

Grand Jury

P.O. Box 414
Salinas, CA 93902
(408) 755-5020



June 27, 1996

The Honorable John M. Phillips
Presiding Judge
Monterey County Superior Court
240 Church Street
Salinas, CA 93901

Dear Judge Phillips:

The 1996 Monterey County Civil Grand Jury has completed its inquiry into Domestic Violence in Monterey County and presents its Mid-Year Final Report to you, the residents of Monterey County and the Public Agencies charged with the responsibilities for dealing with this problem. The Report contains the Findings and Recommendations developed from this study.

You have organized a Task Force, composed of public and private agencies to develop a coordinated effort to deal with Domestic Violence in Monterey County. This report recognizes the work of the Task Force and commends its efforts.

The urgency of this issue led the Grand Jury to the conclusion that an inquiry conducted by this panel, composed of citizens who are a cross section of the County, with diverse backgrounds and experience, would assist the effort to develop a coordinated program for dealing with Domestic Violence.

The confidentiality of the Grand Jury process enabled the Grand Jury to gain insights and obtain information which would not have been available through any other process.

This study was conducted by the Health and Welfare Committee of the Grand Jury chaired by Kitty M. Douglas. The effort was assisted by the Law Enforcement Committee chaired by David M. Alex. The scope of the inquiry required the involvement and effort of every member of the Grand Jury.

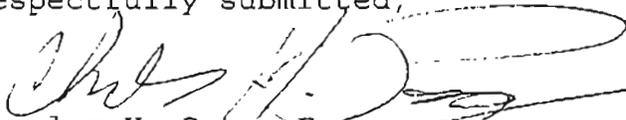
As required by the Penal Code the Report was adopted by a vote of at least 12 members of the Jury.

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Without the assistance of Eileen Wright, Administrative Aide to the Grand Jury, it would have been impossible for the 1996 Grand Jury to organize itself, pursue this inquiry and complete a Mid-Year Final Report. Ms. Wright is an invaluable resource to the Grand Jury. More than that, however, she has been wise and perceptive in assisting the Grand Jury in editing and assembling this Report. We are grateful for her ever cheerful and priceless assistance and guidance.

The 1996 Monterey County Civil Grand Jury hopes that its Findings and Recommendations are helpful to the Task Force and the Public Agencies who deal with Domestic Violence and the residents of Monterey County.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Charles H. Page', written over a horizontal line.

Charles H. Page, Foreperson
1996 Monterey County Civil Grand Jury

CHP:elw

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TO THE READER

Many citizens ask:

"WHAT IS THE GRAND JURY?"

"WHAT DOES IT DO?"

This could serve as an opportunity to discuss the "Grand" history of the institution, and it is a fascinating history. But we will keep it simple and direct.

In the briefing given to those selected for Grand Jury service during 1996 we were informed that:

"The Grand Jury has its roots as far back as the Norman Conquest of England in 1066

"California is one of the few states that mandate that grand juries be impaneled annually to function specifically as a "watchdog" over local government.

"As the Grand Jury now exists, its primary function is the examination of all aspects of local government, seeing that public monies are handled judiciously and, in general, assuring honest efficient government in the best interests of the people."

The 1996 Monterey County Civil Grand Jury is dedicated to carrying out this charge in a responsible and positive manner. The Report which follows is the result of six months of diligent research by this Jury.

RESPONSE REQUIREMENT

The Penal Code regulates who must respond to Grand Jury findings and recommendations, when the response must be made, and what must be done with the responses. The following is an excerpt from the Penal Code:

PENAL CODE SECTION 933(c)

"(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elective county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All such comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years."

MEMBERS OF THE 1996 GRAND JURY

OFFICERS

Charles H. Page, Foreman

Peter E. Blackstock, Foreman Pro Tem

Joan J. Blake, Secretary

Kitty M. Douglas, Secretary Pro Tem

David M. Alex	Pacific Grove
Peter E. Blackstock	Pebble Beach
Joan J. Blake	Marina
Mahlon M. Coleman	Pebble Beach
Kitty M. Douglas	Prunedale
Faith O. Eden	Seaside
Raymond W. Espinosa	Salinas
William M. Head	Soledad
Forrest B. Howard	Salinas
Arthur H. Jackson	Monterey
Robert T. LeFevre	Salinas
Claudia E. Massa	Salinas
Charles H. Page	Carmel
Daniel P. Phillips	Marina
Cynthia Rivera	Carmel
Joseph W. Roberts	Salinas
Cecile R. Scuto	Carmel
Robert M. Stevens	Pacific Grove
Walter A. Weber	Carmel

DOMESTIC VIOLENCE IN MONTEREY COUNTY

ISSUES

1. Is Domestic Violence a problem in Monterey County?
2. What is the scope and impact of the problem?
3. Are local agencies, who are responsible for dealing with the various facets of Domestic Violence, carrying out their legal responsibilities and effectively dealing with the problem?
4. Are additional efforts needed? Phrased another way, what needs to be done which is not being done or planned?

