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CHRISTOPHER McCAULEY

Task Force Co-Chair

Opening Remarks

CHRISTOPHER McCAULEY: My name is Christopher McCauley and I'm the Co-Chair of the Los Angeles City Task Force on Family Diversity. I'd like to welcome you to our fourth and final public hearing. These hearings have been conducted once each month over the past four months. Basically, we have been hearing from expert witnesses on a variety of family diversity issues.

This particular hearing today is an all day hearing, so we'll begin right now. Various members of the Task Force, and the research teams that are represented, will be joining us periodically through the day; some of us will be here all day. We invite not only Task Force members to remain for the day but also any of the witnesses who would like to -- you're always welcome to stay as long as you like.

The Task Force on Family Diversity was created about a year ago by Councilman Michael Woo for the express purpose of investigating and documenting changes in the contemporary family. It took us about three months to organize the 38 Task Force members into research teams. We've had a very interesting year struggling with the definitions of "family" -- new definitions of "family" -- expanded definitions of "family". We've been joined at various times by law students, sociology students, psychology students, and volunteers, all of whom have done independent research. Each of our Task Force teams dealing with immigrant families, gay and lesbian couples, seniors, disabled families, etc. -- all these different family forms -- are comprised of two-person research teams which have been augmented by law students and other researchers. It's been an intimate, growing, learning experience for all of us involved in the Task Force -- and we've enjoyed it a lot. It's hard to believe that it's almost a year that we've been involved in this effort, so we're looking forward to the report that will come out in September.

Our first witness is Dr. Sandra Burud. She is here to share with us some thoughts about the child care issue -- particularly public and private partnerships -- and current initiatives to provide some dramatic new breakthroughs in the whole child care issue. Dr. Burud.

DR. SANDRA BURUD

President, Burud and Associates

Child Care: Public/Private Partnerships and Initiatives

SANDRA BURUD: I am Dr. Sandra Burud, of Burud & Associates. I am Chairwoman of Summa Associates, child care benefit planning firms.

My favorite quote on diversity in our society comes from John Naisbitt who says that we live in a Baskin Robbins' society, where everything comes in 31 flavors. Alvin Toffler in The Third Wave explains the change we have gone through. We used to be a society structured around the factory. Everything was standardized and synchronized. We did the same things at the same time. Now, with the technological revolution, we are an "individualized society."

The family is diverse, and therefore the workforce is diverse. No longer does the sole-breadwinner male make up the majority of the workforce. There are twice as many working mothers in this country (20 million), as there are married men who are sole support of their families, and 62% of all married couples have two incomes.

The Ozzie and Harriet family has been replaced by the Cosby's with a wife working outside the home and a dad that cooks.

Because workforce policies were designed to fit the traditional family, they don't fit the new-age workforce.

My expertise is in the area of corporate child care. I have been working with companies for ten years on the issue of child care -- consulting, doing research, writing.

One of the greatest stresses on today's family is child care, and the child care system isn't working. There isn't enough child care; it is too expensive; and much of it is not very good.

The problems with the child care system are all related to the fact that the child care consumer -- families -- can't afford it at the very time in their lives when the need it. Child care costs \$6,500 per year for two children under 5 years-old in Los Angeles County. If you are a single mother earning an average salary of say, \$11,000 or \$12,000, that amount would consume nearly your entire take-home pay. That's why kids are left

home alone. Even for the average American family of four, earning about \$25,000 per year, it is too expensive. Families can afford to pay about 10% of their income for child care; that means that families with incomes over \$60,000 per year can afford the going rate.

The crisis will never take care of itself. Financial resources must come from another source besides parents. So, pressure is building on employers to help solve the crisis for families, and their involvement in child care is helping. It has created more child care; new centers are opening -- Union Bank has just opened a center in Monterey Park for employees. It has made child care more affordable -- the City of Santa Monica has just implemented a \$100 per month reimbursement for city employees and a Flexible Spending Account to allow employees to pay for child care with pre-tax dollars.

The Los Angeles Department of Water and Power has implemented a comprehensive child care plan for department employees. The DWP is collaborating with California Pediatric Center to set up a program for the care of mildly ill children, which will be open to the community as well as DWP employees. In addition, the DWP is setting up a Family Resource Center which includes counseling, a library and child care referrals; and giving grants to local child care providers to admit DWP employees on a preferred basis with reduced program tuition.

I have done two national studies of corporate child care. In 1982, there were 415 companies which gave child care assistance of some form to employees. Today, there are over 3,000. The rise is dramatic, but it still is a drop in the bucket compared to the 46,000 companies in this country with more than 100 employees.

I should make it clear, however, that employers are not, despite what you may think and the image created in the press (in large part to encourage activity among employers), lined up around the block to get into child care. It doesn't just happen naturally without direction -- they still have tough questions (liability, equity, cost) and don't know where to go for answers.

They are caught in an information gap because employees who can't be out front about need and the effect of child care problems on their performance. So, management has no way of knowing the extent of the problem or how much it is in their self-interest to do something about it.

We need more pro-active incentives. Two aspects of the new Los Angeles City Child Care Policy can help -- if they are implemented strongly. They are somewhat watered down from the way I originally proposed them.

1. All employers are encouraged to adopt stated policy on child care. They should be changed to required. This change would not mean that employers would have to provide child care assistance; it does mean that they would have to think about it enough to say, "No we do not offer any child care assistance." Once they take a look at child care, many will decide to do it on their own.

2. Vendors with stated child care policies bidding on contracts with the City of Los Angeles shall receive preference. This should be changed to say, "Vendors which offer child care assistance bidding on ..."

This same principle is being considered at the national level. The City giving support for this federal policy is important; it is now being developed by the Government Activities and Transportation Subcommittee of the Committee on Government of the House of Representatives.

An ordinance should require that developers allow space for child care because this would create more child care. Developers are one more piece of the puzzle. Permitting money from the fund created by their fees to underwrite operating as well as start-up costs is an idea the city should support.

Certainly, the City of Los Angeles should act as a model employer, and should provide substantive child care help to all city employees. Substantive is not defined as setting up a single "self-supporting" child care center for city employees, but solving the problem for the bulk of employees.

Finally, wherever possible, the city can keep up the educational campaign to raise the level of awareness of the public and private sectors about child care. Information dissemination is the key to solving this crisis.

CHRISTOPHER McCAULEY: Are there any questions?

MARY KELLY: We talked a little bit before Dr. Burud gave her testimony, but I do have a question about what's happening at the federal level. Where did that idea come from?

SANDRA BURUD: It came out of a telephone conversation I had. I had been asked to testify at a hearing on federal child care policy. They are now considering whether they should have a broader policy about providing child care at federal buildings. So, it's a subcommittee of the House of Representatives. It's a very long name -- I don't even try to remember. They asked me to testify about that and I said to them, "I have an idea that I would like to plant in somebody's brain if you will tell me who the right person is." And they said, "We are the committee that handles that and we like this idea very much and we'll develop it into legislation." But now they're struggling with exactly how to do that.

THOMAS FRANK COLEMAN: I have one question. You were saying about the city policy was weakened to allow employers to merely have a policy that might say, "Our policy is that we don't have a policy." Secondly, it seems to me that that's somewhat weak if you're giving preference to those who have a stated policy and it could be strengthened by giving preference to those who provide something.

SANDRA BURUD: That went out of my brain when I was talking. That was the original proposal. Thank you very much for clearing that up. Give preference to those that provide childcare assistance. That was the original proposal.

CHRISTOPHER McCAULEY: Additional questions for Dr. Burud. (No). Thank you very much. I especially appreciate not only you coming today, but that you not only pointed out some of the specific problems, but gave us some examples of the programs that you were impressed with -- so that we could also site those. I think it's important also to show cities, companies, others that are making efforts so that there are models.

Dr. David Wood from the Venice Family Clinic is here to speak to members of the Task Force about homeless families. We've had some previous testimony in this area, very interesting and we're delighted to welcome you today.

DAVID WOOD, M.D.

Venice Family Clinic

Homeless Families: A Growing Crisis

DAVID WOOD: I'm a pediatrician at Venice Family Clinic. I see homeless families daily. I'd like to communicate three basic points today: (1) the magnitude of the problem; (2) who are homeless families and why families are becoming homeless as opposed to single adults becoming homeless; and, (3) what are some concrete steps that the City of Los Angeles can do in this area.

Photographs of disheveled children and their despondent mothers daily appear in the newspapers across America. The average reader is overwhelmed with the barrage of images of single men, aged beyond their years, and elderly women living chronically on the streets. They read about families, of every size, shape and color with all their belongings packed in a car. All these people have one thing in common -- they have no home. They must expend enormous amounts of daily energy just to find shelter and survive the night.

We are facing a new epidemic of homelessness in this country. Nationally, there have been several estimates on the size of this population, varying from a very conservative 300,000 to 3 million. The true number is somewhere in between. At least 40,000 to 60,000 of these homeless are living in the Los Angeles area. Traditionally, the homeless population has been characterized as aged men, who suffer from either alcoholism or mental illness or both. This is no longer true. Homeless families are now the largest and, unfortunately, the fastest growing segment of the homeless population. The New York Partnership for the Homeless found in their recent study that families now comprise 35%-50% of the homeless population of New York. This means that 20,000 to 40,000 families have no place of their own each night. In Los Angeles, the numbers are very similar and equally alarming. Many more established shelters have opened to service primarily families. Several more established shelters, such as the Venice Bible Tabernacle, are filled to capacity with families. Nonetheless, families with children still create the greatest demand for shelter beds in Los Angeles.

What is the problem? To answer this question we must ask two more specific questions. Who are the homeless families? Secondly, why are they homeless?

Homeless singles are different from homeless families. Homeless singles, as documented in Los Angeles in a study by Farr and Kogel, tend to be predominantly (96%) male. The majority have never been married. They have a high rate of mental illness (45%) and alcohol or drug abuse (34%). The average age is dropping, but it is over 30, and 40% are over 40 years-old. They live in missions (28%), or hotel/motels (25%) or on the streets (22%). Many of these men, the so-called chronically homeless, have been homeless for long periods of time.

Homeless families are very different on almost every count. They are often a single-parent household, headed by a young female less than 25 years-old. She had 2 to 3 children, half of which are under 5 years-old. The majority of the mothers had children before the age of 18. There are many "intact" families, especially those who have migrated from out-of-state to find employment in Los Angeles. In a study by Traveler's Aid, 45% of the families had two parents. Mental illness in this group is characterized more by situational depression rather than the schizophrenia or chronic affective disorders in the single adults. It appears to be much less chronic and more easily treated with the provisions of basic needs and counseling. Drugs and alcohol are not as common, but they do often play a role in precipitating the crisis that made the family homeless. The families tend to stay with friends or relatives or live in crowded communal situations until these resources are depleted, and as a last resort they use the shelters or hotels/motels. Only a few of the families live on the streets or in cars, since it is tough to survive on the streets with children. The most outstanding difference is the length of homelessness. The majority of the families are transiently homeless, but to a recent economic or personal crisis. But the situation often becomes chronic due to the difficulty in finding affordable housing.

That brings us to the second question of why these families are homeless. What has happened in the past five years to produce such a dramatic rise in this population? This question has been addressed in several articles and in congressional hearings. The three primary reasons for homelessness in families are: (1) Scarcity of low-income housing; (2) inadequate income or public assistance benefits; and (3) increased prevalence of personal crises. The 1986 Congressional report found that:

The scarcity of low-income housing appears to be the main cause of homelessness. Poor people simply cannot afford the majority of available housing in the United States. The low-income housing supply is dwindling (a projected shortage of 1.7 million units in 1990) due to such factors as urban redevelopment, condominium conversions, decreased construction, increased demand from higher income renters, and the virtual elimination of federal funds from the construction of low-income housing. Families are a large percentage of the 2.5 million people who are displaced from the homes every year as a

result of eviction, revitalization projects, economic development plans and spiraling rent inflation.

In addition to the housing shortage and spiraling rents, families simply do not have enough income to both eat and pay rent. In 1970, 1 in 10 American families were headed by females. In the various shelter populations, from 55% to 85% of the families are headed by women, with 2 to 3 children each. Half of the female-headed families live below the poverty level. All of the homeless families are living below the poverty level. Almost all qualify for AFDC, but many have lost it due to failure to report address changes or loss of address. Those on AFDC find the level of payments insufficient to prevent homelessness. The increase in welfare benefits has simply not kept up with the rise in housing costs. In Los Angeles, the AFDC payment for a family with 2 or 3 children is from \$617 to \$734 per month. Rent will consume a minimum of \$500 to \$600 per month in Los Angeles. This leaves very little for food, clothing, utilities, transportation, and medical expenses such as medicines. A young family can spend \$40-\$80 per month on diapers and formula alone. The numbers are very tight, but when one adds a \$1,000 deposit for security-and-last-months'-rent, the chances of getting into an apartment and staying there are slim.

The third contributing factor to homelessness is related to the strength of the families support network. Most families cited economic reasons for their homelessness, but one-third of the homeless families surveyed by Ellen Bassuk indicated that a personal crisis, such as a dissolved relationship with a man, battering, death, or illness had caused their state of homelessness. The mothers in Kay McChesney's study in Los Angeles commonly had no family members locally, and many had no living relatives. All families go through personal and economic crises, but the families who become homeless tend to be more socially isolated and have a limited support network to carry them through a crisis. As a result, they become destitute, only to worsen the isolation, depression, and economic instability. the reasons for this personal isolation are multiple. the homeless mothers are often from broken homes, have histories of being abused or neglected, were in foster homes, and have become full-time mothers in their teens. They have generally received little support in their own lives, thus it isn't surprising that they haven't developed supportive relationships for their own families.

What is the solution?

The solution to this rapidly growing national crisis must address the basis causes of homelessness. The following is a list of three crucial steps the City of Los Angeles needs to take in order to help alleviate the suffering of thousands of homeless families.

1) **Increase Affordable Housing:**

The increasing gap in affordable housing must be narrowed. The federal government, under the current administration, has cut almost all public housing subsidy. Many experts feel we are just beginning to see the effects of an increasingly inadequate supply of affordable housing. Many more families will become homeless if more housing is not made available. Rent payments should be determined through an ability-to-pay system, so that single mothers on welfare or single working parents can afford housing. If the city does not become actively involved in generating affordable housing, it will be burdened with the increasing cost of less effective, often degrading emergency services. Although necessary, emergency services do little to solve the basis need for housing.

2) **Develop and Advocacy Program:**

More emergency services are necessary to help families stabilize and find permanent housing. the city already has instituted a limited grant program to give families money to help surmount the problem of "first and last month rent." More money needs to be allocated, and an active home-placement service that could assist emergency shelters needs to be instituted. Shelter supervisors cite the search for apartments as the most consuming and frustrating of their many tasks. The shelters are forced to provide extended stays (weeks or months) to families because they cannot find affordable apartments. Thus, they are greatly limited in the numbers of families for which they can provide emergency crisis intervention, stabilization, an relocation services. If patterned after the Info Line (a county-wide clearing house for emergency shelter placement), this could be seen as a true partnership between the public agencies and private shelters or emergency service organizations. Why couldn't the city institute a Housing Clearinghouse, to scour the city, look for affordable housing, maybe even convince some landlords to lower rents, and then help the shelters place these people?

The other part of the advocacy service that the city could establish, would help families access social services. Many of these services are county run, but it is often very difficult to send a mother out to 18 different agencies to get her plugged into the county support system. Mothers need advocates. They need someone to walk them through the system. If the city did not want to do the advocacy itself, it could offer grants to the shelters so they could expand advocacy services.

3) **Emotional Support Systems:**

The city could help alleviate one of the main problems of homelessness -- lack of social and emotional support systems. The shelters and crisis centers try to do counseling and skill training -- but they need help in

trying to connect these people with a support system because this kind of work is expensive. The crucial element here is people-to-people. These families need to be cared for. The city could help subsidize this through grants. We could really have a public/private partnership in this way.

There are many other issues with this population. I have avoided the health issues entirely in my presentation. The homeless problem is growing very rapidly and it is not going to go away on its own. It is going to be more embarrassing for the city unless we do something about it.

CHRISTOPHER McCAULEY: Good. Thank you. Do we have questions for Dr. Wood?

TERRY GOCK: It's more a point of information. In terms of the mental health part, in terms of counseling and so on, is there any interface between your clinic with any of the mental health facilities around to provide some of those services -- and how does it work in terms of adequacy and so on?

DAVID WOOD: I think for families, the mental health issue is broader than we normally think of. Besides treating depression, anxiety, there's the issue of behavioral problems -- the children, parenting issues, family disruption, disfunction -- which require family counseling. It's a very complex process and I think we do a very bad job of it. Venice Family Clinic is very well connected into the services on the Westside, including Didi Hirsch, Benjamin Rush and other services that have been set up by the county. We have informal counseling referrals through St. Joseph's and other centers, but it doesn't begin to meet the need. It's a very frustrating thing to see. One of the encouraging things I have seen in these families, though, is that -- with the meeting of basic needs and a minimum of support from another person who cares -- I see a lot of the depression, a lot of the anxiety and anger begin to really resolve, and they begin to take power over their own lives and do something. So, I think that mental health intervention is a different kind for families than for single adult males. And it's mostly basic-needs and person-to-person support. With that you'll take care of 80% of the problem. But those people are hard to find.

