

# SCHOOL VIOLENCE

Hearing

Assembly Committee on Criminal Justice

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P R O C E E D I N G S

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3 CHAIRPERSON KNOX: Good morning ladies and  
4 gentlemen. My name is John Knox. I am the Vice Chairman  
5 of the Criminal Justice Committee and Speaker Pro Tem for  
6 the State Assembly.

7 The reason I am chairing this hearing this  
8 morning is that our chairman, Bill McVittie, his father  
9 died, and he had to go to Chicago and take care of the  
10 funeral arrangements and so on, which we are very sad about.  
11 He had planned this hearing on the problem of school  
12 violence somewhat in advance, and as additional members of  
13 the Committee appear, which we are told they will, we  
14 will introduce them to you.

15 There has been an increasing amount of attention  
16 focused on the problem of school violence recently because  
17 of the deleterious effect that it is having on the school  
18 and its learning environment. The precise extent of  
19 school violence is unknown, but there is a general  
20 agreement that it is intolerably high.

21 The purpose of this hearing is to obtain input  
22 from persons with experience and interest in this subject  
23 to allow the Committee to comprehensively examine the  
24 nature and extent of school violence as well as specific  
25 programs or other suggestions that could be made for

1 combating it.

2 Now, we have witnesses with us today  
3 representing various interests and perspectives. I am  
4 confident that their contributions will assist the  
5 Committee in its attempt to define, delineate and resolve  
6 these problems.

7 In addition to that, we had several bills  
8 introduced in the last session, which the Committee chose  
9 to study rather than to pass at that time. There are two  
10 of those bills in the lobby, if you're interested in  
11 looking at them, by Mr. Ellis of San Diego. Joining me  
12 here now is Assemblyman Richard Alatorre of Los Angeles  
13 County on my left.

14 Our first witness this morning, and we are  
15 very pleased to have him here, is Dr. Alfred M. Bloch,  
16 Assistant Clinical Professor of Psychiatry at UCLA, Bloch  
17 Medical Clinic, and he is the Director of the Bloch  
18 Medical Clinic. Dr. Bloch?

19 I notice, Doctor, that you've given me copies  
20 of what appears to be a very interesting article, "Combat  
21 Neurosis in the Inner City Schools," which you've written.  
22 And we will see that each member of the Committee has  
23 that in the file. Wherever you're comfortable, either  
24 at the table or at the rostrum there. Whichever you  
25 prefer.

1 DR. BLOCH: At the rostrum I would have to have  
2 my back to someone, and maybe this way I can sort of be  
3 on the side.

4 CHAIRPERSON KNOX: That's a psychiatrist for you.

5 DR. BLOCH: Assemblyman Knox, Assemblyman  
6 Alatorre, Assembly Members of the Committee and invited  
7 and uninvited guests, I appreciate very much the  
8 opportunity to speak before the Assembly Committee on  
9 Criminal Justice. I want to give a little background  
10 about myself and how I came to be where I am and some  
11 of the observations I have made, some of the conclusions  
12 I've come to, and then give the members of the Committee  
13 and the Assemblymen an opportunity to ask specific  
14 questions of me.

15 I am a psychiatrist, an M.D., a psychoanalyst,  
16 and received a Ph.D. in psychoanalysis. And after  
17 practicing a decade in Beverly Hills, I decided that  
18 wasn't where I wanted to be for the next decade of my  
19 life, and I left that for the Central City of Los Angeles.

20 I wound up being referred to several teachers.  
21 I evaluated them, helped them, other teachers were  
22 referred, and still others, and at this point I have  
23 probably evaluated over a thousand teachers within the  
24 Los Angeles Unified School District. But that has  
25 extended to Long Beach, Pasadena, Compton, and they have

1 come down from as far as Oakland or Detroit to see me.

2 I listened to these teachers. They describe  
3 settings in which they were teaching as the combat zone.  
4 They described symptoms of fatigue, of headaches, of  
5 gastrointestinal problems, of cardiovascular problems,  
6 hypertension. Then, I realized that what we were seeing  
7 was very much akin to the kind of stress that soldiers  
8 in World War II and the Korean War had experienced. And  
9 I realized by implementing many of the things we had  
10 learned so painfully in the combat situations and war  
11 that if these were implemented within the school districts  
12 that these people would suffer less psychological  
13 consequences.

14 For instance, the issue of preparedness, the  
15 teacher or soldier who is prepared for what he or she  
16 is going to encounter is better able to cope with that  
17 stress. The idea of some kind of support system if an  
18 event does occur, the teacher who is supported fairs  
19 better psychologically than the teacher who is not  
20 supported. Issues of overload, opportunities for  
21 rotation out of stressful environments after a period of  
22 time. I have seen teachers who were teaching in  
23 extremely stressful settings in which their life was  
24 almost taken on a number of occasions for 12, 14 years,  
25 and year after year would ask for an opportunity for

1 transfer. And they would tell me that if there were an  
2 opportunity to get away from there they could survive.  
3 And finally, they just broke down.

4 I'm going to condense my remarks, because I  
5 want to focus on what this Committee is about and what  
6 this Committee can do. I testified in 1977 at the  
7 invitation of Senator Roberti and was at a meeting with  
8 Senator Roberti on Saturday. And he and I and I guess  
9 everyone at the meeting agreed that teaching must occur  
10 in an atmosphere conducive to education. It cannot occur  
11 in an atmosphere of potential stress and potential  
12 violence.

13 Most of the teachers that I have evaluated who  
14 have been assaulted -- and most of the teachers I have  
15 seen, by the way, have not been assaulted. They have been  
16 in an adjacent classroom. They have been threatened.  
17 They have been intimidated. Their cars have been  
18 vandalized. They have felt themselves in danger of assault,  
19 but the actual dramatic assault is relatively rare  
20 compared to the tremendous amount of indefinable stress --  
21 the threats, the more subtle things that I really don't  
22 believe we can effectively legislate against.

23 CHAIRPERSON KNOX: Doctor, could I just interrupt  
24 you for one question in that regard? I happen to know  
25 quite well a teacher in the Los Angeles City Schools that

1 just suffered that. Even if there is no violence, there  
2 is a frustration. Do you think it's all related to  
3 threats or possibility of violence or that, or is it  
4 sometimes just a frustration with the teaching situation  
5 that you're --

6 DR. BLOCH: You're absolutely right. And  
7 probably, the violence, while there were according to  
8 the National Education Association some 70,000 assaults  
9 upon teachers last year reported --

10 CHAIRPERSON KNOX: Uh-huh. Yes.

11 DR. BLOCH: -- 70,000 reported assaults, the  
12 greater number of teachers by far suffer from just what  
13 you're describing.

14 CHAIRPERSON KNOX: Uh-huh.

15 DR. BLOCH: And I was getting to that point.

16 CHAIRPERSON KNOX: I'm sorry. Go ahead.

17 DR. BLOCH: The teachers would relate to me  
18 how 90 percent of their energy is siphoned off from coping,  
19 siphoned off by coping with two to three troublemakers  
20 within a classroom.

21 CHAIRPERSON KNOX: Uh-huh.

22 DR. BLOCH: They are so busy controlling,  
23 devoting their limited energy to dealing with these two  
24 or three troublemakers, that they have little energy left  
25 to motivate towards education the remainder. Everyone

1 suffers. The teacher suffers. The students who are  
2 acting out suffer. They feel like failures. Although  
3 they are triumphant in destroying the opportunity of  
4 education, they feel like failures deep down. And the  
5 rest of the students, the ones that this whole thing is  
6 about, 95 percent suffer. They suffer because they don't  
7 have an opportunity for education, because their teacher's  
8 energy is spent coping.

9 Most of the teachers are not assaulted by their  
10 own students. They are assaulted, by and large, by  
11 people that they have never seen before. To label these  
12 as unsuccessful teachers is totally erroneous.

13 Certain teachers, by their very anatomy, have  
14 a higher profile in certain settings and are thereby more  
15 likely targets for an assault than other teachers. And  
16 I imagine that certain teachers may deal with stressful  
17 encounters less well than other teachers. Teachers who  
18 were raised with a great deal of stress in the inner city  
19 themselves will undoubtedly cope with it be better than  
20 someone who is alien to it. We get back to the issue of  
21 preparation, again.

22 But, the teachers are not assaulted, by and  
23 large, by their own students. Who are they assaulted by?  
24 They are assaulted by other students, but the most  
25 vicious assaults, the rapes, the worst assaults, are

1 generally by an entity called "off-campus vagrants."  
2 Now, this might occur at a high school in Los Angeles  
3 such as Dorsey High School in which a teacher is in a  
4 hallway or in a corridor and along comes a couple of  
5 kids that he or she has never seen before that have  
6 been suspended the previous day from another high school  
7 because of an assault on a teacher or a threat or  
8 something along those lines.

9           Those are the students, the off-campus vagrants,  
10 that I really believe something must be done about. And  
11 if there is an effective system of juvenile justice, I  
12 think that something more can be done. I realize that's  
13 a tall, tall order.

14           I am very impressed by the fact that  
15 Judge Richard Byrne is following me. Judge Byrne knows  
16 much, much more about these problems than I do from his  
17 perspective and the difficulty in implementing effective,  
18 fair juvenile justice.

19           One of the things that is done in Philadelphia  
20 that we do only to a limited extent in Los Angeles is that  
21 students who are identified as persistent troublemakers  
22 are transferred to a special school. There is an eight-  
23 to-one student/teacher ratio. There is an emphasis on  
24 manual arts. They learn how to weld. They learn working  
25 trades. They start to feel about themselves, hopefully,

1 as successes rather than failures and troublemakers.

2 They are removed from the mainstream teaching.  
3 And hopefully, the teachers who really aren't there because  
4 they want to be policeman, the teachers have an  
5 opportunity to motivate towards education the balance.  
6 We don't have that in Los Angeles.

7 I was just talking with Richard Green, who is the  
8 chief security officer from the L.A. Unified School  
9 District, and he will be testifying before the Committee  
10 and give some very hard and frightening numbers about  
11 what's happening. But, we have one high school called  
12 Jackson, which has a scheduled enrollment of 450, and  
13 it's usually less than that, because students are there  
14 for a limited period of time, and they cannot be mandated  
15 to attend. That's one of the problems. As far as I know,  
16 these students cannot be mandated to attend Jackson,  
17 as limited as it is. And there is one other school in  
18 the harbor area.

19 We have some 600,000 students in the L.A. Unified  
20 School District, and 500 to 700 places in special  
21 high schools. I asked Richard Green his opinion on this,  
22 and I said, "What if we had ten Jacksons?" He said,  
23 "Scattered throughout the city, it would be a start."

24 He and I are thinking exactly the same way  
25 coming from totally different points of view -- mine after

1 talking for thousands of hours with teachers, and his  
2 from dealing on a day-to-day basis with the real, hard  
3 security, vandalism, violence within the schools.

4 CHAIRPERSON KNOX: Doctor, Mr. Alatorre wants  
5 to ask you a question.

6 ASSEMBLYMAN ALATORRE: Now, you say that, and  
7 I'm sure that Mr. Green can testify for himself, and  
8 maybe you have the same opinion, that that would be a  
9 start. Why would having ten Jackson High Schools be a  
10 start?

11 DR. BLOCH: Because --

12 ASSEMBLYMAN ALATORRE: What is the difference  
13 between having ten, having five, having fifteen, having  
14 twenty?

15 DR. BLOCH: Because there is only room at this  
16 Jackson High School for a maximum of 450.

17 ASSEMBLYMAN ALATORRE: I know Jackson High  
18 School, and I am very well aware of Jackson High School,  
19 and I know the limitations. What I'm interested in is  
20 if we had ten Jackson High Schools, why is that going to  
21 be a start in curbing the violence that we have on the  
22 school campuses?

23 DR. BLOCH: Because the student that is  
24 suspended from a particular classroom for a couple days  
25 returns to that classroom, or he drifts on the streets.

1 The most the school can do is suspend. The opportunity  
2 for referring to a setting such as a Jackson is  
3 extremely limited, because of the very small size of  
4 Jackson. So, the student is either suspended or,  
5 frequently, or not infrequently, expelled, if the crime  
6 is catastrophic. But that's all the school district can  
7 do.

8 If we had ten Jacksons where these kids could  
9 go and hopefully start feeling better about themselves  
10 and learning something, then I think the ten Jacksons  
11 would be a better idea than one Jackson ten times the  
12 size, because I believe in neighborhood schools. I  
13 believe that scattering throughout the city similar  
14 institutions would be more effective than a single,  
15 large institution.

16 ASSEMBLYMAN ALATORRE: Now, I mean in terms of  
17 Jackson --

18 DR. BLOCH: It would take them out of the  
19 mainstream classroom in which they obviously cannot  
20 function.

21 ASSEMBLYMAN ALATORRE: I understand that it would  
22 take them out of the mainstream and put them into  
23 Jackson. What is so good about Jackson High School?

24 DR. BLOCH: I really don't know. I'm using it  
25 as a metaphor. I have never seen Jackson High School.

1 I am talking about a special kind of setting with  
2 a low student-to-teacher ratio with a curriculum geared to  
3 these students' needs and limitations, dealing with  
4 realities that exist within these students, a significant  
5 portion of whom are psychologically disturbed or  
6 braindamaged, without putting them necessarily into a  
7 juvenile justice system.

8 ASSEMBLYMAN ALATORRE: Now, you're saying that  
9 they are -- I can understand psychologically and maybe  
10 disturbed. How do you come to the conclusion that they  
11 have brain damage?

12 DR. BLOCH: There have been some --

13 CHAIRPERSON KNOX: I don't think he said that,  
14 Mr. Alatorre. He said some of them may have. I don't  
15 think he accused the whole group of that.

16 ASSEMBLYMAN ALATORRE: No. Yes.

17 DR. BLOCH: Many, many of the mental health  
18 professionals, I believe, that I have talked to believe  
19 that a very significant portion of the kids at juvenile  
20 hall suffer from one form or another of educational  
21 disfunction.

22 ASSEMBLYMAN ALATORRE: Uh-huh.

23 DR. BLOCH: Dyslexia, reading problems, caused  
24 by some short circuitry in their electrical system, it  
25 creates a secondary problem. They can't learn, or they

1 have difficulty learning, and they act out destructively.  
2 They can't achieve in one way, and so they attempt to  
3 achieve in another.

4 I have no very hard statistics on this, but I  
5 would be very surprised that with careful testing less  
6 than one-third of the kids at juvenile hall were not  
7 shown to have some degree of educational handicap.

8 ASSEMBLYMAN ALATOREE: Now, would you see the  
9 Jackson High School concept, if you had, say, ten of them --  
10 right now, there is nothing to mandate them to go there  
11 anyway. Then, would you see and say that if we would  
12 implement and put forward, say, ten, fifteen, or whatever  
13 might be the number, there would have to be some provision  
14 that they would be mandated to go?

15 DR. BLOCH: Yeah. The juvenile justice system  
16 can be updated so that it can be tightened up. Whatever  
17 Judge Byrne needs for adequate implementation can be given  
18 to him. And then, something like attendance at this  
19 special school could be a condition of probation.

20 ASSEMBLYMAN ALATORRE: Well, see, that's only  
21 if he even gets into the juvenile justice system. How  
22 about those kids that don't get into the juvenile justice  
23 system that are, in fact, the troublemakers in school?

24 DR. BLOCH: You're now getting into areas that I  
25 really would have to disclaim my expertise.

1 ASSEMBLYMAN ALATORRE: Okay.

2 DR. BLOCH: And I am not an expert in education.  
3 I am a psychiatrist who's talked to more teachers than  
4 any other psychiatrist I know, and I know what the  
5 teachers have told me. And they talk about removal from  
6 their classroom. I've kind of developed my own ideas  
7 about where these kids can go, but --

8 ASSEMBLYMAN ALATORRE: Maybe Judge Byrne can  
9 probably deal with that project.

10 DR. BLOCH: I hope so.

11 ASSEMBLYMAN ALATORRE: All right. Fine. Thank  
12 you.

13 CHAIRPERSON KNOX: Any further questions?  
14 Mr. Bannai.

15 ASSEMBLYMAN BANNAI: Dr. Bloch, do you think  
16 that a deterrent such as punishment, which we do not have,  
17 because you mentioned that only the worst thing that can  
18 happen is suspension, do you think that the imposition  
19 of any kind of a more severe penalty for crimes committed  
20 on campus by these people who are suspended would be a  
21 deterrent and would cut down upon violence at all in the  
22 schools?

23 DR. BLOCH: Again, this is out of my area of  
24 expertise. I am a mental health professional. The  
25 answer would be yes, but if we think that that's the sole

1 answer, we are kidding ourselves.

2 The school is the battleground of society. We  
3 have very effective deterrents against mugging and, you  
4 know, a law system, a criminal justice system, against  
5 robbery, against rape. And we have a lot of that in our  
6 community outside of the school, and the school is the  
7 battleground of society. I think it would be a significant  
8 benefit. Right now, the police are almost disinterested  
9 in coming to a school, unless the crime that has occurred  
10 is one of significant violence. At that point, they will  
11 come promptly. They are not interested particularly in  
12 a mere assault upon a teacher.

13 CHAIRPERSON KNOX: Okay. Thank you very much,  
14 doctor. We appreciate your being here.

15 I want to admonish not the witnesses but the  
16 members of the Committee that in order to finish our  
17 19 other witnesses today we'll have to move along with  
18 some alacrity. But, nonetheless, we want to explore  
19 everyone's thoughts about this matter as thoroughly as we  
20 possibly can.

21 We are also very honored to have this morning --  
22 Judge, are you here -- the Honorable Richard Byrne,  
23 presiding judge of the Los Angeles County Juvenile Court.  
24 Judge Byrne?

25 JUDGE BYRNE: Thank you very much. Mr. Chairman,

1 Members, I will be brief. I am here to learn as much as  
2 anything else.

3 In juvenile court, we hear cases involving  
4 school violence and other criminal activity on school  
5 campuses ranging from murder, assaults on staff and  
6 students, thefts, drug sales and use, and the like. We  
7 run the spectrum. We try to be realistic in the cases  
8 that are presented to us. We feel that our orders ought  
9 to assist in the minor's rehabilitation and also protect  
10 the community.

11 We also recognize that we really only see the  
12 tip of the iceberg. Many of the problems that exist on  
13 school campuses never involve police officers or come to  
14 court.

15 There are campus disciplinary procedures that  
16 are followed. And then, under the formal screening process  
17 or procedures that are undergone in juvenile matters when  
18 the case is first taken to the police: They have the right  
19 to counsel and release; they can refer it to the  
20 Probation Department, and the Probation Department can put  
21 the cases, many of the minors, on informal supervision or  
22 divert them to other programs. And only when the Probation  
23 Department feels that it wants to proceed beyond that  
24 point do they take the matter to the District Attorney  
25 for the filing of a criminal complaint or petition in

1 juvenile court.

2 It is a very serious problem. I don't know if  
3 the Committee has been given a copy of the report that  
4 was developed by the Los Angeles Board of Unified School  
5 Districts dated March 15, 1979, on causes of and possible  
6 solutions to campus violence.

7 CHAIRPERSON KNOX: We don't have that, according  
8 to the consultant. We have not seen that report.

9 JUDGE BYRNE: All right. I think that the school  
10 representatives who are here should make certain that you  
11 do obtain a copy of that report. I was quite interested  
12 in that myself.

13 Apparently, the Los Angeles Unified School  
14 District estimates that the majority of violent crimes  
15 on school campuses are caused by young intruders rather  
16 than students attending classes. And this is the very  
17 thing that the previous witness was just alluding to.

18 Now, if the minor is already a ward of the  
19 court and approaches a school where he is not enrolled,  
20 he would normally be in violation of a condition of  
21 probation. There are several school-related conditions  
22 of probation that the court normally imposes. One of  
23 those is to not be within one block of any school grounds,  
24 unless enrolled and attending classes or in the company  
25 of a school official, parent, or guardian, or going

1 directly to or from the office of such an official on  
2 approved school business.

3 Now, up until -- in fact, still, we do not have  
4 an effective means of enforcing conditions of probation.  
5 But there is a bill that this Committee voted out of  
6 Committee this year, AB 1628, which will go into effect  
7 the first of January, which will enable the court, for  
8 a violation of a condition of probation, to order a  
9 minor detained for a period of up to 15 days, as long as  
10 that's in the best interest of the minor. There is the  
11 limitation of two times during a wardship that that can  
12 be imposed. I think the very existence of that may have  
13 an effect upon some of the minors who are wards of the  
14 court in keeping them away from other campuses.

15 CHAIRPERSON KNOX: This would be imposed by  
16 the judge?

17 JUDGE BYRNE: By the judge, right.

18 CHAIRPERSON KNOX: It would be by the judge,  
19 Uh-huh.

20 JUDGE BYRNE: Yes. Originally, at the time of  
21 the disposition hearing, and then, if they do, by virtue  
22 of being on campus, can be brought back for a violation of  
23 the conditions of probation. We, just this last week,  
24 had a meeting of all of our judicial officers with the  
25 representatives of the Los Angeles Unified School

1 District -- Mr. Johnson and five of his staff members  
2 were present -- in an effort to have the court learn  
3 just what it is that goes on in the school. But, we  
4 recognize that we are limited in the fact that we are  
5 not there and do not have an appreciation of what all of  
6 the problems are and that some of our orders, as a result,  
7 may not be too realistic.

8 I think if we are going to be effective in  
9 rehabilitating minors, the orders that the court has to  
10 make have to be perceived by the minors and the  
11 community in which they reside as orders of consequence.  
12 And if they are too tough on the one hand, then there is  
13 a disillusionment. On the other hand, if they are too  
14 lenient, the court is perceived as a "softy," and you're  
15 not going to have the effect. We have to try and be  
16 realistic and strike the balance.

17 I think it's a community effort. I can only  
18 speak from the court's perception. Many of the other  
19 problems that will be identified here are problems that  
20 may require legislative action that would help improve  
21 the situation that exists. But I do believe and am  
22 including in my purpose for being here besides learning  
23 and making a brief statement, is that we do have to work  
24 together in order to try to provide a safe environment  
25 for learning and the proper development of the students.

1           CHAIRPERSON KNOX: Now, just to ask Mr. Bannai's  
2 question, if I may again, do you feel that increasing the  
3 penalties that are presently on the books to minors  
4 committing violence in the schools will be of any  
5 assistance in the situation?

6           JUDGE BYRNE: I don't know, when you're talking  
7 about violent acts, whether that would make too much  
8 difference, because if you're talking about an assault  
9 with a deadly weapon -- I believe it's three years --  
10 normally it's going to get to the court, because you're  
11 dealing with minors in the jurisdiction of the court.  
12 And many of these cases, unless they are committed to  
13 the California Youth Authority and are specifically  
14 outlined as crimes of Section 707(b), most of the court's  
15 jurisdiction will expire by the time the minor is 21 years  
16 of age.

17           Now, the difference between, say, three of four  
18 years, I don't know that that's going to make too much  
19 difference. I think that probably the area in which the  
20 direction should be would be in some of the less  
21 significant crimes --

22           CHAIRPERSON KNOX: Uh-huh.

23           JUDGE BYRNE: -- trespass and where you have  
24 a young person who is not enrolled in a school and who is  
25 not a ward of the court, but who is on the school grounds,

1 so that if the teacher goes up or a security person goes  
2 up and says, "Look, you'd better move on," there is some  
3 effective way of bringing that person before the court.

4 CHAIRPERSON KNOX: Is that what they're charged  
5 with? Is that the crime they have committed, trespass?

6 JUDGE BYRNE: Well, I believe that there are  
7 municipal ordinances which cover this. And this area is  
8 an area that requires quite a bit of attention. I'm not --

9 CHAIRPERSON KNOX: I think that would be an  
10 excellent -- yes. Ms. Bergeson? I haven't introduced  
11 you yet. I'm sorry.

