
Economy & Efficiency Commission Meeting Minutes

MINUTES OF THE REGULAR MEETING ECONOMY AND EFFICIENCY COMMISSION

THURSDAY, June 7, 2001
ROOM 830, KENNETH HAHN HALL OF ADMINISTRATION

Editorial Note: Agenda sections may be taken out of order at the discretion of the chair. Any reordering of sections is reflected in the presentation of these minutes

I. CALL TO ORDER OF COMMISSION MEETING

With the presence of a quorum of commissioners, Chairman Philibosian called the Commission meeting to order at 10:15 a.m.

II. APPROVAL OF COMMISSIONER'S ABSENCES

Chairman Philibosian asked for a motion to approve absences.

COMMISSIONERS PRESENT

Clayton Anderson
Fred Balderrama
Joanne Baltierrez
Isaac Diaz Barcelona
Annie E. Cho
David W. Farrar
Jonathan Fuhrman
Chun Lee
Tony Lucente
Roman Padilla
Robert H. Philibosian
H. Randall Stoke
G. Thomas Thompson

COMMISSIONERS REQUESTING TO BE EXCUSED

Hope J. Boonshaft
John Crowley
Jaclyn Tilley Hill
Royal F. Oakes
William J. Petak

Julia Sylva
Tony Tortorice

COMMISSIONERS NOT REQUESTING AN EXCUSE

None

It was Moved, Seconded, and Adopted: The Commission members requesting an excuse, be excused.

III. APPROVAL OF MINUTES AND PRESENTATION

Chairman Philibosian asked if there were any corrections or amendments to the minutes or presentation. Hearing none the following motion was Moved, Seconded, and Adopted: The minutes and presentation of the May 3, 2001 Commission meeting be approved.

IV. INTRODUCTIONS AND ANNOUNCEMENTS

Commissioner Thompson introduced Kimberly Edds, a reporter sent by Roger Grace, Co-Publisher and Editor of the Metropolitan News. Chairman Philibosian announced that Commissioner Jaclyn Tilley-Hill had an accident in which she hurt her knee. Commissioner Anderson stated that he has been appointed to the Quality and Productivity Commission and the Los Angeles County Parole Commission (which is authorized by penal code to be made up of representatives from the Sheriff's Department, the Probation Department, and one member-at-large). The L.A.C. Parole Commission meets once a week for the purpose of evaluating requests from the county jail inmates for early release. Commissioner Anderson has attended one meeting and discovered that this commission reviews requests from inmates who have been formerly ineligible for parole by other boards.

Commissioner Stoke asked if the L. A. C. Parole Commission had jurisdiction over misdemeanors. Commissioner Anderson replied that they are misdemeanors by virtue that they are in county jail; however, their original convictions were felonies. The person has received probation with a condition of spending a year in county jail. This is really their second break.

V. CHAIRMAN'S REPORT

Chairman Philibosian stated that there was nothing to report.

VI. LIAISON REPORTS

Local Government Services Commission

Commissioner Andes, the Local Government Services (LGS) Commission Liaison, reported that the June 5th meeting was cancelled.

Quality and Productivity Commission

Commissioner Anderson remarked that there was a meeting, however he did not take notes.

VII. EXECUTIVE DIRECTOR'S REPORT

Mr. Staniforth noted that the upcoming meeting schedule for July has changed from the normal first Thursday; it will be on the second Thursday, the twelfth of July, this is done in response to the Fourth of July holiday. Mr. David Janssen, Chief Administrative Officer of Los Angeles County, will be presenting the county budget. Mr. Staniforth will send out reminder e-mail. Chairman Philibosian reiterated that since the CAO will discuss the county budget, it is critical that all commissioners attend.

Mr. Staniforth reminded the commissioners that an attendance consensus for the August 2nd meeting was necessary, since there had not been an August meeting for the past two years. Chairman Philibosian asked if there were any commissioners present who would not attend the August 2nd meeting; it was agreed that the August 2nd meeting would remain on the calendar.

Chairman Philibosian stated that ideas for the speaker of the August meeting could be given to Mr. Staniforth. The new Mayor of the City of Los Angeles, Mayor Hahn was a suggestion. Commissioner Thompson suggested that Mr. Eric Perrodin, one of the Deputy District Attorneys' of Downey, who is also the Compton Mayor-elect, would make an interesting speaker. Chairman Philibosian suggested inviting a panel of city major's of the independent contract cities from each supervisorial district that deal with Los Angeles County for services. The commissioners agreed.

