



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

September 2, 2008

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

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

Dear Supervisors:

RESPONSES TO THE 2007-2008 GRAND JURY FINAL REPORT (ALL DISTRICTS AFFECTED) (3 VOTES)

SUBJECT

County departments have prepared for your Board's approval responses to the 2007-2008 County of Los Angeles Civil Grand Jury Final Report and recommendations.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the responses to the 2007-08 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 the County Boards of Supervisors shall comment on Grand Jury findings and recommendations which pertain to County government matters under control of those Boards.

In June 2008, the 2007-08 County of Los Angeles Grand Jury released 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. These responses are attached as the County's official response to the 2007-08 Grand Jury Final Report.

"To Enrich Lives Through Effective And Caring Service"

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Intra-County Correspondence Sent Electronically Only**

The recommendations directed to all future Grand Juries have been forwarded to the 2008-09 Grand Jury for consideration. Recommendations that make reference to non-County agencies have been referred directly by the Grand Jury to the following agencies: Los Angeles Unified School District, Los Angeles Police Department, Los Angeles City Department of General Services, and the Los Angeles City Controller.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

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

FISCAL IMPACT/FINDING

Certain Grand Jury recommendations require additional financing resources. As an example, the Grand Jury recommends that the Departments of Children and Family Services, Probation, and Mental Health should develop a plan and a timetable for a comprehensive information system to capture all records on all children in the system. The plan is recommended to include: cost estimates to develop and operate the system, a proposal for funding, and a timetable for implementation. In some cases, financing has been approved by your Board in the current fiscal year's budget. Departments will assess the need for additional funding to implement other recommendations and submit requests for Board consideration during the 2009-10 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 2007-08 County of Los Angeles Grand Jury Final Report:

ATTACHMENT	DEPARTMENT
A	Chief Executive Office
B	Auditor-Controller
C	Department of Children and Family Services
D	Fire Department
E	Internal Services Department
F	Los Angeles County Office of Education
G	Probation Department
H	Department of Public Health
I	Department of Public Works
J	Department of Public Social Services
K	Sheriff's Department

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William T. Fujioka', with a long horizontal flourish extending to the right.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:ES:MKZ
JR:KLG:pg

Attachments

c: Sheriff
Presiding Judge of the Superior Court
County Counsel
Acting Auditor-Controller
Director of Children and Family Services
Fire Chief
Interim Director of Internal Services
Director of Public Health
Director of Public Social Services
Acting Director of Public Works
Chief Probation Officer
Superintendent, Los Angeles County Office of Education

ATTACHMENT A

CHIEF EXECUTIVE OFFICE

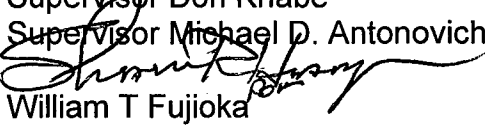


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WILLIAM T FUJIOKA
Chief Executive Officer

August 21, 2008

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina,
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich
From: 
William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

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Fifth District

2007-08 GRAND JURY FINAL REPORT

Attached is this Office's response to the 2007-08 Grand Jury Final Report. We are responding to specific recommendations dealing with the following applicable sections:

- Helping Probation and Foster Care Youth Prepare for Adulthood and Independence (Attachment I);
- Audit of Countywide Vehicle Use (Attachment II); and
- Emergency Preparedness: Public Information (Attachment III).

Please note our response to the section entitled, "Audit of Countywide Vehicle Use," is a summary of all departmental responses. Individual responses from the following departments are included as separate attachments to the Grand Jury Response Board Letter: Auditor-Controller, Fire Department, Internal Services Department, and Department of Public Works. As indicated in our response, there are some recommendations that will require further analysis and additional time to complete.

If you have any questions regarding our responses, please contact me or your staff may contact Martin Zimmerman at (213) 974-1326 or mzimmerman@ceo.lacounty.gov.

WTF:ES
MKZ:VLA:pg

Attachments

2008-09 - 09-02-08 2007-08 CEO Grand Jury Final Report

"To Enrich Lives Through Effective And Caring Service"

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RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – CHIEF EXECUTIVE OFFICE

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR HELPING PROBATION AND FOSTER CARE YOUTH PREPARE FOR ADULTHOOD AND INDEPENDENCE

RECOMMENDATION NO. 1 (A through G)

Request a County leadership team under the direction of the Deputy Chief Executive Office (DCEO) and including DCFS, DPSS, Probation, DMH, and LACOE develop a new strategic plan to refocus Transition Age Youth (TAY) programs on integration, efficiency, and effectiveness.

RESPONSE

The Chief Executive Office's (CEO) TAY Coordinator, under the direction of the DCEO, will utilize the Youth Development Services Partnership (YDSP) Executive Committee to develop a Strategic Plan for TAY that addresses the suggested elements identified in recommendations 1A through 1G.

RECOMMENDATION NO. 2 (A and B)

Request the DCEO develop and implement a regular and systematic process of program review and evaluation for TAY programs, which includes a goal of periodic streamlining of operations in DCFS, Probation, and DMH.

RESPONSE

The CEO recently hired a TAY Coordinator. This position will be responsible for reviewing programs and conducting evaluation on an ongoing basis. Through evaluation, we will determine the efficacy of programs and make informed determinations on budgetary issues. Further, the CEO is using a Web-based tool for the Housing Prevention Initiative (HPI), which may prove useful for purposes of TAY programs reporting deliverables electronically. Based on the findings, we will build in system improvements that maximize savings. We will also work with communities to leverage existing funding, identify new funding opportunities, and develop funding recommendations for the Board's consideration.

RECOMMENDATION NO. 6 (A through C)

Request improved programs be provided to youth 18-25 who have left the system, under the leadership of the DCEO, DCFS, Probation, DPSS and DMH.

RESPONSE

Through the Strategic Planning effort noted in Recommendation 1, we will utilize key departmental representatives to focus on improving programs that are working and determine where limited funds can be directed. In addition, this team will examine the County RFP process, and utilize new initiatives underway, including centralized case management. Affordable housing, educational support, and other necessary independent living support should be priorities in developing the strategic plan.

RECOMMENDATION NO. 7 (A through D)

Request the DCEO, DCFS, Probation, and DMH to consult with LACOE and other school districts to develop a plan and timetable for a comprehensive information system to capture all records on all children in the system.

RESPONSE

This recommendation will be explored for feasibility. Data sharing of education and child welfare records has proven to be a local, State and national issue due to confidentiality and disclosure regulations. The DCEO, DCFS, Probation, DMH, LACOE, County school districts, and other key stakeholders will explore data sharing, budget, information technology, and aftercare tracking as recommended. Unfortunately, it is not under the purview of any of the aforementioned bodies to allow the Probation Department access to CWS/CMS as this is prohibited by law. However, Probation is encouraged to continue its use of the DCFS Youth Development Services system.

**CHIEF EXECUTIVE OFFICE (CEO)
RESPONSE TO THE CIVIL GRAND JURY
AUDIT OF COUNTYWIDE VEHICLE USE**

Amending the County Code

Recommendation 1.1:

County Code Chapter 5.40 section should be amended by the Board of Supervisors to create a simple framework for departments using County vehicles.

Recommendation 1.2:

Chapter 5.40 should be amended by the Board of Supervisors to require all departments to develop policies and procedures that define take-home assigning authorities, criteria for take-home assignment.

Recommendation 4.2:

The Board of Supervisors should amend the County Code by adding language that established criteria for the standard vehicle types and require department to submit any exceptions to such criteria to the Board of Supervisors.

CEO response:

While some individual departments have provided comments in their attached responses to the Grand Jury Report, we have collectively determined that our response to these recommendations will require further analysis and additional time to complete. As such, this Office has convened a taskforce consisting of Auditor-Controller, Fire Department, Internal Services Department, Department of Public Works, Sheriff Department and County Counsel to ensure necessary input in developing our response. The taskforce will identify the required Code amendments to effectively respond to these recommendations. We anticipate submitting our response to the recommendations to the Board of Supervisors within 60 to 90 days.

Countywide Take- Home Vehicle Policy

Recommendation 1.3:

The County Executive Officer (CEO) should require that all departments develop a procedure that would define circumstances when ongoing justification of an employee take-home vehicle assignment would be permitted.

Recommendation 1.4:

The CEO should require that departments refer to the Coroner's Office as a model for a more stringent set of department policies and procedures on take-home vehicles, which would be consistent with a revised Chapter 5.40 of the County Code.

Recommendation 1.5:

The CEO should require that each department, working with the Auditor-Controller's Office, should develop a tracking system that provides data necessary to determine justification for employee take-home vehicle assignments linked to department policy that justifies the assignment.

Recommendation 2.5:

The CEO should require that all County departments provide to the Auditor-Controller's Office the names of employees authorized to use a County take-home vehicle, including exempt employees and the reason for the exemption.

Recommendation 3.1:

The Board of Supervisors should direct all County departments to track and monitor after-hour vehicle usage to ensure sufficient business justification exists for the take-home vehicle.

Recommendation 3.2:

The Board of Supervisors should direct the Auditor-Controller's Office to work with County Departments to establish minimum criteria for after-hour business needs to establish consistent practices with the County.

Recommendation 3.3:

The Auditor-Controller's Office should work with County departments to assess business need, review take-home vehicle privileges, and recommend changes in department's take-home vehicle assignments, on an annual basis.

Recommendation 3.4:

The CEO should require that all County departments with take home vehicles add a policy and procedure that establishes a system to evaluate after-hour vehicle use.

Recommendation 3.5:

County-wide, each department with take home privileges should work with the Auditor-Controller's Office and the Chief Executive Office to review take-home vehicle use and compare the cost of such use with reimbursements for use of personal vehicles.

CEO response:

While some individual departments have provided comments in their attached responses to the Grand Jury Report, we have collectively determined that our response to these recommendations will require further analysis and additional time to complete. As such, this Office has convened a taskforce consisting of Auditor-Controller, Fire Department, Internal Services Department, Department of Public Works, Sheriff Department and County Counsel to ensure necessary input in developing our response. The taskforce

will explore the feasibility of developing the Countywide Take-Home Vehicle Policy and we anticipate submitting our response to the recommendations to the Board of Supervisors within 60 to 90 days.

Taxable Income Reporting

Recommendation 2.1:

The Auditor-Controller's Office should require County departments to ensure the accuracy of documentation showing employees receiving imputed taxable income from take-home vehicle use.

Auditor-Controller response:

Annually, the Auditor-Controller will implement a procedure requiring departments to prepare a list of all County-vehicles assigned to employees. Departments will be required to identify each employee authorized to take home a County-vehicle, provide vehicle identification information and if applicable, give the reason why an employee's use of a vehicle is not a taxable income under the Internal Revenue Code.

Departments with employees in sensitive law enforcement positions driving vehicles exempt from tax reporting will provide the Auditor-Controller with the number of employees that are authorized to take home vehicles. The identity of these employees and the description of their vehicles will not be reported. Departments will be responsible for ensuring all vehicles and the employees assigned to these vehicles are accounted for.

Each year, the Auditor-Controller will reconcile the list to the annual summary documents submitted by departments listing employees to be taxed on vehicle personal use, and will work with departments to account for differences.

Further, as suggested in the Grand Jury Report (page 131), the Auditor-Controller will engage in an annual performance audit of County departments to ensure the inventory of assigned County-vehicles is complete and accurate. The number of departments audited will be (to the extent possible) based on staff availability.

Department of Public Works (DPW) response:

We defer to the Auditor-Controller to respond. However, we will work with the Auditor-Controller and provide them with an annual list of all take-home vehicle assignments, specifying those that do and do not qualify as imputed taxable income based on IRS Publication 15-B.

Recommendation 2.2:

The Fire Department should work with the Auditor-Controller's Office to ensure that all imputed taxable income is reported to the Internal Revenue Service.

Fire Department response:

The Fire Department and Auditor-Controller's Office agreed that the Fire Department will annually provide the Auditor-Controller with a list of all employee numbers that are assigned a Department vehicle with take-home privileges. On July 15, 2008, the Fire Department distributed a new vehicle policy and a Vehicle Assignment Request and/or Verification Form (Form). The Form is completed annually or when changes occur, and used to ensure that all Department vehicles are accounted for in our fleet tracking system. All vehicle assignments will be tracked by assigned personnel, bureau, vehicle number, model, year, acquisition cost, justification and housing location. The Department's fleet services system will generate a take-home vehicle list to be used for ensuring that all take-home vehicles meeting the IRS Publication 15b requirements, the imputed taxable income is determined and reported to the Auditor-Controller.

Recommendation 2.3:

The Fire Department should explore the option of placing a County seal on vehicles assigned to senior staff with County take-home privileges.

Fire Department response:

According to the Internal Revenue Service regulations, marking of Fire Department vehicles with the County seal may eliminate the reporting of imputed taxable income. However, it may also restrict senior staff from fulfilling their after hours response to emergencies due to the personal use of the vehicle. The Fire Department is exploring the recommendation and will act in the best interest of the Department. Senior staff has consistently reported imputed taxable income for the personal use of their take home vehicles.

DPW response:

Although this is addressed to the Fire Department, we would like to note that prior to the audit, Public Works had placed County seals on all take-home vehicle assigned to senior staff.

Recommendation 2.4:

The Auditor-Controller's Office should perform a reconciliation of the take-home vehicle list and the imputed taxable income reported by departments to ensure accuracy. This reconciliation should be performed annually.

Auditor-Controller response:

Annually, the Auditor-Controller will implement a procedure requiring departments to prepare a list of all County-vehicles assigned to employees. Departments will be required to identify each employee authorized to take home a County-vehicle, provide vehicle identification information and if applicable, give the reason why an employee's use of a vehicle is not a taxable income under the Internal Revenue Code.

Departments with employees in sensitive law enforcement positions driving vehicles exempt from tax reporting will provide the Auditor-Controller with the number of

employees that are authorized to take home vehicles. The identity of these employees and the description of their vehicles will not be reported. Departments will be responsible for ensuring all vehicles and the employees assigned to these vehicles are accounted for.

Each year, the Auditor-Controller will reconcile the list to the annual summary documents submitted by departments listing employees to be taxed on vehicle personal use, and will work with departments to account for differences.

Further, as suggested in the Grand Jury Report (page 131), the Auditor-Controller will engage in an annual performance audit of County departments to ensure the inventory of assigned County-vehicles is complete and accurate. The number of departments audited will be (to the extent possible) based on staff availability.

DPW response:

We defer to the Auditor-Controller to respond. However, we will work with the Auditor-Controller and provide them with an annual list of all take-home vehicle assignments, specifying those that do and do not qualify as imputed taxable income based on IRS Publication 15-B.

County Fleet Costs

Recommendation 4.1:

The Internal Services Department should review the composition of the County fleet annually to identify the number of vehicles considered to be luxury or over \$30,000, and provide the report to the Board of Supervisors.

Internal Services Department (ISD) response:

Currently, passenger vehicles over \$30,000 are primarily purchased within the provisions and procedures of the County Executive Vehicle Program for Department and County Executive Staff or Board of Supervisors that have elected to be assigned a County vehicle. This procedure requires CEO review and approval before vehicles are purchased. This approval process will remain in effect. However, ISD will work in conjunction with CEO to develop additional recommended reporting threshold values and approval requirements for other vehicle classes including light, medium, and heavy trucks, sport utility vehicles, and specialty vehicles.

ISD will review the composition of the ISD-managed County fleet annually and identify the passenger vehicles that cost over \$30,000 or that are considered to be luxury or reportable as defined by the Board of Supervisors. This information will be included in the Annual Clean Fuels Report which is provided to the Board of Supervisors by March 1st of each year.

ISD does not administer the entire County Fleet. Therefore, ISD recommends that the Department of Public Works, Fire and the Sheriff's Departments also provide a similar report annually.

CEO will work with all applicable departments to develop appropriate annual reporting requirements consistent with the taskforce effort referenced above.

DPW response:

We defer to the Internal Services Department for a response. However, the 7 vehicles identified in this report as greater than \$30,000 for Public Works include four 2004 Jeep Wranglers, one 2008 Honda Pilot, one 2007 Toyota Camry, and one 2001 Buick LeSabre:

- The four Jeep Wranglers were right-hand drive ordered for Public Works' Waterworks Division. These vehicles allow employees to exit safely and conveniently from the right hand side when reading water meters, which makes this task more efficient.
- The Honda Pilot and Buick LeSabre were both purchased under the County Security and Transportation Allowance Programs (County Codes 5.12.200 & 5.40.465), which allow department heads to opt out of their monthly transportation allowance and be assigned a County vehicle by their department for a cost not to exceed \$38,000.
- The Toyota Camry was purchased as a pilot program to test more fuel-efficient hybrid sedans, in accordance with the 2005 amended Board Policy 3.020 (Clean Fuel Policy) for hybrid vehicles.

We propose to collaborate in an ad hoc Fleet Managers Committee with the CEO and ISD to determine a threshold value for luxury vehicles. The value should also be reviewed by the committee biennially to ensure the price limit is current with the business market.

Recommendation 4.3:

The Internal Services Department should prepare an annual report to the Board of Supervisors on County vehicles over a threshold valued determined by the Board of Supervisors for routine sedans, sports utility vehicles and light trucks.

ISD response:

Currently, passenger vehicles over \$30,000 are primarily purchased within the provisions and procedures of the County Executive Vehicle Program for Department and County Executive Staff or Board of Supervisors that have elected to be assigned a County vehicle. This procedure requires CEO review and approval before vehicles are purchased. This approval process will remain in effect. However, ISD will work in conjunction with CEO to develop additional recommended reporting threshold values and approval requirements for other vehicle classes including light, medium, and heavy trucks, sport utility vehicles, and specialty vehicles.

ISD will review the composition of the ISD-managed County fleet annually and identify the passenger vehicles that cost over \$30,000 or that are considered to be luxury or reportable as defined by the Board of Supervisors. This information will be included in

the Annual Clean Fuels Report which is provided to the Board of Supervisors by March 1st of each year.

ISD does not administer the entire County Fleet. Therefore, ISD recommends that the Department of Public Works, Fire and the Sheriff's Departments also provide a similar report annually.

CEO will work with all applicable departments to develop appropriate annual reporting requirements consistent with the taskforce effort referenced above.

Recommendation 4.4:

The Office of the Auditor-Controller and the Internal Services Department should work with other County departments to reconcile the various County fleet information sources to ensure that accurate information exists.

ISD response:

Each County department is required per County Fiscal Manual to complete an inventory of capital assets including vehicles at least annually and report missing items to the Auditor Controller per County Fiscal Manual Chapter 6.2 Capital Asset Acquisitions. Additionally, each County department must ascertain the correctness of its capital assets inventory once every two years and submit corrections to the Auditor's Capital Asset Inventory Listing including supporting documentation to the Auditor Controller per County Fiscal Manual Chapter 6.11.0 Capital Asset Inventory Listings. Each County department works directly with the Auditor Controller to meet these requirements.

County departments are responsible for tracking assigned vehicles and coordinating vehicle maintenance and repairs within their departments either through ISD, internal personnel, and/or separately contracted maintenance providers. Departments will be directed to reconcile their internal listings or databases of vehicles with the County inventory.

Additionally, ISD will work with the Auditor-Controller to develop an electronic reconciliation of vehicle information for ISD managed vehicles. ISD recommends that the Department of Public Works, Fire and the Sheriff's Departments also work with the Auditor Controller to reconcile each respective department's fleet information so that the County's entire fleet is reviewed annually.

CEO will work with all applicable departments to develop appropriate annual reporting requirements consistent with the taskforce effort referenced above.

FIRE DEPARTMENT
ADDITIONAL INFORMATION

The Fire Department was not given an opportunity to review the entire draft report and would like to take this opportunity to clarify the statements in the final report that would have been discussed during the exit conference, if the entire draft report was available. The Fire Department would like to take this opportunity to clarify the statements in the final report that would have been discussed during the exit conference, if the entire draft report was available.

- The final report indicates that the average cost of a Fire Department vehicle is \$80,803. The average cost is grossly overstated as it includes the costs of heavy equipment, fire trucks, fire engines, Quints and rescue squads. Since the high cost vehicles were included in the average cost, the report should have included a statement that the average cost of a Fire Department vehicle is in line with other fire agencies and is not comparable to other County departments.
- The final report states that most of the Fire Department vehicle purchases were for automobiles, sport utility vehicles, pick-up trucks and vans, which these types of vehicles are later referred to as luxury vehicles or vehicle over \$30,000. Many of the Fire Department's command incident response vehicles are sport utility vehicles, pick-up trucks and vans which are necessary to meet all terrain environments and carry emergency equipment. The report is misleading by the luxury vehicle statement, if the term stems from the IRS luxury car tax on cars costing over \$30,000.
- The final report states that the Fire Department has 27 take-home vehicles that are not approved according to Department policy. The Fire Department was aware of current policy and procedure inconsistencies and on an ongoing basis, revisited the procedures to provide clearer direction to ensure compliance. Although the actual policy changes were not incorporated into the manuals prior to the Civil Grand Jury's review, bureau management did authorize the majority of the marked vehicles to be taken home.

In May 2008, the Department received Chief Executive Officer approval for a more stringent take-home policy that allows the flexibility for additional take-home vehicles during periods of high fire danger and other predictable circumstances for positions justified with emergency response responsibilities. As of July 15, 2008, the Department's revised vehicle policy is memorialized in the Department's operating manuals.

- The final report indicates that the Fire Department has numerous discrepancies between our take-home vehicle list and the number of employees that have reported taxable income with the IRS. Of the 139 vehicles listed four employees did not report taxable income as required. The details for the remaining are as follows:
 - For 26 unmarked vehicles there were 34 employees who appropriately reported taxable income.
 - 109 vehicles were exempt from taxable income reporting based on the vehicle being marked, or a Publication 15b exemption, or an approved non-employee paid through personal income tax, or deductions administered through the County Security Program.

- Two findings appeared to have remained in draft form (all capital letters) when the final report was issued. One of the findings is addressed to the Fire Department regarding tracking the use of take-home vehicles. The enforcement of the Department's new vehicle policy of take-home vehicles. The enforcement of the Department's new vehicle policy will ensure the proper use of take-home vehicles.

INTERNAL SERVICES DEPARTMENT
ADDITIONAL INFORMATION

<u>Section</u>	<u>Page</u>	<u>Topic</u>	<u>Correction</u>
1	109	Routine Maintenance Cost	ISD's current contract with Johnson Controls expires FY 2008-2009, not FY 2007-2008.
1	127	Appendix 1.4 - Department Take Home Policies	The four vehicles are assigned to ISD's second-in-command Chief Deputy Director, and the three General Managers/Deputy Directors..., not Division Heads.
4	151	Use of Costly Vehicles	Board Policy 3.020 – Clean Fuel Program established hybrid vehicles as the standard for new non-emergency vehicles acquired to conduct routine County business effective July 1, 2006. The standard sedan purchased for County departments is currently the Toyota Prius.

DEPARTMENT OF PUBLIC WORKS
ADDITIONAL INFORMATION

INTRODUCTION: ACCIDENT COSTS

The 40.2% ratio presented below at Table 9 (page 110) can be misleading. It does not consider factors such as what incidents “accidents” encompass, nonpreventable accidents, number of miles driven, or departments’ efforts to address accidents.

