Hammond

County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE
713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
http://cao.co.la.ca.us

DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

September 6, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

RESPONSES TO THE 2004-2005 GRAND JURY FINAL REPORT (ALL DISTRICTS AFFECTED) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the responses to the 2004-2005 findings and recommendations of the Grand Jury that pertain to County government matters under the control of your Board.

2. Instruct the Executive Officer of the Board of Supervisors to transmit copies of this report to the Grand Jury upon approval by your Board.

3. Instruct the Executive Officer of the Board of Supervisors to file a copy of this report with the Superior Court upon approval by your Board.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Section 933 (b) of the California Penal Code establishes that, after grand juries submit their final reports, the county boards of supervisors shall comment on the findings and recommendations of the grand jury, which pertain to county government matters under control of those boards.

In June 2005, the 2004-2005 County of Los Angeles Grand Jury issued its Final Report containing findings and recommendations directed to various County and non-County agencies. County department heads have reported back on the Grand Jury recommendations, and these responses are attached as the County's response to the 2004-2005 Grand Jury Final Report.

The recommendations directed to all future Grand Juries have been forwarded to the 2005-2006 Grand Jury for consideration. Recommendations associated with non-County agencies have been referred directly by the Grand Jury to the following agencies: Los Angeles Homeless Services Authority (LASHA), Los Angeles Police Department, Hermosa Beach Police Department, Long Beach Police Department, Manhattan Beach Police Department, Redondo Beach Police Department and the Torrance Police Department.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

These recommendations are consistent with the following Countywide Strategic Plan Goal and Strategy:

Goal No. 3: Organizational Effectiveness: Ensure that service delivery systems are efficient, effective, and goal-oriented.

FISCAL IMPACT/FINANCING

Certain Grand Jury recommendations require additional financing resources. As an example, the Grand Jury recommends that this Office work with the Department of Health Services representatives to establish a funding mechanism that will reasonably finance a newly established heath authority's operation. In some cases, financing has been approved by your Board in the current fiscal year's budget. Departments will assess the need for additional financing to implement other recommendations and submit requests for Board consideration during the 2006-2007 budget cycle, as appropriate.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In accordance with California Penal Code Section 933 (b), the following departments have submitted responses to the 2004-2005 County of Los Angeles Grand Jury Final Report:

ATTACHMENT	DEPARTMENT
A	Chief Administrative Office
B	Auditor-Controller
C	Children and Family Services
D	Health Services
E	*Human Resources
F	Mental Health
G	Internal Services
H	**Public Defender
I	Sheriff

*Supporting department on responses.
**Additional responses.

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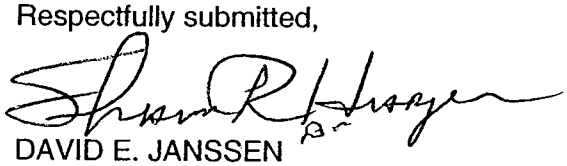
PUBLIC INFORMATION

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:MKZ
VLA:os

Attachments

c: Auditor-Controller
Sheriff
Presiding Judge of the Superior Court
County Counsel
Grand Jury
Director and Chief Medical Officer of Health Services
Director of Children and Family Services
Director of Mental Health
Director of Internal Services
Director of Personnel
Chief Probation Officer
Director of Public Social Services
Public Defender

ATTACHMENT A

CHIEF ADMINISTRATIVE OFFICE

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Fifth District

August 25, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

2004-05 GRAND JURY FINAL REPORT

Attached is the Chief Administrative Officer's (CAO) response to the 2004-05 Grand Jury Final Report. We are responding to specific recommendations dealing with the following applicable sections:

- Health Authority Components and Roles;
- Health Authority Finance and Performance Requirements;
- Human Resources;
- County Support Services;
- Transfer of County Assets and Liabilities to the Health Authority;
- Health Authority Legislation and Transition Process;
- Homeless Committee;
- Governmental Approaches to Real Property Management.

If you have questions regarding our responses, please contact me, or your staff may contact Martin Zimmerman of this Office at (213) 974-1326.

DEJ:MKZ
VLA:os

Attachment

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR MARTIN LUTHER KING, JR./CHARLES R. DREW MEDICAL CENTER

RECOMMENDATION NO. 1.10

Direct the Chief Administrative Officer, with assistance from DHS, to determine the most appropriate allocation of DHS Health Services Administration personnel and resources as part of a health authority transition plan.

RESPONSE

If the Board of Supervisors (Board) instructs County staff to proceed with establishing a health authority, the Chief Administrative Office (CAO) and the Department of Human Resources (DHR) concur that this would be an appropriate action to take.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HEALTH AUTHORITY FINANCE AND PERFORMANCE REQUIREMENTS

RECOMMENDATION NO. 3.2

Direct the CAO to work with the Department of Health Services representatives to establish a funding mechanism that will reasonably finance the health authority's operations. At a minimum, the health authority should retain all patient revenues and other resources that result directly from the services that it provides, as well as dedicated tax revenues and maintenance of effort guarantees for sufficient County General Fund subsidies to finance its operations.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that a necessary step is to establish an appropriate financing mechanism to ensure the viability of a health authority.

RECOMMENDATION NO. 3.3

Direct the CAO to work with County Counsel and the Department of Health Services representatives on the development of an operating agreement for services that provides revenue and cost-based incentives for (a) the County to provide sufficient resources to the health authority using a coordinated care standard rate per patient or episodic treatment approach, and (b) the health authority to use those resources effectively, as demonstrated by reductions in cost per patient over several years.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO believes this step requires further study, in conjunction with the Department of Health Services (DHS) and County Counsel, to develop an appropriate payment mechanism for purchasing health care from a health authority.

RECOMMENDATION NO. 3.4

Direct the CAO to work with the Department of Health Services representatives to establish baseline costs based on current operations, and to determine the planned timing of cost reductions and efficiency improvements and needed investments in areas such as information technology so that the standard rates used in the agreement between the health authority and County can be adjusted each year, in accordance with this plan.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that it would be appropriate to work with DHS in establishing baseline costs and efficiency targets; however, the structure of the financial arrangement between the County and a health authority requires further review.

RECOMMENDATION NO. 3.5

Direct the CAO to work with the Department of Health Services to develop (a) hospital and health care system financial and performance goals and measurements, for inclusion in the operating agreement between the County and the health authority, and, (b) systems to measure actual financial and service quality performance of the health authority, including cost measures, patient outcome and satisfaction measures and improvements in efficiency. These goals and measurements should be regularly reported to manager, the Health Authority Board Directors and the County Board of Supervisors, supplemented by periodic analysis of results by an independent party.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that the financing agreement with the health authority should include financial and performance goals and measurements and systems to determine whether goals are being met.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HUMAN RESOURCES

RECOMMENDATION NO. 4.1

Direct the CAO and DHS to collaborate on development of a human resource plan for transition to the health authority, with detailed recommendations regarding timelines and alternatives for addressing the various labor and collective bargaining issues identified in this report.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO and DHR concur with this recommendation.

RECOMMENDATION NO. 4.2

Direct the CAO to expedite negotiations with employee bargaining groups to implement the proposed Flexible Staffing Pilot Program, in an effort to immediately reduce outside Registry costs.

RESPONSE

The CAO concurs with this recommendation. CAO and DHS representatives have had discussions with the Union, and will follow up to expedite implementation.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR COUNTY SUPPORT SERVICES

RECOMMENDATION NO. 7.1

Conduct a thorough analysis of current County costs to support DHS services. The analysis should include:

- A comprehensive accounting of costs, such as rental expenses, utility charges, judgments and damages, insurance and security services, that would likely offer little opportunity for health authority savings;

- An analysis of services, such as legal and information systems, where some limited health authority savings could be achieved; and,

- An analysis of services, such as auditing, accounting, budgeting, financial management and employee relations, where more substantial savings may be possible.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs these elements should be included in the financial analysis of transitioning to a health authority.

RECOMMENDATION NO. 7.2

Conduct a thorough analysis of County cost impacts that might result from possible health authority decisions to discontinue the use of County services and possible offsets under the health authority.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs this should be included in the financial analysis of transitioning to a health authority.

RECOMMENDATION NO. 7.3

Estimate the net countywide cost or savings (i.e., the combined finances of the County and the health authority) that might be achieved with the creation of a health authority, considering fixed support services costs that the County might still incur even if the health authority no longer uses the support services.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that this should be included in the financial analysis of transitioning to a health authority.

RECOMMENDATION NO. 7.4

Work with the Department of Health Services to identify and report back support service overhead costs that could be eliminated by DHS providing the services in-house or contracting to a lower cost contractor for services now provided by County departments, and, to identify other cost reductions that would be achieved for external verification and monitoring of DHS operations that would no longer be needed under a separate health authority and is now performed by departments such as County Human Resources, the Chief Administrative Office and the Auditor-Controller.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that this should be included in the financial analysis of transitioning to a health authority.