12 On my right is Assemblyman Paul Bannai of  
13 Los Angeles County, and the lady about to ask a question  
14 is Assemblywoman Marian Bergeson of here in Orange County.  
15 Go right ahead.

16 ASSEMBLYWOMAN BERGESON: I would assume from  
17 the remarks that were just made, Judge Byrne, there is a  
18 possibility that with the implementation of 3121 that there  
19 may be some reluctance then to process, say, truants  
20 perhaps more so than it was before. Is that the case?

21 JUDGE BYRNE: Well, the truants are required  
22 to go through the procedures that are set out in  
23 Section 601 of the Welfare and Institutions Code, and that  
24 may end up before a school attendance review board.

25 Truancy, I think, is a somewhat difficult

1 problem. Truants do create community problems, and I  
2 think that statistically many feel that high incidents  
3 of daytime burglaries are caused by truants. But I think  
4 we are focused here more on the school-related problem --  
5 who's on the campus and what is happening and how we can  
6 make the environment a little more safe environment.

7 I think that the serious crimes that Mr. Bannai  
8 was referring to will come to the attention of the courts.  
9 But it's a lot of the rest of this stuff, I think, that  
10 creates --

11 CHAIRPERSON KNOX: Just to insert in the middle  
12 of this, the consultant just pointed out to me -- and I  
13 remember this now -- that Mr. Lehman of Fresno carried a  
14 bill, which will be chaptered and go into effect on the  
15 1st of January, which says that a person guilty of  
16 loitering around the school ground and returns within  
17 72 hours after being asked to leave, is guilty of a  
18 misdemeanor. And the previous law required that the  
19 person was present for a criminal act. This would remove  
20 that, which would make it easier to prosecute  
21 somebody. So, this may be the tool that is being searched  
22 for.

23 JUDGE BYRNE: That was our -- that was what  
24 was referred to before. But returning within 72 hours --

25 CHAIRPERSON KNOX: You think the first appearance

1 they ought to have, if they refuse to leave when asked,  
2 they should be guilty of some sort of offense?

3 JUDGE BYRNE: Well, some kind of warning. But  
4 what happens after 72 hours, it may be that it's a weekend  
5 that intervenes --

6 CHAIRPERSON KNOX: I see.

7 JUDGE BYRNE: -- or the 72-hour period, I've  
8 heard referred to as a limitation that could better be  
9 extended.

10 CHAIRPERSON KNOX: Okay. Go ahead. I  
11 interrupted you, Ms. Bergeson, I'm sorry.

12 ASSEMBLYWOMAN BERGESON: Well, just to pursue  
13 my question a little further, are you saying, then, that  
14 the youngster who is more apt to get into trouble would  
15 be one who would be suspended rather than who would be a  
16 truant, say, causing problems on another campus?

17 JUDGE BYRNE: Well, I think they are probably  
18 both. I don't have the statistical information to really  
19 properly answer that question. It would be pure  
20 speculation on my part. And I think there are a lot of  
21 people here who run the program who are much better able  
22 to answer that kind of question.

23 ASSEMBLYWOMAN BERGESON: Thank you.

24 CHAIRPERSON KNOX: Okay? While we are paused,  
25 I'd like to introduce on my far left -- well, that's the

1 wrong thing to say about him here in Orange County.

2 (General laughter.)

3 CHAIRPERSON KNOX: On your far right,  
4 Assemblyman Ross Johnson. Nice to have you here, Ross.  
5 All right. Anything further, Judge?

6 (No response.)

7 CHAIRPERSON KNOX: Thank you very much. We  
8 really appreciate your attendance. Now, we have some  
9 representatives of the California Teachers' Association,  
10 who will be introduced by Ms. Sharon Bowman.

11 MS. BOWMAN: I'm Sharon Bowman, and I am a  
12 legislative advocate for the California Teachers'  
13 Association. We represent 180,000 teachers in California.  
14 We don't have a lot of answers to this crisis situation,  
15 but we would like to discuss with you not only some of  
16 the problems but some possible solutions, because we know  
17 that we cannot teach effectively in this type of an  
18 atmosphere that exists today. And we need some help. We  
19 need some help from a lot of people.

20 And so today, first of all, would you like to go  
21 ahead and come up?

22 CHAIRPERSON KNOX: Before you start, Ms. Bowman,  
23 I might suggest to the witnesses that while we are glad  
24 to hear about the problems -- I will be right with you,  
25 Mr. Alatorre -- we are glad to hear about the problems and

1 certainly don't want to cut anybody off. What we are  
2 interested in are solutions. So, if anybody's got a  
3 suggestion as to what we can do about this very difficult  
4 problem, we'd love to hear about it.

5 MS. BOWMAN: We are aware of that, and I agree  
6 with you.

7 CHAIRPERSON KNOX: We have had a number of  
8 hearings on how horrendous the situation is.

9 MS. BOWMAN: Certainly we have.

10 CHAIRPERSON KNOX: That doesn't mean we won't  
11 listen to some more --

12 MS. BOWMAN: No.

13 CHAIRPERSON KNOX: -- but we'd like to get  
14 something constructive. And while you are coming up, I'd  
15 like to introduce another member of the Committee from  
16 Alameda County, Assemblyman Elihu Harris. All right.

17 MS. BOWMAN: The first witness we have today  
18 is Wilma Wittman, who is a counselor. Wilma, why don't  
19 you go ahead?

20 MS. WITTMAN: Good morning. As Sharon just  
21 said, I am Wilma Wittman. I am a counselor in the  
22 Orange School District. And I also have the privilege  
23 of chairing the Professional Rights and Responsibilities  
24 Committee for the California Teachers' Association. And  
25 because I do chair that committee, the presentation I have

1 for you this morning is a general, overall presentation,  
2 because you have others on the agenda from CTA who will  
3 be addressing specifics. I just am very aware, Mr. Knox,  
4 of your recent comment that you really don't want the  
5 overall, but I'm afraid my presentation is mainly going  
6 to be a little more general.

7 CHAIRPERSON KNOX: That's all right. I didn't  
8 mean to censor anybody. It's just that I wanted to  
9 indicate what the Committee is trying to focus on.

10 MS. WITTMAN: All right. Good morning. I am  
11 very pleased that I have this opportunity to speak to this  
12 Committee this morning on the subject of school violence.  
13 It's imperative that the Committee examine the subject in  
14 great detail, for we, as teachers, must work with our  
15 legislators to correct a major problem facing teachers  
16 today.

17 The National Education Association -- and you  
18 heard this survey referred to earlier -- in a 1979  
19 nationwide opinion poll, sent out a 2,148-member sampling  
20 to our nation's 2,185,000 teachers and received an  
21 82.7 percent response. And this you know is extremely  
22 high for any kind of survey that you send out, to get  
23 that kind of a response.

24 Concern for school violence is paramount to the  
25 profession. From those responding, NEA found that

1 three-fourths, or 75 percent, of the respondents said  
2 that discipline problems impair their effectiveness to  
3 teach. Nearly one-half think their school has not done  
4 enough to support teachers who have discipline problems.

5 Five percent report that they had personally  
6 been physically attacked by a student at school during  
7 the '78/'79 school year. And that, statistically,  
8 translates to over 110,000 teachers being physically  
9 attacked on school property last year. One out of every  
10 twenty teachers were physically attacked during the '78/'79  
11 school year.

12 Over one-fourth, 28 percent, of those  
13 responding have had personal property stolen, and nearly  
14 one-fourth or 500,000 have had personal property damaged  
15 at school. And I know your Committee is not dealing with  
16 that area, but I did want to give you those statistics.

17 Of the teachers who were physically attacked,  
18 over 11,000 needed medical attention for physical injury,  
19 and another 9,000 required medical attention for emotional  
20 trauma. Ten percent of the physical attacks were serious  
21 enough to cause the teacher to miss two days or more from  
22 school. Twenty-two thousand days of instructional time  
23 was lost last year due to these violent attacks on  
24 teachers.

25 Of all the physical attacks, only 90 percent

1 were actually reported to the administration for action.  
2 Only one-half or 50 percent of those reported were  
3 satisfied with the action that was taken by the  
4 administration.

5 Of the teachers surveyed, 11 percent are at  
6 least occasionally concerned that they may be physically  
7 attacked at school by a student. In addition, two percent  
8 say they are frequently or constantly afraid of being  
9 attacked.

10 Fear is one of the principal factors in teacher  
11 stress and burnout. Teacher stress and its offspring,  
12 burnout, affect more and more teachers each year. The  
13 effects vary with the individual. Some teachers leave  
14 the profession. Others burn out but stay on the job  
15 counting the days until Friday, turning themselves off  
16 as they enter the school and waiting for retirement.

17 Mr. Knox and Members of the Committee, we, as  
18 teachers, are concerned. The CTA Professional Rights  
19 and Responsibilities Committee is concerned that teaching  
20 has become a hazardous occupation. And our committee is  
21 working diligently to assist groups such as this to help  
22 overcome this problem.

23 We cannot fight alone in coping with violence,  
24 disruptive students, and other problems affecting the  
25 profession of teaching. We must all work together.

1           We are concerned when school intruders and  
2 angry parents contribute a few thousand assaults to the  
3 present statistics each year. We are concerned when  
4 12 percent of California high school teachers report that  
5 they are threatened with attack. We are concerned when  
6 California urban high school teachers are nine times as  
7 likely to be assaulted as their rural counterparts.

8           Last year, when New York City laid off 9,000  
9 teachers, only 2,360 returned to teaching. When surveyed  
10 to find out why, some reported that teachers can get more  
11 pay and less hassle elsewhere. Among those teachers who  
12 did not wish to return were likely to be found the most  
13 innovative teachers.

14           The same thing is happening here in California.  
15 When we experienced the Prop. 13 layoffs, and we were  
16 having declining enrollment in many of our school districts,  
17 most of or a large number of our very best, innovative  
18 teachers are looking for employment elsewhere.

19           We are concerned when the California Assembly  
20 Ways and Means Subcommittee is forced to recommend that an  
21 additional 11 employees be added to the State Teachers'  
22 Retirement System to help process the 40 percent increase  
23 in teacher retirements this year alone.

24           In a study done in early May of this year by  
25 CTA Research Department and the San Diego Teachers'

1 Association, it was found that San Diego teachers reported  
2 that 25 percent of San Diego's teachers have been victims  
3 of violence.

4 Now, I know you have Mr. Thornton, President of  
5 the San Diego Teachers' Association, next on the agenda.  
6 He will be addressing that report and I'm sure will give  
7 you a complete report of the survey and some of the  
8 suggestions they have.

9 We cannot overemphasize the plea. We need your  
10 help. I know the Committee would like to have the answers  
11 to these problems readily available. And I do know that  
12 you are interested in confronting the problem, as this is  
13 the purpose of this Committee hearing. Well, I would like  
14 to assist, if I may.

15 My committee, last year, worked with Senator  
16 Roberti on his bills -- SB 70, 71, 72 and 73. And we  
17 found it very deplorable that the Governor decided to  
18 veto SB 73.

19 We worked with Senator Presley on his SB 496.  
20 We worked with Mr. Lehman on his bill. And we also  
21 worked with Assemblyman Vasconcellos on his AB 23.

22 We have spent many hours compiling months of  
23 research concerning the subject before us today. We  
24 suggested several preventative measures to assist school  
25 districts in dealing with the subject of vandalism. I am

1 happy to report that as a result of this work the  
2 Legislature did, of course, pass those measures that we  
3 just have mentioned. And they have been chaptered into  
4 law, with the exception of the one vetoed by the Governor.  
5 But, we feel we can't rest here. Much more is needed.

6 Now, we have grouped some of our suggestions  
7 into three categories: Penalty measures; preventative  
8 measures; and program measures possible under current state  
9 statutes.

10 Under penalty measures, we feel that we could  
11 amend Ed Code Section 32211 to cover all of the area  
12 adjacent to a public school building or the grounds. And  
13 I know this was addressed in Mr. Lehman's bill.

14 Item two, we could strengthen and improve  
15 procedures for reporting acts of violence and vandalism;  
16 dealing firmly, consistently and quickly with students  
17 charged with violence and vandalism; holding students  
18 and parents liable for acts of violence; making full  
19 restitution for those acts. And, of course, these are  
20 the areas that Senator Roberti and Senator Presley  
21 addressed in their bills.

22 CHAIRPERSON KNOX: Are we going to get a copy of  
23 your remarks, also?

24 MS. WITTMAN: Yes, you will.

25 CHAIRPERSON KNOX: Thank you very much.

1 MS. WITTMAN: And under preventative measures,  
2 we would suggest that a school psychologist be provided  
3 for at least a half day in every elementary school to  
4 identify and treat students with personality traits known  
5 to be found in the persons who eventually engage in acts  
6 of violence. Now, we know this is going to be a cost  
7 item. But, the Professional Rights and Responsibilities  
8 Committee of CTA believes that preventative measures can  
9 be much more productive to society than the penalty  
10 measures that we have to impose on the violators.

11 We strongly recommend that we use psychologists  
12 at our elementary schools, especially when the students  
13 are young enough that we can identify those problems and  
14 perhaps change their behavior before they reach the age  
15 when those patterns are so firmly established that nothing  
16 you do short of putting them in jail will make any change  
17 for society.

18 CHAIRPERSON KNOX: Mr. Alatorre?

19 ASSEMBLYMAN ALATORRE: Is there anything  
20 presently involved that prohibits the school districts  
21 from doing that?

22 MS. WITTMAN: I'm sure, to my knowledge, no.  
23 The matter is funding.

24 ASSEMBLYMAN ALATORRE: The school districts  
25 could, in fact, do what you are talking about?

1 MS WITTMAN: You're absolutely right. The matter  
2 of funding is the thing that deters the school districts  
3 from doing this.

4 ASSEMBLYMAN ALATORRE: So, in other words, they  
5 want us to pay for putting in the psychologists.

6 MS. WITTMAN: Well, I'm recommending that there  
7 be adequate funding provided so this could be possible.

8 ASSEMBLYMAN ALATORRE: Okay.

9 MS. WITTMAN: Secondly, we would provide for the  
10 rest and recreation needs of teachers in situations  
11 involving high stress and high rates of violence. And  
12 while this is being done, we also have to protect the  
13 teacher fringe-benefit area. Teachers who are involved  
14 in this kind of rest and recreation should not have to  
15 use their sick leave in order to rest and recuperate.

16 We believe, also, that a counselor for at least  
17 a half day in every elementary school would be a very  
18 valuable asset. We think smaller class sizes would benefit.  
19 We think we should provide special training for school  
20 counselors and psychologists in identifying and dealing  
21 with students who are potential participants in acts of  
22 violence.

23 I know we talked with Senator Presley last year  
24 when he was drafting his 496 about working with the police  
25 department and the law enforcement officials and having

1 them out for in-service for counselors. I'm not sure too  
2 much has been done in this area. But I think this is an  
3 area that we need to look into. And I don't think it would  
4 add to the cost of the overall school budget or to taxes.

5 We think we should expand and accelerate any  
6 existing pilot projects on violence and vandalism as well  
7 as mandate that the newly-appointed California Commission  
8 on Crime Control and Violence Prevention, as was enacted  
9 by Vasconcellos's AB 23, to study the topic of crime and  
10 violence in schools.

11 We think we should provide finances for  
12 thorough research into the sources of stress and tension  
13 for teachers, the effects, and to develop effective  
14 programs of restoration and recovery for teachers  
15 victimized by the stress and tension on the job.

16 And then, perhaps, we should investigate the  
17 possibility of strengthening the rights and benefits of the  
18 victims of the violence in school. We have many  
19 protections for the person who commits the crime, but we  
20 don't have such protection for the person who is the  
21 victim of the crime.

22 And then, we have also problems with schools  
23 who do not receive ADA for students who are suspended  
24 for acts of violence they may have created. And if we  
25 could have our school districts receive ADA, even though

1 the student may be on suspension, this would help our  
2 district budget and perhaps enable districts to institute  
3 reprisals.

4 ASSEMBLYMAN HARRIS: Excuse me.

5 CHAIRPERSON KNOX: Mr. Harris?

6 ASSEMBLYMAN HARRIS: It would help the budget,  
7 but what's the justification?

8 MS. WITTMAN: Well, the justification is, then,  
9 the final, the last phrase, then we could use, have more  
10 money available to have programs, in-service programs, for  
11 school counselors and school personnel to expand their  
12 awareness of school tension, school stress, teacher burnout,  
13 how you cope with violence on campus, how you cope with  
14 students in a disruptive behavior.

15 ASSEMBLYMAN HARRIS: You don't think that's  
16 stretching staff and ADA one step too far?

17 MS. WITTMAN: No, I don't think so. I don't  
18 feel it is.

19 ASSEMBLYMAN HARRIS: All right.

20 CHAIRPERSON KNOX: There would be a problem if  
21 they put them in a continuation school or something. Then  
22 the ADA would obviously have to be shifted to the new  
23 school.

24 MS. WITTMAN: Oh, obviously, yes.

25 CHAIRPERSON KNOX: But if they are just

1 suspended from the school, well, it's worth thinking  
2 about. I would say it's highly unlikely that you get  
3 that.

4 MS. WITTMAN: We can always dream; can't we?

5 CHAIRPERSON KNOX: Yes.

6 MS. WITTMAN: And then, we feel that we could  
7 provide that the State Department of Education help serve  
8 as a clearinghouse for collection for a wide variety of  
9 sources and for dissemination to the schools of  
10 information for research, studies and hearings on the  
11 subject which might prove useful to schools in combating  
12 violence. Now, I know that this was the area that  
13 Senator Roberti addressed in his SB 73, but we still feel  
14 that districts definitely need to know what's being done  
15 in other districts that they are finding favorable and  
16 changing behavior. And if we could get this information  
17 out to other school districts, perhaps they could adopt  
18 and adapt some of those measures, also.

19 And then, under the third category of program  
20 measures: Provide a 24-hour emergency phone number for  
21 reporting acts of violence and vandalism; speed up the  
22 process necessary to commit a minor to a juvenile  
23 institution by assigning a judge to make a 24-hour  
24 decision on the case.

25 And then, in summary, as we examine AB 317 --

1           CHAIRPERSON KNOX: Well, wait. To make a  
2 24-hour decision, due process requires that the  
3 individuals charged get a little more time than that to  
4 prepare a defense and so on. You're not asking that the  
5 judge, in 24 hours, pass sentence on a juvenile.

6           MS. WITTMAN: Well, I guess we're thinking  
7 that they speed up the process and that they start  
8 the process within 24 hours.

9           CHAIRPERSON KNOX: I agree. Perhaps it could  
10 be speeded up, and we'll talk to the judge about it, but  
11 it won't do any good to pass some bills that are patently  
12 unconstitutional.

13           MS. WITTMAN: I don't think, necessarily, we  
14 are thinking in terms of the final decision. We are  
15 thinking in terms of beginning the process --

16           CHAIRPERSON KNOX: I see. All right.

17           MS. WITTMAN: -- toward decisionmaking. As we  
18 examine AB 317 introduced by Assemblyperson Ellis and  
19 others, we see a bill that is an assistance to agencies  
20 to prosecute the offender for battery in relation to acts  
21 committed against the person of teachers, school  
22 officials, and school security department officials. We  
23 agree with this proposal.

24           However, why are we replacing existing law  
25 that regulates unlawful injury to property and to threats

1 of violence to person or property? If the bill can  
2 specify that "...and the person committing the offense knows  
3 or reasonably should have known that such victim is a  
4 teacher, administrative official, or member of the school  
5 security department engaged in performance of his  
6 duties...", then it is reasonable to include the concept  
7 of "threat of unlawful injury" and "threat to inflict  
8 injury" rather than weaken the Code.

9 The punishment must fit the crime. And to a  
10 teacher, sometimes the threat is as devastating as the  
11 acts carried out. We would hope that the Committee would  
12 see fit to strengthen the law rather than pass it in its  
13 present form. The concept "intent to commit an unlawful  
14 act" we feel needs to be covered.

15 The Professional Rights and Responsibilities  
16 Committee and CTA would be willing to assist your  
17 Committee in any way it can to write legislative changes  
18 to implement these suggestions. Thank you for allowing  
19 me to --

20 CHAIRPERSON KNOX: Before I recognize  
21 Mr. Johnson, and lest anyone thinks your Legislature has  
22 been totally inactive on this, we have in SB 496 Presley  
23 increased the amount of liability to parents from \$2,000  
24 to \$5,000. Also, the amount for malicious damage has  
25 been substantially increased. And I am curious as to

1 whether or not Education Code -- and maybe some of the  
2 subsequent witnesses can answer this -- Education Code  
3 Section 12916 requiring the reporting of any violence  
4 upon any employee of the school district is being carried  
5 out.

6 All right. I thank you very much. We  
7 appreciate your coming.

8 MS. WITTMAN: Thank you.

9 CHAIRPERSON KNOX: Oh, pardon me. Mr. Johnson  
10 wanted to ask you a question before you leave.

11 ASSEMBLYMAN JOHNSON: I would like -- I  
12 understand you're supportive of this bill.

13 MS. WITTMAN: Yes, we are.

14 ASSEMBLYMAN JOHNSON: All right. I'd like to  
15 know why a school teacher or a school employee should have  
16 any greater protection on that school campus or near the  
17 campus than my children attending that school. Why  
18 should an attack upon a teacher or an administrator carry  
19 a greater penalty than an attack upon my child in that  
20 same school?

21 MS. WITTMAN: All right. Then you're thinking --  
22 are you thinking in terms of another child who attacks  
23 your child, or are you thinking in terms of anyone who  
24 comes on campus?

25 ASSEMBLYMAN JOHNSON: Anyone. Anyone who would be

1 liable for these penalties outlined in this bill for  
2 attacking an administrator or security officer or a  
3 teacher. Why is the safety of that teacher, in essence,  
4 more important than the safety of my child or anyone else's  
5 child?

6 MS. WITTMAN: Well, Mr. Johnson, I don't believe  
7 that I proposed that it was more important. I believe the  
8 protection of a child on the school campus is perhaps the  
9 most important aspect of education.

10 ASSEMBLYMAN JOHNSON: But you understand that  
11 this legislation --

12 MS. WITTMAN: Right.

13 ASSEMBLYMAN JOHNSON: -- does not say that. This  
14 legislation creates a greater penalty for attacking a  
15 teacher or an administrator or a school security officer.

16 MS. WITTMAN: Well, perhaps we should have  
17 another piece of legislation that deals with the attack  
18 on the students themselves. This piece of legislation,  
19 as I understood it, and as I have studied it, dealt with --  
20 it was the intent of Assemblyperson Ellis to deal with  
21 school personnel.

22 Now, we could attack the other problem with a  
23 different piece of legislation or expand this one. I  
24 think the student on campus must be protected. And I  
25 believe when I suggested the psychologist working, the

1 counselors working, that we would examine their behavior  
2 and try to modify the behavior so these kinds of things  
3 do not happen to students, and that would be my hope.

4 CHAIRPERSON KNOX: Well, I think Mr. Johnson  
5 makes a good point, which this Committee, at least some of  
6 us on the Committee have been concerned about for some  
7 years. People want special bills for senior citizens,  
8 for teachers, for students. Why don't we just take a look  
9 at the whole law on assault and battery and make sure  
10 all citizens are appropriately protected?

11 All right. Mr. Richard Thornton, President of  
12 the San Diego Teachers' Association. While Mr. Thornton  
13 is coming up, it's the intention of the Chair that we  
14 recess at 12:00, returning approximately an hour and a  
15 half later, and concluding the hearing at that time.

16 MR. THORNTON: Mr. Knox and Committee Members --

17 CHAIRPERSON KNOX: It's 10:25 now, not by that  
18 clock. We're on standard time. Go ahead, Mr. Thornton.  
19 Nice to have you here.