2007-2008 Los Angeles County Civil Grand Jury Final Report

Table 9
Reported Vehicle Accidents in the
Four Largest Vehicle Usage Departments
FY 2005-06 through March 2008

Department	Number of Accidents*	Ratio of Number of Accidents to Number of Vehicles**
Sheriff's Department	849	16.0%
Public Works Department	747	40.2%
Fire Department	132	9.9%
Internal Services Department	124	12.8%
Total	1,852	—

Sources: Los Angeles County Departments

* Data is for FY 2005-06 to FY 2007-08. The data for FY 2007-08 is year to date and does not contain the entire year.

** The number of vehicles is based on the totals received from the Auditor-Controller's Fixed Asset database.

The Department of Public Works' 747 accidents include all vehicle accidents, including incidents of work damage (such as tree limbs falling on windshields) and acts of vandalism. These also include both preventable and nonpreventable accidents. Of the 747 accidents, only 40 percent were classified as preventable. During the same period, the department drove over 60 million miles. The ratio of all accidents per number of miles driven = 1 accident per every 81,000 miles and 1 preventable accident per every 201,000 miles.

In 1987 Public Works established an Automotive Safety Committee (ASC) whose duty and responsibility is to screen all vehicle accidents. The ASC meets monthly to review all accidents/incidents to determine preventability and recommend disciplinary action and/or driver training. Accidents determined to be preventable are thoroughly investigated, which result in the corrective action of employees who have contributed to vehicle accidents.

Ongoing Operating Costs

We disagree with the generalization that information provided by departments differed from data compiled centrally and “appeared to be an inaccurate representation of total claims cost,” as

noted on page 108. Speaking for Public Works, we provided the Grand Jury auditor with claims paid and repair costs for all accidents.

VEHICLE MANAGEMENT POLICIES AND PROCEDURES

The Grand Jury does not reflect Public Works' policies and procedures for vehicle assignment in their entirety. Although our policies and procedures, as noted on page 114, indicate that authority to assign take-home vehicles is delegated to the Chief Deputy Director and the Assistant Directors of Public Works, in practice all assignments are approved by the Director. Public Works requires that a Vehicle Assignment Authorization Form be filled out for all employees requesting a take-home vehicle. The form must be approved at the Division Head, Deputy Director, Chief Fleet Management, Administrative Deputy Director, and Director Levels. The form also requires a written business justification and an updated review by administration for any change of data. **(Please see Attachment I, Attachment I)**

Public Works disagrees with being categorized as "Less Stringent" on Table 1.1 (page 116) where the stringency of department take-home vehicle policies and procedures is presented. Public Works should be categorized as "More Stringent". As noted in our response to Recommendation 1.3, Public Works has several levels of approval in place that review ongoing justification of take-home assignments.

1. Any updates or changes to current take-home assignments are reviewed by the employee's Division Head and by the Chief Fleet Management.
2. Comprehensive review of all take-home assignments is conducted twice a year at the Group Head, Division Head, and Deputy Director Levels.
3. All new take-home assignments are reviewed by all levels of approval (Division Head, Deputy Director, Chief Fleet Management, Administrative Deputy Director, and Director).

APPENDIX 1.4 (page 127)

The Grand Jury report cited an excerpt from a prior version of our Administrative Directive A107 regarding the parking of take home vehicles: "Take-home vehicle must be parked in a secure, off-street location at night, on weekends, and during holidays." The current Administrative Directive A107 (signed 04/22/04), which we provided to the Grand Jury auditors, states: "Public Works personnel authorized for overnight usage, or home assignment of a County vehicle shall park the vehicle in a secure location at night and on weekends."

TAXABLE INCOME REPORTING

We disagree with the statement (page 90 and 131) that the list of employees submitted to the Auditor-Controller on annual basis, for purposes of reporting vehicle use as income, "is not reconciled, nor reviewed with actual practice, to ensure accuracy and completeness." Public Works both reconciles and reviews our home assigned database with CWTAPPS to ensure accurate reporting of all take-home assignments before submitting the annual Assigned Vehicle Report to Auditor-Controller. In addition, the Auditor-Controller's "Handbook for the Reporting of the Personal Use of County-Provided Vehicles – Revised 01/31/2007" provides departments with Monthly Commuting Logs and Monthly Business Mileage Logs, which assist in providing the most accurate data possible to the Auditor-Controller.

We also disagree that according to IRS Publication 15-B, employees granted use of a vehicle must report both the lease value of the vehicle and calculate commuting costs associated with

the vehicle (page 131). Employees granted use of a vehicle must report either the lease value of the vehicle and business mileage or the calculated commuting costs associated with the vehicle based on a salary threshold.

EXCEPTIONS TO IRS TAXABLE INCOME REPORTING

On page 134, the Grand Jury distinguishes between Public Works having staff exempt from reporting the use of a vehicle as taxable income, while all Internal Services Department staff granted use of a take-home vehicle report the taxable income to the IRS. Please note the following exclusion, applicable to Public Works, that allows for employees to be exempt from reporting vehicle use as taxable income:

According to IRS Publication 15-B, **Fringe Benefit Exclusion Rules:**

Working Condition Benefits:

"This exclusion applies to property and services you provide to an employee so that the employee can perform his or her job . . . All of an employee's use of a qualified nonpersonal-use vehicle is a working condition benefit . . . You can generally exclude the value of a working condition benefit you provide to an employee from the employee's wages."

Table 2.2 (page 136) inaccurately implies that the difference between employees reporting taxable income and employees on the list of take-home vehicles is a result of inaccurate reporting. The difference of 35 noted for Public Works is attributed to employees who are exempt from reporting taxable income for their assigned take-home vehicles per IRS Publication 15-B (**Please see Attachment I, Attachment II**). Specifically, these are pickup trucks that meet at least one of the requirements for being equipped with:

- a. A hydraulic lift gate.
- b. Permanent tanks or drums.
- c. Permanent side boards or panels that materially raise the level of the sides of the truck bed.
- d. Other heavy equipment (such as an electric generator, welder, boom, or crane used to tow automobiles or other vehicles).

EVALUATION OF TAKE-HOME VEHICLE NEED

We disagree with assertions made on pages 91, 92 and 141 of the Grand Jury Report addressing take-home vehicle need: The first bullet cites a lack of detailed and consistent County-wide procedures, as well as minimal evaluation of ongoing operational need for take-home vehicles. As noted in our response to Recommendation 1.2, and as we shared with the Grand Jury auditors, Public Works' Administrative Directives A106 and A107 define take-home assigning authorities and criteria for take-home assignments. Public Works also has a system in place which monitors the frequency of mileage reporting on a monthly basis.

The second bullet claims that the on-going business need of each take-home vehicle authorization is not fully known, that there is minimal tracking of the business need or justification of take-home vehicle requirements, and that there is minimal review and oversight

to ensure adequate business need. As noted in our response to Recommendation 1.3, Public Works has several levels of approval in place that review ongoing justification of take-home assignments as follows:

1. Any updates or changes to current take-home assignments are reviewed by the employee's Division Head and by the Chief Fleet Management.
2. Comprehensive review of all take-home assignments is conducted twice a year at the Group Head, Division Head, and Deputy Director Levels.
3. All new take-home assignments are reviewed by all levels of approval (Division Head, Deputy Director, Chief Fleet Management, Administrative Deputy Director, and Director).

The third bullet implies that the assignment of take-home vehicles should be based on the frequency of after-hour call-outs. Although we agree that departments should monitor after-hour usage for appropriateness, we disagree this is the sole business reason for determining take-home vehicle assignment. On page 141, the Grand Jury further addresses this by stating that "departments have not implemented thorough, analytical mechanisms that evaluate take-home need and on-going justification of such need." Lastly, on page 145, the Grand Jury recommends that "where County Owned vehicles are primarily used for commuting and there is a low frequency of use after working hours, authorizations should be discontinued and the vehicles removed from inventory." As noted in our response to Recommendation 1.5, Public Works' home assigned vehicles are largely based on the potential for call outs due to unpredictable threats to life, health, and property, and not the frequency of call outs. This is weighted greater than retrospective analysis of after-hour call outs for the Department.

TRACKING AFTER-HOUR VEHICLE USE

We disagree with the Grand Jury's statement on page 144 that "Geotechnical and Materials Engineering Division, and Operational Services Division, the need to respond to an emergency event after work hours is unlikely." Public Works' Operational Services Division (OSD) and Geotechnical Materials and Engineering Division (GMED) respond to various emergency situations. OSD employees must be ready to respond to repairs needed for traffic signal breakdowns that safely guide traffic and that may require high voltage repairs. GMED employees respond to water and sewer line breaks in hillside communities, landslides following storms, earthquakes, and slope failures.

Based on the variety of functions handled by Public Works, which include flood control and dam operation/maintenance, graffiti removal, road maintenance, traffic control, street lighting, building inspection, water supply, capitol project management, airport management, etc, the need for take-home vehicles is appropriate. However, the number of take-home vehicles is not based solely on after-hour call outs and needs during non-business hours. The decision is based on the prospective potential for occurrences that may threaten life, property, or the environment and the need for field coordination to limit risk and liability from such events like downed high-voltage wires, storm response, floods, earthquakes, and fires obstructing roadways. This is weighted greater than retrospective analysis for Public Works.

COUNTY FLEET COSTS

The Grand Jury report cites (on pages 92 and 149), "Inconsistencies in the types of vehicles purchased by County departments, resulting in numerous instances where the type of vehicle purchased may have features that are inconsistent with those that are required for the vehicle's intended business use. Many of the vehicles have features that appear to exceed such needs,

and many tend to be take-home vehicles that are assigned to senior staff.” We would like to clarify that Public Works purchases vehicles with features required to meet the demands of field operations, such as marking/stripping trucks, bucket trucks, sign-posting trucks, and dump trucks. Additionally, take-home vehicles assigned to senior staff were base-model package purchases.

Under Section 4 (pages 93 and 149), the Grand Jury states that “some departments have purchased luxury vehicles for the department director or other senior managers.” They also claim that departments do not have a strong incentive to purchase vehicles that more closely meet the business needs of the departments and are priced at a lower cost.” Furthermore, Table 4.1 (page 151) lists seven (7) Public Works vehicles costing more than \$30,000 that may be considered excessive for routine County business. Lastly, Table 4.2 (page 154) lists the “potential savings” associated with not exceeding a \$30,000 purchase price. Public Works disagrees with this representation and would like to clarify the need or use of these seven non-luxury vehicles:

- Public Works has four 2004 Jeep Wranglers that were right-hand drive ordered for the Public Works Waterworks Division. These vehicles allow employees to exit safely and conveniently from the right hand side when reading water meters, which makes this task more efficient. **(Please see Attachment I, Attachment III)**
- A 2008 Honda Pilot and a 2001 Buick LeSabre were purchased under the County Security and Transportation Allowance Programs (County Codes 5.12.200 & 5.40.465), which allow the Director of Public Works to opt out of their monthly transportation allowance and be assigned a County vehicle by their department for a cost not to exceed \$38,000.
- The seventh vehicle, a 2007 Toyota Camry, was purchased under a pilot program to test more fuel-efficient hybrid sedans, in accordance with the 2005 amended Board Policy 3.020 (Clean Fuel Policy) for hybrid vehicles.

PUBLIC LIBRARY
ADDITIONAL INFORMATION

The following corrects and clarifies what the Grand Jury Report identifies as vehicles costing in excess of \$30,000 in the Public Library:

- The department head vehicle is a Hybrid Toyota Highlander and falls within the cost range for department head vehicles set by the Chief Executive Office;
- There are three Chevy Suburbans in the Library's pool fleet:
 - 2003 and 2008 models are used by Library technology staff; their work requires a large area for secured storage as they transport computers and related repair equipment.
 - A 1997 Suburban is used as a pool car for maintenance, shipping and receiving, as needed; it is also a backup for technology staff.

These vehicles are needed to adequately and securely transport equipment and materials to 87 Library facilities spread over 3,000 square miles (three additional sites will be added in the next two years).

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – Chief Executive Office - Public Safety Cluster

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
EMERGENCY PREPAREDNESS: PUBLIC INFORMATION

RECOMMENDATION NO. 1

That the County Emergency Operations Center (EOC) and its related agencies be directed to prepare a detailed operational plan which would start to be implemented when a "shelter-in-place" widespread disaster is realized to exist, be it in the first minute or the first day.

Examples of harsh realities which might occur include:

- What to do with overwhelming numbers of the dead;
- How to deal with injured and ill persons when hospitals cannot treat all those in need; and
- Chaos on the streets creating the potential for large scale crime and vandalism.

It is the recommended intent that the preparation of the plan force thought and planning about these so-called "unthinkables" before they occur.

RESPONSE

Response 1: The County of Los Angeles has a comprehensive "all hazards plan" that provides the framework to address any disaster. The plan is implemented whenever a major emergency or disaster occurs within the County. Emergency preparedness plans and programs are based upon hazard analysis and address the historically validated consequences. County plans take into account the fact that the nature of the event will dictate the most successful approach in response to a disaster.

Accordingly, through systems of alerts, warnings, and information dissemination, as outlined in the Emergency Public Information Plan, the County can direct residents to respond to a specific event whether or not they have prepared in advance. In addition, our emergency responders and managers are committed to preparing citizens for disasters, and we have adopted various programs to promote citizen awareness and preparedness.

RECOMMENDATION NO. 2

The County EOC and its related agencies provide a briefing to the Los Angeles County Board of Supervisors, along with all mayors and city council members, on the specifics of this operational plan. It is anticipated that this operational plan, if it is realistic and pragmatic, will contain harsh and unpleasant action items which may upset its audience.

RESPONSE

Response 2: A high-level briefing on the current "all hazards plan" can be offered to local governmental bodies. Although most jurisdictions should already be aware of how their local plan intersects with the County plan, periodic briefings can only enhance awareness and encourage local planning efforts. Specific County strategies for dealing with health and public safety emergencies are regularly shared with emergency managers in local jurisdictions; this includes planning for mass prophylaxis, mass fatality, and civil unrest.

RECOMMENDATION NO. 3

As part of the operational plan, public announcements should be prepared in advance so that they are not formulated in a time of crisis. Such public announcements should provide "how to" guidance and the rights and duties of an individual citizen affected by a widespread general emergency. The information contained in these announcements should provide very simple, pragmatic, but realistic approaches to helping people who may be in shock, physically and/or emotionally, from the circumstances in which they find themselves.

RESPONSE

Response 3: The Chief Executive Office, Office of Emergency Management has an award winning public awareness outreach program that addresses citizen responsibilities before and during disasters. The Emergency Survival Program (ESP) provides practical guidance for residents to prepare themselves, their families, and homes for disaster specific events. ESP materials are developed in coordination with other California counties and are distributed to schools, religious organizations, homeowner associations, and many other organizations. ESP materials are deliberately presented in a positive and incremental way to encourage preparedness activities. The program strives to reduce fear and inaction by giving residents the knowledge and tools needed to cope with the hazards we may experience in Southern California.

ATTACHMENT B

AUDITOR-CONTROLLER



**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 525
LOS ANGELES, CALIFORNIA 90012-2706
PHONE: (213) 974-8301 FAX: (213) 626-5427

ATTACHMENT B

WENDY L. WATANABE
ACTING AUDITOR-CONTROLLER

ASST. AUDITOR-CONTROLLERS

ROBERT A. DAVIS
JOHN NAIMO
MARIA M. OMS

July 25, 2008

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

FROM: Wendy L. Watanabe *Wendy Watanabe*
Acting Auditor-Controller

SUBJECT: **RESPONSE TO 2007 - 2008 LOS ANGELES COUNTY CIVIL GRAND
JURY FINAL REPORT**

This is in response to recommendations made by the Los Angeles County Civil Grand Jury on their 2007-2008 Final Report. Attached are our responses to the findings and recommendations pertaining to the operations of the Auditor-Controller.

If you have any questions, please contact me or your staff may contact Gregg Iverson at (213) 974-8401 or Jim Schneiderman at (626) 293-1101.

WLW:RAD:MMO:GI:JS

Attachment

c: William T Fujioka, Chief Executive Officer

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – Department of Auditor-Controller

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR:
- **Audit of Countywide Vehicle Use**
- **The Hertzberg-Davis Forensic Science Center**

Audit of Countywide Vehicle Use

RECOMMENDATION 1.5

The CEO should require that each department, working with the Auditor-Controller's Office, should develop a tracking system that provides data necessary to determine justification for employee take-home vehicle assignments linked to the department policy that justifies the assignment.

RESPONSE

The lead department for this recommendation is the Chief Executive Office; the Auditor-Controller will work with their office accordingly to comply with the recommendation.

RECOMMENDATION 2.1

The Auditor-Controller's office should require County departments ensure the accuracy of documentation showing employees receiving imputed taxable income from take-home vehicle use.

RECOMMENDATION 2.4

The Auditor-Controller's Office should perform a reconciliation of the take-home vehicle list and the imputed taxable income reported by departments to ensure accuracy. This reconciliation should be performed annually.

RESPONSE

The following response addresses Recommendations 2.1 and 2.4:

Annually, the Auditor-Controller will implement a procedure requiring departments to prepare a list of all County-vehicles assigned to employees. Departments will be required to identify each employee authorized to take home a County-vehicle, provide vehicle identification information and if applicable, give the reason why an employee's use of a vehicle is not a taxable income under the Internal Revenue Code.

Departments with employees in sensitive law enforcement positions driving vehicles exempt from tax reporting will provide the Auditor-Controller with the number of employees that are authorized to take home vehicles. The identity of these employees and the description of their vehicles will not be reported. Departments will be responsible for ensuring all vehicles and the employees assigned to these vehicles are accounted for.

Each year, the Auditor-Controller will reconcile the list to the annual summary documents submitted by departments listing employees to be taxed on vehicle personal use, and will work with departments to account for differences.

Further, as suggested in the Grand Jury Report (page 131), the Auditor-Controller will engage in an annual performance audit of County departments to ensure the inventory of assigned County-vehicles is complete and accurate. The number of departments audited will be (to the extent possible) based on staff availability.

RECOMMENDATION 2.2

The Fire Department should work with the Auditor-Controller's Office to ensure that all imputed taxable income is reported to the Internal Revenue Service.

RESPONSE

The lead for this recommendation is Fire Department; the Auditor-Controller will work with their office accordingly to comply with the recommendation.

RECOMMENDATION 3.2

The Board of Supervisors should direct the Auditor-Controller's Office to work with County Departments to establish minimum criteria for after-hour business needs to establish consistent practices within the County.

RECOMMENDATION 3.5

The CEO should require that each department with take-home privileges work with the Auditor-Controller's Office and the Chief Executive Office to review take-home vehicle use and compare the cost of such use with reimbursements for use of personal vehicles.

RESPONSE

The following response addresses Recommendations 3.2 and 3.5:

The lead department for these recommendations is the Chief Executive Office; the Auditor-Controller will work with their office accordingly to comply with the recommendations.

RECOMMENDATION 3.3

The Auditor-Controller's Office should work with County departments to assess business need, review take-home vehicle privileges, and recommend changes in department's take-home vehicle assignments, on an annual basis.

RESPONSE

This recommendation was originally assigned to the Auditor-Controller. However, it is now assigned to the Chief Executive Office; the Auditor-Controller will work with their office accordingly to comply with the recommendation.

RECOMMENDATION 4.4

The Office of the Auditor-Controller and the Internal Services Department should work with other County departments to reconcile the various County fleet information sources to ensure that accurate information exists.

RESPONSE

This is a joint recommendation between the Auditor-Controller and the Internal Services Department (ISD); the response will be provided by ISD.

The Hertzberg-Davis Forensic Science Center

RECOMMENDATION 1

The City Controller and the County Auditor-Controller should initiate an audit to quantify the promised savings to the taxpayer through the economy and efficiency brought about by unification of their respective labs. The audit should be completed and the recommendations implemented by 2010.

RESPONSE

The City Controller and County Auditor-Controller will jointly coordinate an audit of what savings were promised from the unification of the crime labs and whether those savings have been achieved. The audit will be completed by July 2009 and any recommendations implemented by January 2010.

ATTACHMENT C

**DEPARTMENT OF CHILDREN AND
FAMILY SERVICES**



PATRICIA S. PLOEHN, LCSW
Director

County of Los Angeles
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

July 22, 2008

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

To: William T Fujioka
Chief Executive Officer

From: Patricia S. Ploehn, LCSW
Director

**RESPONSE TO THE FINAL REPORT OF THE 2007-2008 LOS ANGELES COUNTY
CIVIL GRAND JURY**

This is to provide you with the Department of Children and Family Services' response to the recommendations contained in the Final Report of the 2007-2008 Los Angeles County Civil Grand Jury.

If you have any questions, please contact me, or your staff may contact Executive Assistant Norma Dreger at (213) 351-5527.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – Department of Children and Family Services

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
HELPING PROBATION AND FOSTER YOUTH PREPARE FOR
ADULTHOOD AND INDEPENDENCE

RECOMMENDATION NO. 1

A county leadership team under the direction of the Deputy CEO and including DCFS, DPSS, Probation, DMH, and LACOE should develop a new strategic plan to refocus TAY programs on integration, efficiency, and effectiveness.

RESPONSE

The Department of Children and Family Services (the Department) supports this recommendation and is currently working in partnership with the other agencies. DCFS co-chairs the partnership meeting. In addition, there are community stakeholders that attend the monthly partnership meeting.

RECOMMENDATION NO. 1a

The team should address the following strategic issues: Keeping kids from entering the system.

RESPONSE

The Department supports this recommendation. We are focusing on a strength-based approach to interacting with our families with the implementation of differential response, which enables us to refer children to other agencies within their communities for services and assistance. Prior to the implementation of differential response, these same children may have entered the Child Welfare System.

RECOMMENDATION NO. 1b

Providing a relevant and high quality education, addressing job and life skills.

RESPONSE

The Department supports this recommendation. The State will be implementing a new tracking check sheet that focuses on Outcomes for Youth, which addresses the child's educational, financial, and mental health status. The Department have the youth, his/her case-carrying Children's Social Worker (CSW), Independent Living Program

(ILP) Coordinator, Team Decision Making (TDM) facilitator and, if possible, his/her care provider convene to complete the check sheet. They will discuss where the youth is currently and where he/she needs to be before leaving the system. It is recommended that these meetings take place once a year beginning at the age of 16 [and eventually for our Permanently Placed (PP) children beginning at the age of 14] in order for the Department to closely monitor the youth's progress towards emancipation.

RECOMMENDATION NO. 1c

Instituting stronger evidence-based and comprehensive evaluations focused on real results achieved.

RESPONSE

The Department supports this recommendation. The Department has initiated emancipation conferences with our youth to assess their educational skills, medical, dental, and mental assessments prior to the youth leaving the system. The ILP staff work with the youth concurrently with the case-carrying CSW. Once a youth emancipates, the ILP Coordinator assists him/her in transitioning out of the system and offers assistance for transitional housing, school, vocational training, medical, dental, and mental health services. Once a youth emancipates, the Department assists him/her until the age of 21 with: rental assistance; room and board at dormitories (if they are attending college); transportation including auto insurance; bus tokens; food vouchers; and clothing vouchers. Additionally, the Department has Transition Resource Centers that young adults can access for ongoing support and resources.

