determine if any reason for the positive result may have been overlooked. When there is no further choice or doubt, the supervisor initiates disciplinary action or termination. Refusal to submit to testing is cause which merits the same action. Steroid testing is not deemed necessary. Alcohol abuse is not randomly tested; possible abuse is referred to Internal Affairs. In the matter of an off-duty DUI or domestic violence incident, when alcohol is a factor, the arrest information is published (without using their name). A first offender is offered counseling and is subject to fifteen days off without pay. Cost for tests is \$10.

The Memorandum of Understanding (MOU) states that no personnel below the rank of Sergeant may conduct random testing. The 2003 budget crisis forced the Department to eliminate testing teams. In 2005, the Department hired retired Sergeants under a 120-day program to administer random drug tests. Presently random drug testing is not being conducted.

RECOMMENDATION

3. LASD Risk Management Department should resume random drug testing.

Los Angeles County Fire Department

Although the CGJ met with the managers of the Los Angeles County Fire Department, the managers were reluctant to provide information regarding their policy procedure and drug testing statistics.

Los Angeles County Probation Department

The Department of Probation (DOP) has 6,100 budgeted positions of which 4,000 have peace officer status. Pre-employment drug testing began in 2007, however random drug testing of Deputy Probation Officers with peace officer status along with other key DOP personnel are not currently conducted. Since August 2007 there have been eighteen individuals charged with possession of controlled substances resulting in:

- 12 employees discharged
- 2 offenders suspended
- 3 pending performance management review
- 1 unknown disposition

There is a DOT requirement to test transportation/drivers employed by DOP. The Department utilizes the DOT guidelines to test transportation/drivers.

Implementation of random testing DOP employees would be a collective bargaining issue. DOP negotiates with two unions consisting of three bargaining units. To date the unions has not agreed to random testing. A probation employee arrested for drug use anywhere at any time is subject to investigation and possible termination under the zero tolerance policy.

RECOMMENDATION

4. Department of Probation (DOP) key employees should be randomly tested. This would include Deputy Probation Officers who are considered safety officers and should be held responsible and accountable as are the Police, safety Police and Sheriff's Officers. In addition, permanent county employees of residential detention centers and services should be randomly tested.

County of Los Angeles Safety Police

The Los Angeles County Office of Safety Police (OSP) is scheduled to merge with the Sheriff's Department in June 2010. Currently there are 596 sworn officers, 70 civilian and approximately 1,100 contracted employees. OSP provides policing staff for:

- Board of Supervisors
- Chief Economic Office
- Registrar Recorder
- Department of Public Social Services
- Department of Children and Family Services
- Department of Health Services
- Department of Mental Health
- Department of Parks and Recreation
- Department of Probation

All employment candidates are drug tested. Random drug testing procedures mirror those of the Sheriff's Department.

The OSP also manages a public Hotline. This Hotline is for the public and employees to anonymously report suspected fraud, job abuse, drug abuse as well as malfeasance of vendors, managers, or contractors. OSP is required to report the complaints to the appropriate department for investigation.

RECOMMENDATION

- 5. The Los Angeles County Office of Safety Police (OSP) public Hotline should be integrated into the Sheriff's Department and continue to function. Develop and maintain a categorized log of all calls. Initiate a county wide awareness program relative to the ability of the Hotline to *anonymously* report job related abuses.**

Office of the Auditor Controller

The Auditor Controller staff also maintains a free County Fraud Hotline which receives allegations of fraud, drug/alcohol abuse and other complaints pertaining to county employees, managers, contractors and vendors. Allegations are also submitted and received by mail as well by walk-in contact. Each allegation is logged, a report is submitted or referral sent to the appropriate department for investigation and resolution. If a complaint is criminal in nature, the law enforcement agency of jurisdiction is contacted to investigate and adjudicate.

FINDINGS

- The Auditor-Controller does not have a policy/procedural manual outlining the process of receiving calls and cataloging key statistical records
- There is no special emphasis on reporting drug/alcohol abuse
- The availability of this public 800 number hotline resource is not well known

RECOMMENDATION

- 6. The Office of Auditor-Controller should develop a policy/procedure manual to categorize, maintain statistical records of complaints, communicate to all**

agencies the availability of the Hotline, publicize the Hotline number and stress the assurance of confidentiality.

CITY OF LOS ANGELES FINDING

City of Los Angeles Department of Personnel

The City of Los Angeles Department of Personnel manages approximately 45,000 employees. There is mandatory pre-employment drug testing for Police, transportation/drivers, Airport Police, Harbor Police and Medical Personnel. A prospective employee who fails a pre-employment drug test may apply for a different position. There is no automatic preclusion from employment. Commercial vehicle drivers fall under DOT rules for testing. DOT requires yearly random testing of 50% of the 3000 commercial drivers. The City uses five clinics for testing and drug tests have a twenty to forty-eight hour turn around. Cost to the City is approximately \$13 per test.

Testing is conducted by breath or urine specimens; rarely is blood drawn. Individuals who fall under **reasonable suspicion** are immediately placed on suspension, seen by a doctor and excused for the balance of the day. Human Resources Department (HRD) is contacted to confirm the results. An employee who has tested positive may not return to duty until cleared by the Medical Review Officer (MRO). The MRO requires the employee to complete counseling and/or rehabilitation. Upon returning to duty, the MRO will schedule up to three follow up random tests. A subject's refusal to be tested is deemed to be the same as a positive test result.

RECOMMENDATION

- 7. The Los Angeles City Department of Personnel should collaborate and share contract information with other agencies including the County of Los Angeles to utilize the same drug testing facilities as a possible cost saving measure.**

Los Angeles Police Department

The Los Angeles Police Department has approximately 10,000 officers. Officers are tested up to six times per year during their one year probationary period,. Permanent officers below the rank of Captain are subject to random testing three times per year. Officers testing positive are referred to a Board of Review and may be terminated. Since 1991 sixteen officers have been terminated. If an officer voluntarily informs the department of an addiction or other drug use related problems, he/she will be eligible for the Employee Assistance Program. Participation is confidential and the department cooperates and encourages the employee's rehabilitation. The employee is allowed to use sick time and other available accrued time during the rehabilitation period. The drug testing procedures for probationary and permanent employees follow a very strict protocol to assure a drug free workplace.

Los Angeles City Fire Department

After numerous attempts by the CGJ to schedule an information gathering meeting, Los Angeles City Fire Department failed to respond.

FORENSICS



COMMITTEE MEMBERS

Chairperson- H. Russell Justice
Carolyn Cobb
Ray O'Keefe

FORENSICS

INTRODUCTION

The 2009-2010 Civil Grand Jury (CGJ) investigated the City of Los Angeles Police Department (LAPD) and Los Angeles County Sheriff Department (LASD) Forensic Science Services. Forensic Science plays a very important role in criminal investigations. The LAPD and LASD have attempted to provide the citizenry with the latest advancement in forensic science and remain abreast of the industry with new technology. The areas investigated were: Protocol, Procedures, Staffing and Operations.

BACKGROUND

The Los Angeles Police Department (LAPD) and Los Angeles County Sheriff Department (LASD) Forensic Science Services are located at the Herzberg-Davis Forensic Center on the campus of California State University at Los Angeles. The LASD houses its DNA, Firearms, Chemical Processing, Photo/Digital Imaging, Trace Evidence, Latent Fingerprinting and Questioned Documents Section in the facility. The LAPD Scientific Investigation Division houses its Crime Scene Investigation, Firearms, and Clandestine Narcotics Section on site. The protocols of each agency effectively keep them from combining into one entity. However, the close proximity has provided the opportunity for both agencies to discuss methodology. There appears to be a viable working relationship between them. In addition, the California State University Criminalistics Department and the California Forensics Science Institute are housed in the facility. This report is divided into two sections: Section I reports on the LAPD and Section II reports on LASD.

METHODOLOGY

The CGJ conducted interviews with the administrative staff of both agencies to determine if the most viable actions were being taken to ensure that the scientific principles of forensic science were being aggressively procured and followed. The Committee conducted on-site visits. Forensic science staff provided statistical data and valuable insight on procedures as well as the purpose of each section.

LOS ANGELES POLICE DEPARTMENT—SECTION I

BACKGROUND

The Latent Print Unit (LPU) is a civilian unit and is responsible for collecting, preserving, analyzing and documenting latent print evidence from crime scenes. There are five details: Los Angeles Automated Fingerprint Identification System (LAFIS), Manual Comparison, Chemical Processing, Cold Case and Field. The LPU operations are located at Parker Center, the main location of LPU, with two field offices, Van Nuys and Westchester.

The LPU handles approximately 24,000 cases annually. In 2007, LAPD began to reduce the approximately 7,500 backlogged evidence kits. The evidence kits which had not been analyzed were collected from rape victims, sexual assault victims, burglaries and murders. The backlog issue was actively addressed by the Mayor and Chief of Police. A Task Force was established and funds obtained from the City's General Fund, Proposition 69, Grants, the Police Foundation and other sources. It was decided to outsource the evidence to private laboratories to assist in reducing the backlog. In addition to reducing the backlog to approximately 1,500 remaining kits, there has been a tangible payoff. Examination of the evidence led to the matching, arrest, conviction and profiling of 341 individuals in the State's criminal database. The backlog is expected to be completed by the end of FY 2010-2011.

Due to a hiring freeze there are twenty-six allocated DNA Technician positions which remained unfilled. The City Council, however, approved lifting the freeze. Projected hiring is to be completed by 2011. There are eighty-nine technicians employed. Lack of DNA trained personnel inhibits the crime lab's ability to process most cases in-house. Contractor cost to process rape assault kits for LAPD is \$1,200. The cost to process the kits in-house is \$800-\$1000 per case. The Crime lab is required to prepare all the outsourced DNA kits before shipment, normally a four hour process. The **turnaround** time results in long delays depending on many factors such as complexity, distance, and courier availability. It takes four to eight hours to process the results upon return of an analyzed kit. This process includes input to the Combined DNA Index System (CODIS). It is a secured system and can only be accessed by authorized LAPD personnel.

FINDINGS

Plans to relocate the Latent Fingerprinting Lab staff from Parker Center to a new location are awaiting approval from the City Council. Current office conditions are not conducive to the technical working environment needed and lack sufficient space to house all files (evidence). The new building will afford a lab environment for staff and provide sufficient file (evidence) space. The Westchester and Van Nuys centers will not relocate to the new facility.

The LPU currently lacks the requirements needed for accreditation from the American Society of Crime Lab Directors (ASCLAD). The Forensics Unit has been accredited since 1985 and has completed accreditation to the International Standard Organization (ISO). The ASCLAD accreditation program has been instrumental in monitoring and improving the quality and reliability of crime laboratories and is fundamental to the **legal** foundation of Forensics. The objectives of ASCLAD accreditation are:

- To improve the quality of laboratory services provided to the criminal justice system
- To offer the general public and users of laboratory services a national standard and means of identifying laboratory facilities that satisfy accreditation criteria
- To develop and maintain criteria which can be used by a laboratory to assess its level of performance and strengthen the operation

- To provide an independent, impartial, and objective system by which laboratory facilities can benefit from a total organization review

In 2005, examiners assigned to the Manual Comparison Detail were involved in erroneous identification of evidence in two separate cases. This error resulted in false arrest in each case. The incidents were investigated and revealed a lack of supervisory oversight which may have contributed to the errors. The current ratio of supervisor to employees is 1:14. The industry standards show that an efficient supervisor to employee ratio is 1:8.

RECOMMENDATIONS

- 1. Ensure the building plans for the new facility include the essential space accommodations for the staff, space for files, work areas conducive to a lab environment and room for growth.**
- 2. Upon relocation and consolidation of the Tech Lab, the Latent Print Unit should begin to conform to the American Society of Crime Lab Directors requirements for accreditation. This process requires and includes the following:**
 - **Complete Manuals and Standard of Operations**
 - **Administrative review of all casework and reports**
 - **Technical review of a minimum of 10% of the Analytical Detail assignments**
 - **Ensure each subordinate is accountable to only one supervisor per function**
 - **Monitor laboratory during vacant hours by an intrusion alarm or by security personnel**
 - **Secure storage areas to prevent theft or interference and ensure limited controlled access. The storage conditions shall prevent loss, deterioration, contamination and maintain integrity and identity of the evidence**
 - **Ensure staff vacancies are filled and decrease the current ratio of supervisor to employee to 1:8**
- 3. All staff should be fully trained and all manuals should be updated and/or completed. Until the accreditation process has been completed utilize Lead Technicians in a supervisory capacity to ensure better quality control**

LOS ANGELES SHERIFF'S DEPARTMENT—SECTION II

BACKGROUND

The Los Angeles County Sheriff's Department labs are close to being fully staffed and are fully accredited. In addition to being located in the Hertzberg-Davis Forensic Center, LASD has satellite stations located at Beverly Boulevard, Downey, Century Boulevard, Lancaster and West Covina. The LASD had a backlog of approximately 200 rape and assault kits as of May 2007. They were able to reduce that number to twenty-three by the end of November 2007 and focused their attention to property crime evidence.

They achieved a three-day turnaround in those cases. This exceeded the average return results for property crime evidence processed. A new processing standard was applied, however, and the backlog of unprocessed rape kits spiked to over 4,700 within a thirty day period. It was not cost effective to inventory all of the rape/assaults kits to determine which kits were to be processed. This would have placed an overwhelming work load burden on the Crime Lab; therefore, all kits were reprocessed. This backlog is expected to be under control by the end of FY 2010-2011.

FINDINGS

Although adequately staffed, the DNA unit is short of technicians by almost 50%. It takes approximately two years to train a DNA technician, so the department is at least eighteen months short of having a full complement of technicians. The LASD handles an average of 1,500 cases of murders and assaults annually. The current supervisory ratio is 1:14. The adequate scope of supervision ratio should be 1:8. Ensuring the correct supervision ratio would decrease the likelihood of erroneous results with a heightened effect of better quality control. The passage of Proposition 69 has allowed the LASD crime lab to hire nine new technicians, but more are needed.

The LASD contracts with outside labs to process evidence, but private contractors cannot utilize the CODIS database. All results must be returned to LASD for uploading to the data base. The contractor cost per case ranges from \$1,500-\$1,900. The cost to process the kits in-house ranges from \$800-\$1000 which represents a reduced cost of almost 50%. The shortage of personnel inhibits the crime lab from processing the backlog. The lab technicians are required to prepare the kits prior to shipment to the outsourced contractors. The preparation of the kits is normally a four-hour process. In total, it takes at least forty hours per case to process and prepare the kits from start to completion.

RECOMMENDATION

Fill allocated positions for DNA technicians to effectively reduce laboratory backlog.

INMATE HEALTHCARE



COMMITTEE MEMBERS

Chairperson- Edward T. McIntyre
Arnold Charitan
Carolyn Cobb
Charles Dolcey
Ray O'Keefe

INMATE HEALTH CARE

EXECUTIVE SUMMARY

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) conducted a follow-up investigation of the 2005-2006 Los Angeles County Civil Grand Jury's report on the housing of inmates receiving treatment at the Los Angeles County/University of Southern California Medical Center (LAC+USC). Nurse staffing shortages resulted in a reduced capacity in the Jail Ward, which required overflow to other units. There was concern that the number of inmates housed in open units with regular patients created a potentially dangerous situation. The earlier report also commented on other aspects of the interfaces between the Los Angeles County Sheriff's Twin Towers Correctional Facility and LAC+USC.

Since the 2005-2006 report was issued, LAC+USC was relocated to a new facility with a revamped Jail Ward. The earlier investigation found that an average of fifteen inmates per day were housed outside the Jail Ward. In some cases inmates were restrained to the bed without adequate Deputy supervision. The current CGJ investigation found that an average of five inmate-patients per day were housed in specialty units such as Obstetrics, Critical Care and Oncology and that an average of less than one per day was housed in a location that may have been for non-specialized care. The nurse shortage continues to exist, but to a lesser degree. The CGJ investigation determined that the protocol for Deputy supervision has changed so that all inmate-patients in locations outside the Jail Ward are accompanied 24/7 by a Deputy.

The 2005-2006 Los Angeles County Civil Grand Jury report contained recommendations to increase the level of medical services at Twin Towers to reduce the transportation of inmates to LAC+USC. One of the recommendations, installing an Urgent Care facility, had been accomplished. Another, relating to Orthopedic care, had not. This is, in part, associated with the problem of recruiting medical professionals to staff the Orthopedic operation.

The CGJ recognized the current economic problems and recommended that the Sheriff's Department and LAC+USC establish a high level task force to review the medical services now performed for Twin Towers by outside contractors, primarily Laboratory and Pharmacy. The CGJ felt that there could be substantial savings for the County by having LAC+USC perform these services for the Sheriff's Department.

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INMATE HEALTH CARE

BACKGROUND

The 2005-2006 Los Angeles County Civil Grand Jury (CGJ) issued a report concerning the use of non-secure hospital rooms for housing jail inmates at the Los Angeles County/University of Southern California Medical Center (LAC+USC) because of overflow from the LAC+USC Jail Ward. This overflow problem was caused in part by a shortage of nurses willing to work in the Jail Ward. In addition, the 2005-2006 CGJ made several recommendations concerning the medical services to be provided by the Los Angeles County Sheriff's Department (LASD) in the Twin Towers Correctional Facility and LAC+USC. At the time, a new hospital was being constructed and no action was taken concerning the Jail Ward overflow issue. Since that time, the new LAC+USC Medical Center has opened with a completely redesigned Jail Ward.

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) decided to undertake an investigation to determine the status of the inmate overflow, as well as the other recommendations made by the 2005-2006 CGJ concerning medical services.

METHODOLOGY

Interviews were held with the Captain in charge of the LASD Medical Services Department and members of his staff. In addition, the CGJ met with the Medical Director of the Jail Ward at the LAC+USC Medical Center and other members of hospital management. Visits were made to the medical facilities in Twin Towers, Men's Central Jail and the Century Regional Detention Center, as well as to the Jail Ward in the LAC+USC Hospital.

DISCUSSION

The Los Angeles County Sheriff is responsible for housing inmates in several categories:

- Arrestees who are awaiting arraignment, usually within seventy-two hours of arrest
- Arraigned individuals who have been remanded to custody pending trial
- Inmates who have been sentenced for misdemeanors, which normally carry a sentence of no more than one year

LASD operates seven jails within the County. One is under contract with the federal government and is dedicated to Immigration and Customs Enforcement inmates. The remaining six jails have a capacity of about 25,000 beds, with approximately 20,000 occupied at any time. This includes some 5,000 State prisoners with felony convictions. Because it is necessary to segregate inmates, particularly males, by gang affiliation, sexual orientation and other individual characteristics, the 20,000 figure represents an effective capacity for the Los Angeles County jail system.

The Twin Towers Correctional Facility in downtown Los Angeles is the hub of the LASD's jail system. Its Inmate Reception Center processes 400 to 700 detainees per day. Since the facility operates at its practical capacity of approximately 4,000 inmates most of the time, this means that 400 to 700 individuals are released on a typical day.

The overall medical condition of inmates in the jail system is generally below that of the general public. Problems with alcohol, tobacco, drugs and general physical neglect are major factors. In addition, mental health issues affect about 10% of the inmate population. It has been estimated that a typical inmate has a health condition age ten to fifteen years older than his general public counterpart.

Cost and Safety Considerations

Whenever a detainee is moved from one location to another for any reason, there is a cost associated with that move for supervision and monitoring as well as for transportation. Of equal or greater importance is the safety issue. Escape attempts and assaults on detention personnel or other inmates are more likely to occur during transport. Feigning injury or sickness is well known as a ploy for misbehavior. Any process which reduces unnecessary movement of inmates without compromising inmate rights and access to adequate health care should be strongly considered.

TWIN TOWERS MEDICAL FACILITY

The Los Angeles County Sheriff's Department has its own medical facility which makes it unique in the United States among major law enforcement agencies. Within the Twin Towers facility, LASD operates a 150-bed Skilled Nursing Facility; an Urgent Care facility; plus Dentistry, Ophthalmology and Radiology services. In addition, a forty-six bed Mental Health Facility operated by the Los Angeles County Department of Mental Health is located in the Twin Towers.

The other six jails under the Sheriff's purview have satellite medical facilities to provide first aid, diagnosis, treatment and further referral as necessary.

Telemedicine

One of the recommendations in the earlier Grand Jury report was to expedite the installation of the Telemedicine program. This is a video link system that can facilitate the remote interviewing and diagnosis of patients. In many cases this can alleviate the safety issue of moving inmates from their secure location to the medical facility. At the time of the CGJ's visit to the Twin Towers facility, the installation of Telemedicine facilities was complete within the Twin Towers with connections to the satellite jails. In 2007, when the program was initiated, about 3,000 diagnoses were made using the system. By 2010 the usage was up to a rate of 12,000 annually. Service on a 24/7 basis was scheduled to start in the Spring of 2010. During some slack times, the physicians at the Pitchess Detention Center in northern Los Angeles County even evaluate patients at Twin Towers using the Telemedicine program.

A Telemedicine link to LAC+USC was contemplated, but not completed by early 2010. Both the Sheriff's management and that of LAC+USC agreed that it would not be of significant value considering the proximity of the two facilities.

Professional Recruiting

The Twin Towers appears to have little problem in recruiting nursing staff, but physicians present another challenge. A large percentage of the medical staff are older physicians working past retirement age. Few younger physicians were in evidence. LASD's Medical Services Division typically operates with 20% fewer physicians than its authorized level of about sixty.

Three problems that contribute to the LASD's physician recruitment efforts are:

- Fixed salary schedules within the County's guidelines
- Lack of prestige associated with an incarceration facility
- Lengthy vetting prospective employees through the LASD's background checking process

This recruiting problem affects the Twin Towers' ability to add certain other medical services. For example, in-house Orthopedics would be a valuable addition to the Sheriff's Medical services and reduce movement of inmates to and from LAC+USC. Despite significant efforts, the recruitment of an Orthopedic surgeon had not yet been achieved.

Diagnostic Services at Twin Towers

Currently Twin Towers utilizes an outside laboratory for its diagnostic work. Turnarounds are relatively slow. For example a rush blood test yields results in one hour at the LAC+USC facility but takes four hours with Twin Towers' contract laboratory. It would appear that the LAC+USC laboratory facilities could be used by Twin Towers in one of two ways. Either the samples could be physically taken to the LAC+USC lab facilities periodically during the day or LAC+USC could establish a satellite facility at Twin Towers. In either case, there could be considerable savings compared to the use of an outside service vendor. Given the economic pressures felt throughout the County, this needs to be given serious consideration.

To reduce the numbers of inmates transported to LAC+USC, Magnetic Resonance Imaging (MRI) and Computerized Tomography (CT) have been suggested as potential additions to the diagnostic capabilities at Twin Towers. Given the budget reductions in the 2009-2010 County fiscal year and into the foreseeable future, it would appear that these should not be considered at this time. Because of the nature of the typical injuries to inmates, CT would be the more important of the two processes. However CT would be required on a need-it-now basis, which would require technician and physician staffing at all times. It seems that Twin Towers should continue to send inmates to LAC+USC for CT services at this time.

Pharmacy

Twin Towers has a full-service dispensing pharmacy operated by an outside vendor. As with laboratory services, a serious consideration should be made to operate the Twin Towers pharmacy as an extension or satellite of LAC+USC.

Medical Records

Twin Towers and LAC+USC have access to each other's computerized inmate medical records although they are not integrated. Access may be delayed at times because of the lack of availability of personnel authorized to access the records.

LAC+USC JAIL WARD

The Jail Ward of the LAC+USC Hospital opened in 2009 and represented a major departure from its predecessor. The new facility is located on the ground floor of the hospital complex with its own sally port for the safe admission and discharge of inmate-patients. The earlier Jail Ward was located on one of the upper floors of the hospital, necessitating the transport of inmates in proximity to the general public. The new unit has twenty-four licensed beds and is a modern acute care hospital facility with its own adjacent emergency room and outpatient treatment facilities.

Unfortunately, the layout of the new Jail Ward is such that a significant increase in the number of Sheriff's deputies and custody assistants is required to provide proper security. The current total staffing level comprises about seventy-five deputies and twenty-five custody assistants. These are spread over three shifts, seven days a week, with heavier emphasis on the day shift. The older jail ward had a different physical layout which necessitated only about one-third the current number of officers and assistants to provide adequate security.

Whenever an inmate-patient requires specialized diagnostic procedures, he or she is accompanied by two deputies. In the event an inmate-patient must be housed in a specialized unit, such as Obstetrics, Intensive care or Oncology, a Deputy is present at the bedside on a 24/7 basis. There are still instances of inmates being housed in non-specialized units. These have been reduced significantly from the numbers reported by the 2005-2006 CGJ. That report indicated that about fifteen inmate-patients per day were housed in open units during a thirty-four day sampling period. At that time inmates were chained to their bed and frequently left without Deputy oversight. During the first seventy-three days of 2010, there were an average of five inmate-patients housed in specialty units such as Obstetrics, Critical Care and Oncology. The daily average number of prisoners in non-specialized units was at most one per day. Of equal importance to this reduction is the fact that the LASD has changed its policy to maintain Deputy surveillance at all times rather than leaving chained inmates unsupervised.

Professional Staffing

There is a full time Medical Director for the Jail Ward. As it was in the older facility, nurse staffing continues to be a problem. Some individuals are reluctant to work in an

incarceration environment. The 2005-2006 Report noted that the nurses at Twin Towers enjoyed a pay differential of 5.5% over those employed at the LAC+USC Jail Ward and that this helped account for the difference in staffing difficulties. There are several aspects involved in this discrepancy. The compensation of the two nursing groups is based on different union agreements. The nurses in the jail complexes basically operate under Skilled Nursing Facility conditions in that the nurse is required to exercise more autonomy, clinical decision making and independent implementation of care and treatment. In other words, the competency requirements are generally higher for the Sheriff's nurses than those working in the LAC+USC Jail Ward under the more direct supervision of a physician.

Conflicts and Issues

As indicated earlier, the Sheriff's Department has had difficulty hiring physicians, partly because of the stigma associated with a prison-based medical facility. It believes that if medical students were rotated through the Twin Towers medical facility, there would be a greater appreciation for that type of medical practice and recruiting would be easier. On the other hand, LAC+USC is reluctant to participate in such a venture for some valid reasons. LAC+USC is a fully accredited major teaching hospital dealing in a wide variety of medical specialties. The Twin Towers medical facility is a Skilled Nursing Facility rather than an Acute Care Hospital. Its physicians may not meet the standards set by LAC+USC as qualified instructors. There may be a middle ground of conducting observation visits not associated with formal, accredited training, so that medical students, interns and residents become familiar with the different issues encountered in an incarceration facility.

FINDINGS

1. Fewer inmates were housed in the non-specialized unit of the LAC+USC Medical Center in 2010 (one per day) than in 2005 (fifteen per day). In addition, a major safety change has occurred in that all inmates housed in specialized or non-specialized units are accompanied by a Deputy at all times rather than being restrained to the bed.
2. The installation of enhanced diagnostic capabilities at Twin Towers such as MRI and CT has not been accomplished and may not be practical because of budgetary and staffing considerations.
3. Orthopedic urgent care has not been instituted at Twin Towers primarily because of the inability of the Sheriff's Department to attract the appropriate medical professionals.
4. The layout of the new LAC+USC Jail Ward has tripled the requirement for Deputies and Custody Assistants.
5. Twin Towers and LAC+USC have access to each other's inmate medical records' systems although they are not integrated.
6. Both the Laboratory and Pharmacy functions at Twin Towers are provided by outside contractors. The County may be better served if these services were provided by LAC+USC.

RECOMMENDATIONS

- 1. The Executive Management of both the Sheriff's Department and LAC+USC should establish a task force to review all of the medical services which are currently out-sourced by Twin Towers with the goal of integrating those services into the LAC+USC operations. This would be particularly relevant to Laboratory and Pharmacy which could possibly be established as satellites of LAC+USC's services. Twin Towers could also possibly piggyback on the existing contracts that LAC+USC currently has for CT and MRI services if appropriate.**
- 2. To streamline the hiring process, the Sheriff's Department should speed up the background investigation process for physicians hired by Twin Towers.**
- 3. The Executive Management of both the Sheriff's Department and LAC+USC should consider the possibility of integrating the computerized Medical Records systems of Twin Towers and LAC+USC as a pilot project for future integration of the medical records of all of the DHS medical facilities.**
- 4. LAC+USC Medical Center and Twin Towers should institute a program of informal observation visits for medical personnel from LAC+USC through the Twin Towers medical facility to provide familiarity with the unique issues relating to medical services in an incarceration setting.**

LOS ANGELES PARKS and RECREATION



COMMITTEE MEMBERS

Chairperson- Charles Dolcey
Sharon M. Buckley
Jeremiah Flanigan
Dale Freeberg
Olivia Headley
Fred R. Price
Arnie Spears

LOS ANGELES PARKS

INTRODUCTION

A great community must have ample, safe recreation facilities. The mission to accomplish this has been entrusted to two agencies: the Los Angeles County Department of Parks and Recreation (PAR) and the City of Los Angeles Department of Recreation and Parks (RAP).

Over the past few years, the public has shown increasing interest and concern about the quality of Los Angeles' parks. They have become a frequent topic in the media as well as on the Internet. Citizens are increasingly utilizing the park system and want their parks to be well-maintained, safe and provide physical, mental and cultural education. Neighborhood parks help to promote core values. There is an intrinsic value in having parks for the public to enjoy. Aware of this justified interest in parks, the 2009 - 2010 Los Angeles County Civil Grand Jury (CGJ) investigated how the mission of PAR and RAP was being fulfilled.

The CGJ wanted to be a part of making the community more aware of what PAR and RAP have set out to accomplish and how well they succeed. After visiting a number of parks, the CGJ made recommendations which are easily in danger of being overlooked. Unless the benefits of the parks are publicized, the public may not take advantage of them. To this end, the CGJ has investigated the programs and benefits of the parks. Since gangs present a serious obstacle to park use, the CGJ focused on what can be done to diminish their negative impact.

In these difficult economic times, the CGJ did not make recommendations to expend funds for major new projects. It did, however, ask that the existing 500 parks be maintained in such a manner that the community will enjoy full use of them. These recommendations cover staffing, sanitation, security, maintenance and repair, signage and seeking financial aid and volunteer work from the community. These recommendations are attainable.

BACKGROUND

“We should build parks that students from afar
Would choose to starve in, rather than go home,
Fair little squares, with Phidian ornament,
Food for the spirit, milk and honeycomb.”
(On the Building of Springfield by Vachel Lindsey)

This report focuses on two agencies: the Los Angeles County Department of Parks and Recreation (PAR) and the City of Los Angeles Department of Recreation and Parks (RAP). Although many issues are raised in this report, the 2009-2010 Los Angeles County Civil Grand Jury (CGJ) focused on how well the existing parks are physically maintained and attract, safeguard and serve the public. These fundamentals not only greatly contribute to the public's appreciation of the parks but without them, the public will under-use the parks or perhaps avoid them.

Los Angeles County, the most populous county in the United States, includes the City of Los Angeles among its eighty-eight cities. PAR is responsible for the maintenance and operation of 144 parks. This includes: 10 major regional parks, sixty-seven local parks, seventeen community regional parks, four arboreta and botanic gardens, and eighteen natural areas. RAP has over 400 parks. Among these are twenty-nine full time senior centers. In addition to the parks are pools, monuments, museums, cultural venues, wilderness areas and beaches. The mission of the City and County of Los Angeles is to enrich the lives of its citizens. Well-managed parks contribute greatly to the realization of this goal.

The purpose of parks is to meet the larger definition of *recreation*. Recreation is active for the participant. It is an activity that is refreshing and renewing. In our society, many of our youth are leading sedentary lives and the need for recreation has increased. In a report issued in October 2007, the Los Angeles County Department of Public Health, Office of Health Assessment and Epidemiology, reported that in communities with fewer open areas set aside as parks and wilderness areas, there was a greater likelihood of children being obese.

METHODOLOGY

Concerned with how the critical mission of RAP and PAR is being carried out in these difficult economic times, the CGJ examined the County and City Parks.

