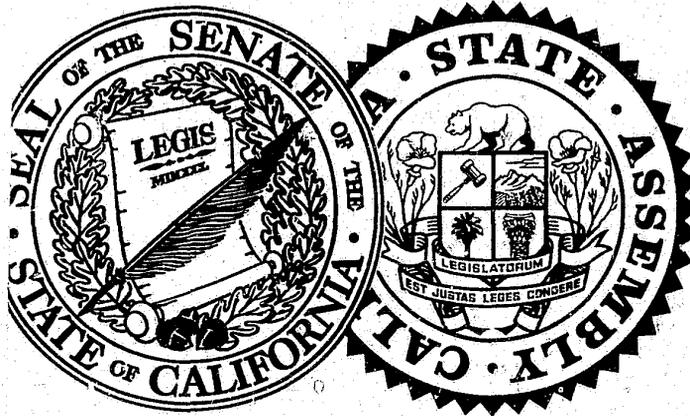


JOINT COMMITTEE
ON
REVISION OF THE PENAL CODE

HEARINGS
ON
SCHOOL VIOLENCE AND VANDALISM



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THURSDAY, DECEMBER 15, 1977
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107 SOUTH BROADWAY
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Hearings on
SCHOOL VIOLENCE AND VANDALISM

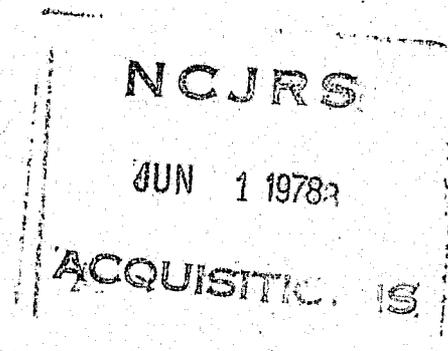
Thursday, December 8, 1977

455 Golden Gate Avenue
San Francisco, California

and

Thursday, December 15, 1977

Room 1122, State Building
107 South Broadway
Los Angeles, California



This volume contains the transcript of the Los Angeles hearing

INTRODUCTION TO AND
SUMMARY OF HEARINGS
SCHOOL VIOLENCE AND VANDALISM

SAN FRANCISCO, CA - DECEMBER 8, 1977

LOS ANGELES, CA - DECEMBER 15, 1977

In recent years, increasing attention has been focused nationally on the problems of school violence and vandalism. The precise extent of school crime is not known but there is general agreement that it is intolerably high. Precious educational monies are being drained in an effort to combat violence and vandalism. But the costs are not merely financial; violence and vandalism and the fear they engender have a deleterious effect on teacher and student morale and destroy a proper learning environment.

After receiving expressions of concern from school administrators, teachers, parents and students about the gravity of school crime, Chairman David Roberti scheduled the Joint Committee to conduct hearings in San Francisco and Los Angeles, in December, 1977. The Committee solicited and received testimony on the nature and extent of school crime, and on programs for combating school crime.

Most of the witnesses agreed on two central points: that school crime is a very serious problem and that because of the inadequacy of the available data, we do not know its true nature and extent.

A number of witnesses stressed the importance of obtaining better information, pointing out that such information is essential if successful responses are to be found.

Current practices and methods for securing data were severely criticized for their lack of reliability. Local record-keeping practices must be upgraded, a more uniform system of reporting must be adopted and there should be more cooperation between law enforcement and educational personnel

in order to provide us with specific useful information concerning school crime.

Current information sources are mostly simple percentage increase studies intended to show the public the seriousness of the problem and are both unreliable and of very limited utility.

It was suggested, for example, that it is necessary to determine how many offenders there are:

Incident counts or count comparisons... do not tell us anything about the number of offenders involved.

...(w)hether acts of vandalism in the school district are the result of a small cohesive group, or a larger more amorphous group, is extremely important to dictating whether a broad-based or more targeted prevention effort is appropriate.

...Also, more knowledge of modus operandi... regarding similarity between incidents could help provide helpful hints to answer this question.

(Another important question is), where do potential vandals live in relation to target schools?

...There are obvious implications to prevention here since the potential offender who neither attends school nor lives in the immediate neighborhood of the school can be neither reached or affected by local community prevention efforts. Again, better information could help design and mold the scope, type, and responsibility for the prevention effort. (Testimony of Thomas Halatyn, Los Angeles hearing.)

Additional research funds are needed to insure proper descriptive study of the extent and nature of school crime.

Enhanced research would assist the establishment of prevention and intervention programs.

The Committee did receive some general statistics on the extent of school violence and vandalism. Bernard Greenberg, a nationally renowned consultant to school districts, told the Committee that "For the 1975 school year the (Los Angeles Unified School) District reported total (vandalism-related) losses of \$4 million, double that for 1972, with \$3 million being spent for alarms and \$5 million spent for some 300 security personnel, a staggering \$12 million costs related to vandalism and violence in the schools."

Mr. Greenberg also testified that this upward trend in California is in "sharp contrast to recent national findings."

Richard Green, Security Director for the Los Angeles Unified School District testified that during fiscal year 1976-77 the district, its employees and students reported 4500 burglaries, 2200 thefts, 800 assaults, 300 robberies and 134 arsons.

As troubling as these and similar statistics presented to the Committee are, the true situation may be much worse. Witnesses from law enforcement and others agreed that school crime is almost certainly under-reported. A number of reasons were cited including reluctance on the part of some school administrators to admit that their schools had problems.

Violence and vandalism seriously interfere with the learning environment in many schools. Hank Springer, President of the United Teachers of Los Angeles stated that "In all too many instances, the schools of Los Angeles have become armed camps, fortresses...fenced, chained, locked, secured by the third largest police force in Los Angeles County--the school district's police force. Given the siege mentality, little learning or teaching can go on."

The Committee heard vivid descriptions from other witnesses (teachers, students, and administrators) which corroborated Mr. Springer's view. For example, James Williamson, a student at Gardena High School told the Committee that when there is violence

"the teachers and the students are both uptight. And in the classrooms neither one pays attention to what's going on and that's why not too much is learned...And the school uses more security guards and more policeman and that just makes the students and teachers more uptight...(T)he junior high students begin to avoid going to that school entirely because they have a feeling of getting jumped or beaten up once they are in that school."

Dr. Alfred Bloch, a psychiatrist on the clinical faculty of the UCLA Medical School to whom many traumatized teachers are referred for treatment, testified that "teacher after teacher referred to (their school) as the 'combat zone'... (w)hat I was seeing was combat neurosis."

A variety of measures and responses have been tried with some encouraging results. Programs which foster student participation have been particularly successful.

Experience demonstrates that when students feel that they have a stake in what happens at their school that violence and vandalism can be reduced significantly.

Ken Nochimson, Director, and several student participants remarked on Open Road's Student Involvement Program. Some of the program's components include

- student-run communications networks for rumor control.
- student participation in selection of administrators, teachers, and security personnel.
- peer counselling.
- student murals on school walls.

John Kidder, Legislative Representative for the Oakland Unified School District agreed that the participation program has merit particularly in the area of peer discipline: "... (s)ite administrators (and) teachers are having difficulty dealing with problem students... maybe it's time to allow the students an opportunity deal with each other in some kind of student court, student government situation."

Alternative approaches to the use of law enforcement and security personnel have also shown great promise. San Francisco, for example, has hired community people in CETA-funded positions to work as "counsellors on-the-hoof." These counsellors are much better able to relate to the students than are police or the more traditional security personnel and through their presence many potential problems are prevented from occurring.

Some school districts in San Jose use off-duty police officers in non-uniform situations, in counselling and guidance

roles and citizenship programs.

Another San Francisco program was the Citizens Initiative to Protect Children. This program assigned one aide to each senior high school in San Francisco. The aides were able to identify outsiders who did not belong on campus and thus were able to reduce one of the major sources of school crime.

Both of the San Francisco programs demonstrated positive results but need funding to replace the Federal monies that provide their original financing.

San Francisco also employs the "pupil service team concept." Counsellors, teachers and parents can refer students to a prevention-correlated team of a psychiatrist, school psychologist, social worker, learning disability specialist and others.

Thomas Gaffney, Assistant Superintendent of the South San Francisco Unified School District testified about that District's innovative anti-vandalism program which has reduced repair costs from \$40,000 per year prior to 1972 to a current level of less than \$20,000 annually. Mr. Gaffney described the plan as follows:

We took out of the district maintenance budget an amount of money, one dollar per pupil, and it was assigned to each school in a credit. At midyear, the student committees, ... (in each) of the 21 regular schools, could determine how to expend half of the funds, and prior to the close of the year, they could expend the balance of it. Most of the projects that they expended their funds on were basically school beautification projects. ... We saw a turnaround in vandalism....

In the course of the past five years, the schools, through their students, have expended over \$27,000 to beautify their schools. We have saved annually \$20,000 over a five-year period in dollar savings, this is in excess of \$100,000 in vandalism cost savings to our school system. The belief by the PTA people who started this program, by our school administrators, is that the involvement of the students in terms of their pride in their schools helps you maintain a good school and it also assists them in such things as their beautification projects. I was principal of South San Francisco Senior High School for seven years. During that time...the students repainted all of the hallways with their projects. In the seven years I was principal, I never once saw a student mural vandalized by anybody. ...The projects that the students build themselves, or paintings that they put up, tend to stay, they do not tend to be vandalized. As a matter of fact, it really manages to instill a great deal of pride in our schools.

Wilma Wittman, Chairperson of the California Teachers Association's Profession Rights and Responsibilities Committee told the Joint Committee that in 1976 the Orange Unified School District's Board of Education responded to escalating vandalism-related costs by adopting a new prevention policy. The policy was implemented through a multifaceted program: the establishment of district-wide security patrols, creation of a 24-hour central emergency number, installation of new electronic warning devices, development of incentive programs as well as adoption of various approaches to building positive attitudes toward the school community, teaching, and learning. The results so far are most encouraging. All types of vandalism, except

theft, are down significantly. Overall, the number of incidents is down 21% despite reports of theft being up 12%. (NOTE: The increase in theft was attributed to a greater willingness on the part of teachers and principals to report instances than in prior years.)

Many witnesses expressed the view that existing penal legislation was probably sufficient to deal with the problems of school violence and vandalism, but that there were difficulties in enforcement. One of the most commonly stated explanations given was the lack of coherent, sensible organization of existing statutes. The fact that relevant statutes are scattered throughout numerous codes serves to confuse everyone involved: law enforcement, teachers, school administrators and students alike.

A related recommendation favored improving distribution of information concerning existing law. Students should know exactly what their rights and responsibilities are. School authorities, likewise,

...would like to know of legal changes before finding out in the courtroom when a case slides down the drain due to a lack of updated knowledge on the part of campus security.

Programs and policies which would enhance the descriptive study of the extent and nature of school crime were favored as means of providing the data necessary to shaping appropriate responses.

The Committee did receive some recommendations for specific changes in the law:

---The present requirement that only a victim or witness of a misdemeanor can arrest for that misdemeanor should be repealed for cases involving juveniles.*

---penalties for violations of Penal Code Section 594 and 594.5 (vandalism and defacing property) should be increased.

---the state should accept responsibility for losses above an amount relative to the size of each given school district for losses due to vandalism and arson.

---there should be minimum standards of selection and training for school security personnel. This should be accomplished by reclassifying such personnel from Penal Code Section 830.4 to 830.3, thus qualifying them for post-training. School security personnel should have twenty-four hour peace officer status.

---trespass sections should be strengthened to help keep non-students away from the schools.

Penal Code Section 653g (loitering about schools) should be amended to ease problems of proof (presently requires proof of loitering for the purpose of committing a crime.)

---Education Code should be amended to allow any school district to do its own fingerprinting (presently limited to districts with ADA of 50,000 or greater.)

*Lt. Arthur Knopf of the San Jose Police Department pointed out that under present law "either the teacher has to become the arresting party...(or) if there's a child that's a victim of another child, we have a citizen's arrest situation in which a child places another child in custody...(I)t seems...a rather untenable, destructive kind of situation to those relationships we are trying to build up in a school setting."

---legislation mandating restitution as part of sentences for vandalism should be passed.

---assaults on teachers and students in schools should be treated separately from the juvenile justice system. Any such perpetrator should be treated as an adult, regardless of age.

Although the witnesses generally agreed that some "hardening" is necessary to meet immediate security needs, many warned that if school districts follow only a maximum security policy it would not only be enormously expensive but would ultimately fail. The use of additional police and security personnel and surveillance equipment was criticized as being directed toward symptoms and not causes of the problems.

Programs directed only to specific aspects of the problems were also criticized. A specific program without an overview often leads to failure. Again, better information and more cooperation among districts would promote more appropriate intervention and prevention planning.

Interagency cooperation was stressed as a key method of vandalism and violence prevention and crisis intervention. This concept consists of representatives from social service agencies, probation departments and law enforcement operating as a team within schools and the community with an educator as coordinator in order to get services to students more immediately, thereby minimizing bureaucratic delay and buck-passing. The Center for Interagency Studies at Yerba Buena High School in San Jose was cited as an outstanding example of such a cooperative approach.

Jerry Mullins, Director of the Center for Inter-agency Studies, proposed:

---retraining school administrators in modern management techniques with emphasis on team structure and on school-community relations.

---decentralizing of major community agencies, possibly housing them in the schools.

---upgrading of school counselling programs, professionalizing the field by increasing counselor flexibility through a reduction of student loads.

---establishment of Parent Effectiveness Training courses in every school district.

---establishment of a central clearing-house dissemination and training center to facilitate the implementation of these recommendations.

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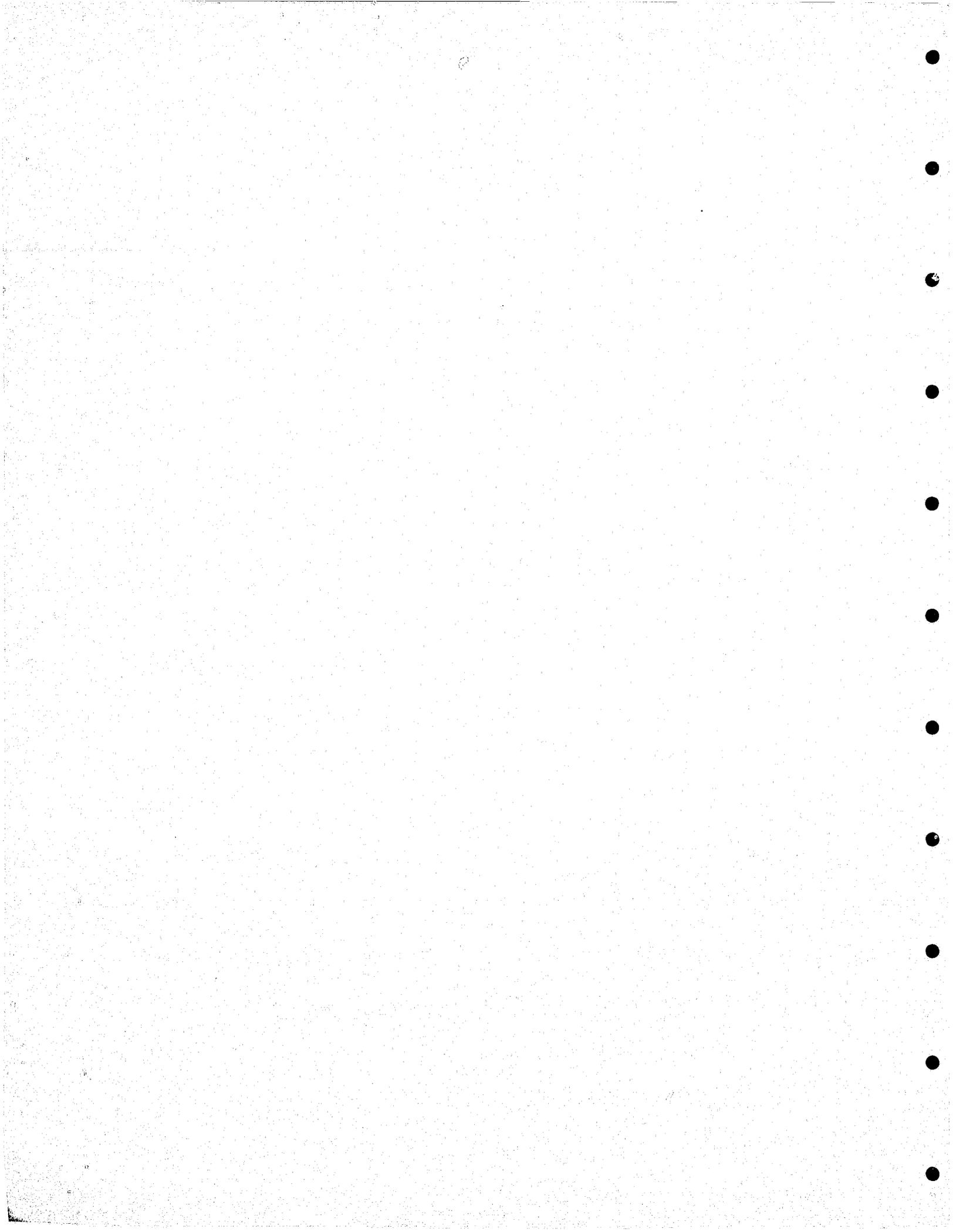
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CHAIRMAN ROBERTI: The purpose of today's hearing is to examine the serious problems of school violence and vandalism.

These problems have reached alarming and enormously costly proportions. Los Angeles, for example, spent over seven million dollars on vandalism prevention and control in 1974-75 at a time when the school district was already facing a \$40 million deficit. Nationally, the best estimate is that more than 600 million of education dollars are lost on school vandalism related expenditures. The financial drain is just the tip of the iceberg, however. In many of our schools the level of violence and the atmosphere it engenders is bad, so bad that learning is virtually impossible. One study found that 75,000 teachers in the United States are injured badly enough each year to require medical attention. Other estimates of the number of armed robberies, rapes and killings and other forms of attacks are equally shocking. The Committee today will hear from a wide range of witnesses with varying perspectives on the problem. We will hear from teachers, students, law enforcement officials, school officials and administrators, and other people who are involved in programs designed to combat school violence and vandalism. We are most appreciative that they have agreed to share both their experiences and their suggestions for legislative action with the Committee. We come here today with no preconceived notions as to what the actual solution or the actual response to the problem must be, but we do feel that there is a problem, and one which needs to be addressed.

I am delighted to have with me this morning, Senator John Nejedly from Contra Costa County who is a member of the Committee and will join with us.

Our first witness is Ms. Wilma Wittman, a teacher at Canyon High School in Orange.

MS. WILMA WITTMAN: Good morning, I am Wilma Wittman, Committee Chairperson of the Professional Rights and Responsibilities Committee of the California Teachers Association and I am here in that capacity today to speak to you on this subject. I thank you for the opportunity to address this hearing on this subject that is so vital to me; the effects of violence and vandalism of our schools. The California Teachers Association through its Professional Rights and Responsibilities Committee, has undertaken the challenge of examining this problem. Teachers across the state are greatly concerned that teaching has in fact become a hazardous occupation. The teaching profession is grateful to have interested community groups assisting in attacking the problems facing us.

I am a counselor in the Orange Unified School District in Orange County. Our district encompasses approximately eight municipalities, so we have our share of problems from each type of community. It seems that most of the problems of communities are reflected in our schools. This is why we see that violence and vandalism is not only a characteristic of inner city schools, but is a widespread problem characteristic of each school community. I believe the analysis of my district's problems can shed light on the problem of violence in our schools statewide.

Orange Unified School District has an average daily attendance of approximately 31,428 students. It employs approximately 15,000 certificated personnel, 11,000 classified employees, and has a budget of \$63 million. In 1965 Orange Unified School District reported 425 instances of broken windows at a cost of \$24,445, thirty-five instances of paint damage at a cost of \$1,739, fifty-six break-ins at a cost of \$21,914, eight fires at \$32,671, 102 burglary-thefts at a cost of \$26,126 and, 783 instances of other damages and destructions totaling \$36,593. This totals 1,409 reported instances at a total cost of \$124,488. Now this cost is an actual cost of materials and replacement. This figure does not include the hours of investigation time, report-filing time, time dealing with interviewing suspects, etc., that were involved in reporting and charging persons with the crime related to the crime and violence. In 1976, the Orange Unified School District Board of Education passed a vandalism prevention policy to attempt to change the direction of these spiraling costs. The policy included a broad philosophical statement: "It is the policy of the district to educate against, discourage and prevent acts of vandalism and malicious mischief within the school community. Whenever acts of vandalism or property is stolen, destroyed, and so forth, it is the intent of the Board to actively prosecute and seek restitution and cooperation with appropriate law enforcement agencies. The superintendent shall enlist the support of students, parents, civic groups, businessmen, the fire and police departments and, the employees of the district to effect

a spirit of cooperation and establish programs for reducing vandalism, malicious mischief, burglaries and attractive nuisances. The area of effort shall focus on district security, staff-in service, community awareness and support programs."

To implement the philosophy stated, a security program administrator was hired to implement a security program for the entire district, building site administrators were in-serviced concerning building policies, PTA and PSO groups were in-serviced concerning community effort, teachers were in-serviced within the buildings on problem recognition and reporting procedures. Students were in-serviced on pride of ownership, school image and so forth, and psychologists were in-serviced on district needs for individual professional assistance. And parent groups, civic leaders, businessmen, public agencies were requested to assist in promoting use of school facilities, setting up a community spirit program, building a policy of teacher and school image, encouraging positive attitudes toward teaching and learning as a fulfilling and rewarding experience. District personnel were charged with the responsibility of developing incentive programs where the school districts, civic groups and businessmen could cooperate in putting up incentives to help the local schools reduce vandalism and malicious mischief problems. These programs were begun with the 1976-77 school year. Security patrols were established district-wide, a 24-hour central emergency number for community members and parents to call was established and posted throughout the

community, new electronic vandalism warning devices were installed in several target buildings, and so forth. The results are in from last school year and we feel they are very positive. During the '76-'77 school year we had 331 broken windows reported for a cost of \$18,814, which was down 22% from the '75-'76 school year. We had twenty instances of paint damage reports filed for a total of \$1,415, which is down 42% from the '75-'76 school year. Break-ins, we had 22 reported, total cost of \$2,060, which is down 60% from the '75-'76 school year. One incident of fire reported at a cost of \$26, down 87% from the previous school year. Notice we had 117 thefts reported for a total of \$35,906 which is up 12% from the preceding year. Other acts of vandalism reported were 616 for a total of \$29,881, which is down 21%. A total overall of incidents, 11,007, down 21% for a 30% decrease of \$88,102. Now it's interesting to note that all areas decreased in the amounts except the area of theft reporting. And upon investigation it was found that principals and teachers were much more willing to report instances than in the prior years. Many principals in the past were reluctant to report items as missing, and would make up losses through repair and replacement budgets, thinking it might reflect on the school's image otherwise. As part of the total education process of district personnel, the Board of Education, teachers, students and parents and community members, my school district has taken a great step toward combating the spiraling cost of vandalism in our schools. I think we could all admit that the general research available

on crime and violence in our nation's schools directs us to the fact that something needs to be done immediately. We need to assist groups in recognizing the problems and proposing proper long-range resolutions to these problems. We can clearly recognize the effects of overreactions against our schools' properties and personnel by individuals who use physical force to abuse or damage other persons or things as a result of pent-up violence. We, as teachers, see firsthand the effects and the statistics released by Indiana Senator Birch Bayh, whom I am sure you have read widely, that \$600 million was used each year, or was used in '76, as a result of vandalism in schools, 70,000 seriously physical assaults on teachers and literally hundreds of thousands of assaults on students are perpetuated in our schools annually; sex offenses increased by 62% over the four-year period from 1970-74. As teachers we are concerned with the \$600 million price tag. We know that figure could hire about 40,000 additional teachers...as teachers we know the importance of a one-to-one relationship with students in assisting them in dealing with pent-up frustrations. As teachers we know the importance of smaller class sizes and our abilities to deal with individual learning and behavioral problems. In my district only \$4.00 per student is being spent to pay for and combat the effect of violence in our schools. An additional \$6.00 to \$10.00 per student is being spent to implement programs to deter the effects of violence. In Orange Unified it costs approximately 50 cents per student to add an additional teacher to the district staff. Ten additional teachers districtwide

have the effect of reducing class sizes of every teacher by one student. In Orange Unified we could add twenty to twenty-eight additional teachers to our staff, and subsequently lower class sizes two to three students per teacher if we could eliminate vandalism.

As late as yesterday afternoon I was doing some additional research, and in one of our neighboring school districts which I am going to share with you since I am Chairperson of the PR&R Committee I feel this would be appropriate. In the Compton School District, and I secured this information from the Compton Education Association President, they have had repeated physical attacks and violence in their schools...teachers, students and other school employees are humiliated and threatened with knives, guns and other weapons by off-campus intruders. For instance, a teacher, alone in her classroom at Washington Elementary School during recess, was approached by an unknown man who threatened her life with a knife, forced her to disrobe and lie on the floor. He tied her hands, then stole her rings, watch, purse and coat. A young female custodian was brutally raped by a seventeen-year-old youth in the Compton High School faculty lounge at 5 p.m. on February 1, 1977. Four junior high school boys armed with guns and knives entered a classroom at Emerson Elementary on January 28th, and physically manhandled a fourth-grade Mexican-American boy. When school was dismissed, needless to say, many of the students were frightened to walk home from school and so had their parents come pick them up.

On February 3rd two junior high school boys entered a

sixth-grade classroom and attempted to attack one of the boys with a knife. A female teacher who had suspended two students on February 3, 1977, for threatening her and using obscene language was peppered with raw eggs the following morning. She fell to the ground, her attackers were not identified, but were believed to be older brothers and sisters of the suspended student. A man tried to drag a young girl into his car near Roseville Elementary on February 7th, and fortunately was frightened off by an alert community person who gave chase. But what if that community person hadn't been in the right place at the right time? A teacher leaving her classroom at another elementary school was met at the door by a young man who put a knife to her stomach and told her to do as he said. She screamed and the attacker fled, fortunately. He had been seen loitering on the campus earlier during the day. In January a custodian at one of the elementary schools was hit in the head and knocked to the ground by two young men who took his wallet and fled. We had an Assistant Principal at Dominguez High who was knocked down while attempting to stop a fight between a student and an outsider. Now these are a few of the reported incidents, and I suspect that there are many incidents that go unreported.

I believe in an era when education is being blamed for a number of ills facing society, we must all join together in combating this serious problem. Your efforts as Committee members and legislators comes highly appreciated by the teacher community, and we do thank you.

CHAIRMAN ROBERTI: Thank you very much, Ms. Wittman.
Senator Nejedly do you have any questions?

SENATOR NEJEDLY: What do you mean by having eliminated or trying to eliminate an attractive nuisance in the school? What does that mean?

MS. WITTMAN: Well, I had some conversation with our district office and what we are talking about when they talk about attractive nuisances, and from some of the Board members and the superintendent we got a variety of definitions. My opinion is that what they are saying...walls on which graffiti can be placed, restrooms where the students decide they want to tear out the facilities rather than use them, those kinds of things. That is an interesting term isn't it, Senator?

SENATOR NEJEDLY: I didn't know what you meant by that.

In the statistics that you quoted, you saved approximately \$36,000 in those two years, there are other factors too, but the dollar amount came out to that, but what did the program of prevention cost you?

MS. WITTMAN: That figure I do not have because the figures are used in various and sundry categories the personnel the district hires. They do not hire people and put them in these slots, they use those people who are already in the district and expand their scope of responsibility, and so the actual costs are pretty well buried in their salaries, so I couldn't be certain.

SENATOR NEJEDLY: I thought you said in your testimony

that the district went out and hired.

