

**GRAND JURY**

**LOS ANGELES COUNTY  
GRAND JURY**



**FINAL REPORT  
1976-77**

**Los Angeles County Grand Jury  
Final Report 1976-1977**

R. A. HOUGHTON  
FOREMAN PRO-TEM

HUGH L. HENSHAW  
FOREMAN

CHARLENE E. JENKINS  
SECRETARY

LINDA C. BARBANI  
JEAN C. BIEGENZAHN  
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EDWARD H. KNAPP

COUNTY OF LOS ANGELES  
1976-77 GRAND JURY

13-303 CRIMINAL COURTS BUILDING  
LOS ANGELES, CALIFORNIA 90012  
974-3993

May 13, 1977

CHARLES E. LOVE  
ANNE S. MURPHY  
RUBY RENETZKY  
RAYMOND E. RYAN  
JAMES SCHERR  
JOANNE E. SMALLWOOD  
CHARLES LEWIS SMITH  
OSMYN STOUT  
THERESA VALENZUELA  
O. MORGAN WILLIAMS  
SYLVIA ZUCKERMAN

The Honorable William P. Hogoboom  
Presiding Judge of the Superior Courts  
and

The Honorable E. Talbot Callister  
Supervising Judge of the Criminal Division

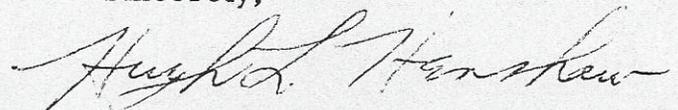
Gentlemen:

The 1976-77 Grand Jury is about to conclude its term of service and wishes to express its appreciation for the encouragement and assistance given to us as we proceeded with our duties. Initially we accepted our charge with some apprehension, but nevertheless, we made every effort to pursue our responsibilities in a forthright and professional manner.

Our investigations and findings are detailed and summarized with the attached report. We urge County administrators to review the problems the Grand Jury researched and consider our recommendations as possible solutions.

We hope our efforts will evolve into tangible results for the citizens of this County.

Sincerely,



Hugh L. Henshaw  
Foreman

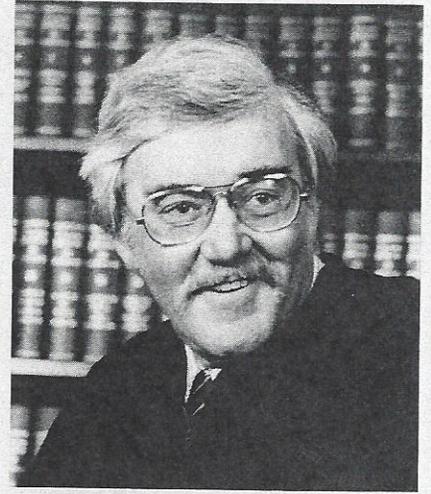
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**Judge Robert A. Wenke**  
Presiding Judge of the Superior Court



**Judge William P. Hogoboom**  
Presiding Judge of the Superior Court



**Judge Jack E. Goertzen**  
Supervising Judge of the Criminal Division



**Judge E. Talbot Callister**  
Supervising Judge of the Criminal Division



**Grand Jury Staff**

*Left to right; top to bottom*  
Top: Anita Williams, Bailiff; Jesse Gomez, Investigator; Joseph Siler, Legal Advisor; Gary Gorkos, Court Reporter.

*Seated:* Joyce Shannon, Staff Secretary; Penelope Dark, Legal Secretary.



## Los Angeles County Grand Jury

*Jurors: left to right; top to bottom*

*Back row:* Harry H. Greenwald, James Scherr, Jean C. Biegenzahn, Edward H. Knapp, O. Morgan Williams, Charles E. Love, Norman N. Holt, Anne S. Murphy, Charles L. Smith.

*Middle row:* Joanne E. Smallwood, Jeane Weldon Dole, Sylvia R. Zuckerman, Ruby R. Renetzky, Chauncey O. Kendall, Leda Danzig, Osmyn Stout, Raymond E. Ryan.

*Seated:* Francine S. Chernoff, Robert A. Houghton, Foreman Pro Tem, Charlene E. Jenkins, Secretary, Linda Barbani, Sgt. at Arms, Hugh L. Henshaw, Foreman, Theresa Valenzuela.

# 1976-77

## LOS ANGELES COUNTY GRAND JURY

Member	Residence	Nominating Judge
Linda C. Barbani	Sherman Oaks	Arthur K. Marshall
Jean C. Biegenzahn	South Pasadena	Nancy D. Watson
Francine S. Chernoff	Beverly Hills	Mario L. Clinco
Leda Danzig	Tarzana	Charles H. Phillips
Jeane Weldon Dole	Glendale	Lester E. Olson
Harry H. Greenwald	Granada Hills	Richard A. Gadbois, Jr.
Hugh L. Henshaw	Long Beach	Roy J. Brown
*Norman N. Holt	Los Angeles	Ernest L. Kelly
Robert A. Houghton	Northridge	Edward A. Hinz, Jr.
*Charlene E. Jenkins	Long Beach	W. James Turpit
Chauncey O. Kendall	Studio City	Earl C. Broady
Edward H. Knapp	Glendale	Robert P. Schifferman
Charles E. Love	Malibu	Peter E. Giannini
*Anne S. Murphy	Pacific Palisades	Charles H. Phillips
Ruby Renetzky	Sherman Oaks	Harry V. Peetris
*Raymond E. Ryan	Rancho Palos Verdes	Charles H. Older
*James Scherr	Sherman Oaks	John A. Loomis
*Joanne E. Smallwood	Pasadena	James F. Healey
Charles L. Smith	Los Angeles	Neil A. Lake
Osmyn Stout	Whittier	John L. Donnellan
Theresa Valenzuela	Mission Hills	Charles M. Hughes
O. Morgan Williams	Long Beach	Roy J. Brown
*Sylvia R. Zuckerman	Los Angeles	Ellsworth M. Beam
*Volunteer		

# FOREWORD

The 1976-77 Los Angeles County Grand Jury began its term under the capable direction of Harry H. Greenwald, as Foreman. He supervised the election of officers, formation of committees, and he appointed their chairmen. Unfortunately, after a couple of months he developed a health problem which made it advisable for him to relinquish the Foreman's position. Robert A. Houghton, Foreman Pro Tem, agreed to assume these responsibilities on an interim basis only, until a new Foreman could be appointed. The entire Grand Jury is grateful to them for their skilled leadership during this period of time.

After establishing areas of concern, nine committees were formed. In operation, these committees were frequently divided into sub-committees or task forces to accomplish certain goals. The reports were written by the individual committees. However, the recommendations are the conclusions of the entire Grand Jury.

Early in our term we became aware of the criticism of the grand jury system from many sources. As a result, an Ad Hoc Committee was formed to research the matter. They found most of the criticism applied primarily to the Federal grand jury system, rather than to the County grand jury system in California. The Committee concluded that there is a need for minor adjustments in order to do a better job, but not for the drastic changes proposed by others.

Our term was highlighted by some changes in statutes regarding the criminal justice system. These innovations affected our operations and recommendations to some degree. This Grand Jury was required to utilize the new Penal Code section 939.91(a) for the first time. This section provides that when a grand jury fails to return an indictment on the evidence presented, the suspect may request that a statement be issued by the grand jury to that effect. The Right to Financial Privacy Act, which requires new grand jury procedures for subpoenas of financial records became effective during our term. Assembly Bill 3121, which completely overhauls the treatment of juvenile offenders, was enacted. Senate Bill 42, which changes the sentencing and parole of convicted felons, was passed and has been scrutinized by this Grand Jury because of the impact it will have after July 1, 1977.

On behalf of the Grand Jury, an expression of appreciation is extended to the judges who nominated us. We especially recognize the Honorable Robert A. Wenke, the Presiding Judge of the Superior Court, who administered the oath of office to us, and who also instituted the volunteer grand jury program. During this term, seven jurors served as a result of that program. We received invaluable guidance and advice from Presiding Judges Robert A. Wenke and William P. Hogoboom. We also appreciate the assistance we received from the Supervising Judges of the Criminal Division, Jack E. Goertzen and E. Talbot Callister.

Gratitude is herewith expressed for the excellent support of our staff: Joseph V. Siler, Legal Advisor; Joyce Shannon, Executive Secretary; Penny Dark, Secretary; Jesse Gomez, Investigator; Morgan von Saxel and Gary Gorkos, Court Reporters; and Anita Williams, Bailiff.

Recognition must be given to the many people who assisted us in investigating areas of concern to this Jury. Among them are members of the County Board of Supervisors, Chief Administrator's Office, all County department heads, School District Boards, City Administrators and their staffs. Special thanks go to the Superior and Municipal Court judges, the Sheriff, District Attorney, Public Defender, City Council, and others involved in our judicial system. Without their expertise and cooperation no meaningful accomplishment would have been possible.

To the twenty-two citizens who joined me in serving as your 1976-77 Los Angeles County Grand Jury, my sincere appreciation for your dedication to the job.

*Hugh L. Henshaw*  
*Foreman*

# 1976-1977 LOS ANGELES COUNTY GRAND JURY

## OFFICERS

Hugh L. Henshaw, Foreman  
Charlene E. Jenkins, Secretary

Robert A. Houghton, Foreman Pro Tem  
Linda C. Barbani, Sergeant-At-Arms

## Committees

### Administrative Committee

Hugh L. Henshaw, Chairman  
Robert A. Houghton, Vice-Chairman  
Charlene E. Jenkins, Secretary  
Francine S. Chernoff  
Jeane Weldon Dole  
Anne S. Murphy  
Raymond E. Ryan  
James Scherr  
Charles L. Smith  
Osmyn Stout  
Sylvia R. Zuckerman

### Audit Committee

Raymond E. Ryan, Chairman  
Charles E. Love, Vice-Chairman  
Jeane Weldon Dole, Secretary  
Francine S. Chernoff  
Harry H. Greenwald  
James Scherr

### Criminal Complaints Committee

Robert A. Houghton, Chairman  
Osmyn Stout, Vice-Chairman  
Leda Danzig, Secretary  
Jean Biegenzahn  
Norman N. Holt  
Charlene E. Jenkins  
Ruby R. Renetzky

### Education Committee

Francine S. Chernoff, Chairman  
James Scherr, Co-Chairman  
Charlene E. Jenkins, Secretary  
Theresa Valenzuela

### Health and Hospitals Committee

Anne S. Murphy, Chairman  
Leda Danzig, Vice-Chairman  
Jeane Weldon Dole, Secretary  
Chauncey O. Kendall  
Ruby R. Renetzky  
Joanne Smallwood

### Jails Committee

Osmyn Stout, Chairman  
Edward H. Knapp, Secretary  
Linda C. Barbani  
Chauncey O. Kendall  
Charles L. Smith  
O. Morgan Williams

### Juvenile Justice Committee

Charles L. Smith, Chairman  
Charles E. Love, Vice-Chairman  
Linda C. Barbani, Secretary  
Jean C. Biegenzahn  
Sylvia R. Zuckerman

### Social Services Committee

Sylvia R. Zuckerman, Chairman  
O. Morgan Williams, Vice-Chairman and Secretary  
Jean C. Biegenzahn  
Theresa Valenzuela  
Edward H. Knapp

### Ad Hoc Committee—Grand Jury Reform

Jeane Weldon Dole, Chairman  
Ruby R. Renetzky, Vice-Chairman  
Joanne E. Smallwood, Secretary  
Francine S. Chernoff  
Leda Danzig  
Harry H. Greenwald  
Robert A. Houghton  
O. Morgan Williams

### Ad Hoc Committee—Final Report

James Scherr, Chairman  
Charles E. Love, Chief Editor  
Anne S. Murphy  
Charles L. Smith  
Sylvia R. Zuckerman

# AUDIT COMMITTEE

## PURPOSE

It is the responsibility of the Audit Committee to examine those County departments or functions which it judges advisable. In addition, the Committee is mandated to review the Child Support and Collection Program of the County, and in even years, make a study of the salaries of the Board of Supervisors, Auditor-Controller and District Attorney.

## AREAS OF CONCERN

In selecting departments, functions or programs for audit, the following criteria were used:

Size of department budget.

Date of last audit by the Grand Jury.

Importance of function in relation to the utilization of county resources.

Audits mandated by law.

Using the above criteria, the following were selected for audit:

1. Child Support Collection Program.
2. County Budgetary Process.
3. Personnel Organization, Policies and Practices.
4. Review of the Department of Health Services.
5. County Data Processing activities.

In addition, the Audit Committee reviewed the salaries of the District Attorney, Auditor-Controller and Board of Supervisors, as required by law, and this review is included as a separate section in the report on the Personnel Organization Policies and Procedures.

Upon approval by the Grand Jury, the reports on findings and recommendations resulting from the above audits were sent to the Board of Supervisors, the departments involved, and other interested persons.

At the year's end, all of these reports will be compiled in one book available for reference at the Grand Jury Office.

The numbering in the summary corresponds to the numbering in the Contract Auditor's Final Report.

## METHODS OF INVESTIGATION

In July, 1976, the Audit Committee mailed letters to all firms of certified public accountants who had indicated an interest in performing the examination of county departments for the year 1976/77. Eleven firms were contacted; nine responding firms presented their qualifications to members of the Audit Committee. On August 19, 1976, Mr. Franklin Johnson, a partner of the firm of Price Waterhouse & Co., certified public accountants, was selected to be the Contract Auditor.

During the course of its term, the Committee had frequent progress meetings with the Contract Auditor, and participated in exit interviews.

## FINDINGS AND RECOMMENDATIONS

### 1. Child Support Collection Program

An audit of this program is mandated by Section 10602.5 of the Welfare and Institutions Code.

The Contract Auditor concluded that:

- Certain organizational improvements have been made within the last year.
- Work methods and procedures, and related staffing levels, are not adequate in all areas to effectively process the current case load on a timely basis, resulting in a significant backlog of partially processed cases.
- Management Reports are generally inadequate and do not provide accurate information regarding the effectiveness of the program.
- All delinquent payments are not identified and collected on a systematic and timely basis.
- The County is presently in technical violation of Federal IV-D regulations in several areas.

## SUMMARY OF MAJOR RECOMMENDATIONS

### Case processing — Regional Office

- (No. 1-1) Improve the quality and accuracy of reported statistical information.
- (No. 1-2) Systems and procedures should be developed and standardized for all the Regional Offices.
- (No. 1-3) Establish and implement guidelines and procedures for closing and purging cases at the Regional Offices.
- (No. 1-4) Develop a pre-interview questionnaire to be filled out by the complaining witness to shorten interview time; and, separate the interview function from the case follow-up and investigation function.
- (No. 1-5) Mail should be processed on a timely basis at the Regional Offices.
- (No. 1-6) Replace the Investigator-in-Charge at each Regional Office with a qualified and experienced administrative office manager.
- (No. 1-7) Implement improved case review procedures at Regional Offices experiencing a high rate of returned cases.
- (No. 1-8) Undertake a major method and work measurement program designed to develop revised standards for staff planning and performance evaluation.
- (No. 1-9) Review the Regional Offices for possible improvements to office layout and determine need for additional office space.
- (No. 1-10) Develop and implement a reorganized case filing system at all Regional Offices.

- (No. 1-11) Case control cards should be typed and filed on a timely basis after the initial interview with the complaining witness.
- (No. 1-12) The supervising child support investigator should be made responsible for insuring that all cases are reviewed every ninety days.

### **Case Processing — Central Office**

- (No. 1-17) The District Attorney should give the highest priority to the conversion of existing cases in accordance with the requirements of Title IV-D.
- (No. 1-18) Carefully consider increasing available manpower resources in order to process additional child support cases.
- (No. 1-19) Establish procedures within the Civil Process Section which will insure the timely serving of all court processes.
- (No. 1-20) Controls over the physical movement of cases should be strengthened.
- (No. 1-21) Mail received for cases "out of file" should be filed in a separate file by defendant name.

### **Payment Collection and Distribution**

- (No. 1-24) The Court Trustee should enforce additional output controls in the Input/Output Control Unit.
- (No. 1-25) The Court Trustee should institute better controls over funds released from the suspense account.
- (No. 1-26) The Court Trustee in conjunction with the clerk of the court and the Bureau of Child Support Operations office should initiate additional controls to insure that all data is properly entered into the Court Trustee System.
- (No. 1-27) The Court Trustee should develop formal written procedures for follow-up of suspense items.
- (No. 1-28) The Court Trustee should maintain follow-up documentation for each suspense account case.
- (No. 1-29) The Court Trustee in conjunction with the Bureau of Child Support Operations, should evaluate the feasibility of instituting a central case numbering system.
- (No. 1-32) The Court Trustee should enforce procedures to insure that all returned warrants are entered into the suspense account immediately after they are received.

### **Delinquency Identification and Processing**

- (No. 1-33) The Court Trustee in conjunction with the Bureau of Child Support Operations and the Data Processing Department should initiate action to comply with federal regulation P.L. 93-647, Section 303.6.
- (No. 1-34) The Court Trustee in conjunction with the Data Processing Department should evaluate the cost effectiveness and feasibility of more effective use of the existing automated system in converting Family Law cases, established prior to May 1, 1976, to the new delinquency identification system.

## Automated Child Support Enforcement System (ACSES)

- (No. 1-35) Continue the implementation of the ACSES project according to the System Implementation Work Plan.
- (No. 1-36) Consideration should be given to restricting and monitoring access to ACSES information through both physical and programmed controls over CRT terminals.

## 2. County Budgetary Process

This function within County government was reviewed because of the major role it plays in the allocation of resources to governmental programs and activities and the overall County management process.

The Contract Auditor concluded that:

- County budgeting is performed without a functioning policy and objectives-setting framework.
- Present budgetary information is not "decision oriented."
- The present "incremental" approach to preparing and evaluating budget information does not penetrate into the budget "base" carried forward from year to year.
- The County does not conduct formal County-wide long-range financial planning.
- Management auditing, the productivity review program and work measurement activities need to be intensified and better coordinated.
- The County's present central information system is inadequate and the new Financial Information and Resource Management (FIRM) system may not provide the improvements originally expected.
- The County might achieve improved efficiencies if the County Charter were amended to provide for private contracting for services.

## SUMMARY OF MAJOR RECOMMENDATIONS

**Policy and objectives recommendations** (which relate to the general County-wide policy-setting process and the setting of departmental goals and performance objectives).

- (No. 2-1) Develop a policy and objective-setting framework to enable the County to clearly define and communicate County policies so that departmental or program goals and performance objectives will be consistent with County-wide priorities and overall direction.
- (No. 2-2) Develop departmental activity or program objectives in measurable terms of workload, efficiency and effectiveness to facilitate performance evaluation and improvement.

**Budgeting procedures recommendations** (concerned with the "mechanical" or resources allocation aspects of the budgetary process,

such as recommendations aimed at improved budgeting techniques and content of information furnished).

- (No. 2-3) Conduct an evaluation of alternative budgeting approaches to the present "incremental" approach, such as "zero-base budgeting", and select and implement the most suitable alternative method.
- (No. 2-4) Improve the content of published budget information.
- (No. 2-5) Amend the County Charter to provide that a three-year financial forecast be prepared on an annual basis.
- (No. 2-6) Ensure that budget assumptions and subsequent adjustments are adequately coordinated.

**Performance measurement and improvement recommendations** (regarding the development and use of performance, e.g., program workload, efficiency and effectiveness, measures and the administration of efficiency improvement functions).

- (No. 2-7) Consolidate and intensify management auditing and productivity review activities.
- (No. 2-8) Conduct a study of successful performance measurement and improvement programs performed in other jurisdictions to ensure that the County benefits from the experience of other municipalities and to provide for comparability of data for evaluation purposes.
- (No. 2-9) Establish an independent "quality control" group to accumulate public feedback to evaluate the effectiveness of County Services.

**Work measurement recommendations** (pertaining to the use of labor standards-setting techniques).

- (No. 2-10) Ensure that periodic audits of performance data are performed.
- (No. 2-11) Expand the work measurement program on a scheduled basis to cover more County employee positions.
- (No. 2-12) Establish a program to ensure that work standards are periodically updated and kept current.

**Control systems and procedures recommendations** (dealing with recommendations concerning approval authority and the County financial control system).

- (No. 2-13) Use more advanced and efficient work measurement techniques.
- (No. 2-14) Consider the development of a County-wide work standards "data bank".
- (No. 2-15) Require department heads to develop an expenditure control policy to be approved and monitored by the Chief Administrative Office and transfer expenditure control responsibility back to the department heads.

(No. 2-16) Direct the Financial Information and Resource Management (FIRM) system project team to perform in-depth analyses of departmental FIRM system requirements and incorporate appropriate requirements into the system design.

**Other observations and recommendations** (budgetary process recommendations not presented in the above sections).

(No. 2-17) Ensure that the determination of the underlying need for a capital project has been fully developed and evaluated prior to any expenditures for facility planning or construction.

(No. 2-18) Amend the county charter to provide for outside independent contracting at the discretion of the Board of Supervisors.

(No. 2-19) Update the budget staff instruction manual.

**3. a. Personnel  
Organization,  
Policies and  
Practices**

This Personnel System review was conducted because of the cost impact and budgetary considerations of personnel salaries, benefits, and other personnel programs in the County. There has not been a previous Grand Jury review of this area.

The Contract Auditor concluded that:

- The task of administering personnel programs for some 80,000 employees with an extremely broad spectrum of job responsibilities is formidable and complex. This is further complicated by the existence of both a civil service system and collective bargaining; by the often countervailing demands for program expansion and budgetary control; and by the growing complexity of complying with legislation affecting personnel policies and procedures.
- In general, County employees are reasonably conscientious, that turnover is relatively low and that the County has effectively avoided work stoppages by its employees. Nevertheless, these results have not been achieved without some alternative costs in dollars and efficiency, and many opportunities for improvement have been identified.
- Major revisions to the County's performance evaluation and pay systems are in order and in this connection the prevailing wage clause in the County Charter should be repealed. The retirement plan needs a complete overhaul in that "normal" retirement ages are set too low, retirement allowances are unduly generous, and integration of retirement pay with social security has not given full effect to increases in social security benefits.

## **SUMMARY OF MAJOR RECOMMENDATIONS**

### **Organization**

(No. 3-1) That Section 22<sup>3</sup>/<sub>4</sub> of the County Charter be revised to require the Director of Personnel to report to the Chief Administra-

tive Officer (CAO), but that the CAO retain the position of Acting Director of Personnel until this revision is made, after which the Director of Personnel position should be filled.

- (No. 3-2) That a task force composed of line personnel officers from operating departments and key managers from the Department of Personnel be formed to explore mutually agreeable approaches to improving responsiveness between the Department of Personnel and other County departments.
- (No. 3-3) That reasonable standards and rules, including necessary documentation for employee discipline and termination, be clarified and communicated and that the Board of Supervisors see to it that both County management and the Civil Service Commission are fulfilling their respective responsibilities so that substandard employee performance is not tolerated.
- (No. 3-4) That an indepth review of the examination process be conducted to identify specific standardized testing procedures to expedite the selection process and improve examination reliability and validity.
- (No. 3-5) That the classification system of the County be examined, and the need for approximately 2,900 classifications be evaluated.

#### **Performance Evaluation**

- (No. 3-6) That a rating of Above Average or equivalent denoting a level of performance between Competent and Outstanding be established.
- (No. 3-7) That the County undertake a critical review of the performance evaluation system to identify methods of improving its effectiveness in motivating employees in achieving higher employee morale and to enable the County to conduct meaningful examination validation studies.

#### **Step Pay Plan**

- (No. 3-8) That the County implement a Merit Pay Plan in place of the Step Pay Plan, providing salary awards relative to assessed contribution. A Merit Pay Plan would afford larger pay increases at correspondingly higher performance ratings and as such would provide a meaningful financial incentive for employees to strive for better performance.

#### **Salary Schedule**

- (No. 3-9) That the Department of Personnel evaluate the desirability of maintaining the current number of salary levels.

#### **Management Classifications**

- (No. 3-10) That the County reduce and consolidate the number of managerial classifications.

### **Management Incentives**

(No. 3-11) That the County evaluate the feasibility of developing and implementing a management incentive bonus plan designed to reward individual managerial contribution. Such a plan, if related to the establishment of meaningful managerial objectives, would provide an important system for management recognition.

### **Prevailing Wage Clause**

(No. 3-12) That Section 47 (the Prevailing Wage Clause) of the County Charter be repealed in that it handicaps County management in collective bargaining and has contributed to compensation levels in excess of comparable positions.

### **Workers' Compensation**

(No. 3-13) That the Department of Personnel implement programs designed to reverse the trend of increased Workers' Compensation claims through increasing investigative staff and a conscientious management loss-prevention communication program.

### **Equal Opportunity Employment**

(No. 3-14) That the County continue to address itself to the need for increasing ethnic and female minority representation in the key occupational and salary groups.

### **Collective Bargaining**

(No. 3-15) That the County evaluate the potential benefit associated with the utilization of outside labor relations experts to assist in the formulation and improvement of collective bargaining strategies and negotiations.

### **Bases Used for Establishing Salaries**

(No. 3-16) That the approach and methodology utilized in conducting the Joint Wage and Salary Survey be revised to adopt a stratified sample of firms by type of industry in proportion to total survey, reflecting the size and type of firms in the total population; that selection of classifications to be surveyed be revised to reflect classifications that represent a large number of County employees and are comparable in private industry; and that the selection of classifications to be surveyed be revised to include more nonentry-level positions.