RECOMMENDATION NO. 7.5

Develop legislative provisions that ensure the most cost effective partnership between the County and the health authority. At a minimum, these provisions should require that:

- The health authority be required to purchase support services from the County during a transition period lasting no less than two years; and,

- The health authority be required to give a one year notice when it intends to discontinue the use of County support services.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that legislation should be developed which ensures the most cost-effective partnership between the County and the health authority; however, the specific provisions will require further review, based on the financial and legal analysis of transitioning to a health authority.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR TRANSFER OF COUNTY ASSETS AND LIABILITIES TO THE HEALTH AUTHORITY

RECOMMENDATION NO. 8.1

Develop strategies and recommendations for either (a) transferring ownership of health and hospital facilities to health authority; or, (b) retaining ownership of all health and hospital facilities, but defining rights and obligations regarding facility use, rehabilitation, maintenance, expansion and replacement.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that strategies and recommendations must be developed regarding the disposition of DHS facilities.

RECOMMENDATION NO. 8.2

Determine federal and State requirements regarding the funding of retirement and insurance liabilities under the health authority that must be complied with for the County to be able to leverage all available federal and State funding for the health authority.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that review of federal and State requirements regarding such costs is necessary in order to maximize revenues and ensure the financial viability of a health authority.

RECOMMENDATION NO. 8.3

Seek authority from the federal and State governments to permit the County's unfunded liability to be partially financed by federal and State grants made to the health authority.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO believes that this recommendation requires further review to determine the impact on both the County and a health authority of various financing options.

RECOMMENDATION NO. 8.4

Develop estimates and report back on the financial implication to the County of (a) fully funding the LACERA pension plan, (b) repaying pension obligation borrowings, (c) establishing appropriate post-retirement health care benefit reserves, and (d) fully funding the unfunded liabilities for the County's self insurance programs. This analysis should assume that the County would be required to proportionately fund its share of all current and future pension and insurance costs through its operating agreement with the health authority.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that a thorough financial analysis, reflecting various assumptions, is required regarding pension and retirement obligations in transitioning to a health authority.

RECOMMENDATION NO. 8.5

Include a reduction in hospital and health system insurance costs, including general liability, medical malpractice and workers compensation, as a goal in the operating agreement with the new health authority, to be measured and regularly reported back to the Health Authority Board of Directors and the Board of Supervisors.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs with this recommendation.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HEALTH AUTHORITY LEGISLATION AND TRANSITION PROCESS

RECOMMENDATION NO. 9.1

Appoint a health authority transition team comprised of representatives of the Department of Health Services, County Counsel, the Chief Administrative Office, health care professionals from within and external to the County system, consumer representatives and other County representatives as needed, responsible for preparation of a detailed transition plan needed for implementation of a separate health authority in Los Angeles County.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs with this recommendation to appoint a health authority transition team.

RECOMMENDATION NO. 9.2

Direct the transition team to identify the areas where outside counsel or other expertise will be needed to assist with certain implementation issues and report back to the Board of Supervisors with the estimated costs and timelines for procuring such services.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that this step is appropriate, if such areas are identified by the transition team.

RECOMMENDATION NO. 9.3

Assign responsibility and due dates for each implementation plan task and classify each as one of the following: 1) issues to be resolved prior to drafting of enabling legislation; 2) issues to be resolved prior to drafting of necessary County Code and Charter amendments; 3) issues to be resolved prior to transfer of authority to the health authority; and, 4) issues to be resolved after transfer of authority to the health authority.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that it is appropriate to develop a detailed implementation plan with assigned areas of responsibility, including these issues and others that may be identified by the transition team.

RECOMMENDATION NO. 9.4

As part of the implementation plan, direct the transition team to prepare draft State legislation to enable creation of a health authority in Los Angeles County, including each of the components outlined in Exhibit 9.1 of this report.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that the transition team should prepare the necessary State legislation to create a health authority. Further, the CAO concurs that areas included in Exhibit 9.1 of the Grand Jury report should be considered in preparing the legislative language; however, specific elements, such as the composition of the health authority's board of directors and the financial arrangement between the County and a health authority, will require further review.

RECOMMENDATION NO. 9.5

Determine a sponsor in the State legislature to introduce the proposed legislation.

RESPONSE

If the Board instructs County staff to proceed with establishing a health authority, the CAO concurs that a member of the State Legislature will need to be identified in order to pursue the required legislative changes.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HOMELESS COMMITTEE

RECOMMENDATION NO. (Not numbered)

The Homeless Committee of the 2004-2005 Los .Angeles. County Civil Grand Jury recommends that the County Board of Supervisors support the Los Angeles Homeless Services Authority (LAHSA) mission to end homelessness as specified in goal one of the ten-year Strategic Plan to End Homelessness in LA County.

RESPONSE

The County of Los Angeles has been actively involved in supporting LAHSA's mission to address the issue of homelessness, and ending chronic homelessness, as specified in goal one of the ten-year Strategic Plan to End Homelessness in Los Angeles County. The County Board of Supervisors has provided significant financial support to LAHSA since its inception. In addition, the Board has taken a number of decisive and aggressive actions to support and complement the work of LAHSA. These actions include: improving and enhancing coordination in the delivery of health and human services to homeless families; active support and participation in the preparation of a 10-year plan to end chronic homelessness through the Bring Los Angeles Home Blue Ribbon Panel; and, more recently, taking a leadership role in stabilizing LAHSA as it addresses contractual and fiscal management challenges.

Specific information on recent Board actions supporting LAHSA is as follows:

- June 20, 2005, the Board took unprecedented steps toward addressing the issue of homelessness by allocating significant resources for enhancing, and more effectively administering the County's homeless services systems; and identifying and evaluating dedicated revenue sources for homeless programs. Some of the more key elements of the motion include:

  1. $20 million for construction and/or renovation of year-round emergency shelters;

  2. $2 million for construction of a Respite Center for homeless families;

  3. $600,000 in one time funds for Booth Memorial Center to operate its shelter for homeless families in 2005-06;

4. Develop options for more effectively administrating homeless services and programs considering funding strategies and enhanced governance structures; and

5. $2 million in order to more adequately fund administration of homeless programs.

- January 4, 2005, the Board directed County staff from a variety of departments to review and enhance the various County agencies' policies for discharging persons from County institutions to ensure that appropriate planning is in place so persons are not discharged to homelessness.

- December 14, 2004, the Board adopted a policy of zero tolerance for homeless families on Skid Row and directed the Department of Public Social Services to develop and lead implementation of an interdepartmental action plan for enhancing services to homeless families aided through the CalWORKs program and diverting the families away from Skid Row. Collaborating departments/agencies include Children and Family Services, Mental Health, the Community Development Commission, the LAHSA, and Public Counsel.

Other Countywide housing efforts involving County staff participation that support LAHSA's mission include:

- *The Bring Los Angeles Home! (BLAH)* effort, a blue ribbon panel composed of more than 60 political and civic leaders staffed by the LAHSA and the Coalition to End Hunger and Homelessness that is developing a blue print to end homelessness in the County.

- The Emancipation Program Partnership, convened to ensure that emancipation services are unified and comprehensive, and adequately prepare 14 to 21 year old youth – who are or have been in foster care under the County's dependency or probation systems – for successful adulthood. A major focus for the Emancipation Program Partnership is safe and stable housing for emancipating foster and probation youth.

- The Mental Health Services Act *(Proposition 63),* approved during the 2004 General election to increase resources to counties for the expanded provision of mental health services to children, adults, and seniors. Services covered under the Act include reducing "negative mental health outcomes such as suicide, incarceration, homelessness, school failure, unemployment, and foster care." A stakeholder planning process has been working for several months to prepare a Community Services and Supports (CSS) Plan. The Plan includes sub-plans focused on services and supports for children, transition age youth, adults and older adults; the plans for each population category include provision for housing.

- The Los Angeles County Special Needs Housing Alliance, established by the New Directions Task Force, has prepared a *Strategic Housing Plan for Special Needs Populations in Los Angeles County* which proposes a Countywide interdepartmental housing infrastructure for coordinating the capital, service, and operational resources needed to enhance the production of service-enriched housing for the County's vulnerable health and human service populations. The Plan, which will be presented to the Board of Supervisors for their consideration shortly, addresses three special needs populations: homeless persons with mental illness, emancipating foster youth, and persons living with HIV.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF ADMINISTRATIVE OFFICE

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR GOVERNMENTAL APPROACHES TO REAL PROPOERTY MANAGMENT

RECOMMENDATION NO. 1

Governing Bodies responsible for policy and oversight relating to Real Property issues should instruct and encourage Asset Managers to pursue opportunities to increase collaboration.

a) by having quarterly meetings with other jurisdictions.

b) by evaluating and introducing policies which foster intergovernmental cooperation for Real Property Management.

RESPONSE

The County Chief Administrative Office Real Estate Division (CAO/RED) participates in quarterly meetings with the California Counties Real Estate Group (CCREG) when the meetings are local. Because this group consists of members from all California counties the meetings are all day and half of the time in Northern California requiring air and hotel accommodations. These meetings concentrate on real estate issues common to all counties e.g. the recent legislation requiring Counties to deed their courthouses to the State by 2007.