RECOMMENDATION NO. 1d

Developing a clear parenting model with specific values that are consistently reinforced.

RESPONSE

The Department supports this recommendation. Our Transitional Housing Program (THP) has housing for youth who have children. This program includes available child care, parenting education and life skills classes, employment services, and early childhood education.

RECOMMENDATION NO. 1e

Shifting more resources from post-emancipation to pre-emancipation to reach a wider audience.

RESPONSE

The Department supports this recommendation. The Department is recommending more resources to enhance our current services in ILP – life skills, education, mentoring, youth advisory councils, teen clubs, and rites of passage ceremonies.

RECOMMENDATION NO. 1f

Identifying potential TAY younger than 14 to intensify efforts earlier to improve their chances of success.

RESPONSE

The Department supports this recommendation. The Department can electronically identify youth who have been in out-of-home care for more than two years and who will, therefore, likely emancipate from our system. Once this is done, our Youth Development Services (YDS) Division can work with each case-carrying CSW to intensify efforts with the child/youth on educational, interpersonal, and self sufficiency skills.

RECOMMENDATION NO. 1g

Identifying areas of duplicated services and funding.

RESPONSE

The Department supports this recommendation. Our Bureau of Finance and Administration is actively seeking to identify and eliminate any such duplication.

RECOMMENDATION NO. 2

The Deputy CEO should develop and implement a regular and systematic process of program review and evaluation for TAY programs which includes a goal of periodic, streamlining of operations in DCFS, Probation and DMH.

RESPONSE

The Department supports this recommendation and recommends that TAY programs be reviewed and evaluated via a systematic process to be developed by the Deputy CEO in collaboration with DCFS, Probation, and DMH.

RECOMMENDATION NO. 2a

The savings generated by successful streamlining should be maintained in the departments to help defray the funding of new programs.

RESPONSE

The Department supports this recommendation. An additional critical element of this recommendation is to leverage community resources to generate new revenue sources to fund services for TAY. In order to accomplish this, a steering committee should be initiated. The committee should include representatives from all effected County Departments, our TAY partners, the Emancipation Partnership Planning committee and community partners. The committee should be tasked with setting up protocols for tracking emancipation issues, projects, problems and successes. There was a previous committee that included representatives from each of the aforementioned groups and that effort was successful.

RECOMMENDATION NO. 2b

Agencies should cultivate community resources and partnerships to seek new revenue sources, including grants from private and governmental agencies, to fund the new programs.

RESPONSE

The Department supports this recommendation. The Department has a new staff member whose sole responsibility is to develop resources such as grant funding, donations, computers, and corporate sponsors. This staff member also works with our faith-based and community partners in a collaborative approach to identifying community resources.

RECOMMENDATION NO. 3

DCFS, Probation, DMH, and DPSS should develop and implement innovative programs to target high-risk families and high-risk children for proactive early intervention.

RESPONSE

The Department has committed to targeting high-risk families and high-risk children for early intervention as part of our prevention strategy by devoting Title IV-E funds for the purpose of Alternate Response, Upfront Assessment and Point of Engagement.

Alternate Response targets those families identified by members of the community as being at risk, but who do not meet the criteria for an in-person response by the Department. Rather than not responding to these families, the Department has partnered with Community Based Organizations (CBOs) to refer families for intervention.

Upfront Assessment is a program by which the Department is able to partner with providers to provide a more expert assessment of allegations of domestic violence, drug abuse and mental illness in caregivers in order to better respond to a family's needs in a

more targeted manner to either prevent entry into the child welfare system or through more targeted interventions, provide treatment to a family more expeditiously so that they are able to leave the Department's supervision earlier.

Point of Engagement is another means by which the Department can offer services to a family for a limited time, on a voluntary basis to prevent the need to detain children. Beyond our efforts through Title-IVE, the Department has partnered extensively with DMH to develop DMH's Specialized Foster Care services. This new array of services, including co-located DMH staff in the Department's offices, is rolling out within this fiscal year and next. These services are intended to provide mental health services to children served by the Department to enhance their emotional well-being and their level of functioning following emancipation.

The Department has also partnered with DPSS in its Linkages program, which is rolling out across the county this year. DPSS staff will be co-located in our offices and will participate in case planning to maximize services available to families through the GAIN program. This program is intended to offer services largely targeted at parents, a population for whom the Department has historically had difficulty funding services.

The Department has also continued to work closely with Probation through its AB129, shared jurisdiction protocols for children who have had interactions with law enforcement, but are also dependents of the Juvenile Dependency Court.

RECOMMENDATION NO. 3a

High-risk neighborhoods should be identified and a proactive outreach program should be developed to connect with high risk families. The departments should use language appropriate to the families to facilitate understanding and their engagement in the program.

RESPONSE

The Department supports this recommendation and is currently engaging in or participating in several projects that address this recommendation.

On February 26, 2008, the Board of Supervisors approved a \$5 million 12-month DCFS project called the Prevention Initiative Demonstration Project (PIDP). The PIDP established contracts with lead Community-Based Organizations (CBOs) in each of the eight (8) Service Planning Areas (SPAs). The goals and objectives of the CBOs are to work in partnership with the Department to realize prevention strategies and initiatives that lead to the prevention of child abuse and neglect. Each of the lead agencies are well known within their local communities and have identified high-risk geographic zip codes within each SPA to test out their varied prevention strategies and initiatives. A PIDP Evaluation Collaborative team consisting of Casey Family Program, First 5LA and USC's Jacquelyn McCroskey will conduct an evaluation of the PIDP strategies for the purposes of: (1) determining prevention best practices for possible replication; (2)

identifying leveraging opportunities involving CBOs, county agencies, and private businesses; and (3) creating an opportunity for the Department to restructure its current service contracting process to be more focused on client delivery. The PIDP is expected to end on June 30, 2009.

The Department is also participating in the Centralized Case Management Project lead by the Chief Executive Office Services Integration Branch. Two of the locations have co-located Department staff in the same location with other county and CBO entities, with a focus on high-risk families in specific geographic areas.

RECOMMENDATION NO. 3b

A line of communication for teachers, principles, school resource officers, police and the Sheriff departments, clergy and community/recreation center staff, and others that addresses confidentiality requirements should be implemented to provide the Department, DMH, and Probation with early intervention opportunities.

RESPONSE

For the past year, the Department, DHS, DMH, and Probation have worked collaboratively to develop a Memorandum of Understanding (MOU) for the disclosure of information to promote a continuity of care to meet the health and mental health needs of children, under the custody of the County.

The Operating Principle of this MOU is, "that those who have custody of a minor should have all the health and mental health information they reasonably need, and are legally entitled to, in clear and unambiguous terms that a layperson can understand, in order to be able to perform their job duties and appropriately deal with the minor's health and placement needs and provide for the health and safety of the minor while in the County's custody."

RECOMMENDATION NO. 3c

Probation should work proactively with schools that have students already in the criminal justice system to prevent additional delinquent behavior.

RESPONSE

The Department will defer to the Probation Department regarding this recommendation.

RECOMMENDATION NO. 3d

More intensive programs on drugs and access to drug rehabilitation programs should be provided to parents for themselves and their children.

RESPONSE

The Department supports this recommendation and is involved in several programs addressing the need identified in this recommendation, as follows:

1. The Dependency Drug Court Program (DDC), implemented in May 2006, is one of several programs available to clients who use/abuse alcohol and/or drugs. The DDC commenced as a Pilot Program in the Department's Belvedere Office, located in SPA 7 and was expanded to include SPAs 1, 4, 6, and 8, in November 2007. The DDC is a collaborative project between the Department of Public Health's (DPH's) Alcohol and Drug Program Administration (ADPA), our Department, and the Superior Court. DDC is a voluntary one-year program focused on ensuring immediate access to assessment and treatment for substance abuse/use. The target population includes, but is not limited to, 1) Parents whose children are under Juvenile Court jurisdiction; 2) Parents whose substance abuse appears to be a significant family issue; 3) Parents who are receiving Family Reunification (FR) services; and 4) Parents who do not have a history of failed child welfare services.

Clients are active participants at Court, thus empowering the clients and educating the Team members on the needs of each client. Thus, best practices for each individual client can be implemented.

Services to parents are provided via funding from APDA. Services include substance abuse counseling and testing, domestic violence and family violence counseling, residential and non-residential treatment, and aftercare.

2. The Linkages Program is providing improved access to treatment and recovery services and is continuing to roll-out countywide. This program is designed to enhance the service experience of families involved both with our Department and DPSS. The program improves access to treatment by identifying funding sources such as CalWORKS when clients are first brought to the attention of the Department. Use of the Linkages Program assists in maximizing the use of funding for other programs, including substance abuse/use-related programs.

Under Linkages, a client who is identified as a CalWORKS recipient can receive more immediate access to a variety of no/low cost services, including substance abuse/use treatment and recovery. And, in identifying these clients upon entering the child welfare system, services are not duplicated in the two systems (DCFS and DPSS). Instead one case plan is designed that best serves the client and complies with the requirements of both entities.

3. The Time Limited Family Reunification (TLFR) Program provides access to substance abuse treatment services and is a federally funded program. The Department has established an MOU with the DPH to provide substance abuse/use treatment services. The services available under this program are

provided only to families who are receiving Family Reunification (FR) services through our Department. The FR timeframe cannot exceed 15 months, however the length of treatment can be extended if another child within the family is subsequently removed from the parent. Each client receives an individual assessment through a DPH contracted Community Assessment Services Center (CASC). An individualized case plan is developed through the assessment, and the client is then sent to an appropriate treatment facility for either inpatient or outpatient services. Services are provided to a diverse population, including undocumented clients.

4. The Foster Youth Substance Abuse Program (FYSAP) makes substance abuse/use treatment readily accessible to foster youth. The program is currently operating in three Dependency Court courtrooms and an expansion underway to serve at least three additional courtrooms.

FYSAP provides a systematic process for screening, assessment and, if necessary, treatment of substance abuse. The goal of the protocol is to achieve the well-being of dependent youth with substance abuse issues and to reduce the chances of them coming into contact with the juvenile delinquency system. Youth must be at least 12 years of age and participation is voluntary.

The FYSAP is a collaborative project between the Department, DPH's ADPA, and the Superior Court. A team approach is utilized and there are frequent progress hearings whereby participating youth are actively engaged in proceedings to discuss their progress and to address any concerns/issues raised by Team members. The proceedings also provide for encouragement and support to the involved youth.

5. The County-funded Alcohol and Drug Testing Program provides immediate access to alcohol and/or drug testing services. The current program tests clients suspected of using drugs or who are known drug users. Clients may be asked to test on-demand, participate regularly in a random program, or participate in a specialized schedule. Enrollment in the program is open to all clients regardless of their participation in a treatment program. The program is frequently used during the emergency response phase of an investigation to determine if a child may remain safely at home. The Department's currently considering redirecting funding allocated to this program to assessments that could assess a client's individual treatment needs. If it is determined that is not feasible, the Department will consider redesigning the program to maximize both utilization of the budget and effectiveness.

RECOMMENDATION NO. 3e

Professional marketing firms and local universities should be approached to develop pro bono advertising strategies to more effectively reach families in need.

RESPONSE

The Department supports this recommendation. For the past three years, the Department has worked with the non-profit organization Project Nightlight and the outdoor advertising company Vista Media to coordinate a billboard campaign in Los Angeles County urging the public to report child abuse and neglect. The campaign is completely funded by Vista Media and Project Nightlight and is estimated to be worth between \$300,000 and \$500,000. At the beginning of each year, approximately 300 to 500 pole sign billboards are posted at various locations throughout the County. They feature the Department's CSWs and the Child Protection Hotline. We expect the campaign to continue in 2009.

In addition, the Department participates in the County's 211 marketing committee to disseminate information about the agency to the general public. Important information about services provided by the Department, as well as relevant phone numbers and contact information, is included in a variety of collateral materials including a website, posters, and brochures. This effort is funded through the County.

We are currently working with Casey Family Programs and the public relations firm of Nakatomi and Associates to coordinate marketing and publicity efforts for the County-wide Prevention Initiative Demonstration Project (PIDP). The PIDP aims to prevent child abuse and neglect and is specifically targeted at families who are at the highest risk of child abuse and neglect. The effort will include outreach to the community via brochures, a website and news releases. Casey Family Programs is fully funding this effort.

Throughout the year, the Department also places informational booths at public events.

RECOMMENDATION NO. 4

DCFS, Probation, and DMH should develop a multi-faceted organizational plan including a comprehensive mentoring program that increases each child's level of trust of the system.

RESPONSE:

The Department supports this recommendation and is working with Probation and DMH in collaborative efforts to provide care for the children under our supervision and improve the level of trust of the system.

In FY 2007-08 the Department and Probation issued a Request for Proposals for Community-Based Mentoring Programs intended to serve both the Department and Probation youth, in recognition of the need for and importance of a continuous, positive relationship with an adult. In addition, to support the commitment to provide needed services to youth in care, DMH entered into agreements with our Department and

Probation, co-locating staff in the Department's regional offices and at Juvenile Hall to provide assessments for youth and to assist staff.

RECOMMENDATION NO. 4a

A suitable overlap of mentors should be built into the program to ease a child's transition to the new mentor.

RESPONSE

The Department agrees with this recommendation however due to budget constraints implementation may be delayed. In FY 2007-08 a Request for Proposal (RFP) was issued for community-based mentoring contracts (total contract amount: \$2 million) which would achieve up to 800 mentor matches with foster children starting in FY 2008-09. The contracted agencies would be responsible, through recruitment events and strategies, to provide a suitable pool of mentors for foster youth. These contracts are being held until the final budget is issued in the fall. Should the final budget allow an opportunity for these contracts to move forward, Department and Probation foster youth would be provided a pool of mentors.

RECOMMENDATION NO. 4b

The training provided to foster families and group home staff should be increased and should include ongoing evaluation, continuous training, and recertification.

RESPONSE

The Department supports this recommendation. The Department's Out-of-Home Care Management Division (OHCMD) currently conducts annual performance monitoring reviews of contracted Foster Family Agencies (FFAs) and their certified foster parents as well as contracted Group Home providers and their staff. During the monitoring of these facilities/agencies, OHCMD monitors review a sample of certified foster parents files (FFAs) and staff files (group homes) to ensure required training meets the regulatory standards established by Title 22 and the County Contract. Failure to comply with the required training hours will result in a request for corrective action.

RECOMMENDATION NO. 4c

The interagency teams should be trained in team building skills to ensure they can make effective group decisions and are able to connect effectively with each child.

RESPONSE

The Department supports this recommendation. The Wraparound Quality Improvement/Training and Technical Support Section is committed to facilitating and improving team building efforts through ongoing training for County staff and community stakeholders. State certified trainers provide training that is intended to ensure that

those providing services to children are well versed in the elements of Wraparound that embody a strength-based approach and interagency collaboration and decision-making.

The Department, along with the Department of Mental Health, the Probation Department and other stakeholders work together along with children and families to make informed, effective decisions. Training is provided to develop and sustain these relationships. Team building activities include small group activities, discussion, and exercises designed to help develop and maintain successful working relationships.

Participating departments and stakeholders enhance their team building activities by participating in various advisory groups, parent support groups, and interagency activities. Further, the Wraparound Quality Improvement/Training and Technical Support Section convenes and facilitates a monthly meeting that includes staff from the participating departments and contracted providers in order to provide a forum for open discussion among all of those involved and to further support team building efforts.

RECOMMENDATION NO. 4d

Two-way communication with the children should be the norm and to the extent possible the children should be involved in key decisions affecting them.

RESPONSE

The Department supports this recommendation. The Department's OHCMD currently conducts annual performance monitoring reviews of contracted foster family agencies (FFAs) and group homes. Part of the review consists of reviewing a sample of children's case files and interviews with those sampled children. Based on the current contract, children's Needs and Services Plans and Quarterly Reports, which document an agency's service delivery as well as children's progress, are required to be noted on these documents.

For FFAs, Needs and Services Plans are required within the first 30 days of placement and every 6 months thereafter. Group home Needs and Services Plans are required within the first 30 days of placement and every 90 days thereafter. Beginning November 1, 2008, both FFAs and group homes will be required to develop Needs and Services Plans within the first 30 days of placement and every 90 days thereafter.

For each provider type, quarterly reports are due every 90 days to document a child's progress. OHCMD monitors review children's files to ensure timeliness of the required documents, ensure that the child has participated in the development of the planned services (if age appropriate), and that realistic, individual goals are developed to meet the child's needs. As the child participates in the development of the goals, this provides an opportunity for him/her to provide input regarding the services being provided. Failure of an agency to comply with the regulatory standards established in Title 22 and the County Contract result in corrective action.

RECOMMENDATION NO. 5

The directors of DCFS, Probation, DMH, and LACOE should design and implement jointly a curriculum that addresses practical educational skills for all children to better prepare them for independence.

RESPONSE

The Department supports this recommendation. The Department will meet with Probation, DMH, and LACOE in order to formulate comprehensive strategies for better meeting the educational needs of TAY youth with the goal of designing a process whereby the departments work together to formulate joint curriculum plans for each youth after assessing his/her ability to be independent.

A standard core curriculum focused on achieving independence should be coupled with a strategic plan individually designed for each youth based on his/her strengths and needs. With the collaboration of all involved departments the resources, services and supports within each department can be better leveraged on a short-term and long-term strategic basis.

RECOMMENDATION NO. 5a

All programs should contain an identified minimum level of understanding on the part of the recipients before the program is considered delivered.

RESPONSE

The Department agrees with this recommendation and will work cooperatively with the other named departments to assist in establishing a standardized, measurable, minimal level of understanding that must be attained before programs are considered completed. While each department has unique goals, the main focus as we move forward should be on all departments working collaboratively to assist each and every youth reach their full potential. In order to achieve this, the departments must establish and maintain clear lines of communication to ensure that no youth has his/her individual educational needs overlooked.

RECOMMENDATION NO. 5b

Enhanced study skills and courses on practical living skills should be part of the curriculum of juvenile halls and camps. DCFS should include such courses in the schedules of students attending public schools whenever possible.

RESPONSE

The Department agrees and we will continue to advocate for our youth to receive all educational resources available to them through their school districts. Currently the

Department and Probation offer independent living skills classes however these classes are not mandatory.

We will collaborate with Probation, our school partners, and Regional Center to identify procedures and/or systems necessary to ensure that proactive, detailed educational plans are put in place for each youth. Such plans would reflect what the youth is currently doing in school, what it will take for the youth to graduate on time, selected services that would be beneficial to the youth, and what plan we have in place for the youth once he/she emancipates.

RECOMMENDATION NO. 5c

Foster children should be encouraged to participate in music, art, and other nonacademic programs. Probation should seek volunteers to provide these services in juvenile halls and camps.

RESPONSE

The Department supports this recommendation. We will continue to advocate for making such opportunities available and will work with schools, as well as community partners to encourage foster children to participate in nonacademic programs. While schools may not have funding available for nonacademic programs, the Department will work with the schools and with community partners to identify other ways of achieving this goal. Currently, there is a strong movement toward the inclusion of community and faith based partners in children's lives in order to prevent them from entering the dependency and delinquency systems. Such partners may be a useful asset in this area.

RECOMMENDATION NO. 5d

Probation camps and halls should provide vocational training for all detainees utilizing ROP services where possible. DCFS should engage TAY to enroll in experiential, vocational and ROP courses.

RESPONSE

The Department supports this recommendation. We are currently engaged in TAY programs throughout the County and hold TAY meetings in all SPAs. Increased interaction and engagement is necessary to entice youth to participate in these programs. Establishing youth groups and making available other forums where youth can discuss their wants and needs, may enable the Department to refine programs and identify additional ways to meet the individual needs of the youth we serve.

RECOMMENDATION NO. 5e

Probation and DCFS should develop additional apprenticeship, job training and part-time job programs with all levels of government and business to make presentations to youth that fully describe their educational opportunities and obligations.

RESPONSE

The Department supports this recommendation and remains committed to continuing to work in concert with our community partners to expand the number of available apprenticeship jobs and job training opportunities. Private industry is working with our Department and with the Probation Department to provide internship and vocational training opportunities in many of the SPAs. Several County departments have paid internship positions for former foster youth, who are encouraged to apply for these internship positions as a potential pathway to subsequent full-time permanent County employment. The Department believes that this program should be expanded to include opportunities in a number of additional County departments.

RECOMMENDATION NO. 5f

Probation and DCFS should invite representatives from organizations such as the Forestry Service and various branches of the U.S. Military to make presentations to youth fully describe their educational opportunities and obligations.

RESPONSE

The Department will continue to work with both the Forestry Service and the Military regarding presentations for the youth who may want to enroll in their organizations. In some instances, the youth do not have high school diplomas so other means of enrollment will need to be researched.

RECOMMENDATION NO. 5i

DCFS and Probation should develop significant incentives and rewards to encourage their wards to obtain high school graduation, or a GED, and high scholastic achievement.

RESPONSE

The Department supports this recommendation. In the past, youth did have financial incentives to graduate from high school but this funding has ceased. Youth who enroll in a Transitional Housing Program can further their educations, learn vocations, or obtain jobs. The program offers financial assistance with rent, food, clothing and transportation.

Each youth should be individually assessed at age 16 to determine what is needed in order for the youth to graduate from high school or receive a GED. The supervising department should work with each youth and his/her care provider to achieve this goal. Early intervention and developing a meaningful partnership between the department, the youth, and his/her care provider are vital to ensuring that a youth will meet or exceed his/her educational goals.

RECOMMENDATION NO. 6

Under the leadership of the Deputy CEO, DCFS, Probation, DPSS, and DMH, improve programs should be provided to youth 18-25 who have left the system.

RESPONSE

The Department supports this recommendation. We recommend that the involved agencies collaborate to develop an individual plan for each TAY prior to and/or after termination of jurisdiction. In addition, a seamless process enabling both pre and post TAY to access services should be enhanced to ensure improved outcomes for the population being served. Additional employment opportunities should also be considered with this recommendation.

RECOMMENDATION NO. 6a

Either through the development of affordable housing supply and/or direct subsidy, all post transition youth should have access to good quality housing at a reasonable rate.

RESPONSE

The Department agrees with this recommendation. Although there is a large inventory of available housing for the emancipated youth, the youth may not want to move to the areas where housing is available, particularly since Los Angeles is such a large area and requires regular transportation. The youth are eligible for Section 8 Housing anywhere in Los Angeles County. Previously, the Department referred youth to the Los Angeles Homeless Services Authority (LAHSA) to find available low income housing. This concept needs to be revisited since it was so successful.

RECOMMENDATION NO. 6b

A wider range of educational supports should be made available to post transition youth including tuition, room and board, books, and other expenses required when they attend school.

RESPONSE

The Department currently provides all of the above listed education support for post transition youth, however many don't need to access this support through the

Department. Many of the youth have other federal and state funding resources including Chaffee and Pell Grants that they must access first, before they request the support services from the Department. In the State of California, the Board of Governor's Waiver allows any emancipated youth to attend any community college for free.

RECOMMENDATION NO. 6c

Independent living supports should be provided such as health care insurance, transportation assistance, food vouchers, auto insurance subsidies, clothing allowances, and access to community-based support groups. The cost of these services should be partially borne by the post-transition youth based on an income means criterion to be developed by the departments.

