



**The Meeting Transcript of
The Los Angeles County
Board of Supervisors**



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1 [There is no reportable action as a result
2 for the Board's closed session held today.]

3
4
5

6 **SUP. MOLINA, CHAIR:** GOOD MORNING. IF WE COULD ASK EVERYONE TO
7 PLEASE TAKE A SEAT, WE'RE GOING TO BEGIN THIS MORNING'S
8 MEETING. THIS MORNING, OUR INVOCATION WILL BE LED BY THE
9 PASTOR A. B. BROWN OF MACEDONIA MISSIONARY BAPTIST CHURCH HERE
10 IN LOS ANGELES. OUR PLEDGE OF ALLEGIANCE WILL BE LED BY JOHN
11 R. GARDNER, FIRST VICE COMMANDER OF ABRAHAM LINCOLN POST
12 NUMBER 241 OF THE AMERICAN LEGION. WOULD YOU ALL PLEASE STAND.

13

14 **PASTOR A. B. BROWN:** SHALL WE PRAY? OUR FATHER, WE COME TO THE
15 MASTER LORD WITH THANKSGIVING IN OUR HEARTS, THANKING YOU,
16 LORD, THAT YOU WOKE US UP THIS MORNING AND YOU LED US HERE
17 AND, LORD, WE PRAY, O GOD, THAT YOU MAY TOUCH EVERY
18 REPRESENTATIVE, EVERY SUPERVISOR HERE AND, LORD, THOSE THAT
19 ARE ADDRESSING CONCERNS FOR THIS LOS ANGELES COUNTY. LORD, WE
20 PRAY THAT YOU MAY TOUCH THEM, LORD, AND WE THANK YOU IN THE
21 MIGHTY NAME OF OUR LORD GOD, WE DO PRAY. AMEN.

22

23 **JOHN R. GARDNER:** WILL YOU JOIN AND PLACE YOUR RIGHT HANDS ON
24 YOUR HEART AND FACE THE FLAG AND JOIN ME IN THE PLEDGE OF
25 ALLEGIANCE. [PLEDGE OF ALLEGIANCE]



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1

2 **SUP. MOLINA, CHAIR:** MS. BURKE?

3

4 **SUP. BURKE:** WELL, WE'RE PLEASED TO HAVE PASTOR ANTHONY B.
5 BROWN, A LIFELONG RESIDENT OF COMPTON. AND, AFTER BEING
6 ORDAINED, HE WAS UNDER THE TEACHING OF HIS LATE FATHER, BISHOP
7 L.C. BROWN. PASTOR BROWN ORGANIZED HIS OWN CHURCH, THE HOUSE
8 OF PRAYER, LOCATED IN THE CITY OF COMPTON. IN 1998, HE BECAME
9 THE PASTOR AT THE MACEDONIA MISSIONARY BAPTIST CHURCH BY THE
10 REQUEST OF HIS FATHER. HE HAS BEEN THE PASTOR AT MACEDONIA FOR
11 SEVEN YEARS. HE WAS CONCENTRATED AS BISHOP AND IS THE
12 PRESIDING BISHOP AND C.E.O. OF THE EVANGELISTIC FULL GOSHAM
13 INTERNATIONAL FELLOWSHIP. YOU CAN HERE PASTOR BROWN ON KTYM
14 1460 AM EVERY WEDNESDAY AT 8:30. HE'S MARRIED AND HAS THREE
15 CHILDREN. THANK YOU. THANK YOU. [APPLAUSE]

16

17 **SUP. YAROSLAVSKY:** 8:30 A.M. OR P.M.

18

19 **SUP. BURKE:** P.M. 8:30 P.M.

20

21 **SUP. MOLINA, CHAIR:** IT IS MY PLEASURE THIS MORNING TO PRESENT
22 MR. JOHN GARDNER A CERTIFICATE OF APPRECIATION FOR LEADING US
23 IN OUR PLEDGE THIS MORNING. MR. GARDNER IS THE FIRST VICE
24 COMMANDER OF THE ABRAHAM LINCOLN POST 241 OF THE AMERICAN
25 LEGION. HE SERVED WITH S.S. YORK UNIT IN THE UNITED STATES



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1 NAVY FROM 1944 TO 1946 AND EARNED NUMEROUS DECORATIONS,
2 INCLUDING THE ASIAN PACIFIC CAMPAIGN MEDAL WITH TWO STARS, A
3 WORLD WAR II VICTORY MEDAL, A NATIONAL DEFENSE SERVICE MEDAL
4 AND A MEDAL OF GOOD CONDUCT. MR. GARDNER IS A LIFELONG
5 RESIDENT OF THE FIRST DISTRICT. HE ATTENDED GARFIELD HIGH
6 SCHOOL AND PRESENTLY RESIDES IN BALDWIN PARK AND, LIKE THE
7 REST OF US, HE HATED COMING DOWNTOWN BECAUSE OF THE TRAFFIC.
8 BUT IT'S A PLEASURE TO HAVE YOU HERE AND WE THANK YOU SO MUCH
9 FOR LEADING US IN OUR PLEDGE OF ALLEGIANCE THIS MORNING. [
10 APPLAUSE]

11

12 **SUP. MOLINA, CHAIR:** I'M GOING TO ASK OUR EXECUTIVE OFFICER TO
13 PLEASE CALL THE AGENDA.

14

15 **CLERK VARONA-LUKENS:** THANK YOU, MADAM CHAIR, MEMBERS OF THE
16 BOARD. WE WILL BEGIN ON PAGE 3. ON ITEM S-1, THE SHERIFF
17 REQUESTS A TWO-WEEK CONTINUANCE.

18

19 **SUP. MOLINA, CHAIR:** ALL RIGHT. THAT ITEM WILL BE CONTINUED FOR
20 TWO WEEKS, IF THERE'S NO OBJECTION.

21

22 **CLERK VARONA-LUKENS:** AGENDA FOR THE MEETING OF THE HOUSING
23 AUTHORITY. ON ITEM 2-H, AS NOTED ON THE GREEN SHEET, THE
24 HEARING IS CONTINUED TO MARCH 22ND, 2005, TO ALLOW COMPLETION
25 OF THE PUBLIC COMMENT PROCESS. ITEM 1-H IS BEFORE YOU.



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1

2 **SUP. MOLINA, CHAIR:** 1-H IS MOVED BY SUPERVISOR BURKE, SECONDED
3 BY SUPERVISOR KNABE. IF THERE'S NO OBJECTION, SO ORDERED.

4

5 **CLERK VARONA-LUKENS:** AND THEN, MADAM CHAIR, WE'LL GO TO PAGE
6 NINE, ADMINISTRATIVE MATTERS, AND WE'LL TAKE UP THE PUBLIC
7 HEARING ITEMS AFTER THE BOARD'S PRESENTATIONS. SO ON PAGE 9,
8 ADMINISTRATIVE MATTERS, BOARD OF SUPERVISORS, ITEM 14.

9

10 **SUP. MOLINA, CHAIR:** MOVED BY SUPERVISOR KNABE, SECONDED BY
11 SUPERVISOR ANTONOVICH. IF THERE'S NO OBJECTION, SO ORDERED.

12

13 **CLERK VARONA-LUKENS:** ADMINISTRATIVE OFFICER, ITEMS 15 AND 16.

14

15 **SUP. MOLINA, CHAIR:** MOVED BY SUPERVISOR BURKE, SECONDED BY
16 SUPERVISOR YAROSLAVSKY. IF THERE'S NO OBJECTION, SO ORDERED.

17

18 **CLERK VARONA-LUKENS:** BEACHES AND HARBORS, ITEMS 17 AND 18. AS
19 NOTED ON THE GREEN SHEET, ON ITEM 17, THE DIRECTOR OF BEACHES
20 AND HARBORS REQUESTS THE ITEM BE CONTINUED ONE WEEK.

21

22 **SUP. MOLINA, CHAIR:** ALL RIGHT. THAT ITEM WILL BE CONTINUED.

23

24 **CLERK VARONA-LUKENS:** ON ITEM 18, HOLD FOR SUPERVISOR
25 YAROSLAVSKY.



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1

2 **SUP. MOLINA, CHAIR:** WE WILL HOLD THAT ITEM.

3

4 **CLERK VARONA-LUKENS:** CHILDREN AND FAMILY SERVICES. ON ITEM 19,
5 HOLD FOR SUPERVISOR MOLINA.

6

7 **SUP. MOLINA, CHAIR:** THAT ITEM WILL BE HELD.

8

9 **CLERK VARONA-LUKENS:** FIRE DEPARTMENT, ITEM 20, AS NOTED ON THE
10 GREEN SHEET, THE FIRE CHIEF REQUESTS THAT THE ITEM BE
11 CONTINUED ONE WEEK.

12

13 **SUP. MOLINA, CHAIR:** THAT ITEM WILL BE CONTINUED.

14

15 **CLERK VARONA-LUKENS:** SHERIFF, ITEMS 21 AND 22. ON ITEM NUMBER
16 21, HOLD FOR SUPERVISOR MOLINA AND MEMBERS OF THE PUBLIC. ITEM
17 22 IS BEFORE YOU.

18

19 **SUP. MOLINA, CHAIR:** ITEM 22 IS MOVED BY SUPERVISOR
20 YAROSLAVSKY, SECONDED BY SUPERVISOR BURKE. IF THERE'S NO
21 OBJECTION, SO ORDERED.

22

23 **CLERK VARONA-LUKENS:** SEPARATE MATTERS, ITEMS 23 AND 24. WE
24 HAVE A REQUEST FOR BOTH OF THOSE TO SPEAK BUT WE'LL HOLD THESE
25 FOR REPORTS.



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1

2 **SUP. MOLINA, CHAIR:** ALL RIGHT.

3

4 **CLERK VARONA-LUKENS:** ADDITIONS TO THE AGENDA REQUESTED BY
5 BOARD MEMBERS AND THE CHIEF ADMINISTRATIVE OFFICER WHICH WERE
6 POSTED MORE THAN 72 HOURS IN ADVANCE OF THE MEETING, AS
7 INDICATED ON THE GREEN SUPPLEMENTAL AGENDA. ON ITEM 25-A, HOLD
8 FOR MEMBERS OF THE PUBLIC.

9

10 **SUP. MOLINA, CHAIR:** THAT ITEM WILL BE HELD.

11

12 **CLERK VARONA-LUKENS:** 25-B.

13

14 **SUP. MOLINA, CHAIR:** MOVED BY SUPERVISOR ANTONOVICH, SECONDED
15 BY SUPERVISOR YAROSLAVSKY. IF THERE'S NO OBJECTION, SO
16 ORDERED.

17

18 **CLERK VARONA-LUKENS:** 25-C.

19

20 **SUP. MOLINA, CHAIR:** MOVED BY SUPERVISOR BURKE, SECONDED BY
21 SUPERVISOR KNABE. IF THERE'S NO OBJECTION, SO ORDERED.

22

23 **CLERK VARONA-LUKENS:** AND THEN, MADAM CHAIR AND MEMBERS OF THE
24 BOARD, GENEVIEVE-- DR. GENEVIEVE CLAVREUL HAS REQUESTED TO
25 SPEAK ON ITEM CS-2, THAT'S A CLOSED SESSION ITEM, WHICH WE'LL



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1 ANNOUNCE LATER. SO THAT COMPLETES THE READING OF THE AGENDA.

2 BOARD OF SUPERVISORS' SPECIAL ITEMS BEGINS WITH SUPERVISORIAL
3 DISTRICT NUMBER ON.

4

5 **SUP. MOLINA, CHAIR:** ALL RIGHT. AND, THIS MORNING, I DON'T HAVE
6 ANY PRESENTATIONS. SO, MS. BURKE, YOUR PRESENTATIONS, PLEASE.

7

8 **SUP. BURKE:** THANK YOU VERY MUCH. I'D LIKE TO ASK KENNETH
9 TAYLOR TO COME UP, PLEASE. AND I'LL START GIVING A LITTLE BIT
10 ABOUT HIM. ON APRIL 12, 1967, KEN TAYLOR PLAYED IN THE
11 DEDICATION ROUND AT VICTORIA GOLF COURSE. NEARLY 34 YEARS
12 LATER, ON APRIL 1ST, 2001, HE PLAYED IN THE REDEDICATION OF
13 THE LINK AT VICTORIA. AS YOU CAN SEE, KEN TAYLOR IS IS A PART
14 OF THE HISTORY OF VICTORIA GOLF COURSE. HE HAS BEEN A CHARTER
15 MEMBER OF THE VICTORIA MEN'S GOLF CLUB SINCE ITS FORMATION IN
16 1967. IN THE LAST 15 YEARS, HE HAS SERVED AS DIRECTOR OR
17 OFFICER OF THE CLUB. IN 1996, HE WAS CLUB CHAMPION. DURING THE
18 RECONSTRUCTION OF THE LINKS, HE CONSULTED WITH THE PALM GROUP
19 OF TECHNICAL DETAILS, INCLUDING THE LOCATION OF GREENS, BUNKER
20 POSITIONING, AND THE DRIVING RANGE. KEN HAS BEEN A MEMBER OF
21 THE UNITED STATES GOLF ASSOCIATION FOR 24 YEARS AND HE HAS
22 ALSO BEEN AT S.C.G.A. FOR FOUR-- FOR MORE THAN 10 YEARS AND A
23 MEMBER OF LOS ANGELES COUNTY GOLF ADVISORY COMMITTEE. HE'S
24 ALSO ADVISOR TO THE PUBLIC LINK GOLF ASSOCIATION. AS YOU
25 IMAGINE, KEN TAYLOR HAS PLAYED GOLF IN MANY COUNTRIES SINCE HE



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1 RETIRED FROM THE AVIATION INDUSTRY IN 1993. HE HAS ALSO PLAYED
2 IN NUMEROUS PRO-AM TOURNAMENTS WITH SUCH NOTABLES AS ARNOLD
3 PALMER, LEE TREVINO AND PAUL ASSINGER. YOU MAY ALSO BE
4 INTERESTED IN KNOWING THAT HE HAS HAD THREE HOLES IN ONE IN
5 HIS 40 PLUS YEARS OF PLAYING GOLF. WORLD TRAVELER THAT HE IS,
6 KEN TAYLOR IS PROUD TO SAY THAT VICTORIA IS HIS HOME COURSE
7 AND WE'RE PROUD TO RECOGNIZE KEN TAYLOR FOR HIS DEDICATION AND
8 COMMITMENT TO EXCELLENCE AT VICTORIA GOLF COURSE. [APPLAUSE]

9

10 **KEN TAYLOR:** I'D LIKE TO INTRODUCE MY BETTER HALF, WHO DOES NOT
11 PLAY GOLF BUT SUPPORTS ME 100%, MY WIFE, JOANNE. [APPLAUSE]

12

13 **KEN TAYLOR:** AND ALL I CAN SAY IS THAT MY THANKS TO THE BOARD
14 OF SUPERVISORS. IT'S BEEN A PLEASURE. I'M A NATIVE OF
15 CALIFORNIA. I WAS BORN IN CULVER CITY, GREW UP IN HAWTHORNE
16 AND I'VE ENJOYED PLAYING THE COUNTY GOLF COURSES AND WILL
17 CONTINUE TO DO SO. THANK YOU.

18

19 **SUP. BURKE:** AND YOU'RE PLEASED TO BE AT VICTORIA. IT'S LOOKING
20 GOOD.

21

22 **KEN TAYLOR:** ABSOLUTELY. [APPLAUSE]

23

24 **SUP. BURKE:** THANK YOU.

25



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1 **ROSS GUINEY:** ON BEHALF OF THE DEPARTMENT, WE'D LIKE TO THANK
2 KEN AND HIS WIFE, JOANNE, FOR THEIR YEARS OF SERVICE. KEN HAS
3 BEEN WITH US THROUGH THE ENTIRE HISTORY OF VICTORIA GOLF
4 COURSE AND IT'S THE INPUT OF OUR CITIZENS AND THEIR IDEAS AND
5 CONCERN AND DEDICATION THAT REALLY HELPS THE DEPARTMENT MOVE
6 FORWARD AND WE REALLY APPRECIATE YOUR SERVICE AND THANK YOU,
7 JOANNE, FOR SHARING KEN WITH US. WE REALLY APPRECIATE IT.
8 THANK YOU.

9

10 **SUP. BURKE:** AND I BELIEVE SUPERVISOR HAHN PLAYED ON THAT FIRST
11 ROUND AT VICTORIA. HUH? NO. IN FACT, THEY THINK HE CHEATED ON
12 HIS COURSE. I'D LIKE TO CALL EDNA BRUCE FORWARD. [APPLAUSE]
13 EDNA BRUCE HAS BEEN A MEMBER OF THE COUNTY FAMILY FOR 23
14 YEARS, ALL OF THEM WITH THE COMMUNITY DEVELOPMENT COMMISSION.
15 FOR THE LAST SEVEN YEARS, SHE HAS BEEN THE DIRECTOR OF THE
16 OFFICE OF THE SMALL BUSINESS, ONE OF THE CDC DIVISIONS. HER
17 PRIMARY FOCUS DURING THAT TIME WAS TO ASSIST COMPANIES IN
18 SELLING TO GOVERNMENT AGENCIES WITH PARTICULAR FOCUS ON COUNTY
19 DEPARTMENTS. ONE SUCCESS STORY IS A SMALL BUSINESS IN L.A.
20 COUNTY THAT MADE ITS FIRST GOVERNMENT SALES LAST YEAR OF MORE
21 THAN \$365,000 TO THE COUNTY SHERIFF AND PROBATION DEPARTMENT.
22 THE OWNER ATTRIBUTED HER SUCCESS TO THE TRAINING SHE RECEIVED
23 AT TWO C.D.C. WORKSHOPS. IN THE YEAR FROM OCTOBER 2003 THROUGH
24 SEPTEMBER 2004, THE OFFICE OF SMALL BUSINESS REPORTED A TOTAL
25 OF \$31.6 MILLION IN AWARDS FOR LOCAL, STATE AND FEDERAL



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1 AGENCIES. DURING THAT TIME, 743 JOBS WERE CREATED. SMALL
2 BUSINESS EMPLOYED THE MAJORITY-- SMALL BUSINESSES EMPLOY THE
3 MAJORITY OF WORKERS IN THE COUNTY AND IN THE NATION AT LARGE,
4 SO THE WELFARE OF SMALL BUSINESSES CONTINUES TO BE OF SPECIAL
5 IMPORTANCE TO US. I'M ALSO VERY PLEASED THAT MINORITY AND
6 WOMEN-OWNED BUSINESSES CONTINUE TO GROW. NOW EDNA BRUCE IS
7 ABOUT TO RETIRE AND I THANK HER FOR 23 YEARS OF DEDICATION,
8 COMMITMENT AND LEADERSHIP IN THE SERVICE OF THE PEOPLE OF LOS
9 ANGELES COUNTY. IT CERTAINLY IS WITH MIXED FEELINGS THAT WE
10 SEE YOU LEAVE, EDNA, BECAUSE I KNOW THAT I'VE HAD A CHANCE TO
11 WORK WITH YOU, I'VE SEEN THE WONDERFUL SEMINARS. YOU'VE GIVEN
12 SEMINARS IN ALL OF OUR DISTRICTS TO ENCOURAGE SMALL BUSINESS,
13 MINORITY BUSINESS, WOMEN-OWNED BUSINESSES AND TO LET PEOPLE
14 KNOW THAT THE COUNTY HAS TREMENDOUS PROCUREMENT THAT WE WANT
15 TO BUILD UP HERE IN LOS ANGELES, SO CONGRATULATIONS TO YOU. WE
16 KNOW YOU'LL CONTINUE TO WORK WITH US AND YOU HAVE DONE SUCH A
17 MARVELOUS SERVICE FOR THE PEOPLE OF LOS ANGELES COUNTY. [
18 APPLAUSE]

19

20 **SUP. KNABE:** MADAM CHAIR? IF I JUST-- WHILE THEY'RE DOING THE
21 PHOTO THERE, I JUST, VERY CANDIDLY, WE WOULD NOT HAVE THE
22 OFFICE OF SMALL BUSINESS THAT WE HAVE TODAY IF IT WERE NOT FOR
23 EDNA BRUCE. HER TENACITY AND PERSEVERANCE IN THE VERY EARLY
24 DAYS OF THAT AND THE FOLLOW-UP, NOT JUST FOR OUR PARTICIPATION
25 BUT FOR FEDERAL FUNDING AS WELL, TOO, AND THE CONTRACTING OUT,



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1 THE ABILITY TO GO UP IN A WEB PAGE, EVERYTHING ELSE, WE OWE TO
2 YOU, EDNA, AND WE WISH YOU THE VERY, VERY BEST IN YOUR
3 RETIREMENT. THANK YOU AND GOD SPEED.

4

5 **EDNA BRUCE:** WE WOULDN'T HAVE IT WITHOUT DON KNABE'S WIFE,
6 JULIE. SHE WAS THE FIRST DIRECTOR. SHE WAS THE INFORMAL HEAD
7 OF THE OFFICE AND SHE DIRECTED US AND WE APPRECIATE HER HELP.
8 THANK YOU.

9

10 **SUP. ANTONOVICH:** AND I ALSO WANT TO COMPLIMENT EDNA ON YOUR
11 FINE LEADERSHIP AND MANY DELEGATIONS YOU WANT TO ASIA WITH,
12 CHINA, INNER MONGOLIA TO SEE GENGHIS KHAN'S RELATIVES AND ALL
13 SO WE THANK YOU FOR YOUR LEADERSHIP.

14

15 **EDNA BRUCE:** THANK YOU.

16

17 **SUP. MOLINA, CHAIR:** EDNA, LET ME ALSO JOIN. I REALLY
18 APPRECIATE THE EFFORT THAT YOU MADE IN WORKING WITH OUR STAFFS
19 AND MANY OF THE SMALL BUSINESSES. WE KNOW THAT THAT'S THE
20 BASELINE OF BUSINESSES THROUGHOUT L.A. COUNTY AND WE
21 APPRECIATE THE OUTREACH THAT YOU DID AND YOUR PERSONAL
22 DEDICATION TO IT AND YOUR LEADERSHIP. WE THANK YOU SO MUCH AND
23 WE LOOK FORWARD TO CONTINUING TO WORK WITH YOU THROUGHOUT THE
24 YEARS.

25



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1 **SUP. YAROSLAVSKY:** MADAM CHAIR, I JUST WANT TO ADD MY
2 CONGRATULATIONS. EDNA-- EDNA IS ONE OF THOSE NAMES WHERE, LIKE
3 THAT OLD GAME SHOW, IF YOU JUST SAY, EDNA, THE NEXT WORD IS
4 BRUCE. THAT'S THE ONLY EDNA WE REALLY EVER KNEW IN OUR OFFICES
5 WHEN I WAS IN THE CITY COUNCIL AND HERE. CONGRATULATIONS.
6 YOU'VE EARNED A VERY HEALTHY RETIREMENT.

7

8 **EDNA BRUCE:** I ALSO WANT TO COMPLIMENT YOU BECAUSE YOU WERE THE
9 ONE WHO, WHEN CARLOS AND I HAD TO GO TO THE TABLE AND YOU KNOW
10 THAT'S ALWAYS A PROBLEM, YOU SAID, "YOU WON'T HAVE THIS OFFICE
11 STARTED, IT'S ONLY \$150,000 GRANT AND THE OFFICE WILL NOT BE
12 STARTED AND YOU'LL BE FINISHED," SO YOU SAID, "I RECOMMEND
13 THAT NO COUNTY GENERAL FUNDS BE USED FOR THIS PURPOSE." SO YOU
14 DID IT AND I SAID TO CARLOS, I SAID, "ZEV IS RIGHT. I KNOW HIM
15 FROM WHEN I WAS ON THE CITY COUNCIL AND, IF I DON'T RUN THE
16 OFFICE, NO ONE WILL." SO WE HAD IT STARTED IN THREE MONTHS, SO
17 THANK YOU. I'D LIKE TO INTRODUCE MY HUSBAND, JACK BRUCE, AND
18 ALSO BOBETTE AND HERE FOR CARLOS. CARLOS WAS, UNFORTUNATELY,
19 IN AN AUTOMOBILE ACCIDENT SO...

20

21 **SUP. BURKE:** YESTERDAY?

22

23 **EDNA BRUCE:** YES. LAST WEEK.

24



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1 **SUP. BURKE:** CAN WE GET EVERYONE IN? CONGRATULATIONS. THAT
2 CONCLUDES MY PRESENTATIONS. THAT CONCLUDES MY PRESENTATIONS.

3

4 **SUP. YAROSLAVSKY:** MADAM CHAIR?

5

6 **SUP. MOLINA, CHAIR:** YES, SIR, MR. YAROSLAVSKY, YOUR
7 PRESENTATION.

8

9 **SUP. YAROSLAVSKY:** I'D LIKE TO ASK CAROL WELLS TO JOIN ME UP
10 HERE. MEMBERS OF THE BOARD, CAROL WELLS CURRENTLY SERVES WITH
11 DISTINCTION AS EXECUTIVE DIRECTOR OF THE CENTER FOR THE STUDY
12 OF POLITICAL GRAPHICS, A NONPROFIT TAX EXEMPT EDUCATIONAL AND
13 RESEARCH ARCHIVE THAT COLLECTS, PRESERVES, DOCUMENTS AND
14 CIRCULATES DOMESTIC AND INTERNATIONAL POLITICAL POSTERS
15 RELATING TO HISTORICAL AND CONTEMPORARY MOVEMENTS FOR SOCIAL
16 CHANGE. CAROL FOUNDED THE CENTER IN 1989 WITH 3,000 POSTERS
17 THAT SHE HAD BEGUN COLLECTING IN 1981, MAINLY DEPICTING
18 LIBERATION STRUGGLES IN CENTRAL AMERICA IN THE 1970S AND '80S
19 AND THE EMERGING INTERNATIONAL WOMEN'S MOVEMENT BECAUSE, AT
20 THAT TIME, NO OTHER AMERICAN INSTITUTION EXISTED TO HOUSE,
21 ARCHIVE AND PUBLICLY EXHIBIT SUCH POLITICAL GRAPHICS. CAROL
22 WELLS NURTURED THE CENTER TO THE POINT WHERE IT EVENTUALLY
23 GREW INTO WHAT IS NOW HOME TO MORE THAN 50,000 POSTERS DATING
24 BACK TO 1900, INCLUDING THE LARGEST COLLECTION OF POST-WORLD
25 WAR II POLITICAL POSTERS IN THE UNITED STATES. AND SHE HAS



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1 ORGANIZED AND CREATED WELL OVER 60 EXHIBITIONS THAT, DURING
2 THE PAST 16 YEARS, HAVE TOURED MORE THAN 250 VENUES
3 REGIONALLY, NATIONALLY AND INTERNATIONALLY. SHE'S A GRADUATE
4 OF U.C.L.A., RECEIVED HER B.A. IN HISTORY AND HER M.A. IN ART
5 HISTORY AND TEACHING THE HISTORY OF ART AND ARCHITECTURE FOR
6 13 YEARS AT CAL STATE FULLERTON BEFORE EMBARKING ON HER CAREER
7 IN ARTS MANAGEMENT, WHERE SHE PARTICIPATED IN THE COUNTY OF
8 LOS ANGELES ARTS COMMISSION'S FIRST ARTS LEADERSHIP INITIATIVE
9 CLASS IN 2001. THE FOLLOWING YEAR, SHE EARNED HER SCHOLARSHIP
10 FOR THE EXECUTIVE PROGRAM FOR NONPROFIT LEADERS, ARTS AT
11 STANFORD BUSINESS SCHOOL IN 2002, ONE ONLY 50 ART LEADERS,
12 ARTS LEADERS IN THE UNITED STATES TO BE SO RECOGNIZED. WE'RE
13 PRESENTING THIS SCROLL TO HER TODAY IN RECOGNITION OF THE
14 CENTER'S ACTIVITIES AND HIGHLIGHTING HER LATEST PUBLIC
15 EXHIBITION, WHICH IS THE EXHIBITION, "WE SHALL NOT BE MOVED",
16 INTERNATIONAL GRAPHICS ON GENTRIFICATION AND HOMELESSNESS
17 CURRENTLY RUNNING THROUGH FEBRUARY 26TH AT 33-1/3 BOOK AND
18 GALLERY COLLECTIVE IN ECHO PARK. YOU CAN GIVE US THE ADDRESS
19 WHEN I GIVE YOU THIS. IT'S A REAL HONOR AND PRIVILEGE TO HAVE
20 CAROL HERE AND TO BE ABLE TO RECOGNIZE HER FOR-- NOT ONLY FOR
21 HER ENERGY AND HER CREATIVITY BUT ALSO FOR HER PRESERVATION OF
22 VERY HISTORICAL ARTISTIC ARTIFACTS WHICH WILL INURE TO HER AND
23 FUTURE GENERATIONS AS THEY LOOK BACK AT THE PERIOD OF LIFE
24 THAT WE'VE ALL LIVED THROUGH AND EVEN OUR PARENTS HAVE LIVED



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1 THROUGH. SO CAROL, CONGRATULATIONS AND THE BOARD WANTS TO
2 RECOGNIZE YOU WITH THIS PROCLAMATION. [APPLAUSE]

3

4 **SUP. YAROSLAVSKY:** IT IS. OKAY. ALL RIGHT.

5

6 **CAROL WELLS:** FIRST, I WANT TO THANK THE CITY COUNCIL-- THE
7 BOARD OF SUPERVISORS AND THE SUPPORT THAT THEY GAVE TO THE LOS
8 ANGELES ARTS COMMISSION FOR HAVING GIVING US THE ONGOING
9 SUPPORT THAT THEY GIVE US FOR MANY YEARS NOW. AND I ALSO WANT
10 TO INFORM YOU THAT OUR EXHIBITIONS HAVE TRAVELED FROM ONE END
11 OF THE COUNTY TO THE OTHER. WE'VE HAD THEM FROM WATTS TOWERS
12 TO LOS ANGELES VALLEY COLLEGE TO SELF-HELP GRAPHICS AND THE
13 POMONA COLLEGES TO SPARK IN VENICE. SO THERE'S A LIST OF ALL
14 THE PLACES WHERE WE'VE HAD EXHIBITIONS THROUGHOUT THE COUNTY
15 IN THE PACKETS THAT I'VE GIVEN YOU. THE HOUSING EXHIBITION,
16 THE GENTRIFICATION EXHIBIT, CALLED, "WE SHALL NOT BE MOVED" IS
17 LOCATED AT 1200 NORTH ALVARADO. THAT'S PRACTICALLY AT THE
18 INTERSECTION OF SUNSET AND ALVARADO. AND IT'S ACTUALLY THE
19 THIRD OR THE FOURTH PLACE IN LOS ANGELES THAT IT'S BEEN,
20 ALTHOUGH IT HAS ALSO TRAVELED AROUND THE COUNTRY, MOST
21 RECENTLY IN CHICAGO. IT'S BEEN AT WATTS TOWERS, IT'S BEEN AT
22 U.C.L.A., IT'S BEEN DOWNTOWN AND ONE OF THE MAIN POINTS OF THE
23 EXHIBITION IS TO BRING TOGETHER POSTERS THAT HAVE BEEN
24 PRODUCED THROUGHOUT THE WORLD ABOUT THE HOMELESS AND
25 GENTRIFICATION ISSUE BECAUSE, FIRST OF ALL, IT'S NOT JUST A



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1 LOS ANGELES PROBLEM. CLEARLY, IT'S A NATIONAL PROBLEM AND IT'S
2 AN INTERNATIONAL PROBLEM. SO IT SHOWS HOW PEOPLE HAVE
3 STRUGGLED TO MAINTAIN THEIR HOMES, PREVENT FROM BECOMING
4 HOMELESS, BUT ALSO WHAT THE ORGANIZATIONS, THE INSTITUTIONS DO
5 TO HELP THAT ISSUE AND TO PREVENT THAT ISSUE FROM GETTING
6 WORSE. SO IT'S A WAY OF BOTH INSPIRING PEOPLE AND EMPOWERING
7 THEM AND GIVING OTHER EXAMPLES OF HOW PEOPLE HAVE DEALT WITH
8 THAT ISSUE IN THE PAST. AND I JUST WANT TO PUT ONE PLUG, IF
9 THERE IS ANY COUNTY BUILDING THAT COULD BE RECYCLED FOR A
10 LARGER HOME FOR US WITH 50,000 POSTERS, WE'VE CLEARLY OUTGROWN
11 WHERE WE ARE NOW AND WE ARE THE LARGEST IN THE UNITED STATES
12 AND THE ONLY ONE IN THE UNITED STATES THAT'S CONSTANTLY DOING
13 EXHIBITIONS. SO I THANK YOU VERY MUCH AND...

14

15 **SUP. YAROSLAVSKY:** THANK YOU.

16

17 **CAROL WELLS:** THANK YOU. [APPLAUSE]

18

19 **SUP. YAROSLAVSKY:** THANK YOU VERY MUCH, CAROL. MAYBE THOSE
20 PROCLAMATIONS ONE DAY WILL FIND THEIR WAY INTO YOUR ARCHIVES,
21 TOO. I DON'T THINK THEY'RE POLITICAL POSTERS BUT THEY'RE
22 CLOSE. THANK YOU, MADAM CHAIR.

23

24 **SUP. MOLINA, CHAIR:** THANK YOU, MR. YAROSLAVSKY. MR. KNABE,
25 YOUR PRESENTATIONS?



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1

2 **SUP. KNABE:** THANK YOU, MADAM CHAIR, MEMBERS OF THE BOARD.
3 BEFORE I MAKE MY PRESENTATIONS, I DID WANT TO INTRODUCE A
4 GENTLEMAN THAT'S WITH US WHO HAS BEEN AN INCREDIBLE HELP TO
5 LOS ANGELES COUNTY AND THAT IS ALBERTO ALVARADO, WHO IS THE
6 REGIONAL DIRECTOR FOR THE UNITED STATES SMALL BUSINESS
7 ADMINISTRATION, WHO WAS HERE IN SUPPORT OF EDNA AND, ALBERTO,
8 WE THANK YOU FOR ALL YOUR HELP TO THE COUNTY OF LOS ANGELES.
9 THANK YOU FOR BEING HERE. [APPLAUSE]

10

11 **SUP. KNABE:** NOW I'D LIKE TO ASK A GOOD FRIEND TO ALL OF US,
12 MR. RON GASTELUM AND HIS WIFE, SUSIE, TO JOIN US UP HERE. RON,
13 AS MANY OF YOU KNOW, HAS OVERSEEN THE OPERATIONS OF THE
14 METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA AS ITS
15 PRESIDENT AND C.E.O. SINCE APRIL OF 1999. HE WAS PREVIOUSLY A
16 REPRESENTATIVE TO THE M.W.D., BOARD OF DIRECTORS FOR THE CITY
17 OF LOS ANGELES AND THE FIRST LATINO TO BE NAMED PRESIDENT AND
18 C.E.O. IN THE AGENCY'S 71-YEAR HISTORY. DURING HIS TENURE, RON
19 IMPLEMENTED STRATEGIES THAT HAVE PROTECTED THE COUNTY OF LOS
20 ANGELES AND ITS 88 CITIES FROM HISTORICALLY DRY CONDITIONS
21 THAT HAVE CAUSED DROUGHT. HE ALSO PLAYED A PIVOTAL ROLE IN
22 IMPROVING SOUTHERN CALIFORNIA'S STANDING WITH OTHER REGIONS
23 WITHIN THE STATE AS WELL AS VARIOUS URBAN, AGRICULTURAL, AND
24 ENVIRONMENTAL COMMUNITIES. IN ADDITION, RON JOINED THE LEADERS
25 TO BRING PEACE TEMPORARILY? LONG-TERM? NO, ANYWAY, THAT WAS A



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1 DIFFICULT JOB FOR RON BUT HE DID IT, TO CALIFORNIA'S BATTLES
2 OVER THE COLORADO RIVER'S BOUNTY. HE PRESIDED-- BOUNDARIES,
3 EXCUSE ME. HE PRESIDED OVER THE MANAGEMENT OF WATER SUPPLIES
4 FOR SOUTHERN CALIFORNIA, AS MANY OF YOU KNOW, AT A TIME WHEN
5 DROUGHT WAS JOINED BY MORE FACTORS OF UNCERTAINTY THAN THE
6 METROPOLITAN'S LEADERS HAD EVER FACED. AND HE EVEN OFFERED A
7 FUNDAMENTAL CHANGE IN THE WAY THE REGION'S PRIMARY WHOLESALE
8 WATER SUPPLIERS CHARGED FOR WATER. THIS BROUGHT SIGNIFICANT
9 LONG-TERM BENEFITS TO OUR REGION WITH IMPROVED SUPPLY
10 RELIABILITY AND CONTINUED INVESTMENTS IN CONSERVATION,
11 RECYCLING AND OTHER PROGRESSIVE WATER MANAGEMENT PROGRAMS. SO
12 ON BEHALF MYSELF AND MY COLLEAGUES ON THE BOARD, WE WANT TO
13 WISH RON THE VERY BEST, THANK HIM FOR HIS EFFORTS ON M.W.D.
14 BUT WE ALSO KNOW THAT, AND I SPEAK PERSONALLY, THAT RON'S BEEN
15 A LONG TIME FRIEND AND APPRECIATE HIS FRIENDSHIP AND WISH HIM
16 THE VERY, VERY BEST IN WHATEVER NEW VENTURES HE TAKES ON. SO
17 TO YOU AND SUSIE, CONGRATULATIONS. THANK YOU FOR COMING DOWN.
18 [APPLAUSE]

19

20 **RONALD R. GASTELUM:** THANK YOU, SUPERVISOR KNABE AND ALL THE
21 MEMBERS OF THE BOARD OF SUPERVISORS. IT HAS INDEED BEEN A
22 PLEASURE SERVING THE PUBLIC, THE COUNTY OF LOS ANGELES, IN THE
23 CAPACITY THAT I HAVE AT THE METROPOLITAN WATER DISTRICT. SAN
24 DIEGO COUNTY CLAIMS THAT IT'S THE BIGGEST AND BEST CUSTOMER OF
25 THE METROPOLITAN WATER DISTRICT. I THINK I WAS ONE OF THE



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1 FIRST TO POINT OUT THAT NO, INDEED, LOS ANGELES COUNTY IS THE
2 BIGGEST CUSTOMER OF THE METROPOLITAN WATER DISTRICT. THANK YOU
3 FOR ALL YOUR SUPPORT AT METROPOLITAN AND THIS RECOGNITION AND
4 YOUR FRIENDSHIP, SUPERVISOR KNABE.

5

6 **SUP. MOLINA, CHAIR:** CONGRATULATIONS TO YOU, RON, WE'VE REALLY
7 APPRECIATED THE WORK THAT YOU'VE DONE WITH US AND YOUR
8 LEADERSHIP. ENJOY YOUR RETIREMENT.

9

10 **SUP. MOLINA, CHAIR:** THANK YOU, MR. KNABE. MR. ANTONOVICH, YOUR
11 PRESENTATIONS?

12

13 **SUP. ANTONOVICH:** WELL, THIS MORNING, WE WOULD LIKE TO
14 RECOGNIZE THE TOP LAW ENFORCEMENT OFFICER IN LOS ANGELES
15 COUNTY, I SHOULD SAY IN THE STATE OF CALIFORNIA AND THAT'S THE
16 CALIFORNIA NARCOTICS OFFICERS ASSOCIATION, WHO NAMED GLENDALE
17 POLICE SERGEANT TOM LORENZ AS THE 2004 OFFICER OF THE YEAR.
18 HE'S A 20 YEAR VETERAN OF OUR GLENDALE POLICE DEPARTMENT. HE
19 WAS SELECTED FROM 20 OTHER NARCOTICS OFFICERS FOR THIS YEAR'S
20 AWARD. HE BEGAN HIS CAREER WITH THE CITY OF GLENDALE AT THE
21 AGE OF 20. HE QUICKLY BECAME A DRUG RECOGNITION EXPERT AND WAS
22 THEN ASSIGNED TO THE DEPARTMENT'S D.U.I. TEAM. IN 1987, HE
23 EARNED A TRANSFER TO THE NARCOTICS WITH LESS THAN THREE YEARS
24 AS A POLICE OFFICER. FOR THE NEXT 8-1/2 YEARS, HE WORKED AS AN
25 INVESTIGATOR WITH ASSIGNMENTS ON THE STREET, MAJOR VIOLATORS,



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1 D.E.A. TASK FORCE AND L.A. IMPACT. THE D.E.A. TASK FORCE IS A
2 FEDERAL, COUNTY/CITY OPERATION WHERE WE WORK COOPERATIVELY IN
3 ERADICATING DRUG SALES. TOM WAS PROMOTED TO SERGEANT IN 1996,
4 WORKING IN THE COMMUNITY POLICING UNIT AND THEN AS A TEAM
5 LEADER FOR THE NEWLY FORMED S.W.A.T. TEAM. IN 2001, HE
6 RETURNED TO SUPERVISE THE NARCOTICS DETAIL WHICH WAS SO
7 SUCCESSFUL THAT THEY DOUBLED THE NUMBER OF ARRESTS, SEARCH
8 WARRANTS, AND SEIZURES IN TWO WEEKS' TIME. HE'S PERFORMED
9 OUTSTANDING WORK ON DUTY, COLLABORATING WITH PARENT TEACHER
10 ORGANIZATIONS TO RUN THE COMMUNITY'S DRUG AWARENESS PROGRAMS
11 AT OUR LOCAL SCHOOLS. SINCE 2004, HE'S SERVED AS THE
12 GLENDALE'S POLICE DEPARTMENT SPOKESMAN AND ADJUTANT TO THE
13 POLICE CHIEF. SO AT THIS TIME, WE WOULD LIKE TO COMMEND
14 SERGEANT TOM LORENZ FOR HIS GOOD LEADERSHIP AND GOD BLESS YOU.

15 [APPLAUSE]

16

17 **TOM LORENZ:** MR. ANTONOVICH AND BOARD OF SUPERVISORS, I'M
18 HUMBLLED AND HONORED TO RECEIVE THIS RECOGNITION BUT I'D LIKE
19 EVERYBODY TO KNOW THAT NO ONE IN MY LINE OF WORK CAN DO IT
20 ALONE. I HAD A HUGE TEAM OF PEOPLE THAT I WORKED WITH IN MY
21 LAST 21 YEARS ON THE LOCAL, COUNTY, STATE AND FEDERAL LEVEL IN
22 VARIOUS TASK FORCES AND, IF IT WEREN'T FOR THEM, I WOULDN'T BE
23 HERE. SO I ACCEPT THIS ON BEHALF OF ALL THE MEN AND WOMEN I'VE
24 WORKED FOR AND THANK YOU AGAIN. [APPLAUSE]

25



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1 **SUP. ANTONOVICH:** WE JUST, MOMENTARILY AGO, RECOGNIZED EDNA
2 BRUCE FOR HER GREAT LEADERSHIP WITH THE SMALL BUSINESS
3 COMMISSION AND I WOULD LIKE NOW TO RECOGNIZE ONE OF MY
4 APPOINTEES TO THAT COMMISSION SINCE SEPTEMBER OF 1999 AND
5 THAT'S FRED BEATON, WHO IS NOW STEPPING DOWN. FRED IS
6 CURRENTLY PARTNER/OWNER OF B AND B FINANCIAL AND ALSO A
7 CORRESPONDENT FOR CABLE RADIO NETWORK. HE HAS ALSO HAD A
8 LITTLE STAGE AND SCREEN CAREER AS A BOY IN THE DAGWOOD BLONDIE
9 SERIES AND THE MOVIE, "WATERLOO BRIDGE." HE'S ALSO AN ALUMNUS
10 OF THE SAME SCHOOL WE ATTENDED, AND A NEIGHBOR, JOHN MARSHALL
11 HIGH SCHOOL, MANY YEARS AGO, ALONG WITH HIS BROTHER, RON, WHO
12 IS WITH US. FRED SERVED OUR COUNTRY IN THE UNITED STATES ARMY
13 AS A MILITARY POLICE OFFICER BETWEEN 1956 AND '57 AND, SINCE
14 1954, HE HAS SERVED AS ASSISTANT MANAGER OF K.W.K.W. IN
15 PASADENA, WHICH WAS LOS ANGELES' FIRST SPANISH LANGUAGE RADIO
16 STATION, REGIONAL MEMBERSHIP EXECUTIVE FOR THE ASSOCIATED
17 PRESS IN NEW YORK CITY AND AS CO-OWNER/CHAIRMAN OF THE BOARD
18 FOR K.I.V. RADIO UNTIL ITS SALE IN 1988, WHICH IS NOW K.R.L.A.
19 870 ON YOUR DIAL. FRED HAS TRAVELED EXTENSIVELY IN FOREIGN
20 COUNTRIES INCLUDING ASIA, MEXICO, CANADA, AND NORTH AFRICA,
21 SPENDING MOST OF 1963 IN EUROPE, WHERE HE WAS THE ASSOCIATED
22 PRESS FOREIGN CORRESPONDENT. OVER THE YEARS, HE'S BEEN
23 INVOLVED IN NUMEROUS ORGANIZATIONS, INCLUDING THE CATHOLIC
24 PRESS COUNCIL, BOARD OF DIRECTORS OF THE GLENDALE CITIZENS FOR
25 LAW AND ORDER, SOUTHERN CALIFORNIA BROADCASTERS ASSOCIATION,



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1 LOS ANGELES COUNTY'S OLYMPIC ORGANIZING COMMITTEE AND THE
2 UNITED CANCER CRUSADE. SO WE APPRECIATE HIS LEADERSHIP AND
3 INTEGRITY AND INVOLVEMENT IN BEING ONE OF THE ACTIVE MEMBERS
4 WITH EDNA, TRAVELING AROUND THE CONTINENT AND ALSO BEING ABLE
5 TO HAVE THE OPPORTUNITIES TO GO TO ASIA AND CHINA
6 SPECIFICALLY. SO, WITH FRED IS HIS WIFE, KELLY, HIS DAUGHTERS,
7 BEA AND KAITLYN, SISTER, TESS, AND HER HUSBAND, JIM, AND
8 BROTHER, RON, AND HIS WIFE, CAROLYN AND FRIENDS MICHAEL HORN,
9 JUDY POPE AND LAURA DRAMMAR, MARY BOSSICK AND RON AND MYLA
10 HART. SO FRED? [APPLAUSE]

11

12 **FRED S. BEATON:** WELL, MIKE, IT'S BEEN AN HONOR TO BE A PART OF
13 THE COUNTY OF LOS ANGELES AS A COMMISSIONER AND I REALLY
14 APPRECIATE YOUR APPOINTING ME. IT'S BEEN A PLEASURE WORKING
15 WITH EDNA, THE WONDERFUL GROUP THAT SHE HAS. INTERESTING THAT
16 WE'RE BOTH STEPPING DOWN AT THE SAME TIME BUT I'M GOING TO BE
17 BUSY ON A RANCH UP IN SANTA YNEZ AND RAISING CATTLE BUT IT'S
18 BEEN A REAL PLEASURE. I REMEMBER WORKING WITH THESE
19 SUPERVISORS HERE WHEN WE WERE BROADCASTING AT K.I.V. AND
20 GEORGE PUTNAM AND WE'VE SPOKEN TO MANY OF THEM ON THE AIR AND
21 I'VE MET MANY OF THEM THERE AND WHAT A PLEASURE IT'S BEEN TO
22 BE A PART OF THIS WONDERFUL COUNTY.

23

24 **SUP. ANTONOVICH:** THANK YOU.

25



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1 **FRED S. BEATON:** THANK YOU.

2

3 **SUP. ANTONOVICH:** DO A PICTURE. [APPLAUSE]

4

5 **SUP. ANTONOVICH:** NOW WE WOULD LIKE TO RECOGNIZE SOME OF THE
6 RECIPIENTS OF A SCHOLARSHIP PROGRAM WHICH WAS NAMED AFTER ME
7 BACK IN 1991, WHICH WAS THE ANTONOVICH REGISTERED NURSE
8 SERVICE SCHOLARSHIP GRANT PROGRAM, WHICH ASSISTS THE
9 DEPARTMENT OF HEALTH SERVICES IN PROVIDING L.A. COUNTY WITH
10 COMPETITIVE EDGE THROUGH THE RECRUITMENT OF QUALITY NURSES.
11 AND WHAT IT IS, IT'S A SCHOLARSHIP PROGRAM THAT PROVIDES UP TO
12 \$2,500 TO INDIVIDUALS WHO ARE ENROLLED OR ACCEPTED FOR
13 ENROLLMENT IN OUR UNDERGRADUATE NURSING PROGRAMS IN ACCREDITED
14 NURSING SCHOOLS IN LOS ANGELES COUNTY. AND IF ANYBODY IS
15 LISTENING AND WOULD LIKE INFORMATION ON THAT, YOU CAN CONTACT
16 OUR OFFICE OR THE BOARD OF SUPERVISORS FOR THAT INFORMATION.
17 EACH RECIPIENT AGREES TO SERVE ONE OR TWO YEARS IN THE
18 DEPARTMENT OF HEALTH SERVICES HOSPITALS OR PUBLIC HEALTH UPON
19 GRADUATIONS AND LICENSING. WE ARE INTERESTING-- INVESTING IN
20 THE FUTURE BY INVESTING IN THESE YOUNG PEOPLE FOR CAREERS IN
21 NURSING AND IT WILL ENABLE THE COUNTY TO MEET OUR CRITICAL
22 SHORTAGE OF NURSING POSITIONS. THESE SCHOLARSHIP RECIPIENTS
23 ARE VERY ENTHUSIASTIC, COMPASSIONATE AND VERY PROFESSIONAL AND
24 HAVE A GREAT DESIRE TO SERVE THEIR COMMUNITIES. SO, TODAY, WE
25 HAVE 15 OF THIS YEAR'S 22 SCHOLARSHIP RECIPIENTS AND I WOULD



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1 LIKE TO PRESENT THEM TO THEM AT THIS TIME. FIRST, WE HAVE
2 COMFORT AUDDI BOWO. [APPLAUSE]

3

4 **SUP. ANTONOVICH:** AND DR. GARTHWAITE IS HERE. IRLANDA AMOS. [
5 APPLAUSE]

6

7 **SUP. ANTONOVICH:** KULI BROOMS. [APPLAUSE]

8

9 **SUP. ANTONOVICH:** DARRELL DAVIS. [APPLAUSE]

10

11 **SUP. ANTONOVICH:** GASTON HUTSELL. [APPLAUSE]

12

13 **SUP. ANTONOVICH:** CHRISTINE MARTINEZ. [APPLAUSE]

14

15 **SUP. ANTONOVICH:** ELIZABETH MOSES. [APPLAUSE]

16

17 **SUP. ANTONOVICH:** JOSEPH MULAVES. [APPLAUSE]

18

19 **SUP. ANTONOVICH:** JULIUS OLMONLY. [APPLAUSE]

20

21 **SUP. ANTONOVICH:** SPECIAL PULLHAM. [APPLAUSE]

22

23 **SUP. ANTONOVICH:** JOY SEBDULLAH. [APPLAUSE]

24

25 **SUP. ANTONOVICH:** MARIA SABADGAHL. [APPLAUSE]



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1

2 **SUP. ANTONOVICH:** TANGUNIKU THOMPSON. [APPLAUSE]

3

4 **SUP. ANTONOVICH:** AMBURDETTE WILLIAMS. [APPLAUSE]

5

6 **SUP. ANTONOVICH:** AND KIM WENDHAM. [APPLAUSE] [INDISTINCT
7 CONVERSATION AND LAUGHTER]

8

9 **SUP. ANTONOVICH:** THIS IS MARIA SABADGAHL. NOW WE HAVE-- WE'RE
10 HAVING THE GOVERNOR OF THE PROVINCE OF BULAKAIN, WHO IS COMING
11 FROM THE PHILIPPINES BUT HE'LL BE HERE AT 11:30 WE'LL
12 INTRODUCE IT AT THAT TIME. HE'S AT, I THINK, CITY HALL AT THIS
13 TIME. AND THEN WE HAVE A LITTLE FEMALE SHIH TZU AND SHE'S ONE
14 YEAR OLD, LOOKING FOR A HOME AND THIS IS LITTLE TISH. SO
15 LITTLE TISH LOOKING FOR A HOME. ANYBODY WHO LIKE TO ADOPT HER,
16 YOU CAN CALL THE TELEPHONE NUMBER AT THE BOTTOM OF YOUR
17 TELEVISION SCREEN, (562) 728-4644 OR IN THE AUDIENCE.

18

19 **SUP. KNABE:** I THINK WE'VE GOT SOME TAKERS RIGHT OUT THERE. I
20 SAW A BUNCH OF HANDS GO UP.

21

22 **SUP. MOLINA, CHAIR:** SOME OF YOU WHO ARE INTERESTED CAN COME
23 OVER HERE TO THE SIDE.

24

25 **SUP. ANTONOVICH:** IT'S A SHIH TZU DOG.



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1

2 **SUP. MOLINA, CHAIR:** THAT CONCLUDES ALL THE PRESENTATIONS?

3

4 **SUP. ANTONOVICH:** RIGHT. THE GOVERNOR IS COMING.

5

6 **SUP. YAROSLAVSKY:** HOW OLD IS HE?

7

8 **SUP. MOLINA, CHAIR:** ALL RIGHT. WE'RE GOING TO BEGIN THIS
9 MORNING WITH OUR PUBLIC HEARING ITEMS. AND SO, IF WE COULD
10 BEGIN WITH ITEM NUMBER 1.

11

12 **CLERK VARONA-LUKENS:** AND, MADAM CHAIR, BEFORE WE WOULD BEGIN,
13 I WOULD ASK ALL OF THOSE WHO PLAN TO TESTIFY ON ANY OF THE
14 PUBLIC HEARING ITEMS TO STAND, BE SWORN IN AND RAISE YOUR
15 RIGHT HAND.

16

17 **SUP. MOLINA, CHAIR:** DID YOU ALL UNDERSTAND? ALL OF YOU WHO ARE
18 TESTIFYING IN OUR PUBLIC HEARING ITEMS, WOULD YOU PLEASE STAND
19 TO BE SWORN IN.

20

21 **CLERK VARONA-LUKENS:** IN THE TESTIMONY YOU MAY GIVE BEFORE THIS
22 BOARD, DO YOU SOLEMNLY SWEAR OR AFFIRM TO TELL THE TRUTH, THE
23 WHOLE TRUTH AND NOTHING BUT THE TRUTH, SO HELP YOU GOD? THANK
24 YOU. PLEASE BE SEATED. ITEM NUMBER 1, HEARING ON ANNEXATION OF
25 APPROVED TENTATIVE SUBDIVISION TERRITORIES TO COUNTY LIGHTING



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1 DISTRICT 1687 AND COUNTY LIGHTING DISTRICT LLA-1,
2 UNINCORPORATED ZONE AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS
3 FOR STREET LIGHTING PURPOSES WITH A BASE ANNUAL ASSESSMENT
4 RATE FOR A SINGLE FAMILY HOME OF \$5 FOR THE UNINCORPORATED
5 ZONE FOR FISCAL YEAR 2005/2006. AND WE HAVE NO WRITTEN
6 PROTESTS FOR THIS ITEM, MADAM CHAIR.

7

8 **SUP. MOLINA, CHAIR:** ALL RIGHT. DO WE HAVE A PRESENTATION ON
9 IT? PLEASE.

10

11 **ANTHONY NYIVIH:** MY NAME IS ANTHONY NYIVIH AND I'M A SENIOR
12 CIVIL ENGINEER FOR THE DEPARTMENT OF PUBLIC WORKS. I AM
13 FAMILIAR WITH THESE PROCEEDINGS TO ANNEX TERRITORY INTO
14 LIGHTING MAINTENANCE DISTRICT 1687 AND COUNTY LIGHTING
15 DISTRICT LLA-1, UNINCORPORATED ZONE, FOR THE FULL APPROVED
16 TENTATIVE SUBDIVISIONS IDENTIFIED IN THE BOARD LETTER. IN MY
17 OPINION, ALL OF THE TERRITORY WITHIN THE PROPOSED SUBDIVISION
18 AREAS WILL BE BENEFITED BY THE SERVICES TO BE PROVIDED ON THE
19 PROPOSED ASSESSMENTS HAVING SPREAD IN PROPORTION TO THE
20 BENEFITS TO BE RECEIVED. WE ALSO RECOMMEND THAT YOUR BOARD
21 APPROVE THE PROPOSED EXCHANGE OF PROPERTY TAX REVENUES WITH
22 NONEXEMPT TAXING AGENCIES THAT WILL RESULT FROM THE PROPOSED
23 ANNEXATION. WE ARE UNAWARE OF ANY PROTESTS TO THE PROPOSED
24 ASSESSMENTS.

25



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1 **SUP. MOLINA, CHAIR:** ALL RIGHT.

2

3 **RICHARD WEISS, COUNSEL:** MADAM CHAIR, AT THIS POINT, IT WOULD
4 BE APPROPRIATE TO CLOSE THE HEARING AND DIRECT THE CLERK TO
5 TABULATE THE BALLOTS AND TABLE THE MATTER UNTIL LATER IN THE
6 MEETING FOR TABULATION.

7

8 **SUP. MOLINA, CHAIR:** VERY GOOD. WE DON'T HAVE ANY SPEAKERS ON
9 THIS ITEM, IS THAT CORRECT? ALL RIGHT. VIOLET?

10

11 **CLERK VARONA-LUKENS:** SO IT WOULD BE APPROPRIATE FOR YOU TO
12 CLOSE...

13

14 **SUP. MOLINA, CHAIR:** ALL RIGHT. THEN, I'M GOING TO MOVE THAT WE
15 CLOSE THE PUBLIC HEARING, WE TABLE THE ITEM UNTIL LATER IN THE
16 MEETING FOR A TABULATION OF THE RESULTS OF THE EXECUTIVE
17 OFFICER AND A DECISION BY THE BOARD AND THIS IS SECONDED BY
18 SUPERVISOR KNABE. ALL RIGHT. ITEM NUMBER 2.

19

20 **CLERK VARONA-LUKENS:** HEARING ON THE UPDATE TO THE LOST HILLS
21 ROAD/LAS VIRGENES ROAD BRIDGE AND MAJOR THOROUGHFARE
22 CONSTRUCTION FEE DISTRICT AND WE HAVE NO WRITTEN PROTESTS FOR
23 THIS ITEM.

24



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1 **SUP. MOLINA, CHAIR:** DO WE HAVE A PRESENTATION ON THIS ONE OR
2 NOT?

3

4 **RICHARD WEISS, COUNSEL:** THERE'S NO REQUIRED PRESENTATION.
5 STAFF IS HERE TO ANSWER QUESTIONS.

6

7 **SUP. MOLINA, CHAIR:** ALL RIGHT. WE HAVE MR. JERRY LIN, IF YOU
8 COULD JOIN US UP HERE, PLEASE. THIS IS ITEM NUMBER 2. MR. LIN?
9 PLEASE COME UP. I'M SORRY?

10

11 **JERRY LIN:** I WAS SIGNED UP FOR ITEM NUMBER 12.

12

13 **SUP. MOLINA, CHAIR:** OH, I'M SORRY. ITEM NUMBER 12. VERY GOOD.
14 IT DOES LOOK LIKE A NUMBER 2. ALL RIGHT. SO THERE'S NO ONE
15 HERE TO SPEAK ON THAT ITEM, SO IT IS BEFORE US, IS THAT
16 CORRECT?

17

18 **RICHARD WEISS, COUNSEL:** IT IS BEFORE YOU, MADAM CHAIR.

19

20 **SUP. MOLINA, CHAIR:** ALL RIGHT. THIS MATTER, AGAIN, MOVED BY
21 SUPERVISOR ANTONOVICH, SECONDED BY SUPERVISOR KNABE. IF
22 THERE'S NO OBJECTION, SO ORDERED. ITEM NUMBER 3.

23

24 **CLERK VARONA-LUKENS:** HEARING ON PROPOSED WATER RATE INCREASES
25 AND IMPLEMENTATION OF A NEW TIERED WATER RATE STRUCTURE WITHIN



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1 LOS ANGELES COUNTY WATERWORKS DISTRICT NUMBER 40, ANTELOPE
2 VALLEY AND WE HAVE NOT RECEIVED ANY WRITTEN PROTESTS ON THIS
3 ITEM.

4

5 **SUP. MOLINA, CHAIR:** ALL RIGHT. IF THERE'S NO PRESENTATION ON
6 THIS ITEM. MR. ARIKI, YOU'RE HERE BUT YOU WILL ONLY SPEAK IF
7 NEED TO? ALL RIGHT. WELL, THERE'S NO OBJECTION, SO IS THAT
8 OKAY? VERY GOOD. ALL RIGHT. THIS ITEM IS MOVED BY SUPERVISOR
9 BURKE, SECONDED BY SUPERVISOR KNABE. IF THERE'S NO OBJECTION,
10 SO ORDERED. ITEM NUMBER 4.

11

12 **CLERK VARONA-LUKENS:** HEARING ON PROPOSED PURCHASE OF
13 UNIMPROVED REAL PROPERTY LOCATED IN THE UNINCORPORATED
14 CALABASAS PEAK AREA OF THE SANTA MONICA MOUNTAINS FROM
15 RESTORATION TRUST. ALSO, MADAM CHAIR, MEMBERS OF THE BOARD,
16 THE CHIEF ADMINISTRATIVE OFFICE HAS REVISED THE LETTER TO
17 REFLECT A CHANGE IN A PORTION OF THE FUNDING FOR THIS
18 ACQUISITION FROM A 500,000-DOLLAR GRANT FROM THE REGIONAL PARK
19 AND OPEN SPACE DISTRICT TO \$500,000 FROM PARKS IN LIEU FEES
20 AVAILABLE IN PARK PLANNING AREA NUMBER 33, AND WE HAVE NO
21 WRITTEN PROTESTS FOR THIS ITEM.

22

23 **SUP. MOLINA, CHAIR:** AND THERE'S NO REPORT. ALL RIGHT. THIS
24 ITEM IS BEFORE US. MOVED BY SUPERVISOR ANTONOVICH, SECONDED BY



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1 SUPERVISOR YAROSLAVSKY. IF THERE'S NO OBJECTION, SO ORDERED ON
2 ITEM NUMBER 4. ITEM NUMBER 5.

3

4 **CLERK VARONA-LUKENS:** HEARING ON PROPOSED SALE AND .29 ACRE
5 UNDEVELOPED PORTION OF THE JOHN ANSON FORD AMPHITHEATER TO
6 RANDY BARBATO AND FENTON BAILEY. WE HAVE NO WRITTEN PROTESTS,
7 MADAM CHAIR.

8

9 **SUP. MOLINA, CHAIR:** I DO HAVE A REPORT ON THIS ONE? OH, WE
10 DON'T? ALL RIGHT. ON ITEM NUMBER 5, WHICH IS BEFORE US, MOVED
11 BY SUPERVISOR YAROSLAVSKY, SECONDED BY SUPERVISOR ANTONOVICH.
12 IF THERE'S NO OBJECTION, SO ORDERED. NUMBER 6.

13

14 **CLERK VARONA-LUKENS:** HEARING ON PROPOSED INPATIENT BILLING
15 RATE INCREASES AT MARTIN LUTHER KING/DREW MEDICAL CENTER,
16 OLIVE VIEW/U.C.L.A. MEDICAL CENTER AND RANCHO LOS AMIGOS
17 NATIONAL REHABILITATION CENTER TO BE EFFECTIVE JANUARY 25TH,
18 2005. WE HAVE NO WRITTEN PROTESTS, MADAM CHAIR.

19

20 **SUP. MOLINA, CHAIR:** NO REPORT ON THIS ONE, EITHER?

21

22 **SUP. ANTONOVICH:** CAN WE HAVE DR. GARTHWAITE FOR SOME
23 QUESTIONS?

24

25 **SUP. MOLINA, CHAIR:** I'M SORRY?



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **SUP. ANTONOVICH:** DR. GARTHWAITE? I HAVE QUESTIONS.

3

4 **SUP. MOLINA, CHAIR:** DR. GARTHWAITE, IF HE COULD JOIN US ON
5 ITEM NUMBER 6.

6

7 **SUP. ANTONOVICH:** DR. GARTHWAITE, IN 1995, THE AUDITOR-
8 CONTROLLER PROVIDED A COMPREHENSIVE REPORT ABOUT THE
9 DEPARTMENT'S PERFORMANCE MEASUREMENTS AND MONITORING OF COSTS.
10 QUESTION: ARE THE KEY PERFORMANCE INDICATORS USED BY HOSPITAL
11 MANAGEMENT TO MONITOR AND ASSESS PRODUCTIVITY AND HOSPITAL
12 FUNCTIONS AND COST OF HOSPITAL FUNCTIONS AND OPERATIONS IN
13 PLACE?

14

15 **DR. THOMAS GARTHWAITE:** YES. OUR COMPREHENSIVE PERFORMANCE
16 MANAGEMENT SYSTEM, WHICH WE'VE BEEN DEVELOPING OVER THE LAST
17 THREE YEARS, INCLUDES MEASURES OF PRODUCTIVITY AND
18 PERFORMANCE. WE'RE ESPECIALLY INTERESTED IN DENIED DAYS, DAYS
19 WHICH WE AREN'T BEING REIMBURSED FOR. WE'RE ESPECIALLY
20 INTERESTED IN HOW QUICKLY WE'RE GETTING THE BILLS OUT. WE'VE
21 ALSO TAKING SOME ACTIONS TO IMPROVE ELECTRONIC TRANSMISSION OF
22 THE DATA.

23



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. ANTONOVICH:** AND ARE BENCHMARKS OR SIMILAR INDICATORS
2 AVAILABLE FOR COMPARABLE FUNCTION AND OPERATIONS FOR EACH OF
3 OUR HOSPITALS?

4

5 **DR. THOMAS GARTHWAITE:** RIGHT. WELL, WHAT WE DO IS WE COLLECT
6 IT BASED ON EACH FACILITY, WE-- SO THE DATA IS AVAILABLE FOR
7 COMPARISON AND THEN WE TRY TO LEARN WHAT THE BEST FACILITIES
8 ARE DOING AND TRANSPORT THAT TO THE ONES THAT MAYBE AREN'T
9 DOING AS WELL AS THEY ARE. SO THAT'S AN ACTIVE PROCESS. IT'S
10 BOTH FOR CLINICAL CARE AND FOR EFFICIENCY IN BILLING.

11

12 **SUP. ANTONOVICH:** HAVE OUTCOMES BEEN ESTABLISHED WITH
13 MEASURABLE GOALS AND EXPECTATIONS BY DEPARTMENT MANAGEMENT TO
14 MONITOR AND ASSESS PROGRESS OF EACH OF THOSE HOSPITALS'
15 OPERATIONS?

16

17 **DR. THOMAS GARTHWAITE:** YEAH. I THINK THAT WE HAVE BUT I THINK
18 ONE OF THE THINGS THAT WE'RE CONTINUING TO WORK ON, NOW THAT
19 HAVE WE HAVE ESTABLISHED THE PERFORMANCE METRIC SYSTEM AND WE
20 GET THE MEASUREMENTS AND WE PUBLISH THE REPORTS, NOW WE'RE
21 WORKING TO TIE THOSE MEASUREMENTS TO THE MAP PROCESS, WHICH IS
22 THE COUNTYWIDE PLANNING AND THE ASSESSMENT PROCESS AND
23 INCENTIVE PROCESS FOR MANAGERS. SO THEY NEED TO ALL BE TIED
24 CAREFULLY TOGETHER AND THAT'S THIS YEAR'S EFFORT.

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. ANTONOVICH:** COULD YOU EXPLAIN WHY THERE'S A LARGE
2 VARIANCE IN COSTS FOR PEDIATRIC ACUTE CARE SERVICES BETWEEN
3 OLIVE VIEW HOSPITAL AND KING DREW MEDICAL CENTER? AT KING
4 DREW, THE COST IS OVER \$1,800 PER DAY WHILE, AT OLIVE VIEW,
5 THE COST IS AT JUST OVER \$1,000.

6

7 **DR. THOMAS GARTHWAITE:** RIGHT. I DON'T KNOW IF I CAN GIVE YOU A
8 COMPLETE EXPLANATION TODAY. THAT'S SOMETHING WE'RE TRYING TO
9 UNDERSTAND AS WELL. THERE ARE SEVERAL POTENTIAL EXPLANATIONS.
10 ONE IS WHERE YOU TRIBUTE COSTS. IF YOU DON'T ATTRIBUTE COSTS
11 CAREFULLY TO DIFFERENT COST CENTERS, THEN IT WILL, YOU KNOW,
12 IF, FOR INSTANCE, ANY GIVEN EXPENSE THAT IS PART OF THE WHOLE
13 HOSPITAL, YOU CAN ATTRIBUTE IT EQUALLY TO ALL COST CENTERS OR
14 TRY TO BE MORE PRECISE AND ATTRIBUTE IT TO WHERE IT'S USED
15 MORE OFTEN LIKE JANITORIAL SERVICES OR INFECTION CONTROL
16 SERVICES, LABORATORY SERVICES AND SO FORTH. SO ATTRIBUTING
17 HOSPITAL COSTS IS TECHNICALLY DIFFICULT FOR THAT. IN ADDITION,
18 THERE ARE SOME FUNDAMENTAL INEFFICIENCIES WE PREVIOUSLY
19 IDENTIFIED AT KING DREW THAT WE CONTINUED TO TRY TO ADDRESS
20 BOTH THROUGH THE DEPARTMENT AND THROUGH NAVIGANT.

21

22 **SUP. ANTONOVICH:** I NOTICE THERE'S A DISCREPANCY IN COSTS PER
23 DISCHARGE FOR MEDICAL, SURGICAL, INTENSIVE CARE SERVICES FROM
24 L.A.C./U.S.C.'S MEDICAL CENTER AND KING DREW, \$126,000 VERSUS
25 \$25,000 PER DISCHARGE. WHY IS THERE SUCH A LARGE VARIANCE?



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1

2 **DR. THOMAS GARTHWAITE:** WELL, CERTAINLY A SIGNIFICANT
3 CONTRIBUTOR THERE IS THE MIXTURE OF CASES, THE CASE MIX, YOU
4 KNOW, THE SEVERITY OF ILLNESS. ONE OF THE THINGS THAT WE SEE--
5 WE TREAT AT L.A. COUNTY THAT WE DON'T TREAT IN OUR OTHER
6 HOSPITALS ARE BURN CASES AND THESE ARE VERY INTENSIVE AND THE
7 PATIENTS ARE THERE FOR A LONG PERIOD OF TIME. SO, FOR EVERY
8 DISCHARGE, THERE MAY BE MONTHS OF HOSPITALIZATION AND MULTIPLE
9 SURGERIES.

10

11 **SUP. ANTONOVICH:** ON NOVEMBER 5TH, 2002, THE AUDITOR-CONTROLLER
12 PROVIDED RECOMMENDATIONS ON IMPROVING THE BILLING AND
13 COLLECTIONS FOR THE DEPARTMENT AND, IN JULY, THE QUALITY
14 PRODUCTIVITY COMMISSIONERS PROVIDED RECOMMENDATIONS AS WELL.
15 THE QUESTION IS, BILLINGS AND COLLECTIONS WITHIN THE
16 DEPARTMENT ARE PARTIALLY CENTRALIZED. THE CONSOLIDATING
17 BUSINESS OFFICE IS RESPONSIBLE FOR BILLINGS AND COLLECTIONS AT
18 L.A.C./U.S.C., KING DREW AND HIGH DESERT, THE CBO OVERSEES 70%
19 OF ALL BILLINGS AND COLLECTIONS FOR THE HEALTH DEPARTMENT. THE
20 THREE REMAINING HOSPITALS, OLIVE VIEW, RANCHO AND HARBOR, ARE
21 RESPONSIBLE FOR THEIR OWN BILLINGS AND COLLECTIONS. WHEN WILL
22 THE DEPARTMENT CENTRALIZE THE BILLING FOR ALL COUNTY HOSPITALS
23 TO ENSURE EFFICIENCIES RECOMMENDED BY THE AUDITOR-CONTROLLER
24 AND THE PRODUCTIVITY COMMISSION?

25



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1 **DR. THOMAS GARTHWAITE:** WELL, I THINK YOU'RE AWARE THAT WE HAVE
2 BEEN MOVING IN THAT DIRECTION AND HAVE MADE SOME
3 CONSOLIDATIONS. OBVIOUSLY, WE CONTINUE TO LOOK AT HOW WE BRING
4 THE ADDITIONAL MEDICAL CENTERS INTO THAT CONSOLIDATED BUSINESS
5 PRACTICE. IN PART, THERE ARE PARTS OF THE BILLING CYCLE THAT
6 HAVE TO BE DONE AT THE FACILITY. YOU MUST GET CLINICIANS TO
7 DOCUMENT THE CARE DELIVERED OR YOU CAN'T SUBMIT A BILL THAT'S
8 SUSTAINABLE. YOU MUST GET THAT INFORMATION ENTERED INTO THE
9 COMPUTERS AND, ONCE THAT'S DONE, THEN THERE'S SOME CENTRALIZED
10 PROCESSES THAT CAN BE DONE THROUGH THE CONSOLIDATED BUSINESS
11 OFFICE. WE'RE REALLY TRYING TO ATTACK ALL THOSE AND I'LL HAVE
12 TO GET AN UPDATED ESTIMATE ON THE EXACT DATE WHEN WE MIGHT BE
13 ABLE TO MOVE FORWARD.

14

15 **SUP. ANTONOVICH:** I WOULD APPRECIATE IT. THE HOSPITAL'S
16 TRANSMISSION OF HOSPITAL INFORMATION BETWEEN THE VARIOUS
17 HOSPITALS AND THE C.B.O. THROUGH MONITORING AND REPORTING, HOW
18 HAS THIS BEEN IMPROVED?

19

20 **DR. THOMAS GARTHWAITE:** WELL, I KNOW, THREE YEARS AGO, WHEN I
21 GOT HERE, AGO, WE ROLLED UP DATA ALMOST ONCE A YEAR. WE HAD NO
22 ABILITY TO ACTUALLY GET THE DATA FROM THE FACILITIES UNTIL WE
23 CLOSED OUT EVERY FACILITY AND THE DATA CAME FORWARD FOR MORE
24 ANALYSIS MUCH, MUCH LATER. OVER THE LAST YEAR AND A HALF OR
25 SO, WE'VE BEEN ABLE TO TRANSMIT DATA ON REAL TIME BASIS. THE



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1 LATEST IT WOULD BE TRANSMITTED, THAT SAME DAY. SO NOW WE HAVE
2 THE DATA FLOWING IN WELL. WE JUST MAKE SURE THAT ALL THE
3 PIECES OF DATA NECESSARY TO SUBSTANTIATE AND JUSTIFY A BILL
4 ARE THERE. WE ANTICIPATE MOVING, THIS FALL, TO A ELECTRONIC
5 ENCOUNTER SHEET WHICH CAPTURES THE OUTPATIENT PORTION OF THAT,
6 WHICH I THINK GIVES US EVERYTHING EXCEPT FOR INPATIENT
7 CONSULTS AVAILABLE AND READY FOR ELECTRONIC BILLING. SO WE'VE
8 MADE, I THINK, GREAT PROGRESS ELECTRONICALLY TO BE READY TO
9 BILL OR TO IMPROVE OR BILLING.

10

11 **SUP. ANTONOVICH:** HARBOR UCLA HAS AN AUTOMATED OUTPATIENT
12 BILLING SYSTEM. WHEN WILL THE DEPARTMENT HAVE THIS SAME TYPE
13 OF SYSTEM FOR THE OTHER FACILITIES?

14

15 **DR. THOMAS GARTHWAITE:** AGAIN, I HESITATE TO GIVE YOU AN EXACT
16 DATE ON THAT SPECIFICALLY THIS MORNING BUT, YOU KNOW, HARBOR
17 HAS MAXIMIZED THE USE OF OUR ELECTRONIC CAPABILITIES AND SO
18 THEY ARE AHEAD OF MOST OF OUR CENTERS IN IMPLEMENTING
19 ELECTRONICS AND ACTUALLY ARE SORT OF OUR TEST SITE FOR MANY
20 THINGS. I WOULD ANTICIPATE, THOUGH, WE WOULD GET THAT UP OVER
21 THE NEXT YEAR AT THE LATEST.

22

23 **SUP. ANTONOVICH:** THE DEPARTMENT REQUIRES EACH OF OUR
24 FACILITIES TO CONSISTENTLY TRACK AND REPORT SELF-PAY
25 COLLECTION DATA AND ONGOING-- ON AN ONGOING BASIS TO ADDRESS



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1 THE EFFECTIVENESS OF COLLECTION EFFORTS. HOWEVER, THE AUDIT OF
2 11-5-02 REPORTS, FROM THE AUDITOR, THAT THE DEPARTMENT IS NOT
3 CONSISTENTLY COLLECTING INFORMATION ON THE AMOUNTS BILLED.
4 NOW, IS THE DEPARTMENT FULLY ASSESSING THE COLLECTION EFFORTS
5 OF ITS FACILITIES?

6

7 **DR. THOMAS GARTHWAITE:** YES. WE CONTINUE TO DO THINGS BOTH
8 INTERNALLY TO MAXIMIZE OUR BILLING AS WELL AS SEVERAL POST-
9 BILLING CYCLE EFFORTS TO COLLECT THROUGH AT-RISK CONTRACTS,
10 WHERE A CONTRACTOR SHARES WHATEVER IS COLLECTED. SO THAT WE
11 TRY TO SQUEEZE EVERY LAST APPROPRIATE DOLLAR WITHOUT BEING TOO
12 HEAVY-HANDED ON PATIENTS WHO CAN'T PAY, OBVIOUSLY.

13

14 **SUP. ANTONOVICH:** HOW HAS THE DEPARTMENT IMPROVED DOCUMENTATION
15 ON MEDICAL RECORDS TO CLEARLY STATE REASONS FOR PATIENT'S
16 ADMISSIONS, REASONS FOR EXTENDED HOSPITAL STAYS AND
17 JUSTIFICATION FOR ACUTE CARE SERVICES WHEN NEEDED, AS
18 RECOMMENDED BY THE PRODUCTIVITY COMMISSION?

19

20 **DR. THOMAS GARTHWAITE:** THE-- ULTIMATELY, IF WE DON'T DOCUMENT,
21 THAT RESULTS IN A DENIED DAY BECAUSE, WHEN PRIMARILY, MEDI-CAL
22 COMES OUT AND LOOKS AT THE CHARTS, THEY DECIDE WHETHER OR NOT
23 THE BILLS YOU SUBMITTED ARE JUSTIFIED BY WHAT'S IN THE MEDICAL
24 RECORD. THOSE DENIAL RATES ARE PART OF THE GOVERNING BODY
25 REPORTS IN EACH MEDICAL CENTER THAT I HEAR ON A REGULAR BASIS.



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1 SO I LOOK FOR EVIDENCE OF TRACKING THAT. I LOOK FOR
2 IMPROVEMENT OVER TIME IN THE NUMBER OF DENIED DAYS. THE
3 BIGGEST PROBLEM WE HAVE RIGHT NOW IS THAT THE STATE HAS
4 INTENSIFIED AND MADE MORE STRICT THEIR CRITERIA AND SO EVERY
5 HOSPITAL AND PROBABLY IN CALIFORNIA IS NOTICING MORE DENIED
6 DAYS BECAUSE OF THE STATE EFFORTS AT BEING MORE STRICT IN
7 THEIR INTERPRETATIONS.

8

9 **SUP. ANTONOVICH:** HAS THE DEPARTMENT IMPROVED THEIR
10 DOCUMENTATION OF THE ATTEMPT TO TRANSFER PATIENTS TO LOWER
11 LEVEL OF CARE TO REDUCE THE TREATMENT AUTHORIZATION REPORT
12 DENIALS AND TO IMPROVE JUSTIFYING THE COLLECTION ON AN
13 ADMINISTRATIVE DAY RATE?

14

15 **DR. THOMAS GARTHWAITE:** YEAH, I THINK THAT RELATES TO-- REALLY
16 RELATES SIGNIFICANTLY TO THE OTHER-- TO THE PREVIOUS QUESTION,
17 WHICH IS, NOT ONLY MUST YOU DOCUMENT WHY THEY'RE HERE, WHEN
18 IT'S APPROPRIATE TO MOVE TO A LOWER LEVEL OF CARE, WE MUST DO
19 THAT. ONE OF OUR BIG CHALLENGES IN THIS AREA IS IN PSYCHIATRY
20 WHERE WE DON'T CONTROL THE ADMISSIONS OR DISCHARGES TO ANY
21 GREAT DEGREE AND THAT WE DO HAVE TOO MANY DENIED DAYS IN
22 PSYCHIATRY AND CAN'T REALLY CONTROL THE DISCHARGE TO OTHER
23 APPROPRIATE LEVELS, SUCH AS LOCKED BED UNITS OR I.M.D. UNITS.
24 WE'RE TRYING TO WORK WITH MENTAL HEALTH TO RESOLVE THAT BUT
25 WE'RE NOT SUCCESSFUL TO DATE.



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1

2 **SUP. ANTONOVICH:** OKAY. I WOULD APPRECIATE THE TIME LINE DATES
3 OF THOSE QUESTIONS I RAISED FOR THEIR IMPLEMENTATION.

4

5 **DR. THOMAS GARTHWAITE:** RIGHT. THANK YOU VERY MUCH. APPRECIATE
6 IT.

7

8 **SUP. MOLINA, CHAIR:** ALL RIGHT. SO THAT'S IT? ANYTHING ELSE?
9 ALL RIGHT. MOVED BY SUPERVISOR BURKE, SECONDED BY SUPERVISOR
10 ANTONOVICH. IF THERE'S NO OBJECTION, SO ORDERED ON THAT ITEM.
11 ITEM NUMBER 7.

12

13 **CLERK VARONA-LUKENS:** HEARING ON PROPOSED AMENDMENTS TO TITLE
14 1, GENERAL PROVISIONS, TO MAKE THE VIOLATION OF ANY PROVISION
15 OF THE COUNTY CODE SUBJECT TO AN ADMINISTRATIVE FINE AND
16 NONCOMPLIANCE FEE AND TO ESTABLISH THE PROCEDURE FOR SAID
17 FINES AND FEES. ALSO, WE HAVE AN ORDINANCE AMENDING TITLE 1,
18 GENERAL PROVISIONS OF THE LOS ANGELES COUNTY CODE TO ADD
19 CHAPTER 1.25 RELATING TO THE IMPOSITION OF ADMINISTRATIVE
20 FINES AND NONCOMPLIANCE FEES FOR THE VIOLATION OF ANY
21 PROVISION OF THE CODE AND THE PROCEDURES FOR IMPOSITION,
22 ENFORCEMENT COLLECTION AND ADMINISTRATIVE REVIEW OF SAID
23 FINES. WE HAVE NO WRITTEN PROTESTS FOR THIS, MADAM CHAIR.

24

25 **SUP. MOLINA, CHAIR:** IS THERE A REPORT ON THIS ONE?



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1

2 **RICHARD WEISS, COUNSEL:** MADAM CHAIR, THIS MATTER WAS ON YOUR
3 AGENDA AT THE END OF NOVEMBER. AT THAT TIME, IT WAS CONTINUED
4 AT SUPERVISOR YAROSLAVSKY'S MOTION SO THAT COUNTY COUNSEL AND
5 C.A.O...

6

7 **SUP. MOLINA, CHAIR:** I CAN BARELY HEAR YOU.

8

9 **RICHARD WEISS, COUNSEL:** I'M SORRY. YOUR BOARD CONTINUED THIS
10 MATTER FROM THE NOVEMBER HEARING AT SUPERVISOR YAROSLAVSKY'S
11 MOTION SO THAT OUR OFFICE AND THE C.A.O. COULD START A PROCESS
12 TO DEVELOP SOME UNIFORM GUIDELINES FOR THE DEPARTMENTS TO
13 COMPLY WITH. ON FRIDAY, YOUR BOARD RECEIVED A MEMO FROM C.A.O.
14 IN OUR OFFICE INDICATING, AMONG OTHER THINGS, THAT WE HAD
15 STARTED THAT PROCESS. WE ARE RECOMMENDING, AT THIS TIME, THAT
16 YOUR BOARD ADOPT THE ORDINANCE AND WE WILL RETURN GUIDELINES
17 TO YOU WHEN THEY'RE READY TO BE RECOMMENDED.

18

19 **SUP. KNABE:** MADAM CHAIR, JUST A QUESTION.

20

21 **SUP. MOLINA, CHAIR:** SURE. MR. KNABE FOR A QUESTION.

22

23 **SUP. KNABE:** UNDER THE, YOU KNOW, TRYING TO BE TO BE CONSISTENT
24 WITH A STRATEGIC PLAN, I MEAN, ARE THESE FUNDS THEN-- THESE
25 FUNDS WOULD BE DEDICATED THEN TO CODE ENFORCEMENT?



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The Los Angeles County Board of Supervisors

1

2 **RICHARD WEISS:** I BELIEVE THAT-- THAT WILL BE UP TO ULTIMATELY
3 UP TO YOUR BOARD BUT...

4

5 **SUP. KNABE:** THAT WILL BE ONE OF THE OPTIONS AVAILABLE UNDER
6 THE DESIGN OF THE FINDINGS? OR HOW DO WE-- WHEN YOU SAY IT'S
7 UP TO THE BOARD, HOW IS THAT GOING TO TRANSPIRE?

8

9 **RICHARD WEISS:** THE GUIDELINES THAT I WAS REFERRING TO DO NOT
10 RELATE TO HOW THESE FUNDS WOULD BE ALLOCATED AND USED BY YOUR
11 BOARD. I BELIEVE THAT WOULD BE A DECISION THAT YOUR BOARD
12 COULD MAKE DURING YOUR BUDGET DELIBERATIONS.

13

14 **SUP. KNABE:** OKAY. THANK YOU.

15

16 **SUP. MOLINA, CHAIR:** ALL RIGHT. IF THERE IS NO OBJECTION, NO
17 OTHER QUESTIONS, MOVED BY SUPERVISOR YAROSLAVSKY, SECONDED BY
18 SUPERVISOR BURKE, AND THERE'S NO OBJECTIONS, SO ORDERED ON
19 THAT ITEM. ITEM NUMBER 8.

20

21 **CLERK VARONA-LUKENS:** HEARING ON PROPOSED AMENDMENTS TO TITLE
22 22, PLANNING AND ZONING, TO DELETE THE BLUE TRANSIT LINE
23 ORIENTED DISTRICT ORDINANCE IN ITS ENTIRETY AND BY
24 ESTABLISHING A COMBINED BLUE LINE AND GREEN LINE TRANSIT
25 ORIENTED DISTRICT ORDINANCE, ADOPTION OF RELATED ZONE CHANGE



**The Meeting Transcript of
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1 CASE 0022-2 AND APPROVAL OF THE GREEN LINE TRANSIT ORIENTED
2 DISTRICTS LAND USE, HOUSING AND ECONOMIC DEVELOPMENT STRATEGY
3 REPORT. AND THERE ARE NO WRITTEN PROTESTS ON THIS, MADAM
4 CHAIR.

5

6 **SUP. BURKE:** CAN YOU HOLD THIS FOR JUST A FEW MINUTES? BECAUSE
7 THE CONSULTANT HASN'T APPEARED YET.

8

9 **SUP. MOLINA, CHAIR:** ALL RIGHT. IF YOU DON'T MIND, WE'RE GOING
10 TO TABLE THIS ITEM FOR A FEW MINUTES AND WE'LL MOVE FORWARD ON
11 ITEM NUMBER 9.

12

13 **CLERK VARONA-LUKENS:** OKAY. DE NOVO HEARING ON CONDITIONAL USE
14 PERMIT, CASE NUMBER 02-324-(1) AND DETERMINATION OF
15 CATEGORICAL EXEMPTION TO AUTHORIZE THE CONTINUED OPERATION OF
16 AN EXISTING TWO-STORY, 36-ROOM HOTEL WITH OFFICE AND MANAGER'S
17 RESIDENT LOCATED AT 5379 WHITTIER BOULEVARD, EASTSIDE UNIT
18 NUMBER 1 ZONED DISTRICT. WE HAVE NO WRITTEN PROTESTS FOR THIS,
19 MADAM CHAIR.

20

21 **SUP. MOLINA, CHAIR:** WE HAVE A REPORT?

22

23 **RUSSELL FRICANO:** YES. MADAM CHAIRMAN, MEMBERS OF THE BOARD,
24 GOOD MORNING. I AM RUSSELL FRICANO WITH THE DEPARTMENT OF
25 REGIONAL PLANNING. AND TO MY LEFT IS KIM SZALAY, THE PLANNER



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 ON THIS CASE. THE ORIGINAL QUEST IS FOR A CONDITIONAL USE
2 PERMIT TO AUTHORIZE THE CONTINUED OPERATION AND MAINTENANCE OF
3 A TWO-STORY HOTEL, INCLUDING 36 GUEST ROOMS AND A MANAGER'S
4 APARTMENT. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE
5 OF WHITTIER BOULEVARD, APPROXIMATELY 50 FEET WEST OF OAKFORD
6 DRIVE, WITHIN UNINCORPORATED COMMUNITY OF EAST LOS ANGELES,
7 WITHIN THE EAST SIDE UNIT NUMBER 1 ZONED DISTRICT. THE
8 REGIONAL PLANNING COMMISSION CONDUCTED A PUBLIC HEARING ON
9 THIS CASE ON NOVEMBER 12TH OF 2003. THE COMMISSION DENIED THE
10 REQUEST AND THEIR MEETING ON JANUARY 21ST, 2004. THE MAIN
11 REASON FOR THEIR DENIAL WAS TO FIRST DISCONTINUE A SUBSTANDARD
12 AND NONCONFORMING HOTEL. THE CURRENT USE OF THE PROPERTY IS
13 NOT CONSISTENT WITH COUNTY ZONING ORDINANCE DEFINITION OF
14 HOTEL AS THE PROPOSED USE DOES NOT CONSTITUTE A HOTEL USE IN
15 THE ZONING ORDINANCE IN THAT THE ROOMS ARE NOT OCCUPIED ON A
16 TEMPORARY BASIS. THE COMMISSION HEARD TESTIMONY AND RECEIVED
17 DECLARATIONS SUBMITTED BY THE APPLICANT FROM LONG-TERM TENANTS
18 OF THE HOTEL. THIS EVIDENCE SHOWS THAT AT LEAST 14 TENANTS
19 HAVE MAINTAINED OCCUPANCY IN THE HOTEL FOR PERIODS RANGING
20 FROM TWO MONTHS TO 17 YEARS. EIGHT OF THESE TENANTS HAVE
21 RESIDED ON THE PREMISES FOR OVER A YEAR. THE DENIAL ALSO
22 RESPONDED TO ISSUES REPORTED BY THE COUNTY SHERIFF AND THE
23 COMMUNITY. SHERIFF INVESTIGATIONS OF THE HOTEL CONDUCTED FROM
24 JANUARY 2003 THROUGH JUNE 2003 RESULTED IN A CITATION FOR
25 KEEPING A RESIDENCE OF ILL FAME, KEEPING A DISORDERLY HOUSE...