20 MR. THORNTON: It's a pleasure to be here. I  
21 refer the Committee to this report which I have made  
22 available.

23 CHAIRPERSON KNOX: We have that. Thank you.  
24 We have your statement, also.

25 MR. THORNTON: In response to Mr. Knox's

1 request, I'd like to skip the first page and go to page  
2 two. What I'm doing is skipping some of the background  
3 and some of the data.

4 CHAIRPERSON KNOX: Thank you, Mr. Thornton.  
5 We appreciate that very much.

6 MR. THORNTON: First of all, let me say that in  
7 my current capacity as President of the San Diego Teachers'  
8 Association, we are the second largest school district in  
9 the state. And, therefore, our association represents  
10 the second largest bargaining unit in the state. We have  
11 5,700 teachers.

12 I personally have been an employee of the city  
13 schools since 1963. And I, in fact, grew up in San Diego  
14 and began attending the public schools there in 1944. So,  
15 I have a lot of experience in the city schools as they  
16 have changed.

17 I'd like to refer you to page two of my  
18 presented report and go down to the third paragraph.

19 On March 26, 1979, the San Diego Teachers'  
20 Association adopted a campaign to bring community and  
21 school district focus upon the incidences of physical and  
22 verbal assaults and even rapes committed upon teachers.  
23 An Association telephone hotline was established in  
24 attempting to bring into the open the actual incidents  
25 of violence. We found that the media and community

1 wanted data regarding numbers and types of incidences of  
2 violence on school campuses.

3 We were aware that many reports of attacks and  
4 other abuses were from hearsay sources. To facilitate  
5 identification of hearsay versus actual incidences, the  
6 Association undertook the task of developing a survey  
7 which focused on violence committed upon teachers. The  
8 survey was developed with the assistance of Dr. George  
9 Starrett from the California Teachers' Association Research  
10 Department. On May 10th, 1979, we distributed the survey  
11 with the intention of gaining responses from all of the  
12 5,700 teachers in the district.

13 Of the 5,700 unit persons, more than 2,500  
14 returned responses. At least one response was returned  
15 from 145 of the 167 K through 12 school sites. We  
16 believe the survey was one of the largest ever conducted  
17 in terms of the percentage of respondents in any of the  
18 school districts in California. I'd point out the  
19 distribution of the survey was not random. It was intended  
20 to reach everyone.

21 In the folder provided for you is an analysis  
22 of the Teacher Violence Survey. I will not take the time  
23 to read the total analysis, but I will call your  
24 attention to some of the pertinent data.

25 On page 13 of the analysis are conclusions. We

1 were challenged by the school district regarding item one  
2 of the conclusions. Our resultant data on this item  
3 indicated that there were at least 250 cases of violence  
4 from September 1978 to May 10th, 1979.

5 ASSEMBLYMAN ALATORRE: Mr. Chairman?

6 CHAIRPERSON KNOX: Yes, Mr. Alatorre?

7 ASSEMBLYMAN ALATORRE: I don't want to have to  
8 be rude, but I think the Chairman has already asked. Can  
9 we just stipulate that there is violence on the campuses?

10 I think that what I am interested in, and at  
11 least what I think the focus of this hearing is all about,  
12 is trying to come up with you, as a representative of the  
13 San Diego Teachers' Association, your feelings in  
14 relationship to how we can prevent or how we deal with  
15 the problem of violence, not that there is violence. We  
16 will stipulate that there is violence in San Diego. I  
17 am more interested in hearing from you how you think we  
18 should be handling the incidences of violence.

19 MR. THORNTON: Well, Mr. Alatorre, I didn't  
20 intend to go through the whole survey, and, in fact, I  
21 was trying to get to a point.

22 CHAIRPERSON KNOX: Go right ahead. Mr. Alatorre's  
23 point is well taken, but you understand that we want to  
24 try to hear from everybody today, if we possibly can.

25 MR. THORNTON: Yes, I do. Well, let me get to

1 the point that --

2 CHAIRPERSON KNOX: All right.

3 MR. THORNTON: -- to me a great concern we have  
4 is this discrepancy between the fact that we, in our  
5 survey, found 250 reported cases. The school district  
6 had on record half that many, 125. Now, we think there  
7 is a problem there, and that's a problem that must be  
8 addressed in order to have an effective system of  
9 reporting.

10 Let me go down to the bottom of page three and  
11 go to my statement of too much coverup and lack of  
12 enforcement occurs because individuals fear reprisals  
13 in the form of poor public relations, poor job  
14 performance evaluation, or plain disagreement that a  
15 particular incident demands reporting and/or action.

16 We need to implement emphasis on those  
17 education and criminal codes which currently exist but  
18 are conveniently overlooked in terms of responsibilities  
19 for reporting violence. Teachers need the encouragement  
20 and assistance of their employers in situations of  
21 violence. There is a lack of district support whenever  
22 a teacher promptly reports and files for legal action  
23 against an attacker.

24 One thing we need to do is to stop this  
25 business that there are apparently a lot more incidences

1 occurring than are being reported. And I cited three  
2 reasons that I think are very pertinent.

3 This is one of the concerns we had. And it was  
4 the primary reason why we did the survey. And today  
5 there's still argument between officials in the district  
6 regarding the data. And there is a coverup not just on the  
7 one side, but on both sides. Teachers are not reporting  
8 when they occur, and we've got to deal with that. And I  
9 think probably there are codes already available.

10 CHAIRPERSON KNOX: It's in the code that I cited  
11 that they are to be reported. I don't know if there is  
12 any penalty for lack of reporting. But, the points you  
13 make are very thoughtful ones, I think, that a probationary  
14 teacher, for example, would be worried that if the teacher  
15 reported too much violence it somehow would reflect on  
16 their performance or some fear of reprisal from the  
17 students. I don't know how we deal with that.

18 ASSEMBLYMAN ALATORRE: Do you think that, just  
19 following what Mr. Knox said --

20 CHAIRPERSON KNOX: Mr. Alatorre?

21 ASSEMBLYMAN ALATORRE: -- do you think that the  
22 fear is of reprisal of the students or reprisal of the  
23 administration for reporting and, I guess, their viewpoint  
24 in terms of how the administration looks at them in terms  
25 of their inability to be able to at least provide the kind

1 of climate so that they can deal with the problem of a  
2 classroom?

3 MR. THORNTON: I think it's both, and it's on  
4 both sides. I know of an incident where a teacher was  
5 attacked. It never got reported officially, and I think  
6 it's because I know the individual administrator involved.  
7 That wouldn't look too good. On the other hand, I know  
8 some teachers. I know one teacher today who is a  
9 substitute teacher who can't get a job because of poor  
10 evaluations. One of them was on one day, when attacked  
11 by special education students, he reported it to the  
12 principal afterward. And the principal said, "Well, you  
13 must be a poor teacher," wrote it down on the evaluation,  
14 and substitutes have very little protection for what goes  
15 in there. And consequently, to this day, that teacher  
16 is having difficulty getting hired.

17 I think it's also fear of a reprisal. I know of  
18 a case now where a teacher was attacked in the hallway by  
19 students who were truant from their site, and I don't  
20 believe they were suspended. But they didn't belong on  
21 the site. They were truant from their parent or residential  
22 site, attacked a teacher in the hall when he asked them to  
23 leave. And he's gone into hiding and can't get cooperation,  
24 very much cooperation. And his fear is from the family  
25 of the student who attacked. So, there is a fear of

1 reprisal, both, community reprisal.

2 Interestingly enough for your information,  
3 there is another growing problem. We have parents who  
4 are showing up on campuses verbally and almost physically  
5 attacking teachers, and they are violating, even though  
6 we have a city code with a big sign saying that people  
7 have to report. The problem, perhaps, is the fact that it's  
8 a misdemeanor. The other problem is that they don't  
9 even file misdemeanor charges many times, for whatever  
10 reasons.

11 ASSEMBLYMAN ALATORRE: That's a state law; isn't  
12 it?

13 CHAIRPERSON KNOX: There are also local  
14 ordinances.

15 MR. THORNTON: We have a municipal code.

16 CHAIRPERSON KNOX: I just learned something.  
17 I know all my colleagues read the Education Code at least  
18 once a week.

19 (General laughter.)

20 CHAIRPERSON KNOX: I don't have time to do that.  
21 But failure to report an assault or an attack, under the  
22 present code, is a misdemeanor punishable by fine of not  
23 more than \$200. I imagine that isn't enforced very much,  
24 but that's what the law is. It's nice to know about that.

25 MR. THORNTON: Our feeling, often times, we'd like

1 to magnify these codes and put some of them into our  
2 bargaining contract so that everybody has an awareness of  
3 them, and we run an additional of being able to do that.

4 CHAIRPERSON KNOX: It would be a good idea. It  
5 just shows you the effectiveness of passing a law sometimes.

6 MR. THORNTON: Well, I think the one you just  
7 mentioned would be very important --

8 CHAIRPERSON KNOX: Yes.

9 MR. THORNTON: -- to let everybody know that it  
10 is possible. But that's the close of my report to you.  
11 Thank you.

12 CHAIRPERSON KNOX: Any questions?

13 (No response.)

14 CHAIRPERSON KNOX: Thank you very much,  
15 Mr. Thornton. We appreciate your attendance.

16 Mr. Emmitt Williams, a teacher in the Downey  
17 School District.

18 MR. WILLIAMS: Assemblyman Knox, Members of the  
19 Committee, my name is Emmitt Williams. I am a middle school  
20 teacher in the Downey Unified School District. I have been  
21 a teacher in Downey for 21 years.

22 Before I begin my remarks, I'd like to answer,  
23 perhaps, Mr. Johnson's concern earlier. Currently, there is  
24 legislation which protects, gives police officers special  
25 protection. I think the reason the law was passed is

1 police are authority figures. Also, I think a teacher has  
2 the added responsibility of helping to protect the students,  
3 whereas the student has a responsibility only to protect  
4 himself.

5 I don't know whether that's an answer. It's  
6 just a comment that I would like to make.

7 ASSEMBLYMAN JOHNSON: Doesn't it also --

8 CHAIRPERSON KNOX: Mr. Johnson?

9 ASSEMBLYMAN JOHNSON: Doesn't it also create  
10 difficulties of proof, as a matter of fact? Doesn't it  
11 make business for attorneys to have these various classes  
12 of victims of crimes, becomes an additional element of  
13 proof that the perpetrator of this act knew or should have  
14 known that the individual was a teacher or a school  
15 employee?

16 MR. WILLIAMS: I'm not qualified to answer that  
17 question. I don't know why the proponents of the  
18 legislation that we have now or the law that we have now  
19 to give policemen special protection -- what arguments  
20 they used.

21 ASSEMBLYMAN JOHNSON: I wasn't around when that  
22 was enacted. I would have been asking the same questions.  
23 My kid is as important to me as the law enforcement officer.

24 ASSEMBLYMAN ALATORRE: Law enforcement officer.  
25 Actually, it's -- sorry.

1 MR. WILLIAMS: In the few minutes that I would  
2 like to share several experiences with you, I am here, I  
3 think, as an example of a burned-out teacher -- not  
4 burned out psychologically, but burned out literally.

5 CHAIRPERSON KNOX: Uh-huh.

6 MR. WILLIAMS: On December 6, 1978, it was a  
7 typical day for me. After arriving at school to prepare for  
8 a substitute, because I was on jury duty, I left to report  
9 to the Downey Municipal Court where I was serving as a  
10 juror.

11 About mid-morning, I was informed by the jury  
12 clerk that there was an emergency at my home. When I left  
13 the jury room, she told me that a neighbor had called the  
14 school to report that my home was burning.

15 I arrived home to discover that one room was  
16 completely gutted by fire, that the rest of the house was  
17 in shambles with broken furniture, slashed paintings,  
18 smashed glassware, television set, holes knocked in the  
19 wall, and graffiti on several walls. It was an obvious  
20 case of arson, according to the police and the fire marshall.

21 I named several students whom I had suspected  
22 might have done it because of problems I had had with them.  
23 In checking with the school, it was discovered that two of  
24 those students were absent from school that day, although  
25 their parents believed that they were in school. They did

1 not return home that night. They were subsequently found  
2 in Utah, where they had hitchhiked.

3 Subsequent investigation by the police department  
4 proved their presence in the home due to fingerprints on  
5 various objects. Several months went by, and just before  
6 the scheduled hearing was to take place in juvenile court,  
7 I learned that Don, the boy who according to the District  
8 Attorney and police was the chief culprit --

9 CHAIRPERSON KNOX: How old were these kids?

10 MR. WILLIAMS: He was thirteen and a half --  
11 had been committed to a psychiatric hospital by his  
12 parents upon the advice of the family attorney. The  
13 hearing was postponed indefinitely. Up until this time,  
14 both boys had been in school.

15 About three weeks later, I received a call from  
16 the hospital where Don was a patient. They informed me  
17 that they were calling at the request of the boy's  
18 parents to say that while on an outing with his parents  
19 he had stolen the family car, had gone home and taken his  
20 father's pistol. The hospital suggested that I be on  
21 the lookout for the boy.

22 Before he could do whatever he planned to do,  
23 the boy wrecked the family car and was returned to the  
24 hospital. About a month passed before I received a  
25 letter from the juvenile authorities saying that they had

1 decided not to pursue the matter inasmuch as the boy  
2 appeared to be rehabilitated.

3 He is no longer in our school. I have heard  
4 that he has been enrolled in a military school by his  
5 parents.

6 CHAIRPERSON KNOX: What happened to you? Did  
7 you have enough insurance to cover all that stuff?

8 MR. WILLIAMS: Just about. I've learned about  
9 depreciation.

10 CHAIRPERSON KNOX: Yes.

11 MR. WILLIAMS: In talking recently with school  
12 authorities, I learned of their general frustration with  
13 the handling of school violence. The only recourse open  
14 to them appears to be expulsion, which simply turns the  
15 young people loose on the street. Two examples were given  
16 to me.

17 Recently at one of our high schools in Downey  
18 a student attacked another student with a weapon made  
19 from a doorknob. Although hospitalization was required  
20 by the injured student, the District Attorney's Office  
21 decided not to follow up on the police report.

22 ASSEMBLYMAN HARRIS: Excuse me. May I ask a  
23 question?

24 CHAIRPERSON KNOX: Yes. Mr. Harris?

25 ASSEMBLYMAN HARRIS: In the scenario you just

1 described in terms of the procedures that were followed  
2 following the determination that this particular juvenile  
3 had committed the act against your home, what would you  
4 have recommended as an alternative methodology for dealing  
5 with that particular problem?

6 MR. WILLIAMS: I'm not saying that being committed  
7 to a psychiatric hospital was not the right thing to do,  
8 because it was evident that he was disturbed.

9 ASSEMBLYMAN HARRIS: Uh-huh.

10 MR. WILLIAMS: The fact that there was never  
11 any hearing to determine that matter and that after  
12 spending, I think, a total of eight weeks in a psychiatric  
13 hospital it was determined by someone that rehabilitation  
14 had occurred. In my opinion, I think justice would have  
15 been done if there had been a hearing.

16 CHAIRPERSON KNOX: Did you pursue the family  
17 by civil litigation at all?

18 MR. WILLIAMS: It's up in -- it's in the hands  
19 of my insurance company now.

20 CHAIRPERSON KNOX: Well, I mean is somebody  
21 pursuing the civil litigation?

22 MR. WILLIAMS: The insurance company is suing  
23 the parents.

24 CHAIRPERSON KNOX: Well, you're the ones that  
25 have to -- well, I won't get into that. It's not relevant

1 to the hearing. All right.

2 MR. WILLIAMS: Last week --

3 CHAIRPERSON KNOX: I certainly hope you're  
4 getting the right advice. That's all.

5 ASSEMBLYWOMAN BERGESON: Mr. Knox, I have a  
6 followup.

7 CHAIRPERSON KNOX: Mrs. Bergeson.

8 ASSEMBLYWOMAN BERGESON: Yes. You mentioned a  
9 civil suit. Is there not some criminal proceeding that  
10 would take place in order to try to provide some  
11 restitution for the family in that case?

12 MR. WILLIAMS: I believe that is in the civil  
13 courts rather than in criminal courts.

14 CHAIRPERSON KNOX: Well, they're probably stuck  
15 with the limitation of the \$2,000 that existed prior for  
16 malicious mischief by the child. The parent is not  
17 normally responsible for the torts of the children except  
18 for these exceptions that we've spelled out. So, but,  
19 you know, the kid might have some money. You never know.  
20 It's worth pursuing. But that's another matter that's  
21 not really germane to the hearing. It just shows something.  
22 All right.

23 MR. WILLIAMS: Last week a student came to one  
24 of our high school campuses with a pistol, pointed the  
25 pistol at another student, and demanded the return of some

1 money which had supposedly been taken. The student was  
2 subdued and turned over to the police authorities. It  
3 is my understanding from the school authorities that the  
4 District Attorney's Office will not be pursuing the matter.

5 ASSEMBLYMAN ALATORRE: Now, is this the same  
6 person?

7 CHAIRPERSON KNOX: Mr. Alatorre.

8 MR. WILLIAMS: No, sir.

9 CHAIRPERSON KNOX: It's another matter.

10 ASSEMBLYMAN ALATORRE: Oh. Okay.

11 MR. WILLIAMS: In both cases, the school district  
12 is going through expulsion hearings. As one school  
13 official put it, "We have solved the problem for at least  
14 six hours a day." I do not know the answer to the problem.  
15 If I did, I would package it, sell it to those who are  
16 concerned, and retire. I do know, however, there is a  
17 problem, and it appears to be with the judicial system.

18 I often think of the irony involved in my  
19 personal situation. It was while I was on jury duty that  
20 I almost lost my home. I have kind thoughts for the  
21 insurance company who helped me to rebuild my home and to  
22 replace those things which were replaceable. For the  
23 little things which can never be replaced and for the  
24 personal trauma that I suffered, I can thank a judicial  
25 system which doesn't appear to work.

1           One last comment. Last year at an all-school  
2 skating party at my school, the principal and  
3 vice-principal were attacked when an altercation broke  
4 out at the close of the party. They were attempting to  
5 break up the fight which had started between some students  
6 from another school and some of our students. Those who  
7 were involved were simply suspended for several days and  
8 are back in school. Thank you.

9           CHAIRPERSON KNOX: Thank you.

10          ASSEMBLYMAN BANNAI: May I ask a question?

11          CHAIRPERSON KNOX: Yes, Mr. Bannai.

12          ASSEMBLYMAN BANNAI: Mr. Williams, just  
13 philosophically, if I were to introduce a bill to allow  
14 students to drop out from high school upon a hearing or  
15 a petition of either the parents or the student, what  
16 would your thoughts be on that; in other words, allow any  
17 student not to attend high school upon their own choice?

18          MR. WILLIAMS: I'd have to have two reactions,  
19 personally. If I were a teacher in a high school, I might  
20 be inclined to say hopefully the right student would be  
21 dropping out of school. But, being someone I hope somewhat  
22 more responsible than that, that would solve only the  
23 immediate problem. It wouldn't solve the long-range  
24 problem of what those young people are going to be doing  
25 for the rest of their lives.

1 ASSEMBLYMAN BANNAI: Thank you.

2 CHAIRPERSON KNOX: I know a guy who as a kid  
3 all he wanted to do was play jazz piano. I mean, you know,  
4 he wouldn't have stayed.

5 All right. Next, Ms. Jan Mendelsohn.

6 MS. MENDELSON: Members of the Committee, I am  
7 very happy to be here. In agreeing with the remarks of  
8 Assemblyman Knox and Assemblyman Alatorre, I will keep  
9 the numbers down only to make a point.

10 ASSEMBLYMAN HARRIS: Excuse me. Mr. Knox?

11 CHAIRPERSON KNOX: Yes, Mr. Harris?

12 ASSEMBLYMAN HARRIS: I would like to stipulate  
13 I'm not going to interrupt this witness, since she is a  
14 constituent of mine.

15 CHAIRPERSON KNOX: She is the President of the  
16 Oakland Education Association and no doubt registered to  
17 vote.

18 (General laughter.)

19 MS. MENDELSON: Yes. I would like to begin  
20 with making a point about reporting and defining violent  
21 crimes. And we will only use numbers in this context.  
22 Reporting accurately what does happen has to be done to  
23 begin to look at the problem and to begin to prioritize  
24 the problem.

25 The Oakland public schools, which have about

1 50,000 students, about 3,500 teachers, 7,000 employees,  
2 reported last year in their security report --

3 CHAIRPERSON KNOX: Uh-huh.

4 MS. MENDELSON: -- that there were 12 attacks  
5 on staff for the entire year. There were 11 threats to  
6 staff and 25 student-to-student attacks.

7 This report generated total skepticism by the  
8 teachers. And that's putting it gently. Laughter would  
9 be more appropriate. Typical remarks were, "Is that in  
10 one period, one day?"

11 CHAIRPERSON KNOX: Uh-huh.

12 MS. MENDELSON: Obviously, they knew that this  
13 data was totally inaccurate. And I bring this to your  
14 attention to emphasize the following facts: that the  
15 Oakland public schools have not acknowledged or reported  
16 the true extent of violence; that many violent incidents  
17 are not reported at all; and that there is great  
18 confusion as to what is a violent act.

19 I will leave with you this report, and  
20 accompanying it is an article from a local newspaper that  
21 cites that there were 1,528 suspensions at the secondary  
22 level last year alone for fighting. And I am concerned  
23 with what Assemblyman Johnson said about the safety of his  
24 child. And if there are 1,528 acts of fighting that  
25 generated suspensions, are not those violent acts, and

1 shouldn't those have been acknowledged by the school  
2 district? Certainly with a great loss of money, but  
3 that's not the subject of this hearing today. And  
4 certainly, it can be assumed that there were a lot more  
5 violent acts in terms of fighting than were even reported.  
6 Something is clearly amiss when the official report only  
7 includes 25 student/student violent attacks. And there is  
8 a record of 1,528 suspensions for fighting, plus the  
9 general knowledge that hundreds of violent incidents were  
10 never reported at all.

11           There are many reasons why some teachers do not  
12 report threats or violent incidents. These reasons  
13 include:

14           (1) Fear of reprisals by the student or student's  
15 family.

16           (2) A widespread belief that such a report will  
17 not generate any action by the school site administrator --  
18 so why bother?

19           (3) A fear that reporting threats and violence  
20 will be interpreted by their supervisors as inability to  
21 handle difficult students. Many teachers receive poor  
22 evaluations when they report or try to eliminate difficult  
23 or violent students.

24           ASSEMBLYMAN ALATORRE: How would you --

25           CHAIRPERSON KNOX: Mr. Alatorre?

1 ASSEMBLYMAN ALATORRE: The last point that you  
2 made -- and maybe some of the other witnesses who are  
3 representing the teacher associations like you maybe could  
4 comment, as well as yourself. How could we get around that,  
5 so that because a teacher reports an act of violence to an  
6 administrator that that is not used or not used against  
7 that teacher, whether that teacher be a substitute teacher,  
8 whether that teacher be a probationary teacher, or a  
9 full-time teacher? I mean how do you see us trying to  
10 grapple with that?

11 MS. MENDELSON: Well, I have some general  
12 suggestions later on in my presentation.

13 ASSEMBLYMAN ALATORRE: Okay.

14 MS. MENDELSON: But specifically, for instance,  
15 I think some of that problem can be dealt with in  
16 bargaining contracts and in protective rights in terms of  
17 contractual rules and regulations. However, again, those  
18 are only as good as they are enforced.

19 I really believe that the directive has to come  
20 on high, both from in any agency -- and I'll speak to this  
21 later -- that this is a priority, and indeed there is  
22 going to be more problem for the police if they don't  
23 report it than if they do try to cover it up. I do  
24 believe that teachers are remiss, and I'm going to go on  
25 as to why school administrators don't report it, also.