(No. 3-17) That the practice of establishing salaries for certain benchmark positions based on factors other than available information from surveys be examined to determine if justification exists for continuing this practice.

## Retirement and Employee Benefit Plans

- (No. 3-18) That substantial modifications be made to the Retirement Plan based upon clearly defined objectives concerning retirement age, level of income replacement, years of service, inflation projection, and other provisions discussed in our report.
- (No. 3-19) That the retirement program be funded based upon a realistic estimate of the ultimate cost of retirement benefits, taking into account an estimate of future inflation.
- (No. 3-20) That the sick leave policy of the County be examined in comparison with other governmental jurisdictions and private industry, and in relation to the County's total fringe benefit package, to determine if reductions in benefit costs can be justified.

### 3. b. Special Salary Review

In even years the Audit Committee is mandated to study and review the salaries of members of the Board of Supervisors, the Auditor-Controller and the District Attorney. Accordingly, this assignment was given to the Contract Auditor as part of the Personnel Organization Policies and Practices Report.

The following is a summary of the investigation and conclusions of the Contract Auditor:

In conducting this analysis, we have assumed that the appropriate compensation which a given position should be paid is a function of several variables. These include:

- the compensation paid other positions in the same organization;
- whether the position is full-time or part-time;
- the compensation paid similar positions by other jurisdictions;
- the compensation required to obtain qualified individuals for the position;
- the responsibilities of the position, including number of personnel supervised or number represented.

To determine the amount paid other positions in the Los Angeles County Government and whether they are full-time or part-time, we have reviewed the Civil Service Commission pay scales and regulations for a number of positions in the county. To determine the compensation paid similar positions by other jurisdictions, we have relied upon data collected in a joint salary survey conducted by the International City Management Association (ICMA) and the National Association of Counties (NACO) in July, 1975, supplemented by our own follow-up telephone survey and a review of the Federal Government Civil Service salary ranges.

Our investigation has led to the conclusions that:

- the compensation of \$49,166 provided the members of the Board of Supervisors is reasonable;

- the current salary of \$46,464 paid the Auditor-Controller is reasonable and should not be changed; and
- the compensation of the District Attorney should be increased to \$49,500, as is currently planned.

#### 4. Review of the Los Angeles County Hospitals

The review of the Los Angeles County hospitals was performed because of the size and complexity of the County's health care system and because of the magnitude of escalating costs to the County taxpayers associated with providing medical care to County patients.

The Contract Auditor concluded that:

- The Los Angeles County Department of Health Services, as its primary concern, provides a full range of quality medical services to the medically indigent patient of the County and views its role as the "hospital of last resort." Unfortunately, the Department has given insufficient attention to financial matters, particularly in the areas of financial screening, billing and management of accounts receivable. In our opinion, there appears to be significant room for improvement in these areas.
- The Board of Supervisors should consider placing in the position of Director of Health Services, currently vacated, an administrator with a strong financial background.
- The total cost to the County taxpayers for providing health care through the eight County hospitals was approximately \$169 million in 1975 and \$211 million in 1976, which represented a cost per capita in Los Angeles County of \$24 and \$30, respectively. Additionally, in 1975, operating costs per in-patient day and out-patient visit were approximately 6% and 16%, respectively, higher than the same costs incurred by the non-county hospitals they selected for comparisons.
- Sufficient patient financial information, such as correct name, address and party responsible for payment, is not always obtained from patients prior to their leaving the facilities. Additionally, Medi-Cal patient claims are not being submitted on a timely basis, resulting in an excess unbilled claim backlog. Also, private insurance companies are often not billed for services rendered to their enrollees or subscribers.
- Many financial patient records in the billing departments at County hospitals either could not be located or were incomplete.
- The MCAUTO computer system should be completely implemented by the Department of Health Services in order to generate and provide management with timely and meaningful statistical and financial data.
- Cash receipts are not deposited on a daily basis and no attempt is made to collect at time of service.
- Accounts receivable records are not being transferred to the Department of Collections on a timely basis which substantially reduces the effectiveness of the collection effort.
- The patient billing methods used by the Department of Health Services are unfair to private patients.

- The centralized staff of the Department of Health Services and the five decentralized regional area offices are currently administering the County health care facilities under conflicting concepts of administration, which appear to be causing duplications of administrative services and efforts.
- Many recommendations presented to the Department of Health Services, particularly in the areas of admitting, accounts receivable and billing, by prior years' contract auditors are still applicable.

## SUMMARY OF MAJOR RECOMMENDATIONS

- (No. 4-1) A study should be undertaken to determine the feasibility of closing certain County facilities and of providing both inpatient and outpatient care through contractual arrangements with some of the 200 non-county hospitals in Los Angeles County. Arrangements could be made to place County-employed physicians at these non-county hospitals to care for the indigents in their own community. Additionally, consideration should be given to the alternative of contracting with private sector health care management companies to provide management and other services to the County because they may be able to operate these facilities in a more cost effective manner.
- (No. 4-2) The County should immediately raise its hospital rates and the Board of Supervisors should consider delegating the responsibility and authority to set rates for all County hospitals to the Director of the Department of Health Services so that cost reimbursement from Medicare and Medi-Cal will not be forfeited because rates are below expenses.
- (No. 4-3) The decision to rebuild the \$70 million Olive View Hospital capital construction project should be reconsidered. (This recommendation was rejected by the Grand Jury in favor of the recommendation regarding Olive View Hospital contained in the Health and Hospital committee report). For details refer to the Contract Auditor's report.
- (No. 4-4) The "work measurement group" of the Chief Administrative Office should immediately undertake a study to determine the cause of the breakdown (lack of staff or mismanagement) in the patient financial screening process and billing backlog.
- (No. 4-5) The MCAUTO System should be programmed to automatically generate a transfer sheet to the Department of Collections to facilitate the collection of past due accounts receivable.
- (No. 4-6) The County hospitals should adopt the more equitable itemized "fee for service" billing method as opposed to their present all-inclusive "flat rate" method which appears unfair to private self-pay patients.
- (No. 4-7) The Department of Health Services should commence "UB-16" implementation planning and programming immediately. UB-16 is a uniform billing form for all third party

payors which reduces the inefficiencies and unnecessary expenses of preparing different forms for different carriers.

- (No. 4-8) The hospitals should improve their processing of ancillary charge slips by (1) posting all illegible ancillary charge slips to a special transaction code account in order to monitor the magnitude of this problem and (2) taking the necessary corrective action to ensure that all patient information recorded on the charge slips is legible.
- (No. 4-9) The Department should review the Billing Department filing system and implement required changes so that the patient records will be current, accurate and easily accessible.
- (No. 4-10) That cash receipts should be deposited on a daily basis and the hospitals should attempt to collect for services provided at the time of service.
- (No. 4-11) The Department should provide voluntary disenrollment forms to prepaid health plan patients who are disenchanted with the services of their health plan.
- (No. 4-12) The County should eliminate the duplication of administrative efforts by implementing the decentralized regionalization approach suggested by the Bauer Report, combined with strong budgetary techniques and fiscal accountability in order to best serve the County's health care needs.
- (No. 4-13) The County should reassess the level of resources required to implement and maintain the MCAUTO system in order that the County hospitals and Department management may receive timely and meaningful management reports.

## **5. County Data Processing Department**

This review of the County Data Processing Department (DPD) was conducted because of the major role it plays in the formidable and complex task of providing County management with proper and adequate data processing support.

The Contract Auditor concluded that:

- The centralization of County-wide data processing activities is being conducted without an overall master plan.
- The present controls over the DPD "Billing System" should be improved to better monitor development and maintenance expenditures.
- There is no central control over inventories of EDP software now in use and no central source of library of programs is available for user reference.
- New system justification data are not reviewed after implementation to determine if the projected savings, benefits and efficiencies have occurred.
- DPD controls over system maintenance activities should be improved.
- System maintenance costs are not reviewed after completion to validate the cost estimating procedures and methods for justification.
- Communication between user departments and DPD can be improved.

## SUMMARY OF MAJOR RECOMMENDATIONS

### Centralization of Data Processing Activities

- (No. 5-1) That DPD conduct a feasibility study and prepare a detailed timetable for further centralization of data processing activities.

### Cost Accumulation and Billing Procedures

- (No. 5-2) That DPD enhance the Controls over the "Billing System" to identify incorrect charges.

### Hardware, Software and Personnel Survey

- (No. 5-3) The DPD maintain an on-going inventory of County data processing software.

### System Development Process

- (No. 5-4) That DPD provide a monthly written status report to the EDP Advisory Committee and CAO highlighting system development and maintenance activities and progress.
- (No. 5-5) That the auditor-controller be delegated authority and responsibility for the performance of post-implementation audits.
- (No. 5-6) That DPD be instructed to cooperate with the auditor-controller in the conduct of post-implementation audits.
- (No. 5-7) That an independent consulting organization be engaged by the auditor-controller to develop a procedure for the performance of post-implementation audits and define the required results and reports.
- (No. 5-8) That the above-mentioned independent consulting organization, in conjunction with the CAO, the EDP Advisory Committee, and DPD, determine the disposition of post-implementation audit results and the resultant action to be taken.
- (No. 5-9) That the Contract Auditor appointed by the Grand Jury be asked to review the scope and conduct of post-implementation audits next year and to the extent necessary thereafter.

### System Maintenance Process

- (No. 5-10) That the EDP Advisory Committee be authorized to approve and prioritize all major maintenance expenditures and initiate a periodic review of maintenance activities for conformance to DPD standards.
- (No. 5-11) That an independent cost-implementation audit be performed, by the auditor-controller's audit division, on all "major" maintenance projects to validate cost estimating procedures and methods for justification.

(No. 5-12) That DPD issue a policy statement which details those guidelines that user departments should follow to obtain formal DPD approval to acquire computer hardware and software.

*Raymond E. Ryan, Chairman*  
*Charles E. Love, Vice-chairman*  
*Jeane Weldon Dole, Secretary*

*Francine S. Chernoff*  
*Harry H. Greenwald*  
*James Scherr*

# CRIMINAL COMPLAINTS COMMITTEE

## PURPOSE

The Criminal Complaints Committee has the responsibility to screen all requests for criminal case presentation before the Grand Jury and to schedule those accepted. The Committee also reviews all correspondence to the Grand Jury involving criminal matters and orders investigations when appropriate. In addition to this work effort, the Committee is charged with the examination of operations and administration of the Criminal Justice System in the County of Los Angeles.

## BACKGROUND

Annually the Committee receives approximately 50 requests for criminal presentations from the District Attorney's Office. Approximately 100 different criminal complaints were received from citizens by letter.

The Criminal Justice System in Los Angeles County, which was examined by the Committee, is composed of five segments: Law Enforcement, Prosecution, Public Defender, the Courts, and the Rehabilitation Processes (Probation). It is the largest local system in the United States and processes over 30% of the total criminal justice system case load in the State of California. Over 26.5% of the County budget is allocated to its operation (excluding city budget costs).

## AREAS OF CONCERN

The Committee focused its attention in the following areas:

- A. The screening of requests for criminal case presentations
- B. The review of all correspondence involving criminal matters
- C. Selection and administration of the County jury system
- D. Policies and procedures of the Central District Superior Court Criminal Case Calendaring methods
- E. Admissibility of hearsay statements from those witnesses whose testimony is unavailable due to threats or violence
- F. The District Attorney hearing officer program relating to pre-trial review of selected cases submitted for criminal cases
- G. Overall coordination needs within the total Criminal Justice System in the County of Los Angeles
- H. Senate Bill 55

## METHODS OF INVESTIGATION

In addition to field visitations to various parts of the system (courts, police, District Attorney's Office, etc.) numerous system members

were interviewed. Outside public agencies contributed by way of personal interview and summation of their published articles and reports for review. Statistical data were analyzed. Data purporting to evaluate the effectiveness of various segments of the Criminal Justice System were studied. Past Grand Jury efforts were examined and evaluated.

## FINDINGS AND RECOMMENDATIONS

### A. Screening of requests for criminal case presentations

The Criminal Complaints Committee of the Los Angeles County Grand Jury has a unique prerogative among all the State and Federal Grand Juries in that the reasons for bringing a criminal case before the Grand Jury are approved by the Committee before the case is heard by the entire body. This process helps ensure proper utilization of the Grand Jury's time so that ample hours remain for the very important civil "watchdog" functions.

The criteria that were used this year by the Grand Jury in screening the cases for hearings were as follows: high publicity crimes; possible misconduct of public officials; cases involving multiple suspects with numerous witnesses; complicated fraud cases involving large amounts of evidence as well as multiple suspects and witnesses; cases in which the secrecy of the Grand Jury proceedings provide a benefit to both the witnesses and the suspects; cases in which witnesses have been threatened and are in fear of their lives; and where secrecy is required in cases involving organized crime.

Using these as criteria enables the consolidation into one hearing of what would, in many cases, require multiple pre-hearings. It also protects both suspects and witnesses from undue publicity, in that when an indictment is handed down the proceedings of the hearing are kept secret. If a trial results, an impartial jury will be easier to select.

The Committee also has the right to approve investigative subpoenas which are necessary during the early stages of a criminal inquiry. These subpoenas, when approved, are then presented by the Committee to the entire Grand Jury for approval.

The following statistics summarize the activities of the Criminal Complaints Committee for the first 10 months of its term:

1. Cases heard by the Grand Jury	44
2. Indictments returned	41
3. Indictments rejected	3
4. Number of suspects	113
5. Number of suspects indicted	96
6. Number of suspects not indicted	17
7. Number of witnesses heard	816
8. Days devoted to hearings	84

**B. Review of all  
Correspondence  
Involving  
Criminal  
Matters**

The Committee receives and gives careful consideration to all correspondence from the public. These letters are always held in the strictest confidence. The Committee believes that this is an appropriate place for citizens to come with problems after they have gone through the proper agencies such as the police department or the District Attorney's Office without satisfaction. The Grand Jury has its own investigator, and in appropriate cases will initiate its own investigation. At other times a request may be made by the Committee to the responsible agency to initiate or reopen an investigation. During the first 10 months of our term, the Criminal Complaints Committee received and reviewed 76 letters alleging criminal conduct. The Committee ordered 31 formal investigations based upon these letters.

**C. Jury Selection  
Process**

The following letter was sent to the Board of Supervisors on April 20, 1977:

*The Criminal Complaints Committee of the 1976-77 Grand Jury has studied the petit jury selection process as a part of its review of the functioning of the Criminal Justice System. Based upon the Committee's study, the Grand Jury has concluded that the one-day, one-trial jury selection process, which is used with success in many large counties, should be adopted on a limited experimental basis in Los Angeles County.*

*The Committee's initial inquiries revealed that the existing petit jury selection process in Los Angeles County possessed a number of deficiencies. In many instances, individual jurors would spend their entire 30-day period without actually serving on any trial jury. This causes negative reactions from the jurors and from their employers. It also encourages these jurors and many others to offer excuses for not serving in the future. The present length of jury service, which averages approximately one month, causes many potential jurors to be excused because of hardship. This results in the remaining pool of citizens being repeatedly recalled for jury duty, which is unfair to them and restricts a broad community involvement and representation on petit juries.*

*Jurors are presently paid by mail several weeks after the completion of their service. Each check must be individually calculated for the number of days of service and for the individual's mileage. This necessitates a significant staff to administer. There is presently no routine process in existence to contact jurors at their homes so that extra jurors could be called in, or other jurors excused, as required. This results in the jury commissioner being required to summon excessive numbers of jurors each day to the courthouse to be certain that all contingencies are met.*

*In its investigation, the Committee considered the previous research conducted on this topic by the 1975-76 Grand Jury. In addition, the Committee conducted personal interviews with the Los Angeles County*

*Jury Commissioner and his staff, judges, present and past petit jurors, and a number of representative employers and attorneys. Materials were obtained on the petit jury selection process used in counties in Detroit, Michigan; Houston, Texas; Boston, Massachusetts; Miami, Florida; and New York City, New York.*

*The Committee was most impressed by reports on the one-day, one-trial jury selection process which has been operating successfully over the last five years in a number of jurisdictions. In this process, an individual juror receives a notification to report to the courthouse on a given date. If that date causes difficulty, it can be changed by a phone call. On the day the juror reports, he will fill out a background questionnaire and receive an orientation, usually by video-tape. The juror is then placed in a jury pool and becomes available for call to a courtroom. If the juror is not serving on a trial jury at the end of the day, he is released from further service. If he is serving on a trial jury, he continues to serve until the completion of the case and is then released from further service.*

*There are many advantages to this process. Potential jurors need not appear at the courthouse until the day of their jury service. A juror has either been released at the end of his day of service or knows precisely how long his service will extend. A greater degree of citizen participation exists because virtually everyone can plan for a one-day or a short term period of jury service. The phone contact system allows extra jurors to be called in, or unneeded jurors to be scheduled for other days, so that the varying court workloads can be properly met. Since jurors serve for one period of time, whether released at the end of the first day or at the end of a trial, they can be paid immediately at the end of their service by checks in standard amounts. The background questionnaires, which include the routine questions asked by attorneys during voir dire, greatly expedite the jury selection process when they are made available to the judge and to the attorneys beforehand.*

*According to the published reports from Wayne County (Detroit), Michigan and Harris County (Houston), Texas, the implementation of the one-day, one-trial process has effected a net cost reduction of 14%. There is no reason that similar savings would not accrue to Los Angeles County.*

*Before implementing the one-day, one-trial jury selection process countywide, it would be advisable to implement it on an experimental basis in one of the seven branch courts for a trial period of one year. At the end of the experimental period, a detailed analysis should be made to determine whether or not the process should be implemented throughout the County.*

## **RECOMMENDATION**

**The Los Angeles County Grand Jury recommends that the Board of Supervisors implement, on an experimental basis, the one-day,**

one-trial jury selection process for a period of one year in one of the branch courts.

**D. DIRECT  
CALENDARING**

The Committee determined to examine the problem of over-crowded court calendars in the Central Judicial District which appears to be impeding the rights of defendants and the people to a speedy trial. The law requires that felony cases commence trial within 60 days after the filing of an Information in Superior Court.

The Criminal Complaints Committee compliments the Public Defender and the District Attorney on their research into direct calendaring and vertical trial assignment. We support their efforts.

In the past three years there has been a decrease in the number of felony criminal filings in the Central District.

Year	1974	1975	1976
Filings	9949	9495	8615

The amount of time for the completion of a case has increased. The number of cases extending beyond the (60 day) last day status limitation has been increasing: 1975 — 290 cases; 1976 — 422 cases. Other factors, case law and legislation, also have impact on the length of criminal cases. The Central Judicial District handles 44.6% of the cases in the County Judicial District. From previously mentioned statistics, the trial process is slowing down.

From outlining the present calendaring procedure in the Central District of the criminal courts system, it seems obvious that there are steps that could be eliminated.

Following the police filing in the District Attorney's Office, the defendant is arraigned in Municipal Court. At this time, a filing deputy district attorney has reviewed the case and a deputy public defender has been assigned to the case. Within ten days, a preliminary hearing must be scheduled. A second deputy district attorney is assigned if the defendant is held to answer. Following the preliminary hearing, the case is assigned to a trial department in the Superior Court. In the Superior Court, a second deputy public defender is assigned and another deputy district attorney is assigned.

When the case is ready for trial, a request is sent to the Criminal Courts Coordinator where the case is to go to trial within ten days. As cases are ready for trial, they are assigned to available open courts. When the case goes to trial, a deputy district attorney in that trial department is assigned the case. There is a possibility of five deputy district attorneys and two deputy public defenders being involved in one case before the case is completed through trial. Two or three separate judges, one for pre-trial motions and another for trial, and if the case is continued, the possibility of still another judge, hear the same case.

We suggest that the following changes should be made to streamline the court procedure:

1. The Superior Court should use a direct calendaring system, under which a trial division of the Superior Court would be responsible for the cases assigned to their conclusion.
  - a. Judges would be responsible for all cases assigned to trial departments.
  - b. There would be a greater possibility of disposition without trial.
  - c. Forum shopping would be eliminated.
  - d. Provisions would be made to accommodate long trials. The defendant could waive the 60-day trial limitation.
  - e. There would be earlier control of Superior Court calendars.
2. Deputy public defenders and deputy district attorneys would follow cases assigned to them to the conclusion of trial in "vertical trial assignment"; i.e., personnel would be assigned in such a manner that the deputy district attorneys and deputy public defenders would be able to follow cases from pre-trial motion hearings through trial completion.
  - a. There would be better preparation and client representation by the attorneys.
  - b. Attorneys would know where cases are to be tried on a daily basis.
  - c. Earlier investigations and completions of cases could be made.
  - d. Witnesses would have more assurance of where to go and the required time allocation.
3. Continuances would be controlled.
  - a. Continuances would be used by a judge to keep his calendar in order.
  - b. Advance notice could be given to the court if a case is to be continued. The time limitation is to be determined. (Penal Code section 1050.)
  - c. Judges would make a record of reasons for continuances.
  - d. Continuances granted for preparation, incomplete investigations, etc. would be eliminated.

Thus, in a direct calendaring system, vertical trial assignment could be initiated by the District Attorney's Office as now implemented by the Public Defender's Office. Following arraignment in Municipal Court, if the defendant is held to answer, the date is set for the preliminary hearing and assignment to a Superior Court trial department. The deputy public defender would be assigned. Following arraignment, the clerk sends to the Superior Court Criminal Courts Coordinator the trial court assignment and the date of the preliminary hearing. In the trial department the deputy district attorney would be assigned and would follow the case to completion. The judge would hear all pre-trial motions and would take care of his own calendar until the case is disposed of, or until completion of the trial. Only in cases where a judge cannot com-

plete his calendar would cases be sent to the Criminal Courts Coordinator to be reassigned. Any request for a continuance would be used by the judge to keep his calendar in order and the judge would keep a record of reasons for granting a continuance. Advance notice should be given to the court when requesting a continuance.

## RECOMMENDATIONS

The Grand Jury recommends:

1. The Superior Court in the Central Judicial District adopt a "direct calendaring" system.
2. Consideration be given by the District Attorney's Office to "vertical trial assignment"
3. Reasonable advance notice should be given to the court when requesting a continuance (Penal Code section 1050).
4. Whenever any continuance is granted, reasons for the continuance shall be kept in the records of the court (Penal Code section 1050).

### E. Exception to the Hearsay Rule

During the Grand Jury's year in office, a number of cases were presented in which there were bona fide reasons to fear for the safety of the witnesses. It is disturbing to learn that the testimony of these witnesses before the Grand Jury is not "preserved". If these witnesses are not able to testify at the time of trial, the defendants involved would be set free. It is not uncommon for miscarriages of justice to occur because key witnesses are prevented from testifying because they have been threatened or killed.

After studying the problem, the Criminal Complaints Committee has concluded that the best solution is to remove the advantage gained by threatening or killing witnesses. The advantage is that if a witness fails to testify, his observations cannot be admitted into the trial as evidence, no matter how detailed his previous statements to the police have been. The motive to threaten or kill witnesses would be removed if the previous statements of witnesses were admissible into evidence, notwithstanding that the witness failed to testify because he was found dead, or couldn't be located, or refused to testify. Presently the admission into evidence of the prior statements of a witness are barred by the Hearsay Rule. The Hearsay Rule has many exceptions but none apply to the circumstances in question.

The Criminal Complaints Committee has concluded that a new exception to the Hearsay Rule should be created by the Legislature. The exception should provide that the prior statements of witnesses are admissible if those witnesses are later found dead, or cannot be located, or refuse to testify as a result of threats or violence directed against them or their families. The Committee recognizes that there may be serious constitutional objections raised. The objections arise because

the new exception to the Hearsay Rule would permit the introduction into evidence of statements made by a witness who could not be confronted or cross-examined by the defendant. The constitutional objections, however, can be overcome if the statements are found to be inherently reliable, which is the case with all the existing exceptions to the Hearsay Rule.

The proposed exception should therefore be narrowly defined to include only those statements found by the court to be reliable, and to those circumstances where the court finds that the unavailability of the witness is probably due to threats of violence. Under those circumstances, there is a high likelihood that the statement of the witness is true. The courts should also realize, when reviewing the new exception to the Hearsay Rule, that no defendant ought to benefit by his own wrongdoing. Defendants who use violence or threats against witnesses ought not to be able to complain that their rights are violated because the witness fails to testify in person. The Legislature should realize that the creation of this new exception to the Hearsay Rule will result in the lives of many witnesses being saved over the years.

Until the new exception to the Hearsay Rule is created, the Grand Jury urges that the District Attorney's Office make greater use of its opportunity to preserve the testimony of key witnesses by taking depositions as authorized under Penal Code Section 113, et seq.

## RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors seek legislation to create a new exception to the Hearsay Rule to permit the introduction of the prior statements of witnesses into evidence in criminal proceedings when those witnesses are later found dead, or cannot be located, or refuse to testify as a result of threats or violence directed against them or their families.

### F. Hearing Officer Program

Crowded court calendars seriously affect the operation of the criminal justice system in Los Angeles County. Minor misdemeanor cases contribute to this problem. The County District Attorney's Office, in geographical areas where no City Attorney exists, is responsible for issuing misdemeanor complaints, and if issued, the follow-up prosecution. In an effort to mitigate crowded calendars in the municipal courts, the District Attorney's Office initiated a program of office hearings on selected cases for possible non-court disposition.