RESPONSE

Our youth receive MediCal benefits until their 21st birthday. If they attend college, they can have student health added to their benefits. The Department offers youth transportation assistance, food vouchers, auto insurance subsidies, clothing allowances, and school and vocational uniforms for employment. The Department also pays union dues if needed.

RECOMMENDATION NO. 7

Under the leadership of the Deputy CEO, DCFS, Probation, and DMH, in consultation with LACOE and other school districts, should develop a plan and a timetable for a comprehensive information system to capture all records on all children in the system. The plan should include: cost estimates to develop and operate the system, a proposal for funding, and a timetable for implementation should be reported every four months to the Board of Supervisors.

RESPONSE

The Department agrees with the above recommendation and recommends that school records be made easily accessible to DCFS and Probation.

The Department currently has our own system that tracks the educational assessment, referrals to life skills classes and completion, any financial assistance, including transportation to college, even out of state, and appliances. We defer to the CIO/CEO regarding time frames for such an automated system.

RECOMMENDATION NO. 7a

The new information system should be designed to allow for the tracking of all children once they leave the system.

RESPONSE

The Department agrees in principle. The Department does track the youth once they leave our system if they are using any resources up to the age of 21 years old. However, many youth do not stay in contact with the Department following emancipation, which presents a significant tracking challenge. Even when emancipated youth do not stay in contact with the Department, their information remains in our system in case they later contact the Department for assistance.

RECOMMENDATION NO. 7b

Appropriate incentives and commitments should be developed to encourage former TAY to remain in contact with the system to facilitate the gathering of information on them.

RESPONSE

The Department supports this recommendation. In the past the Department did offer a financial incentive for emancipated youth to stay in contact with us. This process was terminated many years ago, but should be reviewed if funding sources are available.

RECOMMENDATION NO. 7c

Until data on former TAY is available routinely, the departments should pursue sampling and other survey methods to gain an understanding of the real results of TAY programs.

RESPONSE

The Department supports this recommendation. The Department has developed a survey for emancipated youth to fill out when they come to our resource center. The survey is also available online at ILP.org. The Department will re-examine this project in order to identify what, if any, incentives seem likely to result in an increase in the number of emancipated youth who complete the survey.

RECOMMENDATION NO. 7d

Until the new information system is implemented, Probation should have access to all of DCFS's data systems to help their staff track their youth and improve their services.

RESPONSE

By law, the Probation Department is prohibited from accessing the State-wide Child Welfare Services / Case Management System (CWS/CMS). The Probation Department does, however, have access to the Department's Youth Development Services system, which reflects all pre and post emancipation services and resources.

ATTACHMENT D

FIRE DEPARTMENT



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

July 24, 2008

TO: EACH SUPERVISOR
FROM: P. MICHAEL FREEMAN *PMF*

2007-2008 GRAND JURY RECOMMENDATIONS FOR AUDIT OF COUNTY-WIDE VEHICLE USE

As directed in the June 30, 2008 memo from William T Fujioka, the County of Los Angeles Fire Department is providing our response to the Grand Jury Final Report – Audit of County-wide Vehicle Use. Our response addresses the two recommendations directed to the Fire Department and includes comments to clarify information contained in the final report.

Recommendations

Recommendation No. 2.2

The Fire Department should work with the Auditor-Controller's Office to ensure that all imputed taxable income is reported to the Internal Revenue Service (IRS).

Response

The Fire Department and Auditor-Controller's Office agreed that the Fire Department will annually provide the Auditor-Controller with a list of all employee numbers that are assigned a Department vehicle with take-home privileges. On July 15, 2008, the Fire Department distributed a new vehicle policy and a Vehicle Assignment Request and/or Verification Form (Form). The Form is completed annually or when changes occur, and used to ensure that all Department vehicles are accounted for in our fleet tracking system. All vehicle assignments will be tracked by assigned personnel, bureau, vehicle number, model, year, acquisition cost, justification and housing location. The Department's fleet services system will generate a take-home vehicle list to be used for ensuring that all take-home vehicles meeting the IRS

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

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ARTESIA
AZUSA
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BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDALE
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
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SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Publication 15b requirements, the imputed taxable income is determined and reported to the Auditor-Controller.

Recommendation No. 2.3

The Fire Department should explore the option of placing a County seal on vehicles assigned to senior staff with County take-home privileges.

Response

According to the Internal Revenue Service regulations, marking of Fire Department vehicles with the County seal may eliminate the reporting of imputed taxable income. However, it may also restrict senior staff from fulfilling their after hours response to emergencies due to the personal use of the vehicle. The Fire Department is exploring the recommendation and will act in the best interest of the Department. Senior staff has consistently reported imputed taxable income for the personal use of their take home vehicles.

Final Report Clarifying Statements

The Fire Department was not given an opportunity to review the entire draft report and would like to take this opportunity to clarify the statements in the final report that would have been discussed during the exit conference, if the entire draft report was available. The Fire Department would like to take this opportunity to clarify the statements in the final report that would have been discussed during the exit conference, if the entire draft report was available.

- The report indicates that the average cost of a Fire Department vehicle is \$80,803. The average cost is grossly overstated as it includes the costs of heavy equipment, fire trucks, fire engines, Quints and rescue squads. Since the high cost vehicles were included in the average cost, the report should have included a statement that the average cost of a Fire Department vehicle is in line with other fire agencies and is not comparable to other County departments.
- The report states that most of the Fire Department vehicle purchases were for automobiles, sport utility vehicles, pick-up trucks and vans, which these types of vehicles are later referred to as luxury vehicles or vehicle over \$30,000. Many of the Fire Department's command incident response vehicles are sport utility vehicles, pick-up trucks and vans which are necessary to meet all terrain environments and carry emergency equipment. The report is misleading by the luxury vehicle statement, if the term stems from the IRS luxury car tax on cars costing over \$30,000.
- The report states that the Fire Department has 27 take-home vehicles that are not approved according to Department policy. The Fire Department was aware of current policy and procedure inconsistencies and on an ongoing basis, revisited the procedures to provide clearer direction to ensure compliance. Although the actual policy changes were not incorporated into the manuals prior to the Civil Grand Jury's review, bureau management did authorize the majority of the marked vehicles to be taken home.

In May 2008, the Department received Chief Executive Officer approval for a more stringent take-home policy that allows the flexibility for additional take-home vehicles during periods of high fire danger and other predictable circumstances for positions justified with emergency response responsibilities. As of July 15, 2008, the Department's revised vehicle policy is memorialized in the Department's operating manuals.

- The report indicates that the Fire Department has numerous discrepancies between our take-home vehicle list and the number of employees that have reported taxable income with the IRS. Of the 139 vehicles listed four employees did not report taxable income as required. The details for the remaining are as follows:
 - For 26 unmarked vehicles there were 34 employees who appropriately reported taxable income.
 - 109 vehicles were exempt from taxable income reporting based on the vehicle being marked, or a Publication 15b exemption, or an approved non-employee paid through personal income tax, or deductions administered through the County Security Program.
- Two findings appeared to have remained in draft form (all capital letters) when the final report was issued. One of the findings is addressed to the Fire Department regarding tracking the use of take-home vehicles. The enforcement of the Department's new vehicle policy of take-home vehicles. The enforcement of the Department's new vehicle policy will ensure the proper use of take-home vehicles.

If you have any questions, please contact me at (323) 881-2401.

PMF:kz

c: William T Fujioka
Sachi A. Hamai
Vicky Santana
Randi Tahara
Joseph Charney
Rick Velasquez
Sussy Nemer

ATTACHMENT E

**INTERNAL SERVICES
DEPARTMENT**



Tom Tindall
Interim Director

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

To enrich lives through effective and caring service.

July 24, 2008



Telephone: (323) 881-3919
FAX: (323) 262-4941

To: Martin Zimmerman, Assistant CEO
Strategic Planning and Special Projects

From: Tom Tindall
Interim Director

Subject: **AUDIT OF COUNTY-WIDE VEHICLE USE**

Please find enclosed the draft response for recommendations 4.1 through 4.4 and corrections to the 2007-2008 Grand Jury Audit of County-Wide Vehicle Use report.

Should you need additional information, please contact Marie Nunez of my staff at mnunez@isd.lacounty.gov or (323) 267-2492.

TT:MN

Enclosure

c: Kary L. Golden

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – INTERNAL SERVICES DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
SECTION 4: COUNTY FLEET COSTS

RECOMMENDATION NO. 4.4

The Office of the Auditor-Controller and the Internal Services Department should work with other County departments to reconcile the various County fleet information sources to ensure that accurate information exists.

RESPONSE

Each County department is required per County Fiscal Manual to complete an inventory of capital assets including vehicles at least annually and report missing items to the Auditor Controller per County Fiscal Manual Chapter 6.2 Capital Asset Acquisitions. Additionally, each County department must ascertain the correctness of its capital assets inventory once every two years and submit corrections to the Auditor's Capital Asset Inventory Listing including supporting documentation to the Auditor Controller per County Fiscal Manual Chapter 6.11.0 Capital Asset Inventory Listings. Each County department works directly with the Auditor Controller to meet these requirements.

County departments are responsible for tracking assigned vehicles and coordinating vehicle maintenance and repairs within their departments either through ISD, internal personnel, and/or separately contracted maintenance providers. Departments will be directed to reconcile their internal listings or databases of vehicles with the County inventory.

Additionally, the Internal Services Department will work with the Auditor-Controller to develop an electronic reconciliation of vehicle information for ISD managed vehicles. ISD recommends that the Department of Public Works, Fire and the Sheriff's Departments also work with the Auditor Controller to reconcile each respective department's fleet information so that the County's entire fleet is reviewed annually.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – INTERNAL SERVICES DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
SECTION 4: COUNTY FLEET COSTS

RECOMMENDATION NO. 4.1

The Internal Services Department should review the composition of the County fleet annually to identify the number of vehicles considered to be luxury or over \$30,000, and provide the report to the Board of Supervisors.

RECOMMENDATION NO. 4.3

The Internal Services Department should prepare an annual report to the Board of Supervisors on County vehicles over a threshold value determined by the Board of Supervisors for routine sedans, sports utility vehicles, and light trucks.

RESPONSE for 4.1 and 4.3

Currently, passenger vehicles over \$30,000 are primarily purchased within the provisions and procedures of the County Executive Vehicle Program for Department and County Executive Staff or Board of Supervisors that have elected to be assigned a County vehicle. This procedure requires Chief Executive Office review and approval before vehicles are purchased. This approval process will remain in effect. However, ISD will work in conjunction with Chief Executive Office to develop additional recommended reporting threshold values and approval requirements for other vehicle classes including light, medium, and heavy trucks, sport utility vehicles, and specialty vehicles.

ISD will review the composition of the ISD-managed County fleet annually and identify the passenger vehicles that cost over \$30,000 or that are considered to be luxury or reportable as defined by the Board of Supervisors. This information will be included in the Annual Clean Fuels Report which is provided to the Board of Supervisors by March 1st of each year.

The Internal Services Department does not administer the entire County Fleet. Therefore, the Internal Services Department recommends that the Department of Public Works, Fire and the Sheriff's Departments also provide a similar report annually.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – INTERNAL SERVICES DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY REPORT - CORRECTIONS
AUDIT OF COUNTY-WIDE VEHICLE USE

<u>Section</u>	<u>Page</u>	<u>Topic</u>	<u>Correction</u>
1	109	Routine Maintenance Cost	ISD's current contract with Johnson Controls expires FY 2008-2009, not FY 2007-2008.
1	127	Appendix 1.4 - Department Take Home Policies	The four vehicles are assigned to ISD's second-in-command Chief Deputy Director, and the three General Managers/Deputy Directors..., not Division Heads.
4	151	Use of Costly Vehicles	Board Policy 3.020 – Clean Fuel Program established hybrid vehicles as the standard for new non-emergency vehicles acquired to conduct routine County business effective July 1, 2006. The standard sedan purchased for County departments is currently the Toyota Prius.

ATTACHMENT F

**LOS ANGELES COUNTY OFFICE
OF EDUCATION**



Los Angeles County Office of Education

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July 25, 2008

Darlene P. Robles, Ph.D.
Superintendent

Los Angeles County
Board of Education

Rudell S. Freer
President

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Vice President

Sandra Jones Anderson

Sharon R. Beauchamp

Angie Papadakis

Thomas A. Saenz

Sophia Waugh

Mr. William Fujioka
Chief Executive Officer
Los Angeles County Board of Supervisors
Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, CA 90012

Dear Mr. Fujioka:

The Los Angeles County Office of Education (LACOE) has received the Final Report of the Los Angeles County Civil Grand Jury. Our staff was directed to review, analyze and comment on the sections of the Investigative Reports which pertain to the functions and services of LACOE, specifically Helping Probation and Foster Care Youth Prepare for Adulthood and Independence (page 15, et seq.).

The information and data compiled by the Civil Grand Jury is of high interest and value to our LACOE staff in that it reaffirms a need that has been stated by staff members. There is a need for a high level of integration between and among County agencies to improve the effectiveness and efficiency of the current delivery of Foster Youth and Probation services to juveniles, especially transitional age youth (TAY).

The LACOE Foster Youth Services staff presently provide enhanced educational services to foster youth with funds from two State grants administered by LACOE. The Countywide Foster Youth Services grant serves foster and probation youth throughout Los Angeles County residing in group homes and in foster care utilizing the professional expertise of certificated educational counselors who provide the youth with academic, financial aid, career and personal counseling. They work in concert with classified staff that find youths' academic records, transfer records to educational institutions and provide youth and their caregivers, social workers and probation officers with tutoring, mentoring, and enrichment activities and resources. The Juvenile Detention Settings grant provides educational transition services to foster youth incarcerated in Los Angeles County's Probation camps. The primary goal of both of these grants is to provide educational services to youth in foster care that will enhance their educational programs and opportunities and support their successes in school.

The relevant recommendations for LACOE appear on pages 34, 37, and 39 of the report.

Mr. William Fujioka
Chief Executive Officer
Civil Grand Jury Response
July 25, 2008
Page 2

Recommendation #1, Page 34

A COUNTY LEADERSHIP TEAM UNDER THE DIRECTION OF THE DEPUTY CEO AND INCLUDING DCFS, DPSS, PROBATION, DMH, AND LACOE SHOULD DEVELOP A NEW STRATEGIC PLAN TO REFOCUS TAY PROGRAMS ON INTEGRATION, EFFICIENCY, AND EFFECTIVENESS.

Response:

LACOE welcomes the opportunity to participate as a member of a leadership team to develop a new strategic plan to refocus TAY programs. Presently, LACOE has successfully written two grants that support educational services for foster youth: the Foster Youth Services grant, which enriches the educational opportunities of those foster and probation youth residing in group and foster homes; and the Juvenile Detention Settings grant, which provides transition services to foster youth who are incarcerated. Our Foster Youth Services Project Director, Patricia Levinson, will be the liaison from LACOE to the newly formed leadership team. She will bring a wealth of knowledge and experience regarding services to foster youth, a statewide network of service providers, an operational program and an extensive data base system. The primary mission of the grants is to support foster youth so that they can have the opportunity to gain maximum benefit from their educational programs.

Recommendation #5, Page 37

THE DIRECTORS OF DCFS, PROBATION, DMH AND LACOE SHOULD DESIGN AND IMPLEMENT JOINTLY A CURRICULUM THAT ADDRESSES PRACTICAL EDUCATIONAL SKILLS FOR ALL CHILDREN TO BETTER PREPARE THEM FOR INDEPENDENCE.

In preface to this recommendation, it was stated that data substantiating the reported one to three years grade lag of the students entering the juvenile halls and camps was not available. A recent study completed by LACOE's assessment unit confirms that there is a three to five year grade level deficiency for students entering the halls and camps.

Response

Probation and LACOE have enacted a Memorandum of Understanding (MOU) which details the roles and responsibilities which each agency will fulfill in implementing a Comprehensive Educational Reform Program in the juvenile halls and camps. A report of that program details the curriculum design based on four educational pathways.

- High school graduation
- Passage of California High School Exit Exam (CASHEE)

Mr. William Fujioka
Chief Executive Officer
Civil Grand Jury Response
July 25, 2008
Page 3

- Passage of a test qualifying for a General Education Development (GED) certificate
- Specialized ROP, vocational and career education and enrollment in a junior or undergraduate college

The reform component of the program includes a redesign of the current programs to reflect a change from incarceration methodology to one of rehabilitation. In the juvenile halls where the average length of stay is 19 days, the program will focus on a multi-disciplinary assessment (MDA) which will be based on a collection of student data (school records, transcripts, health exams, criminogenic needs, and psychological testing). A specialized student data retrieval system is already functioning at both the halls and camps. Based upon the MDA, an individualized learning plan (ILP) is constructed for each student. In the camps where a minimum stay is five months, the curriculum is designed to provide remediation classes for those students who enter with an academic deficiency, as well as those who are able to pass the CAHSEE and earn a high school diploma. In the camps there are currently opportunities for vocational and career courses, but these will be expanded at specialized camps in the near future.

Probation, LACOE, DMH, DCFS, and other county agencies including the Education Coordinating Council and County Librarian have collaborated on designing and formulating an implementation schedule, and have planned an accountability process to enhance the fulfillment of this reform program. The goal of the reform program is to reduce recidivism and to transition youths to a productive life upon return to their communities.

LACOE staff and members of the Comprehensive Education Reform Committee (CERC) will continue to be involved in the implementation of the reforms, and are available and willing to serve on any future countywide effort to develop plans for implementing the recommendations contained in the Grand Jury Report.

Recommendation #7, Page 39

UNDER THE LEADERSHIP OF THE DEPUTY CEO, DCFS, PROBATION, AND DMH, IN CONSULTATION WITH LACOE AND OTHER SCHOOL DISTRICTS, SHOULD DEVELOP A PLAN AND A TIMELINE FOR A COMPREHENSIVE INFORMATION SYSTEM TO CAPTURE ALL RECORDS ON ALL CHILDREN IN THE SYSTEM.

Response:

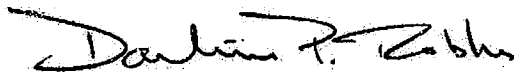
LACOE will continue to consult with the Deputy CEO, DCFS, Probation, and DMH on the development of a plan and timeline for a comprehensive information system to capture all records on all children in the system. The Project Coordinator of Foster

Mr. William Fujioka
Chief Executive Officer
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Youth Services has designed and implemented a data collection system as required by the grants. She has collected data on foster youth including "directory information," as well as student academic information, services provided including tutoring, mentoring and counseling, special education identification, and more. Additionally, the State of California is poised to begin phase two of a statewide student information system. In phase one, the State implemented unique student identifiers so that local educational agencies and state agencies could track individual student movement and basic demographic information. In phase two, the State will be implementing the California Longitudinal Pupil Achievement Data System (CALPADS). While the final list of the included data elements has not been published, this database will not only provide basic demographics and enrollment data, but will also house students' academic data including the results of state assessments, student transcripts, and program participation.

In summary, LACOE recognizes the value of the information contained in the Civil Grand Jury report and looks forward to participating with other county agencies in discussing and implementing the recommendations in this report.

Sincerely,



Darline P. Robles, Ph.D.
Superintendent

(by Jan Gundy,
Deputy Superintendent)

DPR:RTR:sw/imm

cc: Dr. Ronald T. Randolph, Director, LACOE
Mr. Gerald Riley, Assistant Superintendent, LACOE

ATTACHMENT G

PROBATION DEPARTMENT

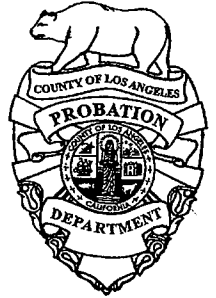


ROBERT B. TAYLOR
Chief Probation Officer

COUNTY OF LOS ANGELES PROBATION DEPARTMENT


9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242

(562) 940-2501



July 25, 2008

TO: William T. Fujioka
Chief Administrative Officer

FROM: 
Robert B. Taylor
Chief Probation Officer

SUBJECT: RESPONSE TO THE 2007-08 GRAND JURY'S FINAL REPORT

Attached is the Probation Department's response to the Grand Jury's recommendations contained in their 2007-08 Final Report.

If you have any questions or need additional information, please contact Robert Smythe, Deputy Director, Administration at (562) 940-2516.

RT:rs

Attachments

c: Sachi Hamai, Executive Officer

(U:\GBYRNAUDIT\GJRESPMEMO)

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – PROBATION

**SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
JAIL/DETENTION FACILITIES/CAMPS**

RECOMMENDATION NO. 1

Kitchen equipment should be replaced or repaired in most camps.

RESPONSE

Kitchen equipment is repaired as needed and new equipment is requested annually under our “Fixed Asset” funding allocation.

The following new equipment is pending delivery:

- Camps Kilpatrick and Miller are to receive Hobart mixers.
- Camps Afflerbaugh, Miller, Paige, Gonzales, Holton and Dorothy Kirby Center are to receive new commercial refrigerators/freezers.

The Department allocated FY 2008-09 “Fixed Asset” funding to purchase 2 additional Hobart mixers and a commercial dishwasher.

RECOMMENDATION NO. 2

All camps should be retrofitted with adequate fire suppression systems.

RESPONSE

The Department’s fire suppression systems are inspected annually and meet occupancy requirements.

RECOMMENDATION NO. 3

Refurbish outdoor recreation areas in poor or unsafe conditions so that intramural sports can be instituted.

RESPONSE

Probation utilizes available funding to complete refurbishment projects based upon relative need among facilities. The recreation areas noted by the Grand Jury will be considered among other needs competing for finite resources. Probation will continue to request funding in its annual budget request.

RECOMMENDATION NO. 4

In lieu of Probation Officers, more Detention Service Officers should be hired to perform clerical and routine duties in camps.

RESPONSE

The duties and responsibilities of Detention Services Officers (DSO) are specifically designed for juvenile halls, and are not an appropriate classification of staff for camps. Duties and responsibilities must match the County class specifications for the assignment. Hiring DSO's to staff the camps would also be in violation of the represented employees' collective bargaining agreement. Clerical support is available within the camps.

RECOMMENDATION NO. 5

Maintenance concerns in camps should be performed in a more efficient and timely manner.

RESPONSE

The Department is working aggressively to fill vacant support items, particularly maintenance workers and crew instructors. Once the vacancies are filled, improvement should be noted in the efficiency and timeliness of maintenance services.

RECOMMENDATION NO. 6

All camps should have 12 hour licensed nursing coverage 7 days a week.

RESPONSE

The six Challenger camps have 24 hour nursing staff on site. Camp Rockey has 12 hour on-site nursing coverage. The remainder of the camps have 8 hour nursing coverage which meets the basic needs of camp youth. Minors are transported to juvenile halls or to local hospitals if medical needs cannot be addressed within camps.

RECOMMENDATION NO. 7

Non functioning generators should be replaced or repaired in a timely manner.

RESPONSE

Generators are maintained and repaired as needed. Projects are underway to replace generators at the following locations:

- Camps Munz and Mendenhall – A new generator has been engineered and installed.
- Camps Miller and Kilpatrick and Dorothy Kirby Center – Estimates are being prepared for new generators and funding has been allocated.
- Camp Holton and Los Padrinos and Barry J. Nidorf Juvenile Halls - Future generator projects are slated and funding of \$5.6 million was requested in our FY 2008-09 Unmet Needs Budget.