MS. WITTMAN: They did hire one person, yes.

SENATOR NEJEDLY: Well, do you have any statistics to indicate the cost of that position and the administrative expense attached to that, vis-a-vis the amount you saved in that year?

MS. WITTMAN: That person was brought in at approximately \$22,000, and on top of that of course you would have office space and we would also have secretarial time and supplies...the secretary would probably run around 8-\$10,000.

SENATOR NEJEDLY: I'm sure there are other benefits other than the dollar figure, but at least if those statistics were universal there would just be about a break-even kind of thing.

MS. WITTMAN: I think you're right...it's more a morale thing.

SENATOR NEJEDLY: How successful have you been in the prosecution of these cases, how many cases were there and how many prosecutions were instituted?

MS. WITTMAN: My observation is that we have not been too successful in the prosecution. We have had parents who were willing to pay for the damages done, and I think that has been the intent of our school district, if the parents would assume the responsibility for the damages that students caused. We have been very successful in our district in having the cooperation of parents in that area.

SENATOR NEJEDLY: How much money have you received back from parents?

MS. WITTMAN: I can't give you that figure, I'm sorry.

SENATOR NEJEDLY: What, in these identifications, even without prosecution of the people who are responsible...do you have any indication of who are poor achievers in the school system, or who are good students and who are actively participating in the program and how many are committed by strictly outsiders?

MS. WITTMAN: I don't have any statistics with me today on that; however, in knowing some of the students that have been involved, the low achievers and the high achievers, and the middle achievers doesn't seem to have too much bearing on the number. There seems to be a cross-section. For instance, we had one young man who was one of our top students in the science area who certainly was an expert at making keys, and he had a key to practically every building in the whole district. And once we discovered that he had this talent, and retrieved the keys...I suppose he could go out and start making keys again, but he certainly was doing well with lifting things before that.

SENATOR NEJEDLY: Do you have any comparative statistics with other districts in relation to class size to indicate whether vandalism is higher in high-class-size districts in comparison to lower-class-size districts?

MS. WITTMAN: I wish I had those statistics. I can give you the feeling that teachers have, and you know what that is,

teachers feel that they can relate on a one-to-one, and that the better you relate, the less vandalism you are going to have. I listened to, I had the privilege of attending last spring, Senator Birch Bayh's presentation in Washington, D.C., and the National Conference on Violence and Vandalism, and I did hear students from that area, Virginia and Washington, who testified, and they seemed to feel that when teachers cared about them, and when teachers related to them, and they could relate to teachers, that that was the greatest thing that could possibly happen to them because they mentioned that many of them went home to a home where there was not a parent in attendance, that both parents were working and the conditions were not all that good, and so the one thing they had in their lives that really was positive was the teacher.

SENATOR NEJEDLY: Then you might have a better rapport with one good teacher in a large class compared to a poor teacher in a small class?

MS. WITTMAN: Well, I couldn't argue that point.

CHAIRMAN ROBERTI: What do you do with, what's the procedure in Orange Unified when you have a student expelled for engaging in violence and vandalism, or do you have such a process?

MS. WITTMAN: Well, the process, yes, starts of course at the building level with the dean of students and the counselor involved, or the building administrator...and too, frequently we bring the parents in and we work extensively with them. We try not to make a criminal case out of the student. We

try to help the student discover what their behavioral problems are, what their deep-seated problems are if they have deep-seated problems, and work with the student for behavioral modification. And of course the names are never published, they are not made public. It isn't that we try to keep the student protected, it is just so we can work with them and perhaps change their attitudes and behaviors.

CHAIRMAN ROBERTI: Okay, thank you very much. Our next witness is Dr. Alfred Bloch, Assistant Clinical Professor of Psychiatry at UCLA Neuropsychiatric Institute.

DR. ALFRED BLOCH: Senator Roberti, Senator Nejedly, thank you for the opportunity of appearing before you today; I am very impressed by the list of people who will be testifying before you today and I am sure on other days many of them, most of them, have much greater expertise than I in issues concerning students, concerning vandalism. My particular area of expertise, I am a psychiatrist, I am a psychoanalyst, I am on the Clinical Faculty of the UCLA Medical School. I also have a private practice, and am the Director of the Bloch Medical Clinic. As such, at the clinic, I was in a position to evaluate several teachers. I soon became known, much sooner than I ever realized would happen, I became known to the teachers and to UTLA, United Teachers of Los Angeles, as someone who was understanding and sympathetic. The referrals of teachers grew and grew. It extended beyond UTLA into the Compton area for example, that Ms. Wittman just referred to; I have had the opportunity to evaluate teachers from the Oakland-Berkeley area, I have had

contact with teachers throughout the United States. Some of my work was published and I had both direct and correspondence contact with teachers within other school districts, and presented the work to Senator Birch Bayh's Subcommittee...and part of my work was incorporated into the report, his report to the United States Senate, which I assume is the reason I am here today.

What I learned, what I began to see as I evaluated teacher after teacher, was that I was hearing repetitive stories, stories of stress, stories of psychological, psychophysiological breakdowns, lack of administrative support, being made to feel responsible for the assaults, for the crimes perpetrated upon them. I began to put this all together as teacher after teacher referred to the inner city as the combat zone, I began to realize that what I was seeing was combat neurosis. And that many of the prophylactic preventive means, modalities, that we had developed so expensively and painfully during the war, rotation, etc., morale, could be applied to the teachers within the inner city. I have not directed myself to the causes of violence, I have directed myself on the effects of violence upon the teachers, a certain amount on the classroom situation, and I came up with certain preventive measures that I presented to the Los Angeles County Department of Mental Health School Consultant in December 1975.

SENATOR NEJEDLY: Do you mind being interrupted?

DR. BLOCH: No, by all means go ahead.

SENATOR NEJEDLY: In this preventive sense, would you consider, or have you applied any consideration to pre-hiring methods or screening before hiring teachers to determine their capacity to deal with these kind of stressful situations?

DR. BLOCH: Yes, I have addressed myself to that, and I have come up with certain patterns...

SENATOR NEJEDLY: Will that be part of your testimony?

DR. BLOCH: Not really, not that specific aspect of it.

SENATOR NEJEDLY: Has the district that you're working with set up any selection process for hiring personnel in these situations to maybe minimize the failure to adjust or the incapacity to adjust?

DR. BLOCH: Not to my knowledge, no.

SENATOR NEJEDLY: Can it be done?

DR. BLOCH: I think it can be done to a certain extent, there are certain teachers that are better suited to dealing with stress within the inner city than other teachers. It's a very complex problem there, you have to deal with the teachers you have within the school district now. The problems, these issues are relatively new, I imagine that the people that do the hiring are being somewhat selective. The fact of the matter is that a middle-aged woman raised in the Midwest in a sheltered, white, Anglo-Saxon, Protestant background, is going to have less of a chance of survival at Locke or Dorsey or Jordan High School, survival psychologically and psychophysiologicaly, than someone who themself was raised in the inner city, who is used to profanity, who is used to

having their mother insulted, etc., who can understand the cultural elements that are involved.

SENATOR NEJEDLY: Well, down the road of course you will be trying to solve problems that might be avoided initially if there were some means of being more professional in this; I guess off the top you can make these kinds of pretty broad conclusions that you referred to, maybe many more subtle ones?

DR. BLOCH: Yes.

SENATOR NEJEDLY: That of course wouldn't have any effect on the subsequent violence, it might only relate to the ability to deal with it?

DR. BLOCH: That's true, and we all have thresholds and when these thresholds of stress are exceeded, any one of us can break down. That which is stress for one person, for one teacher, is not stress for another. For example, I have had the occasion to see several Filipino teachers, dedicated conscientious women who sustained a slap in the face...for them that slap in the face was catastrophic. In their culture, in the culture in which they were raised, this was one of the most devastating, humiliating things, a public slap in the face by a student. The students seemed to sense this and they used it for their own needs to punish the teacher. I am not exactly sure whether or not I should go on and read the paper, I will leave copies of the paper for the Committee, and just make some comments along these lines...that the issue of morale is very, very important in the schools in which the teachers feel the support of the administration, they are able to

withstand the stress where there is not overload, where there is adequate security...

SENATOR NEJEDLY: Excuse me, when you say support, what do you mean that if a teacher tells someone to leave the room, or attempts to apply some discipline, that they require support from the administration, is that what you're referring to?

DR. BLOCH: I wasn't referring to anything that subtle, I was referring to where a teacher is having trouble, and they do turn for assistance, that assistance is there. It's not always dumped back and the teacher told, "it's your problem, you handle it." I have seen teacher after teacher who was subjected to a form of assault. One teacher had her hair set on fire, and was told by the administration, "this is the result of your inability to communicate with the minorities, it's your fault, you better not report it, it will not look good on your record." This occurred in a situation of incredible overload with continuation students to a teacher who approximately two years before in a Northern California school had a knife put to her throat, her life threatened, but she was completely supported by the school principal...there was morale, the teaching and administration were a team, and the offending student was dealt with. She was back teaching the next day. Following the incident at Dorsey High, this woman has never returned to teaching. That is the kind of support that I am talking about. Too often as occurs with the rape victim, the teacher is made to feel responsible for the crime perpetrated upon him or her.

SENATOR NEJEDLY: I was interested in the testimony of the previous witness who indicated some of these statistics may be misleading because of some reluctance to report incidents, is that as you see it, part of the problem as well in this kind of a circumstance, the support for the teacher where you give us the example where the administration simply wanted to sweep it under the rug and didn't want to report it because it might reflect on the school or it might reflect on some inventory of the racial relationships in that school, or whatever?

DR. BLOCH: Yes, that is definitely true. I might say, that the overt policy of the L.A. Unified School District as it was related to me is to insist upon the reporting of all incidents. However, in any individual school, the principal and the vice principal seem to make their progress in the bureaucracy by having a quiet school, by having a good school, then they can be promoted to area superintendent or whatever it happens to be, and so there is a pressure put upon a teacher to suppress reporting of incidents. And then what is an incident? If a student...

SENATOR NEJEDLY: Pardon me, can I ask a question of the Chairman?

DR. BLOCH: Yes.

SENATOR NEJEDLY: Isn't there some statute with reference to reporting violence, a mandatory reporting requirement?

CHAIRMAN ROBERTI: I believe there is...

SENATOR NEJEDLY: We don't mean to interrupt your testimony

to look it up, but how in the world can they administratively repress that kind of reporting?

DR. BLOCH: It depends upon the degree of the incident -- setting of hair on fire kind of incident, a push, a shove, a threat, at what point is it a reportable incident? I have come across many, many situations...

CHAIRMAN ROBERTI: Or the probability to tell the teacher, "well, what you thought was intentional probably was just inadvertent, as obvious as it might have been." That kind of pressure can be put on the teacher.

DR. BLOCH: I have seen incidents in which the security was not available to the teacher, security already on campus was not available to the teacher because it was away investigating another assault on the same campus. There was a study done in a questionnaire form that I became aware of in the course of my research that estimated that one in ten assaults upon teachers become reported. We then have to deal as well with the futility of the report. What happens when a report takes place? There's a lot of paperwork, there's a certain amount of investigation, but what happens to the student? The only power the school has is to suspend. The police, by and large unless it is a gross act such as a rape, are relatively disinterested. The police really have other things to do. They are investigating stranglers and more violent crimes. And so there is a futility. And the whole juvenile justice system, which I guess is one of the main purposes of this committee, does need revision. It really does. The children

are rotated only to commit the same crimes or similar crimes in the next classroom or in the next school.

CHAIRMAN ROBERTI: So what do you suggest we do, or the educational establishment do when you have a student who is deemed to be incorrigible?

DR. BLOCH: I do have a suggestion along these lines, and the L.A. Unified School District said they do this, but they don't. In Philadelphia if a student commits a crime, assaults a teacher, he is denied the privilege of returning not only to that school but to the mainstream of schools, and they have special schools much more widely used for example, in Philadelphia than here. There they have an eight to one student teacher ratio, they have a high emphasis on manual arts, they take this non-achiever who was acting out in part because he was a non-achiever, and hopefully instill in this student a feeling of success, that he can do something. The teachers report to me that approximately 93% of the students within the inner city, in their classrooms, want to learn. Ninety percent of the teacher's energy is spent dealing with the remaining 5 to 7 percent, keeping them under control, siphoning away their energy. If a situation could be created in which they only had to teach the 93 or 95% who wanted to learn, who wanted to be there, that they could instill some motivation, I think reading scores and teacher stress and everything would be significantly improved. This is not done nearly enough in Los Angeles. There is a kind of a rotation there, they go from classroom A to classroom B, from

school A to school B to school C.

SENATOR NEJEDLY: Is there any way to determine the separation into those classes, of who wants to learn and who does not want to learn?

DR. BLOCH: I think the feedback from the teachers, patterns within the teachers, you know, a consensus of teachers who have contact with their students. And certainly the student who commits an assault, the student who sets a teacher's hair on fire, for whom this kind of incident is not the first incident, they should not have the privilege of remaining in the mainstream to continue to disrupt a classroom, making a situation where education can't take place for the balance.

SENATOR NEJEDLY: Well, then what you're suggesting is some refinement in the mandatory educational process, requiring attendance at school until a particular age?

DR. BLOCH: You are getting into areas beyond my expertise.

SENATOR NEJEDLY: You said these people are referred to you, are they referred by a district or are they referred by another doctor, or what is it?

DR. BLOCH: They are referred to me by other teachers, they are referred to me by physicians, fellow psychiatrists, internists, they are referred to me by their unions, initially UTLA, subsequently CTA, by some of the attorneys who might be representing them in a worker's compensation case; they have come from a variety of sources. They have come because they have heard about me.

SENATOR NEJEDLY: Do you have any feeling...this is a

pretty broad question, I may be taking unfair advantage of you about the capacity of psychiatrists and psychologists who predict or anticipate violent behavior on the part of any student, any incipient acts that may later be judged to indicate violence will ultimately occur?

DR. BLOCH: Yes, but it's a very, very complex thing, certainly violent acts in themselves forewarn against further violent acts.

SENATOR NEJEDLY: Without the violence, without the first fight?

DR. BLOCH: In all honesty it would be extremely difficult if someone was obviously paranoid and severely disturbed or brain damaged, there would be a higher likelihood, but it would be unreliable I think.

SENATOR NEJEDLY: It's interesting on this point, particularly because this is Senator Roberti's committee, and there's an issue before the Legislature now as to how you are going to deal with the alleged, and I quote, "the mentally disordered violent offender"? How you are going to confine him to some longer period of time, and up until very recently, it has been very difficult to obtain from people in your field, testimony that predictability is really not that inaccurate a phenomenon, and that we really can't predict this, and we are going to have to deal as you suggested with the actual experience of violent acts before we can indicate that kind of predisposition.

DR. BLOCH: I believe that's a valid conclusion,

unfortunately, I wish we did have the tools to predict this, it's something that we don't have.

SENATOR NEJEDLY: It's interesting though that for fifty years many people in your profession have been arguing that they could do this, that there was a medical model.

DR. BLOCH: I'm a little more humble, I guess (laughing).

SENATOR NEJEDLY: Well, it certainly misled the Legislature.

CHAIRMAN ROBERTI: Do you have any recommendations on teacher training program operations?

DR. BLOCH: Yes, I do. For example, I was contacted by someone who wrote a book, I'm blocking out his name, I'm sorry, in New York about the games students play. I'm sure there are people in the audience here that are familiar with it, and if a teacher understands the games some of the students are playing, they can have a game like "ribbon jiving", "doing the dozens", etc., so if you understand this challenge, this game, you can turn this encounter into a shared communication experience. Certain teachers have these skills, skills in dealing with these things. Not handled properly, it can become a violent encounter with the disruption of the classroom. So if the teacher has preparation for what they are to encounter, they generally do much better in handling it.

CHAIRMAN ROBERTI: Thank you very much, Dr. Bloch.

SENATOR NEJEDLY: Can we have a copy of your material?

DR. BLOCH: Yes.

CHAIRMAN ROBERTI: Our next witness after Dr. Bloch will be Mr. Bill Ruth, Director of Administrative Services--Attendance

and Welfare Office of Los Angeles County Superintendent of Schools.

MR. BILL RUTH: Good morning, ladies and gentlemen. I thank you for the opportunity also to meet with you and discuss some of these problems. I shall address at some point the question that was raised during the testimony of the last witness about reporting assaults.

SENATOR NEJEDLY: Could you tell us a little bit about your background?

MR. RUTH: Yes, I will. I am a former teacher, former school district administrator for the past thirteen years. I have been with the Office of the Los Angeles County Superintendent of Schools as a Consultant and as Director of the Division of Administrative Services--Attendance and Welfare. Part of my responsibility as director of that division does relate to this area. We, in the Office of the Los Angeles County Superintendent of Schools, some five years ago when there was much talk about the subject that we are discussing today, decided that there was a need for some statistical data that might give us some indication of what the scope of the problem was, and...

CHAIRMAN ROBERTI: Could you speak because I think it's difficult to hear you in the back, we don't have a sound system I'm told.

MR. RUTH: Yes, I will. As a result of that, we sought the introduction of legislation which would permit the County Board of Education to require the school districts of the county

to report crime and violence statistics for those districts. That legislation was passed and it is now in the Education Code as Section 1110 under the Revised Education Code, and we have in Los Angeles County been collecting statistics which you have before you for the past four years. Not all counties are doing this, and I cannot tell you how many are and how many are not. I believe you have listed this morning Orange County, and that county also collects such data. Our effort was to get some idea again of the general scope of the problem, perhaps the possibility of looking at trends, identifying specific types of crime that is occurring on school campuses; however, because of limitations with respect to the expense in collecting such data on the part of school districts, we do not suggest that the information we share with you today is uniform, that is, the data collection system is not uniform in that we cannot put demands of that nature upon the school districts involved, and some of the information is of a subjective nature, obviously, and we'll see that as we go into it. We don't think that the statistics we'll share with you today represent the entire picture; if anything, these statistics are conservative, and maybe extremely conservative. That's the position we take with respect to them, and I do not intend or want to read to you from this report, but I would like to highlight some of the material that you have in front of you.

The four year crime statistics summary is the cover sheet. We're kind of pleased to report for this year that assaults on pupils in the schools of Los Angeles County, and we're talking

about 81 school districts, about 1.3 to 1.4 million pupils have decreased by approximately 23%.

SENATOR NEJEDLY: Is that on pupils?

MR. RUTH: On pupils by pupils, yes, sir.

SENATOR NEJEDLY: Not on pupils by teachers?

MR. RUTH: No. As a matter of fact, we're not sure that we can give you those statistics.

As you'll note in the second paragraph, assaults on certificated employees, assaults on teachers and other certificated employees, decreased about seven percent, and that was after a three-year trend upward. So this past year the reports from the district did show some decrease. So I bring you some good news perhaps, this morning. Assaults on classified employees also decreased slightly during this past year.

If you'll move to the bottom of your cover page, you'll notice the section on Possession of Weapons. Now in reported cases involving possession of bombs and explosives on campuses, we have had an increase of nearly 100%...95.5% during this four-year period. That should be a matter of concern, it is a matter of concern, and our districts are attempting to deal with that kind of problem. Cases involving possession of guns, knives, and similar weapons have declined somewhat, actually 36% over the four-year period. Some of our students are becoming more sophisticated in terms of the weapons perhaps that they are interested in. We have had one or two bomb makers turn up in the process over the years.

SENATOR NEJEDLY: Do you have a bomb preparation program in the schools?

MR. RUTH: We have been working on it, sir, but we don't have any answers to that. I wouldn't know how to begin, myself.

On page 17, because this is from a document we publish annually, and it's the second page of your material, we summarize vandalism, and we'll get into those statistics from the chart rather than from this summary, but I want to point out the second and last sentence of that paragraph under Damage Costs Up.

Costs are not included in our report for security, for security personnel, equipment, insurance, and similar items such as administrative costs, we will not be dealing with those items. We can go if you would to skipping the charts that may be of interest to you to go over later, and go to the final chart which is a summary of the four-year statistics that we have gathered. The first column you will note, reports the number of murders on the school campuses. We were pleased in the third year to note a 300% decrease in that where we have three murders in the first year of reporting, down to zero in the third year of reporting; last year we went back up with two murders. Now that's kind of a dramatic figure, but I think you have to put that in perspective when one considers that the reports indicate that in Los Angeles County there are approximately 150 juvenile arrests for murder in a given year, so I don't become too alarmed at one or two of those that may have occurred on the campuses of the 81 school districts in

the county, so we don't present that figure to dramatize the problem. In the area of assaults you have already seen the summary, but you see the year-by-year picture there that we have compiled over the past four years, and of particular interest is that decline in assaults on pupils during this past year. We spend approximately according to the reports from our school districts, five million dollars per year in Los Angeles County. That includes Los Angeles Unified in terms of losses for offenses against property, and our reporting system asks for or requires reports of vandalism, arson, burglary and theft. The trend has been upward in the area of vandalism, and also in the area of arson in terms of costs, as well as in incidents that occur; but, here too, I think you have to look at such statistics in relation to other factors, certainly the increase in costs, the inflationary factor would have to be taken into consideration, so if we have stayed at five million dollars approximately, perhaps we are improving with respect to those figures. Maybe too, you would even want to look at the declining enrollment as a factor that would relate to this. We have now or this past year, 1,339,000 pupils in the schools of Los Angeles County, kindergarten through Grade 12. When we started this reporting we had 1,383,000 pupils so we have declined some 45,000 pupils, therefore maybe the problem isn't quite as bad as the figures would indicate in some of these reporting incidents.

SENATOR NEJEDLY: Pardon me, do you have any similar figure for what your costs for insurance were?

MR. RUTH: No, sir, that data would have to come from the individual school districts.

SENATOR NEJEDLY: Would you have any off-the-top reaction to the suggestion that the state undertake, in view of the problems with the insurance today, that the state sort of become an insurer and accept responsibility for losses in these kinds of situations, above an amount which varies by the size of the school district and the unit's responsibility for each loss so that the districts would know within their own budget, their own capacity to deal with it without insurance, and then the state would become an effective insurer for the amounts above that?

MR. RUTH: Your question suggests a plan that would retain some responsibility at the local level, that there would be the incentive to continue to work on the reduction of crime that you wouldn't remove the cost factor from the local taxpayer, so I am inclined to think that there would be merit in systems of that nature.

SENATOR NEJEDLY: I might say I might sell the idea then if your response is positive, and introduce a bill on it. Actually now you are doing the same thing because in order to reduce your insurance costs, the school districts are taking a higher and higher amount that they have to have initial responsibility for.

MR. RUTH: Self-insuring to a degree, yes.

I would like to continue with just a brief look at the form we use to get monthly reports from school districts. We

do not have a breakdown of some of the problems with respect to grade level, and you will note on the yellow form that the categories of reporting with respect to assault, we directly relate to the responsibility of the teacher and the administrator to report assaults.

SENATOR NEJEDLY: Do you require the reports to be made?

MR. RUTH: Yes.

SENATOR NEJEDLY: What if a principal didn't make a report, would there be any disciplinary action?

MR. RUTH: If he attempted to discourage the teacher from making such a report, he would be guilty of a misdemeanor under the law and would be...

SENATOR NEJEDLY: Where is that?

MR. RUTH: That's in Education Code Section 44014. You'll find it verbatim on the back of this yellow sheet. We intentionally reproduced that section for our school districts so that they would comply with the law and of course we have in-service meetings in addition to that, we don't just send out material, but we have made a considerable issue of reporting requirements in Los Angeles County for a number of years.

SENATOR NEJEDLY: So the previous witness who indicated in some cases the person affected was discouraged from making a report, the person discouraging them actually is guilty of I guess concealment?

MR. RUTH: It could be possible as you look at this

law that maybe the penalty isn't great enough here, although I haven't known of anybody who has been charged with attempting to suppress the reporting, but...

SENATOR NEJEDLY: Are the faculty aware of this section and of the requirements?

MR. RUTH: They are indeed, I can't imagine that they wouldn't be considering the amount of publicity we've given to it over the years.

CHAIRMAN ROBERTI: Do you feel a faculty member is ever intimidated from making a report?

MR. RUTH: That is entirely possible, that in a given school, with given personalities, a faculty member could feel intimidated about making such reports. And indeed some years ago before this law went on the books it was not uncommon for the administrator to want to keep the waters smooth and to discourage such reporting, but I think in its wisdom the Legislature required that reporting, and I do believe that it's the only appropriate thing for us to be doing.

SENATOR NEJEDLY: Possibly the Chairman might be very interested at least in considering putting a period after the word misdemeanor and make it subject to all the penalties that a misdemeanor is, rather than just limiting it to a fine.

MR. RUTH: That is a possibility. Now, again, I can't say that increasing the possible penalties would change things because I am not aware that we have any significant effort to discourage reporting, and I think we have in this county at least, very fine cooperation with law enforcement agencies.

Now we have a lot of law enforcement agencies so that's kind of painting across the whole board, but for the most part I can see no problems in dealing with assaults on school campuses insofar as working with those law enforcement agencies.

SENATOR NEJEDLY: In your statistics, do you keep them so that one could determine whether the incidence is higher in high achievers or low achievers or this sort of thing?

MR. RUTH: No, sir, only by grade level. There are indications, the L.A. Times carried an article just yesterday about a Denver project funded by HEW in which their determination was that the incidents are more likely to be among low achievers and youngsters who have social problems in the community, at home, and indeed they concentrated on that kind of group and their report is that the results were very good in dealing with those problems in terms of providing educational experience that goes far beyond what you would provide for the usual student; however, it's a very expensive proposition. Our office incidentally as a result of legislation that the Legislature put through this past year is exploring the possibility of developing county community schools which would be something of a "school of last resort," so to speak, to deal with youngsters who have a continuing kind of problem and to try to provide the services that would be needed for this type of youngster.

CHAIRMAN ROBERTI: Fine. Thank you very much, Mr. Ruth, we appreciate your testimony.

Our next witness will be Mr. U. Edwin Harding, Chief Administrator of the Student Community Services, Orange County

Department of Education.

MR. U. EDWARD HARDING: Assemblymen and Senators, I would like to have Ms. Ann Andres to comment, she's the last person on the agenda, we're both from Orange County.

CHAIRMAN ROBERTI: Very good, that's fine. You can testify together.

MR. HARDING: I am U. Edward Harding, Chief Administrator, Student Community Services, the Orange County Department of Education. I have been a teacher and for five years worked in the Los Angeles Unified School System as a Child Welfare and Attendance Supervisor in the Dorsey and Audubon Junior High School, and out the old L.A. high school area, and I have been in the office in Orange County since January of 1960, about seventeen years.

I have some similar statistics that Mr. Ruth passed to you. We have only been keeping these statistics three years though. In regard to those, these were originally made for an overhead projector, there are some misspelled words so you'll have to pardon us for that, but as you go across all of the graphs start at the year '74-'75 and then proceed on through to '76-'77.