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1

2 **SUP. YAROSLAVSKY:** MADAM CHAIR, CAN I...

3

4 **SUP. MOLINA, CHAIR:** YES, SIR? I KNOW. IT'S A LITTLE NOISY.

5

6 **SUP. YAROSLAVSKY:** NOT ONLY THAT BUT I THINK THE VOLUME IS DOWN
7 ON THE MICROPHONES BECAUSE ALL THE MICROPHONES ARE HAVING THE
8 SAME TROUBLE.

9

10 **SUP. MOLINA, CHAIR:** MUST BE BECAUSE I'M HAVING TROUBLE
11 HEARING, TOO.

12

13 **SUP. YAROSLAVSKY:** SO PERHAPS THE ENGINEER COULD TURN UP THE
14 VOLUME AND-- IT'S HARD FOR US TO EVEN HEAR OURSELVES, SO--
15 TESTING. THAT'S A LITTLE BETTER. IF YOU CAN DO IT A LITTLE
16 MORE, IT WOULD BE BETTER BECAUSE THEN WE'LL BE ABLE TO HEAR
17 EVERYBODY. THANK YOU.

18

19 **SUP. MOLINA, CHAIR:** THANK YOU. I APPRECIATE THAT. PLEASE
20 PROCEED.

21

22 **RUSSELL FRICANO:** TO CONTINUE IN THE SUMMARY OF CITATIONS,
23 THERE WAS KEEPING A RESIDENCE OF ILL FAME, KEEPING A
24 DISORDERLY HOUSE AND FAILURE TO MAINTAIN A HOTEL REGISTER. THE
25 SHERIFF'S DEPARTMENT ALSO PROVIDED MULTIPLE COPIES OF 10-



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1 DOLLAR ROOM REGISTRATION RECEIPTS AND WE HAVE A REPRESENTATIVE
2 OF THE SHERIFF'S DEPARTMENT HERE THIS MORNING WHO WILL
3 ELABORATE ON THESE CITATIONS. WHILE A PETITION OF 16 LOCAL
4 BUSINESSES AND LETTERS FROM 14 RESIDENTS SUPPORTED THE
5 CONTINUED OPERATION, STAFF RECEIVED A PETITION SIGNED BY OVER
6 200 COMMUNITY RESIDENTS IN OPPOSITION. STAFF RECOMMENDS THAT
7 THE DECISION OF THE REGIONAL PLANNING COMMISSION BE UPHELD.
8 THAT CONCLUDES MY PRESENTATION AND, AT THIS POINT, I'D LIKE TO
9 TURN THE MATTER OVER TO THE COUNTY SHERIFF.

10

11 **SUP. MOLINA, CHAIR:** ALL RIGHT. IF YOU'D MAKE YOUR
12 PRESENTATION.

13

14 **IGNACIO SOMANO:** GOOD MORNING. MY NAME IS IGNACIO SOMANO. I'M A
15 SERGEANT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
16 ASSIGNEES, LOS ANGELES STATION. IN SEPTEMBER OF 2002, IT WAS
17 BROUGHT TO OUR ATTENTION THAT PROSTITUTION WAS TAKING PLACE AT
18 THE WHITTIER ATLANTIC HOTEL, 5379 EAST WHITTIER BOULEVARD, AND
19 THAT THE HOTEL WAS INVOLVED IN FACILITATING THE PROSTITUTION.
20 I LOOKED INTO THE MATTER AND I LEARNED THAT, IN MAY OF 2001,
21 THAT COMPLAINT WAS ALSO MADE TO THE SHERIFF'S DEPARTMENT AND,
22 AT THAT TIME, THE SHERIFF'S DEPARTMENT CONTACTED THE
23 MANAGEMENT AND THE OWNER OF THE HOTEL AND ADVISED HIM OF THE
24 PROBLEM. THE HOTEL COOPERATED WITH THE SHERIFF'S DEPARTMENT IN
25 CONDUCTING A REVERSE STING TO HELP ELIMINATE PROSTITUTION



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1 TAKING PLACE IN AND AROUND THE HOTEL. DURING THE OPERATION IN
2 2001, 18 PEOPLE WERE ARRESTED FOR PROSTITUTION. BASED ON THAT
3 INFORMATION, THIS YEAR-- EXCUSE ME, IN JANUARY OF 2003, OUR
4 TARGET WAS TO COMPROMISE INFORMATION AGAINST THE HOTEL. FROM
5 JANUARY THROUGH MAY OF 2003, SIX DIFFERENT SURVEILLANCES WERE
6 CONDUCTED OF THE HOTEL, AT WHICH TIME WE WITNESSED
7 APPROXIMATELY 18 DIFFERENT INCIDENTS WHERE FEMALES WERE
8 CONTACTING MALES IN OR AROUND THE HOTEL, THEY ENGAGE IN A
9 CONVERSATION, THEY THEN GO INTO THE HOTEL, TO THE REGISTRATION
10 DESK AND THEN USE ONE OF THE MOTEL ROOMS FOR APPROXIMATELY 15
11 MINUTES. ALL THIS THIS ACTIVITY IS CONSISTENT WITH
12 PROSTITUTION. BASED ON THAT INFORMATION, I WAS ABLE TO SECURE
13 A SEARCH WARRANT FOR THE LOCATION AND, ON JUNE-- IN JUNE OF
14 2003, WE CONDUCTED AN UNDERCOVER OPERATION WHERE UNDERCOVER
15 PERSONNEL WERE SENT TO THE HOTEL. THEY CONTACTED ONE OF THE
16 PROSTITUTES AND A SOLICITATION FOR A SEX ACT DID TAKE PLACE.
17 THE PROSTITUTE THEN DIRECTED OUR UNDERCOVER TO THE HOTEL,
18 STATING THAT THE HOTEL DOESN'T CHECK FOR IDENTIFICATION, THAT
19 THE UNDERCOVER WOULD HAVE TO PAY \$10 TO GET A ROOM AND THE
20 PROSTITUTE EVEN ADVISED OUR UNDERCOVER TO JUST MAKE UP A NAME
21 BECAUSE THEY DON'T CHECK. AFTER THE CONTACT WITH OUR
22 UNDERCOVER INVESTIGATORS, THE PROSTITUTE WAS ARRESTED. WE
23 SERVED A SEARCH WARRANT ON THE OFFICE OF THE HOTEL. I REVIEWED
24 THE LEDGER OF THE HOTEL AND, IN REVIEWING THE HOTEL LEDGER,
25 THERE WAS A SOLID INDICATION THAT ROOMS ONE, THREE AND 10 WERE



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1 USED FOR MULTIPLE RENTALS ON A DAILY BASIS WITH A 10-DOLLAR
2 CHARGE, AND THIS COVERED THE THREE-MONTH PERIOD THAT I BELIEVE
3 WAS ON THE PREMISES. IN REVIEW OF THE HOTEL REGISTRY, THE
4 REGISTERS WERE NOT PROPERLY FILLED OUT, COMPLETE INFORMATION
5 WAS NOT OBTAINED. WE ALSO LOCATED CONDOMS THAT WERE BEING SOLD
6 BY THE HOTEL. I INTERVIEWED THE MANAGER AT THAT TIME AND HE
7 STATED THAT THE OWNER WAS AWARE THAT THE-- CERTAIN ROOMS AT
8 THE HOTEL ARE RENTED ON AN HOURLY BASIS AND, DURING THE
9 CONTACT IN OUR INVESTIGATION, WE ALSO CONFIRMED THAT SEVERAL
10 OF THE PROSTITUTES ACTUALLY LIVED AT THE HOTEL, RENTED ROOMS
11 ON A DAILY OR WEEKLY BASIS, AND YET THEY WOULD COME UP TO THE
12 COUNTER WITH MEN THROUGHOUT THE DAY AND RENT ROOMS WITH THOSE
13 MEN FOR THE PURPOSES OF PROSTITUTION. BASED ON OUR
14 INVESTIGATION, CRIMINAL CHARGES WERE FILED AGAINST THE TWO
15 MANAGERS AND THE ONE PROSTITUTE THAT THE REVERSE STING WAS
16 CONDUCTED AGAINST. IT IS-- AND TO SUMMARIZE, IT IS OUR
17 POSITION WITH THE SHERIFF'S DEPARTMENT THAT THIS PROBLEM WAS
18 BROUGHT TO THE ATTENTION OF THE OWNER BACK IN 2001 AND YET, IN
19 2003, THERE IS NO DOUBT IN MY MIND THAT THE HOTEL WAS
20 FACILITATING PROSTITUTION AND PROFITING FROM THAT.

21

22 **SUP. MOLINA, CHAIR:** VERY GOOD. THANK YOU SO MUCH. DOES THAT
23 COMPLETE THE REPORT?

24

25 **RUSSELL FRICANO :** YES, IT DOES.



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1

2 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU VERY MUCH. NEXT WE
3 HAVE FRANK WEISER. DID YOU GUYS COME UP ON YOUR OWN? OKAY,
4 WELL, YOU'RE HERE. HOW ABOUT JOHN BARAKONSKI? SORRY. NICE
5 PRINTING, THOUGH. OKAY. HERE'S A GOOD ONE.

6

7 **ISHWARLAL BHAKTA:** ISHWARLAL BHAKTA.

8

9 **SUP. MOLINA, CHAIR:** TRY AGAIN?

10

11 **ISHWARLAL BHAKTA:** ISHWARLAL BHAKTA.

12

13 **SUP. MOLINA, CHAIR:** DOESN'T LOOK ANYTHING LIKE THAT HERE BUT
14 IF YOU SAY SO. SO. AND THEN THERE'S SOMETHING STEVEN? N.
15 STEVEN? IS THERE ANOTHER PERSON? BALACA? THAT'S ALL ONE
16 PERSON?

17

18 **ISHWARLAL BHAKTA:** MY WIFE.

19

20 **SUP. MOLINA, CHAIR:** OH, IS SHE COMING UP AS WELL? SHE CAN COME
21 UP. AND DONALD BACCA. ARE THESE PEOPLE HERE? YOU MAY COME UP.
22 ALL RIGHT. WHY DON'T WE BEGIN. MR. WEISER?

23

24 **FRANK WEISER:** YES, THANK YOU VERY MUCH, MADAM CHAIR. FRANK
25 WEISER. I'M THE ATTORNEY ON BEHALF OF THE HOTEL WHICH IS OWNED



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1 BY THE BHAKTAS. THE BHAKTAS OWNED THIS PLACE SINCE 1976. I'D
2 LIKE TO PRESENT TO THE BOARD, WE PUT TOGETHER SOME BOOKLETS.

3

4 **SUP. MOLINA, CHAIR:** PLEASE PROCEED, SIR.

5

6 **FRANK WEISER:** THANK YOU. WE'VE PUT TOGETHER A BOOKLET HERE
7 WHICH WILL GIVE YOU AN OVERVIEW OF WHAT THE HISTORY OF THIS
8 PROPERTY IS, WHAT IT'S DOING NOW AND ITS PRESENT STATUS.
9 ESSENTIALLY, THE BHAKTAS HAVE OWNED THIS PLACE SINCE 1976.
10 THIS IS THEIR ONLY PROPERTY THAT THEY HAVE, IT'S THEIR
11 BUSINESS, THEY'VE FUNCTIONED FOR MANY YEARS, THERE'S NEVER
12 BEEN ANY COMPLAINTS AGAINST THE PROPERTY UNTIL, AS THE
13 SERGEANT INDICATED, IN 2003, COMPLAINTS WERE MADE WHEN THEY
14 HAD A ON-SITE MANAGER THERE AT THE PROPERTY WHO THEY'VE SINCE
15 FIRED. ADMITTEDLY, THERE WAS A PROBLEM ON THE STREET AT THAT
16 TIME. THAT HAS BEEN CLEARLY CLEANED UP. THE BHAKTAS NOW LIVE
17 THERE. THERE'S VERY STRONG SUPPORT IN THE COMMUNITY FOR THEM.
18 WE'VE GOT A PETITION HERE FROM RESIDENCES AND BUSINESSES,
19 WHICH WE'D ALSO LIKE TO HAND OUT TO THE BOARD, INDICATING THAT
20 THE PROPERTY PROVIDES LOW-INCOME HOUSING, AFFORDABLE LOW-
21 INCOME HOUSING TO PEOPLE IN THE COMMUNITY AND IT'S VERY CLEAN.
22 THERE IS ABSOLUTELY NO CRIME PROBLEM AT THE PROPERTY AT
23 PRESENT. AND, IN FACT, I THINK THE EVIDENCE OF THE HISTORY OF
24 THIS LITIGATION UP TO THIS POINT WOULD SUPPORT THAT
25 PROPOSITION, AND THAT IS, PARALLEL WITH THESE PROCEEDINGS



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1 BEFORE THE REGIONAL PLANNING BOARD, WERE ALSO PROCEEDINGS
2 BEFORE THE LICENSE COMMISSIONER IN 2003 AND THE LICENSE
3 COMMISSIONER, ORIGINALLY THE TAX COLLECTOR DID NOT WANT TO
4 RENEW THE LICENSE BECAUSE OF THE ALLEGATIONS MADE BY THE
5 SHERIFF'S DEPARTMENT. AN APPEAL WAS MADE TO THE LICENSE
6 COMMISSION AND THE LICENSE COMMISSION FOUND THERE WAS
7 INSUFFICIENT EVIDENCE TO SHOW THAT THE PROPERTY WAS ACTUALLY
8 RUNNING AS A PUBLIC NUISANCE. THERE WAS A 2-TO-2 SPLIT ON THE
9 COMMISSION AND AN AGREEMENT WAS MADE WITH THE BHAKTAS THAT
10 THEY COULD RUN THE PROPERTY, THEY COULD OBTAIN THEIR LICENSE
11 AS LONG AS THEY STIPULATED TO CERTAIN CONDITIONS. THOSE
12 CONDITIONS BEING THEY WOULD VIDEOTAPE, ON A 24-HOUR BASIS, WHO
13 WAS COMING IN, WHO WAS GOING OUT. THEY WOULD MAINTAIN
14 REGISTRATION CARDS AVAILABLE TO LAW ENFORCEMENT AT ANY TIME.
15 THEY WOULD TAKE PICTURES OF THE DRIVER'S LICENSE OF PEOPLE WHO
16 WOULD REGISTER AT THE PROPERTY. AND THOSE CONDITIONS WERE PART
17 OF THE STIPULATION AND WERE WORKING QUITE WELL UNTIL AN APPEAL
18 WAS MADE BY A PARTY WHO DID NOT ATTEND THE ORIGINAL LICENSE
19 COMMISSION HEARING, A MISS HERNANDEZ. AND, AT THE APPEAL, THEY
20 WENT BEFORE THE APPEALS BOARD AND I'D LIKE TO READ YOU ONE
21 LITTLE SHORT PARAGRAPH OF THE FINDING BY THE APPEALS BOARD.
22 ALTHOUGH THE BHAKTAS WERE DENIED THE LICENSE SIMPLY BECAUSE
23 THEY DID NOT HAVE A C.U.P., THE APPEALS BOARD DID FIND "THERE
24 WAS INSUFFICIENT INFORMATION PRESENTED TO SHOW THAT THE
25 LICENSE COMMISSION ERRED IN GRANTING THE RENEWAL OF THE



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1 BUSINESS LICENSE FOR THE HOTEL WITH CONDITIONS. ANY ALLEGED
2 NEW INCIDENCE OF DRUG USE, SOLICITATION OR PROSTITUTION
3 ACTIVITIES OR ALLEGED VIOLATIONS OF STATE AND COUNTY LAWS OR
4 THE CONDITIONS IMPOSED BY THE LICENSE WERE NOT SUFFICIENT." SO
5 THERE WAS NOT A FINDING THAT THIS PROPERTY, AT LEAST AS OF
6 OCTOBER OF 2004, WAS OPERATING AS A PUBLIC NUISANCE. AND THE
7 REASON FOR THAT IS THE BHAKTAS FIRED THE ON-SITE MANAGER, MR.
8 KUMAR. THEY HAVE BEEN LIVING ON THAT PROPERTY NOW FOR OVER A
9 YEAR AND A QUARTER AND THIS PROPERTY AND THE SURROUNDING
10 NEIGHBORHOOD HAS DRASTICALLY IMPROVED. IN THE BOOKLET I'VE
11 HANDED OUT TO YOU, EXHIBIT A, THE VERY FIRST PAGE IS A LETTER
12 FROM THE-- I BELIEVE THE MANAGER OF CITIBANK, WHICH IS A BANK
13 LOCATED RIGHT NEXT DOOR TO THE PROPERTY AT 5401 EAST WHITTIER
14 BOULEVARD AND IT SAYS-- IT WAS DATED JANUARY 22ND, 2005, IT'S
15 REGARDING THE PROPERTY IN THIS APPEAL, IT'S SIGNED BY A SANDRA
16 GARCIA AT THE BANK, WHO SAYS, "THIS IS LETTER IS BEING SENT
17 REGARDING MR. AND MRS. BHAKTA. THEY ARE LOCAL BUSINESS OWNERS.
18 THIS PAST YEAR, THEY HAVE LIVED AT THEIR BUSINESS LOCATION IN
19 AN EFFORT TO IMPROVE THEIR BUSINESS. THIS IMPROVEMENT IS
20 EVIDENT BY THE FACT THAT THERE IS NO LOITERING OF PEOPLE IN
21 THE AREA. THEY HAVE BEEN WELL-KNOWN CLIENTS OF THE CITY BANK
22 OFFICE."

23

24 **SUP. MOLINA, CHAIR:** MR. WEISER, DO YOU WANT TO BEGIN TO
25 SUMMARIZE, PLEASE?



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1

2 **FRANK WEISER:** YES. SURE. THE REST OF THE EXHIBIT A ARE VARIOUS
3 TESTIMONY DECLARATIONS OF TENANTS, PEOPLE WHO HAVE STAYED
4 THERE. AS WE SAID, WE HAVE PETITIONS FROM PEOPLE IN THE
5 NEIGHBORHOOD WHO DO NOT HAVE COMPLAINTS. EXHIBIT B IS THE
6 LARGE INVESTMENT THE BHAKTAS HAVE MADE OVER THE YEARS IN THIS
7 PROPERTY, WELL OVER A HALF MILLION DOLLARS. EXHIBIT E, AND ONE
8 THING I WOULD LIKE TO POINT OUT TO THE COUNTY, I THINK THIS IS
9 VERY, VERY CRITICAL, THIS PROPERTY IS PROVIDING THE COUNTY
10 WITH AFFORDABLE, LOW-INCOME HOUSING ON A LONG-TERM BASIS TO
11 RESIDENTS. IF THIS PLACE GOES OUT OF BUSINESS AND THERE IS NO
12 PLAN THAT WE'VE HEARD ABOUT RELOCATING PEOPLE WHO HAVE LIVED
13 THERE FOR 10, 15 YEARS, 20 YEARS, WE'RE GOING TO HAVE A MORE
14 SERIOUS HOMELESS PROBLEM. AND THIS IS AN ISSUE THAT HAS NOT
15 BEEN ADDRESSED AND IT SHOULD BE ADDRESSED.

16

17 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU VERY MUCH, MR.
18 WEISER. YOUR TIME IS UP, SIR.

19

20 **FRANK WEISER:** IF I COULD JUST SAY ONE LAST THING.

21

22 **SUP. MOLINA, CHAIR:** PLEASE, PLEASE SUMMARIZE, SIR.

23

24 **FRANK WEISER:** SURE. YOU HAVE HERE THAT THE COUNTY IS ACTUALLY
25 SENDING PEOPLE TO THIS PROPERTY. YOU HAVE VOUCHERS HERE FROM



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1 PEOPLE WHO ARE STAYING THERE AND SHOWING THAT IT'S BEING HELD
2 AND I WOULD SUBMIT TO THE BOARD THAT YOU'VE GOT THE BALANCE
3 ABOUT, YOU KNOW, THE PUBLIC INTEREST AND NOT JUST PUTTING A
4 PERSON OR PEOPLE WHO HAVE BEEN IN BUSINESS SINCE 1976.
5 CERTAINLY, THERE'S A BETTER WAY TO DO THIS AND I THINK ONE WAY
6 WOULD BE TO GRANT THE C.U.P., PLACE CONDITIONS ON THE C.U.P.,
7 IT COULD BE MONITORED...

8

9 **SUP. MOLINA, CHAIR:** THANK YOU, SIR.

10

11 **FRANK WEISER:** ...AND THEN THAT WOULD SATISFY THE INTERESTS OF
12 BOTH PARTIES.

13

14 **SUP. MOLINA, CHAIR:** THANK YOU, SIR. NEXT WE HAVE MR. JOHN
15 BARAKONSKI.

16

17 **JOHN BARAKONSKI:** JOHN BARAKONSKI. I AM A ARCHITECT. I HAVE
18 PREPARED THE APPLICATION FOR THE CONDITIONAL USE PERMIT AND
19 THE DRAWINGS FOR THE PLANNING COMMISSION. ESSENTIALLY, I AM
20 HERE TO ANSWER ANY QUESTIONS YOU MAY HAVE. HOWEVER, I WOULD
21 LIKE TO ADD THAT THE HOTEL WAS BUILT IN 1956 AND, SINCE THAT
22 TIME, IT OPERATED AS A HOTEL AND THERE WAS NO CHANGE IN USE
23 SINCE THEN. AND, IF YOU HAVE ANY QUESTIONS, I WILL BE VERY
24 HAPPY TO ANSWER THEM.

25



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1 **SUP. MOLINA, CHAIR:** THANK YOU SO MUCH, SIR. I DON'T THINK
2 THERE'S ANY QUESTIONS. MR. BHAKTA, PLEASE.

3

4 **ISHWARLAL B. BHAKTA:** ME AND MY WIFE, MRS. BHAKTA, OWNS THIS
5 HOTEL SINCE 1975, JULY...

6

7 **SUP. MOLINA, CHAIR:** EXCUSE ME. COULD I ASK THE PEOPLE ON THIS
8 SIDE IF THEY WOULD PLEASE BE QUIET. WE CAN BARELY HEAR OUR
9 WITNESSES HERE. THANK YOU. I APOLOGIZE.

10

11 **ISHWARLAL B. BHAKTA:** WE HAVE RAISED OUR FOUR KIDS AND THEN I
12 HAVE BEEN OPERATING, THEN I PUT MANAGER FOR AWHILE AND, SINCE
13 15 MONTHS, WE ARE OPERATING OURSELVES. AND WE HAVE A LOW-
14 INCOME WHO LIVES ON SOCIAL SECURITY AND LOW-INCOME PEOPLE ARE
15 LIVING THERE. IT'S AFFORDABLE, CLEAN HOUSING. THEY ARE
16 PROVIDING TO THE COMMUNITY, AND IT'S CONTINUOUSLY CHECKED BY
17 THE HEALTH DEPARTMENT OF THE COUNTY. I HAVE A AGREEMENT GOING
18 ON WITH TUBERCULOSIS CONTROL. THEY TOLD ME TO MENTION A NAME,
19 I THINK WE SUBMIT IN THIS THING, THEIR PERSON IS MEANT TO
20 PROVIDE PERSON, YOU KNOW, AND WHERE COUNTY IS GOING TO PAY ME.
21 AND IT'S CHECKED BY A COUPLE OF TIMES IN THE YEAR BY THE
22 COUNTY HEALTH DEPARTMENT. AND WHENEVER THEY COME IN, WE TRY TO
23 MAKE IT UP TO DATE.

24



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1 **FRANK WEISER:** THE BHAKTAS ALSO HAVE AND WOULD LIKE TO
2 INTRODUCE IT AS EVIDENCE BECAUSE I THINK THE VIDEOS DON'T LIE
3 AND IT WAS INTRODUCED AT THE LICENSE...

4

5 **ISHWARLAL B. BHAKTA:** I HAVE FOUR CAMERAS IN THE HOTEL AND WE
6 KEEP IT 24 HOURS. POLICE DEPARTMENT IS WELCOME TO CHECK ANY
7 TIME. WE HAVE...

8

9 **SUP. MOLINA, CHAIR:** YOU'RE WELCOME TO SUBMIT THAT, SIR.

10

11 **ISHWARLAL B. BHAKTA:** I HAVE VIDEO FOR ABOUT 40 DAYS. I'D LIKE
12 TO PRESENT THIS.

13

14 **SUP. MOLINA, CHAIR:** THAT WILL JUST BE SUBMITTED FOR THE
15 RECORD.

16

17 **FRANK WEISER:** OKAY. AND I JUST WANT TO SAY SOMETHING ELSE,
18 THAT VIDEO IS THE LAST 40 DAYS OF-- THERE, OF COURSE, WE HAVE
19 VCR STORED GOING BACK OVER 15 MONTHS. THOSE VIDEOS WILL SHOW
20 THERE IS NO, ABSOLUTELY NO ACTIVITY AT THIS PROPERTY...

21

22 **SUP. MOLINA, CHAIR:** AGAIN, THANK YOU, MR. WEISER. MRS. BHAKTA,
23 DID YOU WANT TO ADD ANYTHING?

24

25 **ISHWARLAL B. BHAKTA:** SHE SPEAKS VERY LITTLE ENGLISH SO...



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1

2 **SUP. MOLINA, CHAIR:** I'M SORRY? OH, I SEE. OKAY.

3

4 **ISHWARLAL B. BHAKTA:** BUT IF YOU WANT TO ASK ANY QUESTIONS, SHE
5 WILL TRY TO ANSWER.

6

7 **SUP. MOLINA, CHAIR:** ALL RIGHT. VERY GOOD. SO YOU'LL SUBMIT THE
8 VIDEO?

9

10 **ISHWARLAL B. BHAKTA:** I HAVE THIS DIGITAL CAMERA SYSTEM.

11

12 **SUP. MOLINA, CHAIR:** NO, SIR, WE'RE NOT GOING TO PLAY IT HERE.

13

14 **ISHWARLAL B. BHAKTA:** NO, BUT IN CASE...

15

16 **SUP. MOLINA, CHAIR:** YOU CAN SUBMIT THE VIDEO FOR THE RECORD.
17 ALL RIGHT. THANK YOU. ANYTHING ELSE?

18

19 **FRANK WEISER:** WE HAVE A RESIDENT HERE, I BELIEVE, WHO'D LIKE
20 TO SPEAK.

21

22 **SUP. MOLINA, CHAIR:** WE HAVE A DONALD BACCA. IS THAT CORRECT?
23 ONE OF YOU WILL HAVE TO GIVE UP YOUR SEAT, SIR. ONE OF YOU
24 WILL HAVE TO GIVE UP YOUR SEATS. MR. BACCA, PLEASE.

25



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1 **DONALD BACCA:** MY NAME IS DONALD BACCA AND I'M HERE TO
2 REPRESENT THE OWNERS OF THE HOTEL. AND IT'S A NICE PLACE TO
3 LIVE AND IT'S CHEAP. AND IT'S RIGHT ON THE EAST SIDE. AND IT'S
4 CLOSE TO THE TRANSPORTATION SYSTEM, RESTAURANTS ACROSS THE
5 STREET AND BARBER SHOP. AND, OTHER THAN THAT, IT'S THE ONLY
6 ONE IN TOWN, THAT'S THE ONLY HOTEL AROUND THERE. ALL THE OTHER
7 ONES ARE FULL. AND THE ONES THAT ARE NOT FULL ARE ONES THAT
8 ARE OVERCHARGING.

9

10 **SUP. MOLINA, CHAIR:** THANK YOU. ANYTHING ELSE?

11

12 **DONALD BACCA:** NO. THAT'S IT.

13

14 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU SO MUCH, SIR. I
15 APPRECIATE IT. ALL RIGHT. NEXT WE HAVE THE OPPOSITION. WE HAVE
16 MARTHA HERNANDEZ, EDDIE TORRES AND VINCE ALVARADO. IF THEY
17 WOULD JOIN US. MR. TORRES? MISS HERNANDEZ? PLEASE.

18

19 **MARTHA S. HERNANDEZ:** GOOD MORNING. THANK YOU FOR GIVING ME THE
20 OPPORTUNITY. MY NAME IS MARTHA HERNANDEZ AND I'VE BEEN A LONG
21 RESIDENCE OF LOS ANGELES. I'M HERE TODAY TO DENY THE-- TO ASK
22 YOU TO DENY THE C.U.P. FOR THE WHITTIER BOULEVARD ATLANTIC
23 HOTEL. AS LONG AS I CAN REMEMBER, THERE HAVE BEEN PROSTITUTION
24 PROBLEMS AT THE HOTEL. I AM THANKFUL THAT THE SHERIFF'S TOOK
25 THE TIME TO CITE THE LOCATION AND ATTEMPT TO END THE ILLEGAL



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1 ACTIVITY. I HAVE A PETITION THAT I SUBMITTED TO THE ORIGINAL
2 PLANNING COMMISSION WITH 228 SIGNATURES OPPOSING THE
3 APPLICATION. I HAVE BROUGHT A COPY FOR YOU, FOR THE BOARD AS
4 WELL. HERE IT IS.

5

6 **SUP. MOLINA, CHAIR:** ALL RIGHT.

7

8 **MARTHA S. HERNANDEZ:** THE RESIDENTS OF EAST LOS ANGELES OPPOSE
9 THE HOTEL CONTINUED EXISTENCE BECAUSE THE OWNERS HAVE SHOWED
10 DAILY THAT THEY DON'T CARE ABOUT THE COMMUNITY WELLBEING.
11 PROSTITUTION SET SET A BAD EXAMPLE FOR OUR CHILDREN AND HAVE
12 DEMORALIZED OUR RESIDENTS. IT LOWERS OUR PROPERTY VALUES AND
13 CREATES _____ AND _____ OF ONE OF MOST PROMINENT
14 COMMERCIAL CORRIDORS. AS A MOTHER, I WAS ASTOUNDED WHEN MY SON
15 CAME HOME FROM SCHOOL ONE DAY AND TOLD ME THAT PROSTITUTION
16 HAD PROPOSED TO HIM. YOU SEE MANY OUR CHILDREN WALKING PAST
17 THE HOTEL TO ATTEND AND TO SCHOOL. IN FRONT OF THE MOTEL TO
18 ATTEND TO SCHOOL. THE RESIDENTS OF EAST LOS ANGELES ARE PROUD
19 OF A STRONG HISTORY ON WHITTIER BOULEVARD. FOR MANY OF US THE
20 BOULEVARD REPRESENTS WHAT MEANS TO BE MEXICAN-AMERICAN IN EAST
21 LOS ANGELES. MORE THAN ONE COMMUNITY STRUGGLE HAS BEEN FOUGHT
22 AND WON ON WHITTIER BOULEVARD STRUGGLE WITH LASTING
23 SIGNIFICANCE FOR OUR PEOPLE. WHEN SHOPPERS VISIT WHITTIER
24 BOULEVARD, WE WANT THEM TO BE REMIND FOR OUR HISTORY AND
25 POSITIVE CULTURE CHANGES THAT HAS HAPPENED THERE WE DON'T WANT



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1 THIS TO BE OBSCURE WITH A NEGATIVE IMAGE OF A HOTEL THAT HAS
2 STANDING ROOMS FOR THE LOCAL PROSTITUTIONS. THANK YOU FOR YOUR
3 TIME AND CONSIDERATIONS.

4

5 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH. MR. TORRES. IS MR.
6 ALVARADO HERE?

7

8 **EDDIE TORRES:** THAT'S WHAT I WAS WAITING FOR...

9

10 **SUP. MOLINA, CHAIR:** ALL RIGHT. WHY DON'T YOU PROCEED, MR.
11 TORRES?

12

13 **EDDIE TORRES:** CAN I GET SOME WATER FIRST?

14

15 **SUP. MOLINA, CHAIR:** SURE.

16

17 **EDDIE TORRES:** GOOD MORNING, SUPERVISOR GLORIA MOLINA AND GOOD
18 MORNING COUNTY BOARD OF SUPERVISORS. MY NAME IS EDDIE TORRES.
19 I'M A LONG-TERM RESIDENT OF EAST LOS ANGELES AND ALSO A
20 BUSINESS OWNER AND THE PRESIDENT OF THE EAST LOS ANGELES
21 CHAMBER OF COMMERCE BOARD OF DIRECTORS. I AM HERE SPEAKING
22 BEFORE YOU TODAY TO URGE YOU TO DENY THE C.U.P. FOR THE
23 WHITTIER ATLANTIC HOTEL. EAST LOS ANGELES IS AN OLD COMMUNITY,
24 RICH WITH CULTURE AND HISTORY. WE HAVE SOMETIMES HAD
25 DIFFICULTY IN ATTRACTING BUSINESSES TO EAST LOS ANGELES.



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1 NONETHELESS, WE DO HAVE SEVERAL VIBRANT AND ATTRACTIVE
2 COMMERCIAL CORRIDORS. WHITTIER BOULEVARD IS ONE OF THOSE
3 CORRIDORS. IN THE PAST FIVE YEARS, THE COUNTY OF LOS ANGELES
4 AND THE COMMUNITY DEVELOPMENT COMMISSION OF LOS ANGELES ALSO
5 WAS GLORIA MOLINA FIRST DISTRICT, COUNTY SUPERVISORS, HAVE
6 COLLABORATED WITH US TO REVITALIZE WHITTIER BOULEVARD. WE HAVE
7 BEEN SUCCESSFUL IN ESTABLISHING A C.B.R. PROGRAM FOR SITE
8 IMPROVEMENTS AND ALSO THE M.T.A. HAS RECENTLY AWARDED US
9 FUNDING FOR A STREETScape PROJECT WITH PEDESTRIAN
10 ENHANCEMENTS. IN FACT, THE C.D.C. HAS COMPLETED MORE THAN 50
11 C.B.R.S ON WHITTIER BOULEVARD. I AM SURE THAT I DON'T HAVE TO
12 TELL YOU A NEGATIVE IMPACT A HOUSE OF PROSTITUTION HAS ON THE
13 RESIDENTS AND BUSINESSES IN THE ENVIRONMENT ALONG WHITTIER
14 BOULEVARD. PEOPLE ARE AFRAID TO SHOP IN THE AREA NEAR THE
15 HOTEL. NO ONE WALKS ALONG THE STREET PAST 5:00 P.M. BECAUSE
16 THEY DO NOT WANT TO BE PROPOSITIONED. WE ARE WORKING HARD TO
17 IMPROVE WHITTIER BOULEVARD SHOPPING DISTRICT AND THE WHITTIER
18 ATLANTIC HOTEL IS A NUISANCE TO THE COMMUNITY AND A DETRIMENT
19 TO OUR BUSINESSES. WE WANT TO BE KNOWN AS A PREMIER LATINO
20 SHOPPING DESTINATION DISTRICT, NOT A PLACE WHERE JOHNS CAN GO
21 TO BE SERVICED. THE HOTEL WAS CITED BY THE SHERIFFS ON MORE
22 THAN ONE OCCASION AND HAD THE OPPORTUNITY TO CLEAN UP THE
23 SITUATION. THEY CHOSE NOT TO. I BELIEVE THE RESPONSIBLE PEOPLE
24 IN THE COUNTY KNOW THAT PROSTITUTION IS ILLEGAL. THEY DO NOT
25 NEED TO BE REMINDED AGAIN AND AGAIN TO STOP. THANK YOU VERY



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1 MUCH. AND I'D LIKE TO BEG THE INDULGENCE OF THIS COMMITTEE OR
2 COUNTY BOARD OF SUPERVISORS TO GIVE US A BRIEF SECOND TO BRING
3 IN VINCENT ALVARADO. HE IS A NEARBY RESIDENT, LIVES RIGHT IN
4 THE ALLEY BEHIND THIS HOTEL.

5

6 **SUP. MOLINA, CHAIR:** WHO IS THIS?

7

8 **EDDIE TORRES:** VINCENT ALVARADO, AND HE SHOULD BE...

9

10 **SUP. MOLINA, CHAIR:** BUT IF HE'S NOT HERE, SIR, WE NEED TO MOVE
11 FOR-- OH, YOU'RE HERE. THEN PLEASE JOIN US.

12

13 **EDDIE TORRES:** OKAY, THANK YOU, SUPERVISOR. THAT'S WHAT YOU
14 CALL FASHIONABLY LATE.

15

16 **SUP. MOLINA, CHAIR:** I DON'T KNOW ABOUT THE FASHIONABLY. MR.
17 ALVARADO.

18

19 **VINCENT ALVARADO:** HOW ARE YOU DOING? MY NAME IS VINCENT EDWARD
20 ALVARADO.

21

22 **SUP. MOLINA, CHAIR:** PLEASE SIT DOWN, SIR.

23

24 **VINCENT ALVARADO:** I LIVE AT 760 SOUTH HILLVIEW. I LIVE BEHIND
25 THE HOTEL AND I DON'T KNOW WHAT TO TELL YOU BUT IT'S A



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1 TERRIBLE PLACE. IT'S AN EYESORE. I MEAN, THERE'S PROSTITUTION,
2 DRUGS...

3

4 **SUP. MOLINA, CHAIR:** CAN YOU SPEAK UP JUST A LITTLE BIT LOUDER,
5 PLEASE?

6

7 **VINCENT ALVARADO:** THIS IS ALL NEW TO ME. BUT IT'S A BAD PLACE.
8 I MEAN, IF WE KEEP ON LETTING PLACES LIKE THAT STAY IN
9 EXISTENCE, WE'LL NEVER GET RID OF ANY OF THE PROBLEMS THAT WE
10 HAVE IN LOS ANGELES. THIS GUY, HE KNOWS FOR A FACT THAT HE
11 SHOULD HAVE CLEANED IT UP A LONG TIME AGO. WE'VE TRIED TALKING
12 TO HIM. AND ALL HE CARED ABOUT WAS MONEY. HE DIDN'T CARE IF
13 THE PEOPLE ARE JUMPING IN AND OUT OF THE WINDOWS, YOU KNOW,
14 ACTING UNCIVILIZED. I MEAN, I DON'T KNOW ABOUT YOU, BUT I
15 DON'T THINK YOU WOULD LIKE TO COME OUT AND STEP INTO YOUR CAR
16 AND HAVE USED CONDOMS THROWN ON TOP OF YOUR HOOD OF YOUR CAR.
17 AND YOU STEP OUT IN THE PARKING LOT, IT LOOKS LIKE A BATTLE
18 ZONES. THERE'S CONDOMS EVERYWHERE. I MEAN, THERE'S NEEDLES,
19 THERE'S JUST A LOT OF TERRIBLE THINGS COMING OUT OF THAT
20 HOTEL. I'VE SEEN ENOUGH, I MEAN, IN THE FIVE YEARS THAT I'VE
21 LIVED THERE, AND HE'S TRYING-- HE SAYS HE'S TRYING TO MAKE A
22 CHANGE BUT THE PLACE STILL LOOKS BEAT UP. I MEAN, THE WRITING
23 STAYS ON THE WALLS UNLESS I GO TAKE IT OFF. THE WINDOWS ARE
24 ALL BROKEN AND THEY'RE ALL PAINTED AND IT'S JUST-- IT'S A
25 TOTAL EYESORE. I MEAN, PEOPLE ARE STILL JUMPING IN AND OUT OF



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1 THE WINDOWS. IT'S A TERRIBLE PLACE. UNLESS YOU LIVE THERE, YOU
2 WOULDN'T KNOW WHAT I'M TALKING ABOUT. I MEAN, THERE'S GOT TO
3 BE SOMETHING DONE TO CLOSE THIS PLACE DOWN OR DO SOMETHING
4 BECAUSE I CAN'T HANDLE IT ANY MORE, YOU KNOW? I'VE TRIED
5 TALKING TO THE AUTHORITIES. MY FRIEND HERE, MR. TORRES, IF IT
6 WOULDN'T HAVE BEEN FOR HIM, I NEVER WOULD HAVE GOT THIS FAR IN
7 TRYING TO GET THIS PLACE TO GO AWAY.

8

9 **SUP. MOLINA, CHAIR:** VERY GOOD.

10

11 **VINCENT ALVARADO:** SO IF YOU CAN, PLEASE, PLEASE MAKE THIS
12 PLACE GO AWAY.

13

14 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU SO MUCH FOR YOUR
15 TESTIMONY, MR. ALVARADO. WE APPRECIATE IT. I THINK THAT
16 CONCLUDES THE PUBLIC HEARING. IS THERE ANY QUESTION OR
17 COMMENT? IF NOT, I'D LIKE TO MOVE THAT WE CLOSE THE PUBLIC
18 HEARING AND AGREE WITH THE DECISION THAT HAS BEEN BROUGHT TO
19 US THAT WE DENY THE C.U.P. IS THAT CORRECT?

20

21 **RICHARD WEISS, COUNSEL:** A MOTION INDICATING YOUR INTENT TO
22 DENY THE CONDITIONAL USE PERMIT, INSTRUCTING OUR OFFICE TO
23 COME BACK WITH FINDINGS FOR DENIAL.

24



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1 **SUP. MOLINA, CHAIR:** OKAY. THAT WOULD BE APPROPRIATE. WE NEED
2 TO DO THAT. MOVED BY MYSELF, SECONDED BY SUPERVISOR BURKE. IF
3 THERE'S NO OBJECTION, SO ORDERED. ALL RIGHT. ITEM NUMBER--
4 WE'RE GOING TO GO BACK TO ITEM NUMBER 8 BECAUSE IT'S MY
5 UNDERSTANDING THE CONSULTANT HAS ARRIVED. THANK YOU SO MUCH,
6 GENTLEMEN.

7

8 **SUP. ANTONOVICH:** MADAM CHAIR, THE GOVERNOR IS HERE. COULD WE
9 ANNOUNCED HER?

10

11 **SUP. MOLINA, CHAIR:** BEFORE WE PROCEED WITH THIS ITEM, I'D LIKE
12 TO CALL ON SUPERVISOR ANTONOVICH FOR A PRESENTATION.

13

14 **SUP. ANTONOVICH:** MADAM CHAIR, MEMBERS OF THE BOARD, IT'S OUR
15 GREAT HONOR TO WELCOME THE GOVERNOR, JOSEFINA DE LA CRUZ FROM
16 THE PROVINCE OF BULACAN IN THE PHILIPPINES WHO IS HERE THIS
17 MORNING. SHE HAS BEEN IN POLITICS FOR 21 YEARS, SHE WAS
18 ELECTED THE YOUNGEST COUNSELOR OF HER LOCAL GOVERNMENT AT THE
19 AGE OF 21 AND ASSUMED THE POSITION OF VICE MAYOR AT THE AGE OF
20 23. SHE WAS ELECTED THE YOUNGEST BOARD MEMBER OF THE BULACAN
21 IN 1998 AT AGE 29 AND THE FIRST WOMAN TO BE ELECTED VICE
22 GOVERNOR IN 1992. SHE ASSUMED THE GOVERNORSHIP ON FEBRUARY 9TH
23 OF 1998 AND ELECTED AS FIRST LADY GOVERNOR OF BULACAN ON MAY
24 11TH, 1998, WITH OVERWHELMING 345,000 VOTES. SHE HAS A SOLID
25 EDUCATIONAL BACKGROUND WITH DEGREES IN MANAGEMENT, ENGINEERING



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1 AND PSYCHOLOGY. SHE'S TRAVELED AROUND THE WORLD TO ATTEND AND
2 PARTICIPATE IN TRAINING SESSIONS ON MANAGEMENT STRATEGIES, ON
3 PRODUCTIVITY, FINANCIAL MANAGEMENT, ENVIRONMENTAL MANAGEMENT
4 AND SMALL BUSINESS DEVELOPMENT. ON THIS TRIP TO LOS ANGELES
5 COUNTY, HER GOALS ARE TO INCREASE COMMERCE, TRADE AND BUSINESS
6 RELATIONS BETWEEN BULACAN AND CALIFORNIA. IN FACT, LATER ON
7 TODAY, SHE WILL MEET WITH THE GOVERNOR AND HER DELEGATION TO
8 TRAVEL TO HESPERIA SIGN A SISTER CITY AGREEMENT. REELECTED IN
9 MAY, 2004, SHE'S BEEN INSTRUMENTAL IN INTERNATIONAL RESOURCE,
10 ON LOCAL GOVERNANCE AND IMPROVING DELIVERY OF SOCIAL SERVICES.
11 SHE'S RECEIVED NUMEROUS POLITICAL AWARDS, MOST RECENTLY BEING
12 RECOGNIZED BY PRESIDENT ESTRADA FOR SUCCESSFULLY LEADING THE
13 PROVINCE THROUGH HER PUBLIC SERVICE REFORMS AND PRODUCTIVITY
14 MEASURES. WITH HER IS, TODAY, EIGHT MEMBERS OF A DELEGATION
15 AND JIM DANTONA AND MARCUS FISHMAN. SO, GOVERNOR, WELCOME. [
16 APPLAUSE]

17

18 **THE HONORABLE JOSEFINA DE LA CRUZ:** TO THE MEMBERS OF THE
19 COUNTY OF LOS ANGELES, THE BOARD OF SUPERVISORS, ESPECIALLY
20 SUPERVISOR MICHAEL ANTONOVICH, THANK YOU FOR HAVING US. THE
21 DELEGATION FROM BULACAN, PHILIPPINES, WITH ME TODAY, AS WE
22 SAID-- AS YOU SAID, THANK YOU, IS HERE TO BRING BUSINESS AND
23 INVESTMENT OPPORTUNITIES FOR LOS ANGELES AND, HOPEFULLY ALSO
24 FOR CALIFORNIA AS A WHOLE. WE ARE ON OUR WAY TO HESPERIA, AND



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1 WE HOPE TODAY'S VISIT WILL BE THE BEGINNING OF EVEN MORE
2 RELATIONSHIPS FOR US. THANK YOU. [APPLAUSE]

3

4 **SUP. MOLINA, CHAIR:** YOU'RE WELCOME. [APPLAUSE CONTINUES]

5

6 **SUP. MOLINA, CHAIR:** THANK YOU SO MUCH. ALL RIGHT. IF WE CAN
7 PROCEED WITH ITEM NUMBER 9. WE HAVE A REPORT? PLEASE.

8

9 **RON HOFFMAN:** GOOD MORNING. GOOD MORNING, MEMBERS OF THE BOARD.
10 I AM RON HOFFMAN REPRESENTING THE DEPARTMENT OF REGIONAL
11 PLANNING. THIS MORNING, YOU'LL BE CONSIDERING AMENDMENTS TO
12 THE COUNTY'S EXISTING TRANSIT ORIENTED DISTRICT ORDINANCE. THE
13 TRANSIT ORIENTED DISTRICT, OR T.O.D. CONCEPT, WAS FIRST USED
14 SEVERAL YEARS AGO BY THE COUNTY IN AREAS AROUND FOUR BLUE LINE
15 STATIONS IN THE UNINCORPORATED COUNTY COMMUNITIES OF FLORENCE,
16 FIRESTONE AND WILLOWBROOK. THE PROPOSED ORDINANCE BEFORE YOU
17 TODAY WILL APPLY THE T.O.D. PROVISIONS TO THE GREEN LINE
18 STATIONS AT VERMONT AND HAWTHORNE BOULEVARD IN THE
19 UNINCORPORATED COMMUNITIES OF WEST ATHENS AND LENNOX. THE
20 PHILOSOPHY BEHIND THE T.O.D. CONCEPT IS TO ADOPT LAND USE
21 REGULATIONS WHICH WILL ENCOURAGE MORE INTENSE RESIDENTIAL AND
22 PEDESTRIAN ORIENTED COMMERCIAL DEVELOPMENT AROUND THE TRANSIT
23 STATIONS TO TAKE ADVANTAGE OF THE SIGNIFICANT PUBLIC
24 INVESTMENT AND PUBLIC RAIL STATIONS. THESE NEW PROVISIONS WILL
25 HAVE THE DOUBLE BENEFIT OF REVITALIZING THESE NEIGHBORHOODS



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1 AND INCREASING RIDERSHIP AT THE STATIONS. IT SHOULD BE NOTED
2 THAT ALTHOUGH THE EXISTING BLUE LINE PROVISIONS HAVE BEEN
3 REORGANIZED, THEY HAVE NOT BEEN SUBSTANTIALLY CHANGED. WITH ME
4 THIS MORNING ARE LEONARD ERLANGER, THE SECTION HEAD OF THE
5 DEPARTMENT'S ORDINANCE STUDIES SECTION, WHO WILL DESCRIBE THE
6 MAIN FEATURES OF THE T.O.D. ORDINANCE AND RELATED ZONE CHANGES
7 AND BILL FULTON, PRESIDENT OF THE SOLOMAR RESEARCH GROUP, WHO
8 WILL DISCUSS THE FINDINGS OF HIS STUDY OF THE INFILL
9 DEVELOPMENT POTENTIAL ASSOCIATED WITH THE GREEN LINE T.O.D.
10 ORDINANCE. MR. FULTON'S STUDY WAS INITIATED AND PAID FOR BY
11 SUPERVISOR BURKE'S OFFICE. FOLLOWING THEIR COMMENTS, WE WILL
12 BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE REGARDING THIS
13 PROPOSAL.

14

15 **LEONARD ERLANGER:** MEMBERS OF THE BOARD, MY NAME IS LEONARD
16 ERLANGER. I'M WITH THE DEPARTMENT OF REGIONAL PLANNING. THE
17 MAIN GOALS OF THE GREEN LINE TRANSIT ORIENTED DISTRICT ARE TO
18 REVITALIZE PROPERTIES WITHIN THE DISTRICT AND ALSO TO INCREASE
19 TRANSIT RIDERSHIP. THE ORDINANCE WAS PREPARED BY THE GREEN
20 LINE TRANSIT ORIENTED DISTRICT'S ADVISORY COMMITTEE. THIS IS A
21 HARDWORKING GROUP OF CITIZENS THAT WORKED ON THE ORDINANCE AND
22 THE REGIONAL PLANNING COMMISSION ESSENTIALLY CONCURRED WITH
23 THEIR RECOMMENDATIONS. THE ORDINANCE WOULD APPLY NEW STANDARDS
24 AND CASE PROCESSING PROCEDURES TO AREAS WITHIN ABOUT A QUARTER
25 TO HALF A MILE OF THE GREEN LINE TRANSIT DISTRICT STATIONS



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1 LOCATED ON VERMONT AND WEST ATHENS AND ON HAWTHORNE BOULEVARD
2 IN LENNOX. THE ORDINANCE HAS THREE FOCUSES. THE FIRST IS TO--
3 THERE ARE THREE FOCUSES TO CREATE A REVITALIZED AREA AND
4 INCREASE TRANSIT RIDERSHIP. THE FIRST IS TO HELP CREATE A
5 COHESIVE MIXED USE NEIGHBORHOOD WHERE RESIDENTS AND EMPLOYEES
6 CAN TAKE ADVANTAGE OF THE TRANSIT LINE TO MEET MANY OF THEIR
7 DAILY NEEDS. THIS GOAL WOULD BE ACHIEVED BY PROVIDING FLOOR
8 AREA RATIO HEIGHT AND CASE PROCESSING INCENTIVES FOR MIXED USE
9 PROJECTS ALONG VERMONT AVENUE AND HAWTHORNE BOULEVARD,
10 ALLOWING SMALL STORES AND RESTAURANTS ON CORNER LOTS IN THE
11 RESIDENTIAL AREAS AND ALSO ALLOWING SMALL STACK AREAS WITHIN
12 APARTMENT BUILDINGS IN THE RESIDENTIAL AREAS. SECONDLY, THE
13 SECOND FOCUS IS TO PROVIDE A CONVENIENT, SAFE, COMFORTABLE,
14 INTERESTING AND AESTHETICALLY IMPROVED PEDESTRIAN ENVIRONMENT.
15 THE FIRST WAY THE ORDINANCE ACHIEVES THIS PURPOSE BY PROVIDE--
16 REQUIRING ARCHITECTURAL ACCENTS AND FEATURES ALONG THE FACADES
17 OF COMMERCIAL AND MIXED USE BUILDINGS, REQUIRING THAT RETAIL
18 USES BE LOCATED ON THE GROUND FLOORS OF THOSE BUILDINGS AND
19 REQUIRING PUBLIC SPACES, LEISURE AREAS, LANDSCAPING AND
20 PEDESTRIAN AMENITIES, BOTH WITHIN PRIVATE PROJECTS AND ALONG
21 MAJOR STREETS. THE THIRD AND FINAL FOCUS OF THE ORDINANCE IS
22 TO PROMOTE MORE INTENSE HOUSING CLOSER TO THE-- CLOSE TO THE
23 TRANSIT STATIONS IN TURN, ATTRACTING MORE NEIGHBORHOOD AND
24 PEDESTRIAN ORIENTED COMMERCIAL USES. THE ORDINANCE WOULD
25 ACHIEVE THIS BY ALLOWING ORDINANCE-- BY ALLOWING RESIDENCES,



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1 AGAIN, WITHIN MIXED USE BUILDINGS AND COMMERCIAL ZONES WITH
2 THE DIRECTOR'S REVIEW AND ALLOWING, ALSO WITH THE DIRECTOR'S
3 REVIEW, DENSITY BONUSES FOR INFILL DEVELOPMENT, LOT
4 CONSOLIDATION DEVELOPMENT AND AFFORDABLE HOUSING PROJECTS. THE
5 ORDINANCE IS SUPPLEMENTED BY PROPOSED ZONE CHANGES,
6 ESSENTIALLY FROM C-3 TO C-2 ALONG VERMONT AVENUE AND IMPERIAL
7 HIGHWAY IN WEST ATHENS AND FROM M-1 TO C-2 ALONG HAWTHORNE
8 BOULEVARD AND LENNOX. ADDITIONALLY, THE ORDINANCE IS
9 SUPPLEMENTED BY THE STRATEGY REPORT THAT LAYS THE POLICY
10 FRAMEWORK FOR DEVELOPMENT WITHIN THE T.O.D. CONSISTENT WITH
11 THE PROPOSED ORDINANCE. WHILE STAFF BELIEVES ALMOST ALL OF
12 THESE PROVISIONS ARE POSITIVE AND WILL HELP TO CREATE
13 REVITALIZATION AND MORE TRANSIT USE, THERE IS ONE PROVISION
14 THAT REQUIRES A C.U.P. FOR APARTMENT BUILDINGS OF MORE THAN
15 FOUR DWELLING UNITS IN RESIDENTIAL ZONES THAT STAFF FEELS WILL
16 BE UNPRODUCTIVE IN PROMOTING HOUSING SUPPLY. AND WE RECOMMEND
17 THAT THAT REQUIREMENT BE DELETED. THE GREEN LINE ORDINANCE
18 THUS PROVIDES A FRAMEWORK FOR ZONING INCENTIVES AND STANDARDS
19 WITHIN THE DISTRICTS, WHEREAS THE RESIDENTIAL INFILL STUDY
20 REFERRED TO EARLIER DEPICTS REALISTIC OPPORTUNITIES FOR
21 SOMEWHAT HIGHER INFILL DEVELOPMENT WITHIN THIS REGULATORY
22 FRAMEWORK. TOGETHER AS ONE PROGRAM, THEY REVEAL REALISTIC
23 OPPORTUNITIES FOR PROMOTING REVITALIZATION AND INCREASED
24 TRANSIT RIDERSHIP WITHIN THE GREEN LINE T.O.D.S. SO, HAVING
25 EXPLAINED THE REGULATORY FRAMEWORK FOR DEVELOPMENT WITHIN



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1 THESE DISTRICTS, I WOULD NOW LIKE TO INTRODUCE MR. BILL
2 FULTON, OUR INFILL STUDY CONSULTANT, WHO WILL FILL YOU IN ON
3 THE RECENT STUDY OF INFILL OPPORTUNITIES WITHIN THE GREEN LINE
4 T.O.D.S. AGAIN, MR. FULTON IS PRESIDENT OF SOLOMAR CONSULTING
5 GROUP. HE SERVES AS CHIEF LIAISON TO SOLOMAR'S RESEARCH
6 PARTNERS AND OVERSEES SOLOMAR'S RESEARCH AGENDA. ADDITIONALLY,
7 HE IS AUTHOR OF "THE GUIDE TO CALIFORNIA PLANNING," THE
8 REGIONAL CITY AND OTHER STUDIES ON LAND USE AND GROWTH POLICY.
9 MR. FULTON.

10

11 **BILL FULTON:** THANK YOU VERY MUCH, LEONARD. GOOD MORNING, MADAM
12 CHAIR. GOOD MORNING, SUPERVISORS. THANK YOU, ESPECIALLY, TO
13 SUPERVISOR BURKE FOR HER INTEREST AND SUPPORT IN THIS. I JUST
14 WANTED TO SPEND A COUPLE OF MINUTES TALKING ABOUT THE THINGS
15 WE FOUND. OUR FIRM HAS BEEN WORKING WITH SEVERAL OF THE
16 AGENCIES IN LOS ANGELES IN TRYING TO FIGURE OUT HOW TO
17 ESTIMATE INFILL POTENTIAL, HOW MUCH CAPACITY THERE IS FOR
18 MIXED USE AND INFILL DEVELOPMENT AND ALSO HOW CHANGES IN
19 POLICIES SUCH AS THIS MIGHT AFFECT DEVELOPER INTEREST AND
20 MIGHT STIMULATE DEVELOPMENT. SO I'LL JUST BRIEFLY DESCRIBE TWO
21 OR THREE THINGS TO YOU. FIRST OF ALL, WE FOUND THAT, IN BOTH
22 OF THE STUDY AREAS, WHICH ARE ON THE WALL UP THERE ON THE LEFT
23 IS-- THAT'S LENNOX, THAT'S NEAR HAWTHORNE, AND ON THE RIGHT IS
24 WEST ATHENS, WHICH IS NEAR THE VERMONT STATION, WE FOUND THERE
25 IS SIGNIFICANT ADDITIONAL CAPACITY FOR MORE DEVELOPMENT,



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1 ESPECIALLY MORE HOUSING AND MIXED USE DEVELOPMENT. WE FOUND
2 THIS TO BE MORE TRUE IN THE LENNOX AREA THAN THE WEST ATHENS
3 AREA. THE LENNOX AREA, WE FOUND, BASED ON OUR ANALYSIS, ABOUT
4 HALF OF THE PARCELS, THERE'S MORE 500 PARCELS AND ABOUT HALF
5 OF THEM APPEAR TO BE RIPE FOR INFILL DEVELOPMENT OR ADDITIONAL
6 DEVELOPMENT. WE ALSO FOUND-- WE HAVE BEEN IN THE PROCESS OF
7 DOING A FINANCIAL ANALYSIS TO DETERMINE WHAT DIFFERENCE THIS
8 WILL MAKE TO DEVELOPERS. WE FOUND THERE'S A PRETTY
9 CONSIDERABLE DIFFERENCE THAT THIS ORDINANCE ALONE MIGHT NOT BE
10 WHAT MAKES DEVELOPERS INTERESTED IN THIS AREA BUT IT'S A
11 SIGNIFICANT STEP FORWARD, PROBABLY DEVELOPER PERFORMANCE MIGHT
12 IMPROVE 25, 30%, SOMETHING LIKE THAT. IT WAS PARTICULARLY-- WE
13 PARTICULARLY FOUND THAT THE LOWERED PARKING RATIOS MAKE A
14 FINANCIAL DIFFERENCE AND THE BUNDLING OF DIFFERENT DENSITY
15 BONUSES MAKE A DIFFERENCE. LEONARD MENTIONED THE DENSITY
16 BONUSES. THERE ARE INNOVATIVE DENSITY BONUSES FOR LOT
17 CONSOLIDATION, FOR DEVELOPMENT ON VACANT LOTS, FOR DEVELOPMENT
18 ON CURRENTLY NONCONFORMING PARCELS. WHEN THOSE CAN BE BUNDLED
19 TOGETHER, THAT MAKES A HUGE DIFFERENCE. I JUST WANTED TO SAY
20 ONE MORE THING, WHICH IS THAT I THINK THAT THE ABILITY-- YOU
21 KNOW, THE STATE-OF-THE-ART TO TRY TO FIGURE OUT WHAT THE
22 IMPACT OF THESE ORDINANCES ARE IS STILL PRETTY PRELIMINARY AND
23 WE'RE STILL TRYING TO FIGURE OUT HOW TO USE REAL ESTATE,
24 ANALYTICAL TOOLS AND G.I.S. TOOLS AND SO FORTH TO DETERMINE
25 THE DEVELOPMENT CAPACITY AND WHAT WILL REALLY WORK. AND I



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1 THINK THAT NOT ONLY IN SUPERVISOR BURKE'S DISTRICT BUT ALL
2 OVER THE COUNTY, IN ALL OF THE DISTRICTS, WHERE WE ARE SEEING
3 THE M.T.A. OR OTHER TRANSIT AGENCIES PUT IN RAIL TRANSIT STOPS
4 OR TRANSIT CENTERS, THERE'S TREMENDOUS POTENTIAL TO USE THESE
5 KINDS OF TOOLS AND ANALYSIS TO HELP YOU FIGURE OUT WHAT THE
6 DEVELOPMENT POTENTIAL IS AND POSSIBLY WORK WITH THE M.T.A. TO
7 FIGURE OUT HOW TO MAXIMIZE DEVELOPMENT, THEREBY MAXIMIZING
8 HOUSING AND ALSO MAXIMIZING TRANSIT RIDERSHIP. SO THANK YOU
9 VERY MUCH.

10

11 **SUP. BURKE:** I WOULD JUST LIKE TO ASK ONE QUESTION THAT YOU
12 MIGHT ELABORATE ON IS THAT THERE IS A COMPUTER PROGRAM THAT
13 YOU HAVE AVAILABLE, IT'S MY UNDERSTANDING, TO ANALYZE THE
14 INFILL AND ALSO TO ANALYZE EXACTLY THE POTENTIAL FOR INFILL
15 DEVELOPMENT AROUND PARTICULAR AREAS.

16

17 **BILL FULTON:** YES, THAT'S RIGHT. IT'S ACTUALLY NOT A SEPARATE
18 COMPUTER PROGRAM BUT IT IS USING G.I.S. SOFTWARE AND OTHER
19 SOFTWARE THAT'S TYPICALLY USED TO DO A PARTICULAR ANALYSIS. WE
20 BASICALLY FIGURE OUT WHAT'S ON THE-- WITH THE ASSISTANCE OF
21 THE DATA THAT WE GOT FROM THE COUNTY, WE FIGURE OUT WHAT'S ON
22 THE GROUND NOW, WHAT'S ALLOWED UNDER ZONING, WE TRY TO FIGURE
23 OUT WHAT-- WE TRY TO FIGURE OUT WHAT CAPACITY IS LEFT ON EACH
24 PARCEL AND THEN WE ALSO DO A FINANCIAL ANALYSIS. I WOULD SAY
25 ONE MORE THING, THOUGH, AS WE TAKE A LOOK AT THIS. WE FOUND,



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1 SUPERVISOR BURKE, PARTICULARLY IN LENNOX, WE FOUND A LOT OF
2 POTENTIAL ON THE COMMERCIAL PARCELS ALONG HAWTHORNE. ONE OF
3 THE UNPREDICTABLE FACTORS THAT IS HARD FOR US TO ANALYZE IS
4 THE MOTIVATION OF THE LANDOWNERS THEMSELVES. AS I'M SURE YOU
5 KNOW, MANY COMMERCIAL LANDOWNERS ALL OVER THE CITY ON THE
6 COMMERCIAL STRIPS HAVE OWNED THEIR PROPERTY FOR A LONG TIME,
7 THEY HAVE A LOW TAX BASE. THESE INCENTIVES HELP STIMULATE
8 DEVELOPER INTEREST BUT THE LANDOWNER PART OF IT'S HARD TO
9 ANALYZE AND IT'S ALWAYS UNPREDICTABLE.

10

11 **SUP. BURKE:** ALL RIGHT. I DON'T KNOW WHETHER THERE WAS ANYONE
12 WHO HAS ASKED TO SPEAK ON THIS.

13

14 **SUP. MOLINA, CHAIR:** THERE IS ONE PERSON THAT WISHES TO TESTIFY
15 AND THAT IS DAVID TOMBLIN. IF YOU'D JOIN US, PLEASE.

16

17 **DAVID TOMBLIN:** GOOD MORNING, MADAM CHAIR AND SUPERVISORS. MY
18 NAME IS DAVID TOMBLIN. I'M THE MANAGING PARTNER OF TOMBLIN AND
19 ASSOCIATES, I'M A REAL ESTATE INVESTOR FIRM AS WELL AS A
20 DEVELOPER. I'M IN SUPPORT OF THE PROJECT AND I'D TO LIKE JUST
21 TO GIVE YOU A COMPARISON. WE HAVE BEEN INVOLVED IN THE CITY OF
22 TEMPE, ARIZONA, WITH FOUR PIECES OF PROPERTY IN AN AREA DOWN
23 FROM A.S.U. THAT IS VERY SIMILAR TO THE LENNOX AREA. IT WAS
24 THE ORIGINAL HIGHWAY, BUILDINGS ON IT WERE 50, 60 YEARS OLD
25 AND THE CITY OF TEMPE, FOR 28 YEARS, WAS WRESTLING ON HOW TO



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1 REDEVELOP THAT. A LIGHT RAIL CAME DOWN THE STREET, THE CITY
2 ADOPTED A VERY SIMILAR PLAN TO WHAT'S BEEN PROPOSED HERE
3 TODAY, THE STREAMLINING, A DIRECTOR'S REVIEW, NO C.U.P., 33
4 UNITS PLUS TO THE ACRE. AS A RESULT, WE'VE ENTERED INTO THREE
5 JOINT VENTURE DEVELOPMENTS FOR HIGH DENSITY USE WITH A.S.U.,
6 THE ARIZONA STATE UNIVERSITY, AS WELL AS LOW INCOME AND SENIOR
7 HOUSING. THE DEFINITE-- I CAN TELL YOU FROM EXPERIENCE THAT
8 THAT TYPE OF STREAMLINING, HIGHER DENSITY, MADE IT VERY
9 ECONOMICALLY, FROM A PRIVATE DEVELOPER, TO BE ABLE TO DEVELOP
10 WITHOUT THE-- GIVEN THROUGH-- MONIES THROUGH REDEVELOPMENT AND
11 LOSSES AND THINGS THAT THE CITY COULDN'T AFFORD. SO I'M IN
12 FULL SUPPORT. WE OWN AN APARTMENT BUILDING AT 4310 LENNOX AND
13 I WOULD BE VERY INTERESTED IN PURSUING FURTHER DEVELOPMENT
14 WITH THIS TYPE. I FIRMLY SUPPORT IT AND I'M HERE TO SPEAK ON
15 BEHALF OF EXPERIENCE WITHOUT THE COMPUTER AIDS THAT THIS WOULD
16 BE A GREAT HELP FOR THE PRIVATE SECTOR IN DEVELOPMENT. THANK
17 YOU.

18

19 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH, SIR. THERE'S NO ONE
20 ELSE THAT WISHES TO SPEAK.

21

22 **SUP. BURKE:** ALL RIGHT. I HAVE PASSED OUT A MOTION...

23

24 **SUP. KNABE:** I'D ALSO LIKE TO POINT OUT MR. TOMBLIN IS A MEMBER
25 OF THE BOARD OF EDUCATION, _____ UNIFIED SCHOOL DISTRICT.



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1

2 **DAVID TOMBLIN:** THANK YOU. PAST PLANNING COMMISSIONER, SO I
3 UNDERSTAND.

4

5 **SUP. BURKE:** THANK YOU VERY MUCH. I HAVE A MOTION THAT WE'VE
6 PASSED OUT, I THINK EVERYONE HAS IT. I'M GOING TO READ A
7 LITTLE BIT OF IT BUT IT'S VERY, VERY LONG. THE COMBINED BLUE
8 LINE AND GREEN LINE TRANSIT ORIENTED DISTRICT ORDINANCE
9 RELATED CHANGES, ZONE AND STRATEGY REPORT WILL ESTABLISH A NEW
10 FRAMEWORK FOR DEVELOPMENT IN AREAS SURROUNDING THE GREEN LINE
11 TRANSIT STATIONS IN THE UNINCORPORATED WEST ATHENS AND LENNOX
12 AREA. I WOULD LIKE TO THANK THE MEMBERS OF THE GREEN LINE
13 TRANSIT ORIENTED DISTRICT ADVISORY COMMITTEE FOR HELPING TO
14 CRAFT THIS IMPORTANT ORDINANCE. THE NEW DEVELOPMENT STANDARDS
15 AND CASE PROCESSING PROCEDURES WILL HELP TO REVITALIZE THESE
16 NEIGHBORHOODS AND, AT THE SAME TIME, GENERATE INCREASED
17 TRANSIT RIDERSHIP. ADDITIONALLY, PROJECTED NEW RESIDENCES AND
18 BUSINESSES ESTABLISHED WITHIN THIS FRAMEWORK WILL HELP TO
19 PROVIDE AN INTERESTING AND CONVENIENT PEDESTRIAN FRIENDLY
20 ENVIRONMENT FOR LOCAL RESIDENTS AND EMPLOYEES. HOWEVER, IN
21 ORDER TO FACILITATE APARTMENT CONSTRUCTION AT THE GREEN LIGHT
22 STATION, THE PROVIDING REQUIRING A CONDITIONAL USE PERMIT FOR
23 APARTMENT HOUSES CONTAINING MORE THAN FOUR DWELLING UNITS
24 SHOULD BE REMOVED. I THEREFORE MOVE-- AND I WANT TO MAKE JUST
25 ONE STATEMENT. YOU CONTINUALLY HEAR THE STATEMENT THAT, IN



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1 LENNOX, THERE'S NO OPPORTUNITY FOR COMMERCIAL DEVELOPMENT. I
2 BELIEVE THAT THIS ANALYSIS SHOWS THAT THERE ARE TREMENDOUS
3 OPPORTUNITIES, IT JUST HAS TO BE APPROACHED IN A DIFFERENT WAY
4 AND THAT IS OUR HOPE, THAT WE CAN SEE UPGRADING OF COMMUNITIES
5 AND WE CAN SEE ADDITIONAL COMMERCIAL AS WELL AS RESIDENTIAL
6 AND ALSO PEDESTRIAN FRIENDLY DEVELOPMENT BY UTILIZING THESE
7 KINDS OF APPROACHES TO ELIMINATE SOME OF THE IMPEDIMENTS TO
8 DEVELOPMENT. SO I THEREFORE MOVE THAT WE CLOSE THE PUBLIC
9 HEARING IN THIS MATTER, ADOPT THE NEGATIVE DECLARATION WHICH
10 REFLECTS THE INDEPENDENT JUDGMENT OF THE BOARD, CERTIFY THAT
11 IT IS PREPARED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENT
12 QUALITY ACT, THE STATE C.E.Q.A. GUIDELINES AND THE COUNTY
13 ENVIRONMENTAL DOCUMENT REPORTING PROCEDURES AND GUIDELINES AND
14 DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT AFFECT
15 ON THE ENVIRONMENT, ADOPT THE ORDINANCE AMENDING TITLE 22 TO
16 DELETE THE BLUE LINE TRANSIT ORIENTED DISTRICT IN ITS ENTIRETY
17 AND REPLACE IT BY ESTABLISHING THE COMBINED BLUE LINE AND
18 GREEN LINE TRANSIT ORIENTED DISTRICT ORDINANCE WHICH DOES NOT
19 SUBSTANTIALLY CHANGE THE PROVISIONS APPLICABLE TO THE BLUE
20 LINE WITH THE ELIMINATION OF THE CONDITIONAL USE PERMIT
21 REQUIREMENT FOR NEW APARTMENT BUILDINGS OF OVER FOUR DWELLING
22 UNITS IN THE GREEN LINE TRANSIT ORIENTED DISTRICT AS REFLECTED
23 IN THE FIVE MODIFIED PAGES ATTACHED TO THIS MOTION. ADOPT THE
24 ZONE CHANGE ORDINANCE DESCRIBED IN ZONING CASE NUMBER 00-
25 22(2), APPROVE THE RELATED GREEN LINE TRANSIT ORIENTED



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1 DISTRICT LAND USE, HOUSING AND ECONOMIC DEVELOPMENT STRATEGY
2 REPORT AND, SIX, DETERMINE THAT THE ORDINANCE AND REPORTS ARE
3 SUPPORTIVE OF THE GOALS AND POLICIES OF THE LOS ANGELES COUNTY
4 GENERAL PLAN AND ARE DETERMINED IN THEIR AFFECT ON WILDLIFE
5 RESOURCES. 25%, THE MOTION ATTACHMENT HAS A NUMBER OF ISSUES
6 THAT ARE COVERED-- I'M GOING TO JUST VERY BRIEFLY HIT ON THEM.
7 IT PROVIDES FOR LOT CONSOLIDATION, CONSOLIDATION OF LOTS
8 TOTALING 15,000 SQUARE FEET OR MORE, 10 PARCELS DENSITY BONUS,
9 CONSOLIDATION OF LOTS TOTALING 25,000 SQUARE FEET OR MORE, 15%
10 DENSITY BONUS, DEVELOPMENT STANDARDS, YARD REQUIREMENTS, NOT
11 MORE THAN 25% OF THE REQUIRED FRONT YARD SHALL BE UTILIZED FOR
12 VEHICLE ACCESS AND STORAGE. LOT COVERAGE AND THE MAXIMUM LOT
13 COVERAGE IN ZONE R-3 SHALL BE 50%. TYPE FOUR AND FIVE BUILDING
14 USES AS THREE FAMILY DWELLINGS, APARTMENT HOUSES AND OTHER
15 BUILDING USE FOR RESIDENTIAL OCCUPANCIES 35 YEARS. I WILL--
16 I'M NOT GOING TO READ THE WHOLE THING BECAUSE IT'S VERY LONG
17 BUT IT ALSO SETS UP CASE PROCESSING PROCEDURES FOR
18 NONCONFORMING BUILDING USES AND STRUCTURES, ALL BUILDING USES
19 AND STRUCTURES NONCONFORMING DUE TO USE, BUILDING AND
20 STRUCTURES THAT ARE NOT CONFORMING ARE SUBJECT TO REGULATION
21 BY SECTION 22.561540 EXCEPT WHERE A NONCONFORMING USE IS
22 CARRIED ON IN A CONFORMING STRUCTURE. AND THEN CONDITIONAL USE
23 PERMITS: APPLICANT SHALL PAY 50% OF THE FEES SPECIFIED AND WE
24 GO ON FOR USES AND STANDARDS. ALSO IN TERMS OF MORE THAN ONE



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1 QUALIFICATION. YOU HAVE IT BEFORE. I WOULD MOVE THIS MOTION TO
2 ADOPT THE DISTRICT.

3

4 **SUP. MOLINA, CHAIR:** ALL RIGHT. WE DO HAVE THE MOTION BEFORE
5 US. IT IS MOVED BY SUPERVISOR BURKE, SECONDED BY SUPERVISOR
6 KNABE. IF THERE IS NO OBJECTION, SO ORDERED ON THAT ITEM.
7 THANK YOU, MS. BURKE. THANK YOU, GENTLEMEN.

8

9 **SUP. BURKE:** THANK YOU VERY MUCH TO THE CONSULTANTS AND THE
10 STAFF. I'M HOPING THAT THIS CAN BE AN APPROACH THAT'S USED BY
11 M.T.A. AS WELL, TO USE ALL OF THE DATA TO BE ABLE TO LOOK AT
12 THE APPROPRIATE WAY AROUND OUR STATIONS TO COME UP WITH JOINT
13 DEVELOPMENT. AND IT WOULD BE BASED ON TECHNICAL FINDINGS
14 RATHER THAN JUST WHO'S GOING TO COME UP AND OFFER TO BUILD
15 SOMETHING.

16

17 **SUP. MOLINA, CHAIR:** VERY GOOD.

18

19 **SUP. BURKE:** THANK YOU.

20

21 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU VERY MUCH, GENTLEMEN.
22 WE HAVE-- NOW WE HAVE ITEM NUMBER 10. IS THAT CORRECT?

23

24 **SUP. BURKE:** YES. I HAVE A MOTION ON ITEM 10.

25



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1 **CLERK VARONA-LUKENS:** AND MAY I READ THAT INTO THE RECORD,
2 MADAM CHAIR?

3

4 **SUP. MOLINA, CHAIR:** WHY DON'T WE READ IT INTO THE RECORD
5 FIRST, MS. BURKE?

6

7 **SUP. BURKE:** WE'LL HAVE A PRESENTATION FROM THE STAFF FIRST.

8

9 **CLERK VARONA-LUKENS:** OKAY. DE NOVO HEARING ON CONDITIONAL USE
10 PERMIT AND PARKING PERMIT CASE NUMBERS 02-270-(2) AND
11 DETERMINATION OF CATEGORICAL EXEMPTION TO AUTHORIZE THE
12 CONTINUED USE OF THREE EXISTING TATTOO AND BODY PIERCING
13 BOOTHS AND ESTABLISHMENT OF ONE MASSAGE BOOTH IN AN EXISTING
14 SWAP MEET AND TO AUTHORIZE LESS THAN REQUIRED PARKING AND OFF-
15 SITE EMPLOYEE PARKING LOCATED AT 2787 EAST DEL AMO BOULEVARD,
16 RANCHO DOMINGUEZ, DEL AMO ZONED DISTRICT. AND WE'VE RECEIVED
17 NO WRITTEN PROTESTS ON THIS ITEM, MADAM CHAIR.

18

19 **SUP. MOLINA, CHAIR:** DO WE HAVE A REPORT?

20

21 **RUSSELL FRICANO:** YES. MADAM CHAIRMAN, MEMBERS OF THE BOARD,
22 THIS IS RUSSELL FRICANO AGAIN OF THE DEPARTMENT OF REGIONAL
23 PLANNING. TO MY LEFT IS KEVIN JOHNSON OF THE DEPARTMENT OF
24 REGIONAL PLANNING, THE PLANNER FOR THIS CASE. AND TO MR.
25 JOHNSON'S LEFT IS DENNIS HUNTER OF THE DEPARTMENT OF PUBLIC



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1 WORKS. THE ORIGINAL REQUEST IS FOR A CONDITIONAL USE PERMIT TO
2 AUTHORIZE CONTINUED USE OF THREE EXISTING TATTOO AND BODY
3 PIERCING BOOTHS AND ESTABLISHMENT OF ONE MASSAGE BOOTH AND AN
4 EXISTING 101,604-SQUARE-FOOT SWAP MEET AND ALSO A PARKING
5 PERMIT TO AUTHORIZE LESS-THAN-REQUIRED PARKING FOR THE SWAP
6 MEET AS WELL AS OFF-SITE EMPLOYEE PARKING ON WEEKENDS ON TWO
7 ADJACENT PROPERTIES. THE SUBJECT PROPERTIES ARE LOCATED AT
8 2787, 2757 AND 2727 EAST DEL AMO BOULEVARD, RANCHO DOMINGUEZ
9 IN THE DEL AMO ZONE DISTRICT. THE ZONING ON THE SUBJECT
10 PROPERTY IS M-2 OR HEAVY MANUFACTURING. A PUBLIC HEARING FOR
11 THIS MATTER WAS CONDUCTED BY THE REGIONAL PLANNING COMMISSION
12 ON APRIL 21ST, 2004. NO PUBLIC COMMENT WAS PROVIDED ON THIS
13 MATTER. THE REGIONAL PLANNING COMMISSION APPROVED THIS CASE ON
14 SEPTEMBER 22ND, 2004. THE APPLICANT HAS APPEALED FIVE
15 CONDITIONS OF THE GRANT, ALL OF WHICH ARE RELATED TO THE
16 PARKING PERMIT. THE APPEALED CONDITIONS REQUIRE THE FOLLOWING:
17 PROVISION OF 289 ON-SITE PARKING SPACES, THE LEASE OF 91 OFF-
18 SITE PARKING SPACES, ESTABLISHMENT OF A TRANSPORTATION DEMAND
19 MANAGEMENT PROGRAM, DIRECTOR'S REVIEW OF ANY CHANGES IN USE,
20 OCCUPANCY, OFF-SITE PARKING LEASE OR A T.D.M. PROGRAM UNLESS
21 SUCH CHANGE WILL INCREASE PARKING DEMAND OR RESULT IN
22 RELOCATED OFF-SITE PARKING. ONE-WAY TRAFFIC MOVEMENT AROUND
23 THE BUILDING, STREET LIGHTING AND CURB RETURN RECONSTRUCTION
24 AS REQUIRED BY THE DEPARTMENT OF PUBLIC WORKS. STAFF IS
25 RECOMMENDING THAT THESE CONDITIONS OF THE APPROVAL BE UPHELD.



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1 I WANT TO COMMENT BRIEFLY ON A COUPLE OF THE APPELLANT'S
2 CONCERNS. FIRST OF ALL, RELATING TO A T.D.M. OR TRANSPORTATION
3 DEMAND MANAGEMENT PROGRAM. THIS SITE IS DEFICIENT BY 117
4 SPACES, WHICH CONSTITUTES, LIKE, A 29% REDUCTION. UNDER
5 CIRCUMSTANCES AS THIS, WE ENCOURAGE APPLICANTS TO FIND OTHER
6 WAYS WHERE EMPLOYEES OR CUSTOMERS CAN AVOID THE USE OF
7 AUTOMOBILE OR LOOK INTO ALTERNATIVE MODES OF TRANSPORTATION
8 AND THIS SWAP MEET IS LOCATED IN THE VICINITY OF THE BLUE LINE
9 STATION. ON THE ISSUE OF ONE-WAY PARKING, SOME OF THE-- ONE OF
10 THE PARKING AISLES IS NARROW AND IT WOULD BE DIFFICULT FOR TWO
11 CARS TO PASS THROUGH, WHICH COULD CREATE SOME CONGESTION
12 WITHIN THE PARKING LOT AREA. I'M GOING TO DEFER THE REMAINDER
13 OF DISCUSSION TO BOTH KEVIN JOHNSON AND DENNIS HUNTER AND THEY
14 CAN BRIEFLY COMMENT ON SOME OF THE OTHER APPELLANT'S CONCERNS.

15

16 **KEVIN JOHNSON:** GOOD MORNING. KEVIN JOHNSON WITH REGIONAL
17 PLANNING. REGARDING CONDITION 25, WHICH SPECIFIES THAT OFF-
18 SITE PARKING IS TO BE PROVIDED AND LEASE AGREEMENTS ARE TO BE
19 IN PLACE, THE APPLICANT WAS CONCERNED ABOUT LANGUAGE THAT
20 INDICATED THAT THESE LEASES WERE TO REMAIN IN EFFECT FOR THE
21 DURATION OF THIS GRANT, WHICH IS FOR FIVE YEARS. AND THE
22 INTENT WAS NOT TO REQUIRE THE APPLICANT TO NEGOTIATE A FIVE-
23 YEAR LEASE BUT THAT THEY HAVE A LEASE IN EFFECT FOR OFF-SITE
24 PARKING THAT-- AND THERE ARE PROVISIONS WITHIN THE CONDITIONS
25 THAT WOULD ALLOW THEM TO CHANGE THE LEASE OR THE LOCATION OF



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1 THAT PARKING THROUGH A NEW PARKING PERMIT. SO THE CONCERN, I
2 BELIEVE, IS ADDRESSED THROUGH THE CONDITIONS AND WE ARE ALSO
3 RECOMMENDING THAT THIS CONDITION REMAIN AS WRITTEN. I'LL DEFER
4 TO THE DEPARTMENT OF PUBLIC WORKS REGARDING THEIR CONDITIONS.

5

6 **DENNIS HUNTER:** THE DEPARTMENT OF PUBLIC WORKS RECOMMENDED
7 SEVERAL CONDITIONS PERTAINING TO THIS PERMIT, THE FIRST BEING
8 TO RECONSTRUCT THE CURB RETURN ON THE CORNER OF DEL AMO
9 BOULEVARD AND SANTA FE AVENUE. THE EXISTING CURVE RADIUS IS
10 CURRENTLY SUBSTANDARD COMPARED TO THE DEPARTMENT STANDARD AND
11 THERE'S EVIDENCE THAT LARGE VEHICLES, IN MAKING THEIR RIGHT
12 HAND TURN AT THAT CORNER, HAVE HIT AND JUMPED THE CURB AND
13 CAUSED SOME DAMAGE TO THE CURB RETURN. THEREFORE, THAT'S THE
14 REASON FOR OUR RECOMMENDATION TO RECONSTRUCT THAT CURB RETURN.
15 ANOTHER ONE OF OUR CONDITIONS IS TO INSTALL STREET LIGHTS ON
16 THE FRONTAGE ALONG DEL AMO BOULEVARD AND SANTA FE AVENUE. THIS
17 WOULD IMPROVE TRAFFIC AND PEDESTRIAN SAFETY IN THE EVENING
18 HOURS FOR PEOPLE FREQUENTING THAT SWAP MEET SITE AND
19 BUSINESSES IN THE AREA. THE LAST CONDITION IS TO REPAIR ANY
20 DISPLACED, BROKEN OR DAMAGED CURB, GUTTER AND SIDEWALK AND
21 DRIVEWAY APRONS ALONG THE PROJECT FRONTAGE. AND, AGAIN, THIS
22 WOULD IMPROVE PEDESTRIAN SAFETY BY REDUCING ANY UPLIFTED
23 CONCRETE OR BROKEN CONCRETE THAT MAY POSE A TRIPPING HAZARD TO
24 PEDESTRIANS IN THE PUBLIC RIGHT-OF-WAY.

25



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1 SUP. MOLINA, CHAIR: DOES THAT CONCLUDE THE REPORT? VERY GOOD.
2 WE DO HAVE TWO PEOPLE WHO WISH TO TESTIFY. JOHN Y. SONG AND
3 THOMAS KIM.

4

5 JOHN Y. SONG: GOOD MORNING, SUPERVISORS. MY NAME IS JOHN SONG
6 AND I'M THE ATTORNEY FOR THE APPLICANT, THOMAS KIM, AND HE'S
7 HERE SITTING TO MY LEFT. WE DON'T WANT TO CONTEST ALL THE
8 ISSUES. WE JUST WANT TO BRING UP ONE POINT ABOUT THE STREET
9 LIGHTING THAT'S OF CONCERN TO THE STREETS LIGHTING PEOPLE--
10 THE BUREAU OF STREET LIGHTING, I'M SORRY. WE HAVE INSTALLED
11 AMPLE LIGHTING IN THE PARKING LOT. WE'VE INSTALLED, IN FACT,
12 23 ADDITIONAL LIGHTS, POLE LIGHTS TO ILLUMINATE THE PARKING
13 LOT AREA AND WE REALIZE THAT THE CONDITION IS TO HAVE THE
14 LIGHTING IN THE FRONTAGE ON DEL AMO BOULEVARD BUT, IN THE
15 GRAND SCHEME OF THINGS, THAT'S A VERY BIG BURDEN ON US THAT WE
16 THINK THAT IS NOT EQUITABLE, GIVEN THE FACTS. FROM OUR
17 RESEARCH, IT INDICATES THAT THE CITY, I COULD ONLY FIND THE
18 REGULATIONS CONCERNING THE CITY, DID NOT HAVE A REQUIREMENT
19 FOR DEVELOPERS UNTIL THE MID-'50S TO INSTALL STREET LIGHTING.
20 THE STREET LIGHTING BUREAU, THEIR POLICY IS THAT, IF THE
21 LANDOWNERS BENEFIT OR PROFIT FROM THE STREET LIGHTING, THEY
22 SHOULD PAY FOR IT. WELL, IT'S OUR CONTENTION THAT THE STREET
23 LIGHTING REQUIREMENT, WHICH IS GOING TO COST AT LEAST \$36,000,
24 PROBABLY MORE, DOES NOT DIRECTLY BENEFIT US IN THE FOLLOWING
25 SENSE. MOST OF OUR PATRONS AND MOST OF OUR CUSTOMERS ARE, WE'D



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1 SAY ABOUT TWO-THIRDS OF THEM, ARE M.T.A. BLUE LINE USERS. THEY
2 TRAVERSE MAYBE TWO BLOCKS FROM THE BLUE LINE STATION TO OUR
3 SHOPPING MALL AND THAT STRETCH OF AREA THAT I JUST SPOKE ABOUT
4 IS VERY WELL LIT, AND THERE IS A SECURITY GUARD THAT PROBABLY
5 MITIGATES OR TAKES AWAY THE ARGUMENT OF SAFETY CONCERNS. OUR
6 SWAP MEET CLOSSES AT 7:00 AT NIGHT. WE'RE NOT OPEN LATE AT
7 NIGHT. 7:00 AT NIGHT IS WHEN THERE'S A LOT OF PEOPLE IN CARS
8 OUT. THERE HAVEN'T BEEN ANY ACCIDENTS OR TRAFFIC CONCERNS,
9 FROM OUR UNDERSTANDING, BECAUSE OF THE POOR LIGHTING. AND ONE
10 OF THE BIGGEST ARGUMENTS THAT WE HAVE IS THAT EVEN M.T.A.,
11 WHEN THEY WERE INSTALLING THE STATION, THE BLUE LINE, AND
12 OTHER LARGER LAND DEVELOPERS IN THAT AREA, HAVE NOT BEEN
13 REQUIRED BY THE COUNTY OR THE CITY TO INSTALL STREET LIGHTS
14 AND WE THINK THAT THIS IS AN UNFAIR IMPOSITION ON A SMALL
15 BUSINESS OWNER, LITERALLY A FAMILY MOM-AND-POP TYPE OF
16 OPERATION, TO IMPOSE ON US GIVEN THE CIRCUMSTANCES IN THAT
17 AREA. THE WHOLE PURPOSE FOR THIS SWAP MEET AND, YOU KNOW, OUR
18 GOAL IS TO REJUVENATE THE AREA AND WE HAVE BEEN DOING THAT. WE
19 DON'T HAVE THE-- UNLIMITED FUNDS. THE FUNDS THAT WE HAVE
20 SHOULD BE BETTER SPENT REPAIRING THE FACILITIES AND DOING WHAT
21 WE NEED TO KIND OF MAKE THE SHOPPING EXPERIENCE BETTER FOR THE
22 LOW INCOME PEOPLE. I HAVE NOTHING FURTHER. AND WE HAVE THOMAS
23 KIM, IF YOU HAVE ANY SPECIFIC QUESTIONS, HE'S ACTUALLY THE
24 DAY-TO-DAY MANAGER OF THE PROPERTY.