The Hearing Officer Program was started in ten Branch and Area offices of the District Attorney's Office in April of 1976. Briefly, the system operates in the following manner: When a minor misdemeanor case (neighborhood and family disputes, simple assaults, trespassing, etc.) is submitted for a criminal complaint by law enforcement agencies or by citizens, it is reviewed by an experienced Issuing Deputy District

Attorney. If, in his judgment, the matter is of a nature which could lend itself to resolution without the filing of a criminal complaint, he is authorized to refer the case to a Hearing Officer for an office hearing. The Hearing Officer, with the approval of the principals, then arranges for an office meeting between all parties. Each Hearing Officer, while not an attorney, is subject to an intense training program which adequately prepares him to perform the assigned task. The meeting is to settle the case to the satisfaction of all without criminal proceedings.

A close examination of the policies and procedures of the Hearing Officer Program revealed that the implementation, resolution, recordation and management controls proved to be satisfactory. There appears, however, to be a need for the establishment of uniform standards to guide the Issuing Deputy District Attorney in referring cases to the Hearing Officer Program.

All cases which are resolved without formal criminal action are reviewed by a competent deputy district attorney. All cases not resolved are returned to the original Issuing Deputy District Attorney for complaint issuance and subsequent processing. In the event any subsequent act constitutes a violation of agreements made in an office hearing, the Hearing Officer has the authority to recommend criminal filings on the original case in addition to the acts which constitute a violation of the agreement.

The Criminal Complaints Committee review and investigation of the Hearing Officer Program revealed the following facts:

The estimated costs have been based on a sample of 391 cases of the 1,223 heard by Hearing Officers from the inception of the program on April 13, 1976 through the end of 1976. The figures shown represent the difference between the cost to operate a courtroom and the cost of the Office Hearing Program.

1,223 cases, estimated costs .....	\$596,505
Estimated cost of Hearing Officer .....	70,300
Estimated costs of filing 149 cases after hearing .....	94,132
Total estimated effective court costs .....	\$432,073

Every effort has been made to verify the accuracy of the sample. In fact, the entire misdemeanor case load for the East Los Angeles office was studied to double check the accuracy of the sample. Three hundred ninety one cases were sampled to determine the number of cases which would have been filed in the absence of a Hearing Officer. The Deputy in Charge then estimated the number of trials for each violation and the average court time for each trial.

The court time costs are based on estimates from the Los Angeles Municipal Courts Research Department, while the jury costs are estimates from figures furnished by District Attorney Deputies in charge of area offices.

A nonjury trial is estimated at \$175.16 per hour while a jury trial is estimated at \$333.33 per hour. (A study done by Arthur Young and Company for the Citrus Court recently produced figures showing average nonjury court time at \$181 per hour and it did not include the cost of a deputy district attorney or a deputy public defender.)

The cost of the Hearing Officer is computed at \$100 per day.

The Hearing Office assignments are drawn from existing personnel within the Table of Organization of the Office of the District Attorney. To date, the ten Hearing Officers now operating the program are people previously assigned to the Bureau of Community Affairs, and do not reflect an increase in personnel budget cost. At the present time the increase is minimal (training staff, training period, form creation, mailing, etc.)

The system provides, in addition to the financial savings and the reduction of court cases, a service which provides justice to the involved citizens. It will also assist in reestablishing confidence in the Criminal Justice System by the citizenry. Since April, 1976, this program has improved the efficiency of the District Attorney's Office without impairing the proper adjudication of minor misdemeanors.

## RECOMMENDATIONS

The Grand Jury makes the following recommendations:

1. The Office of the District Attorney is to be commended for adopting this procedure.
2. The anticipated expansion of the program should continue to supply its personnel from existing civil service positions now existing in the office.
3. Continue efforts to establish standard policies and guidelines for cases to be referred by Issuing Deputy District Attorneys to the Hearing Officers.
4. In those cases submitted for complaint by law enforcement agencies and determined to qualify for the Office Hearing procedures, the Issuing Deputy District Attorney should be required to discuss with the submitting agencies the reasons for his decision.

### G. Overall Coordination

The five segments of the Criminal Justice System are functioning in an isolated manner and there is insufficient coordination on interrelated responsibilities. This tends to produce intersegment friction and lack of consideration on mutual problems. Existing organizations and ongoing efforts to reduce these problems are constructive and should be continued. These are:

1. Informal meetings between principals of the system, initiated by LAPD

2. Ad hoc committee on juvenile justice (an off-shoot of item one)
3. The Los Angeles Regional Criminal Justice Planning Board (part of California Commission on Criminal Justice and Law Enforcement Agency Administration)
4. The Prosecutor's Management Information System (within the office of the District Attorney)
5. Studies underway by the Superior Courts, called the Committee on Court Improvements; and the training and education programs of the California Center for Judicial Education.

A proposal, now under study at the direction of the Board of Supervisors, suggests the creation of a board or commission with criminal justice coordination authority. This proposed commission is called the Justice Action Coordinating Committee. This Committee, in reviewing this proposal, identified distinct opposition to the underlying concept of such a commission. The opposition by each segment arises from apprehension that such a group would dominate all segments and be subject to "dictator" allegations.

Despite these efforts, the Criminal Justice System is not, in fact, a cohesive "system" in the true sense, but rather appears to be a series of functions essentially dealing with the same problem; i.e., justice. Its weaknesses in overall coordination and single goal identification should be subject to careful in-depth study.

The Criminal Complaints Committee has found that there have been insufficient studies of the Criminal Justice System from an overall viewpoint. The individual segments of the System (e.g., police, courts, prosecuting and corrections agencies) have been studied separately on many occasions. There is, however, a lack of information about the impact of the decisions of the individual segments of the Criminal Justice System upon the other segments. There is not even any commonly defined or accepted goal for the Criminal Justice System. Each segment operates independently, pursuing its individual objectives. The Criminal Complaints Committee has concluded that there is a need to establish a Criminal Justice Coordinating Institute to examine the criminal justice system in its entirety. The Institute would make recommendations to improve administrative policies and operating procedures through an exchange of ideas from all viewpoints.

The Criminal Complaints Committee makes the following specific suggestions for the Institute:

#### **Purpose**

The Institute should attempt to clearly define the goals of the Criminal Justice System and work to have those goals accepted by all of the segments within the System. Proposals should be developed to improve the administrative and operational policies of each of the segments within the system. Methods should be developed to measure the impact of any change within one part

of the system upon the other segments of the system. Methods should also be developed to evaluate the overall success of the Criminal Justice System in achieving its newly-defined goals.

### **Staffing**

The staffing of the Institute should be as broadly based as possible. It should include top level personnel from each of the segments of the Criminal Justice System and the academic community. Specifically, representatives should be chosen from the judges of the Superior Court, judges of the Municipal Court, the District Attorney's Office, Public Defender's Office, Sheriff's Office, Los Angeles Police Department, and representatives from the State Legislature, Board of Supervisors, County Bar Association, and the Criminal Justice Planning Agency. All of these representatives would be on paid leaves of absence from their normal assignments. The academic community should include professors involved with the Criminal Justice System, from major universities and local colleges; candidates for doctoral and master's degrees in Criminal Justice; and representatives from private research organizations (e.g., the Rand Corporation and similar institutes).

### **Structure**

The Institute should be physically located on a university campus in Los Angeles County. The Institute should be under the direction of a person chosen from an academic background. An advisory committee should be created consisting of the principals from each of the segments of the Criminal Justice System, recognized research experts, interested citizens, and political leaders.

Those chosen from the Criminal Justice System to participate in the Institute would work and study on the campus full time for a minimum of one year. Arrangements could be made for the granting of a graduate degree at the conclusion of the term.

### **Funding**

The Institute should have little difficulty in arranging for federal financing from Law Enforcement Assistance Administration (LEAA) and other governmental granting agencies. Additional financing may be obtained from private sources.

### **Topics of Study**

There are many specific topics which the Institute might choose to study. These would include: deployment of personnel, crime clearance, crime charging, sentencing, probation violations, diversion programs, statistical data gathering, departmental communications, interagency relations, appellate court procedures, jury duty, evidentiary rules, etc. The Institute would have the

ability to focus the efforts of representatives on every segment of the Criminal Justice System on each of these topics and many more.

## RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors authorize the creation of a Criminal Justice Coordinating Institute in Los Angeles County.

### H. Senate Bill 155

The following letter was sent to the Board of Supervisors on May 10, 1977.

*The Los Angeles County Grand Jury has studied Senate Bill No. 155 by Senator Deukmejian which would reinstate the death penalty in California. In studying this bill the Grand Jury conducted interviews with various judges, attorneys, and law enforcement officers. Consideration has been given to many philosophies and viewpoints relative to the death penalty and this legislation.*

*The Grand Jury is satisfied that this bill properly meets all of the current legal requirements of the U.S. Supreme Court and the California Supreme Court concerning the standards of the imposition of the death penalty and consideration for any mitigating circumstances which might be involved. This bill provides for the imposition of the death penalty following the conviction of first degree murder, in the absence of any mitigating circumstances. It is the opinion of the majority of the Grand Jury that the interests of justice and the protection of society require the enactment of this bill.*

## RECOMMENDATION

The Los Angeles County Grand Jury therefore urges support and passage of Senate Bill 155 which would reinstate the death penalty in California.

*Robert A. Houghton, Chairman  
Osmyn Stout, Vice-Chairman  
Leda Danzig, Secretary  
Jean C. Biegenzahn*

*Norman N. Holt  
Charlene E. Jenkins  
Ruby Renetzky*

# EDUCATION COMMITTEE

## PURPOSE

The Education Committee has set as its goal, finding ways to enrich learning opportunities in the Public Schools of Los Angeles County. Our purpose is to encourage the school systems to present the greatest variety of educational tools — philosophical and otherwise — so as to be able to deal with the widest variety of situations.

## BACKGROUND

Our inquiries have led us to believe that there is a variation in educational quality within the County, and that there are many areas of possible improvement. Schools are only one part of the ecology of learning; only one of the roads to "Edutopia". We have recognized that an education consists of more than the traditional "three R's" — living and social skills attuned to a multicultural society are equally important. In this context it should be noted that we make no recommendations concerning details of teaching; our concentration is on the operational and organizational framework.

## AREAS OF CONCERN

Realizing that we could not cover every aspect of schools and education, the Committee confined itself to these principal subjects:

- A. Reform in Intermediate and Secondary Education (RISE)
- B. Redistricting
- C. Staff Development
- D. Supervisory Management
- E. On-Site Management
- F. Special Programs
  - 1. County Youth Centers
  - 2. Head Start
- G. Values, Ethics, Morality
- H. Parental Involvement
- I. Early Retirement
- J. Computer Terminals
- K. Magnet Schools
- L. Security and Crime in the Schools

## METHODS OF INVESTIGATION

The Committee carefully monitored the print and electronic media and drew on the experiences of school administrators, educators (teachers of teachers), public officials, labor representatives, and members of community-interest groups. Our activities included conducting more than 100 interviews, visiting school and administration sites, and studying appropriate literature.

The Education Committee of the 1976-77 Los Angeles County Grand Jury is indebted to the following educators and community leaders who so graciously shared their time, expertise, and diversity of ideas.

Shizuko Akasaki	Richard Lawrence
Manuel Aragon	Dr. Julius Lesner
Dr. David Armor	Dr. Eric Lindman
Dan Austin	Dr. John Lingel
	Dr. Robert Loveland
	Dr. Catherine Lyon
Dr. Don Baer	
Tom Bancroft	John Mack
Howard Berman	Rev. Vahac Mardirosian
Dr. Conrad Briner	Dr. Kenneth Martin
Dr. Jim Bruno	John McDermott
	Howard Miller
Dr. Richard Clowes	Alfred Moore
Dr. Reuben Cordova	Dr. Franklin Murphy
Dr. Ray Cortines	
Dr. Millicent Cox	
	Dr. Julian Nava
Grace Davis	
Julian Dixon	Dr. David O'Shea
Dr. Robert Docter	
Dr. Maylon Drake	
	Victor Palmieri
Bill Elkins	Kenneth Peters
	Dr. John Pincus
Dr. Claude Fawcett	Dr. S. Ponce
Dr. J. Michael Fay	
Dr. Richard Ferraro	Dr. Jan Rakoff
Dr. Clarence Fieldstra	Kathleen Brown Rice
Kenneth W. Fitt	Dr. Wilson Riles
Dr. Houston Flournoy	
Raul Freeman	June Sale
Dr. Marianne Frostig	Dr. Harry Silberman
	Robert Singleton
Dr. John Goodlad	Sarah Smith
John Graham	Dr. Robert Stout
Richard Green	Dr. Neil Sullivan
Carrie Haines	Dr. Thomas Taglianetti
Jerry Halverson	James Taylor
Dr. Harry Handler	Art Torres
Dr. Carlos Haro	Dr. Eugene Tucker
Dr. Werner Z. Hirsch	Dr. Pat Turner
Mary Holmes	
Dr. Madelyn Hunter	
	Maxine Waters
Josephine Jimenez	Diane Watson
Dr. William Johnston	Dr. Richard Williams
Dr. Irwin Jones	Dr. Charles Wilson
	Dr. Donald Wilson
Julian Keiser	
Dr. Stephen J. Knesevich	

## FINDINGS AND RECOMMENDATIONS

### A. Reform in Intermediate and Secondary Education (RISE)

The unparalleled and tumultuous changes that have taken place in American Society and in the character of American youth are presenting public education today with a new and bewildering set of challenges. If we are to meet student needs in the decades ahead, we must bring our schools up to a uniform standard — the standard of excellence.

Evidence suggests that California educators are no longer satisfied with the existing system of intermediate and secondary education — one which has not been changed in more than 60 years. Fragmented efforts to improve “schooling” have not been adequate to keep pace with the changes in our society. Consequently, in cooperation with community groups, educators have devised a systematic, state-wide reform called RISE.

Schools cannot bear responsibility for all of society’s ills, nor can they be expected to cure these ills without help, but they can and should be able to prepare our young people for the demands and problems of modern life.

The first educational reform effort, now in practice, is called Early Childhood Education (ECE). ECE’s emphasis is on the individual learner with a formula of diagnostic-prescriptive teaching. It has been proven that the 618,000 children now involved in this program are receiving a solid grounding in reading, writing, and mathematics.

RISE is the next logical step toward more meaningful educational reform, assuring that every junior and senior high school student will learn, grow, and develop in a way that will meet the demands of contemporary society. It recognizes that each student has unique learning needs that require assessment and selection of appropriate educational activities from a wide variety of alternatives. This approach envisions an educational system that would be more effective and more conducive to a continued interest in learning.

RISE has several components, but there are three main principles involved:

*MINIMUM PROFICIENCIES* — RISE aims to ensure that each student will be able to use the English language effectively and to compute to reasonable standards by the time he graduates. A solid foundation in these basic academic skills is a necessity if graduates are to function successfully in the adult world or in post-secondary education. Each school district would be responsible for setting its own standards.

*COMMUNITY BASED LEARNING* — Learning will no longer be confined within the four walls of the classroom. Students will have time to spend in business, industry, and the professions, getting “hands on” experience in the real world. Because they will have a wide variety of learning op-

tions, ranging from a rigid academic college-preparation program to one that could include time in a factory, young people will be able to make more intelligent career choices.

*INDIVIDUALIZED LEARNING* — With RISE in effect, each student will have an individualized learning plan, tailored to his own needs and abilities. In the present system, an over-worked counselor is responsible for guidance to as many as 500 students. Under the RISE plan, each student will have his own advisor-advocate to help him through his high school career. Every student will have someone in his corner to deal with what young people sometimes perceive as an intimidating bureaucracy. Thus, academic weaknesses, or other potential or existing problems, will be recognized and dealt with early enough to improve the quality of the students' lives.

There are a number of other educational innovations in RISE. The reform proposes community-campus councils at each high school to oversee the community involvement in education. Student advancement would be based on proficiency levels, not on "seat time" as at present. Academic departments at each school would be restructured to allow for the widest choice of learning options.

The estimated cost of implementing RISE is only six-tenths of one percent of the secondary school budget, and most of the money would be used for teacher training.

All of the changes contemplated in RISE are aimed at one goal — creating an "educated person."

## RECOMMENDATION

The Grand Jury recommends the passage of RISE legislation as a meaningful step toward educational reform.

### B. Redistricting

For many years there had been a trend toward centralization in public institutions. More recently, recognizing inefficiencies in bigness, a reverse trend has been noted. Starting from ground zero today, there is no doubt that a behemoth such as the Los Angeles Unified School District (LAUSD) would not be created. One school board member, in excusing its slowness to change direction, compared LAUSD to the Queen Mary. Unwittingly, this remark also directed attention to the likelihood of both giants having outlived their usefulness, and the possibility that LAUSD has reached a state of irreversible disorder. To illustrate, the San Fernando Valley has 400 unused or underutilized rooms, while many inner city schools are on double session. It is possible that man has not yet learned to cope with size: 600,000 students, 70,000 employees, 710 square miles.

Both school-site management and administrative decentralization rest on the assumption that public schooling will be improved if consumers are

given greater responsibility for the educational services to be provided. The most important contact between school personnel and families takes place not at the district level, but at the school site. Since the educational needs of children are not all the same, smaller districts give the education professionals and the interested parents a greater opportunity to initiate individual programs.

This situation is neither new nor improving. The State Legislature in 1971 passed a bill to redistrict LAUSD, but Governor Reagan vetoed it. For many reasons we urge that the issue be reactivated.

From the point of view of economy and efficiency, educators generally agree that districts exceeding 50,000 students get no further dollar economies. For efficiency of communication and meeting human needs, our information indicates an ideal size of 25,000 to 30,000. Thus, LAUSD would be replaced by about 20 districts, joining the other 94 as part of the L. A. County system.

Another advantage would accrue in that the school boards would be local and visible and therefore, more responsive. The remoteness of the present board would be eliminated, and the pride and interest of the local community in its schools would be enhanced. Local control would create the ambience for participation in the system by both parents and public.

In this situation the principal would take fuller responsibility for the educational opportunities presented in his school. With quick and easy access to (and from) his superintendent — without interceding layers of bureaucracy — the principal would be held accountable for the success or failure of his program. In the same way, the superintendent would be held accountable to the local board; and the board would never be very far from the public. Geographically, each new district could have a radius of less than three and a half miles — very close to every resident.

Last year a survey in Los Angeles revealed a wide interest in the Community Education concept; that is, using the schools for activities by the entire community. This is one way of preserving the cultural interests of adults and students who work or attend school in different areas. With greater local control of the schools, this idea has an increased chance of success. Currently, if a group wants to use its school auditorium for an evening, permission must come from "downtown" as well as from the principal! The schools, after all, belong to the community. They can be used to educate parents and other adults, and to serve as centers of communication for the entire community.

Since redistricting would form new minority districts, it is necessary that the enabling legislation include a mandate for cross-district attendance when needed for intercultural and interracial balance.

We envision no special difficulty for present school employees. Teachers, principals, cafeteria workers, and custodians, for example, could stay

with the jobs they now have, and take with them their pension and seniority rights.

Finally, there is the question of financial support for the newly-created districts. Since the Serrano decision, the property values within a particular district will no longer dictate the availability of funds for schools. In this respect Serrano has removed a major reason for the existence of LAUSD.

The purpose of true decentralization is to encourage greater program flexibility. This plan, while not totally eliminating the need for a central administration, would free the administrators to spend more time on those things they do best. They would carry on financial transactions with external agencies and insure that interdistrict activities are properly performed. Many monitoring, auditing, data banking, and testing functions would remain the responsibility of the central administration.

It must be realized that control over changes in the local school districts does not rest in the communities involved. The districts were created by the State, and can be changed only by the acts of the State Legislature. In broad terms — and we are aware that the details can be complicated — our concept is to form a county-wide metropolitan district composed of a federation of autonomous units.

## RECOMMENDATION

**The Grand Jury recommends that the State Legislature take steps to redistrict the Los Angeles Unified School District, and to include the new districts in a county-wide metropolitan plan of autonomous units.**

### C. Staff Development

Education programs are only as successful as the professionals administering them. Therefore, the Education Committee believes the only way to achieve quality performance is to train and retrain those responsible at each school site level. Through staff development techniques, evaluation of personnel could be made to reinforce as well as reevaluate appropriate methodology. Ideally, in-service education would be based on the felt needs of teachers as they sense them. The growing number of mature personnel demonstrates the necessity for continuing staff development.

To develop in-service programs, teachers would meet together to identify problems in their fields. There are many ways to solve these problems:

1. The answers might be found within the local group or staff.
2. Teachers could call upon the resources of the County or District or those of area colleges and universities.
3. The school or district could help develop an "Action-Research" or mini-grant program. The San Diego District has encouraged innovation

by teachers for teachers, and rewards such actions with small monetary grants.

4. "Pedagogical Service Stations" could be set up; that is, centers of resource assistance which could be brought to the school, or to which the teachers could go.
5. Private Support Centers giving flexible, immediate response to problems could be used.
6. The schools or districts should develop systems of receiving and distributing appropriate current research and legislative data.
7. The experience of the mature teacher could be harnessed to develop new training courses. In Long Beach this system is called "mid-career incentive" and is used to renew teacher interest as well as to give salary credits to the participants.
8. Teachers could be taught to teach each other.

Principals would act as management-advisors, directing programs. Educational leadership would come from their guidance and direction, and through consultation and coordination with the staff. This leads to the indication that principals, too, require in-service programs. We suggest the development of courses to give principals training in (1) instructional leadership; (2) defining problems and making decisions; and (3) acceptance of accountability to both the superintendent and the public.

Finally, there is a need for improving the preparation of teachers before they enter the education system. We urge consideration of two concepts:

1. A teaching internship should be required before certification, and should take place in a multicultural environment.
2. The universities should be required to keep in closer touch with a variety of schools so that they can keep their courses up to date. For example, it might be necessary to mandate classes in socio/economic/cultural problems.

## RECOMMENDATION

The Los Angeles County Grand Jury recommends that mandatory in-service education courses should be taken by teachers and principals on school time or after school, that the quality of these programs should be improved, and that the progress of the participants should be measured. We further recommend that school administrators work with University Schools of Education to keep them constantly aware of changing requirements for effective classroom teachers.

### D. Supervisory Management

Over the years there has been a great deal of criticism concerning the managerial capability of the Los Angeles Unified School District (LAUSD). Both the Board of Education and administration have been ac-

cused of being at fault. This Committee has found several examples of deficiency in management.

As an example, each member of the Board considers his prime responsibility to be to interpret public opinion for the administration. Yet this Board meets twice every week. It would seem that it would be impossible for an administration to carry out effective policy if it is "fed in" that often! Such a situation also indicates that the top echelon of administration spends an inordinate amount of time and resources serving and hearing the Board, rather than supervising the education of the students.

It also seems odd that a policy-making body, with more than twenty years of warning (since the Brown decision) would not have been well on the road to an integrated system long before it came under the pressure of the courts.

In its stated desire to listen to the public, the Board recently set up committees to handle two thorny problems. In both cases, after months and months of difficult work, the Board turned a deaf ear to the findings. In the case of the Community Advisory Committee on Student Integration (CACSI), most of the plan was dismissed almost before the last words of the report were given. And in the case of the Citizens' Management Review Committee report, its findings have apparently been ignored.

Although the administration is staffed by reputable and capable people, the size of the district makes it impossible for them to perform according to standards of efficiency acceptable to a critical community.

One reason frequently given for approving of a large district is that there is room for upward managerial mobility, providing an incentive for individual success. However, the same people admit that the large system provides room for lateral mobility; an incompetent administrator need not be dismissed, just moved to an innocuous and useless position at the same pay scale.

The administration has known for a long time that a sizable increase in the use of buses would be needed, whichever plan of integration was accepted. We inquired whether or not, by adjusting school hours, the present use of buses could be improved, and in so doing, save the capital outlay for a great deal of new equipment. The response we received was that no such study had been considered, and despite expensive and sophisticated computer systems, it would take more than a year to complete such an investigation. This leads us to question the efficiency in the lines of communication.

We are further skeptical of the priorities given to computer use. Apparently, its principal function is in the business field, which is partially duplicative of County service. Little effort has been made for educational use; for instance we were not able to really determine the effect of any of the many special programs on the children since no attempt has been

made to make longitudinal studies of those involved. It has been reported that no attempt has been made to determine the effects on students involved in voluntary integration programs. This lack in accountability seems to run throughout the system.

Granted that the "product" is intangible, clearly defined responsibilities and goals for all administrators would set the basis for success/failure judgments. This problem is not unique in the public sector, but it must be dealt with in a forthright manner. One board member has suggested that a few administrators at a time be given leaves to take concentrated post-graduate programs in management. Others have suggested the adoption of a new managerial philosophy, including incentives and evaluations. These could be quite feasible ideas.

In another section of this report, the committee recommends that LAUSD be dismantled and redistricted. However, since we are aware that such an action could take years to accomplish, we urge that some intermediate steps be taken to alleviate present problems in administration.

## RECOMMENDATION

Therefore, the Grand Jury recommends that the Los Angeles Unified School District Board of Education reexamine its role in the educational system, and that it adopt as its policy a program to increase the managerial efficiency and accountability of the administration.