Among the areas examined were:

- Safety and security
- Maintenance, sanitation and public health
- Parking areas, playgrounds, picnic facilities, sports courts and fields, lighting and irrigation
- Staff skills
- Pre-school and after-school programs
- Signs clearly marking the park offices and staff badges identifying positions

Under any circumstances, visiting 500 parks would have been a formidable task. Therefore the CGJ made in-depth visits to twenty-nine parks. Seventeen of these were under the jurisdiction of RAP and twelve under the jurisdiction of PAR. The goal was to spend as much time as warranted at each park. Staff were interviewed as well as park patrons. Pre-school and after-school classes were also visited and observed. Hand-outs and bulletin-board materials offering the parks' services were collected and studied as well as internet information.

During the investigation, the CGJ visited the headquarters of RAP and met the manager and executive staff. Also, at the request of the CGJ, the manager of PAR, along with members of his staff, visited the CGJ.

In 2009, RAP retained the firm of Mia Lehrer and Associates and PROS Consulting to conduct a **Citywide Community Needs Assessment**. Participating in this process were the City of Los Angeles, the City of Los Angeles Recreation and Parks' Commission; and the RAP management. Information was obtained from leadership interviews, focus groups, community workshops, and mailed surveys. This community needs assessment is available on the RAP website. It also contains detailed graphs, maps showing the locations of parks, distances from the served communities, met and unmet needs, evaluations and recommendations.

PROGRAMS AND BENEFITS

Both PAR and RAP serve thousands of children in multiple programs. They provide licensed child care facilities, supervising pre-school children. Before and after-school programs are also provided for school age children. During school vacations, child care and youth camp programs are offered.

PAR and RAP organize and train both male and female sports teams including many youth who might not have the opportunity to be on their official school teams. RAP reports that there are more than 60,000 children in its sports leagues. By developing an ongoing interest in recreational sports and general physical activity, these programs enhance health and well being. Park staff also teach music, painting and dance, stimulating an appreciation in youth for the arts.

A recent study commissioned by the Los Angeles City Council Ad Hoc Committee on Gang Violence and Youth Development was centered on enabling gang intervention workers to be successful in preventing youth from joining—or being further involved—in gangs. Among its findings were: "RECREATIONAL SERVICES: Providing services that include daily access to physical activity, including organized sports, skills workshops, team building, field trips and free play. Recreational services and activities are a key component to providing linkage between gang-involved youth and intervention workers. These services must incorporate gang-involved youth vs. segregating and excluding youth based on the perceived or real gang involvement. This may include facilitating athletic competitions between gang rivals to ease neighborhood tensions and break down anonymity of youth violence."

The same study makes reference to the importance of ARTS and CULTURE: "The arts and culture have consistently been shown to be one of the most effective means of intervention for gang-involved and affiliated youth and their families. ...The arts are vital to having a creative and imaginative life, especially for those caught in the grip of violence. It is the main source of abundance and transformation of the person. By tapping into the arts, one taps into purpose, meaning, capacities, and gifts; into callings, destiny and meaning. The arts are the best path for change, peace, wholeness and abundance. Arts can help youth and their families live fully realizable lives, self-driven and self-actualized and should be reintegrated into the education system."

In classes and programs for adults, including seniors, these same benefits are pursued. In addition, park programs provide opportunities for similarly situated persons to meet and form new supportive friendships and associations.

Unique in the park system is the Griffith Park Observatory. It is primarily a site of visual learning for children and adults. Although over 1 million people visit annually, it is underused. It was enhanced significantly in 1990 by \$93 million in improvements. Even this great institution is affected by the declining economy and is threatened with loss of staff.

In these difficult financial times, citizens can conserve funds by turning to PAR and RAP for services that may be provided at costs below those charged by health clubs or commercial child-care centers. Even golfers, finding private courses closed and locked due to the recession, can turn to the thirteen golf courses operated by RAP and the nineteen by PAR.

GANGS

Citizens should know what benefits the parks are offering and be assured that encounters with homeless, gang members or disorderly persons will be unlikely. Since homeless and/or gang members use the parks, effort should be made to neutralize their negative influence and coax them back into society. Gang members could be greatly influenced by athletic teams, as well as participation and acceptance by other groups rather than the negative association gangs have provided.

Some parks have long been ceded to gangs. RAP, using almost \$1 million in private donations raised by anti-gang workers, matched by city officials' pledge to raise an additional \$1.4 million, financed the Summer Night Lights Program and kept the lights on four nights a week in South Park. South Park, located in south Los Angeles and once virtually owned by gangs, utilized a gang interventionist (formerly a gang member) to involve gang members to transfer their allegiance to sports teams sponsored by the park. These programs have reduced crime and shown a positive impact. (See Los Angeles Times-*Intervention and Reinvention in South Park*. November 26, 2009.)

FINDINGS

Although each park visited evidenced many good qualities, the following categories have been singled out as needing attention:

1. **Staff**- Of the twenty-nine parks visited, the CGJ found only two which were adequately staffed.
2. **Sanitation**- In most parks visited, the CGJ found unsanitary, graffiti and trash-filled restrooms.
3. **Security**- Some parks require heightened security due to their location. Yet the CGJ noted that security cameras were inoperable or non-existent. Some parks had infrequent security patrols. Some were unreasonably permissive of homeless and others using the parks for illegal purposes.
4. **Repair**- The CGJ visited some parks where maintenance equipment was not operating. This diminished the attractiveness of the park. Equipment needed for the maintenance and attractiveness of the park was not operating. For example, in one nature park the pumps circulating the water had been out of operation for a long period. Parking areas were unpaved.

5. **Signage**- Some parks have no signs indicating the park office.
6. **Staff**- Some employees did not wear the issued identifying nametags. This could lead to unauthorized persons misleading park visitors.
7. **Volunteers**- Parks need volunteers, from community organizations and businesses.

RECOMMENDATIONS

1. **Los Angeles County Department of Parks and Recreation and The City of Los Angeles Department of Recreation and Parks should ensure that the parks are adequately staffed.**
2. **Ensure that restrooms are regularly inspected and cleaned.**
3. **Coordinate with law enforcement which provides security; ensure existing security cameras are operable**
4. **Maintain equipment; blacktop and mark parking areas.**
5. **Provide signs that clearly identify park offices.**
6. **Employees should wear employee identification nametags.**
7. **Enlist community businesses and residents to contribute resources and volunteers.**

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RECREATION AND PARKS INSPECTION REPORT

LOS ANGELES COUNTY CIVIL GRAND JURY 2009-2010

Date: _____ City or County Park _____
City of _____

Park Name: _____
Address: _____

Inspected by: _____

Facility	Compliance	Non-Compliance
Flag	_____	_____
Security/Public Safety	_____	_____
Maintenance	_____	_____
Restrooms	_____	_____
Drinking Fountain	_____	_____
Playground	_____	_____
Handicap Ramps	_____	_____
Access/Sr. Citizens	_____	_____
Clean	_____	_____

UTILIZATION: Weekdays _____ Weekends _____ Homeless _____ Gang Use _____

REMARKS:

RECOMMENDATIONS

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LOS ANGELES UNIFIED SCHOOL DISTRICT PAYROLL



COMMITTEE MEMBERS

Co-Chairperson- H. Russell Justice
Co-Chairperson- Michael Whitten
Arnold Charitan
Dale Freeberg
Arnie Spears

LOS ANGELES UNIFIED SCHOOL DISTRICT PAYROLL SYSTEM IMPLEMENTATION *WHERE ARE THE CONTROLS?*

EXECUTIVE SUMMARY

The Los Angeles Unified School District (LAUSD) has been the subject of numerous reviews and newspaper articles concerning the implementation of System Applications and Products (SAP), a purchased software system. In 2003, LAUSD Board of Education (BOE) adopted the Enterprise Resource Planning initiative to replace the District's existing system that supported payroll, time reporting, financial, human resources and supply-chain. The previous existing system was called Integrated Financial Systems (IFS). SAP is a worldwide business system used successfully in many applications. However, in the new system, there have also been notable failures of implementation.

The LAUSD payroll system supported approximately seventy-five thousand employees in classified, certificated and semi-monthly positions. The Annual Payroll in FY2009 for LAUSD was approximately \$4.9 Billion. The prior systems were outdated, did not communicate with each other and were not supported by vendors.

IFS required excessive duplication of work with significant manual processing. In 2005 the BOE authorized the purchase of SAP and the use of Deloitte Consulting for the integration and implementation. SAP became part of the total systems supporting the schools. LAUSD called the new system Business Tools for Schools (BTS).

BTS consisted of three Releases:

1. Release I would include Finance (General Ledger, Funds Management, Budget Development, etc.) and be completed by July 2006.
2. Release II would go *live* in January 2007 and encompass Payroll and Human Resources plus other employee related modules.
3. Release III was to be implemented by the fall of 2007 and include primarily Accounts Payable and other related modules. Due to the significant issues with the Release II Payroll Implementation, Release III was delayed to a future date .

The failure of the Release II Payroll process had been well publicized and resulted in an overpayment to approximately 35,000 employees of \$60 million. The primary overpayment event occurred in June 2007 when approximately 23,000 employees were overpaid nearly \$25 million. In late 2009, approximately \$9 million in overpayments was still owed to LAUSD by 2,400 employees. Collection activities continue. Underpayments to certain LAUSD employees were resolved.

The payroll problem resulted in ballooning the projected cost of BTS from \$95 million to between \$120 million and \$150 million. This may or may not include additional internal support costs for administering the corrective actions and Release III Accounts Payable Implementation.

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) investigated the corrective action process and resulting impact of this major failure of the Release II Payroll Implementation. The CGJ encountered difficulties in receiving meaningful documents and responses from LAUSD. Following several failed attempts over a five-month period and the threat of a subpoena for information, LAUSD produced the documents the CGJ determined to be useful and relevant.

After holding follow-up meetings with LAUSD, the CGJ determined that LAUSD made a number of costly efforts to correct the problems and collect the overpaid amounts from employees. The CGJ made recommendations in the following areas:

- The ongoing major issues with the BTS payroll process as identified in audits from the Inspector General of LAUSD
- The lack of follow-up from the Inspector General on major audit issues
- The delay in the implementation of Release III Accounts Payable that has resulted in significant exposure to a major catastrophe from the legacy system supporting accounts payable and related modules
- The use of **lessons learned** in the Release III Accounts Payable implementation
- The exposure to LAUSD from further budget reductions in the Information Technology staff supporting legacy systems
- The absence of an Information Technology Steering Committee
- The absence of key management oversight and proper training processes in the Release II Payroll Implementation

LOS ANGELES UNIFIED SCHOOL DISTRICT PAYROLL SYSTEM IMPLEMENTATION *WHERE ARE THE CONTROLS?*

BACKGROUND

Los Angeles Unified School District (LAUSD) utilized Integrated Financial Systems (IFS) for key business activities, primarily finance, payroll and accounts payable. A report to the Board of Education (BOE) indicated the current payroll system was incurring an unacceptable error rate in excess of 7% of the LAUSD employees. Research indicated that a world class business or organization should expect a payroll error rate not to exceed more than .5% to 1%.

In 2003 the BOE determined that the hardware and software were inadequate for ongoing operations. The hardware, input and output interface and software were no longer supported by the original vendors. LAUSD was unable to retain personnel capable of maintaining the legacy systems.

In 2005 the BOE authorized the purchase of Systems Applications and Products (SAP) and support from Deloitte Consulting for implementation. The BOE approved \$95 million for the implementation, which included \$55 million to Deloitte Consulting to direct the implementation. SAP became part of the total systems supporting LAUSD Business Tools for Schools (BTS).

In FY 2009 there were approximately 75,000 employees in LAUSD with an annual payroll of approximately \$4.9 Billion.

BTS consisted of three Releases:

1. Release I would include Finance (General Ledger, Funds Management, Budget Development, etc.) and be completed by July 2006.
2. Release II Payroll would go *live* in January 2007 and encompass Payroll and Human Resources plus other employee related modules.
3. Release III Accounts Payable was to be implemented by the fall of 2007 and include primarily Accounts Payable and other related modules.

Release I of Finance was completed essentially on time and without major issues. Release II of Payroll had significant well-publicized issues and negative financial impact to LAUSD. Expected BTS functionality and reporting abilities did not work as originally envisioned, and resulted in major payroll overpayments, underpayments and payroll processing issues. Release III Accounts Payable was indefinitely delayed due to these problems.

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) investigated the process and results of the corrective actions associated with Release II Payroll and potential impacts to Release III Accounts Payable.

METHODOLOGY

In its investigative efforts, the CGJ encountered considerable difficulties in obtaining meaningful documents and responses from LAUSD. Following several failed attempts over a five-month period and the threat of a subpoena for information LAUSD ultimately produced the documents the CGJ determined to be useful and relevant.

The CGJ used the following processes to review the Release II Payroll corrective actions and related impacts:

- Reviewed public materials such as the Web and news media
- Reviewed information supplied by LAUSD through press releases or available on their public website
- Provided the LAUSD with written questionnaires and requests for responses on specific issues
- Interviewed individuals in LAUSD administration, legal, finance and accounting, and information technology
- Conducted exit interviews with appropriate LAUSD administration

GENERAL DISCUSSION

The problems incurred in Release II Payroll Implementation were related to system, payroll-processing, and cross category issues. These categories were further defined as:

1. Systems issues included employees under various classifications on leave to a higher position, rate differentials and auxiliary pay.
2. Payroll-processing issues were multiple pay cycles, definition of employee assignments, authorized position funding, and the handling of employee pay disputes.
3. District issues were late or incomplete employee time reporting. Multiple assignments were also an issue.
4. Cross category issues included the handling of savings plan deductions, processing of claims against employees and collection of union dues.

The CGJ understood and appreciated the complexity of the issues in the payroll process for such a large and diverse employee organization. The CGJ considered that a successful implementation should have included detailed analysis, documentation and testing of all major issues prior to going *live*.

The CGJ was informed that running parallel payrolls was not an option due to the change in pay cycles and the complexity of the payroll process. It was the CGJ's opinion that simulated parallel payroll runs could have been performed and matched to existing payroll runs. This could have been performed for a limited number of employees for at least one of the schools prior to going *live*.

The CGJ did not understand why routine available reports were not reviewed prior to the payroll being issued. A standard report or management oversight would have included a review of any check more than a certain amount or percent compared to an employees prior payment. It would appear that a management review of the payroll amounts, particularly during an implementation, would be a standard requirement.

The CGJ was concerned that the formal training program for payroll personnel utilizing BTS was not completed until late 2009. This process was complicated by the reduction in work force that resulted in a significant number of employees being moved into and out of payroll positions. The CGJ requested an interview with LAUSD key management involved in the implementation of BTS but was informed these individuals no longer worked within LAUSD.

A report issued August 5, 2007 indicated approximately 29,000 employees were overpaid an amount of approximately \$45 million. About 25% of the employees accounted for 75% of the overpayment amount.

As of December 2009 approximately 2,400 employees owed nearly \$9.5 million. LAUSD was taking action, including legal action, to collect this money. A December 2009 newspaper article publicly identified the names of two teachers who had been sued to collect \$148,000.

In September 2008, the LAUSD Office of the Inspector General (OIG) Internal Audit Group published three Audit Reports of the Payroll System. These reports included:

1. Off-Cycle Payroll Process. The off-cycle process covered the handling of payroll for employee issues including health benefits, Certified/Classified assignment issues, deductions, and the absence of pay or partial pay.
2. Final Pay Calculation. Final Pay Calculation compared the accurate calculation and prompt payment of final payroll disbursements to separated District employees.
3. Third Party Payroll Deductions. Third Party payments are made for deductions to an employee's pay for insurance, union dues, charitable contributions, credit unions and other deductions.

The audit objective was to review the processes and determine if key controls were designed and operating effectively, whether SAP effectively supported the processes and whether policies and procedures were in place for the processes.

The result of these audits was that key controls were not designed nor operating effectively, SAP did not effectively support these processes, and policies and procedures related to these processes were not formalized or updated. The CGJ believed the list of audit issues was significant.

The Off-Cycle Audit resulted in fifteen major areas of concern. The Audit recommended the Chief Financial Officer complete an extensive list of corrective actions on this subject. The recommendations were accepted with only a few exceptions.

The Final Pay Calculation Audit resulted in twenty-two recommendations for required significant improvements. The report recommended that Branch Management and the Chief Financial Officer should implement these recommendations. LAUSD agreed to twenty of the recommendations for corrective action.

The Third Party Payroll Audit resulted in ten recommendations to the Payroll Branch for corrective action. LAUSD agreed to the recommendations.

The CGJ was concerned about the number of critical issues raised in the three reports for a payroll system operating under SAP for over twenty months. These reports indicated a lack of management control over the processes. The CGJ was equally concerned that OIG discovered so many significant process issues and as of fifteen months later had not followed up for implementation of their recommendations. OIG informed the CGJ they had no scheduled follow-up audits on these issues.

In December 2009 OIG published an Audit of Employee Position Control. The audit covered the period from July 2008 to June 2009. The audit objectives were to determine:

- If the District had a position control process that ensured full accountability and reporting of all positions
- If District employees were connected to funded positions and programs; that assigned hours did not exceed the budgeted hours
- If there was financial impact from the weaknesses in the position control process

This audit review established that substantial internal control weaknesses existed. OIG made seventeen recommendations to correct the identified position control process. LAUSD agreed to most of the recommendations. OIG is planning a follow-up audit on Position Control in 2010. It is important to note the OIG indicated that inadequate Position Control had been covered in an earlier report titled **Review of Internal Control Design; Enterprise Resource Planning Implementation** dated July 2006. OIG stated the District was exposed to an unacceptable high level of risk resulting in the District incurring unplanned salary expenditures.

The CGJ held discussions with Information Technology Group (ITG) personnel from LAUSD concerning the support of the current legacy systems (IFS), namely accounts payable, job costing and project management. The CGJ was informed that LAUSD had serious exposure in these areas due to a delay of Release III Accounts Payable of BTS. As of January 2010, LAUSD had not redefined the implementation schedule.

Since 2003, the legacy system IFS (including input/output technology, operating software and operating hardware) had not been supported by vendors. LAUSD relied on a very minimal staff to ensure the systems operated effectively. ITG had three systems specialists supporting this segment of IFS that annually disbursed approximately \$8 billion. These expenditures included food, supplies, payroll deductions, maintenance and transportation contracts, other types of normal operational support and capital projects.

To minimize exposure to the system shutting down, LAUSD ITG instituted a policy of prohibiting changes to the IFS. Due to various legal changes, tax issues and other administrative decisions, ITG was faced with mandatory changes. In November 2009, ITG experienced a significant operational issue that resulted in the accounts payable system to become inoperable for one day. The failure of the system was due to system changes.

ITG indicated on a scale of one to ten, with one being no exposure and ten being a disaster, LAUSD is currently at eight on the scale of exposure. In a letter to the CGJ dated December 2009, ITG further indicated the potential risks and exposure due to a failure of IFS. These risks included the following:

- Inability to replenish stock in the Food Warehouse
- Inability to operate the General Stores Warehouse (receive, process and deliver orders to schools)
- Loss of funding due to inability to file mandated financial reports
- Inability to issue or process purchase orders for schools and offices
- Inability to pay vendors
- Loss of important financial data

The CGJ could not estimate the magnitude that such a catastrophic failure of Accounts Payable would mean to the operation of LAUSD. However, manually issuing of checks was not a viable option. ITG estimated the implementation period for Release III of SAP could take up to twenty-four to thirty-six months at an estimated cost of \$25 to \$30 million. Personnel required to perform this task are not currently available and Deloitte Consulting would not be used; therefore, an alternative implementation strategy would need to be established. A majority of preparatory work performed previously on the Release III implementation would need to be repeated.

ITG informed the CGJ that further budget cuts have been discussed in the area of a 20% reduction resulting in further staff cuts. Due to **union bumping rights** current ITG staff would be replaced with individuals not experienced in support of IFS. This represents a further **major exposure** to LAUSD.

As of January 2010, the CGJ learned there were five current major significant projects being supported by ITG. These projects included Cafeteria Point-of-Sale, the Student Information System, Business Tools for Schools (BTS), Library and Text Support, and changes to Radio Frequency Modification. These projects were under the direction of various functional groups within LAUSD.

The CGJ believed as part of the process, an Information Technology Steering Committee should be instituted to oversee the decisions, costs, and progress on all ITG projects. This group should also be required to respond to audits involving LAUSD system's projects as well as follow-up to audit recommendations. This group would possibly include the Chief Technology Officer, the Chief Financial Officer, the Chief Operating Officer, the head of Educational Activities and a member of the BOE.

Under California Penal Code 933.5, the CGJ is limited to investigating processes within LAUSD and cannot investigate Policy.

RECOMMENDATIONS

As a result of the investigation of the Business Tools for Schools implementation for Payroll for Los Angeles Unified School District (LAUSD) and related issues, the 2009-2010 Los Angeles County Civil Grand Jury (CGJ) made the following recommendations:

- 1. LAUSD should implement an emergency plan for the support of Integrated Financial Systems (IFS), the current operating system for accounts payable.**
- 2. LAUSD should review alternative methods to support IFS activities in case of a *major* failure.**
- 3. LAUSD should review any considerations to reduce current staff within Information Technology Group (ITG) supporting IFS and review the impact of bumping from future budget reductions on this portion of ITG.**
- 4. LAUSD should proceed with a definitive Plan to implement Release III, Accounts Payable and related modules of Business Tools for Schools (BTS) as soon as possible with appropriate oversight, planning, timing and cost estimates.**
- 5. LAUSD should review and ensure the *lessons learned* from Release II implementation be actively followed in Release III implementation.**
- 6. LAUSD should ensure proper training processes be completed for all people involved prior to the implementation of Release III Accounts Payable of BTS.**
- 7. LAUSD should ensure proper management oversight of normal control reports during the implementation of Release III Account Payable.**
- 8. LAUSD should designate appropriate internal upper level management to actively participate in an Information Technology Steering Committee. This group would oversee the decisions, costs, and progress on all ITG projects. This group would also be responsible for responding to audits involving LAUSD system's projects as well as follow-up to audit recommendations. This group would possibly include the Chief Technology Officer, the Chief Financial Officer, the Chief Operating Officer, the head of Educational Activities and a member of the LAUSD Board of Education (BOE).**
- 9. Office of the Inspector General (OIG) should review any audit with significant findings within a six-month period for compliance and response. The CGJ recommends that OIG should specifically review the four audits previously performed on the payroll system.**

OFFICE of PUBLIC GUARDIAN



COMMITTEE MEMBERS

Chairperson- Ron Murphy
Olivia Headley
Joe Kroening
Huong T Do Nguyen

OFFICE OF PUBLIC GUARDIAN

INTRODUCTION

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) conducted an investigation of the Office of the Public Guardian, focusing exclusively on the probate division. The Office of Public Guardian functions as the legal guardian or conservator of the persons and the estates of individuals unable to provide for themselves. Providing public guardian services is a responsibility of utmost importance. The Superior Court has jurisdiction over conservatorships and monitors them through the court's own probate clerk.

In 2005 an audit had been conducted by blueCONSULTING under contract with the Los Angeles County Department of Auditor-Controller. The CGJ reviewed each recommendation suggested in the 2005 blueCONSULTING report. An administrator from the Office of the Public Guardian was moving forward on all the blueCONSULTING report recommendations, the implementation of which would greatly benefit that office's operations.

The CGJ investigation determined that the Office of Public Guardian was operating professionally and in keeping with the standards of the office. Therefore, only minor recommendations were proposed by the CGJ.

METHODOLOGY

The CGJ obtained a copy of the 2005 blueConsulting report on the Los Angeles County Public Guardian, a copy of the 2006 Los Angeles County Chief Administrative Office's Conservator Task Force Report and copies of other counties' Civil Grand Jury reports on their respective Public Guardian Offices. These documents were carefully reviewed, along with forms and literature of the Los Angeles Public Guardian Office.

The CGJ determined that additional information was required. A request was made to interview the Deputy Director in charge of the Office of the Public Guardian Department. That interview was promptly granted and scheduled. Most of the information needed was provided at the interview. However, some of the data, such as monthly case statistics, budget, actual fiscal year 2008-2009 budget report and a revised organizational chart, was requested but was not readily available. The committee requested that it be furnished. It was received in a timely manner and reviewed.

The CGJ interviewed three caseworkers, one administrative assistant, one court case closer, one case investigator and the head of fiscal operations. The Support Group Staff was briefly interviewed during a tour of the offices. Interviewees were cooperative and shared information and their expertise.

FINDINGS AND RECOMMENDATIONS

The CGJ felt that it was not realistic to compare other counties' public guardian operations with Los Angeles County Office of Public Guardian. Other counties have politically-elected systems, with inherent reward culture, while Los Angeles County has an appointed Director.

The CGJ applauds the Probate Division as functioning properly with an atmosphere of high morale. In July 2007, following nineteen years of meritorious service, the permanent Deputy Director retired and was replaced by an interim Deputy Director.

In February 2009 a permanent Deputy Director was appointed who began by implementing the 2005 blueCONSULTING Report recommendations. The new Deputy Director proposed organizational changes to streamline operations and encouraged better communication with the Treasurer and Tax Collector. The administrative reorganization has been well received. Proper financial safeguards are in place and routinely audited by the Court Probate Clerk.

The CGJ found that each probate deputy had a caseload of forty to fifty cases. Although caseloads are high, they were not considered burdensome. The number of probate cases was anticipated to grow as the population aged.

Overtime was minimal and costs of operating the Department were reasonable. The 2009 budget indicated an appropriation of \$16,729,311. With intra-fund transfers and revenue of \$13,483,421 the net county cost was \$3,245,890.

The Public Guardian was using an obsolete computer system. Funds to modernize the system had been approved and a project begun with an anticipated completion date of April 2011.

FINDINGS

1. The Manual of Policy and Procedures was not updated nor had it been communicated well to employees. A panel of retired employees updated the manual for inclusion in the new computer system.
2. Although the Public Guardian allotted 100 overtime hours per week in the budget, only eight overtime hours were actually claimed weekly.

RECOMMENDATIONS

- 1. Communicate to all employees and new hires the Manual of Policy and Procedures and instruct them in using it. Emphasize the most pertinent changes. Use specially trained employees to assist fellow employees and new hires in understanding the manual and answering any questions.**
- 2. Judiciously assign overtime work to reduce any backlog of cases and to ensure timely responses to new cases**

Implementation of these recommendations would have a beneficial impact on the operation of the Office of the Public Guardian. Los Angeles County Public Guardian has a Deputy Director who is moving forward on the recommendations of blue CONSULTING.

The County is at a critical juncture in maintaining its guardianship of citizens who need care. In community after community, the Public Guardian has demonstrated a commitment to the welfare of its senior citizens. Recognizing the vital importance of the department in the face of impending enormous budget cuts, it is critical that leaders stay the course and preserve the foundation of trust that has been basic to the support the Public Guardian. To do otherwise would be to deprive the citizens who built our country of well deserved care.

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SOLID WASTE MANAGEMENT



COMMITTEE MEMBERS

Chairperson- Ray O'Keefe
Bill Juden
Joe Kroening
Arnie Spears

SOLID WASTE MANAGEMENT CONVERSION TECHNOLOGIES

INTRODUCTION

The County of Los Angeles is preparing to revolutionize the way we think of waste through the adoption of conversion technologies. These technologies encompass a variety of processes that convert most normal household trash into renewable energy, biofuels and other useful products.

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) examined the status of conversion technologies in the county. Until recently, the only place to put trash was in landfills. Today, however, waste and its by-products are being recycled into more useful products. Some waste materials can also be used as a fuel in power plants to create electricity or other forms of energy.

The County is projected to export approximately 38,000-40,000 tons of solid waste per day by rail to a landfill in Imperial County. The costs of this method is extremely high, especially since the containers will return empty. Some of the landfills now utilized by Los Angeles County and its communities will not be phased out. Which ones will stay operational will be determined by conditions such as population density and environmental studies. The remaining landfills will be closed when they reach their planned capacities.

Remaining Permitted Capacity for In-County Landfills As of January 1, 2007++

Landfill	Remaining Capacity (Million Tons)	Remaining Life (Years) As of 1/1/07
Antelope Valley	9.19	30
Calabasas	7.89	17
Chiquita Canyon	11.01	8
Lancaster*	13.48	6
Puente Hills	26.60	7
Scholl Canyon	6.40	14
Sunshine Canyon** (City)	4.26	4
Sunshine Canyon** (County)	7.53	9

++Source: Los Angeles County Draft General Plan January 1, 2007

*Lancaster Landfill current conditional use permit requires it to close by August 2012

**On February 6, 2007, the Board of Supervisors approved a new conditional use permit (CUP) establishing a thirty year life.

Provided certain conditions are met, the total available capacity for the combined City/County landfill is 73.4 million tons.

METHODOLOGY

To gain knowledge of the present condition of solid waste management, the CGJ visited these solid waste facilities:

- Long Beach waste to energy plant
- Los Angeles County **sort and recycle** facility
- Puente Hills landfill in Whittier

The CGJ met with executives who are in charge of the project at the Los Angeles County Department of Public Works. The approach was to educate the CGJ regarding policies, procedures and costs, both current and projected, of reducing the amount of solid waste in Los Angeles County. This was accomplished by:

- Interviews
- Physical onsite visits.
- Review of planning reports from the city and county of Los Angeles

The CGJ inquired into the progress of the conversion technology demonstration plant project which has completed phases one and two of a four-phase project. Phase three, which is the conceptual design and permitting, is due to be completed by December 2010. Phase four, detailed design is projected to finish in December 2012 with groundbreaking for construction on three conversion technology facilities. These plants are to be built, funded and operated by private companies and are scheduled to be operational by 2017. The contracted companies are:

- CR&R Waste and Recycling Services
- Burrtec Waste Industries
- Rainbow Disposal Company

All three facilities are located outside of Los Angeles County:

- Two in Riverside County
- One in Orange County

All three companies are local, allowing for better relations and communication between the contractors and Los Angeles County.

The CGJ looked at the current market rates:

- Distribution
- Reduction
- Projected cost of solid waste disposal

FINDINGS

1. The projected population increase will surpass the county's ability to export enough solid waste to keep up with the amount of trash generated in the next ten years. The projected export figure for 2018 is 48,000 tons per day, without any new facilities to supplement solid waste reduction. The proposed three demonstration plants will have the combined capacity to process 450 to 900 tons a day. This is far short of keeping up with the burden of an expanding population.
2. Even with three successful demonstration plants in place by 2016 or 2017, the capacity of a conversion technology plant will be inadequate to meet the projected estimates of the population at that time. The projected estimated charge to dispose of solid waste at a landfill for these new plants is between \$55-95/ ton.
3. The projected costs of building each of three plants is approximately \$40-90 million. The funding to build will be borne by private companies who operate each facility. The county will be an interested observer and each plant will operate under a conditional use permit.

RECOMMENDATIONS

1. **The Los Angeles County Department of Public Works should support those Los Angeles County organizations working toward a zero-waste future and work with communities in Southern California to create demonstration conversion technology facilities.**
2. **The Los Angeles County Department of Public Works should evaluate and promote the development of the most promising conversion technology to recover energy, products and other benefits from waste.**
3. **The Los Angeles County Department of Public Works should educate the public about solid waste challenges.**

CONCLUSION

The CGJ concluded this project is long overdue and must be viewed relative to the long range ramifications that further inaction would engender. The projected population growth in both the state and county brings with it the need for a greater reduction and disposal of solid waste and makes the project of paramount importance.

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VIDEO-CONFERENCING TECHNOLOGY



COMMITTEE MEMBERS

Chairperson- Jim Mead
Linda J. Banez
Irene Gilbert Gibson
Huong T Do Nguyen
Rik Shubb
Michael Whitten

VIDEO-CONFERENCING TECHNOLOGY

METHODOLOGY

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) conducted in-person interviews with the Administrator of the City of Glendale Jail, the City of Glendale Police Department, Los Angeles County District Attorney (DA), Public Defender (PD), Los Angeles County Sheriff Department (LASD), Los Angeles Police Department (LAPD), the CEO of the County of Los Angeles, the Internal Services Department (ISD), and Information Technology Vendors. The CGJ participated in site visits and researched on the Internet.