25



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1 **SUP. MOLINA, CHAIR:** ALL RIGHT. ARE THERE ANY QUESTIONS OR
2 COMMENTS? IF NOT, SIR, DID YOU WANT TO ADD ANYTHING TO IT?

3

4 **THOMAS KIM:** NO. I THINK THAT'S IT.

5

6 **SUP. BURKE:** WELL, I WOULD HAVE ONE QUESTION. THE STREET
7 LIGHTING REQUIREMENT WAS A CARRYOVER FROM A PREVIOUS PERMIT
8 BUT THEY WERE NEVER INSTALLED. SO I'D LIKE TO GET SOME
9 INDICATION FROM PUBLIC WORKS, FIRST OF ALL. THAT WAS PUT IN
10 BEFORE BUT IT WAS NEVER ABIDED BY BY THE OWNERS SO COULD WE
11 GET SOME KIND OF COMMENT AND THEN I'D LIKE TO FIND OUT THE
12 REASON IT WASN'T DONE AT THAT TIME.

13

14 **RUSSELL FRICANO:** YEAH, WE DON'T HAVE A ZONING ENFORCEMENT
15 REPRESENTATIVE HERE WHO COULD PROVIDE AN ANSWER TO THAT. IT
16 MAY HAVE BEEN NOTED IN AN INSPECTION REPORT. WE WOULD HAVE TO
17 CHECK THE FILE, TO SEE IF A FILE WAS MADE ON THAT.

18

19 **JOHN Y. SONG:** CAN I JUST REPRESENT THAT THOMAS KIM, SEATED
20 NEXT TO ME, HAS TAKEN OVER THE BUSINESS ABOUT FOUR YEARS AGO,
21 WAS THAT? AND, GRANTED, IT WAS A FAMILY MEMBER THAT OPERATED
22 IT BEFORE. TO MAKE A LONG STORY SHORT, THERE'S BEEN SOME
23 LITIGATION ABOUT OWNERSHIP ISSUES AND THERE'S NOT BEEN A GOOD
24 TRANSITION FROM THE OLD OWNER TO THE NEW OWNER. WE DON'T KNOW



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1 WHAT HAPPENED OR WHERE BUT THOMAS KIM HERE, SEATED NEXT TO ME,
2 WAS NOT INVOLVED AT THAT TIME.

3

4 **DENNIS HUNTER:** SUPERVISOR, AGAIN, DENNIS HUNTER FROM PUBLIC
5 WORKS. WITH REGARDS TO PUBLIC WORKS' PERSPECTIVE ON THE PRIOR
6 PERMIT AND THE STREET LIGHTS NOT GETTING INSTALLED, THIS
7 PARTICULAR PROJECT DIDN'T INVOLVE A BUILDING PERMIT AND THAT
8 WOULD BE THE TRIGGER MECHANISM THAT PUBLIC WORKS WOULD ENSURE
9 THAT THE STREET LIGHTS WOULD BE INSTALLED AS PART OF THAT
10 PERMIT. SO, WITHOUT A BUILDING PERMIT BEING INVOLVED, WE WOULD
11 DEFER TO THE ZONING ENFORCEMENT WITH REGIONAL PLANNING AS FAR
12 AS OVERSEEING ANY IMPLEMENTATION OF CONDITIONS.

13

14 **SUP. BURKE:** IS THIS YOUR POSITION, THE STREET LIGHTING IS
15 NECESSARY AT THIS TIME?

16

17 **DENNIS HUNTER:** YES, WE BELIEVE IT'S NECESSARY FOR TRAFFIC AS
18 WELL AS PEDESTRIAN PUBLIC SAFETY WITHIN THE ROAD RIGHT-OF-WAY.

19

20 **SUP. BURKE:** ALL RIGHT. THEN IF THERE'S NOTHING FURTHER, I
21 WOULD MOVE THAT-- I CAN GO THROUGH THIS-- THE APPLICANT HAS
22 APPEALED...

23

24 **SUP. MOLINA, CHAIR:** YOU HAVE ANOTHER-- A LONG MOTION AGAIN?

25



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1 **SUP. BURKE:** NOT QUITE AS LONG. IT'S LONG, THOUGH. THE
2 APPLICANT HAS APPEALED SEVERAL CONDITIONS RELATING TO PARKING
3 AND STREET IMPROVEMENTS AND THE NEW PARKING PERMIT WAS
4 DETERMINED TO BE EXEMPT FROM ENVIRONMENTAL REVIEW BECAUSE THE
5 APPLICANT WAS REQUESTING CONTINUATION OF THE EXISTING PARKING
6 ARRANGEMENTS, INCLUDING OFF-SITE PARKING. IN ORDER TO REMOVE
7 THE CONDITION RELATED TO OFF-SITE PARKING, THE APPLICANT MUST
8 FILE A NEW PARKING PERMIT AND A NEW ENVIRONMENTAL INITIAL
9 STUDY SO THAT THE IMPACT OF THIS REQUEST MAY BE FULLY
10 ANALYZED. THESE CONDITIONS CANNOT BE MODIFIED THROUGH AN
11 APPEAL AND, PARTICULARLY, I THINK YOU HAVE APPEALED PORTIONS
12 OF CONDITION 36, WHICH ARE THE REQUIREMENTS OF THE DEPARTMENT
13 OF PUBLIC WORKS. THE STREET LIGHTING REQUIREMENT IS A
14 CARRYOVER FROM THE PREVIOUS PARKING PERMIT. THE STREET
15 LIGHTING WAS NOT INSTALLED. THEREFORE, THE CONDITION SHOULD
16 REMAIN AND THE STREET LIGHTS SHOULD BE INSTALLED WITH THE
17 PERMIT APPROVAL. I THEREFORE MOVE THAT BOARD DENY APPLICANT'S
18 APPEAL OF CONDITIONS OF 23, 25, 29, 30 AND 36 AND DIRECT
19 COUNTY COUNSEL TO PREPARE THE NECESSARY FINDINGS TO DENY THE
20 APPLICANT'S APPEAL OF CONDITIONAL USE PERMIT AND PARKING
21 PERMIT 02-207(2) AND TO PREPARE THE FINAL CONDITIONS.

22

23 **SUP. BURKE:** ALL RIGHT. THAT ITEM IS MOVED BY MS. BURKE, IT IS
24 SECONDED BY MR. KNABE. IS THERE ANY QUESTION OR COMMENT? IS



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1 THERE ANY OBJECTION? IF NOT, SO ORDERED ON THAT ITEM. THANK
2 YOU VERY MUCH, GENTLEMEN. NEXT ITEM IS NUMBER 11.

3

4 **CLERK VARONA-LUKENS:** COMBINED HEARING ON LOCAL COASTAL PLAN
5 AMENDMENT, COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE
6 PERMIT CASE NUMBER 02247-4 AND NEGATIVE DECLARATION RELATING
7 TO PROPERTY AT TWO HARBORS, SANTA CATALINA ISLAND IN THE SANTA
8 CATALINA ISLAND ZONE DISTRICT NUMBER 127, PETITIONED BY SANTA
9 CATALINA ISLAND COMPANY. AND WE HAVE NO WRITTEN PROTESTS,
10 MADAM CHAIR.

11

12 **SUP. MOLINA, CHAIR:** ALL RIGHT. WE HAVE A REPORT?

13

14 **RUSSELL FRICANO:** YES. MADAM CHAIRMAN, MEMBERS OF THE BOARD,
15 RUSSELL FRICANO AGAIN WITH THE DEPARTMENT OF REGIONAL PLANNING
16 AND, TO MY LEFT, KEVIN JOHNSON, WHO IS THE CASE PLANNER. ON
17 JULY 14TH OF 2004, THE REGIONAL PLANNING COMMISSION APPROVED
18 AND RECOMMENDED TO THE BOARD OF SUPERVISORS AN AMENDMENT TO
19 THE SANTA CATALINA LOCAL COASTAL PROGRAM TO AUTHORIZE A CHANGE
20 OF THE LAND USE DESIGNATION OF THE SUBJECT PROPERTY FROM THE
21 RESIDENTIAL SUB DISTRICT OF THE TWO HARBORS RESORT VILLAGE
22 DISTRICT TO THE UTILITIES SERVICES SUB DISTRICT ON A 3,600-
23 SQUARE-FOOT PIECE OF PROPERTY. THIS ACTION WOULD AUTHORIZE THE
24 CONSTRUCTION OF AN ABOVEGROUND FUEL TANK FACILITY. THE
25 FACILITY WILL SERVE WATER AND LAND-BASED VEHICLES. THE SUBJECT



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1 PROPERTY IS LOCATED AT TWO HARBORS, SANTA CATALINA ISLAND, IN
2 THE SANTA CATALINA ISLAND ZONED DISTRICT. A COASTAL
3 DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT WERE
4 CONCURRENTLY APPROVED WITH THIS REQUEST BY THE REGIONAL
5 PLANNING COMMISSION TO AUTHORIZE THE CONSTRUCTION OF THE
6 PROPOSED FUEL TANK FACILITY. THE U.S. ENVIRONMENTAL PROTECTION
7 AGENCY HAS REQUIRED THE REMOVAL OF THE EXISTING UNDERGROUND
8 FUEL STORAGE TANKS AND SERVICE LAND AND WATER-BASED VEHICLES
9 AT TWO HARBORS, INCLUDING EMERGENCY VEHICLES. THE PROPOSED
10 ABOVEGROUND FACILITY WILL REPLACE THE EXISTING UNDERGROUND
11 TANKS AND WILL BE USED FOR THE SAME PURPOSE AS THE FORMER
12 TANKS. THE DEVELOPMENT PROPOSAL INCLUDES TWO STORAGE TANKS
13 HOUSED WITHIN A 1,296-SQUARE-FOOT BUILDING. THERE ARE NO
14 AVAILABLE PROPERTIES WITHIN THE MAXIMUM 900-FOOT RADIUS FROM
15 THE EXISTING FUEL DISPENSERS AT THE END OF THE ISTHMUS COVE
16 PIER THAT WOULD ALLOW A NEW FUEL TANK FACILITY. THEREFORE, THE
17 APPROPRIATE LAND USE DESIGNATION MUST BE CREATED THROUGH AN
18 L.C.P. AMENDMENT TO ALLOW THE NEW FACILITY. THE REGIONAL
19 PLANNING COMMISSION CONCLUDED THAT THE PROPOSED FACILITY IS
20 CONSISTENT WITH EXISTING LAND USES TO THE SOUTH AND IS A
21 NATURAL PROGRESSION FROM THE MARINE COMMERCIAL SUB DISTRICT TO
22 THE EAST OF THE RESIDENTIAL SUB DISTRICT TO THE WEST. AS THE
23 NEW FACILITY IS FURTHER INLAND, THE NEW LOCATION WILL
24 ALLEVIATE CONFLICTS WITH OCEANFRONT PEDESTRIAN TRAFFIC AND
25 CONGESTION FROM THE EXISTING FUELING LOCATION AT THE ISTHMUS



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1 COVE SHORELINE AND THIS WOULD ALSO ENHANCE PUBLIC ACCESS. THE
2 PROJECT RECEIVED A NEGATIVE DECLARATION UNDER C.E.Q.A.
3 REPORTING REQUIREMENTS. AS SUPPORTING TESTIMONY WAS PROVIDED
4 BY THE APPLICANT, THE SANTA CATALINA ISLAND COMPANY, THERE WAS
5 NO OPPOSITION TO THE PROJECT AT THE HEARING AND STAFF HAS NOT
6 RECEIVED ANY PUBLIC COMMENT SUBJECT TO THE COMMISSION
7 APPROVAL-- SUBSEQUENT TO THE COMMISSION APPROVAL. BEFORE I
8 CLOSE, I WOULD LIKE TO STRESS THAT THE SUBSEQUENT BOARD
9 ACTION-- SUBSEQUENT TO BOARD ACTION, THE COUNTY WILL FILE FOR
10 CERTIFICATION OF THE L.C.P. AMENDMENT TO THE CALIFORNIA
11 COASTAL COMMISSION AND THAT CONCLUDES MY PRESENTATION.

12

13 **SUP. MOLINA, CHAIR:** VERY GOOD. THANK YOU SO MUCH. WE DO HAVE
14 ONE PERSON WHO WISHES TO ADDRESS. MR. MICHAEL WHITBY.

15

16 **MICHAEL WHITBY:** YES. GOOD MORNING, MADAM CHAIR, BOARD OF
17 SUPERVISORS. MY NAME IS MICHAEL WHITBY. I'M THE DIRECTOR OF
18 REAL ESTATE PLANNING FOR THE SANTA CATALINA ISLAND COMPANY.
19 I'M HERE TO SUPPORT THE CASE, CLEARLY, AND I'D LIKE TO ANSWER
20 ANY QUESTIONS, IF THERE ARE ANY.

21

22 **SUP. MOLINA, CHAIR:** ALL RIGHT. IS THERE A QUESTION OR COMMENT?
23 MR. KNABE? NO? ALL RIGHT.

24



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1 **SUP. KNABE:** MOVE TO CLOSE THE PUBLIC HEARING AND MOVE THE
2 ITEM.

3

4 **SUP. MOLINA, CHAIR:** ALL RIGHT. IT IS MOVED AND SECONDED, MOVED
5 BY SUPERVISOR KNABE, SECONDED BY SUPERVISOR ANTONOVICH THAT WE
6 CLOSE THE PUBLIC HEARING AND MOVE THIS ITEM FORWARD. ANY
7 OBJECTION? IF NOT, SO ORDERED ON THAT ITEM.

8

9 **MICHAEL WHITBY:** THANK YOU.

10

11 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH. NEXT, WE HAVE ITEM
12 NUMBER 12.

13

14 **CLERK VARONA-LUKENS:** HEARING ON COMMUNITY STANDARDS DISTRICT
15 MODIFICATION NUMBER 03-387-5, A MODIFICATION TO THE EAST
16 PASADENA SAN GABRIEL COMMUNITY STANDARDS DISTRICT WITHIN THE
17 UNINCORPORATED COMMUNITY OF EAST PASADENA, EAST PASADENA ZONE
18 DISTRICT. AND WE HAVE RECEIVED CORRESPONDENCE ON THIS ITEM,
19 MADAM CHAIR.

20

21 **SUP. MOLINA, CHAIR:** ALL RIGHT. DO WE HAVE A REPORT ON THIS
22 ITEM?

23

24 **KAREN SIMMONS:** MEMBERS OF THE BOARD, MY NAME IS KAREN SIMMONS,
25 I'M WITH THE DEPARTMENT OF REGIONAL PLANNING. PROJECT 03-387



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1 IS A REQUEST FOR MODIFICATION OF STANDARDS OF THE EAST
2 PASADENA SAN GABRIEL COMMUNITY STANDARDS DISTRICT. THE REQUEST
3 IS ASSOCIATED WITH TENTATIVE TRACT MAP 60595 AND OAK TREE
4 PERMIT 03387. TENTATIVE TRACT MAP 60595 WAS APPROVED BY THE
5 REGIONAL PLANNING COMMISSION OCTOBER 13TH, 2004, TO AUTHORIZE
6 SUBDIVISION OF THE SUBJECT PROPERTY LOCATED AT 2935 LOMBARDI
7 ROAD INTO THREE SINGLE-FAMILY LOTS. OAK TREE PERMIT 03-387 WAS
8 APPROVED CONCURRENTLY TO ALLOW THE REMOVAL OF 21 OAK TREES AND
9 ENCROACHMENT INTO PROTECTIVE ZONE OF ADDITIONAL 22 TREES. THE
10 REQUEST FOR MODIFICATION OF THE C.S.E. STANDARDS WAS DENIED BY
11 THE REGIONAL PLANNING COMMISSION. THE OWNER HAS APPEALED THE
12 COMMISSION'S DENIAL. THE C.S.D. PERMITS A MAXIMUM FLOOR AREA
13 OF .25 TIMES THE NET LOT AREA PLUS 1,000 SQUARE FEET, BUT IN
14 NO CASE GREATER THAN 9,000 SQUARE FEET. THE SUBJECT PROPERTY,
15 AFTER SUBDIVIDED, WILL CONSIST OF THREE LARGE LOTS. IF THE
16 9,000-SQUARE-FOOT MAXIMUM WAS MODIFIED, THE C.S.D. WILL PERMIT
17 RESIDENCES OF APPROXIMATELY 13,000 AND 14,000 SQUARE FEET. THE
18 LARGE LOT SIZES ALLOW ADEQUATE SIDE YARD SETBACKS, DEEP REAR
19 YARD SETBACKS AND FRONT YARD SETBACKS THAT ARE GREATER THAN
20 OTHER EXISTING NEIGHBORHOOD RESIDENCES AND ARE CONSISTENT OF
21 THE C.S.D. THE PROJECT RECEIVED SUPPORT FROM THE
22 OWNER/APPLICANT, THE APPLICANT'S AGENT AND SIX NEIGHBORS. THE
23 CITY OF SAN MARINO IS IN SUPPORT OF THE PROJECT AS LONG AS THE
24 RESIDENTS DO NOT EXCEED THE CITY'S MAXIMUM FLOOR AREA. THEY
25 PROPOSE THE RESIDENCES COMPLY WITH THE CITY'S ORDINANCE. THE



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1 PROJECT RECEIVED EIGHT COMMENT LETTERS IN OPPOSITION TO THE
2 REQUEST. THE OPPOSITION LETTERS, HOWEVER, ARE FOCUSED ON THE
3 REMOVAL OF OAK TREES TO BE REMOVED TO BUILD THE RESIDENCES.
4 THOUGH NOT THE SUBJECT OF THE HEARING TODAY, STAFF HAS BECOME
5 AWARE THAT SIDEWALK IMPROVEMENTS CONDITIONED ON THE TENTATIVE
6 MAP COULD POTENTIALLY IMPACT OAK TREES WHICH HAD NOT
7 PREVIOUSLY BEEN CONSIDERED TO BE ENDANGERED BY THE PROJECT.
8 HOWEVER, IT APPEARS THAT SIDEWALKS MAY NOT BE NECESSARY AT
9 THIS LOCATION, ARE NOT IN KEEPING WITH THE NEIGHBORHOOD
10 PATTERN, DO NOT BENEFIT THE AREA AND WOULD TAKE AWAY FROM ITS
11 REAL CHARACTER. IT MAY BE APPROPRIATE TO CONSIDER MODIFYING
12 THE SIDEWALK IMPROVEMENTS IN A SEPARATE ACTION. THIS CONCLUDES
13 STAFF PRESENTATION. IF YOU HAVE ANY QUESTIONS AT THIS TIME?

14

15 **SUP. MOLINA, CHAIR:** ALL RIGHT. ANY QUESTION OR COMMENT?

16

17 **SUP. YAROSLAVSKY:** LET'S HEAR ALL THE TESTIMONY.

18

19 **SUP. MOLINA, CHAIR:** I'M SORRY?

20

21 **SUP. YAROSLAVSKY:** AFTER WE HEAR THE TESTIMONY.

22

23 **SUP. MOLINA, CHAIR:** RIGHT. WE HAVE TWO PEOPLE WHO WISH TO
24 TESTIFY. JERRY LIN, HERE. AND LA VERNE CHING.

25



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1 **JERRY LIN:** MADAM CHAIR, SUPERVISORS, MY NAME IS JERRY LIN, I'M
2 HERE REPRESENTING THE RECORD OWNER OF THE PROPERTY, MR. AND
3 MRS. DAVID AND ANGELA FU. THE ONLY THING I WANT TO STATE HERE
4 IS AS THE REPORT GIVEN BY THE PLANNING STAFF, THIS
5 APPLICATION, INCLUDING THE MODIFICATION OF THE C.S.D., WAS
6 PRESENTED ON AUGUST 18TH DURING A COMMISSIONER'S HEARING.
7 DURING THE HEARING, WE RECEIVED SUPPORT FROM THE NEIGHBORS AND
8 ALSO THERE'S NO OBJECTION OF ANY ITEM OF IT. BUT, AT THE END,
9 THE MODIFICATION WAS DENIED. THAT'S WHY WE'RE APPEALING HERE.
10 AND THERE ARE SEVERAL NEIGHBORS THAT THEY WISH TO COME.
11 HOWEVER, THERE ARE TIME CONFLICTS ON THEIR SCHEDULE, BUT ALL
12 OF THEIR TESTIMONY WERE RECORDED ON THE COMMISSIONERS HEARING,
13 DATED AUGUST 18TH. SO I'M HERE TO REITERATE THE FACTS AND I'M
14 READY FOR ANY QUESTIONS.

15

16 **SUP. MOLINA, CHAIR:** ALL RIGHT. ANY QUESTION OR COMMENT? OKAY.
17 IF NOT, MISS CHING?

18

19 **LA VERNE CHING:** GOOD MORNING. I HAVE-- I AM A MEMBER OF THE
20 OAK TREE PRESERVATION, WHICH HAS GONE ON ALL THESE YEARS, AND
21 ALSO RESIDENT OF LOMBARDI ROAD. I JUST WANTED TO POINT OUT
22 THAT WE HAD A HUNDRED SIGNATURES TO HELP PRESERVE THE OAK
23 TREES OR OVER 100 AND OUR MAIN CONCERN WAS KEEPING THE AREA AS
24 NATURAL AS POSSIBLE. WE HAD WRITTEN LETTERS TO MR. ANTONOVICH
25 AND WE HAD TRIED TO IMPORE THIS UPON EVERYBODY. AND, AT OUR



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1 LAST MEETING, WE DID AGREE ON CUTTING SOME OF THE TREES BUT WE
2 DID NOT KNOW THAT THE HOUSING-- THE TWO HOUSES WOULD BE SO
3 LARGE. 13,500 SQUARE FEET IS A HUGE HOUSE TO PUT ON A LOT OF
4 ANY SIZE AND THESE LOTS WILL BE LESS THAN AN ACRE, CORRECT?

5

6 **JERRY LIN:** NO. THEY'RE ALL GREATER THAN AN ACRE.

7

8 **LA VERNE CHING:** BUT STILL, I LIVE ON A LOT THAT'S AN ACRE AND
9 MY HOUSE LOOKS FINE BUT IT IS, LIKE, HALF THE SIZE. SO YOU CAN
10 SEE IT IS OUT OF PROPORTION WITH THE AREA. MOST OF THE HOMES
11 HAVE A NICE LAWN AND IT IS A UNIQUE AREA BECAUSE THERE ARE A
12 LOT OF TREES, AS WE STATED, SO PEOPLE WALK THROUGH, THE BIKERS
13 COME THROUGH, BECAUSE IT IS A NICE AREA THAT'S RIGHT OFF THE
14 STREET BUT YOU NEVER WOULD NOTICE IT. SO WHAT-- THE PEOPLE
15 HERE THAT I'M HELPING REPRESENT, BECAUSE THEY COULDN'T MAKE IT
16 BECAUSE OF THEIR FAMILY PROBLEMS OR WHATEVER, WANT TO JUST
17 MAKE SURE YOU REALIZE THAT THE STRUCTURE THAT IS BEING BUILT
18 IS GOING TO BE SO LARGE. WILL IT BE IN PROPORTION TO THE LAND?
19 NOWADAYS, THERE ARE SO MANY PEOPLE COMING IN AND BUYING LOTS
20 AND THEY ARE BUILDING HOMES THAT YOU SEE EVEN IN YOUR OWN
21 NEIGHBORHOOD THAT LOOK SO HUGE AND THEY'RE DWARFING THE LAND
22 SO IT DOESN'T LOOK VERY NICE. I DON'T KNOW HOW TO PUT IT
23 BETTER BUT YOU, YOURSELF, CAN SEE THAT. THERE'S SO MUCH
24 CEMENT, THE GREENERY IS LOST AND THAT IS VERY EASY TO DO, I
25 CAN SEE AND PEOPLE LOVE TO HAVE A BIG HOUSE BUT IT WOULD LOOK



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1 MUCH NICER IN YOUR AREA IF YOU DID HAVE SOME GREENERY. THE
2 GREENERY IS LOST NOWADAYS BECAUSE OF DEVELOPMENT AND OF MONEY,
3 AS WAS STATED BEFORE IN SOME OF THE FINANCIAL PROBLEMS. SO I
4 WANT YOU JUST TO TAKE IN CONSIDERATION. WE DO HAVE 9,000
5 SQUARE FEET, WHICH IS THE MAXIMUM ALREADY. WHY DO WE HAVE TO
6 MAKE IT EVEN BIGGER? BIGGER THE BETTER? IS THAT FOR THE BETTER
7 OF THE COMMUNITY AND FOR US ALL TO ENJOY AS WELL AS NATURE? SO
8 JUST PLEASE KEEP THAT IN MIND AND, AS I SAID, THIS HAS GONE ON
9 FOR YEARS. WE HAVE COME SO MANY TIMES TO TRY AND PRESERVE THE
10 AREA. THANK YOU.

11

12 **SUP. MOLINA, CHAIR:** THANK YOU, MS. CHING. ALL RIGHT. THAT
13 CONCLUDES THE TESTIMONY. MR. ANTONOVICH?

14

15 **SUP. ANTONOVICH:** LET ME ASK THE STAFF. GIVEN THE LOT SIZE AND
16 ZONING DESIGNATION, HOW MANY LOTS COULD THE PROPERTY BE
17 DIVIDED INTO?

18

19 **KAREN SIMMONS:** THEY COULD HAVE FIVE LOTS AND, WHEN THE PROJECT
20 WAS INITIALLY SUBMITTED TO US, THEY DID HAVE FIVE LOTS AND
21 THEY HAVE SINCE REVISED THAT TO THE THREE LOTS.

22

23 **SUP. ANTONOVICH:** AND WITH THE FIVE LOT SUBDIVISION AS
24 ORIGINALLY PROPOSED, WHAT WAS THE SQUARE FOOTAGE OF THE HOMES
25 THAT COULD BE BUILT?



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1

2 **KAREN SIMMONS:** THEY WOULD BE ABLE TO HAVE 9,000 SQUARE FEET ON
3 EACH LOT SO THEY CAN HAVE A TOTAL OF 45,000-SQUARE-FOOT OF
4 HOMES ON THE FIVE LOTS.

5

6 **SUP. ANTONOVICH:** 45,000?

7

8 **KAREN SIMMONS:** CORRECT.

9

10 **SUP. ANTONOVICH:** AND WITH THE REVISED THREE LOT SUBDIVISION,
11 WHAT IS THE TOTAL FOOTAGE?

12

13 **KAREN SIMMONS:** WELL, CONSIDERING WHAT THE APPLICANT HAS
14 SUBMITTED, THEY WOULD HAVE A TOTAL OF 3,700 AND THAT'S WITH A
15 LARGER HOMES AND IT IS MUCH LESS THAN PREVIOUSLY THEY WOULD
16 HAVE BUILT IF THEY DID THE FIVE LOTS.

17

18 **SUP. ANTONOVICH:** SO THE SQUARE FOOTAGE WILL BE LESS WITH THE
19 THREE HOMES VERSUS THE FIVE HOMES THAT WERE BEING BUILT?

20

21 **KAREN SIMMONS:** CORRECT.

22

23 **SUP. ANTONOVICH:** WHAT OTHER ADVANTAGES, BESIDES THE REDUCTION
24 IN FOOTAGE, WOULD A THREE LOT SUBDIVISION COMPARED TO THE FIVE
25 LOT SUBDIVISION HAVE?



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1

2 **KAREN SIMMONS:** WELL, THEY'D BE REMOVING AND ENCROACHING ON
3 LESS OAK TREES, IS ONE OF THE MAIN REASONS WHY THEY DID DO THE
4 THREE LOTS. ALSO, THE HOUSES WOULD BE FACING LOMBARDI ROAD, IT
5 WOULDN'T BE THE SIDE VIEW OF A HOUSE AND IT WOULD BE MORE
6 CONSISTENT WITH THE NEIGHBORHOOD.

7

8 **SUP. ANTONOVICH:** AND THE REVISIONS THAT WERE TAKING PLACE, THE
9 APPLICANT WAS WORKING WITH THE NEIGHBORS AND THOSE WHO SPOKE
10 AT THE REGIONAL PLANNING COMMISSION, DOES THIS TREE LOT
11 SUBDIVISION ADDRESS THOSE CONCERNS?

12

13 **KAREN SIMMONS:** IT DOES, BECAUSE, PRIMARILY, WE DID HEAR, AS
14 MRS. KING[SIC] WAS SAYING, THE CONCERNS ABOUT THE OAK TREE
15 BEING REMOVED. THE COMMISSION DID PUT ON A ADDITIONAL
16 CONDITIONS THAT THE APPLICANT MUST PROVIDE US BUILDING PERMITS
17 AND GRADING PERMITS PRIOR TO REMOVING ANY OAK TREES TO SHOW
18 THE EXTENT OF ACTUALLY BUILDING THE HOME.

19

20 **SUP. ANTONOVICH:** THE ONE AREA OF CONCERN THAT I HAVE THAT WAS
21 PUT ON AND THAT IT DOES IMPACT OAK TREES WAS THE PLACEMENT OF
22 SIDEWALK IMPROVEMENTS THAT WOULD IMPACT-- THEY SAY WOULD
23 REQUIRE REMOVAL OF OAK TREES BUT THERE ARE NO SIDEWALKS ON
24 EITHER SIDE OF THE PROPOSED PROJECT AS THERE ARE MANY OTHER



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1 LOCATIONS IN CHATMAN OAKS, SO DELETING THAT REQUIREMENT WOULD
2 SAVE ADDITIONAL OAK TREES.

3

4 **KAREN SIMMONS:** THAT'S CORRECT.

5

6 **SUP. ANTONOVICH:** AND-- OKAY. I'D LIKE TO READ A MOTION.

7

8 **JERRY LIN:** MADAM CHAIR, MAY I?

9

10 **SUP. MOLINA, CHAIR:** YES, SIR.

11

12 **JERRY LIN:** MAY I, JUST ONE MORE THING. I WOULD LIKE TO ADDRESS
13 MRS. CHING'S CONCERN. ACTUALLY, ON OR BEFORE THE
14 COMMISSIONER'S HEARING, THE OAK TREE ASSOCIATION WAS
15 REPRESENTED BY LATHAM AND WATKINS, A LAW FIRM, AND WE DID HAVE
16 AGREEMENT WITH THEM. THAT'S WHY THE COMMISSIONER PUT ON
17 ADDITIONAL CONDITIONS ON THE OAK TREES AND FOR THIS APPEAL,
18 FOR THE SIZE OF HOUSE, WILL NOT AFFECT ANY OF THOSE CONDITIONS
19 SET BECAUSE IT'S PART OF THE SUBDIVISION PROCEDURE. YOU HAVE
20 TO-- THE APPLICANT NEED TO PROPOSE THE POTENTIAL HOUSE PAD
21 AND, FOR THE HOUSE PAD, REGARDLESS OF WHETHER IT'S 9,000
22 SQUARE FEET OR 12,000 SQUARE FEET, THEY ALL CAN BUILD WITHIN
23 THIS SO NO MORE OAK TREE WILL BE AFFECTED.

24



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1 **SUP. ANTONOVICH:** THIS PROJECT, MADAM CHAIR, IS A REQUEST THAT
2 ALLOWS THE MODIFICATION OF EAST PASADENA SAN GABRIEL COMMUNITY
3 STANDARDS DISTRICT AND TO MEET THE CONCERNS OF NEIGHBORING
4 RESIDENTS AND, DUE TO THOSE CONCERNS, THE TRACT WAS REDUCED
5 FROM FIVE LOTS TO THREE LOTS. THE REQUESTED MODIFICATION IS
6 APPROPRIATE GIVEN THE FOLLOWING: THAT THE SIZE OF THE HOMES
7 ARE APPROPRIATE FOR LOTS THAT RANGE IN SIZE FROM APPROXIMATELY
8 47,000 SQUARE FEET TO 52,000 SQUARE FEET. THE PROPOSED HOUSES
9 ARE COMPATIBLE WITH THE SCALE OF EXISTING RESIDENCES IN THE
10 CHAPMAN WOODS, THAT THE LARGE LOT SIZE SHOW ADEQUATE SHOW SIDE
11 YARD SETBACKS, DEEP YARD SETBACKS, FRONT YARD SETBACKS THAT
12 ARE GREATER THAN THE OTHER EXISTING NEIGHBORING RESIDENTS.
13 AND, TO ALLEVIATE THE CONCERNS, THE PLANNING COMMISSION
14 CONDITIONED THE PROJECT SO THAT NO OAK TREES MAY BE REMOVED
15 UNTIL GRADING AND BUILDING PERMITS HAVE BEEN OBTAINED FOR THE
16 SINGLE FAMILY RESIDENCES. INCREASING THE SIZE OF THE PROPOSED
17 RESIDENCES DOES NOT RESULT IN ADDITIONAL OAK TREE REMOVALS OR
18 ENCROACHMENTS. BUT IT'S IMPORTANT THAT THE BOARD MOVE FORWARD
19 TO SAVE EXISTING OAK TREES ON THE PROPERTY IN ADDITION TO
20 CONDITIONING THE PROJECT SO THAT IT IS COMPATIBLE WITH THE
21 NEIGHBORHOOD AND THE PROPOSED SIDEWALK IMPROVEMENTS CONDITION
22 ON THE TENTATIVE MAP COULD POTENTIALLY IMPACT OAK TREES WHICH
23 HAD NOT BEEN PREVIOUSLY CONSIDERED TO BE ENDANGERED BY THE
24 PROJECT. THERE ARE NO SIDEWALKS ON EITHER SIDE OF THE PROPOSED
25 PROJECT AND THERE ARE MANY OTHER LOCATIONS IN CHATMAN WOODS



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1 WITHOUT SIDEWALKS. ELIMINATING THAT REQUIREMENT WOULD
2 ELIMINATE ANY ADDITIONAL IMPACTS UPON OAK TREES, A RESOURCE
3 HIGHLY VALUED BY THE COMMUNITY. SO I'D MOVE THAT THE BOARD
4 CLOSE THE PUBLIC HEARING WITH THE APPROVAL, GRANT C.S.D.
5 MODIFICATION 03-3875, DIRECTING COUNTY COUNSEL TO PREPARE THE
6 FINDINGS AND CONDITIONS WITH THE REVISIONS CONTAINED IN THE
7 MOTION, DIRECTING STAFF TO WORK WITH THE APPLICANT TO PROCESS
8 THE AMENDMENTS TO THE TRACT MAP 00-05-95, ELIMINATING THE
9 REQUIREMENT FOR THE SIDEWALKS TO SAVE THOSE OAK TREES.

10

11 **SUP. MOLINA, CHAIR:** ALL RIGHT. THAT ITEM IS BEFORE US, THE
12 MOTION IS BEFORE US. MOVED BY SUPERVISOR ANTONOVICH, SECONDED
13 BY SUPERVISOR YAROSLAVSKY. IS THERE ANY QUESTION OR COMMENT?
14 IF NOT, SO ORDERED ON THAT ITEM.

15

16 **SUP. ANTONOVICH:** THANK YOU.

17

18 **SUP. MOLINA, CHAIR:** ALL RIGHT. OUR FINAL PLANNING ITEM IS ITEM
19 NUMBER 12. IS THAT CORRECT?

20

21 **CLERK VARONA-LUKENS:** NUMBER 13.

22

23 **SUP. MOLINA, CHAIR:** 13. I APOLOGIZE.

24



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1 **CLERK VARONA-LUKENS:** WE HAVE A COMBINED HEARING ON GENERAL
2 PLAN AND SUB PLAN AMENDMENT, ZONE CHANGE CASE CONDITIONAL USE
3 PERMIT, OAK TREE PERMIT AND PARKING PERMIT CASE NUMBER 98008-
4 5, INVESTING TENTATIVE TRACT MAP, CASE NUMBER 52-455-5 AND TO
5 CONSIDER AND CERTIFY THAT THE ENVIRONMENTAL IMPACT REPORT, AS
6 REVISED BY THE FINAL ADDITIONS ANALYSIS CONCERNING WATER
7 SUPPLY AND THE WESTERN SPADE FOOT TOAD FOR THE PROJECT KNOWN
8 AS WEST CREEK HAS BEEN COMPLETED.

9

10 **SUP. MOLINA, CHAIR:** ALL RIGHT.

11

12 **CLERK VARONA-LUKENS:** AND WE HAVE RECEIVED WRITTEN PROTESTS ON
13 THIS, MADAM CHAIR.

14

15 **SUP. MOLINA, CHAIR:** IF WE COULD GET THE REPORT.

16

17 **ELLEN FITZGERALD:** GOOD AFTERNOON, SUPERVISORS. MY NAME IS
18 ELLEN FITZGERALD AND I AM REPRESENTING THE DEPARTMENT OF
19 REGIONAL PLANNING. THE WEST CREEK PROJECT SITE IS LOCATED
20 ALONG THE WEST BANK OF SAN FRANCISQUITO CREEK NORTH OF DECORAL
21 DRIVE, BISECTED BY COPPER HILL DRIVE IN THE SANTA CLARITA
22 VALLEY. THE PROJECT, AS PREVIOUSLY APPROVED, CONSISTS OF A
23 MAXIMUM OF 2,545 RESIDENTIAL UNITS, 180,000 SQUARE FEET OF
24 COMMERCIAL DEVELOPMENT AND A VARIETY OF RECREATIONAL USES AND
25 PUBLIC FACILITIES. THE PROJECT WAS APPROVED BY THIS BOARD ON



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1 DECEMBER 19TH, 2000. IT WAS SUBSEQUENTLY CHALLENGED IN COURT
2 AND ULTIMATELY THE COURT OF APPEALS FOUND THE PROJECT'S
3 ENVIRONMENTAL IMPACT REPORT CONTAINED AN INADEQUATE ANALYSIS
4 RELATED TO WATER SUPPLY AND DEMAND. THE CERTIFICATION OF THE
5 E.I.R. WAS INVALIDATED BY THE COURT AND THE PROJECT APPROVAL
6 SUSPENDED PENDING COMPLETION OF A REVISED ADDITIONAL ANALYSIS
7 DOCUMENT. THE ADDITIONAL ANALYSIS SUMMARIZES AND ASSESSES THE
8 WATER DEMAND FOR THE WEST CREEK PROJECT IN CONJUNCTION WITH
9 THE EXISTING WATER DEMAND IN THE SANTA CLARITA VALLEY AS WELL
10 AS FUTURE CUMULATIVE WATER DEMAND. THE ANALYSIS ALSO DOCUMENTS
11 THE RELIABILITY OF WATER DELIVERED BY THE STATE WATER PROJECT,
12 THE ABILITY OF LOCAL WATER PURVEYORS TO DELIVER WATER TO
13 RETAIL CUSTOMERS AND THE EXTENT TO WHICH AMMONIUM PERCHLORATE
14 CONTAMINATION HAS REDUCED THE AMOUNT OF WATER AVAILABLE. THE
15 DOCUMENT CONCLUDES THAT THERE ARE ADEQUATE AND RELIABLE
16 SUPPLIES OF WATER TO SERVE THE PROJECT AS WELL AS THE EXISTING
17 AND FUTURE POPULATION OF THE SANTA CLARITA VALLEY. THE
18 ADDITIONAL ANALYSIS DOCUMENT, INITIALLY FOCUSED ON WATER
19 ISSUES, WAS EXPANDED TO INCLUDE A DISCUSSION OF THE PROJECT'S
20 IMPACTS ON THE WESTERN SPADE FOOT TOAD AFTER THE SPECIAL
21 STATUS SPECIES WAS DISCOVERED IN A TEMPORARY MANMADE DETENTION
22 BASIN ON THE PROJECT SITE. THE SPADE FOOT TOAD ANALYSIS
23 CONCLUDED THAT THE TEMPORARY DETENTION BASINS DO NOT PROVIDE
24 SUITABLE BREEDING HABITAT AND RECOMMENDED MEASURES FOR
25 MITIGATION OF THE PROJECT'S IMPACTS ON THIS SPECIES. THE



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1 REGIONAL PLANNING COMMISSION'S PUBLIC HEARING WAS OPENED ON
2 FEBRUARY 4TH, 2004, AND CONTINUED TO APRIL 14TH, MAY 12TH AND
3 AUGUST 11TH, 2004. AN EXTENSIVE DISCUSSION ON WATER ISSUES WAS
4 HELD WITH WRITTEN CORRESPONDENCE AND ORAL TESTIMONY RECEIVED
5 FROM CONCERNED CITIZENS, INCLUDING REPRESENTATIVES OF SCOPE,
6 CITIZEN'S PLANNING ASSOCIATION, FRIENDS OF THE SANTA CLARA
7 RIVER AND THE SIERRA CLUB AND PRESENTATIONS MADE BY WATER
8 COMPANY REPRESENTATIVES AND CONSULTANTS. THE COMMISSION ALSO
9 HEARD TESTIMONY AND RECEIVED CORRESPONDENCE ON CONCERNS
10 RELATED TO THE SPADE FOOT TOAD. ON SEPTEMBER 15TH, 2004, IN A
11 5-0 VOTE, THE REGIONAL PLANNING COMMISSION RECOMMENDED
12 RECERTIFICATION OF THE REVISED ENVIRONMENTAL DOCUMENTATION AND
13 RE-ADOPTION OF PROJECT APPROVALS, INDICATING THAT THERE WAS
14 SUFFICIENT EVIDENCE IN THE RECORD THAT ADEQUATE AND RELIABLE
15 WATER SUPPLIES EXIST AND THE PROJECT IMPACT ON THE SPADE FOOT
16 TOAD CAN BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL. THAT
17 CONCLUDES MY SUMMARY OF THE RECENT ACTIVITIES ON THIS PROJECT
18 AND THERE ARE A NUMBER OF STAFF MEMBERS HERE TODAY TO ASSIST
19 IN ANSWERING ANY TECHNICAL QUESTIONS THE BOARD MAY HAVE.

20

21 **SUP. MOLINA, CHAIR:** THAT CONCLUDES THE REPORT?

22

23 **ELLEN FITZGERALD:** YES, IT DOES.

24



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1 **SUP. MOLINA, CHAIR:** ALL RIGHT. DO WE HAVE ANY TESTIMONY ON
2 THIS, ITEM 13? EXCUSE ME. HERE WE ARE. IF I COULD ASK-- NO,
3 THAT'S NOT CORRECT. EXCUSE ME. JOHANNA ZETTERBERG. I'M SORRY?

4

5 **SPEAKER:** (OFF-MIKE).

6

7 **SUP. MOLINA, CHAIR:** YOU PRESENTLY HAVE NO COMMENT?

8

9 **SPEAKER:** NO, SHE HAD TO LEAVE.

10

11 **SUP. MOLINA, CHAIR:** OH, SHE HAD TO LEAVE. ARE YOU LYNN
12 PLAMBECK? PLEASE JOIN US. AND DAN, I HOPE IT'S MASNADA. IS
13 THAT CORRECT? MR. MASNADA. IS HE HERE? THEY'VE LEFT, TOO? OH,
14 HERE HE IS. THANK YOU. I APOLOGIZE. PLEASE JOIN US.

15

16 **LYNN PLAMBECK:** JOHANNA WAS HERE TO SPEAK ON BEHALF OF THE
17 SIERRA CLUB AND WASN'T ABLE TO STAY, SO SHE SUBMITTED
18 CORRESPONDENCE.

19

20 **SUP. MOLINA, CHAIR:** COULD YOU PLEASE TAKE A SEAT? THANK YOU.
21 WE CAN BARELY HEAR YOU.

22

23 **LYNN PLAMBECK:** MY NAME IS LYNN PLAMBECK AND I'M HERE
24 REPRESENTING SANTA CLARITA ORGANIZATION FOR PLANNING AND THE
25 ENVIRONMENT AND I HAVE SOME SUBMITTALS AS WELL, WHICH I'LL



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1 RESERVE THE-- SOME COPIES OF, THE SECRETARY'S COPY SO THAT I
2 CAN READ OFF OF IT. AS YOU KNOW, WE WERE ONE OF THE LITIGANTS
3 IN THIS PROJECT AND WE STILL HAVE SOME SERIOUS CONCERNS WITH
4 THE PROJECT THAT I HOPE WILL BE ADDRESSED BEFORE YOU GO AHEAD
5 AND APPROVE IT TODAY. AS YOU'RE UNDOUBTEDLY AWARE THAT, SINCE
6 THE PROJECT WAS APPROVED, WE'VE HAD SOME OTHER PROBLEMS IN THE
7 SANTA CLARITA VALLEY. FOR INSTANCE, THE URBAN WATER MANAGEMENT
8 PLAN WAS SET ASIDE IN A PUBLISHED OPINION ON OCTOBER 15TH. I
9 THINK MR. MASNADA IS HERE TO TELL YOU THAT IT WAS VACATED AND
10 RE-APPROVED AT THE SAME TIME LAST NIGHT IN AN INTERESTING
11 PUBLIC PROCESS THAT I'VE ACTUALLY NEVER SEEN BEFORE WHERE WE
12 RECESS FOR 20 MINUTES, WENT OUT AND ADDRESSED PUBLIC COMMENTS,
13 AND THEN CAME BACK AND APPROVED THE PROJECT. OUR BOARD
14 APPROVED ON 3-2, SO IT WAS NOT A UNANIMOUS VOTE. BUT WHAT
15 WE'RE MORE CONCERNED ABOUT, I MEAN, I WANT TO START ACTUALLY
16 TALKING TO YOU ABOUT FLOODING IN THE AREA AND, IN THE SIERRA
17 CLUB SUBMITTAL, YOU'LL SEE THE PART OF THE SAN FRANCISQUITO
18 CANYON WAS WASHED OUT AND WE WOULD LIKE TO REQUEST THAT THE
19 BOARD CONSIDER INVESTIGATING THE FLOODING ISSUES UP THERE
20 BECAUSE IT SEEMS THAT IT COULD HAVE OCCURRED DUE TO BACKING UP
21 BEHIND COPPERHILL ROAD WHERE IT WAS NARROWED DOWN FOR THIS--
22 THE BRIDGE SPAN WAS NARROWED AND THEN IT GOES INTO A NARROWER
23 AREA WHERE THE FLOODPLAIN HAS BEEN REDUCED FOR THE TWO
24 PROJECTS, ONE ON EACH SIDE.

25



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1 **SUP. ANTONOVICH:** WE'RE GOING TO ASK MR. WOLFE TO COME UP AFTER
2 WE DO OUR AGENDA ITEMS AND ASK SPECIFIC ITEMS ABOUT THE
3 REBUILDING AND THE ISSUES OF SAN FRANCISQUITO AND OTHER ROADS
4 THAT WERE...

5

6 **LYNN PLAMBECK:** OKAY. WELL, THAT'S ONE OF THE ISSUES THAT WE
7 REALLY THINK THAT, BEFORE ADDITIONAL BUILDING IN THESE SORTS
8 OF AREAS THAT BUILD UP FLOODPLAINS, IS IT'S REALLY IMPORTANT
9 FOR PUBLIC SAFETY TO REALLY TAKE A LOOK AT IT. AND, OF COURSE,
10 BECAUSE THERE WAS DESTRUCTION IN THAT AREA THAT'S GOING TO
11 COST EVERYBODY A LOT OF MONEY, IT'S A BIG CONCERN. WE ALSO
12 WERE CONCERNED THAT, AT THE SAME TIME THAT THE SPADE FOOT TOAD
13 ANALYSIS WAS BEING DONE, THE TOADS WERE BEING REMOVED SO THEY
14 COULD BUILD ON THE PROJECT AND WE FELT THAT THAT WASN'T THE
15 PROPER WAY TO ANALYZE THE PROBLEM AND, BECAUSE THERE WAS NO
16 DEFINITE MITIGATION SITE, WE DIDN'T KNOW HOW THAT WAS REALLY
17 AN ADEQUATE MITIGATION. ALSO, AS YOU'RE WELL AWARE, THE
18 PROJECT WAS SET ASIDE AND THERE WAS SUPPOSED TO BE NO FURTHER
19 WORK ON THE PROJECT BUT THERE HAS BEEN A ROAD BUILT ON THE
20 PROJECT AND WE JUST WANTED TO OBJECT TO THAT AND THAT'S IN THE
21 SCOPE COMMENTS, WHICH DIDN'T GET PASSED OUT TO THE BOARD
22 MEMBERS YET, SO THEY'RE RIGHT HERE WHENEVER SOMEBODY WANTS TO
23 DO THAT. WE DID INCLUDE PHOTOGRAPHS...

24



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1 **SUP. ANTONOVICH:** CAN WE HAVE THE SERGEANT AT ARMS OR THE
2 EXECUTIVE OFFICER PASS THEM OUT?

3

4 **LYNN PLAMBECK:** AND I'M RESERVING THE SECRETARY'S COPIES TO
5 READ OFF OF SO YOU CAN JUST-- OKAY. SO WE WOULD JUST LIKE THE
6 BOARD TO ADDRESS THAT ISSUE ABOUT WHY THAT WAS BUILT WHEN THEY
7 WERE SUPPOSED TO NOT BE PROCEEDING WITH THE PROJECT. ALSO,
8 THERE'S-- THERE'S AN OAK TREE PERMIT FOR 13 OAKS AND WE
9 BELIEVE THAT SOME OF THOSE OAKS HAVE ALREADY BEEN REMOVED AND
10 WE'RE JUST HOPING THAT IT WILL BE NOTED THAT SOME OF THE OAKS
11 HAVE ALREADY BEEN REMOVED AND THAT ADDITIONAL OAKS CAN'T BE
12 REMOVED. I SEE EVERYBODY IN YOUR DISTRICT, MR. ANTONOVICH,
13 CARES A WHOLE LOT ABOUT OAKS. I GUESS YOU CARE ABOUT THEM ALL
14 THE TIME, HUH? LASTLY, LET ME GO BACK TO WATER. IN OUR
15 COMMENTS, WE SUBMITTED THE COMMENTS THAT CAME BEFORE THE BOARD
16 LAST NIGHT BECAUSE THERE WAS A BIG CONCERN ABOUT PUBLIC
17 PROCESS AND INADEQUATE TIME TO REVIEW THE URBAN WATER
18 MANAGEMENT PLAN AND IT WAS APPARENTLY RUSHED THROUGH SO THAT
19 THEY COULD SAY THAT, AGAIN, THEY VACATED IT AND THEN RE-
20 APPROVED IT THE SAME EVENING WITHIN 20 MINUTES OF THE TWO
21 RESOLUTIONS. AND THAT WAS OBVIOUSLY DONE TO HAVE IT BE ABLE TO
22 COME TO YOUR BOARD AND SAY IT WAS COMPLETED HERE.

23

24 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH, MS. PLAMBECK.

25



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1 **LYNN PLAMBECK:** ALL RIGHT.

2

3 **SUP. MOLINA, CHAIR:** MR. MASNADA.

4

5 **DAN MASNADA:** MASNADA. DAN MASNADA. I'M THE GENERAL MANAGER OF
6 THE CASTAIC LAKE WATER AGENCY. GOOD AFTERNOON, MADAM CHAIR,
7 MEMBERS OF THE BOARD. AS LYNN PLAMBECK MENTIONED, LAST NIGHT,
8 THE CASTAIC LAKE WATER AGENCY BOARD OF DIRECTORS APPROVED THE
9 REVISED AND AMENDED SANTA CLARITA 2000 URBAN WATER MANAGEMENT
10 PLAN. THE AMENDMENT IS A REGIONAL PLAN AND IS THE RESULT OF A
11 COLLABORATIVE EFFORT BY THE CASTAIC WATER LAKE AGENCY AND THE
12 THREE SANTA CLARITA VALLEY RETAILERS THAT PREPARED THE
13 ORIGINAL PLAN, NEWHALL COUNTY WATER DISTRICT, CASTAIC LAKE
14 WATER AGENCY, SANTA CLARITA WATER DIVISION AND VALENCIA WATER
15 COMPANY. THE AMENDMENT PRINCIPALLY ADDRESSES THE METHOD FOR
16 TREATING PER CHOLERIC CONTAMINATION IN THE LOCAL WATER BASIN
17 AND THE RELIABILITY AND AVAILABILITY OF GROUNDWATER SUPPLY
18 WHILE THAT TREATMENT TECHNOLOGY IS BEING IMPLEMENTED.
19 PREPARATION OF THE AMENDMENT WAS REQUIRED BY A RECENT
20 APPELLATE COURT RULING REGARDING THE ADEQUACY OF THE ORIGINAL
21 2000 URBAN WATER MANAGEMENT PLAN WITH RESPECT TO THE
22 PERCHLORATE CONTAMINATION. AS LYNN PLAMBECK MENTIONED, THE
23 NEWHALL COUNTY WATER DISTRICT BOARD ALSO APPROVED THE
24 AMENDMENT. THE SANTA CLARITA-- LAST NIGHT. THE SANTA CLARITA
25 WATER DIVISION WILL BE APPROVING THE AMEND-- WILL BE



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1 CONSIDERING AND APPROVING THE AMENDMENT ON FEBRUARY 7TH AND
2 VALENCIA WATER COMPANY IS ALSO IN THE PROCESS OF DOING SO. THE
3 URBAN WATER MANAGEMENT PLAN INCLUDES AN UPDATE OF THE WORK
4 ACCOMPLISHED OVER THE LAST FOUR YEARS THAT WILL RESULT IN
5 IMPLEMENTING THE PER CHOLERIC CONTAMINATION TREATMENT
6 TECHNOLOGY BY EARLY NEXT YEAR. ANALYSES CONSISTED OF
7 GROUNDWATER STUDIES CONDUCTED BY-- JOINTLY WITH THE U.S. ARMY
8 CORPS OF ENGINEERS, TREATMENT TECHNOLOGIES CONDUCTED BY
9 C.L.W.A. AND ITS ENGINEERING CONSULTANTS AND NUMEROUS MEETINGS
10 AND STUDIES INVOLVING NOT JUST THE AGENCY AND THE WATER
11 PURVEYORS BUT THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL,
12 DEPARTMENT OF HEALTH SERVICES AND THE OWNER OF THE WHITTAKER
13 BURMITE PROPERTY, THE SOURCE OF THE CONTAMINATION. AS A RESULT
14 OF THIS WORK, THE PARTIES HAVE A GOOD UNDERSTANDING OF THE
15 EXTENT OF THE CONTAMINATION, HOW TO PREVENT ITS MIGRATION, HOW
16 TO TREAT IT AND RESTORE THE CONTAMINATED WELLS TO SERVICE.
17 ALTHOUGH I'M NOT HERE TO EITHER SUPPORT OR OPPOSE THE WEST
18 CREEK PROJECT, I CAN TELL YOU THAT, BASED ON THE REVISED URBAN
19 WATER MANAGEMENT PLAN, THAT THERE ARE SUFFICIENT WATER
20 SUPPLIES AVAILABLE FOR THE PROJECT. THAT CONCLUDES MY-- THAT
21 CONCLUDES MY PRESENTATION AND I'M AVAILABLE TO ANSWER ANY
22 QUESTIONS YOU MAY HAVE.

23

24 **SUP. ANTONOVICH:** I HAVE A QUESTION, MADAM CHAIR?

25



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1 **SUP. MOLINA, CHAIR:** MR. ANTONOVICH?

2

3 **SUP. ANTONOVICH:** WHAT ADDITIONAL ANALYSIS DID THE C.L.W.A.
4 CONDUCT IN RESPONSE TO THE JUDGE'S RULING IN THE LITIGATION
5 CONCERNING URBAN WATER MANAGEMENT PLAN?

6

7 **DAN MASNADA:** AS I MENTIONED, THERE WERE NUMEROUS ANALYSES. AS
8 FAR AS ANALYZING THE EXTENT OF THE PERCHLORATE CONTAMINATION
9 AND THE AMOUNT OF CONTAMINATION. WE WERE INVOLVED IN A JOINT
10 EFFORT WITH THE U.S. ARMY CORPS OF ENGINEERS. WE ALSO ENGAGED
11 ENGINEERING CONSULTANTS, BLACK AND VEECH AND COROLO
12 ENGINEERING TO ASSIST US IN STUDIES REGARDING THE OPTIMUM
13 TREATMENT TECHNOLOGY. IT'S NOT A QUESTION OF WHETHER THE
14 TECHNOLOGY EXISTS, IT'S A QUESTION OF IDENTIFYING THE BEST
15 TECHNOLOGY FOR OUR SITUATION. AND THEN ALSO WE WORKED VERY
16 CLOSELY WITH THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL AND
17 DEPARTMENT OF HEALTH SERVICES REGARDING THEIR PERMIT
18 REQUIREMENTS AND THE STUDIES ASSOCIATED WITH THOSE
19 REQUIREMENTS.

20

21 **SUP. ANTONOVICH:** WITH RESPECT TO THE ISSUE, DO YOU KNOW THE
22 EXTENT OF THE PROBLEM AND DO YOU HAVE A PLAN FOR REMEDYING IT?

23

24 **DAN MASNADA:** YES, WE DO AND THE PLAN IS SPELLED OUT IN DETAIL
25 IN THE AMENDMENT, IN THE AMENDED 2000 URBAN WATER MANAGEMENT



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1 PLAN, WHICH WILL RESULT IN IMPLEMENTATION OF BOTH THE
2 TREATMENT, TECHNOLOGY AND THE CONTAINMENT STRATEGY BY EARLY
3 2006.

4

5 **SUP. ANTONOVICH:** ARE YOU CONFIDENT THAT THE VALENCIA WATER
6 COMPANY AND YOUR WATER DISTRICT CAN SUPPLY THE WATER NEEDED
7 FOR THE WEST CREEK?

8

9 **DAN MASNADA:** YES, I AM.

10

11 **SUP. ANTONOVICH:** THANK YOU.

12

13 **DAN MASNADA:** YOU'RE WELCOME.

14

15 **SUP. ANTONOVICH:** I HAVE SOME QUESTIONS FOR REGIONAL PLANNING.

16

17 **SUP. MOLINA, CHAIR:** ALL RIGHT.

18

19 **SUP. ANTONOVICH:** RELATIVE TO THE PROJECT, WHAT WAS THE ISSUE
20 RAISED RELATIVE TO THE SPADE FOOT TOAD?

21

22 **SPEAKER:** THE TOAD WAS DISCOVERED ON A SITE EVALUATION VISIT IN
23 MAY 2004. METAMORPHOSED ADULTS WERE FOUND IN A RETENTION BASIN
24 THERE.

25



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1 **SUP. ANTONOVICH:** AND HOW DID YOU RESPOND TO THESE ISSUES?

2

3 **SPEAKER:** WE ASKED THE APPLICANT TO COME UP WITH A MITIGATION
4 PLAN TO BE APPROVED BY CALIFORNIA DEPARTMENT OF FISH AND GAME
5 AND WE ALSO TOOK THAT MITIGATION PLAN TO SEA TECH FOR REVIEW
6 AND WE ADDED THAT INFORMATION TO THE PUBLIC REVIEW DOCUMENT,
7 WHICH WAS SENT OUT.

8

9 **SUP. ANTONOVICH:** AND WHAT DID THE MITIGATION PLAN CONSIST OF?

10

11 **SPEAKER:** THE CONSTRUCTION OF PONDS WITH SPECIFICS ON THE TYPE
12 OF MATERIAL TO BE USED AS A SUBSTRATE OF THE PONDS AND HOW
13 THEY WERE TO BE SEALED AND WATERSHED INFORMATION FEEDING THE
14 PONDS AS WELL AS A FIVE-YEAR MONITORING PROGRAM.

15

16 **SUP. ANTONOVICH:** WAS THE PUBLIC GIVEN THE OPPORTUNITY TO
17 COMMENT ON THIS ISSUE?

18

19 **SPEAKER:** YES. I BELIEVE THE PUBLIC REVIEW PERIOD WAS FROM JUNE
20 TO AUGUST OF 2004.

21

22 **SUP. ANTONOVICH:** OKAY. AND FOR PUBLIC WORKS, HAVE YOU
23 CONDUCTED AN INDEPENDENT REVIEW OF THE WATER SUPPLY FOR THE
24 WEST CREEK PROJECT?

25



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1 **SPEAKER:** A PUBLIC WORKS REPRESENTATIVE IS COMING UP RIGHT NOW.

2

3 **SUP. ANTONOVICH:** OKAY. QUESTION. HAVE YOU CONDUCTED AN
4 INDEPENDENT REVIEW OF THE WATER SUPPLY FOR THIS PROJECT?

5

6 **DEAN _____:** YES, AND WE HAVE CONCLUDED THAT THE EXISTING WATER
7 SUPPLIES ARE SUFFICIENT TO MEET PROJECTED WATER DEMANDS IN
8 THIS PROJECT.

9

10 **SUP. ANTONOVICH:** AND WHAT DOCUMENTS OR DATA DID YOU CONSULT IN
11 REVIEWING THE WATER SUPPLY ISSUE?

12

13 **DEAN _____:** THERE WERE A NUMBER OF DOCUMENTS THAT I REVIEWED
14 AND I WOULD LIKE TO LIST THEM. I REVIEWED THE ADDITIONAL DRAFT
15 AND FINAL ANALYSIS FOR THE WEST CREEK PROJECT. I REVIEWED THE
16 PREVIOUS SIX ANNUAL SANTA CLARITA VALLEY WATER REPORTS. I
17 REVIEWED THE RECENTLY APPROVED REVISED URBAN WATER MANAGEMENT
18 PLAN THAT WAS APPROVED LAST NIGHT AND VARIOUS GROUNDWATER
19 STUDIES THAT WERE PREPARED AND INCLUDED IN THE PLAN. I
20 REVIEWED THE ENVIRONMENTAL IMPACT REPORT DOCUMENTS FOR THE
21 PURCHASE OF THE 41,000 ACRE FEET OF WATER, AN AMOUNT WHICH THE
22 CASTAIC LAKE AGENCY BOARD ADOPTED IN DECEMBER OF 2004. I
23 REVIEWED THE 2003 CASTAIC LAKE WATER AGENCY ADOPTED
24 GROUNDWATER MANAGEMENT PLAN. I REVIEWED MANY DOCUMENTS RELATED
25 TO PERCHLORATE CONTAMINATION AND TREATMENT PREPARED BY



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1 _____ HILL AND THE CORPS OF ENGINEERS. I REVIEWED THE 2002
2 KENNEDY/JENKS WATER RELIABILITY STUDY. I REVIEWED THE STATE
3 WATER PROJECT DELIVERY RELIABILITY REPORT. AND, FINALLY, WILL
4 REVIEW THE CASTAIC LAKE WATER AGENCY RECYCLE WATER MASTER PLAN
5 OF '93 AND 2002.

6

7 **SUP. ANTONOVICH:** AND, BASED ON ALL OF THOSE REVIEWS, DO YOU
8 BELIEVE THERE IS ADEQUATE WATER SUPPLY FOR THIS PROJECT?

9

10 **DEAN _____:** THE DOCUMENTS THAT YOU HAVE BEFORE YOU, THAT WE
11 HAVE PREPARED AND REVIEWED, SUPPORT THAT CONCLUSION,
12 SUPERVISOR.

13

14 **SUP. ANTONOVICH:** AND DEAN, WOULD YOU GIVE YOUR NAME FOR THE
15 RECORD?

16

17 **DEAN _____:** MY NAME IS DEAN _____. I'M A DEPUTY DIRECTOR FOR
18 THE DEPARTMENT OF PUBLIC WORKS AND I'M ALSO ON THE BOARD OF
19 DIRECTORS OF THE CASTAIC LAKE WATER AGENCY.

20

21 **SUP. ANTONOVICH:** OKAY. AND, FOR COUNTY COUNSEL, WHAT WAS THE
22 BASIS OF THE LAWSUIT?

23

24 **RICHARD WEISS, COUNSEL:** SUPERVISOR ANTONOVICH, THE LAWSUIT
25 AGAINST YOUR BOARD'S APPROVAL OF THIS PROJECT RAISED A NUMBER



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1 OF ALLEGATIONS REGARDING THE ENVIRONMENTAL DOCUMENTATION AS
2 WELL AS SOME GENERAL PLAN ISSUES.

3

4 **SUP. ANTONOVICH:** SO DID THE JUDGE INVALIDATE THE E.I.R. OR WAS
5 IT ONE PARTICULAR SECTION?

6

7 **RICHARD WEISS, COUNSEL:** THE COURT ENDED UP REQUIRING THAT YOUR
8 BOARD DECERTIFY THE ENTIRE DOCUMENT. HOWEVER, THE ONLY AREA OF
9 FAULT THAT THE COURT FOUND WITH THE ENVIRONMENTAL IMPACT
10 REPORT WAS WITH RESPECT TO THE WATER SECTION. AND, IN
11 ACCORDANCE WITH THE COURT'S RULING, A SUBSTITUTE STANDALONE
12 WATER ANALYSIS WAS DONE.

13

14 **SUP. ANTONOVICH:** AND SO WHAT DID THE COURT-- OR HOW DID THE
15 COURT DIRECT THE COUNTY TO DEAL WITH THIS, RELATIVE TO THE
16 ENVIRONMENTAL DOCUMENT?

17

18 **RICHARD WEISS, COUNSEL:** SPECIFICALLY, THE COURT DIRECTED THE
19 COUNTY TO REDO THE WATER SERVICE ANALYSIS, TO MAKE IT CLEAR,
20 IN ESSENCE, THAT THE COUNTY WAS CONSIDERING WATER BASED UPON
21 ACTUAL WATER SUPPLY CAPABILITIES FROM THE STATE WATER PROJECT
22 AS OPPOSED TO MERE ENTITLEMENTS.

23



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1 **SUP. ANTONOVICH:** AND HAVE YOU REVIEWED THE ENVIRONMENTAL
2 DOCUMENT AS REVISED AND DO YOU BELIEVE IT ADEQUATELY ADDRESSES
3 THE COURT'S CONCERNS?

4

5 **RICHARD WEISS, COUNSEL:** YES, WE DO, SUPERVISOR. THERE HAS BEEN
6 AN EXTENSIVE REDO OF THE WATER SERVICE ANALYSIS, INCLUDING
7 ACTUAL HISTORICAL INFORMATION FROM THE STATE DEPARTMENT OF
8 WATER RESOURCES, AS HAD BEEN SUGGESTED BY THE COURT. AND WE
9 BELIEVE THAT THE SUPPLEMENTAL ENVIRONMENTAL DOCUMENT FULLY
10 COMPLIES WITH THE COURT'S RULING.

11

12 **SUP. ANTONOVICH:** WERE THERE ANY OTHER REVISIONS TO THE WATER
13 SECTION OR WERE THERE ANY OTHER CHANGES TO THE ENVIRONMENTAL
14 DOCUMENT?

15

16 **RICHARD WEISS, COUNSEL:** THE CUMULATIVE ANALYSIS WITH RESPECT
17 TO WATER WAS ALSO REDONE AND THEN, AS INDICATED BY STAFF,
18 BASED UPON THE DISCOVERY OF THE WESTERN SPADE FOOT TOAD, AN
19 ADDITIONAL ENVIRONMENTAL ANALYSIS WAS DONE THAT WAS CIRCULATED
20 AND SUBJECT TO FULL PUBLIC REVIEW.

21

22 **SUP. ANTONOVICH:** DO THE ISSUES RAISED IN THE SEPARATE
23 LITIGATION CONCERNING THE URBAN WATER MANAGEMENT PLAN PREVENT
24 THE BOARD FROM APPROVING THE ENVIRONMENTAL DOCUMENT TODAY FOR
25 THE WEST CREEK PROJECT?



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1

2 **RICHARD WEISS, COUNSEL:** NOT IN OUR OPINION. THE COURT ON THAT
3 ACTION DID NOT, IN ANY WAY, PLACE AN ORDER THAT WOULD PROHIBIT
4 YOUR BOARD FROM ACTING ON THE PROJECT, ALTHOUGH THE URBAN
5 WATER MANAGEMENT PLAN IS SOMETHING THAT IS MENTIONED IN THE
6 DOCUMENT. STAFF WILL BE RESPONDING TO THE COMMENTS THAT HAVE
7 BEEN PROVIDED TODAY BEFORE YOU TAKE ACTION ON THIS PROJECT.
8 ADDITIONALLY, THE WATER ANALYSIS THAT WAS DONE IN THE
9 ENVIRONMENTAL IMPACT REPORT IS BASED ON NUMEROUS STUDIES AND
10 FINDINGS BY CONSULTANTS AND EXPERTS THAT WERE IN NO WAY SET
11 ASIDE BY THE COURT IN THE URBAN WATER MANAGEMENT PLAN CASE.

12

13 **SUP. ANTONOVICH:** SO IF THERE AREN'T ANY OTHER QUESTIONS, I
14 WOULD HAVE A MOTION I WOULD READ. I'LL READ THE MOTION. THE
15 PROJECT BEFORE US TODAY IS KNOWN AS THE WATER-- AS THE WEST
16 CREEK PROJECT. IT'S A MIXED DENSITY RESIDENTIAL COMMERCIAL
17 PROJECT, WHICH WAS ORIGINALLY APPROVED BY THE BOARD WHEN WE
18 APPROVED AND CERTIFIED THE E.I.R. ON DECEMBER 19TH, 2000.
19 FOLLOWING THE APPROVAL, A LAWSUIT WAS FILED AND THE COURT
20 RULED THAT WATER SERVICE SECTION OF THE E.I.R. WAS INADEQUATE.
21 THE COURT DIRECTED THE COUNTY TO REVISE THE WATER SUPPLY
22 ANALYSIS AND PREPARE ADDITIONAL ANALYSIS TO INCLUDE ACCURATE
23 AVAILABILITY AND RELIABILITY ESTIMATES FOR THE STATE WATER
24 PROJECT IN WET, AVERAGE AND DRY YEARS. THE COURT ALSO DIRECTED
25 THE COUNTY TO REVISE THE E.I.R.'S CUMULATIVE IMPACTS ANALYSIS



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1 FOR WATER SUPPLY AND DEMAND. AN ENTIRELY NEW E.I.R. WATER
2 SECTION WAS PREPARED BASED ON THE CURRENT AVAILABLE
3 INFORMATION AND IT INCLUDES THAT THERE ARE ADEQUATE WATER
4 SUPPLIES TO SERVE THE WEST CREEK PROJECT AS WELL AS FUTURE
5 PLANNED GROWTH WITHIN THE SANTA CLARITA VALLEY. THE REVISED
6 E.I.R. ALSO INCLUDES A DETAILED ANALYSIS OF THE PROJECT'S
7 IMPACT ON THE WESTERN SPACE TOAD TOAD-- SPACE FOOT TOAD, WHICH
8 HAD BEEN DISCOVERED ON THE PROJECT SITE IN A MANMADE RETENTION
9 BASIN. THE ADDITIONAL ANALYSIS INCLUDES MEASURES TO MITIGATE
10 POTENTIAL IMPACTS UPON THIS WESTERN SPADE FOOT TOAD. AN
11 EXTENSIVE DISCUSSION WAS HELD ON THE ADDITIONAL ANALYSIS IN
12 PUBLIC HEARINGS BEFORE THE REGIONAL PLANNING COMMISSION. THE
13 REGIONAL PLANNING COMMISSION VOTED TO RECOMMEND
14 RECERTIFICATION OF THE E.I.R. TO OUR BOARD. AT THIS POINT, IT
15 WOULD BE APPROPRIATE TO DIRECT STAFF TO RESPOND TO
16 ENVIRONMENTAL COMMENTS RECEIVED TO DATE AND PREPARE A FINAL
17 ENVIRONMENTAL DOCUMENT FOR CONSIDERATION BY OUR BOARD. SO I
18 THEREFORE MOVE THAT THE BOARD CLOSE THE PUBLIC HEARING WITH
19 RESPECT TO COMMENTS REGARDING THE ENVIRONMENTAL DOCUMENT AND
20 DIRECT STAFF TO PREPARE THE FINAL ENVIRONMENTAL IMPACT REPORT
21 FOR CONSIDERATION BY OUR BOARD AND CONTINUE THE PUBLIC HEARING
22 TO MARCH 22ND, 2005.

23



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1 **SUP. MOLINA, CHAIR:** ALL RIGHT. THAT ITEM IS MOVED. SECONDED BY
2 SUPERVISOR KNABE. ANY QUESTION OR COMMENT? ANY OBJECTION? IF
3 NOT, SO ORDERED. ALL RIGHT. THAT CONCLUDES OUR PUBLIC HEARING.

4
5 **SUP. YAROSLAVSKY:** JUST SO WE'RE CLEAR, THERE WILL BE ANOTHER
6 PUBLIC HEARING ON THIS?

7
8 **SUP. ANTONOVICH:** YES. MARCH 22ND. LET ME ASK A QUESTION. IS
9 THAT TOAD THE ONE THAT IMPACTED THE CLEANING OF THE CHANNEL
10 WHICH RESULTED IN THE POLYNESIAN LOSS OF HOMES, THAT
11 POLYNESIAN PARK, MOBILE PARK?

12
13 **SPEAKER:** I DON'T KNOW.

14
15 **SUP. ANTONOVICH:** DO YOU KNOW IF IT WAS THE TOAD? OR ONE OF ITS
16 COUSINS? OKAY. THAT WAS THE ISSUE BETWEEN THE CITY OF SANTA
17 CLARITA AND THE STATE FISH AND GAME, NOT THE COUNTY.

18
19 **SUP. MOLINA, CHAIR:** THANK YOU.

20
21 **CLERK VARONA-LUKENS:** MADAM CHAIR, BACK UP TO AGENDA NUMBER 1.
22 AFTER TABULATING THE BALLOTS, A DETERMINATION HAS BEEN MADE
23 THAT A MAJORITY PROTEST EXISTS AGAINST THE PROPOSED ASSESSMENT
24 FOR PROJECT NUMBER 21204 WITHIN COUNTY LIGHTING DISTRICT 1687,



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1 UNINCORPORATED ZONE AND THAT NO MAJORITY PROTESTS EXIST
2 AGAINST THE REMAINING THREE PROJECTS.

3

4 **SUP. MOLINA, CHAIR:** ALL RIGHT. AS A RESULT, I MOVE THAT THE
5 BOARD TERMINATE THE PROCEEDINGS FOR THE ANNEXATION, LEVY OF
6 ASSESSMENTS AND PROPERTY TAX TRANSFER PROCEEDINGS FOR THE
7 SUBDIVISION FOR PROJECT NUMBER 21-204 AND ADOPT THE
8 RESOLUTIONS TO ENACT AND LEVY ASSESSMENTS FOR THE REMAINING
9 THREE PROJECTS WITHIN COUNTY LIGHTING MAINTENANCE DISTRICT
10 1687, UNINCORPORATED ZONES AND ACCEPT THE EXCHANGE OF PROPERTY
11 TAX REVENUES RESULTING FROM THE ANNEXATION OF TERRITORIES. AND
12 SO THIS IS MOVED BY MYSELF, SECONDED BY SUPERVISOR BURKE. IF
13 THERE'S NO OBJECTION, SO ORDERED. SO THAT DOES CONCLUDE ALL OF
14 OUR PUBLIC HEARING EVENTS. ALL RIGHT. I AM UP FIRST. AND VERY
15 QUICKLY, I'D LIKE TO DO OUR ADJOURNMENTS. I THINK ALL OF US
16 WOULD LIKE TO JOIN IN ADJOURNMENT IN THE MEMORY OF JOHNNY
17 CARSON. IT WAS-- I THINK WE ALL RECEIVED THE NEWS WITH A
18 LITTLE BIT OF SADNESS. WE ALL FEEL LIKE WE PERSONALLY KNEW
19 HIM, AS HE DID COME INTO OUR HOMES EVERY EVENING. AS WE ALL
20 KNOW HE'S THE LEGENDARY HOST OF THE "TONIGHT" SHOW FOR OVER
21 THREE DECADES. HE HAD VERY, VERY UNIQUE COMIC GIFTS AND WE
22 KNOW THAT NONE OF THAT IS EVER GOING TO BE FORGOTTEN. WE'LL
23 ALWAYS REMEMBER HIM WITH GREAT ADMIRATION AND GREAT AFFECTION.
24 SO ALL MEMBERS ON THAT ADJOURNMENT. I'D ALSO LIKE TO ASK THAT
25 WE ADJOURN IN MEMORY OF A CHILDHOOD FRIEND OF MY MOTHER'S,



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1 MRS. LORETTO ZUBIA PLACENCIO. SHE IS A COUSIN OF MY MOTHER'S
2 AND SHE VERY SADLY PASSED AWAY LAST WEEK. I'D ALSO LIKE TO ASK
3 THAT WE ADJOURN IN THE MEMORY OF RICK SALAZAR, THE BELOVED
4 HUSBAND AND FORMER MONTEBELLO MAYOR, KATHY SALAZAR. RICK WAS A
5 LONG-TIME MONTEBELLO PARKS AND RECREATION COMMISSIONER AS WELL
6 AS AN AVID PARKS AND SENIOR ADVOCATE FOR THE COMMUNITY. WE
7 WANT TO EXPRESS OUR DEEPEST CONDOLENCES TO KATHY AND HER
8 FAMILY.

9

10 **SUP. KNABE:** I'D LIKE TO BE ON THAT AS WELL, TOO.

11

12 **SUP. YAROSLAVSKY:** ALL MEMBERS.

13

14 **SUP. MOLINA, CHAIR:** ALL RIGHT. ALL MEMBERS ON THAT ITEM. I'D
15 ALSO THAT WE ADJOURN IN THE MEMORY OF GLORIA GRIEGO. SHE IS
16 THE MOTHER OF VICTOR GRIEGO. MANY OF KNOW HIM AS A POLITICAL
17 CONSULTANT AND A COMMUNITY ACTIVIST. WE WANT TO EXTEND OUR
18 HEARTFELT CONDOLENCES TO VICTOR AND HIS FAMILY.

19

20 **SUP. YAROSLAVSKY:** SECOND.

21

22 **SUP. MOLINA, CHAIR:** SECONDED BY SUPERVISOR YAROSLAVSKY. AND,
23 OF COURSE, I'D LIKE TO ALSO ASK THAT WE ADJOURN THIS MORNING
24 IN THE MEMORY OF FRANCISCO VILLALOBOS. HE IS THE BELOVED
25 FATHER OF FRANK VIA LOBOS, WHO IS THE PRESIDENT OF BARIO



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1 PLANNERS. HE'S A LONG-TIME FRIEND OF OUR OFFICE AND OF THE
2 COMMUNITY. IT WAS A LONG, HARD BATTLE BUT HE WAS VERY VALIANT
3 ALL THE WAY TO THE END AND SO WE WANT TO EXTEND OUR DEEPEST
4 CONDOLENCES TO THE ENTIRE VILLALOBOS FAMILY.

5

6 **SUP. KNABE:** YEAH, I WANT ON THAT AS WELL, TOO.

7

8 **SUP. MOLINA, CHAIR:** ALL RIGHT. MR. KNABE WOULD LIKE TO JOIN IN
9 THAT ADJOURNMENT AS WELL AS MS. BURKE. VERY GOOD. ALL RIGHT.
10 THAT IS ALL OF MY ADJOURNMENTS. AND I'M GOING TO ASK THAT WE
11 CALL UP-- I KNOW THERE'S A LOT OF PEOPLE THAT WISH TO TESTIFY
12 ON ITEM 25-A. IF WE COULD HAVE-- THE MOTION IS BEFORE US, IT'S
13 A MOTION THAT HAS BEEN BROUGHT IN BY MYSELF AND SUPERVISOR
14 ANTONOVICH AND BASICALLY ASKS THAT WE TERMINATE OUR CONTRACT
15 FOR CONVENIENCE WITH REFUGIO PARA NINOS. SO THAT IS THE MOTION
16 THAT IS BEFORE US. I'LL SHARE IT WITH EACH OF YOU. THIS IS ALL
17 BASED ON FINDINGS THAT-- FROM THE DEPARTMENT THAT HAVE
18 CONCERNS TO BOTH OF US. WE HAVE A LOT OF PEOPLE THAT WISH TO
19 TESTIFY. WE HAVE APPROXIMATELY 30 PEOPLE. IF THERE'S NO
20 OBJECTION, WE'D LIKE TO LIMIT YOUR TESTIMONY TO, WHAT?

21

22 **SUP. YAROSLAVSKY:** ONE.

23

24 **SUP. MOLINA, CHAIR:** ONE MINUTE? ALL RIGHT. SO IF YOU WOULD
25 JOIN US, WE WOULD APPRECIATE IT. AND IF ANYONE NEEDS



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1 TRANSLATION, IF THEY'D PLEASE LET US KNOW, WE WOULD LIKE TO
2 ACCOMMODATE YOU. LET'S BEGIN WITH DANIEL VARGAS, MICHAEL
3 NICOLAS GERING, ISMAEL LOPEZ, JANET DAVIS. IF THOSE PEOPLE ARE
4 HERE, IF THEY'D JOIN US, PLEASE. MR. VARGAS. YES. PLEASE HAVE
5 A SEAT. YOU CAN BEGIN, MR. VARGAS.

6

7 **DANIEL VARGAS:** OH, BOY. ALL RIGHT. FANTASTIC. I'M A SOCIAL
8 SERVICE WORKER FOR THE AGENCY, REFUGIO PARA NINOS AND,
9 BASICALLY, I JUST WANTED TO STATE TO RECONSIDER THE MOTION AT
10 HAND, NOT SIMPLY FOR THE CHILDREN'S SAKE BUT ALSO FOR THE
11 SOCIAL WORKERS AND THEIR FAMILIES AND THEIR DECISION THAT--
12 RECOMMENDATION THAT THEY HAVE MADE, ALSO, WHICH I WILL NOT
13 VOICE BUT PERHAPS YOU GUYS CAN TAKE INTO CONSIDERATION.

14

15 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU SO MUCH. MICHAEL
16 NICHOLAS GERING.

17

18 **MICHAEL NICHOLAS GERING:** WITH DUE RESPECT, WE WERE PROMISED
19 THREE MINUTES TO SUMMARIZE.

20

21 **SUP. MOLINA, CHAIR:** I DON'T KNOW WHO PROMISED YOU THAT. WHO
22 PROMISED YOU THAT?

23

24 **MICHAEL NICHOLAS GERING:** WELL, WE LOOKED AT THE CLOCK AND THEY
25 GAVE US THREE MINUTES BUT, ANYWAY, I'M PROUD TO SAY THAT, FOR



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1 THE PAST SEVEN YEARS, I SERVE ON THE BOARD OF DIRECTORS OF
2 REFUGIO PARA NINOS. WE SERVE ADMIRABLY 175 FAMILIES OF SOME
3 425 FOSTER CHILDREN, AND WE ARE STAFFED BY 60...

4

5 **SUP. YAROSLAVSKY:** MADAM CHAIR, LET ME JUST ASK A QUESTION. ARE
6 YOU REPRESENTING THE AGENCY IN THE TESTIMONY?

7

8 **MICHAEL NICHOLAS GERING:** YES, SIR.

9

10 **SUP. MOLINA, CHAIR:** I DON'T HAVE A SEPARATION OF THAT SO IT
11 WOULD BE GOOD...

12

13 **SUP. YAROSLAVSKY:** I KNOW. ARE YOU GOING TO BE THE ONLY ONE
14 REPRESENTING THE AGENCY?

15

16 **MICHAEL NICHOLAS GERING:** NO, SIR. WE HAVE THREE OF OUR BOARD
17 OF DIRECTORS THAT ARE HERE.

18

19 **SUP. MOLINA, CHAIR:** COULD WE DO THAT, THEN, HAVE THEM COME UP
20 ALL TOGETHER BECAUSE I JUST HAVE A LIST?

21

22 **SUP. YAROSLAVSKY:** AND THEN I WOULD MOVE THAT WE GIVE THEM MORE
23 TIME.

24

25 **SUP. MOLINA, CHAIR:** ABSOLUTELY.



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1

2 **MICHAEL NICHOLAS GERING:** I'M ASKING PRETTY PLEASE AND I
3 APOLOGIZE FOR MY TONE.

4

5 **SUP. MOLINA, CHAIR:** THAT'S FINE. WHO IS THE OTHER THIRD
6 PERSON?

7

8 **MICHAEL NICHOLAS GERING:** JANET DAVIS.

9

10 **SUP. MOLINA, CHAIR:** I DON'T HAVE THAT. JANET DAVIS, I HAVE.
11 WHO ELSE? MR. GERING, WHO ELSE?

12

13 **MICHAEL NICHOLAS GERING:** DAVID MONTGOMERY.

14

15 **SUP. MOLINA, CHAIR:** DAVID MONTGOMERY. SIR, IF YOU WOULD JUST
16 ALLOW THE OTHER INDIVIDUALS TO COME UP. AND PLEASE...

17

18 **SUP. YAROSLAVSKY:** I WOULD MOVE WE GIVE THE MEMBERS OF THE
19 BOARD THREE MINUTES EACH.

20

21 **SUP. MOLINA, CHAIR:** THAT WOULD BE APPROPRIATE. GO AHEAD.

22

23 **MICHAEL NICHOLAS GERING:** GLORIA, THANK YOU VERY MUCH. AS I WAS
24 SAYING, WE SERVE ADMIRABLY 175 FAMILIES AND SOME 425 FOSTER
25 CHILDREN AND WE MAINTAIN A STAFF OF 60 OUTSTANDING



**The Meeting Transcript of
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1 PROFESSIONAL EMPLOYEES. YOU ARE AWARE OF THE FACT THAT WE
2 BECAME WELL KNOWN, ESPECIALLY IN THE LATINO COMMUNITY, BECAUSE
3 OF OUR COMMITMENT TO PLACING LARGE SIBLING SETS AND KEEPING
4 FAMILIES TOGETHER. WITH REGARD TO THE 2000 AUDIT, I'D LIKE TO
5 REMIND THE BOARD OF SUPERVISORS OF THE FOLLOWING ACTION STEPS
6 THAT WE'VE TAKEN. A FORMER AUDITOR WITH THE COUNTY, ANTONIO
7 WILLIAMS, WAS HIRED AND IS ACTIVELY SERVING AS THE AGENCY
8 CONTROLLER TO IMPLEMENT COUNTY POLICIES IN ALL FISCAL REFUGIO
9 MANAGEMENT POLICY. WE HAVE AN ACCOUNTING MANUAL THAT NOW
10 DEFINES SPECIFICALLY ALLOWABLE AND NON-ALLOWABLE EXPENSES AND
11 POLICIES ARE IN PLACE TO ASSURE BOTH ACCURATE IMPLEMENTATION
12 AND APPROVAL CRITERIA. OUR CHIEF FINANCIAL OFFICER, THERESA
13 RAIDA, ATTENDS AND REPORTS FINANCES TO THE BOARD AND, BECAUSE
14 OF THE FLEX SCHEDULE OF SOME OF OUR SOCIAL WORKERS, WE HAVE
15 TIMESHEETS THAT ARE MAINTAINED AND SUPERVISED ACCURATELY FOR
16 ALL OF OUR SUPERVISORS AND EMPLOYEES. IN 2001, WE HAD A
17 POPULATION OF ABOUT 380 FOSTER CHILDREN AND DEPARTMENT OF
18 CHILDREN AND FAMILY SERVICES CONDUCTED A PROGRAMMIC AUDIT ON
19 WHICH WE RECEIVED A PERFECT SCORE OF 108 OUT OF 116 ITEMS.
20 MOVING FORWARD TO THE ACTIONS TAKEN ON THE 2004 AUDIT, BECAUSE
21 OF THE CONCERN OF THE USE OF COUNTY MONEY DEDICATED TO
22 FUNDRAISING EFFORTS, REFUGIO PARA NINOS ELIMINATED ITS
23 FUNDRAISING DEPARTMENT EFFECTIVE NOVEMBER 30TH, 2004. WE
24 UNDERSTAND THE 2004 DRAFT AUDIT RAISED AN ISSUE CONCERNING
25 REFUGIO SUPPORT OF MULTICULTURAL COUNSELING CENTER OF THE LOS



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1 ANGELES MENTAL HEALTH CLINIC. WHILE WE PROVIDED FINANCIAL
2 SUPPORT TO THIS ORGANIZATION TO COVER MENTAL HEALTH SERVICES
3 FOR OUR FOSTER YOUTH LAST YEAR, WE STOPPED PROVIDING FUNDS TO
4 MULTICULTURAL COUNSELING CENTER. WE HAVE A PAYOUT PLAN WITH
5 RESPECT TO OBLIGATIONS TO THE CLINIC, TO REFUGIO FOR THE LOAN
6 OF FUNDS THAT HAVE BEEN ESTABLISHED AND PAYMENTS WILL BEGIN IN
7 MARCH, 2005 WITH FUNDS GENERATED BY THE CLINIC. TO ENSURE THAT
8 NO ONE CAN QUESTION THE AUTONOMY OF OUR BOARD OF DIRECTORS,
9 THE EXECUTIVE DIRECTOR NO LONGER HOLDS A SEAT ON THE BOARD. IN
10 ADDITION, WE HAVE ADDED A NEW BOARD MEMBER, MAGNOLIA
11 RODRIGUEZ, TO BETTER REFLECT THE COMMUNITIES WE SERVE. WE ARE
12 CONTINUED TO SEARCH AND EXPAND-- EXCUSE ME, WE ARE CONTINUING
13 TO SEARCH TO EXPAND THE BOARD'S MEMBERSHIP WITH ADDITION OF
14 SEVERAL NEW MEMBERS. AS PART OF THE GLOBAL SETTLEMENT OFFER
15 PRESENTED BY REFUGIO PRESENTED TO THE COUNTY COUNSEL LAST
16 DECEMBER, THE AGENCY PLACED AN OFFER TO REIMBURSE THE COUNTY
17 FOR EXPENSES DEEMED INAPPROPRIATE IN DRAFT AUDITS. AT THIS
18 POINT, WE HAVE NOT YET RECEIVED A REPLY TO OUR PROPOSAL BUT
19 THE OFFER STILL STANDS. IT'S ALSO REFUGIO'S UNDERSTANDING...

20

21 **SUP. MOLINA, CHAIR:** YOU'RE GOING OVER THREE MINUTES. COULD YOU
22 SORT OF SUMMARIZE, PLEASE?

23

24 **MICHAEL NICHOLAS GERING:** OKAY. OUR EXECUTIVE DIRECTOR, MR.
25 STEINBERG, THOUGHT IT POSSIBLE THAT HIS CONTINUING AS C.E.O.