To start with, I'd like to quote Dr. Phillip Zimbardo, which I believe is the essence of what we are talking about, "Schools are hit by vandalism because they represent failure to children; violence comes from a person feeling 'nobody cares for me'; we've got to develop a sense of community and

community action. No police is ever going to be able to, combat juvenile crime and vandalism." The Association of California School Administrators in April of 1977, put out a study which indicated that about 2% of their students are violent in the public schools, and that the same names appear over and over again. And their reasons were given that parents condone and even encourage violence among their children. Some of the other causes were violent movies, violent TV shows, and parents who teach the way to solve problems is by fighting and hitting. We have a couple of schools that I used as illustrations of schools that are doing very well about controlling vandalism and violence in their schools. One is at Curry Intermediate School in the Tustin Unified School District. There they have about 28 to 30 percent turnover in their student body every year. I spoke to Mr. Jim Turner, the Principal, after he had just received a state award as an exemplary school in counseling and individualized instruction. He has the lowest vandalism rate of any school in that district, and in walking around the campus I noticed that it's always very clean. One of the things he attributes this to, he has an assembly every week and the only people who are permitted in that assembly, other than the students, are himself and his vice principal. He usually gives some good strokes to the students and then tells them what needs to be improved, and the students are given a chance to dialogue with the administration and he stated that he has to work on this continually, he doesn't slack off. All the staff are required to be on the

grounds during breaks. They have a good counseling program, and the staff knows, the students know that the staff care about them because they continually show it. Here again the campus and restrooms are very clean. Research shows parents and schools must get their act together, then both parties must team with students to establish and maintain a positive learning climate. In our own office we have some good programs which I think are trying to combat this problem. First of all, we have the School Attendance Review Board (SARB), we have a county SARB, and we have eighteen district SARBs. We also have a good Drug Abuse Program, and then we have our Legal Education Program which Ms. Andres will speak about. We also have a Student Assistant Program in one of our juvenile court schools whereby a student who has been expelled can attend that school, providing his parents provide the transportation. And I would like to go through this briefly with you, noting that the first reporting is a total reporting of attacks or menacing on adults, which shows quite a decline this last year. The second sheet is a breakdown of that first one, with certificated personnel, classified personnel, and then peace officers. The third sheet has to do with total assaults or attacks on pupils. We asked the districts only to report assaults or attacks or fights among students, if some disciplinary action was taken, or a student was seriously injured. The next is a breakdown of that assault or attacks on pupils. Then the next is a total possession weapons, which is pretty constant throughout the last three years...the breakdown of that, guns

and knives, bombs or explosives, and other. Bombs and explosives -- we have asked the district to even include firecrackers in that because of the danger of putting out eyes or fingers or that sort of thing. The next is other types of crimes and violence. This has mainly to do with the alcohol problem and drug problem, and this seems to be on the rise. Then total crimes against property...you see that it's going up both by incidents and by the amount of money. It's almost doubled during these three years as far as money is concerned, which of course is because things cost more to repair. The last, second to the last one, is crimes against property...and the last one also is included in crimes against property, which is vandalism. Here we find, as L.A. did, that the vandalism is certainly on the increase both by the number of incidents and by the cost factor.

CHAIRMAN ROBERTI: Is it on the increase in view of any increase of student population in Orange County?

MR. HARDING: Well, I'd say in Orange County many districts are now having a decline in enrollment, and we only have two or three districts that are taking in more students in the Rio Linda area and down in the Capistrano/Saddleback Mission Viejo area now.

SENATOR NEJEDLY: Wouldn't these statistics be more important if they could be related to populations or incidents per pupil or incidents per hundred thousand pupils or some similar figure rather than the frequency of them? Isn't this kind of distorted when you have a declining population and the

number of incidents remain the same...you actually have an increase?

MR. HARDING: That's true. I don't think we have that much of a declining enrollment at this time in Orange County, it's pretty stable, but there are some districts that are declining.

SENATOR NEJEDLY: Have you related these to general crime or criminal activity curves in the community? What are the crimes of violence in the whole community, is there any relationship?

MR. HARDING: I have not, but I heard you ask Mr. Ruth this question, whether there is a carryover? I remember a few years back, L.A. City did a clean sweep of the South Central part of L.A., and any youngster who was found out on the street of school age was picked up by the police. I think this went on for ten days or two weeks, and they found that crimes such as burglary and theft dropped eighty-some percent. Also, the Youth Authority, I was reading one of their bulletins, they said that 94, I think it was 94.6% of their wards had some type of school problem, either they were truant or were a behavior problem in the schools, so there certainly seems to be a carryover there with the problem student as far as crime is concerned.

CHAIRMAN ROBERTI: Ms. Andres.

MS. ANN ANDRES: My name is Ann Andres, I am an attorney, I have been a high school teacher, I am involved now with a new program in Orange County called the Orange County Legal

Education Program. We are sponsored by four groups...the Department of Education sponsors us and they house us; we are sponsored by the Bar Association of Orange County and over 200 of our attorneys are participating as volunteers in the program; we are sponsored by the Legal Aid Society and by the Sheriff-Coroner's office. You have heard a lot of statistics already this morning and I would like to be able to sit here and tell you that our program is affecting these statistics and reducing them. Unfortunately I cannot, we are really only in our first year of full implementation, but if we didn't believe that there was some correlation we wouldn't be in existence, and wouldn't have the kind of dedication that we have from the people involved.

I would like to just briefly summarize for you the reasons why we feel our Legal Education Program is effective, and the first and major reason is that we believe that you have to get to the students themselves. You can't tell them about the law and say that's very naughty and that you can get into serious trouble; you have to provide the students with some sort of means to internalize this information. In some of our lessons, primarily the fourth, fifth, and sixth grade lessons, are targeted at shoplifting and vandalism. We provide them, the students, through the first phases of our lessons, developing decision-making, so that the students not only know what the law is, but we give them the skill so that when they are faced with seeing someone shoplift, or faced with the possibility that they are going to shoplift themselves,

perhaps they can stop and think...well, what is going into my decision, and if I'm going to go with this kind of behavior or not. We also talk a great deal about peer pressure so they can understand what's happening to them when they are with groups of people that are participating in this kind of behavior. We have had many reports from our teachers saying students are talking about peer pressure, what's happening to them? They say, "oh well," one student told his teacher, "all the kids are really mad at one of the little boys," he said, "but you know that's just peer pressure." So they really are beginning to get a glimmer of the effects on them when they go into shoplifting situations or vandalism situations. So in essence, what I'm trying to say, we're really trying to give the students not just the law, but the skills to use it, and we think that's important.

SENATOR NEJEDLY: Do you do the same thing with drugs?

MS. ANDRES: We do not touch drugs, Orange County has a wonderful Drug Abuse Program, and it is gone through the Department of Education, it's been very effective, but yes, they do the same type of thing in the Drug Abuse Program.

SENATOR NEJEDLY: So does San Francisco in a different way.

MS. ANDRES: Also secondly, we don't moralize to the students, we're not saying, "don't do this; do this." We tell students as straightforwardly as we can what the law is and what the consequences are going to be to them if they participate, and sometimes it comes as a shock to certain people when

they find out we tell students that they are not going to end up in juvenile hall if they shoplift the first time. But as a matter of fact in Orange County, they don't, and we try to be as straightforward with the student as we can. We try to leave the decision-making up to the students. We tell them what the law is and what can happen, and then they are the ones, and we emphasize, you're the one who's going to have to decide what you're going to do. We present the law always in a positive manner, we don't try to put the students down. For instance, in our vandalism unit, we don't show the student as being a vandalizer when they break windows in the classroom. We also show the student as being the victim of vandalism, for instance, when their clubhouse is wrecked. And so our lessons pick up from there. We say, "What do you do when you are vandalized? How do you feel? What are your alternatives? What can you do about it?" And so we feel that positive approach especially at this young age, fourth, fifth, sixth, and seventh grade is a good beginning with the law.

Our target groups are not either extreme of our socioeconomic pattern in Orange County, or the already established behavior groups. We are not trying to talk to kids that have already established records, or kids that are outstanding and leaders on the campus. We feel there's a large middle group who may go either way, and perhaps by giving them an understanding of the law and how they participate and interface with the law and the community we might be able to help them make the correct decision. But really what I'm here for and I sent you a letter

so I'll just briefly summarize it, is how you fund such programs? We think we're good, we think we're going to be effective when we get our data analyzed. We are funded in Orange County by the Orange County Board of Supervisors, and we were funded the first year for \$70,000 out of the County General Fund. We had hoped to be a three-year program and we had asked for more money than that, but they said, "all right, we'll give you \$70,000, you do a three-year program in one year." That was last year. So we wrote and created the lessons last year and started to implement them. This is our first full year where the lessons are available to all school districts in Orange County. We do provide lessons at no cost to any school district in Orange County who wants to participate. But the problem, I think, is that many school districts don't have the money, but even more importantly, the expertise to develop these kinds of lessons on their own within their own districts. As you know, and I notice, that Senator Robbins is on your committee, that legal education was mandated through one of Senator Robbins' bill and is now chaptered as part of the Education Code for grades seven through twelve, but no funding has ever been made available to implement these kinds of programs. Assemblyman Bannai did attempt such a bill, but it died in committee. Traditional sources of funding, I have found, unfortunately, are very difficult to obtain because we are having really preventive approaches and groups such as LEAA are really looking for

rehabilitative kids that have already gotten in trouble, what are you going to do to get them back into society and into the community? So we are finding that funding sources are difficult to locate because of that aspect, and I would just simply like to leave with the suggestion that our Legislature in California consider the possibility of funding law-related education.

SENATOR NEJEDLY: Where is your school board?

MS. ANDRES: My school board, or the Orange County Department of...

SENATOR NEJEDLY: Well, whatever you have...

MS. ANDRES: The County Board?

SENATOR NEJEDLY: Well either the County Board or the local boards that I presume could implement this school by school, or district by district...

MS. ANDRES: That's right -- and one of our future plans is perhaps to market our program to the school districts and ask them to pay for it.

SENATOR NEJEDLY: Have you done that?

MS. ANDRES: No, we haven't. We plan to do that the end of this year. But I am fearful, frankly, between you and me, the possibility the districts will allocate their funds for legal education. We may find some districts that will be willing to do it, I don't know, it depends, everybody has to set priorities, as you do, and I am just suggesting that one of these priorities might be funding these kinds of preventive programs.

CHAIRMAN ROBERTI: Thank you very much, Ms. Andres. We appreciate your testimony.

Our next witness will be Mr. Richard Green, Security Director of the Los Angeles Unified School District.

MR. RICHARD GREEN: Mr. Roberti, gentlemen, I have heard the others who were presenting information this morning...let me give you a little background.

I was a police officer for the City of Los Angeles for twenty-six years, graduating, not retiring, I prefer it to be said that way, from the Department as a Captain, and at that time in charge of the narcotics citywide program for the City of Los Angeles. I have only been with the Board of Education of the Los Angeles Unified School District for four years in this area of security. It is a new career, and it's certainly a new career in the era of law enforcement.

CHAIRMAN ROBERTI: Could you speak up a little bit, I think the people in the back are having a little trouble hearing...our sound system doesn't really work too well.

MR. GREEN: In making a presentation and report this morning I would first like to describe the size of our district, because that is pertinent, laying a foundation for the need for enforcement personnel on campus, then provide examples of crime and violence on campus similar to what you have already heard, but strictly as it pertains to our district...then indicate the role of the agent on a day-campus, indicate the agent's relationship to law enforcement other than school districts, then possible legislative changes which could impact certain areas of concern

for our district.

The Los Angeles Unified School District is one of the largest school districts in the United States today. It extends over an area of 715 square miles, providing an educational program for a community composed of the City of Los Angeles, ten other municipalities, and a segment of the Greater Los Angeles Unincorporated Area. The educational program is conducted in 660-plus, sites, for approximately 650,000 students, provided by 65,000 administrators, educators, and support personnel. We have become aware, as possibly yourselves, of a drastic behavioral change which has taken place in our society during the past several decades. The personal conduct of the individual has noticeably been affected. You undoubtedly have noticed a resistance to conformity and the assertion of individual rights over those of the majority and a growing disregard for law and order and the establishment. Many of our communities themselves have become frustrated. Others are more tolerant and apathetic, maybe because that is easier than to maintain one's conviction. This phenomenon has, as might be expected, changed campus life and the campus community. Our young people move onto our campuses daily bringing with them their frustrations, conflicts, concerns and aspirations. The environment on campus is highly complex and the atmosphere many times highly volatile, much more so than the communities from which they came as the density of the population on campus is increased drastically over that community with considerably less supervision than the family can normally provide and with each seeking identity

and recognition. The campus is a community of young people with all the problems of a greater community, including crime, but in again, a more highly concentrated environment. Crimes against property and crimes against persons on our campuses are commonplace. During fiscal year 1976-'77 the district, its employees and students, reported 4,500 burglaries, 2,200 thefts, 800 assaults, 300 robberies, and 134 arsons. During this same period, the district's agents were assigned over 8,000 investigations, handled approximately 7,000 suspects over half of which were arrested...of these, only 20% were 18 years of age or over...total loss to the district in excess \$4 million. Those were educational tax dollars. If I may, to establish a frame of reference, I will cite a few examples of the crime which occurs on our campuses daily. Shootings are not uncommon. After a scheduled high school football contest in this city, two opposing gang groups became involved in a shootout in the midst of a large group of spectators. Fortunately, we say fortunately, only because one of the intended victims fell victim to the gunfire. The suspects, yes, were taken immediately into custody. Occasionally the ultimate crime is committed on the campuses. This year on one site during nutrition, a confrontation occurred between several persons. A physical altercation resulted, and when several of the persons joined in against the one, he drew a knife, fatally stabbing one of the assailants. I heard the prior mentioned by one of the participants...

CHAIRMAN ROBERTI: Were they all students involved?

MR. GREEN: They were all students involved. This year there has been a reduction in these types of crimes on the campus, and I must reiterate that even one is too many. These things are commonplace and if we learn to accept them, the problem is only going to worsen. Rapes also occurred on campus, and in some instances the victims are teachers. One such attempt was consummated in full view of an elementary school class. Child molesters find their way into our campuses...

CHAIRMAN ROBERTI: Was that recent?

MR. GREEN: Yes, sir, within the last year. In the recent past a single suspect was credited with ten assaults before he was apprehended. This individual when apprehended, was found to be on probation for similar misconduct. Narcotics use and sales by major traffickers has become a critical concern in day-to-day campus life. Marijuana, phencyclidine (PCP), and pills are the prime movers. The illicit trafficking brings with it other crimes. For example, one student was set upon and assaulted by three others who were attempting to hijack an alleged \$500 cache of marijuana in his locker. Again, during a recent football game one of the students was found to be unconscious due to his consumption of a quantity of alcohol and drugs. Twice during his being removed by ambulance, his breathing stopped and it was necessary to maintain life by artificial means. Assaults on faculty members, students, agents, have become all but routine. The innocent, in many instances, unprovoked, are accomplished by fists, knives, guns and other weapons. They may involve only the victim and/or

assailant; however, in some cases large groups of students become involved into major disturbances requiring many agents, administrative personnel and the police to restore order.

Gambling is another crime which requires strong enforcement. During this semester we have handled numerous complaints relative to gambling activity on campuses, and two such incidents, shootings, were the result; poor losers. These are examples to assist one in focusing in on this serious problem. The emphasis, the fact that crime comes to our campuses daily in the persons of a relative few and those who make up our children's communities at each of the learning centers where they gain exposure to a curriculum and life from a concentrated and sometimes less than controlled environment. The security section of the Los Angeles Unified School District was conceived in 1948. That goes back a few years when it was primarily interested in property protection. However, as time passed, school administrators and legislators recognized the need for a security force and as a result, Section 15831 of the California Education Code was enacted in 1961, which enabled the creation of such an entity, school security. By 1964, the section had grown, our section, to 26 personnel. It should then be noted that at that point in time our society's behavioral patterns, as I previously indicated began to change drastically. These changes were immediately reflected in our pupil's interrelationship with the community, teachers, and each other. In that same year school administrators being sensitive to the change and the people's needs readily became cognizant of the need to

develop a specially selected, specially trained person with enforcement authority to assist administrators in maintaining or creating a peaceful atmosphere within which the orderly process of a meaningful educational program could occur. In 1969 our legislators came to our assistance. They created a Section within Section 830 of the Penal Code, and broadened it to include school security personnel as peace officers of this state. Their peace officer powers are basically limited to the security, to that which occurs on campuses or property immediately adjacent thereto. The Section, due to need, has expanded its complement of personnel to 300 agents, that is our security section and assistants who have been assigned at least one to every senior high school, one to at least 55 of our 75 junior high schools, and one at an elementary school with a budget of \$5.5 million; again, educational dollars. Agents are selected in accordance with guidelines that are established by POST (Peace Officers Standards & Training), State of California. They must successfully complete training in a prescribed course as prescribed by the sheriffs of the County of Los Angeles. In furtherance of maximizing the agent's potential, an intensive in-service training program was developed emphasizing the agent's responsibilities to other law enforcement agencies, the community, students and school staff, with special emphasis on district rules, regulations, government codes that pertain to the agent's duties. The basic function of the day-school program is to protect life and property. As related to the district, prevent crime, keep the peace, and assist the school

administrator in performing all regulatory functions inherent in campus life. The agent, if he is to be effective in his role as ancillary staff to an administrator, must work in close concert with the administrator or his designee in maintaining various types of discipline on the various campuses. The security program on each site is different and tailored to meet individual and group needs on personalized, timely basis. Therefore, the agent is selected and trained to be flexible as each campus and administrator have their individual peculiarities. The agent's presence on a day-to-day basis has a definite deterrent to many would-be disrupters or law violators, and the positive image he projects as he works closely with the young people, has had a contagion effect on their attitudes toward the respect for rules, regulations and the establishment. The agent to be effective must develop a close working relationship with the general law enforcement with whom he is dealing with in daily contact. Information relative to crime which includes the whole spectrum of law violations, suspects and potential suspects, is mutually exchanged. There is generally a team spirit which prevails and yet there is no doubt in the minds of our agent that the service which he provides is designed for an impressionable, designated segment of our community, and administered by select, well-trained personnel. And yet, that agent must be cognizant of the fact that he is merely an adjunct to regular law enforcement on the campus. The security section of the Los Angeles Unified School District has three concerns which we bring to your attention today. Recently the Thierry R.S. decision brought about a change in the welfare and

Institution Code, 625.1 WIC. In effect, this change mandates that the juvenile arrest procedure in misdemeanor cases be the same as that of an adult. That being, the victim or witness to a misdemeanor be the arresting person. School administrators, police and school securities see this as having a negative effect in dealing with juvenile misdemeanor arrests on campus. Malicious mischief, disorderly conduct, trespassing, narcotics, and assault have become critical disrupters of the educational effort.

CHAIRMAN ROBERTI: Once again, 625.1 now will mandate that the arresting person be someone...

MR. GREEN: He is either the witness or the victim to the commission of the act. As an example, last year with the 800 reported assaults on our campuses, 405 were on faculty members, or one assault per 127 such persons per year, and that number is growing. Narcotic arrests, 1,472, that's up almost 30% over the previous year and growing. Administrators, faculty and support personnel must now under 625.1 become more involved in the custody process, causing them to increase their own personal fear of reprisal or intimidation. False arrest concerns loss of their critical class time, as well as loss of the administrator's time. Resultant effect -- we have already noticed a decrease in the number of arrests and a decrease in the number of removals of a law violator or the incoming formal report. It will soon follow that the young people involved will become aware and misconduct will further increase, and further disrupt the educational efforts. Teacher assaults continue to rise. Daily incidents of teachers' assaults are reported to my office.

The teachers' associations are vitally concerned and are demanding that more protection be afforded the certificated ranks. In the past legislation was sought and developed to protect our teachers from threats and intimidation. It provided law enforcement with a tool in dealing with a problem, and it was effective. In view of the growing number of physical assaults on our faculty, it is suggested that assaults on teachers be considered in a separate section of the Code with alternative misdemeanor-felony sentencing. We attempt to provide an education in a climate where young people must first learn to exist and adjust to violence, abuse and disruption. The educational climate in our classrooms is primarily established by the faculty; however, if that faculty continues to be assaulted, threatened and intimidated, there will be no climate conducive to conducting an instructional program, therefore, further reduction in educational accomplishments; and gentlemen, I believe this is worthy of consideration.

The last item in my presentation deals with peace officer status of school security in this state. Under Education Code 39670 a school district is authorized to form a security department. Under 830.4 of the California Penal Code a department so formed may be sworn peace officers of the State of California. Due to critical needs, many such departments were formed, as you are aware. However, training for personnel in such a critical assignment, a law enforcement specialist dealing primarily with young impressionable clientele, was not prescribed. There is not only no minimum standard of training, there is no required training. Each district that does provide training does so at

their own expense, and again, I reiterate, educational tax dollars! It would appear that such a critical law enforcement person should be well-trained. It would further appear reasonable that there should be minimum standards of selection and training. Fortunately there exists within the state an organization which could provide both the training and the minimum standard. That organization as I have indicated before is POST. However, to qualify for peace officer status, he must fall within the categories of 830.1, 830.2, or 830.3. I therefore submit for consideration that security, school security personnel, be classified from 830.4 to 830.3, thus enabling that which is necessary to be provided. To this point there is precedent. The community college district whose law enforcement personnel serve a similar function are so recently classified.

Gentlemen, I thank you for your attention and kind consideration.

CHAIRMAN ROBERTI: Thank you. I was delighted to hear your comments on 625.1. It corroborates some of the evidence that we heard in San Francisco as well. However, in San Francisco, some of the witnesses stated that much of the crime was committed by dropouts, or people who were not students. Is that your experience, or do you find that much of it in Los Angeles is committed by students?

MR. GREEN: I would say a certain amount of it is committed by the dropout and the outsider, but we also have a great amount of it that is still being committed by the youngster going to those schools.

SENATOR NEJEDLY: I was thinking we were going the other way in the arrests by an officer arriving on the scene of a traffic accident. We have now provided that he can make an arrest although the misdemeanor was not committed in his presence...but we're going the other way in this kind of 625.1.

CHAIRMAN ROBERTI: The problem I guess you would find is that when only the victim or a person who was in the presence of the assault makes the arrest, the intimidation could be overwhelming to that person.

MR. GREEN: She goes back to that same classroom the next morning, and possibly with that same youngster the next morning, and is probably going to go through that same thing again. And it's devastating. We find many of our classrooms in segments of the city that the teacher, at the time that the class bell rings, locks the door, not to keep the students in, but to keep some of the others out.

CHAIRMAN ROBERTI: Fine, thank you very much. Our next witness will be Mr. David Siden, Security Director of the Santa Ana Unified School District.

MR. DAVID SIDEN: I apologize for the lack of the number of copies, but in checking those over before I came up here I discovered my secretary had failed to put in one whole page. While it might briefen the presentation, it also might leave a gap in our knowledge.

CHAIRMAN ROBERTI: If you could speak up just a little bit, and if the people talking in the back could take seats,

we would appreciate it. Okay, Mr. Siden, please continue.

MR. SIDEN: You have heard repeatedly the problems on campuses starting with Orange Unified School District through Mr. Green. I am not going to repeat these. You are well aware of the problem and it would be wasting your time to repeat these. However, what I would like to speak about ever so briefly today are the Sections of the Codes that we feel are possibly weak or need a little bit of assistance. I would like to express our appreciation to the Committee for allowing us to make this presentation today. For some time the local police department, school security personnel, both directors and campus officers, have expressed concerns with campus problems. On behalf of the people who have sent their messages up with me today, I would like to thank you for the opportunity of presenting this to your Committee. With your permission I would like to read the concerns that have been expressed, and a copy has been provided for you. This is a new experience for me, Senator, I hope you don't mind, and that you'll bear with me.

The largest area of concern, and this is echoed by nearly every school security director I spoke with, was a lack of legal recognition for school security personnel on campus. This was preceded by Mr. Green's remarks -- "Section 830.4, Subsection 12, gives police powers to persons employed as members of a security patrol of a school district pursuant to Section 15832 of the Education Code. When the person employed as a campus security representative or other

descriptive title does not enjoy the necessary privilege of being a peace officer except during duty hours." We would request a change in the working to something comparable to use of the term "security department", rather than just "security patrol", since we do not patrol in our school districts; therefore, legally, we do not have these powers. Several security directors have expressed concern over the lack of 24-hour peace officer status for their personnel. They feel a change of the Section 830.4, Subsection 12, combined with additional training to be discussed later, will enable them to this privilege. The feeling of security personnel cannot legally utilize their peace officer status during non-duty hours if the need arises. The use of citizens' arrest is not sufficient for this instance, it is felt. Police and security personnel alike have expressed great concern over the Trespass Law. They felt that it should be tightened up. Section 653g concerns loitering about school or public playgrounds. As Attorney General Younger states in the book, "Law and the School", the problem with enforcing this section is proving the loiterer is engaged in lingering for the purpose of committing a crime when an opportunity might present itself. Schools are literally plagued with loiterers. But how can you prove the person is lingering for the purpose of committing a crime? And whether the thought of criminal action is already in a person's mind or it later proves to be a crime of opportunity? The schools have a lot of trouble keeping non-students

away from the schools. We would request a review of the Trespass Section, and more teeth added if possible. Another section dealing with trespassers over which concerns have been expressed is Section 626.8 dealing with persons coming into school buildings, grounds, streets and sidewalks and interfering with peaceful conduct of school activities. Attorney General Younger has stated before an arrest can be made under this Section, five questions must be answered in the affirmative:

1. Is the individual on specified property?
2. Is his purpose there lawful?

This is the part that gives schools problems.

For instance, Mr. Younger has stated it is lawful for a minor non-student to come onto school property for personal reasons such as arranging social activities. This conflicts with Section 653g. Also, legal, is a parent entering school property and removing a child without the permission of school authorities.

In a case of a divorce where custody of a child has been granted to another parent, the schools are literally an agent participating in kidnap without having knowledge of the background of the situation. Students participating in a school strike and refusing to attend class is also legal, according to Mr. Younger.

3. Another question to be answered prior to an arrest for Section 626.8 is, has the individual's presence of acts caused the required disruption?

Here it must be proved the presence of the individual

must either interfere with the peaceful conduct of the activities, or of the school, or disrupt the school, or its pupils, or school activities.

4. Has the individual been asked to leave by one of the persons specified in the statute?
5. After being asked to leave did the individual remain or reenter within 72 hours?

As you can see, schools as well as local police, have difficulty enforcing the law under these circumstances. Several police officers asked if it would be possible to broaden the Trespass Law to cover "cruisers," that is, the youngsters that drive their vehicles around-and-around the school, causing various problems such as traffic congestion, harassing students in leaving campuses, malicious mischief to faculty and student vehicles parked on the streets, litter, auto burglaries and general disruption. In some instances gunfire has erupted where cruisers have centered their activities. Now it is realized that this section may be part of the Vehicle Code or should be part of the Vehicle Code, but could the Penal Code be broadened to cover this area of concern? Previously it was noted, concern over recognition or lack of same for campus security personnel training is so important in this area. Several asked if the standard training now required under Section 832, Laws of Arrest, could be expanded to give better training to security personnel? Several requested their campus security people be required to complete the requirements necessary for a basic POST certificate. Presently 832 training

amounts to 40 hours, but in school districts that prohibit use of firearms, such as ours, this training is reduced to approximately 24 to 27 hours. There is a feeling that this is insufficient training. We would ask for additions to Sections 13510 and 13510.5 of the Penal Code for recognition and additional training. Further it is felt that security personnel should be returned for refresher or advanced training at specified times.

Another area of concern, and this may not be addressed to the correct body, is the lack of distribution of changes made in the law. Schools would like to know of legal changes before finding it out in the courtroom when a case slides down the drain due to a lack of updated knowledge on the part of campus security.

The last area of concern is a request for assistance in allowing school districts under 50,000 average daily attendance to do their own fingerprinting and will be able to deal with CII directly. This would cut down turnaround time by at least 30 days. Why do we ask this? Recently in my school district, Santa Ana Unified, a classified employee had passed the probation period and was of regular status before copies of his seven-page rap sheet were sent to the district listing numerous felony convictions including child molesting. The employee had falsified his employment application, but it took our district nearly seven months to determine that.

Gentlemen, I thank you very kindly.

SENATOR NEJEDLY: Do they have this power to over 50,000?

MR. SIDEN: The way the Education Code reads now it's 50,000 or more ADA before a school district can do their own fingerprinting and cooperate directly with Sacramento, and in many instances it's between four and seven months before it gets turnaround.