DISCUSSION

Video-conferencing technology is a cost effective tool. The technology has advanced to the point it can simulate a life-like experience. At the same time it can be used for simple two-way applications.

With simple two-way installations; visitations, interviews, and conferences can be performed. These two-way installations would optimally be done at the detention facility and at law enforcement stations to create a countywide video-conferencing technology hub system.

A video-conferencing technology hub system is a central video processing center that can be linked to anywhere in Los Angeles County which has compatible video-conferencing technology. This countywide video-conferencing technology hub system would allow greater access for visitations between inmates and their families and others, attorney to client interviews and would allocate resources in a more effective manner.

Ideally, this video-conferencing technology hub system would encompass Detention Centers, Jails, LAPD and LASD Stations, the Public Defender and Los Angeles District Attorney's offices. Moreover, it could be the platform for video arraignment.

The expansion of video-conferencing technology may include:

- E-filings-electronic filing of all law enforcement and court documents
- E-discovery-electronic submission by the DA of all information obtained by law enforcement with respect to a particular hearing
- Video conferencing
- Video visitations
- Video arraignments

The DA provided a pilot project for e-filing, e-discovery, and e-subpoenas in the City of Inglewood that would be overseen by the Director, Branch & Area Operations, Region 1. Unfortunately, this pilot project was canceled due to a

lack of technology coordination between the State and Los Angeles County. Essential to fully realizing and implementing video-conferencing technology

within Los Angeles County is the formulation of a Memorandum of Understanding (MOU) that defines the collaborative efforts of the DA, PD, the LAPD and LASD.

Section I

VIDEO-CONFERENCING TECHNOLOGY APPLICATIONS

FINDINGS

While video arraignment, by itself would be worthwhile as it saves money, time, and is safer, there are many other uses for this technology; e.g., visitations, interviews, conferences, and meetings.

The CGJ learned through this investigation that on a monthly basis there are approximately 2500 video interviews, meetings, and conferences being conducted by various agencies or departments within Los Angeles County.

The framework of any five year strategic plan should include the implementation of a video-conferencing technology hub system that would be geographically located, within detention centers, jails, and LAPD/LASD stations that provide for video visitation, private attorney interviews, conferences, and meetings.

Private attorneys who represent about 10% of the defendants who are arraigned within Los Angeles County would benefit by the ability to interview their clients in this video-conferencing technology hub system.

The Department of Probation would benefit from a countywide video-conferencing technology hub system as many interviews that are performed via telephone can be done via video-conferencing technology. This would allow the Probation Officer to ascertain the physical appearance of their clients that is lacking with telephone interviews.

A potential outgrowth of a video-conferencing technology hub system may be video arraignments. Video arraignments may address the problems associated with having to transport the defendant. The transportation of the defendant requires time, places additional demand on public safety, court personnel, and the security of the defendant population. Video arraignment may also address the rising costs of transportation and incarceration.

Section II

THE MEMORANDUM OF UNDERSTANDING

FINDINGS

During its investigation of video-conferencing technology hub system the CGJ learned through the various interviews the importance of the MOU, as it is the

agreement or **treaty** among the parties. The ultimate success of any countywide video-conferencing technology system is contingent upon a well thought out and written MOU where all the interested parties played an important role.

The primary components of the MOU are:

- Cost
- Operations, including work flow
- Technology
- Management

COST

A critical component of an MOU is a formal plan outlining a pooled budget. This process, after trust has been established, should be one of the first responsibilities of an Oversight Committee. The degree to which the involved parties are both frank and realistic at the onset of negotiations may determine the eventual success or failure of the project.

An assumption may be made that all the participants will have a buy-in, that demand, or a list of demands, that if unmet, will be enough for the involved party to decline to participate. A genuine effort to accommodate each participant's basic requirements is important. However, it is equally important for each participant to rank its needs. It may not be necessary for all essential items to be attained immediately.

Additional components of cost savings are in the areas of transportation, document e-filing, and personnel deployment. Different agencies will realize different savings. Ideally, those who stand to realize the greatest savings will contribute the most, thus sharing their savings to stretch the budgets of the other participants.

Another significant cost was the technology which has several components:

- One-time cost
- Ongoing cost
- Recurring cost

What would be a deal breaker?

The participants responded that reduced budgets could affect their support of this effort.

OPERATIONS

The MOU would clearly define the daily operational responsibilities. An example would be the timely filing of discovery documents to the PD, preferably via electronic-delivery. This topic came up several times during the CGJ's investigation. In essence, the PD would like to have 90% of their daily case-load delivered by a prescribed time to allow adequate time to schedule, interview and

appear. This would facilitate better organization of its resources and allow for better representation of its clients. Additionally, it would save time and money.

The operational process would include a detailed workflow statement. This statement would show the details when each person involved in the video-conferencing technology hub system would interface as well as the responsibilities of that person in the process.

Each participant would have an opportunity to develop processes within the operational section of the MOU that should lead to better efficiency, result in cost savings and set forth the responsibilities, and timelines

Another major focus should be directed to the discussion and completion of a five year Strategic Plan for the implementation of a countywide video-conferencing technology hub system.

TECHNOLOGY

In this section of the MOU, the foundation is set with respect to hardware and software needed. This includes security of information, cameras, video monitors, middleware, compatibility, and required installation.

There will be different levels of requirements among the various uses of video-conferencing technology such as need for a life-like experience, versus what is required for interviews, visitations, and conferencing.

Consideration also needs to be given to security of information, as well as to privacy of the conversations between the PD and Alternate Public Defender offices and their clients. This would involve a middleware system and encryption.

Any system must be compatible with what is already installed within the county and open to further expansion within the county.

Allowances must be built into the cost for installations made in older buildings that may have asbestos.

Discussions need to be centered on Broadband, Wi-Fi, or the other available technologies based on convenience, cost, and reliability.

MANAGEMENT

Emphasis should be given to the designation of key personnel from each agency to comprise an Oversight Committee, whose main function would be to proactively resolve any issues or disputes. Consideration is given to the inclusion of three to five members who come from the community to add diversity and balance.

It is paramount the appointed leaders have the ability to act on behalf of their agencies. This creates timely resolution of issues and builds trust. The focus of this Oversight Committee is to ensure necessary MOU compliance. Issues or

disputes are heard and resolved in a timely manner to assure success beyond the pilot stage and for full countywide implementation.

This Oversight Committee shall meet monthly, issue an agenda, have public meetings, promote public participation, and issue minutes to assure transparency.

Section III TECHNOLOGY FOR VIDEO CONFERENCING

Informational Security

A key concern for all types of video-conferencing technology was the security of the information being transmitted, the audio being captured and the record of all proceedings. There was also the security of the discussion between the defendant and their legal counsel. It appears there were a number of security measures that need to be taken to ensure the system processes were proper.

Technical

There were a number of providers for video equipment. The displays can be plasma, LCD or projector images. The key decisions on the service used are experience, reliability, stability and service.

The transmission varies by type and distance. The alternatives include:

- Coaxial cable can handle up to 750 feet
- RF cable – cable type depends on distance
- Fiber Optic Cable – in a single or Multi –Node
- UTP – Category 3,4,5 or 6
- ISDN – Dial out to public
- IP– LAN/WAN

The implementation being completed by ISD was a Polycom System that was expandable and upgradeable. Two other major suppliers of video-conferencing technology equipment were Nefsis and Vulgate.

Cost

An expert in the field of video-conferencing technology estimated the cost of installation for video-conferencing technology would be between \$30 and \$40 thousand for each facility. In Los Angeles County there would be fifteen to twenty installations to achieve a video-conferencing technology hub system. This would mean a cost of between \$500 thousand and \$1 million. This does not include an estimated cost of \$1-1.5million for the middleware which was required to control the access and privacy of the information between the parties. The cost estimate was a maximum \$2.5 million for the entire Los Angeles County

system's technical expense. This expert estimated the cost savings indicated a twelve to eighteen month short-term payback.

Section IV

LAPD METROPOLITAN DETENTION CENTER

FINDINGS

During its investigation into the implementation of video conferencing technology in various detention facilities in Los Angeles County, members of the CGJ visited the LAPD MDC at 100 N. Los Angeles Street in Los Angeles. It will supplant the older Metropolitan Judicial Center, which opened in 1955 and has been known since summer 1966 as Parker Center.

The construction budget for the LAPD MDC was originally \$70 million. In 2009, the estimated cost incurred was \$85 million. This amount is increasing as design flaws are discovered and necessary corrections are made. The CGJ team noted a number of such basic flaws while touring the building, but the focus here is video-conferencing technology.

Video arraignment and video visitation are the only aspects of video-conferencing technology currently being addressed in the LAPD MDC. A room located on the first floor adjacent to the booking area is expected to provide space for video arraignments. The room, approximately 20' by 20', had been wired for video, but at the time of the CGJ's inspection, no equipment had been installed. The otherwise empty room had three rows of benches attached to the floor. The benches were outfitted with restraints. The security cameras failed to properly cover this room. Adjacent to this room were four smaller interview rooms that are better suited for video arraignments as they are more secure and allow for privacy between the defendants and their attorneys.

The CGJ noted that the single large room does not allow for the segregation of defendants. Such segregation, by gang affiliation, sexual orientation, and race, was widely accepted by law enforcement agencies to be essential in maintaining the safety of both defendants and security personnel. The CGJ learned that for such safety to be provided, that the area would likely require modification and staffing would have to be increased by five to seven additional employees.

The present design of the area offers no provision for client/attorney confidentiality and gives no consideration to the critical function of interpreters. It was expected that when/if this room is utilized, it will be used only for Felony Narcotics Arraignments, resulting in a projected 40 to 60 arraignments per day.

The CGJ was satisfied with the video visitation installation at the LAPD MDC which had a room in the main lobby that contained sixteen video display terminals linked to sixteen inmate video visitation rooms within this detention

facility. This arrangement allowed for greater safety of those visiting and reduces the movement of the defendant within this facility.

RECOMMENDATIONS

- 1. The District Attorney of the County of Los Angeles, The Chief Executive Officer (CEO) of the County of Los Angeles, The Los Angeles County Public Defender, Los Angeles Police Department, and Los Angeles County Sheriff's Department should draft/complete a Memorandum of Understanding (MOU) for a countywide video-conferencing technology hub system. The MOU should include:**
 - A consensus of each participant's involvement with its role clearly defined and stated
 - A well defined dispute resolution process
 - A detailed workflow statement
 - The cost agreement between the participants, allocated in a shared pool
 - The establishment of an Oversight Committee with representatives from each participating department, agency, or individual
- 2. The Oversight Committee for the countywide video-conferencing technology hub system should include:**
 - A representative from the District of Attorney of the County of Los Angeles, The CEO of the County of Los Angeles, The Los Angeles County Public Defender, LAPD, and LASD with authority to negotiate and make decisions that are involved in the entire process
 - Meetings scheduled on a monthly basis
 - Quarterly meetings with public attendance
 - Published minutes
 - Authority to interact with state and federal agencies
 - Ability to expand video-conferencing technology on a countywide basis
- 3. The District Attorney of the County of Los Angeles, The CEO of the County of Los Angeles, The Los Angeles County Public Defender, Los Angeles Police Department, and Los Angeles County Sheriff's Department should draft a Five Year Strategic Plan for a countywide video-conferencing technology hub system that includes the following:**
 - Visitations
 - Interviews
 - Conferencing

4. **The LAPD should modify the LAPD Metropolitan Detention Center (MDC) as follows:**
 - **The four small interview rooms at the LAPD MDC should be rewired for video equipment and used as the principal space for video-conferencing applications**
 - **The security cameras, at the LADP MDC, should be adjusted, or their location changed, so that the 20' by 20' holding room is effectively monitored**
5. **In the future, when the LAPD considers any building project(s), particularly of the magnitude of the LAPD MDC, the design and bidding procedures should be more critically examined at the onset. Further, it is recommended that an Oversight Committee should guide and advise the architects and initial planners. Had this format been followed in the blueprint stage of the LAPD MDC, substantial monetary losses might have been avoided.**

LIST OF ACRONYMS
VIDEO-CONFERENCING TECHNOLOGY

CGJ	The 2009-2010 Los Angeles County Civil Grand Jury
DA	District Attorney
ISD	Internal Service Department
LAPD	Los Angeles Police Department
LASD	Los Angeles County Sheriff's Department
MDC	Metropolitan Detention Center
MOU	Memorandum of Understanding
PD	Public Defender

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WATER for LOS ANGELES COUNTY



COMMITTEE MEMBERS

**Chairperson- Michael Whitten
Jacqueline Brown
Irene Gilbert Gibson
H. Russell Justice
Joe Kroening
Jim Mead
Rik Shubb**

WATER FOR LOS ANGELES COUNTY

A NEW PARADIGM?

EXECUTIVE SUMMARY

An understanding of water for Los Angeles County (LAC), like most counties in the United States, involved a confusing array of legal, environmental, cost, technology, and control issues. LAC is defined as including all eighty-eight cities in the county. The average citizen was confused with varying ordinances, public reports and upward spiraling expense. The history of supplying water to LAC had been recorded in volumes of published literature, legislative reports and research documents. The Los Angeles County Civil Grand Jury 2009 – 2010 (CGJ) published ***WATER FOR LOS ANGELES COUNTY, A NEW PARADIGM.***

An extensive search of ***WATER*** on the Internet provided voluminous references to critical efforts worldwide to provide mankind with sufficient water supplies, the dangers of water shortages, environmental impacts and efforts to change historical practices. Water issues within the United States seemed to affect every state in varying degrees, whether those issues were too much water, not enough water or water that costs too much.

California headlines featured environmental impact studies regarding water as well as who received what portion of a shrinking available supply of water. In LAC the average citizens looked quizzically at escalating water bills and tried to decide which day they were allowed to use water on their lawn.

The CGJ reviewed various water districts, visited water treatment facilities, discussed opinions with university experts, talked with the Metropolitan Water District (MWD), studied legislative action, searched media sources, reviewed the history of water in LAC and analyzed various LAC water utility bills. To solve current water needs LAC is trying to undo 100 years of flood control and massive spending.

The CGJ was concerned as a result of this broad-sweeping study of water for LAC about the lack of focused oversight within LAC by a new single organization. This organization would essentially provide effective efforts to supply safe, cost effective quantities of water for the LAC. There were many, overlapping organizations with redundant responsibility structures with both similar and diverse services.

The authority over LAC water included a conglomeration of water districts and water departments. The largest authority over water in Southern California was the MWD. The State of California controlled MWD, which acted primarily as a water wholesaler for LAC. LAC had seventeen member districts and departments that interacted with MWD. MWD had twenty-six Districts and Cities as members. The largest single water district or department within LAC was the Los Angeles Department of Water and Power (LADWP). The Board of Supervisors of LAC had no direct authority over water issues.

The CGJ received numerous analyses of the quantitative aspects of water supply and alternative sources of water for LAC. It appeared that the quantity of water was not as much an issue as the reuse of water and applications of water usage. LAC was formed from a semi-arid environment and civilization had turned it into an enormous lush green oasis. Water for lawns and other external non-essential applications accounted for 60% of total water usage in LAC. LAC required significant revisions to ordinances, programs, billing structures and expectations of LAC citizens to affect substantial changes in expectations.

The delivery system of water both from external sources to LAC to delivery systems within LAC required extensive capital and corrective actions. The much-publicized water main failures within Los Angeles were perhaps over dramatized in relation to past occurrence frequencies, but do not alleviate the massive requirements for ongoing maintenance and replacement of the delivery system throughout the County.

It was estimated by various experts that perhaps 30% of the water from current sources annually could be supplied by recycled or reclaimed water. Orange County California was repeatedly referenced as a leader of innovative approaches to recycling and reclamation of water. They were able to overcome the inherent obstacles of converting wastewater to potable water. The CGJ believed LAC could significantly reduce the use of new water with recycled or reclaimed water. Funds spent today would save exponentially more in the future plus reduce negative environmental and social impact. This effort included water pumped into the ocean from wastewater treatment plants and water flowing through manmade runoff methods.

There was also a significant requirement for positive action on the San Fernando Basin Aquifer System (SFB). It has been negatively impacted by pollution and a lack of significant reclamation action LAC, state and federal agencies.

Conservation efforts from the various water districts and departments included well-publicized efforts ranging from limiting water days and planting water conservation plants and fauna to less publicized methods such as using tanker trucks to capture fire hydrant purging requirements and usage of purple pipe systems in homes.

The CGJ considered both the amount a customer was charged for water as well as the process of how they were charged. The billing process included extremes of utilization of smart bills and extensive consumer information to simplified one-tiered billings. It was apparent there was limited consensus on how either of these considerations should best be handled. This area also included the need for significant analysis and oversight supporting water rate increases.

A smaller aspect of the CGJ review of LAC water was the security of water supplies, including the water quality and the method of protecting infrastructure from terrorist action. The CGJ had minor recommendations on this subject as much of the information fell under national security.

The CGJ report on Water for LA County is divided into four sections. The sections are as follows:

- Los Angeles County Water Issues which included issues and recommendations that affect the entire County
- LADWP that included issues and recommendations unique to the city of Los Angeles.
- Smart bills and water rates that covered different consumer billing methods and various approaches to determining the amount a consumer pays with appropriate recommendations.
- Security issues that briefly covered a few aspects of the programs to protect water quality and infrastructure and relevant recommendations.

As a result of the CGJ investigation of water for LAC, the following key recommendations were made:

- Establish a new single oversight group for control over all LAC water issues
- Reorganize the structure of LAC water districts to reduce redundancy and improve consistent methods of conservation
- Develop of a comprehensive water recycling and reclamation program including educating the public on safe wastewater usage
- Focus on an effort for the cleanup and revitalization of the SFB
- Expand education of the people of LAC on conservation methods and check the utilization of public awareness to monitor public usage
- Provide the consumer a billing process that establishes good decision- making tools, an understanding of their water usage versus their general area and best practices, and an understanding of how current decisions will affect projected water rates
- Develop comprehensive methods and costs to maintain and replace the water delivery system
- Enact corrective actions on security measures within LADWP

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WATER FOR LOS ANGELES COUNTY

A NEW PARADIGM?

GENERAL DISCUSSION

Water has been a key aspect of the development of the City of Los Angeles since 1781. One of the earliest controls on water use was the installation of the first water meter in 1889 with complete metering by 1927. The City of Los Angeles was one of the original founders of the Metropolitan Water District of Southern California (MWD) in 1928.

Throughout this report the 2009-2010 Los Angeles County Civil Grand Jury (CGJ) referred to Acre Feet (AF), a measure of volume. One acre-foot of water is the volume of water needed to cover one acre to a depth of one foot. An AF equals approximately 325 thousand eight hundred fifty-one gallons. Also throughout this report the CGJ used HCF, which means hundred cubic feet. This is a common unit of measurement for water, particularly in water bills. One HCF equals 748 gallons.

The history of the development of water supplies, aqueducts and water rights and the MWD is contained on various websites such as LADWP.com, MWDH20.com, en.wikipedia.org, plus various other sites.

The major concern of Los Angeles was to secure water sources. In 1913 the first Los Angeles Aqueduct was constructed. The aqueduct was supplying water from the Owens River, 230 miles north of Los Angeles. The second Los Angeles Aqueduct was later completed. The combined capacity of the two aqueducts was approximately 8 million AF. In 1930, MWD conceived the Colorado River Aqueduct with a capacity of approximately 17 million AF.

In 1972, MWD began receiving water from the State Water Project delivering water from Northern California. This supply is approximately 29 million AF per year.

The capacity numbers referred to above are not indicative of the actual supply of water being delivered. Due to droughts, environmental concerns, decreased snowfall, plus storage issues, the total requirements had been reduced. The supplies from the Bay-Delta and Owens River had been reduced due to protection of endangered species and habitat restoration. Currently, water levels at two main storage facilities (Lake Mead and Lake Powell) were below half of capacity.

In 2005 MWD estimated the total usage for its service area at over 4 million AF. This would serve a population of nearly 18 million people. The Institute of the Environment at UCLA provided the CGJ representations of the precipitation and runoff from various areas throughout California, the various water conveyance systems constructed in California and the service area for MWD.

CHART 1 – Average Precipitation and Runoff in California, measured in million acre-feet per year. As rain continues, water reaching the ground surface infiltrates into the soil until it reaches a stage where the rate of rainfall (intensity) exceeds the infiltration capacity of the soil. Thereafter, surface puddles, ditches, and other depressions are filled (depression storage), after which runoff is generated.

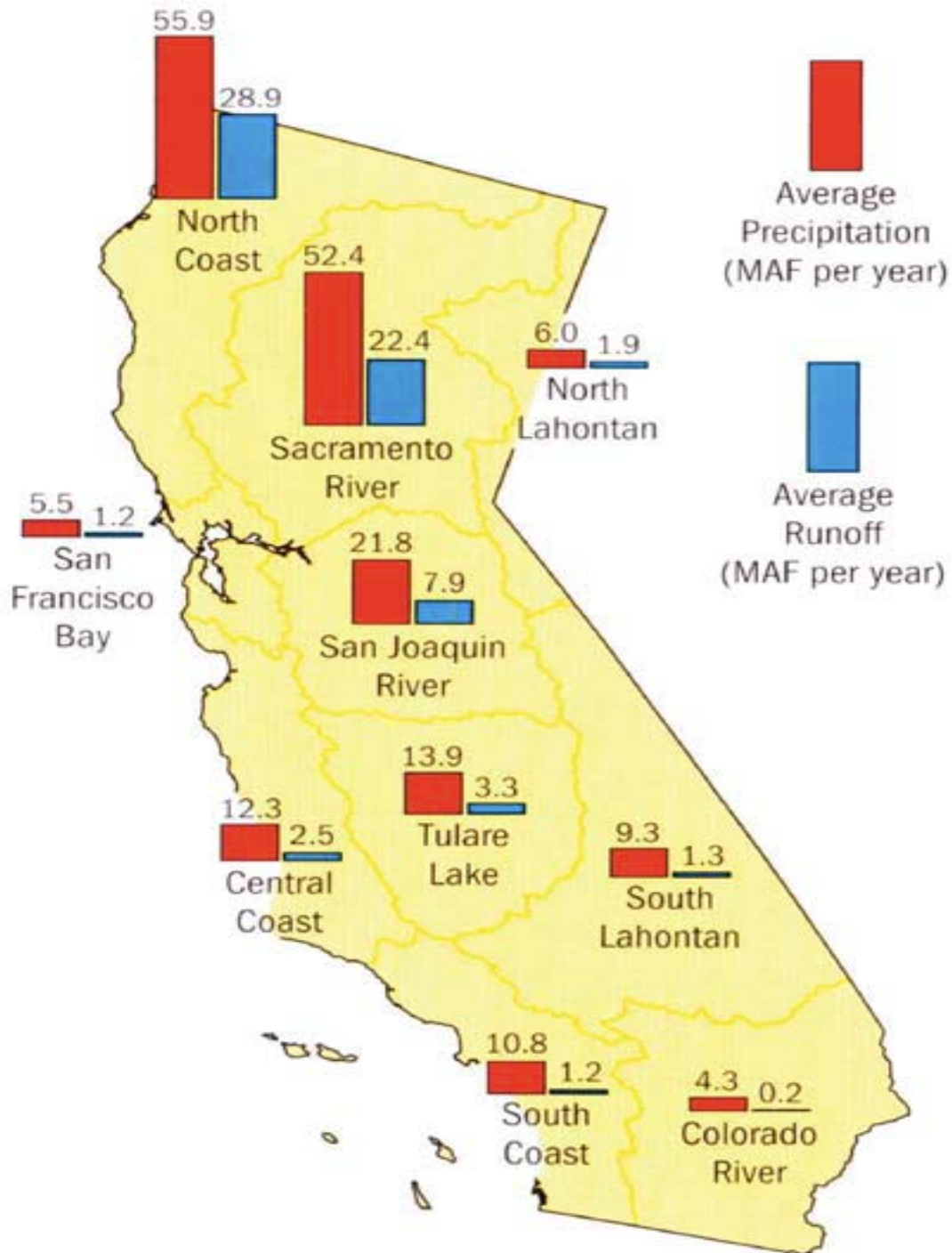
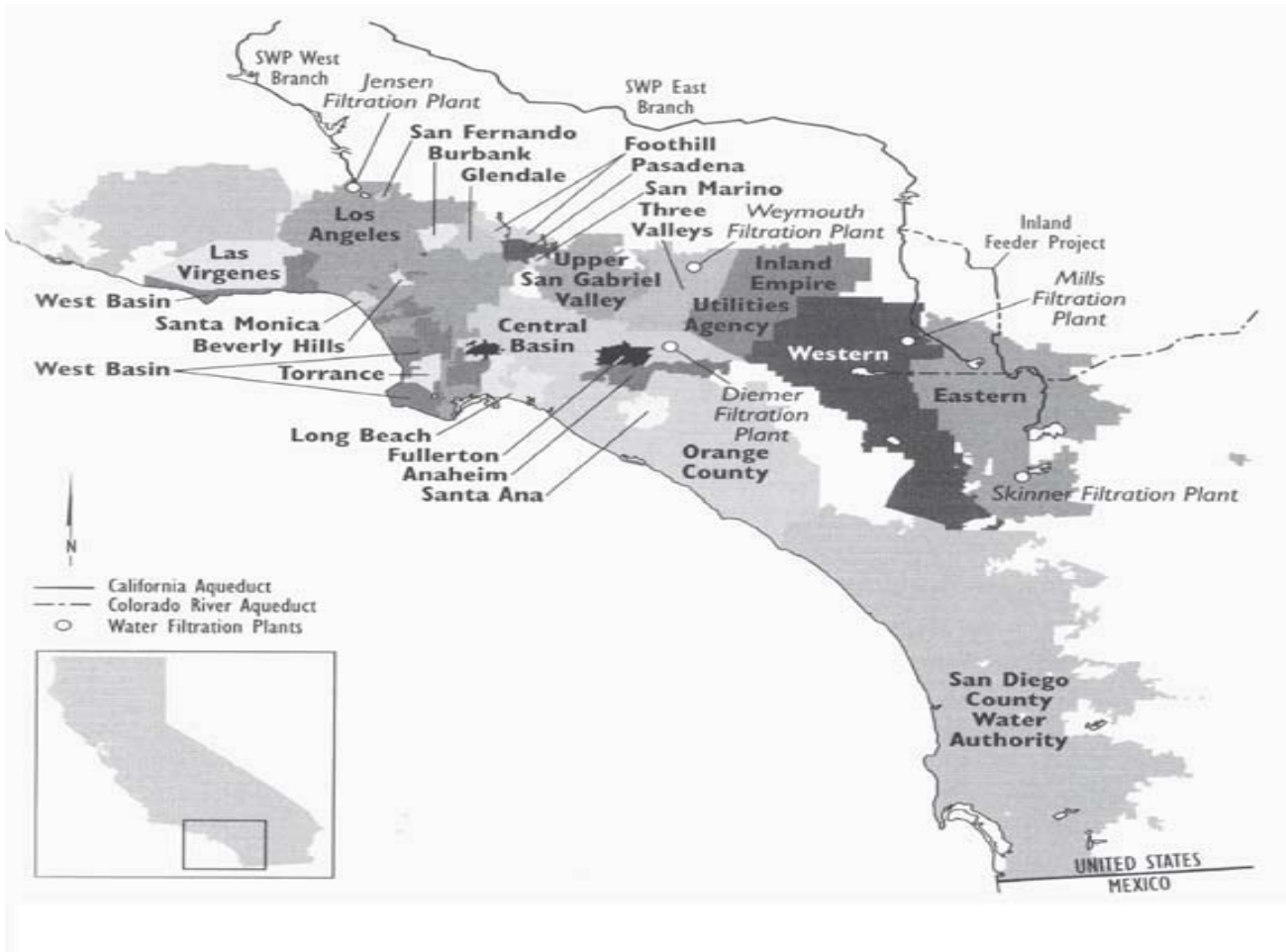


Chart 2 – All Water Conveyance Systems in California, principally aqueducts and piping systems.



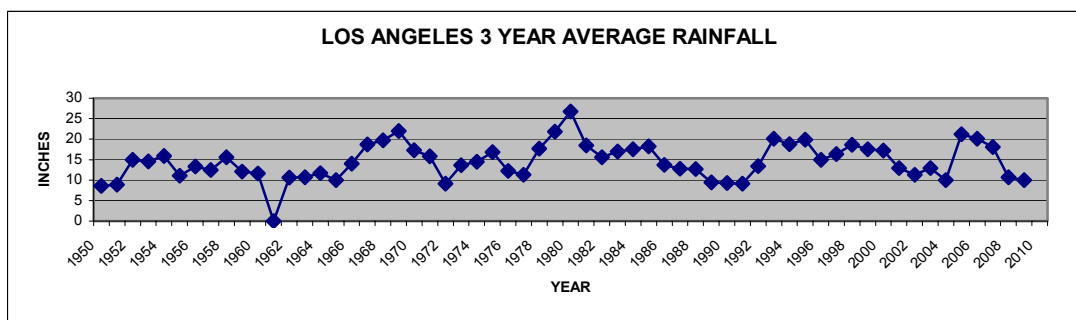
Chart 3 – Metropolitan Water District Service Area



The amount of rainfall in Los Angeles was measured at the Los Angeles Civic Center and had been reported for 130 years. The annual measurement was made between July 1 and June 30 of each year. The average rainfall during this entire period had been 15.04 inches.

The table in Chart 4 shows a three-year running average for the years between 1950 and 2010. It was apparent that 1960 to 1962 was the lowest period recorded. The 2010 average of ten inches was matched or lower in ten different periods.

Chart 4 – Annual Los Angeles Rainfall



It was important to note rainfall in Los Angeles was not as significant as the snow pack in the Sierra and the Rocky Mountains. There were little meaningful methods of capturing the water in Los Angeles that flowed into the storm drains and into the Los Angeles River and the Ballona Creek, and subsequently to the Pacific Ocean. There were efforts to analyze changes to the Los Angeles River to allow for more water capture, but nothing significant had been planned.

On each dry day nearly 100 million gallons (380 AF) of water flowed into the ocean from the runoff of yard systems, car washing and the like. On a rainy day the amount of water flowing to the ocean skyrockets to 10 billion gallons (38,000 AF) for each inch of rainfall. This means in an average year of fifteen inches of rainfall, 570 thousand AF was not captured. With Los Angeles using approximately 700 thousand AF per year, this has a significant impact.

The 2009 Comprehensive Water Package, published by the California Department of Water Resources, proposed a method to ensure a reliable water supply for future generations, while restoring the Sacramento-San Joaquin Delta and other ecologically sensitive areas. The plan was comprised of four policy bills (SB 1, SB 6, SB 7, SB 8) and an \$11 billion bond (Safe, Clean, and Reliable Drinking Water Supply Act of 2010). This package established a Delta Stewardship Council (DSC), set ambitious water conservation policy, ensured better groundwater monitoring and provided funds for the State Water Resources Control Board for increased enforcement of illegal water diversions.

DSC consists of seven members with diverse expertise providing a broad statewide perspective. The chairperson of the Delta Protection Commission is a permanent member of the Council. The DSC will develop a Delta Plan concerning Delta restoration and water supply reliability, develop performance measures for assessment and tracking progress and changes to the health of the Delta ecosystem, act as the appellate body when needed, and determine the consistency of the Bay-Delta Conservation Plan with their co-equal goals.

If the bond were adopted in November 2010, funds would be provided for water supply projects in twelve regions throughout the state involving local cost-sharing, drought

relief, water supply reliability, Delta sustainability, statewide water system operational improvements, conservation and watershed protection, groundwater protection, water recycling, and water conservation programs. The bond included \$198 million designated for the Los Angeles sub-region to help protect from drought, protect and improve water quality, improve local water security, and reduce dependence on imported water.