The Meeting Transcript of
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1 AND EXECUTIVE DIRECTOR SEEMED TO BE A STUMBLING BLOCK TO
2 REACHING A SUCCESSFUL OUTCOME WITH THE AUDITORS AND THE COUNTY
3 BOARD OF SUPERVISORS. WE, THE BOARD, LIKEWISE HOPE THAT THE
4 DEPARTURE OF MR. STEINBERG WILL PERMIT US TO MOVE FORWARD AND
5 APPOINT A NEW EXECUTIVE DIRECTOR WHO WILL FUNCTION UNDER THE
6 CLOSE SUPERVISION OF THE BOARD OF DIRECTORS OF REFUGIO. THANK
7 YOU. [APPLAUSE]

8

9 **SUP. MOLINA, CHAIR:** THANK YOU, SIR. JANET. EXCUSE ME. SO THAT
10 YOU UNDERSTAND, THERE WILL BE NO APPLAUSE. WE WOULD
11 APPRECIATED IT. I KNOW YOU'RE ENTHUSIASTIC AND THAT'S FINE,
12 IT'LL BE NOTED BUT PLEASE, NO APPLAUSE. JANET DAVIS. DO YOU
13 WANT TO GET TO THE MICROPHONE SO WE CAN HEAR YOU?

14

15 **JANET DAVIS:** ACTUALLY, I WAS GOING TO HAVE MR-- COULD MR.
16 MONTGOMERY PROCEDE ME?

17

18 **SUP. MOLINA, CHAIR:** ALL RIGHT. MR. MONTGOMERY, PLEASE PROCEED.

19

20 **DAVID MONTGOMERY:** THANK YOU, MADAM CHAIR AND SUPERVISORS. IN
21 ADDITION TO MR. GERING'S REMARKS-- JUST TO INTRODUCE MYSELF
22 BEFORE I DO THAT, MY NAME IS DAVID MONTGOMERY, I'M A
23 RELATIVELY NEW MEMBER OF THE BOARD OF DIRECTORS OF REFUGIO
24 PARA NINOS. MOST OF THE CONTENTIOUS ISSUES THAT ARE UNDER
25 DISCUSSION WERE SET IN TRAIN BEFORE I ARRIVED ON THE BOARD BUT



**The Meeting Transcript of
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1 IT'S BEEN MY IMPRESSION, SINCE I'VE BEEN THERE, THAT THE BOARD
2 HAS TAKEN VERY PROMPT AND GOOD FAITH EFFORTS TO COMPLY WITH
3 SUGGESTIONS AND OBJECTIONS EXPRESSED BY THE AUDITORS IN ORDER
4 TO BRING US IN COMPLIANCE WITH THE PRACTICES REQUIRED IN THIS
5 KIND OF ORGANIZATION. THE BOARD ITSELF IS RESOLVED TO TAKING A
6 FIRM CONTROL OF THE DIRECTION OR CONTINUING ITS FIRM CONTROL
7 IN THE DIRECTION OF THE ORGANIZATION. TO THAT END, WE ARE
8 SEEKING TO EXPAND THE BOARD OF DIRECTORS TO INCLUDE PEOPLE OF
9 DIVERSE INTERESTS WHO MAY BE ABLE TO REFLECT A SENSITIVITY TO
10 THE FAMILIES AND THE CHILDREN THAT WE DEAL WITH. WE HAVE
11 RECENTLY ADDED A NEW MEMBER OF THE BOARD OF DIRECTORS TO THAT
12 PURPOSE. MR. STEINBERG, THE CHIEF EXECUTIVE OFFICER, AS YOU
13 MAY BE AWARE, HAS RESIGNED HIS POSITION, STEPPED ASIDE,
14 THINKING THAT THAT WAS POSSIBLY AN IMPEDIMENT TO ARRIVING AT A
15 SATISFACTORY CONCLUSION TO THIS MATTER AND WE CERTAINLY HOPE
16 THAT THAT IS THE CASE. WE ARE, THEREFORE, LOOKING TO MR.
17 ANTONIO WILLIAMS, WHO IS THE CHIEF FINANCIAL OFFICER, TO ADOPT
18 A MORE ACTIVE ROLE AND TO BE THE DECISIVE VOICE IN FINANCIAL
19 MATTERS IN THE AGENCY FROM HERE ON. AND WE CERTAINLY HOPE THAT
20 YOU WILL TAKE THESE THINGS INTO CONSIDERATION AND GIVE A
21 THOUGHT, AS I KNOW YOU DO, TO THE WELFARE OF THE FAMILIES AND
22 CHILDREN THAT WE HAVE SUPPORTED AND WE DO SUPPORT AND WE HOPE
23 THAT YOU'LL FIND IT POSSIBLE TO REACH A FAVORABLE CONCLUSION
24 IN THIS MATTER SO WE CAN GO FORWARD. THANK YOU VERY MUCH.

25



**The Meeting Transcript of
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1 **JANET DAVIS:** SORRY. I HAVE TO WET THE WHISTLE FOR A MINUTE.

2

3 **SUP. MOLINA, CHAIR:** ALL RIGHT. HOW ABOUT-- YOU SAID THERE WERE
4 FOUR PEOPLE, FOUR BOARD MEMBERS?

5

6 **JANET DAVIS:** NO. WELL, THREE ARE HERE.

7

8 **SUP. MOLINA, CHAIR:** OKAY. THANK YOU.

9

10 **JANET DAVIS:** MY NAME IS JANET DAVIS AND I BELIEVE A BOARD
11 MEMBER SINCE THE INCEPTION OF THE AGENCY. I'M GRATEFUL FOR
12 THIS OPPORTUNITY FOR ALL OF US TO BE HEARD AND I WANT TO THANK
13 THE HONORABLE SUPERVISORS FOR THIS ARENA. I THINK THIS IS
14 EXCELLENT THAT THE PUBLIC CAN EXPRESS THEMSELVES IN HERE. SO
15 APPRECIATE IT. AS A BOARD MEMBER, I'VE WITNESSED A VERY RAPID
16 GROWTH PROCESS AND-- WITH THIS AGENCY AND, OF COURSE, I'M VERY
17 SADDENED TO BE FACING A CRISIS SUCH AS THIS. AND IT, OF
18 COURSE, IMPRESSES ME WHAT MAGNITUDE IT IS AS FAR AS AFFECTING
19 PEOPLE, BECAUSE WE HAVE 425 PLACEMENTS OF CHILDREN, THAT'S
20 APPROXIMATE BUT THAT'S VERY CLOSE, AND 175 FAMILIES THAT
21 SERVICE THESE CHILDREN, AND 60 EMPLOYEES WHO HAVE WORKED VERY
22 COHESIVELY AND VERY DEDICATED TO GIVING THE BEST CARE
23 POSSIBLE. THAT'S A LOT OF PEOPLE TO BE AFFECTED BY SUCH A HUGE
24 CHANGE. WE'VE ALSO BEEN A VERY VALUABLE RESOURCE FOR D.C.F.S.
25 BECAUSE, EARLIER, WE NOTED THAT THE COMMUNITY HAD A HARD TIME



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1 KEEPING SIBLING GROUPS TOGETHER AND ALSO PLACING-- A LOT OF
2 THE PLACEMENTS WERE COMPROMISED BY THE FACT THAT IT WAS SO
3 HARD TO PLACE AT-- OFF-HOURS, SO WE'VE TRIED TO PROVIDE THAT.
4 AT THIS POINT, MANY LIVES ARE ALREADY AFFECTED BY THE
5 INSECURITY THAT SETS IN FROM THIS WHOLE CRISIS, SO WE'RE
6 ALREADY TRYING TO ADDRESS SOME OF THE DIFFICULTIES THAT ARE--
7 THAT PEOPLE ARE HAVING WITH RESPONSE TO THIS. AT PRESENT,
8 THERE ARE PEOPLE OUTSIDE WHO ARE EVEN TRYING TO CARRY LITTLE
9 SIGNS THAT SAY, "PLEASE DON'T CLOSE US," BUT IT'S A VERY
10 PAINFUL EXPERIENCE. AND, OF COURSE, AS BOARD MEMBERS, WE DO
11 FEEL PAINFUL REGRETS FOR WAYS IN WHICH WE DIDN'T RECOGNIZE
12 SOME OF THE IMPACTS OF SOME OF THE THINGS THAT WERE HAPPENING,
13 THE PROBLEMS THAT WERE ARISING, THAT SOME OF THE DECISIONS
14 THAT WERE MADE WITH GOOD INTENTIONS ACTUALLY WERE MORE
15 MISGUIDED THAN WE REALIZED AND, ACTUALLY, AS MEMBERS OF A
16 BOARD FOR A NONPROFIT ORGANIZATION, WE VOLUNTEER FROM OUR OWN--
17 - WE HAVE OUR OWN JOBS ELSEWHERE AND WE COME IN, RELY A LOT ON
18 REPORTING, RELY A LOT ON RECOMMENDATIONS AND WE TRY TO DO AS
19 MUCH RESEARCH AS WE CAN TO KEEP INFORMED BUT WE DO HAVE SOME
20 DISADVANTAGES. PART OF THE DISADVANTAGES HAVE TO DO WITH THE
21 COMPLEXITY OF COMMUNICATING WITH COUNTY DEPARTMENTS. SOMETIMES
22 THERE'S A DELAY, THEY'RE BUSY AND WE DON'T GET AN ANSWER TO AN
23 INQUIRY FOR A LITTLE WHILE AND THEN, WHEN WE DO, SOMETIMES THE
24 ANSWERS AREN'T REALLY ADDRESSING THE INQUIRY THAT WE MADE. SO
25 THERE ARE SOME DELAYS AND SOME COMPLEXITIES AND I THINK THAT



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1 WHAT WE ARE TRYING TO DO NOW IS PUT THINGS IN PLACE WHERE WE
2 COULD REALLY IMPROVE THE COMMUNICATION, WHERE WE COULD HAVE
3 SOME WAYS THAT PROVIDE THE ACCOUNTABILITY PRIOR TO EVEN HAVING
4 TO DEAL WITH AN AUDIT, WHERE WE HAVE SOME REGULAR WAYS-- THIS
5 IS PARTLY WHAT WE'RE HOPING TO DO THROUGH THE USE OF ANTONIO
6 WILLIAMS, SINCE HE HAS A LOT OF COUNTY EXPERIENCE, AS IN THE--
7 AS AN AUDITOR. HE UNDERSTAND WHAT WE NEED TO BE ABLE TO
8 ACCOMPLISH AND I THINK, WITH THAT RESOURCE IN PLACE, WE CAN
9 HAVE A MUCH BETTER WAY OF MEETING COUNTY REQUIREMENTS.

10

11 **SUP. MOLINA, CHAIR:** DO YOU WANT TO SUMMARIZE, PLEASE, MISS
12 DAVIS?

13

14 **JANET DAVIS:** OKAY. I JUST WANT TO SAY THAT WE'RE TRYING TO
15 ADDRESS ALL OF THE CONCERNS THAT COME UP. WE WANT TO HANDLE
16 THE NEEDS THAT THE COUNTY HAS FOR US TO COMPLY. WE ALSO WANT
17 TO SETTLE ALL THE THINGS THAT HAVEN'T BEEN SETTLED YET IN THE
18 WAY OF NEGOTIATIONS WITH THE COUNTY AND WITH THE D.C.F.S.
19 OVER-FUNDING AND WE ALSO HAVE TO, AT THIS POINT, EVEN ADDRESS
20 THE FACT THAT, INTERNALLY, FACTIONS HAVE BEGUN TO FORM. PEOPLE
21 ARE VERY INSECURE AND VERY REACTIONARY AND WHERE WE HAD A
22 COHESIVE OPERATION OF STAFF MEMBERS SERVING THIS LARGE
23 POPULATION, NOW WE HAVE TO FIND WAYS TO RECOVER THAT SENSE OF
24 SECURITY SO THAT...

25



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1 **SUP. MOLINA, CHAIR:** ALL RIGHT. MISS DAVIS, THANK YOU. BUT LET
2 ME ASK YOU A QUESTION. YOU'VE BEEN THE TREASURER SINCE THE
3 VERY BEGINNING ON THE BOARD?

4

5 **JANET DAVIS:** WELL, AS SECRETARY TREASURER, I REALLY-- MY
6 OPERATION AS A BOARD MEMBER DID NOT REALLY INVOLVE THE FISCAL
7 OPERATIONS BECAUSE I DIDN'T HAVE AS MUCH ACCESS.

8

9 **SUP. MOLINA, CHAIR:** BUT ON THE CORPORATION FOR NONPROFIT,
10 YOU'RE LISTED AS THE SECRETARY TREASURER.

11

12 **JANET DAVIS:** RIGHT, BUT WELL...

13

14 **SUP. MOLINA, CHAIR:** AND YOU DON'T HAVE A FIDUCIARY
15 RESPONSIBILITY TO REVIEW THEM?

16

17 **JANET DAVIS:** NO, BECAUSE IT'S HANDLED BY THE CHIEF FINANCIAL
18 OFFICER AND WHAT HAS HAPPENED...

19

20 **SUP. MOLINA, CHAIR:** SO YOU DON'T APPROVE A BUDGET, YOU DON'T
21 APPROVE ANYTHING?

22

23 **JANET DAVIS:** OH, YEAH. NO, ALL OF US DO THAT. THEY COME IN AND
24 REPORT TO US AND WE DO VOTE IN DIFFERENT THINGS.

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. MOLINA, CHAIR:** WERE YOU-- WHEN WERE YOU INFORMED OF THE
2 FINDINGS OF THE 2000 AUDIT?

3

4 **JANET DAVIS:** I ACTUALLY ATTENDED SOME OF THE MEETINGS WHERE WE
5 WERE FIRST DISCUSSING SOME OF THE ISSUES AND, UNFORTUNATELY, I
6 CAN'T SAY WE WERE ABLE TO ACHIEVE CLARITY AS FAR AS
7 UNDERSTANDING EXACTLY WHAT THE COMPLAINTS WERE. LATER, WHEN
8 WE...

9

10 **SUP. MOLINA, CHAIR:** DID YOU READ THE AUDIT?

11

12 **JANET DAVIS:** OH, YES.

13

14 **SUP. MOLINA, CHAIR:** WELL, IF YOU READ THE AUDIT AND THE ISSUES
15 THAT WERE RAISED, WHY IS IT THAT THE BOARD DECIDED TO APPEAL
16 ALL OF THE AUDIT FINDINGS?

17

18 **JANET DAVIS:** I WOULD SAY THAT THAT WAS A RESULT OF DIFFERENT
19 TYPES OF LEGAL ADVISEMENT AND I CAN'T SAY THAT I REALLY WAS
20 ABLE TO UNDERSTAND ALL OF THE COMPLEXITIES INVOLVED IN THAT.

21

22 **SUP. MOLINA, CHAIR:** WHAT IS DIFFICULT TO UNDERSTAND ABOUT
23 UNALLOWABLE HOTEL ACCOMMODATIONS AND EXPENSES TO A PERSONAL
24 VEHICLE, A MERCEDES, OF \$32,000? WHAT IS HARD TO UNDERSTAND?

25



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1 **JANET DAVIS:** RIGHT. RIGHT, OKAY. THOSE WERE REMOVED AS SOON AS
2 THE COMPLAINTS WERE MADE AND...

3

4 **SUP. MOLINA, CHAIR:** THOSE WERE WHAT?

5

6 **JANET DAVIS:** THOSE WERE REMOVED FROM OUR BUDGET IMMEDIATELY
7 AND, ACTUALLY, THOSE ARE INCLUDED...

8

9 **SUP. MOLINA, CHAIR:** BUT I UNDERSTAND YOU APPEALED THAT.

10

11 **JANET DAVIS:** PARDON ME?

12

13 **SUP. MOLINA, CHAIR:** YOU APPEALED THAT FINDING.

14

15 **JANET DAVIS:** OKAY. THAT'S KIND OF CONFUSING TO ME BECAUSE I
16 KNOW THAT WE STOPPED IMMEDIATELY AND WE ALSO INCLUDED THOSE
17 COSTS IN PART OF THE SETTLEMENT NEGOTIATIONS. SO I'M NOT
18 SURE...

19

20 **SUP. MOLINA, CHAIR:** HAVE YOU PAID ANY OF THOSE BACK TO...

21

22 **JANET DAVIS:** IT'S STILL BEING NEGOTIATED. WE'RE AWAITING SOME
23 RESPONSE...

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. MOLINA, CHAIR:** HOW LONG DO YOU THINK IT SHOULD TAKE TO BE
2 NEGOTIATED?

3

4 **JANET DAVIS:** I DON'T KNOW BECAUSE, OF COURSE, WE'RE ALL PRETTY
5 SURPRISED THAT THIS HAS GONE ON FOUR YEARS FROM THAT AUDIT.

6

7 **SUP. MOLINA, CHAIR:** WELL, IF, IN 2000, THOSE WERE THE AUDIT
8 FINDINGS...

9

10 **JANET DAVIS:** PARDON?

11

12 **SUP. MOLINA, CHAIR:** I'M JUST WONDERING. WE CAN APPRECIATE THE
13 WORK THAT YOU DO AND APPRECIATE-- BUT THERE IS A FIDUCIARY
14 RESPONSIBILITY THAT WE ALSO NEED TO MONITOR. THESE ARE
15 TAXPAYER FUNDS.

16

17 **JANET DAVIS:** RIGHT. WE'RE AWARE OF THAT.

18

19 **SUP. MOLINA, CHAIR:** AND SO, CONSEQUENTLY, WE NEED TO MAKE SURE
20 THAT WHOEVER WE HAVE A CONTRACT WITH IS FOLLOWING THE
21 RESPONSIBILITIES AND THE DUTIES AS OUTLINED IN THE CONTRACT.
22 AND I'M JUST TRYING TO UNDERSTAND, YOU'VE BEEN A BOARD MEMBER
23 AND THE SECRETARY TREASURER, AS TO WHAT LEVEL OF INVOLVEMENT
24 YOU WERE INVOLVED IN THESE AUDIT FINDINGS.

25



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1 **JANET DAVIS:** WELL, I DON'T SERVE AS A-- I'M NOT IN THE DAILY
2 OPERATIONS IN ANY WAY, SHAPE OR FORM.

3

4 **SUP. MOLINA, CHAIR:** NO, I UNDERSTAND, BUT YOU UNDERSTAND THAT
5 YOU HAVE A RESPONSIBILITY AS A MEMBER OF THE BOARD?

6

7 **JANET DAVIS:** YES.

8

9 **SUP. MOLINA, CHAIR:** SO I WAS JUST-- IT WAS 2000, BECAUSE
10 THAT'S THE 2000 AUDIT. THEN THERE'S THE 2005 AUDIT.

11

12 **JANET DAVIS:** RIGHT. I-- LIKE I SAY, YOU KNOW, AS A VOLUNTEER
13 AND WITHOUT SOME OF THE EXPERTISE, I HAVE TO LOOK FOR ADVISORY
14 INPUT FROM OTHERS, AND I...

15

16 **SUP. MOLINA, CHAIR:** BUT DO YOU UNDERSTAND THAT THAT'S NOT VERY
17 REASSURING TO SOMEONE LIKE MYSELF WHO HAS TO RELY ON SOMEBODY
18 WHO IS AT LEAST GOING TO TAKE INTO CONSIDERATION THE FIRST
19 AUDIT THAT WE DID AND THE KIND OF REALLY HUGE, UNALLOWABLE
20 COSTS. I GUESS YOU CAN NEGOTIATE THINGS ALL DAY LONG BUT
21 THERE'S A POINT IN TIME WHERE THERE IS A CONCERN AND WE'RE
22 CONCERNED BECAUSE THE SECOND AUDIT FOUND THAT THERE WAS 206 OF
23 DISALLOWABLE FUNDS FOR DEVELOPING A COUNSELING CENTER, \$17,000
24 FOR A GOLF TOURNAMENT, UNALLOWABLE, AND A FUNDRAISING
25 DEPARTMENT THAT HAS USED \$621,000, HALF A MILLION DOLLARS,



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1 OVER A HALF A MILLION DOLLARS, WHICH IS UNALLOWABLE FOR
2 FUNDRAISING.

3

4 **JANET DAVIS:** I THINK, AS FAR AS UNDERSTANDING WHAT WAS
5 ALLOWABLE AND WHAT WASN'T, THAT WAS A VERY DIFFICULT SITUATION
6 TO GET SOME CLARITY ON. AND THIS IS WHY WE...

7

8 **SUP. MOLINA, CHAIR:** WHY IS IT DIFFICULT TO GET CLARITY ON
9 WHEN, IN FACT, THEY RAISED ISSUES EARLIER AS TO WHAT WAS NOT
10 ALLOWABLE UNDER THE CONTRACT AND YOU WERE NEGOTIATING IT WHEN
11 YOU COULD HAVE READ THE CONTRACT AND IT WOULD HAVE SHOWED IT
12 WAS NOT ALLOWABLE FOR ANYONE TO BE USED FOR A PERSONAL
13 MERCEDES ACCOUNT OR HOTEL ACCOMMODATIONS, ENTERTAINMENT TRIP
14 TO LAS VEGAS FOR EMPLOYEES.

15

16 **JANET DAVIS:** WELL, ACTUALLY, SOME OF THE-- I THINK THE REASONS
17 THAT SOME THINGS WERE DISPUTED HAD TO DO WITH DEFINING WHAT
18 SOMETHING ACTUALLY WAS, WHAT...

19

20 **SUP. MOLINA, CHAIR:** IT EITHER IS OR IT ISN'T.

21

22 **JANET DAVIS:** WELL, I DON'T KNOW.

23

24 **SUP. MOLINA, CHAIR:** IT WASN'T NOT AN ENTERTAINMENT TRIP TO LAS
25 VEGAS?



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The Los Angeles County Board of Supervisors

1

2 **JANET DAVIS:** NO.

3

4 **SUP. MOLINA, CHAIR:** WHAT WAS IT?

5

6 **JANET DAVIS:** IT WAS SOMETHING-- THEY HAD ANOTHER WAY OF
7 DEFINING WHAT THEY...

8

9 **SUP. MOLINA, CHAIR:** WHAT WAS IT?

10

11 **JANET DAVIS:** I DON'T KNOW. I DON'T RECALL.

12

13 **SUP. MOLINA, CHAIR:** I'M JUST WONDERING, IF YOU DON'T KNOW THEN
14 WHAT WE NEED TO KNOW IF IT WASN'T, I MEAN, IT WAS CONCLUDED
15 THAT IT WAS...

16

17 **JANET DAVIS:** THERE WAS SOME KIND OF BONUS FOR SOME-- AS A
18 REWARD TO SOME EMPLOYEES AND I'M NOT-- I REALLY DON'T RECALL
19 THE DETAILS OF THAT BECAUSE THERE HAVE BEEN SO MANY OTHER
20 DETAILS THAT WE'VE HAD TO DEAL WITH THAT, AT THIS POINT, I
21 WOULDN'T BE ABLE...

22

23 **SUP. MOLINA, CHAIR:** THOSE ARE THE DETAILS THAT I HAVE, THE
24 AUDIT ITEMS IN 2000 AND THE AUDIT ITEMS IN 2005.

25



**The Meeting Transcript of
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1 **JANET DAVIS:** WELL, AS MUCH AS I'VE READ VOLUMES OF
2 DOCUMENTATION ABOUT ALL OF THESE THINGS, I CAN'T RECALL THE
3 EXACT DETAILS, I'M SORRY TO SAY.

4

5 **SUP. MOLINA, CHAIR:** VERY GOOD. ANY OTHER QUESTION OR COMMENT
6 OF THE NUMBERS?

7

8 **SUP. BURKE:** I'D JUST LIKE TO GET A BETTER UNDERSTANDING OF WHY
9 THERE WAS FUNDRAISING NECESSARY. YOU WERE BEING PAID
10 CONSIDERABLE AMOUNT PER CHILD.

11

12 **JANET DAVIS:** I THINK THAT PART OF THE INTENT THERE WAS TO BE
13 ABLE TO PROVIDE EXTRA OPPORTUNITIES FOR CHILDREN, FOR
14 ENHANCING THEM IN WAYS THAT AREN'T COVERED BY THE COUNTY, YOU
15 KNOW...

16

17 **SUP. BURKE:** LIKE, WHAT WERE SOME OF THE...

18

19 **JANET DAVIS:** I DON'T KNOW WHAT KIND OF EXAMPLE TO GIVE YOU.
20 MAYBE DANCING LESSONS AND THINGS LIKE THAT BUT I KNOW THAT
21 COUNSELING AND EDUCATIONAL ISSUES WERE BEING ADDRESSED AND
22 THEY WERE-- THERE WERE JUST SO MANY WAYS IN WHICH WE HAD HOPES
23 THAT WE COULD ENHANCE THE QUALITY OF THE CARE AND THE
24 OPPORTUNITIES FOR THE CHILDREN THROUGH WHATEVER FUNDS WE COULD
25 HAVE ARISING AND-- OUT OF THIS.



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1

2 **SUP. BURKE:** WHO DID THE FUNDRAISING?

3

4 **JANET DAVIS:** THIS IS SOMETHING I CAN'T GIVE YOU ALL THE
5 ANSWERS BECAUSE THERE WAS A DEPARTMENT THAT WAS INTERNAL THAT
6 WAS FORMULATED AND I, YOU KNOW, AT THIS JUNCTURE, I'M
7 REALIZING HOW MISTAKEN WE WERE IN THINKING THAT THIS WAS AN
8 OPTION WE COULD USE BUT...

9

10 **SUP. BURKE:** AND THE PEOPLE THAT DID THE FUNDRAISING, THAT'S
11 ALL THEY DID OR DID THEY DO SOMETHING ELSE?

12

13 **JANET DAVIS:** I THINK THAT VARIED BY EMPLOYEE. SOME PROBABLY
14 DID BOTH AND SOME DID NOT. I DON'T KNOW. I'M NOT THERE FOR
15 DAILY OPERATIONS, SO-- AND A LOT OF DECISION-MAKING TOOK PLACE
16 WITH SUMMARIZED REPORTS AND THINGS. SO, AS FAR AS SOME OF THE
17 REALLY DETAILED INFORMATION, I WAS NOT PRIVY TO BECAUSE I
18 BASICALLY CAME IN AS A VOLUNTEER BOARD MEMBER AND COULD, YOU
19 KNOW, I WORK FULL TIME AT A VERY DEMANDING JOB, SO I REALLY
20 WAS NOT ABLE TO-- EVEN THOUGH WE ACTUALLY HAVE BEEN SUPPLIED
21 WITH A TREMENDOUS AMOUNT OF DOCUMENTATION SO THAT WE COULD
22 STUDY UP ON EVERYTHING FOR THE BOARD MEETINGS BUT I HAVE TO
23 SAY, IT WAS OVERWHELMING BECAUSE THE AGENCY GREW SO FAST AND
24 SO BIG.

25



**The Meeting Transcript of
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1 **SUP. ANTONOVICH:** LET ME ASK A QUESTION.

2

3 **SUP. MOLINA, CHAIR:** MR. ANTONOVICH?

4

5 **SUP. BURKE:** FEDERAL LAW IS CHANGING-- YOU KNOW, FEDERAL LAW IS
6 CHANGING ON PEOPLE WHO CAN BE TREASURERS AND AUDITORS, RIGHT
7 AS IT IS NOW, OF CORPORATIONS, BUT THEY'RE CHANGING IT ALSO
8 FOR NONPROFITS, THAT THEY WOULD HAVE FINANCIAL RESPONSIBILITY
9 PERSONALLY FOR SOME OF THE...

10

11 **SUP. MOLINA, CHAIR:** DO YOU HAVE DIRECTOR'S INSURANCE?

12

13 **JANET DAVIS:** WELL, I HOPE SO. WE'RE MORE THAN READY FOR CHANGE
14 AND I HOPE...

15

16 **SUP. MOLINA, CHAIR:** I HOPE YOU DO, TOO.

17

18 **JANET DAVIS:** ...THAT THE CHANGES ARE MORE UNIVERSAL BECAUSE I
19 DO HAVE TO SAY THAT THIS IS PART OF THE WAYS IN WHICH WE'RE
20 FEELING A TREMENDOUS AMOUNT OF REGRET FOR THE MISTAKES WE'VE
21 MADE.

22

23 **SUP. ANTONOVICH:** ON THE ISSUE OF FUNDRAISING, YOU PAID A TOTAL
24 OF \$781,300 TO RAISE FUNDS AND YOU RAISED ONLY \$282,984 OVER A
25 FOUR-YEAR PERIOD. WASN'T THERE AN EVALUATION EACH YEAR THAT



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1 YOU WEREN'T MEETING YOUR GOAL? WE'RE TALKING ABOUT HALF A
2 MILLION DOLLARS.

3

4 **JANET DAVIS:** TO TELL YOU THE TRUTH, BY THE TIME WE MEET FOR
5 THE BOARDS-- WE MEET QUARTERLY FOR THE BOARD AND THE AMOUNT OF
6 INFORMATION THAT WE'RE ABLE TO COVER IN THE BOARD MEETING
7 DOESN'T INCLUDE SOME OF THAT, SOME OF THOSE DETAILS, SO THAT,
8 IN A SENSE, I WOULD HAVE TO SAY THAT THE BOARD WAS OPERATING
9 ON SUMMARIES WITHOUT FULLY REALIZING THAT THERE WAS THIS TYPE
10 OF MONEY BEING SPENT.

11

12 **SUP. ANTONOVICH:** BUT THAT'S OVER A FOUR-YEAR PERIOD, SO AT ANY
13 OF THE QUARTERLY BOARD MEETINGS FOR FOUR YEARS, THAT QUESTION
14 NEVER WAS ASKED?

15

16 **DAVID MONTGOMERY:** COULD I ANSWER THAT? COULD I CONTRIBUTE
17 TO...?

18

19 **JANET DAVIS:** PLEASE DO.

20

21 **DAVID MONTGOMERY:** YES, THE QUESTION DID COME UP A COUPLE OF
22 TIMES AND I HAD QUESTIONS ABOUT IT BASED ON PERHAPS NOT
23 EXACTLY THESE FIGURES BUT SIMILAR FIGURES AND THAT WAS ONE
24 REASON WHY THE GOLF TOURNAMENT IDEA CAME UP. IT SEEMED A WAY
25 TO CLOSE THE GAP BETWEEN THE AMOUNT OF MONEY SPENT AND THE



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1 AMOUNT OF MONEY TAKEN IN IN TERMS OF FUNDRAISING, THAT WE
2 COULD HAVE CLOSED THE GAP POSSIBLY THROUGH ONE GOLF
3 TOURNAMENT. NOW, WE WERE...

4

5 **SUP. ANTONOVICH:** 500,000? 200,000 FROM A GOLF TOURNAMENT?

6

7 **DAVID MONTGOMERY:** WELL, IT WOULD HAVE LED TO ANOTHER AND IT
8 LOOKED LIKE THE RETURN ON THE GOLF TOURNAMENT WAS GOING TO BE
9 THE MOST EFFECTIVE FUNDRAISING STEP WE HAD TAKEN TO THAT
10 POINT.

11

12 **SUP. ANTONOVICH:** WAS IT COMMON WHERE YOUR EXECUTIVE DIRECTOR
13 WAS RECEIVING \$284,500 FOR THE PAST 20 MONTHS AS BASE SALARY
14 AND THEN WAS ABLE TO RECEIVE ANOTHER \$2,250 PER MONTH AS
15 EXECUTIVE DIRECTOR OF THIS MULTICULTURAL COUNSELING CENTER, SO
16 ACTUALLY BE PAID TWO SALARIES?

17

18 **JANET DAVIS:** WELL, WHEN WE FIRST CAME UP WITH THE INITIAL
19 SALARY, WE WERE DEALING WITH THE FACT THAT WE HAD ACTUALLY
20 REDUCED THE COST OF OUR ADMINISTRATION BY CHANGING THE
21 STRUCTURE AND, UNFORTUNATELY, CHANGING THE STRUCTURE MEANT
22 UTILIZING ONE PERSON TO VERY LARGE EXTENT AND WE WANTED TO
23 KEEP HIM MOTIVATED, KEEP HIM FUNCTIONING BECAUSE SO MUCH
24 DEPENDED ON HIM BUT, AS HAS BEEN POINTED OUT, WE LOST IN THAT



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1 PROCESS A SORT OF CHECK AND BALANCE EFFECT THAT WE REALLY
2 WOULD LIKE TO RECOVER.

3

4 **SUP. ANTONOVICH:** DO YOU THINK THE DIRECTOR ESTABLISHED A BOARD
5 OF DIRECTORS THAT WAS MEANT TO NOT QUESTION THEIR DECISIONS?
6 AND, AS A RESULT, YOU WERE CREATED TO FAIL SO THAT WE END UP
7 TODAY WHERE VERY LIKELY YOU'LL BE...

8

9 **JANET DAVIS:** WELL, THAT ACCUSATION HAS COME UP SEVERAL TIMES
10 AND I HAVE TO SAY THAT WE HAVE MADE SOME HONEST EFFORTS NOT TO
11 BE UNINFORMED AND HONEST EFFORTS TO KEEP UP WITH WHAT THE
12 NEEDS WERE BUT I HAVE TO SAY, WE WERE NOT A SEASONED BOARD AND
13 WE ARE IN THE PROCESS OF BECOMING SEASONED IN WAYS THAT I
14 THINK A LOT OF SOLUTIONS ARE BEING INTRODUCED NOW THAT MAY
15 MAKE AN ENORMOUS DIFFERENCE IN HOW WELL WE CAN COORDINATE WITH
16 THE COUNTY AND HOW APPROPRIATE WE CAN BE WITH HOW WE HANDLE
17 THINGS FISCALLY.

18

19 **SUP. ANTONOVICH:** MY CONCERN IS THAT EACH FOSTER CHILD RECEIVES
20 \$7,460-- OR I SHOULD SAY YOU HAVE RECEIVED \$7,460,335 IN
21 FOSTER CARE FUND. AND YOUR WHOLE BEING IS TO HELP THE FOSTER
22 CHILD, TO UNDERSTAND RESPONSIBLE ADULT BEHAVIOR AND TO HAVE A
23 ABILITY TO OBTAIN AN EDUCATION, SO, WHEN THEY'RE EMANCIPATED,
24 THEY'RE ABLE TO STAND ON THEIR OWN TWO FEET.

25



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1 **JANET DAVIS:** EXACTLY.

2

3 **SUP. ANTONOVICH:** BUT WHAT HAS HAPPENED, THEY'VE BEEN
4 VICTIMIZED AT THE EXPENSE OF PEOPLE WHO ARE BENEFITING AT
5 THEIR EXPENSE AND THEY'RE BEING DEALT TWO BAD HANDS: ONE,
6 BECAUSE THEY'RE FOSTER CARE AND, SECONDLY, THE IN LOCO
7 PARENTIS, WHICH YOU'RE RESPONSIBLE FOR, YOUR AGENCY, IS ALSO
8 DEFRAUDING THEM OF THE RESOURCES THAT THEY NEED TO BECOME
9 RESPONSIBLE YOUNG ADULTS.

10

11 **JANET DAVIS:** WELL, I THINK, AS FAR AS THE EFFICIENCY OF
12 MEETING THOSE NEEDS THAT YOU'VE DESCRIBED FOR BOTH THE
13 CHILDREN AND FOR THE FOSTER FAMILIES, THE PROGRAM HAS
14 EXCEPTIONALLY MANAGED TO PROVIDE VERY GOOD SERVICE AND VERY
15 GOOD CONNECTION WITH CHILDREN AND FAMILIES AND MET NEEDS
16 BEYOND THE USUAL AVERAGE FOSTER FAMILY AGENCY.

17

18 **SUP. ANTONOVICH:** BUT YOU'VE BEEN USING THEIR FUNDS TO
19 SUBSIDIZE THESE OTHER ACTIVITIES.

20

21 **JANET DAVIS:** WELL, WHAT I THINK IS THAT WE'VE MISDIRECTED
22 FUNDS IN CERTAIN WAYS WITH-- ADMITTEDLY, WE DID HAVE THE BEST
23 OF INTENTIONS BUT WE DIDN'T HAVE THE BEST INSIGHT INTO WHAT
24 WAS ALLOWABLE AND WHAT WASN'T AND WHAT WOULD ACTUALLY TURN OUT



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1 TO BE BENEFICIAL. BUT THE INTENTION WAS TO ENHANCE WHAT WE
2 OFFER THE CHILDREN. IT WAS NOT TO MAKE SOMEBODY WEALTHY.

3

4 **SUP. ANTONOVICH:** BUT IT APPEARS SOMEBODY WAS MAKING...

5

6 **JANET DAVIS:** IT DOESN'T LOOK-- YEAH, IT LOOKS PRETTY MESSY.

7

8 **SUP. ANTONOVICH:** ...AT THE EXPENSE OF THE CHILD, WAS MAKING A
9 PROFIT.

10

11 **JANET DAVIS:** I THINK THAT WE MADE SURE OUR CHILDREN DID NOT
12 SUFFER AND, ACTUALLY, WHAT OUR INTENT WAS ACTUALLY TO BECOME
13 BIGGER, BETTER AND MORE COMPETENT AT PROVIDING A REALLY
14 ENRICHED LIFE FOR THE CHILDREN.

15

16 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU VERY MUCH. WE'RE
17 GOING TO GO BACK TO OUR ONE MINUTE AND IF WE COULD ASK PEOPLE
18 TO JOIN US, ISMALE LOPEZ.

19

20 **JANET DAVIS:** THANK YOU FOR THE FORUM.

21

22 **SUP. MOLINA, CHAIR:** THANK YOU. ANTONIO WILLIAMS. TERESA RETA.
23 PLEASE JOIN US. MARIA GOMEZ. PLEASE PROCEED, SIR.

24



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1 **ISMALE LOPEZ:** THANK YOU. I'M ISMALE LOPEZ AND I'VE BEEN WITH
2 THE AGENCY FOR TWO YEARS. I LISTENED AS YOU USED THE WORD
3 VICTIMIZED AND I CONCUR. BUT, LIKEWISE, WE FEEL VICTIMIZED AS
4 WELL. AT THE FIRST TIME THAT WE READ-- THAT I READ-- WAS ABLE
5 TO READ THE AUDIT REPORT, THAT'S A GOOD WORD. BUT WE HAD NO
6 KNOWLEDGE. WE HAD NO KNOWLEDGE AND, IF YOU LOOK AT THE FACES
7 OUT HERE, WE REPRESENT STAFF, WE REPRESENT FOSTER PARENTS AND
8 THE FOSTER CHILDREN THAT WE PROVIDE THE SERVICES TO. I DO HAVE
9 TO TAKE EXCEPTION TO ONE THING THAT YOU SAID BECAUSE, AS A
10 SOCIAL WORKER, WE GIVE IT OUR BEST, 100%. NOTEWORTHY IN THAT
11 AUDIT REPORT IS THAT THERE WAS NOTHING MENTIONED OF PROGRAM
12 SERVICES. WE'RE GOOD AT WHAT WE DO. WE'RE REAL GOOD AT WHAT WE
13 DO. WE FELT VIOLATED ALSO. WE FELT BETRAYED SOMEWHAT AS I
14 READ-- WELL, I'LL SPEAK PERSONALLY. AS I READ THAT. BUT LET
15 ME-- I KNOW I'M ALMOST OUT OF TIME SO LET ME JUST SUM IT UP.
16 IN MY SPARE TIME, I WORK ON CARS. I ENJOY DOING THAT. IT HELPS
17 TO RELIEVE STRESS. WHEN YOU HAVE A CAR THAT'S WORKING, YOU
18 DON'T THROW THE CAR OUT. IF THE BATTERY IS BAD, YOU REMOVE THE
19 BATTERY. AS HAS ALREADY BEEN STATED, THAT'S BEEN DONE. THAT'S
20 BEEN DONE. THOSE OF US WHO ARE HERE AS SOCIAL WORKERS, WE WORK
21 HARD AND WE LOVE OUR KIDS AND WE TAKE GOOD CARE OF OUR KIDS.
22 WE JUST HOPE THAT YOU WILL CONSIDER THAT IN YOUR DECISION.
23 THANK YOU.
24



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1 **SUP. MOLINA, CHAIR:** MR. LOPEZ, CAN I JUST SAY TO YOU BECAUSE I
2 REALLY, AS I WAS PUTTING TOGETHER THE MOTION, THAT WAS A
3 CONCERN I HAD BUT I HOPE YOU ALSO UNDERSTAND OUR
4 RESPONSIBILITY. ISMALE LOPEZ IS NOT GOING TO BE THE SECRETARY
5 TREASURER OF THIS ORGANIZATION.

6

7 **ISMALE LOPEZ:** NO, I KNOW, I KNOW.

8

9 **SUP. MOLINA, CHAIR:** AND UNFORTUNATELY, I HAVE TO RELY ON
10 PEOPLE WHO HAVEN'T MADE THE BEST JUDGMENTS ON BEHALF TAXPAYERS
11 AND FOSTER CHILDREN. AND SO IT IS VERY, VERY HARD FOR ME TO
12 PROVIDE-- WE DID THE AUDIT, WE GAVE THEM A BREAK IN THE YEAR
13 2000. WE'VE BEEN LOOKING FOR AN OPPORTUNITY TO GET THOSE
14 THINGS FIXED. FIVE YEARS LATER, WE'RE DOING ANOTHER AUDIT, THE
15 SAME ISSUES, NO CORRECTIONS IN PLACE AND, YOU'RE RIGHT, THERE
16 HAS NEVER BEEN A CRITICISM BY FOSTER PARENTS OR CERTAINLY BY
17 THE PEOPLE WHO WORKED THERE AS TO THE QUALITY OF THAT WORK AND
18 THAT'S NOT WHAT THE ISSUE IS HERE. UNFORTUNATELY, WE HAVE A
19 FINANCIAL SITUATION THAT'S INTOLERABLE. WE'RE TALKING ABOUT
20 MILLIONS OF DOLLARS THAT'S BEEN INAPPROPRIATELY USED OVER AND
21 OVER AGAIN.

22

23 **ISMALE LOPEZ:** I UNDERSTAND. I UNDERSTAND BUT COULD I JUST--
24 ONE MORE LAST THING.

25



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1 **SUP. MOLINA, CHAIR:** AND SO I ONLY WISH WAS THAT ISMALE LOPEZ
2 WAS THE TREASURER BUT YOU'RE NOT, SIR, SO THAT'S THE PROBLEM.

3

4 **ISMALE LOPEZ:** BUT WE BELIEVE, MA'AM, THAT THERE ARE OTHER
5 SOLUTIONS OTHER THAN CLOSING. I HOPE THAT WOULD YOU JUST PAY
6 ATTENTION TO THOSE.

7

8 **SUP. MOLINA, CHAIR:** WHEN, WHEN WE-- IF, IN FACT, THIS MEASURE
9 IS GRANTED, ONE OF THE THINGS THAT WE NEED TO DO IS WORK WITH
10 THE DEPARTMENT, MAKE SURE THAT EVERY SINGLE CHILD IS
11 APPROPRIATELY PLACED, MAKE SURE THAT WE HAVE AN OPPORTUNITY
12 FOR ALL OF THE EMPLOYEES TO HAVE OPPORTUNITIES, SINCE THEY'VE
13 DONE FINE WORK, TO GET JOBS OR CREATE OTHER FACILITIES. WE
14 WOULD LOVE TO SEE THIS REINVENT ITSELF WITH A MORE RESPONSIBLE
15 FINANCIAL PROFILE.

16

17 **ISMALE LOPEZ:** THANK YOU.

18

19 **SUP. MOLINA, CHAIR:** THANK YOU, SIR.

20

21 **TERESA RETA:** HONORABLE BOARD MEMBERS, MY NAME IS TERESA RETA
22 AND I CURRENTLY WORK AT REFUGIO PARA NINOS FOSTER FAMILY
23 AGENCY AS A HUMAN RESOURCE DIRECTOR AND CHIEF FINANCIAL
24 OFFICER. I HAVE WORKING-- I BEEN THERE FOR ALMOST NINE YEARS.
25 I HAVE SEEN OUR CHILDREN GROW UP AND THRIVE IN A GOOD



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1 DIRECTION. I HAVE OUR AGENCY-- I HAVE SEEN OUR AGENCY REALLY
2 COMMITTED TO OUR MISSION AND GOAL, WHICH IS THE CHILDREN.
3 UNFORTUNATELY, DUE TO FINANCIAL INTERNAL DECISIONS IS WHY
4 WE'RE HERE. I AND OUR INTERNAL FINANCIAL ADVISORS ADVISED MR.
5 STEINBERG DURING THE LAST FOUR YEARS TO MAKE EXTENSIVE CHANGES
6 IN THE FINANCIAL DEPARTMENT. HE FINALLY HAS MADE HIS DECISION
7 AND HE HAS TAKEN OUR ADVICE. UNFORTUNATELY, HE HAD FOLLOWED
8 THE ADVICES OF HIS LEGAL STAFF AND LAWYERS PRIOR TO THIS
9 DECISION. WE ARE AT REFUGIO ARE-- RECEIVE-- NOW THAT WE
10 REALIZE THAT THE ERROR ON HIS WAYS WITH A HEALTHY HUMILITY.
11 THE AUDITOR-CONTROLLERS HAS BEEN AUDITING OUR BOOKS FOR THE
12 PAST FOUR YEARS. WE AND MR. MIKE WATERS AND MR. ALFONG FROM
13 AUDITOR-CONTROLLERS CAN JUSTIFY ON THIS AND TELL YOU THAT, IN
14 ORDER FOR TONY, THE CONTROLLER AND MYSELF TO BE AWARE OF WHAT
15 WAS GOING ON ON THE FINANCIAL STATUS OF THE CORPORATION, HAD
16 TO GET COPIES FROM THEM BECAUSE WE WERE NOT ALLOWED TO HAVE
17 THESE DOCUMENTS.

18

19 **SUP. MOLINA, CHAIR:** YOUR TIME IS UP BUT YOU'RE TERESA RETA?

20

21 **TERESA RETA:** YES.

22

23 **SUP. MOLINA, CHAIR:** YOU'RE THE CHIEF FINANCIAL OFFICER?

24

25 **TERESA RETA:** YES.



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1

2 SUP. MOLINA, CHAIR: YOU WEREN'T INVOLVED IN THE AUDITS?

3

4 TERESA RETA: NO.

5

6 SUP. MOLINA, CHAIR: BUT YOU'RE THE CHIEF FINANCIAL OFFICER.

7

8 TERESA RETA: YES.

9

10 SUP. MOLINA, CHAIR: SO WHAT DOES THE CHIEF FINANCIAL OFFICER
11 DO, THEN?

12

13 TERESA RETA: HE, MR. STEINBERG...

14

15 SUP. MOLINA, CHAIR: NO. WHAT IS YOUR ROLE?

16

17 TERESA RETA: MY ROLE IS TO SEE AND OVERSEE THE EXPENSES OF THE
18 CORPORATION.

19

20 SUP. MOLINA, CHAIR: BUT IN AN AUDIT, YOU WEREN'T INVOLVED IN
21 THE AUDIT?

22

23 TERESA RETA: NO.

24

25 SUP. MOLINA, CHAIR: DID YOU READ THE AUDIT FINDINGS?



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1

2 **TERESA RETA:** THROUGH THE INFORMATION THAT ALFONG...

3

4 **SUP. MOLINA, CHAIR:** DID YOU READ THE AUDIT FINDINGS?

5

6 **TERESA RETA:** YES, I DID.

7

8 **SUP. MOLINA, CHAIR:** ALL RIGHT. SO IF THOSE WERE UNALLOWABLE
9 EXPENSES, DID YOU READ THE MANUAL THAT SHOWED, UNDER OUR
10 CONTRACT WITH YOU, WHAT WAS ALLOWED AND WHAT WAS NOT ALLOWED?

11

12 **TERESA RETA:** YES.

13

14 **SUP. MOLINA, CHAIR:** THEN HOW COULD YOU PERMIT THOSE EXPENSES
15 TO MOVE FORWARD?

16

17 **TERESA RETA:** WE HAD NO SAY.

18

19 **SUP. MOLINA, CHAIR:** I'M SORRY?

20

21 **TERESA RETA:** WE HAD NO SAY.

22

23 **SUP. MOLINA, CHAIR:** BUT YOU'RE THE CHIEF FINANCIAL OFFICER.
24 DON'T YOU NEED TO SIGN THINGS THAT THAT WAS IN DIRECT
25 VIOLATION OF A CONTRACT?



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1

2 **TERESA RETA:** THE MAJORITY OF THE EXPENSES THAT MR. STEINBERG
3 DID WAS BETWEEN HIM AND SIGNED BY OTHER PEOPLE. NONE OF THOSE
4 EXPENSES WERE SIGNED BY ME, NOT BY SAYING THIS, I'M TAKING THE
5 RESPONSIBILITY...

6

7 **SUP. MOLINA, CHAIR:** THE CHIEF-- IF YOU'RE THE CHIEF FINANCIAL
8 OFFICER, DO YOU NOT SIGN OFF ON ALL FINANCIAL DOCUMENTS?

9

10 **TERESA RETA:** NO, NOT ALL OF THEM. WHAT MY ROLE IN THE
11 CORPORATION AS A CHIEF FINANCIAL OFFICER WAS, AFTER IT WAS IN
12 THE 2000 AUDIT, IT WAS RECOMMENDED, BECAUSE, AT THAT TIME, THE
13 CORPORATION DIDN'T HAVE A CHIEF FINANCIAL OFFICER, AT THAT
14 TIME JUST...

15

16 **SUP. MOLINA, CHAIR:** ALL RIGHT. YOU SAID YOU WERE THERE FOR
17 NINE YEARS, THAT'S WHY...

18

19 **TERESA RETA:** RIGHT. I WAS WORKING-- I STARTED WORKING THERE AS
20 AN OFFICE MANAGER AND THEN I GOT PROMOTED TO HUMAN RESOURCE
21 DIRECTOR AND NOT UNTIL THE 2000 AUDIT I WAS NAMED CHIEF
22 FINANCIAL OFFICER FOR THE CORPORATION.

23

24 **SUP. MOLINA, CHAIR:** DO YOU HAVE FINANCIAL TRAINING? DO YOU
25 HAVE FISCAL AFFAIRS TRAINING?



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1

2 **TERESA RETA:** YES.

3

4 **SUP. MOLINA, CHAIR:** YOU DO?

5

6 **TERESA RETA:** YES.

7

8 **SUP. MOLINA, CHAIR:** SO, AS CHIEF FINANCIAL OFFICER, YOU SET UP
9 THE BOOKS AND THE RECORDS AND ALL THE FINANCIAL RECORDS,
10 CORRECT?

11

12 **TERESA RETA:** CORRECT.

13

14 **SUP. MOLINA, CHAIR:** SO YOU ALSO SET UP THE FINANCIAL POLICIES?

15

16 **TERESA RETA:** NOT AT REFUGIO. JOSEPH STEINBERG IS THE SOLE
17 DECISION- MAKER FOR THAT CORPORATION. I ADVISE...

18

19 **SUP. MOLINA, CHAIR:** OKAY. ALL RIGHT. THANK YOU. THANK YOU.
20 YES, SIR.

21

22 **ANTONIO WILLIAMS:** MADAM CHAIR, BOARD MEMBERS, MINE NAME IS
23 ANTONIO WILLIAMS AND I WAS-- I'M THE CURRENT CONTROLLER FOR
24 REFUGIO PARA NINOS. I WAS BROUGHT IN, IN MARCH 2004 IN ORDER
25 TO CORRECT SOME OF THE GROSSLY IRRESPONSIBLE FINANCIAL



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1 HAPPENINGS IN THIS ORGANIZATION. BASED ON MY BACKGROUND
2 TRAINING, WORKING WITH THE COUNTY, I UNDERSTAND ABOUT THE
3 RESPONSIBILITY OF FINANCIAL-- OF TAX DOLLARS AND WHAT MISS
4 RETA JUST SAY IS TRUE, WE DID NOT HAVE A SAY-SO. I ADVISED HIM
5 THAT HE SHOULD HAVE SELL WITH THE COUNTY ON THE ON THE REFUNDS
6 FROM THE AUDIT OF 2000 AND PURSUE INTO MAKING-- BEING IN
7 COMPLIANCE WITH ALL THE EXPENDITURES ALLOWED BY THE AGREEMENT.
8 THERE'S NO QUESTION ABOUT THE FINDINGS OF THE AUDITOR-
9 CONTROLLER. WE'RE NOT GOING TO DISPUTE THAT. THOSE ARE FACTS
10 BUT I CAN ASSURE YOU THAT I PUT A PLAN THAT WILL HELP THE
11 ORGANIZATION IF YOU SO ALLOW IN NOT TERMINATING OUR AGREEMENT
12 THAT WILL MAKE US FINANCIALLY COMPLIANCE AND ENSURE THAT NO
13 MISUSE OF PUBLIC FUNDS...

14

15 **SUP. MOLINA, CHAIR:** COULD YOU SUMMARIZE, PLEASE. YOU HAVE TO
16 FINISH UP, MR. WILLIAMS.

17

18 **ANTONIO WILLIAMS:** WELL, IN OTHER WORDS, THAT'S BASICALLY WHAT
19 I WANTED TO SAY.

20

21 **SUP. MOLINA, CHAIR:** I UNDERSTAND BUT YOU'RE NOT A DIRECTOR?

22

23 **ANTONIO WILLIAMS:** NO, I'M THE CONTROLLER, LIKE I SAID.

24

25 **SUP. MOLINA, CHAIR:** ALL RIGHT. WELL, OKAY. THANK YOU, SIR.



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1

2 **ANTONIO WILLIAMS:** ALSO...

3

4 **SUP. MOLINA, CHAIR:** NEXT WE HAVE-- THANK YOU, SIR.

5

6 **ANTONIO WILLIAMS:** SHE NEEDS A TRANSLATOR.

7

8 **SUP. MOLINA, CHAIR:** WE HAVE A TRANSLATOR, SIR. MARIA GOMEZ.

9 (SPEAKING SPANISH). LUISA GOMEZ. CELSA GUTIERREZ. JOSE

10 SALGADO. (SPEAKING SPANISH)

11

12 **MARIA LUISA GOMEZ:** (SPEAKING SPANISH)

13

14 **INTERPRETER:** MY NAME IS MARIA LOPEZ GOMEZ-- MARIA LUISA GOMEZ.

15 AND I'M HERE TO SAY-- TO ASK OF YOU, WOULD YOU PLEASE NOT

16 CLOSE THE AGENCY. THE AGENCY IS FOR US. MR. JOE IS NOT A

17 FRIEND, HE'S -- OH, HE'S NOT JUST A SUPERVISOR, HE'S A FRIEND.

18 I'M SUFFERING FROM CANCER AND NOT ONLY HAS HE HELPED ME

19 ECONOMICALLY BUT HE'S HELPED ME IN OTHER WAYS.

20

21 **SUP. MOLINA, CHAIR:** (SPEAKING SPANISH).

22

23 **INTERPRETER:** AND I'M HERE PRESENT...

24

25 **SUP. MOLINA, CHAIR:** (SPEAKING SPANISH)



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1

2 **INTERPRETER:** ...TO ASK OF YOU THAT YOU NOT CLOSE THE DOORS,
3 NOT ONLY FOR US BUT FOR OUR CHILDREN AS WELL. I DON'T
4 REPRESENT ANYONE BUT WITH MY HEART IN MY HANDS, PLEASE DON'T
5 CLOSE OUR AGENCY. WE'RE WORKING VERY COMFORTABLY. WE ARE LIKE
6 A FAMILY, NOT JUST LIKE WORKERS, EMPLOYEES. I HAVE FAMILY
7 WORKING IN OTHER AGENCIES AND I'VE BEEN COMMUNICATING WITH
8 THEM AND OTHER AGENCIES ARE VERY DIFFERENT AND OUR AGENCY AND
9 I'M VERY PROUD OF OUR AGENCY. I'M VERY HAPPY. AND THAT'S WHY
10 I'M HERE BEFORE YOU. TO PLEAD NOT TO CLOSE THAT AGENCY.

11

12 **SUP. MOLINA, CHAIR:** (SPEAKING SPANISH) I'M JUST GOING TO ASK A
13 FEW QUESTIONS. (SPEAKING SPANISH WITH WITNESS, BACK AND
14 FORTH).

15

16 **SUP. MOLINA, CHAIR:** I'M LOOKING FOR THE OTHER GROUP, MARIA
17 LUISA GOMEZ, YOU'RE MARIA LUISA? THEN MARIA GOMEZ. TWO
18 DIFFERENT PEOPLE. MARIA GOMEZ IS NOT HERE. ALL RIGHT. SALSA
19 GUTIERREZ? AND SENIOR SALGADO. PLEASE PROCEED.

20

21 **INTERPRETER:** GOOD AFTERNOON. MY NAME IS JOSE ANTONIO SALGADO
22 AND I'M VERY HAPPY TO HAVE THE OPPORTUNITY TO SPEAK BEFORE YOU
23 ALL. THE REASON WHY I'M HERE IS BECAUSE I'VE WORKED FOR THE
24 PAST NINE YEARS FOR REFUGIO PARA NINOS AND THE TRUTH IS THAT
25 THEY HAVE TREATED US VERY WELL AND HELPED US IN EVERYTHING



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1 THAT WE'VE NEEDED AND THE TRUTH IS, WE DIDN'T KNOW WHAT WAS
2 GOING ON. BUT IF YOU GIVE US THE OPPORTUNITY TO CONTINUE
3 WORKING WITH THIS AGENCY AND HOPEFULLY YOU CAN MAKE THE
4 CORRECTIONS, THE NECESSARY CORRECTIONS SO ALL THE WORLD, ALL
5 OF US, CAN CONTINUE WORKING FOR THE AGENCY AND THE CHILDREN
6 CAN BE WELL IN THEIR HOMES. THANK YOU FOR THE OPPORTUNITY.

7

8 **SUP. MOLINA, CHAIR:** (SPEAKING SPANISH). SENIOR GUTIERREZ?
9 COULD WE ALSO HAVE ALIA PAHDO, THOMAS FERNANDEZ, STEPHANIE
10 AGUILAR. ARE THEY HERE? PLEASE JOIN US.

11

12 **INTERPRETER:** GOOD AFTERNOON. MY NAME IS ELSA GUTIERREZ. I WANT
13 TO INFORM ALL OF YOU THAT MY HUSBAND AND I HAVE ABOUT SEVEN
14 YEARS WORKING FOR REFUGIO PARA NINOS. CURRENTLY, WE HAVE SIX
15 FOSTER CHILDREN, FOUR OF THEM ARE WITH US FOR A LONG TIME AS
16 FOSTER CHILDREN. DURING THIS TIME, WE'VE TAKEN CARE OF A LOT
17 OF CHILDREN. ALL OF THEM HAVE BEEN GIVEN BY US GOOD QUALITY
18 CARE. BUT WE DON'T DESERVE ALL THE CREDIT BUT ALSO THE SOCIAL
19 WORKERS THAT WORK FOR THE REFUGIO PARA NINOS. ALL OF THEM ARE
20 WELL PREPARED. PREPARED BY MR. JOE OF REFUGIO, THE DIRECTOR OF
21 REFUGIO PARA NINOS. MR. JOE IS VERY PERSONABLE AND CHARISMATIC
22 WITH THE PARENTS, FOSTER PARENTS AND THE CHILDREN. MR. JOE IS
23 ALWAYS READY AND WILLING TO HELP THE CHILDREN AND PRINCIPALLY
24 THAT THE CHILDREN LIVE IN A GOOD ENVIRONMENT, A HEALTHY ONE.
25 AND BECAUSE OF THE ORIENTATION THAT REFUGIO PARA NINOS HAS



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1 GIVEN US, WE'VE BEEN GOOD FOSTER CHILDREN-- FOSTER PARENTS TO
2 CHILDREN.

3

4 **SUP. MOLINA, CHAIR:** THANK YOU. IS ALIA PAHDO HERE? OKAY. ALL
5 RIGHT. COULD WE HAVE EVELYN DROZCO. IS EVELYN HERE? PLEASE
6 JOIN US. ANGELA RAY. IS ANGELA RAY HERE? PLEASE JOIN US. MR.
7 FERNANDEZ.

8

9 **TOMAS FERNANDEZ:** YES. I HAVE BEEN WORKING FOR THE AGENCY FOR
10 THE LAST-- FOR THE LAST EIGHT YEARS...

11

12 **SUP. MOLINA, CHAIR:** ARE YOU A FOSTER PARENT? OR DO YOU WORK AT
13 THE AGENCY?

14

15 **TOMAS FERNANDEZ:** NO, NO, I AM WORKING FOR THE AGENCY.

16

17 **SUP. MOLINA, CHAIR:** IT'S JUST THAT SOME OF THE PARENTS SAY
18 THEY WORK FOR THE AGENCY. THAT'S WHAT I WAS JUST TRYING TO
19 CLARIFY. YOU'RE AN EMPLOYEE?

20

21 **TOMAS FERNANDEZ:** YEAH, I WORK FOR THE AGENCY. AS YOU KNOW, WE
22 ARE ONE OF THE BIGGEST LATINO AGENCY IN LOS ANGELES. WE ARE
23 NEEDED. WE PROVIDE SERVICES 24 HOURS A DAY, SEVEN DAYS A WEEK
24 AND WE HAVE DONE AN EXCELLENT JOB BECAUSE OF THE AUDIT THAT WE
25 HAVE STATE AND THE COUNTY. NOW THAT WE HAVE A NEW-- THE WAY



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1 HAS BEEN PAVED TO HAVE A NEW ADMINISTRATION TO TAKE OVER THE
2 AGENCY. I THINK ALL OF THE ISSUES THAT WE HAVE WITH THE COUNTY
3 OR THE AGENCY HAS WITH THE COUNTY CAN BE RESOLVED. IN THE NAME
4 OF THE FOSTER PARENTS AND THE WORKERS, I ASK YOU TO GIVE US
5 ANOTHER OPPORTUNITY BECAUSE WE HAVE SPENT YEARS DOING AN
6 EXCELLENT JOB IN THIS AGENCY. WE HAVE DONE A EXCELLENT JOB
7 WITH THE CHILDREN AND WE REQUEST OR I REQUEST OF YOU TO GIVE
8 ANOTHER OPPORTUNITY TO CONTINUE DOING SERVICES.

9

10 **SUP. MOLINA, CHAIR:** THANK YOU. STEPHANIE AGUILAR.

11

12 **STEPHANIE AGUILAR:** I'VE BEEN WITH THE AGENCY, I'M A FORMER
13 FOSTER CHILD. I'VE BEEN WITH THE AGENCY FOR 10-1/2 YEARS.

14

15 **SUP. MOLINA, CHAIR:** COULD YOU SPEAK UP JUST A LITTLE BIT
16 LOUDER FOR ME? THANK YOU.

17

18 **STEPHANIE AGUILAR:** AND I'M HERE TO ASK YOU AND PLEAD YOU IF
19 YOU CAN, LIKE, NOT CLOSE OUR AGENCY DOWN BECAUSE IT HAS HELPED
20 US A LOT. WE ALL MAKE MISTAKES, WE'RE NOT PERFECT BUT, LIKE
21 YOU SAID, WE CAN CORRECT THEM. AND I KNOW SOME OF THE MONEY
22 THAT YOU WERE TALKING ABOUT WENT TO, LIKE, THE DANCING AND IT
23 REALLY, LIKE, HELPED US OUT, LIKE, IT ENCOURAGED US, IT GAVE
24 US-- I CAN'T SAY IT, LIKE, YOU KNOW...

25



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1 **SUP. MOLINA, CHAIR:** BUT THEY HAVE BEEN HELPFUL TO YOU.

2

3 **STEPHANIE AGUILAR:** YEAH, THEY HAVE, LIKE, EMOTIONALLY.

4

5 **SUP. MOLINA, CHAIR:** AND, AGAIN, WE'RE NOT FAULTING THE WORK OF
6 THE ORGANIZATION, JUST THE FINANCIAL MANAGEMENT IS THE
7 PROBLEM.

8

9 **STEPHANIE AGUILAR:** AND I UNDERSTAND THAT BUT, LIKE I SAID,
10 IT'S, LIKE, IF YOU CLOSE IT DOWN, YOU'RE NOT-- I KNOW YOU'RE
11 ONLY HERE FOR, LIKE, FOR OUR PURPOSE, YOU KNOW, YOU'RE TRYING
12 TO HELP US BUT REFUGIO PARA NINOS IS, LIKE, OUR FAMILY. WE
13 GREW UP WITH THEM AND, YOU KNOW, IT'S LIKE YOU'RE TAKING OUR
14 FAMILY AWAY OVER ALL OVER AGAIN. YOU GET WHAT I'M SAYING?

15

16 **SUP. MOLINA, CHAIR:** ABSOLUTELY. I KNOW WHAT YOU'RE SAYING BUT
17 I ALSO WANT YOU TO UNDERSTAND TAXPAYERS ELECT US TO MAKE SURE
18 THAT WE'RE PROVIDING SERVICES TO THE COMMUNITY. WE WORK VERY
19 HARD TO MAKE SURE THE FEDERAL GOVERNMENT, THE STATE GOVERNMENT
20 AS WELL AS COUNTY TAXPAYERS GIVE US THE MONEY TO PROVIDE THESE
21 SERVICES AND THERE IS MONEY THAT IS SUPPOSED TO BE USED FOR
22 CHILDREN'S SERVICES, FOR FOSTER CARE, NOT FOR A MERCEDES BENZ.

23

24 **STEPHANIE AGUILAR:** I UNDERSTAND THAT.

25



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1 **SUP. MOLINA, CHAIR:** SO THAT'S THE PROBLEM.

2

3 **STEPHANIE AGUILAR:** BUT AGAIN, YOU KNOW ALL I CAN SAY...

4

5 **SUP. MOLINA, CHAIR:** BUT I UNDERSTAND THAT...

6

7 **STEPHANIE AGUILAR:** ...IS TO ASK AND PLEAD, YOU KNOW, THAT...

8

9 **SUP. MOLINA, CHAIR:** AND I APPRECIATE IT.

10

11 **STEPHANIE AGUILAR:** ...YOU GIVE US ANOTHER CHANCE BECAUSE, LIKE

12 I SAID...

13

14 **SUP. MOLINA, CHAIR:** WE HAD ONE AUDIT IN 2000 AND IT DOESN'T

15 SEEM LIKE ANYONE PAID ATTENTION AND, UNFORTUNATELY, NOW IT'S

16 ONLY GOTTEN WORSE, SO WE DON'T THINK THAT THEY'RE-- AT LEAST

17 MY OPINION IS, WE DON'T THINK THAT PEOPLE ARE LISTENING TO

18 SOME VERY REAL ISSUES BUT I APPRECIATE WHAT YOU'RE SAYING.

19 THANK YOU. EVELYN DROZCO, ANGELA RAY. COULD WE ALSO HAVE

20 MARINA MARICEL AND FABIAN HUEITA GARZA TO JOIN US. PLEASE

21 PROCEED.

22

23 **EVELYN DROZCO:** I WOULD LIKE YOU GUYS TO KNOW THAT I'M VERY,

24 VERY HURT BECAUSE NOT ONLY REFUGIO PARA NINOS HAS BEEN JUST AN

25 AGENCY BUT MY SECOND HOME, MY FAMILY. THEY HAVE PROVIDED MANY



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1 STUFFS TO ME, LIKE THERAPY, NOT ONLY THERAPY BUT JUST AS
2 FRIENDS, AND IT'S REALLY HURTFUL TO KNOW KNOW-- I'M SORRY. [
3 CRYING]

4

5 **SUP. MOLINA, CHAIR:** THANK YOU. NEXT WE HAVE EVELYN. THAT WAS
6 EVELYN DROZCO. NEXT IS ANGELA RAY.

7

8 **ANGELA RAY:** YES. I'VE ONLY BEEN IN THIS FOSTER AGENCY FOR
9 THREE MONTHS BUT I HAVE BEEN IN OTHER FOSTER AGENCIES. I'VE
10 BEEN IN THE SYSTEM FOR SIX YEARS, ALMOST, AND I WAS IN
11 RIVERSIDE COUNTY WHEN I FIRST GOT TAKEN AWAY AND REFUGIO IS
12 WAY BETTER. THEY PAY MORE ATTENTION TO THE KIDS, THEY MAKE
13 SURE THAT WE HAVE EVERYTHING WE NEED. RIVERSIDE COUNTY WAS
14 NOTHING LIKE THAT. AND I WOULD JUST WISH YOU WOULDN'T CLOSE
15 THE DOORS BECAUSE, IF YOU GUYS DO, MOST OF US KIDS ARE NOT
16 GOING TO HAVE NOWHERE ELSE TO GO.

17

18 **SUP. MOLINA, CHAIR:** THANK YOU. WE WILL MAKE SURE THERE'S
19 PLACEMENTS. MIRIAM MARISCAL... [INTERJECTIONS]

20

21 **SUP. MOLINA, CHAIR:** EXCUSE ME. THAT IS ONE THING WE WILL DO.

22

23 **SUP. BURKE:** WITH THE SAME PARENTS. I MEAN, THE SAME--
24 ACTUALLY, IT WOULD BE WITH THE SAME-- NO CHILD WOULD BE--



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1 THERE'S NO REASON FOR ANY CHILD TO BE PLACED WITH A DIFFERENT
2 PARENT. THE SAME PARENTS WOULD STAY.

3

4 **SUP. MOLINA, CHAIR:** ABSOLUTELY. FABIAN WUERTA. YOUR MIRIAM?

5

6 **MARINA GOMEZ:** MARINA. MARINA.

7

8 **SUP. MOLINA, CHAIR:** MARINA. OKAY. PLEASE PROCEED, MARINA.

9

10 **MARINA GOMEZ:** OKAY. I'VE BEEN WITH THE AGENCY FOR EIGHT YEARS
11 AND THIS IS PROBABLY THE BEST AGENCY I'VE BEEN WITH. I
12 REMEMBER JOINING TENNIS JUST THIS YEAR AND WHEN I NEEDED MY
13 TENNIS, MY STUFF, JOE PAID FOR THEM AND WE TALK TO JOE, LIKE
14 PERSONALLY, FACE TO FACE, WE DIDN'T TALK TO SOCIAL WORKERS, TO
15 THERAPISTS WHO ASK FOR IT. WE WENT TO JOE FOR WHAT WE NEEDED.
16 AND FOR THE THERAPY, THEY HAVE THE BEST THERAPY. CLAIRE GREEN,
17 SHE'S THE BEST.

18

19 **SUP. MOLINA, CHAIR:** THANK YOU, MARINA. FABIAN. FOLLOWED BY
20 GRACIELA ALCARAZ, DAHLIA RIVAS, MAGNOLIA RODRIGUEZ, IF THEY'D
21 JOIN US. PLEASE.

22

23 **FABIAN HUEITA GARZA:** (SPEAKING SPANISH).

24



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1 **INTERPRETER:** I'M VERY HAPPY TO BE HERE TO PRESENT AND I'M VERY
2 APPRECIATIVE OF WHAT THE AGENCY HAS DONE FOR ME. I'M
3 PROGRESSING IN SCHOOL WITH MY G.E.D. I WORK. I HAVE A NICE, A
4 GOOD HOME. A FAMILY THAT LIKES ME A LOT. I'M PROGRESSING. WE
5 DON'T WANT REFUGIO PARA NINOS TO BE CLOSED. THANK YOU VERY
6 MUCH.

7

8 **SUP. MOLINA, CHAIR:** THANK YOU. GRACIELA ALCARAZ, PLEASE JOIN
9 US. IS DAHLIA RIVAS HERE? OKAY. WHAT ABOUT MAGNOLIA RODRIGUEZ?
10 MAGNOLIA'S NOT HERE? PLEASE PROCEED. HOWEVER YOU WISH TO DO
11 IT.

12

13 **GRACIELA ALCARAZ:** HI. MY NAME IS GRACIELA ALCARAZ. I'VE BEEN
14 WITH REFUGIO PARA NINOS FOR ALMOST NINE YEARS. MY EXPERIENCE
15 WITH REFUGIO PARA NINOS HAS BEEN EXTREMELY POSITIVE, FROM THE
16 FREQUENT VISITS BY THE SOCIAL WORKERS. I ALSO APPRECIATE THEIR
17 RESOURCES THAT REFUGIO HAS OFFERED US AND THE CHILDREN TO
18 ENSURE THEIR WELLBEING. OUR CARE FOR THE CHILDREN IS MADE
19 EASIER WITH THE CONVENIENCE OF THE FAX MACHINES IN OUR HOMES
20 TO SEND AND RECEIVE RECORDS IMMEDIATELY. THE CHILDREN BENEFIT
21 FROM THEIR INTERACTION WITH THE AGENCY'S PROFESSIONAL STAFF.
22 THEY MAKE US ALL FEEL WELCOMED. I AM VERY GRATEFUL TO BE
23 AFFILIATED WITH THEIR ORGANIZATION THAT HAS DONE SO MUCH TO
24 CARE AND SUPPORT THE YOUNG PEOPLE IN OUR NEED. THANK YOU.

25



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1 SUP. MOLINA, CHAIR: THANK YOU. MISS RIVAS.

2

3 DAHLIA RIVAS: YES. GOOD AFTERNOON. MY NAME IS DAHLIA RIVAS,
4 I'M A FOSTER MOTHER FOR REFUGIO PARA NINOS. I'VE BEEN WITH THE
5 AGENCY FOR FOUR YEARS, ALMOST, THIS FEBRUARY AND I'M JUST HERE
6 TO LET YOU KNOW TODAY THAT IT'S A GREAT AGENCY. I KNOW THAT
7 THE PROBLEMS ARE FINANCIALLY NOT THE WAY WE TAKE CARE OF
8 CHILDREN OR ANY ABUSES OR ANYTHING BUT I THINK THAT YOU SHOULD
9 GIVE THEM ANOTHER CHANCE TO SEE IF THINGS CAN WORK OUT BETTER,
10 IF THEY GET NEW MEMBERS, NEW STAFF MEMBERS IN THE AGENCY THAT
11 CAN HELP THEM TAKE CARE OF SOME OF THE ISSUES THAT ARE NOT
12 CLEAR AT THIS MOMENT BUT JUST HERE TO LET YOU KNOW THAT
13 REFUGIO PARA NINOS IS A GREAT AGENCY. I HAVE NEVER WORKED WITH
14 ANOTHER AGENCY AND I DON'T WANT TO WORK WITH ANOTHER AGENCY. I
15 DON'T WANT MY CHILDREN TO BE MOVED AND PLACED IN ANOTHER
16 AGENCY OR I DON'T WANT TO MOVE TO ANOTHER AGENCY, EITHER. I
17 KNOW THAT WE HAVE A CHOICE AND THE CHILDREN WILL NOT BE TAKEN
18 AWAY FROM US BUT, LIKE, REFUGIO PARA NINOS, THERE IS NO OTHER.
19 ANYTHING THAT WE NEED, ANYTHING THAT THE CHILDREN NEED, JOE
20 PROVIDES 100%. HE DOESN'T, YOU KNOW-- ANY REQUEST, HE...

21

22 SUP. MOLINA, CHAIR: THANK YOU, MISS RIVAS. THANK YOU. NEXT WE
23 HAVE LUZ MAGANEN, ANDY SLOBODIEN, EVELYN MARICE MARCIAL, AND
24 JESENIA DIAZ. ARE THEY HERE? PLEASE JOIN US. PLEASE PROCEED.

25



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1 **LUZ MAGANEN:** GOOD MORNING. MY NAME IS LUZ MAGANEN AND I
2 WORKING WITH REFUGIO PARA NINOS FOR SIX YEARS. I'M A LITTLE
3 NERVOUS. I'M NOT USED TO DO THIS. THE REASON WHY I'M HER IS
4 BECAUSE I KNOW THE AGENCY VERY WELL. I KNOW JOE, MR.
5 STEINBERGER. JOE IS VERY NICE PERSON. HE'S VERY, VERY HELP--
6 HELPFUL WITH US. MAYBE WE, THE PARENTS, IS A LITTLE BIT
7 RESPONSIBLE WITH THIS, WITH THE FINANCIAL PROBLEM. I REMEMBER
8 ONCE I GOT MY CAR BROKEN. I TOLD HIM THE PROBLEM AND HE GIVE
9 ME THE MONEY TO FIX MY CAR. I DON'T KNOW HOW HE GET THE MONEY.
10 HE GIVE ME THE MONEY TO FIX MY CAR BECAUSE HE KNOW MY CAR IS
11 THE TRANSPORTATION FOR MY KIDS. HE WORKS WITH US IN EVERY WAY.
12 HE'S NOT JUST CHECKING MY HOUSE IF THERE'S FOOD IN THERE,
13 CHECKING THE HOUSE IF I HAVE A NICE HOUSE FOR MY KIDS, HE'S
14 PART OF MY FAMILY BECAUSE HE HELP US IN EVERY WAY. MAYBE, LIKE
15 I TOLD YOU, MAYBE WE'RE RESPONSIBLE IN SOME WAY FOR THOSE
16 EXPENSES BECAUSE WHEN WE NEED THERE, HE'S THERE TO HELP US.

17

18 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH. MISS MAGANEN. MR.
19 SLOBODIEN?

20

21 **ANDY SLOBODIEN:** YES. I'M NAME IS ANDY SLOBODIEN. I'M A SOCIAL
22 WORKER. I'VE BEEN A REFUGIO PARA TWO YEARS. I WANT TO SAY, AT
23 THE BEGINNING RIGHT NOW, THAT THOSE WHO'VE NEGLECTED THEIR
24 FIDUCIARY RESPONSIBILITY, THOSE WHO'VE NEGLECTED, WHO HAVE
25 ACTED IN AN UNETHICAL WAY NEED TO BE HELD RESPONSIBLE. THE



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1 INFRASTRUCTURE OF REFUGIO CAN BE SAVED. WE ARE SOCIAL WORKERS,
2 WE ARE SECRETARIES, WE HAVE-- I WILL TAKE RESPONSIBILITY FOR
3 WHAT I HAVE DONE BUT WE HAVE NO KNOWLEDGE OF THESE FINANCES
4 AND IT IS A DISGRACE BUT WE CAN SAVE THE AGENCY AND WE ARE
5 SCARED. WE NEED TO-- THE INFRASTRUCTURE CAN BE USED. WE HAVE
6 30, 40 SOCIAL WORKERS, WE HAVE SECRETARIES. WE HAVE WORKERS
7 WHO HAVE BEEN WORKING WITH CHILDREN FOR SEVERAL YEARS. THEY'VE
8 BONDED WITH THE CHILDREN. THIS WILL NOT HELP THE CHILDREN TO
9 REMOVE WORKERS OR EXPEL US TO OTHER AGENCIES OR OTHER PLACES
10 OF BUSINESS. REFUGIO CAN BE SAVED. THE MOST IMPORTANT THING I
11 THINK IS THAT THROWING OUT SO MANY WORKERS, CLOSING TO THE
12 AGENCY BECAUSE THE ACTIONS OF THOSE WHO HAVE NEGLECTED THEIR
13 FIDUCIARY AND ETHICAL RESPONSIBILITIES IS NOT ONLY A WASTE BUT
14 IT IS WRONG. AND I'M ASKING YOU TO TAKE US INTO CONSIDERATION.
15 WE DO NOT NEED TO LOSE OUR JOBS AND IT WILL NOT BENEFIT THE
16 CHILDREN. WE NEED TO HOLD THOSE RESPONSIBLE WHO HAVE NEGLECTED
17 THEIR ETHICAL AND MORAL RESPONSIBILITIES. THANK YOU.

18

19 **SUP. MOLINA, CHAIR:** THANK YOU, MR. SLOBODIEN. NEXT WE HAVE
20 JESENIA DIAZ AND ADRIENNE SANCHEZ. MISS MARCIAL?

21

22 **EVELYN MARCIAL:** HI. MY NAME IS EVELYN, I'M 17 YEARS OLD, I
23 HAVE BEEN WITH THIS AGENCY FOR NINE YEARS, SINCE IT STARTED. I
24 HAVE EIGHT BROTHERS. I'VE BEEN IN VERY MANY FOSTER HOMES. I
25 WAS IN FOSTER CARE SINCE HE WAS FIVE. I'VE BEEN WITH SO MANY



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1 AGENCIES WHERE THERE'S A POINT THAT I'D GONE TO AGENCIES WHERE
2 I HAD TO BUY MY OWN SHAMPOO, MY OWN TOOTHPASTE. EVER SINCE I
3 GOT TO THIS AGENCY, THEY'VE KEPT MY FAMILY TOGETHER. ALL MY
4 BROTHERS ARE TOGETHER IN ONE HOME. THEY KEPT US TOGETHER ALL
5 THIS TIME. I'M PLANNING TO GO TO COLLEGE, I'M PLANNING
6 EVERYTHING I NEEDED, WHICH IS MY SPORTS JACKET, WHICH WAS
7 \$500, JOE PROVIDED IT FOR ME, WITH ASKING NO QUESTIONS. ALL HE
8 DID WAS ASK FOR MY REPORT CARD. HE OFFERED TO BUY ME MY CLASS
9 RING, MY CAP AND GOWN FOR GRADUATION. I THINK MOST OF THIS
10 MONEY, IF IT'S FINANCIAL, WE'RE GETTING IT, WE'RE NOT BEING
11 FRAUD, WE'RE NOT BEING ANYTHING TAKEN AWAY FROM US. BUT THESE
12 PEOPLE, ALL MY SOCIAL WORKERS AREN'T JUST MY SOCIAL WORKERS,
13 ARE MY FAMILY AND IT'S LIKE TRYING TO TAKE MY FAMILY AWAY AND
14 GOD BLESS REFUGIO PARA NINOS. THAT'S ALL I SAY. THANK YOU.

15

16 **SUP. MOLINA, CHAIR:** THANK YOU. JESENIA?

17

18 **JESENIA DIAZ:** HELLO. MY NAME IS JESENIA DIAZ. I AM HERE SO
19 THEY WON'T SHUT DOWN REFUGIO PARA NINOS.

20

21 **SUP. MOLINA, CHAIR:** COULD YOU SPEAK UP WILL BE LOUDER,
22 SWEETIE.

23



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1 **JESENIA DIAZ:** I AM HERE-- I'M JESENIA DIAZ-- SO YOU WON'T SHUT
2 REFUGIO PARA NINOS. I HAVE A GOOD FOSTER MOM, I HAVE A NICE
3 FAMILY AND I FEEL PROTECTED HERE. [CRYING]

4
5 **SUP. MOLINA, CHAIR:** I DON'T KNOW IF ANYONE HAS TOLD YOU, YOUR
6 FOSTER MOM IS NOT GOING TO BE TAKEN AWAY. I HOPE THEY DIDN'T
7 TELL YOU THAT.

8
9 **JESENIA DIAZ:** I KNOW. [CRYING] JOE HAS BEEN THERE FOR US. HE
10 MADE US A CHRISTMAS PARTY. AND WHEN I GROW UP, I'M JUST GOING
11 TO LOOK UP TO THE AGENCY AND THANK MY FOSTER PARENTS SO PLEASE
12 DON'T SHUT THE AGENCY DOWN AND PUNISH THE FOSTER KIDS. THAT'S
13 ALL.

14
15 **SUP. MOLINA, CHAIR:** THANK YOU, JESENIA. NEXT WE HAVE CARLA
16 GARCIA, IF THEY WOULD JOIN US, AND GAYLE THOMAS. VICIDIANA
17 DIAZ. I'M SORRY.

18
19 **VICIDIANA DIAZ:** THAT'S OKAY. I'M HERE JUST TO TELL YOU GUYS,
20 PLEASE DON'T SHUT OUR AGENCY DOWN. I LOVE JOE A LOT. HE'S BEEN
21 THERE FOR US, LIKE, FOREVER. WE'VE BEEN HERE, LIKE, FOR TWO
22 YEARS, AND HE HELPS-- HE HAS HELPING US GO ON WITH OUR LIVES,
23 NOT PUT DOWN OUR GRADES AND, PLEASE, I DON'T WANT YOU GUYS TO
24 SEPARATE US. IF YOU GUYS MOVE US FROM THE AGENCY OR CLOSE IT
25 DOWN, DON'T SEPARATE US BECAUSE I LOVE MY FOUR SISTERS THAT I



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1 HAVE AND, IF YOU GUYS DO THAT, IT'S LIKE YOU GUYS SHUT DOWN
2 OUR AGENCY, YOU'RE SHUTTING DOWN OUR...

3

4 **SUP. MOLINA, CHAIR:** IS THEY WHAT THEY DID? DID THEY THREATEN
5 YOU TO SAY THAT THEY WERE GOING TO REMOVE YOU FROM YOUR
6 FAMILY?

7

8 **VICIDIANA DIAZ:** NO.

9

10 **SUP. MOLINA, CHAIR:** OKAY. WHY DO YOU THINK THAT?

11

12 **VICIDIANA DIAZ:** NO, I'M JUST SAYING BECAUSE, LIKE, YOU GUYS
13 ARE GOING TO PUT US IN DIFFERENT HOUSES AND WHAT ABOUT
14 BECAUSE, LIKE-- I DON'T KNOW HOW TO EXPLAIN IT.

15

16 **SUP. MOLINA, CHAIR:** WHAT DID THEY TELL YOU WHAT GOING TO
17 HAPPEN?

18

19 **VICIDIANA DIAZ:** NOTHING, JUST IF THEY SHUT THIS AGENCY DOWN,
20 WE'RE GOING TO MOVE TO ANOTHER HOUSE BUT I DON'T KNOW IF
21 THEY'RE GOING TO MOVE US ALL OR...

22

23 **SUP. MOLINA, CHAIR:** THEY'RE GOING TO MOVE YOU FROM YOUR FOSTER
24 FAMILY TO ANOTHER HOUSE? IS THAT WHAT THEY TOLD YOU?

25



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1 **VICIDIANA DIAZ:** THAT'S WHAT I HEARD.

2

3 **SUP. MOLINA, CHAIR:** THERE'S A LOT OF MISINFORMATION. WE REALLY
4 APOLOGIZE FOR THAT. THAT'S NOT THE CASE AT ALL. BUT ANYWAY.

5

6 **VICIDIANA DIAZ:** THAT'S ALL I HAVE TO SAY.

7

8 **SUP. MOLINA, CHAIR:** THANK YOU. ADRIAN SANCHEZ.

9

10 **ADRIAN SANCHEZ:** YES. I'M ADRIAN SANCHEZ, I'M A SUPERVISOR FOR
11 REFUGIO PARA NINOS AND I'VE BEEN WITH THEM ABOUT 6-1/2 YEARS.
12 I THINK THAT THE BASIC PREMISE THAT WE'RE TRYING TO GET ACROSS
13 HERE IS TO HAVE OUR CONTRACT EXTENDED, TO OPERATE AS A FOSTER
14 FAMILY AGENCY. UNDERSTANDABLY, THERE'S SUPPOSED TO BE SOME
15 SAFEGUARDS PUT IN PLACE TO PREVENT THESE TYPES OF SITUATIONS
16 FROM TRANSPIRING. THAT SHOULD BE THE ISSUE AT HAND AND YOU
17 KEEP REPEATING THAT THAT'S WHAT YOU'RE TRYING TO CONCERN
18 YOURSELF WITH IS THE FINANCIAL ASPECT. YOU'RE ALREADY AWARE OF
19 THE STAFF, THE FOSTER CARE, SOCIAL WORKERS, THE FOSTER
20 PARENTS, HOW THEY FEEL ABOUT OUR ORGANIZATION AND WHAT WE DO
21 AS A GROUP, AS THE ACTUAL FOSTER FAMILY AGENCY. WE HAVE ABOUT
22 425 MINORS PLACED FROM D.C.F.S., 150 CERTIFIED FOSTER HOMES,
23 60 STAFF PERSONNEL, WHO ARE MAJORITY-- WHO ARE MINORITIES,
24 ABOUT 87% ARE MINORITIES. WE HAVE A NURSE ALSO ON STAFF, THE
25 24-HOUR PLACEMENT AND CONTACT AND EMERGENCIES IN CASE THEY



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1 NEED TO GET A HOLD OF US. PROGRAMMATICALLY, L.A., SAN
2 BERNARDINO, RIVERSIDE, AND ORANGE COUNTY HAVE NOTED OUR AGENCY
3 TO BE IN GOOD STANDING. I INVITE YOU TO TAKE THE APPROPRIATE
4 ACTIONS TO DEAL WITH WHAT NEEDS TO BE DEALT WITH AND NOT ALLOW
5 OR CONDEMN THE REST OF THE AGENCY AND/OR MEMBERS IN OUR GROUP.

6

7 **SUP. MOLINA, CHAIR:** THANK YOU. THANK YOU, MR. SANCHEZ. COULD
8 WE ALSO BE JOINED BY ADELA GUTIERREZ. MISS GARCIA.

9

10 **CARLA GARCIA:** GOOD AFTERNOON. I AS WELL AS THE OTHER FIVE
11 SUPERVISORS OF REFUGIO PARA NINOS AM IN AGREEMENT WITH THE
12 FINDINGS OF THE FINANCIAL AUDIT, THAT THE SALARY AS WELL AS
13 THE FINANCIAL MISHANDLING OF AGENCY FUNDS HAS BEEN A LESSON IN
14 POOR MANAGEMENT, TO SAY THE LEAST. I WOULD LIKE TO IMPRESS
15 UPON THIS BOARD THAT THE BOARD OF SUPERVISORS-- THAT THE
16 SOCIAL WORKERS AND STAFF OF R.P.N. HAS HAD NO KNOWLEDGE OF THE
17 FINANCIAL GAME PLAYING OF JOSEPH STEINBERG, HIS BOARD OF
18 DIRECTORS AND C.F.O. WE ARE GRATEFUL FOR YOUR INQUIRY THAT HAS
19 FINALLY ALLOWED US A VOICE. WE NEED YOUR GUIDANCE AND WE
20 INVITE YOUR SCRUTINY IN WHAT WE HOPE WILL BE A PROCESS OF
21 RECONSTRUCTION. YESTERDAY, JOSEPH STEINBERG RESIGNED HIS
22 POSITIONS AS CEO AND EXECUTIVE DIRECTOR. I AM CONFIDENT THAT
23 THIS BOARD OF SUPERVISORS WILL NOT BE MANIPULATED BY THIS
24 PEACE OFFERING. SHOULD JOSEPH STEINBERG REMAIN IN ANY
25 CAPACITY, HE AND HIS BOARD OF DIRECTORS WILL CONTINUE TO



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1 MANIPULATE THE AGENCY INTO DESTRUCTION. WE FEAR THAT, IN ANY
2 CAPACITY, MR. STEINBERG WILL INSINUATE HIS WAY INTO VITAL
3 DECISION- MAKING, THEREBY LEAVING THE FUTURE OF THE AGENCY AT
4 RISK. THE SUPERVISORS OF REFUGIO WISH TO BE GIVEN THE
5 OPPORTUNITY TO CONTINUE SERVING A COMMUNITY THAT NEEDS AND
6 BENEFITS FROM THE SERVICES WE PROVIDE. WE WISH THE OPPORTUNITY
7 TO RESTRUCTURE THE ADMINISTRATION OF THE AGENCY IN A MANNER
8 THAT IS ACCEPTABLE TO THIS BOARD IN KEEPING WITH THE LAWS OF
9 NONPROFIT AGENCIES AND IN THE SPIRIT OF COMMUNITY SERVICE. AS
10 A FINAL NOTE, I WANT TO ADD THAT THE BOARD OF DIRECTORS THAT
11 WERE PRESENT HERE EARLIER TODAY, I'VE BEEN WITH THE AGENCY
12 EIGHT YEARS, I'VE NEVER SEEN THEM BEFORE IN MY LIFE. THEY DO
13 NOT REPRESENT MY INTERESTS OR THE INTERESTS OF THE AGENCY. I
14 BELIEVE THEY REPRESENT THE INTERESTS OF JOSEPH STEINBERG.