In addition the Director of RED stays in touch via email and telephone with his counterparts in San Diego and Orange Counties sharing real estate advice as needed.

Because this recommendation requires "governing bodies" to increase collaboration, this would require elected officials not only in the County of Los Angeles, but other municipalities within the Los Angeles County sphere of real estate influence to have an interest in this.

Unless there is a direction and interest from a City Manager, CAO or other equivalent level of the executive branch in all of the participating organizations an attempt to have quarterly meetings will be just another meeting relegated to lower level staff. Forcing people to meet quarterly whether there is a need or not does not encourage

collaboration. A better solution would be to have a two day seminar geared to getting a higher level real estate executive from each organization together much the same as Los Angeles County does for Management Council twice a year. This could follow the CCREG type of program but be limited to those local agencies that are likely to interface on common real estate transactions involving leases and surplus property in Los Angeles County.

This could be cities within Los Angeles County, MTA, County of Los Angeles, MWD, DWP, Sanitation District, Los Angeles DPW, Los Angeles CDC and other local agencies within Los Angeles County. I believe that this would be a useful tool to improve collaboration among local agency real estate groups in Los Angeles County.

RECOMMENDATION NO. 2

Government Real Estate Managers should share information about needed and available property.

a) Governing bodies responsible for policy and oversight relating to Real Property issues should direct their Real Property Managers to investigate and submit a report on the potential of a Statewide multiple listing service.

b) Governing bodies responsible for policy and oversight relating to Real Property issues should establish policies requiring asset management professionals to:

   i. list properties available for sale or lease, and

   ii. check listings of other municipalities

RESPONSE

Surplus Real Estate and potentially surplus real estate are listed on the CAO/RED website including upcoming sealed bid auctions and request for proposals for our design build lease projects.

Leasing needs are also advertised on our Website. While staff utilizing the *CoStar,* a fee based multiple listing service, usually can fill any of the County needs associated with leasing space from the private sector, occasionally some difficult use e.g., Department of Mental Health (DMH) Chromio, Department of Public Social Services General Relief or Adult Probation requires additional help. Often these sites are limited by political concerns related to the NIMBY syndrome rather than a lack of space.

In terms of surplus County space for lease, there is little available to advertise. The preference is to cancel some of our existing leases (10M sq. ft.) and move into the County owned or vacant space. This is required by existing Board policy related to our asset management principles.

While there is no legal requirement to check other local agencies for availability of surplus property, this would be a good thing to do as a matter of practice. Generally local agencies and the State of California send notices of surplus property to the County. In fact one such notice recently resulted in the County buying 8 acres from the State in the Wrightwood area.

In order to check surplus property readily in other local agencies it would be necessary for someone to maintain a record of how to obtain this information if the agency does not have a website. This could be a topic of the semiannual conference of real estate members mentioned in Rec1 above.

Likewise a Statewide Database would require substantial funding and some sort of carrot for smaller jurisdictions to participate. A firm like CoStar could be approached to create such a data base and charge its members.

An additional problem exists where the County holds vacant property which appears to be surplus to the general public but in fact the Board has not declared it surplus. While this property sits and waits for a potential future occupant, other municipalities will not know that it might be available someday. Given that it often takes local agencies a long time to make a decision and implement that decision, having a designation of vacant property not yet declared surplus might be helpful.

If a change in the Government Code is required, this should be addressed by CAO/Intergovernmental relationships (IGR) and County Counsel.

Lastly in the report to the CAO dated May 1993 entitled Regional Government Real Estate Service Delivery by Charles W. West, many of these recommendations where addressed. The question is whether there is political will to implement the recommendations contained in that report. The Grand Jury cites this report in their appendix.

ATTACHMENT B

AUDITOR-CONTROLLER'S OFFICE

COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 525
LOS ANGELES, CALIFORNIA 90012-2766
PHONE: (213) 974-8301 FAX: (213) 626-5427

J. TYLER McCAULEY
AUDITOR-CONTROLLER

August 15, 2005

TO: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: J. Tyler McCauley
Auditor-Controller

SUBJECT: **LOS ANGELES COUNTY 2004-05 GRAND JURY FINAL REPORT**

In response to the Final Report of the 2004-05 Los Angeles County Civil Grand Jury, I have reviewed the five recommendations which impact my department (8.1 through 8.5). If instructed by your Board, I am prepared to collaborate with County Counsel and the Chief Administrative Officer to complete the requested reports on the transfer of County assets and liabilities to the proposed Health Authority.

Please feel free to contact me at (213) 974-0383 if you have any questions, or your staff may contact Eric Sink at (213) 974-8364.

JTM:WW:KZR:ES
H:\BOS grand jury report.doc

c: David E. Janssen, Chief Administrative Officer
Raymond G. Fortner, Jr., County Counsel
Dr. Thomas L. Garthwaite, Director and Chief Medical Officer of Health Services

ATTACHMENT C

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

County of Los Angeles
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

425 Shatto Place, Los Angeles, California 90020
(213) 351-5602

DAVID SANDERS, Ph.D.
Director

Board of Supervisors
GLORIA MOLINA
First District
YVONNE B. BURKE
Second District
ZEV YAROSLAVSKY
Third District
DON KNABE
Fourth District
MICHAEL D. ANTONOVICH
Fifth District

August 25, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Michael D. Antonovich, Chair Pro Tem
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: David Sanders, Ph.D.
Director

RESPONSES TO THE LOS ANGELES COUNTY 2004-2005 CIVIL GRAND JURY FINAL REPORT

This is to provide your Board my Department's Findings and Recommendation responses to the Los Angeles County 2004-2005 Civil Grand Jury Final Report (Grand Jury Final Report) pertaining to the Department of Children and Family Services (DCFS). DCFS agrees with Findings of the Grand Jury Final Report. However, we believe the Recommendation should not be implemented for the reasons provided in the attachment.

Also, it is worthwhile to note that DCFS in collaboration with the Auditor–Controller and County Counsel seeks to implement the Nonprofit Integrity Act of 2004 (SB 162) to assure greater fiscal accountability of board of directors for private and nonprofit organizations. By contrast, the Grand Jury Final Report Recommendation addresses standards for private agency boards concerning the number, qualifications and frequency of their meetings.

If you need further information regarding this response to the Grand Jury Final Report, please call me, or your staff may contact Walter Chan, DCFS Contracts Manager, at (213) 351-5685.

DS:AC:WC:tg

Attachment (B)

c: Chief Administrative Officer
County Counsel

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF CHILDREN AND FAMILY SERVICES (DCFS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR DCFS AND AGENCY BOARD OF DIRECTORS

FINDINGS RESPONSE

DCFS agrees with the findings.

RECOMMENDATION NO. 1

To safeguard children's safety and security and achieve the highest level of professional care and agency oversight, the following is recommended for implementation of new or renewed agency contracts:

The Department of Children and Family Services develop standards for private agency board of directors concerning the number and qualifications of board members and frequency of meetings. These recommended standards to be used to develop new and revised service agreements.

RESPONSE

DCFS Response to the Recommendation:

DCFS believes the Recommendation should not be implemented because it is not warranted for the following reasons:

1. The California Secretary of State grants a corporate status to an agency upon review of the agency application. For the County/DCFS to impose its standards for private agency board of director numbers, qualifications and frequency of meetings may be contrary to an agency's plan that the State has approved. It is arguable that the oversight of the agency board of directors would clearly be a State responsibility.

2. With regards to contracting with an agency, the standard of an agency contracted with the County/DCFS is that it be responsive and responsible. The agency is viewed as a corporate entity. The standards of the agency being responsive and responsible apply to the corporate entity, not to individual members of its board of directors. The County/DCFS seeks to find the best service providers based on the experience and projected quality of services of the agency. The County/DCFS services procurement process assesses an agency's operational capabilities; not the agency's board of directors.

3. There has been no study that has correlated the quality of child welfare services agencies to the standards for private agency board of directors concerning the number, qualifications of board members and frequency of meetings. The Grand Jury Final Report itself admits that a wide variance exists as to the size and composition of boards.

4. It would be impractical to impose board of director standards to agencies that contract with the County/DCFS based on wide spectrum of corporate missions for agencies. Some contracted agencies' entire organization structure is child welfare based while other agencies have diversified services that include child welfare service contracts. For diversified agencies, the composition of their board of directors will be quite different, and for good reasons, than for those agencies with a single focus.

ATTACHMENT D

DEPARTMENT OF HEALTH SERVICES

BOARD OF SUPERVISORS

Gloria Molina
First District

Yvonne Brathwaite Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

THOMAS L. GARTHWAITE, M.D.
Director and Chief Medical Officer

FRED LEAF
Chief Operating Officer

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
313 N. Figueroa, Los Angeles, CA 90012
(213) 240-8101

August 12, 2005

The Honorable Board of Supervisors
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

RESPONSE TO THE FINAL REPORT OF THE 2004-2005 LOS ANGELES COUNTY GRAND JURY

Pursuant to Section 933(c) of the California Penal Code, the following is the Department of Health Services (DHS) response to the final report of the 2004-2005 Los Angeles County Civil Grand Jury Report.