CHRISTOPHER McCAULEY: I just want to do two quick follow ups. You had estimated shelter beds for families in the 500 range. Also, can you comment on the Hansen case -- the gap between available housing for families together as opposed to being separated, related to the Hansen case. I was just surprised at this figure of 500, you are meaning there are places where families can remain together?

DAVID WOOD: No. If a family becomes homeless and calls Info-Line and says I need a place to stay the night, and again probably 70% of those will be single mothers with children and I call that the family -- they will

have about 500, 600 beds. Those aren't beds, probably 100 of those are pews, places on a floor to sleep, and it's difficult to place. The families I think are placing the greatest demand for shelter beds. There are probably 4,000-5,000 shelter beds in Los Angeles, but the vast majority of those are for men or single women and adults, and when you get children involved it becomes more complex. When you get an intact family involved it's even worse because many of the shelters, Sunlight Mission for example in Santa Monica, will take women and children but men are not allowed -- and it's very difficult to manage that kind of a situation.

CHRISTOPHER McCAULEY: I want to come back to that phrase you used about "intact families" and I wondered if that could be experienced as a pejorative term. I'm just exploring this with you because I'm not sure. Certainly there are millions of families at various economic levels who have a single adult member of that family and children who are viable family units and I wondered -- do we have other words we could use for that?

DAVID WOOD: I don't see that as a pejorative term but I can understand you seeing that way. I think basically a two-parent family versus a single-parent family. I think the stress on a single-parent family in this setting is much greater than on a two-parent family and I think that's why we emphasize the nature of the single-parent. I think two-parent families survive much better within the setting, and by "intact" that's essentially what I mean -- a two-parent family.

CHRISTOPHER McCAULEY: That's O.K. I didn't mean it as a criticism, the terminology certainly in drafting a report is real important to us and we're sensitive about that.

NORA BALADERIAN: As a single-parent I have funny feelings when you say "intact" family because it makes me feel like I don't belong in an intact family and I think I have a viable intact family. So it doesn't feel good. In terms of whether or not it's pejorative, as a member of the @pejorative group, it doesn't feel good.

DAVID WOOD: I hope that that's not the message you take away from my presentation.

NORA BALADERIAN: No. Maybe we need to look at that.

DAVID WOOD: Well, actually "intact" is somewhat a useful term in this setting because of the shelter problems, and because of the welfare problems, qualifying for welfare. If the man or the woman cannot find jobs, and they have to apply for welfare then they are split up. And they are no longer intact. They are literally broken apart. And the same thing happens in shelter. They often have to split up to find shelter.

NORA BALADERIAN: That isn't my question. I like "two-parent" and "single-parent" -- that feels lot's better -- or three-parent -- then we leave the options open for however a family is organized. My question though had to do with -- it's two part. Of the families that you work with, how many of those include family members who have disabilities? And are the shelters you're talking about accessible to persons who are hearing impaired, or who have mobility impairment?

DAVID WOOD: I would say -- I've been in probably twelve shelters that service families -- and the funds are very limited also -- I've not seen shelters that can adequately handle Spanish-speaking let alone hearing impaired or visually impaired people.

NORA BALADERIAN: So they don't have TDD's on the phone lines?

DAVID WOOD: No. I'm not an expert on this. I think there are some places for those, but anyone who's homeless and has any other strike against them -- it just really makes it that much more difficult to find shelter whether it's hearing impairment or any other disability. Bringing up the word disability, as a pediatrician, I have to jump in and say that the children have tremendous disabilities.

One of the major findings in the current literature on homelessness is that almost 50% of the children are developmentally delayed -- significant delays. What I see is tremendous anxiety disorders in the children. You're uprooting them, they have very little security. I think it has tremendous impact on the children -- we didn't even talk about them. But I can't say how much disability they're experiencing. Any children with disability -- most of which is undiagnosed because they haven't had adequate health care -- they have very little access to services.

NORA BALADERIAN: Well 50% is a far cry from 3% which is the percentage of disabled children in the regular population.

DAVID WOOD: Ellen Bassuk did a study in Boston where she interviewed approximately 160 children and did intensive psychiatric interviews with the parents and the children and also did developmental assessments. That is the number that she found. It's startling! Startling!

CHRISTOPHER McCAULEY: Thank you very much. Michael Eng is here. He is an attorney and Co-Chair for the Coalition for Harmony in Monterey Park. He's here to talk about immigrant families, particularly the issue of the "English only" initiative and how it affects social relations within a city. Thank you for being here.

MICHAEL ENG, ESQ.

Co-Chair, Coalition for Harmony in Monterey Park

Immigrant Families: "English-Only" and Its Impact on Cities

MICHAEL ENG: Thank you. I'm really pleased and privileged to be here. I think this is a tremendously important gathering we have here. I'm passing out some literature. I take everything literally and it said to prepare a two-page or more summary and I did that primarily because what is in there is probably far more significant than what I'm going to say. There's also a map of Monterey Park there which was put out by our organization -- the Coalition for Harmony in Monterey Park -- so I just wanted you to have something to take back with you.

I'm sure that some of you may have seen the two-part article in the Los Angeles Times the last few days on the Asian influx in Monterey Park. I have to thank Dr. Terry Gock for asking me to appear this morning. This is a topic of tremendous concern. I have lived in various parts of the City of Los Angeles. I've lived in Silverlake and Echo Park, and I've lived in downtown Los Angeles, and I've lived in northern Los Angeles, but moving to Monterey Park has been a tremendous experience for a number of reasons.

Someone said that Monterey Park is a bellwether of what the City of Los Angeles will become in a very, very short period of time -- for a number of reasons -- first of all, the demographics. Monterey Park right now has about 60,000 residents. We are the overflow for the City of Los Angeles. Many people who don't quite fit into your cities or your councilmanic districts -- they end up in Monterey Park and the surrounding cities. Our population is going to reflect the population of most parts of Los Angeles very shortly. We are about one-third Caucasians, one-third Hispanics, and one-third Asians. We have foreign language signs that are beginning to dot our neighborhoods and many of you have begun to see that as well in your neighborhoods. We have mini-malls by the thousands. I understand Mike Woo had a press conference recently on mini-malls. You haven't seen mini-malls until you come to Monterey Park. Monterey Park is the mini-mall capital of the world and I'm not necessarily putting it down either. Monterey Park has experienced not just White flight, but White flight in the sense that Anglo families are seeing their neighborhoods -- to use their term "invaded" by minorities, in this case Asian Pacific Americans and immigrants. Then you have the political factor. You have the tremendous congestion; you have dissatisfaction with development. This

referendum or moratorium on development that we will be seeing in the City of Los Angeles started actually as a movement about three years ago in Monterey Park. So Monterey Park was the forerunner of the desire to control what people perceive as unrepentant and rampant development.

Monterey Park, as I started to say, is a politically interesting city in the sense that the final part of this is that there was a political movement that attempted to seize on the congestion as a way of combatting or dealing with these particular issues. If the Monterey Park experience has taught us anything, it is that racial tension will be a major part or major experience of every major California city in the years to come. The shifting demographics and the shifty demogogs will combine to make this a reality. What is the recipe for racial disharmony? You take a cup of shifting demographics as we have. Monterey Park, two years ago, was the all American city. It was a city that was selected in a National contest to identify the city of the future that had dealt with its problems in view of shifting demographics. Two and a half years ago it was the only city in the Western region -- one out of seven cities nationwide -- to be selected as the all American city.

Today Monterey Park is in shambles. Throw in or throw out as the case may be a pinch of racial demogogs. In the last City Council race where three of the minority incumbents were thrown out, one candidate was quoted as saying on a metropolitan radio press conference that this particular ethnic group -- the Chinese -- "are knocking, knocking, knocking, they're knocking on our door. They want to buy all our properties. They want to kick all of us out." Throw in some non-English signs for seasoning and you have a recipe for racial disharmony that inspired "English as the Official Language".

"English as the Official Language" many people recall as Prop. 63 which was in the November election of 1986. Actually, "English as the Official Language" started in Monterey Park about two years before that when a homeowner, seeing the non-English signs, began going door to door to collect signatures to make English the official language of Monterey Park. And if you're reading the little handout, you know that Proposition 63 made English the official language of California and called on the Legislature to take whatever action was required to implement that. And then, interestingly enough, gave citizens the right to sue to enforce any particular provision of this proposition -- as vague as it is -- that they saw fit. Some people argued that this would affect things like bilingual education, 911 numbers -- when in the dead of night an immigrant calls the police and heretofore has perhaps an opportunity to hear a dispatcher in Spanish ask him or her what the problem is. There were a lot of rumors as there were in Prop. 13 regarding what the effect would be. Let me tell you what the effect was in Monterey Park.

The day after that Prop. 63 won in our city, the leading proponent in the city -- who is now a city councilman -- urged: (1) that all the business signs that were not in English should come down; (2) that bilingual education programs in the schools should be reevaluated, presumably to cut out all of these programs or to diminish their effect in some way; (3) that all city-funded publications -- such as bilingual newspapers -- which translated English stories into another language for the benefit of immigrants should no longer continue in their practice. And several others have predicted that the next thing that will follow will be health and safety measures -- such as the bilingual 911 police dispatchers that now offer translation in languages other than English.

I'd like to close with two points: (1) the impact that I see will happen probably in cities like Los Angeles; and (2) what the potential is for solutions.

The impact I think would be threefold. I think there will be resolutions, court challenges, and bills that will seek either to deny funds for bilingual services or to cut down things like the signs that you've all begun to see proliferate in many of the mini-mall parts of your city. On the other hand there is also going to be litigation that will demand more funds for literacy programs for people that are bilingual or for people who are not fluent in English. I happen to sit on the Library Commission in our city and our library is responsible for offering tutorials and tutoring for the benefit of people that want to speak English -- and in Monterey Park the waiting list always exceeds 50 to 100 people. That was something they didn't tell you when they were campaigning for Prop. 63 -- that people are really trying to make efforts to learn English, but there just are not enough tutors and I'm not talking about tutors that are fluent in two languages. The best tutors are those that are fluent in one language, because they have more incentive to encourage the tutee to speak English if that's what the desire is there.

I think, secondly, there will be tremendous psychic, emotional and sociological fallout from the racial tensions that give rise to the English-Only movement. Racial tensions hurt families; racial tensions hurt children. Racial tensions split parents from children. When I was growing up I spoke nothing but Chinese for the first seven years of my life. When I went to school and learned that there was a whole other language there that the majority of the population spoke, I came home and I was ashamed to speak to my parents in my language. And this caused a tremendous amount of rift between me and my parents for a very long time. And even today, I have trouble resolving those deep feelings of self-hatred that I felt many many years ago growing up as a child -- hearing them ridiculed when they spoke with an accent. I think the biggest effect will be the sense of shame and inferiority felt by children who are not fluent in English and the attention that this particular resolution, Proposition 63 has caused.

Third, I think there will be the political implications that immigrants or foreigners can be easy targets or scapegoats during elections -- and I think we've already begun to see that happen. You want to get elected? Fine. All you have to do is point to those signs, point to those children chattering in gibberish, point to the overcrowding and blame the foreigners and you are going to probably get 50% of the vote -- and I think that's going to be a tremendously negative downside from this type of thing. Although I think the potential for negative impact is great, I think the potential for solutions is also tremendous and I think the future is bright.

I would suggest three areas of concern for your committee and for cities that are interested in attacking this problem before the problems arise. I think first we have to develop a comprehensive program addressed at eliminating illiteracy and actually teaching more and better English. Someone estimated that 10% of the entire population of the United States is illiterate. The need and desire to speak better and more English is not just limited to immigrant families. You will see people who were born here trying to cash checks who cannot even sign their name and have to mark an X every day at the liquor stores in every major part of the city.

I think, secondly, we have to develop a method of conflict resolution at the local community or town-hall level. I wish that in our city we had a group of people like you who perhaps met once a month or once a year -- people who came from all walks of life and who represented the best of each ethnic community. And I wish that we would be able to take testimony and try to anticipate conflict before it rose to the level that we now see in Monterey Park where there is pitting literally neighbor against neighbor and friend against friend. I think that we have to look away from the courts, away from the Legislature. We have to get back to our roots, back to the families, back to the blocks, back to the precincts for conflict resolution.

Third, I think that we have to have a strict policy on signage, that as I said, is democratic in the process and yet constitutional in the output. Signs are the very first indications of problems when people start getting upset about signs. That was the key thing that should have set us off embarking on solutions. Signs are literally and figuratively the lightning rod for polarization in each community and I think you've got to have a very strong policy on that because that's the first instance when people that feel left out of the process, and want to blame the foreigners, will start making it a political issue.

So, in conclusion, all I can say is that I think that racism hurts families -- it hurts children. The stigma of one or two comments at an early age will be left with a child even as he or she reaches adulthood. It will translate into attitudes that will be unhealthy for society as a whole. I like to think of racial incidents in the same way I do child molestation.

It will take only a moment for this to happen but it will live on in the memories for years and years. Thank you very much.

CHRISTOPHER McCAULEY: Thank you very much. Questions for Mr. Eng.

LOUIS VERDUGO: I'm with the Attorney General's Office and as part of my responsibilities currently I'm monitoring all of the legislation regarding Proposition 63 and I was wondering what the City of Los Angeles has in mind as far as some of these bills are concerned. Some of them are very important and would effect, for example, the City of Monterey Park. There are two bills, SB 930 sponsored by Senator Torres and AB 183 sponsored by Assemblymember Harris that specifically exempts local government from the dictates of Proposition 63. This legislative session is only going to last for another couple of months and these bills are moving along. Other bills for example, SB 8, SB 9, SB 135 deal with English-as-a-Second-Language classes, which, again, I think addresses some of the problems that you were talking about -- providing more funds for English as a second language classes for people that need this help in acquiring English language skills. The bills just go on and on and on. But it seems like that is something that this Task Force needs to maybe get to Councilman Woo and other members of the City Council. The time is of the essence here. These are the first slew of bills that are coming through. There's maybe 7, 8, 9 of them and every day I get a new one.

CHRISTOPHER McCAULEY: Would you be able to make copies of those bills available to the committee?

LOUIS VERDUGO: Oh, sure.

CHRISTOPHER McCAULEY: Good. I'd like to recommend that. One of the things I think you're alluding to that is very good. that is that Prop. 63 may not be completely all on the down side. If we can use that as a mandate to teach better English than we could ask -- in the spirit of Prop. 63 -- we should also ask them to allocate more money to teach English literacy rather than to just see it as an attempt to remove bilingual education. There will be some lawsuits coming up by some groups that will try to enforce Prop. 63 on the positive side.

LOUIS VERDUGO: Right. Thus far we haven't had any yet, but they're going to come soon.

CHRISTOPHER McCAULEY: People are mobilizing for that.

LOUIS VERDUGO: And most likely they'll come probably in the fall after the first few bills are enacted into law.

THOMAS FRANK COLEMAN: I'm interested in following up on this idea of a community round table. First, is there a round table like that in Monterey Park?

MICHAEL ENG: No. I think the important thing is that a round table has to have the backing of the local government. The City Council went through a tremendous change and I've made that suggestion but I haven't heard any of the present City Council members take that suggestion up. Several of us made that suggestion a year ago when we saw the racial tensions begin to escalate. But no one has done it in either an official or unofficial way.

THOMAS FRANK COLEMAN: And following up on that, is this similar in concept to the Human Relations Commission?

MICHAEL ENG: Our Human Relations Commission was, unfortunately, emasculated in terms of an experienced loss of staff -- depending on how you want to see it -- and a lot of the players that were important or were at the fore, say two years ago, are completely different now. So I think something that's more of a timely blue ribbon committee that perhaps changes, maybe has a short term of every six months, we have a new representative from this particular ethnic group, might be better because once you appoint someone to say a Human Relations Commission, for better or worse they are there for four years. But yet with the shifting demographics, the players change in the twinkling of an eye overnight and you've got to keep up with that. Yesterdays spokespersons are really not the same as today's.

CHRISTOPHER McCAULEY: Did you have any assistance available from the County Human Relations Commission -- you mentioned City effort was slightly defunded and players changed?

MICHAEL ENG: I know that they had a countywide hearing on Prop. 63 which members of our organization the Coalition for Harmony in Monterey Park -- CHAMP -- some call us chump -- we've been called everything under the sun, but we testified there. They took a very good position against Prop. 63 and that helped us tremendously.

CHRISTOPHER McCAULEY: Well I meant specifically in terms of conflict resolution were any of the county people helpful?

MICHAEL ENG: The only group that came down was the U.S. Department of Justice. They had a conflict resolution team that came down for one or two sessions. Unfortunately the effect, although not their intention, was actually more divisive than when they came in.

TERRY GOCK: Regarding your suggestion on developing a policy on foreign language signs, is there something specific that you might recommend in terms of how would it be democratic as well as constitutional?