The control of water for Los Angeles County (LAC) resided in seventeen water districts or retailers, as follows:

Beverly Hills Water Department
Burbank Water and Power
Central Basin Municipal Water District
Compton Municipal Water Department
Foothill Municipal Water District
Glendale Water and Power
Las Virgenes Municipal Water District
Long Beach Water Department
Los Angeles Department of Water and Power
Pasadena Water and Power
City of San Fernando Public Works Water
City of San Marino, California-American Water Company
City of Santa Monica Water Department
Three Valleys Municipal Water District
Torrance Municipal Water Department
Upper San Gabriel Valley Municipal Water District
West Basin Municipal Water District

Each of these districts represented one or more multiple cities. They also had similar organizational issues, supervising boards and support personnel.

METHODOLOGY

The CGJ interviewed or visited the following organizations or facilities in the investigation of water for LAC:

- Municipal Water District of Southern California (MWD)
- Los Angeles Department of Water and Power (LADWP)
- Pasadena Water and Power
- Long Beach Water Department
- Glendale Water and Power (GWP)
- City of Santa Monica Water Department
- Upper San Gabriel Water District
- Past Members of City of Los Angeles Board of Water and Power Commissioners
- The Institute of the Environment at UCLA
- Tillman Reclamation Plant

- Department of Sanitation
- Hyperion Treatment Plant

This report is divided into four sections as follows:

Section I – Los Angeles County Water Issues

Section II – Los Angeles Department of Water and Power

Section III – Smart Bills

Section IV – Security

SECTION I LOS ANGELES COUNTY WATER ISSUES

GENERAL DISCUSSION

Controlling Authority over LAC Water

The authority over LAC included a conglomeration of water districts and water departments. The largest authority over water in Southern California is the MWD, but MWD acts mainly as the water supplier for LAC. LAC has seventeen members that participate with MWD. The largest single authority within LAC is LADWP. The LAC Board of Supervisors has no direct authority over water issues.

The CGJ researched how various organizations oversee major issues at the county and state level. Orange County had the Municipal Water District of Orange County. The group consisted of seven directors elected or appointed for four-year terms. Each represented one of the seven districts, representing all areas of Orange County. The County had been repeatedly recognized as a leader in water management including one of the most innovative and successful wastewater treatment processes in the United States.

The State of California passed the **2009 Delta/Water Legislation**. The DSC was then established. This new, independent state agency would have a seven-member board, four of whom would be appointed by the Governor, one by the Senate Committee on Rules, one by the Speaker of the Assembly, and one by the Chair of the Delta Protection Commission.

Within LAC various city ordinances governed the number of days the consumer could irrigate. There were numerous programs offered for environmental improvements. Water rights issues were continuously discussed and legislated. There were numerous billing systems with different billing tiers and information controls.

There were various methods of supporting security requirements. Pollution issues were also controlled by the different water organizations. Each district had staff and redundant positions to govern water issues.

The CGJ understood that any recommendation about the control over LAC water would be met with severe political backlash and legislative requirements. Various people the CGJ interviewed were supportive of a central water authority for LAC.

The CGJ targeted six water departments/districts to evaluate levels of water usage. They included Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department. The CGJ inquired about the average daily use of water, in gallons, per person in each targeted city in LAC. The following was obtained:

Gallons per person per day

- Glendale Water and Power - 145
- Long Beach Water Department - 104
- Los Angeles Department of Water and Power - 150
- Pasadena Water and Power Department - 207
- City of San Fernando Public Works Water - 125
- City of Santa Monica Water Department -141

Pasadena Water and Power Department stated that its usage was disproportionately higher than the other cities because many of the homes in Pasadena had larger acreage than most other cities. It was Pasadena Water and Power Department's suggestion that the CGJ investigate the water usage in a comparable city like Glendale. When the CGJ investigated the Glendale Water and Power, it found its usage was within the mid-range of usage in the County. Based on water usage in 2005, Pasadena Water and Power Department is attempting to reduce its daily usage of water by 10% by 2015. The target by 2020 is a reduction of 20% water use. Pasadena Water and Power Department had no response to the request by the CGJ to explain the city's daily high usage of water per person.

All of the six departments/districts studied had made concerted efforts to conserve by limiting the amount of water used on a daily basis. According to the information provided to the CGJ, up to 60% of water usage domestically is for outside watering. Los Angeles had curtailed outside watering to three days per week. Pasadena limited outside water usage to one day a week. It was reported in the Los Angeles Times on Saturday, December 6, 2009 that water usage in the City of Los Angeles was at an 18 year low. Water consumption had been reduced by 18.4% between June 2009 and October 2009. This equated to approximately 54,000 AF over those five months

RECOMMENDATIONS

- 1.1 Los Angeles County Board of Supervisors should lead an effort to obtain legislation to establish a Los Angeles County Water District.**
- 1.2 Los Angeles County Board of Supervisors would seek legislation that Los Angeles County Water District would be the governing body over all major water issues for the entire county.**
- 1.3 Los Angeles County Board of Supervisors would seek legislation to establish a seven-member board to govern Los Angeles County Water District. The board would consist of two members appointed by the Los**

Angeles County Board of Supervisors, two members appointed by the Metropolitan Water District of Southern California members representing Los Angeles County, and three members selected by the four appointed members.

- 1.4 Los Angeles County Water District should have authority to select the full-time General Manager.**
- 1.5 Los Angeles County Water District should have authority to enact countywide environmental programs, interact with Federal Authorities on pollution issues and consolidate the various water district organizations into one authority.**
- 1.6 The legislation sought by Los Angeles County Board of Supervisors would include the consolidation of all the water districts into one central organization. A conservative estimate of the savings could be as much as \$30 million annually.**
- 1.7 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should reduce their consumption of water by 15% by the year 2012 compared to the base year of 2005.**
- 1.8 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should reduce their consumption of water by 20% by the year 2020 compared to the base year of 2005.**
- 1.9 Pasadena Water and Power Department should provide an in-depth study of gallons of water per day per person and a statistical analysis of domestic acreage in the city that explains the high per person water use.**

History

Water from the Colorado River is controlled by MWD. This water is subject to State, Federal and International laws. The 1944 United States-Mexico Treaty for Utilization of Water of the Colorado, Rio Grande and Tijuana Rivers guaranteed Mexico 1.5 million AF of water annually. This guarantee was not a problem until the 1950s when the United States began diverting water due to the intense development in California and Arizona. Mexico protested the reduced flow and quality and in 1961 the Federal Government agreed to restore them. This action affected the amount of water available to MWD and supply for Southern California has been further reduced as the population of Arizona has increased.

Besides the guarantee of water to Mexico, other problems in maintaining this supply are recurring drought in the Colorado River watershed area, which included the states of New Mexico, Wyoming, Montana and Colorado, and the increased local demands for water. The population of these states was expanding and they requested more water for their own use.

The Colorado River Compact mandated that 75 million AF of water be delivered at Lees Ferry in Arizona for use by Arizona, California and Mexico. Several candidates for

governor of Colorado have campaigned on the **keep Colorado water for Coloradoans** platform. As eastern Colorado is arid there was a resounding message for a large part of that state and was a subject that would be very important in the future.

The MWD also imported water from the Sacramento-San Joaquin Delta (DELTA) which was controlled by the Department of Water Resources (DWR) and Water Resources Control Board along with the United States Bureau of Reclamation (USBR). Environmentalists had obtained a court order curtailing water deliveries from the DELTA. Due to drought conditions in the Sierra Nevada Mountains, Governor Schwarzenegger declared an official statewide drought in June 2008.

The California State Legislature had taken up the task of rebuilding the infrastructure of the DELTA. They attempted to mitigate environmental concerns and update other water resources and transportation systems within the state. The first course of action was a water conservation bill passed and signed into law that a reduction by one-fifth per capita be met by 2020. The bill did not mandate how that would be accomplished.

The State Assembly proposed a bond measure in the amount of \$11 billion to overhaul the state's water system. This measure would include \$ 3 billion for new water storage and \$2 billion for ecosystem restoration in the DELTA. It would also fund groundwater clean-up and recycling efforts in Southern California and watershed projects on the Los Angeles and San Gabriel rivers.

There was support for the bill from many business and environmental groups. There are several environmental groups, most notably Friends of The River and the Sierra Club, that opposed the bond measure, claiming that the policy was anemic and that the economic burden on taxpayers was too great. The interest on the bonds was estimated at \$600 million per year.

The CGJ found that many water districts contract and maintain representation at the state and federal levels to understand what money they could capture, which issues they should be involved in and determine the right people to pressure to obtain favorable support.

Non-Potable Water

The use of reclaimed/recycled water required extra care to prevent cross connection with potable water supplies. This water was piped through a separate set of pipelines that are painted purple, thus the term **purple pipes**. Additionally all equipment (such as flow knobs, solenoids, valve boxes, sprinkler heads, and hose bibs) must have purple markings and be approved for reclaimed/recycled water use.

Purple pipes were used to transport and deliver reclaimed/recycled water from sanitation/sewage plants to large users that can use this water. This water had received secondary treatment and was non-potable. The cost of water was negligible as it was basically a product that the sanitation/sewage plants must dispose of. The primary cost was the transportation and delivery.

In some cases the reclaimed/recycled water received additional treatment prior to being transported in **purple pipes**. It was still non-potable and was not used in any potable water applications.

The most common use of reclaimed/recycled water was for irrigation of parks, cemeteries and golf courses for which it was very well suited as it usually contains higher levels of nutrients such as nitrogen, phosphorus and oxygen, which help fertilize grass and plants. Some other uses are industrial processes, cooling towers, soil compaction, dust suppression, street washing, ornamental fountains, fire fighting, wetland restoration and irrigation of agricultural crops. Many of these uses also would result in a portion of the reclaimed/recycled water eventually percolating into the natural water table via the indirect recharge process.

Any area or site that uses reclaimed/recycled water must be posted to warn that the water is non-potable and is not for drinking purposes. The suggested wording is **FOR WATER CONSERVATION THIS PROPERTY IS IRRIGATED WITH RECLAIMED WATER – DO NOT DRINK.**

Purple pipes could also be applied to residential irrigation to conserve potable water. A system could also be installed in the home that directs rain runoff and water from home non-waste sources for use on the lawns.

. Gray Water

The City of Santa Barbara has pioneered what is known as a **gray water** solution to water conservation already used in Arizona, New Mexico, and Texas. Gray water is any wash water that has been used in a home except water from toilets. Water from dish washers, shower, sinks, and laundry comprise 50%-80% of residential waste water and is found to be ideal for such purposes as landscape irrigation.

Plants thrive on used water containing nutrients and it is a waste to irrigate with great quantities of drinking water. In fact, it may be harmful to irrigate with drinking water that has been treated with chemicals for public health safety. Gray water reuse is considered to be part of the fundamental solution to many ecological problems.

RECOMMENDATION

- 1.10 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should support instructional literature and possible funding efforts for home purple pipe installations and gray water systems.**

Geographic Water Use

To gain an understanding of water use, six LAC cities' water departments were reviewed to see if they were targeting any specific geographic areas. The cities

selected were Santa Monica, Glendale, San Fernando, Long Beach, Pasadena, and Los Angeles. None of the cities questioned targeted specific geographic areas at the current time.

San Fernando targeted the top ten internal users for water and has achieved a 5% reduction in use. The city was planning to review the top ten external users of water.

HOW WAS THE CITY OF SAN FERNANDO PUBLIC WORKS WATER WAS ABLE TO REPLACE 75% OF ITS WATER CONVEYANCE INFRASTRUCTURE?

FINDINGS

City of San Fernando Public Works Water has been able to replace or refurbish 75% of its water conveyance system through implementation of Five-Year Plans that incorporate a Capital Improvement Plan (CIP). In effect, the City of San Fernando Public Works Water holds a small portion of what the rate payer pays for water to rebuild, repair, or replace their water conveyance system. The amount stated was \$500 thousand annually. The City of San Fernando has a population of approximately 25,000, this equates to \$20 per person per year.

To put it in perspective, the City of San Fernando Public Works Water is responsible for providing water to all city water customers in sufficient quantities to meet domestic and fire service demands; maintenance of approximately 67 miles of water mains, 5 thousand water meters and 548 fire hydrants. It also installed new services (domestic and fire) that are ordered for new structures or demanded by land use changes.

With all of this, the City of San Fernando Public Works Water is able to provide its rate payers with water rates that are very competitive with their surrounding cities, as well as LADWP. This is due in large part to the fact they have a geographical advantage of many underground wells and recharge areas. This provides them with 75% local water and having only 25% imported water from MWD. The cost of its local water is \$300 per AF, whereas the cost of imported water is \$619 per AF.

Additionally, when the the City of San Fernando Public Works Water did street maintenance and repair, it would replace and refurbish water pipes.

Note: Pursuant to the 2007 HURON report, it would take LADWP between 250 and 350 years to replace or repair its Water Conveyance Infrastructure. Moreover the report stated LADWP does not have a five-year CIP plan.

RECOMMENDATIONS

1.11 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should implement five year CIP plans that set aside the appropriate funding for repair and replacement of its aging underground water conveyance system.

- 1.12 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, and the City of Santa Monica Water Department should consider the City of San Fernando as a best practice city regarding CIP planning.**
- 1.13 LADWP and Glendale Water and Power should aggressively clean the SFB in order to create more local water.**

Long Beach Water Department focused on the top 200 users in the city, and counseled those residents about water use and conserving water.

Pasadena Water and Power Department targeted the top 100 users of water and discussed with them how to conserve water. Additionally, Pasadena Water and Power Department worked with several Home Owner's Associations (HOA) concerning water use and conservation. The Pasadena Water and Power Department targeted some HOA's and consulted with them on the outdoor water usage only.

LADWP was not prepared to evaluate the usages of water in particular geographic areas nor have the resources or the personnel to undertake this task.

RECOMMENDATIONS

- 1.14 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should establish a procedure for targeting specific geographic areas for water usage and water conservation. This targeted geographic area would be counseled and advised by the appropriate water agencies of the city as to the necessary tools for water conservation.**
- 1.15 The CGJ understood that although the bond measure would be enormous, that continued State growth and prosperity was dependent on safe and reliable water supplies. The CGJ recommends that the bond measure be carefully evaluated by the Los Angeles County Board of Supervisors and be supported to ensure future water supplies.**
- 1.16 There were various issues facing water districts and agencies with political, environmental, regulatory and legal issues seemingly coming from all directions. The CGJ recommends the Los Angeles County Board of Supervisors seek legislation to establish an organization with proper funding to direct the efforts to assist in obtaining funds, fight issues of concern and contact the proper person or agency for support. This would eliminate duplicated costs and efforts by seventeen different Los Angeles County agencies.**

Future

The CGJ attempted to understand the projected spending on major water projects that will ensure future water supply. The focus concerned the three major water agencies supplying water to LAC.

MWD provided water mainly from the Colorado River. MWD has no major construction projects since the start of the Robert B. Diemer Water Treatment Plant upgrade started in the third quarter of 2008 with an expected completion date of the first quarter of 2012. This project combined other smaller projects and indicated a total expected cost of \$412 million.

The major supplier of water to LAC is the Department of Water Resources (DWR) that since 1956 has been responsible for the management and regulation of water usage. DWR oversees construction of dams, reservoirs, pumping facilities, canals, aqueducts and treatment facilities. The northern portion of California, especially the Sierra Nevada mountain range, produced a large amount of water. This water was collected by damming and then transported by the California Aqueduct to users in the Central Valley and Southern California. DWR maintained a number of storage facilities to mitigate droughts and to maintain a constant water supply. Since the completion of Castaic Dam in 1974 no major projects had been built. The only exception would be work on the West Branch.

The California Legislature realized that improvement and updates for major water projects were required and placed an \$11 billion bond measure on the November 2010 ballot. If approved, the bond money would be allocated to:

- Upgrade DWR facilities statewide
- Mandate \$2 billion for ecosystem restoration of the Sacramento-San Joaquin Delta
- Utilize \$3 billion for new water storage facilities
- Mandate funds for groundwater clean-up of the San Fernando Basin Aquifer (SFB)
- Mandate funds for watershed projects in the Los Angeles and San Gabriel rivers.

Passage of the bond measure would provide the largest water supply expenditures in recent state history.

Desalination

In all interviews, various water agencies and districts felt the cost of producing water by the desalination method was not competitive with purchased water or pumped groundwater. It was noted that several pilot desalination plants have been constructed. None, with the possible exception of Avalon, are presently operating. In addition to high operating costs, the disposition of the brine is a major concern. The brine is generally disposed of by piping offshore into the ocean. There are environmental concerns with this.

LADWP's former General Manager was not in favor of desalination. The interim replacement GM does favor desalination and the CGJ understanding that LADWP is studying the desalination process to determine if this may be a viable water source.

Long Beach Water Department and Santa Barbara had constructed desalination plants. The Santa Barbara plant was not presently being operated. It could become operational quickly should the need arise.

Further investigation found the cost of desalinated water is approximately \$1,000plus per AF based upon figures provided by Long Beach Water Department which is operating a desalination plant as an R&D project. The plant has been in operation for ten years and the initial cost to build was about \$27 million. This plant produces approximately 300 thousand gallons of water per day. The major cost at the Long Beach Water Department plant is electricity which constitutes about 57% of the cost of production.

The CGJ interviewed individuals from the City of Santa Monica Water Resources Division. They had remarkably diverse opinions about desalination. One representative favored desalination and felt that developing technology would make desalination a viable source. Another department representative felt that desalination was not a viable resource, citing cost and environmental concerns and felt that conservation was the answer. Both agreed the use of gray water was not cost effective.

MWD has made two attempts at designing and operating desalination plants. It is believed that they have abandoned this effort for the present. MWD cited high costs of electricity and infrastructure to pump the desalinated water from sea level to the inland area up to elevations of between 2,000 and 2,500 feet.

In the future, desalination could be an economical source of water. With present technology and costs it is not an economically feasible source. The cost of producing desalinated water is more than pumping ground water supplies or the purchase of imported water. Until such time as either the cost of desalination is reduced or the price of imported water rises, it is not economically advantageous to produce desalinated water.

LANDSCAPING AND CONSERVATION

LADWP established a procedure for changing the landscaping of yards in the City of Los Angeles. LADWP offered a \$1 per square foot rebate to replace the turf on consumers' property with water sensitive plants or ground cover. This rebate program helped conserve water in the City of Los Angeles. LADWP had an ordinance allowing twice weekly, fifteen minute watering.

The GWP used recycled water on the golf courses in the City as well as for street cleaning, flushing, and irrigation. Glendale had offered classes in water sensitive

landscaping, also known as Native California landscaping. The city currently restricts the frequency of watering by ordinance.

LAC presented a Water Summit Seminar in September of 2009. The topics at the seminar included:

1. Design Considerations
 - a. Soil and Site Conditions
 - b. Plant Palette
 - c. Irrigation
2. Maintenance - Plant and Irrigation
3. Panel Discussion

The City of San Fernando Public Works Water had an ordinance that required 50% of a yard has vegetation. It also used the water from purged fire hydrants to clean the streets, water the planted median strips in the city and other needs for water in the city. There were no city ordinances restricting daily watering.

Pasadena Water and Power held workshops to provide tips for consumers on conservation. The city required consumers to water their properties only once per week for ten minutes per zone.

The City of Santa Monica Water Department used processed runoff water from the Santa Monica Urban Runoff Facility for city sprinklers and also at the cemetery. There were no city ordinances restricting water use by homeowners and businesses for landscaping.

The Long Beach Water Department required that residents only water their plants and lawns three days per week: Mondays, Thursdays, and Saturdays for ten minutes per zone.

The CGJ had received a number of methods being utilized to promote water conservation. The following list is not in order of effectiveness or number of water districts that are using them:

- Promote public participation in reporting excess water usage such as broken sprinklers, watering on unauthorized days and broken water lines
- Increase public awareness programs for water conservative appliances
- Educate consumers on water availability and supply
- Promote water rate structures to encourage heavy users to reduce water usage
- Utility employees provide water conservation analysis for commercial and high usage consumers
- Water districts promote programs to provide smart meters so the consumer can understand the usage in their household
- Water districts provide programs to redirect rain spout water for external usage, including the use of rain barrels

- Water districts provide increased usage of treated wastewater including educating the user of the safety of using treated wastewater
- Use water tank trucks to capture the water from water main purging operations and using this water for various civic water needs
- Convert lawns to water conserving plants and flora
- Provide intermediate meters that measure inside versus outside consumption. This allows the consumer to determine where the water usage is going. It might be possible for the utility company to distinguish rates for life support versus outside water usage
- Promote the use of purple pipes in homes to capture the water from dishwashers, showers and sinks for outside lawn use
- Promote the use of rain barrels to capture water runoff
- Establish an ordinance for limited watering days and duration of outside landscaping
- Establish a comprehensive list of water sensitive plants and ground cover that can be purchased for outside landscaping
- Hold quarterly meetings to discuss successful water conservation methods for implementation within each district

SECTION II LADWP, THE CITY OF LOS ANGELES

GENERAL DISCUSSION

Mayor's Plan

In May 2008, Mayor Antonio Villaraigosa coordinated with the LADWP a report titled, ***Securing L.A.'s Water Supply***. The plan was an attempt to respond to water shortages in 2007 and to initiate a proposal to rethink existing and future water supplies. The plan would respond to a demand for an additional 100 thousand AF of water per year by 2019. By 2019 half of all new demand would be supplied by a six-fold increase in recycled water and by 2030 the other half would be met by ramped-up conservation efforts.

The Mayor's plan stated that water use in the City of Los Angeles peaked at just over 700,000 acre feet yearly (AFY) in 1986. During the next five years the city experienced severe drought, widespread water shortages and the implementation of mandatory conservation measures. The conservation efforts were to achieve a 17% reduction in water use.

In fiscal years 2006-2007, Los Angeles water usage was the same as twenty-five years earlier despite a population growth of 1 million people. Approximately 30% of the total 700 thousand acre feet yearly (AFY) was used for outdoor watering. Single-family residential customers used about 40% of their water for outdoor applications and government customers used more than 50% of their water outdoors. The multi-family customers used about 16% of their water outdoors.

According to the plan, from 1995 through 2000, the City acquired 63% of its water from the Los Angeles Aqueduct (LAA). From 2001 to 2004 only 34% came from the LAA. The shortfall then came from MWD at much higher costs.

The Mayor's Plan consisted of the following:

Short-Term Conservation Strategies

- Enforcing prohibited uses of water
- Expanding the prohibited uses of water
- Extending outreach efforts
- Encouraging regional conservation measures

Long-Term Conservation Strategies

- Increasing water conservation through reduction of outdoor water use and new technology
- Maximizing water recycling
- Enhancing storm water capture
- Accelerating clean-up of the groundwater basin
- Expanding groundwater storage

A number of positive actions were enacted in response to the Mayor's plan. These included the expansion of water conservation by reducing the number of days consumers could water. The initial plan was two days per week for fifteen minutes maximum per station and only during certain hours. The newspapers had cited repeatedly examples in which city operations and city officials did not follow these guidelines.

In December 2009, the Los Angeles Times reported that fifteen LADWP water control officers had handed out 2,379 warnings. Between June and November 2009, 106 citations were issued.

As mentioned in another section of this report, storm water capture has had little effective action by LADWP. The LADWP Board had requested reports and proposals on this action, but to date no serious consideration had been provided.

The proposal to expand groundwater storage specifically mentions the SFB which supplied 11% of the total water supply. According to LADWP, the program for correcting the pollution problems in the SFB were not progressing effectively. Unless a serious program was enacted, the forecast was that within five years this water source would possibly disappear.

The Mayor's proposal was a list of standard recommendations made by Federal, State and local water districts with a few exceptions specific to Los Angeles. There were no specific responsibilities assigned or specific time limits defined.

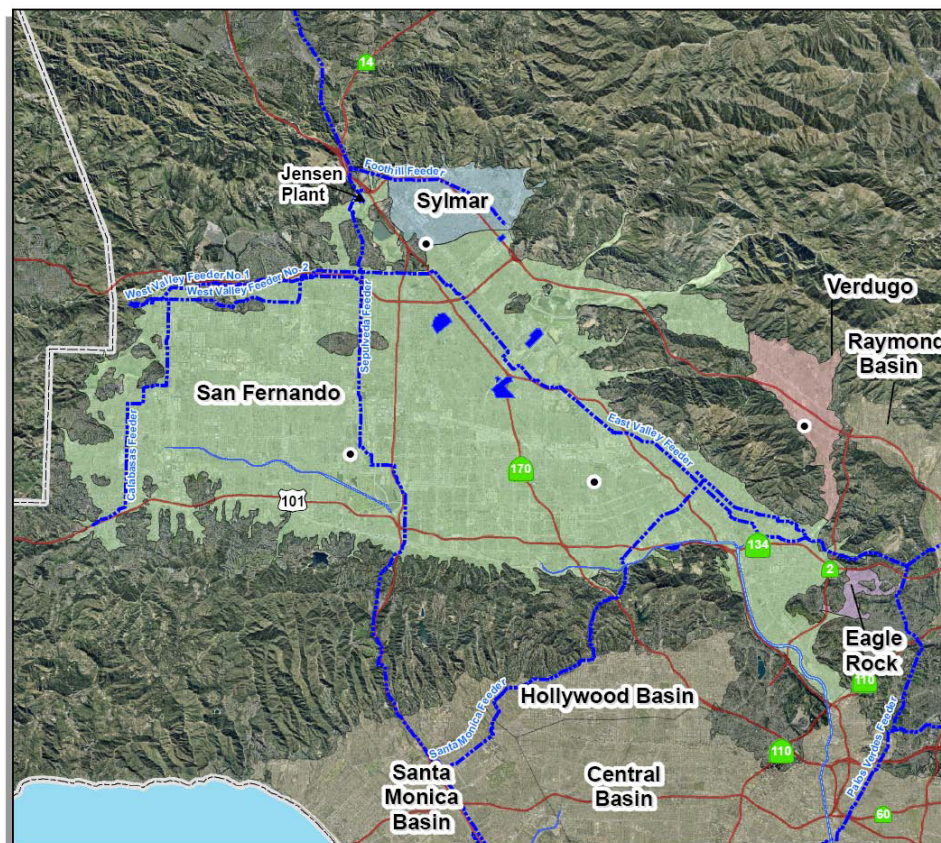
RECOMMENDATIONS

- 2.1 The Mayor should coordinate with the LADWP Water Commissioners and the General Manager to include specific recommendations and time frames to accomplish the goals as stated in the report.
- 2.2 The Mayor should coordinate a newly developed strategic plan. This plan should include specific responsibilities, measurement tools and defined timeframes. The CGJ recommends that the strategic plan should be detailed like the Glendale Water and Power (GWP) strategic plan.

The San Fernando Basin Aquifer (SFB)

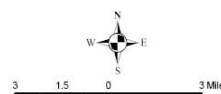
The SFB is the largest of the four Upper Los Angeles River Area Basins (ULARA). The SFB is contained by the Santa Monica Mountains on the south, the Simi Hills to the West, the Santa Susana Mountains to the northwest, and the San Gabriel Mountains and Verdugo Hills on the northeast with a relatively thin finger extending eastward into the Tujunga Canyon between the San Gabriel Mountains and the Verdugo Hills. A visual representation provided by MWD can be seen on Chart 5.

Chart 5 Upper Los Angeles River Area Basin



Upper Los Angeles River Area Basin

- Key Well
- Recharge Basins
- County
- Water Body
- ▲ MWD Facility
- MWD Pipeline
- Freeways (TBM)
- Adjacent Basin
- Basin (color varies by subbasin)



In the past, the headwaters of the Los Angeles River began at the confluence of Bell and Calabasas Creeks in present day Canoga Park. Before channelization, the headwaters co-mingled with the Tujunga and Verdugo Washes and natural springs to cover the San Fernando Valley with rich green wetlands, ponds and lakes.

At times during the year, parts of the river actually flowed underground and filled a subterranean reservoir beneath the San Fernando Valley. This reservoir, or aquifer, is a natural storage basin covering 226 square miles. From the mid-1800s to the early 1900s this aquifer provided the settlement of Los Angeles with most of its fresh water. The high water table in the Sepulveda Basin, Glendale Narrows and Compton Creek made it impossible for the river bottom to be sealed in concrete, thus preserving at least a small portion of the river's natural bed. It was estimated the SFB water storage capacity exceeded 3 million AF.

According to a representative of LADWP, the groundwater in SFB had been contaminated primarily due to improper storage and/or handling of hazardous materials by aerospace and related industries. In 1986 the United States Environmental Protection Agency (USEPA) designated the SFB as a Superfund Site.

The local groundwater supply, including groundwater from the SFB, had been an integral component of LADWP's water supply portfolio for more than a century. During a normal year, the SFB supplied as much as 30% of LADWP requirements in drought years. Due to the contamination, LADWP had to significantly reduce the reliance on SFB water.

In the 2009 fiscal year LADWP was unable to use 37,000 AF of its allocated groundwater rights due to this contamination. This 37,000 AF would serve approximately 74,000 households or 370 thousand of the four million people in Los Angeles. In fiscal year 2010, LADWP planned to pump 58,000 AF of its legal rights. This is 28,000 AF less than the groundwater rights.

In late 2009, LADWP had removed from service fifty-four of the 115 ground water production wells in the SFB. Of the remaining sixty-one wells, forty-four had recorded various contaminants above the maximum levels set by the California Department of Public Health. Most notable of these contaminants were volatile organic compounds such as Trichloroethylene, Perchloroethylene, Carbon Tetrachloride, Nitrate and Perchlorate. In addition, seventeen remaining groundwater wells had recorded marginal levels of contaminants. LADWP tracked fourteen contaminants of concern. LADWP projected that within five years, water from the SFB would be unavailable if there is no cleanup.

On September 30, 2009 the USEPA issued its Interim Action Record of Decision (ROD) for the North Hollywood Operable Unit Second Interim Remedy (NHOU-R2). The issuance of the ROD would have enabled USEPA to secure the necessary funding for the design, construction, maintenance and operation of the NHOU-R2 from the businesses and entities responsible for the contamination of the groundwater in the SFB.

LADWP was working with the USEPA on the design of the NHOU-R2 that would better contain the higher concentration of contamination plumes. The NHOU-R2 would also be designed to treat for additional contaminants that had been detected at the NHOU-R2 Extraction Well Number 2. The NHOU-R2 was not expected to be operational until 2015.

The NHOU-R2 would not address the lower concentration or secondary plume that had already escaped the NHOU zone of influence. Although the concentration of the secondary plume was low in terms of Superfund Clean-up targets, it was still too high in terms of a drinking water source. The California Department of Public Health considered this secondary plume an extremely impaired drinking water source that could not be provided to the consumer without further treatment to meet state standards.

A viable solution was to construct a groundwater purification complex in the SFB. The purification complex would expedite the groundwater remediation and contaminant mass removal associated with the secondary contamination plume, and enable LADWP to utilize all of its groundwater production wells in the SFB that are threatened or shutdown due to contamination.

This purification complex would be a very cost effective way of ensuring LADWP's future water supply compared to the cost of imported water, recycled water, and desalination.

In order to determine the design criteria for the purification complex and to obtain the necessary approval from the California Department of Public Health, LADWP began a six-year, \$19 million Groundwater System Improvement Study in the SFB. As part of this study, LADWP would secure a monitoring well-drilling contract by mid 2010 to install approximately forty new monitoring wells in the SFB that would assist with further characterizing the contamination in the SFB.

LADWP was also working with the cities of Glendale and Burbank to develop a Memorandum of Understanding (MOU) and a list of projects needed to address various cleanup issues in the SFB. The MOU would allow the cities to more effectively secure federal funding for the needed facilities to clean up the SFB.

LADWP was also implementing a cost-effective wellhead treatment to restore groundwater production while centralized treatment facilities were advanced.

LADWP was maintaining and operating the initial NHOU-R2 remedy through various funding agreements from USEPA. No other federal funding had been provided to LADWP for addressing the groundwater contamination in the SFB. LADWP believed additional funding would be acquired in the future.

Glendale Water and Power stated their supply of water from the SFB has not been affected by the contamination.