The Grand Jury spent extensive time and devoted a considerable amount of the resources available to them to researching the County's health care delivery system. We appreciate the thoughtful approach that the Grand Jury took and the priority that it gave to making recommendations to improve the County's health care safety-net. The Department worked closely with the Grand Jury and its representatives over many months.

The report recommends the formation of a health authority to govern the County's health care delivery system. The Grand Jury engaged the services of an outside consultant, the Harvey M. Rose Accountancy Corporation, to identify the necessary steps for the County to take to create an independent health authority. In recognition of the complexities of operating a health care delivery system – especially one whose mission is to serve underserved communities, there have been numerous studies of alternative governance models for the County's health care system as a mechanism to improve the cost-effectiveness and quality of care delivered. Additionally on June 28, your Board approved in concept the creation of a separate Public Health Department in recognition of the unique role that Public Health plays in protecting and promoting the health of all Los Angeles County residents through various categorical programs.

The Department of Health Services response to the recommendations contained in the Grand Jury's report focuses on the advisability of the steps outlined by the consulting group in the event that the Board of Supervisors directs County staff to proceed with the formation of a health authority. The Department favors the creation of health authority and believes it would assist in meeting your mission of providing cost-effective, high-quality health care to our mandated population and other underserved groups.

The Department believes that a public discussion and debate on the advisability of the creation of a health authority is important and should occur in the near term. At the request of the Board of Supervisors, the Chief Administrative Officer (CAO) has recently completed a study on the various governance models employed for public health systems throughout the country. The Department is hopeful that the information contained in the Grand Jury report and the CAO study will help spur a public discussion of the pros and cons of a change in governance and that the discussion will result in a decision about whether or not to move forward with the creation of a health authority or some other alternative governance structure.

The Department generally concurs with the recommended steps outlined in the Grand Jury report as being appropriate if the Board decides to move to create a health authority. In several areas, the Department notes that further study of recommended steps is required. Attached is the Department's response to each relevant recommendation contained in the report.

Please let me know if you would like any additional information.

Sincerely,

Thomas L. Garthwaite, M.D.
Director and Chief Medical Officer

TLG:jw

Attachment

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR MARTIN LUTHER KING, JR./CHARLES R. DREW MEDICAL CENTER

RECOMMENDATION NO. 1

To continue to give MLK's leaders the authority, support, and resources, necessary to meet all challenges in transforming MLK into providing the highest level of health care delivery.

RESPONSE

DHS concurs with this recommendation,

RECOMMENDATION NO. 2

To continue to conduct an extensive nationwide search and do whatever necessary to recruit leaders of stature and excellence to lead MLK in the 21st century.

RESPONSE

DHS concurs with this recommendation.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HEALTH AUTHORITY COMPONENTS AND ROLES

RECOMMENDATION NO. 1.1

Develop a clearly defined mission for the new health authority that is focused on the delivery of safety net physical health services for the uninsured and indigent populations with Los Angeles County.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 1.2

Clearly define the minimum level of services to be provided by the health authority, based on Welfare and Institutions Code section 17000 and case law.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS and County Counsel concur that this is an appropriate step so as to define the terms and contractual relationship between the health authority and the Counsel.

RECOMMENDATION NO. 1.3

Develop a structure that retains the County's responsibility for providing public health, mental health, drug and alcohol, emergency medical, managed care and juvenile court health services.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 1.4

Retain the Department of Mental Health as a distinct County department not under the jurisdiction of the new health authority.

RESPONSE

DHS believes that the health care delivery system needs to be combined and coordinated for improved patient care, quality and efficiency. Strong consideration of an integrated Department (DHS and Department of Mental Health) under the jurisdiction of the new governance model or health authority should occur.

RECOMMENDATION NO. 1.5

Establish Public Health as a distinct County department not under the jurisdiction of the new health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. On June 28, 2005, the Board approved the concept of a Public Health Department separate from the personal health services of the Department of Health Services. The Board further instructed the Chief Administrative Office and other affected County Departments to develop a detailed implementation plan, tentatively scheduled for consideration by the Board on October 18, 2005.

RECOMMENDATION NO. 1.6

Consider placing the Emergency Medical Services function under the authority of the Public Health Officer.

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS believes that this recommendation should be studied further. DHS notes that EMS performs various important functions that are essential to the operations of the County's hospitals including coordination of inpatient transfers and certain disaster preparedness functions.

RECOMMENDATION NO. 1.7

Consider placing Managed Care under the authority of the Public Health Officer, and expanding its role to include the monitoring of health services provided by the health authority under its contract with the Board of Supervisors.

RESPONSE

If the Board of Supervisors directs County staff to initiative the creation of a health authority, DHS believes that this recommendation should be studied further.

RECOMMENDATION NO. 1.8

Consider placing the Alcohol and Drug Program Administration function under the Department of Mental Health and creating a Behavioral Health Department.

RESPONSE

DHS believes that this recommendation should be studied further. However, DHS notes that the program is well-administered under Public Health programs and there are strong differences in opinion as to whether alcohol and drug programs should be combined with an agency, with a different main mission of assisting those with mental illness.

RECOMMENDATION NO. 1.9

Retain responsibility for health services functions provided to juveniles who are in County institutions (Juvenile Court Health Services), but contract with the health authority or another provider to provide such services.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 1.10

Direct the Chief Administrative Officer, with assistance from DHS, to determine the most appropriate allocation of DHS Health Services Administration personnel and resources as part of a health authority transition plan.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 2.1

Develop recommendations for enabling legislation that specifies membership on the Health Authority Board of Directors. At a minimum, the Board of Directors should include nine members, as follows:

- Five hospital and health care professional slots, as follows:
    - A member with a background in hospital administration to be nominated by the Health Authority Board of Directors;

- A member with a background in ambulatory care/clinic administration to be nominated by the Health Authority Board of Directors;
- A member with a background in finance and/or administration to be nominated by the Health Authority Board of Directors;
- A member with a background in human resources and/or labor relations to be nominated by the Health Authority Board of Directors;
- A member with a background in risk and/or asset management to be nominated by the Health Authority Board of Directors;

- Two physician members to be nominates by the Medical Director or voted on by physician staff;
- Two healthcare consumer members to be nominated by the consortium of Health Care Advisory Commission established in each of the County's major services areas (See Recommendation 2.4).

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. However, DHS would recommend further study of the exact makeup of panel based on a review of the experiences of other jurisdictions.

RECOMMENDATION NO. 2.2

Develop recommendations for enabling legislation that requires the Board of Supervisors to appoint a Task Force comprised of DHS representatives and other health care professionals, practitioners and consumer representatives to develop a slate of nominees for appointment to the Health Authority Board of Directors, consistent with the composition outlined in Recommendation 2.1

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. However, DHS believes that the exact make-up of this group requires further study.

RECOMMENDATION NO. 2.3

Develop recommendations for enabling legislation that requires the creation of Healthcare Consumer Advisory Commissions in each of the County's regional service areas or networks with one role being nominations to the two consumer representative positions on the Health Authority Board of Directors.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. Again, DHS believes that the exact composition of a health authority's board needs further study.

RECOMMENDATION NO. 2.4

Develop recommendations for enabling legislation that establishes an ongoing nomination and appointment process for the Health Authority Board of Directors, where: (a) nominations are made by the Board of Directors for the five hospital and health care professional slots, by DHS' medical school affiliates for the two physician members, and by the recommended Healthcare Consumer Advisory Commissions for the two consumer representatives; and, (b) all nominations are confirmed by the Board of Supervisors.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. Again, DHS believes that the exact composition of a health authority's board needs further study. Further, nominating authority also needs further study.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HEALTH AUTHORITY FINANCE AND PERFORMANCE REQUIREMENTS

RECOMMENDATION NO. 3.1

Clearly and effectively define a patient benefits package and the population for whom the health authority will provide services, within the context of State law, case law and local priorities, to be included in the operating agreement between the County and the new health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS and County Counsel concur that this is an appropriate step.

RECOMMENDATION NO. 3.2

Direct the CAO to work with the Department of Health Services representatives to establish a funding mechanism that will reasonably finance the health authority's operations. At a minimum, the health authority should retain all patient revenues and other resources that result directly from the services that it provides, as well as dedicated tax revenues and maintenance of effort guarantees for sufficient County General Fund subsidies to finance its operations.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 3.3

Direct the CAO to work with County Counsel and the Department of Health Services representatives on the development of an operating agreement for services that provides revenue and cost-based incentives for (a) the County to provide sufficient resources to he health authority using a coordinated care standard rate per patient or episodic treatment approach, and (b) the health authority to use those resources effectively, as demonstrated by reductions in post per patients over several years.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS and County Counsel believe that this step requires further study as there are a number of payment mechanisms for care that could be considered such as a capitated rate for the population that the County will be purchasing health care for from the health authority.

RECOMMENDATION NO. 3.4

Direct the CAO to work with the Department of Health Services representatives to establish baseline costs based on current operation, and to determine the planned timing of cost reductions and efficiency improvements and needed investments in areas such as information technology so that the standard rates used in the agreement between the health authority and County can be adjusted each year, in accordance with this plan.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that establishing baseline costs and efficiency targets is an appropriate step. However, DHS notes that the structure of the financial arrangement between the County and health authority needs further study.