MICHAEL ENG: Well, I think the democratic part is very important. I think a blue ribbon committee that set up two or three issues for the year may want to take public testimony on that before some citizens groups go door to door with a petition against the foreign language signs. On the constitutional issue, I think you have to have law students attorneys, teachers, scholars in on the process as well as representatives from the ethnic community that are being railed against. So I think that's what I would see as very important. Our particular current proposal -- now one City Councilman said that his goal is to eliminate all foreign language signage in the city -- I don't think that's constitutional. We've also had a proposal that was enacted saying that, except for large corporations where you automatically know what the type of business they are, then every other business has to have a sign that shows what their particular type of business is. I don't have any problems with that, it's just that it exempts big business like McDonalds. They said McDonalds doesn't have to say hamburger because you see golden arches and already you know you want to puke -- I mean you want to eat hamburgers -- I'm a vegetarian so I can say that. Or Mobil, or once you see Union 76 you don't have to say gasoline. I think that's discriminatory against small businesses.

UNIDENTIFIED: It's surprising to me that someone hasn't challenged Proposition 63. Isn't it unconstitutional both on the level of denying right of free speech and denying just general rights of someone to run a business the way they see fit. I mean isn't one sign one's own business?

MICHAEL ENG: I think this gentleman may know the answer to that more than I do. I think in terms of where I come from people are waiting to see how it's going to be implemented. For example if someone says I'm going to cut out translators for the 911 program in the City of Los Angeles, there will be lawsuits against that. If someone tries to say cut bilingual education or tutorial programs in the schools, there will be suits. I think people are waiting to see. I think it's going to be difficult just to attack it on its face in terms of the way that it was enacted. So I think that's where you should also be alert to. You should have people that are already studying ways -- you have to have an ear to the ground to see how people are going to start interpreting and having their lawsuits either locally or on a statewide basis -- trying to anticipate the friction. Many times when people file the lawsuits they're trying to express a need that they feel has gone unnoticed in their community. They're saying you've paid attention to all those "down" foreigners you haven't paid enough attention to me -- I'm a 50 year resident. And if you can anticipate that, then I think that's the best way of nipping this in the bud.

FRANK RICCHIAZZI: My question is this. It appears that in Monterey Park we do have an extreme as compared to the rest of the State of California. What has developed there is very strong camps on both sides. But Proposition 63 was supported by, I think, 80% of the people of the State of California. And though a percentage of that 80% would have been strictly for prejudicial purposes, I would believe that the vast majority of Californians supported the proposition for some other reason -- something that they felt was wrong or that they felt was needed to be changed. And for those who weren't bigoted and who were concerned and did support 63, what do you think they were trying to say?

MICHAEL ENG: I think it's what I just alluded to -- is that many long time residents of your city voted for it. They said, "We are going unnoticed. You're not hearing our problems. We've been residents for 50 years and we've seen our neighborhoods being invaded with signs and junk food markets and we've seen our children exposed to foreign languages." I don't think that people who voted for Prop. 63 are all racist; I agree with you they are not all bigoted. There is a kernel of sincerity there where people are crying out and that's why I'm saying it's the responsibility of local government to anticipate the tension before it erupts into either racial violence or what I call political violence -- something like Prop. 63. They're trying to say, "I have questions and needs that have not been addressed either in terms of development or in terms of bilingual education or in terms of gang violence on my street." I guess, speaking of gang violence I think that's the key.

CHRISTOPHER McCAULEY: What a great transition...love that! Thanks Mike. Bruce Coplen, Deputy City Attorney, City of Los Angeles is here from the gang violence unit to discuss education and counseling as two components in dealing with the issue of youth gangs. We'd like to welcome him, and thank you for coming.

BRUCE COPLEN, ESQ.

Deputy City Attorney, Gang Violence Unit

Gaining Control of Youth Gangs

BRUCE COPLEN: Thank you very much. I'm the coordinator of a prosecution unit. What we do is -- we focus intensified prosecution efforts on problems of gang violence. I am, however, familiar with many of the causes of, and potential solutions to, gang violence, and I want to address those a little more today although I can't possibly hope to cover the subject matter in 7 minutes.

I brought along complete statistics from the Los Angeles Police Department for last year. I also brought along the report of the state Task Force on Gang Violence. It has a lot of good findings and recommendations. In addition, I brought along a booklet which was prepared several years ago by an individual in our office which talks a lot about the problem of gangs, their origins, and contains a large segment on graffiti and how it's read. So please look at those materials for your interest.

I think most of you probably are most familiar with the problem of gang violence. You've seen graffiti crop up in your neighborhoods -- all the scrawlings and handwritings on all the walls and buildings that are creeping into many segments of the city. But I want to call your attention to what I think is a much more serious problem -- and that's the problem of gang violence.

Last year in the City of Los Angeles, 187 people were murdered as a result of gang violence. In addition, there were 265 attempted homicides, for a total 5,124 major felonies, including rapes, robberies, and murders -- that kind of thing. I'm not talking about simple burglaries, thefts, or simple assaults where no one died, but rather, 5,124 major incidents like that related to gang violence. That's a 23.8% increase over 1985. So what we have here is a very, very major problem and it's only getting worse. I don't want to be completely discouraging because there are certain neighborhoods in the city which are seeing a decrease in gang violence; notably East Los Angeles, through the cooperative efforts of a great many public and private agencies and groups there has been a significant decrease in the problem in East Los Angeles. On the other hand in South Central Los Angeles, the problem has gotten completely out of hand. What is happening there is that street gangs are becoming involved in sales of narcotics and robberies. The result of this is that it's gotten completely

out of hand. What used to be a problem of zip guns and knives has now turned into a problem of Uzis and semi-automatic weapons. Just the other day a woman who was walking down the aisle of a church was shot dead as a result of a gang fight that happened in front of the church.

The problem is becoming largely profit-motivated also. There are gang members today who own Rolls Royces, who have bought homes in Beverly Hills, who own two Ferrari's -- and I'm not exaggerating. I have cases on my desk where individuals who have had no jobs, who are 21 years old, own a Rolls Royce, paid for outright.

This is not a law enforcement problem strictly. Overall it is a social problem. It's a problem of our families. It's caused by problems in the family and it also affects our families. It tears them apart. We need to look at it from that perspective.

In order to understand the problem of street gangs, we must be aware that there's no one single cause of it. Part of the problem is economic deterioration and the inability to find jobs. Part of it is a result of drug use and drug sales. Part of it is a result of a failure of our governmental and social institutions to address today's youth in a meaningful fashion. Cultural prejudices and ethnic rivalries also contribute to the problem.

In order to really understand the gang problem, you have to understand, I think, the difference in racial make-up of gangs, because every racial group in the city has gangs.

If you're talking about Latino gangs, there are multigenerational gangs where father and grandfather, were both members of the same gang. I think it traces back to language barriers, to cultural issues -- traces back to a feeling of alienation from the majority community.

If you're talking about black gangs, I think you're talking more economic issues. The gangs of today are becoming more and more involved in profit-making activities.

If you're talking about Caucasian gangs -- and there is such a thing although many of you may not be aware of it -- there are many Caucasian gangs who are into satanic and heavy metal types of things. Just last night I saw a report where they found dogs that were skinned in a certain outlying community. One of the possible explanations is satanic groups. So please refer to the materials I brought for some of the greater explanation.

I want to stress that it's my opinion that there are two major focuses of a solution to this problem. The first, although not necessarily the most important one, has got to be increased law enforcement for certain individuals. Because whether you're talking about street gangs or you're

talking about the overall community we have a principle that somewhere between 60% and 70% of all serious crime is committed by 2% of the individuals. This applies for overall community crime as well as for youth crime -- and it also applies to street gangs.

What you have in street gangs is like concentric circles. The smallest group of individuals -- and it's a fairly small group -- are your hard core gang members. These are the individuals who commit the majority of crimes, who are repeat offenders, who are also your cold-blooded killers, who will walk up to someone and shoot them in the face -- and this has happened. Then you have a somewhat larger group of people who are associates who sometimes hang out with a gang, sometimes commit minor crimes, but are not known as hard-core gang members. Then you have a much larger group of people who are called peripherals who are acquaintances or once-in-a-while associates of the gangs. The majority of the crime are committed over and over again by the hard-core gang members and so one component of the solution to this problem has got to be increased law enforcement against the hard-core repeat gang offenders.

Also, and very, very importantly, we've got to have more resources and more strategies developed in the area of prevention. I don't think that law enforcement alone holds the solution. We're picking up the pieces after the war has already been lost. The problem has got to start with our young people in the ages of five to ten years-old. We've got to educate them, we've got to find meaningful work for them, we've got to do something to reduce the alienation of immigrant communities. These are our long term solution areas. And only through cooperative efforts, through government, schools and the private sector, can we hope to do anything in this area.

My office has authored, actually I drafted some -- new legislation which I think will go a long way toward providing some solutions. I'd like to call it to your attention. It contains a number of components.

The first one is increased penalties for repeated or hard-core gang members. The second and a major component I want to discuss is a forfeiture provision where some of these Rolls Royces and homes and large sums of money that have been accumulated by gang members would be forfeited. The forfeited money would be placed into a state fund which would be made available by grants to community-based organizations and other groups and individuals who are willing to participate in education and prevention and intervention types of activities. Together I think those two things are very very important toward a long term overall solution. This bill is SB 1555, principal author is Alan Robbins, Senator Art Torres, and Senator Diane Watson have also agreed to be added as authors. It is progressing and will come up for a hearing before the Senate Judiciary Committee on May 5.

I also wanted to make several specific recommendations for this Task Force and for anyone else who is interested. I think, as I said, Senate Bill 1555 is very, very worthwhile. I think we also need to continue to support law enforcement efforts such as CRASH and such as my particular section.

We need to encourage schools to develop and implement a district wide anti-gang and anti-drug curricula. Currently, there are several pilot programs in various schools around the district but there is nothing coordinated and nothing district wide which addresses this problem. In fact, some particular schools have a very major problem and choose to ignore the fact that it even exists. There are no classes, no programs, nothing after school which even attempts to deal with the problem.

The next recommendation is that we have to promote education and crisis intervention programs aimed at parents. As I said, this is very much of a family issue. How are we going to address the problem of delinquent youth unless you address the problems and needs of parents. In particular I am thinking that there ought to be programs in the City of Los Angeles, the County of Los Angeles and particularly the Department of Mental Health, the School District, and also private groups, such as churches and community based organizations, which are aimed at the needs of parents. Parenting courses and crisis intervention hotlines are only two potential suggestions. There are others, but we really need to address the needs of parents in our community if we want to make any inroads on the problem.

I think we need to promote and expand block clubs and neighborhood watch groups. Currently the City of Los Angeles, as well as the County of Los Angeles, supports an organization called Community Youth Gang Services. What they do is they have intervention teams which go to hotspots and try to intervene in gang violence and engage in prevention activities. I think it's a worthwhile program we need to continue to support.

We need a citywide graffiti removal program, not just to improve the visible appearance of our community, but also to send a message to gang members that their activity is not condoned -- that they are not welcome - - that they are not accepted as a part of our society. The longer we leave up graffiti, in effect what we're saying to them, "It's O.K. Go ahead. Continue to do whatever it is you're doing. You are accepted and welcome in this community." So we have to fight back and one of the ways to fight back is by removing graffiti.

We need additional job training and economic development in every segment of our society and particularly in the most impacted communities. Anything that's done to train our young people to get meaningful jobs, anything that can be done which will improve the economic situation of these communities, is going to assist in this problem as well.

Lastly, and not leastly, I think the City of Los Angeles should form a permanent Task Force or Commission specifically addressed to this issue. Currently we have a government coordination team participating: the sherrif's department, the police department, prosecution agencies and so forth, but it's strictly government coordination. There needs to be something for the private sector; something where you can have church members; something where you can have political and community leaders, private business, other groups, sit down to coordinate their activities, to focus public attention on the problem, to encourage business groups to invest in areas which are going to assist in the problem, and which are also going to draw media attention to the group. I think this is something very, very valuable that can be done at very minimal cost is to create a permanent comission in the area of street-gang violence.

Those are my recommendations and please refer to the materials for much more additional information. Any questions?

NORA BALADERIAN: I understand that with crack over the last two or three years there has been an incredible increase in gang activity and criminal activity like 238% -- something like that. How can kids look at the profits therefrom and go for minimum wage jobs?

BRUCE COPLEN: You're absolutely correct. Why should a person go to work at McDonalds for \$3.50 or \$5.00 or whatever it is they pay an hour when you can make \$500 or even \$5,000 an hour selling crack cocaine? And that is why one of the major components of the legislation that I've written is to seize the proceeds of that illegal activity -- seize the car, seize the money, seize the gold chains, because not only will that raise money for prevention, but it also takes away the status of the gang member who has those possessions. One of the major reasons that people get involved in gangs in certain areas of our community is for the status symbols, to the fancy cars, to have money in their pocket, to enable themselves to do the things that everyone wants to do. So your observation is entirely correct.

THOMAS FRANK COLEMAN: There's a bill pending, AB 63 which would increase penalties for bias-related violence. Is bigotry part of the problem with gang violence?

BRUCE COPLEN: Actually, the incidences of violence between the various ethnic groups has in the past been minimal, but is actually increasing. The traditional pattern is that gangs fight within their own ethnic group over territory, over dominance, and not generally Black against Brown or Brown against Caucasian. But, actually, it's occurring more and more presently because of the drug situation where you have differing ethnic groups in neighboring communities and they're really vying over the drug trade -- you are having more and more violence based on ethnic types of rivalries.

THOMAS FRANK COLEMAN: So that in the event that that race or ethnicity of the victim is part of the motivation for some of the gang violence, this might be an additional tool if it increases penalties for violence that's motivated in part by bias?

BRUCE COPLEN: I think it certainly would be helpful. I don't think that it's going to be the total solution to the problem but anything that is going to increase penalties for some kind of violence that's motivated strictly on the basis of ethnicity is going to be helpful, not only in the area that I mentioned, but one of the major causes I think of gang formation, not necessarily gang violence, but the fact that you have gangs forming in the first place is a sense of alienation on the part of the group involved; a sense of not being in the mainstream, of not belonging, of not speaking the language. These things contribute to not trusting the social institutions of the majority society and instead, forming your own group for protection reasons. And if you can decrease the sense of alienation that is felt by many of our ethnic communities then you are also going to decrease the tendency toward formation of street gangs in the first place.

CHRISTOPHER McCAULEY: I'm sure that you have been following the news reports about the recent rash of gay bashings in the Silverlake/Echo Park area. I live in that community and there have been community meetings, perhaps some that you've attended even in the last few weeks. It appears that there's a substantial underreportage for a variety of reasons that people who have been assaulted or harrassed or whatever. I wonder if your office is involved in any of the dispute resolutions in that area?

BRUCE COPLEN: I don't believe so. Certainly my unit has not been approached to participate. However, we would be willing to do so. I'm certainly very concerned about any incident of violence by street gangs against any group.

CHRISTOPHER McCAULEY: Well I'm particularly concerned, not only because I live in that community but because there's a perception, and it's important to be very careful about how those perceptions move that Latino gangs are largely responsible. It seems to be from police reports and from the press reports that a large number of those incidents recently involved juveniles. It's not always clear the ethnicity, nor the organizations -- the affiliations of particular people, so there's a documentation question here and there needs to be some work done I think by the police department as well as local government. I just wondered if you haven't been invited, we need to encourage you to do that, maybe proactively as well as encourage the city to include your unit in those efforts.

BRUCE COPLEN: Thus far we've not been included. I really couldn't speak to the issues because I haven't seen the reports.

CHRISTOPHER McCAULEY: O.K. Thank you very much for your testimony. Another question? Carol.

CAROL GILL: Another thing that's cropped up is whole thing on AIDS education that the Guardian Angels are doing. I wondered what your observations were on groups like the Guardian Angels or so-called positive gangs. We've heard good and bad about what they do in the community. What are your observations?

BRUCE COPLEN: Well I think you summed it up -- there's good and bad about it. Anything that they do toward positive education or toward protection of the community is good, but I'm also very suspicious of any group of individuals who wants to take the law into their own hands and feels that somehow they are going to act as their own police force. So, again, I'm not specifically aware of all the reports that are involved or the situation in this particular community because I haven't been involved up to this time.

CAROL GILL: But you see the Guardian Angels and groups like that as fairly autonomous from law enforcement agencies -- they're not working in cooperation?

BRUCE COPLEN: Yes, and I'm very concerned that whatever they do needs to be coordinated, and in cooperation with, law enforcement groups and not there off on their own, thinking that they are going to be their own police force -- because in fact they could be themselves in violation of the law.

CHRISTOPHER McCAULEY: It's a very interesting point. What happens is, as gaps occur in the perceived security of the population, they will create their own mechanism. That's why my question originally to you was about whether your office had been invited to participate, because in those community meetings dealing with gay bashings, the police department is involved in the local parts and it seems to me that there are resources even within the department that could be utilized additionally. If you're an expert in that area, then you ought to be included in that.

BRUCE COPLEN: I don't know about my office generally, whether we've been participating, but certainly it would be a good idea for my section to be included in the future because, if there is in fact gang involvement, then we're the group with the expertise.

CHRISTOPHER McCAULEY: Good. Thank you very much. We appreciate your being here. Our next witness is Dan Sexton from Child Help, U.S.A. who has been patiently waiting, and we're delighted he's here to discuss the issue of family violence in particular components of child abuse and alcoholism. Welcome.