SENATOR NEJEDLY: Yes, I can understand that.

CHAIRMAN ROBERTI: Thank you very much, Mr. Siden.

Our next witness will be Lt. Dick Bongard of the Juvenile Division of the Los Angeles Police Department.

LT. DICK BONGARD: As indicated, my name is Lt. Dick Bongard from the Los Angeles Police Department. I am with the Juvenile Division, and although I have been with the Los Angeles Police Department for thirty years, and in juvenile work for over twenty of that particular period of time, today I'd like to speak as the Chairman of the Southern California Juvenile Officers' Association Legislative Committee and make some recommendations that this Committee may look into relative to solutions, legislative solutions, for some of the problems that have been delineated here today.

I don't think I need to repeat any statistics or indicate the problem is very great, because it is. It's already been mentioned by a prior individual about the effect of the Thierry R.S. decision, and I'd like to make two comments in addition to what he made about the time consumption on the part of the teachers and their reluctance to be involved in that particular process; therefore, they are even more reluctant to report assaults, misdemeanor assaults committed on them, than they

were previously.

SENATOR NEJEDLY: At some point in time they'd have to sign a complaint although the original arrest would be made by someone other than the one requiring the arrest to be made, and at some point down the line they'd have to appear to sign the complaint and they'd also have to subsequently appear in testifying, wouldn't it just delay the consequences by a change, or...

LT. BONGARD: What you state is true, Senator, the primary consideration here is at the time of the incident itself. If the teacher has to be removed from the classroom for a protracted period of time...so, AB 2057 speaks to this particular issue, introduced by Assemblyman Maddy at the request of the State Juvenile Officers' Association to repeal 625.1. A primary additional reason for that is the Thierry, R.S. decision stated that "a peace officer may not take a minor into custody on a misdemeanor not committed in his presence without a warrant."

CHAIRMAN ROBERTI: Has that bill been heard in the Assembly yet?

LT. BONGARD: No, sir, it has not.

SENATOR NEJEDLY: It will be heard right after January. It's still in Criminal Justice, I think.

LT. BONGARD: It was authored on August 19, so it has not been heard. This precludes in the event that we have to inject a juvenile into the system to obtain a warrant the diversion from the particular system of the juvenile, and in

the majority of misdemeanor cases where a juvenile comes to the attention of juvenile officers and law enforcement, they are diverted from the system on the first occasion, and this precludes this particular option that is present in the system for diversion; so that would take care of that particular problem itself if a previous representative or individual testifying indicated that there are problems with the school loitering laws relative to, and in and around the schools. The Municipal Code of the City of Los Angeles has a Section, 63.94, stating "no person shall use or occupy or play in or upon, or trespass in or upon the grounds of any public school in this city. This section shall not apply to children occupying or playing in or upon the grounds of such school in the presence and under the supervision of a teacher connected with such school, or of some other authorized person."

SENATOR NEJEDLY: Is that the whole section?

LT. BONGARD: Yes, that is the entire section.

SENATOR NEJEDLY: Well, then, if they have a tennis court and adults went there on Saturday or Sunday they would be violating that law?

LT. BONGARD: That is correct. The experience though is that with the city attorney in past years, the times that we have enforced this particular section has necessitated a previous recorded warning by some individual in authority that has made a record of it...in other words, a police officer working the particular area and so forth. So considering this aspect, instead of requiring the warning by a school administrator,

if an additional requirement would be placed to require a previous warning, then you wouldn't have individuals trying to enforce adults playing tennis on the school grounds. I'd like to emphasize that it's been our experience that the majority of vandalism in schools, or a substantial portion of vandalism in schools is a result of the opportunity of children playing on off-school hours on school campuses...say the baseball or the football goes over near the school building, they accidentally break a window, or maybe purposely break a window if they are over near the school building because they are there to retrieve the ball, and then they go inside of the building and commit the damage. So the ability of law enforcement to utilize this particular section to alleviate damage, frequent damage to a particular school building is extremely beneficial. I might indicate that in my experience in the past in being able to utilize this section in a juvenile unit that I was in charge of a number of years ago, we had thirty-eight reported burglaries and malicious mischief incidents reported in an eight-month period. After we posted signs on the property and initiated enforcement action on off-school hours in taking juveniles into custody, and removing them from the property and releasing them to the parents, etc., and counseling them, we only had two reported incidents in a full year at that same location. So it is extremely effective in relation to cutting down vandalism. The aspect of its use during school hours where we have trespassers reported by the principal or a school administrator

that they don't belong on school property, also makes this section a very good tool for law enforcement if they are going to become involved. A previous individual mentioned that the police are relatively disinterested in pursuing an assault on a school teacher, I might draw the Committee's attention to the fact that it's presently required in the Welfare and Institutions Code for the Probation Department to file a petition request on incidents of assaults on school teachers. There is legislation pending that if passed would delete that from the Welfare and Institutions Code. Our policy in the Los Angeles Police Department is that where a minor is involved in either an assault or substantial property damage on any school or park facility, that that matter will be submitted to the Probation Department for court consideration or informal supervision consideration by the Probation Department so we can have some effect on it, on the situation, a salutary effect...

SENATOR NEJEDLY: Is it going to change by the capacity to deal with the children as adults?

LT. BONGARD: Are you referring, sir, to Section 707 and the revision on declaration of...

SENATOR NEJEDLY: No. Let's assume you have the alternative of dealing with them as adults, would you still want the requirement or the potential for referral to the probation department? I'm not sure I follow your point.

LT. BONGARD: The point is that in the Los Angeles Police Department because of the radiating effects of taking some

authoritative action with a violator that has committed an assault upon an individual, an authority figure on school grounds or in the parks, or committed damage, children in the community know generally who's committed these things and that they have been committed. And just by counseling and releasing to the parents we feel this does not have an impact, or the sufficient impact necessary to deter other individuals in the community or that individual, and therefore, we refer them to the Probation Department.

The other area of concern legislatively that we have at the present time is 26.1 of the Penal Code, in regards to the Gladys R decision of the Supreme Court, which states that where a minor under the age of 14 is concerned, one has to prove in juvenile court that they knew the wrongfulness of the act at the time of its commission as part of the elements of the crime. As a consequence, you have to obtain a Miranda waiver to discuss the matter with the juvenile as to whether he knew the wrongfulness of the act. The age level of persons becoming involved in recent years in violent criminal activity has lowered considerably as I am sure you gentlemen are aware. This particular section was passed I believe in the late 1800s, and it is creating a problem in taking these matters to juvenile court where individuals are thirteen years of age and younger that are involved in any type of a crime because of the working of 26.1 makes it mandatory upon the District Attorney's office at the present time who is presenting one of these cases to give substantial proof that the

individual did know the wrongfulness of the act under the rules of evidence or any other evidence being submitted. And we have many thirteen-year-olds and under, that need to be handled by juvenile court. And as 203 of the Welfare and Institutions Code sums up the philosophy of the juvenile court in handling minors under the age of 18 when it states that a minor being made or declared a Ward of the Court may not be considered in a conviction of the crime for any purpose. That summarizes the thrust of the Welfare and Institutions Code and our State law in handling juveniles that they are being handled for their own welfare -- 602 of the Welfare and Institutions Code merely states that the juvenile court has jurisdiction over any minor that has committed an act defined as crime by a local, state or federal law, and with 26.1 P.C. being interpreted by Gladys R case, as being an element of the offense when juveniles are handled for the welfare and rehabilitation by the juvenile court seems inconsistent with the philosophy of the juvenile law. So I would recommend that either 26.1 P.C. be repealed or it be changed and placed in the Welfare and Institutions Code, the code that deals primarily with the minors in our juvenile court system and indicate that an individual cannot commit a crime unless they have knowledge of the wrongfulness of the act rather than indicating there must be substantial proof, and then it can be used as a defense, rather than a need for being a point that the prosecution must substantiate before the juvenile court can

handle the juvenile.

SENATOR NEJEDLY: How is that operating in your jurisdiction? Let's assume that the child commits an act of vandalism or steals property from the school, and he is referred to the Probation Department for Welfare and Institutions processing, and the court takes custody, makes the child a Ward of the Court, now at that point in your jurisdiction are they requiring the District Attorney in those proceedings to prove the child was aware of the illegal nature of his act?

LT. BONGARD: Yes. At the adjudication hearing they are requiring that as a consequence, as the District Attorney presently must file all 602 cases with the court rather than the Probation Department, after the case has been submitted to the District Attorney by Probation, the District Attorney is making the rejections and not even filing it in court because they know the court will dismiss the particular matter unless there is substantial proof that the individual had knowledge of the wrongfulness of the act at the time of its commission.

SENATOR NEJEDLY: Let me run one by you then quickly if I may to take advantage of your experience. Let's say that there is a safe in a school and that there is a ten year old child, and that the child sees the money and the safe is open, goes and takes the money and indicates from his conduct that he had no knowledge of its real value, in fact gave most of the money away, and the child is referred under Section 602, and the court takes jurisdiction, now at that point is it your

practice here that the District Attorney must appear and prove the capacity of the child to know that the act of taking it was wrong?

LT. BONGARD: Yes, sir, it is, but I might comment that in that particular circumstance the matter would never be referred to the Probation Department if those were the sole facts involved. If this is a first occurrence and it was a situation of opportunity like you indicated; if the family situation were such that we felt that the parents were incapable of inculcating into the minor the knowledge of right and wrong, and that's one of the reasons he didn't have that knowledge, we would refer that matter informally to the Department of Social Services as a dependency case to follow through with working with the family, so that's a matter that would never even appear in court.

SENATOR NEJEDLY: But if it did, you, the District Attorney would be required to make this...

LT. BONGARD: Presently it is, yes, sir.

SENATOR NEJEDLY: What are you doing where there has been previous mention made about acts of restitution...the first witness spoke of that although he didn't have any specific statistics, in that kind of a case involving the property of school districts, would restitution be important in order to get it into a 602? You say that kind of a case wouldn't be referred at all, so there would be no restitution?

LT. BONGARD: Restitution is a rather complex subject. As the court has the option of ordering restitution under new legislation that is presently being considered. In my opinion

this legislation should be passed.

SENATOR NEJEDLY: Which legislation is that?

LT. BONGARD: Off the top of my head I can't tell you, there's so much legislation.

SENATOR NEJEDLY: Doesn't the court have the authority to require restitution in a 602 proceeding now?

LT. BONGARD: No, sir, I don't believe so. There was legislation proposed this year that is presently under consideration, but I am not certain of that, I don't believe it's been passed as yet.

SENATOR NEJEDLY: Well, I know the parents' responsibility, but I am talking about in a juvenile court proceeding where the court has taken the child as a Ward of the Court, is it your understanding that they can't order the child to make restitution?

LT. BONGARD: The courts locally have been ordering fines. They have as a condition of probation in a very few instances, ordering that restitution be made to a certain degree through a program by the Probation Department. But the courts are reluctant to utilize this because they do not presently have specific legislative, or section authority, or code authority to do so.

SENATOR NEJEDLY: I see.

CHAIRMAN ROBERTI: There's no authority, you are saying, to order restitution of the offending juvenile?

LT. BONGARD: Nothing specific in the Code at the present time, unless that law that was proposed has been passed, and

I haven't been informed of it. I can give your staff the legislative bill and information in regards to that matter...it limits the court's authority up to that particular piece of legislation, it limits the court's authority up to the sum that could be obtained in Small Claims Court. And let me emphasize since the question has been asked -- I feel that this is one of the most beneficial things that can be done to have an impact upon the family situation and the child involved to straighten out their particular behavior. We find by experience that because the school security of the Los Angeles Unified School District pursues restitution civilly, and collects from many of the parents in regards to the damages done by their children, that it has a very great salutary effect upon the child himself because parents then are motivated to take action with their child to control their conduct so it won't be repeated; whereas, generally in cases where this doesn't occur and the parents don't have to pay dollars out of their pocket for damage done through willful misconduct of their minor children, they don't get the message as well as if they have to pay money. And we have more repeat offenses on the part of children that are involved in damage where the parents are not repaying damage. So I would recommend very strongly that legislation of that nature be enacted and give specific authority for the court to do so. The courts like I indicated, have been acting on that to some degree in various ways where they feel they have the authority to do so, but they are inhibited from utilizing it automatically or in

a very clear-cut way in every case.

CHAIRMAN ROBERTI: Thank you very much, Lt. Bongard.

Our next witness will be Mr. Tom Halatyn, Research Consultant on Issues of School Crime, formerly with the National Council on Crime and Delinquency.

MR. TOM HALATYN: Senator Roberti, Senator Nejedly, my name is Tom Halatyn, and for the past several years I have been a Research Consultant for the National Council on Crime and Delinquency, at which time I was responsible, or I was involved in studies attempting to explain the reasons for school crime, as well as designing school crime prevention programs and their related evaluation components. Currently, I am a research consultant providing a variety of research services to a number of research and program agencies. Actually, there are a variety of things I could have discussed here, including some of the theoretical issues involved in school crime, but since the primary motivation for these hearings is to deal directly with ways of reducing school crime, I decided to deal with some descriptive issues which are noticeably lacking in attempts to describe the scope of the problem. Further, I am concerned with ways that can directly affect attempts to prevent school crime.

As a brief digression, I would like to say that for several years I was involved in studying the prediction of violent behavior, which Senator Nejedly mentioned earlier.

The purpose of this presentation is to try to provide you with some orientation toward several school crime issues

that have emerged from my observations. As a researcher I would request that additional research funds be made available for the study of the topics to follow. I think at present there is a pitiful lack of money devoted to the proper descriptive study of the extent and nature of school crime. Also, it is my insistence that a research orientation can often assist the planning and implementation of information and prevention policy which could in this case be quite important. Unlike some crime problems that have emerged gradually over a long period of time, the problem of school crime has reached almost crisis proportions in less than ten years. The rapidity of its growth has required a lot of quick, ad hoc responses which represent a range of surveillance efforts that I call hardening the target programs, and in-school prevention efforts. Unfortunately, the urgency to deal with the problem has generated a problem-solving climate in which school districts and schools have had to proceed almost independently without the benefit of information that could promote direct intervention and prevention planning. As a part of my work I have found that the quality and type of information generally in school crime is lacking in ways that if corrected could assist the establishment of prevention and intervention programs. Not only are current information sources primarily a simple percentage increase study which I call awareness-raising studies with the intent of demonstrating to the public how serious the problem is, but non-standard definitions, non-standard accounting techniques, etc., pervade most such efforts. Unfortunately,

there's no common or uniform basis of explaining the current existence of the problem. While these studies have made us aware of the problem, we now enter a stage where much more detailed information is required. And now, I'll give you some simple examples and demonstrate how information can potentially directly feed into attempts to prevent or intervene with the current problem.

First of all, how many offenders? Incident counts or cost comparisons over time or for single reporting period do not tell us anything about the number of offenders involved. For example, in regard to vandalism, and I must tell you this approach is most pertinent to vandalism; we know little about the characteristics of those committing acts of property destruction. The extent that acts of vandalism are cleared, that is, there is adjudication process that does allow us to identify the characteristics of offenders, unfortunately, as we all are aware, clearing property offenses, according to the Uniform Crime Reports, is not generally a successful process. A great number of these cases are never solved nor the offender is brought before the courts. For example, whether acts of vandalism in the school district are the result of a small cohesive group, or a larger more amorphous group, is extremely important to dictating whether a broad-based or more targeted prevention effort is appropriate. While some will say how nice if we could do it, we can gain partial answers through knowledge of community and school crime rates, which Senator Nejedly mentioned earlier. A simple comparative index for

this is if the community crime rate remains relatively stable over a multi-year period while the school district vandalism rate increases, this may indicate that a small cohesive group is responsible. Also, more knowledge of modus operandi or MO's regarding similarity between incidents could help provide helpful hints to answer this question.

SENATOR NEJEDLY: It's interesting too that if school districts could correlate better with law enforcement departments on truancy and you have an immediate computer runout on truancy on a particular day and then the incidence of burglary in that neighborhood you'd be surprised where it's done, how the two tend to correlate.

MR. HALATYN: Exactly. In fact, that was my concluding section. The conclusion of this section is that this information would follow from more collaboration between law enforcement and school district agencies.

Secondly, where do the offenders live? It's a relatively simple topic, but also has some dramatic implications to prevention or intervention planning. Rephrased, where do potential vandals live in relation to target schools? Due to the great mobility of today's living, it should not be assumed that arsonists or vandals live in the same neighborhood that they vandalize or burglarize schools. In fact, and I have to speak nationally in regard to this issue, because most of my research experiences involve national studies, many school district schools involve major busing programs. This complicates the identity issue further because a person of one minority or group

may strike out across town against a school in which he feels a specific grievance. There are obvious implications to prevention here since the potential offender who neither attends school nor lives in the immediate neighborhood of the school can be neither reached or affected by local community prevention efforts. Again, better information could help design and mold the scope, type, and responsibility for the prevention effort.

Thirdly, are the perpetrators attending school? This question has incredible implications since an even more important issue has to do with whether perpetrators are currently in or out of school at the time of the incident. Although we know more about the school status of assaultive offenders, and since those offenses are more often cleared, the school status of persons responsible for arson, theft, and vandalism is largely unknown. I'll give you an idea of someone's guess at this which was offered during the Birch Bayh hearings by reading a quote, and if we could support this it would have dramatic implications to this kind of thinking:

"All acts of crime in and against schools are committed by about five percent of the adolescents who are either still in school or have had some recent connection with the school. Roughly four percent of the crime is attributed to recent dropouts, pushouts who invade the schoolgrounds during the day or night. Only one percent of the crimes are perpetrated by youngsters who are currently enrolled in school."

Now, if there was some way of supporting this remark you can imagine the implications it would have towards prevention. Again, you have to remember that prevention spans a number of

soft or hard modalities, the hard being the kind where you harden the target, increase surveillance, etc., which may be good if the person isn't identified or if he's not attending school. Otherwise, in-school curriculum programs, etc., have more value if the student is in school. The answer to the few issues I raised previously have profound implications toward delegating responsibility for coordination, planning, and implementation of prevention efforts. Better knowledge of the identity of the perpetrators would allow us to begin constructing more appropriate programs for prevention.

CHAIRMAN ROBERTI: Now, are you really saying that we don't know too much about the makeup of the...

MR. HALATYN: Right. As a descriptive topic, we know practically nothing. The extent to which we have that knowledge is based upon official records, and as I also discussed...

CHAIRMAN ROBERTI: School districts throughout the country maintain these kinds of records, data as to the nature of the people who perpetrated the violence.

MR. HALATYN: Not to my knowledge as a systematic kind of reporting effort. Nor to my knowledge is that information fed back or shared with people responsible for establishing prevention programs. Now one solution that I would propose comes from social science research, since social science applies two major orientations toward the study of any crime problem. One is to use official records which often underestimate the actual extent of the problem and are limited to the official adjudication, thus clearing the offender to identify a limited

number of all offenders. The second is to use, which is controversial, self-reporting measures where subjects questioned are assured anonymity although such studies may over-represent the problem. There are problems with this approach also. To date, most school crimes surveyed and studies with the exception of one taken by NIE (National Institute of Education), and the current work of the Social Action Research Center, are based upon limited official information which has not been compiled in a manner helpful to the design of prevention efforts, or in a way that allows the identification of offenders, as I previously mentioned. Further, such official incident counts do not permit a more detailed knowledge of characteristics of offenders. Official information is not conducive to implementation of programs at the time that the persons are offending since official clearing must accomplish this. We remove the offender at the time of the identification, thus negating the whole purpose of prevention at that point. Self-report studies, however, permit the acquisition of better characteristic information which could feed into the selection of appropriate prevention strategy without having to assure the arrest or conviction of the offender for identification purposes. While prone to some bias, as I mentioned earlier, I am convinced that better information can assist in the design of these programs. At least as a pilot project it would be desirable to see the design of information solicitation strategies and prevention efforts that more directly complement each other. While law enforcement may identify and punish some of those

committing crimes against schools, information emanating from such efforts is not directly useful in present form to this prevention goal. And while arrest and punishment represents an obvious punitive step, we must admit that such procedures are not sufficient in totally reducing and dealing with school crime. I would propose that self-report studies be attempted, which will produce information directly pertinent to the implementation of intervention programs. Then a coherent crime reduction package could be mobilized where prevention efforts are based upon information that guides the design and implementation of those strategies.

SENATOR NEJEDLY: Should that come from the State Department of Education, some kind of a uniform reporting system?

MR. HALATYN: Yes, I think as you know, national uniform reporting is becoming a current topic of great concern, but it hasn't to my knowledge filtered down to the state level yet.

CHAIRMAN ROBERTI: Thank you very much, Mr. Halatyn, we appreciate your testimony.

Before lunch we'll have two more witnesses -- Mr. Hank Springer, President of the United Teachers of Los Angeles, and then following him, because I am told that he has to leave before lunch, Mr. Sterling Boyer, Program Director of the Crime Prevention Unit of the Attorney General's office.

MR. HANK SPRINGER: Mr. Chairman, Committee members, I am Hank Springer, President of the United Teachers of Los Angeles. UTLA is the exclusive bargaining agent for the 32,000 certificated employees of the Los Angeles Unified



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School District. At the outset I'd like to say that I don't think any of us here today know the extent of the juvenile violence and student-to-student violence, student-to-teacher violence, and the statistics on vandalism. I really don't think we know the extent of it.

SENATOR NEJEDLY: Do you solicit reports from teachers about violence on themselves?

MR. SPRINGER: Yes, we do.

SENATOR NEJEDLY: That isn't related to any official report?

MR. SPRINGER: It is not.

SENATOR NEJEDLY: And is it kept confidential? Do you have those statistics?

MR. SPRINGER: Yes, it is. I would not be prepared to give you the statistics. I would be prepared to give you individual situations.

SENATOR NEJEDLY: How would the committee ever know the extent unless they had the total statistics?

MR. SPRINGER: Because they're so mind-boggling. Are you going to let me continue or...

SENATOR NEJEDLY: I'm sorry, I didn't mean to be rude, I was just trying to find out how we could determine the extent of it if the total reporting is not there.

MR. SPRINGER: There are a number of ways that we could do it. You could look at the Workmen's Compensation figures for the teachers of the City of Los Angeles.

SENATOR NEJEDLY: Okay, but many of them don't get into

Workmen's Comp.

MR. SPRINGER: That's right, because many of the administrators won't allow them to. Many of our people are denied... that's one of the problems that I'd like to articulate to you.

SENATOR NEJEDLY: Maybe I shouldn't interrupt you...

MR. SPRINGER: I'll be glad if you interrupt me...I'm not suggesting that you don't have the authority or the right.

SENATOR NEJEDLY: Oh, it's not a matter of authority, I just want to make it productive.

MR. SPRINGER: I really think that if I get into this that perhaps it might be helpful. It may seem strange that a classroom teacher would appear before the Committee to discuss a subject that is more properly the purview of the law enforcement agencies and of the courts. The teachers do have concern about the subject under discussion today. UTLA has always recognized its responsibility in this area. The classroom teacher is on the front line of the battle to maintain a functional public education system, particularly in the major urban areas of our city and the state. And the reward that we get all too often for making the kind of personal commitment is the criticism that "Johnny can't read, and Johnny can't write", and it's always the fault of the teachers. What isn't taken into consideration in scores, measuring devices or test scores, is the learning environment, and that environment includes the high class size, it includes inadequate teaching materials, badly maintained buildings, parental disinterest and the impact of campus violence and vandalism. In all too many

instances, the schools of Los Angeles have become armed camps, fortresses if you will, fenced, chained, locked, secured by the third largest police force in Los Angeles County; the school district's police force. I think you will agree that given the siege mentality, little learning or teaching can go on. And it's because of the existence of these types of circumstances that teachers have taken more of a passing interest in violence and vandalism subjects. At Washington High School since September we have had nine assaults on teachers at that one school.

SENATOR NEJEDLY: Since September?

MR. SPRINGER: Since this September...nine assaults on teachers! These are reported assaults. This is what I'd like to get into.

SENATOR NEJEDLY: That's the point that I'm making. It's really just the tip of the iceberg.

MR. SPRINGER: Exactly. Senator, this is what I'm trying to say. Unfortunately, I can't give you all of the things that happen because so many of the administrators hide the true facts, and I can't prove it.

SENATOR NEJEDLY: Okay, I am only speaking to the ones that are reported to you.

MR. SPRINGER: Last year, for example, I have it here, there were 237 teacher assaults reported in the city. That's better than one a day.

CHAIRMAN ROBERTI: By assaults, that covers a wide range of things, not to say that any assault is a good assault, but I mean...

MR. SPRINGER: A reported assault would be when, as an example, what happened to me in 1974, when two students tried to rape one of the teachers at the school, and the teacher screamed for help. Help came, the students ran away. I captured one of them, turned him over to the police. Three friends came up and assaulted me, kicked me unconscious, I lost two teeth, ended up in a hospital, had a perforated eardrum, just finished a Workmen's Compensation case because I couldn't walk for a long time...that's what I'm talking about; that's an assault!

CHAIRMAN ROBERTI: What school was this?

MR. SPRINGER: San Fernando High School. I could go on for the next two hours and relate to you cases just like that. And you see the thing that bothers me the most is that I'm a teacher, but it's the students who get it even worse than the teachers get it. The student-to-student violence is much worse than the student-to-teacher violence. The students, it's a very serious thing to them...ninety-five percent of the students come to school to learn, they're good kids, they want to learn, they like school, but you take that five percent, and it just creates an incredible, disruptive teaching situation and learning situation. Five percent disrupt the ^{percent} 95/who come to school because they want to be there, and they want to learn.

SENATOR NEJEDLY: Is that a pretty generally accepted relationship...because another previous witness used that?

MR. SPRINGER: It's ours, I think it would stand the test. I really do think that you could go into a school and

take a poll of the students at that school and you will come up with the exact same thing. I hope the students will testify here today. I hope you're going to allow them to. Because I think that what they will say will probably generally be in support of the statements. They may think the teachers cause all the problems, I don't know. Some of us think teachers cause a little bit of the problems ourselves...but let me continue. One of the problems that we have as a union is the reporting. The reporting in the sense that something is done about the incident. Now I then go on to say what happened to me...let me indicate what happened to me, the end result of what happened. We went into the juvenile court system, and I found out that when you go into the juvenile court system as the person who is assaulted, that you go in there and there were three accusers, because we caught all three of those students. Those three students had me on the stand. They each had an attorney. They grilled me and cross-examined me, grilled me and cross-examined me. They tried to bring in the fact that one of the teachers who reported them, and finked on them, (because I was unconscious and couldn't because I didn't know any of them), that I had a relationship with her. It was those kinds of things that went on in that testimony. When they got on the stand, I had to leave. I was not allowed to be in that courtroom while they were being cross-examined. Now that's exactly what's done right now in every case; that's a fact, and you can check it. Do you know what happened to all three of those students? They were all given probation. Do

you know why? Because I could not testify that they had kicked me unconscious, either they had tennis shoes on, or shoes...if I had said they had shoes or boots on, it would have been a felony and something would have happened to them, something serious. But because it was tennis shoes, it was dropped from a felony to a misdemeanor and they all went to probation.

CHAIRMAN ROBERTI: Why is that?

MR. SPRINGER: You'll have to ask the District Attorney and the courts. That happened to me. And I am just one example. But I'll tell you that was one example of what happened to me, you multiply that by what's happening to all the teachers in the school districts, and five years ago UTLA took a position against corporal punishment. We felt that was the progressive position to take as teachers. We felt there were other things that we should do besides corporal punishment. We should try to help students more, we should be more sympathetic, we should try to get better utilization of plant site facilities. We should have teachers for special students who need special help. Those kinds of things. But things have gotten so bad now that we recently had a referendum of the membership just last week and by a vote of 6,000 to 2,500 the teachers now want to reinstate corporal punishment. Just because things have gotten so damn bad! Now I think that's backstepping personally, it's regressing, it's backstepping. It's not forward. But I can't help it because of the things that are happening to the people. It's just a reflection of society and a reflection of the reality of teaching in the city in 1977.