### E. On-Site Management

Schools must be responsive to the particular educational needs of their children. To encourage educational excellence in our diverse population, we have to strengthen the administration at the school site level.

The principal should be considered the "educational entrepreneur" and be held responsible and accountable for planning and implementing the school program, including allocating resources at the school site.

*BUDGET* — The principal should be given discretion in planning the school's budget. He/she is to decide how to use money for such items as special programs, incentive pay, learning trips for teachers, school materials, and consultative services.

*PLANNING PROCESS* — The principal should be responsible for developing an annual planning report specifying the school's goals and describing strategies for achievement. The report should also focus on an evaluation of the school's progress toward achieving previously established goals.

*PEER MEETINGS* — The principal should be encouraged to meet with other principals to identify and find solutions to common problems.

*EDUCATION CONTINUITY* — It is necessary to better prepare the students for their progress through the various stages in their movement toward graduation and careers. Thus it is important that elementary school children be made aware of what is expected of them when they enter junior high school. Similarly, junior high school students should get information from senior high schools, and the latter from colleges and universities. In addition, under the leadership of the principal, high school students should learn from commerce and industry what is expected of them when they enter the job and career market.

*STAFF SELECTION* — Principals should have decision-making power in the selection and assignment of staff and teachers within the school, and should be held accountable for their productivity.

*EVALUATION* — An integral part of this on-site authority should be the responsibility for evaluating personnel. To give the administrator the power he needs to keep the staff at a high level of performance, we suggest modifying the present tenure laws.

While we agree that teachers merit protection from capricious treatment by their principals, we believe that lifetime tenure tends to protect poor performers to the detriment of the children. We suggest a modification which would be based on five-year contracts with continuing evaluation. These would provide that after the third year of satisfactory performance, the agreement would be renewed for five years beyond the expiration of the original term. In cases of unsatisfactory performance, the teacher is given one year, with additional staff help, to meet the school standard. If reached, the contract would be extended; if not, the teacher would be given a one-year notice of nonrenewal. Since the principal is to be held accountable for his administration, he should have at least this much control over his staff.

## RECOMMENDATION

The Los Angeles County Grand Jury recommends: (1) that the school districts in the County give to the principals the authority to manage their own schools and be responsible for the education of the children, such education to include the building of a relationship to reality in the "outside world"; and (2) that steps be taken to modify the laws of tenure to provide five-year contracts renewable on the basis of performance evaluation.

### F. Special Programs

The following letter was sent to the Board of Supervisors on January 26, 1977

#### 1. California Youth Centers

*The Los Angeles County Grand Jury, after a study by its Education Committee, has concluded that the Board of Supervisors should continue to support the Youth Centers of this County.*

*In accordance with your mandate to attack the problem of escalating youth delinquency and crime, we have found that the Youth Centers are accomplishing not only their original purpose in reducing costs, in human lives and public funds, but providing an opportunity for a broad approach to an economic, social, and psychological development for every participant.*

*The ten Youth Centers, located in low-income areas with high incidences of youth crime, provide intensive individual counseling, tutoring, vocational training, job experience and placement, and an opportunity for these "delinquency prone" youths to become productive assets to the community.*

*Counseling is also offered to parents and siblings, thus affording an entire family the chance to develop personal and educational goals, and to make realistic choices about lifestyles and values. A most important factor is the diversion of otherwise potential delinquents from the wide range of problems which make them susceptible to gang influence.*

*The Grand Jury has concluded that the Youth Centers have been very successful in achieving their goals. Approximately 8,000 youths participated in the Youth Center programs last year. The average cost per client is \$168 for ten weeks participation or \$874 annualized. This contrasts sharply to the \$21,000 annual cost of placement of a juvenile in a twenty-four hour facility. Citizens who pay the cost of youth crime in taxes, personal losses and fear, expect prevention of youth crime to be as high a priority as punishment. The Youth Centers offer a relatively low-cost alternative to the problem of dealing with delinquents.*

*Each year, approximately 1,100 high school dropouts are located by Youth Center staff and given the support, encouragement, and basic skills they need to complete their education. Their return to school generates State support for fiscally hardpressed school districts. Nearly \$1,000,000 in State funds is gained by school districts in Los Angeles County each year because of the re-enrollment of dropouts who were channeled back to school through the Youth Centers.*

*Unless \$1,200,000 is allocated to the Youth Centers for the 1977-78 fiscal year, that program will terminate on July 1, 1977. Since the above figures demonstrate that the Centers actually result in a savings to the County each year, as well as providing hopeful human services which cannot be quantified in dollars, we urgently request that this program be continued and expanded.*

## **RECOMMENDATION**

**The Grand Jury recommends that the Board of Supervisors appropriate a minimum of \$1,200,000 to continue the County Youth Centers Program, and that funds for independent evaluation be included in the appropriation.**

## 2. Head Start

The following letter was sent to the Board of Supervisors on March 1, 1977.

*The Education Committee of the Los Angeles County Grand Jury has conducted a study of the relationship between the Head Start Program and the Greater Los Angeles Community Action Agency (GLACAA). Based upon this study, the Grand Jury has concluded that the Head Start Program should be separated from GLACAA and should become an independent agency.*

*The Education Committee discovered that there have been serious conflicts for a substantial period of time between the GLACAA Administration and that of the Head Start Program. GLACAA's director of its Child Care and Development Division, which oversees the Head Start Program, has been replaced five times in the last year. Other GLACAA positions, which oversee the Head Start Program, have been left vacant. GLACAA has borrowed or used funds intended for the Head Start Program on other community projects without consent. The United States Department of Health, Education and Welfare has reported that it is dissatisfied with the manner in which GLACAA has administered the Head Start Program. The Committee noted that many conflicts exist between the guidelines used for management and control of GLACAA and those of the Head Start Program.*

*In view of all of the difficulties of operating under GLACAA, the administration of the Head Start Program has proposed that it should be permitted to become an independent agency. Many community leaders have supported this proposal and, in fact, the structure for the independent agency has already been created. Last October, the Los Angeles City Council unanimously voted to authorize the Head Start Program to become independent. Similar action is now required by the Board of Supervisors to complete the separation of the Head Start Program from GLACAA. The Grand Jury has concluded that the separation would allow monies to go directly for the benefit of the children, bypassing a large administrative expense. There would be no additional cost to the taxpayer or the County, and separation would allow Head Start to achieve its community goal more effectively.*

### RECOMMENDATION

The Los Angeles County Grand Jury recommends that the Board of Supervisors authorize the separation of the Head Start Program from the Greater Los Angeles Community Action Agency in order to operate as a single-purpose agency.

## G. Values, Ethics Morality

People problems can be solved because people can be changed through education. They must be understood as individuals. In accordance with the natural order of human growth and development, a plan can be formulated to foster skills, human relationships, self-realization, and moral

values which will assure the kind of security needed for continued growth toward maturity.

Self-confidence and self-respect go hand in hand. It is toward this end that schools set among their goals the teaching of values, morality and ethics. The omnipresent problems of abuse of lives and property indicate that the schools have not been reaching their goals. Ideally, this aspect of education should be handled primarily in the home; but, when we note that in the last national election 19 of 21 incumbent congressmen who were publicly linked with political wrongdoing or personal scandal were reelected, we realize that the home does not provide sufficiently in this area.

It is also notable that school-age children spend less time in school than they do watching TV programs over which parents have no moral or ethical control — either in content or commercials. Further, in the schools' budgets, the subjects of values, morality, and ethics have been far down on the priority scale. This is decidedly shortsighted since the costs down the road far exceed those of teaching the children properly during their formative years.

The early years are critical in determining how the individual develops feelings toward himself and how he reacts to his family, peers, and the individuals around him. These are some specific areas which need more attention — starting in kindergarten:

*SELF-WORTH* — Children who feel secure in their own identity and traditions have greater potential for appreciating and accepting the cultures of others. Teachers must help them discover themselves as independent, self-determining persons who are increasingly able to make choices, solve problems, and accept responsibility for their actions. As individuals, they will take their places in the mosaic that is California.

*DRUGS AND ALCOHOL* — It has been demonstrated that introducing the problems involved with drugs and alcohol at an early age is a valuable tool in building a better life. Instruction should be sequential in nature, suited to meet the needs of students at their grade levels. Special reference is suggested to the Orange County Department of Education's *Teaching for Responsible Behavior*. This successful program works with both children and parents.

*LAW AND SAFETY* — A continuing problem in our community is security in the schools. Additional costs of specific programs would save considerable money in the future. At present there are popular but very limited classes taught by police officers and sheriff's deputies. To pay proper dividends, these should be expanded to include more grades in every school.

*SEX EDUCATION* — This is historically a controversial subject. It is apparent, however, that parents have not been able to cope with the problem. In order to prevent the further spread of disease, prevent school-age

pregnancies, and to promote positive attitudes toward wholesome appreciation of human relationships, some regular, meaningful programs are needed.

## RECOMMENDATION

Therefore, the Grand Jury recommends to all Los Angeles County School Boards that they direct attention to the need for greater emphasis on combating problems induced by deficiencies in knowledge of self-worth, drugs and alcohol, law and safety, and sex. It is suggested that attempts be made to include parents as well as children in these studies.

### H. Parental Involvement

For many decades, teachers and parents have tacitly accepted something akin to a "territorial imperative." The province of the school was not to be invaded by parents; conversely, the province of the home was off-limits to teachers.

The arrangement has to change rapidly as it becomes apparent that the schools cannot function properly unless parents cooperate with teachers, and teachers give guidance to parents.

Parents have shown their willingness to work more closely with the schools, but what has been lacking is a modus operandi. A new kind of shared responsibility must be accepted if students are to gain the most from their education.

Parental groups organized for the purpose of aiding parents to understand their own feelings as well as those of their children, can help to bridge the gap between the home and the classroom.

Ideally, the person to work with parents through the school should be someone, preferably a psychologist or educational social worker, who is trained not only in child rearing, but also in education. Subjects that usually interest parents are child development, tutoring, health and medical concerns, new educational developments, learning disabilities, and giftedness.

## RECOMMENDATION

The Grand Jury recommends to the Los Angeles Boards of Education that "parent educators" be employed as a part of the educational system to help parents help their children in school.

### I. Early Retirement

Declining or static student enrollment, increasing teacher salary requirements, and tight budgets have combined to force a hiring freeze. The result is a gradually increasing age of personnel and a decline in the

number of new teachers coming into the system. This situation causes stagnation in what should be a lively flow of new ideas. The problem is further aggravated by the fact that our area was growing so rapidly in the 'fifties and early 'sixties that many teachers with less than standard qualifications were hired. A manifestation of this situation is the teacher who "retires on the job."

One way to overcome this condition is to offer early retirement. Of course, some incentive would have to be given to make it attractive. At present, the mandatory retirement age is 65. If equal retirement pay were offered at age 60, many teachers would take advantage of this opportunity.

Advocates of this idea say that the cost would be negligible. Since the incoming teacher — "the new blood" — would receive many thousands of dollars less in salary than the retiree, at least part of that difference could be used to bolster the retirement fund. This step is a factor of utmost importance in achieving a lively and interested teaching corps.

### **RECOMMENDATION**

**The Grand Jury recommends that the Los Angeles County Board of Education make an actuarial study of the costs of offering early retirement.**

### **J. Computer Terminals**

One of the most underutilized capital items is the computer. It can and should be used as an educational information tool. Two-way terminals at high school sites would serve as data banks for the deposit and withdrawal of information as needed.

Another important area of usage would be to depict the patterns of effects of special programs on students, so that the administration could evaluate whether or not they are worthwhile.

The computer installations must be used for improving education. The district would soon become sensitive to certain problems that are common, and the need for concentration on solving them would be immediately evident.

Schools are distributed in a cluster fashion and a two-way terminal in each high school would be sufficient (as a beginning) to serve the nearby junior high and elementary schools. The great problem of communication could be easily solved and schools could proceed with an adequate knowledge of their past mistakes and current problems.

### **RECOMMENDATION**

**The Grand Jury recommends that the Los Angeles County Boards of**

Education adopt a policy of using computers to serve the needs of education.

**K. Magnet Schools**

These are schools, usually high schools, that offer outstanding specialized programs. Although Los Angeles has the industrial and intellectual base for specific programs such as performing arts, telecommunications, aerospace, and science, it is the only major city in the country without magnet schools.

**RECOMMENDATION**

The Grand Jury recommends to the Los Angeles Unified School District that Magnet Schools be established in order to provide the broadest educational opportunities for students.

**L. Security and Crime in the Schools**

In 1974 an ad hoc committee was set up by the Attorney General's Office and the Superintendent of Public Instruction. Their five recommendations to stop escalating crime in schools are: (1) greater interagency cooperation in dealing with juvenile crime in schools; (2) model school crisis response plans to cool off potentially dangerous situations before they become violent; (3) a review of school practices and "climate" on campuses; (4) establishment of a system of reporting the extent of violence and crime on local campuses; (5) a review of the existing juvenile justice system.

In the interim, school crimes and vandalism are increasing. The cost in the county was \$12,000,000 last year. Attempts to apply conventional wisdom to the solution of these problems have not achieved effective solutions. The basic difficulty in solving the problems of school crimes and vandalism lies not in the failure to recognize that the problem exists, but in the inability of administrators to ascertain what specific control measures would give the best results in their local environment. Modern police officers are the professionals in dealing with misbehavior, just as educators are the professionals in imparting knowledge.

**RECOMMENDATION**

Therefore, the Grand Jury recommends that an objective study be made of the feasibility of using established community police departments to combat crimes on school property.

*Francine S. Chernoff, Chairman*  
*James Scherr, Co-chairman*

*Charlene E. Jenkins, Secretary*  
*Theresa Valenzuela*

# HEALTH AND HOSPITAL COMMITTEE

## PURPOSE

The Health and Hospital Committee is concerned with the delivery of quality health care within the current financial constraints which are necessarily imposed on Los Angeles County.

## BACKGROUND

The Department of Health Services with its 23,000 employees has an annual budget in excess of \$700 million. The Department's mandate is to develop and carry out programs to discharge the County's responsibility to provide a responsive, comprehensive health system.

The Committee was formed just after a series of distressing incidents occurred in the County. The events included a hospital interns' strike, the radical increase in physicians malpractice insurance, and an extreme shortage of nurses, to name a few.

## AREAS OF CONCERN

- A. Hospital Management Incentives
- B. Ambulatory Health Care and the Comprehensive Health Center
  - 1. Staffing
  - 2. Billing
- C. The Status of Billing in the Department of Health Services
  - 1. Implementing system
  - 2. Revenue Task Force follow-up
- D. Varying Hospital Situations
  - 1. Harbor General Hospital
  - 2. Olive View Medical Center
  - 3. Health Care in the San Gabriel Valley
- E. Physician's Retirement Age
- F. The Undocumented Alien
- G. The Director of Health Services Replacement

## METHODS OF INVESTIGATION

The Committee declined the technique of dividing into task forces and instead, we attempted to visit each facility and hear each speaker as a committee of the whole.

The secretary of the Committee tallied 14 tours of health facilities in all five Health Services Regions. At each location we spoke with administrators and professional staff. In addition, we interviewed or had meetings with staff employees from the Department of Health Services, Department of Collections, and the Capital Projects Division of the County

Chief Administrator's office. We also spoke with the administrators of state hospitals on one particular recommendation.

We talked to the Los Angeles acting director of the Federal Health Services Agency as well as attending sub-area council meetings and the Interim Governing Body meetings. The Committee attended several commission meetings related to health services.

Upon our request, the Grand Jury's contract auditor investigated the subjects of emergency admitting procedures, patient profile, and Departmental administration costs.

In writing the Final Report, we verified our facts by correspondence and reconfirmed and updated information time and again by telephone.

## FINDINGS AND RECOMMENDATIONS

### A. Hospital Management Practices

It is generally agreed that in recent years the cost of medical care has risen at an even higher rate than the general cost of living. During this period, reimbursement to the County has remained at a relatively fixed level. Since the County taxpayer is no longer willing or able to subsidize these cost increases, cuts in health service have become necessary. In investigating this problem, the Health and Hospital Committee has discovered certain financial management practices which are acting to exacerbate the problems of health service reduction.

The problems are related to the diverse structure of different hospitals within the system. No two hospitals put equal emphasis on any one service. Some specialize in rehabilitation, some in cancer treatment, some in skilled nursing, some in burn treatment. All, in addition, provide other types of diagnostic or treatment facilities in varying degrees.

The type of across-the-board cost reduction that has been applied in the past can have devastating effects when health care is structured in this fashion. A service which is manned at a low level may be rendered completely ineffective by a fixed percentage cut, while a service manned at a high level will only be subject to a proportional reduction.

Other similar approaches to cost reduction, such as elimination of all services "not related to patient care" are also impractical, since in the end all services relate to patient care. Elimination of transportation units can paralyze the medical care units when it stops the transfer of samples to a laboratory and the return of results to the doctor.

In addition to the direct effects of these policies on service, there are secondary effects on morale and efficiency. Because of frustration, a number of top administrators have left the County health system in recent years. The Committee has observed that this is disheartening to the lower level people who remain.

Another frustration results from the policy of giving no credit for money saved. If money is saved in one service, the hospital is not allowed to reallocate it where needed, but must return it. Thus, there is no incentive to save money.

A better approach to cost cutting would be to establish a budget for each hospital and then give the staff responsibility for administering it. Some services might be reduced and some eliminated entirely within the hospital if they were available elsewhere, according to administrators the Committee has interviewed. This is more efficient than keeping a particular service that has been crippled by staff reduction. In addition, giving hospital staff both the responsibility and authority to manage their own affairs will help to restore some of the morale now lacking. Finally, an incentive plan of some kind for managers who operate below budget would help to restore a sense of fairness among them and encourage more efficient operation.

## RECOMMENDATIONS

1. The Grand Jury recommends that the annual operating budget for each hospital or external service be determined by the Department of Health Services in conjunction with the Chief Administrative Officer of the County, and that the hospital staff then be given full and final responsibility for its administration.
2. The Grand Jury recommends that no more mandates to reduce services "not related to patient care" be given.
3. The Grand Jury recommends that no "across-the-board" service reductions be ordered, but only reductions in specific areas.
4. The Grand Jury recommends that the Board of Supervisors develop an incentive plan for hospital administrators to encourage saving money.

### B. Ambulatory Health Care and the Comprehensive Health Care Center

#### 1. Staffing

The concept of ambulatory health care is among the more progressive approaches to providing adequate health services. This concept includes a gradual reduction of hospital beds as more sophisticated medical services are provided in the outpatient environment. The prospect of implementing this aspect of medical care is satisfying to contemplate.

However, on October 15, 1976, the Health and Hospital Committee of the Grand Jury visited one of the facilities of the type described above, the Southeast Comprehensive Health Care Center, which opened April 26, 1976. The Committee observed only a minimum number of services in operation. We were told that few full-time physicians and other medical staff had been assigned to the Center because of the County hiring freeze.

It is our opinion that it is unfair to the taxpayer and to the patients to fail to provide medical services after construction has been completed.

## RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors be as committed to full staffing as it is to accepting federal funds for the construction of comprehensive health centers.

### 2. Billing

On October 15, we were told that no bills had been sent from the Center. It is possible that there needs to be a redefinition of facilities because public health care, which is preventive medicine from the old-style clinic, is being housed with more advanced, elective treatments, which are billable. In fact, the same elective treatments are being billed if performed in the County hospitals.

Medi-Cal eligibility workers were placed in the Center as recently as March 15, 1977, nearly one year after the opening. No plans whatever have been instituted for billing private insurance companies. Since Medi-Cal requires a determination of costs before billing, it should be done prior to the time the new comprehensive health care centers, now in the construction and planning stages, open. A comprehensive health care center is not merely a clinic; it is, in fact, a small general hospital. The billing machinery should be in place when the John Wesley and El Monte Comprehensive Health Care Centers open.

## RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors require the Department of Health Services to develop a reimbursable billing policy at the Comprehensive Health Care Centers for all medical service rendered other than that for communicable disease prevention and control.

### C. Status of Billing

#### 1. Implementing System

The Health and Hospital Committee observed and discussed the lack of uniformity in billing and collections with administrators of County health facilities. Subsequently, the Grand Jury forwarded this letter to the Board of Supervisors:

*The Los Angeles County Grand Jury has conducted a review of possible additional resources of revenue for the Department of Health Services. We believe that it is essential that the Department of Health Services not overlook any potential sources of revenue at a time when its budget exceeds 750 million dollars per year, or almost one out of every four dollars of the County budget.*

*During our review, the Health and Hospital Committee visited six County hospitals and a number of smaller County health clinics. The Committee conducted interviews with the administrative personnel of the Department of Health Services, the Department of Collections, and the Chief Administrator's Office. Extensive interviews were also conducted with hospital and clinic administrators and staff.*

*The Grand Jury has found that patient medical services provided at one County health facility for a fee are available at no charge at other County health facilities. Some County health facilities send no bills at all, irrespective of the individual's ability to pay.*

*We recognize that the Department of Health Services is only four years old, yet we feel that this nonuniform and inequitable billing system results in an intolerable burden upon the County property taxpayer. The taxpayer is now providing totally free medical care without regard to whether or not the patient has the ability to pay. The Department of Health Services is in need of a fair and uniform billing system. Such a system will provide needed revenue.*

*Obviously, preventive health services ought to continue to be provided at no cost, and we are not recommending any charge for these services.*

### **RECOMMENDATION**

The Grand Jury recommends that the Board of Supervisors require that the Department of Health Services implement a fair and equitable billing system at the earliest possible date.

#### **2. Task Force**

On January 4, 1977 under the agenda item marked "Grand Jury", the Board of Supervisors unanimously passed the following motion by Mr. Hahn:

*"The CAO is instructed to create a task force comprised of representatives of appropriate County Departments to investigate and report on methods of eliminating or reducing the billing inequities and backlog in the Department of Health Services."*

The Health and Hospital Committee has periodically received progress reports from members of the Task Force assembled from the Department of Public Social Services, the Department of Health Services, the County Auditor's Office and the Chief Administrator's Office. The Committee is satisfied with the first attempts to correct the situation, realizing that the problem requires continued perseverance.

### **RECOMMENDATION**

Therefore, the Grand Jury recommends that the Revenue Task Force of the Department of Health Services remain in existence until such time as increased efficiency of billing procedures and improved effectiveness of revenue collections are fully initiated. The project should include a commitment to return periodically to review the quality of improved procedures.

#### **D. Varying Hospital Situations**

The diversities and complexities of Los Angeles County become even more apparent when traveling hundreds of miles visiting county health facilities. No one solution to problems can be applied everywhere.

The Grand Jury makes the next recommendations because of the opportunities or deficiencies that present themselves in three widely different geographical locations.

### 1. Harbor General Hospital

The Los Angeles County Grand Jury noted with gratification the March 29th recommendation to the Board of Supervisors by Mr. Schabarum regarding the "feasibility of the State assuming the operation of Harbor General Hospital." The Jury is disappointed that no imminent date for action by the Chief Administrative Officer was fixed.

The Health and Hospital Committee of the Jury has completed an inquiry into the subject and concluded that the acquisition of Harbor General Hospital by the University of California, and operation of it by the UCLA Medical School would be most advantageous to Los Angeles County.

The Grand Jury believes the recent contract, operational since July 1, 1976, between the University of California and the newly named Irvine Medical Center, corrects previous inequities and presents an excellent means for educating medical students while still serving county patient needs. For instance, Orange County is paying less than 25% of hospital costs after Medi-Cal and Medicare reimbursements, while Los Angeles County is paying at least 40% of costs throughout the hospital system.

The operation of UCLA Medical Center sets an example easily applied to Harbor General Hospital. The most important factor is a firm commitment to determining the patient's financial status coupled with the realistic setting of patient charges. The second feature of a University of California medical school/hospital relationship is the availability of Clinical Teaching Support, an amount of money which is established by the Legislature for patients in financial need and not available to the county. Third, the fact that medical schools include clinical research in the curriculum can be a definite advantage to county patients.

Harbor General Hospital, because of its acute-care functions, has been a first choice for internship and residency among graduating medical students throughout the nation for years. Their demands for improvements for patients have, unfortunately, long gone unanswered under present county constraints.

### RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors follow to conclusion the opportunity for the assumption of Harbor Hospital by the UCLA Medical School. The best contract possible consistent with the distribution of medical services required for county patients must be completed. In addition, we recommend that independent hospital experts be employed to assist the county with the negotiations.