RECOMMENDATIONS

- 2.3 LADWP should continue maximum efforts to obtain USEPA funding for the cleanup of the San Fernando Basin Aquifer.
- 2.4 LADWP should develop a detailed projection of the cost of the cleanup and securing the filtration processes on the wells of the San Fernando Basin Aquifer to obtain the maximum water output according to its legal rights, including the timeframe for completing this process.
- 2.5 LADWP should have a new review made of the amount of water that can be pumped from the SFB. Due to the future increased demand for water and possible reductions in water sources the SFB may be a major source of potable water.

Owens Valley

LADWP reported significant expenditures to date for environmental restoration and annual recurring maintenance of Owens River, and Owens and Mono Lakes.

LADWP owned and operated the LAA that transported water from the Owens River and Mono and Owens Lake (OROML) to the City of Los Angeles. No major construction had occurred on the aqueduct or attendant facilities in recent years. There were no planned construction projects for this system known at the time of this report. However, LADWP was required by court order to restore habitat in the OROML, estimated to cost approximately \$78 million.

Water from the OROML is imported by LADWP. Due to the population growth of the city LADWP purchased water rights and started importing water via the Los Angeles Aqueduct from the OROML in 1913. LADWP expanded its presence and drew more water in successive years causing Mono and Owens lakes to dry up.

Flow of the Owens River and other streams and rivers was diverted into the LAA and over time severe environmental damage began to occur. The LADWP was sued by the USEPA for dust mitigation. The main damage was that the dry lakebeds became dust hazards.

Even before the environmental concerns became an issue, the diversion of water damaged the agricultural industry creating **water wars** between the LADWP and the residents of the affected areas. In 1989 the California Supreme Court halted all water diversions by LADWP and ordered an extensive ecosystem study to be prepared by the Water Resources Control Board (WCRB).

After a series of legal defeats, the LADWP agreed to increase the permanent flows of the creeks and rivers to restore Owens Lake and Mono Lake. The California Supreme Court ruling required the Owens Lake level must reach three feet before LADWP can take 15,000 AFY. Once the level reached thirteen feet, LADWP will be allowed to take 30,000 AFY. This amount was only one-third of the amount of water taken by LADWP in 1988.

Mono Lake's recovery plan also followed the same timeline as Owens Lake's except that it was ordered by the court in response to a lawsuit filed by the Audubon Society which cited the California Fish and Game Code and not any environmental concerns.

Weather, over which no one has any control, cooperated with the LADWP for the recovery of the ecosystem by providing a large supply of water, thus advancing the timeline. However, recent years of low rain and snow pack had hampered the supply of water, causing a shortage in the allowable water for the LADWP. Statistics show that in 2008 LADWP received one-half of OROML water it did in 2001.

IEA Report

In 2002, the Industrial, Economic, and Administration (IEA) prepared a survey of the LADWP that contained numerous important and critical recommendations. The IEA again prepared a survey of LADWP in a report published on February 5, 2009 with follow-up to the 2002 recommendations and significant new recommendations.

The significant issues raised from the 2002 review were organizational changes that impact operational continuity, adequate sources of water supply, improved communication with the consumer and required enhancements to infrastructure, and the lack of strategic planning process,

Chart 6 delineates the areas covered in the IEA 2002 report that were reviewed in the IEA 2009 report as to the relevancy of the areas covered and the progress by LADWP in responding to those recommendations.

Chart 6 IEA Recommendations (Chart made by CGJ based on information from the IEA Report)

Review Area and specific recommendations	RELEVANCY			FOLLOW-UP PROGRESS			
	Not	Moderately	High	Some	Limited	Moderate	Significant
<u>Strategic Planning</u>							
Emphasize strategic Planning			1	1			
Culture change on strategic planning			1	1			
Organizational changes		1		1			
Examine Preferred Practices Model		1			1		
Integrate Joint System			1		1		
Joint System performance measurements			1		1		
Total	0	2	4	3	3	0	0
<u>Adequacy of Water Resources:</u>							
Storage on LA Aquaduct			1			1	
Use of MWD analysis of need			1			1	
Alternate sources other than MWD			1				1
Legal issue with San Diego on MWD volume			1				1
Limitations of recycled water	1						1
New Quality Standards	1						1
Identify unaccounted water sources		1		1			
Upgrade Pumping Capacity			1	1			
Total	2	1	5	2	0	2	4
<u>Water Quality</u>							
Number of samples exceeding secondary samples	1				1		
BWG-developed single-index measurement	1						1
Establish formal water Quality Goal		1		1			
Benchmark against other cities			1	1			
IT for useful data		1		1			
Formal goals and objectives for the WSCS			1				1
Solicit expert advice on annual report		1		1			
Proactive process for customer info on water quality			1	1			
Formal well turn-on and turn-off process		1			1		
Four alternates in Finding 12		1		1			
Total	2	5	3	6	2	0	2
<u>Installation & Maintenance of Water Infrastructure:</u>							
Main line replacement project costs collected and analyzed			1				1
IT System for WETS more user friendly			1				1
Time Schedule for in-house truck line construction			1				1
Establish time and cost performance targets for Trunk Line			1				1
Total	0	0	4	0	0	0	4
Grand Total	4	8	16	11	5	2	10

Chart 6 indicates it was apparent that LADWP had received moderate to highly significant recommendations on the planning process but had only some or limited progress. The CGJ interviewed members of the Board of Water and Power Commissioners (BWPC) and various senior management-level personnel concerning the strategic planning process. It appeared the proper level of recognition in the usefulness of this highly regarded management tool was lacking.

The CGJ interviewed the GWP about key issues in the management of its organization and the successes in accomplishing goals and strategies. GWP was extremely proud of its planning process and the output of its strategic plan document. As the CGJ reviewed this document, it was apparent GWP understood how to accomplish the task of completing and utilizing the strategic plan. Its plan included specific targeted tasks, due dates, impact statements, persons responsible and progress measurement criteria.

The CGJ also noted that the IEA made recommendations concerning the use of recycled water. The CGJ's investigation indicated recycled water was a relevant issue with insufficient progress. Later in this report, the CGJ addressed the issues and opportunities of using recycled water. As mentioned earlier in the report, Orange County has made significant strides and accomplished marked results in this area.

Further, the IEA 2009 report made new recommendations. Some of the key recommendations included:

- Support MWD/DWR current efforts on water transfers, and Delta levee improvements and benchmark progress against new reliability goals
- Urge and team with MWD to take a leadership role in the development of a new generation of ***The California Water Plan*** that provides a blueprint for a state-wide drought shortage sharing policy, and a long-term drought period water transfer options program
- Develop a LADWP drought use reduction targets and performance as a percent of standardized state-wide baseline water use
- Use their California Conservation Councils' Best Management Practices as benchmarks against other utilities' achievements, through investments in standardized reporting
- Create a unit cost of water policy goal, together with acceptable rate increases to achieve policy objectives regarding source reliability, water quality and environmental protection
- The linkages between strategic objectives and the budget must be clearly stated. Ideally, all major budget decisions should be based on the strategic plan, and all strategic plan elements should have clear support in the budget
- Once a comprehensive strategic plan is in place, an annual review of the strategic plan should be completed in time for the annual budget process to incorporate into the budget proposal any changes in the goal objectives
- Each business unit should review its operating plan to assure it is aligned with the strategic plan and to make modifications to their operating plan to reflect changes in the operating environment as well as progress made on achieving business unit goals and objectives.

The CGJ again recognized that IEA stressed the importance and the objectives of completing a comprehensive strategic plan. IEA also recommended significant improvements to the billing system and information being provided to the consumer. The CGJ has included these recommendations in Section III of this report concerning Smart Bills.

RECOMMENDATIONS

- 2.6 The Mayor of Los Angeles and the City of Los Angeles Board of Water and Power Commissioners should mandate that top management complete a strategic plan with appropriate goals and objectives, target completion**

- dates for all actions, people assigned responsibility for each action and methods to measure the results and completion of all targeted actions.
- 2.7 The City of Los Angeles Board of Water and Power Commissioners should hold, at a minimum, quarterly reviews of strategic plan implementation and review status and measurements of all action items.
 - 2.8 The City of Los Angeles Board of Water and Power Commissioners should review, at a minimum semi-annually, action taken on Industrial, Economic, and Administration Report recommendations.
 - 2.9 The City of Los Angeles Board of Water and Power Commissioners should approve any changes to the targeted objectives, goals, dates or responsibilities to complete strategic plan issues.
 - 2.10 The City of Los Angeles Board of Water and Power Commissioners should consider using the GWP as an example of how to complete and execute a Strategic Planning Process.
 - 2.11 The City of Los Angeles Board of Water and Power Commissioners should expect that all issues classified as highly relevant in the Industrial, Economic, and Administration Reports have targeted completion dates and identify the specific person responsible for leading the corrective action associated with that recommendation.

City of Los Angeles Board of Water and Power Commissioners (BWPC)

The five-member BWPC established a policy for LADWP to meet regularly. The BWPC meets on the first and third Tuesdays of each month at 12:30 p.m. The meeting location was:

Los Angeles Department of Water and Power
Room 1555-H, 15th Floor
111 North Hope Street
Los Angeles, CA 90012

Regular meeting agendas were available to the public at least seventy-two hours before the Board met. The BWPC members are appointed by the Mayor and confirmed by the City Council for five-year terms. LADWP's website contains the official rules and guidelines of the meetings of the BWPC.

The standing committees of the BWPC were:

Affirmative Action-Outreach Committee
Audit Committee
Contracts, Land and Legal Committee
Finance and Risk Management Committee
Safety and Personnel Committee
Public Affairs Committee
Inyo County/Los Angeles Standing Committee

In a BWPC public meeting attended by the CGJ, the President of BWPC said the commissioners were not involved in the resignation of the former General Manager, nor

in the decision and process of approving a consulting contract with him. The CGJ concurred with the President of BWPC's recommendation to have any future contracts of employment or consulting by past LADWP employees be approved by the BWPC.

During various interviews, the CGJ was informed that a majority of the BWPC's time was spent on energy issues. This was somewhat understandable since a majority of the infrastructure and income to LADWP relates to energy. Due to publicized water main breaks, concerns had been escalated during the CGJ review; otherwise water had not been a major issue.

Due to the importance and the significant of water issues, BWPC might consider dividing the authority and responsibility for energy and water within LADWP. This would be accomplished by establishing two separate entities.

The BWPC had the power to authorize any contracts and purchase agreements up to \$150,000. Due to budget constraints and increased focus on efficiency, this amount should be reduced to \$50,000.

The CGJ reviewed the content of BWPC agendas and found there was little formal reporting of LADWP interaction and issues associated with MWD. The CGJ believed that the BWPC should regularly have a formal update from LADWP management on MWD activities and actions.

RECOMMENDATIONS

- 2.12 The Mayor of the City of Los Angeles should amend the rules governing LADWP such that the City of Los Angeles Board of Water and Power Commissioners be involved in the approval process of hiring or terminating key LADWP executives as well as authorizing consulting contracts.**
- 2.13 The Mayor of Los Angeles and the City Council should consider dividing the Operations of the LADWP into an Energy Department and a Water Department.**
- 2.14 The City of Los Angeles Board of Water and Power Commissioners should pass a resolution to have approval authority for contracts and purchase agreements not to exceed \$50,000.**
- 2.15 The City of Los Angeles Board of Water and Power Commissioners should adopt as part of its agenda a regularly scheduled reporting procedure from LADWP Management on Municipal water District of Southern California activities and actions.**

Inspector General

There had been numerous audits and reviews of LADWP, by the IEA, Huron Consulting Group, and the Los Angeles Office of the City Controller. These reviews indicated there were a number of issues that required a higher level of oversight by an independent organization. Within LAC and other Los Angeles City organizations, the position of Inspector General existed. Examples were Metropolitan Transportation Authority, Los Angeles County Public Defender's Office, Los Angeles County Board of

Supervisors, Los Angeles County Sheriff's Department, and Los Angeles Police Department.

The Inspector General in these previous organization performed audits and investigated activities with a focus upon the independent review and appraisal of the activities of their appointed agency. This individual was required to make periodic reports to the governing body.

This proposed position within LADWP, acting with the BWPC, would review contract assignments, provide independent assessment of water rate increases, review financial justifications for using internal work forces versus outside work forces for sustainability of the infrastructure of water delivery and storage, study and report on emergency management preparedness and security issues, provide information technology reviews and be involved in any other areas requiring an independent review.

The CGJ believed the periodic reviews from various agencies was insufficient to support the requirements of the LADWP. The Inspector General would also be the ideal position to use for an independent audit of its follow-up activities.

It was recommended to current and the former BWPC that the Inspector General would be a full-time position in the City Controller's Audit office funded by the LADWP. The BWPC concurred with this recommendation. The person filling this position would be selected and administered by the Los Angeles City Controller.

RECOMMENDATION

- 2.16 The City of Los Angeles Board of Water and Power Commissioners should establish a full-time position of Inspector General in the City Controller auditor's office funded by the LADWP. This position would be dedicated to auditing and reviewing activities of the LADWP only.**
- 2.17 The Inspector General for LADWP would be administered and selected by the Los Angeles City Controller.**

Water Rates

Some rate increases for water nationwide were predicated on poor financial management and fraud by the specific water district. Many times water rate increases were dependent on the replacement of the infrastructure. Rate increases reflected the increased cost of acquiring additional water sources. Fixed costs for infrastructure were an ongoing issue in LAC, especially in the City of Los Angeles. Rate increases are a way to force conservation.

The rates to the users of water in Los Angeles increased even though more water was being conserved. Because there was a shortage of water in LAC, it was imperative that all residents should use less water on a regular basis. The cost of replacing and retrofitting the infrastructure must still be absorbed. The use of fewer gallons of water means infrastructure repair and replacement expenses would be spread over fewer gallons of water.

The LADWP continued to increase the rates for water usage to its customers on a regular basis; primarily as a result that much of the existing infrastructure is over one hundred years old. The rates are evaluated by the BWPC and passed on to the Los Angeles City Council for approval, and finally signed by the Mayor of Los Angeles.

LADWP recommended the following objectives to restructure water rates (***BWPC Proposal April 23, 2009***):

1. To encourage conservation on a year-round basis modify the existing rates so that the differential between the First and Second Tier rates is based on the marginal cost of treated water purchased from Metropolitan Water District of Southern California (MWD).
2. Include all surcharges and pass-through charges in both First Tier and Second Tier rates.
3. Keep the Second Tier base rates the same year-round rather than reduced during the low season.
4. Establish a Third Tier rate based on the marginal cost of recycled water to be imposed for very high usage, consistent with the original concept for LADWP's water rate structure to provide a forward-looking price signal for the cost of new water supplies.
5. Realign household size adjustments at the First Tier rate using the current best management practices and technologies for indoor water use.
6. Utilize application of climate based conservation data to make adjustments in current First Tier usage blocks.
7. Increase low income and lifeline subsidies.
8. Update General Provision J of the Water Rates Ordinance, Adjustment Factor Limitations, based on the current projections for the adjustment factor components.
9. Modify Water Shortage Year Rates based on experience following initial implementation of these rates in 2009 and incorporate the rate restructuring. Increase the current minimum period for review by the City Council and the Mayor following approval by the Board to implement Shortage Year Rates from fifteen days to thirty days.
10. Eliminate Board approval of the water recycle contract for each LADWP customer and establish the commodity charge as 80% of the total First Tier billing rate for potable water (including adjustments).
11. Set lot size or temperature zone adjustments.
12. Revise the Water Quality Adjustment cap requirements.
13. Revise the Water Procurement Adjustment factor to encourage water conservation and fully recognize the results of demand-side management programs.

LADWP water rates were based on establishing a water budget for a reasonable amount of water for each consumer. Consumption within that amount was then charged at First Tier rates. Consumption above the budget was charged at the higher Second Tier rate.

The cost to validate the methodologies and analyses that their rate increases will be based on, included up to \$150,000 in consulting services. In addition to LADWP staff expense, it was proposed that a resolution to the BWPC for the adoption of the rate increase be completed by January 2010. The process from proposal to approval was nine months.

Water rate increases were approved by Los Angeles City Council and were passed on to the consumers within the city. These rate increases were predicated on water use and conservation efforts. Los Angeles had fixed costs for the delivery of water to the LADWP consumer. Additionally, many cities such as Pasadena, Glendale, Santa Monica, and Long Beach had tiered water rates based on the consumer's use of water over and above set limits. In early 2010 San Fernando did not have a tiered rate system in place for water usage but was considering this option.

There was general public agreement for the addition of a ratepayer advocate (RPA) responsible to review any rate increases. The RPA should be acceptable to all stakeholders. The RPA must function outside of the LADWP organization. The RPA must be assured of full access to any and all data and information from the LADWP that would be needed to accomplish its goals.

The CGJ recommends that funding of the RPA, its staff, and office come from the LADWP. These are funds that are paid by all ratepayers. The selection and appointment process for creating the RPA must be accomplished with the utmost care to assure every interested party in the city of the independence and integrity of the RPA's organization and recommendations. Requirements for the RPA organization would include:

- A staff of competent, qualified analysts and experts in the electric and water utility industries who will evaluate all significant proposals and monitor and advise management, when warranted, of any proposed or actual actions or omissions that may adversely affect the LADWP's ratepayers
- The ability to monitor and provide transparency to ratepayers of all major projects and project proposals of management
- The responsibility to monitor and publicize where necessary efforts by the LADWP to increase rates
- The monitoring and publicizing of the status of the infrastructure and technology necessary to run LADWP effectively and efficiently
- The review and analysis on a timely and continuous basis of the operations, finances, and management of the LADWP
- The Rate Payers Advocate shall be beholden only to LADWP Rate Payers, although it may advise the City Council, the Mayor, and other interested parties
- A place at the table at meetings of the Board of Water and Power Commissioners and at the City Council when LADWP affairs are being discussed
- Complete independence from the governments of the City, County, and State and any of their suppliers or unions
- The necessary education, experience and skills to perform its duties, including an understanding of the operations and finances of public utilities

RECOMMENDATIONS

- 2.18 The City of Los Angeles Board of Water and Power Commissioners should require a detailed analysis of the basis of any rate increase and this analysis should be included in that portion of the rate increase.
- 2.19 The City of Los Angeles Board of Water and Power Commissioners should provide the basis and details for any rate increases to the public with an appropriate period allowing for public response.
- 2.20 The City of Los Angeles Board of Water and Power Commissioners should provide the basis and details of any significant changes to the billing process with an appropriate period allowing for public response.
- 2.21 LADWP should establish a Rate Payer Advocate organization with the duties and structure as defined above.

Non-Revenue Water (NRW)

NRW was defined as water that has been produced and is **lost** before it reached the customer. Losses could be real losses through leaks, sometimes also referred to as **physical losses** or apparent losses (for example through theft or metering inaccuracies). High levels of NRW are detrimental to the financial viability of water utilities, as well to the quality of water itself. NRW is typically measured as the volume of water lost as a share of net water produced. It is sometimes also expressed as the volume of water lost per kilometer of water distribution network per day

There are other sources of NRW, the major sources were leaks, evaporation, fire hydrants, inaccurate meters, and unauthorized use.

The California Department of Water Resources distinguished between authorized unmetered uses and water losses. Authorized unmetered uses could have included water used for beneficial purposes, such as fire fighting and main flushing. Most definitions identified some of the potential sources of NRW, including water for fire fighting and flushing, leaks and breaks, illegal connections, faulty meters, and other sources.

A report entitled ***Water Conservation a Local and Regional Perspective*** was submitted to the World Water Forum, by the LADWP and the MWD of Southern California, dated March 2006 with the following statement:

“In terms of total actual use within the City, single-family and multi-family dwellings constitute the greatest demands (60% of the total demand). Commercial water use accounts for over 20%, governmental use about 7 percent, industrial use about 4%, and non-revenue water system loss accounts for about 8% of the total water demand.”

“Non-revenue water is lost in the process of transporting and delivering water to customers. LADWP’s efforts to minimize water loss through an aggressive infrastructure rehabilitation and maintenance program include pipeline rehabilitation, leak detection and repair, meter replacement, and cement lining programs.”

It was also reported on February 2007 in a report titled, **Water Loss Control in North America: More Cost Effective Than Customer Side Conservation- Why Wouldn't You Do It?**

“LADWP has a relatively low level of real water losses. However, economic analyses have shown that a more aggressive active leak detection and repair policy is economically feasible. Since the part of the project has not started yet it was necessary to estimate the cost for the leak detection and repair program based on average industry cost data. The average cost for the entire program including the cost for a detailed water audit that forms the bases for the intervention program and the cost to detect and repair the leaks was calculated to be \$347 per acre foot of water saved.”

The CGJ was informed by LADWP that in 2009 the NRW was approximately 4.5%. This would be a significant change from what was reported in the March 2006 report, and was consistent with the February 2007 report that was prepared in conjunction with the 2007 CA/NV AWWA (American Water Works Association) Spring Conference held in Las Vegas.

The CGJ reviewed literature on the percent of NRW throughout the United States. The rate went as high as 40% and as low as 2%. The CGJ commended LADWP for maintaining such a low percent on NRW.

RECOMMENDATION

2.22 That LADWP initiate an aggressive active leak detection and repair program to reduce the negative financial impact to LADWP customers.

Water Line Breaks

The CGJ repeatedly learned from news sources about the number and severity of water line breaks within the LADWP infrastructure. The BWPC said the number of breaks that occurred during 2009 was within the range of the number of breaks in former years. The LADWP provided information on its website concerning the water breaks.

This information included that due to colder water entering the distribution system from the Eastern Sierra Nevada during the winter months, the LADWP water system typically experienced an increase in water main breaks. The colder water caused the pipes to shrink slightly, (known as thermal contraction), which could cause pipes to break. Winter leaks occurred most frequently in the early morning hours (3 a.m.-5 a.m.) when pressure was highest because of minimal use and the temperature was the coldest. Historically, LADWP had seen a six-year average of twenty-five major breaks for the month of January, compared to an average of fifteen for November.

Recently, LADWP experienced, on average, approximately four breaks a day, which was an extraordinarily small number given the size and complexity of its water system. The LADWP system averages twenty leaks and breaks per 100 miles of pipe a year, 21% below the national average of twenty-five breaks per 100 miles of distribution pipe. Most breaks or leaks require small spot repairs, not full replacements.

LADWP completed a cement-mortar lining program in 2007 to extend the life of the existing pipes by fifty years. This aggressive program successfully lined a total of 1,970 miles of pipes, accounting for more than one-quarter of the expansive system.

In 2007 LADWP began a formal Water Main Replacement Program to replace aging pipes. Not all of the pipes within more than 7,000 miles of pipes in this system needed to be replaced. The pipe replacement program is ongoing and aimed at replacing aged pipes to uphold the strength and reliability of this system.

Fourteen full-time crews are dedicated to mainline pipe replacement. In the past two years, LADWP had replaced approximately thirty miles of mainline pipe and has set a goal of replacing approximately twenty miles in the coming year, a significant increase over the prior two-year rate.

These two programs are intended to minimize main leaks, service interruptions to the customers, and potential property damage. Over the long-term, these programs will reduce water main maintenance costs, improve water quality, reduce water loss due to leakage, and improve water flow for fire emergencies.

The above information supported that LADWP was doing an effective job in pipe replacement considering the size and complexity of the system. However, current and former personnel associated with the LADWP indicated that a considerable number of outside bids for the servicing of the infrastructure were not considered. It was reported these bids were approximately 60% lower than internal costs and would be completed more time efficiently.

RECOMMENDATION

2.23 The City of Los Angeles Board of Water and Power Commissioners should establish a process for ensuring consideration of acquiring bids from outside firms for replacement and repair of water infrastructure.

Water Supply Projections

Chart 7 – Water Demand and Supply was based on the 2005 Urban Water Management Plan and the 2008 Water Supply Action Plan.

2005-2030 POPULATION, WATER DEMAND PROJECTION, & SUPPLY SOURCES

Data Source	2005 Urban Water Management Plan				2008 Water Supply Action Plan		Purchased Water
Calendar Year	Population	Demand Projection (AFY)	LAA (AFY)	Wells (AFY)	Recycled Water (AFY)	Additional Conservation (AFY)	MWD (AFY)
2005 Actual	3,983,875	608,993	368,839	56,547	1,401	3,140	185,346
2010	4,099,389	678,000	276,000	106,000	8,750	3,770	283,480
2015	4,157,727	700,000	276,000	106,000	22,480	12,746	282,774
2020	4,215,380	726,000	276,000	106,000	50,000	22,010	271,990
2025	4,270,520	750,000	276,000	106,000	50,000	36,554	281,446
2030	4,323,307	776,000	276,000	106,000	50,000	48,170	295,830

AFY - Acre-Feet per Year

LAA - Los Angeles Aqueduct

MWD - Metropolitan Water District of Southern California

LADWP indicated that in 2009 MWD would supply 70% of the water or approximately 470 thousand AF. This does not agree with the above chart LADWP provided.

The amount of water from the wells was also questionable as most of the well water comes from SFB. Unless significant efforts are made on the SFB cleanup, the current supply of 50,000 AF per year will be reduced in the next three to five years.

Another aspect of this projection was the total Demand Projection divided by the population expressed in gallons per day per person (GPD). In 2005 this calculation was to be 148 GPD. In 2010 the calculation was 148 GPD and by 2030 the calculation would increase to 160 GPD. The 2030 projection represents a 17% increase over 2005 and a 9% increase over 2010. This is contrary to the established goals of conservation and increasing the amount of recycled water being captured.

RECOMMENDATIONS

- 2.24 LADWP should provide realistic projections of water demand and water supply.
- 2.25 LADWP should reconcile the projections with expected conservation and recycled water expectations.
- 2.26 LADWP should reconcile the expected demand from Metropolitan Water District (of Southern California) and coordinate this expectation with Metropolitan Water District (of Southern California).

Waste Water Conversion

The CGJ studied a number of water districts and agencies, usually in concert with sanitation districts that produced and sold reclaimed/recycled water. The CGJ was not provided with a definitive estimate of the cost of making wastewater potable. The answer most commonly received was It is expensive; however, ***it is less than the cost of desalination***. The CGJ found no facilities operating in or near LAC that produce direct wastewater to potable water.

The Orange County Water District (OCWD) produces indirect potable water. This reclaimed/recycled water was pumped to settling basins or ponds, where it percolated into deep aquifers and eventually mixed with the drinking water supply. OCWD published a dollar figure of \$550 per AF for their reclaimed potable water.

This cost seemed favorable when compared with imported water from Northern California or the Colorado River. The Los Angeles Economic Development Corporation (LAEDC) report titled ***Where Will We Get the Water*** estimates the OCWD reclaimed potable water costs \$1,000 per AF. The \$1,000 per AF estimated by LAEDC was an ***all in*** figure that included capital expenses, operating costs, pumping, transportation and treatment after the water was pumped to the surface.

The LAEDC estimated cost figure did not compare favorably with imported water from Northern California or the Colorado River. In the future it may compare favorably depending upon the anticipated rate increase for imported water. MWD rates for water as of early 2010 were approaching \$700 per AF. This rate will continue to increase.

The CGJ found that the LADWP was considering pumping reclaimed/recycled water from the Tillman and Los Angeles-Glendale wastewater sanitation plants to the Hansen Spreading Grounds. This would be comparable to the OCWD process. The CGJ was unable to obtain a cost estimate from LADWP for the pumping to the Hansen Spreading Grounds.

Through interviews with various water officials, the CGJ learned that new technology was being developed to reduce the cost of treating reclaimed/recycled water to make it potable. The CGJ was also aware the cost was not the only issue. There was the general public perception of the ***toilet to tap yuck factor*** which acted as a major drawback to the conversion process.

The CGJ noted that the Hyperion Treatment Plant pumped approximately 360 thousand AF of safely-treated water per year directly into the ocean (capacity of this facility is 2,500 AF per day). This represented more than 50% of LADWP projected water requirements per year through 2020. There was no published information regarding converting this water to potable water.

RECOMMENDATIONS

2.27 LADWP should complete a comprehensive plan to study the conversion of wastewater to potable water. This plan should include an analysis of conversion costs compared with projected purchased pricing. This

analysis should include alternative uses of the reclaimed water other than just for potable water usage.

2.28 In order to reduce the public perception of using wastewater, LADWP should publish information to the public concerning the methods other water districts are using to convert wastewater to potable water

Supply Strategies

Chart 8, below was provided by LAEDC concerning Southern California water supply strategies.

Assessing Southern California Water Strategies									
Strategy	2025 Regional Potential (TAF ¹)	Typical Project Characteristics							
		Timeframe (years)	Drought-Proof (Reliability)	Risk (Project Aborted)	Enviro Opinion	GHG	Initial Cap. Cost (\$millions)	Annual Oper. Cost (\$millions)	30-yr cost Treated (\$/AF)
<i>Strategies to Replace or Augment Imported Water</i>									
Urban Water Conservation	1,100+	0-2	●	●	●	●	\$0	\$0.5	\$210
Local Stormwater Capture	150+	3-5	●	●	●	●	\$40-\$63	\$1-\$3.5	\$350+
Recycling	450+	6-10	●	●	●	●	\$480	\$30	\$1,000
Ocean Desalination	150+	6-10	●	●	●	●	\$300	\$37	\$1,000+
Groundwater Desalination	TBD	6-10	●	●	●	●	\$24	\$0.7	\$750-\$1,200
<i>Strategies to Increase Imported Water</i>									
Transfers-Ag to Urban	200+	1-5	●	●	●	●	n/a	n/a	\$700+
<i>Strategies to Increase Reliability</i>									
Inter-agency Cooperation	**	0-5	●	●	●	●	low	low	n/a
Groundwater Storage	1,500+	3-5	●	●	●	●	\$68-\$135	\$13	\$580
Surface Storage	0	10+	●	●	●	●	\$2,500+	\$7.5-\$15.5	\$760-\$1,400

*TAF-Thousand Acre-Feet
 ** Improves reliability and efficiency of existing supplies
 Source: LAEDC

● Favorable	● Neutral	● Unfavorable
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LAEDC Consulting Practice

The most favorable strategy for acquiring additional water supply is Urban Water Conservation followed by Stormwater Capture. The benefits of conservation were:

- An impact equivalent to adding about 25% to regional supply
- One of the most reliable strategies
- One of the least risky
- The most environmentally friendly
- One of the least expensive strategies

RECOMMENDATION

2.29 The CGJ recommends that LADWP incorporate the findings of Los Angeles Economic Development Corporation into their proposed Strategic Planning Process for objectives and targets.

**SECTION III
SMART BILLS**

GENERAL DISCUSSION

Water Bill Comparisons

The CGJ investigated several water bills within LAC and there was one fact in common, i.e., those who use less pay more per gallon than those who use more. This, in part, is due to the fact that fixed rate portions of the bills and the tiered or block rates are not structured at a point to effectively reward those who conserve versus those who exceed their allowances. There was also a wide diversity in the types and complexity of the bills.

The CCG examined the utility bills from several water retailers in LAC. The results were:

1. Pasadena Water and Power:

Bill Date 11/24/09:

Fixed Cost:	1" Meter	\$ 42.06
Variable Costs:	Capital Improvement Charge (106 HCF)	62.43
	Block 1 24 HCF	21.21
	Block 2 56 HCF	136.11
	Block 3 26 HCF	75.83
	Utility Tax	<u>25.90</u>
	Total Water Bill:	\$363.54

Total water used was 106 HCF (HCF=748 gallons) or 79,288 gallons.

Calculation cost per Gallon:

$\$363.54 / 79,288 \text{ gallons} = \0.005 per gallon (**\$0.046 per 10 gallons of water**)

To Clarify: \$0.005 represents ½ cent per gallon.

2. Pasadena Water and Power:

Bill Date 05/05/09:

Fixed Cost:	1" Meter	\$ 31.04
Variable Costs:	Capital Improvement Charge (14 HCF)	8.74
	Block 1 14 HCF	12.38
	Utility Tax	<u>4.00</u>
	Total Water Bill:	\$ 56.16

Total water used was 14 HCF or 10,472 gallons.