Now let me tell you four things that I think should happen. I think that assaults on teachers in schools and assaults on students in schools, by students or adults, should be treated separately from the juvenile justice system. I think that when a student is assaulted by another student on a campus, when a teacher is assaulted by a student, that the person who does the assaulting should be treated as an adult no matter what age.

SENATOR NEJEDLY: No matter what age?

MR. SPRINGER: Yes, no matter what age. Because you see the 95 percent of the students who go to school have got to have some security. In the Los Angeles Times today, I don't know, Senator, if you have more clout with the Times... but it was amazing that they had that article...

SENATOR NEJEDLY: I didn't know anybody had any clout with the Times.

CHAIRMAN ROBERTI: That's news to me.

MR. SPRINGER: It was to me too. But the students are afraid to go to school. It indicates that...the poll indicates that. Students should not be afraid to go to school. Teachers should not be afraid to go to school. Something has to be done, that's the first thing. I think you should legitimize the use of school facilities for meetings. I think the parents, the teachers, I think the police, all of the probation department, I think they should come together...I think the students should be there. We should meet together and deal with this. We don't do this now. The teachers stand over here, the students are over

there, the parents are over there, all yelling at each other. Something should be done.

SENATOR NEJEDLY: It's the same way in the Legislature.
(laughing)

MR. SPRINGER: I've been there. I think that you should enact legislation that mandates a school safety program. UTLA is going to try to work with the AG's office and try to bring legislation to help you to do that. And I think that periodic publication by the Board of Education of each school district in this State of the relative statistics concerning violence, even that would be something that's not done...even that would be something. At least you could get some sort of idea of what was happening. Thank you very much for your time. I'll take any questions.

SENATOR NEJEDLY: I'd appreciate it, and if we could only find the five percent in advance we...

MR. SPRINGER: You can't. You can't find the five percent. What you can do is make sure that once that first five percent is gone that maybe there won't be another five percent.

CHAIRMAN ROBERTI: What do you suggest we should do about improving the process? Say a student is found, I guess judged is not the word in the juvenile justice system, is found guilty of one act of violence...what do you do with that student?

MR. SPRINGER: I think that what you should do is that

you should help the student. I think that you should set up either a special facility, a special school, something with special teachers, with very low class sizes...give that student individual help, give the student psychological assistance, do everything to make that student an adjusted adult. Because that student is going to grow up and God knows what will happen?

CHAIRMAN ROBERTI: Do you think he should be returned to the school?

MR. SPRINGER: I think that the student initially should not be returned to the school, no. He should not initially be returned to the school. I believe in the redemption of the human spirit, however.

CHAIRMAN ROBERTI: Okay, thank you, very good.

SENATOR NEJEDLY: Too bad it's not Lent. (laughter from audience)

CHAIRMAN ROBERTI: Our last witness before lunch will be Mr. Sterling Boyer, Program Director of the Crime Prevention Unit, California Attorney General's Office. Mr. Boyer.

MR. STERLING BOYER: Good morning, gentlemen, ladies. I want to thank you for inviting the Attorney General's office to participate. I will be relatively brief, though there is a lot to say and it's a large problem. In 1973-'74, the Attorney General initiated two major statewide conferences on school violence and vandalism. Interest and concern was high then and it has not lessened since. Following those conferences, an ad hoc committee on school violence was jointly appointed by Mr. Younger and Mr. Riles, to study the problem further. The

Committee was a large and prestigious one and was a cross-representation of teachers, parents, school administrators, youth, criminal justice system officials, and others. Their report is in the packet which I will leave with you. The major thrust of the recommendations are as applicable today as they were then. The attempts to secure small amounts of funding to continue the work of that committee have not been successful. So our specific data is not as timely as it was then. Interestingly, and this has been said before, most school districts do not keep records on school crime, violence and vandalism incidents, and that was one of the recommendations of the report, and I'd like to suggest a statewide computerized system, not to spy on youthful offenders, but to document the problem so it can be dealt with. The other area of great importance is the creation of really viable interagency and inter-community and school problem solving programs. There are three examples of that that I will mention that we have been some help to in the state and there are some others operating. They are in Fresno, in Whittier, the Yerba Buena project in San Jose, as you heard about. It's a difficult task to get communication between agencies, the school service, and criminal justice fields. Still, as is true in these cities, it can be done, and I think that's the key word, the will to get together and do it, has to be there. In Whittier, the Whittier Union High School District took a long-range and in-depth look at its violence potential and then involved the community and a wide-range of agencies in a problem solving mode. Interestingly, in Whittier, the school

board created a policy in which they agreed to protect or provide safety for the school personnel. They felt that was their responsibility to do the kind of thing that needed to be done. I'm not sure how many boards have done that, I think that's a pretty good suggestion. In Fresno, an interagency approach starting at the top levels of all the major agencies affecting juveniles is breaking communication barriers and is starting interagency pilot models at school sites. The Yerba Buena project, which we have talked about, is the best and almost the only really good interagency service project in the state. That kind of thing should be duplicated. Now some energy and some funds spent to study and to replicate and to produce the techniques for interagency efforts will produce a lot of long-range savings, the crime and tragedy of assault and the vandalism cost and whatever is high, and we should be studying ways in which we can do this. Programmatically, some of the kinds of things that need to be done, the answers are complex but it can be dealt with and frankly, since the ad hoc committee of '74 I don't see a whole hell of a lot of progress. And I think that's because we haven't decided it has a high enough priority. It has a priority for every parent who sends his kid off to school, and it has priority for teachers, and it has priority for students, but I'm not sure that we the system, or the systems, have decided that we're really going to deal with it. I am going to leave a packet of materials that have been produced by the Crime Prevention Unit of the Attorney General's office which we use in school crime prevention programs,

they are tested and they are good programs and can be made available to many school districts. Just to brief you for just a second on those, one is called Project Stop, which is a peer-training project for elementary schools in the field of drug abuse, vandalism, bike theft and gang violence. Another is a parent training model, a one-day seminar for parents in the juvenile justice system. Another is a juvenile justice training model, a one-day participating model for youngsters. Those are developed and ready to go.

Just a couple of comments -- one, is that somehow or other we have to decide who's going to be in charge, and get together and do that. And that means the systems do have to get together, and for the most part, parents are excluded. For the most part agencies and services do not communicate together, and I am really not clear how we can do it unless we can find ways to perhaps even legislate some kind of incentive program for school districts to reach out like Yerba Buena has done to bring agencies and services on a campus, or to do something active. I also see a problem in the sense that for the most part, I don't think school administrators who I guess are really the logical people to do this, have the technique and skill in their training to reach out to bring in an interagency kind of program. I just don't think they look outside at those kinds of things. I think some way we have to train or orient or provide some other kind of skill for them to help them do that. We have suggested in a report a couple of things, one was that there be some sort of safety

inspection legislation that a school must provide, just as a building safety, maybe there should be a crime or violence safety inspection. That may be something you might want to look at.

In terms of the Penal Code, gentlemen, I'm really, from my perspective, I'm not quite sure that fiddling and diddling with one or two sections of it are going to do it. I really think we need a juvenile justice legislative total, some sort of a conference in which over a period of years the whole law is looked at and the changes are made that fit today's situation rather than just tinkering with the law.

Okay, thanks for having me, that is the end of my testimony.

CHAIRMAN ROBERTI: Thank you very much. We appreciate your testimony. We will be recessing for lunch; we will return at 1:30 p.m., and we will then conclude with the day's agenda. Thank you.

Luncheon Break

AFTERNOON HEARING

CHAIRMAN ROBERTI: Our next witnesses are from the Open Road Student Involvement Program. Mr. Nochimson.

MR. KEN NOCHIMSON: Thank you, Mr. Chairman. We welcome the opportunity to be here this afternoon. You have my written testimony I believe, and I would like to not read that testimony verbatim, rather to just digress and make a few points about some earlier testimony that I listened to, and also give an opportunity to James Williamson, who is a senior at Gardena High School, to explain the Student Involvement Project at his school.

I am very concerned to hear this morning that crime is on the increase in the Los Angeles schools. Since it's the school system which has the largest police force in the State of California to my knowledge, and I'm concerned about how many Police Chief Green was asking for when he talked about the need to increase security to deal with the problem. He already has over 400 officers and a budget of \$3 million, which is the second largest budget for police in the L.A. area, after the LAPD, and the Sheriff's Department. How many do we need, 400, 600, 900, police officers are very expensive? I have great respect for Chief Green's work that he has done, and I have seen some of his officers at the schools that we are at in L.A., but I don't think the answer lies in either security personnel or electronic surveillance equipment. Those are Band Aids that

deal with the symptoms of the problem, and they don't deal with the problem itself. Virtually everyone that testified this morning talked about what adults are doing for the school, and what adults are doing for students. What I'm here to talk about is what students can be doing. And that's the real issue here. Because students are the ones that are affected the most by crime, violence, harassment and vandalism in schools. This morning's Los Angeles Time cited a Gallup Poll which was recently done which indicated that a substantial number of teen-agers who fear being injured or having their property stolen in school, and it's those youngsters who are not being asked as far as I can tell, here or throughout the country, in what to do about the problem. My experience in jails and prisons indicates to me that the more repressive you make an institution the more disturbed the people who are in the institution are going to be, both those who work there and those who live there, or use the services that are there... and my concern is that we not turn our schools into prisons. And perhaps we can take a note from the modern criminologists in this country who are moving away from simply using security as a way to deal with institutional problems. They are taking officers out of uniform, they are allowing the community to come into those institutions, they do not allow guns within the institution, they do a number of other things which tend to create a better atmosphere in the school. One of my responsibilities in monitoring the prison system in New York was to establish inmate counseling at New York City jails. I can

tell you that those inmate counsels had more say about how institutions are run, jails are run, than students have a say in how their schools are run. With those ideas in mind, that was the purpose we started the student involvement project. We want to allow students the opportunity to participate meaningfully in the school process. We don't want them to run the schools, we are not asking for that, and are certainly not prepared to do that. But they certainly know what the problems are, and they can, if given the opportunity, do something about it. The schools that we're at now, we are in six, no seven schools right now; one school started their own student involvement project, Santa Barbara High. We have three schools here in Los Angeles, and at those three schools concerned students have gathered together and addressed the real issues that affect them, the lack of appropriate guidance and counseling, the problems related to dealing and communicating with teachers, the problems in relating to the administrations, problems of not getting the kinds of services they feel that they need, problems of rumors, and I'd like to just give you one quick example and then turn it over to James, and let him tell you what he's doing at Gardena.

We found that rumors were a major problem at schools. They often caused more problems than the actual incidents from which the rumor grew. So we developed, the students developed, a rumor control communications network. Those students, when an incident occurs, go and meet with the principal, discuss the situation, and develop a fact sheet which explains exactly what

happened, at least what information is available. Those students fan out to the classrooms and explain it to all the students so there's one consistent story. We've seen evidence that the use of that communications network has done a lot to reduce tensions and disseminate the information that's really needed to prevent problems from happening. The information network can also be used to disseminate other information. The principals told me that it's very difficult to communicate by a PA system and mimeographed sheets. Somehow or other they never get read or they don't get listened to, and students are actively disseminating that information. They're not acting as informants. They are actually providing vital information that students want to hear about, and want to understand. They are involved in many other projects, and James will probably mention a couple of them to you. My concern is that there be an increase in student involvement, not just in the few schools that we are in, but in the schools throughout the state, and it can be done, and it can be done without a great deal of cost.

I have indicated in my testimony several recommendations which I want to briefly touch on, and which I think without a great deal of money, can bring a greater student involvement and also a reduction in tensions on campus. I reviewed the Penal Code and I found that there are many sanctions for people who carry guns on campus and create disturbances, or who deface buildings. My only question there is, whether those sanctions are enforced? I think perhaps this committee is concerned with that law, and perhaps could monitor that enforcement. My experience

in the criminal justice system indicates that their laws are generally sufficient if they are enforced, and I would question whether they are enforced. I am a firm supporter of restitution and there is a Section in the Penal Code, 594.5, which allows or compels individuals, the court can do that, to restore...

CHAIRMAN ROBERTI: One of the witnesses said that in Los Angeles there is very little restitution, the courts don't order it. Is that your experience in other places or here, or what?

MR. NOCHIMSON: I have not seen any evidence of it in schools that we operate in. But it's certainly a viable alternative to a court fine or imprisonment which doesn't do the school any good.

There are some recommendations I'll touch on briefly. Any program that's targeted to dealing with school violence that's going to operate within the institution should have input from students and begin to learn what the effect might be on students. Many students tell us they fear police on campus, and that's something that must be taken into consideration. Students and administrative staff should be allowed to participate in the selection of which security personnel are going to be on the campus. Since we are faced with already having security people here, certainly students and administrators should have some opportunity to participate in that selection. My understanding is that they do not. There should be, and I think the County Superintendent of Schools in each

county can be encouraged by the Committee to establish forums in which they can discuss how students can be meaningfully involved. We presented a panel to the California Association of School Administrators last Saturday in San Francisco and really had an excellent response. We had our principals there from our project schools and students explaining what we are doing, and we have gotten a flood of inquiries as to what we are doing and how we are doing it. The County Superintendent of Schools certainly is mandated to initiate such a forum. Another concern that we have is that administrators and teacher preparation programs should be reviewed to determine whether they are actually getting any advice and assistance in learning how to deal with students and how to listen to their problems. One of the things we are finding is that students don't feel they have an ear, someone that they can really talk to and relate to in the school, whether teachers or administrators. There certainly could be a lot done in that area.

The State Department of Education has a provision, 13344 and 13344.4 of Article 3, Chapter 2, Division 10, if you want the exact cite, which permits schools that have an ethnic diversity, I think at least 25%, to have human relations programs instituted, and I think I'd recommend to this committee to monitor whether such programs are actually being initiated. There's a new School Finance bill which calls for the establishment of a school site counsel in which parents and students should be meaningfully involved, and I think this committee certainly could look into whether those committees are actually

being established and whether there is real meaningful input, not just window dressing. Students' rights and responsibilities, a student grievance procedure should be reviewed. They all seem to be different in different jurisdictions, and this leads to a good deal of confusion and probably eventually a good deal of litigation which is unnecessary. There should be some consistency, a set of rights and responsibilities that students understand, it should be in language that they understand, and certainly the grievance procedure should be reviewed. There are many other groups -- the Association of California School Administrators, the California Personnel Guidance Association, California Teachers Association...all these groups whose purpose is to improve the body of which they are usually representing, should be encouraged to establish forums to talk about student involvement, to talk about how to relate to students, and how projects like ours can be initiated. We won't be satisfied if the program that we have simply continues in the seven schools that we are in. If it does, it's a failure. It has to be spread to other jurisdictions and other schools within the district that we operate in.

CHAIRMAN ROBERTI: Which seven schools do you have?

MR. NOCHIMSON: We are presently at three schools in Los Angeles -- Van Nuys High, Gardena High, and Fremont High. In Oakland we are at King Estates Junior High, Hamilton Junior High, and Fremont High. Santa Barbara High came to us asking us for technical assistance to help initiate their own program and they have hired their own coordinator to start a program there.

What I'm convinced of though, that it is not even necessary to hire a person to do this. We are not doing anything that school administrators can't do themselves. All they have to do is ask the students for help and give them a little assistance and training to make them understand what the processes are. Students have a lot of ideas, all they have to have is a little help and training to participate in the decision-making. It can be done. It was done at Duarte High School, south of Los Angeles, when that school was closed due to violence on campus. Our consultant to our project, Dr. David Reiss was responsible for reopening that campus and creating a positive atmosphere in that school. They did it through student involvement. That was one of his major mechanisms. So we know it can be done and it can be done without our project doing it. We'd certainly be glad to lend assistance and offer advice.

I'll stop here and let James tell you what's happening at Gardena High.

CHAIRMAN ROBERTI: Okay, our next witness is Mr. James Williamson who is with the Concerned Students Organization at Gardena High.

MR. JAMES WILLIAMSON: My name is James Williamson, and I am a student at Gardena High School. Gardena is a part of the L.A. Unified School District. Gardena has a multi-racial student body. Gardena High is located off the Harbor and San Diego Freeways. All that I say here today is my opinion and what I have observed from other students. When there are times of violence at Gardena High School students tend to leave campus, call their

parents to come pick them up. And other students, when it continues for several days, they tend just to not come to school at all. The teachers and the students are both uptight. And in the classrooms neither one of them pays attention too much to what's going on, and that's why not too much is learned inside these classrooms. And the school uses more security guards and more policemen, and that just makes the students a little more uptight and the teachers also. And then in the community the parents see these police officers on campus and they begin to wonder how safe is that school? And the junior high students they begin to avoid going to that school entirely, they begin to avoid going to that school because they have a feeling of getting jumped or beat up once they are in that school. Until the Student Involvement Project started at Gardena High, I felt that the students would never be involved in the major decision-making that concerned them. I felt that we should be involved and maybe we could work with the administration, but then no students know exactly how to go about doing this or getting involved. So that's why we just kind of sat on the side while everything was being done. I am not referring to the Student Body Government because I don't feel that they are involved in major decision-making which concerns the students. The Student Involvement Project started at Gardena High approximately two and a half years ago with our coordinator, Robert Haradio, and the help of a principal who was willing to accept student input. The students they started with, as Ken said, were the Rumor Control. The Rumor Control consisted of students who were considered natural

leaders by the students, someone they could trust. When he said something they usually took it as fact. And these students may be failing all their classes, but still could be considered natural leaders, and would be put in this organization and the organization would be closed to just those students who would be identified as natural leaders, and any student who would like to become involved, he could get involved. And we have several other programs that are going on now at Gardena High. One of them is the Neighborhood Watch, because as you know, when schools are closed they are pretty much open for vandalism to go on in the schools, so students who are concerned had cards with the school security number on them that they could be reached 24-hours, and they passed them out in the neighborhood and asked the neighborhood community to call in if they saw anything that was going on. They also have concerned students, they were called in by the principal, Mr. Carter, because there was a bomb threat at the school or there appeared to be a bomb on the campus, and he asked the students which steps would be the most effective in dealing with this problem with the students. And we also have an Outreach Program where students go to junior high schools and tell the students pretty much what they can expect in dealing with the students at Gardena High from their experiences...and they try to eliminate all the rumors that the students have. And we also have a mural project which students who go around writing on the walls feel that they have no fun in school, and it's not really part of them, so we let them...the school has a mural project where they design and draw on the walls, and therefore,

hopefully, giving them a feeling of belonging to the school. And we also have Leadership Training...that's so we can train natural leaders, I mean train concerned students in how to go about making changes around school and working with the administration in solving problems. Not many incidents have happened this year at Gardena High. We feel part of the credit should go to the Student Involvement Project at Gardena High.

In conclusion, I would like to thank you for allowing me to come here today and voice the students' opinion. If there are any questions I would be happy to try to answer them.

CHAIRMAN ROBERTI: What's the nearest high school to Gardena?

MR. WILLIAMS: The nearest high school I would think would be Narbonne.

CHAIRMAN ROBERTI: Is there a difference between the violence or vandalism, or whatever, between the schools, or is the composition any different?

MR. WILLIAMS: Well, at Gardena there's a mixture. At Narbonne I am not sure, but I believe that Narbonne is mostly of one race.

CHAIRMAN ROBERTI: So you really don't have a comparison. How about you, Mr. Nochimson? Do you know of any comparisons between schools that would have similar makeups that would be in the same geographical area?

MR. NOCHIMSON: I can't give you a comparison of a school right next to another school in the same vicinity. We are the two schools that have a very mixed population, Gardena and Van Nuys

which is the other school that is in the valley. That school has 34 different nationalities represented on campus, and they have a lot of tensions because of that mixture. On the other hand, Fremont High, which is in L.A., is virtually a 99% black school, and they have problems also. I don't think the problems result from the ethnic mixture or the purity of one population at a particular school. I think it's more how the students are participating or not participating in the school environment. One thing I could point out is, and it's something that I think should maybe be reviewed, is that the Oakland school system which we are also in, has a similar population in terms of the schools, it probably has a heavier black population, and they have no police on campuses. They have school resource officers, but they are not peace officers or police officers, and my conversation with administrators up there is that they don't want police on campus. And Oakland is certainly no picnic when it comes to problems in the schools. I should say that both districts have been very supportive with student involvement. James Taylor here, the Deputy Superintendent of Schools, welcomes it into the schools that we are in and, Fred Blum in Oakland also has supported us very strongly.

CHAIRMAN ROBERTI: Okay, thank you, and I appreciate your coming. I will look forward to further suggestions from you and the students.

Our next witness will be Mr. Louis Giuffrida, Director of the California Specialized Training Institution at San Luis Obispo.

MR. LOUIS GIUFFRIDA: I am the head of the California Specialized Training Institute which is a State Multi-Agency Training facility and has been very much involved with schools and the crime prevention. I am presently on a National Crime Prevention Committee, and was involved with the National Association of School Security Directors for a long time in conjunction with the State schools legislation. I have functioned as Human Relations Commissioner in San Luis Obispo for the past five years. I think when I talked to Mr. LeBov prior to coming down here and we discussed what I might be able to contribute to the hearings I could share what we went through because one of the programs that we have been doing at CSTI has been a crime and crisis in the school course. And in preparation for that goes back about fifteen or twenty years when we really began to notice within the Defense Department for example, where I was at that time, that we were having difficulty with the people who were being recruited into military services were incapable of keeping up with even the most basic of what they call MOS testing, testing that was designed to fit the square peg in the square hole. So a whole variety of schools were visited, from massive ones like New York City, to small ones like Augusta, Georgia, and other places, to try to get a feel of this thing, and unfortunately, it's very easy to give an answer that addresses only one facet of it which is the crime and violence, but in fact I think everyone who's testified already would agree, that is a very complex, multi-faceted problem. The most obvious manifestation of it is the crime and the violence, but there are a

lot of other things. And I'd like to start by suggesting that the purpose of the schools traditionally has been to prepare the young children or young people so that they can be worthwhile, contributing, and relatively independent members of the community, reasonably skilled in the use of such things as our language and numbers. And though I agree with Mr. Springer, I think, that it's not fair to blame the teachers that "Johnny can't read, and Johnny can't write," the harsh reality is that many "Johnny's" can neither read nor write, and if you want to translate that to dollars as most of this discussion today has been translated, it runs into multimillions of dollars in rejects for people who are hired or in the military service for example, enlisted, presumably able to carry on certain skills and then find that they have to be trained all over again in order to do basic English and basic math. Many people graduating from high schools are having to take bonehead English and bonehead math to get into college. I think what everybody has been trying very carefully to skirt around here is that the schools, and somebody said this morning, "you can't teach discipline of the mind in an undisciplined atmosphere," and neither can you enjoy the tranquility that comes from learning something in an environment which is something other than tranquil. We started three years ago, this Crime-and-Crisis in the Schools course. And right away, we ran into problems -- first, we called it a School Security Force. Now security is a good word for some people; it's a bad word for others. If you say security to many policemen they think immediately of rent-a-cop. They don't want any

part of that jazz. The school administrators on the other hand they dig words like management, crisis; those are worth about 48 bucks apiece. So we did the number with the pencil and the pad and we repackaged it and called it Crime-and-Crisis Management in the Schools, and that hopefully would then obviate the policemen's objections to security, the administrators' objections to security, and because management's a good word in law enforcement also, we could get everybody there. And the course was very successful except in California, with California law enforcement. What we did was go to the worst possible example, which is South Boston High School, and spent a lot of time there with the police and with the school administrators, and when the previous witness said, "we don't need prisons", I suspect that South Boston High comes as close to being a prison as any we've got in the United States. They have had everyday within the school, anywhere from 54 to 360 sworn officers. Everybody that goes in has to go through the magnetometers. They run the buses up, they run all the black children out, they go into the school, they run them all through the "mag", they close the gates, and then at four they open the gates and everybody piles out again.

Some interesting side products within the supposedly learning environment -- what they discovered is that teachers have abdicated entirely the discipline in the classroom to the policemen in the hallways. And they find such things as the teacher going out and saying to the officer, "he won't turn in his homework" or "he refuses to turn off the Bunsen burner," and things of that sort, and obviously, there's no education

being taught there. With all the dangers implicit in generalities I think what we really have in many schools is a whole series of adversary relationships, administrator versus superintendent, students versus the teachers, teachers versus the students, and on and on and on, and while we all pay lip service to dialogue it's very difficult to find a true dialogue, what we've found all over the United States has been rather a series of parallel monologues, which is what we've had essentially here today, also in some cases we've had parallel monologues. I don't think having security people and security devices and progressive programs need be mutually exclusive. As a matter of fact, there are some things that are quantifiable. The style of vandalism has changed. It used to be just glass, now it's arson, and multi-millions of dollars of arson damage, vandalism damage in public schools and public buildings. This has had a direct translation into dollar cost because glass is being replaced with plexiglass. There are a couple of model projects, one in Alexandria, Virginia, they funded the Law Enforcement Assistance Administration, they went and addressed just the security, not the quality of the instruction that ought to be going on, but just presenting the best possible environment for the student-teacher relationships, and it's been reasonably successful. But it cost them about \$400,000. What they did was bring in a professional security director, whether you call him a student counselor, or whatever, he is in fact a security man. They brought in intrusion detection systems. They have gone to a system of ID cards. As I had mentioned, they took out all the ordinary glass and they

have put in plexiglass. They changed all the doors, locks, and put in a key control. They put closed-circuit television on their high-value areas like the areas where they store their television sets and typewriters, and things of that sort, and then they started a couple of other things as a portion of this. They brought in alternate uses of the schools, and one of the previous witnesses suggested that, and I strongly endorsed that idea also. They set up a Neighborhood Watch Program, not in any formal structure...you're on watch from 8 to 10 sort of thing, but they went to the families that live in the vicinity of the schools and showed them how to quickly call in if they saw something suspicious going on about the school. They increased the number of student counselors, qualified counselors. They got a little hassle there because a good student counselor costs money like the good in everything else does, and there had to be an increase in the school budgets. But they were successful in getting that, and they have perhaps one of the better student counseling programs going on anyplace else in the United States. They steered away from such other exacerbating things as mandatory or rather binding arbitration, collective bargaining for the teachers, and any hassle between teachers, unions and the administrators, and did not include that in a portion of their approach to the problem. In the area that they can measure results, they have had a 64% reduction in vandalism in the Alexandria School District. There are indications now from the academic side of the thing that the teachers are being more successful in carrying on the normal

classroom function and teaching the children how to make it. I'm not sure that one could show any unchallengeable correlation between high income and low income and that way they react to a proper learning environment. There was a recent article in Time magazine that described a model school in Indiana in a barrio/ghetto kind of an environment where they brought in an architect who designed a very expensive, almost entirely glass school building, and they have got the lowest vandalism and crime problem in that very fragile constructed school than they have anyplace else. I am not sure that that negates the need to consider site hardening which has been mentioned also. Site hardening is really not much more than calling an architect and a teacher together, and a site administrator, and saying let's sit down and design a school which first of all gives primary emphasis on the learning environment, but then at the same time takes cognizance of things that can be incorporated into the design that would make it more difficult for the five percent bad people that have already been addressed to go and wreck up the school. Some of the people who testified this morning have gone through our Crime and Crisis Course. The one from Santa Ana, the one from Orange, we have as I said, had something less than a spectacular success with California Law Enforcement agencies trying to get into that particular program. The average site administrator, and I checked many, many of them, is extremely reluctant to admit that he's got a problem. About the only thing you can predict in advance in fact, is that he'll be reluctant to admit that, and that he has a built-in

antipathy for law enforcement on the campus. There are some serious differences of opinion on who has jurisdiction, and you get some very emotional arguments between them. I think that was the greatest success of our course, because what we did was take all the problems and find the common characteristics and use these to synthesize a mythical city and county school system, and our students have been selected from superintendents, from principals, teachers, from law enforcement, from the political sector, from the private sector, and we put them through a week of very, very high intensity total involvement role-playing to solve some of the problems or begin at least to identify a solution to the problems of the San Luis Obispo School District, and what we have been insisting upon there is that the program or the solution has got to be not only effective, it's got to be acceptable to the community. I think it would probably stop 99% of the crime in any school if you super-saturated it with hundreds and hundreds of peace officers, but what the hell...have you built then some other kind of Frankensteinian monstrosity where you're still not getting children properly prepared to go out and make it as a function of having gone to school? I'm not sure either, I think I agree with some of the other witnesses who feel that as commendable as this scrutiny of the Penal Code is, that it's really just one portion of what needs to be done to start to address the problem. And I think having worked with it now for about twenty years, and I don't know the answer either, but our national disposition seems to be to expect an instant solution to a problem, even if it took twenty years to identify

the problem, now we want a fifteen-minute answer. It's going to take that, and we're not looking at that, we're looking at fifty years. Again, if you reduce that to the thing easily identifiable in money, the last figures that I read, based on 1975 dollars, and the schools already existing, and those that had been approved for construction, we are talking of a capital investment in the vicinity of \$125-135 billion, which is a great deal of money. There are some unnerving things happening in the cost; again, these are just estimates, but again, on 1975 dollars, a school district that has five to ten-thousand students has been experiencing \$16,000 a year loss through crime and vandalism. Ten to twenty-five thousand students, they had about \$31,000 worth of damage, but over twenty-five thousand students, and of course obviously, that includes Los Angeles, they have been running about \$400,000 a year in damage and then, when you multiply that by 17,000 school districts in the United States you see that figure really gets almost astronomical. I guess what I'm saying is, that there has to be a great deal more of multi-participant input, not just law enforcement, not just special programs, and certainly not just the schools. Whether it's fair or not the schools are being perceived as failing. More and more parents are feeling alienated and left out of the selection process of the teachers and the development of the curriculum. As a parent, and I've got five children, and I've been involved with PTA and parents' clubs all over, my own feeling has been that teachers generally tend to patronize parents. On the other side of that score has been many parents who regard

teachers as a tax-supported babysitting service. And somehow we've got to get around that kind of antagonism. It doesn't lead to solutions to the problems.