RECOMMENDATION NO. 8

All camp staff should have a current CPR and First Aid certification.

RESPONSE

All camp staff (Deputy Probation Officers I and II and Group Supervisor Nights) are required to complete CPR and First Aid training per The Minimum Standards for Local Juvenile Facilities, Title 15, California Code of Regulations, Section 1320 and per section 210 of the Welfare and Institutions Code. The certification in CPR and First Aid is required on an annual basis. The Department maintains records verifying the completion of the CPR and First Aid course for camp staff.

RECOMMENDATION NO. 9

The gym at CVK needs to be replaced.

RESPONSE

The estimated cost to repair Camp Kilpatrick's gym is \$1.5 million. The repair of the gym is a component of a prioritized list of needs for which the Department annually seeks funding.

RECOMMENDATION NO. 10

All medications must be adequately secured and dispensed only by licensed personnel or trained non-licensed personnel. Juveniles receiving medication should be properly identified by wrist bands.

RESPONSE

All medication at the camps is secured in the nurse's clinic by licensed medical personnel. At the camps that do not have an evening or overnight nurse, only the supervisor or designee who is trained in dispensing medication has access to pre-packaged medications for dispensing, with a written record maintained of medication dispensing for reconciliation by the nurse.

The Probation Department is developing plans to implement a wrist band system in conjunction with an electronic medical records system currently under development.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – PROBATION

**SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
JAIL/DETENTION FACILITIES**

RECOMMENDATION NO. 1

The Sheriff's Department, Probation Department and police agencies should utilize non-sworn staff to perform clerical and routine duties.

RESPONSE

Those areas where sworn staff are performing clerical and routine duties are mostly given to staff that are on a Work Hardening assignment or a Temporary Conditional assignment due to an injury or illness that prevents them from supervising minors in custody. However, there are assignments that are associated with the Department of Justice (DOJ) agreement which have been funded specifically to provide the DOJ information required on a regular basis. These assignments may be clerical in nature but require the expertise of a peace officer position in order for the County to adhere to the mandates required by the DOJ.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – PROBATION

**SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
HELPING PROBATION AND FOSTER CARE YOUTH PREPARE FOR
ADULTHOOD AND INDEPENDENCE**

RECOMMENDATION NO. 1

A county leadership team under the direction of the Deputy CEO and including DCFS, DPSS, Probation, DMH, and LACOE should develop a new strategic plan to refocus TAY programs on integration, efficiency and effectiveness.

The team should address the following issues:

- a) Keeping kids from entering the system.
- b) Providing a relevant and high quality education, addressing job and life skills.
- c) Instituting stronger evidenced-based and comprehensive evaluations focused on real results achieved.
- d) Developing a clear parenting model with specific values that are consistently reinforced.
- e) Shifting more resources from post-emancipation to pre-emancipation to reach a wider audience.
- f) Identifying potential TAY younger than 14 to intensify efforts earlier to improve their chances of success.
- g) Identifying areas of duplicated services and funding.

RESPONSE

The County has formed a team with representatives from the CEO, DCFS, DPSS, DMH, and LACOE to coordinate ongoing strategies for programming and funding of services to clients that cross traditional departmental service boundaries. This team will enhance strategies that ensure a seamless continuum of services tailored to the unique needs of each client and his/her family.

RECOMMENDATION NO. 2

The Deputy CEO should develop and implement a regular and systematic process of program review and evaluation for TAY programs which includes a goal of periodic streamlining of operations in DCFS, Probation and DMH.

- a) The savings generated by successful streamlining should be maintained in the departments to help defray the funding of new programs.
- b) Agencies should cultivate community resources and partnerships to seek new revenue sources, including grants from private and governmental agencies, to fund new programs.

RESPONSE

See response to Grand Jury recommendation 1, above.

RECOMMENDATION NO. 3

DCFS, Probation, DMH, and DPSS should develop and implement innovative programs to target high risk families and high risk children for proactive early intervention.

- a) High risk neighborhoods should be identified and a proactive outreach program should be developed to connect with high risk families. The departments should use language appropriate to the families to facilitate understanding and their engagement in the program.
- b) A line of communication for teachers, principals, school resource officers, police and the Sheriff departments, clergy and community/recreation center staff, and others, that addresses confidentiality requirements, should be implemented to provide DCFS, DMH, and Probation with early intervention opportunities.
- c) Probation should work proactively with schools that have students already in the criminal justice system to prevent additional delinquent behavior.
- d) More intensive programs on drugs and access to drug rehabilitation programs should be provided to parents for themselves and their children.
- e) Professional marketing firms and local universities should be approached to develop pro bono advertising strategies to more effectively reach families in need.

RESPONSE

The collaborative team discussed in the response to Recommendation 1, above, will include assessment of strategic needs for high risk children and families.

RECOMMENDATION NO. 4

DCFS, Probation, and DMH should develop a multi-faceted organizational plan including a comprehensive mentoring program that increases each child's level of trust of the system.

- a) A suitable overlap of mentors should be built into the program to ease a child's transition to the new mentor.
- b) The training provided to foster families and group home staff should be increased and should include ongoing evaluation, continuous training, and recertification.
- c) The interagency teams should be trained in team building skills to ensure they can make effective group decisions and are able to connect effectively with each child.
- d) Two-way communication with the children should be the norm and to the extent possible the children should be involved in key decisions affecting them.

RESPONSE

See collaborative team discussed in response to Recommendation 1, above, will include consideration of mentoring programs.

RECOMMENDATION NO. 5

The directors of DCFS, Probation, DMH and LACOE should design and implement jointly a curriculum that addresses practical educational skills for all children to better prepare them for independence.

- a) All programs should contain an identified minimum level of understanding on the part of the recipients before program is considered delivered.
- b) Enhanced study skills and courses on practical living skills should be part of the curriculum of juvenile halls and camps. DCFS should include such possible courses in the schedules of students attending public schools whenever possible.
- c) Foster children should be encouraged to participate in music, art, and other nonacademic programs. Probation should seek volunteers to provide these services in the juvenile halls and camps.
- d) Probation camps and halls should provide vocational training for all detainees utilizing ROP services when possible. DCFS should encourage TAY to enroll in experiential, vocational and ROP courses.
- e) Probation and DCFS should develop additional apprentice, job training and part-time job programs with all levels of government and business to provide more practical work experience for TAY.
- f) Probation and DCFS should invite representatives from organizations such as the Forestry Service and various branches of the U.S. military to make

presentations to youth that fully describe their educational opportunities and obligations.

- g) DCFS and Probation should develop significant incentives and rewards to encourage their wards to obtain high school graduation, or a GED, and high scholastic achievement.

RESPONSE

The collaborative team discussed in response to Recommendation 1, above, will consider diverse strategies for youth education needs that focus on individualized strengths and interests, with a fundamental goal of clients achieving self-sustaining independence.

RECOMMENDATION NO. 6

Under the leadership of the Deputy CEO, DCFS, Probation, DPSS, and DMH, improved programs should be provided to youth 18 -25 who have left the system.

- a) Either through the development of affordable housing supply and/or direct subsidy, all post transition youth should have access to good quality housing at a reasonable rate.
- b) A wider range of educational supports should be made available to post transition youth including tuition, room & board, books, and other expenses required when they attend school.
- c) Independent living supports should be provided such as health care insurance, transportation assistance, food vouchers, auto insurance subsidies, clothing allowances, and access to community-based support groups. The cost of these services should be partially borne by the post-transition youth based on an income means criterion to be developed by the departments.

RESPONSE

The collaborative team discussed in response to Recommendation 1, above, will consider the needs of the emerging adult population. ..

RECOMMENDATION NO. 7

Under the leadership of the Deputy CEO, DCFS, Probation, and DMH, in consultation with LACOE and other school districts, should develop a plan and timetable for a comprehensive information system to capture all records on all children in the system. The plan should include: cost estimates to develop and operate the system, a proposal for funding, and a timetable for implementation. Progress on development and implementation should be reported every four months to the Board of Supervisors.

- a) The new information system should be designed to allow for the tracking of all children once they leave the system.
- b) Appropriate incentives and commitments should be developed to encourage former TAY to remain in contact with the system to facilitate the gathering of information on them.
- c) Until data on former TAY is available routinely, the departments should pursue sampling and other survey methods to gain an understanding of the real results of TAY programs.
- d) Until the new information system is implemented, Probation should have access to all of DCFS's data systems to help their staff track youth and improve their services.

RESPONSE

The collaborative team will assess the feasibility and necessity of a comprehensive information system to capture all children's records, and continue the County's ongoing efforts to overcome legal restrictions governing sharing of records.

ATTACHMENT H

**DEPARTMENT OF PUBLIC
HEALTH**



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy

313 North Figueroa Street, Room 806
Los Angeles, California 90012
TEL (213) 240-8117 • FAX (213) 975-1273

www.publichealth.lacounty.gov



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Fifth District

July 23, 2008

CORRECTED

TO: William T Fujioka
Chief Executive Officer

FROM: Jonathan E. Fielding, M.D., M.P.H.
for Director and Health Officer

SUBJECT: **RESPONSE TO THE FINAL REPORT OF THE 2007-08 LOS ANGELES
COUNTY GRAND JURY**

This is in response to the Los Angeles County Grand Jury's 2007-08 Final Report recommendations regarding the Los Angeles County Rehabilitation Centers. The recommendations and our responses are as follows:

RECOMMENDATION NO 1 - The Department of Public Health should develop written policies and procedures instructing staff upon the event a resident becomes ill or is injured at the rehabilitation center.

RESPONSE - The Department of Public Health reviewed existing policies and procedures of the Antelope Valley Rehabilitation Centers pertaining to a resident who becomes ill or is injured. The policies and procedures have been revised to ensure proper care is provided for a resident in these situations and will become effective August 1, 2008.

RECOMMENDATION NO 2 - Acton and Warm Springs Rehabilitation Centers' residents should have medical evaluations prior to release. This will serve as a safeguard for both the residents and the Department of Public Health.

RESPONSE - The Antelope Valley Rehabilitation Centers include an assessment of health conditions as part of each resident's treatment plan. Such conditions are monitored and the resident is assisted in obtaining appropriate medical treatment for health conditions while at the centers. As part of discharge planning, the centers work with each resident in developing concrete plans to continue appropriate care for health conditions after leaving the centers. DPH will review existing procedures over the next 90 days, to determine if any improvements are warranted.

If you have any questions or need additional information, please let me know.

JEF:wks
11188

c: Sheila Shima

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – DEPARTMENT NAME – PUBLIC HEALTH

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
SECTION TITLE -- Los Angeles County Rehabilitation Centers

RECOMMENDATION NO. 1

The Department of Public Health should develop written policies and procedures instructing staff upon the event a resident becomes ill or is injured at the rehabilitation center.

RESPONSE

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RESPONSE

The Antelope Valley Rehabilitation Centers include an assessment of health conditions as part of each resident's treatment plan. Such conditions are monitored and the resident is assisted in obtaining appropriate medical treatment for health conditions while at the centers. As part of discharge planning, the centers work with each resident in developing concrete plans to continue appropriate care for health conditions after leaving the centers. DPH will review existing procedures over the next 90 days, to determine if any improvements are warranted.

ATTACHMENT I

**DEPARTMENT OF PUBLIC
WORKS**



DEAN D. EFSTATHIOU, Acting Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: FI-2

July 24, 2008

TO: William T Fujioka
Chief Executive Officer

FROM: Dean D. Efstathiou 
Acting Director of Public Works

**RESPONSE TO THE GRAND JURY FINAL REPORT
COUNTY OF LOS ANGELES – DEPARTMENT OF PUBLIC WORKS
2007-2008 GRAND JURY RECOMMENDATIONS FOR AUDIT OF COUNTYWIDE
VEHICLE USE**

Attached is our response to the 2007-2008 Grand Jury report regarding Countywide vehicle use. As instructed, we have also provided an electronic copy to Kary L. Golden.

In addition to responding to recommendations, our response addresses inaccuracies contained in the report and provides additional information that clarify assertions made by the Grand Jury that do not accurately reflect the Department of Public Works' operations.

We look forward to participating in the development of a Countywide vehicle management framework and to address the various issues cited in the report.

If you have any questions, you may contact me or your staff may contact Diane Lee, Deputy Director, at (626) 458-4010 or dlee@dpw.lacounty.gov.

DL:dbm
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Attach.

cc: Lari Sheehan

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES - DEPARTMENT OF PUBLIC WORKS
SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
AUDIT OF COUNTYWIDE VEHICLE USE

INTRODUCTION: ACCIDENT COSTS

The 40.2% ratio presented below at Table 9 (page 110) can be misleading. It does not consider factors such as what incidents "accidents" encompass, nonpreventable accidents, number of miles driven, or departments' efforts to address accidents.

2007-2008 Los Angeles County Civil Grand Jury Final Report

Table 9
Reported Vehicle Accidents in the
Four Largest Vehicle Usage Departments
FY 2005-06 through March 2008

Department	Number of Accidents*	Ratio of Number of Accidents to Number of Vehicles**
Sheriff's Department	849	16.0%
Public Works Department	747	40.2%
Fire Department	132	9.9%
Internal Services Department	124	12.8%
Total	1,852	—

Sources: Los Angeles County Departments

* Data is for FY 2005-06 to FY 2007-08. The data for FY 2007-08 is year to date and does not contain the entire year.

** The number of vehicles is based on the totals received from the Auditor-Controller's Fixed Asset database.

The Department of Public Works' 747 accidents include all vehicle accidents, including incidents of work damage (such as tree limbs falling on windshields) and acts of vandalism. These also include both preventable and nonpreventable accidents. Of the 747 accidents, only 40 percent were classified as preventable. During the same period, the department drove over 60 million miles. The ratio of all accidents per number of miles driven = 1 accident per every 81,000 miles and 1 preventable accident per every 201,000 miles.

In 1987 Public Works established an Automotive Safety Committee (ASC) whose duty and responsibility is to screen all vehicle accidents. The ASC meets monthly to review all accidents/incidents to determine preventability and recommend disciplinary action and/or driver

training. Accidents determined to be preventable are thoroughly investigated, which result in the corrective action of employees who have contributed to vehicle accidents.

Ongoing Operating Costs

We disagree with the generalization that information provided by departments differed from data compiled centrally and "appeared to be an inaccurate representation of total claims cost," as noted on page 108. Speaking for Public Works, we provided the Grand Jury auditor with claims paid and repair costs for all accidents.

VEHICLE MANAGEMENT POLICIES AND PROCEDURES

The Grand Jury does not reflect Public Works' policies and procedures for vehicle assignment in their entirety. Although our policies and procedures, as noted on page 114, indicate that authority to assign take-home vehicles is delegated to the Chief Deputy Director and the Assistant Directors of Public Works, in practice all assignments are approved by the Director. Public Works requires that a Vehicle Assignment Authorization Form be filled out for all employees requesting a take-home vehicle. The form must be approved at the Division Head, Deputy Director, Chief Fleet Management, Administrative Deputy Director, and Director Levels. The form also requires a written business justification and an updated review by administration for any change of data. **(See Attachment I)**

Public Works disagrees with being categorized as "Less Stringent" on Table 1.1 (page 116) where the stringency of department take-home vehicle policies and procedures is presented. Public Works should be categorized as "More Stringent". As noted in our response to Recommendation 1.3, Public Works has several levels of approval in place that review ongoing justification of take-home assignments.

1. Any updates or changes to current take-home assignments are reviewed by the employee's Division Head and by the Chief Fleet Management.
2. Comprehensive review of all take-home assignments is conducted twice a year at the Group Head, Division Head, and Deputy Director Levels.
3. All new take-home assignments are reviewed by all levels of approval (Division Head, Deputy Director, Chief Fleet Management, Administrative Deputy Director, and Director).

APPENDIX 1.4 (page 127)

The Grand Jury report cited an excerpt from a prior version of our Administrative Directive A107 regarding the parking of take home vehicles: "Take-home vehicle must be parked in a secure, off-street location at night, on weekends, and during holidays." The current Administrative Directive A107 (signed 04/22/04), which we provided to the Grand Jury auditors, states: "Public Works personnel authorized for overnight usage, or home assignment of a County vehicle shall park the vehicle in a secure location at night and on weekends."

VEHICLE MANAGEMENT POLICIES AND PROCEDURES

Recommendation 1.1: County Code Chapter 5.40 sections should be amended by the Board of Supervisors to create a simple framework for departments using County vehicles.

Response: Agree. We propose to collaborate in an ad hoc Fleet Managers Committee with the CEO and the Auditor-Controller.

Recommendation 1.2: Chapter 5.40 should be amended by the Board of Supervisors to require all departments to develop policies and procedures that define take-home assigning authorities, criteria for take-home assignment, compliance tracking mechanisms, and the frequency of mileage reporting.

Response: Agree. Please note that Public Works already has policies and procedures, Administrative Directives A106 and A107, which define take-home assigning authorities and criteria for take-home assignments. Public Works also has a system in place which monitors the frequency of mileage reporting on a monthly basis. This was shared with the Grand Jury auditors.

As noted in our response to Recommendation 1.1, we propose to collaborate in an ad hoc Fleet Managers Committee with the Board of Supervisors, Chief Executive Office (CEO), and the Auditor-Controller to make changes or updates to directives and to develop any compliance tracking mechanisms that are appropriate for Public Works.

Recommendation 1.3: The County Executive Officer (CEO) should require that all departments develop a procedure that would define circumstances when ongoing justification of an employee take-home vehicle assignment would be permitted.

Response: Agree. Please note that Public Works already has a procedure in place to define ongoing justification of need for employee take-home vehicle assignments. Public Works has several levels of approval in place that review ongoing justification of take-home assignments.

1. Any updates or changes to current take-home assignments are reviewed by the employee's Division Head and by the Chief Fleet Management.
2. Comprehensive review of all take-home assignments is conducted twice a year at the Group Head, Division Head, and Deputy Director Levels.
3. All new take-home assignments are reviewed by all levels of approval (Division Head, Deputy Director, Chief Fleet Management, Administrative Deputy Director, and Director).

Recommendation 1.4: The CEO should require that all departments refer to the Coroner's Office as a model for a more stringent set of policies and procedures on take-home vehicles, which would be consistent with a revised Chapter 5.40 of the County Code.

Response: Agree. Public Works has obtained a copy of the Coroner's office's policies and procedures for take-home assignments and will work with CEO to incorporate aspects of these procedures that are relevant and pertinent to Public Works.

Recommendation 1.5: The CEO should require that each department, working with the Auditor-Controller's Office, should develop a tracking system that provides data necessary to determine justification for employee take-home vehicle assignments linked to the department policy that justifies the assignment.

Response: Partially agree. We disagree that after-hour callouts should be the justification for assignment of take-home vehicles. Public Works responds to various emergencies and home assignment of vehicles is based on the potential for call outs due to unpredictable threats to life, health, and property, and not the frequency of call outs. This includes our supervisors/managers responding to the field or the Department Operations Center (DOC). Public Works also assigns take-home vehicles to employees who report directly to job sites on a routine basis for operational need and efficiency.

Public Works will work with CEO and Auditor-Controller to determine the type of information that should be required to justify take-home assignments based on Public Works' function within the County of Los Angeles.

TAXABLE INCOME REPORTING

We disagree with the statement (page 90 and 131) that the list of employees submitted to the Auditor-Controller on annual basis, for purposes of reporting vehicle use as income, "is not reconciled, nor reviewed with actual practice, to ensure accuracy and completeness." Public Works both reconciles and reviews our home assigned database with CWTAPPS to ensure accurate reporting of all take-home assignments before submitting the annual Assigned Vehicle Report to Auditor-Controller. In addition, the Auditor-Controller's "Handbook for the Reporting of the Personal Use of County-Provided Vehicles – Revised 01/31/2007" provides departments with Monthly Commuting Logs and Monthly Business Mileage Logs, which assist in providing the most accurate data possible to the Auditor-Controller.

We also disagree that according to IRS Publication 15-B, employees granted use of a vehicle must report both the lease value of the vehicle and calculate commuting costs associated with the vehicle (page 131). Employees granted use of a vehicle must report either the lease value of the vehicle and business mileage or the calculated commuting costs associated with the vehicle based on a salary threshold.

EXCEPTIONS TO IRS TAXABLE INCOME REPORTING

On page 134, the Grand Jury distinguishes between Public Works having staff exempt from reporting the use of a vehicle as taxable income, while all Internal Services Department staff granted use of a take-home vehicle report the taxable income to the IRS. Please note the following exclusion, applicable to Public Works, that allows for employees to be exempt from reporting vehicle use as taxable income:

According to IRS Publication 15-B, **Fringe Benefit Exclusion Rules:**
Working Condition Benefits:

"This exclusion applies to property and services you provide to an employee so that the employee can perform his or her job . . . All of an employee's use of a qualified nonpersonal-use vehicle is a working condition benefit . . . You can generally exclude the value of a working condition benefit you provide to an employee from the employee's wages."

Table 2.2 (page 136) inaccurately implies that the difference between employees reporting taxable income and employees on the list of take-home vehicles is a result of inaccurate reporting. The difference of 35 noted for Public Works is attributed to employees who are exempt from reporting taxable income for their assigned take-home vehicles per IRS Publication

15-B (See Attachment II). Specifically, these are pickup trucks that meet at least one of the requirements for being equipped with:

- a. A hydraulic lift gate.
- b. Permanent tanks or drums.
- c. Permanent side boards or panels that materially raise the level of the sides of the truck bed.
- d. Other heavy equipment (such as an electric generator, welder, boom, or crane used to tow automobiles or other vehicles).

TAXABLE INCOME REPORTING

Recommendation 2.1: The Auditor-Controller's Office should work with County departments to ensure the accuracy of documentation showing employees receiving imputed taxable income from take-home vehicle use.

Response: We defer to the Auditor-Controller to respond. However, we will work with the Auditor-Controller and provide them with an annual list of all take-home vehicle assignments, specifying those that do and do not qualify as imputed taxable income based on IRS Publication 15-B.

Recommendation 2.2: The Fire Department should work with the Auditor-Controller's Office to ensure that all imputed taxable income is reported to the Internal Revenue Service.

Response: N/A

Recommendation 2.3: The Fire Department should explore the option of placing a County seal on vehicles assigned to senior staff with County take-home privileges.

Response: Although this is addressed to the Fire Department, we would like to note that prior to the audit, Public Works had placed County seals on all take-home vehicle assigned to senior staff.

Recommendation 2.4: The Auditor-Controller's Office should perform a reconciliation of the take-home vehicle list and the imputed taxable income reported by departments to ensure accuracy. This reconciliation should be performed annually.

Response: See Response to Recommendation 2.1

Recommendation 2.5: The CEO should require that all County departments provide to the Auditor-Controller's Office the names of employees authorized to use a County take-home vehicle, including exempt employees and the reason for the exemption.

