

SENIOR TASK FORCE REPORT

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The team's focus was on senior citizens. The problems facing this particular segment of society are commonly known but their solutions are not always implemented. Seniors have special needs because they are susceptible to exploitation by other segments of society. Indeed, not all seniors are bed-ridden and frail, but many are on a low/fixed income and are often dependent upon others, such as in institutions, or on their families, for care.

There are many programs that have attempted to address the needs of the senior community. This team recognized several areas of potential study. The Senior Escort program where a senior ^{is escorted} to a place he may need to go. For example this program provides a sense of security for an elder who is escorted in picking up his social security check. There are recreational programs for seniors that are run by the Department of Recreation and Parks. Nursing home care is a large area of concern with respect to seniors. In particular, there is always public concern in ensuring proper care in such homes. There are also community care facilities that are provided to meet different needs: hospices; board and care homes; cooperative living arrangements; convalescent homes; as well as day care centers for the elderly; and, those centers that provide repite for the caregiver by giving the elder a place to stay for a short period of time. Other programs, that look after the social needs of the elderly are, the Foster Grandparent program and the Senior Companion program. These two programs acknowledge that seniors can participate actively in and contribute to society by helping children and one another.

For purposes of this report, we selected two areas that are of particular importance currently. In the first part of the report we studied the issue of Elder Abuse. The most significant problem that we found was that many cases of such abuse are not reported. Claude Pepper, the Democrat Congressman from Florida,

led a House Sub-committee in compiling a survey that indicated, among other things, that while one of every three cases of child abuse is reported, only one of every five cases of elder abuse comes to the attention of the appropriate authorities. In this report, this problem is recognized and a study was completed on how the City of Los Angeles deals with this problem within its legal and social service jurisdiction. It was our thesis that without proper reporting incentives, the true extent of such abuse may never be acknowledged, let alone be solved.

In the second part of this report, we studied Housing for the low/fixed income elderly. The City administers, through its agencies, over federal funds that provide cheap and adequate housing. Although a study of housing might include issues such as, adequacy (that is, security or facilities for the handicapped), this study focuses on the search for housing. In other words, Has the City done all that is possible to facilitate the seniors, search for housing? Moreover, to what extent have the bureaucracies established to administer the funds, curtailed the pursuit? This report studies the relevant agencies and the needs of the senior community.

ELDER ABUSE

Class Affected/Nature of the Problem

For purposes of this report, the common definition of "elder" will be used; that is, any person 65 years or older. In addition, while this report will deal mainly with physical abuse, it is important to note the general definition of elder abuse because the nature of it is very broad. A general definition can be found in the recent County Task Force Report on Elder Abuse dated June 2, 1986:

Elder Abuse means the intentional infliction upon an elder (65 and older) of one or more of the following types of mistreatment by any person who has the care or custody of, or stands, in a position of trust with the elder: physical abuse, psychological abuse, neglect, financial abuse, or the violation of basic rights. (p.8.)

In terms of this report, the class affected is defined by a variety of factors. First, the class for our purposes here, is limited by the city's legal jurisdiction. The City Attorney has jurisdiction over all misdemeanor crimes. In particular, this office can prosecute misdemeanor assault and/or battery cases and those misdemeanor violations of the mandatory reporting statutes. (See Assembly Bill No. 3988, Chapter 769 of the 1985-1986 Regular Session pp.205-224 for the current amended reporting statutes.) The more serious infractions are within the purview of County jurisdiction. Thus, the District Attorney handles felonies committed within the city and throughout the County. Here, the focus will be on the city's jurisdiction; that is, the City Attorney and the Los Angeles Police Department (LAPD).

Second, the affected class may be even further defined. While the population of the over 75 and 85 year old age groups are rapidly growing as compared to the rest of the population¹, studies have shown that about one to four percent of the elderly are victims of abuse.² The County Department of Public Social Services (DPSS) utilizes the four percent figure as a

conservative estimate. This department figures about 30,000 victims in Los Angeles County. Although no city agency has the figures for the City such a figure may be estimated by multiplying the number of "elders" in the city by one to four percent.