RECOMMENDATION NO. 3.5

Direct the CAO to work with the Department of Health Services to develop (a) hospital and health care system financial and performance goals and measurements, for inclusion in the operating agreement between the County and the health authority and, (b) systems to measure actual financial and service quality performance of the health authority, including cost measure, patients outcome and satisfaction measure and improvements in efficiency. These goals and measurements should be regularly reported to manager, the Health Authority Board Directors and the County Board of Supervisors, supplemented by periodic analysis of results by an independent party.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HUMAN RESOURCES

RECOMMENDATION NO. 4.1

Direct the CAO and DHS to collaborate on development of a human resource plan for transition to the health authority, with detailed recommendations regarding timelines and alternatives for addressing the various labor and collective bargaining issues identified in this report.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 4.2

Direct the CAO to expedite negotiations with employee bargaining groups to implement the proposed Flexible Staffing Pilot Program, in an effort to immediately reduce outside Registry costs.

RESPONSE

DHS concurs with the recommendation.

RECOMMENDATION NO. 4.3

Direct staff to include goals for key human resources measures in the operating agreement between the County and the health authority, including reducing turnover and vacancy rates, improving hiring cycle time and achieving compensation parity with the hospital and health care market, with the results reported annually to the Board of Supervisors.

RESPONSE

DHS concurs with the recommendation.

RECOMMENDATION NO. 4.4

Continue efforts to improve the internal human resource organization, process, resources and tolls for effectively administering human resources processes prior to the date of transition to the health authority.

RESPONSE

DHS concurs with this recommendation.

RECOMMENDATION NO. 4.5

Conduct an analysis of the existing classification and compensation system and identify specific changes needed under the new health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 4.6

Develop a proposed expedited hiring system for implementation under the health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HEALTH SERVICES PROCUREMENT

RECOMMENDATION NO. 5.1

Direct DHS staff to develop recommendations for enabling legislation that exempts a new system of health care governance from the requirements for a County purchasing agent in State law, and from the procurement requirements of the Los Angeles County Code and Board of Supervisors policies.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS and County Counsel concur that this is an appropriate concept, however, County Counsel advises that it may not be specifically necessary to provide for these exemptions in the enabling legislation as a Health Authority may be exempt from some or all of these requirements under existing law.

RECOMMENDATION NO. 5.2

Develop procurement procedures and requirements to be implemented under the health authority that eliminates a rigid focus on formal bidding processes and that emphasize maximum vendor access in favor of a more flexible system that focuses on getting goods and services quickly, at reasonable prices.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 5.3

Develop procurement policies for the health authority to increase the value of goods and services that individual health care facilities can purchase on their own with less formal bidding requirements based on an analysis of current purchasing amounts and financial risk so that formalized bidding is used only when there will be substantial benefits or price advantages resulting form the additional time and administrative requirements.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 5.4

Design a consolidated procurement structure to be established under the health authority that includes a centralized procurement office overseeing all components of the system, including the Contracts & Grants Division, that would process bids above the newly established threshold for formal bidding, provide organization-wide oversight and monitoring of compliance with the Health Authority's new regulations to ensure that procurement abuses are not occurring, and would be headed by a purchasing manager established at the same management level as a health system director of nursing, or director of clinical care.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. However, DHS notes that the exact compensation level of the purchasing manager established requires further study.

RECOMMENDATION NO. 5.5

Develop a system for ensuring and reporting to management and the Health Authority Board of Directors that competitive bidding is used when appropriate and advantageous to the organization and that procurement abuses are not occurring.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 5.6

Determine the number of positions that should be transferred from the Internal Services Department to the new health authority for the new centralized procurement function, recognizing that fewer formal bids will be required in the new system and that more items will be standardized and purchased through a Group Purchasing Organization.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that an analysis of impacted workload through the new purchasing function at the Health Authority must occur. However, whether ISD would transfer existing positions to the new entity would require further study.

RECOMMENDATION NO. 5.7

Determine the number of position that will be needed for the Contracts and Grants Division under a new more streamlines contracting procedure.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR INFORMATION TECHNOLOGY

RECOMMENDATION NO. 6.1

Expand the current business automation plan into a five year strategic information technology plan for the health authority linked to the priorities and principles of the 2002 DHS strategic plan and detailing current hardware, software and utilization throughout the Department, future priorities, proposed projects, costs and benefits of projects, funding sources and project selection criteria.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 6.2

Determine the unit cost for the highest priority, most cost-effective information technology projects to include in the payment rate that the health authority will receive from the County.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 6.3

Design and implement a skills assessment process for current information technology staff and compare results to skills needed as detailed in the five year strategic information technology plan.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 6.4

Begin preparation of new or redesigned job specifications for information technology positions for the health authority, including creation of a chief information officer classification.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 6.5

Conduct or obtain existing information technology salary survey data to determine market rate compensation levels for new or redesigned classifications.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 6.6

Prepare a formal plan, including an implementation schedule, for restructuring the information technology functions under the health authority with a centralized chief information officer responsible for overall direction and priority setting for the function and overseeing centralized and decentralized staff, with the latter responsible for day to day operation hospitals and other facilities.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 6.7

Participate in the funding for a fully integrated, comprehensive information technology system for the health authority, that will be able to provide cross-system data on patient care and costs that will be necessary to monitor health authority performance.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: **2004-2005 GRAND JURY RECOMMENDATIONS FOR COUNTY SUPPORT SERVICES**

RECOMMENDATION NO. 7.1

Conduct a thorough analysis of current county costs to support DHS services. The analysis should include:

- A comprehensive accounting of costs, such as rental expenses, utility charges, judgments and damages, insurance and security services, that would likely offer little opportunity for health authority savings;
- An analysis of services, such as legal and information system, where some limited health authority savings could be achieved; and,
- An analysis of services, such as auditing, accounting, budgeting, financial management and employee relations, where more substantial savings may be possible.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 7.2

Conduct a thorough analysis of County cost impacts that might result from possible health authority decisions to discontinue the use of County services and possible offsets under the health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 7.3

Estimate the net countywide cost or savings (i.e., the combined finances of the County and the health authority) that might be achieved with the creation of a health authority, considering fixed support services costs that the County might still incur even if the health authority no longer uses the support services.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 7.4

Work with the Department of Health Services to identify and report back support service overhead costs that could be eliminated by DHS providing the services in-house or contracting to a lower cost contractor for services now provided by County departments, and, to identify other cost reductions that would be achieved for external verification and monitoring of DHS operations that would no longer be needed under a separate health authority and is now performed by departments such as County Human Resources, the Chief Administrative Office and the Auditor-Controller.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 7.5

Develop legislative provisions that ensure the most cost effective partnership between the County and the health authority. At a minimum, these provisions should require that:

- The health authority be required to purchase support services from the County during a transition period lasting no less than two years; and,

- The health authority be required to give a one year notice when it intends to discontinue the use of County support services.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR TRANSFER OF COUNTY ASSETS AND LIABILITIES TO THE HEALTH AUTHORITY

RECOMMENDATION NO. 8.1

Develop strategies and recommendation for either (a) transferring ownership of health and hospital facilities to health authority; or, (b) retaining ownership of all health and hospital facilities, but defining rights and obligations regarding facility use, rehabilitation, maintenance, expansion and replacement.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 8.2

Determine federal and State requirements regarding the funding of retirement and insurance liabilities under the health authority that must be complied with for the County to be able to leverage all available federal and State funding for the health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 8.3

Seek authority from the federal and State governments to permit the County's unfunded liability to be partially financed by federal and State grants made to the health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS believes that this step warrants further study.

RECOMMENDATION NO. 8.4

Develop estimates and report back on the financial implication to the County of (a) fully funding the LACERA pension plan, (b) repaying pension obligation borrowings, (c) establishing appropriate post-retirement health care benefit reserves, and (d) fully funding the unfunded liabilities for the County's self insurance programs. This analysis should assume that the County would be required to proportionately fund its share of all current and future pension and insurance costs through its operating agreement with the health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS believes that this step warrants further study.

RECOMMENDATION NO. 8.5

Include a reduction in hospital and health system insurance costs, including general liability, medical malpractice and workers compensation, as a goal in the operating agreement with the new health authority, to be measured and regularly reported back to the Health Authority Board of Directors and the Board of Supervisors.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 8.6

Determine the costs and impacts of alternatives to the current post-retirement health benefits that could be established under a new health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS believes this step requires further study.