DISCUSSION

Citizens of Monterey County may legitimately ask "why would the 1996 Grand Jury undertake an inquiry into the issue of Domestic Violence?"

There were two-thousand-twenty-eight (2,028) incidents of Domestic Violence in Monterey County in 1995.

These 2,028 incidents were documented because the Police were called; they responded, and the incidents were reported. See Exhibit 1 - Reported Cases of Domestic Violence in Monterey County - 1992 through April 1996. (The word "Police," unless otherwise indicated, means City Police and Sheriff's Deputies.)

Those who deal with Domestic Violence are convinced that not all incidents are reported. Some observers estimate that only 10% of incidents are reported to Police. Incidents are not reported for many reasons: family pressure, cultural acceptance of violence, religious pressure "to forgive," fear of loss of income if the sole income provider is jailed, and a variety of cultural and social pressures as well as intimidation from the perpetrator.

Whether the total number of incidents is 2,028 or ten times that number, this is a very serious problem in Monterey County.

Domestic Violence has been characterized as a "Family Secret," a "Dirty Secret," and a "Deadly Secret." Recent well publicized local events, which resulted in the death of the victims, point up the significant risk of not dealing with this

problem in a systematic and coordinated way.

The FBI reports that approximately one-third of female homicides in the U.S. each year are committed by either husbands or boy friends. The Journal of the American Medical Association (Vol 264 #81 Page 943 Aug 1990) reports that 22% to 35% of visits by women to hospital emergency rooms were because of Domestic Violence.

Cancer, Alzheimer's Disease, Diabetes, and other problems which are not personally embarrassing to the victims and their families, receive significant community support in the form of volunteer efforts and monetary contributions. Domestic Violence is not an issue which rallies the involvement and support of the community. Few citizens want to acknowledge or become involved in Domestic Violence problems. Historically, even public agencies charged with the legal responsibility for dealing with the multiple facets of this issue have characterized incidents as "family problems" and not "criminal" problems and have failed to carry out their legal mandates.

Violent acts committed against a non-family member, are considered serious crimes and the perpetrator is arrested, confined, prosecuted and punished. The same acts committed against family members have long been treated as a "family problem," one which the family had to work out on its own.

The consequences of Domestic Violence are well documented:

1. Death;
2. Severe physical, emotional, and psychological impacts on the victim;
3. If either the perpetrator or the victim is a parent, the children are "hidden victims" since children model their conduct after their parents;
4. Juvenile delinquency and youth crime are products of the cycle of violence generated by Domestic Violence;
5. Loss of family income and family resources; and
6. Absenteeism from jobs and emotional problems which interfere with job performance. (A recent report on the NBC business network [CNBC] estimates the annual cost of Domestic Violence to business and industry at between three and five billion dollars a year. If this is the documented cost to business and industry the cost to federal, state and local governments from absenteeism and poor job performance is also significant.)

Domestic Violence involves and affects the following local government agencies, among others:

1. Local Police and Sheriff's Departments;
2. District Attorney;
3. Public Defender;
4. Municipal and Superior Courts;
5. County jails;
6. Probation Department;
7. Department of Social Services;
8. Schools; and
9. County Hospital.

The Grand Jury is not an agency which can develop remedies for the sources of Domestic Violence. We are not qualified to recommend preventive measures for this extremely complex social issue which cuts across all socio-economic groups.

But Domestic Violence imposes extraordinary demands and financial impacts on local agencies and substantially increases the tax burden. The direct and indirect cost to residents and taxpayers is high.

The Grand Jury can inquire into how our local agencies respond to this problem. Is this a high priority issue? The Grand Jury can look at what local agencies **say** they are doing and what they are actually doing. The Grand Jury can monitor the compliance with and enforcement of legal mandates by local agencies.