15

16 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH, MISS GARCIA. NEXT WE
17 HAVE GAYLE THOMAS.

18

19 **GAYLE THOMAS:** HI. I'M ALSO A SUPERVISOR AT REFUGIO PARA NINOS
20 AND I'M HOPING THAT EACH OF YOU HAS RECEIVED THE PACKET OF
21 INFORMATION THAT WE BOTH FAXED AND BROUGHT TO YOUR OFFICES
22 PERSONALLY YESTERDAY, LETTERS THAT WE WROTE TO JOE ASKING HIM
23 TO RESIGN HIS POSITION. AND AS AN EMPLOYEE OF THE AGENCY AND
24 AS A TAXPAYER, I'M AS APPALLED AS YOU ARE BY THE MIS-
25 EXPENDITURE OF FUNDS BUT I HAVE TO SAY THAT, ASIDE FROM THE



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1 FINANCIAL ISSUES OR PROBLEMS OF THE AGENCY, I THINK THAT WE'RE
2 PROGRAMMATICALLY A VERY WELL-RUN AGENCY AND I WANT TO TAKE
3 THIS OPPORTUNITY TO JUST SAY THAT I AM EXCEEDINGLY PROUD TO BE
4 PART OF THIS GROUP OF SUPERVISORS AND SOCIAL WORKERS AND
5 FOSTER PARENTS WHO FAITHFULLY CARRY OUT OUR ROLE TO THE L.A.
6 COUNTY CONTRACT. WE JUST REALLY WOULD LIKE YOU TO CONSIDER
7 THAT IN MAKING YOUR FINAL DECISION ABOUT THE OUTCOME OF THE
8 AGENCY. THERE ARE MANY, MANY OF US WHO, YOU KNOW, ALSO HAVE
9 FAMILIES TO FEED AND WHO HAVE, YOU KNOW, SPENT YEARS
10 DEDICATING OURSELVES TO CARRYING OUT THE GOALS OF THE CONTRACT
11 AND OUR ROLE ACCORDING TO THE SPIRIT OF THE CONTRACT, NOT JUST
12 THE LETTER OF THE CONTRACT. SO I APPRECIATE YOU HEARING US
13 OUT. THANK YOU.

14

15 **SUP. BURKE:** I JUST WANT TO GET THIS CLEAR. HE RESIGNED
16 YESTERDAY?

17

18 **GAYLE THOMAS:** YES. AND THAT WAS PARTLY-- I DON'T KNOW. I HOPE
19 YOU GOT THE LETTER THAT THE SUPERVISORS WROTE TO HIM ASKING
20 HIM TO STEP DOWN AND THAT WAS PARTLY AS A RESULT, I THINK, YOU
21 KNOW, OF OUR...

22

23 **SUP. BURKE:** WHO ELSE RESIGNED BESIDES HIM?

24



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The Los Angeles County Board of Supervisors**

1 **SPEAKER:** (OFF-MIKE). I DID MAKE IN MY NOTATION THAT HE
2 RESIGNED HIS POSITIONS AS EXECUTIVE DIRECTOR AND CHIEF AND
3 C.E.O. BUT WILL MAINTAIN HIS POSITION THERE AS INTAKE
4 COORDINATOR.

5

6 **GAYLE THOMAS:** IF HE GETS HIS WAY.

7

8 **SUP. BURKE:** WELL, WHO ELSE RESIGNED BESIDES JOE STEINBERG?

9

10 **SPEAKER:** WE'RE UNDER THE UNDERSTANDING THAT HIS C.F.O.,
11 THERESA RETA, WE JUST LEARNED TODAY THAT HE'S NOW CALLING
12 ANTONIO WILLIAMS HIS C.F.O.

13

14 **SUP. BURKE:** SO, ACTUALLY, I MEAN, ALL OF THIS-- HE JUST
15 RESIGNED YESTERDAY AND NO ONE ELSE RESIGNED WITH HIM?

16

17 **SPEAKER:** NO, WE'RE...

18

19 **GAYLE THOMAS:** CORRECT. WHAT WE'D ALSO LIKE YOU TO UNDERSTAND
20 IS THAT HE HAS BEEN-- HE HAS HELD THE THREE TOP POSITIONS AT
21 THE AGENCY, SO THERE HAS BEEN NO SYSTEM OF CHECKS AND
22 BALANCES. AS SUPERVISORS, WE'VE HAD SAY- SO OVER SOCIAL WORK
23 CONCERNS, BUT ABSOLUTELY NO SAY-SO OR INFORMATION ABOUT
24 FINANCIAL CONCERNS OTHER THAN WHAT WE GET THROUGH INDIRECT
25 CHANNELS AND THROUGH THE INTERNET OR WHEREVER ELSE WE CAN GET



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1 IT. WE HAVE VOICED OUR OPINION ANY NUMBER OF TIMES TO HIM BUT,
2 AT THE EXPENSE OF LOSING OUR OWN JOBS-- EVERYBODY AT THAT
3 AGENCY WHO HAS STOOD UP WITH ANY STRENGTH OF CONVICTION OR
4 PASSION ABOUT WHAT'S GOING ON THERE HAS EITHER LEFT IN
5 FRUSTRATION OR BEEN TERMINATED IN SOME OTHER FASHION. WHAT
6 WE'RE SAYING IS THAT THE PERSON AT THE TOP HERE WHO IS THE
7 CANCER IN THIS BODY NEEDS TO BE REMOVED BUT DON'T KILL THE
8 WHOLE BODY. WE WANT A CHANCE TO MAKE THIS WORK.

9

10 **SUP. BURKE:** MY CONCERN IS THAT SELDOM IS ONE PERSON,
11 PARTICULARLY WITH THE SIZE OF THIS CONTRACT, HAVE TOTAL
12 CONTROL WITH NO ONE ELSE HAVING ANY INPUT.

13

14 **GAYLE THOMAS:** OKAY. HE HAS A BOARD OF DIRECTORS WHO ARE HIS
15 RUBBER STAMPS.

16

17 **SUP. BURKE:** WELL, THE RUBBER-- THE BOARD OF DIRECTORS SAY THEY
18 DON'T KNOW ANYTHING ABOUT IT.

19

20 **GAYLE THOMAS:** EXACTLY.

21

22 **SUP. BURKE:** SO THERE HAVE TO BE SOME PEOPLE HERE...

23



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The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA, CHAIR:** AND YOU HAVE TO UNDERSTAND THAT WE MADE A
2 CONTRACT WITH THE BOARD OF DIRECTORS TO CARRY OUT THE WORK AND
3 THAT'S WHAT...

4

5 **SPEAKER:** WITH ALL DUE RESPECT, MS. MOLINA, THE BOARD OF
6 DIRECTORS ARE IN HIS POCKET. WE NEED THE REMOVAL OF THEM.

7

8 **SUP. MOLINA, CHAIR:** I UNDERSTAND BUT DO YOU UNDERSTAND OUR
9 SITUATION?

10

11 **GAYLE THOMAS:** YES, WE DO BUT WE WOULD LIKE TO NOT BE PUNISHED
12 FOR HIS ERRORS IN JUDGMENT AND ETHICS.

13

14 **SUP. MOLINA, CHAIR:** WE'RE NOT TRYING TO PUNISH YOU.

15

16 **SPEAKER:** IS IT AT ALL POSSIBLE...

17

18 **SUP. MOLINA, CHAIR:** ALL RIGHT. THANK YOU. NEXT WE HAVE ADELA
19 GUTIERREZ.

20

21 **ADELA GUTIERREZ:** I'M ONE OF THE SOCIAL WORKERS THAT HAVE BEEN
22 WORKING WITH THE AGENCY FOR FOUR YEARS. I'VE WORKED WITH MOST
23 OF THE HISPANIC FAMILIES. WHAT I WANT TO SAY IS, I MEAN, I
24 THINK IT'S ALREADY BEEN SAID BUT, YOU KNOW, WE WEREN'T AWARE
25 ABOUT WHAT'S HAPPENING, LIKE YOU HAVE HEARD. THE ONLY THING IS



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1 THAT WE ARE NOW AT YOUR MERCY AND WHAT WE ARE ASKING YOU, MS.
2 MOLINA AND THE REST OF THE BOARD, IS TO GIVE US A CHANCE TO
3 FIX IT. IT'S UNFIXED BUT NOT BY US. THERE WOULD BE TOO MANY
4 PEOPLE LOSING THEIR JOBS, I INCLUDED. BUT WHAT I WANT TO SAY
5 IS THAT I KNOW THAT YOU'RE FAIR. I FOLLOWED YOUR CAREER
6 BECAUSE I VOTED FOR YOU WHEN YOU FIRST CAME IN AND I VOTED FOR
7 SOME OTHER MEMBERS BECAUSE I LIVE IN OTHER DISTRICTS AND I
8 KNOW, MOST OF ALL, THAT YOU WILL BE FAIR BUT GIVE US A CHANCE
9 TO PLEASE FIX THE PROBLEM. THE PROBLEM WAS SOMEBODY ELSE, NOT
10 US. WE WEREN'T AWARE OF IT. (SPEAKING SPANISH).

11

12 **SUP. MOLINA, CHAIR:** MISS GUTIERREZ, WHO DO WE FIX IT WITH?

13

14 **ADELA GUTIERREZ:** WE HAVE THE PEOPLE TO...

15

16 **SUP. MOLINA, CHAIR:** WAIT, WAIT, WAIT. YOU'RE NOT THE FIDUCIARY
17 RESPONSIBILITY OF THE CONTRACT. WHO DO WE FIX IT WITH?

18

19 **SPEAKER:** (OFF-MIKE).

20

21 **SUP. MOLINA, CHAIR:** WELL, I'M SORRY. YOU CAN'T MAKE A CONTRACT
22 WITH A GROUP OF PEOPLE. IT HAS TO BE AN ENTITY, A NONPROFIT.
23 IT'S THE WAY IT WORKS.

24



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1 **ADELA GUTIERREZ:** I UNDERSTAND THAT BUT THERE SHOULD BE A WAY
2 OUT FROM THIS, ESPECIALLY FOR...

3

4 **SUP. MOLINA, CHAIR:** THERE SHOULD BE A WAY OUT OF IT AND THAT
5 IS WHY, THE FIRST TIME WHEN WE DID THE AUDIT IN THE YEAR 2000
6 AND WE POINTED OUT THESE THINGS, WE ASKED THEM TO CORRECT IT.
7 WE WORKED WITH THEM, WE TRIED TO FIND A WAY. THE PROBLEM IS,
8 IS THAT, THE SECOND TIME, THE ERRORS WERE WORSE.

9

10 **ADELA GUTIERREZ:** WELL, THE THING IS, THAT NOBODY WAS AWARE OF
11 IT, MS. MOLINA.

12

13 **SUP. MOLINA, CHAIR:** I UNDERSTAND THAT BUT THE POINT IS, WHO DO
14 WE FIX IT WITH?

15

16 **ADELA GUTIERREZ:** WE HAVE THE PEOPLE, WE HAVE SOME PEOPLE...

17

18 **SUP. MOLINA, CHAIR:** YOU DON'T HAVE A NONPROFIT ORGANIZATION. I
19 CAN'T CONTRACT WITH YOU.

20

21 **ADELA GUTIERREZ:** THERE'S GOT TO BE A WAY. THAT'S ALL I CAN
22 SAY.

23

24 **SUP. MOLINA, CHAIR:** I WOULD HAVE TO CONTRACT WITH THE FOUR
25 PEOPLE THAT CAME UP HERE. THEY'RE THE ONES THAT ARE IN CHARGE



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1 OF THE NONPROFIT. AND I DON'T SEE THEM WILLING TO TAKE SOME
2 OWNERSHIP: JANET DAVIS, MICHAEL GERING, DAVID KISSLER, DAVID
3 MONTGOMERY.

4

5 **ADELA GUTIERREZ:** WELL, THE ONLY THING I CAN JUST SAY AND END
6 WITH THIS IS THAT THERE WAS ONLY ONE...

7

8 **SUP. MOLINA, CHAIR:** YEAH. THOSE ARE THE PEOPLE THAT LET YOU
9 DOWN, THOSE ARE THE PEOPLE THAT LET US DOWN AS WELL, BECAUSE
10 IT IS NOT OUR INTEREST TO CLOSE THESE KINDS OF ORGANIZATIONS
11 DOWN, PARTICULARLY WITH THE KIND OF DEDICATED WORK THAT HAS
12 BEEN DONE HERE. IT IS REALLY SHAMEFUL.

13

14 **ADELA GUTIERREZ:** IT IS AND IT'S A WASTE BECAUSE US SOCIAL
15 WORKERS HAVE DONE OUR BEST AND GIVEN IT OUR ALL.

16

17 **SUP. MOLINA, CHAIR:** I UNDERSTAND THAT. AND WE WANT TO BE
18 RESPECTFUL.

19

20 **ADELA GUTIERREZ:** OKAY. THANK YOU.

21

22 **SUP. BURKE:** MADAM CHAIR?

23

24 **SUP. MOLINA, CHAIR:** YES? THANK YOU VERY MUCH, GUTIERREZ.

25



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1 **SUP. BURKE:** YOU KNOW, OBVIOUSLY, WHATEVER ACTION WE TAKE, HE'S
2 PROBABLY GOING TO APPEAL, SINCE HE'S APPEALED EVERYTHING THAT
3 HAS HAPPENED BEFORE. DO WE HAVE THE ABILITY TO PUT AN
4 ORGANIZATION LIKE THIS INTO RECEIVERSHIP WHERE THEY BRING IN A
5 WHOLE DIFFERENT GROUP OF ADMINISTRATORS? [APPLAUSE]

6
7 **SUP. BURKE:** IN VIEW OF THE FACT THAT THERE IS AN AMOUNT OF
8 THIS SIZE OWED TO THE COUNTY OF LOS ANGELES OR, I DON'T KNOW,
9 IT MAY BE TO THE STATE OF CALIFORNIA, I'M NOT SURE, BUT
10 CERTAINLY THERE ARE SOME FUNDS OWED TO THE COUNTY OF LOS
11 ANGELES. DO WE HAVE THE AUTHORITY TO PLACE THIS IN FEDERAL--
12 OR RECEIVERSHIP SO THAT THERE IS BROUGHT IN A WHOLE COMPANY
13 TO-- A PERSON WHO IS RECEIVER, WHO TAKES IT OVER, BRINGS IN
14 HIS OWN PEOPLE TO OPERATE IT?

15

16 **RAYMOND FORTNER, COUNSEL:** MADAM CHAIR, SUPERVISOR BURKE, THAT
17 IS CERTAINLY A POSSIBILITY TO LOOK AT. I CAN'T TELL YOU
18 DEFINITELY NOW THAT, GIVEN THE CIRCUMSTANCES WITH A
19 NONPROFIT CORPORATION, WHICH IS REALLY UNDER THE SUPERVISION
20 OF THE ATTORNEY GENERAL, BUT WE CAN CERTAINLY LOOK AT THAT AS
21 ONE MEANS OF BRINGING ORDER TO THIS STRUCTURE THAT WOULD BE
22 HELPFUL TO THE BOARD.

23



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1 **SUP. BURKE:** I KNOW ONE NONPROFIT WHERE THEY DID BRING IN, I
2 THOUGHT THEY BROUGHT IN A RECEIVER AT UNITED HEALTH PLAN. I
3 THOUGHT THAT WAS NONPROFIT.

4

5 **SUP. MOLINA, CHAIR:** MS. BURKE...

6

7 **SUP. BURKE:** I'M SORRY.

8

9 **SUP. MOLINA, CHAIR:** SUPERVISOR ANTONOVICH AND I HAVE BEEN
10 TALKING ABOUT IT. WE'RE VERY CONCERNED. THERE'S NO DOUBT THAT
11 THE TESTIMONY IS VERY COMPELLING WITH REGARD TO THE WORK THAT
12 HAS BEEN DONE IN THIS ORGANIZATION. UNFORTUNATELY, IT'S
13 EQUALLY AS COMPELLING WHEN YOU READ THE AUDIT REPORT THAT YOU
14 HAVE A LOT OF IRRESPONSIBILITY WHEN IT COMES TO FINANCIAL
15 ISSUES. SO WE'RE LOOKING AT MOVING FORWARD THE MOTION TO
16 TERMINATE WITH THIS ORGANIZATION BUT WE WANT TO ASK THE
17 DIRECTOR OF CHILDREN SERVICES TO SEE IF THERE IS A WAY THAT,
18 IN THE NEXT COUPLE OF WEEKS, HE COULD LOOK FOR AN OPPORTUNITY
19 OF HOW TO RECONSTITUTE THIS ORGANIZATION SO THAT WE COULD
20 REMOVE, SOME CALL IT THE CANCER BUT I WILL SAY THE FINANCIAL
21 IRRESPONSIBILITY AND SEE IF THERE IS SOME WAY, UNDER SOME
22 OTHER NONPROFIT UMBRELLA, TO MAYBE TAKE OVER THE
23 RESPONSIBILITIES AND THE MISSION OF THE WORK WITH THE
24 EMPLOYEES THAT, AGAIN, COULD HONOR NOT ONLY THE MISSION BUT
25 THE RESPONSIBILITIES TO THE CONTRACT AND SO SUPERVISOR



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1 ANTONOVICH AND I WOULD LIKE TO AMEND OUR MOTION TO MAKE THAT
2 REQUEST OF THE DIRECTOR. [APPLAUSE]

3

4 **SUP. MOLINA, CHAIR:** BUT IT DOES ASK-- IT DOES ASK TO TERMINATE
5 THE CONTRACT FOR CONVENIENCE FOR NOW. SUPERVISOR ANTONOVICH?

6

7 **SUP. ANTONOVICH:** LET ME ASK DR. SANDERS, IS THERE A MECHANISM
8 WHERE WE CAN GO BACK TO THE PREVIOUS DIRECTOR FOR FUNDS THAT
9 HE MISUSED TO BE PAID BACK TO THE COUNTY?

10

11 **DAVID SANDERS:** SUPERVISOR ANTONOVICH, I-- WE CAN WORK WITH
12 COUNTY COUNSEL ON THAT AND THE AUDITOR-CONTROLLER ON SPECIFIC
13 MECHANISMS WITH THE DIRECTOR AND COME BACK IN A REPORT IN A
14 COUPLE OF WEEKS TO THE BOARD ON IT.

15

16 **SUP. ANTONOVICH:** AND IS THERE A WAY OF RESTRUCTURING FUTURE
17 CONTRACTS, NOT JUST WITH THIS AGENCY AS WE MOVE FORWARD BUT
18 WITH THE OTHER AGENCIES TO AVOID THESE TYPES OF MISMANAGEMENTS
19 AND MISUSE OF FUNDS?

20

21 **DAVID SANDERS:** SUPERVISOR ANTONOVICH, WE ARE WORKING WITH THE
22 AUDITOR-CONTROLLER ON CHANGES TO THE F.F.A. CONTRACT THAT ARE--
23 - WILL STRENGTHEN THE FISCAL ACCOUNTABILITY IN THE AREA OF USE
24 OF FUNDS, OF FIXED ASSETS, OF PROGRAM COST ALLOCATIONS.

25 THERE'S A VARIETY OF AREAS THAT WE'RE WORKING ON AND SO WE CAN



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1 STRENGTHEN THE LANGUAGE IN THE CONTRACT. ULTIMATELY, THE
2 BOARDS FOR THE AGENCIES, AS WELL AS THE DIRECTORS OF THE
3 AGENCIES, HAVE A RESPONSIBILITY TO ALSO ADHERE TO THE
4 CONTRACT. SO BOTH ARE IMPORTANT BUT WE THINK WE CAN STRENGTHEN
5 THE LANGUAGE.

6

7 **SUP. ANTONOVICH:** AND HAD YOU HAD THE OPPORTUNITY TO REVIEW
8 SOME OF THE PROGRAMS THAT HAD BEEN OPERATED BY THIS AGENCY AS
9 TO THEIR SUCCESS?

10

11 **DAVID SANDERS:** SUPERVISOR ANTONOVICH, I HAVE. WE HAD A
12 DEPARTMENT PROGRAM AUDIT IN 2003 AND THEN WE'VE HAD THE
13 OPPORTUNITY, DURING THE LAST FEW WEEKS, TO SURVEY SOME OF THE
14 STAFF ABOUT THEIR EXPERIENCES WITH THE AGENCY AND, GENERALLY
15 FROM A PROGRAM PERSPECTIVE, IT'S SEEN AS A QUALITY AGENCY. THE
16 YOUTH THAT WE'VE INTERVIEWED HAVE BEEN PLEASED IN THEIR CARE
17 OF THE WORKERS IN THE DEPARTMENT, THEY'VE BEEN PLEASED WITH
18 THE SERVICES THAT THE AGENCY OFFERED. THE AUDIT IN 2003 RAISED
19 SOME MINOR CONCERNS BUT GENERALLY IT'S SEEN AS A QUALITY
20 AGENCY PROGRAMMATICALLY.

21

22 **SUP. ANTONOVICH:** AND THAT'S WHY THE ACTIONS TODAY TO SEVER THE
23 CONTRACT AND THEN DIRECT YOU TO MOVE FORWARD SO THAT WE CAN
24 SEE HOW WE CAN RECONSTITUTE TO ENSURE THAT, YOU KNOW, THE
25 CHILDREN AREN'T GOING TO BE REMOVED FROM THEIR FOSTER HOMES



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1 AND, SECONDLY, THAT THE EMPLOYEES WHO HAVE DONE A WONDERFUL
2 JOB WITH GOOD PROGRAMS ARE NOT GOING TO BE DISPLACED AND WILL
3 BE ABLE TO RETAIN THESE SERVICES IS WHAT'S VITAL IN THE THIRD
4 PART AND HOW WE CAN RECAPTURE FUNDS THAT HAD BEEN MISUSED BY
5 THE PREVIOUS DIRECTOR.

6

7 **SUP. MOLINA, CHAIR:** VERY GOOD. MR. KNABE?

8

9 **SUP. KNABE:** I DON'T KNOW MUCH-- I BASICALLY WAS GOING TO MAKE
10 THE SAME COMMENT BECAUSE MY CONCERN, OBVIOUSLY, IN LOOKING
11 BACK THAT THE PROGRAM SITUATION THERE HAS BEEN VERY, VERY GOOD
12 AND NOT AN ISSUE AT ALL AND IT'S VERY DIFFICULT FOR US TO SIT
13 HERE AND TAKE ALL THAT TESTIMONY. I UNDERSTAND YOU HAVE GREAT
14 PROGRAMS BUT YOU HAVE THIS FINANCIAL MISMANAGEMENT. I WAS
15 GOING TO ASK THE SAME QUESTION THAT SUPERVISOR BURKE DID ABOUT
16 THE POSSIBILITY OF, YOU KNOW, SORT OF TAKING THIS IN ITS FORM
17 AND EITHER LOOKING FOR OTHER POTENTIAL AGENCIES TO DO
18 SOMETHING, TO TAKE IT OVER, SO-- AND THEN THE MOST IMPORTANT
19 THING, OBVIOUSLY, IS THAT THE CHILDREN AREN'T IMPACTED FOR A
20 MINUTE, FOR A SECOND OR ANYTHING ELSE, THAT WE MAINTAIN THE
21 INTEGRITY OF WHAT WE'RE ATTEMPTING TO DO OUT THERE BECAUSE,
22 OBVIOUSLY, THIS IS A CRITICAL FOR ALL OF THEM AS WELL, TOO,
23 SO...

24



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1 **SUP. MOLINA, CHAIR:** AND LET ME JUST ADD, PARTICULARLY TO THE
2 CHILDREN WHO ARE HERE, I HOPE NOBODY HAS THREATENED YOU AT ALL
3 AND TELLING YOU TO COME HERE AND THAT THIS BOARD WAS GOING TO
4 TAKE ANYTHING AWAY FROM YOU, PARTICULARLY YOUR HOME, THE
5 SECURITY THAT YOU HAVE PRESENTLY AND THE SERVICES THAT YOU'RE
6 ENTITLED TO. IT IS OUR RESPONSIBILITY TO MAKE SURE THAT THE
7 PEOPLE WHO ADMINISTER THESE KINDS OF PROGRAMS AND WHO ARE
8 FINANCIALLY RESPONSIBLE TO ALL OF US ARE PROVIDING A DUTY TO
9 YOU. SO IF ANYBODY THREATENS YOU AND ASKS YOU TO COME HERE AND
10 PROVIDE THAT KIND OF TESTIMONY, IT'S INAPPROPRIATE. WE ARE
11 GOING TO MAKE SURE AND ALL OF US ARE AVAILABLE TO EACH AND
12 EVERY SINGLE ONE OF YOU, IF YOU FEEL THAT THAT IS UNJUST OR
13 UNFAIR. BUT UNDERSTAND WE ARE FOLLOWING AN AUDIT REPORT THAT
14 HAS SOME VERY SERIOUS ALLEGATIONS. SOME OF US WOULD LIKE TO
15 SEE SOME OF THE PEOPLE PROSECUTED FOR, AGAIN, THE KIND OF
16 MISUSE OF THESE FUNDS. WHETHER THAT'S APPROPRIATE OR NOT, I
17 DON'T KNOW, BUT IT IS HORRENDOUS TO US WHEN, REPRESENTING
18 TAXPAYERS, WE PUT CONTRACTS OUT THERE FOR SERVICES AND PEOPLE
19 DON'T OWN UP TO THEIR RESPONSIBILITY AND THEIR DUTY. SO WE
20 APOLOGIZE TO EVERY SINGLE ONE OF YOU. IS THERE-- SO WITH THAT
21 AMENDMENT IN PLACE, IS THAT-- ANY OBJECTION?

22

23 **SUP. KNABE:** I MEAN, IS THAT COMING BACK, THEN, IN TWO WEEKS?
24 IS HOW-- I KNOW YOU'RE MOVING FORWARD ON THE...

25



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The Los Angeles County Board of Supervisors

1 **SUP. MOLINA, CHAIR:** WHAT IS GOING TO HAPPEN IS WE ARE
2 TERMINATING FOR CONVENIENCE ON THE CONTRACT. WE'RE ASKING DR.
3 SANDERS, IN THE INTERIM, FOR THE NEXT COUPLE OF WEEKS OR SO,
4 IF HE'D LET US KNOW WHAT KIND OF ARRANGEMENT HE COULD MAKE SO
5 THIS ORGANIZATION, WITH ITS MISSION, ITS WORKERS AND THE
6 FAMILIES THAT THEY'RE RESPONSIBLE TO COULD COME UNDER SOME
7 OTHER UMBRELLA OF SOME SORT SO THEY COULD CONTINUE THEIR WORK.

8

9 **SUP. BURKE:** AND WHO OPERATES IT IN THE NEXT TWO WEEKS?

10

11 **SUP. MOLINA, CHAIR:** THEY WILL CONTINUE-- IT WILL CONTINUE FOR
12 90 DAYS UNDER THE OPERATION AS IS. THAT'S AS WE TERMINATE FOR
13 CONVENIENCE.

14

15 **SUP. BURKE:** AND THAT'S MR. STEINBERG OR IS THAT-- WHO IS THE
16 PERSON IN CHARGE?

17

18 **SUP. KNABE:** NO, NO. HIS RESIGNATION WAS EFFECTIVE YESTERDAY, I
19 WAS TOLD.

20

21 **SUP. BURKE:** WHO IS IN CHARGE OF IT NOW? WHO TOOK HIS PLACE?

22

23 **SUP. ANTONOVICH:** THE BOARD OF DIRECTORS HAVE GOING TO HAVE TO
24 MAKE A DECISION.

25



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1 SUP. MOLINA, CHAIR: THAT'S THE PROBLEM. YVONNE, HE'S STILL
2 THERE.

3

4 SUP. BURKE: I'M SURE HE'S STILL THERE. I UNDERSTAND HE'S STILL
5 THERE. HE'S THERE AS INTAKE WORKER IS THE NAME OF THE TITLE HE
6 HAS.

7

8 SUP. YAROSLAVSKY: INTAKE COORDINATOR.

9

10 SUP. BURKE: COORDINATOR, YEAH. HE'S STILL THERE.

11

12 SUP. MOLINA, CHAIR: FOR 290,000. HEY, THAT'S A NICE SALARY, IF
13 YOU CAN GET IT. ALL RIGHT. MORE THAN THAT? UGH.

14

15 SUP. KNABE: SO WHAT WE'RE SAYING IS STEINBERG'S CONTRACT WAS
16 TERMINATED YESTERDAY AND...

17

18 SUP. MOLINA, CHAIR: NO. WELL, AS WE UNDERSTAND, HE IS STILL
19 THERE. AS WE UNDERSTAND, HE MIGHT STILL BE GETTING A VERY HIGH
20 SALARY BUT IS UNDER A DIFFERENT POSITION NOW. THIS
21 ORGANIZATION IS IN TURMOIL AT A FINANCIAL LEVEL. IT SEEMS AS
22 THOUGH THE WORKERS ARE STILL CARRYING OUT THEIR WORK. THEY
23 WERE NOT AWARE OF SOME OF THESE MISHANDLING OF THEIR
24 FINANCIAL...

25



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1 **SUP. BURKE:** MAY I ASK JUST ONE FURTHER QUESTION? IF YOU
2 TERMINATE THE CONTRACT RIGHT NOW, HOW-- DOES ANY MONEY FLOW OR
3 HOW DO YOU CONTINUE TO HAVE MONEY FLOWING? HOW DO YOU DO THAT
4 IF YOU TERMINATE?

5

6 **DAVID SANDERS:** SUPERVISOR BURKE, UNDER THE TERMS WITHIN THE
7 CONTRACT TO TERMINATE FOR CONVENIENCE, THERE'S A 90-DAY PERIOD
8 BEFORE THE TERMINATION ACTUALLY OCCURS, SO THERE WOULD BE A
9 90-DAY PROCESS...

10

11 **SUP. BURKE:** THERE WOULD BE A 90-DAY PERIOD IN THERE. OKAY.

12

13 **SUP. MOLINA, CHAIR:** ALL RIGHT. IT'S BEEN MOVED BY MYSELF,
14 SECONDED BY SUPERVISOR ANTONOVICH. IS THERE ANY OBJECTION? IF
15 NOT, SO ORDERED AS AMENDED. ALL RIGHT. THE NEXT ITEM THAT I'D
16 LIKE TO TAKE UP, BELIEVE IT OR NOT, WE'RE TELL ON MY SPECIALS,
17 IS ITEM NUMBER 21. FOR THOSE OF YOU THAT ARE LEAVING, IF YOU
18 WOULD PLEASE QUICKLY LEAVE QUIETLY, WE HAVE OTHER ITEMS THAT
19 WE NEED TO TAKE UP. THANK YOU VERY MUCH. ALL RIGHT. ON THIS
20 ITEM, I GUESS THE C.A.O. IS GOING TO WHAT? ARE YOU GOING TO
21 ISSUE YOUR REPORT AND HAVE THE SHERIFFS COME FORWARD TO DO THE
22 REPORT? ARE THE SHERIFF'S FOLKS HERE?

23

24 **C.A.O. JANSSEN:** MADAM CHAIR, THE ITEM BEFORE YOU IS TO REVIEW
25 A MEMO...



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The Los Angeles County Board of Supervisors

1

2 **SUP. MOLINA, CHAIR:** COULD I ASK YOU TO PLEASE LEAVE QUIETLY.

3

4 **C.A.O. JANSSEN:** IS A MEMORANDUM, A PROPOSED MEMORANDUM OF
5 UNDERSTANDING BETWEEN THE SHERIFF'S DEPARTMENT AND THE BUREAU
6 OF IMMIGRATIONS AND CUSTOMS ENFORCEMENT.

7

8 **SUP. MOLINA, CHAIR:** PLEASE PROCEED.

9

10 **CHIEF CHUCK JACKSON:** GOOD AFTERNOON, SUPERVISOR. CHUCK
11 JACKSON, CHIEF CORRECTIONAL SERVICES DIVISION.

12

13 **JOHN SCOTT:** AND JOHN SCOTT, CHIEF OF CUSTODY OPERATIONS
14 DIVISION.

15

16 **SUP. MOLINA, CHAIR:** WE'RE WAITING FOR YOUR REPORT, SIR.

17

18 **CHIEF CHUCK JACKSON:** WE'RE JUST BACK HERE WITH THE
19 RECOMMENDATION FOR THE...

20

21 **SUP. MOLINA, CHAIR:** WHY DON'T YOU DESCRIBE IT FOR US AS TO
22 WHAT YOU'RE ASKING US TO DO.

23

24 **CHIEF CHUCK JACKSON:** WE'RE ASKING THE BOARD TO...

25



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1 **SUP. MOLINA, CHAIR:** COULD I AGAIN ASK THE PEOPLE WHO ARE
2 LEAVING TO PLEASE LEAVE QUIETLY? WE HAVE OTHER BUSINESS WE
3 NEED TO TAKE UP. PLEASE.

4

5 **CHIEF CHUCK JACKSON:** THANK YOU, MA'AM. THE SHERIFF IS AGAIN
6 ASKING THE BOARD OF SUPERVISORS TO APPROVE AN M.O.U. WITH THE
7 BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT WHICH PROVIDES
8 FOR THE TRAINING OF SIX OF OUR CUSTODY ASSISTANT PERSONNEL IN
9 WHICH TO CONDUCT INTERVIEWS OF IN-CUSTODY INMATES AT THE
10 INMATE RECEPTION CENTER TO DETERMINE IF THEY'RE CRIMINAL
11 ILLEGAL ALIENS OR DEPORTABLE UNDER OTHER FEDERAL STATUTES.
12 THAT COMES WITH A FOUR-WEEK TRAINING PROCESS AND CERTIFICATION
13 PROCESS FROM IMMIGRATION CUSTOMS ENFORCEMENT AND IT'S TO BE
14 CONDUCTED BY-- IN PERSONNEL ALREADY ASSIGNED TO INMATE
15 RECEPTION CENTER.

16

17 **SUP. MOLINA, CHAIR:** THAT'S IT?

18

19 **CHIEF CHUCK JACKSON:** YES, MA'AM.

20

21 **SUP. MOLINA, CHAIR:** OKAY. SO CAN I ASK YOU, WHY IS IT THAT THE
22 I.C.E. ITSELF DOES NOT CARRY OUT THIS RESPONSIBILITY?

23

24 **CHIEF CHUCK JACKSON:** CURRENTLY WE HAVE TWO, TO MY KNOWLEDGE,
25 TWO IMMIGRATIONS CUSTOM ENFORCEMENTS AGENTS ASSIGNED TO INMATE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 RECEPTION CENTER. THEY ALSO HAVE A SUPERVISOR THAT APPEARS ON
2 SITE FREQUENTLY. WE HAVE MADE A REQUEST, THE SHERIFF HAS MADE
3 A WRITTEN REQUEST FOR IMMIGRATION CUSTOMS ENFORCEMENT FOR AN
4 ADDITIONAL 12 AGENTS TO BE ASSIGNED TO THE INMATE RECEPTION
5 CENTER BECAUSE OF THE VOLUME OF INMATES WE PROCESS. WE HAVE
6 NOT RECEIVED ANY RESPONSE FROM IMMIGRATION CUSTOMS TO PROVIDE
7 ADDITIONAL AGENTS TO L.A. COUNTY JAIL.

8

9 **SUP. MOLINA, CHAIR:** AND RIGHT NOW, UNDER THE INTERVIEW PROCESS
10 THAT GOES ON BY THE-- BY I.C.E., WHEN THEY DO THESE
11 INTERVIEWS, HOW ARE THOSE FOLKS PROCESSED?

12

13 **CHIEF CHUCK JACKSON:** THE NAMES OF THE INMATES TO BE
14 INTERVIEWED BY I.C.E. ARE PREPARED BY INMATE RECEPTION CENTER
15 PERSONNEL AND IT'S BASED ON PRIMARILY SELF-ADMITTED ALIENS IN
16 OUR CUSTODY. AT TIME OF BOOKING, AN ARRESTEE IS ASKED WHERE
17 THEY'RE BORN AND, IF THEY REPORT THAT THEY'RE BORN OUTSIDE THE
18 UNITED STATES, THERE'S AN "X" PUT IN THE BOX. THAT INFORMATION
19 IS ELECTRONICALLY TRANSMITTED TO THE FEDERAL DATABASES, I
20 BELIEVE IT'S IN BALTIMORE, MARYLAND. IT GOES THROUGH SEVEN
21 DIFFERENT DATABASES, IS THEN RETURNED TO THE ARRESTING AGENCY
22 AND SOME OF THAT INFORMATION COULD BE THAT THE PERSON HAS BEEN
23 A PREVIOUSLY CONVICTED, PREVIOUSLY DEPORTED CRIMINAL ALIEN.
24 GENERALLY, THOSE ARE BACKED UP WITH THUMBPRINT SCAN. SO IT'S A
25 POSITIVE ID. IT COULD RETURN THAT THEY HAVE AN ALIEN



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 REGISTRATION NUMBER. AN ALIEN REGISTRATION NUMBER HAS SEVERAL
2 DIFFERENT MEANINGS, AS YOU KNOW. THEY COULD BE IN THE COUNTRY
3 LEGALLY. THEY COULD BE HERE ON A WORK VISA, THEY COULD BE HERE
4 ON OTHER LEGAL MEANS. IT CAN ALSO MEAN THAT THEY'RE IN THE
5 COUNTRY ILLEGALLY AND HAVE A NUMBER THEY'VE BEEN IDENTIFIED
6 BEFORE. THEY COULD HAVE BEEN DEPORTED BEFORE, MAY OR MAY NOT
7 HAVE HAD A CRIMINAL HISTORY, OR THEY COULD JUST BE SOMEONE
8 THAT'S FOREIGN BORN AND THOSE USUALLY HIT ON A SOUND EX TYPE OF
9 SYSTEM. THAT DOES NOT MEAN THAT THEY'RE HERE ILLEGALLY. THEY
10 COULD BE HERE LEGALLY. PART OF THE INTERVIEW PROCESS IS TO
11 ESTABLISH JUST THAT, ARE THEY IN THE COUNTRY LEGALLY AND THAT
12 TYPE OF INFORMATION.

13

14 **SUP. MOLINA, CHAIR:** SO THESE WORKERS RIGHT NOW THAT ARE THERE
15 FROM I.C.E. DO NOT PROCESS THESE APPLICATIONS?

16

17 **CHIEF CHUCK JACKSON:** ACTUALLY, THEY TAKE THE INFORMATION. WE
18 RECEIVE A COMPUTER PRINTOUT, A LIST OF NAMES. WE PROVIDE A
19 LIST OF THOSE NAMES AND BOOKING NUMBERS TO IMMIGRATION CUSTOMS
20 ENFORCEMENT. AND WE PROVIDE ABOUT 20 TO 25 NUMBERS PER DAY,
21 WHICH IS ABOUT THE VOLUME THEY CAN HANDLE. WE TRY TO GET THOSE
22 INMATES TRANSFERRED DOWN TO EITHER MEN'S CENTRAL JAIL OR TWIN
23 TOWERS SO THEY CAN BE INTERVIEWED AT I.R.C. THE AGENTS TAKE
24 THAT LIST OF NAMES, THEY CONDUCT THE INTERVIEWS ON THE INMATES
25 THAT WE PROVIDE THEM AND THEN THEY FILL OUT THE APPROPRIATE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 PAPERWORK FOR PROCESSING. SOME INMATES ARE DETAINED, OTHER
2 INMATES ARE RELEASED.

3

4 **SUP. MOLINA, CHAIR:** AND SO, AGAIN, WHEN THEY DO THESE
5 INTERVIEWS AND THEN THEY CHECK THE BOX OR WHATEVER THEY DO AND
6 THEN THEY SEND THAT OFF TO BE CHECKED BY SOME DATA CENTER,
7 RIGHT?

8

9 **CHIEF CHUCK JACKSON:** THAT'S THE VERY FIRST PART OF THE BOOKING
10 PROCESS. THAT OCCURS AT POINT OF ARREST. THAT COULD BE POMONA
11 P.D., THAT COULD BE CLAREMONT, THAT COULD BE THE SHERIFF'S
12 STATION.

13

14 **SUP. MOLINA, CHAIR:** WAIT. I JUST WANT TO UNDERSTAND THE
15 PROCESS. AT THE TIME OF BOOKING, THE I.C.E. OFFICERS...

16

17 **CHIEF CHUCK JACKSON:** THEY HAVE NOTHING TO DO WITH IT.

18

19 **SUP. MOLINA, CHAIR:** OH, OKAY. SO RIGHT NOW, OUR FOLKS ARE
20 ASKING, OUR DEPUTIES ARE ASKING THEM TO CHECK THE BOX OR THE
21 BOX IS CHECKED IF THEY SAY THEY ARE NOT IN THIS COUNTRY
22 LEGALLY OR IF THERE'S ANY SUSPICION THEY MAY NOT BE IN THIS
23 COUNTRY LEGALLY. IS THAT CORRECT?

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **CHIEF CHUCK JACKSON:** NO. ALL LAW ENFORCEMENT AGENCIES MAKING
2 ARRESTS ASK THE QUESTION, WHERE WERE YOU BORN? IF THE PERSON
3 RESPONDS THEY WERE BORN ENGLAND, SWITZERLAND, MEXICO...

4

5 **SUP. MOLINA, CHAIR:** SO THEY CHECK THE BOX?

6

7 **CHIEF CHUCK JACKSON:** THEY CHECK THE BOX.

8

9 **SUP. MOLINA, CHAIR:** AND THEN THAT INFORMATION THEN GOES...

10

11 **CHIEF CHUCK JACKSON:** IT'S ELECTRONICALLY TRANSMITTED AS PART
12 OF THE BOOKING PROCESS THROUGH THE DATABASES IN BALTIMORE,
13 MARYLAND.

14

15 **SUP. MOLINA, CHAIR:** OKAY. AND THEN WHAT HAPPENS WHEN THOSE
16 NAMES COME BACK TO YOU, WHEN YOU RECONCILE THAT LIST AND IT
17 SHOWS THAT THESE PEOPLE MAY HAVE ANY OF THOSE ITEMS THAT YOU
18 JUST MENTIONED? THEN THEY GET CALLED DOWN TO THE I.C.E.
19 OFFICERS?

20

21 **CHIEF CHUCK JACKSON:** NO, MA'AM. THAT INFORMATION IS
22 TRANSMITTED BACK TO THE ARRESTING AGENCY.

23

24 **SUP. MOLINA, CHAIR:** TO THE ARRESTING AGENCY?

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **CHIEF CHUCK JACKSON:** CORRECT. NOW, SOME OF THOSE ARE AUTOMATIC
2 HOLDS. IN A CASE OF...

3

4 **SUP. MOLINA, CHAIR:** SO IF, IN GLENDALE, THEY ARRESTED HIM, IT
5 GOES BACK TO GLENDALE?

6

7 **CHIEF CHUCK JACKSON:** THAT'S CORRECT, YES, MA'AM.

8

9 **SUP. MOLINA, CHAIR:** AND WHAT DOES GLENDALE DO WITH IT?

10

11 **CHIEF CHUCK JACKSON:** I DON'T KNOW.

12

13 **SUP. MOLINA, CHAIR:** YOU DON'T KNOW?

14

15 **CHIEF CHUCK JACKSON:** IF THEY DON'T HAVE A HOLD, GLENDALE WILL
16 JUST PROCESS THE INMATE. IF THERE'S NO REASON TO, THERE'S NO
17 DETAINER...

18

19 **SUP. MOLINA, CHAIR:** DOES THIS HAPPEN, LIKE, REAL QUICKLY? I
20 MEAN BUT, IN THE MEANTIME, I WANT TO-- LET'S SAY THAT GLENDALE
21 ARRESTED SOMEONE BUT HE IS SENT OVER HERE TO OUR JAIL.

22

23 **CHIEF CHUCK JACKSON:** THAT USUALLY TAKES TWO TO THREE DAYS.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA, CHAIR:** ALL RIGHT. SO, IN THE MEANTIME, THEY COULD
2 GET THIS INFORMATION VERY QUICKLY?

3

4 **CHIEF CHUCK JACKSON:** YES, MA'AM.

5

6 **SUP. MOLINA, CHAIR:** OKAY, SO, IF GLENDALE GETS THIS
7 INFORMATION AND THEY CAN MAKE A DETERMINATION AS TO WHAT
8 THEY'RE GOING TO DO?

9

10 **CHIEF CHUCK JACKSON:** NOT ACCORDING-- NOT TO DEAL WITH
11 IMMIGRATION ISSUES UNLESS IT'S A HIGH CAP RESPONSE, WHICH
12 MEANS...

13

14 **SUP. MOLINA, CHAIR:** BUT YOU JUST SAID YOU DIDN'T KNOW WHAT
15 THEY DID. I WANT-- JUST LET ME ASK-- SO THEY GET THIS
16 INFORMATION, THE ARRESTING AGENCY GETS THIS INFORMATION,
17 GLENDALE GETS THIS INFORMATION. WHAT DOES IT DO WITH IT?

18

19 **CHIEF CHUCK JACKSON:** DEPENDING ON THE INFORMATION THEY
20 RECEIVE, THERE'S DIFFERENT TYPES OF RESPONSES.

21

22 **SUP. MOLINA, CHAIR:** ALL RIGHT. IF THEY RECEIVE ANY OF THOSE
23 THINGS...

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **CHIEF CHUCK JACKSON:** THERE'S A DIFFERENT TYPE OF RESPONSE. IF
2 IT'S A HIGH CAP HIT, THAT IS SOMEBODY THAT HAS BEEN LEGALLY--
3 OR DEPORTED AND CONVICTED OF CRIMES IN THE UNITED STATES,
4 VERIFIABLE THROUGH FINGERPRINTS. THAT INFORMATION IS VERY
5 IMPORTANT TO US AND THEY'LL ALSO COME WITH IT A HOLD. SO THAT
6 INFORMATION, THEY DON'T HAVE TO DEAL WITH IT. IT'S TRANSMITTED
7 TO US AS THEY PROCESS THEIR INMATES. IF IT'S...

8

9 **SUP. MOLINA, CHAIR:** WELL, WAIT. SO GLENDALE NOW HAS THE
10 INFORMATION, YOU'VE SENT IT TO THE ARRESTING AGENCY AND THEY
11 AUTOMATICALLY HAVE TO HOLD THAT INDIVIDUAL.

12

13 **CHIEF CHUCK JACKSON:** ONLY IF IT'S A POSITIVE ID HIGH CAP HIT.

14

15 **SUP. MOLINA, CHAIR:** YES, IT DOES. SO THEN IT TRAVELS WITH IT
16 AS HE GETS PROCESSED THROUGH OUR JAIL, CORRECT?

17

18 **CHIEF CHUCK JACKSON:** YES, MA'AM.

19

20 **SUP. MOLINA, CHAIR:** ALL RIGHT.

21

22 **CHIEF CHUCK JACKSON:** NOW, THE OTHER TYPES OF HITS ARE
23 DIFFERENT AND THEY'RE HANDLED DIFFERENTLY BECAUSE GLENDALE OR
24 POMONA MAY NOT CARE IF AN INMATE HAS OR AN ARRESTEE HAS AN
25 ALIEN REGISTRATION NUMBER SO THEY DON'T DO ANYTHING AS FAR AS



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1 PROCESSING. BUT THAT SAME INFORMATION IS INCLUDED IN THE
2 PAPERWORK THAT EVENTUALLY WILL COME WITH THE INMATE IF HE
3 EVERY GETS TO THE INMATE RECEPTION CENTER. THAT CAN BE TWO TO
4 THREE DAYS LATER.

5

6 **SUP. MOLINA, CHAIR:** ALL RIGHT. BUT IF A PERSON COMES IN AND
7 HE'S IDENTIFIED AS SOMEONE WHO IS FOREIGN BORN BUT YOU DO HAVE
8 ANY FINGERPRINTS, YOU DON'T HAVE ANY DATA ON HIM, WHAT HAPPENS
9 TO THAT RECORD?

10

11 **CHIEF CHUCK JACKSON:** NOTHING.

12

13 **SUP. MOLINA, CHAIR:** NOTHING. SO THEN THERE'S NOTHING THAT GOES
14 WITH HIM TO THE JAIL ONCE THE...

15

16 **CHIEF CHUCK JACKSON:** WELL, IF YOU'RE ASKING ME WHAT HAPPENS TO
17 THAT INFORMATION WHILE THE INMATE'S IN THE POLICE DEPARTMENT
18 CUSTODY? NOTHING. IF HE GOES TO COURT AND HE GETS RELEASED, HE
19 GETS RELEASED. IF THE INMATE GOES THROUGH THE CRIMINAL PROCESS
20 FROM WHATEVER ARRESTING AGENCY IT IS AND GOES TO THE COURT,
21 GETS ARRAIGNED AND COMES TO INMATE RECEPTION CENTER FOR
22 PROCESSING, ALL THAT BOOKING INFORMATION, ARRESTEE INFORMATION
23 COMES WITH HIM OR HER. SO IT'S THERE AT I.R.C.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA, CHAIR:** ALL RIGHT. SO, AGAIN, NOW, TELL ME, WHERE
2 DOES I.C.E. COME IN? THE TWO PEOPLE WHO ARE WORKING THERE WITH
3 THE SUPERVISOR?

4

5 **CHIEF CHUCK JACKSON:** CURRENTLY, THE TWO I.C.E. AGENTS ASSIGNED
6 TO INMATE INTERCEPTION RECEPTION CENTER ARE GIVEN A LIST OF
7 NAMES EVERY DAY, ABOUT 20 TO 25 NAMES. THESE ARE GENERALLY
8 PEOPLE THAT ARE GETTING READY FOR RELEASE TO SOME PLACE. THEY
9 THEN CONDUCT INTERVIEWS OF THOSE 20 TO 25 NAMES. THEY MAKE A
10 DETERMINATION, BASED ON THAT INTERVIEW AND THEIR DATABASE
11 FINDINGS AND EVERYTHING ELSE, AS TO WHETHER OR NOT TO FILE A
12 DETAINER AND DO A NOTICE TO APPEAR OR TO GO AHEAD AND RELEASE
13 INTO THE COMMUNITY. AND THEN THEY LET US KNOW WHAT THEIR
14 DECISION IS.

15

16 **SUP. MOLINA, CHAIR:** ALL RIGHT. AND, WITH THE TWO OFFICERS THAT
17 ARE THERE, YOU CAN DO UP TO 25 INTERVIEWS?

18

19 **CHIEF CHUCK JACKSON:** THEY AVERAGE BETWEEN 14 AND 20 A DAY AND
20 WE TRY TO PULL UP-- PROVIDE A LIST OF 25 TO MAKE SURE THAT WE
21 HAVE SUFFICIENT INMATES AVAILABLE.

22

23 **SUP. MOLINA, CHAIR:** SO HOW LONG DOES IT TAKE TO DO THESE
24 INTERVIEWS?

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **CHIEF CHUCK JACKSON:** THAT DEPENDS. SOME INTERVIEWS ARE RATHER
2 QUICK, DEPENDING ON THE RESPONSE FROM THE INMATES. OTHER
3 INTERVIEWS ARE MORE COMPREHENSIVE. AGAIN, IT DEPENDS ON THE
4 INTERPLAY BETWEEN THE ARRESTEE AND THE AGENT.

5

6 **SUP. MOLINA, CHAIR:** LET'S SAY, ON AN AVERAGE, IF THEY'RE ABLE
7 TO DO 15 A DAY, HOW MANY ARE PLACED ON HOLD ON AVERAGE?

8

9 **CHIEF CHUCK JACKSON:** I BELIEVE IT'S ABOUT 12 TO 15 A DAY HAVE
10 HOLDS. THE REST OF THE INMATES ARE NOT HELD.

11

12 **SUP. MOLINA, CHAIR:** BUT YOU SAID THEY DO AN AVERAGE OF 15 A
13 DAY SO I DON'T...

14

15 **CHIEF CHUCK JACKSON:** WELL, I'M TALKING ABOUT AS FAR AS HOLDS.
16 OUT OF THE 25 INMATES, 20 MIGHT GET INTERVIEWED, 12 TO 15
17 MIGHT HAVE HOLDS. THE OTHER INMATES ARE NOT.

18

19 **SUP. MOLINA, CHAIR:** I SEE. AND SO, WHEN THEY'RE PLACED ON A
20 HOLD, WHAT HAPPENS TO THEM?

21

22 **CHIEF CHUCK JACKSON:** THEN THEY'RE REFERRED TO IMMIGRATION
23 CUSTOMS ENFORCEMENT AND, WITHIN 48 HOURS, THEY'RE PICKED UP BY
24 IMMIGRATION CUSTOMS.

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 SUP. MOLINA, CHAIR: AND THAT DOES HAPPEN?

2

3 CHIEF CHUCK JACKSON: YES, MA'AM.

4

5 SUP. MOLINA, CHAIR: THEY ARE PICKING THEM UP AND TAKING THEM
6 WHERE?

7

8 CHIEF CHUCK JACKSON: THAT'S CORRECT. TO THE FEDERAL DETENTION
9 CENTER.

10

11 SUP. MOLINA, CHAIR: ALL RIGHT. SO IS THERE A BACKUP, COULD YOU
12 PROVIDE PROVIDE MORE NAMES EVERY SINGLE DAY?

13

14 CHIEF CHUCK JACKSON: YES, MA'AM.

15

16 SUP. MOLINA, CHAIR: HOW MANY MORE NAMES?

17

18 CHIEF CHUCK JACKSON: PROBABLY UP TO 200 PER DAY.

19

20 SUP. MOLINA, CHAIR: YOU COULD PROVIDE AS MUCH AS 200 PER DAY
21 THAT ARE GOING TO BE RELEASED?

22

23 CHIEF CHUCK JACKSON: UP TO 200, YEAH.

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. MOLINA, CHAIR:** ALL RIGHT. AND SO, IF I.N.S. OR I.C.E. IS-
2 - IT'S ALMOST 90% OF THE PEOPLE INTERVIEWED, MAYBE 85% OF THE
3 PEOPLE INTERVIEWED ARE HOLDS-- RIGHT?

4

5 **CHIEF CHUCK JACKSON:** PROBABLY CLOSE TO THAT, YES, MA'AM.

6

7 **SUP. MOLINA, CHAIR:** SO, IF THEY WERE DOING 200 A DAY,
8 INTERVIEWS, RIGHT? YOU SAID YOU COULD PROVIDE 200 A DAY.

9

10 **CHIEF CHUCK JACKSON:** YES, MA'AM.

11

12 **SUP. MOLINA, CHAIR:** AND SO 85% OF THAT, LET'S SAY, WOULD BE
13 WHAT?

14

15 **CHIEF CHUCK JACKSON:** LET'S SEE, 50% IS A HUNDRED-- 170, 160.

16

17 **SUP. KNABE:** 175.

18

19 **SUP. MOLINA, CHAIR:** LET'S GO WITH 175.

20

21 **CHIEF CHUCK JACKSON:** OKAY.

22

23 **SUP. MOLINA, CHAIR:** OKAY. 175. SO THE I.N.S. WOULD TAKE THOSE
24 INDIVIDUALS AND DETAIN THEM IN THEIR FACILITIES?

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **CHIEF CHUCK JACKSON:** YES, MA'AM.

2

3 **SUP. MOLINA, CHAIR:** HOW MANY DETAINEES CAN THE I.N.S. TAKE?

4

5 **CHIEF CHUCK JACKSON:** I HAVE NOT AN IDEA RIGHT NOW.

6

7 **SUP. MOLINA, CHAIR:** HAVE YOU EVER ASKED I.C.E. HOW MANY THEY
8 CAN TAKE?

9

10 **CHIEF CHUCK JACKSON:** NO, MA'AM.

11

12 **SUP. MOLINA, CHAIR:** WHAT IF THEY COULDN'T TAKE BUT MAYBE 30 A
13 DAY? WHAT WOULD WE HAVE TO DO?

14

15 **CHIEF CHUCK JACKSON:** WELL, IT BECOMES THEIR RESPONSIBILITY.

16

17 **SUP. MOLINA, CHAIR:** WELL, WHAT DO WE DO? I MEAN, SAY, THEY'RE
18 SAYING, YOU GOT TO HOLD THEM?

19

20 **CHIEF CHUCK JACKSON:** WE WOULD NOTIFY IMMIGRATION CUSTOMS
21 ENFORCEMENT THAT WE HAVE INMATES READY FOR PICK UP. THEY HAVE
22 48 HOURS IN WHICH TO PICK UP THOSE INMATES.

23

24 **SUP. MOLINA, CHAIR:** AND IF YOU DON'T PICK THEM UP, WHAT...

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **CHIEF CHUCK JACKSON:** IF THEY DO NOT PICK UP THOSE INMATES IN
2 48 HOURS, THEY'LL BE RELEASED FROM L.A. COUNTY JAIL.

3

4 **SUP. MOLINA, CHAIR:** HOW MANY PEOPLE DO YOU RELEASE ON AVERAGE
5 WHEN THEY DON'T PICK THEM UP? NONE?

6

7 **CHIEF CHUCK JACKSON:** THEY'VE BEEN VERY GOOD ABOUT PICKING THEM
8 UP. VERY FEW...

9

10 **SUP. MOLINA, CHAIR:** SO YOU HAVEN'T RELEASED ANY?

11

12 **CHIEF CHUCK JACKSON:** THERE MAY BE A FEW BUT IT'S VERY SELDOM
13 THAT THEY DO NOT RESPOND WITHIN 48 HOURS TO PICK UP INMATES.

14

15 **SUP. MOLINA, CHAIR:** HAVE YOU EVER BEEN FORCED TO DETAIN THOSE
16 PEOPLE BECAUSE THEY CAN'T DO IT?

17

18 **CHIEF CHUCK JACKSON:** WE'VE NEVER BEEN FORCED TO DETAIN ANYONE,
19 NO, MA'AM.

20

21 **SUP. MOLINA, CHAIR:** BUT WOULDN'T YOU BE FORCED TO DETAIN THEM?
22 IF THEY SAID YOU HAVE TO HOLD THEM IN YOUR JAILS?

23

24 **CHIEF CHUCK JACKSON:** THEY ONLY HAVE 48 HOURS IN WHICH TO
25 PROCESS AND, OTHER THAN THAT, WE'RE NOT GOING TO HOLD THEM.



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The Los Angeles County Board of Supervisors

1

2 **SUP. MOLINA, CHAIR:** ALL RIGHT. WE HAVE BEEN TRYING TO GET
3 I.C.E. TO JOIN US TO ANSWER SOME OF THESE QUESTIONS BECAUSE
4 WE'RE NOT SURE EXACTLY WHAT THIS MEANS. WE'VE BEEN
5 UNSUCCESSFUL. I UNDERSTAND THE C.A.O. HAS ALSO BEEN
6 UNSUCCESSFUL IN GETTING THESE ANSWERS BUT WHAT YOU'RE SAYING
7 TO ME NOW IS THAT THEY WILL BE HELD FOR 48 HOURS, EVEN THOUGH-
8 - AND IF THEY CAN'T ABSORB THEM, THEY WILL BE DISMISSED, THEY
9 WILL BE SENT OFF?

10

11 **CHIEF CHUCK JACKSON:** YES, MA'AM.

12

13 **SUP. MOLINA, CHAIR:** SO RIGHT NOW, FOR THE MOST PART, WHAT YOU
14 ARE SAYING TO ME IS, OF THOSE 200 PEOPLE, WE HAVE A GOOD
15 NUMBER OF THEM FALLING THROUGH THE CRACKS NOW BECAUSE THEY'RE
16 NOT BEING INTERVIEWED?

17

18 **CHIEF CHUCK JACKSON:** THAT'S CORRECT.

19

20 **SUP. MOLINA, CHAIR:** AND I.C.E. KNOWS THIS, RIGHT?

21

22 **CHIEF CHUCK JACKSON:** THE INFORMATION'S BEEN MADE AVAILABLE TO
23 THEM, YES, MA'AM.

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. MOLINA, CHAIR:** AND THEY HAVE NEVER TAKEN ANY ACTION
2 WHATSOEVER TO PROVIDE MORE I.C.E. OFFICERS TO CARRY OUT THIS
3 WORK?

4

5 **CHIEF CHUCK JACKSON:** NOT IN MY TENURE, NO, MA'AM.

6

7 **SUP. MOLINA, CHAIR:** IT IS MY UNDERSTANDING THAT, FINANCIALLY,
8 THEY HAVE THE CAPABILITY OF HIRING MORE OFFICERS AND PLACING
9 THEM IN THE JAILS, IS THAT CORRECT?

10

11 **CHIEF CHUCK JACKSON:** I'M UNAWARE. I MEAN, IF THEY HAVE THE
12 MORE MONEY, THEY HAVEN'T TOLD ME THAT. I KNOW THE SHERIFF AND
13 I HAVE BOTH DISCUSSED WITH WHAT I CONSIDER RATHER HIGH-RANKING
14 MEMBERS OF THE HOMELAND SECURITY AND IMMIGRATION CUSTOMS
15 ENFORCEMENT, MAKING THOSE REQUESTS AND ASKING THAT, IF THEY
16 HAVE ADDITIONAL COURSES, TO PROVIDE THEM TO LOS ANGELES COUNTY
17 WHERE THERE'S A TRUE NEED. WE HAVE NOT YET, AS OF THIS DATE,
18 RECEIVED THE ADDITIONAL RESOURCES IN THE L.A. COUNTY JAIL.

19

20 **SUP. MOLINA, CHAIR:** BUT, AGAIN, YOU'VE NEVER ASKED THEM TO
21 BRING IN MORE OFFICERS TO CARRY OUT THIS WORK?

22

23 **CHIEF CHUCK JACKSON:** YES, MA'AM. WE HAVE ASKED FOR 12
24 ADDITIONAL OFFICERS IN WRITING.

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 SUP. MOLINA, CHAIR: YOU HAVE? AND WERE YOU BEEN DENIED?

2

3 CHIEF CHUCK JACKSON: WE'VE NEVER RECEIVED A RESPONSE, EITHER
4 WRITTEN OR VERBAL.

5

6 SUP. MOLINA, CHAIR: WHO DID YOU MAKE THE REQUEST TO?

7

8 CHIEF CHUCK JACKSON: THE WRITTEN REQUEST WENT TO
9 UNDERSECRETARY, ASA HUTCHINSON. THAT WOULD HAVE BEEN AUGUST OF
10 2004.

11

12 SUP. MOLINA, CHAIR: AND SO NO RESPONSE WHATSOEVER?

13

14 CHIEF CHUCK JACKSON: NO, MA'AM.

15

16 SUP. MOLINA, CHAIR: WHEN MR. HUTCHINSON WAS OUT HERE THE LAST
17 TIME, DIDN'T HE MEET WITH THE SHERIFF AND OTHER LAW
18 ENFORCEMENT OFFICIALS?

19

20 CHIEF CHUCK JACKSON: YES, MA'AM, WE MET WITH HIM AGAIN.

21

22 SUP. MOLINA, CHAIR: AND AT THAT TIME, WAS THAT ISSUE RAISED?

23

24 CHIEF CHUCK JACKSON: YES, MA'AM, IT WAS.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA, CHAIR:** AND HE SAID?

2

3 **CHIEF CHUCK JACKSON:** HE WAS WILLING TO CONSIDER IT BUT HE
4 WASN'T IN A POSITION TO MAKE A DECISION AT THAT TIME.

5

6 **SUP. MOLINA, CHAIR:** SO THE EXPECTATION TODAY IS THAT YOU'RE
7 GOING TO ASK THE COUNTY TO PROVIDE THESE DEPUTIES, PROVIDE
8 THESE OFFICERS TO THE I.N.S., TO THE I.C.E., RIGHT? THAT THEY
9 WILL CARRY OUT THE FEDERAL GOVERNMENT'S RESPONSIBILITY AND
10 THAT WE WILL PAY THEIR SALARIES, THE TAXPAYERS HERE WILL PAY
11 THESE SALARIES AND THAT THE ONLY RESPONSIBILITY THAT I.C.E.,
12 UNDER THIS ARRANGEMENT THAT SUPPOSEDLY YOU'RE MAKING, IS THAT
13 THEY WILL TRAIN THE DEPUTIES TO DO THE INTERVIEWS? IS THAT
14 CORRECT?

15

16 **CHIEF CHUCK JACKSON:** NOT EXACTLY. THEY HAVE THE RESPONSIBILITY
17 TO TRAIN THE-- AND CERTIFY THE CUSTODY ASSISTANCE BUT THEY
18 ALSO HAVE THE RESPONSIBILITY OF HANDLING THOSE DETAINEES ONCE
19 THEY'RE IDENTIFIED.

20

21 **SUP. MOLINA, CHAIR:** ALL RIGHT. THAT'S IN ADDITION. ONCE THEY
22 ARE IDENTIFIED, THEN THEY ALSO HAVE THE RESPONSIBILITY WITHIN
23 48 HOURS TO PICK THEM UP AND TAKE INTO CONSIDERATION THEY'RE--
24 BUT YOU DON'T EXPECT THAT THERE'S GOING TO BE ANY



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 REIMBURSEMENT WHATSOEVER FOR ANY OF THESE SERVICES OR DUTIES
2 OR RESPONSIBILITIES?

3

4 **CHIEF CHUCK JACKSON:** I CAN'T SAY THAT THERE'S ANY INITIAL
5 REIMBURSEMENT BEHIND THIS. AGAIN, THE MORE THAT WE IDENTIFY
6 AND LEGITIMIZE AS FAR AS BEING IN OUR SYSTEM AND THE NUMBER OF
7 BED DAYS, THERE'S LINKAGES TO FEDERAL FUNDING SOURCES OUT
8 THERE IN WHICH WE'RE VERY INTERESTED IN GOING AFTER. WE ARE
9 ALSO TRYING TO DETERMINE, ONCE WE ESTABLISH WHAT THE NUMBERS
10 ARE AND HOW-- IF THOSE NUMBERS ARE SUFFICIENT, TO PROVIDE THE
11 BOARD AS WELL AS THE SHERIFF, AMMUNITION TO GO BACK TO
12 WASHINGTON, D.C., TO DEMONSTRATE THE NEED FOR ADDITIONAL
13 FEDERAL RESOURCES OUT HERE.

14

15 **SUP. KNABE:** ARE THERE PILOT PROGRAM DOLLARS AVAILABLE?

16

17 **CHIEF CHUCK JACKSON:** I DON'T KNOW OF ANY PILOT PROGRAM MONEY
18 AVAILABLE RIGHT NOW. WE'VE TRIED SEVERAL DIFFERENT WAYS TO GET
19 MONEY FOR THIS TYPE OF OPERATION, INCLUDING THE BOARD OF
20 SUPERVISORS AND WE'VE NEVER BEEN ABLE TO GET THAT TYPE OF
21 FUNDING. THAT'S WHY WE'VE TRIED TO DEVELOP A PROCESS IN WHICH
22 WE'RE USING EXISTING PERSONNEL, CONDUCTING SIMILAR DUTIES AND
23 RESPONSIBILITIES SO THERE'S NO NEW INCREASED COSTS TO THE
24 COUNTY. I'VE TRIED TO EXPLAIN IN THE PAST THAT THERE ARE TIME
25 PERIODS IN WHICH OUR CUSTODY ASSISTANTS WHICH ARE CURRENTLY



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1 CONDUCTING INTERVIEWS, CLASSIFICATION INTERVIEWS, SECURITY
2 INTERVIEWS, HOUSING PLACEMENT INTERVIEWS, THAT THEY'RE NOT
3 BUSY 10 HOURS OUT OF 10 HOURS, THAT THEY ARE BUSY AS THE
4 INMATE FLOW GOES THROUGH. BY ADDING SOME ADDITIONAL WORKLOAD
5 TO THEM, YES, IT DOES INCREASE WORKLOAD BUT IT JUST MAKES MORE
6 USE OF THEIR AVAILABLE TIME SO THERE'S NO NEW ADDED
7 EXPENDITURE OF COUNTY RESOURCES.

8

9 **SUP. MOLINA, CHAIR:** YOU KNOW WHAT'S FRUSTRATING TO ME, AND I
10 CAN APPRECIATE WHERE YOU'RE GOING WITH THIS BECAUSE IT'S
11 UNDERSTANDABLE, IT'S JUST LIKE, IF I CAUGHT A CRIMINAL, I
12 CAUGHT A BURGLAR AND I SAID, "HE'S RIGHT HERE," AND I CALLED
13 THE POLICE AND I SAID, "COME AND GET HIM," AND THEY SAID, "YOU
14 KNOW WHAT? WE'RE BUSY. DEAL WITH HIM YOURSELF." IT SEEMS AS IF
15 THAT'S WHAT YOU'RE DEALING WITH. YOU HAVE THE POTENTIAL, YOUR
16 RECORDS CLEARLY DEMONSTRATE THAT, POTENTIALLY, YOU MUST BE
17 RELEASING AS MANY AS A HUNDRED OR MORE POTENTIALLY CRIMINAL
18 ALIENS THAT ARE DANGEROUS. THESE ARE NOT THE PEOPLE ANYBODY
19 WOULD WANT IN THIS COUNTRY OR PROBABLY THEIR OWN. AND YET, AT
20 THE SAME TIME, YOU DON'T HAVE THE FEDERAL GOVERNMENT, WHO IS
21 RESPONSIBLE FOR THE IMMIGRATION PROBLEMS IN THIS COUNTRY,
22 WHO'S STILL NOT TAKING ANY OWNERSHIP, IS NOT WILLING TO TAKE
23 ANY OWNERSHIP HERE AND IT'S PROBABLY NO DIFFERENT THAN IF LAW
24 ENFORCEMENT SAID, "HANDLE IT YOURSELF AND YOU DEAL WITH THEM
25 BECAUSE WE'RE BUSY DOING OTHER THINGS" INSTEAD OF DOING THE



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1 RESPONSIBILITY OF LAW ENFORCEMENT. SO I APPRECIATE YOUR
2 FRUSTRATION BECAUSE I CERTAINLY WOULD WANT THE FEDERAL
3 GOVERNMENT TO UNDERTAKE THE RESPONSIBILITY AND THE DUTY. AND
4 MY CONCERN AS WELL IS, ONCE OUR OFFICERS, OUR DEPUTIES, ARE
5 TAKING ON THE RESPONSIBILITY OF FEDERAL GOVERNMENT, WE START
6 TO BEGIN TO FUZZY THE LINES OF SEPARATION THAT ARE A CONCERN
7 TO ME, BECAUSE I DON'T KNOW WHEN IT'S GOING TO TURN AROUND AND
8 SAY TO TEACHERS, "WOULD YOU PLEASE MAKE A NOTE OF ALL OF THOSE
9 INDIVIDUALS WHO YOU THINK MIGHT NOT BE IN THIS COUNTRY LEGALLY
10 AND CALL THE I.C.E. TO COME AND DEAL WITH THEM." WE DON'T KNOW
11 WHEN THAT MEDICAL DOCTOR IS GOING TO BE ASKED TO PLEASE TAKE A
12 LIST OF ALL OF THOSE PEOPLE WHO YOU THINK MIGHT REQUIRE OR
13 WOULD YOU BE WILLING TO INTERVIEW THEM TO DO THAT. ONCE THESE
14 LINES BECOME VERY FUZZY, THEN WE'RE TALKING ABOUT NOT ONLY
15 COMPLICATIONS OF HOW OUR SYSTEM WORKS TODAY BUT, MORE
16 SIGNIFICANTLY, POTENTIALLY THE VIOLATION OF MANY PEOPLE WHO,
17 JUST BECAUSE OF HOW WE LOOK, MIGHT BE MISREPRESENTED OR
18 MISUNDERSTOOD. NOTHING WRONG WITH GOING AFTER CRIMINAL ALIENS
19 BUT MY CONCERN WOULD BE A PATIENT OR A SOCIAL WORKER OR A
20 TEACHER WHO MAY BE ASKED TO CARRY OUT THE SAME WORK.

21

22 **CHIEF CHUCK JACKSON:** I COULDN'T AGREE WITH YOU MORE.

23

24 **SUP. MOLINA, CHAIR:** MR. KNABE, YOU HAD QUESTIONS.

25



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1 **SUP. KNABE:** YEAH, JUST-- BUT, UNDER THIS M.O.U. PROCESS, THE
2 INTERVIEWS ARE NOT CONDUCTED IN THE COMMUNITY. IT WOULD ONLY
3 BE IN THE CUSTODY SITUATION, IS THAT CORRECT?

4

5 **CHIEF CHUCK JACKSON:** ONLY AT THE INMATE RECEPTION CENTER,
6 WHICH MEANS THEY'VE BEEN PROCESSED BY AN ARREST AND, FOR THE
7 MOST PART, HAVE ALREADY BEEN TO COURT, BEEN ARRAIGNED AND
8 REMANDED TO THE CUSTODY OF THE SHERIFF, YES, SIR.

9

10 **SUP. KNABE:** THANK YOU.

11

12 **SUP. MOLINA, CHAIR:** ANYONE ELSE?

13

14 **SUP. BURKE:** I'M JUST NOT CLEAR ON THAT. AT FIRST, IT'S NOT AT
15 INITIAL INTAKE. IT WOULD ONLY BE AFTER THEY'VE GONE TO COURT
16 AND RETURNED BACK TO THE SHERIFF?

17

18 **CHIEF CHUCK JACKSON:** YES, MA'AM. TO UNDERSTAND THE PROCESS,
19 PEOPLE GET ARRESTED THROUGHOUT LOS ANGELES COUNTY, BOTH BY OUR
20 SHERIFF'S DEPUTIES AND THE OTHER 40-SOME POLICE DEPARTMENTS
21 OUT THERE, AS WELL AS HIGHWAY PATROL AND STATE AGENCIES. THEY
22 ARE NOT ALL BOOKED AT INMATE RECEPTION CENTERS. THEY'RE BOOKED
23 AT POLICE DEPARTMENTS, THE L.A.P.D. PARKER CENTER, OUR SHERIFF
24 STATIONS. FROM THAT POINT OF ARREST, THEY ARE THEN
25 TRANSFERRED, THEY'RE HELD TO THOSE STATIONS AND POLICE



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1 DEPARTMENTS UNTIL THEY ARE SENT TO COURT. THEY GO TO COURT FOR
2 ARRAIGNMENT. FROM THE POINT OF ARRAIGNMENT, THEY'RE EITHER
3 HELD TO ANSWER AND REMANDED TO THE CUSTODY OF THE SHERIFF,
4 THEY COULD BE RELEASED ON BAIL, RELEASED ON BOND, RELEASED
5 O.R., NO CHARGES, AND RELEASED JUST BECAUSE. BUT, TYPICALLY,
6 WE GET BETWEEN SIX AND 900 NEW BOOKINGS A DAY THAT HAVE BEEN
7 ALREADY BEEN ARRESTED, BEEN TO COURT, BEEN ARRAIGNED, AND
8 REMANDED TO THE CUSTODY OF THE SHERIFF. IT'S ONLY THOSE PEOPLE
9 WE'RE TALKING ABOUT. THE REMAINING PEOPLE ARRESTED THROUGHOUT
10 LOS ANGELES COUNTY WE NEVER SEE AT I.R.C. UNLESS THEY GO TO
11 COURT AT SOME LATER TIME AND THEN GET REMANDED TO THE CUSTODY
12 OF THE SHERIFF.

13

14 **SUP. MOLINA, CHAIR:** ANYONE ELSE? MR. ANTONOVICH.

15

16 **SUP. ANTONOVICH:** I HAVE A QUESTION. IT'S COMMON FOR THE
17 SHERIFF'S DEPARTMENT TO WORK WITH FEDERAL AGENCIES IN CARRYING
18 OUT OR ENFORCING THE LAW, IS IT NOT?

19

20 **CHIEF CHUCK JACKSON:** YES, SIR.

21

22 **SUP. ANTONOVICH:** EARLIER TODAY, WE RECOGNIZED A NARCOTICS
23 OFFICERS FROM ONE OF OUR CITIES, THE CITY OF GLENDALE, WHO WAS
24 INVOLVED ALSO AT THE D.E.A., WHICH THE SHERIFF'S DEPARTMENT
25 GETS INVOLVED WITH.



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1

2 **CHIEF CHUCK JACKSON:** YES, SIR.

3

4 **SUP. ANTONOVICH:** ALSO, WHEN A BANK ROBBERY TAKES PLACE AND THE
5 SHERIFF'S DEPARTMENT RESPONDS AND ARRESTS THE CRIMINAL WHO WAS
6 ROBBING A BANK, EVEN THOUGH THAT'S A FEDERAL VIOLATION, YOU'RE
7 STILL INVOLVED WITH THE ARREST AND ASSISTANCE WITH THE FEDERAL
8 AGENCIES, IS THAT NOT THE CASE?

9

10 **CHIEF CHUCK JACKSON:** THAT'S CORRECT, SIR.

11

12 **SUP. ANTONOVICH:** AND WHEN THERE'S AN AMBER ALERT THAT CROSSES
13 STATE LINES, EVEN THOUGH THAT'S FEDERAL NOW BECAUSE IT'S
14 CROSSED STATE LINES, THE SHERIFF'S DEPARTMENT OR A LOCAL LAW
15 ENFORCEMENT AGENCY ARE STILL INVOLVED IN ENFORCING THAT LAW,
16 EVEN THOUGH IT'S FEDERAL?

17

18 **CHIEF CHUCK JACKSON:** THAT'S CORRECT, SIR.

19

20 **SUP. ANTONOVICH:** SO WHAT YOU HAVE HERE IS A SITUATION WHERE
21 YOU HAVE VIOLATIONS TAKING PLACE BUT EACH OF THE LAW
22 ENFORCEMENT OFFICERS, WHEN THEY TAKE THEIR OATH OF OFFICE,
23 SWEAR TO UPHOLD BOTH THE FEDERAL AND THE STATE CONSTITUTION
24 AND TO ENFORCE THE LAW AND THIS IS JUST A SITUATION WHERE THE
25 LOCAL OFFICIALS ARE ABLE TO ASSIST IN APPREHENDING THOSE WHO



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1 HAVE VIOLATED THE LAW. AND THESE ARE VIOLATORS WHO ARE TAKING
2 THE RIGHTS, CRIMINAL TAKING CRIMINAL ACTIONS AGAINST OUR LEGAL
3 RESIDENTS IN L.A. COUNTY OR THE STATE. SO IT'S JUST-- AND THE
4 INFORMATION THAT IS GOING TO BE OBTAINED WILL HELP US GET
5 ADDITIONAL REIMBURSEMENTS BECAUSE WE HAVE A BETTER RECORD-
6 KEEPING DATABASE FOR WASHINGTON FOR THE REIMBURSEMENT OF THOSE
7 S.C.A.P. FUNDS, WHICH IS THE REIMBURSEMENT DOLLARS THAT LOCAL
8 GOVERNMENT RECEIVES FROM FEDERAL GOVERNMENT. IS THAT NOT THE
9 CASE?

10

11 **CHIEF CHUCK JACKSON:** THAT'S OUR HOPE, YES, SIR.

12

13 **SUP. ANTONOVICH:** SO THAT'S WHY THIS IS A EFFORT THAT COINCIDES
14 WITH OTHER EFFORTS THAT WE JOINTLY PARTICIPATE WITH FEDERAL
15 AGENCIES IN ENFORCEMENT OF LAWS AND PROGRAMS.

16

17 **CHIEF CHUCK JACKSON:** BUT I WOULD LIKE TO MAKE ONE CLEAR
18 DISTINCTION, SIR, IS THAT THE SHERIFF'S POSITION ON THIS IS TO
19 NOT GET INVOLVED WITH IMMIGRATION ENFORCEMENT IN THE
20 COMMUNITY. IT IS STRICTLY LIMITED TO THE JAIL FUNCTION FOR
21 PEOPLE BEING PROCESSED AND CONVICTED. THERE MAY BE THOSE THAT
22 MIGHT NOT BE CONVICTED BUT PRIMARILY CONVICTED IN LOS ANGELES
23 COUNTY COURTS TO DEAL WITH THOSE FOLKS. WE HAVE NO INTENTION,
24 AT ANY TIME EVER, TO MUDDY THE WATERS AND GO OUT THERE IN THE
25 COMMUNITY.



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1

2 **SUP. MOLINA, CHAIR:** ALL RIGHT. WE HAVE A LOT OF PEOPLE THAT
3 WISH TO TESTIFY, ABOUT 22, SO SHOULD WE DO IT AS A MINUTE?
4 OKAY. WE'RE GOING TO GO WITH A MINUTE. WE HAVE ELSA MARTINEZ
5 AND I'M GOING TO TRY THIS, HELP ME HERE, AHILAN AVULANANTHAM.
6 SORRY. I REALLY TRIED. JODI KENT AND MARIA STRATTON, IF THEY'D
7 JOIN US PLEASE. PLEASE PROCEED.

8

9 **ELSA MARTINEZ:** HI. MY NAME IS ELSA MARTINEZ AND I'M HERE
10 PRIMARILY TO SPEAK AS A FORMER TRIAL ATTORNEY. I WAS A
11 PROSECUTOR FOR THE I.N.S. IN THE LOS ANGELES DISTRICT FOUR
12 ALMOST FIVE YEARS BEFORE STARTING MY PRACTICE AS A PRIVATE
13 IMMIGRATION DEFENSE ATTORNEY. I CAN TELL YOU THAT THE
14 SHERIFF'S ISSUING WHAT'S CALLED NOTICES TO APPEAR IN COURT
15 SEEM VERY INNOCENT. HOWEVER, NOTICES TO APPEAR IN COURT
16 ACTUALLY BEGIN A LITIGATION PROCESS FOR PEOPLE WHO ARE VERY
17 UNSOPHISTICATED AND, BECAUSE THIS IS AN ADMINISTRATIVE
18 PROCEDURE RATHER THAN A CRIMINAL PROCEEDING, THEY DON'T HAVE
19 THE RIGHT TO AN ATTORNEY, THEY MUST GO OUT AND FIND AN
20 ATTORNEY. A LOT OF THE TIMES, THEY ARE IN CUSTODY AND THEY MAY
21 OR MAY NOT BE ELIGIBLE FOR BOND. SO A LOT OF TIMES, THEY WILL
22 WAIVE THE RIGHT BECAUSE THEY CANNOT AFFORD TO BOND OUT, WHICH
23 IS A MINIMUM OF \$1,500 OR AN ATTORNEY TO ASSESS THEIR CASE.
24 MORE SPECIFICALLY, THE ISSUANCE OF NOTICES TO APPEAR CREATE A
25 PROBLEM FOR PROSECUTORS FOR TRIAL ATTORNEYS BECAUSE IT IS



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1 THEIR BURDEN OF PROOF, BY CLEAR AND CONVINCING EVIDENCE, THAT
2 THIS PERSON IS REMOVABLE. A LOT OF TIMES, I.C.E. OFFICERS WILL
3 CALL THE LITIGATION UNIT OF I.N.S. AND SAY, "WHAT CAN I CHARGE
4 THIS PERSON WITH THAT'S COMMITTED SUCH OFFENSE." SO, FOR US TO
5 EXPECT THAT THESE I.C.E. OFFICERS WILL NOW BE ABLE TO RELAY
6 THAT INFORMATION TO SHERIFFS, IT'S GOING TO CREATE A PROBLEM
7 IN LITIGATION AND I GUESS IT'S EASY TO SAY, "WELL, IT WILL BE
8 SORTED OUT IN COURT," BUT A LOT OF TIMES WE'RE DEALING WITH
9 SOMEONE WHO DOESN'T SPEAK THE LANGUAGE, MOST OFTEN THEY DON'T,
10 THEY DO HAVE AN INTERPRETER BUT THEY DON'T HAVE A CLUE OF
11 WHAT'S GOING ON AND THEY DON'T HAVE A RIGHT TO AN APPOINTED
12 ATTORNEY. ALSO, THE TRAINING THAT I.C.E. OFFICER RECEIVE IS
13 ON-THE-JOB TRAINING AND SHERIFFS CANNOT BE EXPECTED TO MAKE
14 THIS A PRIORITY FOR THEM. OTHER SPEAKERS HERE THAT ARE UP WITH
15 ME WILL TALK ABOUT THE CONSTANT CHANGE OF IMMIGRATION LAW. SO,
16 WHAT MAY BE A DEPORTABLE OFFENSE TODAY IS NOT TOMORROW, AND...

17

18 **SUP. MOLINA, CHAIR:** DO YOU WANT TO SUMMARIZE, MISS MARTINEZ,
19 PLEASE?

20

21 **ELSA MARTINEZ:** YES, I WILL. IT IS VERY IMPORTANT THAT WE HAVE
22 FEDERAL AGENTS, THE ENFORCEMENT AGENTS ISSUING NOTICES TO
23 APPEAR IN COURT, WHICH ARE-- IT'S A SUMMONS TO DEFEND YOUR
24 RIGHTS AND BASICALLY SEEK COUNSEL AND START A LITIGATION
25 PROCESS THAT THEY'RE VERY UNSOPHISTICATED...



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1

2 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH, MISS MARTINEZ. SIR?

3

4 **AHILAN AVULANANTHAM:** HI, I'M AHILAN AVULANANTHAM. I'M A STAFF
5 ATTORNEY AT THE A.C.L.U. IN SOUTHERN CALIFORNIA. WE'VE BEEN
6 WORKING ON THIS FOR SEVERAL MONTHS AND WE'RE STRONGLY OPPOSED
7 TO THE MEMORANDUM OF UNDERSTANDING. I SHOULD SAY I COME TO
8 THIS ALSO HAVING BEEN A FEDERAL PUBLIC DEFENDER FOR TWO YEARS
9 ON THE BORDER IN EL PASO, TEXAS AND I CONSTANTLY WORKED WITH
10 CLIENTS WHO WERE QUESTIONED BY THE I.C.E. IN COUNTY JAILS. SO
11 I'M VERY FAMILIAR WITH THE PROCESS, THE QUESTIONING PROCESS
12 THAT THE SHERIFF WANTS TO UNDERTAKE HERE. AS MY COLLEAGUE HERE
13 WAS SAYING, THE IMMIGRATION LAWS ARE INCREDIBLY COMPLICATED.
14 THEY ARE JUST NOTORIOUSLY COMPLICATED. TO DETERMINE IF
15 SOMEBODY, JUST BECAUSE THEY'RE FOREIGN BORN, IS ACTUALLY
16 SUBJECT TO DETENTION AND DEPORTATION, IT INVOLVES A REALLY
17 DETAILED EXAMINATION OF THAT PERSON'S IMMIGRATION HISTORY AND
18 THE NATURE OF THEIR CONVICTION, THE NATURE OF THE CRIME THAT
19 THEY HAVE BEEN CONVICTED OF. AND SOMETIMES, EVEN IF YOU KNOW
20 THAT A PERSON IS FOREIGN BORN, IT DOESN'T MEAN THAT THEY'RE
21 NOT A CITIZEN OF THE UNITED STATES. THAT, TOO, OFTEN INVOLVES
22 A COMPLICATED DETERMINATION, ESPECIALLY IF THEIR PARENTS WERE
23 CITIZENS, EVEN IF THEY WEREN'T. UNDER THE MEMORANDUM OF
24 UNDERSTANDING, THE PEOPLE, THE SHERIFF'S EMPLOYEES AND THE
25 COUNTY JAILS ARE GOING TO HAVE TO BE MAKING THIS DETERMINATION



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1 AND I CAN TELL YOU, I'VE SEEN WELL TRAINED I.C.E. AGENTS WITH
2 YEARS OF EXPERIENCE MAKE MISTAKES, LOTS AND LOTS OF MISTAKES
3 HAPPEN. AND, TO US, AS THE A.C.L.U., WHEN ANYONE IS WRONGFULLY
4 DETAINED OR DEPORTED FOR ANY LENGTH OF TIME, THAT'S A SERIOUS
5 CIVIL RIGHTS ISSUE. IT'S A PARTICULARLY SERIOUS CIVIL RIGHTS
6 ISSUE WHERE YOU HAVE PEOPLE WHO HAVE ACTUALLY NOT BEEN CONVICT
7 AT ALL AND, IN SOME CASES, NOT BEEN ARRAIGNED AT ALL, HAVING
8 NEVER BEEN TO COURT, HAVING THEM THEN GO THROUGH THIS PROCESS.
9 NOW, OF COURSE, MISTAKES ALSO MEAN THAT THE GOVERNMENT'S GOING
10 TO GET SUED. I KNOW MY COLLEAGUES AT THE A.C.L.U. MET WITH
11 SOME OF YOU AND WE SHARED SOME OF THESE CASES. THE I.C.E. DOES
12 GET SUED FOR BEING WRONGFULLY DETAINED AND WRONGFULLY
13 DEPORTED. WE WORRY ABOUT THAT BECAUSE THE COUNTY'S RESOURCES
14 ARE AN ISSUE FOR US BECAUSE OF THE WORK WE DO IN THE JAILS,
15 THE WORK WE DO IN THE HOSPITALS AND THINGS LIKE THAT. AND SO,
16 YOU KNOW, OBVIOUSLY, WE'RE CONCERNED ABOUT HOW THE RESOURCES
17 GET SPENT IN DIFFERENT WAYS. NOW, LIKE I SAID, I'VE ANALYZED
18 THIS ISSUE FOR SEVERAL MONTHS. I READ THE C.A.O. REPORT WHEN
19 IT WAS POSTED ON THE WEB YESTERDAY AND IT'S VERY CLEAR TO ME
20 THAT THE COUNTY WILL TAKE ON ADDITIONAL LIABILITY...