RECOMMENDATION NO. 8.7

Establish systems and reporting mechanisms to be established under the new health authority that would track and report insurance costs, including liability, medical malpractice, and workers compensation.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. Continuing to track these costs would be important in helping to maintain the financial viability of the health authority.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES (DHS)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HEALTH AUTHORITY LEGISLATION AND TRANSITION PROCESS

RECOMMENDATION NO. 9.1

Appoint a health authority transition team comprised of representatives of the Department of Health Services, County Counsel, the Chief Administrative Office, health care professionals from within and eternal to the County system, consumer representatives and other County representatives as needed, responsible for preparation of a detailed transition plan needed for implementation of a separate health authority in Los Angeles County.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 9.2

Direct the transition team to identify the areas where outside counsel or other expertise will be needed to assist with certain implementation issues and report back to the Board of Supervisors with the estimated costs and timelines for procuring such services.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 9.3

Assign responsibility and due dates for each implementation plan task and classify each as one of the following: 1) issues to be resolved prior to drafting enabling legislation; 2) issues to be resolved prior to drafting of necessary County Code and Charter amendments; 3) issues to be resolved prior to transfer of authority to the health authority; and, 4) issues to be resolved after transfer of authority to the health authority.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

RECOMMENDATION NO. 9.4

As part of the implementation plan, direct the transition team to prepare draft State legislation to enable creation of a health authority in Los Angeles County, including each of the components outlined in Exhibit 9.1 of this report.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step. However, DHS notes that the exact composition of the health authority's board of directors and the financial arrangement between it and the County as well as other provisions of the contractual relationship require further study.

RECOMMENDATION NO. 9.5

Determine a sponsor in the State legislature to introduce the proposed legislation.

RESPONSE

If the Board of Supervisors directs County staff to initiate the creation of a health authority, DHS concurs that this is an appropriate step.

ATTACHMENT E

DEPARTMENT OF HUMAN RESOURCES

COUNTY OF LOS ANGELES
DEPARTMENT OF HUMAN RESOURCES

HEADQUARTERS
579 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-2406 FAX (213) 621-0387

BRANCH OFFICE
3333 WILSHIRE BOULEVARD • LOS ANGELES, CALIFORNIA 90010
(213) 738-2222 FAX (213) 637-0820

MICHAEL J. HENRY
DIRECTOR OF PERSONNEL

August 12, 2005

To: Each Supervisor

From: Michael J. Henry
Director of Personnel

Subject: **RESPONSE TO THE FINAL REPORT OF THE 2004-2005 LOS ANGELES COUNTY GRAND JURY**

Attached is the Department of Human Resources' (DHR) response to the Grand Jury recommendations. Although DHR has a supporting role for many of the recommendations, our responses have been reviewed and are consistent with those provided by the lead department.

Please let me know if you have any questions.

MJH:STS
CRH:cs

Attachment

c: David E. Janssen, Chief Executive Officer
Raymond G. Fortner, Jr., County Counsel
Violet Varona-Lukens, Executive Officer, Board of Supervisors

g)cgj

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF HUMAN RESOURCES (DHR)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR MARTIN LUTHER KING, JR./CHARLES R. DREW MEDICAL CENTER

RECOMMENDATION NO. 2

To continue to conduct an extensive nationwide search and do whatever is necessary to recruit leaders of stature and excellence to lead MLK into the 21st century.

RESPONSE

DHR supports DHS' concurrence with this recommendation. DHR continues to assist DHS with the aggressive recruitment of MLK's executive leadership team.

RECOMMENDATION NO. 1.8

Consider placing the Alcohol and Drug Program Administration function under the Department of Mental Health and creating a Behavioral Health Department

RESPONSE

DHR concurs with DHS that this recommendation requires further study.

RECOMMENDATION NO. 1.10

Direct the Chief Administrative Officer, with assistance from DHS, to determine the most appropriate allocation of DHS Health Services Administration personnel and resources as part of the health authority transition plan.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES — DEPARTMENT OF HUMAN RESOURCES (DHR)

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR HEALTH AUTHORITY COMPONENTS AND ROLES

RECOMMENDATION NO. 4.1

Direct the CAO and DHS to collaborate on development of a human resource plan for transition to the health authority, with detailed recommendations regarding timelines and alternatives for addressing the various labor and collective bargaining issues identified in this report.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

RECOMMENDATION NO. 4.3

Direct staff to include goals for key human resources measures in the operating agreement between the County and the health authority, including reducing turnover and vacancy rates, improving hiring cycle time and achieving compensation parity with the hospital and health care market, with the results reported annually to the Board of Supervisors.

RESPONSE

DHR supports DHS' concurrence with this recommendation.

RECOMMENDATION NO. 4.4

Continue efforts to improve the internal human resource organization, process, resources and tolls for effectively administering human resources processes prior to the date of transition to the health authority.

RESPONSE

DHR supports DHS' concurrence with this recommendation.

RECOMMENDATION NO. 4.6

Develop a proposed expedited hiring system for implementation under the health authority.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

RECOMMENDATION NO. 5.4

Design a consolidated procurement structure to be established under the health authority that includes a centralized procurement office overseeing all components of the system, including the Contracts and Grants Division, that would process bids above the newly established threshold for formal bidding, provide organization-wide oversight and monitoring of compliance with the Health Authority's new regulations to ensure that procurement abuses are not occurring, and would be headed by a purchasing manager established at the same level as a health system director of nursing or director of clinical care.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved. DHR also concurs with DHS that the compensation level of the purchasing manager will require further analysis and review.

RECOMMENDATION NO. 5.6

Determine the number of positions that should be transferred from the Internal Services Department to the new health authority for the new health authority for the new centralized procurement function, recognizing that fewer formal bids will be required in the new system and that more items will be standardized and purchased through a Group Purchasing Organization.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

RECOMMENDATION NO. 5.7

Determine the number of position that will be needed for the Contracts and Grants Division under a new more streamlines contracting procedure.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

RECOMMENDATION NO. 6.3

Design and implement a skills assessment process for current information technology staff and compare results to skills needed as detailed in the five year strategic information technology plan.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

RECOMMENDATION NO. 6.4

Begin preparation of new or redesigned job specifications for information technology positions for the health authority, including creation of a chief information officer classification.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

RECOMMENDATION NO. 6.5

Conduct or obtain existing information technology salary survey data to determine market rate compensation levels for new or redesigned classifications.

RESPONSE

DHR supports DHS' concurrence that this is an appropriate action step if a health authority is approved.

ATTACHMENT F

DEPARTMENT OF MENTAL HEALTH

COUNTY OF LOS ANGELES

MARVIN J. SOUTHARD, D.S.W.
Director

SUSAN KERR
Chief Deputy Director

RODERICK SHANER, M.D.
Medical Director

550 SOUTH VERMONT AVENUE, LOS ANGELES, CALIFORNIA 90020

BOARD OF SUPERVISORS
GLORIA MOLINA
YVONNE B. BURKE
ZEV YAROSLAVSKY
DON KNABE
MICHAEL D. ANTONOVICH

DEPARTMENT OF MENTAL HEALTH

http://dmh.lacounty.info

Reply To: (213) 738-4601
Fax: (213) 386-1297

August 11, 2005

TO: Each Supervisor

FROM: Marvin J. Southard, D.S.W.
Director of Mental Health

SUBJECT: **2004-2005 GRAND JURY RECOMMENDATIONS FOR PSYCHOTROPIC MEDICATION AND OUT-OF-HOME CARE AND SECTION 1: HEALTH AUTHORITY COMPONENTS AND ROLES**

Attached is the Department of Mental Health's (DMH) response:

Applicable Section:	**Psychotropic Medication and Out-of-Home Care**
Lead:	DMH
Support Department/Agency:	DCFS, Probation
Recommendation:	Not Numbered
Page:	41

Applicable Section:	**Health Authority Components and Roles**
Lead:	DMH
Support Department/Agency:	DHS
Recommendation:	1.4
Page:	36

Applicable Section:	**Health Authority Components and Roles**
Lead:	DMH
Support Department/Agency:	CAO/BOMB, DHS, DHR
Recommendation:	1.8
Page:	36

MJS:ej

c: David E. Janssen, Chief Administrative Officer

Attachment

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT OF MENTAL HEALTH

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR PSYCHOTROPIC MEDICATIONS AND OUT-OF-HOME CARE AND SECTION 1: HEALTH AUTHORITY COMPONENTS AND ROLES

Applicable Section	**Psychotropic Medication and Out-of-Home Care**
Lead:	DMH
Support Department/Agency:	DCFS, Probation
Recommendation:	Not Numbered
Page:	41

RECOMMENDATION (Not Numbered)

Mental Health Services establish qualifications (e.g., training, certification) that physicians must meet to prescribe psychotropic medications to children under the court's jurisdiction, including documented verification of established qualifications.

RESPONSE

The Department of Mental Health disagrees in part with the relevant finding and does not believe that it is reasonable to implement.

The Los Angeles County Department of Mental Health (DMH) concurs with the Los Angeles County 2004-2005 Civil Grand Jury (Grand Jury) that physicians prescribing psychotropic medications to children under jurisdiction of the Los Angeles County Superior Court, Juvenile Division, should meet established qualifications for this work.

DMH currently credentials all physicians that are directly employed by the Department, or who bill Medi-Cal, for which the Department is the fiscal intermediary. Departmental credentialing requires verification of licensure and a review of any litigative or disciplinary actions taken pursuant to the practice of medicine. Issuance of a California Physicians and Surgeons License is contingent in part upon documentation of successful completion of postgraduate medical training and ongoing continuing medical education (CME; these procedures are under the purview of the California Medical Board.