Here are some comments which we heard during our inquiry:

1. "Domestic Violence is a national disgrace."
2. "The Courts ignored this problem too long."
3. "The County systems for dealing with Domestic Violence need improvement."
4. "Domestic Violence is a crime and must be treated as such."
5. "Until recently Domestic Violence was a much neglected crime."

These are comments one would expect to hear from victims. But, these are concerns expressed by public officials. These dramatic observations and insights reflect a deep concern by some Monterey County law enforcement officials about the impact of

Domestic Violence and the need for vigorous, innovative measures to deal with the problem.

LEGAL DEVELOPMENTS

In 1984 the California Legislature, in a preface to enactment of statutory mandates to local law enforcement agencies, declared:

- "(a) A significant number of homicides, aggravated assaults and batteries occur within the home between adult members of families. Research shows that 35 to 40 percent of all assaults are related to domestic violence.
- "(b) The reported incidence of domestic violence represents only a portion of the total number of incidents of domestic violence.
- "(c) Twenty-three percent of the deaths of law enforcement officers in the line of duty results from intervention by law enforcement officers in incidents of domestic violence.
- "(d) Domestic violence is a complex problem affecting families from all social and economic backgrounds.

"The purpose of this act is to address domestic violence as a serious crime against society and to assure the victims of domestic violence the maximum protection from abuse which the law and those who enforce the law can provide. It is the intent of the Legislature that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victim and shall communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated...."

Based on these findings the Legislature enacted a statutory mandate requiring that every law enforcement agency develop local Domestic Violence policies by January 1, 1986. (See Finding #12.)

Sometimes in our system of "Laws" we pass a law and assume that the problem is solved. But the enactment of laws does not change cultural and social attitudes which have prevailed for centuries.

Ten years have passed since this law was enacted. How have local agencies responded to these mandates?

In recent years local judges, the District Attorney, and most law enforcement officials have acknowledged that without a coordinated effort among responsible agencies the cycle of

violence will continue and that local police efforts will provide only a temporary interruption of the pattern of violent conduct.

Recognizing the scope and impact of the problem the Monterey County District Attorney developed a comprehensive Domestic Violence Policy which provides in part:

"Domestic Violence is Criminal Conduct and Prosecutors have the same responsibility to respond to these cases as they do other violent crimes."

The District Attorney also established:

1. A special Domestic Violence prosecution unit; and
2. Victim Assistance units in Salinas and King City.

In 1994 a local Superior Court Judge, who is now the Presiding Judge, recognized the seriousness of the problem, its scope, its impact, and the necessity for the local Courts, the District Attorney, and the Probation Department to initiate a coordinated effort to deal with the problem at every level of law enforcement.

The Judge formed a Monterey County Domestic Violence Task Force. He brought together a Municipal Court Judge, the District Attorney, the Sheriff, the Chief Probation Officer, a Police Chief (representing all Police Chiefs in Monterey County), and representatives from Social Services, the YWCA, the Women's Crisis Center, and a Family Mediator.

The objectives of the Task Force are to:

1. Develop a protocol which all agencies can adopt for the investigation and prosecution of Domestic Violence matters;
2. Improve the court processes for issuance of Domestic Violence Restraining Orders;
3. Develop and simplify the processes for informing law enforcement of the existence of valid restraining orders;
4. Develop a program for advising the public of the remedies available from the courts and law enforcement, and the appropriate procedures for accessing relief;
5. Support the development and maintenance of programs designed to treat both victims and abusers;
6. Promote public education concerning domestic violence, its causes and its impact on families and the community, heighten public awareness of the magnitude of the problem of Domestic Violence and to dispel myths concerning the same;

7. Provide an ongoing forum for resolution of issues regarding Domestic Violence;

8. Coordinate the efforts of all governmental and non-governmental agencies which deal with Domestic Violence; and

9. Review the need for a permanent Domestic Violence Response Program Coordinator position charged with the responsibility of coordinating the efforts of the Task Force with all governmental and non-governmental entities which deal with Domestic Violence.

The Task Force has accomplished the following:

1. The Chief Probation Officer of Monterey County arranged to bring in a technical assistance team with expertise and experience in developing coordinated community responses to Domestic Violence;

2. Brought together representatives from local public and private non-profit agencies, who deal with Domestic Violence issues, for a two-day workshop with the Technical Assistance team;

3. Received a report and recommendations for a coordinated Monterey County program for dealing with Domestic Violence. (The Technical Assistance Report and Recommendations: A COORDINATED COMMUNITY RESPONSE TO DOMESTIC VIOLENCE, Monterey County, California, hereafter "The Technical Assistance Report."). (This report has been available since September 1995 but it has not been distributed to all Monterey County Police Departments.)