1           CHAIRPERSON KNOX: Excuse me for interrupting  
2 one more time. Mr. Alatorre and others, if you would be  
3 kind enough to address the Chair if you want to be heard,  
4 it allows the reporter to know who's speaking, and that  
5 might be important to you later.

6           MS. MENDELSON: The perception of some teachers  
7 that they are helping the student by not reporting the  
8 problem is prevalent. They feel that the student needs  
9 counseling and psychological help, and that they are just  
10 making more difficulty for the student if they do report  
11 it in terms of a criminal act or an assault. However,  
12 since the schools do not have the resources to provide  
13 the kind of help that most teachers would desire the  
14 student to receive, that seems to be an unproductive  
15 attitude.

16           As to threats, threats are so widespread and  
17 so common that reporting them would just leave no time  
18 to teach. Administrators, who are officially responsible  
19 for reporting such incidents, often do not do so because  
20 they, one, fear that the incidents at their school will  
21 reflect badly on the school.

22           Recently, the Oakland Tribune covered a junior  
23 high school that was having a great many violent incidents.  
24 We found that at the beginning of school that the school  
25 had 200 to 300 less enrollees.

1           Two, the principals often fear that they will be  
2 seen by their superiors as out of control and doing a poor  
3 job. And, three, that the paperwork and the due-process  
4 procedures that are involved are too time-consuming to  
5 bother with.

6           However, if an incident does occur, there is a  
7 system or a chain that it has to go through. Let's assume  
8 it's an incident with a student that may well be an  
9 outsider. But we are dealing with a student attack, for  
10 instance, on a teacher. Then, the teacher must report to  
11 the site administrator. The site administrator must report  
12 to the central administration. Either the site or the  
13 central administration must contact the police. The police  
14 must contact the District Attorney. The District Attorney  
15 may or may not file charges. And it may end up in the court,  
16 and something may or may not happen at the end of this chain  
17 to the student or the student's parents that perpetrated  
18 the violence.

19           There is a widespread belief that this system is  
20 not working. Each link in the chain seems to believe that  
21 the next level in the chain will not be responsive, the  
22 net result being existing laws remain unenforced.

23           An example may serve to illustrate this point.  
24 The students feel the teachers won't help. The teachers  
25 feel the site administrators won't back them. The site

1 administrators feel that the central administration will  
2 think that they are ineffective. The central  
3 administration feels the police just file the reports  
4 and ignore them. The police feel the District Attorney's  
5 Office doesn't pursue prosecution. And the District  
6 Attorney's Office feels that the courts are too lenient  
7 when something is before them, if it has gotten that far.

8 A specific incident that happened a few weeks  
9 ago in Oakland may further illustrate the point. An  
10 angry parent with a knife chased a teacher down the hall.  
11 This was in an elementary school. The police were  
12 called. They sent the parent home. Ultimately, a  
13 restraining order was issued declaring the school out of  
14 bounds for the parent.

15 Everyone involved felt the system had failed.  
16 Teachers did not feel that the restraining order protected  
17 them from a similar incident occurring in the future. And  
18 the parent, in their eyes, went virtually unpenalized after  
19 an assault with a deadly weapon.

20 CHAIRPERSON KNOX: Where did this happen, in  
21 Oakland?

22 MS. MENDELSON: Yes.

23 CHAIRPERSON KNOX: And the DA refused to file  
24 an assault when somebody used a knife?

25 MS. MENDELSON: I do not have all the details.

1 I believe the DA probably did file.

2 CHAIRPERSON KNOX: Would you get us the  
3 particulars of that case, please? And I'll direct the  
4 staff to look into that.

5 MS. MENDELSON: I certainly will. One point  
6 I'd like to make --

7 CHAIRPERSON KNOX: The Oakland Police seem to be  
8 very strong on prosecuting marijuana in people's private  
9 homes, but they aren't too good on the assault with  
10 deadly weapons.

11 (General laughter.)

12 MS. MENDELSON: True. One point is,  
13 Assemblyman Knox, whether something happens or not,  
14 and many times nothing happens, the people affected don't  
15 know even when it does happen. So, they may believe  
16 nothing was done, which gives them lack of faith in the  
17 system, which then they refuse to use.

18 So, if this has been pursued to the hilt, those  
19 people affected should know what happened. And then, they  
20 may, if necessary, rely on the system again. The next  
21 time, they probably won't, because they felt it didn't  
22 work this time.

23 Most school employees feel the current laws are  
24 not strong enough in the areas of fines, sentences and  
25 holding parents legally and financially responsible for

1 their actions or those of their children. Perhaps, upon  
2 conviction, mandatory parent/student classes should be  
3 instituted on a basis similar to traffic school or as a  
4 condition of probation at the cost of that parent and  
5 student.

6 In addition, most everyone agrees that  
7 enforcement of the present laws is essential. However,  
8 now enforcement depends on individual personal pressure.  
9 The school district should be empowered and required to  
10 act as the complainant or on behalf of any mized  
11 employee or student in pursuing full enforcement of the law.  
12 Now, the individual parent of the victim or perhaps the  
13 teacher must work through the system alone in order to  
14 pursue a problem. And I think maybe some of your questions  
15 to Mr. Williams indicated that.

16 It's either he or his insurance company or his  
17 attorney that have to work through a system that is  
18 difficult for most of us, certainly time-consuming, and  
19 certainly sometimes expensive. And often the parent of  
20 a child in the inner city, when the child comes home and  
21 has been violently attacked, that parent, to get  
22 restitution or justice in their mind, has to pursue the  
23 system individually. The school district merely makes  
24 the report.

25 We feel there is some responsibility of the

1 school district to pursue the laws, even existing law,  
2 through the system on behalf of their employees or students  
3 in attendance at their school. After all, the students  
4 have to be there under the law. Personal pressure now is  
5 the only tool available for getting the system to respond.

6 Also, violence at school must be interpreted to  
7 students and parents as a serious violation of the law,  
8 not just a "school rules" problem. Legal repercussions  
9 of such a violation must be made clear.

10 Each link in the current system needs to adopt  
11 the elimination of school violence as a top priority.  
12 Neither the school districts, the enforcement agencies,  
13 nor the courts have clearly done this. Nobody has  
14 adopted, communicated or implemented policies that clearly  
15 indicate to their employees and consumers that violence  
16 will not be tolerated. Clearly, unless the elimination of  
17 violence is a top priority for all concerned, the problems  
18 will continue.

19 I don't just mean saying that it's a top  
20 priority. I mean in-house implementing of policies and  
21 accountability policies that demand of the employees and  
22 the system that they treat violence and elimination of  
23 violence as a top priority --

24 ASSEMBLYMAN ALATORRE: Mr. Chairman?

25 MS. MENDELSON: -- and that they pursue it so

1 that people can get that idea.

2 CHAIRPERSON KNOX: Mr. Alatorre wants to ask a  
3 question. Go ahead, Mr. Alatorre.

4 ASSEMBLYMAN ALATORRE: Now, I guess you're really  
5 looking at a two-step process. One that can either be  
6 done through collective bargaining -- in other words a  
7 school representative or representative organization  
8 working in conjunction with the Board of Education -- as  
9 well as some, maybe, redefinitions or really just  
10 redefining some of the areas of the law that maybe we can  
11 be involved in as a Legislature. But, you're really  
12 looking at the reporting. I mean that is really just  
13 something that we can't do anything to force administrators  
14 or force teachers or force anybody to make reports of acts  
15 of violence.

16 Now, maybe we can change the law, but that's  
17 not going to affect a teacher's making a determination of  
18 whether to report or not to report. So, you really -- it's  
19 both a local problem as well as a state problem. And you  
20 can't just say that we, as the Legislature, or looking at  
21 the state for relief, is going to solve the problem.  
22 But, I think that some of it has to, obviously, be solved  
23 at the local level.

24 Now, do you see it done, just talking at the local  
25 level, is the only vehicle collective bargaining?

1 MS. MENDELSON: No, I don't think so. As a  
2 matter of fact, I mean, I think that that's fine, well and  
3 good. And that is a vehicle. But in addition to that --  
4 and I'm not just talking about the school. I'm talking  
5 about the juvenile division of the police, too, and the  
6 courts, all these links, and not just reporting,  
7 enforcement. In terms of they haven't said, "We are not  
8 going to tolerate," and they haven't implemented -- both  
9 schools and the Juvenile Division of the police department  
10 and the probation departments -- policies and enforced  
11 policies that speak to the elimination of violence as a  
12 priority.

13 ASSEMBLYMAN ALATORRE: Now, once again, just  
14 talking about the local level, has CTA as an organization  
15 ever had an opportunity -- just talking about Oakland --  
16 have you ever had an opportunity of sitting down with  
17 both the District Attorney, the law enforcement officials,  
18 and the judges to see if, in fact, they can come to the  
19 realization of the seriousness of the problems, say, in  
20 Oakland or any other school district?

21 MS. MENDELSON: No. That opportunity hasn't  
22 been there. And before making this report, I called the  
23 police themselves and talked to them, and also the legal  
24 department of the Oakland public schools, as well as  
25 administrators and as well as teachers. Each person was

1 willing to blame the next person --

2 ASSEMBLYMAN ALATORRE: That's what always happens.

3 MS. MENDELSON: -- for the ineffectiveness of  
4 the system. And part of it is that one part doesn't know  
5 what the other part is doing. So, we speak to some  
6 suggestions that were made earlier. The people in the  
7 system don't even understand the system and how it's  
8 supposed to work at best that's there now.

9 ASSEMBLYMAN ALATORRE: Don't you think that that  
10 should be an important function of, say, as an example,  
11 your organization in trying to link up all of the various  
12 elements of the resolution of the problem?

13 CHAIRPERSON KNOX: I think she said that in so  
14 many words just a few minutes ago. Anything further?

15 MS. MENDELSON: No, I think I've really  
16 basically --

17 CHAIRPERSON KNOX: All right.

18 MS. MENDELSON: -- made the points that I would  
19 like to make.

20 CHAIRPERSON KNOX: And very effectively.

21 MS. MENDELSON: Thank you very much.

22 CHAIRPERSON KNOX: Thank you very much. We  
23 appreciate --

24 ASSEMBLYMAN HARRIS: Mr. Knox?

25 CHAIRPERSON KNOX: Oh, pardon me. Mr. Harris,

1 did you want to ask a question?

2 ASSEMBLYMAN HARRIS: I just want to make a  
3 statement. I don't have any questions.

4 CHAIRPERSON KNOX: All right.

5 ASSEMBLYMAN HARRIS: But I do want to say this.  
6 The testimony that we've heard thus far -- and certainly  
7 Miss Mendelsohn's testimony is consistent with that --  
8 I think it really describes the problem as Richard  
9 indicated earlier that we would all stipulate to, the  
10 reality of violence on our campuses. And I think it's  
11 also important to note that the reality of violence on  
12 our campuses is a reflection of violence in our society.  
13 And that's why we have, obviously, tried to establish this  
14 commission on the study of violence to address that  
15 problem.

16 But, maybe the school is the place that we  
17 should begin to deescalate the level of violence in our  
18 society. And maybe we need to talk about legislation that  
19 will expediate the process for addressing that violence  
20 on the campus and also, I think as Jan said, deal with  
21 prioritization in terms of the educational process and  
22 our educational institutions and administration.

23 But, I really was hoping that the witnesses  
24 might help us to focus on how we can prevent the problem  
25 and not just on additional punitive measures or setting up

1 additional classifications of felonies that seem to speak  
2 to one aspect of the problem. I think we are going to  
3 have to have a comprehensive solution. And as Ross says,  
4 we're concerned not only about teachers but about students  
5 on campus or any visitors on the campus.

6 The campus should be an example of a place where  
7 there is a positive working environment, a positive  
8 learning environment, and the kind of an environment in  
9 which people feel that it's consistent with their image  
10 of education and learning.

11 I don't know how we are going to do that, unless  
12 we focus on prevention, unless we focus on holding people  
13 responsible, both students and parents, teachers,  
14 administrators. Every aspect, every element of the  
15 educational process, shares in this responsibility, and  
16 we need to focus appropriate responsibility on each one  
17 of these sectors and figure out how we can all come  
18 together and work together to establish the kind of  
19 procedures and the kind of legislation that is appropriate,  
20 whatever kind of legislative enactments would achieve  
21 that.

22 But, I really would like to hear about prevention  
23 and what's going to work, not just punitive measures and  
24 setting up additional classifications to protect teachers.

25 CHAIRPERSON KNOX: I thank you, Mr. Harris.

1 Our next witness is Dr. Yvonne Johnson, President of the  
2 Administrators' Association of the San Diego Unified  
3 School District. Dr. Johnson?

4 I want to refer, while Dr. Johnson is getting  
5 ready there, refer the Committee to some information in  
6 your packet which you got when you arrived. On page two  
7 of that, you will notice some suggested administrative  
8 remedies, and those are as a result of the questionnaires  
9 sent to people who are testifying and other people  
10 interested in the hearing.

11 Doctor, nice to have you here.

12 DR. JOHNSON: Assemblyman Knox and Members of  
13 the Criminal Justice Committee, on behalf of the San  
14 Diego Unified School District Administrators' Association,  
15 we would like to thank you very much for this opportunity.

16 CHAIRPERSON KNOX: I'm sorry, Doctor. The  
17 court reporter needs to change the tape. Do you need to  
18 take a break, too? No? Sorry about that.

19 DR. JOHNSON: Thank you for this opportunity  
20 on behalf of the Unified School District Administrators'  
21 Association. To support the question-and-answer period,  
22 I have also invited Mr. Alex Rascon, who is the director  
23 of our security department, Mr. Jay Tarvin, who is the  
24 vice-president in charge of discipline for one of the  
25 largest junior/senior high schools with over 3,000 students

1 in our school district, and Mrs. Lottie Hess, who is  
2 director of our Emergency School Aid Act Program.

3 I'd like to confine my remarks to about three  
4 phases and also to thank Mr. Harris for that excellent  
5 introduction. The three phases are to look at some of  
6 the causes, just to briefly give us a perspective, and  
7 then to look at what one school district did as a positive  
8 response to violence in its schools, and then to ask you  
9 for some support.

10 First of all, we are a violent society. I think  
11 that's a given. And in large school districts such as  
12 ours, with an excess of 112,000 students, students are  
13 feeling a great deal of loneliness and anonymity,  
14 not only students but teachers and administrators as well.

15 My personal experience has been about seven years  
16 of teaching and about eight years in various administrative  
17 capacities, including principal in an elementary school.  
18 I currently serve as the Urban Affairs Director for our  
19 city schools in which I interface with a lot of parents  
20 and a lot of parent groups. So, I have had the  
21 opportunity of having a broad-base perspective of school  
22 problems.

23 We are dealing with this great big area of  
24 anonymity. For example, we have one elementary school  
25 with over 1,700 students. We have a high school with over

1 3,200 students. This is one out of 168 different sites.  
2 And when we look at our counselor caseload, there are  
3 about 450 students per counselor. You can see what's  
4 going to happen there.

5 We are also dealing with the influence of the  
6 media, both positive and negative. We are dealing with  
7 parents who are away from home during some very significant  
8 periods of the student's waking hours, whether they are  
9 working, or whether we are dealing with single-parent  
10 homes.

11 We are in a very heavily drug/narcotic laden  
12 society. Poor nutrition, poor rest on the part of our  
13 students. We deal with the influence of peers, also the  
14 fragmentation and the uncertainty of approaches with our  
15 community agencies.

16 Because of budget cuts and whatever reasons,  
17 we are not able to do as much as we would like to. And  
18 we are also dealing with another very significant  
19 institution in our society, and that's the diminishing  
20 role of the church.

21 Now, the Administrators' Association, along  
22 with the leadership in our district, has tried diligently  
23 to bring these forces together. For example, the early  
24 part of this year, the Association invited in the juvenile  
25 court judges and referees in order to bridge a

1 communication there that we felt was very, very necessary.  
2 They were invited to a breakfast meeting. We had over  
3 100 in attendance, and probably around 12 to 15 of the  
4 judges and the referees. We had a very dynamic forum  
5 in which to exchange information. As a result of that,  
6 administrators have visited the juvenile courts. They  
7 have sat in on detention hearings and so forth, and we  
8 have been able to exchange some ideas with the judges.

9 No matter what happens to the student after he  
10 participates or is involved in any kind of violence, most  
11 of the time, eventually, he comes back to school. I'd  
12 like to also put the violent student in perspective.

13 If you went into any high school, junior high,  
14 elementary, you would see, in the main, that most of the  
15 students are in an orderly classroom learning, participating  
16 in the educational process and benefitting from it.  
17 However, we know that there are always those exceptions,  
18 and there are numerous court decisions in which no longer  
19 can the school personnel seek and act in lieu of the  
20 parents.

21 You need to realize that schools, basically,  
22 have three options in dealing with violence in the schools.  
23 One is suspension from school. The second is exemption,  
24 and the third is expulsion. We are very limited in what  
25 we can do with students.

1           We also have students about six of the twenty-four  
2 hours in the day. We have them about six. So, the influence  
3 that we could have upon them, yes, can be great. But, it  
4 is not the exclusive influence. In some communities,  
5 school attendance is very irregular, and the community  
6 must support regular attendance. Parents and the community,  
7 along with school personnel, must assure that we work with  
8 positive discipline.

9           Now, one concern that I heard over and over again  
10 from previous witnesses was the identification of the  
11 different categories of crime and the reporting. We must  
12 have some kind of objective way of reporting the violence  
13 in our schools. One person's opinion may be questioned  
14 by another person's opinion.

15           I have here our two security department reports,  
16 one from '77/'78, and the other from '78/'79. And we have  
17 a rather extensive list of categories in our crime  
18 reports.

19           CHAIRPERSON KNOX: Are those extra copies of  
20 those?

21           DR. JOHNSON: I could furnish you with them.

22           CHAIRPERSON KNOX: Okay. If you will, please.

23           DR. JOHNSON: Okay. Now, to talk about what our  
24 school district did, the San Diego Unified School District  
25 Board of Education took a very strong stand on discipline,

1 this last current year. One of our board members in  
2 particular spearheaded this, and he directed the  
3 Superintendent to draft a strong discipline policy, to have  
4 it published, and to have it distributed this September to  
5 every student and every parent. And this was to occur  
6 at the beginning of the school year.

7 Well, historically, the district has always had  
8 written guidelines for discipline and with the accompanying  
9 follow-up procedures for violating the procedures. Now,  
10 in all of this we are always guaranteeing the students'  
11 due process rights. We have a strong counseling program.  
12 And this counseling program goes beyond the parameters of  
13 the school. In other words, it interfaces with the  
14 community agencies.

15 But, this new thrust was for positive discipline  
16 that can be attributed, in part, to many, many hours of  
17 involvement of school teachers, school administrators,  
18 parents, persons from outside community sources, and  
19 students themselves. Numerous meetings were held. We  
20 talked it out. As a result, we came up with a very  
21 comprehensive list of discipline standards that every  
22 student has as a basic guideline for operation.

23 CHAIRPERSON KNOX: Could we be looking at that  
24 while you're talking, Doctor?

25 DR. JOHNSON: Sure. In addition to that, each

1 school site drafted their own particular set, based on  
2 what the district proposed as the district policies.

3 CHAIRPERSON KNOX: At least it's shorter than  
4 the Penal Code.

5 (General laughter.)

6 DR. JOHNSON: Now, in addition to this,  
7 Mr. Rascon in particular, every school administrator has  
8 at his or her fingertips a booklet similar to this called  
9 "Emergency Procedures." When any emergency arises from  
10 abusing, threatening, insulting of teachers all the way  
11 through to weapons or injuries, injurious objects on the  
12 school grounds, there is a quick reference in which an  
13 administrator or any support person can follow through on.  
14 And at the beginning, at the front of the procedure,  
15 are listed our own local security department, paramedics,  
16 police, fire, poison center, safety and so forth. So,  
17 this is a ready reference.

18 In addition, our security director publishes  
19 once a month a newsletter in which any new legislation  
20 is described and interpreted. And it is distributed to  
21 all security agents, agencies, security offices within our  
22 district and any administrator who desires it.

23 Another phase of the thrust of the discipline  
24 was -- perhaps we could talk about our voluntary integration  
25 program. I'm not sure if you're aware of it, but we have

1 approximately 40,000 students moving voluntarily to schools  
2 outside of what we would call their neighborhood or  
3 geographical area. When students started crisscrossing  
4 or interfacing the communities from different perspectives,  
5 we found that there were different interpretations or  
6 variations on a theme. And this is why my remark a little  
7 earlier about the objectivity of describing and reporting  
8 what are considered offenses.

9           So, with this, it also gave us stronger focus  
10 on what we are all talking about when you look at our  
11 discipline problems. And we wanted to try to enforce  
12 fair, equitable and a smooth-running discipline code of  
13 conduct for all students.

14           CHAIRPERSON KNOX: Well, wait a minute here.  
15 You've got, for first offense, type-B behavior, in this  
16 one school, which is the Sierra --

17           DR. JOHNSON: Serra.

18           CHAIRPERSON KNOX: -- Serra Junior/Senior High  
19 School, fighting, theft, assault, physical or verbal,  
20 battery, vandalism, possession of alcohol, drugs or  
21 weapons or firecrackers or threats, the first offense is  
22 only a three-day suspension.

23           DR. JOHNSON: Mr. Tarvin, would you want to  
24 speak to that?

25           MR. TARVIN: At the bottom of the page, I believe

1 you'll see that these are arrestable offenses.

2 CHAIRPERSON KNOX: Oh, I see. Okay. Go ahead.  
3 All right. I haven't read the whole thing.

4 DR. JOHNSON: All right. What happened to this  
5 particular plan after it was written, the policies were  
6 discussed with each administrator. The administrator,  
7 in turn, discussed each one with the staff members. The  
8 administrator also discussed this policy with students  
9 and staff. And then, after that, each school drafted  
10 their own plan using the district discipline code as the  
11 broad guideline.

12 Now, there are many efforts in support of  
13 assisting students who have been identified as potential  
14 discipline problems. We have found that discipline, a  
15 lot of times, has a lot to do with academic achievement.  
16 So, tutoring has been beefed up. Also, community guidance  
17 aides have been hired for home/school -- constant, regular  
18 home/school contact, a lot of emphasis and support on the  
19 basic competencies.

20 We've tried to establish, through a student  
21 concerns program, in-school types of suspensions, because  
22 as one of the teachers said earlier, turning them loose  
23 on the street does not always solve the problem. So, we  
24 are trying to establish in-school alternatives, a lot of  
25 staff in-service.

1           We have in our district what is called a race  
2 human relations program. This is to support the  
3 integration effort, but it's also paying off in dividends  
4 as far as violence is concerned. We have a multi-cultural  
5 program. Additional funds were committed to additional  
6 guidance staff personnel. We have alternative schools.  
7 We have alternative programs within schools. And we  
8 are trying to maintain a very close liason with  
9 community agencies. And these support the gamut, the  
10 physical, mental and social welfare agencies. We're  
11 trying to keep strong, close ties with them.

12           Now, what is it that we need from you? We would  
13 like to ask you for fair and equitable legislation. For  
14 example, it's a felony to threaten to assault someone,  
15 yet it is really a misdemeanor to hit them. We'd like to  
16 have this type of legislation brought into coordination,  
17 and it should be.

18           CHAIRPERSON KNOX: Well, you're getting a little  
19 awkward legal advice there, but that's all right. Go  
20 ahead. That's not exactly the law, but go right ahead.

21           DR. JOHNSON: Okay. Now, we need community  
22 support when an administrator must suspend. Schools  
23 have been and will continue to be scapegoats for all kinds  
24 of offenses. A school is a microcosm of a macrocosm.  
25 And so, there are many community agencies that need to

1 interface with the school.