Response: See Response to Recommendation 2.1

EVALUATION OF TAKE-HOME VEHICLE NEED

We disagree with assertions made on pages 91, 92 and 141 addressing take-home vehicle need:

The first bullet cites a lack of detailed and consistent Countywide procedures, as well as minimal evaluation of ongoing operational need for take-home vehicles. As noted in our response to Recommendation 1.2, and as we shared with the Grand Jury auditors, Public Works' Administrative Directives A106 and A107 define take-home assigning authorities and criteria for take-home assignments. Public Works also has a system in place which monitors the frequency of mileage reporting on a monthly basis.

The second bullet claims that the on-going business need of each take-home vehicle authorization is not fully known, that there is minimal tracking of the business need or justification of take-home vehicle requirements, and that there is minimal review and oversight to ensure adequate business need. As noted in our response to Recommendation 1.3, Public Works has several levels of approval in place that review ongoing justification of take-home assignments as follows:

1. Any updates or changes to current take-home assignments are reviewed by the employee's Division Head and by the Chief Fleet Management.
2. Comprehensive review of all take-home assignments is conducted twice a year at the Group Head, Division Head, and Deputy Director Levels.
3. All new take-home assignments are reviewed by all levels of approval (Division Head, Deputy Director, Chief Fleet Management, Administrative Deputy Director, and Director).

The third bullet implies that the assignment of take-home vehicles should be based on the frequency of after-hour call-outs. Although we agree that departments should monitor after-hour usage for appropriateness, we disagree this is the sole business reason for determining take-home vehicle assignment. On page 141, the Grand Jury further addresses this by stating that "departments have not implemented thorough, analytical mechanisms that evaluate take-home need and on-going justification of such need." Lastly, on page 145, the Grand Jury recommends that "where County Owned vehicles are primarily used for commuting and there is a low frequency of use after working hours, authorizations should be discontinued and the vehicles removed from inventory." As noted in our response to Recommendation 1.5, Public Works' home assigned vehicles are largely based on the potential for call outs due to unpredictable threats to life, health, and property, and not the frequency of call outs. This is weighted greater than retrospective analysis of after-hour call outs for the Department.

TRACKING AFTER-HOUR VEHICLE USE

We disagree with the Grand Jury's statement on page 144 that "Geotechnical and Materials Engineering Division, and Operational Services Division, the need to respond to an emergency event after work hours is unlikely." Public Works' Operational Services Division (OSD) and Geotechnical Materials and Engineering Division (GMED) respond to various emergency situations. OSD employees must be ready to respond to repairs needed for traffic signal breakdowns that safely guide traffic and that may require high voltage repairs. GMED employees respond to water and sewer line breaks in hillside communities, landslides following storms, earthquakes, and slope failures.

Based on the variety of functions handled by Public Works, which include flood control and dam operation/maintenance, graffiti removal, road maintenance, traffic control, street lighting,

building inspection, water supply, capitol project management, airport management, etc, the need for take-home vehicles is appropriate. However, the number of take-home vehicles is not based solely on after-hour call outs and needs during non-business hours. The decision is based on the prospective potential for occurrences that may threaten life, property, or the environment and the need for field coordination to limit risk and liability from such events like downed high-voltage wires, storm response, floods, earthquakes, and fires obstructing roadways. This is weighted greater than retrospective analysis for Public Works.

EVALUATION OF TAKE-HOME VEHICLE NEED

Recommendation 3.1: The Board of Supervisors should direct all County departments to track and monitor after-hour vehicle usage to ensure sufficient business justification exists for the take home vehicle.

Response: As noted in our response to Recommendation 1.5, we disagree that after-hour callouts should be the justification for assignment of take-home vehicles. Public Works responds to various emergencies and home assignment of vehicles is largely based on the potential for call outs due to unpredictable threats to life, health, and property, and not the frequency of call outs. This includes our supervisors/managers responding to the field or the Department Operations Center (DOC). Public Works also assigns take-home vehicles to employees who report directly to job sites on a routine basis for operational need and efficiency. We are in agreement, however, that departments should monitor their own after-hour usage for appropriateness.

Public Works will work with CEO and Auditor-Controller to determine the type of information that should be required to justify take-home assignments based on Public Works' function within the County of Los Angeles.

Recommendation 3.2: The Board of Supervisors should direct the Auditor-Controller's Office to work with County Departments to establish minimum criteria for after-hour business needs to establish consistent practices within the County.

Response: See Response to Recommendation 3.1

Recommendation 3.3: The Auditor-Controller's Office should work with County departments to assess business need, review take-home vehicle privileges, and recommend changes in department's take-home vehicle assignments, on an annual basis.

Response: Agree. Public Works will work with the CEO and Auditor-Controller to analyze and update, if needed, current take-home assignment evaluation procedures.

Recommendation 3.4: The CEO should require that all County departments with take home vehicles add a policy and procedure that establishes a system to evaluate after-hour vehicle use.

Response: As noted in our response to Recommendation 3.1, Public Works disagrees that take-home vehicle assignment should be based on after-hour usage. However, we agree that departments should evaluate after-hour vehicle use to ensure it is appropriate.

Recommendation 3.5: County-wide, each department with take home privileges should work with the Auditor-Controller's Office and the Chief Executive Office to review take-home vehicle use and compare the cost of such use with reimbursements for use of personal vehicles.

Response: Agree. Public Works has the ability to conduct a comparison between the reimbursement rate for use of personal vehicles and Public Works' system rate for use of County vehicles and can provide the Auditor-Controller and CEO with this data.

It is important to note, however, that take-home vehicle assignments are specially equipped with materials, accessories, attachments, and technology needed to perform operational duties that are not regularly found on personal vehicles. For example: radio equipment (CWIRS), generators, compressors, lifts, utility boxes, cranes, hoists, winch, flashing high visibility LED lights, etc.

COUNTY FLEET COSTS

The Grand Jury report cites (on pages 92 and 149), "Inconsistencies in the types of vehicles purchased by County departments, resulting in numerous instances where the type of vehicle purchased may have features that are inconsistent with those that are required for the vehicle's intended business use. Many of the vehicles have features that appear to exceed such needs, and many tend to be take-home vehicles that are assigned to senior staff." We would like to clarify that Public Works purchases vehicles with features required to meet the demands of field operations, such as marking/stripping trucks, bucket trucks, sign-posting trucks, and dump trucks. Additionally, take-home vehicles assigned to senior staff were base-model package purchases.

Under Section 4 (pages 93 and 149), the Grand Jury states that "some departments have purchased luxury vehicles for the department director or other senior managers." They also claim that departments do not have a strong incentive to purchase vehicles that more closely meet the business needs of the departments and are priced at a lower cost." Furthermore, Table 4.1 (page 151) lists seven (7) Public Works vehicles costing more than \$30,000 that may be considered excessive for routine County business. Lastly, Table 4.2 (page 154) lists the "potential savings" associated with not exceeding a \$30,000 purchase price. Public Works disagrees with this representation and would like to clarify the need or use of these seven non-luxury vehicles:

- Public Works has four 2004 Jeep Wranglers that were right-hand drive ordered for the Public Works Waterworks Division. These vehicles allow employees to exit safely and conveniently from the right hand side when reading water meters, which makes this task more efficient. **(See Attachment III)**
- A 2008 Honda Pilot and a 2001 Buick LeSabre were purchased under the County Security and Transportation Allowance Programs (County Codes 5.12.200 & 5.40.465), which allow the Director of Public Works to opt out of their monthly transportation allowance and be assigned a County vehicle by their department for a cost not to exceed \$38,000.
- The seventh vehicle, a 2007 Toyota Camry, was purchased under a pilot program to test more fuel-efficient hybrid sedans, in accordance with the 2005 amended Board Policy 3.020 (Clean Fuel Policy) for hybrid vehicles.

COUNTY FLEET COSTS

Recommendation 4.1: The Internal Services Department should review the composition of the County fleet annually to identify the number of vehicles considered to be luxury or over \$30,000, and provide the report to the Board of Supervisors.

Response: We defer to the Internal Services Department for a response. However, as noted above, the 7 vehicles identified in this report as greater than \$30,000 for Public Works include four 2004 Jeep Wranglers, one 2008 Honda Pilot, one 2007 Toyota Camry, and one 2001 Buick LeSabre:

- The four Jeep Wranglers were right-hand drive ordered for Public Works' Waterworks Division. These vehicles allow employees to exit safely and conveniently from the right hand side when reading water meters, which makes this task more efficient.
- The Honda Pilot and Buick LeSabre were both purchased under the County Security and Transportation Allowance Programs (County Codes 5.12.200 & 5.40.465), which allow department heads to opt out of their monthly transportation allowance and be assigned a County vehicle by their department for a cost not to exceed \$38,000.
- The Toyota Camry was purchased as a pilot program to test more fuel-efficient hybrid sedans, in accordance with the 2005 amended Board Policy 3.020 (Clean Fuel Policy) for hybrid vehicles.

We propose to collaborate in an ad hoc Fleet Managers Committee with the CEO and ISD to determine a threshold value for luxury vehicles. The value should also be reviewed by the committee biennially to ensure the price limit is current with the business market.

Recommendation 4.2: The Board of Supervisors should amend the County Code by adding language that establishes criteria for the standard vehicle types and require departments to submit any exceptions to such criteria to the Board of Supervisors.

Response: Partially agree. Due to changes in business needs, it would be inefficient to continuously change County Code. Public Works agrees that a Board standard for sedans could be established and reviewed biennially to ensure the price limit is current with the business market.

Recommendation 4.3: The Internal Services Department should prepare an annual report to the Board of Supervisors on County vehicles over a threshold value determined by the Board of Supervisors for routine sedans, sports utility vehicles and light trucks.

Response: N/A

Recommendation 4.4: The Office of the Auditor-Controller and the Internal Services Department should work with other County departments to reconcile the various County fleet information sources to ensure that accurate information exists.

Response: N/A



DATE: _____

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

VEHICLE ASSIGNMENT AUTHORIZATION

☐ NEW ASSIGNMENT ☐ SUCCESSION ☐ VEHICLE / ADDRESS CHANGE ☐ CHANGE IN TITLE / DUTIES ☐ OTHER CHANGES ☐ CANCEL

ASSIGNED TO _____ JOB TITLE _____

EMPLOYEE NO _____ HOME PHONE _____

DIVISION _____ SECTION _____ LOCATION _____

TO BE GARAGED AT _____

DUTIES / JUSTIFICATION - EXPLAIN IN DETAIL (USE REVERSE SIDE IF NECESSARY) _____

LOCATION

REASON

☐ HOME ASSIGNMENT ☐ NEAR HOME ASSIGNMENT ☐ AFTER HOUR MEETINGS ☐ EMERGENCY RESPONSE
☐ OUT OF COUNTY ☐ REPORT DIRECTLY TO JOB SITES

VEHICLE NO _____ RADIO CALL NO _____ REPLACING VEHICLE NO _____

NOTICE

THIS AGREEMENT IS NOT TRANSFERABLE. WHEN THERE ARE ANY CHANGES IN THE CONDITIONS AS STATED, THIS FORM IS TO BE MARKED **CANCELLED**, DATED, AND RETURNED TO FLEET MANAGEMENT GROUP. A NEW FORM IS TO BE PROVIDED TO FLEET MANAGEMENT GROUP FOR VEHICLE ASSIGNMENT CHANGES.

EMPLOYEE SIGNATURE

DATE

DIVISION HEAD SIGNATURE

DATE

DEPUTY DIRECTOR SIGNATURE

DATE

ADMIN DEPUTY DIRECTOR

DATE

DIRECTOR OF PUBLIC WORKS

DATE

FLEET MANAGEMENT ONLY

INITIALS: _____
CHIEF FLEET

DATE ENTERED: ____/____/____
HOME ASSGN LIST

ENTERED BY

____/____/____
FLEET FOCUS

☐ REDLINE VEHICLE

August 14, 2007

Approved


Donald L. Wolfe

TO: Diego Cadena

FROM: Rod H. Kubomoto

Water Resources Division

**VEHICLE ASSIGNMENT AUTHORIZATION
NEW ASSIGNMENT FOR ROBERT BANUELOS**

Robert Banuelos was recently hired by Public Works as an Assistant Instrument Technician. He is currently assigned to the Instrument Shop of Water Resources Division, which is based at Eaton Yard. This additional staff position was recently approved by Administration due to the increased workload of the Instrument Shop. As an Assistant Instrument Technician, his assignments include the installation, maintenance, and repair of instrumentation at dams, seawater barriers, spreading grounds, water quality stations, gas detectors at pump plants, rain gages, and stream gauges. He is also expected to provide assistance during storms and respond to emergency situations that require him to report directly to job sites from his home.

We request vehicle assignment authorization and home assignment for Mr. Banuelos so that he can perform his duties. The vehicle that we are assigning to him is currently assigned to the Instrument Shop.

 AIV:yg

P:\wrd\admsup\users\Alex\vehicleassign2.doc

cc: Water Resources (Villarama, Files)

including the driver). In addition, you must reasonably expect that at least 80% of the vehicle mileage will be for transporting employees between their homes and work place with employees occupying at least one-half the vehicle's seats (not including the driver's).

Transit pass. A transit pass is any pass, token, farecard, voucher, or similar item entitling a person to ride, free of charge or at a reduced rate, one of the following.

- On mass transit.
- In a vehicle that seats at least 6 adults (not including the driver) if a person in the business of transporting persons for pay or hire operates it.

Mass transit may be publicly or privately operated and includes bus, rail, or ferry.

Qualified parking. Qualified parking is parking you provide to your employees on or near your business premises. It includes parking on or near the location from which your employees commute to work using mass transit, commuter highway vehicles, or carpools. It does not include parking at or near your employee's home.

Employee. For this exclusion, treat the following individuals as employees.

- A current employee.
- A leased employee who has provided services to you on a substantially full-time basis for at least a year if the services are performed under your primary direction or control.

A self-employed individual is not an employee for qualified transportation benefits.

Exception for S corporation shareholders. Do not treat a 2% shareholder of an S corporation as an employee of the corporation for this purpose. A 2% shareholder is someone who directly or indirectly owns (at any time during the year) more than 2% of the corporation's stock or stock with more than 2% of the voting power.

Relation to other fringe benefits. You cannot exclude a qualified transportation benefit you provide to an employee under the de minimis or working condition benefit rules. However, if you provide a local transportation benefit other than by transit pass or commuter highway vehicle, or to a person other than an employee, you may be able to exclude all or part of the benefit under other fringe benefit rules (de minimis, working condition, etc.).

Exclusion from wages. You can generally exclude the value of transportation benefits that you provide to an employee during 2007 from the employee's wages up to the following limits.

- \$110 per month for combined commuter highway vehicle transportation and transit passes.
- \$215 per month for qualified parking.

Benefits more than the limit. If the value of a benefit for any month is more than its limit, include in the employee's wages the amount over the limit minus any amount the employee paid for the benefit. You cannot exclude the excess from the employee's wages as a de minimis transportation benefit.

More information. For more information on qualified transportation benefits, including van pools, and how to determine the value of parking, see Regulations section 1.132-9.

Tuition Reduction

An educational organization can exclude the value of a qualified tuition reduction it provides to an employee from the employee's wages.

A tuition reduction for undergraduate education generally qualifies for this exclusion if it is for the education of one of the following individuals.

1. A current employee.
2. A former employee who retired or left on disability.
3. A widow or widower of an individual who died while an employee.
4. A widow or widower of a former employee who retired or left on disability.
5. A dependent child or spouse of any individual listed in (1) through (4) above.

A tuition reduction for graduate education qualifies for this exclusion only if it is for the education of a graduate student who performs teaching or research activities for the educational organization.

For more information on this exclusion, see Publication 970, Tax Benefits for Education.

Working Condition Benefits

This exclusion applies to property and services you provide to an employee so that the employee can perform his or her job. It applies to the extent the employee could deduct the cost of the property or services as a business expense or depreciation expense if he or she had paid for it. The employee must meet any substantiation requirements that apply to the deduction. Examples of working condition benefits include an employee's use of a company car for business and job-related education provided to an employee.

This exclusion also applies to a cash payment you provide for an employee's expenses for a specific or prearranged business activity for which a deduction is otherwise allowable to the employee. You must require the employee to verify that the payment is actually used for those expenses and to return any unused part of the payment.

For information on deductible employee business expenses, see *Unreimbursed Employee Expenses* in Publication 529, Miscellaneous Deductions.

The exclusion does not apply to the following items.

- A service or property provided under a flexible spending account in which you agree to provide the employee, over a time period, a certain level of unspecified noncash benefits with a predetermined cash value.
- A physical examination program you provide, even if mandatory.
- Any item to the extent the employee could deduct its cost as an expense for a trade or business other than your trade or business.

Employee. For this exclusion, treat the following individuals as employees.

- A current employee.
- A partner who performs services for a partnership.
- A director of your company.
- An independent contractor who performs services for you.

Vehicle allocation rules. If you provide a car for an employee's use, the amount you can exclude as a working condition benefit is the amount that would be allowable as a deductible business expense if the employee paid for its use. If the employee uses the car for both business and personal use, the value of the working condition benefit is the part determined to be for business use of the vehicle. See *Business use of your car* under *Personal Expenses* in chapter 1 of Publication 535. Also, see the special rules for certain demonstrator cars and qualified nonpersonal-use vehicles discussed below.

However, instead of excluding the value of the working condition benefit, you can include the entire annual lease value of the car in the employee's wages. The employee can then claim any deductible business expense for the car as an itemized deduction on his or her personal income tax return. This option is available only if you use the lease value rule (discussed in section 3) to value the benefit.

Demonstrator cars. Generally, all of the use of a demonstrator car by your full-time auto salesperson qualifies as a working condition benefit if the use is primarily to facilitate the services the salesperson provides for you and there are substantial restrictions on personal use. For more information and the definition of "full-time auto salesperson," see Regulations section 1.132-5(o).

Qualified nonpersonal-use vehicles. All of an employee's use of a qualified nonpersonal-use vehicle is a working condition benefit. A qualified nonpersonal-use vehicle is any vehicle the employee is not likely to use more than minimally for personal purposes because of its design. Qualified nonpersonal-use vehicles generally include all of the following vehicles.

- Clearly marked police and fire vehicles.
- Unmarked vehicles used by law enforcement officers if the use is officially authorized.

- An ambulance or hearse used for its specific purpose.
- Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.
- Delivery trucks with seating for the driver only, or the driver plus a folding jump seat.
- A passenger bus with a capacity of at least 20 passengers used for its specific purpose.
- School buses.
- Tractors and other special-purpose farm vehicles.

Pickup trucks. A pickup truck with a loaded gross vehicle weight of 14,000 pounds or less is a qualified nonpersonal-use vehicle if it has been specially modified so it is not likely to be used more than minimally for personal purposes. For example, a pickup truck qualifies if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and meets either of the following requirements.

1. It is equipped with at least one of the following items.

- a. A hydraulic lift gate.
- b. Permanent tanks or drums.
- c. Permanent side boards or panels that materially raise the level of the sides of the truck bed.
- d. Other heavy equipment (such as an electric generator, welder, boom, or crane used to tow automobiles and other vehicles).

2. It is used primarily to transport a particular type of load (other than over the public highways) in a construction, manufacturing, processing, farming, mining, drilling, timbering, or other similar operation for which it was specially designed or significantly modified.

Vans. A van with a loaded gross vehicle weight of 14,000 pounds or less is a qualified nonpersonal-use vehicle if it has been specially modified so it is not likely to be used more than minimally for personal purposes. For example, a van qualifies if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and has a seat for the driver only (or the driver and one other person) and either of the following items.

- Permanent shelving that fills most of the cargo area.
- An open cargo area and the van always carries merchandise, material, or equipment used in your trade, business, or function.

Education. Certain job-related education you provide to an employee may qualify for exclusion as a working condition benefit. To qualify, the education must meet the same requirements that would apply for determining whether the

**Jeep Wranglers
Right-Hand Drive**





ATTACHMENT J

**DEPARTMENT OF PUBLIC
SOCIAL SERVICES**

County of Los Angeles
DEPARTMENT OF PUBLIC SOCIAL SERVICES

12860 CROSSROADS PARKWAY SOUTH • CITY OF INDUSTRY, CALIFORNIA 91746
 Tel (562) 908-8400 • Fax (562) 908-0459



PHILIP L. BROWNING
 Director

SHERYL L. SPILLER
 Chief Deputy



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

July 25, 2008

TO: William T Fujioka
 Chief Executive Officer

FROM: Philip L. Browning, Director

**SUBJECT: FY 2007-2008 CIVIL GRAND JURY REPORT AND RECOMMENDATIONS
 REGARDING PROBLEMS AND OPPORTUNITIES FOR FRAUD IN THE IN-
 HOME SUPPORTIVE SERVICES PROGRAM**

Attached is the Department of Public Social Services' response to the FY 2007-2008 Civil Grand Jury Report segment entitled, "In-Home Supportive Services Fraud: Problems and Opportunities." As requested, we also provided an electronic copy of our response in MS Word format to Kary L. Golden of your staff.

Of the 16 recommendations made by the Civil Grand Jury in their report on the In-Home Supportive Services (IHSS) program, the Department agrees with three; agrees in concept with four; agrees in part with one; and disagrees with eight recommendations. DPSS collaborated with the California Department of Social Services and the California Department of Health Care Services in drafting this response.

While the Department's response is specific to the Recommendations only and does not address the Findings in the Report, it should be noted that DPSS does not agree with the Report Findings in the aggregate. Some of the findings are based on an erroneous understanding of the IHSS program requirements, incorrect assumptions, and allude to a program fraught with fraud, yet without a substantive basis for this conclusion. The introduction contains reference to the District Attorney's knowledge of "recurring fraudulent schemes," yet fails to clarify that this knowledge has not yet been shared with the Department.

Although there were a number of allegations made by the District Attorney throughout this report relative to known fraudulent activity, my department was not provided any prior information or notice. On July 17, 2008, we wrote the District Attorney requesting specific information about these allegations.

William T Fujioka

July 25, 2008

Page 2

We have recently made contact with the State Department of Health Care Services, the Social Security Administration and the District Attorney's Office and plan to convene a workgroup to improve our communication network to address these findings and related issues. I believe through a more integrated approach that we will be able to identify ways to improve program integrity which may also lead to pertinent changes in State regulations or statute.

To conclude that the IHSS Program "is a cottage industry for scam artists, especially those imbedded within the ranks of DPSS itself" is, in my judgment, an unfair and unsupported conclusion. These assertions, taken in the aggregate, portray the most vulnerable population we serve (aged, blind, disabled adults and children) as common criminals, when in fact the vast majority are truly needy. Finally, to the over 800 dedicated County employees who administer this program, this report fails to recognize their commitment and professionalism.

Please let me know if you have any questions, or your staff may contact Sheri Lewis at (562) 908-5879 or via e-mail at SheriLewis@dpss.lacounty.gov.

PB:ic

Attachment

c: Miguel Santana

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES - DEPARTMENT OF PUBLIC SOCIAL SERVICES

**SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
IN-HOME SUPPORTIVE SERVICES FRAUD: PROBLEMS AND OPPORTUNITIES**

FINDING 1

When a person obtains Supplemental Security Income (SSI) benefits, he or she is assumed *eligible* for IHSS assistance. The District Attorney contends that if the Department of Public Social Services determines that the person has assets which would make him/her *ineligible* for SSI, the DPSS caseworker does not notify the Social Security Administration of these findings. However, in the Grand Jury's discussions with executive management from DPSS, we were advised that all sixty existing field offices do in fact have a liaison person who contacts the Social Security Administration and advises it of a recipient's possible ineligibility for SSI and other issues of concern, to the extent allowed by current privacy laws.