21

22 **SUP. MOLINA, CHAIR:** WOULD YOU PLEASE SUMMARIZE, PLEASE?

23

24 **AHILAN AVULANANTHAM:** SURE. I'LL JUST SAY TWO THINGS IN
25 SUMMARY, SUPERVISOR. THE FIRST THING IS, WE DON'T OPPOSE ALL



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1 COOPERATION BETWEEN THE FEDERAL GOVERNMENT AND LOCAL LAW
2 ENFORCEMENT. HERE, WE'RE TALKING ABOUT NOT TERRORISM, NOT
3 CROSS BORDER DRUG TRAFFICKING, WE'RE TALKING ABOUT ROUTINE
4 CIVIL IMMIGRATION ENFORCEMENT.

5

6 **SUP. MOLINA, CHAIR:** THANK YOU, SIR. MISS KENT.

7

8 **JODI KENT:** MY NAME IS JODI KENT. I'M THE JAILS PROJECT
9 COORDINATOR FOR THE A.C.L.U. OF SOUTHERN CALIFORNIA. AS YOU
10 KNOW, THAT IT IS MY RESPONSIBILITY TO MONITOR CONDITIONS IN
11 THE JAILS, MAKE SURE THAT THEY ARE MEETING CERTAIN LEGAL
12 REQUIREMENTS. THIS IS DEFINITELY A CONCERN OF MINE BECAUSE
13 THIS M.O.U. PROPOSES THE DIVERSION OF LIMITED RESOURCES IN THE
14 INMATE RECEPTION CENTER, ALSO CALLED THE I.R.C. AS MOST OF YOU
15 KNOW, THE NEW I.R.C. WAS RECENTLY OPENED, THE NEW I.R.C.
16 CLINIC, WHICH WE ARE VERY PLEASED ABOUT BUT IT WILL DEFINITELY
17 NOT DECREASE THE WORKLOAD OF THE CUSTODY ASSISTANCE IN I.R.C.
18 IN FACT, IT WILL INCREASES THE WORKLOAD OF THE CUSTODY
19 ASSISTANTS THERE BECAUSE THEY WILL SOON BE ASKED TO FACILITATE
20 MEDICAL TRIAGE FOR INMATES IN ADDITION TO THEIR OTHER TASKS.
21 THE M.O.U. THAT THE SHERIFF HAS PROPOSED WILL REQUIRE THE
22 C.A.S TO COMPLETE ADDITIONAL TRAININGS AND FACILITATE A
23 COMPLEX SESSION OF QUESTIONING FOR ANY INMATE NOT BORN IN THE
24 U.S. AS AHILAN SPOKE ABOUT. THIS IS A CONCERN TO ME BECAUSE
25 THERE ARE ADDITIONAL QUESTIONS THAT COULD TAKE APPROXIMATELY



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1 40 MINUTES THAT WOULD ENHANCE THE CLASSIFICATION PROCESS OF
2 INMATES. RIGHT NOW, IT IS TOO HASTY AND WE HAVE GOTTEN CALLS
3 FROM THEM. WE RECEIVED RECENT CALL FROM THE MOTHER WHO
4 REPORTED THAT HER SON WAS BROUGHT HOME TO HER FROM A HOSPITAL
5 AFFILIATED WITH THE COUNTY JAIL IN A TAXI AND HE WAS
6 PERMANENTLY BRAIN DAMAGED AS A RESULT OF POOR CLASSIFICATION.
7 AND, YOU KNOW, THESE HASTY CLASSIFICATION PROCESSES CAN
8 ULTIMATELY LEAD TO, YOU KNOW, THE LIVES OF INMATES AND THE
9 PEOPLE IN THE COMMUNITY. SO THERE ARE OTHER AREAS OF THE JAILS
10 THAT ARE DEFICIENT THAT WE SPOKE ABOUT LAST WEEK AND, EVEN
11 FALLING SHORT OF TITLE 15 REQUIREMENTS...

12

13 **SUP. MOLINA, CHAIR:** THANK YOU, MISS KENT.

14

15 **JODI KENT:** ...DUE, IN PART, TO OVERCROWDING AND UNDERSTAFFING.

16

17 **SUP. MOLINA, CHAIR:** MISS STRATTON. COULD I ALSO HAVE ARNOLDO
18 CACIAS, JANICE MARICEL AND UZMA JOIN US, PLEASE.

19

20 **MARIA STRATTON:** MY NAME IS MARIA. I AM THE FEDERAL PUBLIC
21 DEFENDER FOR THE CENTRAL DISTRICT OF CALIFORNIA. AND MY OFFICE
22 REPRESENTS ABOUT 80% OF THOSE ARRESTED, PARTICULARLY, AND
23 THOSE WHO ARE CHARGED WITH CRIMINAL IMMIGRATION VIOLATIONS IN
24 THE FEDERAL DISTRICT COURT. I JUST WANT TO MAKE THREE POINTS
25 IN COMMENT ON THIS M.O.U. FROM MY PERSPECTIVE AS SOMEONE WHO



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1 IS FAMILIAR WITH THE FEDERAL CRIMINAL JUSTICE SYSTEM. FIRST,
2 AS I THINK, SUPERVISOR MOLINA WAS GETTING AT, THIS M.O.U. DOES
3 NOT OBLIGATE I.C.E. TO COME IN AND ACTUALLY PICK UP THOSE
4 EXTRA 100, 120 PEOPLE THAT MAY BE IDENTIFIED AND HELD ON
5 DETAINERS. THEY DON'T PICK UP EVERYONE NOW. THERE'S NO
6 GUARANTEE THAT THEY'RE GOING TO DEVOTE ANY RESOURCES TO PICK
7 UP THOSE ADDITIONAL PEOPLE THAT MAY BE IDENTIFIED BY THIS
8 PROCESS. AS A RESULT, WHAT YOU MAY HAVE, BASICALLY, IS A
9 SITUATION WHERE YOU HAVE AIRPLANES CIRCLING THE AIRPORT AND
10 NOT ABLE TO LAND IF I.C.E. IS NOT GOING TO BE REQUIRED TO PICK
11 UP THOSE PEOPLE. BUT THE SECOND THING YOU'RE GOING TO HAVE IS
12 AN EXTRA 100, 120 PEOPLE PER DAY HELD AT THE COUNTY JAIL,
13 PROBABLY MISDEMEANANTS BECAUSE THEY'RE AT THE COUNTY JAIL
14 SERVING THEIR TIME. THEY'RE GOING TO BE HELD AN EXTRA 48 HOURS
15 UNDER THESE DETAINERS UNTIL I.C.E. COMES TO PICK THEM UP.
16 THAT'S AN EXTRA 120, 125 PEOPLE PER DAY THAT ARE GOING TO BE
17 SITTING AT THE JAIL FOR AN EXTRA TWO DAYS. AND, AS WE ALL
18 KNOW, THE SHERIFF HAS A PROBLEM NOW WITH NOT HAVING ENOUGH
19 CAPACITY TO HOLD THE PEOPLE THAT HE IS SUPPOSED TO HOLD UNDER
20 JUDGMENTS AND COMMITMENT ORDERS FROM THE SUPERIOR COURT. WHAT
21 MAY HAPPEN IS YOU'RE GOING TO BE HAVING THE COUNTY HOLDING
22 PEOPLE FOR I.N.S. INSTEAD OF THE COUNTY HOLDING PEOPLE FOR THE
23 SUPERIOR COURT.
24
25 **SUP. MOLINA, CHAIR:** YOU WANT TO SUMMARIZE, MISS STRATTON?



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1

2 **MARIA STRATTON:** AND THE LAST THING I WANT TO SAY IS THAT WHAT
3 ALSO MAY HAPPEN IS, BECAUSE THESE COUNTY EMPLOYEES ARE TAKING
4 STATEMENTS AND WRITING ARREST REPORTS, BASICALLY, THEY MAY END
5 UP BEING CALLED IN TO FEDERAL COURT AT SOME POINT TO TESTIFY,
6 EITHER AT MOTIONS HEARINGS, TRIALS OR SENTENCING, FOR PEOPLE
7 WHO ULTIMATELY ARE PROSECUTED IN FEDERAL COURT FOR ILLEGAL
8 REENTRY PROSECUTIONS. NOT EVERYONE THAT HAS A DETAINER ON THEM
9 IS PROSECUTED BUT A BIGGER AND BIGGER NUMBER OF THOSE PEOPLE
10 END UP IN THE FEDERAL CRIMINAL JUSTICE SYSTEM. AND THESE C.A.S
11 ARE NOW CONSIDERED THE ARRESTING OFFICERS AND WILL BE SUBJECT
12 TO FEDERAL SUBPOENAS TO COME IN TO TESTIFY IN THOSE CASES.

13

14 **SUP. MOLINA, CHAIR:** THANK YOU, MISS STRATTON.

15

16 **SUP. YAROSLAVSKY:** CAN I JUST ASK A QUESTION, NOT ON HER TIME
17 BUT...

18

19 **SUP. MOLINA, CHAIR:** SURE.

20

21 **SUP. YAROSLAVSKY:** ARE THEY-- I'M OVER HERE. ARE THESE PEOPLE
22 YOU'RE-- THESE PRISONERS YOU'RE REFERRING TO, PEOPLE WHO HAVE
23 SERVED THEIR TIME AFTER BEING CONVICTED OF A CRIME?

24



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1 **MARIA STRATTON:** THE WAY I UNDERSTAND THIS TO WORK IS THEY WILL
2 BE INTERVIEWED AT THE...

3

4 **SUP. YAROSLAVSKY:** "YES" OR "NO."

5

6 **MARIA STRATTON:** ...BEGINNING OF THEIR STATE PROCEEDING...

7

8 **SUP. YAROSLAVSKY:** NO, I'M JUST TALKING ABOUT WHEN THEY ARE
9 RELEASED. I THINK YOU SAID THEY ARE RELEASED FROM PRISON AFTER
10 THEY'VE SERVED THEIR TIME. THESE ARE CONVICTED CRIMINALS, IS
11 THAT RIGHT?

12

13 **MARIA STRATTON:** THEY ARE RELEASED FROM THE COUNTY JAIL AFTER
14 SERVING THEIR TIME. THEY ARE CONVICTED CRIMINALS, IF YOU WANT
15 TO CALL THEM THAT...

16

17 **SUP. YAROSLAVSKY:** WHATEVER THE CRIME...

18

19 **MARIA STRATTON:** ...WHATEVER THE CRIME...

20

21 **SUP. YAROSLAVSKY:** WHETHER IT'S A MISDEMEANOR OR WHATEVER IT
22 IS.

23

24 **MARIA STRATTON:** YEAH. THEN THERE IS A POSSIBILITY THAT THEY
25 WILL BE RE-PROSECUTED IN FEDERAL COURT FOR WHAT'S CALLED



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1 ILLEGAL REENTRY AFTER DEPORTATION. SO THEY WILL BE EITHER
2 RELEASED TO I.N.S. TO HAVE THEIR CIVIL DEPORTATION PROCEEDINGS
3 HAPPEN OR THEY'LL BE BROUGHT OVER TO FEDERAL COURT, REARRESTED
4 AND PROSECUTED FOR THE SEPARATE CRIME OF THAT.

5

6 **SUP. YAROSLAVSKY:** I UNDERSTAND. OKAY.

7

8 **SUP. MOLINA, CHAIR:** NEXT WE ALSO NEED JANICE MARICEL. IS SHE
9 HERE? UZMA. NO? AND ARACELI PEREZ. AND ROBERT KALUNIAN.

10

11 **ARNOLDO CASSIAS:** HONORABLE CHAIRWOMAN MOLINA, MY NAME IS
12 ARNOLDO CASSIAS. I'M AN ATTORNEY FROM THE LAW FIRM OF MORENO,
13 BECERA, GERRERO AND CASSIAS. OUR PRACTICE PRINCIPALLY RELATES
14 TO CIVIL RIGHTS VIOLATIONS. WE'VE HAD THE GOOD FORTUNE OF
15 BRINGING A LARGE NUMBER OF LAWSUITS NOT ONLY AGAINST THE CITY
16 OF LOS ANGELES BUT THE COUNTY OF LOS ANGELES WITH AN EMPHASIS
17 ON CIVIL RIGHTS VIOLATIONS. I'M HERE THIS AFTERNOON, YOUR
18 HONOR, TO VERY BRIEFLY JUST CRITICIZE, FRANKLY, THE C.A.O.'S
19 EVALUATION OF THE LIABILITY THAT'S GOING TO BE CREATED BY THIS
20 AGREEMENT. THE C.A.O.'S OFFICE HAS ANALYZED THE PROPOSAL WITH
21 RESPECT TO FEDERAL TORT LIABILITY ONLY. THE C.A.O.'S OFFICE
22 ANNOUNCED THAT THIS DOES NOT TOUCH UPON OR EVEN MENTION THE
23 LIABILITY OF THE COUNTY DIRECTLY AND THE PERSONAL LIABILITY OF
24 THE INDIVIDUAL DEPUTIES THAT ARE GOING TO BE CARRYING OUT THIS
25 PROCESS, THIS INTERROGATION, THESE INTERVIEWS, IN TERMS OF



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1 CIVIL RIGHTS VIOLATIONS. THE COUNTY IS DIRECTLY LIABLE UNDER
2 WHAT IS KNOWN AS A MINELL CAUSE OF ACTION FOR CARRYING OUT OR
3 FOR HAVING IN PLACES UNCONSTITUTIONAL POLICIES, PRACTICES AND
4 PROCEDURES OR FOR THE UNCONSTITUTIONAL ENFORCEMENT BY HAVING
5 IN PLACE THESE POLICIES AND PRACTICES. THE...

6

7 **SUP. MOLINA, CHAIR:** DO YOU WANT TO SUMMARIZE, MR. CASSIAS?

8

9 **SUP. YAROSLAVSKY:** COULD YOU JUST DESCRIBE A SITUATION, JUST
10 GIVE ME A CONCRETE EXAMPLE, A HYPOTHETICAL OF HOW THAT WOULD
11 HAPPEN, WHERE WE WOULD BE LIABLE?

12

13 **ARNOLDO CASSIAS:** WELL, YOUR HONOR, IT WOULD BE RELATED TO
14 HOW...

15

16 **SUP. YAROSLAVSKY:** JUST GIVE ME A HYPOTHETICAL. SOMEBODY'S IN
17 JAIL FOR A UNJUSTIFIED REASON.

18

19 **ARNOLDO CASSIAS:** UNJUSTIFIED AND...

20

21 **SUP. YAROSLAVSKY:** WE'D BE LIABLE EITHER WAY, WOULDN'T WE? IF
22 HE WAS THERE FOR UNJUSTIFIED REASONS, WHETHER WE COOPERATED
23 WITH I.C.E. OR HAD A CONTRACT WITH THEM OR NOT.

24



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1 **ARNOLDO CASSIAS:** WELL, THE QUESTION IS, HOW DOES HE GET TO
2 I.C.E., YOUR HONOR? I MEAN, HOW ARE THESE FOLKS GOING TO BE
3 IDENTIFIED...

4

5 **SUP. YAROSLAVSKY:** NO, YOUR STATEMENT AND THE STATEMENT OF MANY
6 PEOPLE WHO HAVE BEEN FLOODING MY OFFICE WITH FAXES IS THAT
7 WE'RE GOING TO BE LIABLE.

8

9 **ARNOLDO CASSIAS:** YES, YOUR HONOR, WE BELIEVE SO.

10

11 **SUP. YAROSLAVSKY:** AND I WANT TO UNDERSTAND, IF WE'RE LIABLE,
12 THEN WE'RE LIABLE WHETHER OR NOT WE-- BECAUSE-- WE'RE NOT
13 LIABLE FOR ENTERING INTO A CONTRACT, THAT'S NOT ILLEGAL.

14

15 **ARNOLDO CASSIAS:** CORRECT.

16

17 **SUP. YAROSLAVSKY:** OKAY. WITH THE FEDERAL AUTHORITIES. WE'D BE
18 LIABLE IF WE-- THE WAY IT WAS DESCRIBED TO ME BY SOME OF THE
19 OPPONENTS OF THIS ARRANGEMENT, IS THAT WE WOULD BE LIABLE IF
20 THERE WAS A FALSE ARREST OR SOMEBODY WAS IN JAIL FOR AN
21 UNJUSTIFIED REASON, THEN WE TURNED THEM OVER TO THE FEDS, THE
22 FEDS DEPORTED HIM, THEN WE'D BE LIABLE BECAUSE THE GUY
23 SHOULDN'T HAVE BEEN IN JAIL IN THE FIRST PLACE. IS THAT THE
24 HYPOTHETICAL?

25



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1 **ARNOLDO CASSIAS:** YOU'RE MAKING A HUGE LEAP, YOUR HONOR, AND
2 THE LEAP IS, HOW ARE YOU GOING TO IDENTIFY THESE INDIVIDUALS
3 AS BEING SUBJECT TO I.C.E. INTERVIEWS OR BEING SUBJECT TO
4 DETENTION?

5

6 **SUP. YAROSLAVSKY:** BUT FOR WHAT WOULD WE BE LIABLE? THAT'S WHAT
7 I'M TRYING-- WHAT WOULD WE BE LIABLE FOR?

8

9 **ARNOLDO CASSIAS:** WELL, YOU'D BE LIABLE, THE COUNTY DIRECTLY,
10 FOR CARRYING OUT AN UNCONSTITUTIONAL POLICY...

11

12 **SUP. YAROSLAVSKY:** AND WHAT WOULD BE THAT UNCONSTITUTIONAL
13 POLICY?

14

15 **ARNOLDO CASSIAS:** WELL, THAT'S A QUESTION I THINK YOU SHOULD
16 ASK THE SHERIFF'S DEPARTMENT.

17

18 **SUP. YAROSLAVSKY:** NO, I'M ASKING YOU. YOU'RE THE ONE WHO'S
19 TRYING TO CONVINC ME AND I'M JUST TRYING TO-- WHAT IS THE
20 UNCONSTITUTIONAL POLICY THAT WE WOULD BE IMPLEMENTING?

21

22 **ARNOLDO CASSIAS:** THE UNCONSTITUTIONAL POLICY WOULD BE OF
23 PROFILING WHAT I BELIEVE TO BE PRIMARILY LATINO...

24



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1 **SUP. YAROSLAVSKY:** AH. OKAY. I UNDERSTAND YOUR ARGUMENT NOW. SO
2 IT'S, YOU BELIEVE WE WOULD BE LIABLE ON A CIVIL RIGHTS
3 ARGUMENT THAT WE WOULD BE SINGLING OUT A CERTAIN GROUP FOR
4 DEPORTATION, ESSENTIALLY, OR FOR COOPERATION WITH I.C.E. IS
5 THAT WHAT YOU'RE SAYING?

6

7 **ARNOLDO CASSIAS:** NO. WHAT I'M SAYING IS THAT THE SHERIFF'S
8 DEPARTMENT HASN'T PROVIDED THIS BOARD ANY SPECIFICS WITH
9 RESPECT TO HOW THEY'RE GOING TO CARRY OUT THESE PROPOSALS.
10 THEY'RE SAYING, WELL, I.C.E. IS GOING TO TRAIN US BUT THE
11 BOTTOM LINE, YOUR HONOR, IS THAT THESE POLICIES AREN'T GOING
12 TO BE I.C.E. POLICIES, THEY'RE GOING TO BE YOUR POLICIES.

13

14 **SUP. YAROSLAVSKY:** I BEG TO DIFFER WITH YOU AND I'M JUST TRYING
15 TO-- I DON'T WANT TO BE ARGUMENTATIVE. I'M JUST TRYING TO
16 UNDERSTAND. WHEN PEOPLE SAY YOU'RE GOING TO BE LIABLE, YOU
17 HAVE AN OBLIGATION TO TELL ME HOW I'M GOING TO BE LIABLE
18 BECAUSE I DON'T SEE HOW WE'RE GOING TO BE LIABLE. THE ONLY
19 PROFILING THAT'S BEING DONE, AND I DON'T KNOW THE PROCESS
20 THEY'RE GOING TO SET UP, EITHER, IS WHETHER YOU WERE BORN IN
21 THIS COUNTRY OR NOT. THAT GOES WELL JUST BEYOND LATINOS. IT'S
22 RUSSIANS, IT'S ARMENIANS, IT'S CHINESE, TAIWANESE, IT'S THE
23 WHOLE GAMUT OF PEOPLE WHO WERE NOT BORN IN THIS COUNTRY, SO
24 THAT-- IF THAT'S THE ISSUE YOU'RE MAKING, I UNDERSTAND, AND
25 WE'LL GO ON. BUT IF THERE IS SOME LIABILITY ISSUE, AND I'VE



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1 ASKED THIS OF THE A.C.L.U. PEOPLE WHEN THEY MET WITH ME IN MY
2 OFFICE, WITH THE SHERIFF, WHAT IS THE LIABILITY? AND I'M NOT
3 CLEAR WHAT THE LIABILITY IS. I'M NOT SURE WHERE WE WOULD BE
4 LIABLE, UNLESS YOU'RE MAKING A CIVIL RIGHTS ARGUMENT. THAT'S
5 MY UNDERSTANDING.

6

7 **ARNOLDO CASSIAS:** ONE CIVIL RIGHTS ARGUMENT FOCUSING ON THESE
8 PEOPLE PRIMARILY BECAUSE THEY'RE LATINO, TOO, YOUR HONOR. THE
9 FACT OF THE MATTER IS, THERE ISN'T ANY PLAN LAID OUT BY THE
10 SHERIFF'S DEPARTMENT AS TO HOW THEY'RE GOING TO CARRY OUT--
11 WHAT EXACTLY OR THE FACTORS, WHAT EXACTLY ARE THE QUESTIONS?
12 HOW ARE THEY GOING TO DETERMINE THAT THESE PEOPLE...

13

14 **SUP. YAROSLAVSKY:** WELL, DON'T YOU THINK IT WOULD BE A GOOD
15 IDEA FOR YOU TO KNOW WHAT THAT PROCESS WAS BEFORE YOU MADE THE
16 STATEMENT THAT WE WOULD BE LIABLE?

17

18 **ARNOLDO CASSIAS:** WELL, YOUR HONOR, IT'S ACTUALLY A GOOD IDEA
19 FOR THE BOARD TO KNOW WHAT THE SHERIFF'S DEPARTMENT IS GOING
20 TO GET YOU INTO BECAUSE WHAT I SUSPECT IS GOING TO HAPPEN,
21 YOUR HONOR, IS THAT THERE'S GOING TO BE THIS RUSH TO GET
22 PEOPLE THAT ARE BASICALLY BASED ON THEIR PROFILE, AS BEING
23 LATINO, INTO I.N.S. CUSTODY TO GET THEM OUT LASD CUSTODY, YOUR
24 HONOR.

25



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1 **SUP. MOLINA, CHAIR:** MR. YAROSLAVSKY? I THINK THAT ONE OF THE
2 LIABILITY RESPONSIBILITIES THAT THIS BOARD WOULD HAVE TO HAVE
3 IS, IF WE HAVE OUR DEPUTY, WE HAVE A RESPONSIBILITY, HE IS OUR
4 DEPUTY, HE'S NOT THE I.N.S. DEPUTY, HE'S BEEN TRAINED
5 I.N.S./I.C.E. TO CARRY OUT THIS WORK. IF HE HAS AND VIOLATES,
6 FOR WHATEVER, RESPONSIBILITY OR DUTY IN THAT PROCESS, THERE
7 IS, I MEAN, THE QUESTIONING ISN'T CORRECT, THERE IS SOME KIND
8 OF MANNER IN WHICH IT'S DONE, WE COULD BE SUED. THERE IS SOME
9 LIABILITY. AGAIN, WE DON'T KNOW THAT AS YET UNTIL THEY CARRY
10 OUT THIS PROGRAM AND BEGIN SEEING AS TO HOW THEY'RE GOING TO
11 DO THE IDENTIFICATION AND HOW THEY'RE GOING TO CARRY OUT THIS
12 WORK. BUT THE FACT THAT THEY'RE OUR EMPLOYEES, THEY BECOME A
13 COUNTY LIABILITY JUST BECAUSE THEY'RE OUR EMPLOYEES.

14

15 **ARNOLDO CASSIAS:** AND I SHOULD ALSO NOTE, YOUR HONOR, THAT,
16 WITH RESPECT TO THE C.A.O.'S ANALYSIS OF THE IMMUNITIES, THE
17 C.A.O. IS COUCHING THEIR-- WHAT APPEAR TO BE THEIR
18 RECOMMENDATION FOR THIS, ON THEIR BELIEF THAT THE FEDERAL
19 GOVERNMENT IS SOMEHOW GOING TO IMMUNIZE THE DEPUTIES AND THAT,
20 BY HAVING THEM BE CLASSIFIED AS FEDERAL EMPLOYEES FOR PURPOSES
21 OF WHAT THEY'RE GOING TO BE DOING UNDER THIS PROGRAM, THAT THE
22 FEDERAL GOVERNMENT IS BASICALLY GOING TO, FOR ALL INTENTS AND
23 PURPOSES, TAKE THE HIT, NOT ONLY IN TERMS OF ANY LIABILITY BUT
24 ALSO IN TERMS OF THE DEFENSE. WHAT THE C.A.O.'S OFFICE DOES
25 NOT TAKE INTO ACCOUNT, YOUR HONOR, IS THAT FEDERAL CIVIL



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1 RIGHTS VIOLATIONS UNDER SECTION 1983 ARE NOT SUBJECT TO ANY
2 IMMUNITY, THEY'RE NOT SUBJECT TO THE FEDERAL TORT CLAIMS ACT.
3 THAT'S SOMETHING THEY HAVEN'T CONSIDERED, YOUR HONOR, AND IT
4 RELATES DIRECTLY NOT ONLY TO INDIVIDUAL DEPUTY LIABILITY BUT
5 LIABILITY OF THE COUNTY OF LOS ANGELES AS THE AGENCY CARRYING
6 THAT'S CARRYING OUT THESE POLICIES.

7

8 **SUP. YAROSLAVSKY:** LET ME ASK YOU THIS: DO YOU THINK WE HAVE
9 ANY LIABILITY FOR KNOWING-- IF WE KNOW WE HAVE PEOPLE IN OUR
10 JAILS WHO HAVE BEEN CONVICTED OF A CRIME WHO ARE ALSO HERE IN
11 THE COUNTRY ILLEGALLY AND WE RELEASE THEM BACK INTO THE
12 POPULATION, DO YOU THINK HYPOTHETICALLY, THEORETICALLY, THAT
13 SOME ATTORNEY ON THE OTHER SIDE OF YOUR PHILOSOPHICAL AISLE
14 MAY HAVE A LIABILITY CASE AGAINST US? THE PREVIOUS LADY WHO
15 SPOKE TALKED ABOUT THE 120, 125 ADDITIONAL PRISONERS WE'RE
16 GOING TO HAVE. I'M CURIOUS AS TO HOW MANY OF THOSE 125 HAVE
17 BEEN IN OUR JAILS BEFORE.

18

19 **ARNOLDO CASSIAS:** I THINK THE GOVERNMENT CODE PROVIDES FOR THAT
20 SET OF CIRCUMSTANCES AND I BELIEVE THAT THERE IS A SPECIFIC
21 IMMUNITY FOR THE COUNTY UNDER THOSE CIRCUMSTANCES. WHAT WE'RE
22 DEALING WITH, THOUGH, YOUR HONOR, IS VIOLATIONS OF CIVIL
23 RIGHTS GOING ON IN THE COUNTY BY DEPUTIES UNDER THIS KIND OF
24 VAGUE AND AMORPHOUS PLAN THAT THEY'VE PROVIDED NO PARTICULAR
25 DETAILS ABOUT THEM...



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1

2 **SUP. YAROSLAVSKY:** BUT YOU DON'T KNOW THAT. THAT'S-- I MEAN, I-
3 - MS. MOLINA HIT, REALLY HIT THE NAIL ON THE LIABILITY HEAD,
4 HIT THE LIABILITY NAIL ON THE HEAD. BUT EVEN-- AND SHE'S NOT A
5 LAWYER, YOU ARE AND SHE MADE THE CASE. MY QUESTION TO YOU IS,
6 AND TO HER, IT'S A RHETORICAL QUESTION, IS, WE DON'T KNOW WHAT
7 THE POLICY, HOW IT'S GOING TO BE CARRIED OUT AND YOU'RE
8 PRESUMING THAT THEY'RE GOING TO SCREW UP AND THAT THERE'S
9 GOING TO BE A LIABILITY AND MAYBE THERE'S GOOD REASON TO
10 BELIEVE THAT ANY GOVERNMENT EMPLOYEE IS GOING TO SCREW UP, I
11 DON'T NECESSARILY BUY THAT, BUT YOU'RE MAKING A JUDGMENT THAT
12 ALL OF THE OTHER REASONS FOR WHICH THE SHERIFF HAS REQUESTED
13 THIS PROPOSAL, THAT WE DISCARD ALL OF THOSE BECAUSE OF THE
14 HYPOTHETICAL SITUATION WHERE WE MIGHT, WHERE ONE OFFICER MIGHT
15 DO SOMETHING THAT MIGHT PUT THE COUNTY IN A LIABILITY
16 SITUATION AND THAT-- YOU KNOW, WEIGHT THE EQUITIES.

17

18 **ARNOLDO CASSIAS:** MY FOCUS WASN'T THE INDIVIDUAL LIABILITY OF
19 THE DEPUTIES, WHICH, OF COURSE, WOULD BE SOMETHING THE COUNTY
20 SHOULD CONSIDER BUT, YOUR HONOR, THERE'S A CERTAIN AMOUNT OF
21 DELIBERATE INDIFFERENCE, I'LL SAY, THAT'S MAYBE-- MIGHT
22 UNDERLIE YOUR COMMENTS OR IT MIGHT BE ARGUED THAT YOUR
23 COMMENTS UNDERLIE, THAT THAT THE COUNTY, BY ALLOWING THE
24 SHERIFF'S DEPARTMENT, AT THIS POINT TO BLINDLY, FRANKLY, ENACT
25 A PROGRAM, A SCHEME OF DEALING WITH, AGAIN, A CERTAIN ETHNIC



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1 GROUP HERE, WHICH I BELIEVE TO BE PRIMARILY LATINOS, WITHOUT
2 KNOWING WHAT IS BEING CALLED FOR, I'D RESPECTFULLY SUBMIT,
3 YOUR HONOR, THAT THAT SUGGESTS THAT THIS BOARD IS INDIFFERENT
4 TO THOSE VIOLATIONS.

5

6 **SUP. YAROSLAVSKY:** YOU KNOW, I RECEIVE A LOT OF MAIL EVERY DAY
7 THAT-- EVERY WEEK, AS I'M SURE EVERY ELECTED OFFICIAL IN THIS
8 COUNTY DOES, THAT FEELS THAT THE GOVERNMENT, WHOEVER THAT IS,
9 FEDERAL, STATE, LOCAL, IS INDIFFERENT TO OTHER LAWS AND SO
10 IT'S ALL A MATTER OF PERSPECTIVE AND I RESPECT YOUR POINT OF
11 VIEW AND I RESPECT THE WAY YOU SEE IT. BUT I THINK YOU NEED TO
12 BE AWARE, AS I'M SURE YOU ARE, THAT OTHER PEOPLE SEE IT,
13 PEOPLE HAVE A DIFFERENT POINTS OF VIEW, IN GOOD FAITH, SEE IT
14 DIFFERENTLY. AND SOME PEOPLE SIMPLY ASK THE QUESTION, WHY
15 WOULD WE-- WHY WOULD WE NOT DEPORT PEOPLE WHO HAVE BEEN
16 CONVICTED OF A CRIME WHO ARE HERE ILLEGALLY? I MEAN, WHAT IS
17 THE PUBLIC POLICY REASON NOT TO DO THAT? AND, I MEAN, WE'VE
18 DONE ALL KINDS OF THINGS AS A BOARD HERE IN THE COUNTY, THE
19 CITY OF L.A. AND MANY OF THE CITIES WITHIN THE COUNTY. WE HAVE
20 MADE ALL KINDS OF POLITICALLY DIFFICULT CHOICES IN ORDER TO
21 AVOID HARASSMENT OF PEOPLE SIMPLY BECAUSE OF THEIR STATUS AND
22 WE DON'T WANT OUR LOCAL OFFICIAL, LOCAL PUBLIC SAFETY
23 OFFICIALS BECOMING AGENTS OF THE FEDERAL GOVERNMENT IN THE
24 NORMAL COURSE. BUT, WHEN IT COMES TO THIS KIND OF AN
25 ARRANGEMENT, IF-- AND I WISH THE SHERIFF HAD BEEN HERE, HE'S



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1 GOT A MEDICAL ISSUE TODAY SO HE'S NOT HERE TODAY BUT I'VE
2 TALKED TO HIM ABOUT IT, HE BELIEVES THAT THIS IS A PUBLIC
3 SAFETY ISSUE AND THAT MANY OF THE PEOPLE WHO COME IN THIS
4 CATEGORY OF UNDOCUMENTED PERSONS INTO OUR JAILS HAVE BEEN
5 THERE BEFORE, AND HE BELIEVES THAT THIS IS-- THAT WE OWE NO
6 OBLIGATION TO SOMEBODY WHO HAS BEEN CONVICTED OF A CRIME TO
7 KEEP HIM HERE. SO THAT'S THE OTHER SIDE OF THE ARGUMENT AND
8 SOME PEOPLE BELIEVE THAT, BY OUR NOT DOING ANYTHING ABOUT
9 THAT, WE'RE BEING INDIFFERENT. I GET A LOT FROM CERTAIN OF MY
10 CONSTITUENTS IN THAT REGARD. SO IT'S-- ANYWAY, I APPRECIATE
11 THE OPPORTUNITY...

12

13 **SUP. MOLINA, CHAIR:** ANYWAY, THAT WAS ONLY A COMMENT, NOT A
14 QUESTION, MR. CASSIAS, SO I...

15

16 **SUP. YAROSLAVSKY:** YEAH. I'LL GIVE HIM THE LAST WORD, IF YOU
17 WILL ALLOW IT.

18

19 **ARNOLDO CASSIAS:** I GUESS, JUST IN PARTING, YOUR HONOR, AND TO
20 ADDRESS THAT VERY SPECIFICALLY, THE BOARD DOES HAVE THAT VERY
21 HIGH DUTY TO ENFORCE NOT ONLY THE LAWS OF THE STATE BUT THE
22 LAWS OF THE UNITED STATES. AND AT THE VERY FOUNDATION OF THOSE
23 DUTIES ARE THINGS LIKE DUE PROCESS AND SUBSTANTIVE DUE PROCESS
24 AND I MAKE MY LIVING, FRANKLY, SUING PUBLIC ENTITIES FOR
25 VIOLATING THOSE CONSTITUTIONAL RIGHTS AND...



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1

2 **SUP. MOLINA, CHAIR:** THANK YOU, MR. CASSIAS PLEASE. WE NEED TO
3 CONTINUE. WE NEED TO. JANICE MARICEL, UZMA., ARACELI PEREZ.

4

5 **JANICE MAURIZI:** GOOD AFTERNOON. I'M JANICE MAURIZI. I AM A LOS
6 ANGELES COUNTY DISTRICT ATTORNEY, I'M A DIRECTOR WITH THE
7 DISTRICT ATTORNEY'S OFFICE. I ALSO SIT ON THE HIGH CAP
8 COMMITTEE, WHICH IS PROBABLY ONE OF THE REASONS THAT THEY
9 ASKED ME TO BE HERE. AND I JUST WANT TO ADDRESS A COUPLE OF
10 SPECIFIC POINTS THAT HAVE BEEN MADE, BOTH IN THE PAST AND THIS
11 AFTERNOON, AS YOU HAVE DISCUSSED THIS M.O.U. I THINK THAT THE
12 CONCERNS THAT WERE EXPRESSED BY MISS MARTINEZ AND BY VARIOUS
13 MEMBERS OF THE A.C.L.U. AND THE DEFENSE BAR ARE REALLY
14 CONCERNS THAT THEY HAVE WITH IMMIGRATION LAW AND REALLY ARE
15 NOT IMPACTED BY THIS M.O.U. SO, INsofar AS THE CONCERNS THAT
16 THEY HAVE EXPRESSED EARLIER, THOSE CONCERNS ARE GOING TO BE
17 THERE, WHETHER OR NOT THE COUNTY ACCEPTS THAT M.O.U. I ALSO
18 THINK IT'S A LITTLE BIT SORT OF ELITIST TO SUGGEST THAT I.C.E.
19 AGENTS CAN BE QUALIFIED, CAN BE TRAINED TO COMPETENTLY
20 INTERVIEW AND YET SHERIFF'S PERSONNEL CANNOT BE AND I DON'T
21 THINK THAT THAT'S A FACT. BUT THE REAL BOTTOM LINE, I THINK,
22 THAT I THINK IS MOST IMPORTANT FOR YOU TO CONSIDER HERE IS
23 THAT THE SHERIFF'S DEPARTMENT IS ALREADY ASKING THESE
24 QUESTIONS. THEY'RE DOING IT PRE-CONVICTION. I KNOW THAT SOME
25 HAVE SUGGESTED THAT POST-CONVICTION WOULD PROTECT THEIR



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1 RIGHTS. BUT THEY ARE ASKING QUESTIONS WITH REGARD TO CRIMINAL
2 STATUS, WITH REGARD TO CLASSIFICATION ISSUES, WHETHER A GANG
3 MEMBER SHOULD BE PUT IN A CELL WITH ANOTHER RIVAL GANG MEMBER.
4 THEY HAVE TO HAVE THAT INFORMATION. THEY HAVE TO HAVE THE
5 INFORMATION WITH REGARD TO IMMIGRATION STATUS, BECAUSE THEY
6 HAVE TO HAVE THAT INFORMATION TO COMPLY WITH THE VIENNA
7 CONVENTION TO NOTIFY THESE PEOPLE OF THEIR-- OF COUNSELOR
8 RIGHTS. SO THEY'RE ALREADY ASKING THESE QUESTIONS. I THINK
9 IT'S COMMENDABLE THAT THE SHERIFF'S DEPARTMENT HAS BEEN
10 WILLING TO STEP UP TO THE PLATE TO DO SOMETHING THAT, RIGHT
11 NOW, I.C.E. EITHER CAN'T DO OR WON'T DO. I THINK IT IS
12 PRIMARILY A PUBLIC SAFETY ISSUE THAT HAS TO BE ADDRESSED AND
13 IT BENEFITS BOTH THE PERSON WHO IS BEING DETAINED, BECAUSE
14 THAT PERSON WILL BE CLEARED THROUGH THE PROCESS AND THOSE WHO
15 SHOULD NOT BE KEPT INCARCERATED ARE GOING TO BE RELEASED
16 EARLIER. IT PROTECTS VICTIMS OUT THERE WHO WOULD BE VICTIMIZED
17 BY AN EARLY RELEASE BY SOMEONE WHO SHOULDN'T AND IT JUST MAKES
18 THE ADMINISTRATION OF JUSTICE MORE EFFECTIVE. THERE'S NO
19 CONSTITUTIONAL ISSUES. I KNOW MY TIME IS UP AND SO...

20

21 **SUP. MOLINA, CHAIR:** IT IS. BUT LET ME ASK YOU A QUESTION.
22 THERE IS NO PROBLEM WITH CERTAINLY-- THESE ARE CRIMINAL
23 ALIENS, IF THEY ARE OR WHATEVER, BUT WHAT ABOUT THE DUTY THAT
24 THE FEDERAL GOVERNMENT HAS AS FAR AS UNDERTAKING THIS
25 RESPONSIBILITY? IF THE SHERIFF HAS MADE THIS REQUEST, NOT ONLY



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1 THE HOMELAND SECURITY AND TO THE I.C.E. PEOPLE DIRECTLY ABOUT
2 PROVIDING THIS PERSONNEL IN ORDER TO UNDERTAKE THIS
3 RESPONSIBILITY AND WE CAN'T GET A RESPONSE, WHAT LEVEL OF
4 RESPONSIBILITY DOES THE FEDERAL GOVERNMENT HAVE WHEN WE ARE
5 CRYING OUT AND ASK THEM TO ASSIST US? WE'RE NOT DENYING THAT
6 THEY SHOULD COME INTO OUR JAILS AND CARRY OUT THEIR WORK.
7 WE'RE NOT DENYING THEM THAT ACCESS AND YET, AT THE SAME TIME,
8 THEY ARE PROVIDING FULL REIMBURSEMENT AS WE DETAIN MANY OF
9 THESE INDIVIDUALS AT ALL.

10

11 **JANICE MAURIZI:** BUT SEE...

12

13 **SUP. MOLINA, CHAIR:** AND SO IT'S MAKING US PAY FOR-- TAXPAYERS
14 ARE HAVING TO PAY FOR THESE RESPONSIBILITIES, L.A. COUNTY
15 TAXPAYERS, IT'S TAKING AWAY FROM OTHER SERVICES. I AGREE, WE
16 SHOULD DETAIN THESE PEOPLE AND WE SHOULD MAKE SURE THEY'RE
17 SERVING THEIR FULL SENTENCE AND IT IS A LAW ENFORCEMENT ISSUE
18 BUT IT COMES TO ANY OTHER RESPONSIBILITY, WHY NOT HAVE THE
19 FEDERAL GOVERNMENT HONOR ITS OWN DUTY TO ITS CITIZENS, TO ALL
20 OF US?

21

22 **JANICE MAURIZI:** WELL, I THINK, AS A CITIZEN, I CAN ANSWER THAT
23 TWO WAYS. I ABSOLUTELY AGREE THAT THE FEDERAL GOVERNMENT
24 SHOULD BE ENCOURAGED, FORCED TO THE EXTENT THAT WE CAN TO
25 PROVIDE THE SERVICES THAT THEY ARE OBLIGATED TO PROVIDE TO US.



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1 ALSO, AS A CITIZEN, I WANT MY COMMUNITY TO MAKE SURE THIS I'M
2 SAFE AND IT'S NOT GOING TO BE GOOD ENOUGH FOR ME IF A
3 SHERIFF'S DEPUTY COMES TO MY HOME AND SAYS THAT "ONE OF YOUR
4 CHILDREN HAS BEEN INJURED" AND THEN BLAMES THE FEDERAL
5 GOVERNMENT FOR NOT HAVING DEPORTED THAT PERSON WHEN THAT
6 PERSON WAS IN THEIR CUSTODY. ALSO, IN TERMS OF THE FUNDING, IT
7 IS MY UNDERSTANDING THAT THIS PROCESS WILL FACILITATE THE
8 RETRIEVAL OF S.C.A.P. FUNDS, SO WE WILL BE GAINING...

9

10 **SUP. MOLINA, CHAIR:** THIS IS AN M.O.U., AN M.O.U. MEANING A
11 TWO-WAY STREET. IN THE M.O.U., THERE IS NO GUARANTEE, AS I
12 UNDERSTAND, THAT THEY WILL PICK UP THESE INDIVIDUALS WITHIN 48
13 HOURS. THAT IS NOT A LISTED REQUIREMENT OF THE FEDERAL
14 GOVERNMENT.

15

16 **JANICE MAURIZI:** AND I WOULD AGREE WITH THAT.

17

18 **SUP. MOLINA, CHAIR:** SO HOW DO YOU THAT THEY WOULD NOT JUST
19 BEING RELEASED AND THEY'RE NOT PROVIDING YOUR SAFETY? SHOULD
20 WE INCLUDE THIS IN THE M.O.U. SO THAT YOU'RE SAFE?

21

22 **JANICE MAURIZI:** CERTAINLY, I DON'T THINK THAT IT WOULD HURT TO
23 INCLUDE THAT IN THE M.O.U.

24

25 **SUP. MOLINA, CHAIR:** THANK YOU.



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1

2 **SUP. KNABE:** I THINK THAT'S PROBABLY THE SAME WITH HEALTHCARE,
3 TOO, RIGHT? THERE'S NO GUARANTIES OF OUR FEDERAL FUNDING...

4

5 **SUP. MOLINA, CHAIR:** BUT WE HAVE-- YEAH, AND IN AN M.O.U., IT'S
6 A TWO-WAY STREET. I'M JUST SAYING WE SHOULD MAKE THAT REQUEST
7 THAT THAT SHOULD BE MANDATED IN THERE SO THAT THEY'LL CARRY
8 OUT THEIR DUTY. I'M JUST...

9

10 **SUP. ANTONOVICH:** BUT IN THE C.A.O.'S REPORT TO US, IT DOES
11 STATE THAT, WITH RESPECT TO THE ABILITY OF I.C.E. TO PROCESS
12 AND HOUSE THE INCREASED WORKLOAD THAT MAY RESULT FROM THE
13 PROPOSED M.O.U., I.C.E. WOULD SUPPORT THE M.O.U., WOULD
14 RECEIVE THE ADDITIONAL INMATES AND PROCESS THEM ACCORDINGLY.
15 SO THAT'S IN THERE.

16

17 **SUP. MOLINA, CHAIR:** BUT I UNDERSTAND YOU DIDN'T GET ANY
18 RESPONSE FROM I.C.E. WHEN THEY SAID ABOUT CARRYING OUT THESE
19 RESPONSIBILITIES, MR. JANSSEN.

20

21 **SUP. ANTONOVICH:** INDICATED-- I.C.E. INDICATED THAT THEY
22 SUPPORT THE M.O.U. AND WOULD RECEIVE THE ADDITIONAL INMATES.

23



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1 **C.A.O. JANSSEN:** THEN I WOULDN'T THINK THERE WOULD BE A PROBLEM
2 AMENDING THE M.O.U., IF THAT'S WHAT THEY'RE SAYING THEY'RE
3 GOING TO DO.

4

5 **SUP. MOLINA, CHAIR:** BUT DID THE-- WHEN YOU CALLED THEM, DID
6 THEY GIVE YOU A RESPONSE...

7

8 **C.A.O. JANSSEN:** WE HAVE-- FRANKLY, WE'VE RECEIVED DIFFERENT
9 ANSWERS FROM DIFFERENT PEOPLE.

10

11 **SUP. ANTONOVICH:** BUT, IN YOUR REPORT TO US, YOU INDICATED THAT
12 THEY SAID THEY WOULD RECEIVE...

13

14 **C.A.O. JANSSEN:** RIGHT. THE PERSON THAT WE TALKED TO INDICATED
15 THAT THAT WAS THEIR RESPONSIBILITY AND THEIR OBLIGATION.

16

17 **SUP. MOLINA, CHAIR:** IT IS THEIR RESPONSIBILITY BUT IS IT IN
18 THE M.O.U.?

19

20 **C.A.O. JANSSEN:** NO.

21

22 **SUP. MOLINA, CHAIR:** THANK YOU.

23

24 **SUP. KNABE:** BUT IT COULD BE AMENDED TO INCLUDE IT, THOUGH.

25



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1 SUP. ANTONOVICH: YOU COULD PUT THAT IN THERE. I MEAN,
2 THAT'S...

3

4 SUP. MOLINA, CHAIR: YOU'RE AMENDING IT TO INCLUDE IT?

5

6 C.A.O. JANSSEN: HE SAID IT COULD BE AMENDED TO INCLUDE IT IS
7 WHAT SUPERVISOR KNABE...

8

9 SUP. ANTONOVICH: TO INCLUDE WHAT? TO INCLUDE WHAT?

10

11 C.A.O. JANSSEN: THEIR OBLIGATION TO PICK UP THE PEOPLE.

12

13 SUP. KNABE: WITHIN 48 HOURS.

14

15 SUP. MOLINA, CHAIR: ALL RIGHT.

16

17 SUP. ANTONOVICH: AND ALSO THE I.C.E. ARE UNDER THE
18 SUPERVISION, I SHOULD SAY, THE SHERIFF'S EMPLOYEES ARE UNDER
19 THE SUPERVISION OF I.C.E. AND THAT'S IN THERE.

20

21 SUP. MOLINA, CHAIR: THE DEPUTIES ARE?

22

23 SUP. ANTONOVICH: YES.

24

25 SUP. MOLINA, CHAIR: SO WHAT DOES THAT MEAN?



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1

2 **SUP. ANTONOVICH:** WELL, ONE OF THE PREVIOUS SPEAKERS WAS
3 INDICATING THAT THEY HAD-- BASICALLY, THEY'RE OPERATING CARTE
4 BLANCHE AND OUR POINT IS THAT THEY'RE OPERATING UNDER THE
5 SUPERVISION OF THOSE GUIDELINES, YES.

6

7 **SUP. MOLINA, CHAIR:** UNDER THE FEDERAL GUIDELINES. NEXT. I'M
8 SORRY.

9

10 **UZMA:** MY NAME IS UZMA. IT TOOK ME 11 YEARS TO GET OUT OF THE
11 ABUSIVE RELATIONSHIP. MY EX-HUSBAND NEVER APPLIED FOR MY
12 IMMIGRATION, EVEN THOUGH HE WAS A GREEN CARD HOLDER. THE
13 ABUSER WAS MY HUSBAND, FATHER OF MY DAUGHTER. I WOULDN'T HAVE
14 GOTTEN OUT IF IT WASN'T FOR THE FACT THAT MY HUSBAND TOOK OFF
15 WITH MY DAUGHTER AFTER I CALLED THE POLICE ON HIM FOR THE
16 FIRST AND ONLY TIME IN 11 YEARS. I NEVER CALLED THE POLICE
17 BEFORE THAT BECAUSE I WAS THREATENED BY HIM THAT, IF I EVER DO
18 SO, HE WILL INFORM THE IMMIGRATION AND HAVE ME DEPORTED. I
19 KNOW THIS FOR SURE, THAT IF I KNEW THEN THAT I WOULD BE
20 DEPORTED IF THE POLICE COME TO KNOW THAT I WAS UNDOCUMENTED
21 PERSON, I WOULD HAVE NEVER CALLED THEM, NO MATTER WHAT. THE
22 THOUGHT OF NEVER SEEING MY DAUGHTER AGAIN WOULD HAVE STOPPED
23 ME FROM DOING SO. EVEN IF YOU SAY THAT THIS M.O.U. WILL ONLY
24 APPLY TO THE PERSON JAILED IN CRIME, STILL, THE PERCEPTION
25 THAT THERE IS SUCH A LAW WHERE IT IS POTENTIALLY POSSIBLE TO



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1 GET THE IMMIGRATION INVOLVED WILL DETER THE VICTIMS OF
2 DOMESTIC ABUSE FROM CALLING THE POLICE. WHERE ARE THEY TO GO
3 NOW? WHERE ARE THEY TO GO FOR HELP THEN? THIS M.O.U. CAN BE
4 USED AS A TOOL TO ENTRAP THE VICTIMS OF DOMESTIC ABUSE SINCE
5 MANY OF THEM ARE KEPT UNDOCUMENTED BY THEIR ABUSERS FOR
6 CONTROL. WE ALL KNOW THAT HOW COMMON IT IS THAT THE ABUSERS
7 FALSELY ACCUSE THE ABUSED AND FILE THE REPORT WITH THE POLICE
8 BEFORE THE VICTIM GETS THE CHANCE OR THE STRENGTH TO DO SO.

9

10 **SUP. MOLINA, CHAIR:** PLEASE SUMMARIZE.

11

12 **UZMA:** SO THE ABUSER WOULD HAVE MORE POWER OVER THE VICTIMS OF
13 DOMESTIC ABUSE. HUNDREDS OF WOMEN IN MY COMMUNITY ARE KEPT
14 UNDOCUMENTED BY THEIR HUSBAND. IT IS PART OF ABUSE AND
15 CONTROL. IF YOU...

16

17 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH. THANK YOU. NEXT WE
18 HAVE HAMID KHAN AND GREG SIMMONS. MISS PEREZ.

19

20 **ARACELI PEREZ:** GOOD AFTERNOON. MY NAME IS ARACELI S. PEREZ AND
21 I'M A STAFF INTERN AT MALDEF. MALDEF IS HERE BEFORE YOU TO
22 VOICE THEIR STRONG OPPOSITION TO THIS M.O.U. IN THE PAST, THEY
23 HAVE ARTICULATED THEIR CLEAR VIEW THAT THE NEGATIVE EFFECT
24 THAT SUCH AN M.O.U. WILL HAVE ON THE IMMIGRANT COMMUNITY. IN
25 GENERAL, MALDEF BELIEVES IT IS BAD POLICY TO MIX IMMIGRATION



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1 LAW WITH LOCAL ENFORCEMENT OF ANY SORT. THE MIX OF THE TWO
2 WILL PROVE DISASTROUS WITH COMMUNITY-BASED POLICING AND IT'S
3 CERTAIN TO INCREASE FEAR AND DIMINISH TRUST IN THE COMMUNITY,
4 AS WAS POINTED OUT BY THE PREVIOUS SPEAKER. THERE ARE TWO
5 ADDITIONAL AREAS THAT MALDEF WANTS TO TOUCH ON BRIEFLY TODAY
6 AND THAT IS ONE OF LIABILITY AND, TWO, WASTE OF THE TAXPAYERS'
7 DOLLARS. LIABILITY WAS BROUGHT UP BEFORE AND I THINK IT IS
8 IMPORTANT TO NOTE HERE AGAIN THAT THE LIABILITY IS INCREASED
9 BECAUSE, ONE, THEY ARE TAKING ON DUTIES THAT THEY'VE NEVER
10 TAKEN ON BEFORE. THEY WILL BE STARTING THE LITIGATION PROCESS
11 OR THE CHARGING PAPERS, WHICH IS THE PROCESS TO DEPORT THESE
12 PEOPLE. THEY'RE STARTING THAT, SO WHEN YOU DETAIN SOMEBODY
13 UNDER THAT CAPACITY, YOU ARE INCREASING YOUR LIABILITY FOR
14 1983 CLAIMS, AMBIVALENT CLAIMS. SECONDLY, I'D LIKE TO SAY THAT
15 MALDEF BELIEVES THAT DEPUTIES ARE NOT IN THE POSITION TO BE
16 TAKING ON THESE RESPONSIBILITIES. IMMIGRATION LAW IS VERY
17 COMPLEX. IT HAS BEEN SHOWN, THE FEDERAL GOVERNMENT CAN'T GET
18 IT RIGHT. WE'VE BROUGHT CASES BEFORE THE FEDERAL GOVERNMENT
19 AND WE GET SUBSTANTIAL JUDGMENTS AGAINST THEM AND THEY'RE NOT
20 ONLY SUBSTANTIAL JUDGMENTS BUT THERE ARE ATTORNEY FEES AND
21 THAT'S SOMETHING THE COUNTY HAS TO TAKE IN MIND. LASTLY, I
22 WANT TO TALK ABOUT, QUICKLY, ABOUT THE WASTE OF TAXPAYERS'
23 MONIES. YOU KNOW, AS HAS BEEN POINTED OUT BEFORE, THERE IS A
24 HUGE BURDEN THAT THE COUNTY IS TAKING ON BY DOING THIS AND
25 WE'RE NOT GETTING THE BENEFITS OR THE INTERESTS, AT LEAST NOT



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1 ONE THAT THE GOVERNMENT HAS A RESPONSIBILITY FOR TAKING ON
2 HERE, THE FEDERAL GOVERNMENT, I SHOULD SAY. AND WE SHOULDN'T
3 BE DOING THE JOB OF THE FEDERAL GOVERNMENT IN ENFORCING
4 IMMIGRATION LAW, NOT AT THE COST OF THE COUNTY AND NOT WITHOUT
5 ANY COMPENSATION FROM THE FEDERAL GOVERNMENT.

6

7 **SUP. MOLINA, CHAIR:** THANK YOU, MISS PEREZ. MR. KALUNIAN.

8

9 **ROBERT KALUNIAN:** THANK YOU, MADAM CHAIR, MEMBERS OF THE BOARD.
10 MY NAME IS ROBERT KALUNIAN. I'M THE CHIEF PUBLIC DEPUTY PUBLIC
11 DEFENDER. I'M HERE TO EXPRESS THE CONCERNS OF OUR OFFICE
12 CONCERNING THE PROPOSED M.O.U., AND OUR CONCERN PRIMARILY IS
13 WITH THE TIMING OF THE SO-CALLED INTERVIEWS. AS I THINK THE
14 SHERIFF INDICATED, PRESENTLY, THE I.C.E. OFFICERS INTERVIEW
15 AT-- JUST BEFORE RELEASE AFTER CONCLUSION OF THE CRIMINAL
16 STATE CASE. UNDER THE PROPOSED M.O.U., SHERIFF'S PERSONNEL
17 WILL BE INTERVIEWING INDIVIDUALS WHEN THEY FIRST COME INTO
18 CONTACT OR COME INTO COUNTY JAIL FOR CLASSIFICATION, WHICH IS
19 OBVIOUSLY DURING THE PENDENCY OF THE CRIMINAL CASE THAT WE
20 REPRESENT THE INDIVIDUALS ON. THEY WILL HAVE BEEN TO COURT,
21 THE CHARGES WILL HAVE BEEN FILED, THEY WILL HAVE A LAWYER
22 APPEAR ON THEIR BEHALF, EITHER APPOINTED OR RETAINED, AND THEY
23 WILL BE QUESTIONED MUCH MORE EXTENSIVELY THAN THEY WOULD HAVE
24 BEEN FOR CLASSIFICATION. THAT RAISES CONCERNS WITH US. THESE
25 ARE INDIVIDUALS, THEY'RE FOREIGN-BORN INDIVIDUALS, THEY'RE NOT



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1 NECESSARILY GUILTY, THEY'RE NOT NECESSARILY ILLEGAL. FOREIGN-
2 BORN INDIVIDUALS ARE-- NATURALIZED CITIZENS ARE OFTEN FOREIGN-
3 BORN. IN FACT, THEY ALL ARE. THERE ARE A NUMBER OF INDIVIDUALS
4 THAT ARE ARRESTED, WHICH HAVE BEEN-- WHICH ARE PERMANENT LEGAL
5 RESIDENTS. AND TO PUT THESE INDIVIDUALS IN A SITUATION WHERE
6 THEY COULD BE REQUIRED TO GIVE STATEMENTS THAT COULD BE USED
7 IN A PENDING CRIMINAL CASE PLACES THEM AT A DISTINCT
8 DISADVANTAGE. THERE IS A LOT OF CASE LAW RELATING TO...

9

10 **SUP. YAROSLAVSKY:** CAN I JUST ASK YOU AGAIN, COULD YOU BE
11 SPECIFIC AS TO WHAT, IN THAT SITUATION, WHERE SOMEBODY IS HERE
12 LEGALLY, THEY'VE JUST BEEN CHARGED, THEY HAVEN'T BEEN
13 CONVICTED OF A CRIME, WHAT KIND OF A STATEMENT IN THIS LITTLE
14 WINDOW THAT'S BEING PROPOSED HERE, WHAT KIND OF A STATEMENT
15 COULD THEY GIVE THAT COULD BE INJURIOUS TO THEM? JUST A
16 HYPOTHETICAL? I DON'T...

17

18 **ROBERT KALUNIAN:** HYPOTHETICAL, THEY COULD GIVE A STRING OF
19 RESIDENCE ADDRESSES THAT COULD TIE THEM TO A MURDER WEAPON, TO
20 A CONTRABAND. THE INTERVIEW...

21

22 **SUP. YAROSLAVSKY:** BUT WHY WOULD THE I.C.E. CONTRACT BE THE
23 ONLY WAY THAT COULD HAPPEN? COULDN'T THAT HAPPEN...

24



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1 **ROBERT KALUNIAN:** BECAUSE THE I.C.E. INTERVIEW IS A MUCH MORE
2 EXTENSIVE INTERVIEW THAN THE CLASSIFICATION INTERVIEW.

3

4 **SUP. ANTONOVICH:** SO THEY CAN LIE EASIER THE OTHER WAY.

5

6 **ROBERT KALUNIAN:** WELL, THE INDIVIDUALS THAT ARE PUT IN A
7 SITUATION, SUPERVISOR, ARE FOREIGN-BORNS. THEY COULD BE
8 UNDOCUMENTED, THEY COULD BE DOCUMENTED IN HERE LEGALLY. THEY
9 COULD BE CITIZENS AND NATURALIZED.

10

11 **SUP. YAROSLAVSKY:** BUT THAT'S WHAT THIS IS ALL DESIGNED TO
12 ASCERTAIN. IF THEY'RE HERE-- IF THEY'RE DOCUMENTED, IF THEY'RE
13 HERE LEGALLY, THEY'RE NOT GOING TO BE DEPORTED.

14

15 **SUP. KNABE:** PLUS, THEY'RE NOT COMPELLED TO EVEN GIVE A
16 RESPONSE.

17

18 **ROBERT KALUNIAN:** WELL, IF THEY'RE HERE LEGALLY, THEY ARE
19 COMPELLED TO GIVE A RESPONSE OR THEY'RE GOING TO GET A HOLD
20 PLACED ON THEM. THAT'S THE ISSUE THAT CONCERNS US.

21

22 **SUP. KNABE:** IF THEY'RE HERE LEGALLY. IF THEY'RE HERE LEGALLY.

23

24 **ROBERT KALUNIAN:** AN INDIVIDUAL WHO IS IN CUSTODY AND STARTS
25 WITH A CRIMINAL CASE PENDING HAS A CONSTITUTIONAL RIGHT.



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1 WHETHER THEY'RE ILLEGAL ALIEN OR LEGAL ALIEN, THE CONSTITUTION
2 PROTECTS EVERYBODY IN THESE UNITED STATES. IF AN INDIVIDUAL IS
3 HERE AND IS QUESTIONED EXTENSIVELY ABOUT THEIR BACKGROUND,
4 ABOUT THEIR RESIDENCE, ABOUT THEIR RELATIONSHIPS WITH OTHERS,
5 THEY ARE PLACED IN A SITUATION WHERE THEY EITHER HAVE TO
6 ANSWER THOSE QUESTIONS, IF THEY'RE LEGAL, AND WAIVE THEY'RE
7 RIGHT AGAINST SELF- INCRIMINATION, AND POSSIBLY INCRIMINATE
8 THEMSELVES IN THE PENDING CRIMINAL CASE AND ALSO WAIVE THEIR
9 RIGHT TO COUNSEL OR REMAIN MUTE AND FACE THE DANGER OF HAVING
10 A IMMIGRATION HOLD WRONGFULLY PUT ON THEM.

11

12 **SUP. ANTONOVICH:** BUT IF THEY'RE LEGAL, THEN IT'S OVER WITH.

13

14 **ROBERT KALUNIAN:** IF THEY SPEAK. BUT THEY COULD BE
15 INCRIMINATING THEMSELVES IN THE PENDING CRIMINAL CASE. OUR
16 CONCERN...

17

18 **SUP. ANTONOVICH:** BY SAYING THAT-- BY PROVING THAT THEY'RE HERE
19 LEGALLY, THEY WOULD BE...

20

21 **ROBERT KALUNIAN:** BY OTHER INFORMATION THAT COULD COME DOWN
22 THAT THEY ARE REQUIRED TO GIVE. FOR EXAMPLE, AN ADDRESS, THEIR
23 CURRENT RESIDENCE, THEIR PAST RESIDENCE, WHO THEY'VE
24 ASSOCIATED WITH. OFTENTIMES, THOSE ARE FACTS THAT ARE REQUIRED
25 TO PROVE THE CASE AGAINST AN INDIVIDUAL BECAUSE IT TIES THEM



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1 TO EVIDENCE OR TIES THEM TO CONTRABAND. THE CONCERN THAT WE
2 HAVE IS NOT THAT THE QUESTIONS ARE BEING ASKED BUT THAT THE
3 QUESTIONS ARE BEING ASKED DURING THE PENDENCY OF THE CRIMINAL
4 CASE.

5

6 **SUP. YAROSLAVSKY:** WHEN SHOULD THEY BE ASKED?

7

8 **ROBERT KALUNIAN:** THEY SHOULD BE ASKED WHEN THEY'RE ASKED NOW
9 AND THAT'S WHEN THE CASE IS OVER. THAT'S WHEN THEY'RE ASKED
10 NOW. THAT DEFEATS THE PURPOSE OF THE SHERIFF, I UNDERSTAND
11 THAT, BECAUSE THE SHERIFF WANTS TO DO IT DURING CLASSIFICATION
12 BECAUSE THAT'S WHEN HE HAS THE TIME. BUT, AS THE SHERIFF
13 POINTED OUT, THE I.C.E. OFFICERS PRESENTLY NOW INTERVIEW WHEN
14 THE CASE IS OVER BECAUSE IT'S JUST BEFORE RELEASE.

15

16 **SUP. MOLINA, CHAIR:** CAN WE ASK THE QUESTION, THEN, AND JUST SO
17 I UNDERSTAND, FROM WHAT MR. ANTONOVICH IS SAYING, FROM WHAT
18 MR. YAROSLAVSKY IS SAYING, THAT, POTENTIALLY, A PERSON,
19 ALTHOUGH HERE ILLEGALLY AND IS ACCUSED OF A CRIME, THEY GO
20 THROUGH THE PROCESS, THE COURTS, AND, AT THE END OF IT, ARE
21 FOUND NOT GUILTY, THE I.N.S. HAS ALREADY PUT A HOLD ON THIS
22 INDIVIDUAL AND, EVEN THOUGH THEY'RE NOT FOUND GUILTY OF THAT
23 CRIME, WHATEVER IT MAY BE, THE I.N.S. ALREADY HAS THAT PERSON
24 ON HOLD AND WOULD BE TAKING WHATEVER ACTION. MR. ANTONOVICH
25 SEEMS TO THINK THAT'S APPROPRIATE BECAUSE, AFTER ALL, THEY'RE



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1 HERE ILLEGALLY. THEY'VE ALREADY COMMITTED THAT CRIME. SO WEE
2 ARE NOW PROSECUTING THEM FOR COMMITTING THE CRIME OF COMING
3 ACROSS THE BORDER ILLEGALLY AND NOT THE CRIME...

4

5 **SUP. ANTONOVICH:** THE FEDERAL GOVERNMENT IS.

6

7 **SUP. MOLINA, CHAIR:** WELL, THAT'S THE FUZZY LINE HERE.

8

9 **ROBERT KALUNIAN:** I DON'T UNDER-- THE ONE THING THAT WAS SAID
10 THAT I THINK NEEDS TO BE CLARIFIED IS I DON'T THINK THIS IS A
11 PUBLIC SAFETY ISSUE. IF YOU HAVE A CRIMINAL ALIEN WHEN HE OR
12 SHE IS ARRESTED, THAT'S GOING TO POP UP WHEN HE IS ARRESTED OR
13 SHE IS ARRESTED AND THE HOLD'S GOING TO BE PUT ON HIM RIGHT
14 THEN AND THERE. SO, IF THAT'S THE SITUATION, IF YOU HAVE A
15 CRIMINAL ALIEN THAT'S ARRESTED FOR A NEW CHARGE, WHEN THE
16 ARRESTING AGENCY RUNS HIM IN THE DATABASE, HIGH CAP-- THAT'S
17 PART OF HIGH CAP, IT WILL PICK IT UP, BANG, THE HOLD'S ON HIM.
18 NOW, ALSO, AN INDIVIDUAL WHO HAS PREVIOUSLY BEEN CONVICTED OF
19 ILLEGAL REENTRY IN THE FEDERAL COURTS, THAT'S GOING TO SHOW
20 UP, THERE'S GOING TO BE A HOLD ON THEM. SO WHAT YOU'RE TALKING
21 ABOUT ARE INDIVIDUALS WHO HAVE NOT BEEN CONVICTED OF ANYTHING
22 YET. NOW, THE MOST SERIOUS OF THOSE SERIOUS FELONIES, IF THEY
23 ARE CONVICTED OF A CRIMINAL OFFENSE, THEY'RE NOT GOING TO BE
24 RELEASED FROM COUNTY JAIL. THEY'RE GOING TO GO TO STATE PRISON
25 AND THE I.N.S. CAN CONTACT THEM THEN, THEY'LL HAVE PLENTY OF



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1 TIME THERE. SO WHAT WE'RE TALKING ABOUT ARE INDIVIDUALS THAT
2 ARE CHARGED WITH MISDEMEANORS AND POSSIBLY CONVICTED OF
3 MISDEMEANORS OR ANY INDIVIDUAL WHO, AS SUPERVISOR MOLINA
4 POINTS OUT, IS INNOCENT.

5

6 **SUP. ANTONOVICH:** BUT MANY OF THOSE PEOPLE WHO ARE CONVICTED OF
7 MISDEMEANORS, LIKE AN EXAMPLE OF THE LAST PERSON, MR. VICK,
8 WHO MURDERED HIS FAMILY, HE WAS ARRESTED FOR A FELONY AND PLEA
9 BARGAINED TO A MISDEMEANOR. AND IT'S-- JUST BECAUSE YOU'RE
10 CONVICTED OF A MISDEMEANOR DOES NOT MEAN THAT IT'S REALLY A
11 FELONY OFFENSE BUT YOU WERE PLEA BARGAINING TO A LESSER
12 OFFENSE AND, WHEN YOU HAVE A SITUATION WHERE 80% OF THOSE WHO
13 ARE RELEASED RECOMMIT THEIR CRIMES, YOU HAVE A PATTERN WHERE
14 PUBLIC SAFETY DOES TAKE PARAMOUNT RESPONSIBILITY FROM LOCAL
15 GOVERNMENTAL AGENCIES AND WHAT THIS IS A ATTEMPT TO DO IS TO
16 ENSURE THAT WE PROTECT THE COMMUNITY.

17

18 **ROBERT KALUNIAN:** YEAH, I UNDERSTAND THAT, SUPERVISOR, AND I
19 WILL REITERATE OUR CONCERN AND THAT IS, WHEN THE INTERVIEW IS
20 TAKING PLACE, BECAUSE IT REQUIRES INDIVIDUALS THAT ARE FOREIGN
21 BORN, WHETHER THEY'RE HERE LEGALLY OR ILLEGALLY, TO CHOOSE
22 BETWEEN THEIR CONSTITUTIONAL RIGHT TO REMAIN SILENT AND THEIR
23 RIGHT TO COUNSEL VERSUS TALKING AND TRYING TO CLEAR UP AN
24 IMMIGRATION ISSUE.

25



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1 **SUP. MOLINA, CHAIR:** THANK YOU FOR THAT ARE CLARIFICATION, MR.
2 KALUNIAN. MR. KHAN? COULD WE ALSO PLEASE JOIN-- EXCUSE ME, MR.
3 KHAN-- BY ALAN DIAMANTE AND JOAQUIN LINTON. PLEASE, MR. KHAN.

4
5 **HAMID KHAN:** GOOD AFTERNOON. THANK YOU VERY MUCH FOR THE
6 OPPORTUNITY TO SHARE A COMMUNITY'S PERSPECTIVE WITH THE BOARD.
7 ONE OF THE PREVIOUS SPEAKERS IS A CLIENT OF OURS AND I'M
8 REALLY ENCOURAGED BY HER COURAGE TO COME OUT AND SHARE HER
9 STORY. AND I THINK THAT REALLY REFLECTS THAT-- HOW SUCH AN
10 M.O.U. AND SUCH A PROPOSAL WOULD PLAY OUT INTO THE COMMUNITY.
11 AND I'M A BIT SADDENED HERE TODAY THAT, WHILE A LOT OF THIS
12 DISCUSSION IS HOVERING AROUND DETAILS OF CIVIL LIABILITY, BUT
13 IT SEEMS LIKE THAT THERE'S A PRICE BEING PLACED ON COMMUNITY
14 MEMBERS. IT IS OUR EXPERIENCE THAT WE DEAL WITH HUNDREDS OF
15 VICTIMS OF DOMESTIC VIOLENCE, OF HATE CRIMES, PEOPLE WHO ARE
16 BEING VIOLATED OF THEIR RIGHTS AT WORKPLACES BUT, BECAUSE OF
17 THEIR STATUS, THEY ARE FEARFUL TO REACH OUT TO THE POLICE. SO
18 WHAT WE HAVE TODAY IS THAT WE ARE SHIFTING THIS WHOLE FOCUS
19 AND WE ARE CREATING A NATIONAL MODEL, WHICH WOULD BE-- WHICH
20 WE WOULD BE SHOWING THE DISTRUST AND THE FEAR OF THE COMMUNITY
21 BETWEEN LOCAL COMMUNITIES AND LAW ENFORCEMENT. AND I'M ALSO
22 REMINDED ABOUT JOHN ASHCROFT'S, YOU KNOW, LEGACY THAT IS
23 PLAYING OUT THAT, AT FIRST, HE TRIED THE TIPS INITIATIVE,
24 WHICH WAS ROUNDLY OPPOSED BY THE POSTAL WORKERS. THEN HE ASKED
25 FOR A-- YOU KNOW, JUST AN ACTION BY LOCAL LAW ENFORCEMENT



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1 WHICH THE INTERNATIONAL CHIEF OF POLICE ASSOCIATION HAS COME
2 OUT AGAINST AND, YOU KNOW, NOW THE CITY OF LOS ANGELES, WHICH
3 HAS ONE OF THE LARGEST FOREIGN-BORN POPULATIONS, IS NOW
4 SEEKING TO ASSIGN THIS ROLE TO LOCAL LAW ENFORCEMENT. I FEEL
5 THAT THAT WOULD BE A SHAME FOR THE COUNTY OF LOS ANGELES TO
6 TAKE THIS STAND. I REALLY, REALLY URGE YOU NOT TO GO THERE
7 BECAUSE IT WILL HAVE, REALLY, A DEEP AND A NEGATIVE IMPACT ON
8 THE COMMUNITY AND THE RELATIONS THAT LAW ENFORCEMENT HAS WITH
9 THEM. THANK YOU.

10

11 **SUP. MOLINA, CHAIR:** THANK YOU, MR. KHAN. NEXT WE HAVE MR.
12 SIMONS. IS THAT CORRECT?

13

14 **GREG SIMONS:** SIMONS.

15

16 **SUP. MOLINA, CHAIR:** SIMONS. I APOLOGIZE.

17

18 **GREG SIMONS:** MY NAME IS GREG SIMONS, I WORK WITH CHIRLA AND I
19 JUST WANT TO POINT OUT ONE THING. JUST THIS LAST FALL, THE
20 INTELLIGENCE REFORM BILL WAS PASSED AND SECTION 5203
21 AUTHORIZES 800 NEW I.C.E. AGENTS PER YEAR, IF THE FUNDS ARE
22 APPROPRIATED, FOR FIVE YEARS RUNNING. AND ALSO SECTION 5202
23 AUTHORIZES UP, YOU KNOW, UP TO-- OR, EXCUSE ME, NO LESS THAN
24 2,000 NEW BORDER PATROL AGENTS PER YEAR FOR FIVE CONSECUTIVE
25 YEARS, IF THE FUNDS ARE APPROPRIATED. WHAT I'M SAYING IS THAT



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1 THE COUNTY DOESN'T HAVE TO CROSS THIS LINE OF FEDERAL LAW
2 ENFORCEMENT. THE SAME ENERGIES THAT ARE BEING PUT IN HERE
3 TODAY CAN BE PUT INTO MAKING SURE THAT THOSE FUNDS ARE
4 APPROPRIATED THROUGH FEDERAL CHANNELS AND I KNOW THAT CAN BE
5 DONE. THIS COUNTY HAS BROUGHT PRESSURE ON THE FEDERAL
6 GOVERNMENT TO APPROPRIATE FUNDS BEFORE, WHEN THESE ISSUES HAVE
7 COME UP. SO YOU DO NOT HAVE TO CROSS THIS LINE. THAT'S ALL I'M
8 SAYING.

9

10 **SUP. MOLINA, CHAIR:** THANK YOU, SIR. WE HAVE ALAN DIAMANTE.
11 PLEASE.

12

13 **ALAN DIAMANTE:** YES, HELLO, MADAM CHAIR, HONORABLE BOARD, I'M
14 THE PRESIDENT OF THE MEXICAN-AMERICAN BAR ASSOCIATION HERE IN
15 LOS ANGELES. WE ARE THE LARGEST LOCAL LATINO ETHNIC BAR
16 ASSOCIATION IN THE NATION. OUR MISSION IS TO EMPOWER THE
17 LATINO COMMUNITY THROUGH ADVOCACY. WE HAVE IMMIGRATION
18 ATTORNEYS, CIVIL RIGHTS ATTORNEYS, AND CRIMINAL DEFENSE
19 ATTORNEYS IN OUR GROUP AND WE WILL BE VIGILANT IN SAFEGUARDING
20 THE CONSTITUTION AND CIVIL RIGHTS FOR THE LATINOS AFFECTED BY
21 THIS M.O.U. ACCORDING TO THE C.O.A., THEY CITE THAT THERE'S A
22 SIMILAR M.O.U. IN ALABAMA AND IN FLORIDA BUT THOSE ARE RECENT
23 M.O.U.S. YOU TALK ABOUT THAT THERE WAS ALLEGEDLY ONE LAWSUIT
24 FILED. HOWEVER, WE'RE YET TO SEE HOW MANY LAWSUITS WILL BE
25 FILED IN THOSE CASES. IT'S STILL EARLY IN THE GAME. I THINK



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1 IT'S SOMEWHAT DISINGENUOUS TO BELIEVE THAT WE'RE NOT GOING TO
2 SEE TOO MANY LAWSUITS COME DOWN THE PIKE. IN ADDITION TO THAT,
3 THE C.O.A., IN FACT, GOT TO WRONG. HE INDICATES THAT
4 PREVIOUSLY ORDERED DEPORTED-- PREVIOUSLY ORDERED DEPORTED
5 INMATES WOULD BE TREATED SOMEHOW DIFFERENTLY AND WOULDN'T HAVE
6 THE REGULAR DUE PROCESS OF OTHER INDIVIDUALS. AND THAT'S A
7 MISNOMER BECAUSE, IF YOU LOOK AT SEVERAL CASES THAT ARE OUT
8 THERE OF CASTRO-- CORTEZ V. I.N.S., ORAHO V. U.S.A. AND ALSO
9 THE MOLINA SECURITA CASE, YOU WILL SEE THAT THERE ARE DUE
10 PROCESS ISSUES HERE FOR INDIVIDUALS THAT HAVE BEEN PREVIOUSLY
11 DEPORTED. YOU CANNOT JUST PUT THEM IN ONE CATEGORY AND SAY
12 THESE PEOPLE DON'T NEED DUE PROCESS. THE BIG CONCERN I HAVE IS
13 THAT, IF THE C.O.A. CAN'T GET IT RIGHT, HOW DO WE EXPECT
14 SHERIFF'S OFFICERS TO GET IT RIGHT? AND, ONE MORE POINT, IS
15 THE INSUL-- AND WHETHER THE COUNSEL IS INSULATED OF LIABILITY.
16 IT IS NOT, IF THERE'S A FAILURE TO SUPERVISE AND A FAILURE TO
17 PROPERLY TRAIN. WHAT QUESTIONS TO ASK. THE M.O.U. DOESN'T
18 SPECIFY WHAT THOSE QUESTIONS ARE. WE'RE ASSUMING THAT THEY'RE
19 GOING TO BE PROPERLY TRAINED BY THE I.C.E. WE SHOULDN'T ASSUME
20 ANYTHING. AND I JUST, IN CLOSING, I WANT TO INDICATE THAT THE--
21 - THAT THIS M.O.U. WILL GENERATE FEAR IN THE COMMUNITY. WE
22 HAVE TO BE VERY CONCERNED BECAUSE THERE'S RESTRICTIONISTS THAT
23 ARE OUT THERE ACROSS THE COUNTRY THAT ARE LOOKING AT L.A. TO
24 FOLLOW IN L.A.'S STEPS TO HAVE A SIMILAR M.O.U. TO DEPUTIZE
25 LAW ENFORCEMENT. AND L.A.'S BEING LOOKED AT ACROSS THE



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1 COUNTRY, ACROSS CALIFORNIA, DO WE WANT TO CREATE THIS
2 PRECEDENT?

3

4 **SUP. MOLINA, CHAIR:** DO YOU WANT TO SUMMARIZE, PLEASE.

5

6 **ALAN DIAMANTE:** WE DON'T WANT TO CREATE A PRECEDENT. WE HAVE A
7 LARGE POPULATION OF LATINOS IN LOS ANGELES. WE GOT TO BE
8 RESPONSIBLE TO THOSE LATINOS, WHETHER THEY'RE CRIMINALS OR
9 WHETHER THEY'RE NOT CRIMINALS AND WE ALREADY KNOW...

10

11 **SUP. MOLINA, CHAIR:** THANK YOU, MR. DIAMANTE. NEXT WE HAVE
12 VICTOR NIEBLAS, SUNGPYO MA AND GREGORY MORENO, IF THEY WOULD
13 JOIN US, PLEASE. MR. LIN-- IS IT MR. LINTON?

14

15 **LINTON JOAQUIN:** IT'S LINTON JOAQUIN. GOOD AFTERNOON. I'M THE
16 EXECUTIVE DIRECTOR OF THE NATIONAL IMMIGRATION LAW CENTER AND
17 I'M AN ATTORNEY WITH MORE THAN 25 YEARS' EXPERIENCE IN
18 IMMIGRATION LAW. AND I JUST WANT TO ADDRESS A FEW POINTS. ONE
19 IS SIMPLY THAT THIS ISN'T SIMPLY A CASE OF ANOTHER COOPERATION
20 OF LOCAL AND FEDERAL LAW ENFORCEMENT. THE FACT THAT AN M.O.U.
21 HAS TO BE SIGNED AND THAT IT'S AN UNPRECEDENTED ACTION THAT NO
22 COMMUNITY IN THE STATE HAS ENTERED INTO INDICATES THE NATURE
23 OF THE MESSAGE THAT WILL BE SENT TO IMMIGRANT COMMUNITIES IF
24 THE SHERIFF'S DEPARTMENT ENTERS INTO AN AGREEMENT TO CONDUCT
25 IMMIGRATION LAW ENFORCEMENT. IT'S MAY BE A TECHNICAL LINE BUT



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1 IT'S A VERY BRIGHT LINE BEING CROSSED AND IT WILL NOT BE LOST
2 ON IMMIGRANT COMMUNITIES THAT REALLY NEED TO BE ABLE TO TRUST
3 LAW ENFORCEMENT IF PEOPLE ARE GOING TO COME FORWARD AS VICTIMS
4 OF CRIME. SECONDLY, IT'S SIMPLY NOT THE CASE ON THE ONE HAND
5 THAT THERE IS ANY KIND OF GUARANTEE OF ANY ADDITIONAL FUNDING
6 TO COME THROUGH FROM THIS AGREEMENT. AND, ON THE OTHER HAND,
7 IT'S ABSOLUTELY NOT THE CASE THAT THIS IS WITHOUT COST. IT'S
8 WITH COST BOTH IN TERMS OF THE INCREDIBLY COMPLICATED TASKS
9 THAT WILL BE PUT ON THE SHERIFF'S-- THE CUSTODY ASSISTANTS AND
10 IN TERMS OF POTENTIAL LIABILITY TO THE COUNTY. THE AMOUNT OF
11 TIME INVOLVED IN QUESTIONING, DEVELOPING AFFIDAVITS, DOING THE
12 PROCESSING FOR ISSUING DETAINERS AND DOING THE PROCESSING TO
13 WRITE UP NOTICES TO APPEAR IS NOT INSUBSTANTIAL. I'VE DEPOSED
14 A GREAT MANY IMMIGRATION OFFICERS AS TO WHAT THEY DO WHEN THEY
15 GO THROUGH PROCESS OF WRITING UP PEOPLE FOR DEPORTATION
16 PROCEEDINGS AND IT IS NOT A SIMPLE PROCESS. THE DANGER OF
17 LIABILITY IS, IN PART, INVOLVED IN TERMS OF WHETHER THE
18 QUESTIONING IS ADEQUATE TO REALLY ASCERTAIN WHETHER SOMEONE IS
19 DEPORTABLE. IT'S A MUCH MORE COMPLICATED CASE THAN THE CASE OF
20 A LAWFUL PERMANENT RESIDENT WHO MAY BE-- IT'LL DEPEND ON THE
21 NATURE OF THE CRIMINAL CONVICTION THE PERSON MIGHT HAVE. AS
22 WAS INDICATED, IN MANY CASES, PEOPLE WILL BE QUESTIONED BEFORE
23 THEY'VE ACTUALLY BEEN CONVICTED. IN FACT, THEY MAY BE
24 ACQUITTED AND YET SUBJECT TO A DETAINER RESULTING FROM THE--
25 AT THE TIME OF THEIR INITIAL INTERVIEW.



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1

2 **SUP. MOLINA, CHAIR:** PLEASE SUMMARIZE, MR. JOAQUIN.

3

4 **LINTON JOAQUIN:** OKAY. IN OTHER WORDS, THIS IS A WRONG MOVE,
5 BOTH IN TERMS OF THE MESSAGE IT SENDS TO THE IMMIGRANT
6 COMMUNITIES. IT'S A WRONG MOVE IN TERMS OF THE INTERESTS OF
7 LOCAL LAW ENFORCEMENT AND IT'S NOT WITHOUT SIGNIFICANT COSTS
8 AND RISKS.

9

10 **SUP. MOLINA, CHAIR:** THANK YOU SO MUCH. MR. NIEBLAS.

11

12 **VICTOR NIEBLAS:** YES. GOOD AFTERNOON. VICTOR NIEBLAS. I'M AN
13 IMMIGRATION ATTORNEY. I'M ALSO A PROFESSOR OF LAW AT LOYOLA
14 LAW SCHOOL. I TEACH IMMIGRATION LAW AND ALSO SIT ON THE BOARD
15 OF GOVERNORS FOR THE AMERICAN IMMIGRATION LAWYERS ASSOCIATION.
16 I AM IN THE BUSINESS OF TRAINING. I TEACH. IMMIGRATION LAW IS
17 VERY COMPLEX. IT CHANGES DAILY. IT CHANGES WITH THE POLITICAL
18 WINDS OF OUR LEADERS AND THE PROBLEM THAT I GET IN MY CLASS
19 IS, EVERY DAY WHEN I GO IN THERE AND I TALK TO MY STUDENTS,
20 AND I SAID, "GUESS WHAT, THE LAW CHANGED. FORGET WHAT I TOLD
21 YOU YESTERDAY." IF WE BELIEVE THAT TRAINING FROM I.C.E.
22 OFFICERS WILL BE SUFFICIENT, WE ARE WRONG. I HAVE TO MAINTAIN
23 MY RESEARCH DAILY IN ORDER TO BE UP TO DATE, IN ORDER TO BE
24 ABLE TO TEACH AND TRAIN. AND IF WE EXPECT THAT A CERTIFICATE
25 WILL BE ENOUGH, WE ARE WRONG, WE HAVE TO BE CAREFUL. I'M NOT



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1 SAYING THAT WE CANNOT TRAIN THEM. I'M SAYING THAT THE TRAINING
2 WILL HAVE TO BE EXTENSIVE, IT WILL HAVE TO COVER MANY
3 SUBJECTS. MARKING ONE BOX. IF WE BELIEVE THAT THAT IS ENOUGH,
4 WE ARE WRONG. WE SHOULD BE ASKING, WHERE WERE YOUR PARENTS
5 BORN? WHERE WERE YOUR GRANDPARENTS BORN? WHERE WERE YOUR
6 GREAT, GREAT GRANDPARENTS BORN? THEN WE CAN START GETTING INTO
7 ANALYSIS OF WHETHER OR NOT PEOPLE CAN BE IDENTIFIED AS BEING
8 UNLAWFUL IN THIS COUNTRY. IF WE BELIEVE THAT THESE PEOPLE WHO
9 ARE BEING DETAINED ARE CRIMINAL ALIENS, LET'S HEAR WHAT WE'RE
10 SAYING. WE ARE SAYING THAT THESE PEOPLE WILL BE INTERROGATED
11 PRE-CONVICTION. LET'S NOT USE THESE TERMS OF FEAR. LET'S NOT
12 ACCUSE THESE PEOPLE OF LYING SIMPLY BECAUSE THEY WANT THEIR
13 RIGHT IN COURT AND THEIR DAY IN COURT. LET'S PLEASE CONSIDER
14 THESE AREAS. THERE ARE SO MANY AREAS UNDER IMMIGRATION LAW.
15 THERE IS VISAS THAT GO "A" THROUGH "V". THERE ARE
16 NATURALIZATION AND DERIVATIVE CITIZENSHIP QUESTIONS THAT WE
17 HAVE TO ASK. THERE IS PERMANENT AND CONDITIONAL RESIDENTS.
18 THERE ARE SO MANY AREAS IN THIS LAW AND IT KEEPS CHANGING
19 DAILY, DAILY. PLEASE KEEP THAT IN MIND. OTHER ATTEMPTS IN
20 OTHER STATES HAVE BEEN CONFRONTED WITH OPPOSITION. WE'RE NOT
21 THE SAME HERE IN LOS ANGELES. I WILL HOPE THAT YOU WOULD
22 CONSIDER THIS BECAUSE THE RISK OF ERROR IS HIGH. THANK YOU.

23

24 **SUP. MOLINA, CHAIR:** THANK YOU, SIR.