DAN SEXTON

Child Help, U.S.A.

Child Abuse and Alcoholism

DAN SEXTON: Thanks. What I want to do today is to give you some sense of what is happening out there in the area of child abuse as it relates to alcoholism.

Currently there's a study that I am conducting along with John Conte from the University of Chicago where we got over 1,000 adult survivors of child sexual abuse to fill out a 50-page questionnaire. Fortunately, that many of them responded back to us, and in that population almost 60% identified themselves also as adult children of alcoholics.

What we've been doing in the field of child abuse, and what has been going on also in the field of alcoholism, is that we've been separating these populations off and treating them as if they are separate entities. Many times clients come into my office. They call into our national hotline and they are calling in about alcohol-related problems or they are calling in about child-abuse related problems not realizing that they are suffering from both areas.

Many, many health professionals in the community do not have training in both areas. Recently I spoke at the National Association for Children of Alcoholics Conference here in Los Angeles and found that I was the only child abuse person to speak at their whole national conference. What ended up happening was -- a woman named Claudia Black who does a lot of work with the adult children of alcoholics movement invited me to come to her workshop and in that workshop we talked about both sets of issues. We talked about the adult children of alcoholic issues and the adult survivor of child abuse issues. And what ended up happening was -- many therapists developed tremendous anxiety and were very traumatized when the training was over with the fact that we were now telling them that they were missing a whole set of people by only dealing with alcohol issues. These people come from similar kinds of families and we need to train professionals to cope with both kinds of issues.

People who come into my office as adult survivors almost always have been in treatment with at least two other therapists at some other point in their lives -- and it had never been addressed that they were victims of child abuse as children. What happens most times is when people come into

therapy they do not come in because child abuse is the presenting problem. They come in because they're having problems in relationships. They come in because they're suffering from night terrors. They come in because they're suffering from eating disorders, or drug addiction or alcohol problems. They come in because they can't deal with their children. They come in for a variety of different reasons and upon assessment with them -- and having training in the background you begin to uncover in a fairly short period of time that these people's core issue is that they were abused sexually or physically or emotionally or neglected as children. Generally all those forms of abuse overlap with each other. I have met very few people who just suffered from one form of abuse as a child. So these people come into treatment, they spend their time, their energy and their money going through treatment, and leaving without the abuse ever having been talked about. So they walk out, they might feel a little better about their current relationship or they may have gotten some coping skills to deal with their crisis with their kids, but in six months or so down the road they're back in crisis again. They're still having those night problems, they're still having problems with their eating disorders, they're still having a number of different problems going on that are still not being addressed. So then they go to another therapist on someone's referral -- and another therapist on someone's referral -- and fortunately they finally end up in an office like mine or Nora's office, or someone who has some skill in the area of working in child abuse who knows what to look for and can help these people.

It's tremendous when these people get a sense that you understand what it is that's going on for them, when they finally can say, "Yes, that is what's going on." Because most people who have been victims of child sexual abuse specifically as children block out those memories. It's too painful to deal with. Many of them who come in have no recollection about what happened to them as kids. So, by talking with them, finding out what's going on in their lives, seeing what some of their dynamics are, you can begin to see what is happening for them and can then begin to broach the questions around the area of their violence as children.

For me it's helped that I also was victim of physical and sexual abuse as a child -- so that helps me in a way that I can align myself by disclosing what happened to me also. That doesn't have to be a criteria for working with this population but, for me, it has certainly helped, specifically being a male therapist and working primarily with females. That becomes a real issue and it's a real need in this community and a real need all across this country that, primarily, our child abuse experts are white males -- and that's not just here in Los Angeles County but it's all across the country.

As a therapist you speak at national conferences around the country and 80% of us who are there to speak are White middle-class males addressing female-oriented issues. In L.A. County we now have one child sexual abuse treatment program attached with L.A.'s Parents United

Program that is specific to the Hispanic population -- that's it. There is not one that is specific to the Black or Asian community. In L.A. County there are presently two of us as males who are working with males who were victimized as children around sexual abuse -- that's it. In this community we primarily have services offered for middle-class White females. We have very few outreach programs. We have very little education that goes out to the Black, Asian or Hispanic communities in Los Angeles County. We don't seem to motivate minorities enough to get into this field to go out and work in this area.

As you go around to the mental health programs in L.A. County, they offer masters and Ph.D. programs where there are vastly White, middle-class people in those programs. It's very difficult to go out and try to recruit bilingual people to work in the child abuse field. Those who are in the field are so overworked because there's so few of them available that they burn out very quickly. So we need to find a way to reach out more to the minority communities both racially and sexually in this city to include them and motivate them more to be involved in the child abuse field.

I know within the particular study we did here we found that almost 20% of this population has some sort of problem with gender identity. They were not sure -- you find that a lot with males, "Am I gay because this has happened to me? Or, gee, did this man perceive me as being gay." Most of the cases were males perpetrating on other males. It is not a homosexual act. That's a myth that has been perpetrated for many, many years that these flashers in the park are male gays who are running around out there raping all our small children. It's not. When you talk with sex offenders, particularly pedophiles, and you talk about homosexual acts they're disgusted by it. They think it's crazy. It's not what they're doing.

Some of the major kinds of dynamics that go on for adults who are victimized as kids, and children who are victims of abuse, show up in many of our areas. One of the major things we see is depression -- severe cases of depression that go on for years and years and years -- lots of generalized anxiety and not understanding why I'm feeling this, just anything can set that off. I have a client that I work with now who suffers from tremendous generalized anxiety and her's stems many times from the nightmares that she has. She's a young girl; she's now 18. She was molested by 12 men, primarily her father. The other men in her community -- one was a City Councilman, one was a State Senator, four of them owned major corporations in the community -- she was a girl from Florida who ran away here to California. Her father died recently and in the mail she received a box with pieces of clothing from the age of one year-old with dates and the times that he molested her all the way to the time when she ran away at 15. So these are the kinds of people that we are seeing surfacing more and more in this field.

As you get into dealing with adult survivors more, you're uncovering tremendous kinds of things that happened to them as kids. What we found in this study was that, of the people who were molested, 46% of them were abused by three or more perpetrators in addition to the primary perpetrator. So the primary perpetrator in this sample -- 66% of them were blood relatives, 96% of them were known to the child. Aside from the primary perpetrator, there were also three or more other perpetrators.

Twenty-eight per cent of this population were also adult rape victims and 31% were battered women. So what goes on for many of us who were victimized as children is that we begin to internalize how bad we are, and we begin to find ways to abuse ourselves. It happens continuously. It's a very strong dynamic that goes on. And what we're seeing -- at least with this particular study -- is that there's a pattern that develops for us. We begin to look for ways to continually reinforce how bad we feel about ourselves.

Some of the recommendations that I put into this report for you, one primary one is prevention. We need to step up the prevention in the school system, in the community at large. We have prevention available now, funded through the state. Although when you go out to the school systems, many of them do not know it's available. We need to get that information out to our school districts to know that they do have prevention programs that are paid for, that are available for the students. Also, the prevention programs that go on are not very culturally relevant.

Another thing within the prevention programs is that many of them now focus specifically on child sexual abuse. I had a young boy come up to me recently who had had a prevention program come to his school about two months ago. And he came up and said he wanted to talk with me. So we went off to the side and we had a conversation and it ended up that he was being physically abused at home. And I said, well what happened the last time this prevention program came to your school and he said, "Well, I was just physically abused and all they talked about was sexual abuse so I guess I didn't think anyone cared." And that's happening a lot. We are so focused on the sexual abuse area that we're forgetting about everybody else. In fact the National Committee for the Prevention of Child Abuse, their new national campaign is going to be focused on emotional abuse. So we'll be looking more into that area which is going to bring another huge population of people forward.

Parenting classes are another strong prevention motivator. We have parenting programs available, somewhat throughout L.A. County. I know there is money through the state to do parenting programs through the school systems. But somehow we need to get that word out to the community at large that we are going to be offering more parenting classes. They take much less training skill than it does to train someone as a

treatment specialist. You can use a lot of paraprofessionals, a lot of peer counseling, but we need to somehow find a way to motivate people to come into parenting classes. I think parenting classes should be starting in junior high school.

CHRISTOPHER McCAULEY: Yes, but in addition to those parenting programs that are available in public schools, you are talking about community adult programs.

DAN SEXTON: Yes. Community Adult Parenting Programs. We are not offering enough of that, or we are just offering that and nothing else to follow up. One of the things we know about people who have been abused as kids who then go into parenting classes is that the information doesn't stick. They still have that old history of how to be a parent which is what they learned from their parents. And until you help them open up and deal with the trauma around their own abuse, the parenting issues do not stick with them as much. But we need to make that accessible -- we have to find a way to get that outreach to parents. There's times I know I've felt in this field that I wish we could mandate, that as soon as people go in for a marriage license, or they find out that the woman is pregnant, that somehow they are then mandated the couple to go into a 16 week parenting program -- but obviously we can't do that. But one of the things about parenting programs that's important is they cannot just be parenting programs for young people before they have their children. It's very different going in and talking about parenting issues and how excited you are about having a child and then having a crying child six months later when you have no coping skills for dealing with that crisis. So there needs to be a follow-up component attached with these parenting programs.

Community education is another recommendation. We need to get written information out to people about the issues of child abuse, about the issues of family violence, whether that's through written information, through public service announcements, through public speaking, we have to find a way to get that information out, and it's got to go out in a culturally relevant manner. Any questions? I'll go ahead and wrap up.

CHRISTOPHER McCAULEY: Can we move to the questions then for Mr. Sexton.

THOMAS FRANK COLEMAN: I have one that pertains to a legal issue but it may also tie into counseling. I think the statute of limitations is tolled or stayed for child abuse during a child's minority, in other words, the statute does not start to run until the child reaches 18 years-old -- and then they have only one or two years to file suit against the abuser. Is that your understanding?

DAN SEXTON: There are three cases I know that are going on now in California where it has been over 10 years.

THOMAS FRANK COLEMAN: I know that Susan McGrievy is handling one. She was saying she wanted to challenge the constitutionality of the statute of limitations because there's a very short period from the time the person becomes 18. I'm just wondering if -- well since you are operating under the assumption that there is a longer statute of limitations -- I'm wondering if the law should provide a longer statute of limitations? Would this be helpful therapeutically for the victim to be able to sue the parent at the age of 25 or 30 for something that occurred at the age of 7 or 10, or is it counterproductive for the legal process to be available, or how do you view it?

DAN SEXTON: I think that right now there is some movement to draft legislation to change the statute of limitations to a 3 year period of time from when the trauma resurfaces as an adult. Because what we know from most adults who were abused as children is that the trauma gets blocked out and it does not resurface until some trauma sets that off as an adult. So if we then give people a 3-year period of time from when that resurfaces, it allows people who are going through the treatment process to get into a healthier mode where they could then have the option to then file civil damages. What happens for some clients is that it is not appropriate for them to file civil damages. They are not emotionally capable of dealing with it. Others, the anger is so misdirected when you get to that point in treatment the anger is so out of control that if we had that option immediately then it's not going to help either. So I think it's going to have to be a case-by-case kind of issue but I still think it needs to be made available. I think that adult survivors need to know they have that option of going back and getting some sort of money back for all the pain and trauma and finances that they're having to put out to deal with this person who abused them as a child.

THOMAS FRANK COLEMAN: Do you have a specific bill that's pending or is it in the drafting stage?

DAN SEXTON: It's in the drafting stages. There's about 20 of us now who are sort of beginning to talk about what we need to do. I'll only name Linda Laugh from the State research program, contacted me and a whole bunch of us in the State of California on a recommendation from John Vasconcellos' office in Santa Clara County and we all gave recommendations. It's about a 30-page report that went to Sacramento -- all specifically dealing with adult survivors. And all these kinds of things were involved in that. I can get you a copy of that.

CHRISTOPHER McCauley: Please share those kinds of things with us so we can be supportive.

NORA BALADERIAN: One comment and one question. At the Governor's Conference yesterday, one study revealed that of people who were sexually abused as children, of those who went to therapy, 38% were revictimized by their psychotherapist. That's a very high number of people. But, just as a point of information -- people going to therapy don't necessarily get the best therapy.

The other thing is in terms of doing parenting classes, there's so many people who are 11 and 12 and 13 and who are pregnant. I would support starting classes earlier than junior high school. Do you have any feelings about that?

DAN SEXTON: Yes. I think we need to reach kids as young as we possibly can about the parenting issues and junior high school is -- because most of the kids now are in sixth grade starting into junior high school now. So based on the fact that there are kids even younger, maybe we should start in 3rd or 4th grade.

NORA BALADERIAN: Yes, they are 13 I think when they start, 12 or 13.

DAN SEXTON: It's just that it's such a sensitive issue, you know. As you know, when you go out and do prevention and you have to deal with parents, there's a real fear of power loss from them when you are talking with them about how they need to deal with their kids or what you are going to be telling their kids about their bodies and their rights to say "no," and do all of that.

I mean there's already that issue around sex education in schools that I know it's going to be another battle educating them about the fact that now your 9 year old -- we're going to be talking about parenting-issues to in class. That's going to empower kids even more to go back home and say you know whatever they need to say to their folks. But I think kids are raised, certainly I was and I'm sure all of you were that the family unit is that safe place where we're supported and cared about. And what we're finding from all the information is that it's just not so anymore and that we have to reevaluate how we're going to support that family and how we're going to intervene before it ends up being a societal problem. Because we keep having alcoholics, drug addicts, developmentally disabled, overweight people, violent criminals, prostitutes, gay and lesbians, all these sort of ignored, neglected sort of populations. Many of them are coming from very abusive homes and as a society we have really rejected them.

CHRISTOPHER McCAULEY: Good. Thank you very much. We appreciate your presence and your testimony.

Richard Smith is with us today, he's the president of the Mayor's Advisory Council on Disability and he is here to talk specifically about disability issues and the response of the City to those issues including physical access and employment issues and we're delighted that you are here today with us. Welcome.

RICHARD SMITH

President, Mayor's Advisory Council on Disability

The City's Response to Disability Issues

RICHARD SMITH: Thank you very much for the opportunity to be here. I find myself here under very unusual circumstances. I'm not here really to promote the self-interest of our organization within the city, but find myself somewhat forced to do that because I don't know of any other organizations or groups within the city that are performing that task. That's really the reason I'm here today.

This particular group was formed in 1974 by Mayor Bradley and we report to Mayor Bradley through a special assistant. In theory, the council is made up of 45 members: 15 from the Mayor, 15 from the City Council, 15 members-at-large. In actuality, there are 15 members-at-large, and very few from the Mayor and very few from the City Council.

CHRISTOPHER McCAULEY: Who have been appointed, or who attend meetings? (Appointed.) So there are unfilled vacancies?

RICHARD SMITH: There are unfilled vacancies due to the lack of participation of the City Councilmembers and the Mayor's Office. This is a very serious problem. Since this is a totally voluntary group, you need numbers of people to be active, but this perpetuates what we're trying to say here today -- that you have very few people trying to do a great task.

One of the problems of the disabled community is that it's very fractionalized on their own proprietary interest. The paralyzed veterans do their thing and the Multiple Sclerosis Society do their own thing. The group that I'm involved with, the Advisory Council to the Mayor's Office has no such boundaries. We cover everyone -- we cover all the problems that come before us. We serve as a liaison between the disabled community and the city. We develop and recommend actions and policies to the appropriate city departments, commissions, and agencies and we initiate and implement needed programs and activities within the community.

Structurally, we have several operating committees. One is Architectural Barrier Advisory Board, and the Architectural Barrier Committee. What this group does, initially it was formed to review the city's Building and Safety Department's problems with buildings meeting the access codes -- a major thing I'd like to come back to in a second. This

thing went nowhere, with very, very little compliance with the access laws. Statewide, there's hardly any compliance with the access laws -- another problem I'll get to in a second. We have been fortunate enough through some very aggressive activities the past year, the Building and Safety Department has finally -- after a year denying there was any problems at all -- they swore there were no problems -- that every building in the City was right. They, finally, after very strong attacks, put forth with great enthusiasm a package before the City Council which was passed in policy and which, with a couple more votes, will be put into final action which will put trained inspectors on the job -- disabled inspectors who understand the problems. Also they are able to not offer any more what they call temporary occupancy permits until all the code violations are met and there's a lot of other policy decisions they are making.

The key point there is none of this came about through the city. We had to go outside, through the Attorney General's Office and some other agencies to get this done because the city denied that it occurred. And this is true in practically every function that you deal within the city. Again, this puts me in a very difficult position because I'm biting the hand that feeds me.

We work with the Mayor's Office, but the Mayor's Office is part of the problem just as the City Council is part of the problem. Below them are the general managers and the department heads. Now what happens in fact is this. We are an active group for the disabled population. We have no budget and no staff support. We have problems getting our representatives from the Mayor's Office to come to our meetings. We have members that are appointed by the Council, but they have to have access to get back to the Council members so they know what's going on.