Finally, the DPSS asserts that the typical victim is white, female, aged 75 or older and widowed, with a mental or physical impairment which causes her to be highly dependent upon others for her care.

It is also important to note that this report, while acknowledging that elder abuse is a problem in institutional care, such as nursing homes, it will focus primarily on abuse in the home.

The reason for this is that there are special regimes to deal with such situations while there are special problems associated with abuse in the home.

Perhaps the most striking problem associated with the study of elder abuse is in identifying the affected class because there is a likelihood that the victim will not report the abuse. If living with a relative, for example, is the only thing standing between her and an institution, the elder will go through a lot in order to stay out of an institution, including living in an abusive situation.³ In addition, the abused may not report because she is fearful of further and retaliatory abuse or is just reluctant to report a loved one to the police. Moreover, health care professionals may be hesitant, neglectful, or ignorant of the reporting statutes so as not to report their suspicions. Thus if there are no incentives established by the appropriate authorities to promote reporting by victims and others, the problem will never be addressed properly because no one will ever know the true extent of elder abuse.

The following report will study the city's current treatment of elder abuse. It will also pay attention to the County treatment and some of its proposals found in the task force report. Finally, the report will put

forth proposals addressing the aforementioned problems in terms of the City's jurisdiction.

Method of Study

First, I studied current articles because the issue of elder abuse is just now gaining prominence. These articles offered me the psychological and sociological bases of the problem. Next, I contacted the Department of Aging where Helen Devore informed me on the City's capabilities and social service structure in regard to seniors. Since the issue is new, there were not many experts or sources. The City had no social programs and as far as the County was concerned, I contacted Susan Kerr at the DPSS.

Second, with respect to the legal aspects, I spoke with the City Attorneys' Office, the LAPD and the District Attorneys' Office.

Most of the research was done with phone interviews and a few in-person interviews. I was frustrated at times because I could not find the appropriate authorities. Too often my calls were routed and rerouted throughout the various bureaucracies. Finally, I consulted the County Task Force Report as a comparative study.

Findings

In addition to looking at the appropriate offices and jurisdictions, it will be of some benefit to study, for comparative purposes, these offices' approaches to other areas such as child abuse and domestic violence cases.

1. City Attorney⁴

Basically, there is no special regime set up for elder abuse situations. This office treats these cases as it does all misdemeanor cases. After the LAPD brings a case to this office, the City will prosecute immediately or it may send it to the Hearings Office. Hearings are used to study the case in depth and in some cases counseling is recommended in lieu of prosecution. But the Hearings Office attorney stated that there is no special way of handling elder abuse cases. In addition, there is no way to

ascertain the number of elder abuse cases during any period simply because they are counted separately. According to the attorneys with whom I spoke, no such statistics are kept and one estimated that less than one percent of all cases in the Hearings Office are of this type. Anecdotally, this attorney spoke of a recent, typical case where an elder woman phoned deciding not to prosecute. The office had no plans to pursue the matter.

Conversely, there are regimes set up for Domestic Violence situations (Domestic Violence is defined as any violence in the home.), child abuse and nursing home abuse. In particular, a Domestic Violence unit was just recently established. Ilana Bowman, the attorney in charge of the unit, stated that it will deal with all altercations within the home that result in misdemeanors. She further stated that there will be eight attorneys assigned to the unit. Elder abuse cases will be handled in as much as they are the result of altercations within the home. Similarly, child abuse cases are counted and treated separately as there are special laws that deal with juveniles. Nursing homes are subject to licensing and thus are under constant scrutiny by the government and the public. There is also an Ombudsman that deals with problems in institutions and there are special attorneys that handle these cases.