Calculation of cost per Gallon:

$\$56.16 / 10,472 \text{ gallons} = \0.005 per gallon (**\$0.054 per 10 Gallons of water**)

3. Los Angeles Department of Water & Power:

Bill Dated 09/28/09:

Fixed Cost:	Not stated	
Variable Costs:	First Tier 44 HCF	
	Second Tier 11 HCF	
	Utility Tax	
	Total Water Bill:	\$210.85

Note: LADWP's billing did not provide itemized charges
Total water usage was 55 HCF or 41,140 gallons
Calculation of cost per Gallon:
 $\$210.85 / 41,140 \text{ gallons} = \0.005 per gallon (**\$0.051 per 10 gallons of water**)

4. Glendale Water and Power:

Bill Dated 08/13/09:

Fixed Costs:	Water Delivery Charge (CIP)	\$ 26.23
	Water Customer Charge (Meter Charge)	22.18
Variable Costs:	Water Adjustment Charge (\$1.39 per HCF)	37.76
	(28 HCF)	
	Utility Tax	<u>6.03</u>
Total Water Bill		\$ 92.20

Total water usage was 28 HCF or 20,944 gallons
Calculation of cost per Gallon:
 $\$92.20 / 20,944 \text{ gallons} = \$0.004 \text{ cents per gallon}$ (**\$0.044 per 10 gallons of water**)

5. Golden State Water Company (Lawndale), part of West Basin Municipal Water District:

Bill Dated 10/26/09:

Fixed Costs:	Water Service Charge (1" Meter)	\$ 75.90
Variable Costs:	Water Usage Prorated (4 HCF)	11.62
	City Tax	4.81
	State Regulatory Fee	<u>1.31</u>
	Total Water Bill:	\$ 93.64

Total water usage was 4 HCF or 2,992 gallons
Calculation of cost per Gallon:
 $\$93.64 / 2,992 \text{ gallons} = \$.031 \text{ per gallon}$ (**\$0.313 per 10 gallons of water**)

6. Long Beach Water Department

Bill Dated 11/02/09:

Fixed Costs:	Water Service Charge 30 days @ 1.15880	\$ 34.76
Variable Costs:	Tier 1 Usage 5 HCF @ 2.16570	10.83
	Tier 2 Usage 8 HCF @ 2.40540	19.24
	Utility Tax \$64.83 x .05	<u>3.24</u>
Total Water Bill:		\$ 68.07

Total water usage was 13 HCF or 9,724 gallons

Calculation of cost per Gallon:

\$68.08 / 9,724 gallons = \$0.007 per gallon (**\$0.07 per 10 gallons of water**).

7. Suburban Water Systems (Covina), part of Upper San Gabriel Valley Municipal Water District:

Date of Bill 11/01/09:

Fixed Costs:	Service Charge ¾" Meter	\$ 13.92
Variable Costs:	Water Charge 11 HCF	18.00
	Public Purpose Programs	0.34
	Expense Balancing	0.40
	Interim Surcharge	0.43
	CPUC Surcharge 32.75 x 1.5%	<u>0.50</u>
	Total Water Bill	\$ 33.59

Total water usage was 11 HCF or 8,228 gallons

Calculation of cost per gallon:

\$33.59 / 8,228 gallons = \$0.004 per gallon (**\$0.041 per 10 gallons of water**)

The high rate from the above water bills was \$.31 for 10 gallons of water from the Golden State Water Company to \$.041 for 10 gallons of water from the Suburban Water System. These examples showed the enormous impact of the charge for fixed expenditures versus the variability of the amount of water usage.

The CGJ used a Pasadena Water and Power water bill to demonstrate the impact of variable levels of water usage on the billing. The following chart, Chart 9, shows various what-if scenarios on cost per 10 gallons.

Chart 9 illustrates a variation in cost per ten gallons from \$1.51 for a consumer with no water usage to \$0.05 for ten gallons for the actual water usage. This analysis showed tiered rates would have dramatically different results. Pasadena Water and Power and

Glendale Water and Power are adjacent and had similar demographics and geography, yet Pasadena with more stringent rate tiers actually used more water per capita. Moreover, the fixed portion of the bills for infrastructure and maintenance played an integral part of the cost and resulted in those who conserve paying more per gallon than those who did not. Of course the lower water usage consumer paid a lower actual rate.

LADWP had an increasing block rate structure with two tiers that applied to all customer classes. The first tier rate included pass-through adjustment factors for water procurement, water quality improvements, water security, Owens Valley regulatory expense, and lifeline and low-income subsidies. The second tier rate was based on the cost for new water supplies (marginal cost) and had a seasonal component. The second tier rate also included pass-through adjustments factors for water security, Owens Valley regulatory expense, and lifeline and low-income subsidies.

The CGJ visited the Glendale Water and Power, publicly recognized for their conservation and aggressive attitude on power and water. Glendale Water and Power was converting to a smart grid meter system. This system would allow improved visibility of the power and water usage. The smart grid phase one process included installation of new meters at a cost of \$40 million. Phase two would include the platform to run the system at an additional \$30 million. The U.S. government would pay \$20 million of the initial cost. The smart grid system was currently being used in Colorado and Utah.

The consumers would be able to access on-line the history of their water usage. They would have available the history of temperature and moisture by day and how this affected their water usage. A consumer could also compare their usage to a neighbors or similar areas or use of a water bill calculator to determine the costs using different quantities of water. The CGJ believed this process would be a major factor in providing the consumer with extremely valuable data but also provide the utility with information to monitor and react to high water usage homes and people violating city ordinances on water days and times.

The latest smart meter systems are capable of differentiating between indoor and outside water usage. A meter could be installed at the home to distinguish water used for outdoor or indoor use. It would then be possible that the water tier rates could be refined to distinguish and charge separately for these two types of usage.

For example, the Los Angeles Department of Public Works along with the LADWP has a program whereby the consumer can have an approved installer for a sub-meter to differentiate between outdoor and indoor water use. The following site, <http://www.ladwp.com/ladwp/cms/ladwp002068.jsp>, provides the consumer with the necessary information as well as the calculation of savings from this installation:

The sub-meter distinguishes between indoor and outdoor water and reduces the amount charged to consumers for sewer use. The charge for sewer service would be based on water usage and thus the portion of the water used for outdoor water would contain either no charge for sewer use or a charge at a lower rate.

The 2009 IEA Report to LADWP included the following recommendations concerning the rates and billing system of LADWP:

- Tiered Water Rates work when the pricing is based upon allotment or water budgeting for each household that encourages conservation from those who exceed their allotments. Bills must be clear and easy to read for the average consumer. Technical terms should be minimized to the extent possible. Layout and formatting should be such that consumers can obtain information applicable to them without difficulty;
- Bills must clearly indicate what consumers are being asked to pay and how the payment is calculated, including all adjustment factors. The bill should also explain their particular rate schedule and why that schedule applies to them;
- Information regarding past water use should continue to be shown, such as use for each billing through the same period in the previous year. Graphs showing use are a plus;
- A sample savings calculation should be included, informing the customer how much they could have saved for the last year, if they had reduced their water use by 10% in each billing period;
- Provide internet-based bill review and payment options, giving options for the consumer to go to an internet site where their water use can also be analyzed and estimates given for the cost savings potential of the various levels of conservation;
- Tie financial modeling to the rate structure and the behaviors being encouraged through the water rate structure;
- Financial modeling should include assessments of the impact on existing and proposed initiatives on future rates and charges. The time horizon for financial modeling should extend to the year that the last required long-term debt is retired.
- The difference between the first tier and second tier commodity rate should be increased to send a stronger pricing signal;
- Considerable thought should be given to adding additional tiers to provide increasing incentives to reduce water use;
- A small fixed monthly service charge should be added to all commercial and residential water bills to recover a portion of the fixed operating costs for running the Water System. A lowered First Tier rate may assist in offsetting the cost impact of the fixed service charge. While it is true that having no fixed monthly service charge sends a stronger pricing signal to encourage conservation, the California Urban Water Conservation Council's BMP on Rates leaves room for some fixed monthly charge by stating the following:
 - Conservation pricing requires volumetric rate(s). While this BMP defines a minimum percentage of water sales revenue from volumetric rates, the goal of the BMP is to recover the maximum amount of water sales revenue from volumetric rates that is consistent with utility costs (which may include utility long-run marginal costs), financial stability, revenue sufficiency and customer equity;

- In addition to volumetric rate(s), conservation pricing may also include one or more of the following other charges:
 1. Service connection charges designed to recover the separable costs of adding new customers to the water distribution system;
 2. Monthly or bimonthly meter/service charges to recover costs unrelated to the volume of water delivered or new service connections and to ensure system revenue sufficiency;

The CGJ believed most of these recommendations from the IEA Report apply to all LAC Water Districts.

RECOMMENDATIONS

- 3.1 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should implement a strategic plan that includes installation of smart meters that are capable of differentiating between indoor and outdoor water.**
- 3.2 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should implement measures to differentiate between indoor and outdoor water usage and charge more for outdoor water usage.**
- 3.3 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should use tiered rates based on the number of people in each household as well as lot sizes.**
- 3.4 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should add a small fixed monthly service charge to all commercial and residential water bills to recover a portion of the fixed operating costs.**
- 3.5 Glendale Water and Power (GWP), Long Beach Water Department, Los Angeles Department of Water and Power (LADWP), Pasadena Water and Power Department, City of San Fernando Public Works Water, and the City of Santa Monica Water Department should have tiered rates or blocks to encourage conservation, with a lowered first tier or block rate to offset the cost impact of fixed service charge.**
- 3.6 Additional tiers or blocks should be high enough to penalize for excessive water use. Those who use more water should pay more per gallon than those who actively conserve.**

SECTION IV SECURITY

GENERAL DISCUSSION

The CGJ did not look extensively at LAC water-related security issues. Due to national security issues, the CGJ was informed that security for water quality and water infrastructure was primarily a restricted subject. The CGJ was assured that security for water is a major factor in emergency preparedness plans and actions required by the government as a result of nine eleven.

The CGJ visited the LADWP and was provided with an excellent summary of security actions that had taken place as well as those planned for the future. A new Executive Director was hired to enhance the overall security and emergency services. The key action was a major retrofit of the LADWP headquarter office and security screening at the main entrances. LADWP was also considering allowing officers to carry arms. This was a new concept for LADWP.

During a tour of the facility, the CGJ was allowed to see the main pumping monitoring and control room. The door to the room from the hall was open as was the inner door to the control room. Although security management informed the CGJ that these doors were to be closed and locked at all times; this was not the case during the tour.

The CGJ had no other comments on Security.

RECOMMENDATIONS

- 4.1. LADWP should ensure that the pumping control room and any other required security area should be locked and secured at all times.**
- 4.2 All personnel and visitors to the LADWP Headquarters Building should be required to clear through the screening process before entry is allowed.**

LIST OF ACRONYMS

AF	Acre Feet (approximately 326 thousand gallons)
AFY	Acre Feet Yearly
BMP	Best Management Practices
BWPC	City of Los Angeles Board of Water and Power Commissioners
CGJ	Los Angeles County Civil Grand Jury 2009-2010
CIP	Capital Improvement Plan
DELTA	Sacramento-San Joaquin Delta
DSC	Delta Stewardship Council
DWR	Department Water Resources
GPD	Gallons per Day
GWP	Glendale Water and Power
HCF	Hundred Cubic Feet (748 gallons)
HOA	Home Owner's Association
IEA	Industrial, Economic and Administration
LAA	Los Angeles Aqueduct
LAC	Los Angeles County
LACBOS	Los Angeles County Board of Supervisors
LACWD	Los Angeles City Water District
LADWP	Los Angeles Department of Water and Power
LAEDC	Los Angeles Economic Development Corporation
MOU	Memorandum of Understanding
MWD	Metropolitan Water District (of Southern California)
NHOU-R2	North Hollywood Operable Unit Second Interim Remedy
NRW	Non-Revenue Water
OCWD	Orange County Water District
OROML	Owens River and Owens and Mono Lakes
ROD	Interim Action Record of Decision
RPA	Ratepayer Advocate
SFB	San Fernando Aquifer
ULARA	Upper Los Angeles River Area Basin
USBR	United States Bureau of Reclamation
USEPA	United States Environmental Protection Agency
WCRB	Water Resources Control Board

STANDING COMMITTEE REPORTS



AUDIT COMMITTEE



COMMITTEE MEMBERS

Chairperson- Jim Mead
Bill Juden
H. Russell Justice
Joe Kroening
Arnie Spears
Michael Whitten

AUDIT COMMITTEE

Under California Penal Code sections 925, 925(a), 933.1, and 933.5, the 2009-2010 Los Angeles County Civil Grand Jury (CGJ) was empowered to investigate local government agencies in the County of Los Angeles. To assist the CGJ, the Los Angeles County Board of Supervisors provided the CGJ an operating budget which included monies to engage independent consultants and/or auditors as needed.

The Audit Committee interviewed four audit firms that were on the County of Los Angeles Master List of approved auditors and consultants. The Audit Committee carefully selected those to be interviewed based on prior experience with the CGJ and unique skill sets. The Audit Committee also gave consideration to local auditors and consultants. All four firms were well qualified.

The CGJ did not utilize any of the firms and the Final Report was written in its entirety by the CGJ. The factors that resulted in the CGJ not seeking the expertise of an outside firm:

- The composition of the CGJ which included professionals with diverse skills
- The nature of the investigations

During the tenure of the 2009-2010 CGJ, the Audit Committee was the liaison between the CGJ and the Los Angeles City Controller Auditor and the Los Angeles County Controller Auditor offices. This relationship ensured that there was no duplication of investigations/audits and led to viable investigations.

Additionally, the Audit Committee made a presentation to the CGJ regarding the preparation of a viable scope letter, the basis of any investigation, and a critique of a prior outside audit report. The latter showed the outside audit report contained forty pages of redundancy and potentially could have been done for less money.

RECOMMENDATION

That the Los Angeles County Board of Supervisors maintain an operating budget which includes monies to be appropriated to future Civil Grand Juries that allows for the engagement of independent consultants and/or auditors.

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CITIZEN'S COMPLAINT COMMITTEE



COMMITTEE MEMBERS

**Chairperson- Carolyn Cobb
Sharon M. Buckley
Charles Dolcey
Dale Freeberg
Huong T Do Nyuyen**

CITIZENS' COMPLAINT COMMITTEE

INTRODUCTION

The Citizens' Complaint Committee (CCC) is a Standing Committee of the 2009-2010 Los Angeles County Civil Grand Jury (CGJ) that provides confidential, unbiased, independent evaluations of complaints submitted by citizens residing in Los Angeles County (LAC). The CGJ has no authority to investigate federal or state government offices or court cases, or to overturn convictions or penalty assessments.

The CGJ has jurisdiction to:

1. Consider evidence of misconduct by public officials within the County.
2. Inquire into the condition and management of jails within the County.
3. Investigate and report on functions, accounts and records of County Departments and city offices, including special districts as designated by State law.

BACKGROUND

Residents of Los Angeles County may file a complaint with the Civil Grand Jury requesting an investigation. The complaints are submitted by letters, email or on the Citizen Complaint Form (Attachment A). Each complaint was acknowledged by mail (Attachment B). In reviewing the complaints, it was essential that the following information be determined from the documentation submitted as part of the evaluation process:

1. Who or what governmental agency is the object of the complaint?
2. What is the exact nature or substance of the complaint?
3. What action or conduct was improper or illegal?
4. Where and when did the action, conduct or incident occur?
5. What were the consequences of such action?
6. What response or remedy is being sought?
7. What documents are attached to the complaint?

The CCC met on a weekly basis and used the following methodology:

1. The CCC Chairperson received and entered each complaint on the Citizen Complaint Log.
2. Committee members reviewed, analyzed, commented and entered their recommendations on a worksheet (Attachment C).
3. The CCC voted on the appropriate action for each complaint and compiled data for report to the CGJ. Categories were as follows:
 - State/Federal Issues – No Jurisdiction
 - No Civil Grand Jury jurisdiction over the subject matter – No Action Taken
 - Referred for further investigation or other appropriate disposition.

4. The CGJ received Weekly Reports and proposed recommendations to take appropriate action as needed.
5. The Foreperson signed off on all approved recommendations.
6. The CCC sent letter to Complainant regarding disposition of the findings.

FINDINGS

The CGJ reviewed seventy-seven citizen complaints, twenty-five of which were carried over from the term of the 2008-2009 Civil Grand Jury. The total number of complaints received does not include multiple communications, updates, or additional information received to supplement the original complaint.

1. The majority of the citizens' complaints revealed misconceptions of CGJ authority by the general public and incarcerated individuals. There was a wide range of complaints from investigating court officials, obtaining court records, re-hearing of evidence, filing complaints for indictments, to proving the allegations and evidence were false. In addition, requests were submitted to overturn alleged wrongful convictions or penalties, changes to the Penal Code and investigation of State and Federal officials and employees. The majority of the complaints had adjudication pending with the courts or had been referred to other complaint processes.
2. A complaint was filed against the City of Los Angeles Zoo alleging mistreatment of the elephants and operation and oversight malfeasance. This complaint was submitted to the Investigative Oversight Committee which was formed to review all suggestions submitted by CGJ members for possible investigation. Since a full investigation had recently been conducted by the City of Los Angeles and corrective actions were being considered, no action was taken.
3. A complaint alleged that a family member's death resulted from improper suicide prevention procedures. The complaint was referred to the Detention Facilities Committee.
4. A complaint alleging fraud involving the care of a parent was referred to the In-Home Social Services of the Department of Public Social Services and was investigated. The results of the investigation determined no fraud was committed.
5. A neighbor complained of a barking dog and had not received any assistance in resolving the problem with Animal Control. The County of Los Angeles Ombudsman's Office was contacted and the complaint was referred to them for mediation.
6. A complainant was detained and manhandled by Los Angeles Airport Police. He was advised to file a citizen's complaint with Airport Police.
7. A complaint alleging unlawful treatment by a social worker with the Department of Children and Family Services. A letter was sent advising that the complaint be referred to the department's Public Inquiry Section.
8. A complaint alleged the City of Long Beach failed to consider several concerns before the deployment of the 9-1-1 Wireless services. The CGJ voted to conduct a full investigation.

The seventy-seven complaints received fell into fourteen basic categories, as follow:

COMPLAINT CATEGORES	NUMBER OF COMPLAINTS
1. Falsified/wrongful arrest, conviction, testimony, accusations and reports	14
2. Traffic – citation and ordinances	4
3. State/Federal court, judges, employees	12
4. Municipalities (Pasadena, Alhambra, West Hollywood)	4
5. Fraud	4
6. Police/Sheriff abuse and assault	9
7. Family disputes	3
8. Penal system – County, State, Federal	5
9. Property – Real Estate and personal	2
10. Medical	2
11. LA Zoo	1
12. LAUSD	1
13. 9-1-1 Wireless	1
14. Miscellaneous	15
TOTALS	77

DISPOSTION ACTIONS BY CIVIL GRAND JURY	NUMBERS
No Jurisdiction over subject-matter	70
No Action taken	2
Referred for further investigations	4
Some other appropriate disposition of the complaint	1
TOTALS	77

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CITIZEN COMPLAINT FORM

Los Angeles County
CIVIL GRAND JURY
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street, Eleventh Floor, Room, Room 11-506
Los Angeles, CA 90012

**Please Review Complaint Guidelines
On Reverse Side**

PLEASE PRINT

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 official 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.

COMPLAINT GUIDELINES

Receipt of all complaints will be acknowledged by mail. If a matter does not fall within the Civil Grand Jury's Investigative authority, or the Jury determines not to investigate a complaint, no action will be taken and there will be no further contact from the Jury. The findings of any investigation conducted by the Civil Grand Jury can only be communicated in a formal final; report published at the conclusion of the jury's term, June 30th.

The jurisdiction of the Civil Grand Jury includes the following:

- Consideration of evidence of misconduct by public officials within Los Angeles County
- Inquiry into the condition and management of jails within the County
- Investigation and reports on the operations, accounts and records of the officers, departments or functions of county and cities including special districts created by state law.

Some complaints are not suitable for jury action. For example, the Civil Grand Jury does not have jurisdiction performance, actions of the court or cases that are pending in the courts. Grievances of this nature must be resolved through the established judicial appeal system. The Civil Grand Jury has no jurisdiction or authority to investigate federal or state agencies. Only causes of action occurring within Los Angeles County are eligible for review.

FILING A COMPLAINT OR REQUEST FOR INVESTIGATION

Any private citizen, government employee or officer may ask the Civil Grand Jury to conduct an investigation. This complaint must be in writing and is treated by the jury as confidential. Any request for an investigation must include detailed evidence supporting the complaint or request for information. If the Grand Jury believes that the evidence is valid and sufficient to support the complaint, a detailed investigation may be held. The written complaint should cover the following points:

- Specifically who or what agency is the complaint against
- What is the nature of the complaint
- What action was improper or illegal.
- When and where did the incident(s) occur.
- What were the consequences of the action.
- What action or remedies are you seeking.
- Why/How. Attach relevant documents and correspondence with dates.

Additional information about the Jury is also available on the Civil Grand Jury website:

<http://lasuperiorcourt.org/jury/grandjury.htm>

Date

Name
Address
Address

Dear M

Your letter to the 2009-2010 Los Angeles County Civil Grand Jury, dated march 27, 2008, has been received. The Grand Jury's review of the issues raised in your letter may or may not result in an investigation, but in any event, this letter will probably be the only written response you will receive.

Please do not contact the Civil Grand Jury by telephone or in writing to inquire about the status of your matter. The Grand Jury is prohibited by law from communicating the results of any investigation to you personally, although a written report of all Grand Jury investigations is available to the general public when published at the end of June.

Please be advised that the Civil Grand Jury has no legal jurisdiction or authority to investigate federal agencies, state agencies, private entities, or the courts. Only local governments within Los Angeles County are subject to review by the Grand Jury.

Sincerely,

Staff to the Los Angeles County Civil Grand Jury.

WORKSHEET FOR REVIEW, ANALYSIS AND RECOMMENDATIONS FOR
EVALUATION OF CITIZENS COMPLAINTS

1. Complaint File No. _____

2. Name of Complainant

3. General Nature of Complaint

Recommendation:

a) No Jurisdiction _____

b) No Action _____

c) Acknowledgment letter _____

d) That there be a Referral of the Complaint to the Appropriate Committee for
Further Investigation _____

Signature of Committee Member

Date

Disposition of Grand Jury _____

Endorse and Accept Committee Recommendation _____

Alternative Disposition

Signature of Grand Jury Foreperson

Date

CONTINUITY COMMITTEE



COMMITTEE MEMBERS

Chairperson- Rik Shubb
Linda J. Banez
Jeremiah Flanigan
Ron Murphy
Ray O'Keefe

CONTINUITY COMMITTEE

INTRODUCTION

The Continuity Committee is a Standing Committee of the Los Angeles County Civil Grand Jury (CGJ). The Committee's function is primarily archival and organizational. It maintains legally mandated records and passes on to each succeeding CGJ an orderly library and filing system, bridging the work of Civil Grand Juries past, present and future.

The CGJ is impaneled on July 1 each year and a Continuity Committee is selected. California Penal Code (CPC) §933 mandates that each CGJ maintain at least a five-year record of previous CGJ reports with findings and recommendations. A five-year record of the responses returned by the public agencies named in those reports is also mandated. The Committee has a responsibility to follow up and ensure that public agencies fulfill their legal obligations under CPC §933 by responding in a timely manner to findings and recommendations.

In order to facilitate the investigative and reporting efforts of the current CGJ, the Committee also organized and disseminated other information from prior years' CGJs. Historically, CGJ reports and responses were often discarded, deleted or lost. In recent years, improvement between successive CGJs has been noted. However, information sharing could and should be strengthened. It is recommended the following practices be undertaken, and enhanced, where feasible, by each Continuity Committee:

- Build and maintain a library containing at least five prior years' CGJ Reports, reference books, and current directories of Los Angeles County and its cities
- Update the Continuity Committee Recommendations and Responses Notebook containing responses to previous years' CGJ Reports
- Organize and maintain filing cabinets so that previous years' files are readily available
- Create and maintain a computer-based filing system for transferring electronic files to succeeding CGJs
- Update the website containing electronic copies of CGJ reports and responses from County departments, agencies, and other governmental entities

BACKGROUND

The CGJ collectively recognized the need to research prior years' Final Reports with respect to responses and the implementation or non-implementation of recommendations from the years 2002-2008 inclusive.

METHODOLOGY

The Continuity Committee researched the CGJ Final Reports for the years 2002-2008 inclusive. The Committee decided that the most recent year, 2008-2009 Report was not

to be included since some of the recommendations were not yet acted upon by several agencies. The Committee determined the top two recommendations for each finding. The responses were provided by the affected agency and reviewed by the Committee. The following statistical information was confirmed:

Sixty-eight total investigations (see table on the next pages)

- 48% implemented
- 25% not implemented
- 12% under consideration
- 7% no action taken
- 4% will not be implemented
- 4% outside jurisdiction

Required Responses

The California Penal Code specifies permissible responses to the findings and recommendations contained in the Civil Grand Jury Reports. The specific sections are quoted below:

Section §933.05. For purposes of Subdivision (a) of Section 933.05, as to each grand jury finding, the responding person or entity shall indicate one of the following:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

For purposes of subdivision (b) of Section 933.05, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implementation action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for 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 where applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

CONCLUSION

The Continuity Committee determined that the recap of information from prior investigations was of value to the CGJ.

Los Angeles County Civil Grand Jury Response Data
2002-2008 Inclusive

Year	Category	Agency	Recommendation	Responses 933.05 (b)	Action
2002-2003	Record keeping	Coroner	Records transcription	#3	None as of 8/15/09
2002-2003	Temporary morgue	Coroner	Establish a temporary morgue	#2	Needs BOS approval
2002-2003	Libraries	Department of Parks & Recreation	Rehabilitate South Gate Library	#3	No action timeframe in place
2002-2003	Vocational training	LACOE	Expand Vocational Education Programs	#1	Implemented
2002-2003	Educational reforms	LACOE	Daily lesson plans	#1	Implemented
2002-2003	Aged & Disabled	DCSS	Restructure Community /Senior Services	#1	Implemented
2002-2003	Aged & Disabled adults	DCSS	Ensure senior's needs	#1	Implemented
2002-2003	Detention facilities	Jails	Overcrowding	#4	Not to be implemented
2002-2003	Citizen complaints	Ombudsman	Citizen complaints	#3	No action timeframe in place
2003-2004	Welfare	GAIN	Utilization of GEARS system	#2	Working towards refining
2003-2004	Welfare	DVU	Mandatory reporting of potential domestic violence injuries	#1	Implemented
2003-2004	Educational reforms	LAUSD	Administrative decision making	No response	No jurisdiction
2003-2004	Gang activity	LAPD, LASD, District Attorney, City Attorney	Expand use of injunctions across jurisdictional lines	#1	Continued perusal by all agencies
2003-2004	Education	LACOE	Special Education information distribution	#1	Implemented

Year	Category	Agency	Recommendation	Responses 933.05 (a) & (b)	Action
2003-2004	Probation/ Education	Juvenile facilities	Elementary & middle schools prevention programs	#1	Implemented
2003-2004	Probation	LA County CAO	Tracking of juvenile probationers	#2	Implemented
2003-2004	Domestic violence	DPSS & DCSS	Increased funding for domestic violence agencies by 7%	#4	Not to be implemented
2003-2004	Gang crimes	LASD	Improve the quality and consistency of reporting gang crimes	#3	Largin System in the formative stage as of report date
2003-2004	LASD personnel	LASD	Custody Assistants in the courts	#3	Further investigation needed
2003-2004	LASD personnel	LASD	Achieve 35-65% Custody Assistant to Deputy ratios in jails	#3	Not implemented
2004-2005	Health & Social Services	DCFS	Child safety	#4	Not implemented
2004-2005	Health agency for uninsured and indigent	DHS	Create a Health Authority plan	#1	Implemented
2004-2005	Level of Services	DHS	Welfare & Institutions Code 17000	#1	Implemented
2004-2005	Establish a Health Authority	DHS	Create a Health Authority	#1	Implement all phases if Health Authority is established
2004-2005	Homelessness	Homeless Services	End homelessness	#3	Partially implemented
2004-2005	Real Property	Real Property management	Increase collaboration	#3	Further investigation needed
2004-2005	Real Property	Real Property management	Information & availability of information	#2	Partially implemented
2004-2005	Law enforcement	Public Defender's Office	Citizen complaints	#1	Implemented in Torrance & Hermosa Beach
2004-2005	Law enforcement	Public Defender's Office	LAPD & LASD Citizen Complaint	#1	Implemented

Year	Category	Agency	Recommendation	Responses 933.05 (a) & (b)	Action
2004-2005	Mental Health	DMH	Psychotropic medicines	#2	Not implemented
2004-2005	Mental Health	DMH	Alcohol & Drug Program to function under DMH and to create a Behavioral Health Department	#3	Not implemented
2004-2005	Hybrid vehicles	ISD	Hybrid vehicles to replace all County non-emergency or specialty vehicles	#2	Partially implemented
2005-2006	Communication	Los Angeles County CAO	Emergency Survival Program	#1	Implemented
2005-2006	Communication	Law Enforcement	Technology upgrade	#1	Implemented
2005-2006	Hall of Justice	Los Angeles County Auditor/Controller	\$ spent on Hall of Justice	#1	Red flagged building after Northridge earthquake
2005-2006	Hall of Justice	Los Angeles County CAO	FEMA Grant (\$16 million)	#3	FEMA \$ saved
2005-2006	Domestic Violence	DCSS	Information systems coordination	#3	Not implemented
2005-2006	Domestic Violence	DCSS, DVU & DPSS	Best practices	#3	Implemented
2005-2006	Use of Custody Assistants in the jails and Courts	LASD	Men's Central Jail	#1	Implemented
2005-2006	50%-50% Custody assistants and Deputies	LASD	Jails	#3	Partial implementation
2005-2006	After School Programs	LAUSD	Academic assistance & enrichment	No response	Outside jurisdiction
2005-2006	Welfare fraud	DPSS & Cal-Works	Lost \$	#2 (a)	Not implemented
2006-2007	Safeguards for Outpatient Medications	DHS	Health literacy	#1	Implemented

Year	Category	Agency	Recommendation	Responses 933.05 (a) & (b)	Action
2006-2007	Juvenile custody	Department of Probation & DPSS	Liaison between Probation, DPSS & DCFS	#1	Implemented
2006-2007	Juvenile custody	Agency support for minors in custody exceeding 30 days	Duration of custody	#1	Implemented
2006-2007	Disabled access	Department of Parks & Recreation	Wheelchair access	#2	Not yet implemented
2006-2007	Record sharing regarding children in the welfare system	DCFS	Child welfare	#2	Not yet implemented
2006-2007	Clinical Social Worker & Deputy Probation Officer structure	Group Homes	Reduction of caseloads	#1	Not yet implemented
2006-2007	Cost of a child in the welfare system	Los Angeles County Auditor/Controller	\$ spent on child welfare	#4	Not implemented
2006-2007	Medical HUB systems	DCFS	Establish links between HUBS & DCFS	#4	Not implemented
2006-2007	Public Health nurses	DCFS	Staffing at HUB clinics	#3	Under consideration
2006-2007	Pharmacy	DHS	Implementation of Pharmacy 2000 system	#1	Implemented
2006-2007	Physician Order Form	DHS	Improve legibility and accuracy of orders	#1	Implemented
2007-2008	Take home vehicles	Los Angeles County CEO	Define framework for County vehicles	#3	Under consideration
2007-2008	Take home vehicle	Los Angeles County CEO	Justification procedures for	#2	Not yet implemented

Year	Category	Agency	Recommendation	Responses 933.05 (a) & (b)	Action
2007-2008	Operational plan for emergency	EOC	Operational plan	#1	Implemented
2007-2008	Briefings to the BOS	Los Angeles County BOS	All hazards plan briefing	#1	Implemented
2007-2008	Forensics	LAC & Los Angeles City Office of Controllors	Unification of H-D Forensic Sciences Center	#3	Not implemented
2007-2008	Youth to adulthood	Deputy CEO	Duplication of services	#3	Not yet implemented
2007-2008	Kitchen equipment	Department of Probation	New equipment needed	#1	Implemented
2007-2008	Fire equipment	Department of Probation	Fire suppression equipment retrofit or new equipment	#2 (a)	Not to be implemented
2007-2008	Nursing staff	Department of Probation	24 hour nursing care	#1	Implemented
2007-2008	Resident injuries or illness	DPH	Revised policies	#1	Implemented
2007-2008	Social Security Income	IHSS	Communication with SSI reassessments	#2 (a)	Not implemented
2007-2008	Los Angeles City Jail inmates	LASD	\$ cap on inmates' account	#4	Not to be implemented
2007-2008	Inmate \$ to third parties	LASD	Release of \$ to third parties	#1 (a)	Not yet implemented
2007-2008	Civil Grand Jury transportation	LASD	Cleanliness of buses	#1	Implemented

LIST of ACRONYMS

1. BOS	Board of Supervisors
2. CAO	Chief Administrative Officer
3. CEO	Chief Executive Officer
4. CGJ	Civil Grand Jury
5. CPC	California Penal Code
6. DCFS	Department of Family Services
7. DCSS	Department of Community and Senior Services
8. DHS	Department of Health Services
9. DMH	Department of Mental Health
10. DPSS	Department of Public Social Services
11. DVU	Domestic Violence Unit
12. FEMA	Federal Emergency Management Administration
13. GAIN	Greater Avenues for Independence
14. GEARS	GAIN Employment Activity and Reporting System
15. H-D	Hertzberg-Davis Forensic Sciences Center
16. HUB	Multiple Use Center
17. ISD	Internal Services Department
18. IHSS	In Home Support Services
19. LAC	Los Angeles County
20. LACOE	Los Angeles County Office of Education
21. LAPD	Los Angeles Police Department
22. LASD	Los Angeles Sheriff Department
23. LAUSD	Los Angeles Unified School District
24. SSI	Social Security Income

DETENTION COMMITTEE



COMMITTEE MEMBERS

Co-Chairperson- John C. Dankowski

Co-Chairperson- Fred R. Price

Linda J. Banez

Sharon M. Buckley

Arnold Charitan

Charles Dolcey

Jeremiah Flanigan

Dale Freeberg

Bill Juden

Ron Murphy

Huong T Do Nguyen

Ray O' Keefe

Rik Shubb

Arnie Spears

DETENTION COMMITTEE

EXECUTIVE SUMMARY

The California Penal Code Section §919 (b) mandates the Civil Grand Jury in each county to inquire into the condition and management of public jails. This mandate includes the Los Angeles Sheriff's Department (LASD), Los Angeles Police Department (LAPD), and all municipalities within the County lines. To comply with this statute, the 2009-2010 Los Angeles County Civil Grand Jury (CGJ) sent investigative teams of jurors to visit approximately 100 facilities within the County. It was the intent of the investigative teams to determine the conditions of the lock-ups in the Courthouses and jails as well as the conditions in the police departments of law enforcement.