There are some positive things happening but it takes a lot of work. A lot of the work is not being done through the city. Tomorrow, Joel Wachs is going to introduce a measure -- or he's going to have a press conference to announce a measure -- to have interpretive services paid for by the City in City Hall. Now, this came about as a recommendation from us that he picked up on. It's tough to get in to see any Councilmembers. It's impossible to get in to see the Mayor. And if you're going to be effective we have to develop a means of getting into these offices to talk to these individuals. Writing letters to them, making phone calls, asking for appointments, if any of you have tried it it's a very difficult task. They are all very busy people. But you get nowhere until the city recognizes that if they don't set up a process -- if it's us, if it's another group, fine. I'm not going anywhere. I have no ambitions past this, but the need is there, and some of the examples of some of the problems that I'll leave you, I'll leave you some of the notes that will give an overview of all this.

For example, the 911 telephone service that has been mentioned a couple of times, if you are deaf and you try calling 911, you're going to get a speaking operator, who is going to hang up on you because you can't talk to them. We talked with some people from the city who operate the system with the police department and they blamed it on A.T. & T. And they said to talk to A.T. & T. about it. The technology is there. Why wasn't it built into the system? No one asked. Nobody talked about it. And I don't know what's going to be done about it. There's a lot of resistance to even want to talk about it, as everything is.

With housing, the City is governed by architectural barrier laws from the state. We're trying to get the city to be a little more receptive in passing regulations on a citywide basis and some of these things are this: the apartment regulations on a statewide basis in point of fact say that no one has to build an accessible apartment house. The state regulations are so lax that if a builder builds a step up to a door, the building is inaccessible so he doesn't have to make it accessible. This is a disastrous regulation. Now to get this changed is a monumental task that a group of 15 or 20 people are not going to be able to go to Sacramento and get these things changed rapidly. We will try.

We need to make you aware -- the keyword through all this and through all the problems you are going to hear is awareness and unawareness of disabilities is really hard to overcome. Last week I was up in Sacramento and they gave me an inaccessible hotel room and the gentleman that brought our luggage up -- we were arguing with him as we always do -- everytime we check into a hotel and get a promised non-accessible room and he didn't see why we were so upset about this. I could take a door off and get into the bathroom. I backed into the bathroom and he saw that I was -- it occurred to him later in the day that I was stuck in there. I couldn't use the sink, I couldn't use any of the facilities but I could get in the room, and he was really impressed I could get in the room until he thought about it and finally occurred to this singular bellhop that this ain't working. What he thought over the years has worked doesn't work. So that awareness struck him.

I was at a hearing with Councilman Woo and Councilwoman Pat Russell and a gentleman who raised a question I think with Wachs about the interpreters -- he wanted to speak at this hearing of the Transportation Committee. He had to leave because there was no interpreters. This is where that action came about. I just want to reiterate this because I want to shock everyone. There is not one interpreter in City Hall. There is not one interpreter in City Council meetings -- nowhere. If you try going to City Hall and you're deaf, you try and transact business forget it. There is no one.

Getting back to housing; with the housing regulations, the apartment regulations, as I said, really don't exist. What's happening now is that builders have caught on very rapidly that if they get a permit for a building as a condominium then it doesn't need any regulations. It's just like a single family dwelling. They don't have to make it accessible, they don't have to make it adaptable, they can do anything they want, and that's what's happening.

Now out in the San Fernando Valley right now there is an apartment complex that just opened with 1,296 units. They were given a high density variance. They were financed 80% by the Community Redevelopment Department which is not one of my favorite people -- they don't care at all. I got news for you. I'll let them get on my back real good. When something gets into their hands they call the shots, they call how things are going to get built and they don't require anything. This is a serious problem. But they are privately owned -- so they come under the laws of being private -- they permitted them as condominiums. Even though they're labeled, and they're titled and they're given high density variances for apartments, the city does not require any accessibility.

Now something on a positive note, on what can be done -- what I'm recommending is that when the City Building and Safety and the Planning Department gives a high density variance -- that they require accessibility. They can do that without legislation, they can just say, "We want it." And if the builder doesn't want it, then they don't give them the high density variance. That's a very easy thing to accomplish today. Doesn't take any legislation, or permits or anything. To go past that takes some city ordinances. But the city, if it's going to be a leader in accessibility and barrier-free design, it's going to take some bold steps. And it's going to take some input from various groups to get this accomplished.

A gentleman spoke earlier about the homeless, he was quite right. If you're homeless and you're disabled you're in trouble. If you're in any group and you're disabled, you fall through the cracks. The people who are looking for apartments can't find any. People who need employment -- we're working with the city right now to try and get them to waive the requirements of the Civil Service exams if it's not required of your job, if your disability is not part of the job, then it doesn't relate to the exam, to waive it. There is some conflict with that. But if your job is a typist, why do you have to lift 50 pounds? Some of these type of things. A few years ago there was a news story of a state policeman who was fired after some years because he became disabled. He lost his leg. He had an office job, but he was being dismissed because he could no longer broad jump -- I think 15 feet or something. Laws are one thing, but common sense and decency are another and this is where you get hung up.

With the Department of Transportation it's -- they are another one. They operate what they call a community service transportation service. These systems are not fully accessible to the disabled.

I don't think any disabled people like paratransit systems. They're very discriminatory because they wind up being primary systems rather than secondary support systems. But the City Councilman all like paratrans -- these local services -- because I think it helps them get re-elected. But they're not fully accessible. But the Department of Transportation says they are. And because they say they are, that's it.

Now one of the things I want to convey to you -- and I'll talk about some of the more positive things -- is this: the Mayor has been in office a length of time, he's got a staff of people that work under him, he's got a lot of general managers. As an example of our conversations with the Department of Transportation, we met with a representative of the Mayor's Office and a representative from the Department of Transportation over this issue and about a week later I got a letter back signed by the Mayor, even though he was not at the meeting, but he quoted verbatim everything this guy said, so I questioned who wrote the letter. But Mayor Bradley told me that the Department of Transportation was doing a great job, but they're not! The systems are not accessible. You wait two weeks, three weeks, a month, on some of these services to get on them. They're atrocious. The Fairfax Trolley is not accessible even though the Councilman in that district says it is. These are severe problems. You can't get around. If you can't get to your doctors appointments, if you can't get out into the community, you have a problem.

We're not going to be driven back 15-20 years -- the gains that have been made by a lot of people over the years because of these things. But you have to understand where they're coming from -- and where they're coming from is the department heads inside of City Hall. Their jobs are on the line. And every time you write them and you pose a problem to them, the general response is, "No, we're doing a good job." So we ended up going outside the Mayor's Office, which causes us a bit of a problem. It's difficult to go to City Councilmembers. We wind up going to Attorney General's Office. We wind up going all over the place trying to get problems solved just because the department head said he was doing a good job. Some of the people at the county level know the same problems. The same things happen there even though they have a little bit better resources.

CHRISTOPHER McCAULEY: Mr. Smith, in the interest of time, can you summarize the positive things you wanted to conclude with. Then we'd like to have some time for some questions.

RICHARD SMITH: Yes. Indirectly, I've covered a lot of these things, but the transportation programs need to be looked at until they're accessible. The city needs to take some strong action on the housing and the apartment issues in the city so that the people have housing areas. Common areas inside of apartment complexes should be considered to be public areas -- they're not right now -- they're considered private, which makes no sense at all. Again, that's to get around the accessibility regulations. I covered the employment applications, interpretive services, the architectural barriers, these are all the areas that need to be improved.

The city should pass a resolution stating that Los Angeles is to be considered a barrier-free, discriminatory-free city in all aspects of social environment which affect the disabled.

And the last one would be in education. Some work desperately needs to be done in the school system to start turning out individuals who are capable of going into entry level jobs, where especially disabled people cannot be placed -- they are available but they cannot be placed -- because they are not trained in just the rudimentary skills to get an entry level job.

If anyone is interested in coming downtown to some of our meetings we meet the second Monday of every month and we are very busy in all these problem areas and I'd like to ask for your assistance.

CHRISTOPHER McCAULEY: Thank you. We can provide that.

THOMAS FRANK COLEMAN: I have a couple of suggestions or questions that may address this whole panoply of issues that you discussed. From what you say, it appears that the city government, or the people of the city through their government, have given the disability issues, through this council, very low priority, very low status. The Advisory Board was not created pursuant to an ordinance or the administrative code. It was a nice makeshift thing that maybe worked for awhile but it appears it doesn't have full participation right now. And I'm wondering if a recommendation from our group would be well received by your group, if, down the road in our report we make some recommendation that maybe it's time for the Council on Disabilities to become a full city board like the Women's Commission, or Human Relations Commission, or some of these other commissions with a staff member and with a budget that's responsible to you, not the Mayor or somebody else. Would that be well received or has the time come for that?

RICHARD SMITH: I thank you for raising that. It's something I was going to mention that I thought I'd leave out just for the time being because again I don't want to sound too proprietary and pushing our own agenda items, our own council and such, but yes, that's exactly what's needed.

THOMAS FRANK COLEMAN: You could call the department heads to your full board meetings, asking them to come and meet with you to testify or whatever.

RICHARD SMITH: Yes. In lieu of that, that's why I was giving examples of testifying in front of -- when Pat Russell saw that this gentleman couldn't testify in front of this committee because there was no interpreter she was shocked, I think legitimately shocked, that this existed in City Hall. No one thought about it. And this gets back to awareness. Awareness is what to the disabled community is probably the most important support you can use. People are just not aware. They are just not conscious of the problems that come about. Then yes, this is the only answer to solving this problem.

THOMAS FRANK COLEMAN: As a follow up to that, the other thing I'm wondering -- the Mayor makes 199 appointments to various boards and commissions. To your knowledge are there any disabled people that are serving on these? For example, is there a member of the Board of Building and Safety Commissioners who is disabled, or the Housing Advisory Board that advises that body? What I'm getting at is if there are disabled people who can advocate out of experience on behalf of the disabled community right there on the various boards that deal with these issues -- like the Board of Building and Safety Commissioners -- would that help? And has that occurred, do we have those types of appointments being made?

RICHARD SMITH: There is one member of the Building and Safety Appeals Board who is disabled -- a non-visible disability. Outside of that, I don't know of any other disabled Commissioners on a Commission level in the City of Los Angeles.

UNIDENTIFIED: This is a point of information...the President of the Board of Transportation Commission is disabled. In fact many of the points that you raised might be better brought to the Board of Transportation Commissioners. I think they'd be more receptive.

CAROL GILL: Sue Ridenaur will be testifying this afternoon, a disabled person who has worked extensively with transportation issues in the City.

RICHARD SMITH: She's involved with the County issues though, she's not a City Commissioner.

CAROL GILL: No she is not a formally appointed person but she's a long time activist.

RICHARD SMITH: Oh, there are many activists out there. But I think the question was in the City structure -- are there any disabled

individuals in these different agencies that bring forth these problems -- and there aren't. That's the basic answer.

THOMAS FRANK COLEMAN: Or at least we're saying it's underrepresented.

RICHARD SMITH: In the Housing Authority there isn't. In the Community Redevelopment Agency there isn't. I've been disabled for 15 years and my wife would not sit here and tell you that she understands for one minute. And she's very close to me. She will not for one minute be able to put herself in my shoes and answer questions for me -- what I need and what I don't need. And I think any disabled individual has the same situation. Non-disabled persons cannot put themselves in the shoes of a disabled individual. You don't see what they see. You don't see the one-inch rise in a curb. It's impossible. It's impossible to train someone to this extent and this is what's needed -- to answer Tom's question -- more disabled people functioning inside the city government.

CHRISTOPHER McCAULEY: Well you've posed very eloquently I think the challenge of being truly inclusive. So many of the issues that we're talking about in terms of making -- whether its family issues or however we define them in family diversity -- real solid contributions as opposed to token efforts, and I think that's what you describe here is a very sad picture. I appreciate the candor of what you're saying because it's better for us to know exactly what is being stated and not done than just the high points of achievements. I mean we really need to engage those questions and problems and those can be reflected in the report.

UNIDENTIFIED: I'd just like to applaud your candor. I had an experience about two days ago in which a neighbor of mine had a friend visiting who was disabled and we finally realized that our entire area is non-accessible and I had never noticed it before so I think your raising these issues is very important.

RICHARD SMITH: Let me make one point. I don't know if this will come up later or not but recent studies showed -- I think it was 25% of the adult population (a social security study) over 18 are disabled. That's not including any children and not to frighten people with all these housing regulations and things that need to be changed. Start counting down -- 1 out of 4 folks because it's going to happen; someday in your life you're going to break a leg, you're going to have a problem. You're going to have a sight impairment. And if society does not work toward these goals and these ambitions you are going to find yourself locked out as much as that poor other guy. And it is exactly why we're working so strongly on these issues. Because it's going to happen. But it's so hard.

Kenny Hahn is such a great man. Two years ago, a year ago, I don't think he would have realized he was going to have a stroke. It does happen and we need to work for these things.

CAROL GILL: I want to make a comment about this and maybe a question as well and that is I heard over and over in your testimony today the phrase "lack of awareness" and I have to agree with you and I would like to add maybe a stronger statement of that to a dependent and that is not just lack of awareness but prejudice. I think that we in the disability community have been really uncomfortable pointing our fingers and identifying prejudice where it occurs and I think part of that problem is that because of the fractionalization and our difficulties coming together as a group, we've had a difficult time recognizing ourselves as an oppressed minority group and certainly everyone else in society has had that problem.

I think maybe what we need to do -- and recommend to the City Council as well -- is some kind of position statement that disabled people in the city will be recognized as a bona-fide minority group with issues related to oppression and discrimination and prejudice. Maybe with that recognition we can go forward and start formally instituting these changes and appointing the correct people. I think because of the general populations concern about being 1 of 4, one of the 25%, there is a personal resistance to facing disability issues. It's personally threatening. I think that's one of the factors that underlies the special prejudice that disabled people experience and because of that very factor -- that we are vulnerable -- I think it's been difficult to get people to address these issues -- like what happens when you want to get into a building and there are steps.

I'm concerned a little bit about the makeup of the City Advisory Council now, the Mayor's Advisory Council in that, as you pointed out, we have all volunteer members. I like the idea of having a budget. I like the idea that the decisions about it would be made by the people with disabilities. That's been a real problem. I know myself, I have turned down a request to be on your committee because I simply haven't got the volunteer time left. There aren't enough hours in the day and enough money to get people with disabilities to these Task Forces, unless there's some assurance that they will be powerful. And until this point, this particular Advisory Council has been so powerless that it hasn't been worth the time and the trouble for many disabled people to serve on it. And so I welcome the suggestions to make it more formal.

CHRISTOPHER McCAULEY: Good. Thank you. We have three witnesses in the room and I need to move very quickly to them. Thank you very much.

RICHARD SMITH: Thank you very much.

CHRISTOPHER McCAULEY: Sister Elizabeth Thomas has patiently waited to come forward. She's the Executive Director of Media and Values and she is here on a very interesting topic: the media and it's impact of families, particularly school programs.

SISTER ELIZABETH THOMAN

Executive Editor, Media and Values

Families and Media Literacy

ELIZABETH THOMAN: When I was a child one of my favorite television shows was "My Little Margie." Some of you might not even be old enough to remember it. I loved Ann Sothern's independence and determination as Margie. And even now I remember the experience of feeling, "When I grow up I'm going to be like her." My father, on the other hand, disliked the show intensely and for awhile declared it taboo in our house. Pushed by my "Why, Daddy?" his reason was that the character of the father was rather a blundering fool and was always outwitted by his wily and manipulative daughter. He didn't want me to see and learn such disrespect. Although as an adult woman today I would rather he had been more concerned about the sex-role stereotype which Ann Sothern's character was based on, I have to admit that my father's and my ongoing battle over "My Little Margie" was formative in many ways.

First, although I had disagreed at the time with his decision not to let me watch it, I do remember respecting that decision because he explained it to me. At least I knew it was not imposed out of whim. Secondly, and more importantly, our discussions taught me something else. They taught me to look critically at what was coming across that fabulous phosphorescent tube. While his reason for my not watching may have been a bit old fashioned, the fact that he analyzed what was coming into our living room and commented vociferously on any ideas and images he disagreed with, inspires me even today. Perhaps it is no wonder then that his daughter grew up to be the editor and publisher of a magazine called "Media and Values."

Backed by a non-profit coalition of educational and religious organizations -- Catholic, mainline Protestant, and Jewish -- Media and Values is the core of an emerging media awareness movement based on the work of Brazilian educator, Paulo Freri. Using a four-step analysis, reflection, and action process, Freri, if you know any of his work, revolutionized literacy education in Latin America and subsequently in many countries around the world. Now at Boston University, Senor Freri continues his profound influence in the education field.

At Media and Values, we have applied his methodology to the issue of media education -- recognizing, in a way, that many Americans are just as

illiterate and deprived when it comes to reading the mass media as uneducated peasants are in understanding labor contracts, prayer books, or the daily newspaper. Using Freri's methodology, we have developed an approach that helps young people and adults learn to process the messages and images that bombard them daily from television, films, cable T.V., radio, billboards, videocassettes, advertising, records, tapes, and all the other media that are in our living rooms, our kitchens, bedrooms, cars, even the bathroom shower -- that we attach to our wrist, put over our ears, strap to our waist, that we encounter in stores, schools, churches, the workplace, and especially the street.