2. The LAPD⁵

The LAPD handles the cases in basically the same manner as it does all other cases. If an arrest is made, the case is sent to either the City or District Attorney depending upon the extent of the injury. In Domestic Violence cases, recent laws require that the officers make an arrest immediately if there is injury in the household due to violence. Where the attending officers had discretion before they have none currently. Similarly, where there is substantial evidence to make an arrest for child abuse in the home, all children must be removed from the household immediately. There is a separate juvenile division and also a Domestic Violence unit.

Detective Kessler, a member of the Los Angeles County Council on Domestic Violence, stated that the Council is just now starting to study elder abuse. However, he admits there is no special recognition of these cases primarily because they are so uncommon.

3. Evaluation of City Treatment

In evaluating these findings it becomes apparent that the City's handling of elder abuse is insufficient. In grouping them with all other cases, the City ignores the inherent problems associated with such abuse. Elder abuse shares aspects of both child abuse and Domestic Violence cases. Like children, seniors are often dependent upon the abuser for necessities (and to keep them out of nursing homes). But unlike children, seniors cannot be taken away from the abuser and be placed in protective custody. Like spouses, seniors are adults and often dependent emotionally upon the abuser. Although elders may fall into Domestic Violence cases, as violence within the home, the absence of a special regime regarding elders still ignores those previously enumerated restraints that prevent seniors from pursuing a case. Moreover, this problem cannot be minimized by such statements that there is no need for special programs because there are so few cases. This is illogical, for without special programs to provide incentive to report, there is no way to know how many elders are being abused. If the DPSS is correct in its estimations, there are many cases that are not reported.

4. County Approach and County Task Force⁶

The District Attorneys Office approach was somewhat more difficult to discern because of a difficulty in surmounting the bureaucracy and reaching the correct people. Basically the office is similar to the City Attorney in that the cases are treated as part of the Domestic Violence cases. Child abuse and nursing home cases have their own special treatment where attorneys specialize in those fields.

The task force report acknowledges that there is a lack of community

awareness regarding detection and reporting procedures. Among other things, it proposes a thorough information dissemination program through county agencies. The report also asserts that lesser forms of abuse especially when it occurs in the home, is a problem requiring therapeutic and educational intervention, not really a crime requiring law enforcement intervention. Thus it proposes, that law enforcement agencies be notified via cross reporting only in the more dangerous cases. The task force also suggests that elders should be included as a form of Domestic Violence in terms of the services provided by the County. It suggests that a parallel system for the elderly would not be cost effective and would further isolate the elder community from the rest of society.

Proposals

1. Councilman Woo should take the initiative and convene a task force similar to that of the County to study elder abuse and to propose ways in which the City can approach the problem. While the City should use the County report as a guide, it should focus on City jurisdiction and needs. The City may find that the County's approach conflicts with the City's ideas. For example, the City may find that the County's suggestion on law enforcement referral leaves the City with little jurisdiction because the less serious cases may not be thought of as requiring law enforcement. Thus these misdemeanor cases may never be reported to the City Attorney.

2. The City should include the Department of Aging as a principal player in any program because this department is especially attuned to senior issues and senior services.

3. In order to increase reporting, the Council should initiate an educational and public awareness campaign.

4. In order to improve City jurisdictional handling and at the same time to help the abused to overcome their reluctance to report, the City should study specific solutions:

(a) Set up special units within both the City Attorneys' Office and the LAPD, where personnel is trained in the field. It may very well be that the Domestic Violence units are the appropriate bodies. Specially trained personnel would provide the requisite attention and understanding that an abused elder may need to pursue the matter more fully.

(b) A deferred prosecution program where the City Attorney will forego prosecution for a period of time demanding that the abuser enroll in a counseling program. In order to be successful, there must be follow up by the attending attorney so that if the abuser does not successfully complete the program, in good faith, he must be prosecuted.

5. The council should study possible preventive measures. One approach would be to establish a sufficient respite care regime. A respite center allows the caregiver respite from providing care, thus relieving some of the pressures thought to contribute to the causes of elder abuse. While the City may find respite care to be expensive, there are cheaper alternatives such as renting beds in institutions, like hospitals, that have extra beds for short periods of time.