CHAIRMAN ROBERTI: If the problems are so long-range what do we do in the short run? Or do we do anything?

MR. GIUFFRIDA: Well, I think we have to do something, and I wish I could be better equipped than some of the others and give you the panacea answer, but I cannot, Senator. I think that what you're doing now is healthy. I'm sorry that there aren't more discussions such as this, I think we have to find some mechanism to get people within the school system itself to acknowledge candidly the gravity of the problem. I'll give you an example, when we were working with the Bayh committee and the Association of School Security Directors, we did come up with a standardized reporting form. There is one in existence, that is the professional association has. So I called the Superintendent of Schools in a certain place and I said, "would you please tell me how you responded to Bayh's committee?" Well it took me three secretaries to get to him...and he said, "what do you mean, Safe Schools Act or Safe Schools legislation?" And I said, "well, your school was selected for testing up a survey to see what kind of a problem you are having with crime and vandalism on the school." His answer to me, and I quote him verbatim, "our policy is that we don't have any crime or vandalism." (laughter from audience). I said, "which reminds me of a doctor in the army who said, 'I'm going off and from now on there will be no unauthorized medical emergencies.'"

But I think that we have to get to that also. I am not sure that encounter sessions are the answer. I think where we've had a great deal of success in our multi-agency program has been that once we got past the first day when everybody was kind of eye-balling each other and dancing and jockeying for position, then we began to get real honest input in the role-playing, and one positive thing that I am sure we achieved is that we gave the people at the schools a better insight into the problems from the political sector, and from the law enforcement sector, and so around the rest of the circle. They got a better feel for what the other guy's doing.

CHAIRMAN ROBERTI: Thank you. I think one point you're making is that the administrations should be more candid in identifying the problem.

MR. GIUFFRIDA: Yes, I think that's essential.

CHAIRMAN ROBERTI: It's something that everybody takes a share in it.

MR. GIUFFRIDA: Yes, we have to. We can't begin to intelligently and constructively solve the problem if those who should logically have the greatest knowledge of the problem or the order of magnitude of the problem are unwilling to be completely candid. What they think is that it's going to reflect discredit on them and that's ridiculous. They didn't build the problem.

CHAIRMAN ROBERTI: Very good. Thank you very much, Mr. Giuffrida.

Our next witnesses, I guess they'll testify together,

are Sgt. Denny Phillips of the Oxnard Police Department, Research and Planning Unit, and Ms. Renee Kraut, Research Analyst for the Oxnard Police Department. Sgt. Phillips.

SGT. DENNY PHILLIPS: Mr. Chairman, Members of the Committee, I wish to thank you for the opportunity to allow us to be here today. About a year ago the City Council of the City of Oxnard had a Citizens Advisory Committee which was charged with identifying what they perceived to be some of the more serious problems in the City of Oxnard. They came up with vandalism. Out of all the possible problems that a city could be plagued with, their perception was that the City of Oxnard had a large vandalism problem. They then formed a subcommittee who was charged with coming up with some solutions to this problem as they perceived it to be. As a side note on the perception of problems, the citizens living around the Los Angeles Airport were interviewed about a year or so ago and the substance of that interview was to determine what they perceived to be the problem. Everybody would think that noise around the International Airport would be the main problem. Surprisingly enough it came out to be crime. So I think that the average citizen may view crime to be a major problem. In any event, we had this subcommittee and we tried to determine if there was in fact a vandalism problem within the community. In researching school records and police records, we found out that there was approximately 25 incidents of vandalism that had been reported in about the last year and a half. Oxnard is a city of 100,000 people. So it led us to two conclusions,

one of which that there may not be a vandalism problem, or that there may be and nobody is reporting it. Getting more into it, we found that the school administrators for whatever reason, were reluctant to call the police department or make this type of information known. The vandalism problem as we found...there was no reporting system, there was no method of which to get this information either to the public or to the newspapers or to the police department. What we also found out was in trying to identify vandalism; what is vandalism? Everybody has a different definition of it. Renee will discuss some of the legislative changes that we feel might be in order. Very, very briefly, one of the things...the State of Arizona has a policy whereby they make juveniles' names available. California chose at some point in time not to do this. I often wonder if the wisdom of this philosophy is contemporary with today's times. I'm sure when it was enacted that there was some well-meaning philosophy behind it. But I often wonder if we've protected the juvenile to a point where they feel that it's safe in their acts, and if we would make it more public, if this might tend to be a deterrent?

One other factor that might be of consideration is to utilize not only the schools, but the various law enforcement agencies as a brokerage house, so to speak, utilizing the police as information brokers. Oftentimes the police department gathers a wealth of information, but for whatever reason they tend to retain this without giving it out to the various agencies that might make use of it.

With that, I'll turn it over to Renee and she can get into the areas of the legislative act.

CHAIRMAN ROBERTI: Thank you very much, Sgt. Phillips.

MS. RENEE KRAUT: I too, would like to thank the committee for inviting us down here to speak on some of the work that we have done. When I spoke to Mr. LeBov he asked if he could see some of the material that we have printed up and memos and so forth, and some of the reports, and I sent to him I think three or four reports, one of them on different types of vandalism, the other on causes of vandalism, and the last one was on solutions to vandalism, and indicated a couple of other areas that we had explored to some degree. One of them had to do with working with 594, Serious and Malicious Mischief Section, and another was the problem of vandalism and violence in schools, and he indicated that he would really appreciate it if we would address the 594 area, so I said that we would be happy to do that. And I would like to indicate that how we got into the statute essentially developed from our attempting to arrive at a definition of vandalism, and let me preface this before I go into my discussion of the 594 series, at least my experience dealing with it.

There are really three kinds of ideas that I would like to present for your consideration. One has to do with you might say, the purpose and meaning of using the term vandalism in 594. The second one has to do with possibly reordering and expanding that particular title. And the last one with including some kind of malicious mischief by burning statutes. So with that

in mind I'd like to just go back and say that when we got into looking at the malicious mischief title developed from our attempt to define what vandalism was, and that we discovered that different people had different notions about it, as Sgt. Phillips has already suggested. And many of the researchers and people who have studied the problem also used the term in different frameworks, oftentimes people would include vandalism, they would talk about vandalism in the same breath as they would talk about crimes against persons, and I think this is very misleading and any attempt to even solve the problem or attempt to even look at what the problem is because you are talking about two different things, two entirely different types of acts and the gravity of the offense, and so forth and so on. Others would talk about littering and very minimal offenses as also being a part of vandalism. So a wide range of crimes fell under the umbrella of this term. I found that many researchers simply redefined the term in their reports in a manner that related to their own experience in studying the topic. When I looked at the Penal Code, 594, it simply stated that every person who maliciously injures or destroys any real or personal property not his own, in cases otherwise not specified in this Code is guilty of vandalism. Well, next question then was how is vandalism to be distinguished from malicious mischief? What does vandalism include in terms of property damage? Certainly the acts which are not property damage can be malicious mischief and certain acts of malicious mischief are not vandalism. And in other areas they overlap. One might ask if defacing property

the 594.5 Section, Vandalism, or is it a separate and distinct crime of malicious mischief? People that I have talked to about this have said, "well, it seems to be really something separate and it's something that falls under malicious mischief." On the other hand, defacing property is an injury to property, and so it seems to fall within the definition. Then there are a series of crimes against animals. Is injury to another person's animal vandalism? The animal is property belonging to another, therefore again, it would seem to fall within the definition of vandalism, but it's really not clear. And the term vandalism is hardly used anywhere else except in this Section. So I think perhaps the use of this term in lieu of misdemeanor with 594 was changed a couple of years ago, needs to be looked at, reevaluated as to the intent and purpose of its usage. I think too, when you say vandalism instead of malicious mischief, you do kind of, I've noticed that people like to use vandalism and violence together and I think maybe it's because of alliteration, it goes well, but it sounds kind of funny to say, "hey, we're going to try to implement a program to deal with malicious mischief and murder." People might look at you a little bit in askance.

Secondly, the Statutes under Title XIV, and again, they might be reordered and expanded, the purpose of this would be to develop a cohesive vandalism and malicious mischief section which is reflective of and relevant to what goes on in our daily lives in the community and schools. After all, what are we really talking about when we say malicious mischief and vandalism? This Section in the past has not really been given

a high priority, but in recent times people in all walks of life are being affected more and more by acts of vandalism. For example, a couple plans to go out to the theater in the evening, they get in the car only to discover that both their headlights have been shot out. Okay, that's an act of vandalism. A couple of kids were playing target practice and aiming at a barbecue in the yard of a family, it goes through the plate glass window, the glass shatters just inches from where a baby is playing. Well, that's an act of vandalism. Kids throw a firebomb out of a moving vehicle. It lands in the shrubbery, sets it aflame, it's a warm August night, within moments the house could be set ablaze, other houses, and perhaps the neighborhood. That sort of thing has happened, as a matter of fact, in Southern California and areas of Topanga Canyon, Westlake, Malibu, and our area in Ventura County. The initial act was an act of vandalism. However, you look at the malicious mischief statute and you won't find any acts addressing this particular subject. Those particular statutes are in other areas of the Code. Rightfully, they should be, I think, under malicious mischief. It really would be helpful in that respect to develop a much more cohesive body of law.

CHAIRMAN ROBERTI: So you're saying that portions of the mischief statute should be broadened to encompass things that may not be a direct cause, but the kind of acts which led to more damaging circumstances?

MS. KRAUT: Well, I think, I'm not quite sure that that's what I'm saying, I'm just saying that perhaps a little bit more

attention might be looked at Title XIV in terms of what are we really talking about now; there has been an attempt for example, to make 594 a felony? So we have increased the penalty in order to deter vandalism, but I don't think that's really enough. I think it may be perhaps helpful to look at that whole area a little bit more if we are going to do anything at all about it, and if that section can be strengthened, and be more cohesive, I think that would reflect again the general concern that people have about the problems. I'm only presenting this as an idea, I really, you know, it's something that I'm glad I don't have to make the final decision about.

Okay, some of the statutes I just want to mention very briefly then are 588a. Okay, that's not...there's a whole section of statutes falling prior to 594 that are really malicious mischief and after looking at them pretty closely I can't really determine why they're not in the 594 and above series, like throwing injurious objects on a highway...452, throwing of a firebomb from a moving vehicle...219.2, hurling a missile at a common carrier without intent to do bodily harm. That is a very common vandalistic act committed by juveniles. You know, again, it's somewhere else in the Penal Code, 219.3, throwing objects or missiles from a toll bridge. Clearly, that's an act of malicious mischief but it's under a section entitled "Attempts to Kill." Now looking at that I can see possibly how it got there but it really doesn't belong there. It belongs in a place where people can say school people, police people, or anybody who is in this area can look at the law, and one of the reasons

I got there, by the way, really directly, had to do with questions that people addressed to Sgt. Phillips, and when we went out to speak to them, PTA people, advisory people said, "hey, what can we do about these problems, and what does the law say?" So, another one is 374c, Shooting From a Road or Highway is a Misdemeanor. Those are just a few, there are other statutes really that are scattered throughout the Code and rightfully should be culled from them and placed in one body under either vandalism or malicious mischief or criminal mischief, whatever you see fit.

Okay, finally, I'd like to speak briefly to the question of specific intent just for a moment. We only have one consideration about that, and that is that it might undermine any effort to strengthen the administration of laws dealing with vandalism. To show malice one must only need to show that one committed a wrongful act of injury or damage was committed without excuse, justification or mitigation, where if there would be a greater burden in showing specific intent the youngster can say, "well, you know, I simply never intended to do that. I really didn't intend for that to happen." And it would be very difficult I think once you bring the child or a youngster into the criminal justice system which generally doesn't happen, at least in the past, for a youngster to even get through the doors is generally rare, as Sgt. Phillips pointed out, we only had 25 actual arrests in Oxnard in that area. But when you do rely on the law, I think, and I really believe that people want the laws that will be effective when we need to rely

on the law, I think, and I really believe that people want the laws that will be effective when we need to rely on them.

That's really all I have to say. Thank you.

CHAIRMAN ROBERTI: Thank you very much, Ms. Kraut.

Mr. NED COHEN: Just one question -- you made a statement essentially that "all these crimes are general intent crimes," and that in malicious all you had to do was show essentially if I understand you correctly, is a wrong done, but I think one of the problems is the term, malice, it makes a problem in itself because if you look at Cal Jury Instructions...and I don't have Cal Jury Instructions here, but as defined in the Penal Code it means, "wish to vex or annoy or injure another person." So you can't just go and say a wrong was done, you have to show some thing that circumstantially is why the person did it, more than just that they did it...that there was something more there, it was more than accident, it was more than just some act. It's in a nebulous area. I'm not sure that it's either general or specific intent, and that is one of the problems. I'd be curious, Sgt. Phillips, as a peace officer and probably having testified in cases like this, does it sometimes create a problem for an arresting officer making a decision when it's malicious?

SGT. PHILLIPS: That's true, and that's one of the problems we face as Renee pointed out, they didn't mean to do it, it's an accidental act. They break into a school and as a result they may start a fire. Well, they may not have intended to do the arson, but nonetheless, that's what ultimately is

charged. Initially, you might have had a trespass that resulted in a burglary, it could result in an arson, it could result in a homicide.

MR. COHEN: But then what I'm asking is, that in terms of instruction from the Legislature to a peace officer, to get into the prosecution's problem of specific intent versus general intent, I'm not sure that you would want to find where somebody burns that it is automatically arson, until they prove that they hadn't consented or didn't intend to injure anybody; on the other hand, I'm not sure what the intent element is. Essentially, we're talking about a specific intent when you say malicious, only we don't call it that, it's sort of a question of who has the burden of proof? In terms of a peace officer, what's better for him...to spell it out so that he knows that person has the intent and that's what he's going to have to prove, or is it a nebulous area where you just kind of throw it up for grabs and hope circumstantially you've got it?

SGT. PHILLIPS: Unfortunately, that's what often happens.

MR. COHEN: Which do you prefer though?

SGT. PHILLIPS: Preferably, it would be a specific intent but it's difficult to prove sometimes, and that's where we run into problems.

MR. COHEN: I understand your problem.

CHAIRMAN ROBERTI: Thank you, Sergeant.

MS. KRAUT: I have just one thing that I did want to mention that I think is relevant, and that is it would be really helpful perhaps to have some legislation as to either criminal

~~mischievous or malicious mischief by burning, with particular ref-~~
erence to schools. Most people who have been writing about
vandalism will inevitably include either some form of burning,
they may refer to it as arson, as vandalism. And if you'll read
the reports and so forth and so on, and the statistics on the
cost, generally some kind of burning, damage by burning, will
be involved. And right now vandalism is really a very separate
and distinct crime from arson, and you don't bring a kid in for
arson, it's very rare unless it's been a severe act, you're not
going to...if there's \$200 or so damage, by burning, you don't
want to bring the child in and have him possibly sentenced to
three years or more for this act. So perhaps something again
to consider, it might be helpful if there were some laws that
did reflect some kind of punishment equivalent to the act.

MR. COHEN: In other words, what you're saying is there
may be some misdemeanor form of arson?

MS. KRAUT: Right.

MR. COHEN: Where, based on the result...is that what
you're asking? Because presently, now arson is willful and
malicious, and vandalism is malicious destruction of property,
the same elements, but the penalty is quite different...447 is
"willful and malicious burning" and vandalism is "malicious
injury or destruction of property," but the penalties are quite
different unless it's attempted arson, but if it's actual arson
then it's a straight felony. So you're really asking for some
kind of equivalent.

MS. KRAUT: Are you saying that arson is the same form

of burning would fall into the 594?

MR. COHEN: No. I'm saying...that's covered quite clearly by the arson. But you're saying, evidently the people aren't willing to prosecute it because they think that based on the amount of burning that resulted, that the punishment that the juvenile might suffer is too great...what you're really asking for then is a misdemeanor form of injury to property, is that right?

MS. KRAUT: Right.

SGT. PHILLIPS: Or that more types of, as we refer to vandalism, being incorporated into that malicious destruction?

MR. COHEN: Well, the only problem you have, again, specific versus general crime, and the more specific crime is arson, that to be charged over the general crime of vandalism, so that is a legal problem, how you define these behaviors differently...if you are going to have an arson section and you are going to have a vandalism section, you've got to completely then take it out of arson, you don't want to run into one of those problems of having it kicked out of court.

CHAIRMAN ROBERTI: Thank you very much. Our final witness will be Mr. "Uncle Bill" Gray, of Youth Values, Incorporated, of Los Angeles.

MR. "UNCLE BILL" GRAY: I want to thank Mr. LeBov for putting us on at the last minute. Our program is a program of vandalism/violence prevention. It has been endorsed by Senator Birch Bayh, the California State Senate (I understand Senator Alan Robbins is on your Committee) and the Board of Supervisors

of Los Angeles County and KNBC, which usually does not support private enterprise either, though we are a non-profit organization. I think the important thing, I've been listening to the witnesses, and I think that it's important to state that vandalism and violence are synonymous. People keep trying to separate them, but a young person or anyone that is going to commit an act of violence against property will be the same type of person who will commit an act of violence against a person. It's just that it is easier to trace and record acts of violence against property. Ours is pure prevention, as I mentioned, not locks and bars and getting off the street before dark. I have a friend who said, "you know, Bill, they really ought to take Alcatraz and turn it into a condominium, because it's already got the bars, it's got the security system, and it would be an overnight success." But I think that what happened was that three and a half years ago we ran into this quite accidentally. I was called in because I had done a very modest program on prevention of vandalism to trees, a very modest program, but a very successful program which reduced vandalism 65%. The late Joe Busch, who you may be familiar with, called me in at that time and he was very excited and I didn't know why at first. He asked me if I would apply it to school vandalism, violence, and graffiti? I said I'd think about it, it's nice to see if you can make kids love a tree, but it's a little more difficult to make them love their school or to make them not want to hit somebody. So we wooed each other a little bit, and Joe opened his books to me, I looked at his files, and he showed me that in 1965 there were less than a

thousand incidents of vandalism reported in L.A. County. You probably know these figures. In 1971 they went to 44,000. He had probably the most extensive report on vandalism, which I have copies with me, that I have ever seen. The Assistant District attorneys went from 7 to 70 in the same amount of time, doubling juvenile activities. The most important thing that I found after digging through five different files was that two out of three convicted juvenile felons had a history of vandalism going back to seven and eight years of age, which said vandalism therefore becomes a spawning ground for juvenile crime, and nearly half the crimes are caused by juveniles, then we had better concentrate our efforts there. Joe agreed with ours; the approach was incredibly simple. You go in and you get a mass of children together, you deal at the elementary level and you get a mass of children together, you get them excited, I keep hearing a figure, five percent today; five percent are bad; ninety-five percent are good. Then why in the world are we allowing five percent to destroy the learning process for ninety-five percent...it doesn't make sense. We go in and we get the ninety-five percent so excited about doing what's right, and so down on making it unpopular to do anything wrong that would hurt them, that the five percent don't dare do anything. It's that simple. That's how we got the sixty-five percent reduction, and I think with that it became a personal challenge. I gave up my own business, I told Joe I would do it, we would try to do it, he called a press conference, he endorsed the program officially, and two weeks later we had an opportunity

to deal in a real mass approach. We took six thousand children at one time, in one place, in the Long Beach area, they were bused in nine hundred buses by the L.A. Unified School District, and I am sure the people thought it was a freak show. What are you going to do with six thousand kids? You are going to ask them to protect their schools, you are going to ask them to protect their parks, you are going to ask them to not be violent, you are going to do all these things? Are they going to work? Who knows? You might as well try. Joe believed that. It worked. Because if I had had more time I would have brought a man who was on television with me last week, Sid Hoffman, principal of a school...this was nearly two and a half years ago, repeatedly his school had been vandalized time and time again in past years, ever since that time two and a half years ago one assembly would follow-up material, and there was tremendous follow-up with the teachers and the staff at the school; consequently, he has had not one incident of vandalism in that school, not one. Strangely, enough, it got farther than the school, the City of Carson reports the Parks and Recreation Department alone, and I could have brought the Parks and Recreation Director with me today, it reduced vandalism across the city immediately by 45%. It reduced the vandalism to parks and trees, all city property, amounting to about \$25,000 a year.

I would like to read to you, the Los Angeles City Schools did a report, a survey on our program. The report indicates that the statistics show the incidents of vandalism and violence

in the Los Angeles Unified School District had increased 1,100 percent in the past ten years. The cost including security measures, that's one that I've been fighting for because they used to say, \$2.5 million...and I'd say, where's arson, where's security? It is close to \$12 million. The report said that there is an increasing awareness that a major effort is now made to resolve the problem from a different viewpoint other than increased security, one of which there is an attempt to alter the fundamental attitude that pupils have about school property and the people they meet each school day. The report says that the program created by Bill Gray, "Uncle Bill", has proven to be more promising than any others when it comes to changing student attitudes. So basically, we wanted to find out, I wanted to find out, how did we change the attitudes? We did a survey in a school before and after the program and we found out that the biggest problem that exists today, that 95% that we keep talking about, they don't feel that they are involved in anything. They do not feel they can get involved. We found that in going in and asking kids about nine basic problems that happened -- violence, vandalism, school thefts... what should I say, theft of school property, vandalism of school property, over half of the kids did not feel they could get involved. They had all seen these incidents happen; they did not feel they could get involved. After the program, over 90% in every instance said, "yes, we will do something about it." I think there lies the basic concept of every problem we have today, that 95% do not feel that they can get involved in

the 5%'s actions. And that's sad for us adults, because we are not giving them any leadership. So I wanted to know, because people kept saying, "why don't you go where the problem is, why don't you go into the junior highs, because that's where it's at, why don't you go into the high schools?" And I did. I think there was a man earlier that said, "go into the schools, it's the best place to find out." I went in and I sat with the kids, and it's appalling if you'll sit with some kids in a high school, and we did some sharing, and we talked about drugs, and I had a class of high school kids telling me, and this is not an urban L.A. high school, it's a suburban L.A. high school, and when those kids are telling you, "yes, drugs are everywhere...you can get 'em anytime you want, anywhere you want, they're cheap." One said, "everyday, I see the kids turning on, I see them turning on the little kids and their little brothers and sisters, and those kids don't even know what they're doing, and it's sick." But, they also said, "you're not going to change the minds of those that are doing it, not at the high school level, you're not going to change their attitudes." They said, "keep doing what you're doing, work at the elementary level, work at that formative year level, because if you're doing it in high school, you're not going to stop doing it, and if you're not doing it, you're not going to get involved." There's our problem...high school's getting the kids involved.

Now, the next statement I have bears out what we feel, and I'm sure, and I hope you're familiar with this with the

Grand Jury in Los Angeles County, the '76-'77 Grand Jury.

It says that the parents and schools must join in a program to teach values to children at a very early age if any significant progress is to be made in combating the juvenile crime problem. The Grand Jury strongly stated Sunday that this preventive approach would be more effective than all of the multi-million dollar efforts made to rehabilitate the youth after they commit crimes. It appears, the large sums of money being spent for law enforcement efficiency, institutional treatment and community diversion programs are largely wasted. This is after they spent a year looking into all of the diversion programs. What we are accomplishing now is so vital, is so vital to what should be done, not only by us, but by everyone. In other words, why are these kids protecting their schools? It's not because I say, protect your school, it's because I have convinced them that their school is important to their future, to their education. Now that has far more manifestations than just protecting the school. It means that perhaps they are going to feel better about going to school. Perhaps they are going to work a little harder in school. Perhaps they are going to take it a little more seriously. Perhaps they are not going to skip as often. All of these things are why they are protecting their school, and I think that's vital. The reason the vandalism drops is simple -- I had a kid in one test school in Compton, the principal said I wouldn't want to be an older kid coming onto this schoolground trying to hurt this school...they would be mobbed by the kids. And that has worked

there. He said consistently each semester he had upwards of forty windows busted. He said you walk in and all of a sudden you have four, and they've all been accidentally busted. The word gets out. A vandal who is intent on going to commit an act of vandalism has to let someone know, otherwise you're not a hero. But every little kid is not going to stand for it. And there's not much sense in letting someone know. So that's what stops that. My concern is those little kids. They are taking this so deeply to heart at this point, think what's going to happen in a couple of years when they're in junior high school and a couple more years when they're in high school? So, I think that in the future, and I must share a couple of small things with you of the offshoots, as I just said of the program, what I get from parents. We did a parent survey to 3,000 parents in the City of Downey, and what we got back was, "should we adapt this to drugs and alcohol abuse," and I feel very strongly about that, and especially at the elementary school level it can be very touchy. Ninety-nine percent said, please, that they were aware of the program, please do. They love the way it's brought to the kids in a positive manner. But more importantly, I asked the parents if anything had happened that made them particularly excited about the program? And one said, "yes, the policeman came to the door one time because they were searching out in the neighborhood for a prowler, and there was a time when the kids were scared to death of the police, now they wanted to help because they had a whole new attitude." And another one said, "my little boy went out in a vacant lot and

stopped a kid from playing with fire, they were going to set a fire." She said he never would have done that before, but now he had a whole new attitude about getting involved. They have to go by the school. The parents have to drive by the school because the kids want to make sure there are no loiterers around the school, and they take license numbers and turn 'em in on Monday morning. I think the best one that happened, one afternoon a principal called me and said, I have got to tell you, one of my little boys came back after school, and he said, you've got to come with me...around the corner there's a man sitting in his car and he's trying to talk to the little girls as they go by, and he said, I don't think "Uncle Bill" would like that. The principal said he went down to the corner and around the corner, and the minute he did, the man took off in the car. He said, I don't know what it was or what it could have been, all I know is I think it's great that the kids want to get involved in something like that. I hadn't even talked about that.