4. Attended a forum on Domestic Violence conducted by the YWCA of the Monterey Peninsula;

5. Developed short-term and long-term goals for addressing Domestic Violence problems in Monterey County;

6. Hired an Interim Coordinator to work with public and private agencies to develop a coordinated Monterey County effort for dealing with Domestic Violence; and

7. Appeared before the Monterey County Board of Supervisors seeking support and endorsement of the objectives of the Task Force.

The 1996 Monterey County Civil Grand Jury hereby commends the Presiding Judge, the District Attorney, the Chief Probation Officer, and members of the Domestic Violence Task Force for their demonstrated commitment and their aggressive effort to address this critical problem. Their effort is timely and important. It is a source of encouragement and support to those who deal with Domestic Violence every day.

GRAND JURY ACTION

The Grand Jury performed an independent review and analysis of Domestic Violence in Monterey County. The Jury reviewed the current state of compliance with and enforcement of Domestic Violence laws. The Grand Jury analyzed the need for other efforts. The recommendations which follow are designed to assist the effort to deal more effectively with this critical issue. The inquiry of the Grand Jury, its findings and recommendations, should be considered as cooperative, supportive and supplemental to the efforts of the Monterey County Domestic Violence Task Force. The support of the County Board of Supervisors and City Councils for this effort is essential.

GOALS OF THE 1996 GRAND JURY IN FOCUSING ON DOMESTIC VIOLENCE

1. Determine the scope of Domestic Violence in Monterey County.
2. Attempt to determine the impact and consequences of the problem.
3. Inquire into the compliance with and the enforcement of Domestic Violence laws by local law enforcement agencies.
4. Determine whether there is a discrepancy between the stated commitment of local law enforcement agencies and their departmental programs and efforts.
5. Determine whether there is consistency in how local Police Departments define and report Domestic Violence incidents.

INQUIRY PROCESS

The 1996 Grand Jury:

1. Interviewed every Police Chief in Monterey County and other members of some police departments.
2. Interviewed representatives of the YWCA, the Women's Crisis Center, and Shelter Plus.
3. Interviewed a national expert and consultant on Domestic Violence.
4. Was briefed by the District Attorney, his staff and the Chief Probation Officer.
5. Interviewed the Public Defender.
6. Interviewed the Sheriff and other members of his staff.

7. Interviewed the Chief Probation Officer.

8. Reviewed the Quincy Report, the Technical Assistance Report, U. S. Senate reports, a CNBC special report, the 1996 Peace Officer Standards and Training Guidelines for Law Enforcement Response to Domestic Violence, Programs for dealing with Domestic Violence developed by the City of Berkeley, and numerous articles, commentaries, and editorials.

9. Sent teams of no less than two members of the Grand Jury to Police Departments to determine whether local Domestic Violence policies were available to the public as required by California Penal Code Section 13701.

FINDINGS

1. The California Penal Code requires that every Domestic Violence incident be reported.

2. Domestic Violence is a significant problem in Monterey County, and the problem is increasing. The reported incidents of Domestic Violence in Monterey County during the years 1992, 1993, 1994, 1995, and through April 30, 1996 are set forth in Exhibit 1.

3. Reported incidents of Domestic Violence in Monterey County are less than the number of incidents which occur.

4. Since many Domestic Violence incidents are not reported it is impossible to determine the actual number of incidents.

5. More effective determination of the causes of injuries by medical providers will improve the capability of institutions to identify Domestic Violence incidents and enable them to deal with the problem more effectively.

6. Domestic Violence occurs in all socio-economic groups and where accurate statistics are kept the incidents do not vary significantly from one socio-economic group to another.

7. Research conducted by the Grand Jury indicates that communities of similar size and make-up will experience a similar number of Domestic Violence incidents. Exhibit 2 lists each city in Monterey County and the unincorporated areas in order of population. The Exhibit also lists the number of Domestic Violence incidents for each 1,000 residents. There are remarkable variations in the number of incidents reported for each 1,000 residents. Unless there is a difference in the way Domestic Violence is defined and reported the variations in the number of reported incidents for each 1,000 residents is impossible to explain.

8. The difference in the cultural and economic status of

Monterey County communities does not explain the remarkable variations in the reported incidents of Domestic Violence.