The LASD has jurisdiction over detainees in the courts, the County jails, and the contracted cities within Los Angeles County. Additionally, the CGJ visited two Juvenile facilities in the County, administered by the Department of Probation for Los Angeles County.

With few exceptions, the CGJ investigative committee found that conditions and management of the visited facilities were in compliance with applicable standards established by the CGJ investigative committee. The 77th Street Division of the LAPD was an exception to this investigation. There are many non-compliance conditions at the 77th Street Division. A report on these issues is included.

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METHODOLOGY

The Detention Committee was comprised of fourteen members of the CGJ. The Committee formed eight investigative teams made up of two to four members. All of the visits to the detention facilities were unannounced. The exceptions to this were visits made by the entire CGJ. These visits were to Twin Towers Correctional Facility, Century Regional Detention Center, Criminal Courts Building, and Los Padrinos Juvenile Detention Home. The investigative teams completed a form similar to the one included in this report. The reports were collected, disaggregated and filed. The information compiled from these forms is included. Additionally, a list of all of the County facilities not visited this year by the Detention Committee is attached.

FINDINGS

The complete list of facilities visited and evaluated appears on the subsequent pages. It is important to note that each investigator on each visit team evaluated the assigned facility independently. Each Detention facility received a compliant, non-compliant, excellent and/or commendation score.

DETENTION FACILITIES- CATEGORIZING CRITERIA

JUVENILE FACILITIES

Juvenile offenders are held for hearings, arraignments, pre-trial and as sentenced inmates administered by the Probation Department.

JAILS

Detention facilities house both pre-trial and sentenced inmates administered by LASD, LAPD, and municipal police departments.

HOLDING CELLS

Detention facilities house prisoners for transfer to jails or court arraignments administered by LASD, LAPD, and municipal police departments.

COURTHOUSES

Prisoners are held for trial proceedings administered by LASD.

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DETENTION FACILITIES REPORT

FACILITY	ADDRESS	TELEPHONE	MANAGED BY	COMPLIANT YES NO	TYPE OF FACILITY	COMMENTS
Camp Glen Rocky	1900 N. Sycamore Canyon Rd. San Dimas 91773	909-599-3291	County Probation Dept.	Yes	Juvenile Facility	
Los Padrinos Juvenile Detention Center	7285 Quill Dr. Downey 90242	562-940-8631	County Probation Dept.	Yes	Juvenile Facility	
77 th Street Station	7600 S. Broadway Los Angeles, 90003	213-473-4851	LAPD	Yes	Jail	See additional comment section
Beverly Hills PD	464 N. Rexford Dr. Beverly Hills 90210	310-288-2600	Beverly Hills PD	Yes	Jail	
Century Regional Detention Ctr.	11705 S. Alameda St. Lynwood 90262	323-568-4601	LASD	Yes	Jail	Large and well managed facility; special attention paid to inmate's needs
Culver City PD	4040 Duquesne Ave. Culver City 90232	310-837-1221	Culver City PD	Yes	Jail	Old facility to be replaced in 5 years; maintained very well
LAC-USC Jail Ward	1200 N. State St. Los Angeles 90033	323-409-4563	LASD	Yes	Jail	Well staffed, excellent facility; outstanding security and well managed
Men's Central Jail	441 Bauchet St. Los Angeles 90012	213-074-0103	LASD	Yes	Jail	Old building needs new plumbing; excellent prisoner segregation and security
LAPD Metropolitan Detention Center	100 Los Angeles St. Los Angeles 90012	213-485-2500	LAPD	Not yet open	Jail	See additional comments
Mira Loma Detention (Federal)	45100 N. 60 th St. W. Lancaster 93536	661-949-3801	LASD	Yes	Jail	Needs surveillance cameras; federal facility staffed by LASD
Parker Center PD	150N. Los Angeles St. Los Angeles 90012	213-485-2510	LAPD	Yes	Jail	Earthquake damage on walls; needs computer updating
Pitchess Detention Ctr. East	29310 The Old Road Castaic 91384	661-295-8812	LASD	Yes	Jail	Largest combined detention facility in the County-1944 prisoners (approx.)
Pitchess Detention Ctr. North	29320 The Old Road Castaic 91384	661-295-8092	LASD	Yes	Jail	Largest combined detention facility in the County-1664 prisoners (approx.)
Pitchess Detention Ctr. North County	29340 The Old Road Castaic 91384	661-295-7969	LASD	Yes	Jail	Largest combined detention facility in the County-3456 prisoners (approx.)
Pitchess Detention Ctr. South	29330 The Old Road Castaic 91384	661-295-8822	LASD	Yes	Jail	Largest combined detention facility in the County-1536 prisoners (approx.)
Santa Monica PD	1685 Main St. Santa Monica 90402	310-458-8411	Santa Monica PD	Yes	Jail	
Twin Towers Correctional Facility	450 Bauchet St. Los Angeles 90012	213-893-5050	LASD	Yes	Jail	
Gardena PD	1718 162 nd St. Gardena 90247	310-323-7911	Gardena PD	Yes	Jail	Excellent electronic surveillance
Glendale PD	140 N. Isabel St. Glendale 91206	818-548-3139	Glendale PD	Yes	Jail	
Hermosa Beach PD	540 Pier Ave, Hermosa Beach 90254	310-318-0300	Hermosa Beach PD	Yes	Jail	Excellent facility; good electronic surveillance and prisoner segregation

DETENTION FACILITIES REPORT

FACILITY	ADDRESS	TELEPHONE	MANAGED BY	COMPLIANT YES NO	TYPE OF FACILITY	COMMENTS
Inglewood PD	1 Manchester Blvd. Inglewood 90301	310-412-5210	Inglewood PD	Yes	Jail	
Long Beach PD	400 W. Broadway Long Beach 90802	562-570-7311	Long Beach PD	Yes	Jail	Old facility; clean and exceptionally well managed
Montebello PD	1600 Beverly Blvd. Montebello 90604	323-887-1313	Montebello PD	Yes	Jail	Houses Federal and "pay to stay" inmates; clean facility
Monterey Park PD	320 W. Newmark Ave. Monterey Park 91754	626-307-1236	Monterey Park PD	Yes	Jail	Houses Federal prisoners in accordance with Dept. of Corrections contract
San Fernando PD	910 3 rd St. San Fernando 91340	818-898-1254	San Fernando PD	Yes	Jail	Excellent electronic surveillance; well managed facility
Wilshire PD	4861 W. Venice Blvd. Los Angeles 90019	661-255-1121	LAPD	Yes	Jail	Old facility but very clean and well managed; excellent morale among jail staff
Hollywood PD	1358 Wilcox Ave. Los Angeles 90028	213-485-2510	LAPD	Yes	Holding cell	Well run facility; needs new surveillance cameras and updated computers
Van Nuys PD	6240 Sylmar Ave. Van Nuys 91401	818-374-9641	LAPD	Yes	Holding cell	Needs electronic surveillance system
Azusa Pd	725 N. Alameda Ave. Azusa 91702	525-812-3200	Azusa PD	Yes	Holding cell	
Bell Gardens PD	7100 Garfield Ave. Bell Gardens 90201	562-805-7600	Bell Gardens PD	Yes	Holding cell	
Bell PD	6326 Pine Ave. Bell 90201	323-585-1245	Bell PD	Yes	Holding cell	
Carson Station	21356 S. Avalon Blvd Carson 90745	310-830-1123	LASD	Yes	Holding cell	Expired food (date stamped in error)
Central Area PD	251 E. 6 th St. Los Angeles 90014	213-485-6588	LAPD	Yes	Holding cell	
Cerritos Station	18135 Bloomfield Ave. Cerritos 90703	562-860-0044	LASD	Yes	Holding cell	Exceptionally clean facility
Crescenta Valley Station	454 N. Briggs Ave. La Crescenta 91214	818-248-3464	LASD	Yes	Holding cell	
Downey PD	10911 Brookshire Ave. Downey 91502	562-803-7049	Downey PD	Yes	Holding cell	Well run facility; bi-lingual signs needed
East Los Angeles Station	5019 E. 3rd St. E. Los Angeles 90022	323-264-4151	LASD	Yes	Holding cell	
El Monte PD	11333 Valley Blvd. El Monte 91731	626-580-2179	El Monte PD	Yes	Holding cell	
El Segundo PD	348 Main St. El Segundo 90245	310-524-2200	El Segundo PD	Yes	Holding cell	Very clean facility; managed well
Foothill (Pacoima) PD	12760 Osborne St. Pacoima 91331	818-756-8865	LAPD	Yes	Holding cell	Facility needs painting; pungent odor present in cells; no sally port

DETENTION FACILITIES REPORT

FACILITY	ADDRESS	TELEPHONE	MANAGED BY	COMPLIANT YES NO	TYPE OF FACILITY	COMMENTS
Harbor Area PD	22175 John Gibson St. San Pedro	310-513-7017	LAPD	Yes	Holding cell	New facility
Hawthorne PD	12501 Hawthorne Blvd. Hawthorne 90256	310-294-2700	Hawthorne PD	Yes	Holding cell	Needs electronic surveillance; clean facility; handicapped cell on premises
Hollenbeck PD	1936 E. 1 st St. Los Angeles 90033	323-266-5964	LAPD	Yes	Holding cell	New facility
Huntington Park PD	6542 Miles Ave. Huntington Park 90255	323-584-6254	Huntington Park PD	Yes	Holding cell	
Industry Station	150 N. Hudson Ave, City of Industry 91744	525-330-3322	LASD	Yes	Holding cell	
Lakewood Station	5130 N. Clark Ave. Lakewood 90712	562-623-3500	LASD	Yes	Holding cell	Floor in Sobering Cell is damaged
Lancaster Station	501 W. Lancaster Blvd. Lancaster 93534	661-948-8466	LASD	Yes	Holding cell	
Lennox Station	4331 Lennox Blvd. Lennox 90304	310-671-7531	LASD	Yes	Holding cell	
Lomita Station	26123 Norbonne Ave. Lomita 90717	310-539-1661	LASD	Yes	Holding cell	
Lost Hills (Malibu) Station	727050 Agoura Rd. Calabasas 91301	818-878-1808	LASD	Yes	Holding cell	
Maywood PD	4317 E. Slauson Ave. Maywood 90270	323-562-5005	Maywood PD	Yes	Holding cell	Very old facility; well maintained but new facility needed
Mission Hills PD	11121 N. Sepulveda Blvd. Mission Hills 91345	818-838-9800	LAPD	Yes	Holding cell	Needs fire latches on doors
Newton Area PD	3400 S. Central Ave. Los Angeles 90011	323-846-6547	LAPD	Yes	Holding cell	Well maintained facility; needs new surveillance cameras and more clerical staff
North Hollywood PD	11640 Burbank Blvd. North Hollywood 91601	818-756-8822	LAPD	Yes	Holding cell	
Norwalk Station	12335 Civic Ctr, Dr. Norwalk 90650	562-863-8711	LASD	Yes	Holding cell	Innovative use of community volunteers to augment policing
Olympic PD	1130 S. Vermont Ave. Los Angeles 90006	213-382-9102	LAPD	Yes	Holding cell	
Pacific PD	12312 Culver Blvd. Los Angeles 90066	310-482-6334	LAPD	Yes	Holding cell	Excellent prisoner segregation; lobby benches needs reupholstering; water leak
Palmdale Station	750 E. Ave. Q Palmdale 93550	661-272-2400	LASD	Yes	Holding cell	
Pasadena PD	207 N. Garfield Ave. Pasadena 91101	626-744-4501	Pasadena PD	Yes	Holding cell	
Pico Rivera Station	8631 Passons Blvd. Pico Rivera 90660	562-949-2421	LASD	Yes	Holding cell	Exceptionally clean facility

DETENTION FACILITIES REPORT

FACILITY	ADDRESS	TELEPHONE	MANAGED BY	COMPLIANT YES NO	TYPE OF FACILITY	COMMENTS
Pomona PD	490 W. Mission Blvd. Pomona 91766	909-620-2133	LASD	Yes	Holding cell	Needs electronic surveillance system
Rampart PD	1401 W. 6 th St. Los Angeles 90017	213-484-3400	LAPD	Yes	Holding cell	
Redondo Beach PD	401 Diamond St. Redondo Beach 90277	310-379-2477	Redondo Beach PD	Yes	Holding cell	Needs surveillance cameras in cells; clean facility
San Dimas Station	270 S. Walnut Ave. San Dimas 91773	909-599-1261	LASD	Yes	Holding cell	
San Gabriel PD	626 S. Del Mar Ave. San Gabriel 91776	626-308-2828	San Gabriel PD	Yes	Holding cell	
San Marino PD	2200 Huntington Dr. San Marino 91105	626-300-0720	San Marino PD	No	Holding cell	Denied entrance on first visit; second visit required; holding cells only
Santa Clarita Valley Station	23740 W. Magic Mountain Pky Valencia 91355	661-255-1121	LASD	No	Holding cell	Food, refuse, and clothing on floors in shower stall 3 hours after breakfast
Signal Hill PD	1800 E. Hill St. Signal Hill 90805	562-989-7200	Signal Hill PD	Yes	Holding cell	
South Gate PD	8620 California Ave. South Gate 90280	323-563-5400	South Gate PD	Yes	Holding cell	Old facility extremely well maintained
South Pasadena PD	1422 Mission St. South Pasadena 91108	626-403-7270	South Pasadena PD	Yes	Holding cell	
Southwest Area (MLK Blvd.) PD	1546 W. Martin Luther King Jr. Blvd. Los Angeles 90062	213-485-2615	LAPD	Yes	Holding cell	Open sally port; good prisoner segregation; needs six more jailers and computer upgrade
Temple City Station	8838 Las Tunas Dr. Temple City 91780	626-285-7171	LASD	Yes	Holding cell	
Topanga PD	22501 Schoenborn St. Canoga Park 91304	818-756-4800	LAPD	Yes	Holding cell	
Vernon PD	4305 Santa Fe Ave. Vernon 90058	323-567-5171	Vernon PD	Yes	Holding cell	
West Covina PD	1440 W. Garvey Ave. West Covina 91754	626-939-8550	West Covina PD	Yes	Holding cell	
West Hollywood Station	780 N. San Vicente Blvd. West Los Angeles 90069	310-855-8850	LASD	Yes	Holding cell	Very well managed facility; outstanding maintenance; computers need upgrading
West Los Angeles PD	1663 Butler Ave. Los Angeles 90025	310-442-0702	LAPD	Yes	Holding cell	Very clean and well managed facility; needs more surveillance cameras and clerical staff
West Valley PD	19020 Vanowen St. Reseda 91335	818-373-7611	LAPD	Yes	Holding cell	
Whittier Pd	7315 S. Painter Ave. Whittier 90602	562-945-8262	Whittier PD	Yes	Holding cell	
Antelope Valley Court	42011 4 th St. W. Lancaster 91731	626-575-4101	LASD	Yes	Court	

DETENTION FACILITIES REPORT

FACILITY	ADDRESS	TELEPHONE	MANAGED BY	COMPLIANT YES NO	TYPE OF FACILITY	COMMENTS
Bellflower Courthouse	10025 Flower St. Bellflower 90706	562-804-8001	LASD	Yes	Court	
Beverly Hills Courthouse	9355 Burton Way Beverly Hills 90210	310-288-1288	LASD	Yes	Court	Need FAX machine in lock-up area; gun lockers in disrepair; inadequate restraints
Burbank Court (N. Central District)	300 E. Olive Ave. Burbank 91502	818-557-3452	LASD	Yes	Court	Ground water seepage in building; Clean facility
Central Arraignment Courthouse	429 Baughet St. Los Angeles 90012	213-974-6261	LASD	Yes	Court	
Chatsworth Courthouse	Winnetka & Plummer Chatsworth 91311		LASD	Not in use	Court	
Compton Courthouse (South Central Dist.)	200 W. Compton Blvd. Compton 90220	310-603-7381	LASD	Yes	Court	Needs repair; graffiti removal; training facility; many violent offenders arraigned here
Criminal Courts Bldg.	210 W. Temple St. Los Angeles 90012	213-974-4861	LASD	Yes	Court	
Downey Courthouse	7500 Imperial Highway Downey 91502	562-803-7052	LASD	Yes	Court	Graffiti problem
East Los Angeles Courthouse	4848 E. Civic Ctr. Way E. Los Angeles 90022	323-780-2026	LASD	Yes	Court	
El Monte Courthouse (Rio Hondo)	11234 E. Valley Blvd. El Monte 91731	626-575-4101	LASD	Yes	Court	
Glendale Courthouse	600 E. Broadway Ave. Glendale 91206	818-500-3527	LASD	Yes	Court	
Inglewood Courthouse	One Regent St. Inglewood 90301	310-419-5197	LASD	Yes	Court	Excellent sally port and prisoner segregation; food in color-coded pkgs. for freshness
Inglewood Juvenile Court	One Regent St. Inglewood 90301	310-419-5267	LASD	Yes	Court	Staff break room needs repair; needs updated radio communication equipment
Long Beach Courthouse	415 W. Ocean Blvd. Long Beach 90802	562-590-3621	LASD	Yes	Court	
Malibu Courthouse	23525 W. Civic Ctr. Way Malibu 90265	310-317-1350	LASD	Yes	Court	
Mental Health Court	1150 N. San Fernando Rd. Los Angeles 90065	323-226-2944	LASD	Yes	Court	Very old and inadequate facility; new facility needed; excellent job by entire staff
Norwalk Courthouse	12720 Norwalk Blvd. Norwalk 90650	562-807-7285	LASD	Yes	Court	Upper floors need security cameras and panic buttons
Pasadena Courthouse	300 E. Walnut St. Pasadena 91101	626-356-5555	LASD	Yes	Court	
San Fernando Courthouse	900 3 rd St, San Fernando 91340	818-898-2403	LASD	Yes	Court	
Santa Clarita Courthouse	23747 W. Valencia Blvd. Valencia 91355	661-253-7301	LASD	Yes	Court	

DETENTION FACILITIES REPORT

FACILITY	ADDRESS	TELEPHONE	MANAGED BY	COMPLIANT YES NO	TYPE OF FACILITY	COMMENTS
Torrance Courthouse	825 Maple Ave. Torrance 90503	310-222-1785	LASD	Yes	Court	
Van Nuys Courthouse	14400 Erwin St. Van Nuys 91401	818-374-2174	LASD	Yes	Court	
West Covina Courthouse	1427 West Covina Pky. West Covina 91790	626-813-3223	LASD	Yes	Court	
Whittier Courthouse	7339 S. Painter Ave. Whittier 90502	562-907-3171	LASD	Yes	Court	

LAPD 77th STREET DIVISION

A SPECIAL CASE

BACKGROUND and FINDINGS

The 77th Street Station was built in 2000 and was plagued with electrical problems. It was designed and built by a contractor who had previously built hotels. It was built and designed without viable input from Los Angeles Police Department (LAPD) command or line personnel. The problems now cropping up far outweigh the funds saved by accepting the low bid. There are not enough power outlets to accommodate the equipment needed to maintain records, power computers, and operate surveillance cameras in the building. The station was short on clerical help, audio capability and jail staff. There is a very long walk with an arrestee from the parking area to the patrol watch commander's office for an initial interview. This is an invitation for trouble and/or an escape attempt. This is a poor design feature that cannot be corrected without a major renovation.

The need for timely maintenance was evident by the fact that the door to the juvenile cell had been inoperative for over two years. The gun lockers are not secure and need replacing. There were no handcuff hooks in the booking area. These were simple fixes and should have been accomplished months, if not years, ago.

The lack of audio and video surveillance in the hallways puts officers, detention personnel and civilians in unnecessary jeopardy. This was a lawsuit just waiting to happen that could potentially end up costing the City of Los Angeles considerably more than the installation of the equipment.

Basic custodial supplies for the staff were generally unavailable. There was little attention paid to the needs of the working personnel at the 77th Street Station. The staff still managed to get their jobs done in a professional and dedicated manner. The same can be said for the jail personnel, the sworn officers, and the other departments trying to make a difference in the community while coping with a plethora of obstacles. These were not all caused by the immense budget shortfall the department and the City is experiencing.

The Community Relations Department needed a van for Police Activities League (PAL) functions. There was a short-lived program initiated by a former Assistant Chief of Police who authorized the purchase of three special vans to transport inmates to the criminal court. For various reasons, the program never came to fruition. The Assistant Chief of Police has since left the Department. The vans sit empty, a \$300,000 investment, and there was no viable reason why one van cannot be used by the Community Relations Department for their PAL outreach activities.

The computers in the building need servicing on a regular basis to allow patrol officers to write reports and return to the field in a timely fashion. A work order request takes two to four days, on average, resulting in a backlog of reports and patrol officers looking for an open computer to write a report. This takes valuable time away from the mission

of "Protect and Serve." The employment of a full time technician would be cost effective within a short time. This would free up personnel to return to patrol and reduce valuable time spent looking for a working computer in the building.

The 77th Street Station is the busiest LAPD facility and does not receive the attention it deserves. The commanders and personnel who work there do a magnificent job in spite of the problems at the station. It would be unconscionable for the command structure of the LAPD and the City Council to not provide support for this station.

The personnel at the 77th Street Station at times felt compelled to purchase the supplies needed to provide a clean and well-maintained facility. This was accomplished in a professional manner. In the best tradition of LAPD, all personnel at the 77th Street Station were to be commended for their accomplishments. It was a command to be proud of and needs to be supported by the Department in every possible way.

RECOMMENDATIONS

- 1. Upgrade wiring to a standard capable of supporting the power equipment**
- 2. Upgrade and increase all video and audio surveillance equipment**
- 3. Provide hardware and software to *state of the art* technology**
- 4. Install mesh-protector fencing on upper level lock-up walkways**
- 5. Provide a van for Police Activities League (PAL) program**
- 6. Replace or repair gun lockers**
- 7. Obtain a lockable floor cabinet, a new shredder, desks with locking drawers, and drawer locks for existing desks in the System Wide Mental Assessment Response Team Area**
- 8. Install handcuff hooks in booking area**
- 9. Provide an additional pepper spray deliverance system in addition to the hand held spray system**
- 10. Provide working telephones in all work areas**
- 11. Provide custodial supplies on a regular basis e.g., paper towels, hand sanitizers, toilet tissue, etc.**
- 12. Purchase sports equipment for PAL e.g., baseball, basketball, soccer, etc.**
- 13. Increase Station personnel by three; (two supervisors in lock-up/booking and one in crime analysis)**

LOS ANGELES POLICE DEPARTMENT METROPOLITAN DETENTION CENTER

BACKGROUND AND FINDINGS

The 2009-2010 Los Angeles County Civil Grand Jury investigative committee visited this facility in February 2010 prior to its opening. The facility, Metropolitan Detention Center, costing \$85 million through 2009, is a City of Los Angeles jail with a bed capacity of 512 on the top floors in addition to seventeen holding tanks or cells downstairs, one of which was a hyperbaric chamber cell to isolate detainees who may have a communicable disease. A **Show Up Room**, an area set aside for the identification of suspects, is equipped with a two-way mirror for traditional line up purposes. The jail was a **pod design** with a control room for each pod to monitor detainee behavior. Some of the pods are dormitory style and other areas are two person cells. The Los Angeles City budget crisis has postponed the opening of the Detention Center indefinitely. The Los Angeles Police Department officer in charge of the facility stated that the primary concerns for the delay in the opening of the jail were law enforcement and detainee safety based on staffing needs.

All detainee cells were designed with motorized doors to relieve jail personnel of manually operating cell doors. This design was projected to save money for staffing needs. The reduced budget limited the installation of the motorized system and increased the need for additional law enforcement personnel.

At the time of the inspection, the sally port security gates at the south end of the port needed to be reconfigured to avoid breaches of security.

The facility was designed to house a 24/7 medical area staffed with a physician and nurses. Two treatment rooms as well as an intake area were in the original design. These areas were put on hold due to budget constraints.

COMMENDATIONS

The 2009-2010 Los Angeles County Civil Grand Jury 2009-10 extends commendations to the following facilities:

Beverly Hills Police Department

This was an outstanding facility in the areas of cleanliness, staff training, safety and the welfare of the inmates. Each individual cell had a shower adjacent to the living quarters. It was apparent to the CGJ visiting team that the design of the building was a joint planning effort between the city planners, the architects and design firm, and the police working staff. The city of Beverly Hills should be commended for this outstanding facility. It is an exemplary lock-up and a fine model of a modern, functional jail facility.

East Los Angeles Sheriff's Station and Courthouse

Both facilities are to be commended for their efficiency, outstanding maintenance, training and policies in handling inmates. The courthouse is new and complements the much older Sheriff's Station.

Glendale Police Department

This was a newer facility that through the efforts of the commander and staff can be used as a *best practices model* of cleanliness, maintenance, and efficiency. This department was a prime example of positive command and policies and attention to detail.

Inglewood Police Department

This facility was well managed with all procedures created for efficiency and officer safety. It was a clean and well-maintained facility. Policies were well defined and effectively carried out by the station personnel. Problem areas were addressed before the fact and this led to a safer environment for both jailers and inmates. The command and supervisory staff at this facility were proactive in all areas.

LAPD- Olympic Station

This a state of the art facility that integrated policing needs into a civilian friendly station. From its spacious lobby to it's workout room, the station met the needs of the community and the police officers assigned to the station. The station was an outstanding example of a modern police facility that creates a trust between the police and the community.

LAPD- Rampart Division

This was a well-designed and well-constructed police station with a state of the art electronic surveillance system. The facility was exceptionally clean and well maintained with a large open lobby that shows respect for the community. The staff was particularly courteous, helpful, and was there to serve the public.

Long Beach Police Department

This is a well-managed facility in which administration shows concern for personnel at all levels as well as for the inmates. From an innovative approach to scheduling furlough time to liberal visitation policy for attorneys, clergy, and bail bondsman 24/7, this facility was unique in putting people first.

Santa Monica Police Department

This facility was a shining example of civic pride and planning. It was exemplary in every way. From its bright, open lobby, to its extremely well managed jail, this was a model facility. The facility exhibited the way a modern police department should operate. All policies and plans were well thought out, allowing for all contingencies. The personnel at this station were especially courteous and helpful at all times. Safety of officers and inmates were paramount and the standard operating procedures created by the staff were an integral part of the process. Santa Monica should take pride in this facility and its very efficient staff.

Vernon Police Department

This was an old facility that has been maintained through the years to the point that it still looks new. The personnel were courteous and efficient. The policies, planning and procedures were the model of a well-managed police department. Personnel training and facility maintenance was ongoing. Although it was a small station in a small community, the pride of its personnel was obvious. The city of Vernon gets its moneys worth from this department.

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DETENTION FACILITIES NOT VISITED BY 2009-2010 CIVIL GRAND JURY

FACILITY NAME	ADDRESS	TELEPHONE #	TYPE	MANAGED BY
Glendora PD	150 S. Glendora Ave. Glendora 91741	626-914-8265	Jail	Glendora PD
Altadena Station	780 E. Altadena Dr. Altadena 91001	626-798-1131	Holding cell	LASD
Arcadia PD	250 Huntington Dr. Arcadia 91723	626-574-5179	Holding cell	Arcadia PD
Avalon Station	215 Sumner Ave. Avalon 90704	310-510-2360	Holding cell	LASD
Baldwin Park PD	14403 E. Pacific Ave. Baldwin Park 91773	626-813-5298	Holding cell	Baldwin Park PD
Claremont PD	570 W. Bonita Ave. Claremont 91711	909-399-5406	Holding cell	Claremont PD
Covina PD	444 N. Citrus Ave. Covina 91790	626-858-4413	Holding cell	Covina PD
Devonshire Division	10250 Etiwanda Ave. Northridge 91325	818-374-9645	Holding cell	LAPD
Inwindale PD	5050 N. Inwindale Ave. Inwindale 91706	626-430-2244	Holding cell	Inwindale PD
La Verne PD	2061 3 rd Street La Verne 91750	909-596-1913	Holding cell	LaVerne PD
Lost Hills Malibu Station	27050 Agoura Rd. Calabasas 91301	818-878-1808	Holding cell	LASD
Manhattan Beach PD	420 15 th Street Manhattan Beach 90266	310-802-5100	Holding cell	Manhattan Beach PD
Marina Del Rey Station	13851 Fiji Way Marina Del Rey 90292	310-482-6000	Holding cell	LASD
Monrovia PD	140 E. Lime St. Monrovia 91016	626-256-8000	Holding cell	Monrovia PD
Northeast Division (LAEagle Rock)	3353 San Fernando Rd. Los Angeles 90065	213-485-2566	Holding cell	LAPD
Palos Verdes Estates PD	340 Palos Verdes Dr. Palos Verdes Estates 90274	310-378-4211	Holding cell	Palos Verdes PD
Sierra Madre PD	242 Sierra Madre Blvd. Sierra Madre 91024	626-355-1414	Holding cell	Sierra Madre PD
Walnut/Diamond Bar Station	21695 E. Valley Blvd. Walnut 91789	909-595-2264	Holding cell	LASD
Metropolitan Traffic Court	1945 Hill St. Los Angeles 90007	213-744-4101	Court	LASD
Pomona Courthouse	350 W. Mission Blvd. Pomona 91766	909-620-3266	Court	LASD

**DETENTION FACILITIES INSPECTION REPORT
2009-2010 Los Angeles County Civil Grand Jury
(Example)**

Date: _____ Arrival Time: _____ Departure Time: _____

Inspector's Name: _____

Facility Name: _____

Address: _____

Telephone #: _____

Type of Facility: Jail: __ Holding Cell: __ Court: __ Managed By: _____

Capacity: ____ Current Population: _____ Male: ____ Female: _____

RATING	COMPLIANT	NON-COMPLIANT
Staffing		
Emergency Procedures		
Emergency Care/Safety		
Suicide Watch		
Restraints		
Segregation		
Sanitation		

COMMENTS

EDIT COMMITTEE



COMMITTEE MEMBERS

Chairperson- Jacqueline Brown
Linda J. Banez
Jeremiah Flanigan
Irene Gilbert Gibson
Olivia Headley
Joe Kroening

EDIT COMMITTEE

The Edit Committee of the 2009-2010 Los Angeles County Civil Grand Jury (CGJ) was charged with ensuring that the Final Report—the result of the jurors’ year-long investigations of city and county departments – was grammatically correct, uniformly formatted and easily understood.