6. The City Council should consider joint social service programs with the APS. Susan Kerr and the Council on Domestic Violence seem to be good sources on the County level. This may be better than isolated city programs because funds may be pooled in a joint effort.

NOTES

1. Bond, "In Homes and Care Facilities, Our Elders are Being Abused," L.A.D.J., May 16, 1986.
2. Id.
3. Id.
4. I spoke with these attorneys: Bruce Coplin; Robin Weinstein, of the Hearings Office; and, Ilana Bowman.
5. I spoke with: Public Affairs Officer Howard Rudolph; and, Detective Kessler, of the Robbery/Homicide Unit. This unit also handles Domestic Violence cases. The County Council on Domestic Violence is a private sector council that provides a forum for an exchange of ideas between private citizens and public officials on Domestic Violence. There are people from the City Attorney's Office, the District Attorney's Office, county agencies, the LAPD, on the council.
6. Besides the District Attorney's authority, there is the Adult Protective Services program (APS) which is administered under the DPSS, a county agency. The APS has legal jurisdiction under the State Department of Social Services. The appropriate legal code is found under the California Welfare and Institutions Code, section 12251. The program applies to endangered adults 18 and over. The program defines "endangered adults" and provides to those who qualify, counseling and related services. New laws indicate that this office can take reports and referrals from all sources save for facility abuse. Facility abuse cases are referred to the Ombudsman. Susan Kerr, of the DPSS, indicated that she was very interested in elder abuse. Her office is currently preparing literature on the issue and the relevant laws for the public. As a member of the County Council on Domestic Violence, she is now bringing the issue to the Council's attention.

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See the attached list provided by Susan Kerr, of the DPSS, for books and articles on Elder Abuse, in general. In addition, she provided a new source that is especially informative on intervention techniques:

Tomita, Susan and Quinn, Mary Jo. Elder Abuse and Neglect. Springer, 1985.

There is also a variety of information put out by her office. In particular, there are fact sheets on APS, the reporting laws, and other relevant information.

For laws: Assembly Bill, No. 3988, Chapter 769, of the 1985-86 Regular Session, 205-224.

Other sources:

County Elder Abuse Task Force Report. June 2, 1986.

Bond, Patricia. "In Homes and Care Facilities, Our Elders are Being Abused." L.A. Daily Journal. May 16, 1986.

"Elderly Protest Physical Abuse, Loss of Dignity." L.A. Times, May 11, 1985, Part I, p.6.

HOUSING

Class Affected/Nature of the Problem

Housing is a very complex issue in that there are several federal and local programs that include seniors. This report is a survey of the City's agencies that administer specific federal and community programs. In addition, it will acknowledge an alternative housing option for seniors.

At issue is adequate (ie. safe, clean, etc...) housing for low income and fixed income seniors. The problem addressed here is the need for a coordinated city wide informational service. Each federal program has a set of requirements and procedures that are difficult to understand and to keep up with. In addition, seniors have a special need to be informed of their legal rights as tenants because they are vulnerable to exploitation. Thus while the City offers and administers several agencies and programs has it done all it can to facilitate elders' search for housing?

Method of Study

On November 18, 1986 Helen Devore held a meeting at the Department of Aging which included several authorities in housing in Los Angeles. Attending the meeting and on the panel: Michelle Roth, of the City Housing Authority; Ruby Baylor, of the Community Development Department, Housing Division; Barbara Zeidman, of the Community Development Department, Rent Stabilization Division; Madeline Slavick, of Westside Independent Shared Housing for the Elderly; and, Werner Illing, who runs the housing desk at the Hollywood Multipurpose Center. In the audience were district representatives of the City's multipurpose centers. This meeting served as the basis of this study.