Freri calls his process the "circle of practice" but it's really an upward spiral. And as long as you already have the copies of the magazine, I call your attention on page 12, there's a model of that in the article as I go through this. But it's really an upward spiral of what each person knows best: his or her own life experience. From there the process moves through a series of questions which basically cover four steps in the ongoing evolution of a person's consciousness.

The first step of awareness simply asks, "What's going on here? What's happening to me, to my family?" It's a descriptive state. Then we begin to put two and two together in a kind of analysis step, "How did this situation develop? What resources are being used or gained? Is anybody winning? Who is losing? And who's deciding? What is happening to the relationships of the people involved as a result of this situation?" And you may be certainly familiar that this social analysis process is used in very strong social issues as transportation in East Los Angeles or almost any of the issues you've got here, for example, the questions of homelessness. We've applied it -- the social justice community has applied it -- deeply to all the social programs we raise so it crosses many boundaries. I'll apply it to media in a minute. In the third step, reflection, we ask, "What ought to be happening, what is right, just, fair, what do others say about this situation or ones like it, for example, the wisdom of our elders, the ethical imperative, human courtesy and civility, our religious traditions, perhaps even our scriptures?" Finally, we begin to formulate some action, how things might be different, what can I or we do to change things? Applied to the process of media in our society this method can easily be a framework for a family, say, to consider the impact of a new video cassette machine they got a few months ago for Christmas.

Some questions they might ask include: at the awareness level, "What is happening in our family?, in the months since we got this thing?" Analysis: "Who's using it? Who's not using it? Does anyone feel left out? Who decides what will be watched? How do those decisions take place? How much money is being used?" Economic questions: "Can we afford less? Can we afford more? What would we be doing if we were not using the VCR?" On a reflection level, the questions might be: "Deep down, is the

VCR contributing or detracting from our family relationships? Is it really right to copy tapes that belong to others? Or, perhaps just because we, that means the adults, can have explicit movies in our home, does it mean that we should?" At the action level, some questions might be: "What changes can we make in our use to get the best use out of this VCR? Should we build a library of family tapes that will both entertain and inspire us? Should we make it a family policy not to illegally copy tapes?"

Clearly such a process applied regularly to our media consumption patterns would help every family, and the individuals in that family, of whatever age or composition of that family, to learn to be more intelligent and aware consumers of today's mass media.

Our critical consciousness, I emphasize, will not necessarily be all negative. Indeed, one of the marvels of our age is the great potential of new technology to bring humankind together, to create understanding, to explore new frontiers, to experience the thrill of accomplishment of learning. But that will never reach it's full potential in a nation or in a city of couch potatoes. Consciousness and awareness of the role of mass media in our lives is a major task for our society as we move toward the year 2000.

We'll convey to the Task Force to investigate the ways the City of Los Angeles can use its influence to alleviate problems currently affecting Los Angeles families.

In the area of media I have three suggestions:

(1) Encourage the development and implementation of a media education curriculum through the school system -- elementary, junior high, high school, and especially adult. Just as children learn to read words in print, they need also to learn to read the powerful, audio and visual images of today's mass media, and the subtle influence of new technological innovations. No longer can such a program be considered a luxury curriculum.

(2) Encourage the family and social service systems to be sensitive to the media connection, particularly in dysfunctional home situations. One reason children may be undernourished, could be because advertising popularizes junk food and sweets. What can be done, then, to educate the family grocery shopper about the persuasion techniques that are aimed, not at entertaining her, but at getting money out of the family pocketbook? The key here is to educate, what I call, influence leaders: family counselors, social workers, scout and youth leaders, teachers, librarians, perhaps by holding conferences and workshops, providing resource materials, or even the commissioning of the development of a media awareness checklist as part of the ongoing social service process.

(3) Because the Los Angeles area is so intimately tied to the multiple industries that create this media culture, the city might very well challenge this private sector to increase its social responsibility for the impact of its products on the larger society. I have been impressed with the way film and television producers have recently volunteered to monitor the images they present of drug use and abuse. This should be applauded, and more done to encourage the entire industry to participate in and perhaps even fund some of the programs I've described.

For the record, I'd like to introduce for your further consideration the ideas contained in the recent copy of Media and Values entitled "Making the Media Work for You." This primer on media awareness contains a number of articles by researchers and writers on the ubiquity of media today and the challenge and responsibility of becoming and staying aware. I particularly point out "The Geography of Media," by University of California, San Diego researcher Michael Shudsen, "Making the Media Work for You," an excellent checklist for families to review their media use, and a blueprint for responsibility which outlines further the Freri process I described above. A copy of each issue is provided and more are available. Thank you.

CHRISTOPHER McCAULEY: Thank you very much. I never guessed that after Pedagogy of the Oppressed this is how Freri would show up in my life years later. Interesting. Interesting. Questions?

One question I had was about the -- I don't want to say this was an omission -- but you didn't discuss anything about cable or anything that's directly related by the city. Would you comment on that a bit?

ELIZABETH THOMAN: Yes, I thought about that. I just felt I couldn't go on forever. I do know that the City of Los Angeles is very much involved in cable right now and I think that needs to be monitored and really looked at in terms of cables' potential -- both as a service to the city and as a potential for education. Cable has had a very up and down life. For awhile we thought it was going to go out, that it wasn't going to survive. I'm very disturbed that it's come down to real economics of cable. I shouldn't have been surprised but had hopes, like so many of us, that cable would open up the potential for public service, for public access, for education, for City Council, for all the services that are needed. Instead, it's become just another commodity, just another vehicle for selling viewers to advertisers. I think that's a real tragedy and needs to be addressed.

CHRISTOPHER McCAULEY: Is that a topic that you will be addressing? Obviously, any part of the media or mass media that has direct regulation by government, whether it's federal level, or in this case, these franchises, and negotiations, elaborate negotiations are taking place. There's a point there where you can introduce some questions, so it may be

that either in your journalism efforts in this it might be an area that might be interesting.

ELIZABETH THOMAN: Well, again, my field really is media education not regulation or drafting legislation or even testifying. This is the first time I've ever testified anywhere. But there are other agencies that do that, both nationally and locally and I really applaud that. I just have 18 hours in the day you know. But we are very concerned about the education and I still feel that to educate the consumer is a big piece of it because, ultimately, and especially with cable broadcasting available. You just turn the TV on and it's there. With cable you have to make a conscious choice. We're either going to buy it or we're not. We either have to look at the services that are available, will they help our family, will they help our household, or not? And at that level, the education of the consumer about what's available, what's not available, what they're being ripped-off about, whether they can afford it or not, the potential benefits of the cost of that, all those kinds of questions need to be raised, or an education program provided for the consumer to make an intelligent and informed choice.

CHRISTOPHER McCAULEY: I'm totally in agreement with you. The point -- I'm not perhaps saying it clearly. There's a point at which the public policy aspect can be engaged. And if your mission in this journal is about changing some of that awareness and that level of consciousness, where that will get engaged in the reality of everyday choices that people make, in the marketplace, it will be in City Hall, it's going to be at these regulatory agencies, and as we're learning from various statements that are made, the fact that the Commission or Task Force or Regulatory body exists may not necessarily mean that somebody is engaged with a question. So it may be that, if these things, like encouraging certain things to happen with social agencies -- and those are funded agencies -- this is where we need to engage that. So that's the kind of point I was trying to make. Thank you so much for being here. We appreciate it.

ELIZABETH THOMAN: Thank you.

CHRISTOPHER McCAULEY: Roberta Achtenberg is the Directing Attorney for Lesbian Rights Project. She is here to speak on gay and lesbian families -- couples, children, discrimination that's experienced against them. We appreciate her taking the time to travel from San Francisco to be here today.

ROBERTA ACHTENBERG

Directing Attorney, Lesbian Rights Project

Gay and Lesbian Couples/Families

ROBERTA ACHTENBERG: Thank you. I think it's incredibly commendable what you're studying the way families actually function in society rather than the way we imagine they do. When we look at our families we sometimes think, "Our family is the aberration because it's not the 2.3 kids." It's only recently that we've come to find out that, in fact, the aberrations are not the exceptions; in fact, our families are the rules and the other families are the exceptions. And that's an important awareness I think for most of us.

It certainly is important one for people in the lesbian and gay community to recognize that we are people with families and that we are family people. This is an incredible link of consciousness for our community and one that we are attempting to get others to recognize as well. The perception of us is that we are neither people with family nor family people; that our mere existence is antithetical to the creation and preservation of family structure; that we don't have significant relationships that we care to preserve and protect -- and those are myths -- myths about "family" that the public in general needs to be disabused of.

I have brought for purposes of entering into your record a relatively well documented paper entitled "Preserving and Protecting the Families of Lesbians and Gay Men" written by yours truly. It's a publication of the Lesbian Rights Project and I'll be submitting it to you for your perusal. It basically outlines the disabilities under which lesbians and gay men suffer in their efforts to preserve and protect family structure -- whether those families be families consisting of adult mates or families also including children. The litany is long and I know that you are aware of many of the issues that are presented here, but it certainly gives you documentation or something to site if you're at all inclined to do that.

I have also brought with me a publication called "Recognizing Lesbian and Gay Families-Strategies for Extending Employment Benefit Coverage," which, without sounding too presumptuous, is probably the definitive piece, at least at this point in time. God knows more needs to be done and I know that perhaps the report that is generated by your Task Force will increase the amount of information in the field I suspect that it will. This is, at this point in time, a definitive piece on the inequitable distribution of

employment benefits to the employee based on his or her marital status as opposed to the kind of more equitable distribution which we advocate here and which I'm going to talk a little bit more about.

Equitable distribution of employee benefits has to do with the employee's actual needs. It has to do with what provision of employee benefits should be about -- which is to preserve the, let's say, for example, the health of the employee. It has to do with the kinds of things an employer should be concerned about that provide a basis for justifying the distribution of employment benefits. This booklet outlines pretty well for you the discrimination that is being faced by non-marital families in this area both economic discrimination and discrimination in the sense of injustice in and of itself.

Equitable distribution of benefits focuses on our ability to provide for our family partners in the same way others are able to provide for their spouses, in terms of their needs for health care, in terms of their needs for dental care, their needs if they survive us, if we are the main breadwinner in our family. It deals with our ability to provide for our children, as well, particularly if they are children for whom we are economically responsible but they are not children who are related to us by blood or marriage. Our ability to function to protect and to preserve family units that in fact we have created is severely undermined by the present system by which employment benefits are distributed and I know that you're going to be taking a very close look at that issue.

I don't mean to restate things that you may have heard from other witnesses, but merely to reiterate to you that I think it is a critical issue facing our community. It's an issue of economics and it's an issue of social justice. I want to encourage you to do all that you can to see to it that the City of Los Angeles tries in some very positive, aggressive ways to address this particular injustice.

I have a number of suggestions of ways that you might proceed. Many of my suggestions don't necessarily represent a large price tag for the City of Los Angeles. The city as employer could do a number of things to equalize the distribution of employment benefits among its employees without respect to their marital status. I know that you are going to be talking in depth about bereavement leave being extended to non marital families -- out of the sense of justice to the employee who is not married and who's primary emotional mainstay may not be someone to whom they are related by blood or marriage. I don't believe that there's a significant price tag attached to extending bereavement leave to married employees and non-married employees alike on behalf of their primary emotional mainstay and certainly that's an area that could take shape relatively quickly and wouldn't have much cost attached to it.

Additionally, you may want to look at not only the city as employer, but the city as providing all kinds of services, where, for example, family memberships are given. I don't know if the city runs playgrounds, or various and sundry recreation programs that may be available to families on a discounted basis, but often the definition of "family" doesn't include the nonmarital family, and therefore the lesbian and gay family is often excluded from discounts, etc.

Now, when you talk about developing criteria for the definition of "family," you sometimes get into a discussion -- people say, "There's no way to know. You want the city to be involved in trying to figure out which are legitimate and which are not legitimate relationships?" Let me say that one thing that we encourage, in terms of the way you analyze this problem -- and the kinds of things that you decide to do about it -- let me say that I believe that the criteria will vary, depending on the problem or issue being addressed.

If we're talking about family library privileges, for example, we're talking about something that doesn't cost the city money and where presumably it would be equally as legitimate for me to be able to designate someone who would be entitled to what we often call a spouse-related privilege. I should be able to designate someone who the librarian would have identifying information about and who is probably no more likely to steal library books than my spouse would be if, in fact, he were someone of the opposite sex and I were married to him. So, if you're talking about library privileges, we don't have to have a lot of criteria about whether or not people live together in the same household and the like -- it's just not relevant to whether or not you extend library privileges to the employee and his or her partner.

On the other hand, if you're talking about benefits that have a large price tag attached to them, and which places the City as an employer in some position of risk -- like health benefits, for example -- then you do need guarantees against something called "adverse selection." Let me say that, I do believe it is possible to develop legitimate criteria that both include established, stable, nonmarital family relationships by definition and do protect the City as employer or the insurer or whomever we're talking about against the problems of adverse selection. And it has been demonstrated. You would not be the first entity -- if you were to adopt a recommendation for the city as employer provide health care benefits to its employees and its employee family partners as well as to its employee spouses -- you would not be the first entity to do something like that. Certainly you could look at the experience of other entities to see how it is they avoided problems of adverse selection. There are a number of successful programs in operation now. You don't have to reinvent the wheel and there are a number of ways of insuring against people choosing someone merely because they need the benefit rather than appointing someone who is in fact their family partner.

Without going into the various criteria that might be utilized in such a situation, let me just commend this resource to you and say that it is possible -- in our experience. We do cite a number of successful programs in here, and certainly that kind of information, perhaps the staff of your group might like to look into it to provide you with in more depth information.

Let me say there is nothing in law that prevents the city from extending such benefits to nonmarital family partners. I was asked to comment on this, since I am the attorney who litigated the Hinman v. Department of Personnel Administration case, which is an intermediate Court of Appeal case. We sued the Department of Personnel Administration on behalf of a gay state employee who sought to cover on his dental benefit plan his family partner -- the same way heterosexual state employees were allowed to cover their spouses. We attacked it as a violation of equal protection law and as a violation of the Governor's Executive Order which prohibits employment discrimination on the basis of sexual orientation. We were not successful in that litigation. That's only the opinion of one District Court of Appeal, let me say. Nonetheless, the fact that it is arguable that equal protection doesn't require it or that the Governor's Executive Order isn't violated by virtue of dispensing employment benefits on the basis of marital status doesn't mean that you can't take some affirmative step to eradicate that form of discrimination -- and it is discrimination. It is discrimination that costs lesbian and gay workers tremendous amounts of money. The truth is that we pay twice for things that other people do not. The truth is that we do not enjoy the same ability to protect our family partners as heterosexuals do to protect their spouses and we do not enjoy the same ability to protect our children as heterosexuals do to protect their children -- if, in fact, those children are the children of our partners and therefore not legally ours, but if we are responsible for their economic survival.

So those are just issues that I point out to you, there's no law against it, although I think that there is a moral law -- an economic law if you will -- that actually militates in favor of it and I would encourage you to examine as a viable option for trying to equalize the benefits that the city provides gay and lesbian families and nongay and lesbian families.

The other thing that I would commend to you is a resource that I did not bring with me, and I would like to provide you with it. Mayor Feinstein, when she vetoed our domestic partner legislation in San Francisco, for which she has gained my eternal emnity, she did appoint a Task Force to investigate the issue -- to demonstrate her good faith that this was not an anti-lesbian or anti-gay action on her part, that it was merely a reflection of the fact that the legislation was flawed or that the concept was not viable. In any event, she appointed a Task Force to examine the viability of providing this kind of benefit to city employees and

that Task Force did issue a report which she then tried to see that it never saw the light of day. I'm trying to find a copy of that report so that you might have the benefit of some of the research that's already been done. Let me say that it turns out that one of the recommendations of that report is that partner benefits be extended ----to the extent that they might be extended to nonmarital families, they should be extended to lesbian and gay family partners only. It is not my opinion that if you were considering legislation like this or providing this kind of benefit -- the city as employer providing this kind of benefit to its employees -- that you not limit it to lesbian and gay employees and their family partners but that you extend it to all nonmarital persons with family partners. Practically speaking, that creates for you an additional interest group, although it's a relatively weak interest group. We all imagine somehow that there's a group of people, heterosexual people who live in non marital relationships and are organized politically around the fact that they live in a non marital relationship. In my experience, having been organizing around this issue for a good amount of time, it's actually not the case, it's not one of their sources of primary identification and usually it turns out to be that its an interim measure -- that they're either in between marriages, or it's not viewed as a permanent situation for the most part. This is not to say that some people don't live in long term nonmarital relationships indefinitely, some people do, and some people still have political scruples about whether or not marriage is an institution into which they want to enter. But for the most part, as I say, it doesn't constitute them as an interest group. Nonetheless I do think that it broadens the base, takes some of the sting away from the accusation that you're providing the special benefit to the lesbian and gay community, that horrid special interest group and I think politically speaking it would probably be a wise inclusion.