9. The variations in the reports of Domestic Violence incidents by Monterey County communities in relation to their population indicate that there is a lack of consistency in the reporting process.

10. The lack of consistency in reporting demonstrates the need for a coordinated effort to establish a common understanding and a uniform protocol to be followed by all Police Agencies in Monterey County in defining "Domestic Violence" and reporting incidents.

11. A system for monitoring compliance with the Penal Code requirements for reporting Domestic Violence incidents needs to be implemented.

12. Since January 1, 1986, California Penal Code Section 13701(c) has required that every law enforcement agency in the State of California develop, adopt, and implement written policies and standards for officers' responses to Domestic Violence calls. These policies are required to be in writing and be available to the public upon request and include specific standards for the following: (Direct reference from text of Penal Code.)

- a. Felony arrests.
- b. Misdemeanor arrests.
- c. Use of citizen arrests.
- d. Verification and enforcement of temporary restraining orders when the suspect is present and the suspect has fled.
- e. Verification and enforcement of stay-away orders.
- f. Cite and release policies.
- g. Emergency assistance to victims, such as medical care, transportation to a shelter, and police standbys for removing personal property.
- h. Assisting victims in pursuing criminal options, such as giving the victim the report number and directing the victim to the proper investigative unit.
- i. Furnishing written notice to victims at the scene, including, but not limited to, all of the following information:
 - (1) A statement informing the victim that despite official restraint of the person alleged to

have committed domestic violence, the restrained person may be released at any time.

- (2) A statement setting forth who can be contacted for further information about a shelter.
- (3) A statement setting forth who can be contacted for information about other services in the community.
- (4) A statement informing the victim of domestic violence that he or she may ask the District Attorney to file a criminal complaint.
- (5) A statement informing the victim of the right to go to the Superior Court and file a petition requesting any of the following orders for relief:
 - (a) An order restraining the attacker from abusing the victim and other family members.
 - (b) An order directing the attacker to leave the household.
 - (c) An order preventing the attacker from entering the residence, school, business, or place of employment of the victim.
 - (d) An order awarding the victim or the other parent custody of or visitation with a minor child or children.
 - (e) An order restraining the attacker from molesting or interfering with minor children in the custody of the victim.
 - (f) An order directing the party not granted custody to pay support of minor children, if that party has a legal obligation to do so.
 - (g) An order directing the defendant to make specified debit payments coming due while the order is in effect.
 - (h) An order directing that either or both parties participate in counseling.
- (6) A statement informing the victim of the right to file a civil suit for losses suffered as a result of the abuse, including medical expenses, loss of earnings, and other expenses for injuries sustained and damage to property, and any

other related expenses incurred by the victim or any agency that shelters the victim.

The clear purpose of this law is to make it possible for a victim of Domestic Violence or a victim's family or friend to obtain, anonymously, essential information which would explain how to gain necessary assistance. This information is required to be available in the most visible and accessible public agency - the local Police Department. It should be available without having to explain the purpose for which, or for whom the information is needed. It is essential that local police not only comply with this law but that the availability of this critically important information be publicized.

13. Grand Jury teams visited every Police Department and Sheriff's office in Monterey County to determine whether such "written policies and standards" were available to the public upon request.

14. The following are the only Departments which had policies and standards available upon request of the "public":

Gonzales
King City
Greenfield (The office is not always open.)
Marina

15. The following are the only Departments which reported that they have officers designated to deal with Domestic Violence issues, monitor compliance, keep up with new developments and maintain contact with Social Service Agencies:

Marina
Monterey
Soledad

16. There are 12 incorporated cities and numerous unincorporated population centers in Monterey County. These communities are diverse. The Police Departments vary in size. Because of these differences, it is difficult to develop a coordinated and consistent approach to the problem of Domestic Violence in the County.

17. Cultural and language problems complicate the efforts to deal with Domestic Violence.

18. If Domestic Violence is ignored or not dealt with as criminal conduct, with effective follow-up, a cycle of violence tends to occur within the affected family.

19. Some local police officials and some non-profit agencies, which deal with Domestic Violence, feel that the District Attorney should establish a special Domestic Violence prosecution team and a Victim's Assistance unit on the Monterey

Peninsula.