2. Olive View  
Medical Center

The following letter was sent to the Board of Supervisors on February 9, 1977:

*The Health and Hospitals Committee of the Los Angeles County Grand Jury has conducted a study of the advisability of rebuilding the Olive View Hospital, which was destroyed in the Sylmar earthquake. Based on this study, the Grand Jury has concluded that the hospital should be rebuilt.*

*There are 128,000 medically indigent people in the San Fernando and Antelope Valleys. The Committee found in its study that there are only 113 local County hospital beds available to these people. These beds are located at the Olive View Midvalley Hospital, which is serving as an interim facility. All additional patients are required to be transferred to the County-USC Medical Center, downtown. The three existing general County hospitals, Martin Luther King, Harbor, and the County-USC Medical Center, are located in the central or southern portions of the County and are 80 miles or more distant from Lancaster. The Grand Jury believes there is a clear need for a major County Hospital in the San Fernando Valley to serve the North County area.*

*A Federal grant of a minimum of 37.7 million dollars is available for the rebuilding of the Olive View Hospital under the Federal Disaster Relief Program. It is possible that additional funding may be available under this Program, in the event the Federal government is held responsible for rebuilding the facility at current costs. However, this grant will be totally lost if the Board does not rebuild the Olive View Hospital. The County will also have to repay the \$9 million expended for the purchase of the interim Olive View Midvalley Hospital if the major hospital is not rebuilt. This means that the County will acquire a full service medical center valued at \$71 million with an actual County expenditure of no more than \$28 million.*

*The Grand Jury has considered the alternative proposal of expanding the interim Olive View Midvalley Hospital and renovating it to meet current seismic standards. The Grand Jury concluded that this is not a viable alternative in view of the numerous difficulties involved. The Grand Jury believes that the best rebuilding plan is included in alternative 1B in the Liston Witherill report of December 2, 1976, to Supervisor Ward. The Grand Jury has noted that this plan was essentially endorsed by the CAO in his Capital Project Report of January 3, 1977.*

*Today, February 9, 1977, is the sixth anniversary of the Sylmar earthquake and the destruction of the hospital. Further delay in rebuilding the Olive View Hospital in Sylmar will only result in further hardship to the citizens of the North County area. It is appropriate for the Board to act now.*

## RECOMMENDATION

**The Grand Jury recommends that the Board of Supervisors rebuild**

the Olive View Hospital in Sylmar in the manner described in alternative 1B in the Liston Witherill report of December 2, 1976.

*N.B. The Board of Supervisors approved the reconstruction of Olive View Medical Center on April 19, 1977.*

### 3. Health Care in San Gabriel Valley

The San Gabriel Valley Health Services Region has no county facility to meet the needs of the medically indigent in the region. Many patients must travel 35 miles to LAC/USC Medical Center for emergency services and/or admittance to a hospital. Many do not have their own transportation and must rely on poor public transportation in addition to waiting for long periods of time to be treated. The construction of the El Monte Comprehensive Health Care Center would reduce some of this, as would the contracting for care with private hospitals in the region. An estimated 20% of the patients at the Medical Center are residents of the San Gabriel Valley. It has been reported that many of the private hospital beds in the region are vacant. The health care needs of the medically indigent person could be met in a hospital close to his home if circumstances were developed to attract physicians to care for him. According to health administrators in the area, the hospitals would be willing to contract for care with the County of Los Angeles if there were more physicians in the area willing to care for the medically indigent.

The USC School of Medicine utilizes the Medical Center to train physicians while at the same time meeting the health care needs of the indigents who come there for care. If the County of Los Angeles would develop a similar system of contracts with private hospitals in the region utilizing physicians from schools of medicine, it would be less costly to the taxpayer than the construction and staffing of a hospital in the region. It would also meet a community need.

## RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors:

1. Authorize construction of the El Monte Comprehensive Health Care Center as soon as possible in order to begin to meet the health needs of the San Gabriel region with full commitment to staffing the facility completely.
2. Develop a system of contracts with private hospitals and schools of medicine utilizing physicians from their various medical programs to improve medical care in the region.
3. Authorize the Department of Health Services to develop programs that will encourage physicians to move to the San Gabriel Valley region and remain there.

### E. Physicians Retirement Age

While discussing concerns with various medical directors of hospitals, the Health and Hospital Committee was made aware of the difficulty

they encounter in trying to replace professional staff, especially physicians who have been forced to retire at age 65. It is impossible to believe that a man or woman, who has made public medicine his or her career, is necessarily obsolete just because another day has passed.

Research has proven that age is no longer an accurate measure of a person's ability to be a productive worker, and consideration should be given to offering him the option of continued employment.

### RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors develop legislation that would permit physicians to work until age 70 if the following two criteria are met:

1. The medical director of the hospital each year write an official letter requesting that the individual remain.
2. The physician be required to have an independent physical examination annually.

#### F. Undocumented Aliens

A study of medical services supplied to undocumented aliens probably presents as many variables as any subject. The question that must be asked is, "If continuing care is refused to the very sick, what are the consequences to the community?" Is the possible threat of an epidemic or other health crisis more costly to the County than not treating what is estimated to be as little as 7% to 15% of the County health system population?

It is apparent that the illegal alien is a federal and state problem that appears to defy permanent solution. The County health system, however, deserves compensation for services provided.

### RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors support legislation such as HR 5307 proposed in 1973 by Congressman Bernard Sisk that would require the Federal Government to provide funds for all unreimbursed after-care costs for illegal aliens.

#### G. Director of Health Services Replacement

The following letter was sent to the Board of Supervisors on April 14, 1977:

*The Los Angeles County Grand Jury agrees with Supervisor Hahn's statement that the County should conduct "a nationwide search for the best possible person to fill the post," of Liston Witherill, who resigned as Director of Health Services on April 4th.*

*The Department of Health Services is one of the largest of its kind in the western world. This fact makes it all the more appropriate to search for a replacement throughout the nation, rather than to be limited only to personnel within the Los Angeles County Health Services Department. The search should extend far beyond the area of hospital administration and should include, specifically, corporate and other business executives. A person with a Master's Degree in Business Administration, with a background in finance and experience in service-related fields would probably be the ideal candidate. Methodology is the key, not the nature of the work.*

*We are confident that medical expertise is not critical because this need will be met by the Department's existing, unusually devoted group of professionals. In nearly a year of speaking with medical personnel at hospitals and clinics throughout the County, the Health and Hospital Committee of the Grand Jury has never heard any statements that were self-serving to the staff; nor did we receive any request that wasn't in the best interest of the patients.*

*One additional consideration should be kept in mind. The Grand Jury believes that it is false economy to attempt to save money in the most crucial position in the Department. It is highly unrealistic to expect the Director of this important agency to accept for any lengthy period, as Mr. Witherill did, a salary that is little more than half that of the administrator of a local community hospital. It is time for the County to pay a salary commensurate with the training, ability and job responsibility of the individual who will occupy this position.*

## **RECOMMENDATION**

**The Grand Jury recommends that the Board of Supervisors undertake a nationwide search for the highest caliber individual to fill the position of Director of Health Services and that the salary of the Director of Health Services be increased substantially in order to meet present day salary standards and become competitive with the private sector.**

*Anne S. Murphy, Chairman  
Leda Danzig, Vice-Chairman  
Jeane Weldon Dole, Secretary*

*Chauncey O. Kendall  
Ruby R. Renetzky  
Joanne Smallwood*

# JAILS COMMITTEE

## PURPOSE

Sections 919 and 921 of the California Penal Code mandate the responsibility of the Grand Jury to inquire into the condition and management of all public prisons and jails within the County, and to investigate into the case of any inmate who has been imprisoned on a criminal charge and not indicted.

## BACKGROUND

There are over one hundred jail and detention facilities in Los Angeles County. The largest are those operated by the Sheriff's Department. The Custody Division is one of the nine operational divisions within the department. Almost nine thousand men and women are confined as inmates in twelve facilities, or assigned as trustees at each of the departmental substations. The aggregate budget of the division is more than \$36 million annually. This is the second highest direct expenditure for correctional activities of any jail system in the nation. The staff consists of over 2,100 sworn and civilian personnel.

In addition to the Los Angeles Police Department with its wide-spread complex of headquarters and divisional stations, there are 57 local police departments in the county. Each of these has a jail section for temporary confinement between the time of arrest and arraignment in court.

Sections of the Government and Penal Codes of California specify that the Sheriff has the responsibility of confinement for all arrestees. This includes those awaiting court proceedings, unless released on bail or O.R. (Own Recognizance), as well as those already convicted of a public offense and sentenced.

## AREAS OF CONCERN

Responding to the legal charge, the Jails Committee developed as a primary responsibility an intensive investigation of all the jail facilities within Los Angeles County. Numerous problems were brought to our attention. It was only after careful consideration of our own time and resources that we agreed to focus our interests on the following areas:

- A. Inspection of all jail facilities within Los Angeles County.
- B. The continuance of Biscailuz Center by the Sheriff's Department as a detention facility, with an expansion of the centralized feeding and work furlough programs.
- C. The consolidation of the Marshal's Office into the Civil Division of the Sheriff's Department.
- D. The development of a regional or satellite jail program throughout the County by the Sheriff's Department.
- E. Investigation of inmate complaints.

## METHODS OF INVESTIGATION

During the course of the year the Jails Committee attempted to educate itself as to the condition and management of all jail facilities within the County. We had interviews and consultations with officials

from the Sheriff's Department and various police agencies charged with these responsibilities.

Selected administrators were invited to our committee meetings. When we visited their facilities, they gave unselfishly of their time. They provided us with requested statistical and descriptive data without hesitation. We were impressed with their skill, dedication and sincerity.

Reports from the State Department of Corrections, California Youth Authority, the Los Angeles County Department of Health Services, local city and county fire protection officials, and concerned citizen groups were made available to us in our inspection visits to jail facilities.

Members of our committee conducted interviews with State Department of Corrections officials, selected judges of the Superior and Municipal Courts, members of the Board of Supervisors and their staffs, representatives of the Chief Administrative Office, County Counsel, Probation Department, Marshal's Office, Association of Municipal Court Judges, Economy and Efficiency Commission, Coordinator of the Superior Court, various local city council members, staffs of city managers' offices, police departments and other city officials. Voluminous verbal and written reports were obtained. All known reports and studies on the Sheriff-Marshal merger and previous Grand Jury records were carefully reviewed and analyzed.

## FINDINGS AND RECOMMENDATIONS

### A. Inspection of Jails

Members of the Jails Committee visited each of the more than one hundred jail and detention facilities in the county. It was found that almost all are basically adequate and in compliance with State Department of Corrections standards. Sheriff and police officials have taken steps to obtain legal waivers where non-compliance exists.

Representatives from the State Department of Corrections Jails Inspection Unit informed us that detention facilities in Los Angeles County are generally superior in condition and management to those found in most other sections of the State.

We found that under the law, the Department of Corrections is charged with establishing jail standards and criteria, but is given no power of enforcement. Compliance is obtained by periodic inspections followed by reports to local officials, with consultation and guidance provided in problem areas.

Regular inspections of jail facilities are also made by representatives from the California Youth Authority, in whose facilities juveniles are detained, county health departments, and fire protection agencies. Periodically, concerned citizen groups show an interest in the management and condition of our public jails. All of these provide a constructive influence and need to be encouraged. In this way our detention facilities can be maintained as more humane places of confinement for law violators.

Isolated exceptions were observed to the generally exemplary standards. The small and inadequate facility on Catalina Island, provided by the City of Avalon, was built during the mid-twenties and has never been substantially improved. The 77th Street Station of the Los Angeles Police Department, South Pasadena and Downey Police Departments, and to a lesser degree a few other localities, are in need of improvement or replacement. Affected public officials need to carefully consider permitting these substandard conditions to exist.

The Hall of Justice Jail in downtown Los Angeles is still used as a place of confinement. It was built in 1925 to house 1,350 prisoners. On occasions in past years, as many as 4,000 inmates or more have been detained there at one time. This has provoked criticism by past Grand Juries. Some critics have recommended closure. However, concerned citizen groups, civil suits and motivated Sheriff personnel have brought about constructive changes from the former inadequate and crowded conditions in existence there.

Pending further proceedings arising from a civil action now before the U.S. District Court, the only unsentenced inmates detained in the Hall of Justice Jail at present are a portion of those in the homosexual unit. A limited number of trustees assigned to do maintenance work, inmates in the work furlough program who are released daily for specified hours to continue their employment, and those required to serve weekends by the courts are the only others who now use the Hall of Justice Jail.

Municipal and Superior Court holding facilities for temporary detention in many areas in the county have been pinpointed in past Grand Jury reports as being generally crowded and inadequate. The Jails Committee researched the law and found that we are not mandated to visit and inspect these locations. It would appear that, although there is no regular monitoring agency for these areas of the courts, it is done, infrequently, by citizen groups. It was ascertained that few changes or improvements previously recommended have ever been made.

The committee has found many well-trained, sincere and dedicated officers and administrators who are responsible for operating the various jail facilities. They are to be commended and encouraged. Some work under most difficult administrative and financial limitations. Where corrections and improvements are necessary, local officials would do well to follow the criteria and suggestions found in the State Department of Corrections reports.

**B. Biscailuz  
Center,  
Centralized  
Feeding and  
Work Furlough  
Program**

As a result of an agreement between the Sheriff's Department and the Chief Administrative Office to effect certain economies in the departmental budget, the detention unit at Biscailuz Center in East Los Angeles was scheduled to be closed. This action would have made additional space available for the adjacent Sheriff's Training Academy. It was planned that both the existing Station Feeding and Work Furlough Programs were to be moved to the Hall of Justice Jail. All inmates not otherwise assigned would be transferred to the Central County Jail, which would add to the crowding there.

The detention unit of Biscailuz Center has been part of the Sheriff's Department Custody Division since 1958. It has been one of the more exemplary facilities. After carefully reviewing the financial costs involved, the Jails Committee arrived at the conclusion that it would be more beneficial for this facility to remain open as a detention unit. Otherwise, trustees would have to be transported there daily to do required maintenance and kitchen work. Temporarily, as a part of the central County Jail budget, a small group of trustees are being housed at Biscailuz Center. They do maintenance work in the Training Academy and work in the kitchen on the Station Feeding Program.

An inquiry was made into the possibilities of expanding the centralized feeding program that has been located at Biscailuz Center for several years. This has been known as the Station Feeding Program wherein well-cooked and balanced meals are prepared and delivered on a regular basis to the trustees assigned to Sheriff's Department substations. The cost is considerably less than that available at local contract restaurants. (The average cost per meal throughout the Custody Division, including the Station Feeding Program, is now \$0.42.) Regular delivery routes have been developed out of Biscailuz Center to certain nearby stations. This program could be advantageously expanded to serve all except the most distant stations, at a saving to the county.

The Work Furlough Program was established in 1964. It is administered by the Probation Department. Custody is the responsibility of the Sheriff's Department. In January, 1977, this program was transferred from Biscailuz Center to the Hall of Justice Jail. The central location provides for more space and an increased availability of public transportation. Inmates are released daily for certain specified hours to engage in gainful employment. Their paychecks are sent to the Probation Officer who deducts for the cost of operation for the program, and disburses appropriate amounts for family, child support, and for the payment of fines or outstanding bills previously incurred by the inmate before sentence. The remaining amount is set aside in savings until time of release at expiration of sentence. This is a worthy program that deserves commendation and support. It could be expanded to include more inmates who are eligible for this service while serving sentences in the County Jail.

Round table discussions were held between members of the Jails Committee and staff of the Sheriff's and Probation Departments, and the Chief Administrative Office. The economics of continuing Biscailuz Center as a detention facility, expanding the Station Feeding there, and expanding the Work Furlough Program, were carefully explored. This was helpful in obtaining a balanced view of the financial and custodial problems involved. We were favorably impressed with all three as to their continuance and expansion.

## RECOMMENDATIONS

The Grand Jury recommends that the Board of Supervisors support the following:

1. That Biscailuz Center be retained as a minimum security facility on a reduced scale.
2. That Biscailuz Center be maintained as the food preparation center for an expanded Station Feeding Program.
3. That the Work Furlough Program be continued on an expanded basis, with the Hall of Justice Jail serving as the housing and administrative center.

### C. Sheriff-Marshal Consolidation

The Jails Committee has made a careful and considered review of the long-standing problem of a possible merger and consolidation of the civil process and bailiff functions of the courts into one county department. Depending upon the direction this merger takes, it was found that estimated savings to the county could be up to four million dollars annually.

Historically, since colonial times, the Sheriff has had the responsibility of civil process and bailiff functions as an essential adjunct to most American courts. This has been true in California since the formation of the State government in 1850. With the growth of Police and Justice Courts throughout the State, the services of a Marshal for this purpose in each of the courts was developed.

The legislation of the Municipal Courts Act in 1925 provided for the establishment of a Marshal's Office in each of the Municipal Court Judicial Districts. During 1951 the State Legislature, in an attempt at court reform, consolidated the eight separate Marshal's Offices in Los Angeles County into a single department. Since 1952, the Marshal has been appointed by and serves at the pleasure of the judges of the Municipal Courts.

The staffing and salary level of personnel in the Marshal's Department is controlled by the State Legislature, but the county bears the expense. Today, the Marshal serves process throughout the county, and provides bailiff services for each of the 29 Municipal Courts. Only 14 of the 58 counties in California now have this arrangement. In all the others, the Sheriff provides civil process and bailiff functions for both the Municipal and Superior Courts. In Los Angeles County, the Sheriff's Department Civil Division also serves process throughout the county, but provides bailiffs for only the Superior Courts. The departmental budget is approved by the Board of Supervisors, which has control over staffing and salaries. The Sheriff is elected by, and is responsible to, the citizens of the county.

This dual system has resulted in a duplication of facilities (both departments have offices in the same public buildings at eight different locations in the county), administration (each department has similar administrative and supervisory staff), and technical services (both agencies necessarily have to provide similar clerical and support functions for their respective staffs). This has proven to be wasteful of the taxpayers' dollars. A continuation of this arrangement in Los Angeles County is a matter of serious concern.

The consolidation of the Marshal's Department and the Sheriff's Civil Division into a single organization would eventually result in substantial monetary savings. There would be an elimination of duplicative services, administrative and support functions, and an attendant reduction in personnel costs. The actual dollar amount depends on the direction of the merger process.

All known studies and reports on the Sheriff-Marshal merger substantiate the need and document the possible saving that would accrue. Each department puts forward persuasive arguments to support the merger in its direction. Most studies reveal a substantially larger savings by the consolidation of the Marshal's Office into the Civil Division of the Sheriff's Department. There has never been a definitive study by the research facilities of the Chief Administrative Office as to the financial and management impact of separating the Civil Division from the Sheriff's Department and merging it with the Marshal's Office.

In order to accomplish the consolidation, it is necessary to obtain an enabling action by the State Legislature. Several bills have been introduced in past years to accomplish this purpose. None has been passed and signed into law by the Governor. It would appear that the Municipal Courts' Marshals and Judges Associations have consistently and effectively resisted and thwarted all efforts to obtain local control legislation. This has been in opposition to the conclusions of carefully-made studies, economic research, recommendations for improved management, and the cries of the beleaguered taxpayer to reduce the costs of county government.

The Jails Committee and the Grand Jury take no position supporting merger in a particular direction. Rather, we support the need for enabling legislation empowering the Board of Supervisors to make a decision after study and recommendations from the Chief Administrative Office, the courts and the departments affected. The continued duplication of services now found in the Marshal's and Sheriff's Departments is an administrative anomaly that demands correction. Again this year, measures have been introduced into the State Legislature that would provide for a merger of the civil process and bailiff functions into one department. We actively support passage of this legislation.

#### **RECOMMENDATION**

**The Grand Jury supports the Board of Supervisors' efforts to seek introduction and passage of legislation that would permit the county to merge the civil process and bailiff functions of the courts into either the Sheriff's Department or the Marshal's Office.**

#### **D. Regional Jail Program**

State law mandates that the Sheriff of each county have the custodial responsibility of all persons arrested for any law violation except a local city ordinance. In actual practice throughout most of Los Angeles County, the local police maintain detention until the person is arraigned in court. This is usually within 48 hours. Many misdemeanor arrests re-

sult in written field citation releases with promise to appear in court, an Own Recognizance release after booking at jail, or an early release on bail. Felony arrests can be held for processing until arraigned in court. At that time bail is set, or an O.R. release granted, if qualified, after investigation.

Adult males remanded to custody by the various courts throughout the county are transported for confinement at the Central County Jail located near downtown Los Angeles. Adult females are taken to Sybil Brand Institute near the intersection of the San Bernardino and Long Beach Freeways in East Los Angeles. There are generally about 4,500 unsentenced inmates confined in the custody division of the Sheriff's Department awaiting disposition of their cases in court.

Sentenced male inmates not ordered to a state institution are processed for transfer to the Wayside Honor Rancho, Mira Loma Facility, or assigned as trustees at one of the many Sheriff custodial locations. Sentenced females are kept at Sybil Brand Institute.

With almost 9,000 inmates in the various facilities of the Sheriff's Department, this is the tenth largest penal system in the United States. The Central County Jail, with a rated capacity of 5,450, is the largest detention unit of its kind in the nation. When designed in the early fifties, and opened in 1963, it was considered a vast improvement over the crowded County Jail on the top floors of the Hall of Justice. The present usage of the Central County Jail is rapidly approaching the rated capacity and overcrowding is sometimes experienced. Sheriff officials assert that the Central County Jail is most difficult to administer because of unforeseen inherent defects. They are aware of hazards that have developed.

Departmental policy sets forth that all persons legally confined or committed to custody be held safely and securely, so that their well-being is assured during incarceration. This includes nourishment, medical treatment, proper sanitation, visitation, immediate access to legal counsel, and appearance in court when ordered. This should be effected in the most expeditious, economical and humane manner possible, in order to insure the personal dignity, rights and privileges of all inmates.

The recent increase of infirmary capacity to 512 beds in the Central County Jail makes it the third largest medical facility in the county.

In addition to the average 1,500 daily bookings that are processed through the Inmate Reception Center of the Central County Jail, another 1,000 inmates go in and out of holding areas every day for court proceedings. This often necessitates that they be awakened in their modules as early as 4:00 a.m., when transported to outlying court locations. Long hours of idleness in court holding tanks under crowded conditions, and late evening returns to their modules is the rule. This awkward situation is under scrutiny by Sheriff officials. Under present circumstances a solution will be difficult. Late night and early morning releases, upon expiration of sentence, add to the complexity of the problem. Inmates are

often released at a time when public transportation is at a minimum. Getting to their destinations is sometimes impossible.

Even with good management, local city governments throughout the county are finding it increasingly difficult to keep within their annual budgets, under present financial revenues. They are becoming more aware of the legal mandate that the Sheriff must assume custodial responsibility after arrest. Many cities are taking a critical look at what appears to be unnecessary, unproductive, and costly jail sections in their local police departments. Jails in the larger cities can cost local taxpayers over one million dollars per year to operate and maintain. For smaller communities, this can be proportionately less. Some local communities have already initiated negotiations with the Sheriff's Department to take over custodial functions. Local citizens dislike paying taxes for both city and county facilities of this type.

The resulting increase in custodial responsibilities places a burden on the Sheriff's Department and adds cost to the county government. The development of decentralized detention facilities could be a means of relieving future problems inherent in the increased usage of the Central County Jail.

Regional jails located and developed adjacent to each of the nine Superior Court Branch Headquarters could result in the closing of many local police departments and Sheriff Station jail sections. These regional jails could be situated so that police and Sheriff officers would not have to travel more than eight to ten miles in order to detain arrestees. The inmates would then be held at the regional jail during the court process until they were sentenced. In this way, they would be readily available to investigating officers, family, legal counsel, and court officials. The cost of transportation to and from the Central County Jail would be eliminated. This would also bring our county jail system more in line with national trends toward the development of smaller facilities for detention.

Many of the local communities where branch Superior Courts are located already have sizable jail units in their police departments. With some modification, these facilities could be transformed into regional jails without the high cost of new construction.

The Jails Committee is cognizant of the many diverse and complex problems inherent in the development of regional or satellite jails throughout the county. Local pride requires that every police department have a jail to serve its own needs. At the same time, it is recognized that these local facilities are only places of temporary detention and no longer a basic necessity in an urban community.

The Sheriff's Department has already explored the intricacies of the regional jail concept. Guidance and consultation is available to local officials. In some of the areas, new jails will eventually have to be erected. This will be a cost to the county. The use of available revenue sharing

funds from the state may be possible. The positive effect will be the ultimate phasing out and closing of local jails. This will provide some budgetary relief to the communities. The regional jail concept is a long-term program that will require 20 to 25 years to complete. The cost will necessarily have to be spread over an even longer time, but will provide great benefits.

## RECOMMENDATION

**The Grand Jury recommends that the Board of Supervisors support the regional jail concept providing for a custodial facility adjacent to each of the Superior Court branch locations in the county.**

### **E. Investigation of Inmate Complaints**

To this date, the Grand Jury has received fifteen different communications complaining of alleged irregularities within the various detention units of the Los Angeles County Sheriff's Department Custody Division. They have all been referred to the Jails Committee for consideration and action as may have been found necessary.

The first was a series of letters from a group of trustees at the Lakewood Station. They complained about substandard food served to them by a local contract restaurant. In addition, they complained of the inability to resolve this matter and related issues, such as visiting regulations, with the station commander. Members of the Jails Committee visited the station on two separate occasions and verified the complaints. It subsequently appeared that because of these complaints, the inmates were subjected to harrassment by station personnel and given reduced privileges.

The matter was brought to the attention of Sheriff Peter Pitchess. A conference was held between members of the Jails Committee and Assistant Sheriff Robert Edmonds. It was ascertained that there had been a change in visiting regulations for all station trustees and it had been interpreted erroneously. Closer supervision of food served by contract restaurants was instituted. With the expansion of the Station Feeding Program from a centralized location, inherent problems with contract restaurants, as was evidenced at the Lakewood Station and other locations where trustees were given station assignments, will be reduced to a minimum, as well as saving the county money. It was also set forth to Sheriff personnel that the Sheriff's Department would not tolerate any interference with, or retaliation against, inmates who voiced complaints to the Grand Jury.