2 Also, we need, at the state and federal levels,  
3 a consolidation of data gathering so that the impediment  
4 on teacher time as well as administrator time can be  
5 minimal, and the management techniques can be brought  
6 closer into line.

7 For example, we have more than 200 data-gathering  
8 requests that are necessary for federal and state reports.  
9 Now, okay, we have a data system and all, but where does  
10 the raw data come from? Eventually, it must get back to  
11 the school site. So, we would like some support in that  
12 way.

13 Administratively, where possible, prior to the  
14 return of the young persons to the site, these young  
15 persons who have been incarcerated in any institution for  
16 any reason, we feel that a process should be worked out  
17 where school administrators are included in the process of  
18 receiving them back at a school site. And then, we need  
19 to look to the communities for a lot of support with the  
20 vandalism problem that occurs on weekends and also with  
21 the loiterers on campus.

22 In summary, violence is a problem of the entire  
23 community. The schools reflect the communities in which  
24 they operate. High crime areas usually have high crime  
25 school areas.

1           Public schools cannot turn away students. We  
2 must accept all students who come to our doors. Schools  
3 need the support of the community in loitering, vandalism,  
4 drug pushers, hardened criminals, and unsafe community  
5 structures.

6           For example, one of our elementary schools is  
7 adjacent to a park. And that park, young students pass  
8 that park everyday on their way to and from school, and  
9 it is known that there are a lot of drugs that pass there.  
10 Young adults are sitting in the park all day drinking.

11           CHAIRPERSON KNOX: Doctor, we're going to have  
12 to move along a little bit. You're over your time, and  
13 we have a lot of people that have to be heard.

14           DR. JOHNSON: Thank you. Okay. We, as  
15 educators, are pledged to take care of the students under  
16 our care. We want to provide education and success for  
17 living. But it must be a concerted community effort.  
18 We will do our part, and we would like to think that  
19 the community will support us.

20           CHAIRPERSON KNOX: Thank you very much, and  
21 thank you for your --

22           ASSEMBLYWOMAN BERGESON: Question.

23           CHAIRPERSON KNOX: Yes, Mrs. Bergeson, you may,  
24 briefly.

25           ASSEMBLYWOMAN BERGESON: Always. I note that

1 in most cases students that are off campus are the ones  
2 that are causing the problems. And yet, I note that you  
3 are recommending that compulsory education laws be  
4 changed. Do you see any dichotomy in allowing those  
5 students, perhaps, to be exited from school at an earlier  
6 age where they may not be up to a productive behavior  
7 after that?

8 DR. JOHNSON: If they're going to merely sit in  
9 and be extremely disruptive, perhaps there is another  
10 way we can deal with preparing them for a life-long learning  
11 if you will, other than at that particular type of school  
12 setting. There are opportunities outside of the regular  
13 public school system for completing high school diplomas  
14 and so forth.

15 CHAIRPERSON KNOX: All right. Thank you very  
16 much, Doctor. We appreciate your staff appearing here  
17 today.

18 Mr. Springer, are you here?

19 MR. SPRINGER: Yes.

20 CHAIRPERSON KNOX: You're going to be reasonably  
21 brief, I trust? We'll take you out of order before lunch,  
22 because as I understand it you can't come back this  
23 afternoon.

24 MR. SPRINGER: Thank you very much. I appreciate  
25 that.

1           CHAIRPERSON KNOX: Mr. Springer is the President  
2 of the United Teachers' Association of Los Angeles.  
3 You've heard the hearing this morning, so there is no  
4 reason to repeat what we've already heard. All right?

5           MR. SPRINGER: Yes. I have a statement that I  
6 would like entered into the record.

7           CHAIRPERSON KNOX: All right. We will be glad  
8 to take care of that.

9           MR. SPRINGER: I think the bottom line -- and  
10 I think that's really what you want -- there are a number  
11 of bottom lines.

12          CHAIRPERSON KNOX: Uh-huh.

13          MR. SPRINGER: One I'd like to speak to is what  
14 Assemblyman Alatorre has asked about. What and how can  
15 the teachers be protected from harrassment from  
16 administrators if they report a crime, for example.

17          CHAIRPERSON KNOX: Uh-huh.

18          MR. SPRINGER: The only way I know is that they  
19 have a good, strong contract with binding arbitration that  
20 guarantees that if a Letter of Unsatisfactory Notice, or  
21 whatever happens to them, that they simply grieve it and  
22 use the process and go through that process.

23          CHAIRPERSON KNOX: The way I saw the problem --  
24 and I don't want to belabor this -- is that suppose you  
25 have a probationary teacher, and the probationary teacher

1 makes a number of these reports. Well, they don't not  
2 give a teacher a job based on those reports, because it's  
3 kind of a subjective judgment anyway to say, "Oh, no,  
4 it wasn't those reports. It's that your teaching wasn't  
5 all that we thought it should be or something." And I  
6 don't know. What does a teacher do about that when they  
7 are afraid of that procedure?

8 MR. SPRINGER: Well, what happens is -- and I  
9 can only speak from our viewpoint in Los Angeles. And  
10 you must understand that in Los Angeles we have a contract  
11 with binding arbitration. Most of the school districts  
12 do not.

13 CHAIRPERSON KNOX: For probationary teachers?

14 MR. SPRINGER: For all teachers, from probationary  
15 ones right straight through. They all have the same  
16 grievance procedures.

17 CHAIRPERSON KNOX: In other words, if a  
18 probationary teacher is not granted tenure or not rehired  
19 for the ensuing year, they have the right to ask them  
20 why?

21 MR. SPRINGER: Absolutely.

22 CHAIRPERSON KNOX: And if they say, "Well, we  
23 looked at your teaching, and you just don't seem to have  
24 the grasp of history that we want," or something, what are  
25 you going to do about it?

1 MR. SPRINGER: Under the contract, there is a  
2 hearing. And what happens is that the administrator  
3 must prove why the teacher is incompetent.

4 CHAIRPERSON KNOX: So, in other words, you're  
5 granted tenure.

6 MR. SPRINGER: Now, that's under our contract.  
7 That is not the same in all the school districts.

8 CHAIRPERSON KNOX: So, you grant tenure, so  
9 to speak, when somebody's hired for the first year.

10 MR. SPRINGER: Well, what we feel is --

11 CHAIRPERSON KNOX: For tenure, that's all you  
12 get in the hearing process.

13 MR. SPRINGER: We like due process. That's all  
14 we like.

15 CHAIRPERSON KNOX: I am not arguing with it.  
16 I'm just curious.

17 MR. SPRINGER: I would think that that's one  
18 way. That's one way. There are a couple of other ways.  
19 There are a couple of other ways, but I think that probably  
20 the best way is for the law to be maintained.

21 We found out some years ago that it was, in  
22 fact, a misdemeanor -- I think the law that you talked  
23 about earlier -- for an administrator not to report a  
24 crime. So, all we simply did was we have a weekly  
25 newspaper that we put out for our 30,000 teachers. And

1 we simply said, "Find us one administrator that didn't  
2 do it, and we'll put him in jail for you." And do you  
3 know that miraculously -- and I know that Dick Green is  
4 going to be here from the school district later on to  
5 speak -- and I must say that miraculously, in the last  
6 two or three years, we have seen a tremendous increase  
7 in reportable crime in Los Angeles.

8 CHAIRPERSON KNOX: Uh-huh.

9 MR. SPRINGER: And his security division is  
10 doing a marvelous job. They really are. They are doing  
11 a very topnotch job. But one of the reasons is because  
12 the administrators know that if they don't report, number  
13 one, we are going to do everything we can to get them to  
14 go to jail.

15 CHAIRPERSON KNOX: It's a \$200 fine.

16 MR. SPRINGER: Whatever it is, but we know that  
17 we can make it tough enough on them that they don't want  
18 to pay the \$200 or whatever.

19 CHAIRPERSON KNOX: Yes. Mr. Harris?

20 ASSEMBLYMAN HARRIS: I'd just like to ask. Do  
21 you feel that there is any kind of standard to which we  
22 can hold teachers in terms of their ability to control  
23 the classroom in terms of the discipline within the  
24 classroom? Obviously, as someone has indicated, they do  
25 have some responsibility for the protection of the students

1 within the classroom. And there are teachers who simply  
2 do not have the ability to maintain control, either  
3 because of their own behavior or because they don't really  
4 care or whatever the situation is. Should there be  
5 standards, and, if so, what are they?

6 MR. SPRINGER: Assemblyman Harris, let me deal  
7 with it this way, if I may. It seems to me that the  
8 teachers' unions don't hire teachers. The administrators  
9 hire them. If the administrators can't police their  
10 own administrators, that's their problem.

11 It seems to me my job as a union leader is to  
12 protect the people who pay dues to me.

13 ASSEMBLYMAN HARRIS: I understand.

14 MR. SPRINGER: And it's the administrator's  
15 job to give teachers their three-year probationary  
16 status. And if they can't cut the mustard, it's up to  
17 the administrator to prove why they can't and fire them.  
18 That's the way it is.

19 ASSEMBLYMAN HARRIS: I understand that. But  
20 I was asking more from the standpoint of not what's  
21 punitive but whether or not --

22 MR. SPRINGER: The standard should come from  
23 the administration.

24 ASSEMBLYMAN HARRIS: Okay. I understand that.  
25 But I was just asking from your perspective whether or not

1 there are standards that we ought to be able to apply, or  
2 whether or not, you know, that's not the teacher's  
3 responsibility.

4 MR. HARRIS: I think it most surely is the  
5 teacher's responsibility. And I think in the main the  
6 teachers do a fine job at it. Wherever you don't have a  
7 fine job being done, it seems to me what you should do is  
8 go in and find out why that is.

9 ASSEMBLYMAN HARRIS: All right. That's fine.  
10 That's the answer. Thank you.

11 MR. SPRINGER: Due process, that's my bottom-  
12 line standard. All right. I have a number of specifics  
13 I'd like to get into.

14 One, I think that kids who are disruptive in a  
15 class, what should happen to them is they should be taken  
16 out of the class, out of the school, totally and absolutely  
17 out.

18 You don't throw kids away. I have six of my  
19 own. Some got in trouble; some didn't. It's the throw  
20 of the dice sometimes. It really is. I don't care how  
21 rich you are, how poor you are. Those things happen.  
22 You don't throw them away.

23 What you do is you have special schools with  
24 specially-trained teachers, specially-trained administrators,  
25 specially-trained psychologists. You do everything you

1 can to help those kids. That's what you do, but you have  
2 another little thing in there.

3           What you do is if a kid has assaulted a teacher  
4 or another student or whatever, you give them an  
5 opportunity. They can go to jail, or they can go to the  
6 school. And if they don't go to school and they don't  
7 catch 200 bucks, they go to jail. That's a hardline  
8 piece of business, but I think if it was done, even on  
9 a trial basis in some school districts -- and I volunteer  
10 Los Angeles -- I think that probably you'd see some effect,  
11 because, you see, I happen to know. I taught in a very  
12 difficult school for many years. I am an assault victim  
13 myself. So, I know whereof I speak. It seems to me if  
14 you get those turkeys out of there, those kids who make  
15 trouble, the rest of the teachers and the rest of the kids  
16 can do what they want to do, and that's learn and teach.  
17 That's how I think it should be handled.

18           CHAIRPERSON KNOX: The problem is the financial  
19 commitment you're talking about would make it impossible  
20 to give a full program to the kids who were remaining.

21           MR. SPRINGER: I don't know if that's true or not.  
22 I really don't know.

23           CHAIRPERSON KNOX: I don't know if it is either,  
24 but it's a possibility.

25           MR. SPRINGER: I'd like somebody to look at that.

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24 specially-trained teachers, specially-trained administrators,  
25 specially-trained psychologists. You do everything you

1 All right? I'd like someone to look at that.

2 I think there is another thing. I think that  
3 when a kid is being bounced around from school to school  
4 because the kid has problems, I happen to know that some  
5 of the children that I had, some of the students that I  
6 had in high school as a print shop teacher, they'd come  
7 in, and I wouldn't know that they had assaulted a teacher  
8 at another school. I wouldn't know that they were on  
9 medication, because nobody would tell me, because I  
10 wasn't professional enough to know that.

11 It seems to me that one thing that has to happen  
12 is that if a child is convicted of any crime whatsoever,  
13 is transferred into another school, that every teacher  
14 that child has should know about it. That's not the case  
15 now. That's not the case at all. And unfortunately, too  
16 many times a student will come in that has a violent  
17 problem. The teacher doesn't know this and may react to  
18 that student in a very difficult way and just exacerbate  
19 an already difficult situation.

20 That's basic, but I think it's very, very true.  
21 And it has not now happened. And I don't know if it could  
22 be legislatively taken care of or not.

23 ASSEMBLYMAN BANNAI: Can I ask --

24 CHAIRPERSON KNOX: Mr. Bannai?

25 MR. BANNAI: Maybe staff would know. Isn't

1 there some kind of confidentiality of student records  
2 that would make it prohibitive for that information to  
3 be out?

4 MR. SPRINGER: That's precisely --

5 CHAIRPERSON KNOX: If it's within the school  
6 system, I don't know whether that applies. Well, we might  
7 check into it. We'll ask the staff to check into that.  
8 I don't know whether a kid carries his rap sheet around  
9 with him.

10 MR. SPRINGER: Assemblyman Bannai, let me deal  
11 with is this way; all right? If there is, there shouldn't  
12 be. There shouldn't be, because it seems to me teachers  
13 are professionals. If you would tell a psychologist or  
14 a psychiatrist the problem with a child, why wouldn't you  
15 tell the teacher? The teacher deals with that child,  
16 you know, on a very direct basis. What is that bus word,  
17 interface? They interface with these turkeys.

18 Now, there is another thing. It seems to me  
19 we need mandatory transfer -- excuse me -- mandatory  
20 training of administrators in the laws dealing with  
21 student violence. That's not now being done at all.

22 UTLA, we hold regular conferences every year. And what  
23 we have is we have people like Al Bloch come talk to the  
24 teachers about how they can deal with stress. We have  
25 Workmen's Compensation attorneys, and talk to them about

1 how to protect themselves.

2 Do you know that until we started this eight,  
3 nine years ago that teachers would be assaulted in Los  
4 Angeles and would be taking their own sick days off, because  
5 nobody ever told them about Workmen's Compensation? That's  
6 happening in California school districts, I know it is,  
7 today. That should be mandated. That should be absolutely  
8 mandated that every administrator and every teacher be  
9 given these instructions at all levels. And that's not  
10 being done now, not at all.

11 We have found that right now the Los Angeles  
12 Unified School District last year paid over \$2 million  
13 in Workmen's Compensation claims to teachers, the vast  
14 majority of which went to teachers who were assaulted  
15 and stressful cases. Now, I'll tell you --

16 CHAIRPERSON KNOX: What this Committee is after  
17 is how we prevent the assaults from taking place in the  
18 first place, although we are very sympathetic with the  
19 problem you're relating.

20 MR. SPRINGER: I'm just saying that one way you  
21 do it is you teach people how to handle it, because if you  
22 know how to handle it, perhaps the word will get out.

23 CHAIRPERSON KNOX: Okay.

24 MR. SPRINGER: Because if it's not being handled,  
25 everyone understands it's not being handled, and

1 particularly when the student -- and I'm just going to end  
2 with this one thing. Six years ago when I was assaulted --  
3 I don't know if you know what the juvenile justice system  
4 does to a teacher, but I'll tell you what it did to me.  
5 When you go in there, the three kids that assaulted me  
6 and kicked me unconscious and put me in the hospital,  
7 each had their own attorney. That's good. I believe in  
8 due process.

9       Each of them had me on the stand for about an  
10 hour asking me these questions. And that's good, too,  
11 because we want to get the facts out. But what wasn't good,  
12 as far as I was concerned, is when they were put on the  
13 stand I was made to leave the room. And I was not allowed.  
14 And that's going on today and tomorrow and everyday,  
15 because there is a word called -- the juvenile system is  
16 a non-adversary position or situation. That's what the  
17 justice is. It's non-adversary. It's adversary when they  
18 kicked the hell out of me, but it's not adversary if I  
19 want to prosecute them. And that's a wrong. And I don't  
20 know how to resolve that, but that's a wrong. Thank you  
21 very much.

22       CHAIRPERSON KNOX: Thank you very much,  
23 Mr. Springer, we appreciate that.

24       All right. Now., we will take some time with  
25 the Open Road Program. We are pleased to have with us

1 this morning Mr. David Reiss. Am I pronouncing that  
2 correctly?

3 MR. REISS: You're pronouncing it correctly.

4 CHAIRPERSON KNOX: Consultant to the Open Road  
5 Program, and he has several people who would like to be  
6 heard.

7 MR. REISS: Mr. Chairman and Members of the  
8 Assembly Committee on Criminal Justice, incidentally, the  
9 handouts that you're getting now -- we left a few at the  
10 table, and they were gone in about three or four minutes --  
11 but if anyone in the audience would like copies of the  
12 comments, if they would see me at the end of our  
13 presentation, we would be happy to get their name, address,  
14 telephone number, that kind of thing.

15 Mr. Chairman, we are here to present a slightly  
16 different approach than what I've heard sitting out in the  
17 hall this morning. I wasn't sitting out in the hall  
18 deliberately, it was the only place I could find a seat  
19 with some of the students.

20 What we are going to be talking about is more  
21 along the lines of Assemblyman Harris's comment when he  
22 mentioned the fact that he was interested, concerned, about  
23 prevention, and on a slightly different slant, though. We  
24 heard something about students this morning. We primarily  
25 heard about students in a negative sense of doing something

1 to people. What we are talking about is a program of  
2 involving students, which we think are the greatest single  
3 resource in any school campus, in preventing things from  
4 happening by turning the school around and improving the  
5 climate for learning and living on that particular campus.  
6 We think that's the only way to go over a long-range  
7 period of time.

8 Now, it's not something that's going to happen  
9 overnight. It takes a period of time. However, we have  
10 had success in a variety of schools in which the program  
11 was functioning, including the one in which I was principal  
12 before I retired.

13 I am almost reluctant to say I am a principal,  
14 after hearing some of the comments, a lot of them, about  
15 administrators this morning. I hope you're not left with  
16 the feeling that all administrators, all high school  
17 principals, function the way you've heard.

18 CHAIRPERSON KNOX: This Committee is so  
19 embattled that we don't generalize about anybody.

20 MR. REISS: Great. Great. Let me make my  
21 preliminary comments, because we brought a couple of  
22 students along. We think students should be talking to  
23 you about what they see as some solutions.

24 As I indicated -- you called me by name -- I'm  
25 David Reiss, a retired high school principal. I am

1 currently an associate professor at Cal State Dominguez  
2 Hills, and a consultant to the Open Road/Student  
3 Involvement Project. Just a few general comments, and  
4 then specifics.

5           Campus tensions, violence and vandalism have  
6 been the hallmark of the last ten years. We are not  
7 talking about anything particularly new, but there are all  
8 kinds of statistics, whether you use a federal report,  
9 the Safe School Study, or whether you use the most recent  
10 report that came out in Los Angeles County of the  
11 Superintendent of Schools. And I refer you to this  
12 document which was issued by the County Superintendent.  
13 And it was presented to their board about two weeks ago.

14           The indication, and we've known this all along,  
15 is that, for example, assaults on certificated personnel  
16 increased by 13.5 percent -- this was '78/'79 -- assaults  
17 on pupils by 49 percent, and vandalism by 11 percent.

18           I want to be sure that we stress the fact that  
19 the violent situation isn't limited to "blackboard jungle  
20 schools" of the inner city. Sometimes there is an  
21 inference that only in the inner city do these things  
22 happen. Statistics indicate that they could happen  
23 anywhere. It doesn't make any difference about the size  
24 of the school or the location, whether it's urban, rural,  
25 et cetera. The National Institute of Education and NEA,

1 the National Education Association, have figures to prove  
2 that point.

3           However, the important, critical thing is that  
4 losses due to all this violence and vandalism cannot be  
5 measured in dollars alone. You have enough figures.  
6 When fear stalks a school, one teacher observes, "It kills  
7 morale, professionalism, everything."

8           No one has measured the immediate and long-term  
9 effects on the education of our young people in this  
10 climate. When students and teachers are afraid of assaults  
11 and violence, the students lose, and society loses now  
12 and in the future.

13           We feel that schools fighting fire with fire  
14 only make the problem worse. Ironically, some disciplinary  
15 actions that schools have taken have contributed to the  
16 problem of the disruptive behavior rather than minimizing  
17 the disruptive behavior.

18           Many principals have been looking for different  
19 approaches. And in response to those requests, Open Road/  
20 Student Involvement Project, which is funded by the Office  
21 of Criminal Justice and Planning, came up with the student  
22 involvement process. We make several assumptions:

23           (1) On every campus, in addition to the  
24 traditional leaders, student government, there are  
25 natural leaders or opinion makers who are not involved.

1           (2) That students need to be provided with  
2 training in order to participate meaningfully in the  
3 school's decisionmaking process.

4           (3) That students can work cooperatively with  
5 the adults in the school community to address critical  
6 issues.

7           (4) That the climate for learning improves when  
8 the school is perceived by students as their high school.

9           Basically, what we're talking about there, we  
10 are not suggesting that schools, that students take over  
11 and run the schools.

12           We are suggesting that students be given the  
13 opportunity to provide input into the decisions that affect  
14 them, whether it's curriculum, textbook selection,  
15 principal selection or what have you -- only input, and  
16 that they can only do that if they're trained appropriately.

17           At each school -- and we are into 27 schools  
18 at the present time, including ten high schools in New York  
19 City -- the process is a very simple one. The principal  
20 with a project selects a teacher/sponsor. The teacher/  
21 sponsor, with the help of the administration, counseling  
22 staff, classified staff, security people, selects students  
23 who, in the opinion of the people making their nomination,  
24 are opinion makers on that campus. A leadership training  
25 class is organized in which they are taught skills in

1 conflict management, decisionmaking, problem solving,  
2 parliamentary procedure, what the laws are, et cetera.  
3 They embark on the identification of some critical issues  
4 on that campus and come up with a plan that is sent to the  
5 administration and faculty on how those could be addressed.

6           There has been a formal evaluation of the  
7 project by OCJP. It indicates in those schools that have  
8 adopted the project there have been or have been reported  
9 significant reduction in tension levels, less conflict and  
10 vandalism, and increased pride in the school.

11           My own experience as a principal at Duarte High  
12 School, the last school at which I was a principal, was  
13 it took about two years, two-and-a-half years, before  
14 students really grasped the concept, really understood that  
15 what we were saying was for real, and that this was their  
16 school as well as ours, and that by only by working  
17 together could we reduce the kinds of problems that were  
18 disrupting that particular school. And I would say that  
19 in two-and-a-half years we turned that school around.

20           There have been other schools who have done the  
21 same thing. It works. Some of the accomplishments to date  
22 have been the organization of a rumor control, because we  
23 find on most campuses where there is a fight between two  
24 groups, rumors spread all over the campus about who started  
25 it, what was done, the administration suspended one kid and

1 didn't suspend the other kid, that a rumor control run  
2 by the students, getting the word out to the other students  
3 that this is actually what happened and this is what the  
4 action was that was taken, is very, very effective. It's  
5 worked, again, in a variety of schools.

6           The establishment of a neighborhood watch  
7 using the people who live around the periphery of the  
8 school to report any suspicious-looking acts in the  
9 evening that might lead to vandalism. Student code of  
10 behavior, we find that only when students are involved  
11 in drawing up the rules by which they are supposed to  
12 live do they really live by them without attempting to  
13 come up with ways of beating the rules. Initiation of a  
14 peer counseling program, and I can go on and on.