Each speaker told of her department, updated program status, and discussed problems common to the administration and search for housing for seniors. In addition to the panel discussion, I consulted Helen Devore on the current and potential role of the Department of Aging in housing. Finally I studied literature put out by several of these departments.

Findings

In this section I will discuss the City Housing Authority (CHA) and the Community Development Division (CDD) administration of federal funds for housing. Moreover, I will focus on some of the typical problems seniors face as tenants and an alternative approach to housing seniors. Finally I will look at the Department of Aging's role in general as manifested by the multipurpose centers. This will be particularly important in the formation of proposals for the City.

1. City Housing Authority(CHA)

The City Housing Authority administers two federal programs that subsidize housing for seniors. These programs are the Section 8 Certificate and Voucher programs. The Federal Housing and Urban Development Agency gives grants for housing units under the Section 8 program. People who qualify under the Voucher program receive rental assistance of a certain amount per month. Under the Section 8 program, unless HUD specifically mandates the units are available for people 62 years and older as well as for mentally disabled younger people.

Perhaps the greatest problem and cause of frustration for elders is in the administration of the programs. For example, the CHA recently received over 13,000 phone calls for Section 8 applications in three days. Multipurpose also received calls for these applications. The agency was criticized because many people could not get through on the phones. Moreover, HUD criticized the CHA administration of the programs. In particular, it was not acceptable to HUD that the CHA is still trying to service 34,000 applications that were filed in January, 1983. In order to remedy the situation HUD now insists, among other things, that the CHA set up a centralized application system in one office. Before, there were district Section 8 field offices. A resulting problem of this structure was that people in certain areas were housed before others because

they lived where there were openings. HUD disallowed such ^{discriminating} effect and the CHA is now in the process centralizing its system to one office. Soon all records and contracts will be in one office. Roth asserts that this will be inevitably more efficient to housing owners, applicants, tenants, and social workers. The centralization should be completed by the end of 1987.

Roth also briefed the representatives on other common problems and questions regarding the federal programs. For example, it is imperative that seniors keep complete records of all communications with their landlords in case of questions of liability for damage in a unit. She said there are cases where records were not kept and because the legal landlord/tenant relationship applies under the Section 8 program, many of these cases ended with the senior having to pay for the damage. She also pointed out that if there is a serious problem in an apartment, the tenant should call the Health Department instead of the CHA because the CHA inspectors have 18-22 inspections each day. If the Health Department files a report, the CHA inspectors will give that case priority. Applicants should give changes of address to the CHA. Many applicants were dropped off of the rolls because they moved without offering a forwarding address. Finally, she pointed out that simple new facts can change the status of any case on a daily basis. For example, priority is given to displaced veterans, then to all other veterans then to displaced others, and finally to all other applicants. It is therefore important to listen to problems carefully, and even more importantly, that whoever is listening to the applicant must know which facts are important.

2. Community Development Department (CDD)

This agency generally administrates over Block grant funds. Different organizations apply for the grants and the agency administers the money. The housing divisions programs have an impact on the elderly but

are not exclusively for the elderly. The department focuses on providing affordable housing for low/moderate income people, (Thus there is a large impact on the elderly) through housing rehabilitation and housing development. There is a wide variety of such programs. For example, there are rehabilitation programs to fix up single family dwellings (HOME Program) with field offices to satisfy questions of eligibility. There is also a municipal finance housing program which has a large impact on seniors. This program issues bonds to eligible sponsors and assists in gap financing. Moreover, the department was awarded grants for new units of which ten percent are for seniors. The multipurpose representatives were not aware of this grant and availability of such housing for seniors. The department can also supply housing with home purchasing programs for both new and existing homes. Needless to say, all these programs can have a large affect on seniors especially when one considers how tight housing really is.