I do believe however that you should not pander to the notion -- since there is no way to know who a valid lesbian or gay persons' valid partner is -- that we should not talk about including every member of a persons family. If Susie lives with Aunt Maud and Aunt Maud is somebody who should be eligible for this kind of benefit -- we are talking about the truth of most peoples living situations, we're talking about their mated relationships and we are talking about the ability of an adult to provide for his or her mate and in that respect, I don't believe that the argument about Aunt Maud is a valid one. We would have to figure out how people can provide for extended families in order to answer this particular question. I don't think that's a viable solution. Including Aunt Maud basically would guarantee that the price tag would be so high that there's no way that you could extend the benefit to those for whom I believe it should be intended.

Let me just sum up and say I think you could look into this, that it is something that you could do, but there are many benefits that you could be providing. Nonmarital families are general, lesbian and gay families are particular, they don't necessarily have price tags attached to them and this

would be a large step toward helping lesbians and gay men preserve and protect the family relationships that they are creating.

There are many functioning family units in our community that public policy and law presently are undermining. All the speakers who preceded me were talking about what happens when the family breaks down and I think its commendable that you are looking at what government may be doing inadvertently to help the family break down. There are things in the case of lesbian and gay families that in fact you are doing that could relatively easily be undone. There is mental health to be gained from this. There is economic viability to be gained from this. There is a modicum of social justice to be gained from this as well.

So with that I would say that I'd be happy to answer any specific questions that you might have.

CHRISTOPHER McCAULEY: Thank you very much Roberta. Questions?

DIANE HIMES: Just to respond a bit to what you were saying. We have the programs from San Francisco, from Berkeley, from two other cities I don't remember at this moment. We are including --trying to recommend the cafeteria approach for benefits -- and that would indeed include heterosexuals who are un-married. I'm just laying to rest a little bit of the concern that I heard. I personally have called Mayor Feinstein's Office and I've also had the Neighborhood Arbitration Bureau which I helped fund, start up there, asked Mayor Feinstein's Office for their report. "Say what?" is the best answer I've gotten. So one thing I'm curious -- and this is completely away from the domestic partnership issue for a moment and strictly focuses on lesbian issues -- we've had a lot of testimony in the gay community and not a lot of testimony absolutely totally focused on lesbians. I am interested if we have an increasing violence rate in the lesbian community as we are experiencing in the male gay community. It's not my experience that we do. I would like some input on that.

ROBERTA ACHTENBERG: You mean domestic violence between lesbians?

DIANE HIMES: Domestic violence between lesbians, yes, but also hate violence. We're mounting a major campaign in the Assembly right now with AB 63 redefining discrimination and intimidation and hate violence. It is the perception of the Sacramento crowd that hate violence in the gay community is strictly against male gays. If that is not a fact, I would like your testimony to that and/or any other than practical approach, anything you'd like to say about implicitly lesbian issues that I as a middle-class White woman might not necessarily know and I might be able to have your input from a different viewpoint -- because you have a broader reach into the lesbian community perhaps than I.

ROBERTA ACHTENBERG: Let me say that anti-lesbian violence usually manifests itself in the same way as violence against women does generally. By that I mean, women are more likely to be raped as a result of violent encounters with men -- and that's as true for lesbians as it is for heterosexual -- so it usually manifests itself in a different way. You probably suffer from underreporting in the same way that women in general don't report rapes. Lesbians don't report rapes as well. I think that lesbians are less visible than gay men in the same way that women are less visible than men. I think that's true in the mainstream media -- the women are usually the reflection of men as opposed to the other way around.

Basically, one of the ways women get by is by trying to remain somewhat invisible. How you get past a construction site. The plight of any woman is significant when we're talking about that -- and that's true for lesbians as well. So you spend a lot of time as a woman, as a lesbian, trying to figure out how to get by and avoid confrontation. So that would be my answer to that. There is increased violence against lesbians and gay men to the extent that there are now gay identified neighborhoods, to the extent that people want to be more "out," to the extent that people want to be able to -- within reason -- express publicly their affection toward one another; and we're not talking about having sex on the street corner, I'm talking about holding a hand, kissing on the cheek and that kind of thing. You will have increased violence against lesbians precisely because they are lesbians. Nonetheless it manifests itself in ways that violence against women usually do.

Regarding the issues that are specific to lesbians let me just say that the the Lesbian Rights Project was created ten years ago. We are a public interest law firm. I should say that I'm a lawyer and my experience is that of litigation, public education, a little bit of lobbying. The reason that the Lesbian Rights Project was created ten years ago was to address the need of family that weren't being addressed by any other kinds of organizations either outside or within the lesbian/gay community.

Family issues have always been of primary concern to lesbians because we are women. Probably a third of us are mothers of children -- and that number is growing partly because inside the lesbian community as true with the gay male community as well with the new emphasis on family and the understanding of the importance of enduring relationships. We are seeing an increased desire on the part of lesbians, for example, to have children after recognizing one's sexual orientation. It used to be the case, that lesbians had children, as I say, one-third of us do, that we have them in the context of a heterosexual relationship.

You have a phenomenon in the City of Los Angeles of which you should be aware which I think is a very positive phenomena -- I suppose others might disagree. Lesbians having children after recognizing that they

are lesbians. Let me say that there's also a great desire on the part of lesbians and gay men to become both adoptive and foster parents of children. And I saw one of the areas you were looking into is the health of the foster parent family. Let me tell you that there is a tremendous amount of discrimination going on in your city, in your county. We get calls all the time from Los Angeles County against highly qualified families, lesbian and gay families who would like to become foster parents for example of appropriate children who are being discriminated against by your social service agencies. By discriminated against, what they're not doing is they are not looking at what the child might benefit from, whose home they might benefit from placement in. What they are doing is trying to screen out highly qualified applicants solely on the basis of our sexual orientation because of some misguided notion that it can only do harm to a child to be placed in the home of a lesbian or gay man. So we say that a desire to have children, a desire to parent children is one that's particularly coming to the fore in the lesbian community and that's true in the lesbian and gay male community as well.

DIANE HIMES: Do you have any statistics on the adoption discrimination?

ROBERTA ACHTENBERG: I've probably only been contacted ten times in the last two years by women who -- and you have to understand that this is women who can find out about the Lesbian Rights Project and place a long distance call which limits the number. But basically I would encourage you to look into this and to the extent that I know you're a city Task Force and that means that your jurisdiction is limited but certainly you can encourage your department of social services to do education around this issue. We have found, and I do a lot of education of social workers on issues about lesbian and gay parenting and the appropriateness of lesbian and gay homes, and we find that education is really a critical key. It's not very expensive and it certainly opens people minds. You probably have a dearth of qualified foster homes in your area and I'm sure you do, everyone does. And it would be wrong of you not to take advantage of this rich resource. There are many people in our community who are qualified to be foster parents. There are many people who are not, and would be, inappropriate placements. We don't have either a monopoly on good parenting or bad parenting or qualifications to be parents -- but then I've also observed that neither do heterosexuals. So I would encourage you to look at those things and I would say parenting is the issue that's specifically emerging in the lesbian community right now.

DIANE GOODMAN: On the issue of parenting, I read somewhere, and can't find where I read it, there were two women who were able to adopt somewhere in the Bay Area. (Joint adoptions, yes.) Is that being done regularly up there or is that an isolated incident?

ROBERTA ACHTENBERG: Now we've done three and the Department of Social Services is -- the policy which I am presently challenging says -- that they will no longer make positive recommendations in cases involving nonmarital couples -- that's their euphemism for lesbians couples -- where non marital couples seek to adopt a child jointly. It's a totally preposterous on their part because it denies the child the benefit of having two legal parents, two people who are obligated to support the child.

What they're doing is perceiving correctly, somehow that it strengthens the existence of lesbian-centered families and that's something they don't want to see happen. So they let three go by and now they're trying to promulgate a rule that says you can't adopt kids jointly if you're a nonmarital family. And I know what the motivation is, I discovered their memos that reveal it relatively clearly -- and I think they're dead wrong. They are not looking at it from the point of view of the child who could who can have two legal parents. We try to provide children with two legal parents all the time. It just so happens that we don't want to do it when they happen to be same-sex parents and I think that that's bad public policy and I think that it's bad from the point of view of the child who they're supposed to be protecting and whose best interest all this is supposedly being done.

DIANE GOODMAN: I have read some of your "Recognizing Gay and Lesbian Families" I haven't gotten all the way through it yet and I have a question with regard to economic versus noneconomic benefits. You were talking about creating distinctions -- the need, not necessarily for a system like the Berkeley Ordinance or that kind of thing for some benefits, but the need to have some distinctions for other benefits.

I'm trying to figure out if we need to design two systems -- one for the big benefits and the other for little benefits -- or if one will do and if that will mess with the little non-economic benefits.

ROBERTA ACHTENBERG: O.K. You're talking about the city as employer? (Yes.) In my view it's strategic and it depends on how much bureaucracy you want to develop. I don't know how difficult it would be strategically because I think that you might want to go after the noneconomic benefits first just because you can demonstrate thereby the viability of a program where you give a designated beneficiary as opposed to automatically making the spouse the beneficiary. I would start there and I would develop a system that could easily be developed into the system whereby economic benefits could follow. I don't think that they have to be precisely the same and I don't think that there's that much bureaucracy involved in making them different and I think that it may be appropriate that they be different. The interests of the employer varies, and the reasons they provide these benefits vary depending on the kind of benefit that it is.

CHRISTOPHER McCAULEY: O.K. Thank you very much for being with us today. It's good to see you. Patiently, prepared, Sue Moore is here. She's the Director of Lesbian Central which has become a very important part of the Gay and Lesbian Community Services Center. She is addressing the topic of gays and lesbians, particularly maintaining stable relationships. Welcome.

SUE MOORE

**Director, Lesbian Central
Gay and Lesbian Community Services Center**

Maintaining Stable Gay and Lesbian Relationships

SUE MOORE: Thank you. I really appreciate being asked to testify and be able to get myself out of the up-to-my-ears grass roots situation that I'm in in Lesbian Central and to adapt an entirely new identity.

I'm going to make my remarks short and sweet because I'm sure you're all hungry for lunch and I have been sitting here very impressedly listening to the previous testifiers and couldn't agree more with the need for media advocacy awareness and for the extension of benefits as described by Roberta. I have three bases of experiential awareness on which I am making these remarks. I'm not a researcher, I'm not an academic. I am by profession a psychotherapist and have been doing social service in the Gay and Lesbian Community Services Center for a little over a year. I have been myself a lesbian in a series of monogamous relationships since 1957 and have experienced what has been called "serial monogamy" which is thought to be a peculiarly typical form of lesbian relationship.

Most of my remarks will be addressed to the issue of lesbians. I think that they can be generalized to gay male relationships as well but I do think there are specific issues, and since I am a lesbian -- that is my area of knowledge and expertise -- so I will be addressing that particular form of relationship.

I have worked in community mental health for many years. I've worked as a psychotherapist in straight society and have done family therapy. And this morning I woke up from a dream which I thought was very odd until I was sitting here with this long period of enforced reflection -- reflecting on the fact that in 1969 or 1970 when I was doing family therapy at the Illinois State Psychiatric Institute -- a real intensive period of gay liberation -- I became very uncomfortable working with family therapy and began to understand that I was healing people and helping people in contexts but I was not in a position to help myself. And I began to feel, "Why am I helping these people when I am not in the position to provide similar services to myself and would get the same kind of support when my family became dysfunctional?" At that point I began to give up the practice of family therapy and concentrated on individual and couple therapy and went into community mental health.

I have a private practice. As a psychotherapist it's very easy to get into the position of studying only lesbians and having that perspective and having that perspective alone. I have strenuously resisted that because I believe it's important to see lesbian relationships within the context of relationship and identity formation at large. And so my remarks about lesbian relationships and identity have to do with the fact that I see them as being particularly vulnerable and at risk. I will read these remarks which I have for your record.

Lesbian and gay relationships are formed within a homophobic society hostile to their formation and hostile to committed same-sex relationships. This has implications for the health and stability of not only lesbian relationships and families but our identity. We receive no institutional support in the form of insurance, employment or retirement benefits. Families or friends are often unsupportive of us or openly hostile and disowning. When we are in trouble as couples we frequently have nowhere to turn for support save the lesbian community. This vulnerability and isolation has implications for the functioning and emotional stability of couples, families, and individuals. We are, as individuals, and as couples (and parenthetically I have to say in my series of five serial monogamous relationships I think I have learned the hard way what I'm talking about). I'm not excluding myself from any of these remarks. I have experienced them personally.

We are often highly co-dependent demonstrating various patterns of addiction and enabling. Because there is so little external support, we often think of ourselves as renegades, bandits -- "It's you and me against the world, baby." This is the typical emotional posture of a lesbian. This in turn sets the stage for an unhealthy confluence or fear of honest confrontation or communication. As a result of this there are many ramifications to that inability to be confrontive and fully individuated within those relationships. As a result we experience a high degree of substance, emotional and physical abuse. When couples break up under the severity of economic and emotional pressure such transitions take place often usually without the benefit of familial and social support. Since there is no legalized marriage contract for lesbian and gay couples there is little recourse in sorting out financial resources and obligations. This can be a very hairy deal in resolving or uncoupling from a lesbian relationship.

I have recently treated a couple who have embroiled themselves financially with one another. This sets up a tremendous capability of emotional abuse, the vulnerable partner usually deciding they have to get out of the relationship, and they can end up on the street completely penniless with the other partner emotionally taking the ball and running with it. I've seen this again and again and as a matter of fact I have been in that position. I have left a relationship penniless. Individuals experiencing a breakup are emotionally at risk under the best of

circumstances. With lesbian couples a breakup can set off a vicious circle of vocational, financial, and emotional instability. Lesbians can expect to receive little support or understanding from co-workers and employers when the going gets rough. They are often estranged from family so they cannot move home as an emotional bridge. At the same time they are unlikely to receive solid support from other lesbian couples who are themselves often coping in a marginal fashion. It's really hard.

When Jay and Susie are having troubles, you say, "Can I come and live with you?" Right now, because all of a sudden you're the single woman, you're the threat. You may want to get into a sexual liaison to bolster your self esteem. So as a matter of fact, the support that lesbian couples receive from other lesbian couples is often very tenuous. They might say, "We'll help you just a little bit, but don't get too close right now." For lesbian women this may mean moving quickly into a new dependent situation without having worked through separation issues with the first relationship. Hence, the serial monogamy. This results in what I would call a very significant mental health issue for lesbians, and I include myself in that population.

We have what I would call an accumulation of emotional debt, or deficit as we get older. That is to say because we are resolving situations incompletely, without support, these situations are not fully resolved, and after five relationships, you can imagine you've accumulated a certain amount of emotional debt. Without a lot of therapy and support that can result in an increased vulnerability financially and in every way. This may mean a descent into drug or alcohol abuse. There's a lot of talk about the intensity of alcohol abuse and addiction in the gay and lesbian community. I think we need to look at why that is. Alcohol and drugs are support where there is no other support. People begin to draw on that kind of support when they don't find anything else around them. Sure there's a lot of alcohol abuse in the lesbian community -- in the gay and lesbian community -- we need to look at where that's coming from. It may mean a descent into drug or alcohol abuse, loss of a job, severe disruption and dislocation or even homelessness. A new round of troubles surrounds such individuals and shelters for the homeless are both havens for the homophobic and heavily dominated by men. Lesbians are women. Women are very vulnerable in such situations. Lesbians are doubly vulnerable in those kinds of situations. There are to my knowledge no transition houses sensitive to the particular needs and vulnerabilities of homeless lesbians.

The remedies that I would like to suggest -- I'm sure have been mentioned by other witnesses, but I've tried to cover all the bases here so my remedies are global.

The city government can and should provide leadership for the entire community by the extensive examination and updating of its public policies around bereavement, library privileges, etc. as Roberta addressed.

Public education: we need a broad based educational program geared to demystify and diffuse homosexuality, that is, to promote the concept of family diversity starting in the public school system, but also extending to all institutions, medical, psychiatric, legal, and social service. This means that public colleges, public schools, should be encouraged to include courses in family diversity and there should be extensive in-service training in hospitals, public social service agencies, and so forth, on family diversity and homosexuality, and on homophobia.

Research: a variety of research projects in community settings, coupling and uncoupling issues -- family issues for gays and lesbians -- should be funded.

Acknowledgement: obviously we are an invisible population and are never given the chance to -- even if we should want to -- acknowledge that we exist. A lot of lesbians and gays are going to continue to want to be positive because they really certainly fear the continued oppression that we all experience. Application forms, records of various kinds, should have space for individuals to acknowledge their same sex affiliations on an optional basis.

Benefits: that's pretty obvious. We need to look at the whole system -- insurance, health and retirement benefit packages. It's funny -- I'm working at the Gay and Lesbian Community Services Center, and we also have health insurance which does not provide for same-sex relationships or benefits and the reason is: it's too costly. It's expensive and prohibitive, but what kind of message does that give to those of us who are working there -- a lousy, a shitty message -- pardon my language. My grass roots are showing.

Media advocacy: I couldn't agree more with the importance of understanding and beginning to look at the effects of media and our invisibility within those pictures that we are inundated with. We need a heavy look at advertisements, public education documents and programs which should as a matter of course include pictures of same-sex partners.