15           Let me close with just a few comments. This  
16 is a cost-effective program. It uses students; doesn't  
17 cost much. It costs one period of a teacher's time which,  
18 typically, is about \$3,000, to teach a leadership  
19 training class.

20           I mentioned they're our single greatest  
21 resource. Incidentally, my own feeling as a principal,  
22 while you can take exception to that, that in a high  
23 school -- I'm thinking of one of the high schools we're  
24 working with in New York City of 5,000 -- if those kids  
25 really want to take that campus over, I don't think

1 anybody could stop them for a period of time.

2           This is not, again, as I indicated, a project  
3 that proposes that students run the school, only that they  
4 be provided with a channel for input. We are not proposing  
5 that the use of security personnel be discontinued on  
6 many campuses. We don't think that it's the student's  
7 job to get involved in dealing with disruptive behavior.  
8 We do think when the plan is established, given sufficient  
9 time, once that pride and that good feeling about themselves  
10 and the school occurs, then tensions, violence and  
11 vandalism will be reduced.

12           Last, but not least, this is not a new concept.  
13 Student involvement has been kicking around for 50, 60  
14 years. Despite the viability of the process, it still  
15 has faced many obstacles and basically or usually because  
16 of the feeling of adults, or what I call the "tight ship  
17 syndrome," students should be seen but not heard. And I  
18 am basically talking here about the high school level.

19           Thank you for the opportunity to address you.  
20 I will be happy to answer questions. I notice Mr. Bannai  
21 is here. We are working with Gardena High School. We  
22 have been in Gardena High School for three years.

23           If you have no questions, I'd like to turn the  
24 meeting over to Victor Moore, the teacher/sponsor of  
25 Compton High School. Victor?

1 CHAIRPERSON KNOX: All right.

2 MR. MOORE: Thank you, Dr. Reiss. Good morning,  
3 Mr. Chairman and Members of the Committee. I was chosen  
4 as the teacher/sponsor for Compton High School. I was a  
5 teacher at Compton High School myself, and I became very  
6 upset when I came back after my undergraduate work at  
7 Arizona. Time at Arizona changed me, and hopefully for  
8 the better, but I was disillusioned, and came back and,  
9 believe me, was quite amazed.

10 CHAIRPERSON KNOX: Mr. Moore, do you want to  
11 move that mike up a little bit there?

12 MR. MOORE: No problem. Okay. I have with  
13 me two students that are known as your natural leaders.  
14 And I believe they can give you a better perception or  
15 view of Compton High School than I can, since they are  
16 students there. So, at this time, I would like to  
17 introduce to you one of our students at Compton High School.

18 CHAIRPERSON KNOX: Why don't you bring them  
19 both up at the same time? They can just sit in the front  
20 row. Go ahead.

21 MR. MOORE: Yes. Okay. Donna Neal will be the  
22 first speaker and will be followed, also, by Donald  
23 Batiste. On the agenda, they say Victor Carter, but it's  
24 Donald Batiste.

25 CHAIRPERSON KNOX: All right. Thank you.

1 Miss Neal?

2 MS. NEAL: Thank you, Mr. Moore. Good morning  
3 Assemblyman Knox and Members of the Committee. My name is  
4 Donna Neal, and I am 17 years of age and a 12th grader at  
5 Compton High School. I've lived in Compton for 15 years  
6 and have received most of my education within the Compton  
7 Unified School District.

8 Compton High School, better known as "Blue-City"  
9 or "The Big C," is located at 601 South Acacia Street,  
10 Compton, California, being two blocks south of Compton  
11 Boulevard and two blocks north of Alondra Boulevard. It  
12 stands on 52 acres of land and has a predominantly black  
13 student body of about 2,700 students and a faculty of  
14 90 plus.

15 Compton High School, founded originally in 1896,  
16 opened up first as Compton Junior College. In 1952, its  
17 student body began to grow, and it was then made Compton High  
18 School. Since the Compton Junior College student body  
19 was called the Tartars, we then received our name and  
20 mascot, the Tarbabes, because we are the baby Tartars.

21 Compton Junior College later moved to its new  
22 address, which is 1111 East Artesia Boulevard, Compton,  
23 California. Compton High School stands out in many things,  
24 but particularly sports.

25 At Compton High School, in the past four years,

1 we have had four different principals. In the years of  
2 1973 through 1974 on up to 1978, gang violence was sky-high  
3 and is steadily increasing. Gambling is very prevalent  
4 on our school campus. Students hanging out of class,  
5 drugs being sold, and marijuana being smoked, and other  
6 suspendable acts are going on. Seeing this, that is when  
7 I decided to get involved in the Student Involvement  
8 Program.

9 I am presently involved in such organizations  
10 on campus as the Leadership Training Class, instructed by  
11 Mr. Victor Moore, which consists of students who are  
12 recognized by members of the faculty as being "natural  
13 leaders" -- natural leaders being defined as any person  
14 who has influence over a group of people.

15 A natural leader is not necessarily your student  
16 body officers who are normally selected on popularity,  
17 football players, your homecoming queen, or even your  
18 Mr. and Mrs. Bestdressed, but could very well be a gang  
19 leader, the dice shooter, the marijuana smoker, or even  
20 the student being continuously truant.

21 In the Leadership Training Class, we are being  
22 trained to become effective leaders. We are taught  
23 skills such as problem solving, decisionmaking, laws  
24 that affect the students and learning how to conduct a  
25 survey.

1 I am also a member of the Concerned Students  
2 Organization, which is supervised by Mr. Victor Moore,  
3 but run by the students. It gives all students a chance  
4 to voice their opinion on any grievances they might have  
5 regarding our school or community. And we are not only  
6 seen and heard, we are recognized and are able to help  
7 solve some problems and grievances that may arise. And  
8 more so, we work positively within the system.

9 In this organization, Concerned Students  
10 Organization, we are working on projects such as having  
11 an open campus for lunch, evaluation of teachers and staff,  
12 getting a better football stadium, having more interesting  
13 classes, having more parent support, and et cetera.

14 Violence in The Websters Collegiate Dictionary  
15 is to defined as being "strength or energy actively  
16 displayed or exerted in a destructible action or by force."

17 In my opinion, the word itself can be broken  
18 down into smaller terms and forms which still have the  
19 same definition. Some of these smaller terms and forms  
20 are a few which circulate among school campuses around  
21 the world. Some examples are fights, assault, fury and  
22 outrage, which all amount to equal violence.

23 Violence can and does occur on school campuses  
24 for many different reasons. But, if I were taking a  
25 survey, I would say at least 70 percent of the violence

1 on school campuses now are drug-related incidents,  
2 regardless to if it's drug sales, drug thefts, or more  
3 so now drug confiscation.

4 There are also other reasons to why there is  
5 violence on school campuses. There is the he-say-she-say  
6 theory, which I recall the "vice versa conflict." Then,  
7 too, there is just the typical bully who goes around  
8 taking things from the underdog.

9 Violence can be prevented in many different  
10 ways. I was always told, "If you get to the root of the  
11 problem, then it can be solved." There is no need,  
12 because you didn't wake up on the right side of the bed,  
13 to bring it to school, or you stayed out and partied  
14 all night and have a hangover, and you come to school and  
15 take it out on the teacher, or you might ditch class and  
16 it's discovered by the security agent and you assault him  
17 because you don't want to be taken to the office. Or,  
18 also, the teacher is not supposed to come to class and  
19 call you all kinds of names like, for example, imbecile,  
20 stupid, or dummy, because she doesn't feel like explaining  
21 something individually to you because she has to substitute  
22 on her free period without pay. All these incidents lead  
23 up to violent acts committed by students and faculty.

24 I feel as if we, the students, had better learning  
25 facilities, more activities, more support from our

1 parents, and, more so, had the right to voice our opinions  
2 and have them not only heard but something done about  
3 them, and if every school had a student involvement  
4 program, that student violence and vandalism would not  
5 only decrease on school campuses, but students would be  
6 more interested in getting the education that they need  
7 to reach their ultimate goals in life.

8 I would like to thank you for allowing me to  
9 speak to you and inviting me to speak on violence and  
10 vandalism on school campuses. More so, I would like to  
11 thank you for letting me speak my opinion and my thoughts.  
12 And next, I would like to bring to you one of our fellow  
13 classmates, Mr. Donald Batiste. Thank you.

14 CHAIRPERSON KNOX: Okay. Why don't you sit  
15 in the front row there, Miss Neal, in case there are some  
16 questions when your colleague, Mr. Batiste, gets through?

17 MR. BATISTE: I'd like to thank Donna for  
18 introducing me. Mr. Chairman and Board Members, good  
19 morning to each and every one of you. It's a pleasure  
20 for me to be here today to talk with you.

21 My name is Donald Batiste, and I am a student  
22 at Compton Senior High School. I am in the twelfth grade,  
23 and I am President of the Concerned Students Organization,  
24 which is a major facet of student involvement. It gives  
25 the students on campus a chance to list and try to solve

1 major issues on campus.

2 I was asked to speak to you on violence on  
3 school campuses. From the survey which the Leadership  
4 Training Class conducted, the major issue on violence is  
5 drug oriented. The student who gets "high" on campus  
6 becomes unaware of his actions, which usually results in  
7 some type of violence. It may be a fight with some other  
8 student, or even with a teacher. It may also be destroying  
9 the school property.

10 The number one drug was the use of marijuana,  
11 which can be bought as easy as buying a piece of candy.  
12 Angel dust is also a popular drug being used now by  
13 students.

14 Gangs are prevalent on our campus. There  
15 seems to be more gangs on campus than there are clubs.  
16 This could be the reason why many students join gangs.  
17 Everyone likes to feel that they are part of something,  
18 to feel a sense of identity, to want to feel needed. So,  
19 they join a gang. Perhaps, if there were more clubs on  
20 campuses that students could relate to, then there might  
21 be less gangs on campus.

22 As far as the drug scene is concerned, there  
23 should be more -- the laws should be stricter for the  
24 pushers of these drugs. There should also be a stricter  
25 law for the user, especially the students who bring it on

1 campus for use and sale.

2 One of the issues the students at Compton will  
3 attack is to get more clubs on campus that will give each  
4 student a chance to join and find him or herself. The  
5 drug problem is not only the students' problem, but  
6 every concerned person's problem.

7 I would like to thank you for allowing us,  
8 again, this opportunity to speak to you and hope that we  
9 have been of help.

10 CHAIRPERSON KNOX: Miss Neal, why don't you  
11 stand up there next to him, and then we can ask you. I  
12 just had a couple questions.

13 What's the violence situation at Compton now?  
14 Does either one of you want to comment on that?

15 MR. BATISTE: Well, really, it's the gang  
16 violence which most of the time they come to school high.

17 CHAIRPERSON KNOX: Oh, I see. You both said  
18 that it's drug involvement that really is your basic  
19 problem now. It's not just disturbed kids or people that  
20 have criminal tendencies or something. It's all, virtually  
21 all, drug-related; is that what you're saying to us?

22 MR. BATISTE: Most of the time it is.

23 CHAIRPERSON KNOX: Do you agree with that,  
24 Miss Neal?

25 MS. NEAL: Yes, I do.

1           CHAIRPERSON KNOX: Well, is anything being done  
2 about the drug situation? Is your organization, Student  
3 Involvement, able to do anything about it?

4           MR. BATISTE: Well, the drug problem, the  
5 students really can't handle that. That really has to  
6 come from the law.

7           CHAIRPERSON KNOX: Uh-huh.

8           MR. BATISTE: We only can do so much, involving  
9 pointing out the person who's causing the trouble. But  
10 we done our job after that.

11          CHAIRPERSON KNOX: And do you do that?

12          MR. BATISTE: Yes, we do, if we are asked to.

13          CHAIRPERSON KNOX: If somebody asks you to see  
14 if they can help you find where the source of some drugs  
15 are, you folks try to help out; is that right?

16          MR. BATISTE: Yes, we do our best.

17          CHAIRPERSON KNOX: Now, is there any drug  
18 enforcement? Is there any drug enforcement at all on the  
19 campus? You said it's as easy to buy as candybars or  
20 something.

21          MS. NEAL We have security agents, but it's --  
22 what can I say? Nobody wants to be caught.

23          CHAIRPERSON KNOX: Well, I understand that it's  
24 probably tough to catch them, but do you think enough  
25 effort is being made to catch them?

1 MS. NEAL: No, I don't believe an effort is  
2 being made to catch them.

3 CHAIRPERSON KNOX: Okay. Any questions?  
4 Mr. Bannai.

5 ASSEMBLYMAN BANNAI: Let me follow along with  
6 that, since you said, you know, a lot of the violence  
7 and things that relate on your campus are drug-related,  
8 which may not be all schools, but in your particular area  
9 you say 70 percent or more.

10 MS. NEAL: That's my opinion.

11 ASSEMBLYMAN BANNAI: Yes. And I'd just follow  
12 up on what was said there and the question asked. Have  
13 you ever heard of a program called the We Tip Program?  
14 We had a big rally Saturday. But it's relative. And I  
15 don't know whether you want to "rat" on your fellow  
16 students, but we feel that part of the problem comes from  
17 the supplier of drugs, in other words, if we can get to  
18 the supplier -- and as a result, there is a reward for  
19 reporting people or sources of drugs in that program.

20 Does your group, or whatever you belong to,  
21 ever think in terms of trying to determine and reporting  
22 the source of drugs to the proper authorities? Is there  
23 any -- is that part of your program, or its just  
24 involvement in school?

25 CHAIRPERSON KNOX: Well, he said that if they

1 were asked to and if they know the answer, they'll talk  
2 about it.

3 ASSEMBLYMAN BANNAI: They would.

4 CHAIRPERSON KNOX: You would tell them.

5 MR. BATISTE: Yes, we would. But, now, we try  
6 to have a little program in school for, in the health  
7 class, to talk about drug-related problems and see if  
8 that would help. But they say we don't have enough money  
9 to do anything. So, we try to find out the best way  
10 possible.

11 CHAIRPERSON KNOX: Uh-huh. You mean teaching?  
12 Pardon me, Mr. Bannai. You go ahead and finish.

13 ASSEMBLYMAN BANNAI: Yeah. Well, even in regard  
14 to that, you know, the money will be sent. In other  
15 words, whoever reports it, the name is never given. You're  
16 just given a number on the telephone. Those funds could  
17 be used in order to help in that program. And if you're  
18 interested, I'd be very happy to give it to you. There  
19 are many communities using it.

20 MR. BATISTE: Yes, we would be.

21 CHAIRPERSON KNOX: Any further questions?  
22 Ms. Bergeson?

23 ASSEMBLYMAN BERGESON: Yes. I wondered,  
24 recently we have been seeing on the television and so  
25 forth so-called undercover agents or "narcs," I guess,

1 as they call them on campus. How do you students feel  
2 about that kind of means as far as trying to uncover  
3 some of the drug traffic?

4 MS. NEAL: I feel that it's a good means. The  
5 only thing is that like I said, drug confiscation, more  
6 so now, is the big problem usually that leads up to a lot  
7 of things on campus. That's why a lot of times the  
8 security guards are assaulted and what have you, because  
9 they don't want to be taken in.

10 ASSEMBLYMAN BANNAI: Let me ask another question.

11 CHAIRPERSON KNOX: You'll have to wait until  
12 Ms. Bergeson gets through.

13 ASSEMBLYMAN BANNAI: Okay.

14 MS. BERGESON: Also, is there a problem with  
15 weapons on campus being brought in in a concealed fashion?  
16 And is there any method to detect those prior to them  
17 being used, say, in an assaultive way?

18 MR. BATISTE: Well, this year we haven't heard  
19 of any weapons being brought on campus, because, you know,  
20 we have a closed campus now. And if any violence is  
21 taking place, no one can get on and no one can get off,  
22 and that whoever is in charge feels that the person who  
23 would be involved, they would be searched and whatever.  
24 And so, I guess they don't bring weapons to school.

25 ASSEMBLYWOMAN BERGESON: Well, you're saying,

1 then, that the closed campus actually has improved the  
2 situation as far as weapons, at least?

3 MR. BATISTE: Yes, it has, as far as weapons.  
4 But some students feel like they are in prison with a  
5 closed campus, and they start trouble as that.

6 CHAIRPERSON KNOX: It works both ways.  
7 Mr. Harris?

8 ASSEMBLYMAN HARRIS: Well, I'd just like to ask.  
9 You've heard some of the testimony this morning, both  
10 from teachers and administrators. And I was wondering  
11 whether or not you had any particular recommendations  
12 or ideas about what kind of punitive measures, whether  
13 they be suspensions or increases in criminal penalties,  
14 that might be exacted. What's appropriate? What do you  
15 think would work in terms of discouraging acts of  
16 violence, both to protect the teachers and the students?  
17 What should we be doing?

18 MR. BATISTE: Well, I think the ones who would  
19 commit these things should be dismissed from school  
20 entirely.

21 ASSEMBLYMAN HARRIS: Okay. You think that's  
22 the most appropriate?

23 MR. BATISTE: Yes, I do, because other students  
24 walking around campus wondering are they going to get  
25 beat up with the persons who are high, because they don't

1 know, most of the time, what they're doing.

2 ASSEMBLYMAN HARRIS: Should it be after the  
3 first offense, or do you think it ought to be a succession  
4 of --

5 MR. BATISTE: After the first offense. They  
6 should have another school or put them in public -- I  
7 mean private school, because then the parents would take  
8 more action when they have to pay money out of their  
9 pocket to get their sons and daughters an education.

10 ASSEMBLYMAN HARRIS: Should they be allowed  
11 back in, or should they be gone once and for all?

12 MR. BATISTE: Once and for all.

13 ASSEMBLYMAN HARRIS: Boy, you're rough.

14 (General laughter.)

15 CHAIRPERSON KNOX: All right. Do you have a  
16 final question, Mr. Bannai?

17 ASSEMBLYMAN BANNAI: Yes. Since we're talking  
18 about the drug problem and students know just as well as  
19 probably anybody else, when the State Legislature passed  
20 a law saying that you could have in your possession, you  
21 know, the marijuana, do you think that might have  
22 accelerated or gotten more students into the marijuana  
23 bit, or do you think it had anything to do with that?

24 ASSEMBLYMAN HARRIS: Sounds like a leading  
25 question.

1 ASSEMBLYMAN BANNAI: It is.

2 (General laughter.)

3 MS. NEAL: I don't think it had any.

4 ASSEMBLYMAN BANNAI: It didn't. There was just  
5 as much marijuana used then as now?

6 MR. BATISTE: Yes, there was.

7 ASSEMBLYMAN BANNAI: There was. Another question,  
8 then, relative to that. Do you think -- you said PCP.  
9 Do you think that the use of PCP relates to people who  
10 start with the use of marijuana?

11 MR. BATISTE: Yes, it does.

12 ASSEMBLYMAN BANNAI: It does, in your opinion?

13 MR. BATISTE: Most of the time, yes.

14 ASSEMBLYMAN HARRIS: May I?

15 CHAIRPERSON KNOX: All right, Mr. Harris.

16 ASSEMBLYMAN HARRIS: I don't have another  
17 question, but I certainly think, and I would think that  
18 most of the members of the Committee would concur, that  
19 your testimony has not only been profound but also very  
20 articulate. And I really appreciate it.

21 CHAIRPERSON KNOX: Very excellent. Thank you  
22 very much.

23 All right. Now, ladies and gentlemen, we are  
24 going to recess for lunch at this time and return promptly  
25 at 1:30. I apologize for taking so long for lunch, but

1 many years of experience have shown me that logistics  
2 simply require that, wanting to feed a group as large as  
3 ours. So, we will be back here at 1:30 and conclude the  
4 rest of the testimony in a couple of hours.

5 (Thereupon the noon recess was taken  
6 at 12:10 p.m.)  
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AFTERNOON SESSION

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2  
3 CHAIRPERSON KNOX: We are resumed with our  
4 meeting. I apologize for our being 12 minutes late. We  
5 made every effort to get everyone fed in that time. It  
6 just didn't work out. But, it is a very pleasant  
7 experience to be in Newport Beach.

8 This afternoon, we have a number of witnesses.  
9 The hearing will stop in two hours, regardless. So, I  
10 hope that we'll get everybody in. I think we should be  
11 able to very easily.

12 We next have Mr. Thomas Halatyn; is that correct,  
13 Mr. Halatyn?

14 MR. HALATYN: Yes, it is, sir.

15 CHAIRPERSON KNOX: Director of the Criminal  
16 Justice and Social Science Area Center for Planning and  
17 Research, Incorporated.

18 MR. HALATYN: That's correct.

19 CHAIRPERSON KNOX: All right, sir. Glad to have  
20 you here.

21 MR. HALATYN: Thank you, sir. Ladies and  
22 Gentlemen, I had somewhat of a prepared speech. I say  
23 "somewhat," but I would like to digress --

24 CHAIRPERSON KNOX: All right.

25 MR. HALATYN: -- slightly and address a couple

1 concerns and issues that I heard mentioned this morning.  
2 One, and I must speak pretty much as a researcher, or a  
3 researcher, let's say, with a certain amount of technical  
4 assistance background, and when I say, "technical  
5 assistance," that means an orientation in which, first,  
6 you assume an understanding, presumably an empirical  
7 understanding, of a problem.

8 CHAIRPERSON KNOX: Maybe, Mr. Halatyn, it would  
9 help us to understand where you're from if you told us  
10 what Planning and Research, Inc., is. I know I should  
11 probably know, but I don't.

12 MR. HALATYN: Well, it's not totally uncommon  
13 to find a lot of private research and planning groups.  
14 And when I say "private," primarily funded from state  
15 and federal --

16 CHAIRPERSON KNOX: Uh-huh.

17 MR. HALATYN: -- public monies, but with some  
18 amount of funds coming from the private sector to do  
19 specific technical assistance.

20 CHAIRPERSON KNOX: Where is it based?

21 MR. HALATYN: In Palo Alto with satellite  
22 offices in Sacramento and Washington D.C.

23 CHAIRPERSON KNOX: I see. All right.

24 MR. HALATYN: This morning, there was mentioned  
25 one issue which is of great interest to me, and as a

1 researcher I could probably be helpful in this regard.  
2 There was a lot of discussion on reporting of crime, how  
3 you get an accurate picture of crime. Now, it's well  
4 known, generally, that crime statistics, that is arrest  
5 statistics, offense statistics, et cetera, are not good  
6 indicators of the actual volume of crime, because they  
7 tend to underestimate the amount of actual crime because  
8 some people aren't reporting, et cetera.

9 As a result, in recent years, there has been  
10 development of two alternate sources of measuring crime.  
11 One is the self-reported method, and the other is called  
12 the victimization survey. Both of these forms rely upon  
13 anonymity, that is confidentiality of persons. And  
14 because of that, most people, social scientists, believe  
15 it provides a much better indicator of the actual volume  
16 of crime than arrest statistics do.

17 I would suggest that variations on this kind  
18 of theme could be adapted to district and school level  
19 sources where you could have reporting systems set up  
20 where this anonymity and confidentiality was an integral  
21 part. Thus, you'd be countering, to some extent, the  
22 problem of fear of reprisal, et cetera, commonly associated  
23 with this. Again, I won't belabor you with the details  
24 of it, except to note, again, social scientists have  
25 worked these forms of reporting out in fairly good detail.

1           Secondly, there was mention this morning of  
2 looking, and I've heard this term quite a few times  
3 recently, regarding the root causes. A noble goal, but  
4 I must speak, after eight years of research experience,  
5 that not only may the search be elusive but it may simply  
6 not be worth the effort. The unfortunate reality of  
7 research is that concluding or determining root causes  
8 of anything may simply be impossible. And I say that  
9 with a certain amount of pessimism, but a pessimism that  
10 probably could be justified.