25



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1 **SPEAKER:** GOOD AFTERNOON. I HAVE A LIST OF ABOUT 80-- I THINK
2 ONE OF THE FAXES IS THAT MR. YAROSLAVSKY RECEIVED WAS FROM 80
3 LAWYERS WHO ARE VERY CONCERNED. A LOT OF HAS BEEN SAID OF WHAT
4 I WANTED TO SAY BUT I HAVE SOME QUESTIONS FOR YOU TO JUST
5 CONTEMPLATE BECAUSE OF THE QUESTION THAT YOUR HONOR
6 YAROSLAVSKY ASKED THAT I THINK THAT MAYBE, WITH ALL RESPECT,
7 THAT YOU CAN'T ANSWER BECAUSE THIS MEMORANDUM IS LIKE AN ILL
8 CONCEIVED, ILL PLANNED AND VERY SKETCHY OUTLINE OF WHAT
9 THEY'RE CALLING YOU TO DO. I DO CIVIL RIGHTS AND I THINK YOU
10 WANT TO PREVENT-- THIS IS PREVENTIVE MEDICINE RIGHT NOW FOR
11 ALL KINDS OF MOTIVES AND I THINK YOUR MOTIVE IS PROBABLY A
12 GOOD ONE. MR. ANTONOVICH, I THINK YOU HAD SOME GOOD QUESTIONS
13 ABOUT THE LAW ENFORCEMENT. WE WANT THEM TO DO THE JOB ACROSS
14 THE BOARD IN OUR COMMUNITY. I HAVE SIX CHILDREN. BUT WHAT
15 YOU'RE DOING HERE IS YOU'RE DOING THE SAME THING THAT HAPPENED
16 IN THE C.R.A.S.H. IN THE L.A. CORRUPTION THAT THEY WANTED TO
17 GET RID OF THE GANGSTERS OFF THE STREET. IT WAS ILL-CONCEIVED
18 AND ILL- PLANNED AND IT WAS OVERZEALOUS, AND WHAT YOU END UP
19 GETTING, YOU ENDED UP GETTING A BUNCH OF CORRUPT ENFORCEMENT
20 OFFICERS WHO SWEEP INNOCENT PEOPLE UP AND FABRICATED THINGS.
21 YOU DON'T HAVE HERE-- YOU CAN'T ANSWER THE QUESTION HERE,
22 WHAT'S GOING TO HAPPEN WHEN YOU DON'T-- WHEN HE DOESN'T ANSWER
23 THE QUESTION OR SHE DOESN'T ANSWER THE QUESTION? WHAT'S GOING
24 TO HAPPEN IF THEY'RE OVER-DETAINED? THAT'S A DELIBERATE
25 INDIFFERENCE. WHAT'S GOING TO HAPPEN IF SOMEBODY IS-- WELL,



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1 YOU DON'T HAVE A GUIDELINE FOR THE TRAINING. BEFORE YOU
2 IMPLEMENT ANY TYPE OF MEMORANDUM LIKE THIS OR GUIDELINES TO BE
3 ABLE TO ENFORCE IT, THEY HAVEN'T GIVEN YOU ENOUGH. YOU
4 WOULDN'T SIGN A CONTRACT TO PURCHASE A BIRD AT THE PET STORE
5 IS WHAT THE SHERIFF IS ASKING YOU TO DO HERE. I UNDERSTAND ALL
6 OF YOUR CONCERNS. BUT I'LL ASK YOU THIS. GO HOME. DON'T VOTE--
7 IF YOU VOTE ON THIS RIGHT NOW, I GUARANTEE YOU, TONIGHT, I
8 COULD PROBABLY SELL YOU THE EMPIRE STATE BUILDING. AND WITH
9 ALL RESPECT, AND I MEAN, RESPECTFULLY, YOU DON'T HAVE ENOUGH
10 INFORMATION HERE TO VOTE FOR THIS. HE'S PUT YOU IN A BAD
11 SITUATION. I DON'T SEE HOW YOUR CHIEF COULD HAVE GIVEN YOU
12 THIS MEMORANDUM. THANK YOU.

13

14 **SUP. MOLINA, CHAIR:** THANK YOU, SIR. SUNGPYO MA IS NOT HERE.
15 JULIO GIRON AND MARTA HERNANDEZ, HELE GONZALES AND MORNA HA,
16 IF THEY'D JOIN US.

17

18 **SUP. ANTONOVICH:** HOW MANY MORE, GLORIA?

19

20 **SUP. MOLINA, CHAIR:** HOPEFULLY ONLY FOUR MORE.

21

22 **SUP. ANTONOVICH:** THREE?

23

24 **SUP. MOLINA, CHAIR:** HOPEFULLY. PROCEED.

25



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1 **HELE GONZALES:** GOOD AFTERNOON. MY NAME IS HELE GONZALES. I'M
2 THE EXECUTIVE DIRECTOR OF CHIRLA, THE COALITION FOR HUMANE
3 IMMIGRANT RIGHTS OF LOS ANGELES. OUR MISSION IS TO ADVANCE THE
4 HUMAN AND THE CIVIL RIGHTS OF IMMIGRANTS AND REFUGEES. AND IT
5 IS WITH CONCERN FOR THE RIGHTS THAT WE'RE HERE IN OPPOSITION,
6 IN VERY STRONG OPPOSITION TO THIS M.O.U. THE PRESENTED M.O.U.
7 WOULD ALLOW THE L.A. SHERIFF'S DEPARTMENT TO ACTUALLY DO
8 INTERVIEWS AT THE INTAKE PROCESS WITHOUT, AND I WANT TO
9 REITERATE, WITHOUT HAVING CONVICTED ANY OF THE INDIVIDUALS WHO
10 ARE GOING THROUGH THE PROCESS. THERE NEEDS TO BE A CLEAR
11 SEPARATION OF POWERS BETWEEN LOCAL LAW ENFORCEMENT AND FEDERAL
12 IMMIGRATION AGENTS TO ENSURE THAT THE LOS ANGELES RESIDENTS,
13 REGARDLESS OF THEIR IMMIGRATION STATUS, HAVE FULL CONFIDENCE
14 AND TRUST IN THE PROTECTION OF THE SHERIFF, OF ANY LAW
15 ENFORCEMENT AGENTS. AND I SPEAK TO YOU WITH EXPERIENCE. I'VE
16 WORKED AT THE ORGANIZATION FOR OVER 10 YEARS. DURING THAT
17 TIME, I'VE HAD COUNTLESS INTERACTIONS WITH UNDOCUMENTED
18 INDIVIDUALS WHO HAVE BEEN VICTIMS AND WITNESSES OF CRIME. AND
19 THESE CRIMES INCLUDE DOMESTIC VIOLENCE, ASSAULT, ROBBERY,
20 HUMAN SMUGGLING, TRAFFICKING, RAPE, HATE CRIMES AND ON. AND,
21 IN CERTAIN INSTANCES, WE HAVE ACTUALLY HAD LAW ENFORCEMENT
22 COUNSEL INDIVIDUALS IN OUR OFFICE BECAUSE WE HAVE REQUESTED
23 THAT THEY DO SO. WE HAVE-- I'M GOING TO GIVE YOU TWO VERY
24 CONCRETE EXAMPLES OF INDIVIDUALS WHO HAVE BEEN NEGATIVE-- THAT
25 WE'VE HELPED THAT WOULD HAVE BEEN NEGATIVELY IMPACTED. ONE, A



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1 DOMESTIC WORKER WHO WAS WANTING TO GET HER DUE WAGE FROM HER
2 EMPLOYER, WHO HADN'T BEEN PAYING HER. THE EMPLOYER, INSTEAD OF
3 PAYING, DECIDED THAT SHE WAS GOING TO CALL LAW ENFORCEMENT,
4 THE POLICE, AND ACCUSE THIS INDIVIDUAL OF ACTUALLY STEALING
5 FROM HER. SHE WAS ARRESTED AND THE INDIVIDUAL WAS OBVIOUSLY
6 NOT CONVICTED, IT WAS A FALSE, IT WAS A FALSE ACCUSATION.
7 HOWEVER, IF THIS M.O.U. WERE TO HAVE PASSED, THIS INDIVIDUAL
8 WOULD, BECAUSE OF HER UNDOCUMENTED STATUS, WOULD HAVE HAD A
9 DETAINED-- DETAINER ON HER, EVEN THOUGH SHE WAS NOT CONVICTED
10 OF ANY CRIME AND THAT SHE WAS BEING TAKEN ADVANTAGE OF. IN
11 ANOTHER INSTANCE, ACTUALLY, IN SUPERVISOR ANTONOVICH'S
12 DISTRICT, IN THE FIFTH DISTRICT, IN PASADENA, WE HAD A
13 SITUATION OF TRAFFICKING WHERE WE HAD A VERY-- I WOULD JUST
14 SAY A HORRIBLE PERSON WHO ACTUALLY WAS-- WHO HAD A GARMENT
15 FACTORY WHICH HE ACTUALLY LOCKED UP AND HAD PEOPLE INSIDE THAT
16 GARMENT FACTORY SEWING DAY AND NIGHT. THOSE INDIVIDUALS WERE
17 TOLD THAT, IF THEY ACTUALLY CALLED THE POLICE OR DID ANYTHING,
18 THAT THEY, TOO, WOULD BE ARRESTED BECAUSE THEY WERE IN
19 COMPLICITY. THESE WERE OTHER WORKERS THAT WEREN'T BEEN
20 DETAINED. SOME INDIVIDUALS WERE WRONGLY DETAINED. IF THIS
21 M.O.U. WOULD HAVE BEEN IN EFFECT DURING THAT TIME, THOSE
22 INDIVIDUALS, EVEN THOUGH THEY WERE ERRONEOUSLY ARRESTED, WOULD
23 HAVE ALSO-- WOULD BE NEGATIVELY IMPACTED. AND FINALLY, I JUST
24 WANT TO SAY...

25



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1 **SUP. MOLINA, CHAIR:** PLEASE SUMMARIZE, MISS GONZALES.

2

3 **HELE GONZALES:** AND JUST, FINALLY, I WANT TO SAY THAT MANY,
4 MANY LAW ENFORCEMENT OFFICIALS ACROSS THE COUNTRY ARE SAYING
5 THAT THIS IS A BAD IDEA BECAUSE IT REALLY NEGATES THE
6 OPPORTUNITY FOR IMMIGRANTS, UNDOCUMENTED IMMIGRANTS WHO ARE
7 AFRAID TO ACTUALLY COME FORWARD. IT'S A WRONG MOVE FOR US AND
8 A LOT OF PEOPLE, RESTRICTIONISTS ARE SEEING THIS AS AN
9 OPPORTUNITY. IT'S A SMALL WINDOW THEY SEE BUT AN OPPORTUNITY
10 TO OPEN THAT WINDOW.

11

12 **SUP. MOLINA, CHAIR:** THANK YOU. NEXT WE HAVE MARTA JIMENEZ AND
13 IF WE COULD BE ALSO JOINED BY NATIVO LOPEZ. MISS JIMENEZ?

14

15 **MARTA JIMENEZ:** MY NAME IS MARTA JIMENEZ. I'M A RESIDENT OF THE
16 LOS ANGELES COUNTY AND I'M ALSO REPRESENTING ABOUT 15 MEXICAN
17 HOMETOWN ASSOCIATIONS WITH A MEMBERSHIP OF ABOUT A 500,000
18 MEMBERS THROUGHOUT CALIFORNIA. I AM HERE TO TELL YOU THAT WE
19 OPPOSE THE MEMORANDUM OF UNDERSTANDING BASED ON THE FACT THAT
20 IT VIOLATES HUMAN RIGHTS FOR IMMIGRANTS AND ALSO IT WILL
21 CREATE A MAJOR FINANCIAL TOLL UPON THE LOS ANGELES COUNTY
22 BECAUSE THERE'S GOING TO BE POTENTIAL LAWSUITS. WHY AM I
23 SAYING THIS? BECAUSE THERE'S POTENTIAL FOR VIOLATING THE
24 VIENNA CONVENTION ON CONSULAR RELATIONS AND CIVIL RIGHTS. LAST
25 JUNE, AS A RESULT OF THE VICIOUS IMMIGRATION RATE CONDUCTED



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1 THROUGHOUT CALIFORNIA, IT'S SUSPECTED UNDOCUMENTED IMMIGRANTS
2 FROM HONDURAS NAMED ECKERPAS WAS PERSECUTED AND INCARCERATED
3 IN TEMECULA BY MEMBERS OF A RESPECTED SHERIFF'S DEPARTMENT. IN
4 THE PROCESS OF ENFORCING IMMIGRATION LAWS INSIDE A JAIL
5 FACILITY, NO ONE KNOWS HOW ECKERPAS WAS SENT BACK TO HONDURAS
6 WITHIN DAYS IN A PLASTIC BLACK BAG. HE HAD NO FAIR DUE PROCESS
7 AND, TO THIS DAY, THE FAMILY AND THE COMMUNITY DO NOT KNOW
8 WHAT HAPPENED. THE M.O.U., THEREFORE, PROPOSES A POTENTIAL
9 VIOLATION OF HUMAN RIGHTS. WE MUST LEARN FROM THE PAST. ON THE
10 OTHER HAND, VICTIMS OF DOMESTIC VIOLENCE WOULD NOT FEEL
11 CONFIDENT IN CALLING FOR HELP WHEN THEY ARE BEING VICTIMIZED.
12 THEREFORE, I ASK YOU TODAY TO VOTE "NO" ON THE IMPLEMENTATION
13 OF THE M.O.U. LOS ANGELES COUNTY BOARD OF SUPERVISORS SHOULD
14 BE A BEACON OF HOPE AND A SANCTUARY FOR THE PROTECTION OF
15 HUMAN RIGHTS. LET THE FEDERAL GOVERNMENT DO THE IMMIGRATION
16 ENFORCEMENT, NOT THE LOS ANGELES COUNTY BOARD OF SUPERVISORS.

17

18 **SUP. MOLINA, CHAIR:** THANK YOU, MISS JIMENEZ. MISS HAHN?

19

20 **MORNA HAHN:** HI, MY NAME IS MORNA HAHN. I REPRESENT THE
21 NATIONAL KOREAN AMERICANS SERVICE EDUCATION CONSORTIUM BASED
22 IN KOREA TOWN, LOS ANGELES. WE ARE A CONSORTIUM OF THREE LOCAL
23 AFFILIATES IN LOS ANGELES, CHICAGO AND NEW YORK ADVOCATING FOR
24 IMMIGRANT RIGHTS AND CIVIL RIGHTS OF KOREAN AMERICANS. MY
25 TESTIMONY WILL ADDRESS SPECIFICALLY WHY THE M.O.U. WILL HAVE A



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1 CHILLING EFFECT ON IMMIGRANT COMMUNITIES. KOREAN AMERICANS AND
2 THE WIDER IMMIGRANT COMMUNITY ALREADY HAVE CONCERNS ON HOW
3 IMMIGRATION ENFORCEMENT IS CARRIED OUT. THERE HAVE BEEN
4 INCIDENCES WHEN OUR COMMUNITY MEMBERS WERE TREATED IN AN
5 UNFAIR, UNJUST, AND INDISCRIMINATORY MANNER. THIS PAST SUMMER,
6 FOR EXAMPLE, IMMIGRANT COMMUNITIES WERE SUBJECTED TO RAIDS AT
7 WORKPLACES, HEALTH CLINICS AND RESTAURANTS. KOREAN-AMERICANS,
8 INCLUDING NATURALIZED CITIZENS, WERE QUESTIONED AT BUS STOPS
9 AND SHOPPING MALLS. WHILE THE M.O.U. IS SUPPOSED TO BE LIMITED
10 TO FEDERAL IMMIGRATION DUTIES AND JAIL FACILITIES, MANY
11 COMMUNITY MEMBERS WILL HEAR AND THINK OTHERWISE. AS A RESULT,
12 THE M.O.U. WILL NOT ADDRESS THE STATE OF FEAR IN OUR
13 COMMUNITIES THAT OUR COMMUNITIES ARE CURRENTLY IN BUT RATHER
14 DRAMATICALLY INCREASE THE AMOUNT OF UNNECESSARY FEAR.
15 FURTHERMORE, IMMIGRATION LAW IS A COMPLICATED AND DELICATE
16 MATTER. EVEN THOUGH THEY PROPOSE A CALLS FOR TRAININGS AND
17 SUPERVISION TO BE CONDUCTED BY I.C.E. OFFICERS, THE MANY FINE
18 NUANCES OF FEDERAL IMMIGRATION LAW WILL BE DIFFICULT FOR
19 OFFICERS TRAINED IN LOCAL LAW ENFORCEMENT TO IMPLEMENT. LOCAL
20 LAW ENFORCEMENT OFFICERS NEED TO CARRY OUT THEIR DUTIES TO THE
21 COMMUNITY BY BUILDING TRUSTING RELATIONSHIPS WITH THE PEOPLE.
22 PASSAGE OF THE M.O.U. WILL SURELY DO THE OPPOSITE AND STIR UP
23 CONFUSION, WHICH WILL, IN TURN, HAVE A NEGATIVE IMPACT ON
24 LOCAL LAW ENFORCEMENT. THE DIRECT RESULT WILL BE A WIDER GAP
25 BETWEEN LOCAL LAW ENFORCEMENT AND THE PEOPLE IT'S SUPPOSED TO



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1 SERVE. FOR THESE REASONS, WE STRONGLY URGE YOU TO OPPOSE THE
2 M.O.U. THANK YOU.

3

4 **SUP. MOLINA, CHAIR:** THANK YOU, MISS HAHN. MR. GIRON?

5

6 **JULIA GIRON:** JULIO GIRON FROM THE EL RUPO USA AND I ASK MADAM
7 CHAIRMAN TO ALLOW ME TO DO THE TRANSLATION OF-- THE BRIEF
8 TRANSLATION OF WHAT I'M GOING TO SAY IN SPANISH. (SPEAKING
9 SPANISH). WE ARE OPPOSED COMPLETELY TO ILLEGAL IMMIGRATION AND
10 IT'S GOOD THAT SOME OF THE LAWYERS MENTION ABOUT LATINOS.
11 WELL, I'M LATINO. I'M NOT AN ILLEGAL ALIEN. THE MEMBERS OF OUR
12 GROUP, THEY HAVE RESIDENT LEGAL CARDS, THEY ARE UNITED STATES
13 CITIZENS. WE CANNOT AFFORD ANY LONGER 23% OF THE POPULATION IN
14 THE COUNTY JAILS AND, YOU CORRECT ME, MEMBERS OF THIS BOARD IF
15 WE ARE WRONG, ARE ILLEGAL IMMIGRANTS. I GIVE YOU SOME NUMBERS
16 OF THE INSTITUTE OF IMMIGRATION OF MEXICO IN THE LAST THREE
17 MONTHS. THEY DEPORT FROM MEXICO ABOUT 200,000 ILLEGAL
18 EMIGRANTS WHO WENT TO MEXICO. COSTA RICA, 45,000 ILLEGAL
19 IMMIGRANTS DEPORTED FROM THEM, FROM COSTA RICA WHO TRIED TO
20 STAY ILLEGALLY IN THE COUNTRY. THE QUESTION IS, IF THERE IS A
21 ROOM FOR QUESTION, WHY IS THE PEOPLE WHO COME HERE, NOT LIKE
22 WE, WHO APPLY LEGALLY TO COME TO THE UNITED STATES, FILE EVERY
23 SINGLE FORM, PAY EVERY SINGLE DUES RESPECTING THE IMMIGRATION
24 LAWS AND THESE GROUPS, ABOUT 4,000 ILLEGAL IMMIGRANTS NOW IN
25 COUNTY JAILS, ABOUT 4,000, THEY'RE NOT ONLY HERE ILLEGALLY, WE



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1 ARE NOT TALKING ABOUT OUR REGULAR ILLEGAL IMMIGRANTS. WE ARE
2 TALKING ABOUT A PERSON WHO IS HERE ILLEGALLY AND, ON TOP OF
3 THAT, COMMIT FELONIES AND DIFFERENT CRIMES. THE QUESTION TO
4 YOU IS, BOARD OF SUPERVISORS, WHY NOT TO APPROVE THESE-- AND
5 NOT THIS MEMORANDUM AND I.C.E. I'M PRETTY SURE, BECAUSE
6 A.C.L.U. WON'T ALWAYS ACT LIKE CRYING BABIES, WE'LL GO TO THE
7 SUPREME COURT AND AGAIN ASK FOR THE VIOLATION OF THEIR CIVIL
8 RIGHTS. THE BUSH ADMINISTRATION, TWO WEEKS AGO, TRIED TO
9 ENFORCE THAT IN DEPORTED PEOPLE BUT PEOPLE LIKE THE A.C.L.U.
10 AND ALL THESE PEOPLE LIKE THE-- I DON'T WANT TO MENTION THE
11 NAME OF THOSE GROUPS, THEY ARE NOT WORTH IT TO MENTION, THEY
12 WERE CRYING, AND THE SUPREME COURT UNFORTUNATELY SAY, "OH, NO,
13 DEPORT PEOPLE THAT THEY DESERVE TO BE RESPECTED." NO.

14

15 **SUP. MOLINA, CHAIR:** DO YOU WANT TO SUMMARIZE, MR. GIRON?

16

17 **JULIA GIRON:** YES, MADAM CHAIRMAN, THANK YOU FOR THE TIME
18 YOU'RE GIVING ME TO SUMMARIZE BUT IT IS IMPORTANT THAT WE
19 CANNOT AFFORD ANY LONGER, LIKE MR. YAROSLAVSKY SAY BEFORE, THE
20 COUNTY IS LIABLE ANYWAYS IF ALL THESE-- ALMOST 4,000 INMATES
21 REMAINING THERE. THEY ARE ILLEGAL IMMIGRANTS.

22

23 **SUP. MOLINA, CHAIR:** THANK YOU, MR. GIRON.

24

25 **JULIA GIRON:** THEY SHOULD BE DEPORTED.



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1

2 **SUP. MOLINA, CHAIR:** THANK YOU. ALL RIGHT. THAT CONCLUDES ALL
3 OF THE TESTIMONY ON THESE ITEMS. THE ITEM IS BEFORE US.

4

5 **SUP. YAROSLAVSKY:** MADAM CHAIR, I'D LIKE ASK THE SHERIFF'S
6 PERSONNEL TO COME BACK UP AND I WANT TO UNDERSTAND A COUPLE OF
7 THINGS. WHILE THEY'RE COMING UP, LET ME JUST THANK THE PEOPLE
8 WHO TESTIFIED BECAUSE I THINK IT'S BEEN INFORMATIVE AND I
9 THINK IT'S HELPED FOCUS THE ISSUE A BIT MORE THAN IT WAS FOR
10 ME BEFORE WE GOT HERE TODAY. LET ME UNDERSTAND SOMETHING. ONE
11 OF THE ISSUES THAT CONCERNS ME AND THE PUBLIC DEFENDER,
12 REPRESENTATIVE OF THE PUBLIC DEFENDER'S OFFICE SAID IT, MR.
13 KALUNIAN, AND OTHERS, IS WHAT HAPPENS TO AN INDIVIDUAL WHO
14 COMES IN, YOU TAKE ALL THE INFORMATION AT THE EARLY STAGE OF,
15 YOU KNOW, I GUESS, WHEN HE COMES IN, WHEN HE'S PROCESSED. HE'S
16 ACCUSED OF A CRIME, OF ASSAULT, HE'S GOING TO GO ON TRIAL FOR
17 ASSAULT. YOU HAVE ALREADY COLLECTED THE INFORMATION TO
18 DETERMINE WHETHER HE'S UNDOCUMENTED OR NOT AND SUPPOSE HE IS
19 UNDOCUMENTED. YOU DETERMINE, I DON'T KNOW IF THAT'S WHEN YOU
20 DETERMINE IT BUT YOU'VE DETERMINED THAT HE'S NOT HERE LEGALLY.
21 HE GETS ACQUITTED IN COURT. WHAT IS TO PREVENT THE FEDERAL
22 GOVERNMENT-- AND I ASSUME THAT, BY THIS POINT, YOU HAVE SHARED
23 THE INFORMATION, AM I CORRECT IN THIS OR NOT, THAT YOU HAVE
24 SHARED THE INFORMATION WITH THE FEDERAL AUTHORITIES? THAT,
25 AFTER YOU HAVE TAKEN THIS INFORMATION IN, WHEN I GET ARRESTED,



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1 I GET INTO THE INTAKE CENTER, YOU PROCESS ME, YOU FIND OUT I'M
2 ILLEGALLY HERE, SEND ME UP TO MY CELL, A MONTH LATER, I'M ON
3 TRIAL, BUT AFTER YOU SEND ME UP TO MY CELL, HAVE YOU SHARED
4 THAT INFORMATION WITH THE FEDERAL GOVERNMENT RIGHT AT THAT
5 POINT?

6

7 **CHUCK JACKSON:** NOT CURRENTLY, SUPERVISOR.

8

9 **SUP. YAROSLAVSKY:** WELL, UNDER THE M.O.U., WOULD YOU DO THAT?

10

11 **CHUCK JACKSON:** IF, IN FACT, AND THAT'S STILL THE "IF" TO BE
12 DETERMINED, IF, IN FACT, WE CONDUCT THE INTERVIEWS DURING THE
13 BOOKING CLASSIFICATION PROCESS AND A DETERMINATION WAS MADE
14 THAT THE PERSON WAS UNDOCUMENTED, IN THE COUNTRY ILLEGALLY
15 AND, YOU KNOW, CHARGED WITH A CRIME, THAT INFORMATION WOULD
16 SHARED WITH IMMIGRATION CUSTOMS ENFORCEMENT. THE ULTIMATE
17 DECISION AS TO WHETHER TO DETAIN AND/OR GO THROUGH DEPORTATION
18 PROCESSES BELONGS TO IMMIGRATION CUSTOMS ENFORCEMENT, NOT TO
19 SHERIFF.

20

21 **SUP. YAROSLAVSKY:** ALL RIGHT. SO THAT, UNDER YOUR M.O.U., AS
22 YOU NOW ENVISION IT, YOU WOULD SHARE THAT INFORMATION WITH THE
23 FEDERAL AUTHORITIES AND, IF THE INDIVIDUAL IMMIGRANT IS
24 ACQUITTED OF THE CRIME FOR WHICH HE WAS ARRESTED, IT WOULD
25 STILL BE, AT THAT POINT, UP TO THE FEDERAL AUTHORITIES AS TO



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1 WHETHER THEY WERE GOING TO DEPORT THAT INDIVIDUAL OR NOT, IS
2 THAT WHAT YOU'RE SAYING?

3

4 **CHUCK JACKSON:** THAT'S WHAT I'M SAYING, SUPERVISOR. WE NEVER
5 MAKE THE DETERMINATION, AT ANY TIME, ON DEPORTATION
6 PROCEDURES.

7

8 **SUP. YAROSLAVSKY:** SO THE CHARGE THAT HAS BEEN MADE BY THE
9 OPPONENTS OF THIS THAT, IN FACT, BECAUSE OF MR. KALUNIAN SAID
10 IT BEST, BECAUSE OF THE TIMING OF WHEN WE DO THIS, THAT WE ARE
11 PUTTING A POTENTIALLY INNOCENT INDIVIDUAL, INNOCENT OF THE
12 CRIME FOR WHICH HE WAS ARRESTED, NOT INNOCENT OF BEING HERE
13 ILLEGALLY BUT THAT'S NOT WHY HE WAS ARRESTED, AND THE SHERIFF
14 HAS ASSURED THIS BOARD AND THE PUBLIC MANY TIMES THAT HE IS
15 NOT GOING TO BE AN ARM OF THE IMMIGRATION SERVICE AND
16 POLICING, YOU SAID IT EARLIER TODAY YOURSELF, THAT'S NOT HIS
17 ROLE, SO THAT, EFFECTIVELY, WHAT YOU'RE SAYING IS SOMEBODY WHO
18 GETS ARRESTED AND IS DEEMED TO BE INNOCENT COULD END UP
19 GETTING DEPORTED BECAUSE OF THE INFORMATION THAT YOU-- BECAUSE
20 OF THE TIMING OF WHEN THE INFORMATION WAS COLLECTED BY YOUR
21 FOLKS AND HANDED OVER TO THE FEDERAL AUTHORITIES?

22

23 **CHUCK JACKSON:** I'M SAYING THAT IS A POSSIBILITY, YES.

24



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1 **SUP. YAROSLAVSKY:** WELL, BUT IT'S A POSSIBILITY THAT'S TOTALLY
2 A HUNDRED PERCENT IN THE HANDS OF THE FEDERAL AUTHORITIES,
3 IT'S OUT OF YOUR HANDS. ONCE YOU TRANSMIT THAT INFORMATION TO
4 THE FEDERAL AUTHORITIES, IT'S TOTALLY WITHIN THEIR DISCRETION
5 AS TO WHETHER THEY'RE GOING TO INITIATE DEPORTATION
6 PROCEEDINGS AGAINST SOMEBODY OR NOT, CORRECT?

7

8 **CHUCK JACKSON:** ABSOLUTELY, SIR. THAT'S CORRECT.

9

10 **SUP. YAROSLAVSKY:** SO WHETHER OR NOT-- AND I TAKE IT, AND THIS
11 IS A QUESTION, THAT THE FEDERAL AUTHORITIES DON'T DISTINGUISH
12 BETWEEN PEOPLE WHO HAVE BEEN CONVICTED OR ACQUITTED OF A CRIME
13 OR DO THEY?

14

15 **CHUCK JACKSON:** CURRENTLY, IN L.A. COUNTY JAIL SYSTEM, WE ONLY
16 PROVIDE THEM THE INFORMATION ON THOSE THAT ARE CONVICTED UPON
17 OR JUST PRIOR TO RELEASE SO THAT'S ALL THAT THEY'RE...

18

19 **SUP. YAROSLAVSKY:** I'M SORRY? SAY THAT AGAIN. I DIDN'T CATCH
20 THAT.

21

22 **CHUCK JACKSON:** CURRENTLY, ALL WE ARE PROVIDING THEM IS A LIST
23 OF NAMES OF THOSE INDIVIDUALS IDENTIFIED AS ILLEGAL IN THE
24 COUNTRY AND CONVICTED OF CRIMES. THEY DON'T HAVE THE PERSONNEL



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1 OR THE STAFFING TO DEAL WITH THE VOLUME. I'M NOT SURE THAT,
2 WITH SIX MORE, WE WOULD HAVE...

3

4 **SUP. YAROSLAVSKY:** I'M NOT-- I'M STILL NOT CLEAR. IT'S LATE IN
5 THE DAY, SO I'M NOT FOCUSING AS WELL AS I DO EARLIER IN THE
6 DAY BUT WHAT-- I DIDN'T UNDERSTAND WHAT IT IS THAT CURRENTLY
7 WE'RE DOING OR NOT DOING.

8

9 **CHUCK JACKSON:** THE IMMIGRATION CUSTOMS CURRENTLY TODAY HAVE AN
10 OFFICE LOCATED IN OUR RELEASE AREA. THE ONLY INFORMATION WE
11 PROVIDE, YOU KNOW, TO THOSE TWO I.C.E. AGENTS IS A LIST OF
12 NAMES OF ILLEGAL IMMIGRANTS THAT HAVE BEEN CONVICTED OF A
13 CRIME AND ARE SET FOR RELEASE...

14

15 **SUP. YAROSLAVSKY:** PREVIOUSLY CONVICTED OF A CRIME?

16

17 **CHUCK JACKSON:** OR CURRENTLY, YEAH.

18

19 **SUP. YAROSLAVSKY:** HOW DO YOU-- IF THEY'RE CURRENTLY-- IF THIS
20 IS THE FIRST TIME THEY WERE CONVICTED, HOW WOULD YOU KNOW
21 CURRENTLY THAT THEY ARE ILLEGAL? WHEN DO YOU MAKE THAT
22 DETERMINATION?

23

24 **CHUCK JACKSON:** WELL, THAT'S IF, IN FACT, THEY'RE REPORTED AT
25 THE TIME OF ARREST, WHICHEVER AGENCY MAKES THE ARREST...



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1

2 **SUP. YAROSLAVSKY:** IF THEY SAY THEY'RE HERE-- THEY SELF-REPORT
3 TO YOU, I'M NOT HERE LEGALLY.

4

5 **CHUCK JACKSON:** SELF REPORTED. IT RUNS THROUGH THE FEDERAL
6 SYSTEM, WHICH IS SEVEN DATABASES IN BALTIMORE, MARYLAND. THAT
7 INFORMATION IS THEN TRANSMITTED ELECTRONICALLY BACK TO THE
8 ARRESTING AGENCY AND, IF THEY ARE IDENTIFIED, THAT INFORMATION
9 FOLLOWS THROUGH WITH THEM THEIR ENTIRE CRIMINAL JUSTICE
10 PROCESS, THEIR BOOKING INFORMATION. SO, WHEN THEY GET TO THE
11 INMATE RECEPTION CENTER, EVEN TODAY, THAT INFORMATION IS
12 CONTAINED IN A BOOKING PACKET. THAT INFORMATION IS IN THE
13 COMMUTE. THEIR "A" NUMBER, IF YOU WILL, IS CONTAINED IN A
14 COMPUTER SO THAT WE GENERATE A LIST FOR PROJECTED RELEASES OF
15 CONVICTED INMATES. OF THAT LIST, WE LOOK AT THOSE THAT ARE
16 ILLEGALLY IN THE COUNTRY, YOU KNOW, WHAT WE BELIEVE SHOULD BE
17 TRANSMITTED OVER TO IMMIGRATION CUSTOMS, WE PROVIDE
18 IMMIGRATION CUSTOMS THAT LIST PRIOR TO RELEASE. THEY THEN
19 CONDUCT INTERVIEWS OF THOSE FOLKS ONLY. VERY LIMITED NUMBER.

20

21 **SUP. YAROSLAVSKY:** AND WHEN YOU SAY, PRIOR TO RELEASE, THIS IS
22 THE RELEASE OF PEOPLE WHO HAVE SERVED TIME AFTER HAVING BEEN
23 CONVICTED? IS THAT...

24

25 **CHUCK JACKSON:** CORRECT, FROM LOCAL CHARGES.



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1

2 **SUP. YAROSLAVSKY:** THESE ARE NOT PEOPLE WHO HAVE BEEN IN
3 CUSTODY PENDING TRIAL, THEN GET ACQUITTED, AND THEN THEY ARE
4 RELEASED? YOU DON'T-- IF SOMEBODY HAS BEEN ACQUITTED OF A
5 CRIME, DO YOU GIVE THAT SAME INFORMATION TO THE FEDERAL
6 AUTHORITIES?

7

8 **CHUCK JACKSON:** CURRENTLY THEY'RE ONLY LOOKING AT CONVICTIONS.
9 THEY DON'T HAVE STAFF TO...

10

11 **SUP. YAROSLAVSKY:** WHO'S "THEY"? THE FEDS?

12

13 **CHUCK JACKSON:** IMMIGRATION CUSTOMS, YES, SIR.

14

15 **SUP. YAROSLAVSKY:** ALL RIGHT. SO HERE'S-- OKAY. THANK YOU.
16 THAT'S VERY HELPFUL. SO HERE'S MY QUESTION TO YOU. HOW DO WE
17 SOLVE THIS PROBLEM, WHICH IS OF GREAT CONCERN TO ME, HOW DO WE
18 SET THIS UP IN A WAY THAT THE NEW BATCH OF NAMES THAT YOU ARE
19 PROPOSING TO GET UNDER THIS M.O.U. ALSO DOESN'T GET COLLECTED--
20 - THE INFORMATION ON THESE NAMES DOESN'T GET COLLECTED UNTIL
21 AFTER A DETERMINATION HAS BEEN MADE AS TO WHETHER THEY'RE
22 GUILTY OR INNOCENT IN A COURT OF LAW?

23

24 **CHUCK JACKSON:** RIGHT. YOU KNOW, AGAIN, SUPERVISOR, THAT
25 INFORMATION IS NOT SPECIFIC IN THE M.O.U. THERE'S A



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1 PRESUMPTION, BASED ON MY PRESENTATIONS EARLIER, THAT I WANTED
2 TO PUT THIS IN THE FRONT OF THE PROCESS, TO COLLECT THAT
3 INFORMATION EARLY ON. WE HAVE NOT MADE A FINAL DETERMINATION
4 OF WHAT IS THE MOST EFFICIENT PRACTICE. IMMIGRATIONS CUSTOMS
5 TODAY GETS 20 TO 25 NAMES OUT OF A POSSIBLE 150, SO WE COULD
6 PROBABLY DO, AS SOME HAVE SUGGESTED, THE INTERVIEW PROCESS FOR
7 ONLY THOSE THAT HAVE BEEN CONVICTED OF LOCAL CHARGES AND THEIR
8 TIME IS COMING UP AND, JUST FOR OPERATIONAL ISSUES, IT MADE IT
9 EASIER AND MORE EFFICIENT TO DO IT AT THE FRONT.

10

11 **SUP. YAROSLAVSKY:** I UNDERSTAND, I UNDERSTAND.

12

13 **CHUCK JACKSON:** SO I'M NOT OPPOSING, THE SHERIFF IS NOT OPPOSED
14 TO RETOOLING AND TRYING TO LOOK IF WE CAN JUST FOCUS INITIALLY
15 ON THOSE THAT ARE CONVICTED OF LOCAL CHARGES PRIOR TO RELEASE.

16

17 **SUP. YAROSLAVSKY:** YOU'RE NOT OPPOSED TO, LET ME SAY IT IN MY
18 WORDS, THAT WE'RE BOTH SAYING THE SAME THING. THE SHERIFF IS
19 NOT OPPOSED TO SETTING UP A SYSTEM WHEREBY HE WOULD COLLECT
20 THIS INFORMATION UPON THE CONVICTION FOR A LOCAL...

21

22 **CHUCK JACKSON:** CORRECT, SIR. AS WE CURRENTLY ARE TODAY.

23

24 **SUP. YAROSLAVSKY:** AS YOU CURRENTLY ARE TODAY. ALL RIGHT. THANK
25 YOU. THAT'S IMPORTANT TO ME.



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1

2 **CHUCK JACKSON:** AND THE M.O.U. IS NOT SPECIFIC EITHER WAY. IT'S
3 UP TO US TO MAKE THAT DETERMINATION.

4

5 **SUP. YAROSLAVSKY:** BECAUSE I REALLY-- AND I APPRECIATE IT AND I
6 MEAN IT SINCERELY THAT THE PEOPLE WHO HAVE TESTIFIED HAVE SHED
7 SOME LIGHT ON THIS AND SO HAVE YOU, AND I APPRECIATE THAT.
8 WHAT I DO NOT WANT TO SEE HAPPEN IS I DO NOT WANT TO SEE
9 SOMEBODY GET DEPORTED AFTER HAVING BEEN ACQUITTED FOR A CRIME,
10 EVEN THOUGH THEY'RE HERE ILLEGALLY, I UNDERSTAND THAT, THEY
11 MAY HAVE A FAMILY, THEY MAY HAVE BEEN SCREWED BY THE SYSTEM,
12 THERE'S NO TELLING WHAT COULD HAPPEN. AND I DON'T THINK ANY OF
13 US WANT TO SEE THAT HAPPEN. BUT I HAVE NO SYMPATHY FOR
14 SOMEBODY WHO HAS BEEN CONVICTED OF A CRIME WHO IS ALSO HERE
15 ILLEGALLY. I HAVE NO INTEREST IN PROTECTING THEIR STATUS HERE
16 WHATSOEVER. I MEAN, I THINK, YOU KNOW, WHEN YOU'RE HERE, EVEN
17 AS A CITIZEN, WHEN WE'RE HERE, WE ARE EXPECTED TO UPHOLD THE
18 LAW. IF YOU'RE NOT HERE LEGALLY, YOU HAVE KIND OF A DOUBLE
19 RESPONSIBILITY TO KEEP YOURSELF UNDER THE RADAR SCREEN AND ONE
20 OF THE WAYS TO DO THAT IS TO OBEY THE LAW. BUT IF YOU'VE BEEN
21 NAILED ON THAT, THEN I DON'T HAVE ANY SYMPATHY. BUT I DON'T
22 WANT SOMEBODY TO GET NABBED IN THE-- THEY GET CAUGHT IN, YOU
23 KNOW, AS-- INNOCENT OF THE CRIME FOR WHICH THEY WERE ARRESTED
24 AND THEN DEPORTED. SO HERE'S WHAT I WANT TO PROPOSE FOR
25 DISCUSSION PURPOSES. AND IF MY STAFF COULD CIRCULATE THE



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1 MOTION AND THEN I'M GOING TO MAKE A COUPLE OF ADDITIONS TO THE
2 MOTION VERBALLY BECAUSE OF WHAT WE'VE JUST BEEN DISCUSSING THE
3 LAST COUPLE OF HOURS. I MOVE THAT ITEM 21 BE AMENDED, THAT THE
4 COUNTY SHERIFF ENTER INTO THE PROPOSED M.O.U. WITH THE BUREAU
5 OF IMMIGRATIONS AND CUSTOM ENFORCEMENT ON A PILOT BASIS
6 EXTENDING TO SEPTEMBER 30TH, WHICH IS THE END OF THE FEDERAL
7 FISCAL YEAR, OR FROM SIX YEARS OF THE COMMENCEMENT OF THE
8 CONTRACT, WHICHEVER COMES LATER. IN THE EVENT YOU CAN'T DO
9 THIS CONTRACT UNTIL APRIL OR MAY, YOU GET A SIX-MONTH PILOT.
10 NUMBER TWO, THAT THE PROPOSED M.O.U. BE CONTINGENT ON FEDERAL
11 FUNDS BEING USED TO FINANCE THE PILOT PROGRAM AND THAT NO
12 COUNTY GENERAL FUNDS ARE USED FOR THIS PURPOSE. I SPOKE TO THE
13 SHERIFF ABOUT THAT ASPECT OF THIS YESTERDAY AND HE BELIEVES
14 THAT HE CAN-- YOU KNOW, IT CAN BE DONE-- BETWEEN HIM AND THE
15 C.A.O., THEY'RE GOING TO HAVE TO FIGURE THAT OUT. THIRDLY,
16 THAT THE EXTENSION OF THE M.O.U. BE CONTINGENT ON THE
17 FOLLOWING. (A) THE SHERIFF, IN CONJUNCTION WITH THE C.A.O.,
18 EVALUATE THE EFFECTIVENESS OF THE PROGRAM, INCLUDING ANY OF
19 ITS DEFICIENCIES, AND REPORT BACK TO THE BOARD OF SUPERVISORS
20 WITH AN ANALYSIS AND RECOMMENDATIONS. (B) SECURE ADDITIONAL--
21 IT'S CONTINGENT ON SECURING ADDITIONAL FEDERAL FUNDING TO
22 FINANCE THE PROGRAM, ADDITIONAL FEDERAL FUNDING, STARTING IN
23 THE FISCAL YEAR '05/'06. THAT WOULD BE OCTOBER 1ST, BEGINNING
24 THAT DAY AND, (C) A RECOMMENDATION BY THE SHERIFF AND APPROVAL
25 BY THE BOARD OF SUPERVISORS FOR ANY EXTENSION OF THAT PROGRAM.



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1 AND THEN I WANT TO ADD TO THAT, VERBALLY AND, VIOLET, IF YOU
2 WOULD TAKE THIS CAREFULLY, THAT-- ALSO, THAT THIS WHOLE PILOT
3 PROGRAM AND THIS M.O.U. BE CONTINGENT ON A CONTINUATION OF THE
4 CURRENT PRACTICE OF ONLY INTERVIEWING AFTER AN ADJUDICATION OF
5 A CRIMINAL CASE, NOT BEFORE, AND THEN AND ONLY THEN WOULD
6 THAT-- ONLY UPON A CONVICTION WOULD THE INFORMATION BE SHARED
7 WITH THE FEDERAL IMMIGRATION AUTHORITIES. IS THAT CONSISTENT
8 WITH THE WAY YOU'RE DOING BUSINESS NOW?

9

10 **SUP. BURKE:** IT'S NOT CONSISTENT WITH THE M.O.U.

11

12 **SUP. YAROSLAVSKY:** I WANT TO JUST UNDERSTAND IF IT'S CONSISTENT
13 WITH WHAT THEY'RE DOING NOW AND THEN WE'LL GET TO THE M.O.U.

14

15 **CHUCK JACKSON:** I WOULD HATE TO SPECULATE THAT WE DON'T SHARE
16 INFORMATION WITH IMMIGRATION CUSTOMS TODAY, NOT IN THE FORMAT
17 YOU WERE TALKING ABOUT WITH THIS M.O.U.

18

19 **SUP. YAROSLAVSKY:** OKAY, I'M TALKING ABOUT THE FORMAT, YOU'RE
20 TALKING ABOUT THE M.O.U. THAT ONLY UPON AN ADJUDICATION AND
21 CONVICTION...

22

23 **CHUCK JACKSON:** THAT WOULD BE CONSISTENT WITH THEIR PRACTICE,
24 YES, SIR.

25



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1 SUP. YAROSLAVSKY: ...THAT YOU WOULD SHARE THAT INFORMATION IN
2 THIS FASHION WITH THEM. AM I-- IS THAT...

3

4 C.A.O. JANSSEN: I THINK YOU'RE FOCUSING ON CONDUCTING THE
5 INTERVIEW, ONLY CONDUCT THE INTERVIEW AFTER ADJUDICATION.

6

7 SUP. YAROSLAVSKY: ONLY CONDUCT THE INTERVIEW AFTER ADJUDICATE-
8 - AFTER ADJUDICATION AND THE ADJUDICATION WOULD BE A
9 CONVICTION. YOU WOULDN'T INTERVIEW SOMEBODY WHO HAD BEEN
10 ACQUITTED, CORRECT?

11

12 CHUCK JACKSON: NO, SIR. UPON CONVICTION ONLY.

13

14 SUP. YAROSLAVSKY: ALL RIGHT. THAT WOULD COVER IT. SO THAT YOU
15 WOULD ONLY INTERVIEW AFTER THE ADJUDICATION OF A CONVICTION IN
16 THIS SITUATION. THAT'S MY AMENDMENT.

17

18 SUP. MOLINA, CHAIR: NOW, WAIT A MINUTE. I DON'T THINK...

19

20 SUP. BURKE: MAY I ASK A FEW...

21

22 SUP. YAROSLAVSKY: GO AHEAD. I JUST...

23

24 SUP. MOLINA, CHAIR: ALL RIGHT. MS. BURKE, WHY DON'T YOU? THEN
25 I'D LIKE TO ASK A CLARIFICATION OF THAT.



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1

2 **SUP. KNABE:** AND I HAVE A QUESTION AS WELL, TOO.

3

4 **SUP. BURKE:** ALL RIGHT. YEAH, NOW, WHAT MY UNDERSTANDING,
5 INITIALLY, OF WHAT YOU SAID IS THAT YOUR INTERVIEW WOULD BE AT
6 THE TIME THE PERSON COMES BACK AFTER ARRAIGNMENT. NOW, YOU'RE
7 GOING TO CHANGE THAT AND YOU'RE SAYING IT WILL NOT BE AFTER
8 ARRAIGNMENT, IT WILL ONLY BE AFTER CONVICTION. CLARIFY THIS TO
9 ME.

10

11 **CHUCK JACKSON:** THAT'S WHAT THE SUPERVISORS ASKED FOR AND I'M
12 AGREEING THAT I CAN DO THAT. THE INITIAL PLAN WAS TO DO IT
13 AFTER ARRAIGNMENT, WHEN BEING PROCESSED INTO THE INMATE
14 RECEPTION CENTER AND, AGAIN, THAT WAS FOR OPERATIONAL
15 EFFICIENCIES. IF THE SUPERVISOR IS ASKING THAT WE DELAY THE
16 PROCESS UNTIL WE CAN ASSURE THAT THE PERSON HAS BEEN CONVICTED
17 OF A CRIME, MUCH AS WE'RE DOING WITH IMMIGRATION CUSTOMS
18 ENFORCEMENT TODAY, I CAN LIVE WITH THAT ALSO. THE NUMBERS ARE
19 THERE.

20

21 **SUP. BURKE:** WELL, MY UNDERSTANDING WAS THAT THE PROBLEM WAS
22 THAT A PERSON, AFTER THEY HAVE BEEN THROUGH THE COURT
23 PROCEEDING, OFTEN THERE MIGHT BE-- THAT THEY ARE RELEASED...

24

25 **CHUCK JACKSON:** DIRECTLY FROM COURT, YES, MA'AM.



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1

2 **SUP. BURKE:** ...FROM COURT, AND THAT THE WHOLE REASON WHY YOU
3 WERE ENTERING INTO THE M.O.U. WAS TO PREVENT THEM FROM BEING
4 RELEASED FROM COURT?

5

6 **CHUCK JACKSON:** THAT WAS A PART OF THE REASONING BEHIND IT. I
7 BELIEVE THAT PART OF THE EVALUATION WOULD BE TO DEMONSTRATE
8 THAT WE'RE GOING TO HAVE SOME ILLEGAL IMMIGRANTS IN OUR
9 CUSTODY THAT HAVE BEEN CONVICTED OF CRIMES AND RELEASED
10 DIRECTLY FROM COURT AND THEREFORE NOT GO THROUGH AN INTERVIEW
11 PROCESS. WE WILL HAVE THOSE ILLEGAL IN OUR CUSTODY THAT ARE
12 CONVICTED OF CRIMES RETURNED TO I.R.C. THEY WILL GO THROUGH
13 THE INTERVIEW PROCESS. AND WE'RE GOING TO HAVE TO MAKE A
14 DETERMINATION WHAT THOSE NUMBERS ARE. IF YOU HAD ASKED MY
15 PREFERENCE, I'D GIVE IT TO YOU BUT IF YOU'RE ASKING ME CAN I
16 LIVE WITH WHAT THE SUPERVISOR'S MOTION IS, YES, MA'AM.

17

18 **SUP. BURKE:** NOW, WHAT IF A PERSON SAYS, "I DON'T WANT TO TELL
19 YOU." AND THAT'S WHAT MY PROBLEM IS WITH THIS WHOLE THING, IS
20 THAT...

21

22 **SUP. YAROSLAVSKY:** BEFORE OR AFTER HE'S TRIED?

23

24 **SUP. BURKE:** WELL, AT ANY POINT BECAUSE, SEE, INITIALLY, WHAT
25 WAS PUT BEFORE US WAS THAT IT WAS GOING TO BE-- THE INTERVIEW



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1 WAS GOING TO BE AFTER ARRAIGNMENT PRIOR TO THE TIME THERE HAD
2 BEEN A CONVICTION. SO WHAT YOU'RE SAYING NOW IS AFTER THE
3 CONVICTION, PERHAPS AFTER PROBATION, AT PROBATION HEARINGS OR
4 SOMETHING LIKE THAT?

5

6 **SUP. YAROSLAVSKY:** NO. NO, NO, NO. NO. LET'S BE CLEAR. IT'S
7 AFTER-- IMMEDIATELY UPON A CONVICTION.

8

9 **SUP. BURKE:** SO, AFTER A CONVICTION, WHEN THEY GO BACK, YOU
10 THEN HAVE THE INTERVIEW. WHAT IF THEY SAY, "I..." AND YOU ASK
11 THEM, WERE THEY BORN IN THE UNITED STATES AND THEY SAY, "I
12 DON'T WANT TO ANSWER THAT QUESTION ON THE GROUNDS IT MAY
13 INCRIMINATE ME BECAUSE I KNOW THAT I'M GOING TO IMMEDIATELY BE
14 TURNED OVER TO I.N.S."

15

16 **CHUCK JACKSON:** THAT QUESTION, SUPERVISOR, IS ASKED AT TIME OF
17 ARREST, NOT WHEN THEY RETURN TO I.R.C.

18

19 **SUP. BURKE:** WHAT IF THEY REFUSE TO ANSWER AT THE TIME OF
20 ARREST?

21

22 **CHUCK JACKSON:** THEN WE WON'T HAVE THAT INFORMATION TO PROCESS.

23



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1 **SUP. BURKE:** AND IF YOU DON'T HAVE THE INFORMATION, THEN THE
2 WHOLE QUESTIONNAIRE-- AND HOW LONG IS THE QUESTIONNAIRE THAT
3 IS THE ONE THAT THEY'LL BE TRAINED FOR BY I.C.E.?
4

5 **CHUCK JACKSON:** WELL, LET'S GET BACK-- CAN I GET BACK TO YOUR
6 ORIGINAL POINT IS IF THEY, AT THE TIME OF BOOKING OR AT TIME
7 OF THE ARREST, AND THEY DON'T TELL YOU THAT THEY'RE BORN OUT
8 OF COUNTRY, THAT INFORMATION IS NOT ELECTRONICALLY TRANSMITTED
9 TO THE FEDERAL DATABASES, THAT NAME WOULD NEVER THEN APPEAR
10 UPON A LIST UNLESS THERE WAS A HIT ON FINGERPRINTS. AND, IF
11 THERE'S A HIT ON FINGERPRINTS, IT'S POSITIVE IDENTIFICATION,
12 WHICH TAKES CARE OF THAT OTHER ISSUE. NOW TO THE QUESTION, IF
13 THEY'VE ALREADY SELF-DECLARED AT TIME OF BOOKING OR ARREST,
14 THAT THEY'RE BORN IN ANOTHER COUNTRY AND SO THEY WOULD THEN
15 QUALIFY, UPON CONVICTION, TO BE INTERVIEWED. THAT INTERVIEW
16 WOULD TAKE PLACE, YOU KNOW, AT THE INMATE RECEPTION CENTER,
17 UPON RETURN FROM COURT OR BEFORE THEIR SENTENCE IS COMPLETED.
18 YOU KNOW, THERE ARE SOME THAT WE DO KEEP IN JAIL FOR A LITTLE
19 WHILE AND SO, PRIOR TO THEIR RELEASE, THEY WOULD BE
20 INTERVIEWED IN THE FORM THAT SOME PAPERWORK WOULD BE FILLED
21 OUT, MUCH LIKE IT IS DONE TODAY BY IMMIGRATION CUSTOMS
22 ENFORCEMENT. THAT INTERVIEW CAN LAST ANYWHERE FROM FIVE TO 10
23 MINUTES, DEPENDING ON THE TRUTHFULNESS AND THE OPENNESS OF THE
24 INDIVIDUAL, TO 30, 35 MINUTES AND THERE'S SOME PAPERWORK
25 PROCESSING TIME. BUT, AGAIN, YOU'RE TALKING ABOUT INMATES THAT



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1 HAVE ALREADY BEEN CONVICTED PRIOR TO RELEASE AND THE NUMBERS
2 AREN'T GOING TO BE QUITE AS MUCH AS MY ORIGINAL INTENT.

3

4 **SUP. BURKE:** YEAH. I WANT TO GET BACK TO THE INITIAL QUESTION.
5 IF A PERSON SAYS-- NOW THEY KNOW THAT, IF THEY'RE CONVICTED
6 THAT, IF THEY ARE ILLEGAL, THAT THEY WILL BE TURNED OVER TO
7 IMMIGRATION. EVEN-- NOW, DOES THIS APPLY TO MISDEMEANORS AS
8 WELL AS FELONIES?

9

10 **CHUCK JACKSON:** ALL ARRESTS, YES, MA'AM.

11

12 **SUP. BURKE:** SO IF THE PERSON HAS A DRUNK DRIVING, AND THEY ARE
13 CONVICTED, THEN THEY WILL AUTOMATICALLY BE TURNED OVER TO
14 I.N.S. IF THEY HAVE PROVIDED THIS INFORMATION?

15

16 **CHUCK JACKSON:** NOT GENERALLY, NO.

17

18 **SUP. BURKE:** NO, I MEAN UNDER THE M.O.U.

19

20 **CHUCK JACKSON:** NOT EVEN UNDER THE M.O.U.

21

22 **SUP. BURKE:** SO THE M.O.U. IS NOT GOING TO APPLY TO
23 MISDEMEANORS OR IS IT?

24



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1 **CHUCK JACKSON:** SOME MISDEMEANORS, IT MAY APPLY TO BUT, AGAIN,
2 YOU HAVE TO REMEMBER, IF YOU TAKE A GENERAL DRUNK DRIVING
3 ARREST AT ONE OF YOUR POLICE DEPARTMENTS AND SHERIFF STATIONS
4 AND THEY'RE BOOKED, THEY'RE GENERALLY RELEASED ON A CITATION.
5 THEY DON'T EVEN COME DIRECTLY DOWN TO THERE-- IF THEY GET A
6 COURT APPEARANCE AND THEY GO TO COURT, THE JUDGE COULD RELEASE
7 THEM O.R., RELEASE ON BAIL, RELEASE ON BOND, THEY WOULD NEVER
8 CROSS THE THRESHOLD AT I.R.C. THEY COULD PLEAD GUILTY, GET
9 FOUND GUILTY OF DRUNK DRIVING, A FIRST OFFENSE. THE JUDGE MAY
10 OR MAY NOT IMPOSE ANY JAIL TIME. IF HE DOESN'T IMPOSE JAIL
11 TIME, THAT PERSON IS STILL NEVER GOING TO CROSS THE THRESHOLD
12 OF I.R.C., WOULD NEVER BE AVAILABLE FOR AN INTERVIEW.

13

14 **SUP. BURKE:** WHAT MISDEMEANORS WILL BE INCLUDED?

15

16 **CHUCK JACKSON:** YEAH, I DON'T HAVE A LIST OF ALL THE CHARGES
17 BUT, MOST TYPICALLY, THEY TEND TO BE THE, WELL, LIKE WEAPONS
18 VIOLATIONS, SEX CRIMES AGAINST CHILDREN, LEWD AND LASCIVIOUS
19 ACTS. THOSE TYPES THAT TEND TO BE REALLY IMPORTANT TO THE
20 COMMUNITY. YOUR PETTY THEFTS, YOUR D.U.I.S, THINGS OF THAT
21 NATURE DON'T TYPICALLY QUALIFY FOR EXTENDED REVIEW BY
22 IMMIGRATION CUSTOMS.

23

24 **SUP. BURKE:** AND SO ARE THOSE GOING TO BE LISTED AS THOSE THAT
25 WILL BE COVERED?



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1

2 **CHUCK JACKSON:** I'M SURE THERE ARE SOME GUIDELINES. I DON'T-- I
3 DID NOT BRING THEM WITH ME AND I HAVEN'T PERSONALLY REVIEWED
4 EACH AND EVERY ONE OF THEM BUT IN MY DISCUSSIONS WITH THE
5 IMMIGRATION CUSTOMS...

6

7 **SUP. BURKE:** WELL, ALL OF US AGREE, ANYONE WHO IS GUILTY OF
8 LEWD AND LASCIVIOUS CONDUCT AGAINST A CHILD CERTAINLY SHOULD
9 BE DEPORTED BUT...

10

11 **SUP. YAROSLAVSKY:** IF THEY'RE ILLEGAL.

12

13 **SUP. BURKE:** IF THEY'RE ILLEGAL. RIGHT. HOWEVER, THERE ARE
14 OTHER MISDEMEANORS THAT ARE NOT NECESSARILY THAT SAME
15 CATEGORY. TAKE THE LADY WHO WAS CHARGED WITH THEFT WHO MAY OR
16 MAY NOT HAVE BEEN CONVICTED, YOU KNOW, I MEAN, IF SHE COULDN'T
17 SPEAK THE LANGUAGE TOO WELL, SHE MAY VERY WELL HAVE BEEN
18 CONVICTED, WHETHER OR NOT SHE STOLE IT OR NOT. SHE PROBABLY
19 WOULD NOT HAVE-- SHE MIGHT, WITH A MISDEMEANOR-- MIGHT OR
20 MIGHT NOT HAVE A PUBLIC DEFENDER IN THAT CIRCUMSTANCE. SO I DO
21 THINK THAT WE ALSO NEED TO KNOW WHAT IS INCLUDED AND WHAT
22 MISDEMEANORS ARE INCLUDED, ARE-- DOES IT COVER THOSE
23 MISDEMEANORS?

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **CHUCK JACKSON:** I DON'T HAVE THE LIST FOR YOU TODAY BUT I CAN
2 TELL YOU, FROM PERSONAL EXPERIENCE AND ONLY ANECDOTALLY
3 BECAUSE I DON'T HAVE THE ACTUAL NUMBERS, IF YOU TALK ABOUT
4 PEOPLE BEING SENTENCED TO LOS ANGELES COUNTY JAIL, IT'S NOT--
5 I WON'T SAY IT'S A RARE OCCURRENCE BUT, TYPICALLY, YOUR
6 MISDEMEANORS DON'T GET SENTENCED TO COUNTY JAIL FOR ANY LENGTH
7 OF TIME AND, THEREFORE, WOULD NOT GO THROUGH THIS PROCESS,
8 ESPECIALLY UNDER CERTAIN CONDITIONS WE HAVE TODAY. DOWN THE
9 ROAD, IF EVERY JAIL WAS OPEN, EVERY INMATE WAS DOING A HUNDRED
10 PERCENT TIME AND WE COULD THEN COMPLY WITH ALL THE JUDGES'
11 SENTENCING GUIDELINES, 60 DAYS IN JAIL WOULD ACTUALLY MEAN,
12 LIKE, 32 DAYS, GIVEN GOOD TIME, WORK TIME CREDITS. THEY PERSON
13 MAY OR MAY NOT STILL COME TO THE ATTENTION OF IMMIGRATIONS
14 CUSTOMS ENFORCEMENT BECAUSE IN THE COUNTRY ILLEGALLY, THEY'VE
15 BEEN CONVICTED OF A CRIME, AND THAT INFORMATION BUT, AGAIN,
16 THEY ONLY SEE 20 TO 25, A LIST OF 25 NAMES, THEY MIGHT TALK TO
17 20. THEY'RE NOT TYPICALLY YOUR PETTY THEFTS, YOUR DRUNK
18 DRIVERS. THEY'RE THE ONES THAT WE'VE HAD IN OUR JAIL FOR
19 AWHILE AND FOR MORE SERIOUS CRIMES.

20

21 **SUP. BURKE:** BUT WHEN YOU HAVE TRAINED THESE DEPUTIES, WHEN
22 I.C.E. HAS TRAINED THEM, I ASSUME THEY'RE GOING TO COVER MORE
23 PEOPLE?

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **CHUCK JACKSON:** THEY'RE GOING TO COVER MORE PEOPLE BUT, AGAIN,
2 WE'RE TALKING ABOUT THAT SAME LIST THAT I HAVE SPOKEN WITH MR.
3 JANSSEN ABOUT. 125 TO 150 A DAY THAT ARE CONVICTED AND SERVING
4 TIME IN L.A. COUNTY JAIL. THAT'S WHAT WE HAVE TO RELEASE PER
5 DAY. AND THEY ONLY SEE 20, MAYBE, IF, ON A GOOD DAY, 25.

6

7 **SUP. BURKE:** THOSE SIX WILL SEE 20?

8

9 **CHUCK JACKSON:** WELL, THE SIX ADDITIONAL PERSONNEL MIGHT BE
10 ABLE TO GET THAT NUMBER UP TO A HUNDRED. YOU KNOW, AND THAT'S
11 GOING TO TAKE SOME TIME TO GET THERE. THAT'S NOT AN OVERNIGHT
12 FOUR WEEKS OF TRAINING, YOU CAN DO 120 A DAY.

13

14 **SUP. BURKE:** NOW, THIS M.O.U., I ASSUME, HAS BEEN NEGOTIATED
15 WITH THE I.N.S.?

16

17 **CHUCK JACKSON:** YES, MA'AM.

18

19 **SUP. BURKE:** I WOULD LIKE TO SEE THE M.O.U. AS IT IS SUGGESTED
20 BY SUPERVISOR YAROSLAVSKY AND SEE IF I.N.S. ACTUALLY AGREES TO
21 IT AND FOR US TO HAVE BEFORE US WHAT WE'RE ACTUALLY GOING TO--
22 WHAT'S ACTUALLY GOING TO BE APPLIED. BECAUSE IF I.N.-- YOU SAY
23 YOU'RE WILLING TO ACCEPT THESE AMENDMENTS, IS I.N.S. WILLING
24 TO ACCEPT THE AMENDMENTS? AND I THINK THESE ARE THINGS THAT
25 I'D LIKE TO KNOW.



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1

2 **CHUCK JACKSON:** I DON'T BELIEVE THAT THE I.N.S.-- OR, EXCUSE
3 ME, THE I.C.E., THIS DOESN'T EVEN QUALIFY FOR THE M.O.U. THESE
4 ARE OPERATIONAL ISSUES FOR US AND I CAN IMPLEMENT THIS WITH OR
5 WITHOUT...

6

7 **SUP. BURKE:** A MEMORANDUM OF UNDERSTANDING?

8

9 **CHUCK JACKSON:** THE MEMORANDUM OF UNDERSTANDING BETWEEN I.C.E.
10 AND THE SHERIFF'S DEPARTMENT PROVIDES FOR THE TRAINING AND THE
11 LEGAL AUTHORITY TO CONDUCT THESE INTERVIEWS. HOW, WHEN AND
12 WHERE WE CONDUCT THE INTERVIEWS IS AN OPERATIONAL ISSUE FOR
13 US.

14

15 **SUP. BURKE:** IS YOUR CALL. ALL RIGHT.

16

17 **CHUCK JACKSON:** THAT'S WHY, EVEN THOUGH MY PREFERENCE WOULD BE
18 THE FRONT END, I CAN UNDERSTAND A COMMUNITY CONCERNS, I
19 UNDERSTAND SUPERVISOR YAROSLAVSKY'S CONCERNS. WE CAN FOCUS ON
20 JUST THOSE THAT ARE CONVICTED BECAUSE THAT IS A HIGH PRIORITY
21 WITH US.

22

23 **SUP. BURKE:** RIGHT.

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **CHUCK JACKSON:** AND IT SHOULDN'T MAKE A HILL OF BEANS OF
2 DIFFERENCE TO IMMIGRATION CUSTOMS. WE'RE DOING THE WORK. IT'S
3 OUR RESPONSIBILITY. NOTHING TO DO WITH THE M.O.U.

4

5 **SUP. BURKE:** I DON'T HAVE IT RIGHT IN FRONT OF ME BUT-- ALL
6 RIGHT, I HAVE NO FURTHER QUESTIONS.

7

8 **SUP. MOLINA, CHAIR:** OKAY. MR. KNABE?

9

10 **SUP. KNABE:** YEAH, I MEAN, AS FAR AS YOUR MOTION, ZEV, I MEAN,
11 THE PROBLEM I HAVE IS ITEM NUMBER 2, I THINK IT'S A KILLER
12 UNLESS, SOMEWHERE IN THERE, AS IT RELATES TO FEDERAL FUNDS,
13 THAT THE SHERIFF CAN USE EXISTING IN-HOUSE S.C.A.P. DOLLARS.
14 WELL, I MEAN, BECAUSE...

15

16 **SUP. YAROSLAVSKY:** WELL, S.C.A.P. DOLLARS WOULD BE FEDERAL
17 FUNDS, BUT ALL I'M SAYING IS THAT, COME OCTOBER 1, WHICH IS
18 THE NEW FISCAL YEAR, THERE'S TO BE ANOTHER APPROPRIATE OF
19 S.C.A.P. DOLLARS...

20

21 **SUP. KNABE:** WELL, YEAH, BUT YOU SAID TO FINANCE THE PILOT
22 PROGRAM BETWEEN NOW AND SEPTEMBER 30TH. THAT'S WHY...

23

24 **SUP. YAROSLAVSKY:** WHERE IS THAT?

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 SUP. ANTONOVICH: NUMBER 1.

2

3 SUP. YAROSLAVSKY: THAT'S ITEM NUMBER 1.

4

5 SUP. KNABE: NUMBER 2.

6

7 SUP. YAROSLAVSKY: NO, THE ITEM NUMBER 1 IS SEPTEMBER 30TH.

8

9 SUP. KNABE: RIGHT, BUT THEN-- READ NUMBER TWO.

10

11 SUP. YAROSLAVSKY: THAT THE PROPOSED M.O.U. BE CONTINGENT ON
12 FEDERAL FUNDS BEING USED TO FINANCE THE PILOT PROGRAM-- YEAH.
13 OH, NO, I'M...

14

15 SUP. KNABE: OKAY? SO, I MEAN, I THINK THAT SHOULD BE...

16

17 SUP. YAROSLAVSKY: SHERIFF HAS SAID THAT HE'S GOT CURRENT
18 S.C.A.P. DOLLARS AND HE'S ALSO GOT SOME REVENUE FROM THE
19 FEDERAL GOVERNMENT OR FROM CUSTODY ISSUE.

20

21 SUP. KNABE: EXISTING S.C.A.P. DOLLARS, YOU KNOW? BECAUSE,
22 OTHERWISE, I MEAN, YOU INDICATED THERE ARE NO NEW DOLLARS BUT
23 THIS IS TO ENHANCE THAT OR THE POSSIBILITY OF FEDERAL DOLLARS
24 FOR THAT OCTOBER 1ST THING BUT AT LEAST FOR NOW, TO BE ABLE TO
25 USE EXISTING IN-HOUSE S.C.A.P. DOLLARS.



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1

2 **SUP. YAROSLAVSKY:** NO, YOU'RE CORRECT. YOU'RE CORRECT. THE NEW
3 DOLLARS, THE ADDITIONAL DOLLARS WOULD BE STARTING OCTOBER 1.
4 IN OTHER WORDS, ALL I WANT-- GIVING YOU SOME FLEXIBILITY TO
5 USE THE FEDERAL FUNDS THAT YOU MAY HAVE AVAILABLE TO YOU. IF
6 YOU DON'T HAVE THEM, YOU DON'T HAVE THEM BUT THE SHERIFF
7 THINKS HE HAS THEM. IF HE HAS THEM, IT'S GOOD 'TIL SEPTEMBER
8 30TH AND THEN, THEN IT GETS REEVALUATED AND WE DON'T WANT TO
9 ASSUME THIS-- NOT LIKE THE C.O.P.S. PROGRAM WHERE WE ENDED UP
10 HAVING TO DO IT ON OUR OWN NICKEL.

11

12 **SUP. KNABE:** OKAY. THANK YOU.

13

14 **SUP. MOLINA, CHAIR:** MR. ANTONOVICH.

15

16 **SUP. ANTONOVICH:** AND. ON ITEM 3-B, SECURING ADDITIONAL FUNDS,
17 THAT WOULD BE TO EXPAND THE I.C.E. PROGRAM?

18

19 **CHUCK JACKSON:** EXPAND OR FULLY SUPPORT-- OR FULLY FUND WHAT WE
20 HAVE ENVISIONED.

21

22 **SUP. ANTONOVICH:** BECAUSE YOU ALREADY HAVE FUNDING FOR IT.

23

24 **CHUCK JACKSON:** WELL, THE FUNDING IS ALREADY THERE AND IT'S
25 SUPPORTING THOSE PERSONNEL ALREADY WORKING. IT WOULD BE NICE



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 TO GET ADDITIONAL FUNDING TO ENHANCE THAT OPERATION. THAT'S
2 TRUE, SIR.

3

4 **SUP. ANTONOVICH:** RIGHT. AND THAT WOULD BE TO EXPAND IT.

5

6 **C.A.O. JANSSEN:** WELL, THE MOTION, THOUGH, SUPERVISOR, IS THE
7 EXTENSION OF THE PILOT IS DEPENDENT UPON SECURING ADDITIONAL
8 FUNDING, NOT AN EXPANSION. SO HIS MOTION IS THIS RUNS TO THE
9 END OF SEPTEMBER. IF WE DON'T GET ADDITIONAL FEDERAL FUNDING
10 TO FINANCE THE PROGRAM, THE PROGRAM STOPS IS THE WAY I READ
11 THIS MOTION.

12

13 **SUP. ANTONOVICH:** SO WE WILL IMPLEMENT THE PROGRAM TOMORROW,
14 BASICALLY.

15

16 **C.A.O. JANSSEN:** RIGHT. THAT'D BE TRAINING.

17

18 **SUP. YAROSLAVSKY:** IF THEY'RE READY.

19

20 **SUP. ANTONOVICH:** AND, WELL, YES. YES. AND THEN, OCTOBER 1ST,
21 THE EXPANSION OF THE OFFICERS THAT WE'RE CREATING THROUGH THIS
22 ACTION TODAY WILL BE DEPENDENT UPON THOSE FEDERAL FUNDS IN THE
23 OCTOBER...

24

25 **SUP. YAROSLAVSKY:** IN THE NEW BUDGET.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **SUP. ANTONOVICH:** RIGHT. OCTOBER, NOVEMBER BUDGET.

3

4 **SUP. YAROSLAVSKY:** AND IT'S AN EXTENSION, IT COULD BE AN
5 EXPANSION...

6

7 **C.A.O. JANSSEN:** EXTENSION. COULD BE BUT IT'S AN EXTENSION.

8

9 **SUP. YAROSLAVSKY:** IT COULD BE THE SAME LEVEL. PART OF THAT
10 WOULD BE EVALUATED IN THE PILOT PROGRAM AND PART OF IT WOULD
11 BE DETERMINED BY RESOURCES.

12

13 **SUP. ANTONOVICH:** YOU'RE TELLING US, THOUGH, THAT YOU DON'T
14 NEED MONEY TO DO THIS?

15

16 **C.A.O. JANSSEN:** THE SHERIFF HAS NEVER SAID THAT. [LAUGHTER]

17

18 **CHUCK JACKSON:** NO, I WOULD NEVER SAY THAT I DON'T NEED MONEY
19 TO DO THIS. I'M SAYING IS...

20

21 **SUP. ANTONOVICH:** YOU HAVE EXISTING FUNDS TO DO THIS RIGHT NOW?

22

23 **CHUCK JACKSON:** ...OUR EXISTING RESOURCES, BY CREATING AN
24 ADDITIONAL WORKLOAD FOR SIX CUSTODY ASSISTANTS, I BELIEVE,
25 WITH OUR CURRENT TIME EFFORT, WE COULD PROBABLY DO THIS. IT



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 MAY NOT BE THE HUNDRED PERCENT MAXIMUM EFFICIENCY WITH A
2 HUNDRED PERCENT INTERVIEWS OF ALL THE APPROPRIATE INMATES.
3 HOWEVER, I BELIEVE WE COULD DO THIS AND IDENTIFY THOSE
4 CRIMINAL ALIENS IN OUR CUSTODY CONVICTED OF CRIMES FOR
5 PROCESSING. AND I THINK THAT SHOULD BE A DEMONSTRATION TO THE
6 FEDERAL GOVERNMENT, SPECIFICALLY IMMIGRATION CUSTOMS
7 ENFORCEMENT, OF THE NEED IN LOS ANGELES COUNTY FOR THOSE
8 ADDITIONAL RESOURCES.

9

10 **SUP. ANTONOVICH:** THANK YOU.

11

12 **SUP. MOLINA, CHAIR:** I THINK THERE'S A LOT OF QUESTIONS AND
13 THERE'S A LOT OF VAGUENESS AND THERE'S A LOT OF CLARIFICATION
14 THAT NEEDS TO BE MADE. IT'S HARD FOR ME TO UNDERSTAND IT
15 BECAUSE, ON ITS FACE, IT DOES LOOK LIKE A SAFETY LAW
16 ENFORCEMENT ISSUE BUT ONCE YOU START GOING THROUGH THE DETAILS
17 IS WHERE IT BECOMES VERY, VERY FUZZY ALL THE WAY THROUGH. LET
18 ME UNDERSTAND CLEARLY. THE M.O.U. IS ONLY FOR I.C.E. TO TRAIN
19 OUR OFFICERS?

20

21 **CHUCK JACKSON:** AND PROVIDES US LEGAL AUTHORITY AND SUPERVISION
22 FOR OUR PERSONNEL WHILE PERFORMING THOSE DUTIES.

23

24 **SUP. MOLINA, CHAIR:** WHAT LEGAL PROVISIONS?

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **CHUCK JACKSON:** PARDON ME?

2

3 **SUP. MOLINA, CHAIR:** YOU SAID LEGAL PROVISIONS.

4

5 **CHUCK JACKSON:** NO, SUPERVISION. AND PROVIDING SUPERVISION FOR
6 THE PERFORMANCE OF THOSE FUNCTIONS.

7

8 **SUP. MOLINA, CHAIR:** SUPERVISION. TO CARRY OUT THOSE FUNCTIONS.

9

10 **CHUCK JACKSON:** THAT'S CORRECT.

11

12 **SUP. MOLINA, CHAIR:** AND SO NOW, IN THE AMENDMENT THAT MR.
13 YAROSLAVSKY IS PROPOSING, CREATING A PILOT PROGRAM, ASKING YOU
14 TO DO THE INTERVIEW AT THE END OF CONVICTION, HOW DO YOU CARRY
15 THAT OUT? DO YOU MAKE THAT DETERMINATION? BECAUSE ONE THING,
16 AS THE SHERIFF HAS ALWAYS TOLD US THAT WE HAVE NO JURISDICTION
17 AS TO HOW HE CARRIES OUT HIS WORK IN THE SHERIFF'S DEPARTMENT.
18 ARE YOU MAKING AN AGREEMENT WITH MR. YAROSLAVSKY, ARE YOU
19 PROPOSING THAT'S HOW IT'S GOING TO BE DONE OR COULD, LATER ON,
20 THIS BE CHANGED JUST BY VIRTUE OF HOW THE SHERIFF WANTS TO
21 ADMINISTER IT?

22

23 **CHUCK JACKSON:** WELL, I'M ONLY SPECULATING BUT I WOULD HAVE TO
24 PROBABLY DEMONSTRATE BY OCTOBER 1ST THAT WE NEED TO CHANGE THE
25 WAY WE'RE DOING BUSINESS. I CAN LIVE BETWEEN NOW AND OCTOBER



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 1ST. I REALIZE THE SHERIFF ALWAYS HAS THE OPTION OF SAYING
2 HE'S GOT THE OPERATIONAL RESPONSIBILITIES FOR THE DEPARTMENT.
3 I'M TRYING TO OFFER THE SUPERVISOR AND THIS BOARD, YOU KNOW,
4 AN OPPORTUNITY TO SEE WHETHER OR NOT THIS IS GOING TO BE A
5 WORTHWHILE PROGRAM FOR LOS ANGELES COUNTY TO IDENTIFY CRIMINAL
6 ALIENS AND TAKE THEM OUT OF OUR CRIMINAL JUSTICE SYSTEM. I MAY
7 HAVE TO ANSWER UP TO THE SHERIFF ON THAT BUT I'M WILLING TO DO
8 SO, MA'AM.

9

10 **SUP. MOLINA, CHAIR:** WELL, I UNDERSTAND AND I APPRECIATE YOU
11 DOING THAT. IT'S JUST THAT, EVERY SINGLE TIME WHEN THE
12 ACCOUNTABILITY HAPPENS, THEY STAND UP AND ALL OF A SUDDEN THEY
13 SAY, HERE'S THE LINE AND YOU'RE ON THE WRONG SIDE OF THE LINE.
14 AND I WANT TO MAKE SURE THAT SUPERVISOR YAROSLAVSKY
15 UNDERSTANDS THAT BECAUSE I DON'T WANT IT, LATER ON, TO BECOME
16 A FUZZY ISSUE, BECAUSE I THINK HE'S INTENDING THAT-- EXACTLY
17 THAT, THAT THE APPROPRIATE APPROACH WOULD BE AFTER THE
18 CONVICTION AND HE'S TAKING YOU TO YOUR WORD THAT THIS IS HOW
19 YOU'RE GOING TO CHANGE IT UNDER THIS NEW PROCESS, CORRECT?

20

21 **CHUCK JACKSON:** THAT'S CORRECT, MA'AM, AND I HOPE THAT YOU
22 WOULD BELIEVE ME OR YOU COULD TAKE ME AT MY WORD BECAUSE I
23 HAVEN'T LIED TO THIS BOARD YET.

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. MOLINA, CHAIR:** BELIEVE ME, I WOULD LIKE TO. I JUST WANT
2 TO UNDERSTAND THAT. AND THAT'S WHAT I'M SAYING, WHEN THE
3 ACCOUNTABILITY HAPPENS IS JUST WHEN THE ISSUES BECOME FUZZY.

4

5 **CHUCK JACKSON:** AND I'LL BE THE FIRST ONE TO STAND UP HERE AND
6 TAKE THE PUNISHMENT IF I DON'T...

7

8 **SUP. MOLINA, CHAIR:** OH, SIR, YOU DON'T KNOW HOW MANY PEOPLE
9 HAVE COME UP AND SAID THAT TO ME AND THEN I CAN'T FIND THEM
10 TWO WEEKS LATER. RIGHT, SIR? RIGHT?

11

12 **CHUCK JACKSON:** I THINK YOU HAVE MY ADDRESS, MA'AM. [LAUGHTER
13]

14

15 **C.A.O. JANSSEN:** MADAM CHAIR, I THINK THERE IS ONE DIFFERENCE,
16 THOUGH, IN THIS SITUATION. YOU HAVE AN M.O.U. THAT THE BOARD
17 APPROVES AND CAN WITHDRAW. THAT'S DIFFERENT THAN ANYTHING ELSE
18 GOING ON IN THE JAILS. SO IF YOU DECIDE THAT YOU DON'T LIKE
19 THE WAY THEY'RE DOING IT...

20

21 **SUP. MOLINA, CHAIR:** I UNDERSTAND BUT HE JUST-- ONE OF THE
22 THINGS HE SAID WAS, AGAIN, ON THE M.O.U. AND HE SAID THAT
23 WOULD NOT BE INCLUDED IN THE M.O.U. BECAUSE OUR M.O.U. IS ONLY
24 THE TRAINING...

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **C.A.O. JANSSEN:** BUT IF YOU WITHDRAW THE M.O.U. AUTHORIZATION,
2 THEY NO LONGER HAVE THE AUTHORITY TO DO IT. IT WOULD STOP.
3 THAT'S THE ONLY POINT.

4

5 **SUP. MOLINA, CHAIR:** I UNDERSTAND. BUT HE'S ALSO ASKING FOR A
6 CHANGE OF PROCESS UNDER-- IF I MISUNDERSTAND THIS, THAT THIS
7 ISN'T JUST FOR-- I MEAN, BETWEEN NOW AND THEN, AFTER THAT,
8 HE'S ASKING FOR A CHANGE OF PROCESS THAT'LL BE AFTER
9 CONVICTION.

10

11 **C.A.O. JANSSEN:** YES, THAT IS THE AMENDMENT TO THE MOTION.

12

13 **SUP. YAROSLAVSKY:** DOES THE BOARD HAVE THE AUTHORITY TO
14 WITHDRAW THIS M.O.U. AT ANY TIME? WE HAVE AN EXIT CLAUSE?

15

16 **C.A.O. JANSSEN:** YES. YES.

17

18 **CHUCK JACKSON:** ANY TIME.

19

20 **SUP. ANTONOVICH:** OKAY. SECOND THE MOTION, MADAM CHAIR.

21

22 **SUP. YAROSLAVSKY:** GLORIA, TIDE YOU HEAR THAT?

23

24 **SUP. MOLINA, CHAIR:** I'M SORRY?

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. YAROSLAVSKY:** WE HAVE THE AUTHORITY, AT ANY TIME, TO
2 WITHDRAW THE M.O.U., TO SUSPEND, TO END IT.

3

4 **SUP. MOLINA, CHAIR:** AS LONG AS THERE'S THREE VOTES ON THIS
5 BOARD.

6

7 **SUP. YAROSLAVSKY:** THAT'S RIGHT. NO, BUT...

8

9 **SUP. MOLINA, CHAIR:** BUT THAT'S WHY-- YOU'RE PUTTING IN
10 CONDITIONS UNDER THIS PILOT AND I CAN APPRECIATE. I'M JUST
11 TRYING TO SECURE THE CLARIFICATION AS TO WHAT RESPONSIBILITY
12 AND ONE OF THOSE ISSUES IS THAT, YOU KNOW, WHEN IT COMES DOWN
13 TO IT, WE CANNOT TELL THE SHERIFF WHAT TO DO WITH REGARD TO
14 ISSUES OF CUSTODY.

15

16 **SUP. YAROSLAVSKY:** WE CAN PULL THE PROGRAM.

17

18 **SUP. MOLINA, CHAIR:** THAT'S RIGHT AND ALL I AM ASKING IS THAT I
19 WANT TO UNDERSTAND THAT THEY'RE GOING TO HONOR THAT IN THIS
20 INSTANCE BECAUSE WE'RE APPROVING AN M.O.U., WHICH ONLY WE HAVE
21 THE ABILITY TO DO WITH THE FEDERAL GOVERNMENT. IT'S A TWO-WAY
22 STREET AND I JUST WANT TO UNDERSTAND IT. THAT'S WHY I'M ASKING
23 THE QUESTION. IT MAY BE RHETORICAL TO YOU, SIR, BUT YOU DON'T
24 KNOW HOW OFTEN, YOU KNOW, THAT LINE DOES GET FUZZY WHEN IT
25 COMES TO ACCOUNTABILITY ISSUES.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **CHUCK JACKSON:** AGAIN, I'M COMMITTING TO YOU PUBLICLY I CAN
3 LIVE WITH THAT DECISION AND THAT AMENDMENT.

4

5 **SUP. MOLINA, CHAIR:** YEAH, WELL, PUBLICLY, I ALSO WAS GOING TO
6 GET THE NAME OF SOME PEOPLE THAT I GET TO GET.

7

8 **SUP. BURKE:** I WOULD LIKE TO ADD TO THIS THAT IT WOULD BE
9 FELONIES AND HIGH GRADE MISDEMEANORS.

10

11 **SUP. MOLINA, CHAIR:** RIGHT. AND THAT'S WHAT I WANT TO
12 UNDERSTAND BECAUSE YOU ARE LEADING US TO BELIEVE...

13

14 **SUP. KNABE:** WELL, HE INDICATED THAT HE IS GOING TO PROVIDE US
15 THAT LIST.

16

17 **SUP. ANTONOVICH:** THAT'S THE POLICY.

18

19 **SUP. MOLINA, CHAIR:** I KNOW BUT I'M TRYING TO GET THE
20 CLARIFICATION, EXCUSE ME. I JUST WANT TO UNDERSTAND...

21

22 **SUP. BURKE:** I'M JUST MAKING THE AMENDMENT THAT IT WOULD BE
23 FELONIES OR HIGH GRADE MISDEMEANORS TO THE PROPOSAL THAT HAS
24 BEEN SUBMITTED BY SUPERVISOR YAROSLAVSKY.

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA, CHAIR:** I SEE.

2

3 **SUP. ANTONOVICH:** YOU LEAVE OPEN A PANDORA'S BOX. WHAT DO YOU
4 DO WITH A HIGH GRADE FELONY THAT'S BEEN PLEA BARGAINED DOWN TO
5 A MISDEMEANOR AND I WILL GO BACK TO MR. VICK WHO MURDERED HIS
6 FAMILY TWO WEEKS AGO. HE WAS ARRESTED FOR A FELONY, HE WAS
7 DANGEROUS AND THEY ALLOWED HIM TO GO BACK, BECAUSE IT WAS
8 CLASSIFIED AS A MISDEMEANOR. PERIOD.

9

10 **SUP. BURKE:** BUT IT WAS A HIGH GRADE MISDEMEANOR OF ASSAULT.

11

12 **SUP. ANTONOVICH:** NO, NO, NO. IT WAS PLEA BARGAINED, PLEASE
13 BARGAINED DOWN.

14

15 **SUP. BURKE:** DOWN TO ASSAULT.

16

17 **SUP. ANTONOVICH:** PLEA BARGAINED.

18

19 **SUP. BURKE:** BUT IT WAS PLEA BARGAINED BUT IT WAS AN ASSAULT. A
20 PLEA BARGAIN...

21

22 **SUP. ANTONOVICH:** IT WAS A LOW GRADE MISDEMEANOR.

23

24 **SUP. BURKE:** WHAT WAS HE ACTUALLY PLEA BARGAINED TO?

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 SUP. ANTONOVICH: I THINK HE HAD-- HE WAS ARMED, I BELIEVE.

2

3 CHUCK JACKSON: MISDEMEANOR ASSAULT, MA'AM.

4

5 SUP. BURKE: IT WAS MISDEMEANOR ASSAULT.

6

7 SUP. ANTONOVICH: IT WAS PLEA PLEA BARGAINED DOWN AND, AS A
8 RESULT, IT WAS PLEA BARGAINED DOWN. HE WAS OUT IN THREE DAYS
9 AND MURDERED HIS FAMILY. HE WAS...

10

11 SUP. BURKE: WELL, HE WAS NOT OUT THREE DAYS BECAUSE OF THE
12 PLEA BARGAIN, HE WAS OUT THREE DAYS BECAUSE THEY HAD EARLY
13 RELEASE.

14

15 SUP. ANTONOVICH: THEY HAD EARLY RELEASE...

16

17 SUP. YAROSLAVSKY: CAN I MAKE A SUGGESTION ON THIS? YOU HAVE
18 INDICATED TO US THAT THE FEDERAL AUTHORITIES ALREADY HAVE
19 THEIR OWN PECKING ORDER OF WHAT THEY CHOOSE TO-- WHO THEY
20 CHOOSE TO DEPORT, CORRECT?

21

22 CHUCK JACKSON: THAT'S CORRECT, SIR.

23

24 SUP. YAROSLAVSKY: RATHER THAN TRYING TO REINVENT THE WHEEL
25 AHEAD OF TIME, WHY DON'T WE MAKE SURE THAT THIS ISSUE THAT YOU



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 RAISE, AND IT'S ONE THAT I WANT TO SEE ANALYZED ALSO, BE
2 SPECIFICALLY ADDRESSED IN THE EVALUATION REPORT AT THE END OF
3 THE PILOT PROGRAM? SO THAT WE CAN SEE WHO THEY-- YOU KNOW,
4 WHAT KIND OF MISDEMEANORS, WHAT KIND OF FELONIES, ET CETERA.

5

6 **CHUCK JACKSON:** BY CHARGE.

7

8 **SUP. BURKE:** WELL, I CERTAINLY WOULD WANT IT TO...

9

10 **SUP. ANTONOVICH:** AND THEN WE CAN IMPOSE...

11

12 **SUP. BURKE:** ...INCLUDE FELONIES AND HIGH GRADE MISDEMEANORS
13 AND THEN WE COULD SEE THE EVALUATION AT THE TIME OF THE-- AT
14 THE END OF THE PILOT.

15

16 **SUP. MOLINA, CHAIR:** SO IS THAT ALL RIGHT?

17

18 **SUP. ANTONOVICH:** AS LONG AS THEY HAVE NOT BEEN PLEA BARGAINED
19 DOWN.

20

21 **SUP. KNABE:** EXACTLY.

22

23 **CHUCK JACKSON:** I HAVE GONE SO FAR OUT ON THE LIMB, I DON'T
24 KNOW THAT I COULD COMMIT TO JUST FELONIES AND HIGH GRADE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 MISDEMEANORS, BECAUSE I'D HAVE TO HAVE AN INTERPRETATION OF
2 WHAT YOU CONSIDER HIGH GRADE MISDEMEANOR VERSUS...

3

4 **SUP. KNABE:** EXACTLY.

5

6 **SUP. ANTONOVICH:** ABSOLUTELY.

7

8 **CHUCK JACKSON:** ...FELONY.

9

10 **SUP. BURKE:** WELL, YOU GAVE A COUPLE LIST, YOU SAID THOSE...

11

12 **SUP. ANTONOVICH:** THAT'S CRAZY.

13

14 **SUP. BURKE:** WELL, I, I WOULD THINK...

15

16 **SUP. MOLINA, CHAIR:** LET ME ASK...

17

18 **CHUCK JACKSON:** I GAVE YOU A COUPLE OF EXAMPLES.

19

20 **SUP. BURKE:** ...ASSAULT AGAINST PEOPLE.