So I think that what I'm saying, let me say as a last thing, I must explain about our program, about the investment, someone asked me about that, whether I was getting out of this...it's been three years now since I dropped my business, and I finally had to estimate that I've got something like a quarter of a million dollars invested, so there is nothing at this point, maybe some day, but not at this point. I have some interesting things about funding and investments, I had an opportunity to get involved, and I think as legislators you should be concerned

about this, and I have an opportunity to ask for some funding but in the initial questions there were things like, "well, how many people do you intend to hire, and how many people are you going to support with this?" And I just had to comment, "I'm not an employment agency, we don't need to hire a lot of people, we use existing resources...that's the whole idea, somebody's getting paid anyway, just utilize their services. But apparently the funding is based on how many people? And other people I talk to, they'll say to me, what government agency are you with? And I tell them, I'm not with any. And they say, "oh, my, who are you getting grants from?" And I say, "no one." They say, "well, how are you existing?" It makes you wonder whether a lot of people aren't just existing to get grants and then spend that time between that grant, and the next grant, writing for a grant. It's a little frightening as applied to an individual having been in business.

Now, there have been skeptics -- in Orange County I had a man, a Crime Commission committeeman, and he said, "I don't believe it." I said, "you don't believe what?" He said, "the statistics, the 95% drop." I told him he could call the people. He said, "I called the people, I know, and I don't believe it. If it were 10% or 20% I would be ready to believe it." Skeptics! That's what the little kids are not, thank God. I have a sheriff in one particular area, I won't name the area, but I said, "let me help with your Neighborhood Watch, we've got 5,000 children in your area, and we can convince all of them to really get their parents involved in the Neighborhood Watch." He said, "I

don't know if we really want to do that because we've got this Neighborhood Watch started and if your influence is there and it's successful, we don't know whether we did it or you did it." I said, "who cares who did it." And a week later a captain who had started a Neighborhood Watch in a neighborhood area in a private home and his black and white was neatly graffitied with spray cans. I don't think that appeared in the paper, but we are now recommending a Neighborhood Watch in that area. What I'm saying is that it seems that in a lot of cases there are people looking out for their own private interests as opposed to objectivity in solving the problems, which is really what's important. People will say, "is it lasting, you're dealing with little kids, is it lasting?" I could have brought Sid Hoffman from Dominguez, I just talked with him, that's been two and a half years, and not an incident. And it's not because of me, I just started it. His staff and he completed it. I don't pay them, they get paid by someone else, they are just doing their job. That is the beauty of it. And I think that what I would like to make you aware of today is a model project which we are doing in Compton. Now I suppose most of you are aware of the City of Compton, they have their share of problems. In 1973 I think they were reported to be the highest crime rate per capita in the United States. I've been into Compton, I've been working eighteen months trying to find funding for Compton. I finally found a company, State Mutual Savings & Loan, who wanted to do something social, they don't have an office in Compton so they are underwriting the project. But I'd like

to describe the project because I think if it works, it's something that can be duplicated. We don't know quite how at this moment, but I am convinced that it can, and it can be used anywhere in the state and anywhere in the country. And here's what we have done thus far -- we have pulled together, I have sent and pulled together the city council with their unanimous endorsement and support, the Board of Trustees of the School District, the Chamber of Commerce, the business community, everyone. We've pulled all of those people together... the teachers association, the police department, the Parks and Recreation Department...everyone is supporting this program. Now, we're not paying any of these people. They're already getting paid base salaries by other people to do other things, but they are working to solve this problem. I have gone in already and talked to the 26 leaders, the gang there...and they are terribly supportive of the problem. They think it's a great project, because they're helping the little kids. So essentially we'll be doing, in one week's time I will reach 16,000 elementary kids, K through 6th will be reached, about 3,000 a day. I will then go into the junior high schools and high schools at about 1,500 at a time, about 3,000 a day, that's about 16,000. In an elapsed time of about two and a half to three weeks we will reach 32,000 young people in that city of 70,000. Now we may be wrong...and if I'm wrong or right, we have achieved something that's unbelievable because there's only 70,000 people there. We have worked where we will have the cooperation of their newspapers, their radio of all the

people in that city in reaching the parents and reaching all these people under one common cause, "let's stop it right now, stop the vandalism and stop the violence, let's cut it down." I am guaranteeing we will cut it down 50%. Because I know it will. If I get the correct cooperation that I hope for, it'll be much bigger than that. Because in the one test school we've already been in, Ralph Bunche, we reduced the vandalism 93% in that school, so the potential is unbelievable. They are losing something like \$400,000 a year just to vandalism and violence, not counting their security; they've got the problems, but what I see in that community is a real feeling, a real feeling of positive attitude that says we want to change, we want to do something positive. We are tired of the adverse publicity, of the negative attitudes. We want to do something. That is why I think that they partially embrace this program, because it brings everyone together. And I am convinced that it can be replicated and duplicated, and used in other areas, and I am hoping to prove that. But I think I would say to a committee like this is that in any instance where you are talking about any sort of changes in the penal system is -- please, please consider the prevention and in its pure sense. It's almost as if we were sitting here talking about polio, and we were talking about how we could make a patient more comfortable after the fact. Wouldn't one of us finally get so upset and say, "for heaven's sakes, why don't we find out what we can do to stop it in the first place and prevent it. Why do we have to let it go on?" And I believe that the kids in these

schools, I don't care, we've been all over the cities, there is no social or economic differences with any of them, vandalism and violence is everywhere, it's all in the attitude of the kids, they need guidance, they need strong direction. I think it takes a committee of legislators I think, it takes strong central guidance, the school districts, you see, will go two ways. They will look at our program as an educational program, perhaps, they do not want to talk about vandalism because that is a maintenance problem. So they don't want to talk about it. It's last year's payoff. They have no money up front for vandalism. And besides, if they start talking about vandalism somehow they feel that it reflects upon them and their administration, and that's not true. The school is only a reflection of the community. But they don't look at it that way, they look at it as if we start announcing vandalism figures, then it's going to look as if we're not doing our job. Well, all they're doing is they're putting a Band-Aid on a cancer sore. Because it's out there in the community too, it's just more traceable in the schools. And until the school people understand I think your only answer, whether it's our program or another program like ours, is to come in with a planned program. It's got to be planned, and it's got to have quality control. The difference is that a school today could put together a program and it would reduce vandalism in that school. But it would not be replicated in other schools because it takes the personalities, it takes the people, it takes the unique people that put it together. So it won't work in another school. That's

why the program has got to have quality control. Ours has quality control. I think that to try and expect the school districts to do it as in SB 65, just giving more money for school improvement, that's not it, each of them are going to use it differently, they are going to find a different way, and for the most part they're going to do it by childhood education, they're going to hire a whole lot of people, and I think that's fine, but put forth an employment bill if that's what we want. That is not necessarily solving the problem. I haven't noticed our kids reading any better because of early childhood education.

I guess that's about all I have, just one last thing I have is that I recall seeing last year on NBC where they had a couple of gentlemen who had been on President Johnson's Crime Commission over ten years ago. And of course you know they were charged nationally with what a superb opportunity to get to the roots of the problem. And I suggest that if they had been dealing with ten years up...what they did on this program is, they threw up their hands and said, there's absolutely no way to stop crime, it's out of hand, there is no solution at hand, and we don't know. And I thought if you had been working with ten-year-old kids at least some of your time back there ten years ago, maybe we wouldn't have some twenty-year-old criminals today.

CHAIRMAN ROBERTI: Thank you very much. You have to

start early.

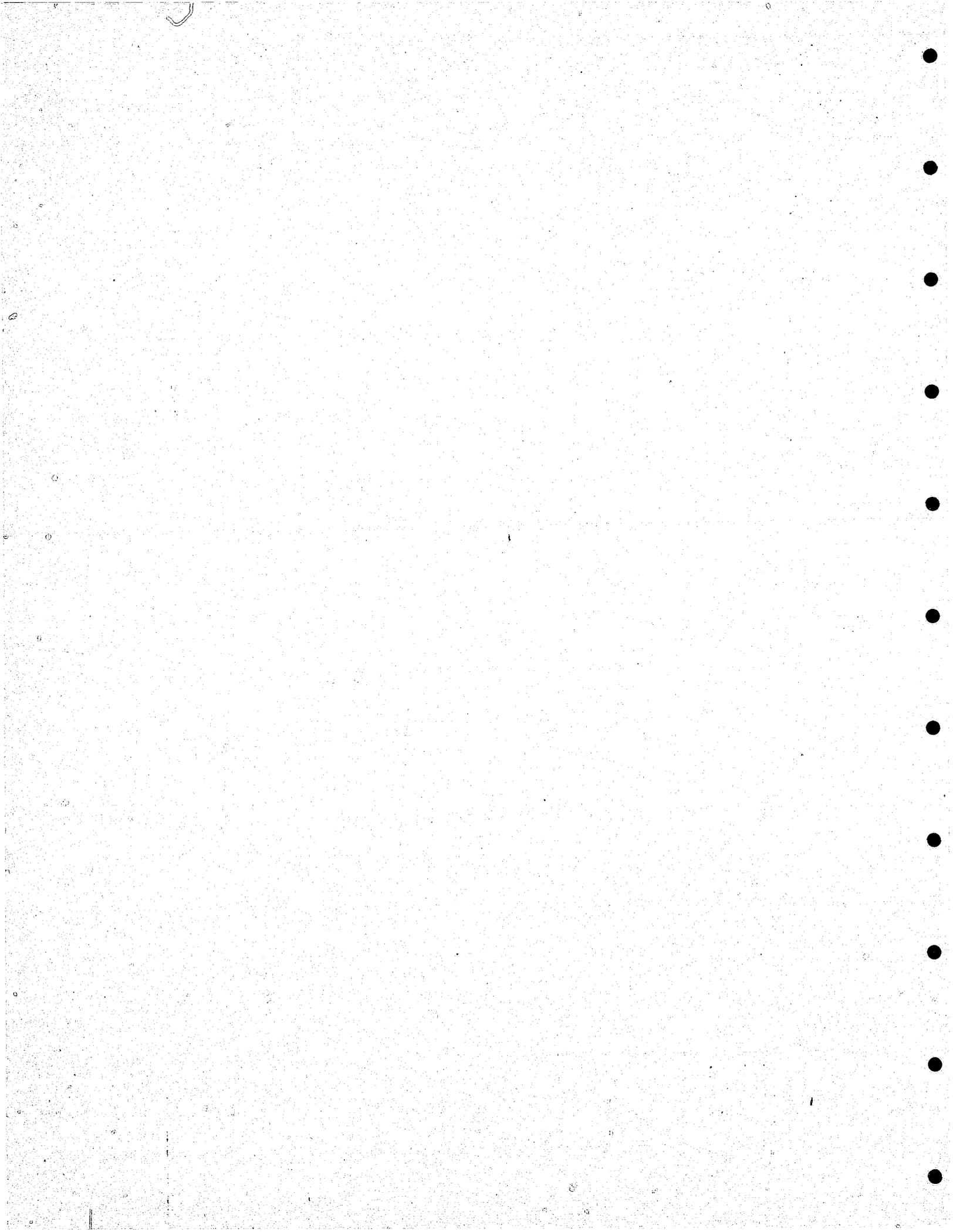
That concludes our hearing today. I want to thank everybody for coming.

Meeting adjourned.

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APPENDIX



Combat Neurosis in Inner-City Schools

by

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BACKGROUND

The conceptual framework provided by definitive studies of military casualties by Grinker and Spiegel some 30 years ago (1), and more recently by Glass (2) and others (3-6), established clearly the causal relationship between continued environmental stress and strain, and symptoms of psychological and psychophysiological manifestations of traumatic war neurosis, or "combat neurosis".

A more recent form of combat neurosis has been observed by this author. Classroom teachers from inner-city schools are presenting with symptoms of ongoing psychological stress and physical assaults, resulting in temporary, and sometimes total decompensation. These are the "battered" Teachers that form the data base of this study. These people face factors of environmental stress that have been and still are escalating.

Nationwide studies show that since 1972, classroom murders have increased 18 per cent, rapes by 40 per cent, robberies by 37 per cent, and physical assaults on teachers by 77 per cent (7). The Senate Subcommittee on Juvenile Delinquency reported that during the academic year 1975, vandalism and violence in schools continued to increase; annual destruction of school properties exceeded 600 million dollars, and 70,000 classroom teachers reported serious injuries from physical assaults by students (9). Many are never reported. For a variety of political reasons the extent, both quantitatively and qualitatively, is not widely acknowledged.

Unless powerful defense mechanisms are used, the response to danger is fear, the most potent source of arousal of the autonomic nervous system. Changes are effected in respiration, blood pressure,

catecholamine secretions with increased plasma corticosteroid concentrations and urinary steroid excretions. Sustained arousal of hypothalamic action systems channeled to different target organs has been shown to culminate in certain diseases, i.e., hypertension, peptic ulcer and diabetes mellitus (9, 10, 11).

Many psychological symptoms presented by these Teachers are also analogous to those observed in combat neurosis; emotional tension (anxiety, insecurity, nightmares, excessive startle response, phobias), cognitive impairment and conversion symptoms.

Although there are many studies of various causative aspects of juvenile aggression leading to the presence of "Clockwork Orange" violence in schools, these only illustrate the concept that "The school is the battleground of society" (12). Absent, however, has been any comprehensive study of effects of violence and its subsequent psychological and psychophysiological sequelae in classroom teachers who have been its target. These people are one of the "front lines" of society. Others in the front lines include the police, but they have chosen to be in the front lines; are better physically and psychologically equipped for such duty; and possess devices for self protection and implementation of their will.

METHOD

The patients selected for this study were 253 classroom teachers (158 females and 95 males) from Los Angeles inner-city schools, victims of varying psychological stress and physical trauma. Evaluated during the period of October 1971 through June 1976, these patients were Caucasian, Negro, Mexican-American, and Oriental, and had taught in inner-city schools for periods ranging from three months to 14 years. The average age was 42, range being from 23 to 61 years

of age.

They were referred to me for psychiatric evaluation, by a variety of sources, including physicians, co-workers, union representatives, and attorneys representing them in Workers' Compensation applications.

During the evaluations patterns evolved that were dramatically similar to early studies of combat neurosis, with implications for diagnosis and treatment, and, more significantly, prevention. The teachers, themselves, referred to these schools as the "combat-zone." Studies cited earlier in this report, therefore, were used as guidelines in assessing results of the psychiatric evaluation and testing of patients in this series.

Medical records were reviewed preceding each psychiatric evaluation. Evaluation was made of the patient's ego functioning, attitudes, current life situation, and the presence of any predisposing factors. Each patient routinely completed a Minnesota Multiphasic Personality Inventory (MMPI), the Bender Gestalt Perceptual Motor Test, and the Beck Inventory of Depression. Projective testing was also performed if there was an indication of organicity or psychosis. Testing was also used as an indicator of progress in treatment.

RESULTS

Signs and Symptoms

1. Review of Medical Records. Because these teachers' employment contract provided medical coverage, usually with Kaiser Permanente Medical Group, a clear well documented chronological medical record was sent to me, prior to my evaluation of their symptomatology. Therefore, unlike earlier studies of combat neurosis,

many (134) patients in this series had extensive medical histories representing two to ten years of psychophysiological response to continued stress. This data also allowed a more comprehensive study of symptoms developed during their teaching career due to the stress response of repeated and sustained arousal of hypothalamic action systems channeled to different organs, with resultant cardiovascular, gastrointestinal and respiratory disorders. Correlation could usually be made between significant life stress events and symptom development for which medical consultation was sought.

2. Clinical Evaluation. Twenty-eight per cent of these patients had sustained actual physical assault on campus. They presented with lacerations, bruises, head injuries, seizures, and deafness. Most physical injuries were minor, however. Those who had been attacked without provocation, or did not know their assailants seemed to experience the greatest difficulties. The majority of assaults was of just this type.

Symptoms described by Grinker and Spigal (1) of hypochondriasis, and conversion phenomena were presented by these patients as complaints of fatigue, weakness, blurred vision, tinnitus, irritability, sensitivity to weather, dizziness, malaise and a variety of depressive equivalents.

Almost all patients in this series presented some psychophysiological manifestations of long-term stress. I frequently observed during the interview, that mental "re-living" of the street events reproduced the psychophysiological responses. Other similarities were observed in predisposing personality factors, their

tendency to focus on somatic symptoms, as well as impaired morale and a sense of futility. Often a relatively minor physical injury or somatic complaint became the unconscious focus about which psychological decompensation occurred with ego syntonic secondary gain. Depending on their particular target organ, symptoms represented the entire spectrum of stress related illness. (Table 1).

3. Psychological testing generally indicated obsessional, passive, idealistic, dedicated persons who were unable to cope with or understand the violence directed toward them. They were unable to defend themselves or strike back. Unconsciously, they identified authority figures as parental figures, with inherent idealized attributes of wisdom, justice, and love and protection.

Levels of anxiety and depression were consistently high with a concomitant tendency to focus upon various somatic expressions of anxiety.

Predisposing Factors

Factors predisposing to neurosis in military personnel were applicable to teachers in this series (13-15). Primarily, these centered around an impaired ability to deal effectively with fear or anger. Almost 80 per cent of the teachers who succumbed to sustained stress were categorized as passive, rigid and moderately obsessional. They were moralistic with a relatively harsh super-ego. Unable to strike back when the target of violence or hostility, they internalized their fear and rage.

It is important to emphasize here, that no patients in this series had received any preparatory psychological or physical

training. Without this "basic training", they were unable to facilitate optimal autonomic function during crisis or attack (16-18).

Environmental Stress Factors

The continuum of campus violence directed toward these teachers included ongoing threats of murder and rape. Actual physical assault and injury occurred as did theft, arson and vandalism of their property. Threats of a brutal attack was often more psychologically disabling than the actual event. Campus violence not specifically directed at these teachers, included bombing of school buildings, theft and destruction of campus equipment, fights between students and gang members, murder and rape, and the presence of weapons on campus. Student locker searches revealed drugs, dynamite, knives, ammunition and firearms.

The presence of anonymous gang members and campus vagrants has plagued inner-city schools as a major source of violence and has caused continued anxiety to the students and faculty.

Many patients reported their classrooms were overcrowded by as much as 75 per cent. These classes often contained a large proportion of violence-prone "continuation students", many of whom had police records of juvenile delinquency and detention.

The teachers reported that when violence-prone or "acting out" students became disruptive in class, they were sent to the administrators' office. They usually returned promptly, without reprimand. If they assaulted a member of the faculty, they were suspended from school a few days, and then returned, often as heroes to their classmates.

Sixty-eight per cent reported they had been discouraged from

discussing the incident with other members of the faculty, thus denied an important opportunity for decathexis.

The majority of petitions annually submitted by teachers requesting transfer to less stressful schools were denied. The added stress of no exit from what they viewed as an intolerable situation ultimately contributed to development of symptoms. Psychophysiological and psychological complaints increased until many became disabled.

Factors of Morale and Leadership Became Especially Critical

The Battered Teacher felt especially demoralized when in attempting to report an attack, he found the Principal to be indifferent, or worse, fault-finding with the teacher. Many were made to feel responsible for being assaulted, a pathos similar to that of the rape victim.

After sustaining a prolonged battering from an angry male Negro student wielding a chair as a weapon, a male Caucasian teacher reported the assault to his principal and was informed, "This (incident) is your fault, and reflects your inability to communicate with the minorities." The patient has not returned to teaching. The same teacher had survived an even greater physical assault a year earlier. In that instance, he had felt the immediate and complete support and nurturing from a different administrator. He had returned to his classroom the next day.

When asked to subjectively correlate the effect of this lack of administrative support to his inability to resume his teaching career, he unequivocally acknowledges that he would still be in the classroom today, if the situation had been handled better administratively. This experience of cross-fire is not unique and

contributed significantly to disability and need for psychiatric treatment.

Teachers stated they were usually discouraged from reporting incidents of violence. Although legally required to do so, they received the implicit (sometimes explicit) message that it was "not in their best interest", to pursue the matter, that the administrators might consider them as "unsuccessful". Thereby, they functioned under a two-edged Damoclean sword: the threat to their job security, and the ordeal of facing continued classroom and campus violence.

CONCLUSIONS

This series of teachers presented symptoms of post traumatic or "combat neurosis" as clinically defined. The relationship between stress, physiological response and physical illness has been well documented in certain diseases; the relationship between stress and psychological depletion has been studied extensively. Although the psychiatric needs of teachers who succumb to stress still requires further definition because of the similarities cited earlier, we reviewed the results of effects of trauma and stress of survivors of war as applicable to teachers in this series.

The consensus of military studies of morbidity following periods of stress was based primarily on these factors: (1) Severity of the event, (2) Chronicity of the stimulus, (3) Unexpectedness of the event, (4) Lack of counterbalance to unpleasant stimuli, and (5) Impaired morale.

Patients in this series have shown the same correlation between incidence of their symptomatology and these factors of stress.

RECOMMENDATIONS

Careful investigation of etiological factors of patients in this series, based on guidelines from previous studies of psychiatric casualties of war, indicates that certain prophylactic measures can be taken now to diminish or avoid the psychological and psychophysiological breakdowns we have observed, and with appropriate modification, may be applicable to other areas of severe occupational stress, e.g., firemen, policemen, front-line social service personnel, etc.

Preparedness

Psychological training to prepare these people for stressful situations must take place to minimize the impact of violence by rehearsing and familiarizing the teacher with the potential events. This would develop (1) a qualified, rather than total belief in personal invulnerability, and (2) methods to cope with, and diminish the anger of violence-prone, acting out students, in part by understanding the language of the streets as well as the "Games Students Play". Skillfully handled one of these provocative "games" can result in a shared joke, improving morale. Poorly handled, the results can be catastrophic.

Morale, as in war, is a critical factor in these cases.

1. Sharing. An ongoing opportunity should be made available to allow "sharing" or "working through" as an ultimate acceptance of the events and consequences of campus situations. This would reduce psychic load and facilitate individual development, improving morale

through constructive attitudes and efforts. "Rap groups" led by teachers with mental health experience could be useful in this capacity. If assault or breakdown occur, leaders with greater expertise must be used.

2. Leadership. The teaching staff, especially in schools with high profiles of violence must be able to believe in the absolute integrity and support of their leaders, the school and district administrators, as a constant. The teacher must feel the support of the school administration.

Teachers assigned to schools with high profiles of violence should be rotated to a less stressful school after a specified (two or three year) period.

Students should not be allowed to return to the same school after attacking a teacher or any staff member. Too often, after a one or two day suspension, they return as "campus heroes". They contaminate the classroom and siphon away the energy of the teachers and obstruct the learning opportunity for the majority of students.

3. System of Reporting. Classroom teachers should have an opportunity to report directly to the school Board concerning adverse school conditions, unfair administrators, overcrowding, violence, etc. This is most important, and enables the individual to sustain the hope that someone will be made aware, that some change for the better may occur--that there has been some meaning or value to their suffering. They should be encouraged rather than discouraged from reporting incidents of acute or chronic stress.

Crisis Intervention

A crisis intervention team should be assigned to each school

district. Personnel would consist of two teachers with mental health training who would be supervised by a psychiatrist or a clinical psychologist. Their function would be to (1) "de-fuse" crises by implementing open forum discussions at schools with teachers and students involved in conflict, and (2) to offer immediate and subsequent psychiatric care needed to decathetect trauma if a Teacher's stress response syndrome is not "worked through" and mastered. An autonomous teacher-oriented walk-in clinic should be available. To be effective there must be no conflict of interests in the orientation of such a setting.

Rotation

Regular rotation to less stressful schools must be available. The "tour of duty" in violence-prone inner city schools must be limited (unless the teacher wants to remain). The combat pilot of World War II had to fly only 50 missions - no more. Many teachers apply year after year without obtaining transfer. The only way out is illness or early retirement. There must be a finite period within these schools, be it two or even five years. Given a termination date many have indicated they could hold on.

The problems described in this paper are increasing, rather than decreasing. Every effort must be made to minimize the violence or stress itself, as well as the impact of that stress on students and teachers. This study represents a step in that direction.

TABLE 1

Primary Presenting Physical Complaints

1. diarrhea, ulcer	Gastrointestinal Disorders (Burning, cramping, nausea, Colitis, etc.) 114
2. injury,	Musculoskeletal Disorders (Functional overlay to backaches, etc.) 34
3. infections,	Respiratory Disorders (Asthma, frequent bronchial etc.) 31
4.	Headaches (Migraine, tension, other) 29
5. hypertension, coronary artery etc.)	Cardiovascular Disorders (Palpitations, disease, atherosclerosis, 19
6. allergies, etc.)	Skin Disorders (Neurodermatitis, 14
7. conversion, etc.)	Miscellaneous (Hypochondriasis, 12

Almost all the patients presented symptoms representing more than one system involved in the stress response. Headaches and gastrointestinal symptoms were extremely common.

REFERENCES

1. Grinker RR, Spiegel JP: The neurotic reactions to severe combat stress, in Men Under Stress. Philadelphia, Blakiston, 1945, pp 82-117
2. Glass, AJ: Principles of combat psychiatry. Milit Med 117:27-32, 1955
3. Brady JV: Experimental studies of psychophysiological response to stressful situation, in Symposium on Medical Aspects of Stress in the Military Climate. Washington, D.C., Walter Reed Army Institute of Research, 1964
4. Archibald HD, Long DM, Miller C and Tuddenhan RD: Gross stress reactions in combat: 15 year follow-up. Am J Psychiatry 119:317-325, 1962
5. Bloom G, Euler US, von Frankenhauser J: Catecholamine excretion and personality traits in paratroop trainees
6. Bey DR: Change of command in combat. A focus of stress. Am J Psychiatry 129: 698-702, 1972.
7. The 'Jungle' today, in Education. Maclean's (Canada), March 8, 1976, p 52
8. The Bad Ones. Newweek, June 30, 1975, p 62
9. Nauta WF: The problem of the frontal lobe: A reinterpretation. J Psychiatry Res 8:167-187, 1971
10. Cobb S and Aloise RM: Hypertension, peptic ulcer and diabetes in air traffic controllers. Jama 224:849-492, 1973
11. Keily W: Stress and somatic disease. Editorial, JAMA, 224:521-523, 1973
12. Hott LR: Individual aggression and a violent society. AM J Psychoanal 34:305-310, 1974
13. Golin S, Herron EW, Lakota R, et al: A factor analytic study of the manifest anxiety extraversion and repression-sensitization scales. J Consult Psychol 31: 564-569, 1967
14. Cattell RB and Scheier IH: Stimuli related to stress, neuroticism, excitation, and anxiety response patterns: Illustrating a new multivariate experimental design. J Abnorm Soc Proc 60:195-204, 1960
15. Robbins PR, Tanck R and Meyersburg, HA: A study of three psychosomatic hypotheses. J Psychosom Res 16: 93-97, 1972
16. Horowitz MJ: Stress response syndromes: Character, style and dynamic psychotherapy. Arch Gen Psychiatry 31:768-781, 1974
17. Fenz WD and Epstein S: Gradients of physiological arousal in parachutists as a function of an approaching jump.
18. Bourne PG, Rose RM and Masjon JW: Urinary 17-OHCS levels in combat: Special Forces "A" under threat of attack. Arch Gen Psychiatry 19:135-140, 1968
19. Bridges RK: Jones MT and Lead D: A taxonomic study of physiological responses to psychological stress. J Neurol Neurosurg Psychiatry 33:180-187, 1970



CITY OF OXNARD

MEMORANDUM

November 25, 1977

To: SERGEANT DENNY PHILLIPS
BOB NEWMAN

From: RENEE KRAUT

SUBJECT: VANDALISM SOLUTIONS

A variety of vandalism reduction programs and approaches have been implemented to curb the extent of vandalism. These approaches fall into several broad categories:

1. Increased Security
2. Education
3. Citizen Crime Prevention
4. Interagency Approach
5. Youth Involvement
6. Judicial
7. Legislative
8. Legal
9. Opportunity Reduction

Below is a list of various approaches that have already been undertaken that fall within these categories.