All of the other letters received by the Jails Committee were from inmates in the Hall of Justice Jail and the Central County Jail who alleged unnecessary harrassment and overbearing treatment by Sheriff personnel, along with the deprivation of medical treatment, clean clothing, showers and other amenities. These letters were forwarded to Sheriff Pitchess for investigation and a requested report back to the Jails Committee.

It was ascertained that in some cases, Sheriff personnel had indeed violated their own departmental regulations and they were disciplined accordingly. Some of the complaints about inadequate medical services were either groundless or arose from inmates failing to take advantage of services offered. One of the serious problems was alleged irregularities in the treatment of informers being held for court proceedings.

Detainees' safety and security were of utmost concern. In January, they were moved from the Hall of Justice Jail to the Central County Jail. This action was based on a U.S. District Court ruling that pre-sentenced inmates could no longer be held in custody at the Hall of Justice. They were initially placed in a former disciplinary module that lacked mirrors, shelves, and hot water, except in the showers. This brought on the complaint to the Grand Jury. Within two weeks they were transferred to a newly-opened module and the complaints ceased. With expansion into newer sections of the Central County Jail, there have been some temporary inconveniences, but these have gradually been overcome.

Some of the communications forwarded to Sheriff Pitchess remain unanswered. Inquiries reveal that this has been due to continuing investigation of the complaints, with a search for their rectification, or because disciplinary proceedings against personnel are still pending. The Jails Committee has found that Sheriff's Department administrators have been uniformly cooperative and responsive in their desire to correct irregularities that are substantiated. Along with the Grand Jury, they are interested in making detention and confinement in jail humane as well as secure.

*Osmyn Stout, Chairman*  
*Edward H. Knapp, Secretary*  
*Linda C. Barbani*

*Chauncey O. Kendall*  
*Charles L. Smith*  
*O. Morgan Williams*

# JUVENILE JUSTICE COMMITTEE

## PURPOSE

The Juvenile Justice Committee of the Los Angeles County Grand Jury has been charged with the examination of the multitude of agencies and activities which together constitute the "juvenile justice system" in Los Angeles County. In too many areas of the city and county, citizens have lost their sense of security, due largely to the high juvenile crime rate.

## BACKGROUND

Both laymen and professionals level serious charges against the present juvenile justice system: it fails to protect society, to prevent crime, to rehabilitate juvenile offenders, or to ensure a fair and speedy disposition of juvenile cases. Millions of taxpayer dollars are being spent annually in attempts to control juvenile crime. Yet, in its studies and investigations, the Committee has found no evidence that the number of violent crimes committed by juvenile offenders is decreasing. Regardless of numerous projects and programs for counseling, diversion, and rehabilitation, vandalism and gang activities are still a serious problem and recidivism remains high.

Authorities disagree as to whether stronger penalties and mandatory sentences would deter juvenile offenders. However, most agree that once a juvenile enters the system, he is seldom rehabilitated or reformed; he generally returns more sophisticated and skilled in delinquent methods.

A recent amendment to the juvenile law, effective January 1, 1977, prohibits placing "status" offenders (truants, runaways, incorrigibles) into locked facilities. As a result, they realize that they can no longer be detained, which leaves some authorities feeling frustrated. The revised law also makes it easier for the courts to try 16 and 17 year old juveniles as adults if they have committed certain violent crimes.

Despite all the money and effort expended on programs for juveniles, it appears that the present system of juvenile justice still falls short of providing solutions to the multitude of problems encountered within the juvenile justice system.

## AREAS OF CONCERN

After examining many facets of the juvenile justice system, our interests became concentrated in the following areas:

- A. Prevention and rehabilitation
  - 1. Early Education
  - 2. Probation Department After-Care Program
  - 3. Family Treatment Program
  - 4. Abused Children (see joint report in Social Services section)
  - 5. Funding of "CALL" Service (see joint report in Social Services section)

- B. Administration
  - 1. Juvenile Justice Center
  - 2. Expansion of "On Call" system
  - 3. Transfer of California Youth Authority Wards
  - 4. Revision of Juvenile Court Law
  
- C. Evaluation of all juvenile programs

## METHODS OF INVESTIGATION

To acquire any great knowledge or expertise in the field of juvenile justice would require more time than we had available. The Committee has examined the courts that are primarily involved with child adoption, dependent or abused children, and delinquent youth. We also observed courts hearing adult cases involving child custody and criminal trials where juveniles are victims or witnesses. Numerous judges, referees and commissioners gave talks or interviews in which they expressed their opinions and philosophies on juvenile justice. Several County supervisors were interviewed and their special interests in juvenile matters were discussed.

County department heads and division chiefs particularly concerned with juvenile problems spoke to members of the Committee on the purpose and functions of their departments.

The Sheriff and numerous members of his department were very cooperative in providing information, speakers, and other assistance. Members of the Los Angeles Police Department were helpful in supplying films, speakers, and information. The Probation Department provided informative literature and tours of several facilities, including Las Palmas, Los Padrinos, and Central Juvenile Hall. The Department of Public Social Services aided our Committee by providing information, speakers and films, and a tour of MacLaren Hall, including the Youth Services Center.

The Public Defender's Office provided information on legal issues pertaining to recently enacted juvenile legislation. Several deputy district attorneys were interviewed to gather information relating to juvenile justice system procedures. The California Youth Authority received our Committee for visits to the Youth Training School at Chino and the Fred C. Nelles School for Boys.

The Committee was very impressed by the work being done by the Suspected Child Abuse and Neglect (SCAN) team at the Los Angeles County/USC Medical Center's Pediatric Pavilion.

Other agencies and programs observed were:

Los Angeles County School Board, Welfare & Attendance Section  
Community Youth Centers  
Crenshaw Community Day School  
California Attorney General's Office

State Department of Mental Health  
Parents Anonymous — Jolly "K"

Individuals consulted were:

Senators Alan Robbins and George Deukmejian  
Assemblyman Alan Sieroty  
Chairperson Judith Rosen of the California Advisory Group  
on Juvenile Justice and Delinquency Prevention  
Members of nine Southern California County Grand Juries  
Staff members of Project HEAVY and Longtable  
Assistant Director of Foster Care Services Section of DPSS  
Dr. Lamar Empey, USC Sociologist  
Dr. Malcolm Klein, USC Criminologist  
Dr. Robert Carter, USC Criminologist

## FINDINGS AND RECOMMENDATIONS

### A. Prevention and Rehabilitation

It has been stated that nearly 50% of the more serious crimes are being committed by juveniles today. Many concerned groups have initiated studies and utilized various methods and programs in attempting to combat this appalling trend. The statistics indicate a failure to affect the juvenile crime rate.

Community resources and attention seem to be aimed toward the rehabilitation of the youth who are involved in antisocial or illegal activities. Perhaps instead, our funds and concerns should be directed toward methods of prevention in order to protect our most precious resources.

#### 1. Early Education

The responsibility for juvenile behavior falls mainly on the family. The most important influence outside the family is the school. It provides the most opportune learning experience away from home, so that a heavy demand is placed on our educational system.

The Juvenile Justice Committee has concluded that a developmental learning program must be presented to students at a *very early age* to be of significance in the child's future attitudes. "Early age" is defined as the years between infancy and age eight.

Dr. Burton L. White, head of Harvard University's internationally known preschool project has stated that developing and learning capacities that will see a child through the rest of his life are pretty much set by age three.

Many psychologists and educators agree that the child's first year of life is the most important. If a child is not provided adequate early education from his parents, he may do poorly in school or have difficulty in making friends. In extreme cases, some experts say, he may become totally anti-social and violent.

If a child is never encouraged to talk or read, he will probably have trouble with these skills in school. If he is never taught to share his toys, he may never adjust or really understand the feelings of others. If he is never taught that he should not hit his fellow toddler with a block, he may think little of using a dangerous item in the same manner when he becomes older. He must learn self-control.

It is the opinion of those with expertise in the field of probation that a prevention program is the only solution to the crime rate increase, and it must be instituted at the earliest age possible, with the entire family involved.

In the chapter titled "Dollars versus Delinquency" from his book *Adolescence and Youth*, Paul H. Landis says, "There are growing numbers of criminologists who claim that most of our law violators of tomorrow can actually be detected during the early grades of our contemporary school system. This is the period of the individual's life when for the first time he or she is given greater responsibility in the independent decision-making process. Although juvenile detention statistics tend to make it appear that late youth and early adulthood are the time when the offenses against society actually begin, the facts will probably reveal that the kinds of behavior and attitude patterns that have led to the juvenile's arrest have usually been practiced by the offender at home during the time of his childhood. These private family situations are viewed as having gone unchecked and are seen growing into more serious violations of community norms. At the time, these acts may have seemed trivial and the family tolerated them. Too late they discover that learning patterns are established early, and then great difficulty is experienced in reversing these undesirable behavior habits."

Many experts now say that the millions of dollars spent on Project Head Start failed to produce lasting results because the program did not accept children until after their third birthday. Some experts claim that education during the child's first three years is more important in some ways than his learning in grades one through twelve. School systems usually spend the most money on high school students, much less on elementary school pupils, and little or none on preschoolers. If the present system is failing to accomplish the proper education of children, perhaps it is time to try a new approach.

If a new system were to start today, it would take a minimum of five and possibly close to 20 years to achieve any significant results. In place of funding more agencies and facilities to handle errant youth, we could be closing juvenile detention facilities and building more recreational facilities in their place. This decrease in institutional population would result in a great reduction in expenditures of taxpayers' monies. If we examine the projected results purely on an economic basis, it would prove to be less expensive for the taxpayer to support the early education concept.

A survey sponsored by the National Institute of Law Enforcement and Criminal Justice under Grants 72-NI-99-0034G and 73-NI-0020G to the

University of Alabama and Marquette University was conducted to discover how many and what type of delinquency prevention programs were included in the curriculum of public schools in the United States. The findings showed that many schools had no program and among those which did, the programs were many and varied. While there were some preschool education programs, most of the programs were directed to the older student; i.e., drug, V.D., truancy prevention, and vocational.

## RECOMMENDATION

The Grand Jury recommends that all the Los Angeles County Boards of Education initiate a co-op type preschool program in the local elementary schools. The parents would attend a minimum of one day a week in order to assist a professional teacher/counselor and to gain experience in educating and caring for the children. The program could be set up on the semester basis including summer school, using a four-hour day serving particular age groups; i.e., first semester for the six month to 1½ year old; second semester for the 1½ to 3 year old; and the third semester for the 3 year old to kindergarten age. As a side benefit, the parent would become involved with the local school before his child becomes a regular student, thereby bringing the community and school into a closer relationship. The classes should consist of guided discussions about child development and discipline techniques such as child abuse, safety in the home, proper diet for growing children, and importance of early communication with the child.

### 2. Probation Department After-Care Program

“After-care” services are now provided by the Los Angeles County Probation Department to youths who have completed their term in a probation facility and are then released back into the community. The members of the Juvenile Justice and Social Services Committees of the 1976-77 Grand Jury have examined the current proposal to eliminate this after-care service. Only 4.6 per 100 after-care cases return to court per month. This is approximately one-half the recidivism rate of those who have not had the opportunity to participate in the After-Care Program.

We believe that the long-range effect of the elimination of the After-Care Program will be very expensive in terms of booking, processing, adjudicating and detention, not to mention human costs.

If, due to the need for immediate economies, the Board of Supervisors may feel it necessary to choose between the abolition of the After-Care Program and the dissolution of the Narcotics Testing Program, we would strongly recommend that the vote be in favor of retaining After-Care services.

The Narcotics Testing Program serves primarily to identify individuals who are on probation for drug abuse, and who again become involved

with the use of drugs. The identification process has revealed that 58.9% of the subjects involved in the Testing Program have reverted to drug use or dependency which causes them to be recycled in the Juvenile Justice System. This program costs \$400,000 more per year than After-Care.

### RECOMMENDATION

In view of the success rate of the After-Care Program, the Los Angeles County Grand Jury recommends that the Board of Supervisors retain the Probation Department's After-Care Program.

#### 3. Family Treatment Program

The Family Treatment Program at Los Padrinos is very effective in establishing better rapport and communication between detainees and their parents. It also assists the juvenile to relate more effectively with other inmates.

Juveniles who participate in the 6 to 8 week program are better prepared to adjust to their home environment after being released. They also have a better record for "making it" on the "outside" than those who do not participate in the counseling program.

The cost of the program is very minor when compared to the expense involved when a probationer recidivates and must be reprocessed into the juvenile justice system.

### RECOMMENDATION

The Grand Jury urges the Board of Supervisors to order the Probation Department to expand the Family Treatment Program and to solicit participation by parents of wards who are nearing release dates.

#### B. Administration 1. Juvenile Justice Center

The Juvenile Justice Center is the result of a recommendation by a Los Angeles Ad Hoc Committee on Juvenile Justice. Judge William Hogoboom, the Presiding Judge of the Juvenile Court in 1973-74, supervised the experimental plan for establishing this Center. He named Judge David V. Kenyon as coordinator to bring together "under one roof" the appropriate agencies to properly process juvenile offenders.

This Juvenile Center has two fully staffed courtrooms presided over by Judge Kenyon, with the able assistance of Judge H. Randolph Moore. It is located at 76th and South Central Avenue in a high-crime-rate area.

This decentralized justice plan is designed to speed up the processing of juvenile cases and most cases are resolved within 48 hours. The Center, under the personal guidance of Judge Kenyon, has two courtrooms,

judges' chambers, and space allotted for the personnel from ten supporting agencies: the County Clerk, Police and Sheriff, Schools, Community Development, Probation, Public Defender, District Attorney, Public Social Services, and California Youth Authority. A representative of the Probation Department coordinates the Center's activities and is responsible for general management procedures.

It appears that this innovative approach with its eleven agencies working together in a single facility can more effectively and efficiently deal with delinquent youth. The Center offers a practical, efficient and effective approach in reducing the judicial processing time by more than 50%, compared to Eastlake Juvenile Court. The average elapsed time between arrest and court hearing is 61 days for Central Juvenile Hall, and 28 days for the Juvenile Justice Center. Referrals come from the Sheriff, Police Department, schools and parents. A probation officer is assigned to meet with parents who "walk in" seeking assistance for their deviant or needy children. The Justice Center also has 13 community workers who are working on a youth employment program.

At the heart of the system is the so-called "intake" panel. This panel is comprised of five representatives from probation, law enforcement, schools and community agencies.

The panel meets each day to carefully consider pending cases. School records are discussed before the intake panel makes any decision. They make recommendations for specific diversion programs; for formal investigations by probation officers; for the use of community agencies for the benefit of the youths or their parents; and, in 50 to 60% of the cases, they file a petition that will bring the youngster into court for a hearing on the charges for which he/she was detained. This careful weighing of the cases is very cost effective, for the Center has the highest rate of petitions sustained in any juvenile court in Los Angeles County. In addition, due to the convenience of the court and the "personalized" handling of the cases, it is *extremely* rare for a juvenile not to appear in court.

During the first months of operation (March 29, 1976 to November 8, 1976) 1,062 juveniles were processed, with 50% diverted to agencies away from the juvenile justice system. This court has attracted nationwide attention by the media and is known as the "Juvenile Court With a Heart and Soul". Keeping close to the juveniles with effective diversion programs helps to discourage future involvement in juvenile criminal activities.

## RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors continue to support the Juvenile Justice Center. If the results of the independent evaluation study due June 1, 1977 show that the intended goals have been reached successfully, the Grand Jury recommends adequate planning to expand the concept county-wide.

## 2. On-Call System

The "on-call" system allows a subpoenaed witness to remain at home or work until called to testify in court. This system saves time and money for the County and the witnesses. For example, in 1976, in the Los Padrinos Court, 1,786 police officers out of 2,272 who were placed on call were not needed to testify. If it is assumed that ordinarily each of these officers would have had to wait in court for an average of four hours, 7,144 unproductive overtime pay hours were saved. As a result, numerous city and county agencies, including the Justice Action Coordinating Committee, have recommended that the on-call system be expanded to all juvenile courts. Cost effectiveness will also be realized, as more civilian witnesses will appear to testify when they are not inconvenienced, and more cases will be quickly adjudicated.

The 1975-76 Grand Jury recommended that the on-call system be instituted in all County juvenile courts. The CAO was ordered by the Board of Supervisors to respond to five issues relating to the regionalization of the Juvenile Justice System, one of these being the on-call system.

### RECOMMENDATION

**The Grand Jury recommends that the Board of Supervisors implement the witness on-call system in all juvenile courts as rapidly as possible.**

## 3. Transfer of California Youth Authority Wards

The current population of Central and Los Padrinos Juvenile Halls includes minors who are awaiting hearings, and others who have been declared wards and are awaiting transfer or placement.

The wards of the court who are to be sent to California Youth Authority (CYA) facilities are held in one of the two juvenile halls while their legal documents are processed by the CYA office in Sacramento. When the documents are returned, the wards are transferred to the Southern Reception Center or other CYA facilities.

A study of the three-month period from December 1976 through February, 1977 revealed that 152 juveniles who had been declared court wards averaged 23 days in juvenile hall while awaiting processing and transfer to a CYA facility. This amounts to a total direct cost to the Los Angeles County taxpayers of \$206,159 when the ward is housed at Central Juvenile Hall at a cost of \$58.97 per day. The cost is greater when the ward is held at Los Padrinos where the cost is \$64.75 per day.

A procedure to shorten the processing time would be the assignment of a CYA officer empowered to accept and process the ward's legal documents in the Los Angeles office. This would eliminate the approximate ten day mail time lag between Los Angeles and Sacramento.

### RECOMMENDATION

**The Grand Jury recommends that the Board of Supervisors order the**

Probation Department to develop procedures to shorten the processing time for wards awaiting transfer to CYA.

1. The probation officer representing the minor should appear in court with all necessary documents if the case seems likely to result in CYA placement.
2. The Probation Department should assign a sufficient number of officers to expedite the processing of wards going to CYA.
3. The Board of Supervisors should order the County Clerk's office at the juvenile courts to expedite the processing of legal documents in all cases where the minor is to be placed in a CYA facility.

#### 4. Revision of Juvenile Court Law

The "Juvenile Court Law" contained in the Welfare and Institutions Code should be updated to conform with current court philosophy, policies and procedures. The latest revision of the law was in 1961 and many important changes have occurred since that time. Nearly every year during the intervening time, numerous sections of the Code have been amended.

The 1967 Gault decision by the U. S. Supreme Court initiated the due process adversary mode now practiced in all juvenile courts. That decision has resulted in the modification of the Parens Patriae concept that formerly prevailed in juvenile proceedings. The Welfare and Institutions Code presently contains many sections that are in discord with the due process philosophy.

It is essential that the juvenile justice system be provided with an adequate and updated juvenile law. Courts, child welfare, and enforcement agencies must be able to provide uniformity in processing and adjudicating juvenile matters in accordance with the law.

### RECOMMENDATION

The Grand Jury recommends that the Los Angeles County Board of Supervisors request the Governor of the State of California to appoint a commission of experts to study and make recommendations for the revision of the Juvenile Court Law.

#### C. Evaluation of Diversion and Treatment Programs

Since the Law Enforcement Administration went into effect 11 years ago, the federal government has spent billions of dollars on deterrence, rehabilitation and crime prevention programs in an effort to "make our streets safe". For example, in 1975, 26 million dollars were given to eight selected cities, in the hope that various programs for crime reduction could be demonstrated to be effective. The results indicate that crime actually increased in all eight cities! However, in the last three months of 1976, the Uniform Crime Report of the FBI reveals that serious crime in the United States decreased by 6%.

In 1960, 15% of the nation's population was in the 14-21 year age group. This group rose to a peak of 21% of the population in the 1973-75 period and has now started to decrease. This indicates a close correlation between the crime rate and the percentage of the population in the most crime prone age group (14-21). However, there was no correlation between the large efforts in the deterrent, treatment and diversion areas and the rate of crime. It appears that the large sums of money being spent for improvements in law enforcement efficiency and for institutional treatment and community diversion programs are largely wasted.

Confining ourselves to treatment and diversion programs for juveniles, it is not difficult to see why large sums of money fail to produce significant improvement. When the situation appears desperate, public pressures mount; as a result, large sums of money become available. There is a tendency then to try anything that seems reasonable. This in itself may not be wrong; but if no evaluation is made, the useless programs are continued along with the good. If, however, proper feedback on results is obtained, the worthy programs can be continued and refined and the ineffective programs discontinued.

An example of a program area that needs to be examined carefully is diversion. There is already some evidence that the majority of juveniles "diverted" are primarily the young minor offenders with little or no record who would formerly have been counseled and released outright. Referral and treatment for them represents increased intervention rather than diversion from the formal system. Meanwhile, the more serious offender will usually be released at intake without treatment, put on "informal probation" with minimal treatment, or sent home on probation. Thus, money is spent where it is not needed and withheld where it might be of better use.

Proper evaluation includes three main factors. First, the evaluators must be expert in the use of the required techniques, so that the problem is clearly formulated, the study population is adequate, extraneous influences are eliminated, appropriate data is taken, and proper statistical tests are utilized. Second, the evaluators must be completely independent of the project personnel and their administrative organization so that no question of bias can arise. Third, since the costs of evaluation may be appreciable, the tendency to neglect evaluation can become strong. Therefore, it would be wise to insist that a fixed portion of the funding for each project should be reserved for evaluation.

Our experience to date indicates that most diversion and treatment programs within the County are not studied by an independent group, are poorly studied, or are not evaluated at all.

## **RECOMMENDATION**

**The Grand Jury recommends that all juvenile diversion and treatment programs within the control of the County of Los Angeles,**

both now and in the future, be examined by competent independent evaluators to determine whether they are effective in reducing the incidence of juvenile crime, rehabilitating offenders, making the system more convenient or efficient, or reducing costs of programs without reducing services. If not, the programs should be terminated immediately. Additionally, 10% of the cost of all projects should be reserved for the expenses of evaluation.

*Charles L. Smith, Chairman*  
*Charles E. Love, Vice Chairman*  
*Linda Barbani, Secretary*

*Jean Biegenzahn*  
*Sylvia Zuckerman*

# SOCIAL SERVICES COMMITTEE

## PURPOSE

The Social Services Committee of the Los Angeles County Grand Jury has the responsibility of investigating the quality and quantity of human services provided by county departments.

## BACKGROUND

The Department of Public Social Services (DPSS) employs approximately 12,800 persons. This represents 17.3% of the total number of county employees. Its budget in 1976/77 was in excess of \$1 billion, of which 22% was funded solely by county taxpayers. The balance was funded by state and federal governments. DPSS expenditures represent the largest single item in the county budget, 35¢ out of each \$1.

DPSS is responsible to the Board of Supervisors for administration of all welfare programs mandated by federal and state laws and county ordinances. The county does not have the option of declining to participate in welfare programs and has had very little decision-making power in relation to most social (i.e., human) service programs.

DPSS is not the only county department which provides social services. Some of the others are Adoptions, Senior Citizens Affairs, Public Administrator-Public Guardian, Community Development, Health Services, and Probation.

## AREAS OF CONCERN

We directed our attention to the following issues:

- A. Working policies and procedures of DPSS eligibility workers.
- B. Legislation relating to income supplements.
  1. Statewide General Relief.
  2. Ceiling on earned income for Aid to Families with Dependent Children recipients.
- C. Abused and neglected children.
  1. Special training for policemen.
  2. Suspected Child Abuse and Neglect Team (SCAN).
  3. Community task forces.
  4. Child Abuse Listening Line.
- D. Children's Protective Services.
  1. The case load of Children's Services Workers.
  2. The qualifications of Children's Services Workers.
- E. After-Care Programs.
  1. Probation Department.
  2. Youth Services Center.
- F. The Court Referral Community Service Program.

## METHODS OF INVESTIGATION

Members of the Social Services Committee visited welfare offices, Community Service Centers, McLaren Hall, a Children's Protective Services Office, community care facilities, and children's group homes. We had guest speakers who discussed the following topics: the Home-maker/Chore program; the job of the eligibility worker; social services provided by the county (as opposed to income maintenance); the impact of legislation on welfare and social services; the view of professional social work organizations; assistance payments; welfare fraud; foster home placement; experiences of foster parents; private organizations working to prevent child abuse; the Inter-agency Council on Child Abuse; the Welfare Rights Organization; and the pros and cons of rebuilding Sylmar Juvenile Hall.

In July, 1971, by action of the Board of Supervisors, the Commission to Review Public Social Services was formed. Its purpose was to review the management and administrative activities of the Department of Public Social Services. This commission functioned for approximately 5 years. The Social Services Committee studied the findings of this commission.

Additionally, we reviewed recommendations made by previous Grand Jury Social Services Committees to determine if they had been implemented.

## FINDINGS AND RECOMMENDATIONS

### A. Working Policies and Procedures Followed by DPSS Eligibility Workers

After studying the procedures of the Department of Public Social Services, it became apparent that one of its most important functions was the determination of eligibility of potential welfare recipients. The individual who determines eligibility and continues to interpret it is called the Eligibility Worker (EW). Eighty-five percent of the EW's are female. Typically, he or she is 35 to 40 years old, with some college education and 5 to 10 years of clerical experience.

Each EW serves 50 to 150 clients; the size of the case load depends on the complexity of the cases. The EW is supervised by an Eligibility Supervisor (ES), who, in turn, is supervised by a Deputy and a Director. There are also various clerical support people in the district offices.