21

22 **SUP. MOLINA, CHAIR:** ...MY QUESTION-- EXCUSE ME. JUST A
23 SECOND. MY TIME. LET ME ASK MY QUESTION BECAUSE I WAS ACTUALLY
24 GOING THIS WAY ON THE FELONY. EARLIER, YOU STATED THAT, FOR
25 THE MOST PART, THAT THE ONLY PEOPLE THAT ARE INVOLVED IN THIS



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1 KIND OF A PROCESS, A D.U.I. IS NOT, OTHER KINDS OF ISSUES WERE
2 CITATIONS-- AND THEY'RE MISDEMEANORS OF SOME TYPE, FIRST-TIME
3 DUI. SO WHAT IS THE LEVEL OF FOLKS THAT YOU WOULD CONSIDER ARE
4 IN THIS 200 NUMBER? NOT-- THE 25 NOW AND 200 LATER, WHAT KIND
5 OF...

6

7 **CHUCK JACKSON:** I HAVEN'T SCREENED EVERY LIST BUT I CAN TELL
8 YOU, FROM THE ONES I HAVE LOOKED AT, I HAVE SEEN ALL THOSE
9 CHARGES RANGING FROM ASSAULTS, ASSAULT WITH A DEADLY WEAPON,
10 BURGLARY...

11

12 **SUP. MOLINA, CHAIR:** ARE THEY FELONIES? ARE THEY...

13

14 **CHUCK JACKSON:** ...PLEA BARGAINED DOWN TO MISDEMEANORS. WE
15 DON'T HAVE FELONIES IN OUR JAIL UNLESS IT'S ON A FELONY
16 PROBATION VIOLATION OR IT'S A FELONY CONVICTION.

17

18 **SUP. ANTONOVICH:** THAT'S THE WHOLE POINT. THAT'S THE WHOLE
19 POINT! YOU'RE DEALING WITH A COUNTY JAIL, NOT A STATE
20 PENITENTIARY.

21

22 **SUP. MOLINA, CHAIR:** EXCUSE ME, MICHAEL!!

23

24 **SUP. ANTONOVICH:** WELL, JUST A MOMENT...

25



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1 **SUP. MOLINA, CHAIR:** LET ME ASK THE CLARIFICATION.

2

3 **SUP. BURKE:** LET ME JUST CLARIFY THIS. WHEN HE WAS ARRAIGNED,
4 THE PERSON WHEN YOU INITIALLY STARTED OUT, IF THEY WERE
5 ARRAIGNED, THEY WOULD HAVE BEEN ARRAIGNED ON A FELONY AND THEN
6 THEY WOULD HAVE COME BACK TO COUNTY JAIL PENDING TRIAL?

7

8 **CHUCK JACKSON:** IN THE CASE OF MR. VICK, THAT'S CORRECT, YES,
9 MA'AM.

10

11 **SUP. BURKE:** RIGHT. AND SO IT'S ANY PERSON WHO IS-- AFTER THEY
12 ARE CONVICTED AREN'T IN COUNTY JAIL BUT CERTAINLY PENDING
13 TRIAL, YOU HAVE PEOPLE OF EVERY KIND OF CRIME, MURDER, AND
14 EVERYTHING ELSE, THAT COMES BACK PENDING TRIAL.

15

16 **SUP. ANTONOVICH:** I'M TALKING ABOUT THE CONVICTIONS.

17

18 **SUP. MOLINA, CHAIR:** ALL RIGHT. SO NOW, AGAIN, THIS IS ON THE
19 ISSUE OF CONVICTION. THAT'S BASICALLY THE 200 FOLKS THAT WERE
20 TALKING ABOUT?

21

22 **CHUCK JACKSON:** YES, MA'AM.

23

24 **SUP. MOLINA, CHAIR:** AND THE LEVEL OF CRIME CAN BE?

25



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1 **CHUCK JACKSON:** WELL, AGAIN, IT CAN-- ANYTHING FROM ASSAULTS,
2 BURGLARIES, THEFTS, GRAND THEFTS, NARCOTICS CHARGES, WEAPONS
3 VIOLATIONS, YOU KNOW, THERE'S PROBABLY SOME PAPER CRIMES IN
4 THERE, LIKE FORGERIES AND THINGS OF THAT NATURE BUT I DON'T
5 HAVE THE ENTIRE LIST OF CRIMES. I JUST KNOW THAT WHAT WE
6 PROVIDE IMMIGRATION CUSTOMS TODAY, I BELIEVE, WOULD BE, MY
7 OPINION, APPROPRIATE FOR THE SIX-MONTH PERIOD TO SEE WHETHER
8 OR NOT WHAT THOSE CHARGES WOULD BE, WHAT LEVEL WERE GOING
9 THROUGH THE INTERVIEW, WHAT CHARGES ARE PROCESSED AND PROVIDED
10 TO IMMIGRATION CUSTOMS, SO YOU CAN MAKE, YOU KNOW, A DECISION
11 BASED ON ALL OF THE BEST INFORMATION TO YOU.

12

13 **SUP. MOLINA, CHAIR:** AND, RIGHT NOW, UNDER THE PROCESS, YOU
14 SAID THAT THEY INTERVIEW, YOU KNOW, THE PEOPLE AND, OF THOSE
15 25, USUALLY IT'S ABOUT 20 THAT THEY WILL TAKE. THOSE FIVE THAT
16 THEY DON'T TAKE, THEY'VE BEEN-- ARE THEY HERE NOT LEGALLY? IS
17 THAT WHAT YOU'VE CONCLUDED?

18

19 **CHUCK JACKSON:** THEY'RE NOT LEGAL, AND IT DEPENDS ON WHEN WE
20 SCHEDULE THE INMATE FOR THE INTERVIEW. IF THEY HAVE A LIST OF
21 25 AND THEY ONLY ENTER 18 TODAY, IF SEVEN OF THOSE PEOPLE ARE
22 NOT DUE FOR RELEASE TODAY, THEY'LL BE RESCHEDULED AGAIN FOR
23 TOMORROW TO TRY TO PICK THEM UP, PLUS ANOTHER, YOU KNOW, ABOUT
24 18 TO GIVE THEM A LIST OF 25.

25



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1 SUP. MOLINA, CHAIR: BUT DO YOU, FOR THE MOST PART, RELEASE
2 THESE INDIVIDUALS?

3

4 CHUCK JACKSON: IF THEY'RE NOT INTERVIEWED AND THEIR RELEASE
5 DATE IS HERE, ONCE WE HAVE NO LEGAL AUTHORITY TO HOLD THEM,
6 THEY GO OUT THE DOOR, YES, MA'AM.

7

8 SUP. MOLINA, CHAIR: BUT WHAT IF THEY INTERVIEW-- WELL, THEN,
9 THEN THAT'S IT? THEY'VE SET UP 25 AND THEY'VE ONLY INTERVIEWED
10 14 OF THEM. BUT WHAT IF THEY INTERVIEWED ALL 25 OF THEM AND
11 THEY FOUND FIVE THAT DIDN'T MEET THEIR CRITERIA?

12

13 CHUCK JACKSON: THEY'D GO OUT THE DOOR.

14

15 SUP. MOLINA, CHAIR: THEY GO OUT THE DOOR.

16

17 CHUCK JACKSON: ON THEIR RELEASE DATE, YES, MA'AM.

18

19 SUP. MOLINA, CHAIR: ALL RIGHT. AND SO-- AND THEIR CRITERIA IS
20 WHAT? DO YOU KNOW?

21

22 CHUCK JACKSON: I DON'T KNOW ALL THE SPECIFICS, NO, MA'AM. I
23 MEAN, SOME OF THOSE CRITERIA, IF THEY'RE-- THEY CAN BE IN THE
24 COUNTRY LEGALLY, HAVE AN "A" NUMBER, HAVE A CONVICTION FOR A
25 QUALIFYING CHARGE. HOWEVER, IMMIGRATION CUSTOMS MAKES THE



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1 DECISION AT THAT POINT NOT TO PROCESS, THEY CAN RELEASE THEM
2 AND RELEASE THE HOLD. THAT PERSON WOULD BE RELEASED FROM
3 COUNTY JAIL TO GO HOME. A QUALIFYING CHARGE COULD BE, YOU
4 KNOW, ONE OF MANY MISDEMEANORS OR MAYBE EVEN A NARCOTICS
5 CHARGE. MOST OF THE TIME, I'D SAY, THEY PROBABLY WOULD PROCESS
6 THEM BUT NOT EVERY ONE.

7

8 **SUP. MOLINA, CHAIR:** BECAUSE I THINK THAT THAT'S THE ISSUE AND
9 THE WOMAN THAT CAME UP AND TALKED ABOUT SAFETY IS THAT I DON'T
10 THINK WE'RE PROVIDING HER ALL THE ASSURANCES. THIS PROBABLY
11 MAKES IT SAFER BUT NOT NECESSARILY TO THE EXTENT OF WHAT WE'RE
12 KIND OF COMMUNICATING THAT'S GOING ON. AND I THINK THAT THAT'S
13 PART OF THE VAGUENESS, AGAIN, AND THE BENEFIT THAT I'M NOT
14 SURE ABOUT. THE OTHER PART OF IT IS YOU SAID THERE'S A
15 GUARANTEE OF THE 48 HOURS, THAT THE I.N.S. WILL PICK UP THESE
16 INDIVIDUALS. IF WE WERE ABLE TO DO ALL 200 THAT ARE AVAILABLE
17 EACH DAY, LET'S SAY THAT WE TRAIN ENOUGH OF OUR DEPUTIES TO
18 CARRY IT OUT, WE I.D.-- AND WE HAVE A CRITERIA, WE I.D. THAT
19 THERE ARE 190 THAT HAVE TO BE MOVED OUT THAT DAY. UNDER THIS
20 M.O.U., WOULDN'T IT BE WORTHWHILE TO INCLUDE THAT MANDATE
21 SINCE IT IS A RESPONSIBILITY OF I.C.E.?

22

23 **CHUCK JACKSON:** WELL, WE HAVE THE 48 HOURS WRITTEN IN THE
24 M.O.U. YOU KNOW, IMMIGRATION CUSTOMS HAS ALREADY ASSURED US



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1 THAT THEY'RE WILLING TO TAKE THESE FOLKS AS IDENTIFIED BECAUSE
2 THAT'S WHAT THEY'RE IN THE BUSINESS OF DOING.

3

4 **SUP. MOLINA, CHAIR:** SO IN THE M.O.U. THAT YOU'RE ASKING THAT
5 WE SIGN WITH THE FEDS, YOU'RE SAYING THAT YOU'RE ALREADY
6 INCLUDING THAT IT'S MANDATED THAT THEY TAKE THEM?

7

8 **CHUCK JACKSON:** WE HAVE THE 48 HOURS LISTED IN THE M.O.U. IT
9 DOESN'T SAY WE PROMISE. IT JUST SAYS WE WILL HOLD NO LONGER
10 THAN 48 HOURS, NOT INCLUDING SATURDAY, SUNDAYS, HOLIDAYS.

11

12 **SUP. MOLINA, CHAIR:** BUT LET'S SAY THEY TAKE DON'T TAKE THEM,
13 LET'S SAY THEY TAKE 72 OF THEM, DO WE JUST RELEASE THEM?

14

15 **CHUCK JACKSON:** YES, MA'AM.

16

17 **SUP. MOLINA, CHAIR:** MR. YAROSLAVSKY, WHY NOT MAKE THAT AN
18 OPTION?

19

20 **SUP. YAROSLAVSKY:** MAKE WHAT?

21

22 **SUP. ANTONOVICH:** DON'T RELEASE ANYONE?

23

24 **SUP. MOLINA, CHAIR:** WELL, IF THEY ARE CONVICTED OF A CRIME, I
25 MEAN, THESE ARE UNDOCUMENTED PEOPLE WHO HAVE COME INTO THIS



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1 COUNTRY ILLEGALLY, THEY'VE BEEN CONVICTED OF A MAJOR CRIME,
2 WHY SHOULD NOT THE I.N.S. HAVE THE RESPONSIBILITY TO TAKE ALL
3 OF THEM?

4

5 **SUP. ANTONOVICH:** THEY DO, BECAUSE THE LAW SAYS THEY ARE
6 MANDATED TO DO THAT. THAT'S IN THE REPORT.

7

8 **SUP. MOLINA, CHAIR:** BUT I JUST ASKED HIM THE QUESTION AND HE
9 SAID-- YOU KNOW, I MEAN, LET'S SAY THEY COME UP WITH 190 EACH
10 DAY THAT ARE PROCESSED, ACCORDING TO WHAT HE SAID. IF IT'S AN
11 M.O.U., WHICH, AGAIN, IS A TWO-WAY STREET, WE'RE WILLING TO DO
12 THIS WORK, BUT YOU MUST TAKE EVERY SINGLE ONE OF THEM. AFTER
13 ALL, THEY'RE ALL CONVICTED.

14

15 **CHUCK JACKSON:** THEY'RE REQUIRED BY STATUTE TO DO SO. IT'S
16 WRITTEN IN THE M.O.U. AS FAR AS THE 48 HOURS. WHAT YOU ASKED
17 ME, I BELIEVE, AT LEAST I THOUGHT I HEARD YOU SAY IS, WHAT IF
18 THEY JUST DON'T TAKE THEM ALL? I HAVE NO LEGAL AUTHORITY OTHER
19 THAN AN I.N.S. HOLD, WHICH EXPIRES AT THE END OF 48 HOURS...

20

21 **SUP. MOLINA, CHAIR:** I UNDERSTAND. BUT UNDER...

22

23 **CHUCK JACKSON:** ...AND I' GOING TO RELEASE THEM.

24



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1 **SUP. MOLINA, CHAIR:** BUT UNDER AN M.O.U., YOU WOULD HAVE AN
2 AGREEMENT WITH THE FEDERAL GOVERNMENT THAT THEY'LL TAKE THEM.

3

4 **SUP. ANTONOVICH:** AND THAT'S WHAT IT SAYS. THAT'S IN THE
5 AGREEMENT.

6

7 **SUP. MOLINA, CHAIR:** THAT'S IN THE AGREEMENT?

8

9 **CHUCK JACKSON:** YOU MIGHT CHECK UNDER...

10

11 **SUP. BURKE:** IT SAYS THE 48 HOURS.

12

13 **CHUCK JACKSON:** IT TALKS ABOUT DESIGNATION OF FUNCTIONS AND
14 THEN, THE SECOND PARAGRAPH UNDERNEATH THE BOXES, IT TALKS
15 ABOUT THE PARTIES, "UNDERSTAND L.A.S.D. WILL NOT CONTINUE TO
16 DETAIN AN ALIEN AFTER THAT ALIEN IS ELIGIBLE FOR RELEASE FROM
17 LASD CUSTODY IN ACCORDANCE WITH APPLICABLE LAW AND L.A.S.D.
18 POLICY EXCEPT FOR A PERIOD UP TO 48 HOURS, EXCLUDING SATURDAY,
19 SUNDAY AND HOLIDAYS" AND THAT'S PURSUANT TO DEPARTMENT OF
20 HOMELAND SECURITY DETAINER ISSUED IN ACCORDANCE WITH 8CFR
21 287.7. THAT'S OUR 48-HOUR MANDATE TO...

22

23 **SUP. MOLINA, CHAIR:** I UNDERSTAND YOUR 48 HOURS. I'M JUST
24 ASKING FOR THEM TO PUT THEM ON A BUS AND TAKE THEM TO OFF TO
25 FEDERAL DETENTION.



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1

2 **CHUCK JACKSON:** AND THEY HAVE BEEN.

3

4 **SUP. MOLINA, CHAIR:** BUT IS THAT IN THE M.O.U., THAT THEY WILL
5 TAKE OWNERSHIP OF THOSE CONVICTED CRIMINALS?

6

7 **C.A.O. JANSSEN:** NO.

8

9 **CHUCK JACKSON:** IT'S NOT SPECIFIC TO THE M.O.U. IT'S INFERRED
10 IN THE M.O.U.

11

12 **SUP. MOLINA, CHAIR:** WOULDN'T IT BE WORTHWHILE, MR. ANTONOVICH,
13 TO PUT IT IN IF WE'RE GOING TO MAKE IT A PUBLIC SAFETY ISSUE?

14

15 **SUP. YAROSLAVSKY:** WELL, I MEAN, I'M NOT SURE THAT THEY WOULD
16 AGREE TO IT OR THAT WE COULD ENFORCE IT THROUGH THE M.O.U. MY
17 ADVICE IS, YOU KNOW, WE'RE NOT GOING TO BE ABLE TO THINK OF
18 EVERY CONTINGENCY AHEAD OF TIME. THAT'S WHY I DIDN'T WANT TO
19 GO INTO THIS ON A PERMANENT BASIS BUT, RATHER, A PILOT, SO
20 THAT WE COULD EVALUATE AND SEE WHAT ARE THE UPS AND DOWNS, THE
21 PLUSES AND THE MINUSES. AND THAT COULD BE ONE OF THE THINGS
22 AND I...

23

24 **SUP. MOLINA, CHAIR:** COULD YOU PUT THAT IN AS ONE OF THE THINGS
25 THAT WOULD BE EVALUATED?



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1

2 **SUP. YAROSLAVSKY:** ABSOLUTELY.

3

4 **SUP. ANTONOVICH:** THAT SHOULD BE IN THE EVALUATION, ABSOLUTELY.
5 AND WHEN WE'RE IN WASHINGTON...

6

7 **SUP. MOLINA, CHAIR:** IT'S NOT IN THERE NOW.

8

9 **SUP. ANTONOVICH:** ...IN MAY, THAT'S WHAT WE'RE GOING TO BE
10 TALKING ABOUT.

11

12 **SUP. YAROSLAVSKY:** BECAUSE YOUR POINT IS ABSOLUTELY CORRECT. IF
13 WE'RE GOING TO GO THROUGH ALL THIS RIGMAROLE AND THEY'RE ONLY
14 GOING TO TAKE 15% OF THE ELIGIBLE PEOPLE, THEN THE HELL WITH
15 THE PROGRAM. WHY ARE WE SPINNING OUR WHEELS? I AGREE WITH IT
16 TOTALLY.

17

18 **CHUCK JACKSON:** AND I'D BE VERY HAPPY TO WORK WITH YOUR STAFFS
19 TO DEVELOP WHAT CRITERIA THAT YOU WANT EVALUATED, WHICH
20 INCLUDES LEVEL OF OFFENSE, ARE WE, IN FACT, IDENTIFYING MORE
21 THAN THE IMMIGRATION CUSTOMS CAN SUPPORT AND TAKE OUT OF OUR
22 CUSTODY? BECAUSE, YOU'RE RIGHT, IF THEY CANNOT TAKE ALL THOSE
23 THAT WE IDENTIFY, THEN WHAT'S THE POINT?

24



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1 **SUP. MOLINA, CHAIR:** WELL, WE'RE MISLEADING THE PUBLIC TO
2 BELIEVE THAT THAT'S WHAT'S GOING ON. ALL RIGHT.

3

4 **SUP. ANTONOVICH:** EXACTLY. CALL FOR THE QUESTION.

5

6 **SUP. YAROSLAVSKY:** I ACCEPT THAT AS ONE OF THE CRITERIA TO BE
7 EVALUATED.

8

9 **SUP. MOLINA, CHAIR:** ALL RIGHT. AND LET ME JUST SAY, I'M NOT
10 SUPPORTING THIS ITEM AT ALL, EVEN FOR A PILOT, FOR MY TOTAL
11 DISTRUST OF HOW IT WILL OPERATE AND FUNCTION, HAVING BEEN
12 FAMILIAR ENOUGH WITH ALL ASPECTS OF IT, THERE ARE MANY
13 QUESTIONS. I WOULD USE PREFER, I HAVE NO PROBLEM WITH ALLOWING
14 252 I.N.S., I.C.E. OFFICERS IN OUR JAILS TO INTERVIEW PEOPLE
15 WHO ARE NOT LEGALLY IN THIS COUNTRY AND ARE CONVICTED OF A
16 CRIME OR COMMITTING CRIMES. I DON'T HAVE A PROBLEM GETTING RID
17 OF THOSE INDIVIDUALS ON A REGULAR BASIS BUT I HAVE SEEN
18 IMMIGRATION OR I.N.S. NOT HOLD UP THEIR END OF THE BARGAIN
19 TIME AND TIME AGAIN AND I WORRY THAT THEY'RE PUTTING MORE
20 OWNERSHIP AND MORE RESPONSIBILITY ON THE COUNTY OF LOS ANGELES
21 WITHOUT ANY BENEFIT, NOT EVEN A PUBLIC SAFETY POTENTIAL
22 BENEFIT AND THAT'S WHAT I WORRY ABOUT. THEY DON'T PAY FOR THEM
23 NOW, THEY ARE RESPONSIBLE IN OUR JAILS, WE ARE HOLDING SO MANY
24 OF THEM, THEY HAVE A DUTY UNDER THE FEDERAL GOVERNMENT TO PAY
25 FOR THOSE INDIVIDUALS THAT ARE INCARCERATED. THEY HAVE NOT



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1 HELD UP THEIR END OF IT. AND THEN, FINALLY, THE BIGGEST ISSUE
2 OF ALL IS THAT, ONCE WE START CREATING A LITTLE FUZZ AND
3 START, YOU KNOW, ERASING SOME OF THOSE LINES AS FAR AS DUTY
4 AND RESPONSIBILITY, I DON'T KNOW. I DON'T KNOW WHEN IT'S GOING
5 TO BE CONVENIENT FOR THEM TO START ASKING OUR NURSES TO CARRY
6 OUT THE SAME WORK. I DON'T KNOW WHEN IT'S GOING TO BE
7 CONVENIENT TO ASK OUR MENTAL HEALTH PEOPLE TO CARRY OUT THAT
8 SAME WORK. AGAIN, AFTER ALL, THEY ARE HERE ILLEGALLY AND SOME
9 PEOPLE WILL SAY AND, YES, THEY ARE DRAINING OF SERVICES THAT
10 ARE ONLY-- CITIZENS THAT SHOULD BE HERE ARE PEOPLE WHO ARE
11 LEGALLY HERE, THERE ARE PEOPLE THAT WILL RAISE THOSE THINGS.
12 BUT I WORRY WHEN WE START ASKING OUR MENTAL HEALTH WORKERS,
13 OUR SOCIAL WORKERS, OUR TEACHERS, OR OUR MEDICAL PERSONNEL TO
14 BECOME PART OF THE FEDERAL GOVERNMENT TO ASK THOSE QUESTIONS
15 FOR A DEPARTMENT THAT IS FULLY AND COMPLETELY FUNDED THAT
16 SHOULD BE CARRYING OUT THAT WORK EVERY SINGLE DAY BUT I THINK
17 IT FUZZES THE LINE. WHY? BECAUSE THEY NEED THESE PEOPLE. THEY
18 NEED THEM TO COME HERE AND WORK AND MAINTAIN THE ECONOMY.
19 THAT'S THE UNFORTUNATE PART ABOUT IT. WE ARE THE GRUNTS THAT
20 HAVE TO DO THIS WORK AND IT'S FINE WHILE YOU'RE DOING THE
21 WORK, BE OUR JANITORS, GO OUT THERE AND BE THE GARDENERS, GO
22 OUT AND BE THE DOMESTICS AND THE CHILDCARE WORKERS BUT, VERY
23 FRANKLY, THE MINUTE THAT YOU NEED AN EMERGENCY OPERATION OR
24 YOUR CHILD NEEDS TO GO TO A CLINIC OR MIGHT NEED MENTAL HEALTH
25 COUNSELING, THAT'S THE TIME THAT WE DON'T WANT YOU HERE AND WE



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1 WANT TO CRIMINALIZE THE PROCESS. SO THAT'S WHY I HAVE A
2 PROBLEM WITH IT, BECAUSE IT STARTS FUZZING LINES AND IT'S A
3 REAL PROBLEM AND I'M VERY WORRIED. YES, THEY WANT L.A. COUNTY
4 TO DO IT, THE LARGEST COUNTY IN THIS COUNTRY... [APPLAUSE]

5

6 **SUP. MOLINA, CHAIR:** ...THAT'S GOING TO CARRY IT OUT AND IT'S
7 THE BEGINNING OF TRYING TO CREATE MORE AND MORE FUZZINESS
8 AROUND THIS ISSUE. I APPRECIATE THE WORK THAT SUPERVISOR
9 YAROSLAVSKY HAS DONE IN PUTTING FORTH A PILOT BECAUSE, AT THE
10 END OF THE DAY, WE WANT TO EVALUATE WHETHER IT IS A BENEFIT TO
11 THE RESIDENTS OF L.A. COUNTY BUT IF IT IS JUST A WAY TO GET
12 THE FEDERAL GOVERNMENT, TO GET COUNTY GOVERNMENT OR ANY OTHER
13 MUNICIPALITY TO CARRY OUT THEIR DUTY AND THEIR RESPONSIBILITY,
14 IT IS WRONG AND THIS COUNTY SHOULD NOT FALL FOR IT.

15

16 **SUP. BURKE:** I DO THINK THAT SUPERVISOR YAROSLAVSKY HAS MADE
17 THIS A BIT LITTLE MORE PALATABLE IN TERMS OF WHAT WE'RE BEING
18 PRESENTED WITH. I, ULTIMATELY, WHEN THIS COMES BACK FOR
19 EVALUATION, I MAY BE SUPPORTIVE OF IT BUT I NEED TO KNOW, AT
20 SOME POINT, EXACTLY WHAT IT'S COVERING, WHAT MISDEMEANORS,
21 WHAT FELONIES. I NEED TO REALLY SEE EXACTLY WHAT WE'RE DOING
22 AND, AT THAT POINT, I'LL FEEL COMFORTABLE IN SUPPORTING IT. AT
23 THIS POINT, I JUST HAVE A LOT OF QUESTIONS IN TERMS OF WHAT
24 THE PARAMETERS ARE AND I-- AND THOSE THINGS, I THINK, CAN BE
25 CLARIFIED AS YOU START AND YOU GIVE US A LIST AND WE START



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1 SEEING EXACTLY WHAT IT APPLIES TO. BUT I FEEL A LOT BETTER
2 ABOUT THAT IT'S GOING TO ONLY COVER THOSE PEOPLE WHO ARE
3 CONVICTED RATHER THAN AT THE TIME OF ARRAIGNMENT OR EARLIER IN
4 PROCESS.

5

6 **SUP. KNABE:** BUT YOU DON'T FEEL WELL ENOUGH ABOUT IT TO VOTE
7 FOR IT, IS THAT WHAT YOU'RE SAYING?

8

9 **SUP. BURKE:** NOT TODAY.

10

11 **SUP. MOLINA, CHAIR:** ALL RIGHT. DO YOU WANT TO CALL THE ROLL?

12

13 **SUP. BURKE:** I DON'T KNOW WHAT MISDEMEANORS ARE COVERED. I
14 DON'T KNOW WHAT-- IT'S NOT JUST FELONIES. I'D JUST LIKE TO GET
15 AN IDEA OF WHAT WE'RE TALKING ABOUT.

16

17 **SUP. YAROSLAVSKY:** YOU KNOW, I WOULD ADD ONE MORE THING, MADAM
18 CHAIR. CHIEF JACKSON, BEFORE YOU LEAVE, COULD WE GET AN UPDATE
19 IN WRITING ONCE THE CONTRACT COMMENCES EVERY 30-- OR LET'S SAY
20 EVERY 60 DAYS, SO WE GET A SNAPSHOT OF WHAT'S HAPPENING?

21

22 **CHIEF CHUCK JACKSON:** YES, SIR.

23

24 **SUP. BURKE:** AND THE OFFENSES THAT ARE BEING COVERED BY IT.
25 THAT'S WHAT I REALLY FEEL VERY UNCERTAIN ABOUT IT.



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1

2 **SUP. YAROSLAVSKY:** BECAUSE I THINK THAT WOULD RAISE EVERYBODY'S
3 COMFORT LEVEL A LITTLE BIT, AT LEAST THAT WE'RE GETTING TIMELY
4 INFORMATION. SO THAT, IF IT'S A BUST, WE CAN KNOW IT AHEAD OF
5 TIME.

6

7 **SUP. KNABE:** OKAY. ROLL CALL. CALL FOR THE QUESTION.

8

9 **SUP. MOLINA, CHAIR:** WE HAVE IT? DID HE AGREE TO IT? I DIDN'T
10 HEAR HIM BUT I GUESS SO. ALL RIGHT. PLEASE, ROLL CALL.

11

12 **CLERK VARONA-LUKENS:** SUPERVISOR BURKE?

13

14 **SUP. BURKE:** NO.

15

16 **CLERK VARONA-LUKENS:** SUPERVISOR YAROSLAVSKY?

17

18 **SUP. YAROSLAVSKY:** AYE.

19

20 **CLERK VARONA-LUKENS:** SUPERVISOR KNABE?

21

22 **SUP. KNABE:** AYE.

23

24 **CLERK VARONA-LUKENS:** SUPERVISOR ANTONOVICH?

25



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1 SUP. ANTONOVICH: AYE.

2

3 CLERK VARONA-LUKENS: AND SUPERVISOR MOLINA?

4

5 SUP. MOLINA, CHAIR: NO.

6

7 CLERK VARONA-LUKENS: THE MOTION, 3-TO-2.

8

9 SUP. MOLINA, CHAIR: ALL RIGHT. THEN THAT COMPLETES THAT ITEM.
10 BELIEVE IT OR NOT, I'M STILL ON MY SPECIALS. I HAVE NUMBER 19.
11 THAT'S DEPARTMENT OF CHILDREN SERVICES WRAPAROUND SERVICES. I
12 HAVE AN AMENDMENT TO IT. I'LL PASS IT OUT. IT'S A LITTLE BIT
13 LONG BUT, BASICALLY, IT'S ASKING THE BOARD TO INSTRUCT THE
14 DEPARTMENT AND THE C.A.O. AS WELL AS THE AUDITOR-CONTROLLER TO
15 DETERMINE THE ACTUAL AVERAGE COST FOR AGENCIES TO PROVIDE
16 WRAPAROUND SERVICES BASED ON DETAILED ACTUAL FY-2003/2004 DATA
17 AND 2004/2005 YEAR-TO-DATE DATA BEING REQUIRED TO BE PROVIDED
18 BY WRAPAROUND AGENCIES; TO INSTRUCT THE DEPARTMENT AND THE
19 C.A.O., IN CONSULTATION WITH THE DEPARTMENT OF MENTAL HEALTH
20 SERVICES AND PROBATION, TO REVIEW THE TARGET POPULATION FOR
21 WRAPAROUND SERVICES AND IDENTIFY ALTERNATIVE WRAPAROUND
22 SERVICE DELIVERY OPTIONS, IF ANY. THREE, TO INSTRUCT THE
23 D.C.F.S. AND THE C.A.O. TO CONTINUE THEIR WORK IN CONSULTATION
24 WITH THE DEPARTMENT OF MENTAL HEALTH, AUDITOR AND THE
25 PROBATION ON THE IDENTIFICATION OF ALTERNATIVE PAYMENT



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1 STRUCTURE FOR WRAPAROUND AND A MAXIMUM MISCHARACTERIZATION OF
2 MENTAL HEALTH OR OTHER REVENUE SOURCES TO FUND WRAPAROUND
3 SERVICES. INSTRUCT D.C.F.S., C.A.O. AND THE AUDITOR TO PROVIDE
4 A REPORT BACK IN 90 DAYS ADDRESSING THE FOLLOWING
5 RECOMMENDATIONS. THE FOLLOWING RECOMMENDATIONS FOR ALTERNATIVE
6 PAYMENT STRUCTURES FOR FEDERALLY ELIGIBLE CHILDREN AND
7 ALTERNATIVE WRAPAROUND SERVICE DELIVERY OPTIONS INCLUDING A
8 COST ANALYSIS AND, FIVE, INSTRUCT THE AUDITOR OR D.C.F.S. TO
9 CONDUCT REGULAR PROGRAM AND FISCAL AUDITS OF WRAPAROUND
10 AGENCIES. THE AUDITOR WILL DEVELOP A CHECKLIST FOR D.C.F.S.
11 MONITORS ASK OVERSEE D.C.F.S. MONITORING OF THESE CONTRACTS.
12 IT'S COME TO ME BECAUSE I THINK THERE ARE SOME CONCERNS AND
13 SOME ISSUES WE NEED TO ADDRESS THERE, SO I'M ASKING FOR THAT
14 AMENDMENT.

15

16 **SUP. ANTONOVICH:** SECOND.

17

18 **SUP. MOLINA, CHAIR:** IT'S BEEN MOVED AND SECONDED. IS THERE ANY
19 QUESTION OR COMMENT? IF THERE'S NO OBJECTION, SO ORDERED ON
20 THAT ITEM. I THINK THAT HOLDS ALL OF MY ISSUES. MS. BURKE,
21 YOUR SPECIALS?

22

23 **SUP. BURKE:** I JUST HAVE-- I JUST HAVE ADJOURNMENTS. I MOVE
24 THAT, WHEN WE ADJOURN TODAY, WE ADJOURN IN THE MEMORY OF
25 WALTER P. GUERRERO, A FORMER NEWSPAPER MAN AND LONG-TIME



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 HAWTHORNE RESIDENT. HE WAS THE LONGEST SERVING TRUSTEE HAVING
2 HELD A SEAT ON THE WEST HAWTHORNE BASED SCHOOL BOARD FOR MORE
3 THAN 30 YEARS. WALTER GUERRERO PASSED AWAY ON JANUARY 19TH AT
4 THE AGE OF 71. I DON'T KNOW. I SUPPOSE SUPERVISOR KNABE WANTS
5 TO JOIN IN THIS. ALL RIGHT. I HAVE NOTHING FURTHER.

6

7 **SUP. KNABE:** OH, YES, I DO. GLORIA? I DO WANT TO BE ON THAT
8 ADJOURNMENT.

9

10 **SUP. MOLINA, CHAIR:** OH, OKAY. SO ORDERED ON THOSE
11 ADJOURNMENTS. ANYTHING ELSE?

12

13 **SUP. BURKE:** I HAVE NOTHING FURTHER.

14

15 **SUP. MOLINA, CHAIR:** ALL RIGHT. MR. YAROSLAVSKY, YOUR SPECIALS.

16

17 **SUP. YAROSLAVSKY:** I THINK-- I DON'T HAVE ANY ADJOURNING
18 MOTIONS, MADAM CHAIR, I THINK I WAS HOLDING ONE ITEM ON
19 BEACHES AND HARBORS, ITEM 18. CAN I ASK MR. WISNIEWSKI TO COME
20 UP? COME FORWARD. THE SEA SCOUTS. MY ONLY ISSUE, AND I'VE
21 DISCUSSED IT WITH MR. KNABE AND MR. WISNIEWSKI BUT I JUST WANT
22 TO PUT IT ON THE RECORD AND MAKE AN AMENDMENT, IS THE SOURCE
23 OF THE FUNDING, IT'S NOT THE PROJECT. AND SO I WANT TO JUST
24 MOVE THAT ALL OF THE FUNDING FOR THIS PROJECT COME OUT OF THE
25 ACCUMULATED CAPITAL A.C.O. FUND AND NOT OUT OF THE OPERATING



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1 FUNDS OF THE DEPARTMENT AND YOU'RE OKAY WITH THAT, YOU'VE GOT
2 THE MONEY, YOU'VE CERTAINLY GOT THE MONEY IN THE A.C.O. FUND?

3

4 **STAN WISNIEWSKI:** YES, SIR.

5

6 **SUP. KNABE:** AND THAT AT LEAST PUTS EVERYTHING ON AN EVEN KEEL
7 BEFORE.

8

9 **SUP. KNABE:** YEAH. AND I TELL YOU, I DON'T HAVE A PROBLEM WITH
10 THE A.C.O. JUST-- BUT THERE ARE OTHER PROJECTS THAT HAVE BE
11 IDENTIFIED FOR THE A.C.O., AND I THINK THERE SHOULD BE SOME
12 ANALYSIS HOW THOSE FUNDS ARE USED AND MAYBE THE C.A.O. CAN
13 LOOK AT THAT BUT, ON THIS PARTICULAR PROJECT, I DON'T HAVE A
14 PROBLEM WITH THE A.C.O.

15

16 **SUP. YAROSLAVSKY:** OKAY. WELL, I JUST WANT TO SAY THE REASON
17 FOR THAT IS THAT FUNDS OUT OF YOUR OPERATING BUDGET CAN BE
18 USED ANYWHERE ALONG THE BEACHES AND THERE ARE A NUMBER OF
19 CAPITAL PROJECTS IN BOTH THE THIRD AND THE FOURTH
20 SUPERVISORIAL DISTRICT PORTIONS OF THE BEACHES AND THAT
21 ANALYSIS WAS NOT DONE BEFORE SOMEBODY MADE A DECISION TO TAKE
22 IT OUT OF THE OPERATING FUNDS. SO AND THE A.C.O. FUNDS...

23

24 **SUP. KNABE:** NO, I UNDERSTAND...

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. YAROSLAVSKY:** NO, LET ME JUST FINISH. THE A.C.O. FUNDS CAN
2 ONLY BE USED IN THE MARINA, FROM MY UNDERSTANDING, IS THAT
3 CORRECT?

4

5 **STAN WISNIEWSKI:** I'M SORRY?

6

7 **SUP. YAROSLAVSKY:** THE A.C.O. FUNDS CAN ONLY BE USED IN THE
8 MARINA, CORRECT?

9

10 **STAN WISNIEWSKI:** THAT IS CORRECT.

11

12 **SUP. YAROSLAVSKY:** OKAY. SO ALL THIS IS DOING, AND I THINK
13 WE'RE ON THE SAME PAGE, ALL THIS IS DOING IS ENSURING THAT
14 WHATEVER THE ANALYSIS THAT IS DONE IN THE FUTURE ON THE FUNDS
15 THAT CAN BE USED IN AND BEYOND THE MARINA WILL BE LOOKED AT
16 COMPREHENSIVELY. AND I JUST HAVE A CONCERN. I MEAN, I--
17 ABOUT-- ANYWAY...

18

19 **STAN WISNIEWSKI:** VERY QUICKLY, WE HAVE 24 MILLION IN UNFUNDED
20 PROJECTS IN MARINA DEL RAY. THIS WILL BASICALLY TAKE AWAY ALL
21 OF THE MARINA A.C.O. FUND MONIES, LEAVING A BALANCE OF ABOUT
22 \$145...

23

24 **SUP. YAROSLAVSKY:** YOU HAVE A \$7.4 MILLION BALANCE MY STAFF
25 TELLS ME THIS MORNING.



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The Los Angeles County Board of Supervisors

1

2 **STAN WISNIEWSKI:** WE HAVE-- RIGHT. WE HAVE ABOUT 8.6 IN THERE
3 AND, AFTER TWO PROJECTS THAT WE'RE LOOKING AT, IT'LL GET DOWN
4 TO 1,795. WITH THIS, IT WILL BE LEFT ABOUT 144, WHICH MEANS
5 WE'RE OKAY TO FUND IT, BUT I THINK IT'S A GREAT IDEA TO LOOK
6 AT FUTURE TRANSFERS TO THE MARINE A.C.O. WE ALSO HAVE \$108
7 MILLION IN UNFUNDED PROJECTS IN THE THIRD AND FOURTH DISTRICTS
8 IN JUST BEACHES.

9

10 **SUP. YAROSLAVSKY:** I UNDERSTAND AND I JUST THINK WE NEED TO ALL
11 BE JUST BALANCED AND FAIR ABOUT HOW BEACHES AND HARBORS
12 OPERATING FUNDS ARE INVESTED. AND I FOUND OUT ABOUT THIS WHEN
13 IT APPEARED ON THE AGENDA LAST WEEK OR TWO WEEKS AGO, WHENEVER
14 IT WAS, AND I DON'T HAVE A PROBLEM WITH THE PROJECT AT ALL,
15 IT'S A GREAT PROJECT AND IT OUGHT TO BE FUNDED, BUT I JUST
16 THINK, WHEN YOU LOOK AT OTHER PROJECTS GOING FORWARD, LOOK AT
17 THEM ALL, AND THEN MAKE-- THERE ARE FUNDS THAT WE HAVE
18 AVAILABLE, AS MR. KNABE RIGHTLY TOLD ME THIS MORNING, PARK
19 BOND MONIES THAT MAY BE AVAILABLE TO ME, MY DISTRICT AND HIS
20 DISTRICT, OTHER SOURCE OF FUNDING THAT MAY BE AVAILABLE AND
21 THESE. SO I JUST THINK WE LOOK AT ALL AS ONE.

22

23 **STAN WISNIEWSKI:** I THINK, IF WE WERE TO DO IT OVER, WE WOULD
24 HAVE RECOMMENDED IT THE WAY YOU'RE AMENDING THIS. I THINK IT'S
25 A FAIRER APPROACH.



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1

2 **SUP. YAROSLAVSKY:** ALL RIGHT.

3

4 **SUP. BURKE:** AND THE OTHER PROJECTS, THERE WILL BE ADEQUATE
5 MONEY FOR THOSE TWO PROJECTS THAT ARE EARMARKED OUT OF THIS.
6 YOU'RE PRETTY CLOSE WHEN YOU'RE DOWN TO 144,000 BUT YOU FEEL
7 COMFORTABLE YOU CAN STILL COMPLETE TO SEE PROJECTS.

8

9 **STAN WISNIEWSKI:** YES, BECAUSE ONE OF THE-- BOTH OF THOSE, THE
10 FUNDING FOR BOTH OF THOSE WILL PROBABLY BE IN A DIFFERENT
11 FISCAL YEAR SO I THINK WE'RE GOING TO BE OKAY. WE'RE JUST
12 TRYING TO RESERVE THE FUNDS. WE'VE NOT BEEN TERRIBLY
13 SUCCESSFUL IN GETTING LARGE AMOUNTS OF MONEY TRANSFERRED INTO
14 THE MARINA A.C.O. FUND AND WE HAVE, YOU KNOW, WE HAVE A PUBLIC
15 RESPONSIBILITY OUT THERE WITH THE INFRASTRUCTURE BUT WE'LL
16 WORK WITH THE C.A.O. TO MAKE SURE THAT YOU HAVE THAT
17 BACKGROUND.

18

19 **SUP. KNABE:** I MEAN, THIS PARTICULAR PROJECT IS, YOU KNOW, A
20 COUNTYWIDE PROJECT BECAUSE IT'S A PUBLIC FACILITY USED BY ALL
21 COUNTY CITIZENS, SO... OKAY.

22

23 **SUP. YAROSLAVSKY:** SO I'LL MOVE IT AS AMENDED.

24

25 **SUP. KNABE:** SECOND.



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1

2 **SUP. MOLINA, CHAIR:** YOU'RE MOVING IT AS AMENDED? ALL RIGHT.
3 IT'S BEEN MOVED BY SUPERVISOR YAROSLAVSKY, SECONDED BY
4 SUPERVISOR KNABE. IF THERE'S NO OBJECTION, SO ORDERED.

5

6 **SUP. YAROSLAVSKY:** THAT'S ALL I HAD.

7

8 **SUP. MOLINA, CHAIR:** THAT'S ALL YOU HAD. MR. KNABE, YOUR
9 SPECIALS?

10

11 **SUP. KNABE:** YES, MADAM CHAIR, I'D LIKE TO ADJOURN TODAY IN
12 MEMORY OF GLORIA GRIEGO, WHO PASSED AWAY THIS PAST TUESDAY.
13 SHE WILL BE SORELY MISSED BY HER FAMILY AND FRIENDS, SURVIVED
14 BY HER SON, VICTOR. ALSO THAT WE ADJOURN IN MEMORY OF GRACIE
15 DEAN, A LONG-TIME RESIDENT OF MANHATTAN BEACH AND VERY ACTIVE
16 IN THE COMMUNITY AND EDUCATION GROUPS. SHE WAS A FORMER
17 TRUSTEE OF THE SOUTH BAY HIGH SCHOOL DISTRICT AND WAS WELL
18 KNOWN IN THE EDUCATION CIRCLES THROUGHOUT THE SOUTH BAY.
19 SHE'LL BE MISSED BY HER HUSBAND, CLIFFORD DEAN, JR., HER
20 CHILDREN AND ADDITIONAL FAMILY MEMBERS. AND, AS YOU MENTIONED,
21 TOO, YOU DID THE ADJOURNMENT FOR MR. GUERRERO AND I'M JOINING
22 IN THAT AS WELL, TOO. ALSO, THAT WE ADJOURN IN MEMORY OF
23 ROBERT SHERRILL, A LONG-TIME EL SEGUNDO RESIDENT AND TOWN
24 PHARMACIST. HE OPENED HIS FIRST PHARMACY IN EL SEGUNDO IN THE
25 LATE '40S AND DEVELOPED A ADDITIONAL COMPANY CALLED MODERN



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1 METALS, WHICH MANUFACTURED CARTS FOR THE MEDICAL PROFESSION.
2 HE LOVED TO RAISE FUNDS TO SEND STUDENTS TO PHARMACY SCHOOL
3 AND HAS SENT ATHLETES TO THE OLYMPICS. HE'LL BE SADLY MISSED
4 BY HIS FAMILY, FRIENDS AND HIS WIFE, JOAN. THOSE ARE MY
5 ADJOURNMENTS.

6

7 **SUP. MOLINA, CHAIR:** ALL RIGHT. SO ORDERED ON THOSE
8 ADJOURNMENTS.

9

10 **SUP. KNABE:** I DON'T THINK I WAS HOLDING ANYTHING.

11

12 **SUP. MOLINA, CHAIR:** ALL RIGHT. MR. YAROSLAVSKY-- MR.
13 ANTONOVICH.

14

15 **SUP. ANTONOVICH:** MR. DON WOLFE, PUBLIC WORKS. WHILE HE'S
16 COMING UP, LET ME MOVE THAT WE ADJOURN IN THE MEMORY OF CARL
17 FERRARO, WHO WAS THE OWNER/OPERATOR OF THE LANDMARK DRESDEN
18 RESTAURANT IN THE LOS FELIZ AREA. HE PASSED AWAY ON JANUARY
19 20TH AT THE AGE OF 90. CARL WAS A GOOD FRIEND, SUPPORTER,
20 LIFELONG OPTIMIST AND SERVED AS PRESIDENT OF THAT
21 ORGANIZATION, WAS VERY ACTIVE IN THE LOS FELIZ BUSINESS
22 ASSOCIATION, AND HE'S SURVIVED BY HIS WIFE, SARA, AND THEIR
23 THREE SONS AND WIVES AND GRANDSON. A GOOD FRIEND WHO HAD BEEN
24 TO THIS BOARD MANY, MANY TIMES, BILL BRANCH, WHO PASSED AWAY
25 FROM CANCER ON FRIDAY. HIS LITTLE CHILD WAS PART OF THE MARCH



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1 OF DIMES CHILD ONE YEAR, IF YOU REMEMBER, AND HE WAS INVOLVED
2 WITH UNITED WAY AND WITH NEW HORIZONS. I VISITED HIM IN THE
3 HOSPITAL AND IT WAS A-- HE WAS A GOOD MAN, QUITE INVOLVED IN
4 THE COMMUNITY AND LOVED BY ALL. LOREN DEXHEIMER, RADIO HOST AT
5 KOTE-FM, WORKED FOR LOCKHEED FOR MANY YEARS AND WAS A BIG BAND
6 DRUMMER WITH HIS JAZZ BAND. HE STATED THAT HE NEVER SMOKED BUT
7 HE SPENT A LOT OF YEARS PLAYING IN SMOKY NIGHTCLUBS, AND HE
8 THOUGHT THAT PERHAPS SECONDHAND SMOKE WAS WHAT CAUSED HIS
9 CANCER. JAMES KENNY, WHO WAS THE EXECUTIVE OF PACIFIC
10 TELEPHONE FOR MANY YEARS, ACTIVE IN THE COMMUNITY, SERVED
11 UNDER GOVERNOR RONALD REAGAN AT THE TIME. WAS APPOINTEE TO THE
12 LITTLE HOOVER COMMISSION AND HE HEADED THE UNITED WAY IN THE
13 1970S. WALTER WRISTON, FORMER LONG TIME CHIEF EXECUTIVE OF
14 CITICORP PASSED AWAY. HE USED THE TECHNOLOGY AND GLOBAL
15 EXPANSION TO HELP BUILD ONE OF THE WORLD'S LARGEST BANKING
16 COMPANIES. HE WAS A FRIEND AND SUPPORTER OF MINE AND I SERVED
17 WITH HIM ON A PRESIDENT COMMISSION UNDER PRESIDENT REAGAN
18 DEALING WITH PRIVATIZATION EFFORTS. DURING HIS TENURE,
19 CITICORP MORE THAN DOUBLED IN SIZE. HIS TOP AID, JIM FARLEY,
20 WAS HEAD OF CITICORP HERE FOR MANY YEARS AND WAS ACTIVE IN OUR
21 COUNTY OF LOS ANGELES. EDWIN KENDRICK ROBERTS. PASTOR ROBERTS
22 WAS A MINISTER EMERITUS OF ONEONTA CONGREGATIONAL CHURCH OF
23 SOUTH PASADENA, WHERE HE WAS PASTOR FOR 20 YEARS. HE EARNED
24 HIS DEGREES FROM UNIVERSITY OF WISCONSIN AND PRINCETON
25 UNIVERSITY AND WAS ALSO GENERAL MACARTHUR'S, SERVED AS CHIEF



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 OF CHAPLAINS IN TOKYO DURING WORLD WAR II AND AFTER WORLD WAR
2 II. HE CAME TO SOUTH PASADENA IN 1965, WHERE HE BECAME THE
3 SENIOR PASTOR. VONNIE ROSSMAN, LONG-TIME GLENDALE RESIDENT,
4 QUITE ACTIVE IN THE GLENDALE SYMPHONY, GLENDALE CHAPTER OF THE
5 RED CROSS, GLENDALE ADVENTIST HOSPITAL AND THE GLENDALE
6 HISTORICAL PRESERVATION COMMISSION, VERY ACTIVE IN THE
7 COMMUNITY AND A GOOD PERSON. GEORGE STOOPS, WHO WAS THE FOUND
8 MEMBER OF THE COVINA PLANNING COMMISSION. HIS OWN FIRM WAS
9 GEORGE STOOPS ARCHITECTURE AND HE TOOK IN FOSTER CHILDREN. HE
10 TOOK IN OVER 47 FOSTER CHILDREN OVER THE YEARS. HE LEAVES HIS
11 WIFE, BILLIE, AND 25 GREAT-GRANDCHILDREN AND 47 FOSTER
12 CHILDREN AND 19 GRANDCHILDREN. DEPUTY, RETIRED DEPUTY OF LOS
13 ANGELES COUNTY SHERIFF'S DEPARTMENT, DOLORES SWAN. HER LAST
14 DAY OF SERVICE WAS IN 1983. SHE PASSED AWAY ON JANUARY 16TH.
15 WING OW, WHO IS SURVIVED BY HIS TWO SONS AND TWO DAUGHTERS-IN-
16 LAW AND FOUR GRANDCHILDREN. AND, QUESTION, COULD YOU GIVE US
17 AN UPDATE ON THE ROAD PROBLEMS FROM THE LAST STORM AND THE
18 TYPE OF IMPACT WE MAY BE HAVING FROM THE RAINS COMING IN THIS
19 WEEKEND, IF NOT TONIGHT?

20

21 **DON WOLFE:** OKAY. THANK YOU, SUPERVISOR. I'LL TRY TO BE REAL
22 BRIEF HERE. WE CURRENTLY HAVE 45 ROADS IN THE COUNTY,
23 UNINCORPORATED AREA THAT WE'RE RESPONSIBLE FOR THAT ARE EITHER
24 CLOSED-- 20 ARE COMPLETELY CLOSED TO ALL TRAFFIC. ANOTHER 25
25 ARE OPEN ONLY TO RESIDENTS AND EMERGENCY VEHICLES. WE'VE ALSO,



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1 IN THE LAST TWO WEEKS, BEEN ABLE TO OPEN 138 ROADS THAT WERE
2 CLOSED BY THE STORM. WITH RESPECT TO OTHER AGENCIES, CALTRANS,
3 OF COURSE, HAS GOT THE BIG PROBLEM ON I-5 AND RIGHT NOW, AS OF
4 THIS MORNING, THEY HAD TWO LANES OPEN IN THE SOUTHBOUND
5 DIRECTION WHICH HAD BEEN RESTRICTED DOWN TO ONE. SO THINGS
6 WERE IMPROVING.

7

8 **SUP. ANTONOVICH:** BETWEEN WHERE? WHICH POINTS?

9

10 **DON WOLFE:** JUST NORTH OF CASTAIC IS WHERE THE BIG LANDSLIDE IS
11 BUT, OF COURSE, THEY'RE CONCERNED ABOUT A BIG SLIPPAGE THERE
12 AND THEY PUT MONITORS ON THAT SLOPE SO THAT THEY CAN GET AN
13 EARLY WARNING TO STOP TRAFFIC.

14

15 **SUP. ANTONOVICH:** ARE THEY EXPECTING SNOW THIS WEEK OR...?

16

17 **DON WOLFE:** SNOW-- FOR THIS COMING STORM, AS I UNDERSTAND FROM
18 THE NEWSCAST THIS MORNING, IS DOWN TO 6,000 FEET BUT WHAT WILL
19 IMPACT OUR ROADS MORE THAN SNOW, OF COURSE, IS GOING TO BE THE
20 SATURATED WATERSHED. ANY WATER THAT COMES DOWN IS GOING TO
21 CARRY MORE DEBRIS INTO THE ROADS. SO WE WOULD ANTICIPATE, IF
22 WE HAVE ANY SIGNIFICANT RAINS AT ALL, THAT WE'RE GOING TO HAVE
23 A SETBACK IN SOME OF THE AREAS DUE TO CONTINUED SLIDING.

24



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. ANTONOVICH:** AND THE MEETING THAT THEY HAD IN SACRAMENTO
2 WITH CALTRANS LAST WEDNESDAY OR THURSDAY AND THE PROGNOSIS ON
3 SAN FRANCISQUITO'S REPAIRS?

4

5 **DON WOLFE:** WELL, WITH THE-- THE MEETING IN SACRAMENTO DID NOT
6 RESULT IN CALTRANS OR THE TRANSPORTATION COMMISSION GIVING ANY
7 MORE MONEY TO CALTRANS BUT WHAT THEY DID DO WAS INDICATE THAT
8 THE HIGHEST PRIORITY SPENDING WAS GOING TO BE IN THE AREA OF
9 STORM REPAIRS, WHICH MEANS IT'S SIMILAR TO WHAT WE'RE GOING TO
10 HAVE TO DO, SUPERVISOR. THEY'RE GOING TO BE DIVERTING MONEY
11 FROM CONSTRUCTION AND MAINTENANCE INTO STORM REPAIRS. SO, AT
12 THIS TIME, UNLESS THE FEDERAL GOVERNMENT, AS WE UNDERSTAND,
13 UNLESS THE FEDERAL GOVERNMENT DECLARES A DISASTER, WE'RE NOT
14 LIKELY TO GET ANY MONEY FROM THE STATE OR FEDERAL GOVERNMENT
15 AT THIS TIME.

16

17 **SUP. ANTONOVICH:** AND WE HAVE DECLARED AN-- ISSUED PROCLAMATION
18 OF EMERGENCY TO THE STATE. WHAT IS THE THRESHOLD TO HAVE A
19 SIMILAR PROCLAMATION TO THE FEDERAL GOVERNMENT?

20

21 **DON WOLFE:** SUPERVISOR, I DON'T THINK THAT THEY HAVE A CERTAIN
22 SPECIFIC THRESHOLD. WHERE-- I BELIEVE THERE ARE SEVEN OR EIGHT
23 COUNTIES THAT ARE SUBMITTING INFORMATION TO THE STATE. OH,
24 YES, AND TO F.E.M.A. AND F.E.M.A. IS GATHERING THAT
25 INFORMATION, WE'RE PUTTING AS MUCH PRESSURE ON THEM AS WE CAN



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1 TO GET THE FEDERAL GOVERNMENT TO DECLARE A DISASTER AND THAT
2 WILL BRING THE FUNDING THAT BOTH THE STATE AND THE COUNTIES
3 AND THE CITIES NEED. BUT I'LL BE FRANK AND TELL YOU THAT MY
4 STAFF'S BEEN DEALING VERY CLOSELY WITH F.E.M.A. AND O.E.S. AND
5 WE'RE NOT GETTING A WARM, FUZZY FEELING ABOUT IT AT THIS TIME.
6 SO ANY HELP THAT WE CAN GET WOULD BE...

7

8 **SUP. ANTONOVICH:** WHAT IS THE THRESHOLD THAT THEY'RE ASKING
9 FOR, F.E.M.A.?

10

11 **DON WOLFE:** THEY HAVEN'T IDENTIFIED A NUMBER TO US, SUPERVISOR.

12

13 **SUP. ANTONOVICH:** IF WE HAD AN EMERGENCY RESOLUTION TODAY TO
14 F.E.M.A. ASKING THAT THE ROADS IN L.A. COUNTY BE DECLARED A
15 NATIONAL DISASTER BECAUSE OF THE IMPACT IT'S HAD, I KNOW LIKE
16 SAN FRANCISQUITO IS ONE OF THE MAIN ARTERIES TO THE ANTELOPE
17 VALLEY FROM SANTA CLARITA, WHICH IS-- AND IT'S GOING TO BE
18 DOWN FOR AT LEAST EIGHT MONTHS OR MORE AND IT'S IMPACTING THE
19 14 AND THE-- IS-- ANGELES CREST IS NOW OPENED?

20

21 **DON WOLFE:** THAT'S CORRECT.

22

23 **SUP. ANTONOVICH:** OKAY. AND THAT WAS DOWN FOR AWHILE AND I
24 DON'T KNOW IF THE NEW RAINS ARE GOING TO CREATE ANOTHER
25 PROBLEM. SHOULD WE DO THAT TODAY OR, LET ME ASK YOU.



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1

2 **DON WOLFE:** AS I UNDERSTAND, SUPERVISOR, THE COUNTY HAS ALREADY
3 DECLARED A STATE OF EMERGENCY AND THAT'S IN EFFECT AND THE
4 STATE HAS ALSO DONE THAT. TO MY KNOWLEDGE, AND MAYBE SOMEBODY
5 FROM THE C.A.O.'S OFFICE CAN HELP, BUT I DON'T BELIEVE WE NEED
6 TO MAKE ANY FURTHER DECLARATIONS.

7

8 **SUP. ANTONOVICH:** HOW DO WE GET THE INFORMATION TO F.E.M.A.
9 THOUGH? IS THE STATE DOING THIS FOR THE COUNTY?

10

11 **DON WOLFE:** WELL, THE STATE IS GATHERING THE INFORMATION, YES,
12 FROM ALL THE COUNTIES AND THE CITIES TO GIVE AND, OF COURSE,
13 EVERY DAY THAT GOES BY, WE'RE FINDING MORE AND MORE DAMAGE,
14 AND ALL THAT INFORMATION IS BEING FED IN THROUGH...

15

16 **SUP. ANTONOVICH:** SO DO WE NEED TO DO A FIVE-SIGNATURE LETTER
17 TO F.E.M.A. AS TO THE NEED?

18

19 **DON WOLFE:** WELL, I CERTAINLY THINK, SUPERVISOR, THAT WOULD BE
20 HELPFUL BECAUSE WE DO HAVE A SIGNIFICANT NEED. THIS IS GOING
21 TO HAVE A LONG-TERM IMPACT ON THE ROAD PROGRAM.

22

23 **SUP. MOLINA, CHAIR:** LET'S CUT TO THE CHASE AND DO IT.

24



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The Los Angeles County Board of Supervisors

1 **SUP. ANTONOVICH:** I WOULD LIKE TO MAKE THAT AS A MOTION, THAT
2 WE SEND A FIVE-SIGNATURE LETTER TO F.E.M.A.

3

4 **SUP. KNABE:** I JUST HAD A QUESTION, MR. WOLFE. YOU KNOW, DO YOU
5 HAVE AN UPDATE HERE THAT-- DO YOU HAVE ANY UPDATE ON HACIENDA
6 ROAD, SOUTH OF SKYLINE THERE? THEY JUST INDICATED I GUESS THEY
7 FOUND SOME CRACKS OUT THERE AND THEY MAY HAVE TO CLOSE THAT
8 TODAY OR TONIGHT?

9

10 **DON WOLFE:** I'VE BEEN BACK THERE...

11

12 **SUP. KNABE:** OKAY. YOUR PEOPLE ARE OUT THERE BUT...

13

14 **DON WOLFE:** RIGHT, MY PEOPLE ARE OUT THERE.

15

16 **SUP. KNABE:** ...ON THE HIGH RIDES, OKAY.

17

18 **SUP. ANTONOVICH:** HE CAN TALK ABOUT ICE, THOUGH. [LAUGHTER]

19

20 **SUP. MOLINA, CHAIR:** ALL RIGHT.

21

22 **SUP. ANTONOVICH:** SO I'D MAKE THAT MOTION THAT...

23

24 **SUP. MOLINA, CHAIR:** IS THAT A PROBLEM? HE'S MAKING A MOTION?

25



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 **SUP. ANTONOVICH:** AND TO OUR CONGRESSIONAL DELEGATION AS WELL.

2

3 **RAYMOND FORTNER, COUNSEL:** MADAM CHAIR, MEMBERS OF THE BOARD, I
4 THINK, GIVEN THAT YOU'VE DECLARED AN EMERGENCY AND THIS IS
5 JUST, IN ESSENCE, ADVERTISING THAT, TRYING TO BRING IT TO
6 F.E.M.A.'S ATTENTION MORE DIRECTLY AND SO I...

7

8 **SUP. MOLINA, CHAIR:** IT WOULD INAPPROPRIATE TO HAVE A FIVE-
9 SIGNATURE LETTER?

10

11 **RAYMOND FORTNER, COUNSEL:** I THINK IT WOULD BE...

12

13 **SUP. MOLINA, CHAIR:** ALL RIGHT. THEN IT'S BEEN MOVED BY
14 SUPERVISOR ANTONOVICH, SECONDED BY SUPERVISOR KNABE. IF
15 THERE'S NO OBJECTION, SO ORDERED ON THAT.

16

17 **CLERK VARONA-LUKENS:** AND JUST A POINT OF CLARIFICATION, WE'RE
18 INSTRUCTING THE C.A.O. TO PREPARE THAT LETTER?

19

20 **SUP. MOLINA, CHAIR:** OKAY. THANK YOU FOR THAT CLARIFICATION. [
21 LIGHT LAUGHTER]

22

23 **SUP. YAROSLAVSKY:** MADAM CHAIR, JUST WHILE WE HAVE MR. WOLFE
24 HERE ON THE ISSUE OF THE EMERGENCY DECLARATION AND WHAT
25 PRIVATE PROPERTY OWNERS, DO WE HAVE WHAT PRIVATE PROPERTY



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1 OWNERS MAY HAVE AVAILABLE TO THEM IN THE WAY OF LOW INTEREST
2 LOANS AND THINGS LIKE THAT? DO WE KNOW WHERE THINGS STAND AT
3 THIS POINT?

4

5 **DON WOLFE:** AT THIS POINT, NO, SUPERVISOR, IT'S-- BECAUSE OF
6 THE FACT THAT F.E.M.A. HAS NOT BASICALLY MADE THE DECISION TO
7 HAVE THE FEDS DECLARE A DISASTER. NO MONEY IS-- HAS BEEN
8 EARMARKED TO DATE...

9

10 **SUP. YAROSLAVSKY:** HAS THE STATE DONE WHAT IT NEEDS TO DO TO
11 MAKE-- TO REQUEST F.E.M.A. TO HELP?

12

13 **DON WOLFE:** YES, THEY HAVE.

14

15 **SUP. YAROSLAVSKY:** FOR PRIVATE PROPERTY OWNERS AS WELL?

16

17 **DON WOLFE:** WE HAVE BEEN ASSESSING THE DAMAGE-- COLLECTING THE
18 DAMAGE FOR PRIVATE PROPERTIES AS WELL AS PUBLIC PROPERTIES AND
19 ALL THAT HAS BEEN COLLECTED BY O.E.S. AND GIVEN TO F.E.M.A.
20 AND, OF COURSE, THE NUMBERS KEEP GOING UP AS TIME GOES BY.

21

22 **SUP. YAROSLAVSKY:** AND THEY'RE GOING TO KEEP GOING UP,
23 ESPECIALLY AS IT RAINS MORE.

24



**The Meeting Transcript of
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1 **DON WOLFE:** AND THEY'RE GOING TO KEEP GOING UP, RIGHT. SO IT'S
2 BASICALLY-- THE BOTTOM LINE IS, AT LEAST WHAT WE'VE BEEN TOLD
3 BY O.E.S. AND THE STATE, IS THAT, IF THE FEDERAL GOVERNMENT
4 DOESN'T PITCH IN, WE'RE NOT LIKELY TO GET ANY STATE FUNDING
5 EITHER.

6

7 **SUP. BURKE:** THERE'S A DOLLAR AMOUNT, TOO, ISN'T THERE? THAT'S
8 A...

9

10 **SUP. YAROSLAVSKY:** A THRESHOLD, YEAH.

11

12 **SUP. BURKE:** ...THRESHOLD, YEAH. HAVE WE MET THE THRESHOLD?

13

14 **DON WOLFE:** TO MY KNOWLEDGE, I DON'T KNOW WHAT THE THRESHOLD IS
15 AND I'M NOT SURE THAT, AT LEAST IN MY CONVERSATIONS WITH THEM,
16 WHERE THEY SAID, "IF YOU REACH THIS NUMBER, THIS MAGIC NUMBER
17 NUMBER, IT'S GOING TO BE IT." I THINK THEY HAVE DISCRETION IN
18 DOING THAT.

19

20 **SUP. YAROSLAVSKY:** YEAH. IT'S-- YOU KNOW, THE PROBLEM IS THAT
21 YOU DON'T HAVE ONE BIG SLIDE THAT KILLED 15 OR 20 PEOPLE
22 THAT'S BEEN ON THE FRONT PAGE OF EVERY NEWSPAPER, SO VENTURA
23 GETS, YOU KNOW, LEGITIMATELY, A DECLARATION OF EMERGENCY
24 INSTANTLY AND I DON'T KNOW IF THE FEDS HAVE DONE ANYTHING YET
25 WITH IT BUT THE GOVERNOR ACTED IMMEDIATELY AND IT WOULD HAVE



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1 BEEN AN EMBARRASSMENT NOT TO. BUT YOU GET A SITUATION LIKE
2 WE'RE HAVING IN THE COUNTY, WHERE IT'S, YOU KNOW, HOUSE BY
3 HOUSE, A HOUSE OVER HERE, A PROPERTY OVER THERE, SOMEBODY'S
4 BEDROOM HAS BEEN WIPED OUT, SOMEBODY'S HOUSE HAS BEEN RIPPED
5 IN HALF BY A SLIDE THAT WENT RIGHT THROUGH THEIR LIVING ROOM.
6 AND IT'S-- I MEAN, WE'RE FINDING OUT, EVEN TODAY, AS
7 CONSTITUENTS CONTACT MY OFFICE, I'M SURE MIKE'S GOT THE SAME
8 THING, AS PEOPLE ARE DIGGING OUT, WE'RE FINDING OUT MORE AND
9 MORE PROPERTIES THAT HAVE BEEN DAMAGED AND I WANT TO JUST TAKE
10 THE OPPORTUNITY, BY NOW, IT'LL PROBABLY BE 5:00 IN THE MORNING
11 WHEN PEOPLE ARE WATCHING THIS BUT, YOU KNOW, YOU DON'T HAVE TO
12 LIVE IN A BIG DEEP CANYON OR IN A BIG TALL MOUNTAIN TO BE IN A
13 SLIDE SITUATION, A POTENTIAL SLIDE SITUATION. SOME OF THE
14 WORST SLIDES WE'VE EXPERIENCED IN MY CAREER AS A PUBLIC
15 SERVANT HAVE BEEN IN PLACES LIKE BEVERLY WOOD OR CHEVIOT
16 HILLS, LITTLE ROLLING HILLS THAT A 10-FOOT HIGH MOUND CAN
17 SLIDE JUST AS EASILY INTO YOUR LIVING ROOM AND WIPE IT OUT AND
18 KILL SOMEBODY AS LA CONCHITA CAN AND IT'S HAPPENED IN THE
19 FLATLANDS, WHAT WE GENERALLY CONSIDER THE FLATLANDS OF OUR
20 REGION. ANYWAY, MY POINT IS, BACK TO THE POINT AT HAND, IS
21 I'M-- NOW MORE AND MORE PEOPLE ARE SAYING, "MY HOUSE HAS BEEN
22 WIPED OUT OR HALF OF MY HOUSE HAS BEEN WIPED OUT, WHAT DO WE
23 HAVE IN THE WAY OF FEDERAL, STATE FINANCING OPPORTUNITIES?"
24 AND THIS, I WOULD HOPE WE GET SOME ACTION.

25



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1 **DON WOLFE:** SUPERVISOR, IF I MIGHT ADD, IT'S ALSO IMPORTANT FOR
2 PEOPLE TO NOTIFY THEIR LOCAL GOVERNMENT SO WE CAN GET IT ON
3 THE LIST. WE'LL GO OUT, MAKE AN INSPECTION THEN THAT GOES
4 UNDER THE ASSESSMENT OF THE DAMAGE AND, THE BIGGER THE NUMBER,
5 THE BETTER OUR CHANCES ARE.

6

7 **SUP. ANTONOVICH:** WHAT IS THE TOTAL DOLLAR AMOUNT NOW FOR L.A.
8 COUNTY?

9

10 **DON WOLFE:** I BELIEVE THE LAST NUMBER I SAW WAS \$126 MILLION
11 FOR BOTH PRIVATE AND PUBLIC DAMAGES, INCLUDING-- CALTRANS'
12 NUMBER IS VERY LARGE. OUR NUMBER IS IN THE ABOUT 50-MILLION-
13 DOLLAR RANGE FOR PUBLIC WORKS...

14

15 **SUP. ANTONOVICH:** I BELIEVE GLENDALE HAD A 35-MILLION-DOLLAR
16 FIGURE.

17

18 **DON WOLFE:** PARDON?

19

20 **SUP. ANTONOVICH:** I BELIEVE GLENDALE THAT HAD A 35-MILLION-
21 DOLLAR FIGURE, SO IT WOULD SEEM TO ME, WE'RE GETTING UP TO THE
22 200 OR MORE MILLION.

23

24 **DON WOLFE:** AND THE MORE THAT GETS REPORTED INTO O.E.S., THE
25 MORE LIKE WE ARE TO GET FAVORABLE TREATMENT FROM F.E.M.A.



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1

2 **SUP. ANTONOVICH:** IS DOES THAT NUMBER TAKE INTO ACCOUNT CAMP
3 FELLOWS, WITH THE THREE BRIDGES THAT WERE DESTROYED?

4

5 **DON WOLFE:** THAT NUMBER TAKES INTO ACCOUNT CAMP FELLOWS, YES,
6 AND THAT'S A TRAGIC SITUATION THERE. ALL THREE OF THEIR ACCESS
7 BRIDGES ARE GONE AND THE QUESTION OF HOW THEY'RE GOING TO BE
8 FUNDED SINCE THEY WERE-- IT'S PRIVATE PROPERTY AND PRIVATE
9 BRIDGES IS REALLY PROBLEMATIC FOR THOSE PEOPLE.

10

11 **SUP. ANTONOVICH:** AND, MR. JANSSEN, ARE YOU AWARE IF THE
12 COMMUNITY HOUSING, DEPARTMENT OF SOCIAL SERVICES, SERVICES
13 THAT COULD BE PROVIDED TO THE-- IT WAS BETWEEN A HUNDRED AND
14 200 RESIDENTS IN THAT AREA AND DEPARTMENT OF CHILDREN AND
15 FAMILY SERVICES, BECAUSE THERE ARE INFANTS THAT ARE RESIDENTS
16 OF THAT AREA.

17

18 **C.A.O. JANSSEN:** MADAM CHAIR, SUPERVISOR, I THINK WHEN BRYCE
19 WAS HERE LAST WEEK, YOU GAVE HIM DIRECTION AND HE AGREED THAT
20 HE WOULD DO WHATEVER HE COULD. I WILL CHECK AND SEE WHAT IT IS
21 HE'S DOING AND REPORT BACK.

22

23 **SUP. ANTONOVICH:** THANK YOU. THOSE ARE MY QUESTIONS. THANK YOU.

24

25 **SUP. MOLINA, CHAIR:** THANK YOU VERY MUCH.



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1

2 **SUP. ANTONOVICH:** ITEM NUMBER 24.

3

4 **SUP. MOLINA, CHAIR:** MR. ANTONOVICH, WOULD YOU MIND, ON THESE
5 TWO ITEMS, THAT WE WOULD CONTINUE THEM? THEY ARE HELD FOR
6 REPORT. AND I THOUGHT, ON 24, YOU'D ASKED THE SHERIFF TO COME.

7

8 **SUP. ANTONOVICH:** THE SHERIFF, YES.

9

10 **SUP. MOLINA, CHAIR:** I MEANT, I THOUGHT YOU MEANT THE SHERIFF.

11

12 **SUP. ANTONOVICH:** WELL, WE WOULD THE SHERIFF TO BE HERE. WE
13 WOULD LIKE TO HAVE THE SHERIFF HERE TODAY BUT...

14

15 **SUP. MOLINA, CHAIR:** DO YOU MIND CONTINUING BOTH OF THE-- I
16 WANT TO CONTINUE ITEM 23 AND 24. IT'S JUST-- I'M KIND OF
17 EXHAUSTED FOR ANOTHER REPORT.

18

19 **SUP. ANTONOVICH:** I HAVE NO PROBLEM CONTINUING 23. IF YOU WANT
20 TO CONTINUE 24 TO NEXT WEEK, THAT'S FINE. I KNOW DR. FIELDING
21 WON'T BE THAT DISAPPOINTED. [LAUGHTER]

22

23 **SUP. MOLINA, CHAIR:** I DON'T THINK HE WOULD BE. BUT THERE ARE
24 PEOPLE WHO DID SIGN UP TO TESTIFY AND I DON'T WANT TO DENY
25 THEM THAT OPPORTUNITY, EVEN THOUGH WE'VE CONTINUED IT. DR.



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1 GENEVIEVE CLAVREUL HAS SIGNED UP FOR BOTH ITEMS 23 AND 24, AS
2 WELL AS CS-2 AND I'D LIKE TO ASK HER IF SHE...

3

4 **SUP. ANTONOVICH:** LET ME ASK IF MR. JANSSEN OR, I SHOULD SAY
5 MR. FORTNER, FOR NEXT WEEK, COULD YOU GIVE US AN OPINION AS
6 TO-- RESPONSE TO YOUR LEGISLATIVE COUNSEL OPINION TO US ON
7 THIS ISSUE OF THE M.R.S.A., TO ISSUE SUCH AN ORDER, IT SAYS,
8 IF THEIR MEASURES FAIL, HEALTH CAN ISSUE ORDERS RELATIVE TO
9 REQUIRING, BECAUSE IT'S AN EMERGENCY. IT SAYS, "ISSUE SUCH AN
10 ORDER HEALTH AND L.A.S.D. MUST HAVE SUBSTANTIAL EVIDENCE
11 SUPPORTING THE NEED WHICH IS DIFFICULT IN THE JAIL SETTING."
12 SO WHAT DOES JUSTIFY THE NEED TO REQUIRE DAILY SHOWERS OR
13 REGULAR SHOWERS?

14

15 **RAYMOND FORTNER, COUNSEL:** MADAM CHAIR, SUPERVISOR, WE WILL
16 EXPAND THAT ASPECT OF THE REPORT.

17

18 **SUP. ANTONOVICH:** OKAY. AND, DR. FIELDING, ARE YOU ABLE TO BE
19 HERE NEXT WEEK?

20

21 **DR. FIELDING:** YES, SUPERVISOR, IS THERE A SPECIFIC TIME? [
22 LAUGHTER]

23

24 **SUP. MOLINA, CHAIR:** BETWEEN 9:30 AND 5:00. SORT OF LIKE THE
25 CABLE GUY.



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1

2 **SUP. ANTONOVICH:** COULD WE MAKE IT, LIKE, AT 10:30? SET TIME?
3 SET ITEM?

4

5 **SUP. MOLINA, CHAIR:** WE CAN ALWAYS MAKE IT A SET ITEM.
6 WHETHER...

7

8 **SUP. ANTONOVICH:** COULD WE MAKE IT A SET ITEM AT 10:30?

9

10 **SUP. MOLINA, CHAIR:** THAT WAY NOBODY HAS TO WAIT. ALL RIGHT.
11 BUT, LIKE I SAID, EVEN THOUGH WE CONTINUE THAT ITEM, THERE ARE
12 PEOPLE THAT HAVE SIGNED UP TO SPEAK. MISS CLAVREUL.

13

14 **SUP. ANTONOVICH:** THAT'S ALL I HAVE.

15

16 **SUP. MOLINA, CHAIR:** WANT TO LET HER IN, PLEASE. AND MISS
17 AUTRY, WE'RE GOING TO CONTINUE ITEM NUMBER 24 AS WELL, SO IF
18 YOU'D JOIN US. YES. NO, BUT YOU CAN SPEAK NOW ON THE ITEM.

19

20 **DR. GENEVIEVE CLAVREUL:** GOOD AFTERNOON, BOARD OF SUPERVISORS.
21 THIS IS DR. GENEVIEVE CLAVREUL. ON ITEMS 23 AND 24, I WILL
22 WAIT NEXT WEEK TO SPEAK BECAUSE I WOULD LIKE TO LISTEN TO THE
23 REPORT BEFORE I MAKE ANY STATEMENTS. BUT SINCE-- WHEN MS.
24 MOLINA TOOK THE CHAIR, YOU WENT OUT OF YOUR WAY TO STATE THAT
25 YOU WILL TRY TO OBSERVE THE BROWN ACT TOTALLY. I WANT TO HELP



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1 YOU TO KEEP YOUR PROMISE. AND, ON CS-2, I WANT TO CITE YOU ON
2 VIOLATING THE BROWN ACT. ON A CLOSED SESSION, YOU MUST, UNDER
3 THE GOVERNMENT CODE, SECTION 54954.5, SPECIFIED AMONG THE
4 CLOSED ITEM SESSION LISTING THE FOLLOWING WITH RESPECT TO
5 EVERY ITEM OF BUSINESS TO BE DISCUSSED IN CLOSED SESSION
6 PURSUANT TO SECTION 54957, PUBLIC EMPLOYEE PERFORMANCE
7 EVALUATION, YOU MUST SPECIFY THE TITLE, SPECIFY THE POSITION
8 OF THE EMPLOYEE BEING REVIEWED. YES, IT IS. WELL, FOR YOUR
9 INFORMATION, THIS IS THE EXCERPT OF THE BROWN ACT, IT IS A
10 COPY FOR ALL OF YOU FOR THE RECORD.

11

12 **SUP. MOLINA, CHAIR:** DR. CLAVREUL, JUST SO YOU KNOW, THIS IS MY
13 LAWYER, SO HE'S MY ADVISOR. SO I'M GOING TO LET MY LAWYER
14 RESPOND TO YOU.

15

16 **GENEVIEVE CLAVREUL:** WELL, I THINK YOUR LAWYER IS NOT AWARE
17 MANY TIMES BECAUSE YOU VIOLATED...

18

19 **SUP. MOLINA, CHAIR:** AGAIN, I TRY AND HONOR IT, I'VE READ IT
20 BUT I'M GOING TO LET MY LAWYER RESPOND TO YOU.

21

22 **GENEVIEVE CLAVREUL:** WELL, I THINK MAYBE YOUR ATTORNEY NEED TO
23 BE SELECTED ON BETTER CRITERIA SO THEY DON'T PUT YOU ON
24 LIABILITY. ALSO, ON THE SAME SORT, I AM STILL REQUESTING THE
25 INFORMATION-- I STILL WANT THE INFORMATION I REQUESTED FROM



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1 THE LIMBAUGH ASSOCIATE FROM DHS. AND, YOU KNOW, I WILL ASK
2 UNTIL I GET IT. WE HAVE THE RIGHT, UNDER THE PUBLIC'S RIGHT--
3 TO REVIEW THE ITEM. I'M NOT ASKING COPY. I'M ASKING TIME AND
4 APPOINTMENT TO REVIEW THE DOCUMENTS. AND I WILL BE RELENTLESS
5 ON THAT. THANK YOU.

6

7 **SUP. MOLINA, CHAIR:** WOULD YOU LIKE TO RESPOND?

8

9 **RAYMOND FORTNER. COUNSEL:** MADAM CHAIR, MEMBERS OF THE BOARD,
10 THE PROVISIONS IN THE BROWN ACT THAT WERE JUST CITED TO YOU
11 ARE SAFE HARBOR PROVISION AND THE ACT PROVIDES, I THINK,
12 SUBSTANTIAL COMPLIANCE WITH THOSE WILL MEET THE REQUIREMENTS
13 OF THE ACT, AND THIS ISSUE WAS, IN FACT, SPECIFICALLY
14 LITIGATED IN 2002, I BELIEVE, IN THE BROWN ACT LITIGATION
15 BROUGHT BY THE LOS ANGELES TIMES AND JUDGE JANA WAS FOUND THAT
16 LISTING THE ITEM AS WE DO IT DID NOT CONSTITUTE A VIOLATION OF
17 THE BROWN ACT AND THAT'S A FINAL JUDGMENT OF THE COURT.

18

19 **SUP. MOLINA, CHAIR:** MIS AUTRY. YOU'RE HERE ON ITEM NUMBER 23.

20

21 **YVONNE MICHELLE AUTRY:** OKAY. THANK YOU SO MUCH FOR NOT
22 POSTPONING AFTER ABOUT EIGHT HOURS. I MEAN, IT'S ALWAYS GOOD.
23 I LEARNED SO MUCH TODAY, ESPECIALLY AFTER LISTENING TO THE
24 SOCIAL WORKERS FROM THE CENTER OF REFUGIO. YOU KNOW, I WAS
25 LOOKING AT THAT. I DON'T KNOW WHO TAKES CARE OF THIS, I DON'T



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1 KNOW IF IT'S COURT STENOGRAPHY, I DON'T KNOW WHAT IT'S CALLED
2 BUT, A LOT OF TIMES THE PEOPLE THAT WERE SPEAKING WERE NOT
3 BEING-- THEY WERE NOT QUOTED VERBATIM. I DON'T KNOW IF IT'S
4 REVIEWED AFTER BUT, FOR A LOT OF PEOPLE'S BENEFITS THAT ARE
5 WATCHING OR FOR READING FOR PEOPLE THAT ARE DEAF, SOME OF THE
6 WORDS WERE NOT VERBATIM, SO I JUST THOUGHT I'D BRING THAT TO
7 YOUR ATTENTION. I DON'T KNOW IF IT'S STENOGRAPHY, COURT
8 REPORTING, WHOEVER'S IN CHARGE OF THAT JUST SO THE RECORD CAN
9 BE EXACT. RELATIVE TO ITEM NUMBER 24, AGAIN, THANK YOU FOR NOT
10 POSTPONING. I ALWAYS WANT TO ENCOURAGE GENEVIEVE, BECAUSE I
11 THINK SHE'S FABULOUS AND I THINK SHE BRINGS TO YOUR ATTENTION
12 SOME THINGS THAT YOU SHOULD ACKNOWLEDGE AND THEN CONSIDER, I
13 REALLY DO AND SHE'S ACCREDITED AND SHE'S KNOWLEDGEABLE AND
14 SHE'S LETTERED, SO SHE KNOWS WHAT SHE'S TALKING ABOUT. I MEAN,
15 WE'RE, YOU KNOW, MEMBERS OF THE COMMUNITY, CONCERNED MEMBERS,
16 BUT SHE ALSO BRINGS A CONSIDERABLE AMOUNT OF STATUS. SO,
17 AGAIN, I WAS BORN IN THIS COUNTRY, I'VE NEVER BEEN IN JAIL...

18

19 **SUP. MOLINA, CHAIR:** MISS AUTRY, YOU NEED TO SPEAK TO THE ITEM.

20

21 **YVONNE MICHELLE AUTRY:** I AM RIGHT NOW. THIS IS...

22

23 **SUP. MOLINA, CHAIR:** OKAY. SPEAK TO THE ITEM. OTHERWISE, YOU GO
24 UNDER PUBLIC COMMENT, OKAY?

25



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1 **YVONNE MICHELLE AUTRY:** OKAY. THAT'S ANOTHER MONTH. SO,
2 RELATIVE TO ITEM 24, I SPECIFICALLY WANTED TO ADDRESS THE
3 ISSUE REGARDING M.R.S.A., METHICILLIN RESISTANT STAPHYLOCOCCUS
4 AUREA, I MEAN, IT APPEARS TO BE A VIRUS OR A BACTERIA OR AN
5 ILLNESS, SOMETHING THAT'S PREVALENT AND SPREADING IN THE JAILS
6 AS WELL AS THE COMMUNITY AT LARGE, INCLUDING FACTORS. ANYWAY,
7 I JUST WANTED TO ENCOURAGE YOU TO TAKE INTO CONSIDERATION THE
8 FACT THAT THE MEMBERS-- I MEAN, THE PEOPLE IN JAIL, EVEN
9 THOUGH I'VE NEVER BEEN IN JAIL, LIKE I SAID, I HAVE A LOT OF
10 FRIENDS WHO HAVE BEEN PUT IN JAIL, I'VE VISITED PEOPLE IN JAIL
11 AND I KNOW THAT, ESPECIALLY FOR THE BLACK INMATES AND LATINO
12 INMATES, A LOT OF WHOM HAVE BEEN FALSELY ACCUSED, IF IT WASN'T
13 FOR GOD, I'D PROBABLY BE THERE. LIKE I SAID, THIS WHITE WOMAN
14 LIED ON ME, SHE COULDN'T PUT ME IN JAIL, BUT SHE DID PUT ME IN
15 A MENTAL INSTITUTION FOR SEVEN DAYS. I WOULD ENCOURAGE YOU TO
16 MAINTAIN SANITATION. PLEASE DISCOURAGE ANY OVERMEDICATION,
17 EXPERIMENTATION WITH MEDICATION, ESPECIALLY HORMONES THAT MAKE
18 A LOT OF THOSE MEN EFFEMINATE, THEY'RE MAKING A LOT OF THOSE
19 WOMEN MASCULINE. THEY'RE USING A LOT OF GERM WARFARE. I DON'T
20 THINK TUSKEGEE WAS THE LAST EXPERIMENTATION ON AFRICAN-
21 AMERICAN PEOPLE AND I DON'T THINK IT WILL EVER BE. THE
22 A.I.D.S., THE VACCINES. I'VE HAD, LIKE I SAID, WORD OF MOUTH
23 REPORTS FROM PEOPLE THAT DON'T HAVE A VOICE, THEY SAY THAT
24 THEY'RE ABUSED, MANY ARE SODOMIZED, SEXUALLY ABUSED. A LOT OF
25 THE SECURITY GUARDS ENCOURAGE FIGHTING AMONG THE INMATES AND



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1 YOU THINK, WELL, THEY'RE CRIMINALS. A LOT OF THEM ARE NOT. YOU
2 KNOW, LIKE I SAID, I'VE BEEN HARASSED BY THE POLICE. I KNOW
3 PEOPLE THAT WERE PUT IN JAIL BECAUSE THEY ORGANIZED GROUPS TO
4 STOP THE GANG VIOLENCE, THEY HAD GANG TRUCES AND THE POLICE,
5 YOU KNOW, WENT AND ABUSED THEM AND PUT THEM IN JAIL. YOU KNOW,
6 THAT'S ANOTHER SIDE THAT PEOPLE RARELY, RARELY REPORT. EITHER
7 THEY'RE AFRAID TO OR THEY'RE IN JAIL OR THEY'RE INCRIMINATED.
8 SO I JUST ENCOURAGE YOU TO USE WHATEVER RESOURCES YOU HAVE TO
9 ENCOURAGE SANITATION...

10

11 **SUP. MOLINA, CHAIR:** THANK YOU, MISS AUTRY. BOTH OF THOSE ITEMS
12 WILL BE CONTINUED UNTIL THE NEXT MEETING. AND ONE WILL BE A
13 SET ITEM.

14

15 **YVONNE MICHELLE AUTRY:** AND ALSO SOME TYPE OF PREVENTION OF
16 THAT DISEASE.

17

18 **SUP. MOLINA, CHAIR:** THANK YOU, MISS AUTRY.

19

20 **YVONNE MICHELLE AUTRY:** THANK YOU.

21

22 **SUP. MOLINA, CHAIR:** ALL RIGHT. THAT CONCLUDES, AS I
23 UNDERSTAND, ALL OF THE ITEMS. WE ONLY HAVE ONE PUBLIC COMMENT
24 AND THAT'S MISS RONE ELLIS. IF YOU'D JOIN US. MISS ELLIS.

25



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1 **RONE ELLIS:** NO!

2

3 **SUP. MOLINA, CHAIR:** NO? THAT'S GOOD ENOUGH FOR ME. ALL RIGHT.
4 I HAVE OUR EXECUTIVE OFFICER READ US INTO CLOSED SESSION.

5

6 **CLERK VARONA-LUKENS:** IN ACCORDANCE WITH BROWN ACT
7 REQUIREMENTS, NOTICE IS HEREBY GIVEN THAT THE BOARD OF
8 SUPERVISORS WILL CONVENE IN CLOSED SESSION TO DISCUSS ITEM CS-
9 1, CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION
10 AND ITEM CS-2, CONSIDERATION OF DEPARTMENT HEAD PERFORMANCE
11 EVALUATIONS AS INDICATED ON THE POSTED AGENDA. THANK YOU.

12

13

14

15

16

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25



**The Meeting Transcript of
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1 REPORTER'S CERTIFICATE

2

3 I, Jennifer A. Hines, Certified Shorthand Reporter Number
4 6029/RPR/CRR qualified in and for the State of California, do
5 hereby certify:

6 That the foregoing transcript of recorded
7 proceedings was taken on Tuesday, January 25th, 2005, at
8 the time and place therein set forth and recorded by the
9 Los Angeles County Board of Supervisors, thereafter
10 transcribed into typewriting under my direction and
11 supervision;

12 And I hereby certify that the foregoing transcript
13 of recorded proceedings is a full, true, and correct
14 transcript of the recorded proceedings before the Los Angeles
15 County Board of Supervisors.

16 I further certify that I am neither counsel for nor
17 related to any party to said action, nor in anywise interested
18 in the outcome thereof.

19 IN WITNESS WHEREOF, I have hereunto set my hand this
20 31st day of January, 2005.

21

22

23 _____(Signature on file)_____

24 JENNIFER A. HINES

25 CSR No. 6029/RPR/CRR