11           As a result, we have the not very desirable  
12 alternative of bandaid approaches to solving problems  
13 which generally interpret to mean a number of, shall we  
14 say, symptomatic responses to a problem. Given that  
15 unfortunate reality, but given the fact that something  
16 generally should be done, it still seems to me that the  
17 pursuit and establishment of these bandaid approaches,  
18 per se, have to be continued.

19           Thirdly, following from what I mentioned  
20 initially, that is regarding the reporting problem, I've  
21 generally felt that better knowledge of everything is  
22 always desirable. And to me, it always seems to be the  
23 unfortunate reality that not only are we not researchers,  
24 but generally we don't proceed in our problem-solving  
25 ways in ways that first allow us to understand the problem

1 in as much detail as we probably could. And as I continue  
2 with my prepared testimony, I'll give you some examples  
3 of exactly what that means.

4 First of all, I'd like to respond briefly to  
5 the agenda title, where we are talking about responsiveness  
6 of the criminal justice system. In reality, I think we  
7 have a discussion of two systems. One is the school  
8 system. One is the criminal justice system. The reason  
9 that that distinction is required is that one system is  
10 to enforce law, and the other is to educate our children  
11 and the community in general.

12 So, we have cross purposes. So, what this  
13 filters down to, in effect, is how can the criminal  
14 justice system affect or assist the public educational  
15 system without violating the mandates of the latter? And  
16 in more specific terms, that means we don't want to  
17 transform schools into armed camps, et cetera, with a lot  
18 of law enforcement officers, et cetera, on those school  
19 grounds.

20 But, there is a middle road that I would  
21 advocate, and I can propose be followed in some amount of  
22 detail that involves better communication, naturally,  
23 between law enforcement and school administrators and  
24 educators in general. This is an area which is notoriously  
25 lacking. In fact, a number of studies in this country

1 looking at school crime have frequently noted the lack of  
2 communication between law enforcement agencies and the  
3 school districts or specific schools.

4 If we are to question what the nature of that  
5 relationship should be, we have to first look at what  
6 are the primary goals of the criminal justice system.

7 The most common is, of course, the adjudication  
8 process from point of investigation, apprehension,  
9 et cetera. But also, and oftentimes an overlooked goal  
10 of law enforcement, is deterrents, to deter crime, which  
11 means, essentially, to prevent it, either by making police  
12 visible, et cetera.

13 So, by looking at both of those aspects of  
14 problem solving, or let's say dealing with school crime --  
15 that is apprehending those guilty of crime, but secondly  
16 deterring crime -- that a number of things begin to emerge.  
17 First of all, educators are not, by nature, crime fighters,  
18 naturally. So, what they could use is maybe a little  
19 more knowledge of what the nature and context and  
20 characteristics of crime problems are.

21 Secondly, as I mentioned, there is a problem  
22 of putting police on school grounds, which is generally  
23 untenable, but, again, there are mutually beneficial ways  
24 in which both groups can learn from each other. And  
25 thirdly, the reality is, of course, that schools must

1 respond to the possibility of actual violence in the best  
2 way being done.

3 So, the question is: What can we do? What I  
4 would propose, and I've proposed this previously with  
5 Senator Roberti on some of his legislation, is a planning  
6 process. I am more interested in establishing a procedure  
7 whereby specific responses to crime problems can be  
8 tailored to the actual nature of the problem in each area.  
9 To do this, we always need information -- always, got to  
10 have it, got to have information to make an adequate  
11 response.

12 But, in the process of this planning response,  
13 I would discuss -- and potentially I don't know about the  
14 feasibility of some of these ideas as legislation -- but  
15 I would propose that we have some kind of structured  
16 meetings between law enforcement agencies and educators,  
17 that is administrators of schools, to establish a number  
18 of things. They are both general and specific things  
19 that educators can learn from law enforcement that to  
20 this time have not been well relayed.

21 Number one, I think we'd like, during the course  
22 of this hypothetical session, to see some kind of planning  
23 orientation between schools and the community at large,  
24 that is it's long been contested or long been debated  
25 whether schools are a causative factor in school crime,

1 or school crime in general just is a reflection of the  
2 society ills at large.

3 Most arguments, in part, may be correct. But,  
4 generally, the response to that kind of dilemma or  
5 problem would be something like we'd have to have a  
6 common basis of information, that is schools would have  
7 to be collecting information that's similar in scope  
8 and context.

9 CHAIRPERSON KNOX: What kind of information?

10 MR. HALATYN: Oh --

11 CHAIRPERSON KNOX: You're very general about it,  
12 and I think, you know, to keep us going, you've got to  
13 have -- you want to know how many attacks there were;  
14 what the character of them was?

15 MR. HALATYN: Yes.

16 CHAIRPERSON KNOX: What teachers were involved?  
17 The things we were talking about this morning?

18 MR. HALATYN: Right. I have --

19 CHAIRPERSON KNOX: Okay. You've got all that.  
20 Now, you're saying we've got to plan something with that  
21 information; is that it?

22 MR. HALATYN: Right.

23 CHAIRPERSON KNOX: Okay. Now, what are we  
24 planning?

25 MR. HALATYN: Well, okay. Let me give you some

1 examples.

2 CHAIRPERSON KNOX: All right.

3 MR. HALATYN: Number one, let's say, based on  
4 the information, that we identify or find out that a lot  
5 of the perpetrators of school violence on campus are not  
6 in school at that time. Right?

7 CHAIRPERSON KNOX: All right. We've got that  
8 already. We've got overwhelming information of that, or  
9 we already got that.

10 MR. HALATYN: Well, I disagree with you there.

11 CHAIRPERSON KNOX: Okay. We will record your  
12 disagreement. What's next?

13 MR. HALATYN: Okay. Assuming that was the case,  
14 what you'd -- obviously, what doesn't make sense is having  
15 an in-school prevention program.

16 CHAIRPERSON KNOX: Uh-huh.

17 MR. HALATYN: What good does it do to deal with  
18 people in the school when the problem is generally that of  
19 outsiders? So, a logical response, then, would be probably  
20 more security. Again, all I'm trying to highlight is the  
21 fact that good information, better information, dictates  
22 the appropriate response.

23 CHAIRPERSON KNOX: Uh-huh.

24 MR. HALATYN: Okay. That's one example.

25 Secondly, you could, based on additional knowledge, begin

1 tying pieces of information together such as, let's say,  
2 assume that people in school are those that have had  
3 educational problems, et cetera.

4 Thirdly, there are implications of understanding  
5 crime rates, that is the ebb and flow from school to  
6 community and from community to school, et cetera. Now,  
7 that kind of information could be tied together, if schools  
8 undertook the collection of the same kind of data that  
9 law enforcement officials are already doing. And thus,  
10 over time, they could begin to get inferences of whether  
11 crime is overlapping from school to community or from  
12 community to school, et cetera, et cetera.

13 Again, the reason for that is particularly  
14 important, because right now the whole area is rife with  
15 controversy as to whose responsibility crime fighting  
16 should be, based upon some kind of vague assumption about  
17 who is at fault. What I'm saying here is understanding  
18 the relationship between those problems in community and  
19 school in detail would, again, be a much better basis for  
20 determining responsibility for crime fighting in the  
21 community.

22 Other areas of information needs that I think  
23 would be helpful -- and this is primarily more on an  
24 incident basis rather than a planning basis -- but I think  
25 it would be a good idea to educate teachers, not

1 necessarily in karate use, et cetera, that has been  
2 advocated on other bills, but also give them some  
3 knowledge of how to defuse potential violent confrontations.  
4 It's almost always the characteristics of violent  
5 encounters oftentimes -- for example, what is recorded as  
6 aggravated assault was proceeded by a number of incidents,  
7 that is what social scientists call escalation towards  
8 violence. And in a lot of those instances, there are  
9 times to intervene, and without necessarily danger to the  
10 individual involved. But, again, fear of those kinds of  
11 situations deter anyone, school people, et cetera, from  
12 intervening.

13 Now, police are currently developing what we  
14 call strategies for diffusing domestic squabbles, et cetera,  
15 where they intervene and attempt to essentially calm  
16 people down. It's this kind of training, too, that could  
17 be of some benefit, first in reducing the fear on the  
18 part of school people, but secondly, make them a more  
19 effective intervening agent.

20 Thirdly, or fourthly, whatever --

21 CHAIRPERSON KNOX: No, it's seventhly.

22 MR. HALATYN: Yeah. I think it is.

23 CHAIRPERSON KNOX: Let's kind of conclude it,  
24 if we can, Mr. Halatyn, because we have a lot of people  
25 to be heard from this afternoon.

1 MR. HALATYN: Okay. Well, actually, I think  
2 that was seventhly and lastly.

3 CHAIRPERSON KNOX: All right.

4 MR. HALATYN: I will just leave it there.

5 CHAIRPERSON KNOX: We appreciate your being  
6 here very much. Thank you very much for coming.

7 Mrs. June Sherwood of the Crime Prevention Unit  
8 of the California Attorney General's Office. Law  
9 enforcement has been worked over a little bit this  
10 morning, Mrs. Sherwood, and perhaps, in a few minutes,  
11 you can answer all the concerns that we have.

12 MS. SHERWOOD: Thank you. I will try to,  
13 Mr. Chairman, and ladies and gentlemen of the Committee.  
14 The Attorney General's Office is very pleased and the  
15 Crime Prevention Unit, to have this opportunity to address  
16 your body. I have my remarks on record, but some of them  
17 are going to be a variation, and I had prepared some  
18 recent, very recent, data on incidents, but in view of  
19 your concerns I'm not going to -- I'll skip over that  
20 part, except that there is one dramatic figure that I'd  
21 just like to call to your attention.

22 CHAIRPERSON KNOX: Uh-huh.

23 MS. SHERWOOD: In our data here for the four-  
24 year period 1975 through 1979 in the Fresno City Unified  
25 School District, the possession of weapons increased

1 1,263 percent over that four-year period. That struck  
2 me as something else, as they say.

3 CHAIRPERSON KNOX: Well, it wouldn't be too  
4 shocking if they only had three people with weapons prior  
5 to that time, because that would make --

6 MS. SHERWOOD: It went from, let me see, I  
7 think it was --

8 CHAIRPERSON KNOX: That's all right. I  
9 understand.

10 MS. SHERWOOD: -- from 19 weapons to 289 over  
11 the four-year period. Anyhow, since our unit, Members  
12 of the Committee, works on a regular basis with local  
13 schools and law enforcement providing technical assistance,  
14 training, and crime prevention programs involving students,  
15 parents, teachers, administrators at the school site, we  
16 are convinced of the necessity and effectiveness of  
17 interagency cooperation in crime prevention efforts. This  
18 is an absolute essential. And this is especially true  
19 of the control and prevention of school crime and violence.  
20 And the first essential, we believe, is regular  
21 communication and cooperation between the local school  
22 and justice system personnel.

23 Based on our experience, I addressed certain  
24 questions to several principals who have had extensive  
25 experience with gangs -- and exceptionally successful

1 experience, may I saw -- in administering schools with  
2 gangs and other violence and crime-producing factors in  
3 and around their campuses. And I will attempt, briefly,  
4 to summarize this considerable input beginning with the  
5 response of the justice system to the school's needs  
6 relative to the problem.

7 With respect to local law enforcement, they all  
8 consistently reported close, regular cooperation, and that  
9 their law enforcement partners were very willing partners.

10 Some noted that such cooperation was not always  
11 sought, nor received in the past, and is probably far  
12 from true universally as has been indicated by others;  
13 but that the excellent cooperation they received from  
14 sheriff and police agencies was essential to success;  
15 that schools must not consider themselves islands; that  
16 all offenses should be reported routinely to the police;  
17 that police would be called for all serious incidents;  
18 and that regular, positive, non-threatening police  
19 presence on campus to rap with the young people, eat lunch  
20 with them, teach courses, and provide counseling, was  
21 very beneficial.

22 Each gave examples of how such regular  
23 communication between school and police provided  
24 intelligence that allowed prevention of major potential  
25 incidents, apprehension of suspects, reduction of truancy,

1 and consequent local reduction of shoplifting and burglary,  
2 daytime burglaries, and other results helpful to both  
3 parties.

4           Incidentally, those principals had, in every  
5 case, formalized kinds of communication, not haphazard.  
6 They met monthly with the local justice system agency  
7 people, particularly with law-enforcement, and with other  
8 people in the community, decisionmakers and other agencies  
9 and so on.

10           Generally speaking, however, the communication  
11 between other justice system personnel -- probation,  
12 district attorneys, judges -- was reported as less regular  
13 and effective than that with local law enforcement and  
14 appeared to vary more among the schools involved. All  
15 agreed that better communication between these segments  
16 of the justice system and the school would be very  
17 helpful in providing necessary information in order to  
18 know current case status and disposition and information  
19 on return of ex-students from detention and, most  
20 importantly, to share knowledge that could lead to better  
21 justice and decisionmaking in the interest both of the  
22 involved student and the school community.

23           There was universal agreement that the concept  
24 of a de-centralized, community-based justice center where  
25 all agencies are physically housed together and share

1 decisionmaking is desirable.

2 CHAIRPERSON KNOX: Mrs. Sherwood, I am to assume  
3 the Attorney General backs all these proposals; is that  
4 right?

5 MS. SHERWOOD: This is the information that I  
6 have from the principals. I'm coming to two specific  
7 pieces of legislation.

8 CHAIRPERSON KNOX: I'd like to know what the  
9 Attorney General is for, as far as legislation is  
10 concerned.

11 MS. SHERWOOD: Well, all right. Let me just  
12 summarize what I have here.

13 CHAIRPERSON KNOX: All right.

14 MS. SHERWOOD: There are certain rules of  
15 procedure that could very much improve the functioning  
16 of the justice system. As I say, this local justice  
17 center that is in South Central Los Angeles, presided  
18 over by Judge Kenyon, has had amazing results. He is on  
19 the campus. He is known to everybody. That center sees  
20 the same young people. They know the young people and  
21 the community instead of the, you know, huge bureaucratic,  
22 impersonal operation that is common.

23 There are a variety of factors that are identified  
24 as important for prevention of school violence on the  
25 local educational scene, but perhaps you want me to skip

1 those over for the time being.

2 CHAIRPERSON KNOX: Primarily, this is a  
3 legislative committee. We are primarily interested to  
4 know if the Attorney General has some bills that he  
5 thinks would be helpful to this hearing.

6 MS. SHERWOOD: Okay. Some of these do relate  
7 to possible legislation.

8 CHAIRPERSON KNOX: Good. Okay.

9 MS. SHERWOOD: For example, building new  
10 schools and improving old schools with environmental  
11 crime prevention factors is one such.

12 CHAIRPERSON KNOX: Very good.

13 MS. SHERWOOD: And I won't go into detail about  
14 that. We have identified model programs. And for the  
15 record, I am bringing for your Committee issues of our  
16 crime prevention review that have articles on various  
17 models of programs that have succeeded --

18 CHAIRPERSON KNOX: Good.

19 MS. SHERWOOD: -- and materials that we use.  
20 I just want to call to your attention the importance,  
21 however, of strong school leadership and understanding  
22 of the rules and sharing of the rules with students and  
23 with faculty and so forth.

24 At Locke High School, where they have an  
25 extremely successful program, this is the book that is

1 developed with the teachers by the administration, a  
2 handbook on discipline control and campus security. You  
3 can see the detail of it. It gives teachers practical  
4 information on how to manage classrooms as well as the  
5 security problems and so forth.

6 CHAIRPERSON KNOX: Mr. Bannai?

7 ASSEMBLYMAN BANNAI: What year was that  
8 published?

9 MS. SHERWOOD: That is a working model right  
10 now that they are developing and they modify as they go  
11 along in the Locke High School.

12 CHAIRPERSON KNOX: Which high school?

13 MS. SHERWOOD: Locke. I'm sorry. Yes, Locke  
14 High School.

15 CHAIRPERSON KNOX: In Locke, California?

16 MS. SHERWOOD: No, no. In South Central Los  
17 Angeles.

18 ASSEMBLYMAN BANNAI: South Los Angeles. My wife  
19 left there, because of the violence, and was one of the  
20 victims, right.

21 MS. SHERWOOD: It was a terrible school. And  
22 the present administration has brought that school to a  
23 marvelous progress. But, that's the kind of thing that  
24 we need in our school systems.

25 Now, coming to the legislative picture -- I'm

1 passing over a good deal of this, since you wanted me to  
2 concentrate on that -- while these two items are not part  
3 of our official legislative program in our legislative  
4 unit --

5 CHAIRPERSON KNOX: Uh-huh.

6 MS. SHERWOOD: -- the Attorney General's Office  
7 does have two suggestions to offer for consideration by  
8 your Committee. We suggest that you might wish to  
9 consider legislation somewhat modifying the confidentiality  
10 provision of the juvenile court proceedings involving  
11 minors accused of committing certain serious crimes.  
12 As you know, under the present law, certain provisions of  
13 the welfare and institutions code provide for  
14 confidentiality of juvenile court proceedings involving  
15 minors charged with crimes.

16 The Attorney General's Office has several  
17 reasons for believing that the time has come to modify  
18 these laws. Minors are now committing more serious and  
19 violent crimes. And they are becoming more criminally  
20 sophisticated.

21 Juvenile proceedings have become adversarial  
22 in nature because of changes precipitated in the courts  
23 and Legislature. Thus, the original concept of *parens*  
24 *patriae* is no longer as appropriate for serious, juvenile  
25 offenders. The press, victims of crime, and the public

1 in general are entitled to have knowledge of what the  
2 juvenile justice is doing to protect the public safety  
3 interest and particularly the school community. One thing,  
4 if I might digress just a moment, Mr. Chairman and  
5 members, with relation to a comment you made earlier about  
6 special protection of special groups.

7 CHAIRPERSON KNOX: Uh-huh.

8 MS. SHERWOOD: I think many people who are not  
9 intimately connected with the schools -- and this is one  
10 reason, I think, that some of the teachers and  
11 administrators perceive a lack of adequate protection from  
12 the judicial system -- is that they tend to regard, they  
13 do not understand, the very tenuous balance of power in  
14 these schools and the difficulty of that environment as  
15 opposed to the street environment.

16 For example, if a judge takes a look at a rap  
17 sheet, and he sees no priors, he may say, "Well, let's  
18 put this youngster back and give him another chance,"  
19 and so forth, not recognizing that that youngster --  
20 particularly this is true in the underprivileged, more  
21 poverty-stricken areas, where the community resources are  
22 so small -- the actual living, socializing environment  
23 of that child is the school. So, it's to the record of  
24 the school's behavior and adjustment to the socialization  
25 process that the judicial system should also be looking.

1           For example, the argument for some special  
2 protection for the school environment -- teachers and  
3 students -- lies in the fact that if you have a street  
4 crime, how many victims do you have? The victim and  
5 family and friends and a few others. But the victims  
6 of a crime on a school campus are 3,000 people in that  
7 crowded campus. Anyhow, excuse me for that digression.

8           The Attorney General, as I said, has reason  
9 to believe, that the press has a right and the public to  
10 have knowledge of what the system is doing. To accomplish  
11 this, your Committee might consider having open hearings,  
12 hearings open to the public for certain crimes committed  
13 by minors who are 15 years of age or older. Every victim  
14 of crime, irrespective of the nature of the crime, should  
15 be notified of the disposition by the court. And, of  
16 course, that certainly applies to the schools, because  
17 that information is very important to them.

18           Secondly, we offer the suggestion that your  
19 Committee might wish to review the question of age limits  
20 involved in commitment to the Youth Authority in light of  
21 the overall mission of the Youth Authority to provide  
22 successful rehabilitation for young offenders. At  
23 present, between 47 and 50 percent of the wards of the  
24 YA are committed from the adult courts, and their average  
25 age is nineteen-and-half years. The average age of all

1 wards in the YA is now about eighteen-and-a-half years.

2 As a consequence, whereas the population of  
3 wards 15 years and under used to be about 33 percent  
4 between seven and ten years ago, it is now less than  
5 10 percent. These statistics suggest that the population  
6 of the California Youth Authority is now older and more  
7 criminally sophisticated than in past years.

8 It has gotten to the point that it is now  
9 dangerous to commit a very young minor, say 12, 13 or 14,  
10 to the Youth Authority because of the nature of the  
11 population. Thus, when a young offender needs a more  
12 structured environment, it has become impractical to  
13 consider sending that young person to the YA.

14 Therefore, your Committee may wish to investigate  
15 the question of changing the makeup of that population,  
16 for example, by providing that persons over 18 years of  
17 age could not be committed to the Youth Authority.  
18 Thus, the only youths who would still be able to be  
19 committed --

20 CHAIRPERSON KNOX: Where would you send them,  
21 Ms. Sherwood?

22 MS. SHERWOOD: Well, then you would have to  
23 send them, presumably, to prison or to some other detention  
24 facility.

25 CHAIRPERSON KNOX: Eighteen-year-old kids?

1 MS. SHERWOOD: Beg pardon?

2 CHAIRPERSON KNOX: Sixteen to eighteen year olds?

3 MS. SHERWOOD: No, 18 and above, I said.

4 CHAIRPERSON KNOX: Eighteen and above.

5 MS. SHERWOOD: Uh-huh. Thus, the only youths  
6 that would still be committed from the adult courts would  
7 be those wards that were found unfit to be tried as minors  
8 and who are 16 or 17 years of age.

9 CHAIRPERSON KNOX: You know what you're doing to  
10 the 18 year olds, if you send them to San Quentin.

11 MS. SHERWOOD: Well, what you're doing now is  
12 not having any adequate place to handle the younger, very  
13 serious offenders.

14 CHAIRPERSON KNOX: Is that the Attorney General's  
15 proposal?

16 MS. SHERWOOD: That, as I say, is not part of  
17 our official legislative --

18 CHAIRPERSON KNOX: Oh, it's not part of the  
19 official proposal?

20 MS, SHERWOOD: -- our official legislative  
21 proposal.

22 CHAIRPERSON KNOX: Let's get to the official  
23 Attorney General's proposal.

24 MS. SHERWOOD: He hasn't any.

25 CHAIRPERSON KNOX: He hasn't any.

1 MS. SHERWOOD: Other than these two, but these  
2 are suggestions that he's making for your consideration.

3 CHAIRPERSON KNOX: Oh, he wants us to consider it.

4 MS. SHERWOOD: He wants you to consider it, yes.

5 CHAIRPERSON KNOX: I see. That figures. All  
6 right.

7 MS. SHERWOOD: Yes. In other words, it isn't  
8 part of our --

9 CHAIRPERSON KNOX: Thank you for your valuable  
10 assistance.

11 MS. SHERWOOD: You're welcome.

12 CHAIRPERSON KNOX: We appreciate it. Any  
13 questions?

14 (No response.)

15 CHAIRPERSON KNOX: Thank you very much,  
16 Ms. Sherwood. We appreciate your appearance.

17 Mr. Richard Green, Security Director of the  
18 Los Angeles Unified School District.

19 MR. GREEN: Good afternoon.

20 CHAIRPERSON KNOX: Mr. Green?

21 MR. GREEN: Yes, sir. I have been sitting through  
22 these hearings this morning, as you, and as a result of  
23 that, yes, I will attempt to be brief.

24 CHAIRPERSON KNOX: All right.

25 MR. GREEN: In view of what has to be said, what

1 is brief, is that we were talking earlier about kinds of  
2 violence which is occurring on school campuses. And  
3 although we had some statistics read, are we really --  
4 are we really, really aware of the kind of crime that is  
5 occurring on school campuses? We are talking about  
6 robberies, not just the fact that robberies are occurring  
7 there, but the increase is increasing.

8 CHAIRPERSON KNOX: Uh-huh.

9 MR. GREEN: Crime is increasing at an increasing  
10 rate. Robberies last year in our school districts --  
11 443. That's a 42 percent increase over the previous year.  
12 Crimes of assault, assault against a person -- 1,045.  
13 That's a 17 percent increase. Of that, 16 were with  
14 firearms.