20. A number of Chief Law Enforcement Officers in Monterey County state that Domestic Violence is a priority issue in their Departments, but the Grand Jury found that:

a. In most Departments there is no officer designated to deal with Domestic Violence, monitor compliance, keep up with new developments and maintain contact with Social Service Agencies.

b. The number of Domestic Violence incidents reported by some Departments are very small compared to the number of incidents reported by communities of similar size. (See Exhibit 2.)

c. At least one Chief Law Enforcement Officer in Monterey County did not know about Emergency Protective Orders (EPO's) which can be obtained by an officer, on behalf of a victim, at a scene where there is potential for the occurrence of a Domestic Violence incident or during the occurrence of an incident.

d. The number of incidents of Domestic Violence per 1,000 of population reported by some Departments indicates that some departments are not reporting Domestic Violence incidents as required by the Penal Code.

e. Since January 1, 1986 all Police Officers are required to complete a basic training course in Domestic Violence. Since 1995 all Police Officers below the rank of Supervisor, who normally respond to Domestic Violence calls, must complete an updated course in Domestic Violence every two years. The Commission on Peace Officers Standards and Training (POST) has developed a two-hour training tape to meet this requirement. Domestic Violence experts and local Police officials who have expertise in dealing with the issue feel that the State mandated training is inadequate and must be supplemented by local Departments. Most Monterey County Police Departments offer no training in Domestic Violence other than the minimum training required by the State.

f. A number of Chief Law Enforcement Officers are unaware of "The Technical Assistance Report and Recommendations" produced by the Technical Assistance team.

g. A number of Chief Law Enforcement Officers fail to initiate programs to deal effectively with Domestic Violence.

21. Unless Police Chiefs and key departmental staff initiate programs for dealing with Domestic Violence their verbal commitments that Domestic Violence is a high priority in their departments will be ignored by frontline officers. Such programs should include:

a. Training and continuing education programs which exceed the minimum training required by the State.

b. Specific departmental systems, strategies and methods for dealing with Domestic Violence which are well understood and the subject of reinforcement through periodic briefings and departmental seminars.

c. Ongoing efforts to identify and implement innovative methods, systems and training developed and operated by other police agencies.

d. Required progress reports to the Police Chief in order to remind the staff and front line personnel that this problem is a high priority issue and that the Chief is monitoring the effort.

e. Periodic sessions for review and analysis of departmental compliance with and enforcement of Domestic Violence laws along with a review of programs and training used by other departments.

22. The following Police Departments have active programs for dealing with Domestic Violence issues:

King City
Marina
Monterey

Pacific Grove
Salinas
Soledad

RECOMMENDATIONS

The 1996 Grand Jury recommends:

1. That a coordinated effort be undertaken to monitor compliance with and enforcement of Domestic Violence laws by local law enforcement agencies (Police Departments and Sheriff) and that the effort be under the direction and supervision of an independent department or advisory committee.

2. That the County, in cooperation with Monterey County Cities and private, non-profit Social Service organizations develop and conduct a coordinated publicly funded, public information program advising victims and potential victims of their rights, the assistance and resources available to them and the adverse consequences of trying to live with and survive Domestic Violence.

3. That each Police Department in the County, and the Sheriff's office designate an officer, or officers to develop expertise in Domestic Violence issues.

4. That:

a. Every Police Department and the Sheriff's Department make available to the public in a conspicuous place, which is accessible 24 hours a day, every day, the information specified by Penal Code section 13701.

b. That the availability of the information be publicized frequently in a variety of media, designed to reach every segment of the community, in order to ensure that individuals who need assistance are aware that help is available and that such information can be obtained without having to explain the reason for obtaining the information or for whom it is needed.

5. That the District Attorney examine the need for a special Domestic Violence Prosecution Team and a Victim's Assistance Unit on the Monterey Peninsula, and if it is determined that there is no present need that the situation be monitored for future needs.

6. That the Monterey County Courts establish a special Domestic Violence Court or Courts to ensure a coordinated approach to the handling of Domestic Violence cases.