Eligibility workers make the initial contact with applicants for welfare and determine the amount of benefits allowed, if any. It is important that they function in a fair, efficient, and humane manner.

We learned that through DPSS, a federal grant had been given to John Barry and Associates to study the organization, function, and work flow of the eligibility section of certain district offices. The goals of the study were:

1. To reduce errors to their lowest possible level;

2. To reduce administrative costs and to measure the effects on qualitative control;
3. To improve service to recipients; and
4. To improve the working environment for employees.

We examined the progress reports made by John Barry and Associates to the federal government. These were favorably evaluated by the Department of Health, Education, and Welfare. We solicited information from welfare recipient associations, personnel at the three model DPSS offices, and several DPSS administrators who, we felt, were qualified to evaluate the results of the study. Our conclusion was that the study was worthwhile and resulted in a number of improvements.

In particular, we have noted improvements in DPSS eligibility operations since the implementation of some of the John Barry and Associates' recommendations. They fall in the following areas:

1. All forms and files were examined and redesigned. In addition, a compartmental type of desk was designed that reduced greatly the mechanical work required. The introduction of computer technology was accelerated by simplifying and streamlining routines and systems.
2. The method of providing clerical support was reorganized so that clerical workers now report to the same supervisor as the eligibility worker.
3. Work rotation was established to permit cross training and flexibility. Routine tasks became more varied and the calendar work load was distributed better.
4. Audit control was simplified by establishing a new procedure which required sampling of only 10% of the cases on a random basis. This provided supervisors more time to assist workers and examine work sheets.

As a result, efficiency was increased (an estimated 10 to 20% fewer workers) and a higher level of job satisfaction was obtained.

## RECOMMENDATIONS

1. The Grand Jury recommends that the Board of Supervisors commend the DPSS for implementing the recommendations of John Barry and Associates which have contributed to the progress noted.
2. The Grand Jury recommends that the DPSS utilize other outside consultants to effect a more efficient operation. Because state and federal governments provide the greatest portion of welfare funds, and thus the major benefits of improved efficiency will accrue to them, we feel that such consultant work should be financed by grants funded by those levels of government.

**B. Legislation  
Relating to  
Income  
Supplements**

**1. Statewide  
General Relief**

The Board of Supervisors unanimously approved a motion made by Supervisor Hahn on September 21, 1976, which has statewide General Relief as its goal. This motion recommends that legislation to provide uniform state funded grant allowances and eligibility criteria be enacted. The legislation would save Los Angeles taxpayers \$43 million in the 1976/77 fiscal year, if it were in effect. In addition, it would decrease the migration of indigents, with their attendant social problems, to those counties with higher General Assistance grants, such as Los Angeles. The Grand Jury strongly supports the action of the Board of Supervisors, but recommends an additional specific action.

The Grand Jury feels that the taxpaying public is not now fully aware of the nature of the problem: welfare programs are mandated by a higher level of government. If the public were properly informed, their protests against high property taxes could be used in a constructive and effective manner and their actions directed toward the responsible level of government.

We strongly urge the Board to use all available means of communication to inform the public of the state and/or federal mandates responsible for welfare programs. The Jury believes that the Board must delineate the responsible level of government that must act in order to decrease the size of the welfare burden now placed upon the property taxpayer. Such a campaign could develop widespread citizen support for the passage of legislation designed to correct tax inequities, provide better social services, and save money.

**RECOMMENDATION**

The Grand Jury recommends that the Los Angeles County Board of Supervisors adopt an aggressive policy of informing county residents of the mandated nature of welfare programs, thus making it clear that legislative action at the state and/or federal level is required for relief.

**2. Ceiling on  
Earned Income  
for AFDC  
Recipients**

The present procedure for calculating amounts which can be earned without reducing welfare benefits lacks safeguards and controls. The federal law is designed to encourage Aid to Families with Dependent Children recipients to become employed and leave the welfare rolls. This is done by providing incentives applicable to earned income. A very small percentage of persons who receive welfare payments and food stamps earn an unfairly high income.

The 1970, 1973, 1974/75 and 1975/76 Grand Juries recommended that the Board of Supervisors support federal legislation to establish a ceiling on the gross income an employed welfare recipient may earn and still be eligible for AFDC funds. We concur with the previous recommendations and hope that more members of the public will prod Congress to pass the necessary legislation. We are aware that the DPSS has already made many efforts to have a ceiling on earnings imposed.

## RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors continue to seek legislation and/or administrative changes to establish a ceiling on earned income, with appropriate variations reflecting different costs of living throughout the United States. We further recommend simplification of the rules under which earned income reduces welfare benefits.

### C. Abused and Neglected Children

Child abuse is a leading cause of infant mortality in the United States. More than 55,000 cases of child maltreatment are reported annually in California alone. Last year in Los Angeles County, the Department of Public Social Services filed petitions for 3,578 neglected or abused youngsters to be declared wards of the court. Almost 44,000 less serious cases were referred to the DPSS for protective services. Actually, experts feel that the problem is much greater than generally realized, since many cases go unreported.

There is a generally accepted theory that abused children become abusing parents, and that without intervention, these patterns may be transmitted for generations. Research does reveal that a high percentage of criminals were abused or neglected children.

#### 1. Special Training for Policemen

The Protective Services Section of the Department of Public Services attempts to help families with children who have been neglected or abused. They also have Emergency Placement and Health Care programs for these children. Police have the authority to physically remove the children from their homes. They need to differentiate between what is reasonable and unreasonable punishment, and they have to handle delicate family situations. To do so, they need different skills from those used in their usual police work. They should be provided with special training to deal with these situations.

## RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors request that the Police Officers Standards and Training (POST) commission review its curriculum in connection with the training given to police officers in dealing with child abuse and neglect cases and expand it in areas where existing training is deemed inadequate.

#### 2. Suspected Child Abuse and Neglect Team (SCAN)

It is not only the police who need expertise in relation to this problem. Many physicians do not recognize the symptoms of child abuse or neglect, nor are they familiar with community resources available to the parents. The Los Angeles County-USC Medical Center Pediatric Pavilion houses an excellent "team" that specializes in examination, treatment, and follow-up services for children and their

families in child abuse cases. This group of professionals, guided by Dr. David Friedman, is called the SCAN team, an acronym for Suspected Child Abuse and Neglect.

The 1975/76 Grand Jury recommended the establishment of a panel of county paid physicians "specially trained in diagnosing child abuse, to be available to law enforcement agencies, the DPSS, the County Counsel, and the District Attorney to diagnose suspected child abuse cases, and to provide medical testimony in court." The response to this recommendation referred to the above-mentioned SCAN team and said, "The CAO is working with the Department of Health Services to expand the use of SCAN teams to other county hospitals." At the present time, there has been no expansion of the SCAN teams.

### RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors expand the use of SCAN teams into all county hospitals as rapidly as the professional staff can be trained. We recommend that the supervisors monitor more closely the progress that is being made toward this goal.

### 3. Community Task Forces

Despite the valiant efforts of many dedicated people, countless cases of child abuse are not reported as early as they might be, if at all. Ways must be found to disseminate the following information more widely:

- a. The fact that anyone may report a suspected case of child abuse to DPSS offices housing Protective Service units during the day, to the DPSS Reference and Referral number during the night, or to the Police Department at any time.
- b. The existence of the Child Abuse Listening Line (828-CALL), for those unwilling to call a public agency.
- c. The fact that Penal Code Section 11161.5, revised January 1, 1977, protects anyone reporting a suspected case of child abuse in good faith from a civil and/or criminal lawsuit.
- d. The fact that doctors, hospitals, social workers, teachers, and certain other groups are committing a crime if they do not report a suspected case of child abuse, and
- e. The fact that under a 1976 California Supreme Court decision, *Landeros vs. Flood*, failure to report a case of child abuse is now grounds for a civil suit for damages.

### RECOMMENDATION

The Grand Jury recommends that the Board of Supervisors initiate community task forces to heighten awareness of the problems of child abuse and neglect. These citizen groups should coordinate

their activities with the existing inter-agency child abuse council which is composed of county-employed professionals.

**4. Child Abuse  
Listening Line**

The existence of a private organization known as the Child Abuse Listening Line was brought to the attention of the Juvenile Justice and Social Services Committees of the Grand Jury. This volunteer organization is directed by Laura Jacoby, a former DPSS social worker and holder of a master's degree in psychology from UCLA. "CALL," the acronym for the organization, is staffed by volunteers trained by the UCLA Child Trauma Intervention Team.

CALL operates an anonymous Crisis Intervention "hot-line" and a resource and referral service. The volunteers take calls any time of the day or night. They hope that by being concerned listeners, they will alleviate a momentary crisis and prevent a child from being hurt.

Sometimes a CALL volunteer will suggest help for the abusing parent from a social service agency. If the parent agrees, the volunteer will contact the agency and try to set up an appointment for a mutually agreeable time. In some cases, CALL will contact the police to investigate whether a child is in imminent danger and should be removed from the home immediately. Frequently, they report cases to Protective Services of the DPSS. DPSS spokespersons have said that CALL is a valuable resource because of the fact that it operates 24 hours a day, 7 days a week. In addition, they are aware of the fact that some people who wouldn't contact the DPSS are willing to report to CALL.

CALL has been praised by the Child Abuse Unit of the Sheriff's Department and the Los Angeles Police Department.

Last year's Grand Jury recommended the establishment of a single, countywide, publicized telephone number, operative 24 hours a day, to receive all reports of alleged child abuse and neglect. The CAO stated in his response that he would make such a recommendation by October, 1976. Since no such action has been taken, we urge that the telephone number of the only existing 24-hour hot-line used solely for child abuse prevention or amelioration be publicized by the county as much as possible. In addition, we would like to see the possibility of financial support for the CALL line explored.

We have just learned that within a few months, the County plans to list appropriate DPSS office numbers under "Child Abuse" in the county listings, with a cross reference in the white pages of the phone book. Though this will still not provide one number which may be called day or night, we commend the Board of Supervisors for taking this positive step to facilitate the reporting of suspected or actual child abuse cases.

## **RECOMMENDATIONS**

The Grand Jury recommends that the Board of Supervisors inves-

investigate the feasibility of subsidizing the telephone expenses of the Child Abuse Listening Line.

In addition, we recommend that the Board of Supervisors commend the volunteers of the Child Abuse Listening Line for their dedication and round-the-clock services, since they make a significant contribution to juvenile welfare at no cost to the county.

#### D. Protective Services

Section 18250 of the California Welfare and Institutions Code gives the Board of Supervisors the authority to establish programs for protective services:

"The Board of Supervisors of any county may establish such programs as are deemed necessary to provide protective services for children, so as to insure that the rights of physical, mental, or moral welfare of children are not violated or threatened by their present circumstances or environment."

##### 1. The Case Load of Children's Services Workers

Currently, there are several elements which function to give incomplete protection to children of Los Angeles County. The first is that the case load of children's Services Workers (CSW's) is unreasonably large — 50 to 60 cases. We believe that there should be an absolute maximum case load of 40, to provide more frequent and more intensive treatment for the abused or neglected children and their abusing parents than there is available at present. Aside from the humanitarian reasons, we believe that this move will be cost-effective by providing skilled intervention to break the cycle of child abuse. To effect a smaller case load, the Board of Supervisors must lift its hiring ban for this category of worker.

We are aware of the on-going "yardstick" study of social services. Unfortunately, to date, we have not been able to learn of any of the findings of this study. Therefore, we have had to rely on what social workers, DPSS administrators, judges, commissioners, and foster parents have told us about the degree of "protection" that can be provided by the CSW's. Part of the reason that the worker cannot be in the field more, we determined, is the tremendous number of forms that the CSW's must complete. One ex-CSW told us that the number of forms tripled during his tenure with DPSS!

The 1975/76 Grand Jury recommended that the Board of Supervisors grant authorization to fill all budgeted positions of Children's Services Workers. They also recommended that the DPSS be permitted to replace CSW's who have been assigned to other functions, or who are on prolonged sick leave. Neither of these recommendations has been implemented.

In the 1976/77 fiscal year, the county budget provided funds for 707 Children's Services Workers; 674 were allotted by the DPSS, and

only 646 were actually working in February, 1977. We realize that one reason for this disparity is that a budget is only an estimate and the number of actual workers depends on the total number of cases at any given time. Nevertheless, because assigned caseloads are so large, DPSS does not allot all budgeted positions. In addition, as was pointed out, the Board of Supervisors has not granted authorization to replace Children's Services Workers who have been assigned to other functions or who are on prolonged sick leave. The sum total of these factors creates a situation in which, we believe, the DPSS is not adequately fulfilling its protective service function.

## RECOMMENDATIONS

1. The Grand Jury recommends that the Board of Supervisors lift the hiring ban on Children's Services Workers.
2. The Grand Jury recommends that the Board of Supervisors grant authorization to fill all budgeted Children's Services Workers positions.
3. The Grand Jury recommends that the DPSS modify its reporting procedures in order to lighten the paper work of case workers. This will give them more time for field activities with abused children and chronically troubled families.
4. The Grand Jury recommends that the Board of Supervisors order the Director of the Department of Public Social Services to set a maximum caseload of 40 for Children's Services Workers.

### 2. The Qualifications of the Children's Services Worker

Another factor which functions to lessen the degree of protection for children needing services from DPSS relates to the training and skills of the Children's Services Worker. Before the functions of investigating and supervising Dependent Children of the Juvenile Court were transferred from the Probation Department to the Department of Public Social Services, DPSS used a classification titled Child Welfare Worker for those employees making all foster home investigations and placements. Qualification as a Child Welfare Worker required an MSW degree, in accordance with the State's Local Agency Personnel Standards, though at the entry level, DPSS did permit substitution of one year of experience for the second year of graduate work. In June, 1971, the County Personnel Director requested that the State Personnel Board permit the DPSS to substitute experience for an MSW degree. This waiver from the State's Local Agency Personnel Standards was granted in August, 1971, except, interestingly enough, for the Department of Adoptions.

Thus, the qualifications and standards were downgraded at that time. The classification of Children's Services Worker was created and the minimum requirement was a B.A. (in any major) and one year of social work experience (not necessarily with children). According to the DPSS Personnel Division Chief, no MSW's have been hired since the

late 1960's. When DPSS assumed many functions previously performed by the Probation Department, there may have been valid reasons for the request for the waiver, as, for instance, a shortage of MSW-degreed individuals. However, such a situation does not exist at this time, nor, we are told, do MSW's consider the salaries they would receive as Children's Services Workers inadequate (\$1,185-\$1,476 per month).

On December 7, 1976, Supervisor Hayes introduced a motion which dealt with his desire to raise the quality of services provided by Los Angeles County to dependent, abused, delinquent and pre-delinquent children. We share his conviction that "we need the highest level of professional diagnostic and treatment services, if we are to be successful in our protection and rehabilitation efforts." The Social Services Committee does not believe this goal is achieved by:

- a. Continuing the present requirements for a Children's Service Worker I; and
- b. Limiting all positions to people currently working for the County, as is now required, rather than seeking the most qualified persons available to perform the tasks.

Civil Service Commission Rules prohibit hiring from the outside when there are sufficient candidates already working in the County to meet the department's needs. The DPSS says it has not even opened its examinations to other County departments, since its recruitment pool of social workers has remained large enough to meet its needs.

When considering that statement, two facts must be kept in mind:

- a. DPSS has used eligibility workers, and other workers who do not possess the minimum qualifications for a Children's Services Worker, as so-called "out-of-class" workers. After one year, these "out-of-class" workers automatically become qualified to be regular CSW's. If the pool of social workers had been large enough to meet CSW needs, as DPSS spokes-persons have maintained, they would not have resorted to using out-of-class workers. Working out of class does not automatically instill the necessary skills of a Children's Services Worker.
- b. If the present requirements were strictly adhered to and/or the minimum requirements for CSW's were raised, then the existing pool of social workers would not be large enough; and with CAO permission, new persons with more training and skills could be hired. However, as long as the DPSS retains the current minimal requirements for Children's Services Workers and, in addition, uses "out-of-class" workers, so long will it be able to say that it has a large enough recruitment pool to rule out outside hiring.

Continuing with his statement in the December 7, 1976 motion, Supervisor Hayes said, "Those charged with the responsibility of diagnostic

assessment and on-going case planning need superior educational tools to assist them in their difficult job." We believe that these educational tools include the closely supervised field work and counseling-training provided by schools of social work or by those training marriage, family, and child counselors.

Supervisor Hayes made several suggestions, including specific educational prerequisites, and the feasibility of work/study programs for DPSS and Probation Department personnel who work with children.

We are critical of some of the responses made to Supervisor Hayes' motion.

- a. In explaining the costs to the County of a work/study program, both the Director of the Department of Public Social Services and the Acting Chief Probation Officer suggest that the present salaries of certain current employees somehow become a new cost to the County when split between part-time worker/students and their time-equivalent replacements. (See CAO March 16, 1977 communication, Attachment I, 1, and II, B.)

The one salary per person currently being paid the employees cannot validly be presented as a new "cost." We can see no reason for the Board of Supervisors not to permit the hiring of as-needed staff to compensate for the half-time worker who is willing to go to school (at his/her own expense) and draw only half his/her salary.

- b. The Director of the Department of Personnel reviewed the job requirements for Children's Services Workers in DPSS. He stated that no direct correlation had been demonstrated to tie the MSW degree to job success, but it was generally believed that such education did contribute to a worker's knowledge and skills.

At a March, 1977 meeting, the welfare directors of five Southern California counties unanimously agreed that trained social workers perform at a higher level in providing direct protective services to children than workers who have not attended schools of social work. It is a fact that virtually every major public and private social services agency in the United States which provides children's protective services, adoptions, family counseling, or psychiatric work, requires the MSW degree for its social workers.

For example, Dan O'Flaherty, Personnel Director of United Way and Personnel Consultant to United Way agencies states that the job specifications for United Way agencies providing the above-mentioned services specify MSW's. We believe that the skills required by the CSW's who work with battered,

homeless, pre-delinquent children, and abusing and neglecting parents are not lower, but higher than those needed by Deputy Probation Officers III's doing intensive treatment. The latter are required to have an MSW degree, according to the Director of the Department of Personnel, in his response to Supervisor Hayes' motion. Also, the MSW degree continues to be required for those County employees who place adoptive children.

The Department of Personnel is currently discussing with the Probation Department the addition to job specifications of the requirement that all new Deputy Probation Officers have Bachelor's degrees in social welfare or the behavioral sciences. This is mentioned in the last sentence of a lengthy response to Supervisor Hayes' motion. Nowhere else in the response is this suggestion referred to. We believe it deserves more consideration. In fact, we believe it is a good idea to add this job requirement. There would be no County costs (other than minor changes in job specifications) to take this small step to raise the academic qualifications of those working with children. We acknowledge the fact that obtaining a degree is not the only way to achieve casework or counseling skills, nor does the degree itself guarantee superior competency. Nevertheless, generally, in our society, when we wish to utilize the services of a professional — nurse, teacher, accountant — we are rarely willing to accept a person who has only had on-the-job training.

## RECOMMENDATIONS

1. The Grand Jury recommends that the Board of Supervisors direct the Department of Public Social Services to give priority for Children's Services Work jobs to those with Master's degrees in social work or in marriage, family, and child counseling. We wish to emphasize that the overriding consideration in the selection and/or assignment of Children's Services Workers should be that they have the degree of skill commensurate with the job. Training, ability, and efficiency should weigh more than length of service with DPSS.
2. If the DPSS continues to use persons without their Master's degrees in social work or marriage, family, and child counseling, the Grand Jury recommends that the Board of Supervisors modify the minimum requirements for a Children's Services Worker. We recommend the adoption of Supervisor Hayes' suggestion: limit the presently required Bachelor's degree to majors in sociology with a concentration in social welfare, social work, or psychology, for any new Children's Services Worker.
3. The Grand Jury recommends that the Board of Supervisors direct the Department of Public Social Services to discontinue the use of "out-of-class" Children's Services Workers.

## E. After-Care Programs

### 1. Proposed After-Care Program for Probation Department

See page 83 for the joint Juvenile Justice and Social Services Committee recommendation.

### 2. After-Care Program for the Youth Services Center

The Youth Services Center is an extension of the shelter care and protective services program operated at MacLaren Hall by the Department of Public Social Services (DPSS). (MacLaren Hall is a facility for the temporary placement of nondelinquent, dependent children.) The Youth Services Center opened in September, 1976. When it is fully operational, it will house approximately fifty adolescents who experience difficulties in foster care placement due to behavior problems. This is evidenced by many re-detentions at MacLaren Hall.

The Youth Services Center attempts to break this "cycle of failure." Inasmuch as the maximum stay there is 90 days, it is unrealistic to expect "cures." The best that can be expected is enough improvement in the behavior patterns that the resident has followed for 15 or 16 years to make him or her acceptable to a foster care facility.

Generally speaking, genuine progress in problem areas is made while the youngsters are at the Center; the goal is for the change to continue after the youngsters leave. There are problems, however, which interfere with the retention of the improved patterns of behavior. Just about the time that a youngster is due to be released from the Center, his behavior often begins to deteriorate. This is known as "separation anxiety." The youngsters fear they will be abandoned and forgotten. Some of them deliberately misbehave in order not to terminate relationships which, in many cases, represent a high-water mark in their lives.

Another problem that often arises is that ex-residents of the Center begin to slip back into their old negative behavior patterns after placement. The staff at the Youth Services Center, for all of these reasons, would like to provide the ex-residents with an After-Care Program; i.e., to maintain the meaningful relations developed at the Center for six months after the youngsters' release. During this period of time, the staff of the Center expects a significant increase in the level of carry-over of the gains made in the Center program.

In the proposed program, the primary casework responsibility would be transferred from the field Children's Services Workers to the psychiatric social workers at the Youth Services Center, except where a meaningful relationship with the CSW already exists. In those cases, the CSW would continue to have primary responsibility, but the Youth Services Center would provide support services to the ex-residents. A psychiatric social worker would be available 7 days a week, from early

morning until late at night. The usual caseworker is available from 8:00 a.m. to 5:00 p.m., 5 days a week, when not in the field.

In order to handle the primary casework and to provide the support services, the Youth Services Center would have to add four psychiatric social workers to its staff. The greater availability of these psychiatric social workers would also be used to give additional support to the foster parents who have to deal with these difficult-to-handle children.

Another benefit of the After-Care Program is that generally, the same caseworker who works with the teachers and children in the Center school would work with the schools involved in the placement. This would increase the likelihood that the youngsters would make satisfactory school adjustments.

As stated at the beginning, the Youth Services Center deals with youngsters who have a record of many re-detentions at MacLaren Hall. Therefore, it seems to us that an After-Care Program would be cost effective in both the long and short term. Re-detention is a very expensive process at MacLaren Hall; continued placement failures may lead to delinquency, adult violations, and expensive incarceration. All of these involve high human costs, as well. We believe that the proposed After-Care Program holds the promise of being an effective preventive and treatment program.

## **RECOMMENDATION**

**The Grand Jury recommends that the Board of Supervisors implement and staff an After-Care Program at the Youth Services Center at MacLaren Hall under the Department of Public Social Services.**

### **F. The Court Referral Community Service Program**

The members of the Grand Jury Social Services Committee undertook an investigation of a program known as the Court Referral Community Service Program. This program is a cooperative effort of the Los Angeles Municipal Courts, Los Angeles Probation Department, community agencies, and Volunteer Bureaus and Voluntary Action Center (VB's/VAC's). (The primary purpose of VB's/VAC's is to develop volunteerism to enhance the public service rendered by community non-profit agencies.) The Court Referral Community Service Program places selected misdemeanants in volunteer assignments, as an alternative to fines and/or incarceration. The Social Services Committee is concerned with improving human services and effecting economies within county government. It is our belief that this program satisfies both of these concerns.

In September, 1970, the California Supreme Court held that an indigent could not be imprisoned for nonpayment of fines. In arraignment courts that have a heavy volume, some indigent persons have had their cases

continued as many as fifteen or twenty times for nonpayment of fines. When determining the cost effectiveness of this program, we did not calculate the great savings of court time available from reducing the number of continuances to pay fines; but they are real, nevertheless.

In the court case mentioned above, the court further held that: the "State can impress upon indigents their responsibilities to the County for their behavior through available alternative procedures." Prior to the development of the Court Referral Program, when judges required the defendants perform a specific number of hours of volunteer service in a community agency as an alternative to formal probation, they relied on personal contacts as resources for the referral of defendants. Now, however, any judge may utilize the skills and resources of the already existing Voluntary Action Center/Volunteer Bureaus (VAC's/VB's) to accomplish specific voluntary placements. The VAC's/VB's have been in the business of matching volunteers with acceptable agencies for many years. In Los Angeles County, they can place an individual at one of 1300 different institutions, where tasks range from helping crippled children play games, to visiting old people in the hospital, to carrying reading material to shut-ins. The VAC's/VB's verify the completion of the specified number of hours of voluntary service under community service sentences.

Formerly, if a judge felt that some type of community work was appropriate, and if there were no community service sentencing programs available, he could provide for such a sentence through the Probation Department. In 1974, it cost \$141.90 to complete an adult investigation, and \$17 a month to supervise. Assuming a one-month supervision as the average, and adjusting the cost to 1977 prices, Probation Department sentencing would now cost \$181.14. Not only is the largest part of that amount saved through the Court Referral Program, but there are major cost benefits to the agencies which receive the volunteers. If the average offender is sentenced to 80 hours of work and a minimum wage of \$2.50 is assumed, each sentence provides a cost benefit of \$200.