15 What I'm speaking of is what is occurring on a  
16 school campus, which, in a few years past, it did not  
17 occur there, which is one of our big problems. A hundred  
18 and eighteen of those assaults were with knives.  
19 Twenty-five percent of those assaults were on  
20 schoolteachers, which might answer what Mr. Johnson was  
21 referring to this morning -- why a difference in a class  
22 of crime occurring on a schoolteacher than on my child?

23 I can feel for both. But, as far as that is  
24 concerned, we have a schoolteacher who represents the  
25 establishment. She is a little bit different, because

1 what occurs to a schoolteacher in a classroom could very  
2 well have occurred to a young person. What we are  
3 attempting to do is to discourage these kinds of crimes  
4 from occurring in schoolrooms, not just for the fact they  
5 occur to a person, but the fact that our young people  
6 are seeing them occur, and years past, that didn't happen.  
7 But today, now that has become a part of an educational  
8 program, and that just doesn't seem quite cricket.

9 We talk about sex crimes. We had 168 sex crimes  
10 occurring on school campuses last year. I don't mean just  
11 the guy that comes out and exposes himself. Most of the  
12 crimes, of course, occur by male perpetrators. But what  
13 I'm talking about here is 16 that were actual rapes, not  
14 just on adults. But I'm talking about rapes of young boys  
15 and young girls, seven and eight years old.

16 CHAIRPERSON KNOX: What do we do about it,  
17 Mr. Green?

18 MR. GREEN: We are going to get to that, what  
19 I'd like to see happen to the hardcore criminal. I don't  
20 believe he belongs, for any period of time, in society.  
21 I am a long-time law enforcement person. I have lived  
22 with it for the last 35 years.

23 Two of those rapes were on schoolteachers.  
24 Twenty-one attempted rapes, three of those were on  
25 schoolteachers, and one of those just happened to be a

1 schoolteacher in her classroom who, as a result of  
2 thwarting a rapist attempt, was shot, shot in the  
3 abdomen. Those kinds of things I think we have to  
4 discourage.

5 A hundred and forty-four firearms last year  
6 recovered off of school campuses. The current trend now  
7 on this is increasing. We are going to have more of them  
8 this year. Examples? A teacher raped in a classroom at  
9 135th Street was an elementary schoolteacher. At the  
10 close of school, a man breaks into the classroom, rapes  
11 the teacher, beats her before he departs.

12 Gang problems. That's one of our biggest ones.  
13 Gang shootings? Venice High School. It is now lunchtime,  
14 and we are talking about 3,000 kids out to lunch. Two  
15 opposing gang members decide to get involved in a shoot out  
16 on school campus. A young man with a .38 caliber weapon  
17 empties five shots -- it's a five-shot revolver -- into  
18 this crowd of kids. Fortunately, you're saying the guy's  
19 got to be an idiot -- fortunately, he only struck one  
20 person, hit him in the neck.

21 CHAIRPERSON KNOX: Mr. Green, I've got to stop  
22 you. What we are interested in is -- we will stipulate,  
23 as we said this morning, that the problem is very serious.  
24 If it weren't, we wouldn't be here. Believe me. We've  
25 got a lot of other things to worry about, but we consider

1 this important enough --

2 MR. GREEN: To be here.

3 CHAIRPERSON KNOX: -- and dangerous enough to  
4 devote attention to it. As a matter of fact, we had  
5 suggestions for the Criminal Justice Committee agenda,  
6 maybe 30 or 40 items, and we chose this as a very high  
7 priority. So, what we want is your legislative suggestions.  
8 What do you think? What kind of laws could we pass that  
9 would be helpful in doing something about this situation?

10 MR. GREEN: Okay. We are talking about what we  
11 are going to do about the kinds of problems we have. I  
12 feel -- I beg your pardon. I beg your pardon, but I just  
13 have one thing I've got to touch on, two things that young  
14 people touched on this morning of major importance.

15 CHAIRPERSON KNOX: All right.

16 MR. GREEN: One was gang violence.

17 CHAIRPERSON KNOX: Uh-huh.

18 MR. GREEN: Because we are saying there that  
19 last year -- again, I've got to refer to statistics --  
20 last year we had 85 people, young people, murdered in the  
21 City of Los Angeles -- gang problem. So, the gang problem  
22 comes on the school campuses.

23 The other has to do with narcotics. A young  
24 man alluded to that this morning here from one of our  
25 schools. The narcotic problem on campus is rapidly

1 increasing, although the statistic as it comes to arrest  
2 figures does not reflect that. And there is a reason for  
3 that, because we in the community are going to legalize  
4 it, apparently, because if we legalize it -- if I sound  
5 angry, I'm sorry. If we legalize it, then we don't have  
6 a problem.

7 CHAIRPERSON KNOX: Legalize what?

8 MR. GREEN: Narcotics.

9 CHAIRPERSON KNOX: You can forget that. I  
10 mean it's not going to happen.

11 MR. GREEN: We have minimized this, because our  
12 young people now, they have received the indication  
13 from we, the adults, that it's only a misdemeanor to  
14 possess pot. But most of our pot on school campuses is  
15 laced with PCP. And I think that some of us are finally  
16 beginning to realize how bad PCP is. It is bad on  
17 school grounds to the point that these people are not  
18 only trafficking heavily in it, but they are under the  
19 influence and committing crimes.

20 Suggestions: We're suggesting -- only from  
21 the point of most school security and school  
22 administrators -- number one, let's deal with the hardcore  
23 violator.

24 CHAIRPERSON KNOX: Uh-huh.

25 MR. GREEN: We have hardcore violators. We are

1 saying let's don't let this person back into our  
2 communities, back onto the school campuses, in a few days  
3 or few years. This becomes very disconcerting to a  
4 teacher and a student. The teacher sees the person that  
5 she was instrumental in placing in jail yesterday back  
6 in her classroom literally tomorrow. It is also bad for  
7 that young person, the fact that they see that law  
8 enforcement, that criminal justice, is not dealing with  
9 that person. He is back again to intimidate and to  
10 contaminate.

11 So, we are talking about let's deal with  
12 hardcore. And I think it's merely a matter of their  
13 enforcing existing laws. We are talking about penalties  
14 with persons who become involved in crimes with deadly  
15 weapons. We've heard about the carry a gun go to jail.  
16 We, from the school security standpoint, believe that  
17 very strongly.

18 I am advocating that if we find someone on a  
19 campus committing a crime against a school employee or  
20 a student and he is involved with a weapon, let's make  
21 going to prison, going to some institution, mandatory --  
22 first-time offenders, in order to teach someone a lesson,  
23 if nothing more, to advocate to other people, the other  
24 thousand that are watching, we don't condone that.

25 We are talking about persons involved in lesser

1 types of crimes, when probation or parole are part of a  
2 release, that they be placed in special schools. I am  
3 not advocating that someone be removed from the school  
4 campus and completely from the school scene. That's going  
5 to do nothing for society, certainly nothing for that  
6 person. But we are saying, as part of a condition or part  
7 of a parole, that he be placed in a special learning  
8 institution somewhere back in the community, not in an  
9 institution, but not back on a school campus. And  
10 therefore, we can continue that young person. If nothing  
11 more, we can teach him the ability to learn a trade so  
12 that he does not become a blight on society and a cost  
13 to us.

14 I heard someone else who mentioned about cost  
15 effectiveness. It costs a lot of money to place people  
16 in special schools. I'm saying it's going to cost you  
17 an awful lot more if you don't. Now, we are just putting  
18 off today what we're going to have to face tomorrow.

19 We talk about remedial programs, and you're  
20 going to say, "Why are you coming to me for that? I'm  
21 a legislator." We are talking about dollars for remedial  
22 programs.

23 Most of that which is occurring on school  
24 campuses today, yes, is occurring by people of school age  
25 or above. But we are talking about those people a few

1 years ago who were back in the elementary school campus.  
2 So, we are talking about developing an on-going program  
3 as part of the regular curriculum, which goes on daily,  
4 of developing a change in a young person's attitude about  
5 society, not destroy it as much as the press is doing  
6 today.

7 We keep shooting down our public officials,  
8 that they are thieves and vandals and bad guys. We've  
9 got to do something with our young people to change that  
10 attitude so that he can be a good person.

11 We are talking about developing programs to just  
12 that individual to develop an acceptable pattern of conduct  
13 in his way of living, a sense of self worth -- we've heard  
14 that this morning -- his social participation, and the  
15 fact somewhere along the line someone is going to have to  
16 teach that person to respect other people's lives and  
17 property. We are saying maybe.

18 I'm looking at it because most of these people  
19 that are committing crimes belong to somebody; they have  
20 parents. Are we making the parent responsible for what  
21 his youngster does? When a youngster is in my school  
22 burning it down at five o'clock in the morning, it would  
23 seem to me that the parent would wonder where he was.  
24 We're talking about parent responsibility and maybe  
25 involving them as a condition of their youngster's

1 probation to attend as we used to have driver education  
2 programs. It's a parent education program -- making the  
3 person, the parent, become responsible for his child.

4 We are talking about programs, any program,  
5 that you might be part of. It's not to target an entire  
6 population. We've heard statistics this morning. We  
7 know who is involved and the crime. Let's target that  
8 population, rather than the entire population. That is  
9 cost effectiveness.

10 With that, if I may, if you have some other  
11 questions --

12 CHAIRPERSON KNOX: All right.

13 MR. GREEN: -- I have a text and, yes, I will  
14 make sure that your office receives a copy of that.

15 CHAIRPERSON KNOX: I'd appreciate that. Any  
16 questions of Mr. Green?

17 (No response.)

18 CHAIRPERSON KNOX: All right. Thank you, sir,  
19 very much. We appreciate your attendance.

20 We now have Mr. Chris Callender, a student at  
21 Monroe High School in Los Angeles and Mr. Ernest  
22 Rodriguez. Are you both going to come up together?

23 Mr. Rodriguez is a student in San Fernando High  
24 School in San Fernando.

25 Are they here? Not here. All right. Mr. Richard

1 Tillson, Assistant Deputy Director, Prevention and  
2 Community Corrections Branch of the California Youth  
3 Authority. All right. Mr. Tillson.

4 MR. TILLSON: Thank you, Mr. Chairman, Members  
5 of the Committee, ladies and gentlemen. I, too, will  
6 attempt to make my remarks as brief as possible. I have  
7 copies of the testimony here available for you.

8 CHAIRPERSON KNOX: Good.

9 MR. TILLSON: So, I'll simply highlight -- I  
10 suppose we would call it, not suppose -- the position of  
11 the Department of the Youth Authority as it relates to  
12 this serious problem of violence in the schools.

13 I think the first thing that we want to point  
14 out to the Committee is a distinction. Now, I heard all  
15 of the testimony this afternoon and a little bit this  
16 morning, or heard about a little bit this morning two  
17 things that I think we need to be aware of, two different  
18 angles as we look at school violence problems. Both are  
19 important.

20 First is a matter of dealing more or less  
21 directly with the violence itself, as we heard the previous  
22 speaker talk about and as we heard others talk about, a  
23 wide range of concerns. Obviously, we need to plan to  
24 manage crises. We need security procedures and the like.  
25 These are very critical.

1           But, secondly, and we think too often overlooked,  
2 is the broad matter of school climate and practices, the  
3 school and its community and neighborhood setting and  
4 other issues of prevention. In other words, what I'm  
5 here to comment upon very briefly --

6           CHAIRPERSON KNOX: I can't hear him.

7           MR. TILLSON: You cannot hear me?

8           CHAIRPERSON KNOX: No, I'm just trying to get  
9 them to quit talking over there, because they are  
10 distracting me. Go ahead.

11           MR. TILLSON: The issue is and our comments  
12 this morning for the most part have to do with prevention.  
13 We think that there are many others who could talk about  
14 how you deal with the actual crimes of violence that are  
15 occurring, but I think we need to give more attention, more  
16 emphasis to how we prevent, if that's possible. So, my  
17 comments will have to do with shifting from that to  
18 another.

19           The Youth Authority, as you know, runs  
20 institutions for youthful offenders. And the Attorney  
21 General wants us to only take them up to 18. That's  
22 another problem. The issue is, in addition to that,  
23 we have a state legislative mandate to do something about  
24 prevention.

25           We believe our position on that is that the

1 Youth Authority cannot prevent crime and delinquency in  
2 California. It can provide information. It can provide  
3 leadership.

4 We feel, whether we are dealing with this  
5 particular type of crime on campuses or other types of  
6 crimes, that all of us, that total community, and all of  
7 its institutions, including its educational institutions,  
8 must, in fact, give attention to promoting opportunities  
9 and healthy development for all youngsters. We don't  
10 know at a very young age which ones are going to be  
11 delinquent. I say that. There are those who would say  
12 to you, "Oh, yes, we know. We can do certain tests."  
13 I'm saying that we, as a matter of fact, do not know.  
14 Hence, we know it is important that all of our young  
15 people have an opportunity to get involved in our society  
16 and buy into it.

17 Quickly, a little bit about prevention and a  
18 couple of comments, and then I'll sit down. Recent  
19 studies done by the Westinghouse Corporation point out  
20 something that we want to share with this Committee,  
21 and it's a little different than we have thought about  
22 delinquency in the past or prevention. They say the most  
23 direct and immediate implication of the well-supported  
24 delinquency theory is that there are arrangements and  
25 processes in contemporary social institutions that generate

1 delinquent behavior. They further say to reduce delinquent  
2 behavior these arrangements and processes should be  
3 altered.

4           The most fruitful arenas for delinquency  
5 prevention initiatives are education, work, community  
6 service in its broadest definition, and their interactions  
7 with each other and with families. The Youth Authority  
8 buys into that as an approach. We feel that it is  
9 ineffective to assume that only teachers or only family  
10 or only police or only official agencies have anything  
11 to do with prevention. We are saying that all of those  
12 institutions, if you will, need to work together.

13           Some principals that we think are important,  
14 very quickly. Delinquency prevention means to us activities  
15 which contribute to healthy youth development and to the  
16 improvement of the quality life of all young persons with  
17 the ultimate intent of preventing crime and delinquency.  
18 This activity, or these activities, include, but are not  
19 limited to, the very same kinds of activities that the  
20 Westinghouse Corporation talked about previously.

21           The maximum delivery of services by the private  
22 sector should be encouraged. All too long, those of us  
23 in the public sector have assumed that the problem is only  
24 ours. And we are suggesting that we need to involve the  
25 private sector in terms of buying in to dealing with the

1 problems of crime and delinquency and its prevention.

2 Thirdly, delinquency prevention programs should  
3 encourage public accountability, coordination and  
4 cooperation between state and local government agencies  
5 and private agencies and provide for strict accounting of  
6 government funds. We further believe that different  
7 levels of government, separate jurisdictions in both  
8 public and private sectors, share responsibility for  
9 prevention. And I have repeated that in two different  
10 ways, because I think it is very important that as you've  
11 said it was important enough for this Committee to come  
12 here. And we think that all segments of our community  
13 need to understand that they can't put the blame off on  
14 one other segment or one other activity, whether it's the  
15 legislative process or the judicial process or those of  
16 us who run agencies.

17 CHAIRPERSON KNOX: You know, Mr. Tillson, and  
18 I don't mean this to be -- I guess I mean it to be slightly  
19 critical, but I don't mean it to be unencouraging. But  
20 you say here:

21 "Delinquency prevention programs  
22 should encourage public accountability,  
23 coordination and cooperation between  
24 state, local governmental agencies  
25 and private agencies, and provide for

1 strict accounting of government funds."

2 Now, what does all that mean?

3 MR. TILLSON: That simply means that all too  
4 often we fund a program, and we give out "X" number of  
5 dollars to somebody to run a program. And they say,  
6 "We are going to do good. We love children. We love  
7 education and all those things." Nobody either makes it  
8 possible or sees to it that the people do specifically what  
9 they're contracted to do.

10 CHAIRPERSON KNOX: Tell me this, Mr. Tillson.

11 MR. TILLSON: Yes.

12 CHAIRPERSON KNOX: I'm going up to Sacramento  
13 with my two colleagues here. God willing, we'll be there  
14 on January 7th. What do we do on arrival there to do  
15 something about public accountability, coordination,  
16 cooperation and provide for -- I mean, what do you want  
17 us to do, specifically?

18 MR. TILLSON: All right. I think this. Let me  
19 say this. I think probably the kind of information that  
20 I am presenting to this Committee has more to do with the  
21 attitude you take with you in your Committee as you decide  
22 upon legislation.

23 CHAIRPERSON KNOX: I've never met a member of  
24 the Legislature that doesn't totally agree with what you  
25 said there about accountability and strict accounting for

1 government funds. We are all for that. The question is:  
2 How do we implement it? Am I misstating our view,  
3 Miss Bergeson or Mr. Bannai?

4 ASSEMBLYWOMAN BERGESON: No.

5 CHAIRPERSON KNOX: I have never met anybody  
6 from either political party that doesn't have that view  
7 strongly engrained. And if they don't have it, they don't  
8 hang around very long.

9 MR. TILLSON: All right. Given.

10 CHAIRPERSON KNOX: Now, I think that -- see,  
11 that's all I'm trying to say is that what you're saying  
12 here is thoughtful. It's sociological in its orientation.  
13 But what we are looking at is what can we do as  
14 legislators that's going to be of assistance to the  
15 population, specifically with regard to crimes and  
16 violence in the schools.

17 MR. TILLSON: All right. Let me --

18 CHAIRPERSON KNOX: And don't tell me about  
19 coordination, cooperation, all this sort of thing.

20 MR. TILLSON: Fine.

21 CHAIRPERSON KNOX: What bill can I vote for?  
22 Should I increase the penalties? Should I have capital  
23 punishment for PCP possession? Should we search everybody  
24 when they come to school in the morning? I mean, what do  
25 we do?

1 MR. TILLSON: The point is that there are those  
2 who are making those recommendations on terms of what  
3 you do to control that school environment. Let me give  
4 you one point that I make on page five.

5 CHAIRPERSON KNOX: All right.

6 MR. TILLSON: When you simply look at the idea  
7 that we spend, in this state, \$2.9 billion in the area of  
8 controlling crime and only \$10.7 million on prevention,  
9 that ratio comes up to be something like 270 to 1. I  
10 suppose my recommendation to this Committee and the  
11 Legislature of the State of California is that we make  
12 a shift --

13 CHAIRPERSON KNOX: Uh-huh.

14 MR. TILLSON: -- a drastic shift, because our  
15 control measures, obviously, are not working. And we  
16 need to beef up whatever measures, whatever measures  
17 are deemed to be meaningful and successful in terms of  
18 prevention. And I list at the bottom of that page several  
19 other programs that we think are significant, some of  
20 which are similar to ones that came from the Attorney  
21 General's Office and others.

22 I think that the final message, then, that I  
23 would give, without going into all of my sociological  
24 data, is simply a fact, Mr. Chairman.

25 CHAIRPERSON KNOX: And I didn't mean to denigrate

1 that by using that term. I hope you understand that.

2 MR. TILLSON: No, I understand that. But I'm  
3 saying that for the record that we are saying that we,  
4 all too often, don't have a theoretical base for what we  
5 recommend. So, we provided that information to say to  
6 you that we think that the State of California and its  
7 lawmakers should take a very close look at where we are  
8 spending our money. And we need to fund those kinds of  
9 programs that not only take care of control but do  
10 something about prevention. And unless we do that and  
11 the manner in which we do that, again, speaking of  
12 involvement of all segments of this population, probably  
13 we will continue to be unsuccessful. Thank you, ladies  
14 and gentlemen.

15 CHAIRPERSON KNOX: Well, I suspect that you're  
16 right, but let me just say one thing. And my colleagues  
17 may have a view to express in this matter, also.

18 I sit on several committees, but two I'll  
19 mention. One is this Committee on Criminal Justice where  
20 we are under very heavy pressure to increase penalties,  
21 longer incarceration, that sort of thing, which is very  
22 expensive. It costs \$9,000 to \$12,000 a year to keep  
23 somebody in the penitentiary. I don't know what it costs  
24 in your institution.

25 MR. TILLSON: Twenty thousand dollars.

1 CHAIRPERSON KNOX: Twenty thousand a year? In  
2 other words you could put them through Stanford  
3 University, give them a Ph.D. and have a car and a large  
4 allowance and have money left over. So, it's very  
5 expensive.

6 We are putting all that in incarceration,  
7 hopefully some rehabilitation. But, frankly, I think  
8 you'll concede the record of both institutions is not  
9 all that great.

10 MR. TILLSON: Absolutely.

11 CHAIRPERSON KNOX: And I also sit on another  
12 committee, the Health and Welfare Subcommittee of the  
13 Ways and Means Committee which passes out all of the money  
14 that the state spends on health and welfare. And I voted  
15 for things like support of Sugar Ray Foundation and  
16 similar oriented groups trying to deal with youths. And  
17 it's not as much money, and the result isn't as apparent  
18 as taking somebody off the street and putting them in jail,  
19 and there isn't that much support for that, to be  
20 perfectly candid, from the public, because we can't  
21 prove it's going to work, I suppose. But it's really a  
22 terrible quandry we're in. And I think the point you  
23 make is a good one. But as a city legislator, I just  
24 don't know what you do about it.

25 MR. TILLSON: Thank you.

1 CHAIRPERSON KNOX: Do my colleagues have any  
2 further questions or anything?

3 ASSEMBLYMAN BANNAI: I have one question. You  
4 know, the Youth Authority -- and I think the Attorney  
5 General's Representative, Ms. Sherwood, alluded to it --  
6 that your kids, you know, the age of the young people  
7 that you're taking care of in the Authority, is now going  
8 up to eighteen and a half, nineteen. Do you think there  
9 should be a separation to take care of those that are  
10 younger? Because we had a hearing in Oakland a couple  
11 weeks ago, and we find that the 15 and 16 year olds are  
12 now in very many, you know, felony types of crimes. Do  
13 you think we should have a breakdown, or do you think we  
14 ought to have you in the same jurisdiction to take care  
15 of all of those, our hard criminals, as those that we're  
16 trying to get back into the classroom?

17 MR. TILLSON: I think that that situation,  
18 actually, is being handled in that even though we get,  
19 still get, some younger offenders, they really are not  
20 the quote "soft" offenders that we got ten, twelve  
21 years ago. Even though they may be 14 or 15, their  
22 delinquent histories are as serious as their 17 or 18-year-  
23 old counterpart.

24 The point, very frankly, that we would make in  
25 our department is if we don't take the youngster between

1 18 and 21, where do you put him, as the Chairman of this  
2 Committee spoke to? And at this point, this state has  
3 believed that our Youthful Offender Act makes sense and  
4 that we do need to offer that alternative to a judge so  
5 that those young people do not have to go straight to  
6 prison or county jails.

7 ASSEMBLYMAN BANNAI: Thank you.

8 CHAIRPERSON KNOX: Thank you very much,  
9 Mr. Tillson. We appreciate it.

10 MR. TILLSON: Thank you.

11 CHAIRPERSON KNOX: Mr. Raoul Teilhet? Is  
12 Mr. Teilhet here?

13 (No response.)

14 CHAIRPERSON KNOX: I think that concludes the  
15 number of witnesses that we had on the agenda for this  
16 afternoon. We appreciate everyone's attendance. There  
17 will be a transcript prepared of the hearing we had  
18 today, and we may have questions, and if anyone who has  
19 not been heard today or even who has been heard and wishes  
20 to provide additional information to the Committee, I  
21 can assure you it will be thoroughly analyzed by the  
22 members of the staff.

23 We appreciate very much your attendance. The  
24 meeting is adjourned.

25 (Thereupon the interim hearing before

1 Assembly Committee on Criminal Justice  
2 was adjourned at 2:35 p.m.)

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