7. That a permanent, County wide, Police Officers' Domestic Violence Coordinating Council be formed to deal with Domestic Violence issues. The Council should be composed of specially designated officers or, if no officer is designated, then the Police Chief or the Chief's designee or the Sheriff or his designee. The goals and function of such a Council would be:

a. Monitoring compliance with and assuring effective enforcement of Domestic Violence laws.

b. Developing and operating continuing education programs for local law enforcement personnel on Domestic Violence issues.

c. Identifying problems and unmet needs and developing solutions.

d. Researching successful programs in other California communities as a means of improving local programs.

e. Providing routine reports to City Councils and the Board of Supervisors on Domestic Violence, resources needed, and remedial efforts in place or needed.

f. Encouraging other City and County departments and City Councils and the Board of Supervisors, to undertake continuing efforts to deal with Domestic Violence and seek a better understanding of the problems and cost of compliance with and enforcement of Domestic Violence laws.

g. Working with the District Attorney and special

Domestic Violence units to coordinate prosecution of Domestic Violence crime and uniform enforcement of restraining orders.

h. Working with the Presiding Judge of the Superior Court to improve the judicial administration and handling of Domestic Violence cases.

i. Working with public and private Social Service agencies to improve compliance and enforcement, to develop better victim assistance programs, and develop more effective preventive and remedial efforts.

j. Conducting ongoing reviews of protocols with the goal of adapting the common protocol to changing conditions and circumstances, and improving its effectiveness.

k. Performing ongoing reviews of Domestic Violence training programs and developing suggestions for more effective training.

l. Reviewing and updating the Technical Assistance Report and Recommendations and encouraging each department to adopt the procedures and methods recommended in the report, as revised and updated.

8. The Board of Supervisors, in cooperation with City Councils should consider forming a permanent Advisory Committee composed of residents from each city, and from unincorporated population centers, such as Chualar, Del Monte Forest and Carmel Valley. The goals and functions of such a committee should be:

a. Monitoring compliance with Domestic Violence laws.

b. Doing research on what other California communities are doing and recommending enactment of programs and efforts which have proven effective.

c. Working with City Councils, the Board of Supervisors and their staff to ensure that compliance with and enforcement of Domestic Violence laws and the development of effective preventive and remedial programs.

d. Seeking support and funding for effective efforts and programs from City Councils and the Board of Supervisors.

e. Monitoring public information programs and recommending improvements.

f. Working with the District Attorney and the Presiding Judge of the Superior Court to develop and implement effective policies and procedures for dealing with Domestic Violence cases.

g. Working with public and private agencies to improve victim assistance and support programs.

h. Working with the Probation Department to assist in effective referrals of Domestic Violence offenders to rehabilitation programs and follow-up efforts.

i. Working with the Public Defender to assist in developing effective and constructive policies and approaches for dealing with Domestic Violence offenders.

j. Making annual reports to City Councils and the Board of Supervisors on the status of Domestic Violence in Monterey County, the preventive and remedial efforts by public and private agencies and the compliance with and enforcement of Domestic Violence laws by local law enforcement agencies.

9. The Monterey County Domestic Violence Task Force has hired an "Interim Coordinator" to assist in implementing a County wide coordinated program.

The Task Force also intends "to review the need for a permanent Domestic Violence Response Program Coordinator" "charged with the responsibility of coordinating the efforts of the Task Force with all governmental and non-governmental entities which deal with Domestic Violence."

The Grand Jury further recommends that:

a. The job description and the goals to be achieved by the "Coordinator" be carefully defined with input from the public and private non-profit sector.

b. If a decision is made to hire a permanent Coordinator, the person hired should have proven administrative skills and management experience; but more importantly, have at least some knowledge, training and experience in dealing with Domestic Violence. This will ensure that there is empathy and insight into the issues and problems, and that the person understands the complexities of the issue.

c. The following issues be carefully analyzed and discussed with all constituents before a Coordinator is "assigned" to a County department:

- (1) Who will define the role and responsibilities and functions of the Coordinator?
- (2) Who will supervise and oversee the function?
- (3) If the Coordinator is placed under the District Attorney or the Superior Court, is there a potential incompatibility of roles, relationships and responsibilities, i.e., does the Coordinator need independence and objectivity in order to effectively "coordinate" the "effort?"

The project might involve assisting in the development of prevention programs (family education and counseling), development of public information programs, monitoring compliance and enforcement by local police agencies, working with the District Attorney to ensure that there is effective and consistent prosecutorial efforts throughout the County, working with victim assistance projects, working with the Public Defender and Probation Department to ensure that a reasonable effort is made to counsel, educate and rehabilitate the offender, working with the courts to ensure that there is consistent and coordinated approach in dealing with offenders, and finally, synthesizing the knowledge and information gained through working with the diverse components of the community, and using such knowledge and experience to develop a more effective County wide effort to deal with this complex problem.