Increased Security

1. Alarm systems (Nation's Schools, Aug. '74)
2. Schools: High wire fencing, window guards, alarm systems.
3. Hidden microphones connected to monitors by leased telephone wires that transmit sounds or activities an alarm (effective in apprehension of juveniles).
4. Police officers in schools on a full and a part-time basis as teachers of crime prevention drug programs and criminal justice classes; as counselors, as security officers, and as liaisons.
5. Police patrols.
6. Investigative Security Staff Crisis Prevention Program - adopted by Broward County School Board, Ft. Lauderdale, Florida in conjunction with Federal Safe Schools Act. (AS&U, June 1975)

Education

1. Police officers educate businessmen on vandalism prevention techniques.
2. Crime resistance classes included as part of regular school curriculum.
3. Attorney General's Project Stop Overview - Elementary school programs involving the use of puppetry, films, role-playing, student trainees and other techniques.
4. Uncle Bill's Anti-Vandalism Program - geared toward elementary school children.

Citizen Crime Prevention

1. Neighborhood Block Watch.
2. Citizen Patrols.
3. School Watch.
4. Parents as surrogate police officers.
5. Business community establish a fund for a youth service corps.
6. Cortez model - Anglo principal reached out to Mexican-American Community. (Management Information Report, July 19, 1976)

Intergency Approach

1. Yerba Buena Plan: Representatives from major agencies (e.g. social work, probation, mental health, school board) work under the roof of the school in a coordinated services program. (Crime Prevention Review, October 1975)
2. Community based programs involving civic leaders, school officials, youth, police.

Youth Involvement

1. Teen court for juvenile offenders.
2. Police youth service corps.
3. School fund of \$1.00 for each student is established. All monies not expended to cover vandalism costs is used for student selected projects. (Eric 11/19/76)
4. Juvenile Vigilante groups.

Judicial

1. Different approach to handling and sentencing of the juvenile vandal; e.g. more stringent sentencing and community service work in lieu of prison.

Legislative

1. Enactments increasing liability of parents and offenders for damages resulting from acts of vandalism.
2. California state law provides that parental liability is not to exceed \$2,000 per act and a judgment against a youthful offender is effective for 10 years.
3. Federal Safe Schools Act, House Bill No. 792.
4. Restrict display and sale of spray paint.. (proposal)

Legal

1. Civil prosecutions and collection of judgments.

Opportunity Reduction

1. Increased street lighting
2. Target visibility enhancements
3. School buildings architecturally designed to reduce vandalism opportunity factors
4. Neighborhood design proposals
5. Community watch programs
6. Juvenile vigilante groups
7. Sophisticated alarm systems
8. Improved security design
9. Electronic detection systems

One finding of the Oxnard Anti-Vandalism task force was that although vandalism was a problem in the City of Oxnard there was no central recording system to identify the extent and nature of the problem in relation to the schools, the business community, personal property and the public sector.

The Oxnard Police Department is currently developing a data collection and information system under the supervision of Project Director Sergeant Denny Phillips, and the direction of Program Manager, Robert J. Newman, which will identify the patterns, nature and extent of vandalism. The system once established will facilitate the development of an effective vandalism prevention program.

* Articles on vandalism are on file in the vandalism file of the Oxnard Police Department.

STATEMENT BY ERNST A. WENK, PRESIDENT,
RESPONSIBLE ACTION, INC.,
TO THE CALIFORNIA LEGISLATURE
JOINT COMMITTEE ON REVISION OF THE PENAL CODE

I would like to comment briefly on a few key concepts which I feel are of importance to your investigation of school crime and school-related violence and vandalism. The purpose of my comments is primarily to highlight some of the issues that seem central to any attempt to resolve the school crime problem.

1. Need for objective assessment of the real nature and extent of the problem

When investigating school violence and vandalism one must assess carefully any testimony which relies heavily on dramatic incidents that make good news stories but add little to an objective appraisal of the important issues. One also must examine critically any proposals to institute comprehensive information systems which are alleged to produce all information necessary to combat the problem. The first type of information, based on individual cases, is inadequate to gain an objective overview; the second is too elaborate and all-encompassing, too costly in financial and human resources and well exceeds the information needed for an objective assessment.

What seems instead to be needed is an extended program, sponsored by the California legislature, which would provide the means to carry out periodic needs assessments in areas of

concern to the public. Such programs exist on the federal level. The recently completed Safe School Study, mandated and funded by the U.S. Congress and carried out by the National Institute of Education, offers a good example of the kinds of assessment such a program might entail (an abstract of the results of the Safe School Study follows as an addendum).

The costs of a state-level assessment program naturally would be much less than the costs of a nationwide program and the results would be much more useful for state-level policy-making. My first recommendation to the Committee would be to initiate a program of such state-based assessments, utilizing scientific methods and sampling techniques. Such an approach would provide a much better basis for legislative action than testimony based on individual cases and would represent a feasible approach to the gathering of objective information.

2. Definition of crime and delinquency prevention.

My second recommendation to the Committee would be to establish definitions of terms and guidelines early in the hearings in order to maximize the utility of input from testimony and insure a coherent framework for the hearing summaries.

In discussions of the prevention of crime and delinquency (and specifically school crime, school violence, and vandalism), the concept of "prevention" often is undefined and vague,

causing considerable confusion. I have found it helpful to subdivide the concept into five categories or areas of prevention and believe that such an ordering not only facilitates study of the problem but also aids in the implementation of more focused, and thus generally more effective, solutions. I presented this approach in a recent report to the United Nations and it was well received by the other participants. The following excerpt from the Summary of that report presents this suggested definition of prevention levels*:

"We decided to organize this contribution along a continuum of five distinct strategies for school programs as described in an earlier paper. A basic weakness in existing programs designed to solve juvenile delinquency and school crime problems may be the piecemeal approach applied in most schools that lacks any comprehensive and integrated elements implied by the suggested continuum. Successful programs should provide linkages within this continuum of five distinct strategies where each level leads to increasingly more serious social consequences. The five strategies for school programs are as follows:

-- Primary Action. Primary action provides an a priori quality model for education and human services designed to enhance the lives of students.

-- Primary Prevention. This strategy focuses early on children in need without identifying individuals as "delinquency-prone." Help is provided in response to needs without specific reference to delinquency prevention even though program priorities may be based on knowledge of the relationship between needs and various social consequences.

-- Prevention. This level of intervention directly addresses individual children who are identified as in danger of becoming members of a deviant group. At this

*Wenk, E. A., In Search of Delinquency Prevention Models in Schools: A Cross-National Study. Davis, CA: Responsible Action, 1977, in "Incorporation of Crime Prevention Policies in Educational and Vocational Training Programmes," United Nations Economic and Social Council - Resolutions 1086B (XXXI) and 1584 (L), Report of the United States and Canada.

stage, individuals or groups are identified and "targeted" as they are diagnostically declared delinquency-prone.

-- Treatment or Sanctions. Efforts at this level are directed toward the overt manifestations of a degree of maladjustment that has become sufficiently intolerable to invoke a response from official school or community authorities and that may lead to involvement in the criminal justice system.

-- Rehabilitation and Correction. This strategy is used for the adjudicated delinquent returned to the community on probation or parole."

The summary concludes:

"The main thrust of this report supports strongly a pro-active approach to prevention and proposes that the educational system more than any other now existing societal system lends itself to pro-active efforts instead of the traditionally and unsuccessfully employed re-active strategies exemplified by most efforts in the Juvenile Justice area and in many of the psychiatric and psychological approaches. In the latter, a great many efforts are expended to "prevent" an already existing problem from getting worse.

Three major recommendations seem to evolve from the exemplary models presented:

1. Identify existing needs in children and modify your existing programs to respond to these needs as early as possible. True prevention happens only in early childhood. Programs in child care centers, Kindergarten and elementary grades are the key to true prevention efforts.
2. In as many programs as possible, involve the children in planning and program design and give them a fair share of the responsibilities.
3. Involve the teachers in planning and program design as well and provide ample opportunity for adequate staff preparation as well as ongoing in-service training and retraining for all staff involved.

Program evaluations in progress in many of the programs are expected to provide more specific guidance in the future. Hopefully, these evaluation efforts will create a solid information base that will allow these issues to be dealt with not only within the

educational community but also within the total community context, where political and economic issues that are central to our concerns will ultimately have to be resolved."

3. Importance of youth involvement in any approach to the school crime problem.

Youth involvement should be a major ingredient of any program aimed at improving the school climate or dealing with related problem areas. This strategy has far-reaching and crucial implications for success in the school context. Pilot studies point out that the failure to involve youth centrally and deeply leads to weak and ineffective problem-solving which at times may even be counterproductive. Work in New Hampshire with a strategy developed specifically to maximize youth involvement produced results that point to new and effective problem-solving techniques. In the New Hampshire pilot study, an innovative program called Partnership in Research engaged students as researchers to investigate problems which they perceived to be important. One of the student research projects, which examined students' use of alcohol, marijuana, and other drugs, was particularly successful. The results of the entire pilot program suggested that youth involvement efforts such as Partnership in Research have considerable potential for problem-solving in a variety of areas of social concern. I recommend that youth involvement be supported and encouraged to the greatest extent possible. This would include, of course, opportunities for youth to testify, as occurred in the hearings you carried out last year. My recommendation is intended to underline the importance of this concept.

4. Importance of strong school-community linkages for reducing school violence and vandalism.

In addition to the concepts of early prevention and involvement, the notion of community involvement seems equally central to problem-solving in the area of school violence and vandalism. In the book, "Delinquency Prevention and the Schools: Emerging Perspectives" (reprint enclosed) I encouraged the linking of such programs as Partnership in Research with community involvement in order to develop an experimenting society that would promote change through active participation in the democratic process.

I hope my remarks will be helpful to the Committee in its search for solutions to some of our most perplexing social problems. Please feel free to use any of my statements in your report.

Addendum

ABSTRACT

The Safe School Study was undertaken by the National Institute of Education in response to Congress' request that HEW determine the number of schools affected by crime or violence, the type and seriousness of those crimes, and how school crime can be prevented. The study is based on a mail survey of over 4,000 schools and on an on-site survey of 642 schools, and case studies of 10 schools. Principals, teachers, and students contributed to the study.

Risks of Crime at School

Although school violence and vandalism increased during the 1960's, they have leveled off since the early 1970's, and there are some hints of a decline. Still, about 8% of the nation's schools (6,700) have a serious problem with crime. Secondary schools are more likely to have a serious problem than elementary schools.

The risks of crime directed against schools are higher in the Northeast and West than in the North Central and Southern States, and tend to be spread throughout urban and suburban areas. The risks of personal violence are higher in junior high schools than in senior highs, and are higher in larger communities.

Extent of the Problem: Personal Violence

About 2.4 million secondary school students (11%) have something stolen from them in a typical month. About 1.3% of the students (282,000) report being attacked in a month. Relatively few are injured seriously enough to need medical attention.

Among secondary school teachers, about 12% (120,000) have something stolen at school in a month's time. Some 5,200 are physically attacked, about 1,000 of whom are seriously enough injured to require medical attention. Around 6,000 have something taken from them by force, weapons, or threats.

Young teenagers in cities run a greater risk of violence in school than elsewhere, except in high crime neighborhoods. There, schools are safer than the surrounding communities.

Extent of the Problem: Vandalism

Over 25% of all schools are subject to vandalism in a given month. The average cost of an act of vandalism is \$81. Ten percent of schools are burglarized, at an average cost per burglary of \$183. The annual cost of school crime is estimated to be around \$200 million.

Other Factors in School Violence

Most offenses are committed by current students. Victims and offenders are generally of the same age and sex (usually male). In a majority of cases, victims and offenders are also of the same race. The chances of inter-racial violence are highest in schools where students of one race outnumber those of another.

Court-ordered desegregation is a factor in increased school violence only at first. Later, schools return to their former patterns.

Means of Prevention

Security devices, such as specially designed locks, safes, and window and door alarms are considered generally

effective in reducing school crime, though they can be unreliable. Security personnel are also considered effective in reducing crime, though more emphasis on training is needed.

In the case studies, the single most-important difference between safe schools and violent schools was found to be a strong, dedicated principal who served as a role model for both students and teachers, and who instituted a firm, fair, and consistent system of discipline.

Gallup Youth Survey

Many Teen-Agers Fear School Violence

By GEORGE GALLUP

PRINCETON, N.J.—“This place is an absolute zoo,” said a freshman girl at a large high school in the Midwest. “It’s not even safe to walk in the corridors. I can’t wait until school is over so I can get out of here and back to the safety of my home.”

This young girl—one of more than 1,000 interviewed in a recent nationwide Gallup Youth Survey—is not alone in her concern. The survey, in fact, reveals that as many as one-fifth (18 per cent) of America’s teen-agers fear for their own physical safety when they are at school.

Most fearful of all are younger (13-15) teen-age girls, with as many as one-fourth (24 per cent) saying they are afraid of being physically assaulted or beaten up. In addition, fear of bodily harm is more widespread among non-whites than whites.

Not only does a climate of fear pervade many schools, but four per cent of teen-agers report that they have actually been physically assaulted or beaten up. Among older boys (16-18 years old), the figure is seven per cent.

Adding to the grim picture is the finding that one teen-ager in three (34 per cent) has had money or property stolen at school or has had personal property damaged or destroyed.

The specific incidence levels are as follows: 12 per cent have had money stolen, 24 per cent have had other property stolen, 11 per cent have had personal property damaged or destroyed.

It is of particular interest to note that the levels of victimi-

zation reported in this survey do not differ greatly by size of community, degree of urbanization, or by region of the country.

The fears of youth and the incidence of robbery and vandalism are reflected in a recent study of attitudes of America’s parents. A Gallup survey conducted for the Charles P. Kettering Foundation found that as many as one parent in four fears for the physical safety of his or her children at school.

It is not surprising, therefore, that discipline continues to top the list of major problems facing the public schools of the nation as it has during eight of the last nine years these studies have been conducted.

Following are the questions asked in the Gallup Youth Survey and the results:

“When you are at school, do you ever fear for your physical safety, or not?”

FEAR FOR YOUR PERSONAL SAFETY?

NATIONAL	18%
SEX & AGE	
Boys - Total	15
Boys 13-15 years	19
Boys 16-18 years	11
Girls - Total	21
Girls 13-15 years	24
Girls 16-18 years	18
Both Sexes	
13-15 years	22
16-18 years	41
RACE	
White	18
Non-white	26

REGION	
East	19
Midwest	18
South	18
West	16
CITY SIZE	
1,000,000 & over	19
500,000 - 999,999	18
50,000 - 499,999	17
2,500 - 49,999	16
Under 2,500, Rural	19
Center City	21
Fringe	15

“During the last 12 months have any of the following happened to you at school: (a) Have you been physically assaulted or beaten up? (b) Had money stolen? (c) Had other property of yours stolen; (d) Had your personal property damaged or destroyed?”

The information is based on telephone interviews with a nationwide representative sample of 1,087 teens interviewed during the period October 17-30.

	Been Physically Assaulted	Had Money Stolen	Other Property Stolen	Had Property Damaged/Destroyed
NATIONAL	4%	12%	24%	11%
SEX & AGE				
Boys - Total	6	10	25	13
Boys 13-15 years	5	10	27	12
Boys 16-18 years	7	11	24	14
Girls - Total	2	13	23	8
Girls 13-15 years	2	10	24	7
Girls 16-18 years	2	16	23	10
Both Sexes				
13-15 years	4	10	25	10
16-18 years	5	14	24	12
RACE				
White	4	11	24	10
Non-white	7	16	23	15
REGION				
East	4	10	21	8
Midwest	3	10	26	14
South	3	16	24	11
West	5	12	29	11
CITY SIZE				
1,000,000 & over	4	8	23	8
500,000 - 999,999	3	8	29	13
50,000 - 499,999	6	15	26	13
2,500 - 49,999	3	12	21	10
Under 2,500, Rural	4	12	24	11
Center city	4	11	25	10
Fringe	5	12	28	13

FOUR-YEAR CRIME STATISTICS SUMMARY

Note: A chart of reported statistics by grade level for 1975-76 and 1976-77, in reportable categories, and annual totals for the past four years follow this summary.

Total reported assaults on pupils in 81 school districts in Los Angeles County decreased by 23 percent this year (from 1,803 in 1975-76 to 1,380). Approximately 58 percent of all pupil assaults reported were in three and four year high schools during the 1976-77 school year. This represented a 9 percent decrease over the previous school year. The summary indicates a 4 percent increase in assaults on pupils at the junior high school level, (from 23 percent to 27 percent). The remaining 15 percent of assaults on pupils was reported in elementary schools, kindergarten through eighth grade.

Assaults on Certificated Employees

Assaults on teachers and other certificated employees decreased 7 percent during 1976-77 school year after a three-year increase beginning in 1974-75. The 1976-77 school year summary showed 512 assaults compared to 549 the previous year. More than 79 percent of the 1976-77 assaults on personnel occurred above the seventh grade level, with approximately 41 percent at the junior high level.

Assaults on Classified Employees

Assaults on classified employees decreased by 6 percent during the past school year. For 1976-77, approximately 36 percent of the assaults on classified personnel occurred in the elementary schools, kindergarten through eighth grade. Nearly 37 percent of all assaults on classified personnel occurred in the high schools. The remaining 26 percent occurred at the junior high level.

Assaults on Peace Officers

Reported assaults on peace officers for 1976-77 remained at 150, the same as the year before. Seventy-five percent of all assaults on peace officers by students occurred in senior high schools. The remaining 25 percent occurred as follows: 22 percent at junior high school, one percent at seventh and eighth grade, 2 percent at fourth through sixth.

POSSESSION OF WEAPONS

Reported cases involving possession of bombs and explosives on campus have increased 95.5 percent (from 45 to 98) during the four year reporting period. District reports indicate 29 percent decrease in such weapons possession (from 121 to 98) for the 1976-77 school year over the previous year.

Cases involving possession of guns, knives and similar weapons declined 36 percent over the four year reporting period (from 848 to 583). District reports indicate a 25 percent decrease from 781 to 583 for the 1976-77 school year over the previous year. Cases involving possession of other weapons also decreased 53 percent (from 312 to 146) over the same period.

Approximately 97 percent of the incidents involving bomb and explosive possession occurred above the seventh grade level; 47 percent of all bombs and explosives were brought on campus by high school students.

Accompanying the decrease in bombs and explosives on campus was a decrease in arson. School district incidents of arson have decreased from 317 in 1975-76 to 217 in 1976-77. However, dollar losses, \$540,944 for the 1973-74 school year, have increased to \$1,818,351.

VANDALISM

Damage Costs Up

Total dollar loss resulting from damages increased over half a million dollars from \$5,149,423 in 1975-76 to \$5,683,220. Included in the loss figures were vandalism, arson, burglary and theft. Costs for security personnel, equipment, insurance and similar items were not included.

An Important Increase in Reported Crime

Murders on school campuses increased from zero in 1975-76 to two in 1976-77.



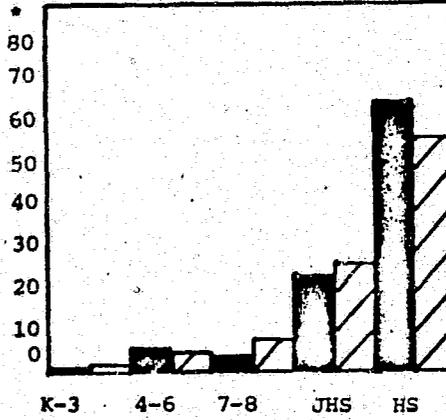
REPORT OF NUMBER OF INCIDENTS OF CRIME
AND VIOLENCE ON SCHOOL GROUNDS
OR IN PROGRAMS AND ACTIVITIES IN WHICH THE SCHOOL IS ENGAGED
(Pursuant to Education Code Section 1110)
For 1975-76 and 1976-77 School Years

	Year	K - 3	4 - 6	7 - 8	JHS	3 & 4 Yrs. High School	Total
1. Murders	76-77	0	0	1	0	1	2
	75-76	0	0	0	0	0	0
2. Assaults or attacks or menacing of certificated personnel (as reported pursuant to EC Section 44014.)	76-77	6	53	50	208	195	512
	75-76	13	35	44	213	244	549
3. Assaults or attacks or menacing of classified personnel (as reported pursuant to EC Section 44014 but excluding reporting under No. 4 below)	76-77	12	21	21	39	55	148
	75-76	6	27	7	47	68	155
4. Assaults or attacks or menacing of peace officers or security personnel	76-77	0	3	2	33	112	150
	75-76	0	0	9	36	105	150
5. Assaults or attacks on pupils	76-77	18	74	120	372	796	1380
	75-76	17	100	77	410	1199	1803
6. Possession of weapons							
a. Guns and Knives	76-77	3	15	31	195	339	583
	75-76	5	30	70	234	442	781
b. Bombs and Explosive	76-77	0	3	9	40	46	98
	75-76	1	3	8	29	80	121
c. Other	76-77	1	6	9	68	62	146
	75-76	1	7	20	138	146	312

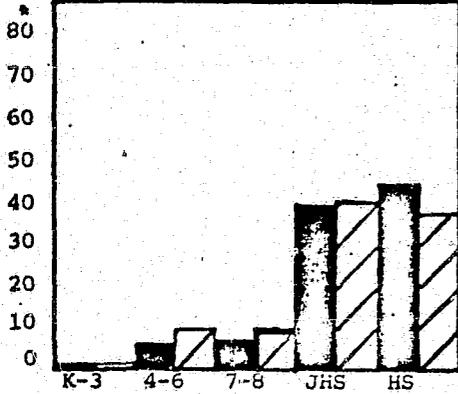
Report of percentage comparison of "incidents of crime and violence on school grounds or in programs and activities in which the school is engaged" for the past two school years. (For comparison of grand totals for the two years, see next page.)

 1975-77
 1976-77
 * Percentage of Total

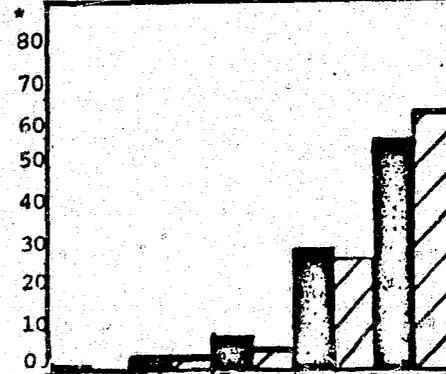
Assaults - Pupils



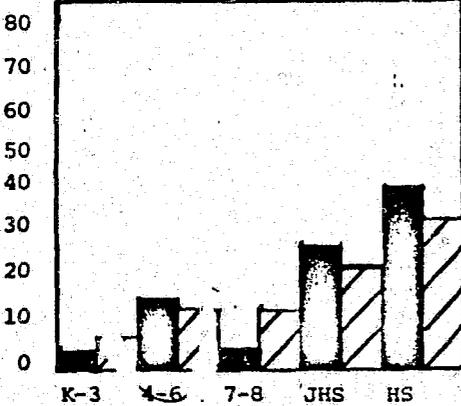
Assaults --Certificated



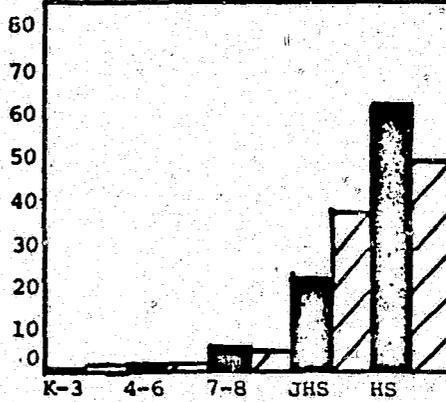
Possession of Weapons-Guns/Knives



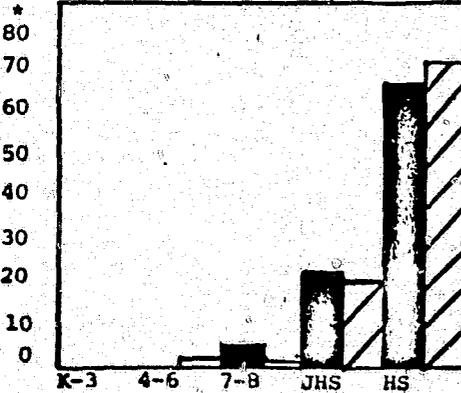
Assaults -- Classified



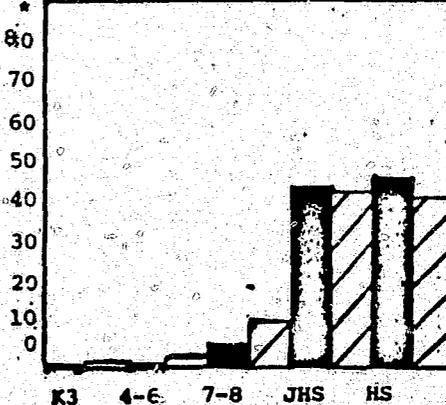
Possession of Weapons-Bombs/Explosives



Assaults-Peace Off./Security



Possession of Weapons - Other



SUMMARY OF REPORTS FROM LOS ANGELES COUNTY ELEMENTARY AND SECONDARY SCHOOLS ON CRIME AND VIOLENCE ON SCHOOL GROUNDS
OR IN PROGRAMS AND ACTIVITIES IN WHICH THE SCHOOL IS ENGAGED

(Pursuant to Education Code Section 1110)

FOR THE PERIOD SEPTEMBER 1976 THROUGH JUNE 1977

	1. Murders	2. Assaults -- Certificated	3. Assaults -- Classified	4. Peace Officer/Security	5. Pupils	6a. Possession of Weapons Guns/ Knives	6b. Possession of Weapons Bombs/Explosives	6c. Possession of Weapons Other	8. OFFENSES AGAINST PROPERTY							
									Vandalism	Dollar Losses	Arson	Dollar Losses	Burglary	Dollar Losses	Theft	Dollar Losses
76-77	2	512	148	150	1380	583	98	146	19724	\$2,611,713	217	\$1,818,351	5171	\$ 921,523	2930	\$331,633
75-76	0	549	158	150	1803	781	121	312	16438	2,593,172	317	1,223,151	5621	1,003,853	2789	329,247
74-75	1	517	121	126	1990	793	63	213	17685	2,586,576	303	701,702	6239	1,047,163	3352	391,889
73-74	3	440	118	176	1192	849	45	234	16442	4,074,299	176	540,944	3306	484,274	1984	210,995

GRAND TOTALS -- PROPERTY OFFENSES: 1976-77 -- No. of Incidents: 28,042 -- Dollar Losses: \$5,683,220
 1975-76 -- No. of Incidents: 27,165 -- Dollar Losses: \$5,149,423
 1974-75 -- No. of Incidents: 27,579 -- Dollar Losses: \$4,727,330
 1973-74 -- No. of Incidents: 21,912 -- Dollar Losses: \$5,310,512