The Final Report was approved by fourteen or more members of the (CGJ) and by the Los Angeles Superior Court. The Final Report was distributed to the Los Angeles County Board of Supervisors, those government agencies that were investigated, the general public and the media.

The Edit Committee, as part of the CGJ, worked to ensure that the 2009-2010 Final Report was an exemplary product.

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INVESTIGATIVE OVERSIGHT



COMMITTEE MEMBERS

Chairperson- Arnold Charitan
John C. Dankowski
H. Russell Justice
Edward T. McIntyre
Ron Murphy
Michael Whitten

INVESTIGATION OVERSIGHT COMMITTEE

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) established an ad-hoc Investigation Oversight Committee to consider the value of further in-depth investigation of areas of concern to members of the CGJ. The committee was composed of six members and reviewed approximately fifty areas of concern. In the event the committee felt that an area of investigative interest deserved further review, permission was granted to form a small group of three or four members to gather additional information. If there appeared to be sufficient interest to the entire CGJ, a **White Paper** on the subject was prepared for review and vote by the entire CGJ to pursue a formal, full investigation.

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SPEAKERS and EVENTS COMMITTEE



COMMITTEE MEMBERS

**Chairperson- Irene Gilbert Gibson
Jacqueline Brown
Carolyn Cobb
Olivia Headley
Joe Kroening
Fred R. Price**

SPEAKERS AND EVENTS COMMITTEE

INTRODUCTION

The Los Angeles County Civil Grand Jury (CGJ) is responsible for examining issues and investigating governmental organizations within the County. In an effort to acquaint itself with the structure and activities of the County, the CGJ selected accountable individuals to address the entire body. In addition, the CGJ chose to visit certain locations to observe the functioning of selected operations. A standing committee was established to invite speakers, arrange site visits, coordinate activities, report to the CGJ each week, and maintain a running calendar.

METHODOLOGY

The primary responsibility of the Speakers and Events Committee was to invite authorities on a given issue and arrange informative site visits. The committee reviewed lists of speakers and locations visited by CGJ over the previous five years. A combined list of potential speakers and locations was created and distributed to all jurors. In addition, the committee invited recommendations from fellow jurors about speakers and locations of greatest interest to them. Consistent with the CGJ regulations, fourteen votes were required to move forward with decisions. Speakers and site visits were approved and initiated by this process.

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GUEST SPEAKERS

COUNTY OF LOS ANGELES

BOARD OF SUPERVISORS

- Michael D. Antonovich, Supervisor, 5th District
- Richard, Fajardo, Senior Justice and Public Safety Deputy for Mark Ridley-Thomas, Supervisor, 2nd District
- Don Knabe, Supervisor, 4th District
- Vicky Santana, Senior Legislative Deputy for Gloria Molina, Supervisor, 1st District
- Zev Yaroslavsky, Supervisor, 3rd District

PUBLIC SAFETY & LAW ENFORCEMENT

- Leroy D. Baca, Sheriff
- P. Michael Freeman, Fire Chief
- Steve Cooley, District Attorney
- Robert B. Taylor, Chief Probation Officer
- Captain Bobbie Denham, Palmdale Law Enforcement Team

MANAGEMENT & ADMINISTRATION

- William T. Fujioka, Chief Executive Officer
- Wendy L. Watanabe, Auditor-Controller
- Gregg Rademacher, CEO, Employees Retirement Association
- Tom Tindall, Executive Director, Internal Services Department
- Rick Auerbach, Assessor

DEPARTMENT OF PUBLIC SOCIAL SERVICES

- Philip L. Browning, Director
- Charlotte Lee, Chief, Cal WORKS Division
- Luther Evans, Chief, GAIN Program
- Michelle Callahan, Assistant Director, In Home Supportive Services
- Judith Lillard, Acting Division Chief, General Relief & Food Stamp Division
- Cynthia D. Banks, Director, Community and Senior Services Department
- Stephanie Maxberry, Chief Deputy Ombudsman
- Patricia Ploehn, Director, Children and Family Services

OTHER COUNTY OFFICES & DEPARTMENTS

- Marcia Mayeda, Director, Animal Care and Control
- Marvin J. Southard, D.S.W., Director, Department of Mental Health
- Russ Guiney, Director, Department of Parks & Recreation
- Deanne Tilton Durfee, Director, Inter-Agency Council on Child Abuse and Neglect

CITY OF LOS ANGELES

CITY COUNCIL

- Eric Garcetti, President and Councilman, 13th District
- Dennis P. Zine, Councilman, 3rd District

MANAGEMENT & ADMINISTRATION

- Wendy Greuel, Controller
- Gina Marie Lindsay, Executive Director, Los Angeles World Airports

LOS ANGELES UNIFIED SCHOOL DISTRICT

- Monica Garcia, Board of Education President

LAW ENFORCEMENT

- William Bratton, Former Chief, Police Department
- Charlie Beck, Current Chief, Police Department

VISITS

- Los Angeles County Board of Supervisors Meeting
- Mayor Antonio Villaraigosa
- Los Angeles City Council Meeting and tour conducted by Tom La Bonge, Councilman, 4th District

- Criminal Courts Building
- Twin Towers Correctional Facility
- Century Regional Detention Facility
- Los Padriños Juvenile Detention Facility
- LAPD Headquarters

- LAC-USC Medical Center
- Department of Coroner
- Hertzberg-Davis Forensic Science Center

AREAS of REVIEW



The Areas of Review were deemed important but did not warrant a full investigation procedure. Some of the reviews contain recommendations to the agencies included in this section.

BUILDING and SAFETY



COMMITTEE MEMBERS

**Chairperson- Jim Mead
Bill Juden
Joe Kroening
Edward T. McIntyre
Michael Whitten**

BUILDING AND SAFETY

On July 10, 2006, the City of Los Angeles, Office of Controller issued a Performance Audit of the Department of Building and Safety (DBS) containing thirty-three recommendations centered around Safety Inspection and Code Enforcement.

Of concern was the fact there were over 150 thousand building permits that expired without the DBS's final approval or other determination and with over 13,600 unresolved code violations. The effect of this was stated as being a serious health and safety issue that also may result in increased liabilities to the City of Los Angeles.

Additionally, the audit found that the Code Enforcement activities were not as effective as they could have been. It was estimated that during July 1, 2004 through December 31, 2005 there could have been additional assessments of \$5 million for code violations.

On January 31, 2007, the DBS responded to the July 10, 2006 Performance Audit wherein they noted considerable progress and agreed with the thirty-three recommendations.

On March 12, 2008, the City of Los Angeles, Office of Controller replied to the January 31, 2007 response and indicated that they would follow-up in approximately six months.

The CGJ reviewed the July 10, 2006 Performance Audit as well as the subsequent responses filed by the DBS and conducted interviews with the DBS.

The DBS is comprised of four bureaus: Engineering, Inspection, Code Enforcement, and Resource Management. The CGJ's focus was over Inspection and Code Enforcement.

In the final meeting with the DBS the CGJ was informed by DBS that they were being audited again by the City Controllers office and provided the CGJ with a comprehensive report which detailed considerable progress toward most of the thirty-three recommendations made in the July 10, 2006 Performance Audit.

The CGJ was impressed with this progress and with the new Computer System being implemented by the DBS that will have data bases that will show permit histories, and a tracking or tickler system to identify any open permits or code violations. These innovations will allow an inspector to work on lap top computers in the field instead of being confined to desk top computers in the office.

In the interviews with the DBS the CGJ learned that they are subject to budget curtailments that could impact the progress they've made. This curtailment would reduce the workforce by approximately 20% and would undermine the progress that they've made.

On January 7, 2010, the Los Angeles City Controller issued a report of their performance audit that indicated that 79% of the recommendations made in the 2006 performance audit were fully implemented and 21% were partially implemented.

RECOMMENDATIONS

- 1. That the City of Los Angeles reconsider any curtailment of the budget that exceeds the reduction in demand on the Department of Building and Safety (DBS) for services because it will potentially undermine significant improvements that the Department has made.**
- 2. That the DBS fully implement the revised Computer Tracking System and provide all Inspectors with Laptop Computers.**

The 2009-2010 Los Angeles County Civil Grand Jury voted to discontinue any further investigative action.

CELL PHONE USAGE IN AUTOMOBILES



COMMITTEE MEMBERS

Chairperson- Michael Whitten
H. Russell Justice
Ron Murphy

CELL PHONE USAGE IN AUTOMOBILES

In July 2008, a new law took effect in California whereby drivers cannot use hand-held phones in their vehicles but they may use a Blue Tooth or other hands-free devices. The law prohibits drivers from holding any phone to their ear. It further prohibits juveniles from using either hand-held or hands-free phones. Immediately after the law was passed, it appeared the use of cell phones dropped significantly. The 2009-2010 Los Angeles County Civil Grand Jury questioned, based on observations made during the summer of 2009, whether people were ignoring the law and reverting back to past practices of holding cell phones to their ear and wondered if the new law was even being enforced.

A report of California Highway Patrol in June 2009 indicated citations had increased from 7,779 in July 2008 to 12,789 citations in May 2009. This is an increase of 64%. A report from the Pasadena Police Department indicated citations for cell phone violations were 8% of total violations issued in July 2008. The August 2009 Pasadena Police Department report revealed that cell phone violations were issued to 15% of total violations, an increase of 75% that year.

The CGJ's concern about law enforcement maintaining a focus on this issue was not supported by the facts.

The 2009-2010 Los Angeles County Civil Grand Jury voted to discontinue any further investigative action.

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COOPERATIVE PURCHASING



COMMITTEE MEMBERS

Chairperson- Edward T. McIntyre
Carolyn Cobb
H. Russell Justice

COOPERATIVE PURCHASING

Los Angeles County has made procurement arrangements with almost one thousand vendors for preferential pricing. All of the agreements include a clause that the pricing will be extended to all other government agencies including educational institutions and not-for-profits. The individual entities are responsible for negotiating their own terms and conditions.

The 2009–2010 Los Angeles County Civil Grand Jury (CGJ) formed an investigative review group to gain an understanding of how the cooperative purchasing process works and to determine the extent to which it is used to benefit Los Angeles County and its associated cities.

The investigative review group met with the General Manager, Purchasing and Contract Services within the Internal Services Division of the County of Los Angeles, along with one other member of management. The group reviewed various documentation presented by the county managers.

Joint purchasing arrangements usually involve several governmental agencies, which combine their purchasing requirements to solicit bids for goods and services. Higher volume purchasing power was thought to result in better terms and pricing. There was also the advantage of avoiding duplication of effort in soliciting bids and vetting potential vendors. Because of its size, Los Angeles County has been at the forefront in these efforts.

The CGJ reviewed the membership list of two organizations to which Los Angeles County belongs: California Association of Public Purchasing Officers and the Los Angeles Metro Public Purchasing Agents Cooperative. Cities in Los Angeles County with populations exceeding 100,000 were members of either or both groups. A report of Southern California-wide sales for the second quarter of 2009 showed that the biggest dollar acquisitions were for furniture, computer equipment and office supplies.

The County Internal Services Division Purchasing and Contract Services appeared efficient and professional with significant participation in other relevant government agencies.

The 2009-2010 Los Angeles County Civil Grand Jury voted to discontinue any further investigative action.

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COUNTYWIDE VEHICLE USAGE



COMMITTEE MEMBERS

Chairperson- Joe Kroening
Linda J. Banez
Jeremiah Flanigan

COUNTYWIDE VEHICLE USE POLICY

The 2009-2010 Los Angeles Civil Grand Jury (CGJ) considered the issue of a uniform vehicle usage policy for all County Departments. An investigation would be a follow up to the 2007-2008 Los Angeles County Civil Grand Jury Final Report which recommended a number of changes to establish an all inclusive policy for all County Departments. It was determined, however, that the County Board of Supervisors had ordered the County Chief Executive Office to prepare a countywide vehicle usage policy. It was further determined that the County Chief Executive Office had prepared a policy and that policy was being processed through normal channels to be brought before the Board of Supervisors for approval and adoption. It was anticipated that the policy would be presented to the Board of Supervisors in December 2009 or January 2010.

The 2009-2010 Los Angeles County Civil Grand Jury voted to discontinue any further investigative action.

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DEPARTMENT of the CORONER



COMMITTEE MEMBERS

Chairperson- John C. Dankowski
Linda J. Banez
Sharon M. Buckley
Carolyn Cobb
Irene Gilbert Gibson
Joe Kroening
Fred R. Price

DEPARTMENT OF CORONER

INTRODUCTION

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) visited the facilities of the Los Angeles County Department of Coroner. As a result of that visit, an investigative committee was formed and joint interviews were held with the Director and the Chief Medical Examiner-Coroner, who respectively oversee administrative operations and medical functions of the Department of Coroner. The CGJ noted an exceptional attitude of cooperation and mutual regard between the two head administrators of the Department of Coroner (hereafter referred to as Coroner). Both officials readily provided additional documents and information.

As a result of the interviews the CGJ determined five areas of concern:

- Staffing
- Specimen and evidence storage
- Crematorium
- Case management system
- Staff succession plan

FINDINGS

Staffing

The workload of Coroner staff has increased due to the United States Supreme Court ruling in the Melendez-Diaz case. This ruling states that the physician or scientist who originally performed any forensic test involved in court testimony must physically testify in court. The ruling, based on the Sixth Amendment, states that ***“In all criminal prosecutions, the accused shall enjoy the right...to be confronted with the witness against him.”*** This may make it necessary for Coroner staff to interrupt critical work to appear in court. Due to the possible length of due process, there is legitimate concern that a retired employee may be required to make a court appearance.

There is concern that the Coroner’s backlog may increase to a point it exceeds the ***90/90 rule*** (the rule that relates to resolving 90% of cases within ninety days). This standard must be met in order to maintain accreditation with the National Association of Medical Examiners and the American Society of Crime Laboratories.

Another concern relates to the seasonal holiday increased workload that requires the contracting of outside pathologists to perform routine autopsies.

For FY 2009-2010, the Coroner’s operating budget was \$28 million , less, in spite of rising costs, by \$300,000 than the budget for FY 2008-2009. As of December 2009, budget reductions were basically met through staff attrition. Requested budgetary needs for FY 2010-2011 are just under \$35 million. However, the proposed FY 2010-2011 budget is \$27 million, a shortfall of approximately \$8 million. The Coroner continues to

address staffing issues and additional budget cuts as budget hearings and deliberations are being held.

SPECIMEN AND EVIDENCE STORAGE

The Coroner continues to label, track and control specimen and evidence inventory manually. This manual recording system and process is time consuming, inefficient and makes it difficult to maintain an accurate inventory.

CREMATORIUM

The Coroner utilizes outside crematoriums to meet its needs when the demand exceed the capacity of the Los Angeles Crematorium which serves both the Coroner and the Department of Health Services/Los Angeles County–University of Southern California Medical Center (LAC-USC). The LAC-USC has priority. The Coroner's use of the crematorium is dependant on an as-available basis. In addition, the Coroner regularly cremates unclaimed bodies for mass burial. The number of bodies to be cremated varies. Some may be held in storage up to three years. The cost of outside cremations is more expensive than those performed by the Los Angeles Crematorium.

CASE MANAGEMENT SYSTEM

The Coroner-Medical Examiner (CME) case management system is a stand-alone system. This system is used to track remains and the results of autopsy and laboratory tests. The system, considered state-of-the-art when it was installed in 2000, has not been updated. The vendor that provided the current system published an upgraded Internet-based system in 2006, but the Coroner is still using the original version, the only user doing so. The new system would provide better control, information and security. Further, the current outdated system could become an issue in maintaining the Department's accreditation.

The Coroner informed the CGJ that it had requested a needs assessment study to address these issues. An estimate predicated on similar studies indicates that the cost of the study would be between \$80,000 to \$100,000. It is expected that the cost for full implementation of a new system, including hardware, would be approximately \$150,000. Maintenance is estimated to be \$50,000 per year.

STAFF SUCCESSION PLAN

The Coroner has high standards for hiring staff. For example, the Chief Medical Examiner-Coroner has a medical degree, four years of forensics study and one year of neuro-pathology. This indicates the advisability of having a departmental succession plan in place. Additionally, it has been found that the difficulties of recruiting entry level staff are exacerbated by a perceived undesirability of the work surroundings. The entry level pay scale is not comparable to outside agencies. The Coroner continues to address these issues.

RECOMMENDATIONS

- 1. The Los Angeles County Chief Executive Officer should allocate the funds required to maintain the level of budgetary support needed for the Coroner's optimum operations.**
- 2. The Coroner should implement a bar code system for tracking specimen and evidence storage which will reduce manual labor and decrease identification errors.**
- 3. Los Angeles County Department of Health Services should increase the capacity of the Los Angeles County Crematorium to meet the needs of the Coroner and revise the usage schedule to avoid outsourcing any cremations.**
- 4. The Coroner should establish a priority of converting to an updated Internet-based Chief Medical Examiner case management system.**
- 5. The Coroner should maintain an employee succession plan and monitor planned retirements so that all vacant positions can be filled quickly.**

As the CGJ completed its investigation, the Los Angeles County Department of Auditor-Controller published a Management Audit of the Department of Coroner. Many of the CGJs recommendations are similar to those in the aforementioned Report

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LOS ANGELES UNIFIED SCHOOL DISTRICT RATIOS



COMMITTEE MEMBERS

Chairperson- Michael Whitten
Jim Mead
Rik Shubb

LOS ANGELES UNIFIED SCHOOL DISTRICT RATIOS

The 2009-2010 Los Angeles Civil Grand Jury (CGJ) did a preliminary investigation into some key operating ratios for the Los Angeles Unified School District (LAUSD). This investigation concerned a comparison of LAUSD to other large metropolitan school systems' ratio of teachers to administration personnel. It also compared pay levels for teachers and administrators.

The investigative group researched the specific ratios for large cities such as San Francisco, Chicago and importantly New York. The CGJ found there was a great deal of comparative information available on both issues of concern and research indicated there were indeed questions about the LAUSD ratios. .

The CGJ contacted the LAUSD for a meeting to discuss the investigation. Subsequently, CGJ was informed by County Counsel that the CGJ cannot investigate policy issues within LAUSD, a Special District. The CGJ can only investigate operational and procedural issues for LAUSD.

The 2009-2010 Los Angeles County Civil Grand Jury voted to discontinue any further investigative action.

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MEDI-CAL RETROACTIVE BILLING



COMMITTEE MEMBERS

Chairperson- Jim Mead
Linda J. Banez
Irene Gilbert Gibson
Edward T. McIntyre
Michael Whitten

MEDI-CAL RETROACTIVE BILLING

Several California County Civil Grand Juries have performed audits of retroactive Medi-Cal billing recoveries. For example, Santa Clara County had approximately \$8 million in retroactive, unreimbursed Medi-Cal eligible charges and in one year, recovered approximately \$3 million of this amount. The \$8 million in Santa Clara County resulted from cases in which eligibility for Medi-Cal reimbursement was established more than one year from the date of service through data mining of State data bases that had not been previously reviewed.

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) conducted an interview with the Department of Health Services (DHS) and learned that it utilized four outside vendors to perform data mining of various State and County data bases in order to submit claims to the Medi-Cal Over One Year Claims Unit. These claims required supporting documentation and justification for the delayed billing. The CGJ believed that DHS was adequately recovering possible State reimbursement.

The CGJ conducted two interviews with the Department of Mental Health (DMH) and learned it did not actively pursue Medi-Cal eligible claims that were over a year old. Based on this, the CGJ requested a report of Medi-Cal eligible claims over one year old. The report for the month of November 2008 indicated approximately \$1.7 million of unbilled Medi-Cal claims which could possibly yield reimbursement from the State.

The DMH had 142 contract providers in addition to its own direct providers. These contracted providers are paid directly by DMH, which then bills these services to Medi-Cal and other agencies. There are annual payment caps established by DMH for the individual contract providers. This complicates the issue of State reimbursement in cases in which retroactively determined eligibility for Medi-Cal exceeds the caps already paid by DMH. At the same time, the State of California was making significant changes to the reimbursement process. Therefore, the ability to capture the reimbursement of over one year claims was greatly complicated.

The DMH reported as a result of its review of Medi-Cal eligible claims on the over one year old report requested by the CGJ, DMH made some significant operational changes to its reimbursement process.

The 2009-2010 Los Angeles County Civil Grand Jury voted to discontinue any further investigative action.

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STATE RELEASE of PRISONERS



COMMITTEE MEMBERS

Chairperson- Edward T. McIntyre
Jacqueline Brown
Sharon M. Buckley
John C. Dankowski
Bill Juden
Fred R. Price

STATE RELEASE OF PRISONERS

The 2009-2010 Los Angeles County Civil Grand Jury (CGJ) investigated the effect of the pending release of California State prisoners. Initially, it was thought that 27,000 state prisoners would be relocated or released from the state prison system as part of effort to balance the 2009 California State budget. Later, a figure of 43,000 was released in a decree by the Ninth Circuit Court to reduce state prison overcrowding. At one point it appeared that some prisoners would be forced down to their local county for disposition. Other discussion suggested that the prisoners would be released over a period of time either with or without parole or probationary supervision. In any case, given recidivism rates of up to 70%, a very large percentage (as many as 17,000) of the total released prisoners would either be back in the Los Angeles County jail system within three years and/or place severe additional demands on the County's already over-taxed social services, Probation Department, law enforcement agencies and the general public.

An investigative review group was formed which met with the Chief of the Correctional Services Division of the Los Angeles County Sheriff's Department as well as key members of his staff in order to gain familiarity with the jail facilities and the major factors relating to the system's operations. The CGJ also met with a number of the members of management in the county social services departments to gain an understanding of those areas.

The Los Angeles County Sheriff's Department operates eight jails within the county, one of which is contracted with Immigration and Customs Enforcement to house federal prisoners. The remaining seven jails, which have approximately 25,000 beds, have a practical capacity of about 20,000 inmates. The difference arises because of the need to segregate male prisoners according to gang affiliation, race and sexual orientation. The jails generally house about 20,000 prisoners at any given time. Because of the overcrowding in the county jails, most male prisoners serve as little as 30% of their sentence. Most women serve only about 10% of their sentence.

The county jail's theoretical role is to house misdemeanor prisoners with sentences of one year or less. Felons are to be housed in state prisons. In reality, the county jails currently house several thousand state prisoners because of overcrowding in state facilities. Nationally, the three-year recidivism rate for persons released from custody is in the range of 70%. Los Angeles County has several programs aimed at re-entry training for inmates which may reduce this rate somewhat.

It is estimated that about 40% of state prisoners have come from Los Angeles County and would return there upon release. Given the high recidivism rate, a large number would return to the county jail or would require assistance from the county social services. The number of released state prisoners, the manner in which they are released, either directly to the streets or to the Sheriff's custody and the rate of release could all have significantly differing effects on Los Angeles County. In addition it was learned that the Los Angeles County Board of Supervisors had called for a task force to study the effect of the state potential prisoner release program.

Because of the uncertainty surrounding the State's prisoner release plans, the CGJ concluded that it did not have sufficient information to reach meaningful recommendations.

The 2009-2010 Los Angeles County Civil Grand Jury voted to discontinue any further investigative action.

INDEX



The Production Committee was established to act as the last step in the creation of the 2009-2010 Los Angeles County Civil Grand Jury Final Report. The Committee was responsible for preparing the Final Report for approval by legal counsel and for judicial review. In addition, the Committee coordinated the mandated early distribution of the portion of the Final Report germane to the investigated entities.

COMMITTEE MEMBERS

Chairperson- H. Russell Justice
Joe Kroening
Jim Mead
Ray O'Keefe
Rik Shubb
Michael Whitten

INDEX

SUBJECT	Page(s)	SUBJECT	Page(s)
2009 Comprehensive Water Package.....	91	Department of Mental Health (DMH)	8
2009 Delta/Water Legislation.....	96	Department of Probation for Los Angeles County.....	8,33
9-1-1 Wireless Services.....	135	Department of Public Health.....	7
Acre Feet (AF).....	87	Department of Public Social Services.....	7,134
Administrator of the City of Glendale Jail.....	73	Department of Sanitation.....	93
Alcohol Beverage Control Agents.....	21	Department of the Coroner.....	183
Alhambra Police Department.....	5	Department of Transportation (DOT).....	29
Antelope Valley.....	25, 69	Department of Water Resources.....	98
Antelope Valley Crime Fighting Initiative.....	25	District Attorney's Office.....	1,73
Bay-Delta Conservation Plan.....	91	DNA Technician	38
Blue Tooth.....	177	Electronic Suspected Child Abuse Report (E-SCAR)	1
blueCONSULTING.....	65	Employee Position Control.....	62
Burrtec Waste Industries.....	70	Families In Action Program.....	23
Business Tools for Schools (BTS).....	57	Family and Children's Index (FCI).....	7
Calabasas.....	69	Final Pay Calculation Audit.....	61
CalGRIP Program.....	24	Foothill Municipal Water District.....	92
California Association of Public Purchasing Officers.....	179	Governor Schwarzenegger.....	93
California Department of Water Resources.....	91	Gray Water.....	97
California Forensics Science Institute	37	Griffith Park Observatory.....	52
California Highway Patrol.....	17,21	Hundred Cubic Feet (HCF).....	87
California Penal Code 933.1.....	131	Herzberg-Davis Forensic Center.....	37
California Penal Code (CPC) §933.....	131,141	Hyperion Treatment Plant.....	93
California Penal Code 11164.....	5	Industrial, Economic, and Administration (IEA).....	109
California Penal Code 925.....	131	Information Technology Steering Committee... ..	63
California Penal Code 933.5.....	64	Inmate Healthcare.....	41
California State University at Los Angeles.....	37	Inspector General.....	113
Career Criminal Task Force City of Palmdale..	23	Institute of the Environment at UCLA.....	87
Central Basin Municipal Water District.....	92	Integrated Financial Systems (IFS).....	57
Child Protection Hotline.....	5	Internal Services Department (ISD).....	73
Child Welfare Services/Case Management System (CWS/CMS).....	5	Jail Ward in the LAC+USC Hospital.....	43
Chiquita Canyon.....	69	LADWP SECURITY.....	129
City of Glendale.....	92	Lake Mead.....	87
City of Glendale Police Department (GPD).....	73	Lake Powell.....	87
City of Long Beach.....	92	Lancaster.....	69
City of Long Beach Administration, Office of City Attorney.....	18	LASD Medical Services Department.....	45
City of Long Beach Wireless 9-1-1	17	Latent Print Unit (LPU).....	37
City of Los Angeles Department of Recreation and Parks (RAP).....	49	LAUSD.....	57,135
City of Los Angeles Police Department.....	37	LAUSD Board of Education.....	57
City of Pasadena.....	92	LAUSD Office of the Inspector General (OIG).....	61
City of San Fernando.....	92	Law Enforcement Agencies (LEA)	4
City of San Marino.....	92	Long Beach Police.....	17
City of Santa Monica.....	92	Los Angeles Aquifer.....	87
City of Torrance.....	92	Los Angeles Automated Fingerprint Identification System (LAFIS).....	37
COGNOS.....	9	Los Angeles Board of Supervisors.....	3,17,31,83
Colorado River Aqueduct.....	87	Los Angeles City Controller Auditor.....	131
Computerized Tomography (CT)	45	Los Angeles City Council Ad Hoc Committee on Gang Violence and Youth Development	51
Coroner-Medical Examiner (CME) Case Management System	184	Los Angeles Civic Center.....	90
CR&R Waste and Recycling Services.....	70	Los Angeles County Department of Public Works.....	70
Deloitte Consulting.....	57	Los Angeles County District Attorney (DA).....	1,73
Delta Protection Commission.....	91	Los Angeles County Draft General Plan.....	69
Delta Stewardship Council (DSC).....	91	Los Angeles County Sheriff Department (LASD).....	2,41,73,149
Department of Building and Safety (DBS).....	175	Los Angeles County Sheriff Department (LASD) Forensic Science Services.....	37
Department of Children and Family Services..	1	Los Angeles County Water District (LACWD)..	94
Department of Health Services (DHS).....	8	Los Angeles County/University of Southern California Medical Center (LAC+USC).....	41
Department of Health Services/Los Angeles County–University of Southern California Medical Center (LAC-USC).....	41		

INDEX

SUBJECT	Page(s)	SUBJECT	Page(s)
Los Angeles Department of Water and Power (LADWP).....	83	Smart Bills.....	85
Los Angeles Economic Development Corporation (LAEDC).....	121	Society of Crime Lab Directors (ASCLAD).....	38
Los Angeles Metro Public Purchasing Agents Cooperative.....	179	State Water Project.....	87
Los Angeles Police Department (LAPD).....	73,149	State Water Resources Control Board.....	91
Los Padrinos Juvenile Detention Home.....	151	Summer Night Lights Program.....	52
Magnetic Resonance Imaging (MRI)	45	Sunshine Canyon City.....	69
Manager, Purchasing and Contract Services..	179	Supervisor Antonovich.....	26
Mandated Reporters.....	4	Suspected Child Abuse Report (SCAR).....	1
Manual Comparison Detail.....	39	System Applications and Products (SAP).....	57
Mayor Antonio Villaraigosa.....	37, 103	Three Valleys Municipal Water District.....	92
Medi-Cal Over One Year Claims Unit.....	189	Tillman Reclamation Plant.....	92
Medi-Cal Retroactive Billing.....	189	Twin Towers Correctional Facility.....	41, 151
Memorandum of Understanding (MOU).....	74	Union Bumping Rights - LAUSD.....	63
Men's Central Jail.....	43		
Metropolitan Detention Center.....	78		
Metropolitan Water District of Southern California (MWD).....	83		
Multi Disciplinary Team (MDT).....	8		
Municipal Water District of Orange County....	93		
Non Revenue Water.....	116		
Non-Potable Water.....	96		
North Hollywood Operable Unit Second Interim Remedy (NHOU-R2).....	106		
Off-Cycle Audit	61		
Office of City Controller.....	116, 175		
Office of the Public Guardian.....	65		
On the Building of Springfield by Vachel.....	49		
Orange County California.....	70,84		
Oversight Committee.....	79		
Owens River.....	87		
Palmdale Sheriff's Station.....	21		
Palmdale's Partners Against Crime (PAC).....	21		
Parker Center.....	37		
Pasadena Police Department.....	177		
Pitchess Detention Center.....	44		
Polycom System.....	78		
Probate Division.....	65		
Proposition 69.....	38		
Public Defender (PD).....	73		
Puente Hills.....	69		
Purple Pipes.....	97		
Rainbow Disposal.....	70		
Ratepayer Advocate (RPA).....	116		
River and Mono and Owens Lake (OROML)...	108		
Riverside County.....	70		
Rocky Mountains.....	91		
Sacramento-San Joaquin Delta (DELTA).....	91		
Safe Measures.....	9		
Safe, Clean, and Reliable Drinking Water Supply Act of 2011.....	91		
San Fernando Basin Aquifer System (SFB)....	84		
Scholl Canyon.....	69		
Sierra Mountains.....	91		
Silo Effect.....	14		

NOTE: Page numbers represent the first time a subject appears in a report.