Currently, there is a proposal to add \$169,000 to the Probation Department budget for the purpose of contracting with the VAC's/VB's to provide placement and verification services to the court-referred volunteers. This compares to an estimated cost of \$248,900 for the cases, if formal probation were ordered.

Last year, there were approximately 130,000 volunteer hours provided to nonprofit agencies throughout the County. Some of these agencies are the Braille Youth Center, American Heart Association, Red Cross, Salvation Army, Alcoholism Council, YMCA, L.A. Schools, Head Start, Cancer Society, Pacific Hospital, City Parks, Spastic Children's Foundation, and Veterans' Hospitals.

One nonprofit agency, SOLVE, wrote to the Board of Supervisors, "We are in the process of developing facilities for twenty or more handicapped people in this area. This facility would probably not become an

actuality without the volunteer labor from the Court Referral Program. This facility could save the county a potential \$100,000 in subsistence payments . . . to say nothing about the value in human terms to those individuals who will be gainfully employed.”

Some of the staunchest supporters of the Court Referral Program can be found among the members of the judiciary: Los Angeles Judicial District Municipal Judge Arthur Gilbert; Supervising Judge of the Traffic Courts Building Eric Younger; Richard Amerian; James E. Satt; Presiding Judge Irwin Nebron; and Municipal Court Commissioner John C. Gunn. The last says, “The courts, by using the Volunteer Community Service programs . . . save the cost to the County of incarceration, and save the social costs of disruption of a defendant’s life by being jailed . . . Also, a considerable number of defendants . . . gain a different outlook on life. They have been forced to discover there can be a great satisfaction in helping other people . . .”

The Grand Jury strongly supports the Court Referral Community Service Program. We would like to see the program continued and expanded. Regardless of the funding source, we believe that the Los Angeles Voluntary Action Center should be named the prime contractor, acting on behalf of ten VAC’s, since this agency has the appropriate staff to handle the administration of the contract. If separate contracts with each VAC are involved, then administrative costs will multiply accordingly. Currently, there are individual revenue sharing contracts, which create numerous problems. Recently, during contract negotiations, the Los Angeles VAC had to carry the expense of the program for approximately seven months.

We believe that all available data support our contention that the private sector can provide screening, placement, and verification services at a lower cost to the taxpayer than the public sector can. The VAC’s/VB’s are uniquely qualified to provide these services, due to their experience in referring people to public and private nonprofit agencies.

## RECOMMENDATION

The Grand Jury recommends that a service contract be awarded to the Los Angeles Voluntary Action Center for the processing of misdemeanants sentenced to community service.

*Sylvia Zuckerman, Chairman*  
*O. Morgan Williams, Vice-Chairman*  
*and Secretary*

*Jean Biegenzahn*  
*Edward Knapp*  
*Theresa Valenzuela*

# AD HOC COMMITTEE ON GRAND JURY REFORM

## PURPOSE

The Ad Hoc Committee was formed for the purpose of examining and making recommendations on various proposals for Grand Jury reform.

## BACKGROUND

During the sixth month of the 1976-77 term the Grand Jury formed an Ad Hoc Committee in response to the Board of Supervisors' inquiry into legislation for Grand Jury reform. The Committee's charge was two-fold. Initially, it was to determine whether or not to support proposed legislation under consideration by the Board of Supervisors; and secondly, to develop guidelines to cover those inherent Grand Jury problems which are the result of inexperience, lack of direction, and the normal problems of transition between juries.

## AREAS OF CONCERN

### I. Proposed Legislation on Grand Jury Reform

- A. Independent counsel for the Grand Jury
- B. Separate civil and criminal Grand Juries
- C. Extended and staggered terms for a *single* (undivided) Grand Jury
- D. The Grand Jury selection process
- E. Presence of advisory counsel to witnesses in Grand Jury hearings

### II. Transition and Operational Reform

- A. Preparation of a manual on Grand Jury procedures
- B. Methods of screening and preparing prospective jurors for duty
- C. Selection and orientation of the Foreman
- D. Establishment of mechanisms for follow-up on past Grand Jury recommendations
- E. Information regarding Grand Jury activities
  1. Prosecutor's Management Information System (PROMIS)
  2. Civil duties
- F. Investigation of advisory and regulatory commissions
  1. History
  2. Sunset Ordinance

### III. Addendum — Procedural Recommendations

- A. Election of officers, orientation, and committee procedures
- B. Report writing

## METHODS OF INVESTIGATION

The Committee obtained research materials from other counties as well as from departments within Los Angeles County. In addition, interviews were conducted with staff of the Chief Administrative Officer, the Board of Supervisors, the District Attorney, the State Attorney General and the Los Angeles Municipal Court. By coincidence, during the inquiry a conference of grand jurors from nine counties was held, thus giving the Committee an opportunity to discuss Grand Jury problems di-

rectly with representatives from other counties. Almost without exception we found that people from the other counties were examining the same questions that we were considering.

## FINDINGS AND RECOMMENDATIONS

### I. Proposed Legislation on Grand Jury Reform

Within a month after its inception the Committee submitted its first findings on the proposed reform legislation to the Grand Jury. We had determined that even though the system might benefit from some changes, the proposed legislation, *as written*, would only emasculate the Jury, and reduce it to the status of an advisory commission. The Jury concurred and, accordingly, recommendations were forwarded to the Board of Supervisors.

In spite of those recommendations, the Board of Supervisors approved the proposed legislation as written. The Committee then considered the subject a priority matter and resolved to continue the study. We were prepared, if our study warranted, to reassess our positions. However, at this time, and under existing conditions, we have found no reason to change the recommendations of January 24, 1977 which are as follows:

### I-A. Independent Counsel for the Grand Jury

The Grand Jury's findings regarding the appointment of independent counsel are:

1. The Jury has confidence in advice from a career attorney who is secure and protected under civil service.
2. The establishment of specific qualifications for this function might well involve political favoritism regardless of the appointing authority.
3. An appointment of any kind gives no assurance that such an appointee would be unbiased.
4. There is no assurance that an appointee with a two-year guarantee of employment would not dominate and improperly influence the Jury in the interests of his future.
5. Provision for independent counsel is unnecessary because a diversity of legal advice is already available to the Jury from such sources as the District Attorney, all Superior Court judges (especially the Presiding Judge for the Criminal Departments), and the County Counsel. In cases for particular matters, the Attorney General may employ special counsel and investigators under the authority of section 936 of the Penal Code.
6. Independent counsel may well cost an additional \$50,000. The gain, if any, would be cosmetic.
7. The legal advisor provided by the Office of the District Attorney is recognized by the District Attorney as autonomous, and in effect is already an independent legal advisor.
8. The selection of a so-called "independent" legal advisor by the executive committee of the Superior Court, as proposed by the Board of Supervisors, may raise questions regarding the constitu-

tional separation of powers between the executive and judicial functions of government.

The Superior Court already has the power to select the Grand Jury, appoint the Foreman, advise the Grand Jury, receive indictments, review the sufficiency of these indictments and approve all final reports. If the court acquires the power to appoint the legal advisor in addition to its existing powers, questions may then arise regarding improper judicial interference with the Grand Jury.

The selection problems would not be resolved by transferring the power to the Board of Supervisors, since the Grand Jury investigates the departments administered by the Board. Transferring the power to the Grand Jury itself does not resolve the question either, because selection by the Grand Jury would undoubtedly involve favoritism and friction.

9. The appointment would not necessarily eliminate the need for the services of a full-time deputy district attorney as advisor. The present advisor assists in the preparation and presentation of criminal cases to the full Grand Jury. He also assists in the preparation and screening of cases for the Criminal Complaints Committee. Additionally, he serves as a liaison between the Grand Jury and the District Attorney. As a result, the proposed legal advisor would be able to assume only a portion of the present advisor's duties, and would represent an additional cost to the taxpayers.

## RECOMMENDATION

The Grand Jury recommends that the present method of selecting advisory counsel for the Grand Jury from the District Attorney's staff be retained.

### I-B. Separate Civil and Criminal Grand Juries

The Grand Jury's findings regarding the division of the Jury into two separate bodies are:

1. In our judgment the meeting of the civil and criminal juries could not be scheduled so as to avoid conflict, yet the present physical facilities will accommodate only twenty-three jurors. The additional jury, therefore, would need separate physical facilities and staff, which might cost an estimated additional \$100,000.
2. The strength of the present system lies in the unique ability of the Grand Jury to perform both civil watchdog and criminal indictment functions. The civil investigatory process of an *undivided* Grand Jury is strengthened by contact with its criminal functions.
3. Separation of the functions would eliminate the indictment ability of the civil panel and considerably weaken its power and effectiveness to oversee local government operations.

4. After a poll, members of the Grand Jurors' Association (former grand jurors) reported that they opposed separation of civil and criminal functions of the Grand Jury.

### RECOMMENDATION

The Grand Jury recommends that the civil and criminal functions of the Jury be retained in one body.

#### I-C. Extended and Staggered Term for Single (Undivided) Grand Jury

The Grand Jury did find that an extended and staggered term for a *single (undivided)* Grand Jury would be beneficial for the following reasons:

1. The extended term would permit better orientation and consequently more productive investigatory work.
2. The extended term would permit the carrying over of investigations into the new term, where those investigations might otherwise be dropped.
3. The staggered term would provide a continuity of experienced leadership for the Grand Jury.
4. The staggered term would provide a better opportunity for the implementation of prior Grand Jury recommendations.
5. The staggered term can be accomplished by retaining approximately one-half of the jurors from the previous term (a given number to be agreed upon) to join with those new members whose names will be drawn annually.

### RECOMMENDATION

The Grand Jury recommends that Grand Jurors serve for a period of two years on a staggered service basis.

#### I-D. The Grand Jury Selection Process

The Grand Jury could find no reason for altering the method now used. The present selection process of combining Superior Court judges' nominees and citizen volunteers in a lottery for the final selection is both fair and satisfactory.

### RECOMMENDATION

The Grand Jury recommends that the present method for selecting Grand Jurors should be retained.

**I-E. Presence of  
Advisory  
Counsel to  
Witnesses in  
Grand Jury  
Hearings**

The Grand Jury's findings are against the presence of advisory counsel in the hearing room for the following reasons:

1. The traditional secrecy of the Grand Jury proceedings would be jeopardized.
2. In cases dealing with organized crime it is conceivable that counsel might not be present in the best interests of the witness.
3. Suspects are not subpoenaed before the Grand Jury, but instead they are invited to appear, which they rarely do. Subpoenas are issued only for witnesses who are not suspects. The right of a witness against self-incrimination is already protected by Grand Jury procedures. Counsel may be consulted in the witness room as often as necessary. Additionally, any potential suspect must be advised of his or her constitutional rights, and cannot be required to testify unless the right to counsel is voluntarily waived.
4. The Grand Jury proceeding is not a trial nor is it an adversary hearing.
5. The hearing schedule of the Grand Jury should not be dependent on availability of counsel. Otherwise, counsel might create delays. This is particularly important when the Statute of Limitations is about to expire.

**RECOMMENDATION**

The Grand Jury recommends that advisory counsel to a witness continue to be available in the witness room, *but not in the hearing room.*

**II. Transition and  
Operational  
Reform**

Even though all Los Angeles County Grand Jurors are provided with a booklet containing the laws pertaining to Grand Jury duties, there is no manual of procedure. (The Committee has learned that, almost without exception, other counties provide jurors with manuals.) We believe that such a manual would enable incoming jurors to proceed with their duties in a more orderly and understanding manner.

**II-A. Preparation of  
a manual on  
Grand Jury  
procedures**

We propose that a manual be prepared during the '77-'78 year to be available for the '78-'79 jurors. When each person selected in the initial lottery receives the "Notice to Appear", he or she should also receive a numbered and controlled copy to be read prior to the final drawing.

Sources of material for such a manual can be found in memoranda of present procedures of the Los Angeles County Grand Jury and in other existing documents, such as manuals from other grand juries throughout the state. Also, suggestions may be obtained from the Grand Jurors' Association.

The manual should include suggestions for screening prospective jurors, committee work, methods of investigation, subpoena powers, format for letters, etc. Also, it should be made available through the Grand Jury office to libraries and schools.

## RECOMMENDATION

The Grand Jury recommends that the Superior Court be charged with the preparation of a manual covering policies, procedures, and law to be used for the training and guidance of incoming grand jurors.

### II-B. Method of Screening and Preparing Prospective Jurors for Duty

Los Angeles County Grand Jurors are selected from a pool of nominees who are either citizen volunteers or persons personally searched out by Superior Court judges.

When considering a nomination, judges should have available for review a comprehensive description of the obligations and duties of grand jurors. Secondly, they should realize that it is a most demanding, nearly full-time job. They should inquire into the background and health of the prospective nominee, with particular attention to the ability of the individual to work in association with others. Detailed information as to duties, problems, and hours should be made available to the prospective nominee before soliciting any agreement to serve.

The citizen volunteer should complete a questionnaire covering the information that a judge would be expected to have before making a nomination.

## RECOMMENDATIONS

1. The Grand Jury recommends that all prospective jurors be given a copy of the manual on Grand Jury procedures when served with the "Notice to Appear."
2. The Grand Jury recommends that prior to taking the oath, the prospective juror sign a statement to the effect that the jurors' manual, including the duties and obligations listed therein, has been read and understood, and that the juror will adhere to it.

### II-C. Selection and Orientation of the Foreman

The Foreman of the Grand Jury is chosen by the Presiding Judge of the Superior Court. His or her selection takes place between the time the names of the new grand jurors are drawn and the date of impanelment. Obviously, the Presiding Judge should thoroughly investigate the prospective Foreman's background for health and leadership ability before he or she is named. Generally, the Foreman has only a few days' advance notice before assuming office. Clearly, this is insufficient time to prepare a plan for organizing and leading the new Grand Jury. There also appears to be a need for greater assistance by the court in advising and orienting the new Foreman in the practical requirements of this new position.

## RECOMMENDATIONS

1. The Grand Jury recommends that the Foreman be selected *at least two weeks* before assuming office.
2. The Grand Jury recommends that during those two weeks the Foreman be thoroughly briefed by the Presiding Judge, the Grand Jury Legal Advisor, and the outgoing Foreman as to the legal and practical requirements regarding the organization, procedures and administration of the Grand Jury.

### II-D. Establishment of Mechanisms for Follow-up on Past Grand Jury Recommendations

If a Grand Jury is to function efficiently it is most important that there be continuity between Grand Juries. Our inquiries have revealed that in many cases the recommendations of past Grand Juries have not been implemented simply because they have never been pursued. These recommendations lie dormant for years while technically still under consideration.

In order to improve continuity, this Grand Jury believes that it is appropriate for each Grand Jury to pass on to its successor Grand Jury a letter outlining all unfinished matters that should be pursued.

In addition, each Grand Jury should establish a liaison committee with the Board of Supervisors and the Chief Administrative Officer. The committee should consist of at least one representative from each Supervisor, one from the Chief Administrative Officer, and two from the Grand Jury. It should also be noted that recently the Grand Jurors' Association has received authority from the Board of Supervisors to act in an official capacity in following up past Grand Jury recommendations.

## RECOMMENDATION

The Grand Jury recommends that each Jury establish a small liaison committee with the Board of Supervisors and the Chief Administrative Officer for the purpose of insuring continuity, and as an aid to the implementation of Grand Jury recommendations.

### II-E. Information Regarding Grand Jury Activities

It is often said that the Grand Jury is a "tool for the District Attorney's Office" because of the common belief that the Grand Jury automatically returns an indictment against every suspect in every case. That was not the experience of this Grand Jury.

#### 1. PROMIS (Criminal Phase)

During our term we did not return indictments in three of the first 44 cases presented. Further, we did not indict 17 out of 113 suspects against whom evidence was presented. (However, twelve of the nonindicted suspects were from one case.) The Grand Jury recognizes that indictments are returned in a higher proportion of cases than correspondingly result in Informations following preliminary hearings. Gener-

ally, Grand Jury cases are more thoroughly investigated and rarely do witnesses fail to appear as is commonplace at preliminary hearings.

Nonetheless, the Grand Jury sought statistics to evaluate the results of Grand Jury presentations. The desired data was to consist of: (1) the number of cases and suspects presented; (2) the number of cases and suspects indicted; (3) the number of motions to dismiss under section 995 of the Penal Code granted because of the insufficiency of the evidence or other legal defect; (4) the number of motions to dismiss for other reasons; (5) the number of convictions; and (6) the number of acquittals. The Grand Jury believed that it was essential to have this information to evaluate the quality of Grand Jury indictments.

However, it was learned that the present record keeping methods unfortunately do not distinguish between cases arising from indictment as contrasted to information. It is, therefore, impossible to gather the desired data at the present time.

The Los Angeles County District Attorney's Office is presently installing a Prosecutor's Management Information System (PROMIS). This system is designed to assist management in planning and controlling the operations of the District Attorney's Office by providing line prosecutors with detailed information regarding the status of every case, and background information on all defendants. Information on every felony case referred to the District Attorney's Office is being entered into PROMIS. The PROMIS program will designate cases that arise by Grand Jury indictment commencing in July of 1977. In the future it will be possible to obtain the statistical data we desire from the PROMIS system.

The PROMIS data as presently planned will not include information as to the number of cases (including number of suspects) presented to the Grand Jury that have not resulted in indictments. The Grand Jury believes that this important statistical data should not be overlooked. Provision should be made to include it along with all other Grand Jury data.

Ultimately, the information contained within the PROMIS system should be available for statistical studies not only of the Grand Jury system, but of the entire criminal justice system. The Grand Jury believes that this information should be made available to the public as soon as possible.

## RECOMMENDATIONS

1. The Grand Jury recommends that the District Attorney's Office include in the Prosecutor's Management Information System (PROMIS), data related to the number of cases not resulting in indictments by the Grand Jury as well as all data regarding those resulting in indictments.
2. The Grand Jury recommends that statistical data generated by the PROMIS program be made available to the public as soon as possible.

## 2. Civil Duties

The public is generally aware of the criminal functions of the Grand Jury because of wide-spread publicity associated with indictments. However, the civil or watchdog charge of the Grand Jury is not, generally, as well known. This function consists of the investigation of county and local governments and the making of recommendations which, if followed, would increase governmental efficiency, enhance its effectiveness, and save taxpayers' dollars.

The Grand Jury pursues its civil investigations by dividing into committees which concentrate on specific departments or governmental programs. After investigation, when necessary, each committee makes recommendations on that aspect studied. The Grand Jury conducts its own investigations and also employs an independent auditor to examine the financial records and methods of operation of specific departments as designated by the Jury. At the conclusion of the year's investigations, a final report is prepared for the Board of Supervisors to which they must respond within sixty days. The Grand Jury may also make interim reports during the year on items of immediate concern.

We believe the report is not disseminated to enough people. With very little effort the report could be made available to secondary schools, colleges and universities, for use as collateral reading in classes in government, civics, law, etc. Through such means, public interest would be stimulated, and thus a better understanding of the civil phase of Grand Jury operations would be developed.

## RECOMMENDATIONS

1. The Grand Jury recommends that the Board of Supervisors make efforts to develop public awareness of the civil function of the Grand Jury.
2. The Grand Jury recommends that the Board of Supervisors make schools and other appropriate agencies aware of the existence and availability of Grand Jury publications.

## II-F. Investigation of Advisory and Regulatory Commissions

### 1. History

During our term in office the Grand Jury learned that there are eighty-four separate advisory and regulatory County committees and commissions which are filled by citizen appointees. We asked the Chief Administrative Officer to provide us with pertinent statistical information on these commissions, including the following: (1) the number of members on each; (2) the qualifications for selection; (3) their duties and responsibilities; (4) the terms of office; (5) the extent of authority; and (6) the expenses involved in maintaining each of them.

The "Comprehensive Committee and Commission Survey" was promptly and efficiently prepared. This valuable source of information shows that there is an advisory commission for nearly every function of county government and there is a substantial likelihood of duplication of efforts, considering that the Grand Jury also investigates many of the same areas

of concern. These commissions at present *are not* required to prepare any report of their activities, nor are they required to justify their existence at any time. Every public commission which has an impact on county government and incurs public expense should be required to issue public reports on its activities and to justify its existence periodically.

## RECOMMENDATIONS

1. The Grand Jury recommends that all future Grand Juries contact investigative commissions concerned with areas of Grand Jury interest, in order to utilize the commissions' information and assistance so that duplication of effort can be avoided.
2. The Grand Jury recommends that the Board of Supervisors periodically require each commission to justify its existence. For this purpose the Chief Administrative Officer should undertake an ongoing program to monitor the effectiveness of all advisory commissions.
3. The Grand Jury recommends that the Board of Supervisors require each commission to submit an annual report of its activities to the Board, and that the Board cause these reports to be distributed to all related commissions and county departments.
4. The Grand Jury recommends that the Chief Administrative Officer make available to each Grand Jury foreman a current copy of the "Comprehensive Committee and Commission Survey."

### 2. Sunset Ordinance

During the course of our investigation on Grand Jury "reform" we were asked to evaluate a proposed "Sunset Ordinance" that would require the evaluation of all nonmandatory commissions every four years.

The objectives of the "Sunset Ordinance" would be to strengthen legislative review and to control nonmandatory governmental programs. According to the Chief Administrative Officer, implementation of the "sunset" procedure would consist of three steps:

1. Designate termination dates for specific programs
2. Establish a schedule to review each program subject to termination
3. Increase involvement of citizens in the review process

## RECOMMENDATIONS

The Grand Jury supports the concept of the "Sunset Ordinance" and recommends that the Board of Supervisors pass it subject to the inclusion of the following:

1. At the time of review of any existing program or before the im-

plementation of any new programs the requirements listed below must be met.

- a. That the Board of Supervisors order the establishment of clearly defined goals and objectives for all non-mandatory programs and commissions, and also fix criteria for the evaluation of their success *prior* to authorizing their continuation.
  - b. That the program manager and the Chief Administrative Officer work together in establishing goals, objectives, and criteria for evaluation of the program, committee, or commission.
  - c. That any evaluation or audit of a program or commission be conducted by the Chief Administrative Officer or by an adequate auditor not connected to the program.
  - d. That the committee or commission consider the feasibility of producing a written report annually describing their year's activities; or,
2. If the "Sunset Ordinance" fails to pass, the Grand Jury recommends that the program manager and the Chief Administrative Officer work together in establishing goals, objectives, and criteria for evaluation of the program, committee or commission.

### III. ADDENDUM — PROCEUDRAL RECOMMEN- DATIONS

#### III-A. Election of Officers, Orientation and Committee Procedures

The Grand Jury believes that the naming of a Secretary Pro Tem is essential for the efficient operation of the Grand Jury. The Secretary of the Grand Jury performs functions analogous to a court clerk during Grand Jury criminal hearings. This requires the learning of special skills. Invariably there will be occasions during the course of the year when the regular secretary will be unavailable, necessitating that an inexperienced person step in. The problem would be solved by the naming of a Secretary Pro Tem who would acquire the necessary skills at the same time as the Secretary, and thus be prepared to step in when needed.

### RECOMMENDATION

The Grand Jury recommends that the position of Secretary Pro Tem be included among the Grand Jury officers elected.

The experience of Grand Juries over the years is that substantial time is lost because of a lack of training and proper orientation. In order to function intelligently and efficiently, jurors must know what is expected of them. They must understand the structure of County government and the function and operation of its departments. In their committee work, the jurors must understand how to investigate, interview, gather statistical data, find research materials, organize viewpoints, and arrive at conclusions. This needed general orientation could be provided by experts from universities or from the County in a few sessions at the beginning of each Grand Jury term, before the formation of any committees.

## RECOMMENDATION

The Grand Jury recommends that before the formation of any committees, experts be recruited to provide general orientation sessions for each Grand Jury.

### III-B. Report Writing

The Grand Jury communicates its ideas and recommendations to the Board of Supervisors and to the public by means of its reports. These ideas and recommendations may be communicated in interim reports made during the term or in the Final Report at the conclusion of the term. It has been the experience of this Grand Jury that the best procedure is to make interim reports in a standardized format. The interim report permits the expression of the Grand Jury's ideas and recommendations when a topic is timely, while the standardized format permits the interim reports to be collected in the Final Report, along with additional recommendations and comments.

The Grand Jury is aware of the vast number of detailed and voluminous reports submitted by all levels of government to the Board of Supervisors and other County agencies. Therefore, it is essential that every Grand Jury report be as succinct as possible. It is also advantageous if Grand Jury reports are organized so as to facilitate the quick and easy comprehension of the recommendations. Each Grand Jury recommendation should also address the financial impact of the recommendation so that each one may be properly evaluated against competing priorities.

## RECOMMENDATIONS

1. The Grand Jury recommends that a format acceptable to all Grand Jurors should be established early in the term so that interim reports need only be collected for the final report.
2. The Grand Jury recommends that all reports be written succinctly and that whenever possible they include an evaluation of their financial impact.

*Jeanne Weldon Dole, Chairman*  
*Ruby R. Renetzky, Vice Chairman*  
*Joanne E. Smallwood, Secretary*  
*Francine S. Chernoff*

*Leda Danzig*  
*Harry H. Greenwald*  
*Robert A. Houghton*  
*O. Morgan Williams*