Commissioner Padilla thought it set a good precedent. Chairman Philibosian reminded the commissioners that in September and October there will be Supervisors making presentations regarding their districts, that designates November for the contract cities panel. However, the slot for a speaker in the month of August is still open.

VIII. OLD BUSINESS - TASK FORCE REPORTS

Grand Jury

Commissioner Anderson stated that the Grand Jury Task Force gathered background information from interviews with the Superior Court Presiding Judge, the Supervising Judge, the Assistant Supervising Judge, the present Grand Jury Foreperson, the Grand Jury Advisor, the County Council, the Public Defender, the Jury Commissioner for the preparation of the draft Review of the Effectiveness of the Los Angeles County Grand Jury.

The most notable recommendation concerns the continuation of the bifurcated grand jury much of the consideration involves ethnic diversity issues; i.e. a civil grand jury, which reviews county functions and operations; and the criminal grand jury, which returns indictments. Information was received from County Council and the Superior Court Council regarding the legality of the civil grand jury) returning indictments at the same time that a The jury is sitting. The opinions are that this is not legal.

Another issue was the District Attorney couldn't use the thirty-day criminal grand jury on long-term investigative projects, i.e., the Belmont School, the Rampart Division investigations, or the corruption and public integrity investigations. There is often not enough time to gather evidence. The Grand Jury Task Force is recommending a return to the single grand jury that includes both the criminal and civil; the diversity issue has been addressed through the court's and the jury commissioner's increased outreach. The legal requirement for a diverse grand jury is the pool of people available (lists are acquired from voters' registration, the D.M.V., and the regular petit jury), not the selected grand jurors. If there is a challenge, the Superior Court can meet it.

Commissioner Anderson said the Grand Jury Task Force would like to see the other recommendations followed up and addressed by the Board of Supervisors and agency heads.

Commissioner Padilla asked how many civil and criminal grand jurors were empaneled? Commissioner Anderson responded that there are twenty-three on each grand jury. Commissioner Stoke asked what the Grand Jury Task Force recommendation was with respect to merging the two existing grand juries: their composition as well as the length of time they serve. Commissioner Anderson replied that one grand jury, both civil and criminal be empaneled the way it was before the bifurcation.

Commissioner Fuhrman asked Chairman Philibosian whether the E & E Commission was being asked to approve the draft review? Chairman Philibosian responded that the draft review was not an approval item; it was still "in the works". Commissioner Thompson moved that the approval be delayed for a month. Commissioner Fuhrman stated that he had a number of specific questions for the District Attorney and the E. & E. Commission. Chairman Philibosian stated that he would entertain the motion from Commissioner Thompson to put this on the July Agenda for approval, and to continue the discussion after the District Attorney's presentation, which is not key to the draft review. The following item was moved, seconded and adopted: that the approval of the draft Grand Jury Review be considered at the July meeting.

IX. PRESENTATION (a)

[Honorable Steve Cooley](#)

[Los Angeles County District Attorney](#)

[Topic: The State of the District Attorney's Office](#)

Chairman Philibosian introduced District Attorney Steve Cooley, who discussed various aspects of the District Attorney's Office including: the creation/elimination of departments on the Organizational Chart, Rollout, the Brown Act, the Pitchess Motion, and the workability of the bifurcation of the grand jury as it relates to the District Attorney's Office.

VIII. OLD BUSINESS - TASK FORCE REPORTS (CONTINUED)

Grand Jury (Continued)

Chairman Philibosian continued the draft review discussion (recognizing the absence of the Grand Jury Task Force Chair, Commissioner Hill) to consider any questions or comments from commissioners to expedite approval in the July Commission meeting. Commissioner Fuhrman had questions regarding the return to the single grand jury. It seems that on page 32, which states "current efforts by the court such as advertising and making presentations to local groups

to ensure that it use a scientifically recognized statistical process for the selection of the grand jurors appears to adequately address the issue". Reaching that pool is still asking for volunteers from the community or depending upon nominations from judges. Then a scientifically valid process is used, randomly, to select people who will become the jurors. Commissioner Fuhrman stated that he had a fundamental problem relying on that as opposed to the petit jury method where a sample of everyone in Los Angeles is pooled. Commissioner Thompson interjected that he agreed somewhat, because he proposed that each elected official in the county, recommend two people who would then enter a pool from which a random selection would occur. If there were a challenge by the court it would be overcome. Commissioner Fuhrman agreed this would create a much larger pool. Commissioner Padilla asked what kind of leverage could be used? Commissioner Thompson responded that the status of being selected would be the leverage. Commissioner Padilla agreed that it would be difficult for an official to complain if he had not nominated two jurors.