Credentialing is currently accomplished though the Department's Credentialing Committees. All physicians noted above are reviewed by the credentialing committee at least once every three years. Private contractors for the Department have a contractual obligation to similarly credential any physician employees or consultants. Beyond the physicians above, the Department has no authorization to establish qualifications that

differ from extant state qualifications for practice by physicians not connected to the Department. Further, it has no authorization to devote the substantial resources necessary to monitor such qualifications.

The Department acknowledges the importance of safeguarding the welfare of foster children who have emotional and behavioral problems for which psychotropic medication is one of a range of therapeutic interventions that may benefit such children. The Department's Juvenile Court Mental Health Services (JCMHS) was established in large part for this purpose. The staff of JCMHS has the responsibility to review the recommended medication regimen and submit this review to the juvenile court judge who considers this information before an order is issued; the judge often concurs with the JCMHS review, but not always. In addition, the attorney representing the child and the parent are given notification prior to review by the judge; either party may appeal the recommendation and appear before the judge prior to the issuance of a court order.

Applicable Section	**Health Authority Components and Roles**
Lead:	DMH
Support Department/Agency:	DHS
Recommendation:	1.4
Page:	36

RECOMMENDATION: 1.4

Retain the Department of Mental Health as a distinct County department not under the jurisdiction of the new health authority.

RESPONSE

The Department of Mental Health agrees that it should be retained as a distinct County department, based upon unique service responsibilities and stakeholder relationships.

Applicable Section	**Health Authority Components and Roles**
Lead:	DMH
Support Department/Agency:	CAO/BOMB, DHS, DHR
Recommendation:	1.8
Page:	36

RECOMMENDATION NO: 1.8

Consider placing the Alcohol and Drug Program Administration function under the Department of Mental Health and creating a Behavioral Health Department.

RESPONSE

The Department of Mental Health believes that consideration of this matter should involve creation of an appropriately constituted broad taskforce for extensive review of programmatic and funding implications, resulting in development of a concrete and detailed plan for assessment by the Departments, other stakeholders, and the Board of Supervisors.

ATTACHMENT G

INTERNAL SERVICES DEPARTMENT

LOS ANGELES COUNTY

COUNTY OF LOS ANGELES
Internal Services Department
1100 North Eastern Avenue
Los Angeles, California 90063

Dave Lambertson
Director

To enrich lives through effective and caring service.

Telephone: (323) 267-2101
FAX: (323) 264-7135

August 4, 2005

To: Each Supervisor

From: Dave Lambertson
Director

Subject: **RESPONSE TO THE 2004-2005 LOS ANGELES GRAND JURY REPORT**

In reply to your July 25, 2005 memo, attached is ISD's response to the Grand Jury recommendation concerning "County Hybrid Vehicles." A copy of our response has also been e-mailed to Vincent Amerson in the Chief Administrative Office.

If you need any additional information, please contact me or your staff may contact Daphne Bell at (323) 267-2109 or via e-mail at dbell@isd.co.la.ca.us.

DL:DB:z

Attachment

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – INTERNAL SERVICES DEPARTMENT

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR COUNTY HYBRID VEHICLE

RECOMMENDATION (NOT NUMBERED)

The Los Angeles County Board of Supervisors direct all County departments and agencies to replace their gasoline passenger vehicles scheduled for replacement, which are not emergency or other specialty vehicles, with hybrid vehicles beginning in fiscal year 2006-2007.

RESPONSE

ISD concurs with the recommendation and is in support of introducing more hybrids into the ISD-managed automotive fleet. Hybrids improve fuel mileage, lower exhaust emissions, improve performance since the electric motor accelerates faster than the gasoline engine at low speeds, do not have a restricted driving range, and do not require special refueling procedures. Although County departments are acquiring hybrids as replacements for some sedans, the majority of passenger vehicles purchased continue to be gasoline powered.

To ensure that hybrid technology becomes the standard for non-emergency passenger sedans, ISD recommends the current Clean Fuels Board Policy be revised or a motion mandating the purchase of hybrid sedans, be presented to the Board for its approval. ISD will take the lead in revising the existing Board Policy or drafting a Board motion.

Background

Currently, ISD acquires vehicles for all County departments (including Sheriff, Fire, and Public Works) and maintains/repairs vehicles for 33 County departments and agencies. (Sheriff and Public Works maintain their own vehicles and the Fire Department is responsible for maintaining its large fire apparatus.)

The County's Clean Fuels Policy (initially issued in 1995 before hybrid technology was available) states: "whenever possible, new vehicle purchases will be clean fuel vehicles" and "implementation of the Clean Fuels Policy shall depend on the financial resources available to the County."

The County currently does not have a policy that requires departments to purchase hybrids if the technology is available in the type of vehicle (sedan, light truck, heavy truck, etc.) they require. Departments determine what type of vehicles they need, submit requisitions to the ISD's Purchasing Agent and ISD handles the solicitation and ensures the vehicles are delivered and outfitted as specified.

ATTACHMENT H

PUBLIC DEFENDER'S OFFICE

LAW OFFICES
LOS ANGELES COUNTY PUBLIC DEFENDER
19-513 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE STREET, 19TH FLOOR
LOS ANGELES, CALIFORNIA 90012
(213) 974-2811
TDD # (800) 801-5551

MICHAEL P. JUDGE
PUBLIC DEFENDER

August 23, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Michael P. Judge
Public Defender

RESPONSE TO THE FINAL REPORT OF THE 2004-2005 LOS ANGELES COUNTY GRAND JURY: Public Integrity and Law Enforcement Committee and Jails Committee

I would like to commend the work of the Grand Jury over the past year and the courage of its members and committees for approaching difficult issues that have been of serious concern for many years. Two of the Grand Jury's committees have made recommendations related to citizen complaints and the availability of complaint forms. The Public Integrity and Law Enforcement Committee conducted a limited survey of five (5) police agencies in the South Bay. The Jails Committee engaged in a somewhat more extensive assessment of custody facilities within Los Angeles County. Each committee included recommendations regarding the availability and ease of use of citizen complaint forms. Although this subject matter does not fall within the responsibilities of this department, I feel the attached responses to the recommendations are nevertheless appropriate.

MPJ:rek

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES - PUBLIC DEFENDER

SUBJECT: 2004-05 GRAND JURY RECOMMENDATIONS FOR PUBLIC INTEGRITY AND LAW ENFORCEMENT COMMITTEE AND JAILS COMMITTEE

RECOMMENDATION

First recommendation of the Public Integrity and Law Enforcement Committee *(NOT NUMBERED)*

Torrance Police Department and Hermosa Beach Police Department should make citizen complaint forms and instructions for filing available to the general public without requiring the citizen to speak with an officer prior to receiving the forms and instructions

RESPONSE

I concur with the recommendation and would expand it to provide that all Police Departments should make their citizen complaint forms available to the general public without any encumbrances. The Grand Jury should repeat the review during its next session to determine whether the named agencies have taken appropriate steps to remedy the situation. The Grand Jury should also expand its inquiry to all of the law enforcement agencies operating within the jurisdiction.[1] A more comprehensive examination would

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[1] Operating within the jurisdiction of the County of Los Angeles there are:

Forty-six (46) Municipal Police Forces: Alhambra Police Department, Arcadia Police Department, Azusa Police Department, Baldwin Park Police Department, Bell Gardens Police Department, Bell Police Department, Beverly Hills Police Department, Burbank Police Department, Claremont Police Department, Covina Police Department, Culver City Police Department, Downey Police Department, El Monte Police Department, El Segundo Police Department, Gardena Police Department, Glendale Police Department, Glendora Police Department, Hawthorne Police Department, Hermosa Beach Police Department, Huntington Park Police Department, Inglewood Police Department, Irwindale Police Department, La Verne Police Department, Long Beach Police Department, Los Angeles Police Department, Manhattan Beach Police Department, Maywood Police Department, Monrovia Police Department, Montebello Police Department, Monterey Park Police Department, Palos Verde Estates Police Department, Pasadena Police Department, Pomona Police Department, Redondo Beach Police Department, San Fernando Police Department, San Gabriel Police Department, San Marino Police Department, Santa Monica Police Department, Sierra Madre Police Department, Signal Hill Police Department, South Gate Police Department, South Pasadena Police Department, Torrance Police Department, Vernon Police Department, West Covina Police Department, & Whittier Police Department.

Five (5) Los Angeles County departments with sworn peace officers: Los Angeles County Probation, Los Angeles County Coroner, Los Angeles County Office of Public Safety, Los Angeles District Attorney & Los Angeles Sheriff's Department.

likely reveal that the circumstances discovered in Torrance and Hermosa Beach are not uncommon.

Many citizens, after having a negative or even violent encounter with a peace officer, are reluctant to complain. A complainant who must first negotiate an obstacle course before submitting a complaint will likely never file the complaint. If a citizen is required to discuss the grievance with a watch commander or desk supervisor before filing the form, the goal of an unbiased and thorough investigation can be compromised. The public trust of a police agency demands that internal investigations be undertaken in a systematic manner devoid of official or individual encumbrances. It has been reported to my staff that some persons attempting to lodge complaints have been subjected to a criminal history record check for warrants while others have felt threatened by police agencies raising the specter of prosecution if any part of a reported complaint is deemed inaccurate.