Support: we need a ton of support if we are going to get out of the unhealthy patterns of confluence, ghettoism, etc., that we experience in the gay and lesbian community. I would just suggest that, as a beginning, we need couple counseling programs. We need mediation -- family mediation, divorce mediation -- whatever you want to call it. We need that just as much as heterosexual couples, if not more. We need particularly -- and I am especially interested in seeing this -- transition houses for women who are homeless. Homelessness is a result of the decent into emotional, physical, psychological abuse that starts with the pattern of beginning to uncouple. At that point the person is particularly at risk to become homeless. If we have transition houses where people can begin to establish

healthy dependencies as opposed to the co-dependencies that we are seeing in lesbian relationships, then homelessness need not occur. Questions?

THOMAS FRANK COLEMAN: I just wanted to see if this makes some sense here. In one of the remedies, you talk about support. In my studying the issues of domestic partners and gay and lesbian couples, it seems that from a legal point of view we have no support for uncoupling. I mean a heterosexual, married couple has some support. They have a conciliation court, and they have a family law court, both of which are pretty much a matter of routine -- a lot of times they don't even need an attorney. If they do have attorneys, the attorneys know how to operate within the system very easily. I mean that system's been developed over years and you don't have to learn a new system like Marvin vs. Marvin -- Marvin created a new system.

One of the students in my classes took a look at the possibility of extending the family law court to the uncoupling of gay and lesbian relationships. The conciliation court could be made available to gay couples. to encourage us to think it out first before we separate. The law already allows for a conciliation court to be used for a variety of family relationships other than a married couple, but that the system is not responding to us because, we are not demanding it, and also out of fiscal fear. By law, the county does not have to operate a conciliation court. There seems to be fear that if gays can use that system, that somehow our county Board of Supervisors would react adversely or negatively. I'm just wondering if you think it would be helpful if the conciliation court were made available to gay and lesbian couples who need counseling and support? There could be training and so on within that court and maybe that should be a goal we should strive for since it technically doesn't require a change in law.

SUE MOORE: That sounds like a very obvious alternative and something we should pursue.

NORA BALADERIAN: The question I have really relates to the work that you do, and is not a recommendation. My work is with persons with developmental disabilities and the males have a great deal of trouble getting services from the Gay and Lesbian Services Center. I have not located, found, identified women with developmental disabilities who are lesbians. Do you serve them? What percentage of your clientele are developmentally disabled?

SUE MOORE: I have not done outreach to that population. There are any number of populations that need outreach. We are just beginning to meet the need at the level of those who are able to walk in the door. I think there needs to be an extensive outreach to populations such as you mention.

DIANE HIMES: You are funded by the city at this point, am I correct?

SUE MOORE: The City of West Hollywood also the basic core grants of all the entire Center, funds part of my program.

DIANE HIMES: Because I know that the Center came to MECLA and asked them for assistance to speak with the City Council for additional funding. What I was curious about is, if the Lesbian Central had written separate grants specifically for women, or if you were allocated a part of the general grant, and if so, what percentage of the general grant or grants to the Center is given to the women's section of the Center?

SUE MOORE: Lesbian Central is, of course, not the only service for women within the Center. It is just identified as a service for women as a political, social, advocacy corrective. That is to say, this population needs special support so we're going to identify this population and give it funding. We receive a grant of 40% of our budget from West Hollywood. Sixty per cent comes from the general grant, and funding for the entire agency. of which there are somewhere in the vicinity of 49 separate grants from various sources -- public, individuals, etc.

DIANE HIMES: I guess what I was asking is, from that group of grants that is given to the entire G.L.C.S.C., what percentage is cut to Lesbian Central? Do you have any idea?

SUE MOORE: No, I don't, and I should know that.

DIANE HIMES: I would love if you could update us on that, because -- it's somewhat the feeling of some of the women in the community that -- a lot of the women in the community are helping the men a lot and them men are not necessarily responding to some of the women's issues of abortion, etc.

SUE MOORE: Good question. I will research that immediately.

CHRISTOPHER McCAULEY: Good. Thank you very much for being with us. Delighted to have you here.

Jay Westbrook wears a variety of expertises; today the American Society of Aging, and we've asked him to come by for a statement, particularly on respite care, the critical issues. Jay.

JAY WESTBROOK

Gerontologist, American Society on Aging

Seniors: Respite Care for Caregivers

JAY WESTBROOK: I'm very pleased to be here today, more pleased than you know. I almost got arrested on the way here and you will learn why during my presentation. As I was telling Karen, I'm a Phil Donahue-type presenter. I like to walk and talk and interact and time constraints forbid that so I'm going to have to stand and read my statement which drives me crazy but will allow more information to be put into the record.

Briefly, my affiliations are American Society on Aging, where I'm a planner, gerontologist, media coordinator, I teach at U.C.L.A. Extension, I'm a Center Fellow at the U.C.L.A.-U.S.C. Long-Term Care Gerontology Center, sit on the Long Term Care and Elder Abuse Task Forces of the County Area Agency on Aging, and I'm also a private consultant on a number of gerontological issues.

Although this testimony today will eventually define and discuss respite care, and focus on what role the City Council or the city itself can play in its promotion, I will first present some background information -- a framework on which to hang the thoughts, if you will.

Background:

First, our society is graying, that is, in our society the number and proportion of those over 65 is increasing, and the 85-plus age group is the fastest-growing age segment in our society. Those who are 85+ are the group most likely to develop long-term chronic illnesses which leave them functionally impaired and in need of some form of home care or care in the home if they are to avoid institutionalization. There are two implications to that.

Implications:

The first is that the burden for this in-home care will fall primarily on the spouses, siblings, and children of those elderly as government policies currently discourage reimbursement for care that is not either skilled nursing care or rehabilitative. That is, the government will not reimburse for what is known as custodial care. There has to be a chance, there has to be an indication that the person will get better, not just be able to be maintained at that functional level.

The other implication is that many of the caregivers themselves are aging, experiencing declines in physical integrity and in earning power. That what was to be their golden years of travel, recreation, and relaxation, many will find themselves expending time, energy and money to care for aging parents, and some of the money spent in delivering that said care may well be money that will be needed in the future for the caregiver's own care.

Second, it is cheaper to care for all but the sickest of the elderly in the home rather than in an institutional setting and certainly the home setting affords more dignity and quality of life for the sick elder than does an institution. However cost-containment policies continue to force and/or keep the frail elderly out of institutions such as the development of DR.'s which force the people out of hospitals early, they're going home quicker and sicker than in the past. At the same time that this is occurring, federal funding for home health care is being cut faster and at greater rate than other health services for the elderly or for any other group.

Implication:

The implication of this is the same as above, the burden for caring will fall primarily on spouses, siblings, and children of aging parents.

Third, families are changing and doing so in a number of ways. There are fewer children being born per family, and they are being born when the parents are older than they had been in generations gone by. Families are increasingly fragmented because our mobile lifestyles, geographically-distanced children from parents and from one another and our society is changing from one of traditional families to one of nontraditional families such as single and divorced parents raising children, and nonmarried couples with or without children.

Implications:

The implications of this are that in the future there will be fewer children to share the burden of caring for an aging parent and therefore the real and perceived burden experienced by those caregivers will be greater than in years or generations gone by; and in childless families, it will be aged spouses and aged siblings that have to serve as the sole caregivers.

Fourth, there's been an increase in the number and the proportion of infants being born with birth defects that permanently impair physical and or cognitive integrity and functioning. Public health officials have projected that these increases will continue, not decrease. At the same time, the number of disabled elderly Americans is expected to double in the next 30 years.

Implications:

The implication again is that the burden of caring for these disabled individuals will fall primarily on their families -- again because of the government nonreimbursement for custodial care, and some families will have the double burden of caring for disabled family members of both the younger and older generation, that is, for parents and children with physical or cognitive challenges.

Fifth, women are becoming a greater and more integral part of the labor force with almost 70% of those women between 35 and 44 years of age, and 60% of those between 45 and 54 years of age currently in the workforce. Their work is vital to their development as people, invaluable to the nation, and often necessary from a perspective of family finances. At the same time, it is women who have traditionally been the caregivers of aging parents -- both their own parents and their husband's parents.

Implications:

The implications of this are that women are going to be forced into a lose-lose situation, which is typical for women; let's force them into that situation. The choice is allow a frail parent to be institutionalized even though you don't want that or give up their role in the labor force and suffer the personal and financial losses tied to such leaving while at the same time denying the country as a whole the contributions which women have to offer.

Finally, families currently provide the great bulk, approximately 80%-90% of the care for elderly Americans, including, not only financial assistance, but helping with the activities of daily living, that would be bathing, dressing, eating, toileting, those kinds of activities. And also with housekeeping, home repair, bill paying, transportation, etc.

Implications:

The implication of that is that given the load that families are already carrying, it is unrealistic to ask them to do more without offering them support for their efforts.

Respite Services:

The next part of my testimony will focus specifically on respite services.

Among gerontologists specifically, and human service providers in general, respite is one of those terms kind of like case management, that everyone uses but which means something different to each individual.

Some consider one type of service or program respite while another may not. Now part of this confusion arises from the fact that respite is something offered to caregivers while most existing programs and services are offered to care recipients. And in the attempt to reconcile the myriad definitions I've heard people use in defining "respite," I turned to the popular edition of Webster's Dictionary and found "respite" defined as "temporary relief." Well, the information presented thus far makes it amply clear that there is currently a tremendous burden being carried by families and individuals delivering care to their aging parents. And that burden will only increase in the future.

Gerontologists and other human service professionals have long bemoaned the lack of adequate respite services that provide temporary relief from the burdens of caregiving. They say that in the City of Los Angeles there are almost no respite services. Well I must differ with that assessment. Given the above stated definition of "respite," I claim that within the City of Los Angeles respite service is readily available and highly utilized.

Here is the respite of which I speak -- the syringe, alcohol, marijuana, cocaine, elder abuse, "Let's lock Mom in her room, let's tie her to a chair so that I can go out and get the shopping done" -- these are the kind of respite that exist right now in the City of Los Angeles. This is where I almost got arrested for coming here. I had to show the officer my paper; I had to show him my cards; I had to show him this was Kleenex in here, not cocaine; that this was a cigarette, not a joint. So, he'll have something good to talk about when he gets back to the station.

Yes, respite is available in the City of Los Angeles but the wrong kind of respite obviously. These items may provide temporary relief, but they all tend to exacerbate the problems of both the caregivers and the care recipients.

I would say that the dictionary definition falls short of what professionals know is required of a good respite program. Generally, a good respite program should in some way temporarily relieve not only the burden of caregiving but the responsibility of caregiving as well. That is, a caregiver should be assured that the person they normally care for is in good, safe, protective, nurturing and responsible hands during the period of respite, whatever form that respite may take -- whether it's a few hours to go shopping, a weekend to go to the desert or the beach, to rejuvenate so that you can come back and again take on the burdens of caregiving.

There are many models by which respite services can be delivered. They include but are certainly not limited to adult day care programs, in-home help support groups, short-term institutionalization and even short-term foster home placement. But whatever form the respite takes, as long as it's healthy respite, it is desperately needed.

How desperate is the need? Let me tell you. The level of prescription drug use is 350% higher in those caring for a relative with Alzheimer's disease than in the overall population and that's prescription drugs, not street drugs. Depression is 300% higher in those caring for an aging relative -- not with Alzheimers --just an aging relative.

The Traveler's Insurance Corporation study indicated that 20% of their employees over the age of 30 are now caring for an aging parent and spending an average of 10 hours a week doing so. And a full 8% of those people spend 35 or more hours a week caring for aging parents. That's almost the equivalent of a second full time job. Not surprisingly, tardiness and absenteeism is higher among those caring for an aging relative and productivity and quality of work often decline. Clearly the ongoing burden of caring for an aging relative has tremendous cost for society and for the individual.

In addition to the above, it has been demonstrated that the caregiver's mental health, social and recreational participation and suggested well being are compromised. It will only get worse as AIDS becomes more and more of a problem and there are not facilities to put an AIDS patient in, even if you were willing to suffer the guilt attached with institutionalizing somebody that you love. And the same is true as D.R.G.'s push people out of hospitals sicker and sicker. There aren't nursing home beds to put a custodial case in -- someone who is driving you out of your mind, such as a mom who asks you 15 times an hour the same question, who leaves the burner on the stove every time she fixes tea.

Therefore, let us quickly examine what the City Council can do to help provide respite services to our community's caregivers:

(1) I would urge the City Council to recognize by proclamation those existing respite care programs which are of exceptional quality and which address the needs of caregivers.

(2) I urge the city to conduct a survey of all city employees in every department to determine the number of employees caring for an aging relative, the amount of time they spend on caregiving, their perceived burden, and what they feel would most help in the lessening of that perceived burden. Then actions, which truly meet the needs of those employees could be developed. These might include grandiose projects such as the city sponsoring adult day care centers at job sites, or something as simple as flexible hours, so that you can come to work early, get off work early and get to the adult day care center to pick Mom or Dad up before it closes.

(3) I would urge the City to help establish support groups for caregivers which could do a number of things:

(a) provide information on the health or cognitive problem the aging parent is experiencing,

(b) provide information about community services,

(c) and increase feelings of support while at the same time lessening the perception that the caregiver is in this all alone.

(4) I would encourage the city to create tax incentives where possible, or zoning variances for businesses that create adult day care centers for their employees aging parents. There are many who say that this movement will go fast, much more than child care because they view child care as women's work, but the executive, by the nature of his position is older, or her position, and is probably experiencing problems in caring for an aging parent and therefore will be more sensitive to the need for adult day care for parents than for children. I don't buy that. I think this is going to have to be pushed and fought for just as hard as has child care, although there are those as I said that will disagree with me. The executive, he or she sitting up in the office with a six-figure salary is usually able to afford whatever kind of care is needed to provide himself, herself, and family with respite.

(5) I would urge the city to use its influence at the state and federal level to lobby for more funds for custodial care particularly in-home custodial care which in itself provides respite to the families.

(6) I would urge the city to develop training material, such that both volunteers and paid workers could learn the skills necessary to deliver quality respite services. There is an unemployment problem in this country. There is an unemployment problem in this city and there is a need for skilled respite workers. There seems to be to be a wedding there. A natural match if it is approached properly. This is perhaps the most important.

(7) I would urge the city to work closely with the County of Los Angeles in the implementation of the Los Angeles County masterplan for respite care services. I don't like to see duplication of effort and the wasted money that goes along with that. There is a huge, thick, very recently put together masterplan for respite care services in Los Angeles County. As a member of the Area on Aging's Long-Term Care Task Force I have had legislators come from Sacramento and chastise us and say that although we have the greater amount of elderly persons in the state, most of the grants, or a disproportionate amount of service grants and demonstration programs are awarded in northern California for one reason and one reason alone -- there there is unity between the service providers. They have a coalition of 84 service agencies that provide care from one end of the age spectrum to the other. And they work together when a proposal

comes up for grant money they work on it together and the agencies work together. In Los Angeles that does not happen and there is certainly within the Area Agencies on Aging there is conflict between city and county. There is a certain amount of cooperation but probably greater conflict and I think that this is one of the most -- in terms of respite -- this would be one of the most important times for the city to work with the county.

(8) Finally, as Los Angeles has replaced New York City as the melting pot of the country, that is, we exhibit more cultural diversity than any other city in the United States and these culturally diverse families often encounter barriers such as time barriers, cultural, language, or transportation barriers to health and social services or they may even be unaware of these services. Therefore, the City Council should push for and even develop on their own public service announcements -- "P.S.A.'s" -- about existing and developing respite services available through the City of Los Angeles. Further, those P.S.A.'s should focus on the removal of the above-named barriers to utilization. Lastly, the city should work with the media to assure that those P.S.A.'s are placed in or around shows which are watched by those individuals or groups whom the city is trying to target for the services identified in the P.S.A.

I thank you for allowing me to testify before this Task Force and hope that you found my comments helpful. Any questions, or anything I can do in the future, feel free to contact me.

CHRISTOPHER McCAULEY: Thank you, Jay. That was very good, very comprehensive. We have time for maybe one or two questions.

CAROL GILL: Your demonstration with the beer cans was certainly what I would expect from a good media consultant. You understand the importance of visual drama and I'm sure you also understand the impact of words. And I'm concerned about the words "burden of care". Although they certainly are realistic and truthful, it has become a burden of care, but I think it's important to clarify for the record that it becomes a burden because of a society that doesn't consider aging a part of life or disability a part of life and doesn't provide for -- not burdensome care -- it shouldn't be that. What it should be is reasonable and dignified attendant services.

JAY WESTBROOK: When I used the word "burden," what I'm referring to are families that are trying to live the American dream -- work hard, take care of their loved ones -- when there simply isn't enough, there aren't enough hours in the day to do everything that needs to be done. We don't need to speak here about a child with birth defects or someone who's 89 years old and has Alzheimer's. It can be as simple as somebody who's hurt on the job and left paralyzed, has their legs crushed -- suddenly the income falls out. There isn't much insurance and the work involved in taking care of that person, when the government doesn't offer any kind of supportive services, is what I was referring to when I said "burden".

CHRISTOPHER McCAULEY: Thank you both. I believe Lynn Warshafsky is here. Lynn is the Director of Counseling at the Gay and Lesbian Community Services Center and she is here to make a statement about family violence, particularly within gay and lesbian relationships, and what resources exist or do not exist to support that kind of a stability in families. Welcome.