Is it possible for a "Coordinator" to maintain independence and develop innovative approaches for addressing this problem if the Coordinator's duties are defined by the District Attorney or the Superior Court and if the day-to-day functions are under the supervision of either office? This issue needs careful analysis and discussion with all constituencies.

d. That the Task Force consider expanding its membership to include a business executive, the Public Defender, a member of the Clergy, a victim, a health-care provider, and a rehabilitated Domestic Violence perpetrator.

e. Unless elected officials and department heads, who are members of the Task Force attend the meetings and participate, their lack of personal involvement will deliver the message to their departments that they are not committed to this effort.

Finally, the 1996 Grand Jury emphasizes the importance of the work of the Monterey County Domestic Violence Task Force and its commitment to a coordinated action plan for dealing with Domestic Violence, possibly the root cause of much of the crime in our society.

EXHIBIT 1

DOMESTIC VIOLENCE INCIDENTS
IN MONTEREY COUNTY
1992 THROUGH APRIL 30, 1996

AREA	POPULATION*	1996				AS OF APRIL 30 1996
		1992	1993	1994	1995	
SALINAS	122,390	1,182	861	1,013	970	170
UNINCORPORATED COUNTY	115,000	207	248 AG** 213 GJ***	208 AG** 214 GJ***	182	44 (3/31/96)
MONTEREY	32,587	153	204	163	184	40
SEASIDE	30,102	99	76	92	125	34
MARINA	18,000	236	229	280	267	112
PACIFIC GROVE	16,800	27	28	35	22	11
KING CITY	10,000	44 AG** 66 GJ***	55 AG** 110 GJ***	63	79	38
SOLEDAD	9,255	31	23	26	36	19
GREENFIELD	9,159	122	94	105	132	29
GONZALES	6,600	15	16	11	22	46
CARMEL	4,512	12	13	5	6	4
DEL REY OAKS	1,692	23	19	6	3	1
SAND CITY	200	3	2	3	0	4

* As reported by the Agencies
 ** Reported by Attorney General to Grand Jury
 *** Reported to Grand Jury by City

EXHIBIT 2

DOMESTIC VIOLENCE INCIDENTS PER 1,000 RESIDENTS
AS REPORTED BY MONTEREY COUNTY POLICE DEPARTMENTS AND
SHERIFF'S DEPARTMENT
1992 THROUGH APRIL 30, 1996

AREA (IN ORDER OF POPULATION)	POPULATION	1996				
		1992	1993	1994	1995	AS OF APRIL 30
CITY OF SALINAS	122,390	9.7	7.0	8.3	7.9	1.4
UNINCORPORATED COUNTY AREAS	115,000	1.8	2.2	1.8	1.6	.4
CITY OF MONTEREY	32,587	4.7	6.3	5.0	5.6	1.2
CITY OF SEASIDE	30,102	3.3	2.5	3.1	4.2	1.1
CITY OF MARINA	18,000	13.1	12.7	15.6	14.8	6.2
(AS OF 3/31/96)						
CITY OF PACIFIC GROVE	16,800	1.6	1.7	2.1	1.3	.7
CITY OF KING CITY	10,000	4.4	5.5	6.3	7.9	3.8
CITY OF SOLEDAD	9,255	3.4	2.5	2.8	3.9	2.
CITY OF GREENFIELD	9,159	13.4	10.3	11.5	14.5	3.2
CITY OF GONZALES	6,600	2.3	2.4	1.7	3.3	7.
CITY OF CARMEL	4,512	2.6	2.8	1.	1.3	.9
CITY OF DEL REY OAKS	1,692	13.5	11.2	3.5	2.8	.6
CITY OF SAND CITY	200	15.	10.	15.	0	20.

(Rounded to nearest 10th)

RESPONSES REQUIRED

RECOMMENDATIONS # 1, 2, AND 8:

Monterey County Board of Supervisors
All City Councils in Monterey County

RECOMMENDATION # 3:

Monterey County Board of Supervisors
All City Councils in Monterey County
All Monterey County Police Departments
Sheriff's Department

RECOMMENDATION # 4:

All Monterey County Police Departments
except Gonzales, King City and Marina
Sheriff's Department

RECOMMENDATION # 5:

Monterey County Board of Supervisors
District Attorney

RECOMMENDATION # 6:

None

RECOMMENDATION # 7:

All Monterey County Police Departments
All City Councils in Monterey County

RECOMMENDATION # 9:

Monterey County Board of Supervisors
Monterey County Domestic Violence Task Force