It should also be noted that SSI recipients must report their annual income at telephone number 1-800-772-1213. Reference can be made to *Social Security Publication SSA-4926-SM* (January 2008).

Supplemental Security Income (SSI) is not the same as Social Security benefits paid to those age 62 and over.

RECOMMENDATION NO. 1

The Department of Public Social Services should ensure that staff communicate with the Social Security Administration regarding any factors which may affect the SSI eligibility of IHSS or other aid recipients.

Similarly, DPSS must stay aware of any SSI reassessments of an applicant's / recipient's disability. In those cases where eligibility is mandated by law, DPSS should, at a minimum, require a statement of facts provided by the recipient under penalty of perjury as to the need for financial support and medical services.

RESPONSE

DPSS agrees.

Welfare & Institutions Code (WIC) Section 10850(b) states that the county is obligated to report to Social Security Administration (SSA) any information which may impact Supplemental Security Income (SSI) eligibility or be guilty of a misdemeanor. DPSS has existing policy in place requiring DPSS staff to contact the SSA regarding factors that may affect SSI eligibility. According to this policy, all IHSS offices are required to have a designated SSA liaison. SSA notifies IHSS when recipients are terminated from SSI for any reason. DPSS requires a statement of facts to determine financial support and eligibility under penalty of perjury for the Medi-Cal and IHSS Residual Programs. Thus, the Finding is incorrect that if DPSS "determines that the person has assets which would make him/her ineligible for SSI, the DPSS caseworker does not notify SSA of the findings."

Further, the Finding statement that when a person obtains SSI benefits, "he or she is assumed eligible for IHSS assistance" is incorrect. While a recipient of SSI benefits is categorically

DPSS RESPONSE TO FY 2007-2008 GRAND JURY RECOMMENDATIONS

Page 2

eligible for Medi-Cal benefits, that person is required to demonstrate a need (physical and/or mental) for In-Home Supportive Services (IHSS) to be eligible for IHSS benefits.

Additionally, in the Finding for this recommendation, the District Attorney (DA) indicates the "failure of DPSS case workers to notify the Social Security Administration of ineligible recipients." However, the DA has not shared with the Department any specific names of recipients whom they may have discovered are ineligible to SSI or IHSS benefits so that DPSS can take appropriate action. On July 17, 2008, we wrote the DA requesting specific information about these allegations.

FINDING 2

DPSS collects time sheets which are supposed to be signed by the IHSS aid recipient *and* the aid provider. Information from that time sheet is forwarded to the State of California, and a state warrant, made payable to the aid provider, is prepared. DPSS keeps the time sheets, but has no filing system for easy retrieval of these important records, which are often required by the district attorney in the prosecution of fraud cases. DPSS executive management concedes this is a problem, due to the enormous amount of paperwork received per month (over 300,000 time sheets) by the Central Time Sheet Processing Operation, and the current system of filing, which is by manual batching. DPSS is holding off on a more efficient, automated approach to this filing system due to a pending upgrade to the state's computer system, which will hopefully address some of the inefficiencies of manual processing.

RECOMMENDATION NO. 2

DPSS should develop a system of filing those records so they may be easily located when needed by the district attorney for court proceedings in IHSS fraud prosecutions. A possible approach would be to capture the recipient's Social Security number or fingerprint on the time sheet, digitize it into a local database and link it to the recipient and provider names, the time frame of the time sheet, plus any other information that might be of future interest. The time sheets themselves would be stored as images, in chronological order, for a limited time period, such as three to five years.

RESPONSE

DPSS agrees in concept.

The California Department of Social Services (CDSS) has long recognized the need for a streamlined approach to time sheet processing. The contract for the new IHSS Case Management, Information and Payrolling System II (CMIPS II), currently under development, includes a requirement for a statewide centralized time sheet processing facility, targeted for implementation in 2010. The centralized processing facility will scan and maintain time sheet images for a number of years in accordance with State and federal requirements. Time sheet images will be retrievable using several search criteria, e.g., Social Security Number, Pay Period, Recipient or Provider Name.

In the interim, DPSS is implementing a time sheet decentralization plan effective October 2008, which will facilitate processing, retrieval, and other efficiencies in the local Regional Offices.

DPSS RESPONSE TO FY 2007-2008 GRAND JURY RECOMMENDATIONS

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FINDING 3

When a person applies for IHSS assistance, a medical verification of the person's physical/mental/medical condition is required to be prepared and signed by a medical doctor. Without validation, the process as it currently exists is subject to fraudulent use and/or signature forgery.

RECOMMENDATION NO. 3

These evaluation / rating forms should be checked by staff by verifying the validity of the doctor's medical license number (which is provided on the form) and/or calling the doctor's office. Speaking to the doctor will put him/her on notice that their name and license number are being used.

RESPONSE

DPSS disagrees.

DPSS believes that verifying the validity of the doctor's medical license number and/or calling the doctor's office on a routine basis is beyond the scope of IHSS requirements. This Finding incorrectly indicates that "when a person applies for IHSS assistance, a medical verification of the person's physical/mental/medical condition is required to be prepared and signed by a medical doctor." Because SSA determines disability status for SSI, CDSS does not require a medical verification as a condition of IHSS eligibility. However, when IHSS services authorized are paramedical in nature, counties are required to have a signed and dated order for the paramedical services from a licensed health care professional (CDSS Manual of Policies and Procedures [MPP] Section 30-757.192).

SB 1104 (Quality Assurance [QA] Initiative) requires, among other things, State and county monitoring to ensure needs are appropriately assessed and documented and that required forms are on file and completed. In addition, DPSS employs four (4) full-time Registered Nurses (RNs) that assist Social Workers (SWs) with case documentation by observing and assessing the recipient's physical and mental abilities. They also make phone calls to doctors, school nurses, special education teachers, and case managers from Regional Centers to ensure accurate assessment of the recipient's service needs.

FINDING 4

Cases have been identified by the district attorney wherein care providers are allegedly providing aid under different names and fraudulently collecting benefits. Cases have also been identified wherein aid recipients are allegedly receiving aid under different identities.

RECOMMENDATION NO. 4

Ideally, all recipients and care providers should be fingerprinted and photographed by DPSS during the In-Home Supportive Services application / intake process. All medical and financial intake documents should be signed by the applicant under penalty of perjury.

DPSS RESPONSE TO FY 2007-2008 GRAND JURY RECOMMENDATIONS

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RESPONSE

DPSS agrees in part.

DPSS disagrees that all recipients and care providers should be fingerprinted and photographed by DPSS during the In-Home Supportive Services application/intake process. Fingerprinting and photographing of IHSS recipients and providers would require a change in State policy, and is beyond the scope of Los Angeles County.

In IHSS, one of the functions of the Personal Assistance Services Council (PASC) is to establish registries of IHSS providers. They are required to investigate the qualifications and background of potential providers before inclusion in the registry. This requirement is met through several different methods, including interviews by staff, work history, a Department of Motor Vehicles printout, an application that requires disclosure of any felony crimes committed, local and statewide public records checks (superior courts, county web sites), etc.

Under existing law, IHSS recipients have the authority to request that their providers be fingerprinted and cleared through the Department of Justice. The request for fingerprinting of non-registry providers is voluntary and at the discretion of the recipient. In an attempt to mitigate fraud, IHSS SWs request that providers be present at the home call and present a picture ID and Social Security card. DPSS requires a statement of facts to determine financial support and eligibility under penalty of perjury for the Medi-Cal and IHSS Residual Programs.

In the Finding for this recommendation, the DA indicates they have "identified cases wherein care providers are allegedly providing aid under different names and fraudulently collecting benefits" and yet the DA's Office has not notified DPSS of any of these specific "identified cases" so that the Department may take appropriate action. On July 17, 2008, we wrote the District Attorney requesting specific information about these allegations.

We have recently made contact with the State Department of Health Care Services, the Social Security Administration and the District Attorney's Office and plan to convene a workgroup to improve our communication network to address these findings and related issues. I believe through a more integrated approach that we will be able to identify ways to improve program integrity which may also lead to pertinent changes in State regulations or statute.

FINDING 5

DPSS administers various federal and state-funded aid programs at the county level, including General Relief (welfare), CalWorks, Food Stamps, Medi-Cal, and IHSS. The district attorney has identified a number of cases where benefits from one program would reduce or eliminate eligibility for another program, and contends that DPSS computer databases do not "talk to" one another, so inter-program opportunities for fraud abound.

RECOMMENDATION NO. 5

DPSS must develop an enhanced computer database which will allow for effective cross-referencing and interfacing of information on recipients of various aid programs administered by the department. In essence, this is a virtual database on all DPSS clients.

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RESPONSE

DPSS agrees in concept.

Procurement of an enhanced computer database to maintain all data on each of the millions of recipients of federal and State-funded aid programs statewide is not feasible at this time, since it would require approval and funding by the State Legislature beyond that already provided for in the CMIPS II project. However, CMIPS II, currently under development and targeted for implementation in 2010, will enhance the interface between CMIPS, Medi-Cal Eligibility Data System (MEDS) and other County consortia, such as the Los Angeles Eligibility Automated Determination, Evaluation and Reporting (LEADER) system, which stores information on other aid programs administered by DPSS.

The current CMIPS system maintains the recipient's State Client Index Number (CIN) which is a unique number assigned to recipients of federal and State-funded aid programs, including General Relief, CalWORKS, Food Stamps, Medi-Cal, and IHSS.

MEDS, administered by the California Department of Health Care Services (DHCS), maintains aid codes that identify recipients' participation in all federal and State-funded aid programs. CMIPS receives daily eligibility updates from MEDS on the current eligibility status for those recipients.

DPSS has developed reports that match DPSS databases cross-referencing IHSS recipients and providers with other DPSS aid programs. This includes identifying information on recipient and provider income and other benefits. The IHSS Match Report identifies IHSS Providers who receive public assistance from any other aid program in DPSS. Another report identifies IHSS Recipients who are Child Care Providers, and IHSS Providers who are GAIN Participants and/or Child Care Providers. To supplement these routine reports, IHSS Program has developed the following ad-hoc reports: (1) Provider Wage Rate Report (ensures payment accuracy), and (2) Provider Warrant Address Match (flags multiple warrants mailed to one address). These reports are "worked" by DPSS staff to resolve discrepancies and help prevent fraud. Approximately 4,000 IHSS applications are received each month but only about 65% are approved.

In the Finding for this recommendation, the DA "has identified a number of cases where benefits from one program reduce/eliminate eligibility for another program." However, the DA's Office has not notified DPSS of any of these specific "identified...cases" so that the Department may take appropriate action. On July 17, 2008, we wrote the District Attorney requesting specific information about these allegations.

FINDING 6

Neither the State of California nor the County of Los Angeles conducts a criminal background investigation on the provider of IHSS services. Since the recipient has *carte blanche* to choose a provider, but cannot conduct a background investigation, the county is in a position to do so on behalf of the recipient.

RECOMMENDATION NO. 6

Applicants to the County of Los Angeles IHSS program should be fingerprinted and photographed as part of the intake process. The provider, as selected by the applicant, should

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also be fingerprinted and photographed. The presentation of a driver's license or resident alien card, both easily purchased "on the street," should not suffice as adequate identification. Fingerprints, once taken, should be processed through California's Department of Justice and onward to the FBI's National Crime Information Center (NCIC) and its integrated Automated Fingerprint Identification System (AFIS). The purpose of fingerprinting is to validate the recipient and provider identities and to discover any criminal background. The county should conduct a criminal background check on the chosen provider for the protection of the recipient. If a criminal background is discovered, the provider may be disqualified, against criteria yet to be established.

This background check, presumably carried out by the Los Angeles County Department of Social Services (DPSS), should include checks of the California Health and Human Services database, the California Criminal History System and the Child Abuse Central Index (CACI), to the extent allowed by law.

RESPONSE

DPSS disagrees.

The IHSS Program is unique in that the employer-employee relationship between the IHSS recipient and provider of services is not under the control of the local county welfare department. In addition to the information provided in response to Recommendation No. 4, requiring background checks on all IHSS providers would conservatively cost in excess of \$7 million due to the 130,000 IHSS paid providers in Los Angeles County. This cost is not budgeted and would place a significant burden on already diminishing fiscal resources.

Additionally, we have recently made contact with the State Department of Health Care Services, the Social Security Administration and the District Attorney's Office and plan to convene a workgroup to improve our communication network to address these findings and related issues. I believe through a more integrated approach that we will be able to identify ways to improve program integrity which may also lead to pertinent changes in State regulations or statute.

FINDING 7

Reassessments of the recipient's need for continuing IHSS care are not done in a timely and systematic manner.

RECOMMENDATION NO. 7

At minimum, a face-to-face interview with *both* the recipient and the provider should be conducted every 12 months. This interview should be conducted in the recipient's home or place of abode, with the provider present.

RESPONSE

DPSS agrees in concept.

Although the State does not require a face-to-face interview with the provider, it is existing local policy to have the provider present at intake and every annual reassessment. As part of SB 1104 (QA Initiative), CDSS conducts annual monitoring visits to determine, among other things, whether counties are conducting in-home, face-to-face reassessments within 12 months from

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the previous assessment. Although the Finding states that "reassessments of the recipient's need for continuing IHSS care are not done in a timely and systematic manner," according to CDSS, a review of CMIPS data over a 12-month period indicates that Los Angeles County is averaging 98% compliance for conducting timely face-to-face reassessments (number 1 county in the State).

Phase 1 of the SW Training Academy (required as part of SB 1104), provided SWs with training on how to identify overstated or understated needs.

In an attempt to mitigate fraud, IHSS SWs request that providers be present at the home call and present a picture ID and Social Security card.

FINDING 8

Personnel of the Los Angeles County Department of Public Social Services (DPSS) are not always qualified to assess the kind and intensity of the care required, which is roughly analogous to Medicare's definition of "custodial care." Among the chief determining criteria for receiving IHSS is the requirement that but for this program, the recipient would require out-of-home placement.

Quoting from the County Welfare Directors Association (CWDA) report entitled In-Home Supportive Services: Past, Present and Future, January 2003:

"The IHSS program is based on a social model – one that relies on a social worker assessment rather than assessment based on medical criteria. As such, caregivers are not medical personnel, nor are the social workers and, obviously, the consumer..."

"Quality of care is dependent on the caregivers qualifications and job satisfaction and how accurately the social worker's assessment of the consumer's need comports with the consumer's actual supportive service needs."

Recipient need assessments have a significant subjective component, influenced by the personal bias of the social worker, personality interactions, and the innate desire to be charitable.

DPSS also realizes that the initial assessment home visit, reassessment visits and scheduled visits are sometimes stage-managed in order to draw the maximum benefit of the program. The attempted reassessment via repeated random visits, to a supposedly housebound recipient who is never home, should be a cause for concern.

RECOMMENDATION NO. 8

Continued training is necessary for DPSS employees dealing with IHSS eligibility and fraud detection, based on the best practices recommended by CWDA and the involved state and county agencies. Also, since the need for repeated in-home visits is demoralizing to the social worker, for which no amount of training will compensate, the social worker should be given the authority to "notice" a recipient to schedule an assessment visit on a certain date, under penalty of payment cut-off.

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RESPONSE

DPSS agrees.

Los Angeles County IHSS SWs have the ability to generate and send a notice that states they have been unable to contact the recipient and services may be terminated if the recipient does not contact the County IHSS office to arrange for an in-home visit. The SW makes every effort to accurately determine the recipient's need for IHSS. SWs initiate fraud referrals for all suspected IHSS fraud.

The Grand Jury reference to the January 2003 report on In-Home Supportive Services Past, Present, and Future was one of the documents that aided in the passage of SB 1104 and, from that, the QA initiative was enacted. Although Finding 8 states that "personnel of the Los Angeles County DPSS are not always qualified to assess the kind and intensity of the care required, which is roughly analogous to Medicare's definition of 'custodial care'," one of the requirements in SB 1104 was to develop an IHSS Training Academy that trained SWs on the assessment process, uniformity, and other important topics related to the IHSS program. All IHSS SWs have participated in this training and DPSS will continue to participate in the training provided by CDSS as mandated in SB 1104. Additionally, DPSS disagrees with the statement in Finding 8 that "recipient need assessments have a significant subjective component, influenced by the personal bias of the social worker, personality interactions, and the innate desire to be charitable." All IHSS SWs are trained to be non-biased and professional in their approach to the needs assessment.

Phase 1 of the SW Training Academy (required as part of SB 1104), provided SWs with training on how to identify overstated or understated needs.

Also, as stated in response to Recommendation No. 3, DPSS employs four (4) full-time RNs that assist SWs with case documentation by observing and assessing the recipient's physical and mental abilities. They also make phone calls to doctors, school nurses, special education teachers, and case managers from Regional Centers to ensure accurate assessment of the recipient's service needs.

FINDING 9

As an alternative to personalized, in-home care, electronic home monitoring could be made available for those recipients who neither want nor require personal contact.

RECOMMENDATION NO. 9

DPSS should consider electronic monitoring as an alternative to a human provider for in-home care. The electronic monitoring systems do not provide "care" as such, but do avoid the need of a little-known provider visiting the home or abode. A half dozen such systems are now on the market. In addition, the Center for Aging Services Technologies in Washington, D.C., as well as the Oregon Health and Science University in Portland are excellent sources of further information.

RESPONSE

DPSS disagrees.

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DPSS consulted with the State and CDSS has indicated that they do not support this recommendation. If a recipient requires electronic monitoring "only," the recipient would not be eligible to IHSS. The foundation of IHSS is to provide in-home care to the recipient, which means that most services provided through IHSS are to be done in the recipient's home by the provider (i.e. bathing, grooming, dressing, bowel and bladder care, etc.).

FINDING 10

Providers of in-home care complain that they are not getting paid by the recipients of in-home care. Conversely, recipients complain that the providers are not providing the level and/or quality of care for which they are being paid from IHSS funds. In some cases, time cards have been forged or altered.

RECOMMENDATION NO. 10

Payment vouchers to IHSS service providers should be made payable to both the recipient of the care and the provider, thus requiring an endorsement from each before the check can be cashed. This safeguard would curtail some of the fraud that is occurring.

RESPONSE

DPSS disagrees.

Warrants issued to the IHSS providers are considered employee payroll checks, and, therefore, are subject to the mandates of the State Labor Code and State and federal employment and taxation regulations, which preclude dual endorsement.

On May 1, 2008, CDSS implemented the IHSS Provider Direct Deposit Program which allows providers to have their payroll warrants deposited into their checking or savings account. This further prevents stolen/misplaced warrants, and/or fraudulent endorsements.

Recipients who believe they are not receiving an adequate level of care from their providers have several avenues they may pursue as follows:

- (1) The recipient as the employer has the option to hire and fire his/her providers at will;
- (2) The recipient may contact his/her SW for assistance in helping the provider to understand program services;
- (3) The Los Angeles County Personal Assistance Service Council (PASC) is available to help recipients with provider problems and maintains a registry of available providers that can be referred to the recipient for possible employment; and
- (4) The PASC provides training to providers in order to increase task-specific skill levels.

FINDING 11

Initial fraud referrals are supposed to be sent to DPSS headquarters. However, in some cases, DPSS employees attempting to report suspected IHSS fraud have been met with responses

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ranging from apathetic to hostile on the part of district office supervisors and managers. Reports of suspected fraud, forwarded to DPSS headquarters, are not followed up on with the employees who initiated the reports; in essence, a lack of feedback. Senate Bill (SB) 1104 grants jurisdiction for IHSS fraud investigations to the Department of Health Care Services (DHCS), formerly known as the Department of Health Services. Specific provisions contained in SB 1104 created fraud detection and quality assurance protocols, adherence to which is not optional.

RECOMMENDATION NO. 11

DPSS must follow the fraud reporting protocols required by the language of SB 1104. Also, in the interests of good management and employee morale, DPSS must provide feedback on fraud investigations to the initiating employee. Claims and excuses that the Department of Health Care Services isn't providing feedback to DPSS are weak; DPSS senior management must *insist* on this information in a periodic and timely manner.

RESPONSE

DPSS agrees.

CDSS issued All County Information Notice (ACIN) No. 1-04-06, dated January 23, 2003, instructing counties on how to coordinate their fraud efforts with DHCS Investigations Branch Field Offices. CDSS also released a QA manual for the counties to use when performing required QA activities as set forth in SB 1104. DHCS has statutory responsibility for investigating IHSS fraud complaints. DHCS receives these complaints via hotline, internet, telephone calls to field offices, referrals from sister agencies, direct referrals from county workers and by self-initiated investigative activity.

DPSS currently follows the fraud protocols required by the State. However, DPSS will collaborate and work more pro-actively with DHCS to follow up on the processing of IHSS fraud referrals. DPSS will request updated reports from DHCS on a regular basis to the extent they can provide information without compromising their investigation.

The standard practice of DHCS is to notify Los Angeles County in writing of the outcome of referrals. However, as a general rule, unless a complaint is a direct referral from a County employee, any subsequent investigation and/or findings become confidential law enforcement information and are not shared with outside individuals including the original complainant.

DPSS implemented a centralized fraud referral process to DHCS in September, 2005. DHCS has received 893 fraud referrals from DPSS/IHSS and has investigated 409 cases to date. Fraud was found on 312 of those cases and the remaining 97 were unfounded. Since July 1, 2007, DPSS has referred 115 IHSS cases to DHCS. The findings on 13 referrals have been sent by DHCS to DPSS.

FINDING 12

An Affidavit of Support, U.S. Citizenship and Immigration Services Form I-864, must be submitted by those who are sponsoring foreign nationals under the family based immigration system. Furthermore, the Affidavit of Support is required in certain employment-based immigration situations. Section 213a of the Immigration and Nationality Act (Title 8 CFRs) creates a legally enforceable contract between the sponsor(s) and the foreign national. The Act

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also creates a legally enforceable contract between the sponsor(s) and the federal agency or any state agency which may provide means-tested public benefits to the sponsored immigrant.

Implemented in 1996 to ensure that foreigners do not become public charges after admittance to the U.S.A., the Affidavit of Support requirement must be satisfied in order for many foreigners to ultimately obtain legal permanent residence. The Affidavit of Support terminates once the sponsored immigrant "naturalizes" or when credited with 40 qualifying quarters of work as defined by the Social Security Act. Form I-864 and I-864A data may be disclosed to other federal, state and local agencies providing means tested public benefits for use in any civil action against the sponsor(s) for breach of contract. Social Security numbers may be verified with the Social Security Administration. It may also be disclosed as a matter of routine use to other federal, state, local and foreign law enforcement agencies to enable these entities to carry out their law enforcement responsibilities.

RECOMMENDATION NO. 12

DPSS should review applicants for IHSS as to whether they are a sponsored immigrant under Section 213a of the Act. If so, their sponsor(s) or co-sponsor(s) should be sought to provide the financial support for the applicant. This recommendation has nothing to do with illegal immigrants or illegal immigration.

RESPONSE

DPSS agrees in concept.