RECOMMENDATION

Second recommendation of the Public Integrity and Law Enforcement Committee *(NOT NUMBERED)*

The Hermosa Beach Police Department should establish lines of communication between shifts so that each officer responsible for investigating citizens complaints has access to the current status of each investigation.

Seven (7) school police forces: Baldwin Park Unified School District Police, Compton Unified School District Police Department, Inglewood Unified School District Police, Los Angeles School District Police Department, Pasadena Unified School District Police Department, Pomona Unified School District Police Department, Walnut Valley Unified School District Police

Fourteen (14) university and college police forces: Cerritos College Campus Police, California State University Dominguez Hills Department of Public Safety, California State University Long Beach Department of Public Safety, California State University Los Angeles Department of Public Safety, California State University Northridge Department of Public Safety, California State University Pomona Department of Public Safety, El Camino Community College Police Department, Glendale Community College Police Department, Los Angeles Community College Police Department, Pasadena City College Police Department, Santa Monica College Police Department, University of California Los Angeles Police & University of Southern California Department of Public Safety

Three (4) airport police forces: Burbank Glendale Pasadena Airport Authority Police Department, Long Beach Airport Police Department, Los Angeles Port Police & Los Angeles World Airport Police Department.

Eight (8) state agencies with sworn peace officers: California Bureau of Narcotics Enforcement, California Department of Consumer Affairs, California Department of Insurance, California Highway Patrol, California Youth Authority, California Department of Corrections/Parole, Department of Alcohol Beverage Control, & Metropolitan State Hospital Police.

RESPONSE

Although lines of communication are desired for efficiency of operations, there should be no need for the Commander at the Hermosa Beach Police Department or any other police agency to contact Internal Affairs to receive a citizen's complaint. Complaint forms should be readily available at the station. A citizen should have the ability to obtain the appropriate form and submit that form without an initial face to face confrontation with a peace officer.

The Los Angeles Police Department provides an online option for submitting complaints over the world wide web. The Long Beach Police Department provides citizens with the ability to e-mail a complaint to Internal Affairs. The Long Beach Police Department even has forms available at the public libraries. Since Internal Affairs will interview the complainant at an early stage of the investigation, there is no need for police personnel to intervene prior to the filing of a complaint.

RECOMMENDATION

Third recommendation of the Public Integrity and Law Enforcement Committee *(NOT NUMBERED)*

Long Beach Police Department should make the general public more aware of the existence of the independent police commission and that it automatically reviews all citizens complaints resolved by Internal Affairs.

RESPONSE

I recommend that the City of Long Beach take steps to make citizens aware of the important role of its Citizen Police Complaint Commission. I would also encourage all departments with similar commissions to expand public education campaigns. Furthermore, all police agencies should be monitored by an independent body that among its duties is responsible for receiving citizens complaints, tracking investigations and auditing outcomes. Each police agency should be required to post information regarding related commissions both in writing in each station, as well as, on a prominent location of the agency's web site.

RECOMMENDATION

Fourth recommendation of the Public Integrity and Law Enforcement *Committee (NOT NUMBERED)*

Many cities within Los Angeles County have established Independent Citizens Complaint Review Boards such as the Long Beach model, which has proven to be effective. Hermosa Beach, Manhattan Beach, Redondo Beach, and Torrance should consider establishing a similar board.

RESPONSE

I most strongly agree that citizen complaint commissions need to have a prominent place in this county as a way of providing accountability for the actions of peace officers. Every police agency should have a reviewing body that can act in an unbiased and fair manner. The recommendation should, however, reach farther. These commissions should be required to work in a transparent environment. Commissions that work in complete secrecy provide no additional protection to the citizenry. Even the hearings and work done by the Long Beach Citizen Police Complaint Commission is done in closed session. The commissions should keep as much in the open as state law requires. The Brown Act should be invoked only where absolutely required by law with an emphasis on an open process.

RECOMMENDATION

Second recommendation of the Jails Committee *(NOT NUMBERED)*

Both the Los Angeles County Sheriff Department and the Los Angeles City Police Department establish a uniform standard for the display and dissemination of citizen complaint forms and their processing procedure at the stations and jails.

RESPONSE

Incarcerated persons by definition are not free to conduct their affairs in the same manner as those who are free. An inmate is dependent upon the peace officers and jail personnel for assistance in the obtaining and filing of a complaint form. Many times, an inmate is moved around the system and unable to maintain possession of even the smallest number of documents. It is absolutely essential that every inmate at every jail or prison facility have unfettered access to complaint forms and channels to deliver such complaints. Without an ability to relay problems to the appropriate authorities, abuses cannot be remedied.

I thank you for reviewing my responses to these important issues and forwarding them to the Board of Supervisors and the Los Angeles County Grand Jury.

ATTACHMENT I

SHERIFF'S DEPARTMENT

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

August 12, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

RESPONSE TO THE FINAL REPORT OF THE 2004-2005 LOS ANGELES COUNTY GRAND JURY

Attached is the Los Angeles County Sheriff's Department's response to the 2004-2005 Grand Jury Report's recommendations. The area of interest to the Grand Jury is to, "establish a uniform standard for the display and dissemination of citizen complaint forms and their processing procedure at the stations and jails."

Should you have questions regarding our response, please contact Commander Roberta Abner, of my office, at (323) 526-5000.

Sincerely,

LEROY D. BACA
SHERIFF

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

SUBJECT: 2004-2005 GRAND JURY RECOMMENDATIONS FOR JAIL COMMITTEE

RECOMMENDATION NO. 2 (Regarding Field Operations-Patrol Stations)

Both the Los Angeles County Sheriff's Department and Los Angeles City Police Department establish a uniform standard for the display and dissemination of citizen complaint forms and their processing procedure at the stations and jails.

RESPONSE

The Los Angeles County Sheriff's Department has had a uniform standard for handling public complaints since 1992. This standard is found in the Department's Manual of Policy and Procedure, sections 3-04/000.00 through 3-04/010.35. The Sheriff's Department utilizes a process whereby the complainant meets with the Watch Commander who generates and completes a Watch Commander's Service Comment Report (WCSCR). Each form has a tracking number. Strict control of the form is necessary to ensure that every complaint is handled and no complaint is erroneously or intentionally discarded. Every complainant that comes into a station is personally greeted by the Watch Commander and has his/her complaint heard immediately. This meeting with the Watch Commander provides greater public service than simply providing a complaint form and helps build trust between the community and law enforcement. The Watch Commander cannot refuse to take a complaint and must document the claims on a WCSCR. The Watch Commander also provides the complainant with a copy of the form along with the tracking number for reference. Complainants are then given a handout, "Procedures for Public Complaints" (SH-CR-596), which explains our complaint process. In addition, the complainant is mailed a letter from the Unit Commander explaining the complaint process and further procedures should the complainant be dissatisfied with the review of his/her complaint.

Each station and jail of the Los Angeles County Sheriff's Department has signs in areas visited by the public which provides a specific "800" number they can call to make a complaint. These signs are posted in English and Spanish. During business hours, the calls are answered by Internal Affairs Bureau (IAB) personnel who complete the WCSCR. During non-business hours, these calls are answered by Sheriff's Headquarters Bureau (SHB) personnel who will complete the WCSCR. Both IAB and SHB personnel provide the complainant with the tracking number. This process provides the public with an alternative should they feel uncomfortable making a complaint in person.

Another option for complaints from the public is the use of the Department's website (www.lasd.org). The complainant may complete a Public Response Form and submit it electronically. A WCSCR is generated from the Public Response Form.

The Los Angeles County Sheriff's Department believes that our procedures of personally meeting with complainants, controlling the complaint forms through the use of tracking numbers, providing complainants with the "Procedures for Public Complaints," and the follow-up letter from the Unit Commander is the most efficient process for ensuring that public complaints are properly documented and that these complaints are properly investigated.

RECOMMENDATION NO 2 (Regarding Custody/Corrections-Jails)

Both the Los Angeles County Sheriff's Department and Los Angeles City Police Department establish a uniform standard for the display and dissemination of citizen complaint forms and their processing procedure at the stations and jails.

RESPONSE

Custody Operations and Correctional Services Divisions' procedures for the display and dissemination of citizen complaints and processing procedures are governed by the Department's Manual of Policy and Procedures, section 3-04/010.35-"Public Accessibility to Information about the Complaint Process." Complaint forms are kept with each jail facility Watch Commander, who is responsible for the decision to complete the Service Comment Report and issue the "Procedures for Public Complaints" form.

Restricting the responsibility for the issuance of complaint forms to the facility Watch Commander guarantees the citizen's comments will be heard immediately by a facility manager. Through corrective measures consistent with his/her authority, the Watch Commander will work toward finding a resolution which is fair and consistent with the Department's service-oriented policing philosophy.

RRD:BKM:sf
SLJ:MLB:kj