Commissioner Fuhrman responded that the grand jury service discriminates against people; there are few commissioners who could serve on a civil grand jury for one year, four days a week; he felt that the thirty-day service addresses this issue because employers might consider paying for a thirty-day service. Commissioner Thompson stated that the thirty-day system allows prosecutors to control what the jurors think. Commissioner Fuhrman did not see how both the diversity and civil rights issues could be met under a one-year grand jury. The Grand Jury Task Force is making recommendations for broad recruitment. Judge Bascue has appointed Judge Wesley who has a committee and is committed to reaching out to all of the communities in the county to attract a more representative pool. Chairman Philibosian raised the question of using the Los Angeles County Office of Affirmative Action Compliance to assist in this outreach; however that idea was not included in the draft review. Chairman Philibosian added that the Office of Action Compliance is very effective, particularly the Director, Dennis A. Tafoya. The office has a tradition of handling diversity issues, and maintains contacts that could be referred to the grand jury. Commissioner Padilla commented that jurors who commit for a year are mainly retirement age, which includes any ethnic group.

Commissioner Fuhrman mentioned that Recommendation #18 was to increase the input of the grand jury in the budget process; how would that occur, or is it necessary? His concern was that 23 people were being asked to handle very complex county management, budget and legal issues. Commissioner Thompson wished to make a "point of order", by stating that the grand jury task force chairperson was absent, and the commission will now have the draft review for a month in which concrete issues can be brought up.

Chairman Philibosian agreed that a conclusion is necessary at the July 2001 meeting, however he would like to hear from everyone in the room regarding their questions, concerns or additions? Commissioner Padilla asked if there were a precedent for a consent decree where the grand jury reconfigures itself as a year long entity, and be willing to commit to certain criteria and meet them in "x" amount of years. Would this meet the essence of the complaint of ethnicity? Commissioner Thompson stated that it was quite impossible, because reaching a quota in certain areas was not feasible, i.e. it would be like a consent decree to reach a quota of more white jazz musicians in Louisiana. Ms. Kennedy summarized that the court should institutionalize the recruitment process. Commissioner Fuhrman said he had specific comments on a number of recommendations and could give his notes to Commissioner Anderson.

Commissioner Farrar stated that he skimmed the draft review and he noted two fundamental weaknesses in the system: the undertaking was too ambitious and the budget issue needs to be more focused. The draft review should identify four or five of the most critical functions for the grand jury and focus on those. He felt there was no passion from the government for the implementation of the recommendations to the Board of Supervisors. The E. & E. Commission needs to follow up these recommendations from year to year; in summary too broad an agenda and no follow-up. Commissioner Baltierrez stated that her interest was the outreach process. Should a list be provided to the grand jury as a starting point? Chairman Philibosian asked if she had such a list? Commissioner Baltierrez stated that she could help to develop the list. Chairman Philibosian suggested that she develop this list and give it to the Grand Jury Task Force. Chairman Philibosian reiterated that the County Office of Affirmative Action also had a list.

Chairman Philibosian stated there would be no reports from the Policy and Organization and Accountability Task Forces because their chairs are absent.

VIII. OLD BUSINESS - TASK FORCE REPORTS (CONTINUED)

Policy

No Report

Organization & Accountability

No Report

Finance

Commissioner Thompson said that the report would be ready for the next meeting, and a Finance Task Force meeting would be held before that time with the ILP Consultants. Commissioner Fuhrman asked if there would be a weekly or bi-weekly status report. Mr. Staniforth answered that it was being compiled.

X. NEW BUSINESS

Chairman Philibosian asked if there were any new business.

XI. PUBLIC COMMENT

None

XI. ADJOURNMENT

Upon a motion from the floor, Chairman Philibosian adjourned the meeting at 12:00 p.m.

Respectfully Submitted.



Bruce J. Staniforth
Executive Director

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