DPSS is responsible for determining IHSS eligibility for the IHSS Residual Program. This process includes sponsor deeming rules on income and resources, as outlined in CDSS ACIN No. 1-23-99, dated March 22, 1999 and DPSS staff already performs this eligibility process.

FINDING 13

The Earned Income Tax Credit (EITC) is a refundable federal income tax credit for low-income working individuals and families. It is not a tax rebate, but rather a federal subsidy. In addition, the EITC has no effect on certain welfare benefits; the EITC will not be used to determine eligibility for Medicaid, SSI, Food Stamps, Section 8 housing or most payments of temporary assistance for needy families.

The EITC is based on a past and an anticipated calendar year of income. Applicants must file a federal tax return and have a valid Social Security number. Full details are contained in *IRS Notice 797 and Form W-5*.

RECOMMENDATION NO. 13

Since the income cap for receiving EITC in CY 2008 approaches \$37,000, it is recommended that an applicant for In-Home Supportive Services (IHSS) be asked if he or she has received an EITC last calendar year and is receiving one in the immediate calendar year. If so, note should be made, in the application for IHSS, of the amounts received or to be received in each year. A person receiving the EITC should not be denied eligibility for IHSS, but the amounts received in that credit should be factored into the amount of IHSS services paid for by the recipient, by means of a formula which could be changed yearly.

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RESPONSE

DPSS disagrees.

Per CDSS regulation MPP Section 30-775.42(a) and DHCS regulation California Code of Regulations, Title 22, Section 50543.5, the Earned Income Tax Credit (EITC) is specifically excluded as income.

FINDING 14

Although the Los Angeles County Civil Grand Jury cannot comment upon or review State of California operations, the successful and professional local administration of IHSS is dependent upon state databases. The state's and Los Angeles County's Department of Social Services computers and software must handshake and exchange data, primarily with the following:

- State Medi-Cal Eligibility Data System (MEDS)
- Income and Eligibility Verification System (IEVS)

There is no longer a demarcation between county and state functions; we live in a virtual world. Even checking a person's federal Supplemental Security Income (SSI) status requires DPSS to go through the state systems to obtain Social Security Administration data. Obviously, Los Angeles County DPSS is at the mercy, interest and competence of state agencies, particularly the California Department of Social Services (CDSS) and California Department of Health Care Services (DHCS).

Providers and recipients of IHSS services sign and submit a biweekly timesheet which is ultimately processed by the state, the payment warrant is issued by the state, and fraud investigation is within the purview of the state. The acceptance of scrawled or absent signatures on the timesheet does not constitute good management of a multibillion dollar program such as IHSS. Dual endorsement of the payment warrant would definitely be a good business practice.

RECOMMENDATION NO. 14

As well as capturing the fingerprints of both the recipient and provider during the intake / application process, as recommended elsewhere, DPSS should require a fingerprint of both the recipient and the provider on each time card, perhaps even in lieu of a signature.

RESPONSE

DPSS disagrees.

Refer to response to Recommendation No. 4. Additionally, contrary to the statement in the Finding, time sheets without signatures are not accepted and "scrawled" signatures may be due, in some instances, to a recipient's disability. Further, the Finding that "dual endorsement of the payment warrant would definitely be a good business practice" is precluded by the State Labor Code and State and federal employment and taxation regulations.

FINDING 15

The Advance Pay feature of IHSS is reportedly abused, particularly by the recipient receiving "advance pay" for weeks and months without submitting a time card in support of that pay.

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RECOMMENDATION NO. 15

DPSS should enforce the requirement that bi-weekly/monthly time cards be submitted. If time cards are not received within ten (10) business days of when due, further payment warrants or direct deposits should be terminated. Direct deposit accounts should be checked quarterly to ascertain their balance. If the balance is substantial (>\$5,000), it may indicate the need for an eligibility review.

RESPONSE

DPSS disagrees.

This recommendation involves IHSS consumers who receive Advance Pay. CDSS regulation MPP Section 30-769.737 states that it shall be the responsibility of the recipient who receives Advance Pay to submit his/her provider's time sheets at the end of each authorized service month to the appropriate county social services office.

MPP Section 30-767.133(b) establishes the county's authority to terminate the recipient's Advance Pay status, and return it to Provider Payment in Arrears status for failure to submit time sheets within 90 days from the date of payment. Once the recipient is moved to the Arrears Pay mode, eligibility for direct deposit ceases.

Per State regulations, income and resources are reviewed at intake and at the 12-month reassessment. Any policy change related to the frequency of this review would require State approval.

FINDING 16

A member of the 2007-2008 Civil Grand Jury, a past service provider in the IHSS program, was approached by an IHSS employee to sign up to take other recipients. All the member had to do was give the IHSS employee permission to re-use the member's provider information, which was already in DPSS files, and periodically sign papers. For this, the member would keep one-half of each check / warrant, and yield the other half to an associate of the DPSS employee.

The grand jury member was subsequently approached by someone who was not a county employee, but offering a similar scam. He told the member that "...lots of people are doing it." Needless to say, the current grand jury member emphatically refused both offers.

RECOMMENDATION NO. 16

The Department of Social Services should implement the recommended security measures in this report. DPSS needs to validate program providers and recipients more aggressively, by knowing who they are to a certainty (photo and fingerprints), their actual and purported participation in the program, and the exposure of bogus providers and recipients. Reference is also made to the 1998-1999 Civil Grand Jury Final Report that recommended methods to detect and prevent attempted employee fraud, particularly the section on *Internal Affairs Investigations*, pages 141-152.

The IHSS program is not supposed to be a cottage industry for scam artists, especially those embedded within the ranks of DPSS itself.

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RESPONSE

DPSS disagrees.

Refer to response to Recommendation No. 4 pertaining to photographs and fingerprints of all recipients and care providers.

DPSS has a long-standing policy in place to address employee fraud. All referrals received which provide employee-specific information are promptly and aggressively acted upon. DPSS has an MOU with the District Attorney (DA) to investigate and prosecute employee fraud (\$1.4 million budgeted annually).

To date, the DA has not provided any information relative to the alleged criminal intent of "the IHSS employee" referenced in the finding for this recommendation. On July 17, 2008, DPSS sent a letter to the DA's office requesting information alleged in the finding.

Additionally, to ensure compliance with the FY 1998-99 Grand Jury recommendations, the Department has completed focus reviews to detect and prevent employee fraud in the IHSS program. The recent review was conducted in February 2008; the Department developed a computer match between IHSS recipients and DPSS employees. The computer match cross-checks records of DPSS employees who provide care for IHSS recipients. The review, to date, has not revealed any fraud situations. However, the Department will continue to complete semi-annual computer match cross-checks between DPSS employees and IHSS recipients. The DPSS Internal Affairs Investigations Unit continues to collaborate with the DA's Public Integrity Division and DHCS on investigations involving employee fraud.

ATTACHMENT K

SHERIFF'S DEPARTMENT



LEROY D. BACA, SHERIFF

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



July 25, 2008

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

Dear Members of the Grand Jury:

**RESPONSE TO THE FINAL REPORT OF THE 2007-2008
LOS ANGELES COUNTY GRAND JURY**

Attached is the Los Angeles County Sheriff's Department's (Department) response to the 2007-08 Grand Jury Report's recommendations (Attachment A). The Grand Jury areas of interest specific to the Department include; jail inmate personal accounts, the Hertzberg-Davis Forensic Science Center, emergency preparedness, speakers and events sub-committee, and jails/detention facilities.

Should you have questions regarding our response, please contact Division Director Victor Rampulla at (323) 526-5357.

Sincerely,

A handwritten signature in cursive script that reads "Leroy D. Baca".

LEROY D. BACA
SHERIFF

LDB:VCR:GD:ML:BM:MG:mg
(Administrative Services Division)

c: Board of Supervisors, Justice Deputies
Sachi A. Hamai, Executive Officer
William T Fujioka, Chief Executive Officer
Sharon R. Harper, Chief Deputy, Chief Executive Officer
R. Doyle Campbell, Deputy Chief Executive Officer
Jackie White, Assistant Division Chief, Chief Executive Office (CEO)
Sheila Williams, Principle Analyst, CEO
Judy Hamond, Public Affairs Office
Raymond G. Fortner Jr., County Counsel
Wendy Watanabe, Acting Auditor-Controller
Gary Gross, Principle Deputy County Counsel
Marvin O. Cavanaugh, Assistant Sheriff
Paul K. Tanaka, Assistant Sheriff
Thomas P. Angel, Chief, Field Operations III
Richard J. Barrantes, Chief, Court Services Division
Dennis Burns, Chief, Custody Operations Division
John E. Radeleff, Chief, Technical Services Division
Victor Rampulla, Division Director, Administrative Services Division (ASD)
Cecil W. Rhambo Jr., Chief, Field Operations Region II
Neal B. Tyler, Chief, Field Operations Region I
Alexander R. Yim, Chief, Correctional Services Division
Dave Waters, Commander, ASD
Glen Dragovich, Assistant Division Director, ASD
Brian Meeder, Sergeant, ASD
Michael Gross, Deputy, ASD
Chrono File

(REPORT BACKS/INFO LTRS_Grand Jury Final Report 07_25_08)

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
JAIL INMATE PERSONAL ACCOUNTS

RECOMMENDATION NO. 1

The Los Angeles County Civil Grand Jury recommends the Sheriff should impose a limit of \$500 on the total amount of money an inmate has in his or her account at any given time. If the inmate is booked into custody with a sum greater than \$500 in his or her possession, the inmate should be required to draw down on the amount until it falls below \$500 before any deposits from outside third parties are accepted.

RESPONSE

We believe the need for an established cap is necessary. The cap, currently set at \$900, was established in response to earlier concerns about inmate accounts and the criminal monies that follow them. A formula was derived from the maximum amount an inmate may spend on commissary purchases for a week and the average length of incarceration for an inmate in the County jail system. The Department believes the current amount of \$900 is an appropriate limitation and will refrain from imposing any additional changes at this time. Lowering the cap amount would also place a burden on family members and increase visitation volume at station and jail facilities.

RECOMMENDATION NO. 2

The Los Angeles County Civil Grand Jury recommends that the Sheriff should discontinue and prohibit the practice of allowing an inmate to authorize the release of funds to outside third parties, except for money that was in the inmate's possession at the time of booking. All money deposited by outside third parties to inmate accounts should only be for use by inmates in purchasing phone cards and items from the jail store.

RESPONSE

We are currently consulting with County Counsel regarding prohibiting third party transfers of inmate funds. Barring any legal restrictions, the Department will consider the possibility of prohibiting third party transfers. The only exception would be for money that was in the inmate's possession at the time of booking.

RECOMMENDATION NO. 3

The Los Angeles County Civil Grand Jury recommends that the Sheriff should implement procedures requiring cashier staff to request valid identification from outside third parties making deposits to an inmate's account, unless the amount is less than a pre-determined nominal sum, such as \$100.

RESPONSE

We concur with the recommendation made by the Los Angeles County Grand Jury and will take steps to modify existing procedures.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
HERTZBERG-DAVIS FORENSIC SCIENCE CENTER

RECOMMENDATION NO. 4

The Joint Powers Authority of the Hertzberg-Davis Forensic Science Center should review why there are no floor drains beneath the decontamination showers located in the hallways of the new crime laboratory [sic] This may allow run-off to travel into the various rooms of the building under the doors, some of which do not have adequate thresholds or weather-stripping at their base [sic] The governing authority should direct that appropriate refitting, if any, be done to redirect, capture and dispose of the runoff.

RESPONSE

During the design phase of the Hertzberg-Davis Forensic Science Center, the subject of floor drain location was discussed with the project team, including the architect/engineer Harley Ellis Devereaux. It was acknowledged that floor drains would not be provided at emergency shower and eyewash locations due to the following:

- (1) The floor drains would rarely, if ever, be used and thus would dry out and allow odors to be introduced to the area. As such, regular maintenance would be required to prevent this situation.
- (2) The floor drains would increase the possibility of chemicals, or other potentially hazardous materials used in the lab, to enter the waste system. Associated environmental impacts would be difficult to predict.

Therefore, it was agreed that in the unlikely event of an emergency shower/eyewash discharge, maintenance personnel would be dispatched to the concerned area.

RECOMMENDATION NO. 5

The Joint Powers Authority of the Hertzberg-Davis Forensic Science Center should review why there are light leaks in the vehicle inspection areas that lessen the effectiveness of alternative light sources, the use of which is often necessary to discover evidence that is difficult to detect under traditional light sources. Appropriate refitting, if any, should be done to eliminate the light leaks.

RESPONSE

Ambient light enters each vehicle inspection area through the window in the interior hallway door and under the exit door to the outside. A window blind would eliminate the light coming through the hallway door window and a door sweep would eliminate the outside light from coming under the exit door. Currently, a larger window in each room has a double set of window blinds, which adequately darkens the environment. Therefore, the rooms are useable and do provide acceptable darkness for the processing of vehicles.

RECOMMENDATION NO. 6

The Los Angeles Sheriff's Department and the Los Angeles Police Department should hire additional interns from the California State University Los Angeles Department of Criminalistics, or other students in this same specialization at other universities.

RESPONSE

For the past 10 to 15 years, the Los Angeles County Sheriff's Department's Crime Laboratory has had 3 paid Student Professional Worker (SPW) positions. Students filling these positions are typically undergraduate or graduate students from a variety of local colleges and universities pursuing careers in forensic science. These individuals function as interns and perform a variety of tasks, including analytical method validation, general laboratory support work, and grant research.

The Department's Crime Laboratory also utilizes civilian volunteers, almost entirely students preparing for careers in forensic science, in the same capacity. Presently, the laboratory has 9 volunteers assigned to various disciplines. A few of these are students fulfilling graduation requirements from forensic science programs at accredited universities to complete a specified internship working at a crime lab. The civilian volunteers/interns donate a minimum of 20 hours per month, and some have volunteered their time and talents for more than one year.

Additionally, the Department's Crime Laboratory has been working with the County's Department of Human Resources (DHR) to establish internship positions at the laboratory through the Community-Based Enterprise Education Program (C-BEEP). The laboratory anticipates utilizing interns through the C-BEEP program as early as fall 2008. Currently, provisions for 10 internship positions for the Crime Laboratory are proposed to be funded through C-BEEP.

RECOMMENDATION NO. 7

It is recommended that the Los Angeles Police Department and the Los Angeles Sheriff's Department should accelerate the analysis of stored deoxyribonucleic acid (DNA) samples in rape cases where the assailant is unknown to the victim.

RESPONSE

The Department's Crime Laboratory Forensic Biology Section currently has a case prioritization system in place wherein all sexual assault and homicide cases are worked before other less serious offenses. All sexual assault cases with a request for DNA analysis are worked, and the current turnaround time is less than 90 days from the request date for delivery of the analysis results. Steps are now being taken to further reduce the turnaround time and to expand the analysis to all crimes. Twenty-two additional criminalist positions were requested to occupy the vacant expanded quarters in the DNA section and 6 were approved.

All DNA profiles for assailants, whether the assailants are known or unknown to the victim, are entered into and searched within the database. Based on the reasonable and shrinking turnaround time, we see no need to subdivide sexual assault cases into a suspect and no-suspect prioritization system.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
EMERGENCY PREPAREDNESS

RECOMMENDATION NO. 1

The public safety agencies of all cities within the County of Los Angeles are encouraged to join LARTCS. It requires only a Memorandum of Understanding (MOU); there is no cost to join. The MOU is available from the Los Angeles County Sheriff's Communications Center, (323) 267-2501.

RESPONSE

The Los Angeles County Sheriff's Department agrees with the recommendation, and is in the process of securing MOU agreements. The LARTCS MOU was recently updated to include the citation of specific FCC regulations, which pertain to radio interoperability. The new MOU has been sent out to all signatories for their approval. A large majority of public safety agencies in Los Angeles County are signatories to LARTCS, and new applications are accepted on a monthly basis.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
SPEAKERS AND EVENTS TRANSPORTATION SUB-COMMITTEE

RECOMMENDATION NO. 1

The Los Angeles County Civil Grand Jury recommends that the Sheriff's Department should consistently provide clean, comfortable buses for transport of the Grand Jury. If appropriate vehicles are not available on a particular day due to logistical problems or other circumstances, the Grand Jury should be notified at least 24 hours in advance, so field trips can be rescheduled

RESPONSE

During Fiscal Year 2007-08, the Department's Transportation Bureau provided buses to transport the Civil Grand Jury to various locales on 13 occasions. On two instances, the bus which had been designated for transportation was changed at the last minute due to either mechanical defects, or inmate transportation demands. The replacement buses did not meet the Civil Grand Jury's requirements. The Sheriff's Department will make every effort to insure that appropriate transportation is provided, or shall give the Civil Grand Jury sufficient notice in order to reschedule.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2007-2008 GRAND JURY RECOMMENDATIONS FOR
JAILS/DETENTION FACILITIES

RECOMMENDATION NO. 1

The Los Angeles County Civil Grand Jury recommends the Sheriff's Department should utilize non-sworn personnel to perform clerical and routine duties.

RESPONSE

Whenever possible, the Department uses non-sworn personnel to perform clerical and routine duties; however, there are times when positions require a specific skill, or investigative experience, which would cause the position to be filled by a sworn member of the Department. Additionally, there are times when clerical positions are filled by a sworn member on light duty work status, and/or, under administrative investigation.

RECOMMENDATION NO. 2

The Los Angeles County Civil Grand Jury recommends that Crescenta Valley LASD, Glendale Courthouse, Lakewood LASD, Lennox LASD need to construct secure facilities to transport inmates to or from buses to holding areas in order to protect staff, inmates, and the public.

RESPONSE

The construction of secure inmate transfer facilities would be beneficial. However, during this time of fiscal constraint, the Department does not recommend that the construction of secure facilities would be an appropriate use of County funds. In regards to Lakewood, Lennox, and Crescenta Valley Sheriff's Stations, during the transportation of inmates, adequate uniformed personnel are utilized to protect staff, inmates, and the public. As for Lennox Sheriff's Station, the current construction of a new facility is underway and will alleviate this concern. If construction funds become available in future budgets, the Department will consider the recommended changes to the existing facilities. Additionally, with regards to the Glendale Courthouse, there is a video-arraignment program beginning with the Glendale Police Department. This program will drastically reduce the inmate population at the Glendale Courthouse and will reduce the usage of the current bus bay.

RECOMMENDATION NO. 3

The Los Angeles County Civil Grand Jury recommends that all LASD detention facilities should be well lit.

RESPONSE

The lighting within all our detention facilities is very important and many repairs have been made to improve lighting conditions. Recently, the Department worked on replacing burned out light bulbs and fixing or replacing broken lighting fixtures. Additionally, the Department has contracted with an outside vendor, Ikon Powder Coating Inc., to remove the old, painted over, security screening, which covers the lights within the facilities. The company sandblasts and powder coats the security screening, in an effort to restore the screening to its natural state. Doing maintenance such as this has greatly increased the lighting within our custody facilities.

RECOMMENDATION NO. 4

The Los Angeles County Civil Grand Jury recommends that Pasadena and Glendale Courthouses with LASD holding facilities need earthquake repair and retrofitting.

RESPONSE

Pasadena Courthouse:

Upon implementation of the Trial Court Facilities Act of 2002, the responsibility for maintaining superior court buildings was taken from individual counties and delegated to the State of California. This transition, which began to take effect in 2004, is a gradual process which is currently underway. All individual repairs and/or retrofitting will be addressed pending the completion of the transference of each courthouse.

Glendale Courthouse:

The courthouse underwent earthquake repair and retrofitting approximately 15 years ago. All visible damage was repaired at that time. Currently, the only visible damage is a 6-inch long paint crack in the attorney interview room. This crack does not appear to be earthquake related damage. The Department is unaware of any remaining damage or retrofitting that is required.

RECOMMENDATION NO. 5

The Los Angeles County Civil Grand Jury recommends that LASD and LAPD policy and procedures manuals need to be kept in a central location and reviewed annually and updated as necessary. These manuals should be available to the public on demand.

RESPONSE

The Department provides an on-line edition of the Manual of Policy and Procedures for all Department members. Doing so allows employees access to the Manuals. In addition, at least one hard copy of the Manual of Policy and Procedures is available at each unit of assignment for immediate access. The Department regularly reviews and updates the Manual of Policy and Procedures and issues e-mail announcements each time there are revisions. Access to our Department's Manual of Policy and Procedures is available to members of the public at any time. These requests are handled through a formal public records request pursuant to the California Public Records Act.

RECOMMENDATION NO. 6

The Los Angeles County Civil Grand Jury recommends that the number of deputies at the Compton Courthouse be increased and that an additional high security floor be added. Escorting inmates from detention to courtroom lock-ups with too few escorts endangers the safety of the public, court employees, and sheriff's deputies.

RESPONSE

The number of judicial proceedings for incarcerated individuals at the Compton Courthouse has risen steadily during the past several years. The number of cases involving violent crimes and crimes associated with street gangs has also risen dramatically during the same time period. The number of sworn personnel assigned to Compton Courthouse was reduced in accordance with contract reductions required by the California Superior Court. The ratio of inmates-to-deputy personnel assigned to the lockup is currently under review. As for the recommendation to add an additional high-security floor, this concept was recently approved for equipment upgrades by the Superior Court; however funding for three additional permanent deputy personnel was not secured at this time. There are still ongoing discussions between LASD and the Los Angeles Superior Court to gain funding for the three deputies.

RECOMMENDATION NO. 7

The Los Angeles County Civil Grand Jury recommends that boxed/dry and refrigerated foods in LASD jails and detention facilities must observe First In First Out (FIFO) rotation of products. Food containers must be labeled to indicate contents and expiration date. All food products must be disposed of by the expiration date.

RESPONSE

The Los Angeles County Sheriff's Department agrees with this recommendation and currently utilizes FIFO procedures. As a Los Angeles County Health Department provider, the LASD Food Services Unit conducts Food Safety Managers' Certification Classes on a regular basis, wherein cooks and jailers are trained to comply with the California Retail Food Code (July 1, 2007). All boxed/dry and refrigerated foods are issued a "use by" or expiration date. Products must be labeled properly to practice FIFO protocols. Assembled sack breakfasts and sack lunches, provided by the Department's Food Services Unit, are sealed with color coded tape indicating the serving date. All pre-portioned meals prepared for sheriff's stations have a label which complies with Section 114089.1 of the California Retail Food Code. All expired products are disposed of on or before the expiration date. Food handlers are required to take holding temperatures every shift to ensure safe food storage temperatures.

RECOMMENDATION NO. 8

The Los Angeles County Civil Grand Jury recommends that all medication in LASD jails and detention facilities must be adequately secured and dispensed only by licensed personnel or trained non-licensed personnel. Inmates receiving medication should be properly identified by wristbands.

RESPONSE

Medical Services Bureau's Policy 318-1, Administration of Prescribed Medications, is currently under review and being updated. The new policy, 318, Medication Administration, reflects that only licensed staff will administer medications to inmate/patients. Further, licensed staff will identify the patient by asking the inmate/patient their name, the last three digits of their booking number, and will visually check the patient's identification band. Currently, during the administration of medication, the pill carts are continually attended and are in sight of the nurse at all times. Medication carts are locked and secured when not in use.