3. Alternative Housing (One Example)

Shared Housing- Madeline Slavick spoke about a program that works to keep seniors out of institutions for as long as possible. She matches seniors with each other or a senior with a non-senior in a shared living arrangement. By interviewing the prospective roommates, Slavick attempts to match people according to their needs, abilities, and compatability. Seniors have special needs that a younger roommate can fill. For example, a younger person can do the shopping while the senior person pays most of the rent. Slavick attempts to ensure compatability through the interview process and ensure responsibilities with a contract.

4. Senior Multipurpose Centers

Under the Department of Aging there are fifteen multipurpose centers throughout the city, serving the senior citizen community. Some of the

services offered are home delivered meals, social services such as information referral, nutrition and transportation services, and case management for the frail elderly; health screenings; dance groups; legal assistance; and employment desks. A few centers have housing assistance desks but many are hesitant to provide the service because "no housing is available." Seniors, however, very often direct their questions regarding housing to these centers.

5. Impressions of Meeting/Needs of Senior Community

According to Helen Devore, the purpose of this gathering was to exchange information. This was the third such meeting held at the Department of Aging. Several things were apparent as a result of the discussion, the most important of which was that the representatives did not fully understand housing. Michelle Roth stated this fact because of the questions that were directed at her. In fact several questions had to do with the basic requirements of the federal programs while others were about the CDD programs. Thus it seems problematic that while these centers can offer so many services they cannot offer adequate housing experts. Moreover, the City does not offer any cohesive informational source on the issue. This is typified by Roth's call for an interagency referral service, so that all agencies and authorities can be aware of all programs, and especially, of when units become available.

Werner Illing, a housing desk advocate, offered an anecdote that exemplified the situation. On a rainy day, a displaced 75 year old veteran came to his center needing housing. This case seemed simple enough in that this gentleman qualified for housing under one program or another. However, Mr. Illing could not get through to the agency on the phone because it was busy. In the end, the multipurpose center personnel took up a collection and provided the man enough money for a hotel. The inherent problems in such a system that permits this type of situation are obvious. At the very

least, this is indicative of a serious bureaucratic problem.

Proposals

All proposals should address the following objectives: to provide a comprehensive current source of information for seniors that is easily accessible, ^{and} a comprehensive current source of information between agencies.

1. That Councilman Woo take the initiative to establish a regime of information and cooperation between all housing agencies. Such an initiative may require funds for a communication or computer assisted network that will keep each agency up to date on programs and housing availability.

2. That if the City council should decide as the result of its own study that seniors require better information and accessibility to housing opportunities, the Department of Aging should be considered the focal point of any comprehensive program. Training of experts to serve as housing desk personnel would be one appropriate solution.

3. Other methods of supplying the most current information and the serving of problems and questions by the elder community may be in the form of: a housing hotline whereby operators could refer seniors to the appropriate authorities; and a written guide with agency phone numbers, program requirements, housing desk phone numbers, etc..., that would be updated periodically as needed.

4. The Council should initiate a study on alternative types of housing for seniors. Publicizing programs such as the shared housing program may alleviate some of the pressure on the federal programs. As a result of the study, the City may decide to expand these programs. In any event, the City should include these housing options in the publication of a comprehensive housing guide for seniors and in the training of housing desk experts.

CONCLUSION

It is apparent that in terms of elder abuse and housing, the City could improve its approach. In the former case, several elements within the City jurisdiction have just begun to acknowledge the issue. In particular, the new Domestic Violence Unit in the City Attorney's office is a step in the right direction. A bigger issue for the City to resolve, upon its own study, is whether elder abuse should be included under the Domestic Violence umbrella at all. Indeed, seniors have special needs and require special incentives to encourage them to report the abuse. The County report serve wll as a model for the City. In fact, suggests that the Domestic Violence programs should include elder abuse because separate programs would not be cost effective and would further isolate the elder community. Our report proposes that, at the very least, the City should recognize the problems associated with elder abuse, and provide educational programs for the public. All of the other proposals require more investigation by the City primarily because they are more expensive to implement. The Department of Aging should be the focal point of any social programs in the City. Finally, the City should contact Susan Kerr at the DPSS for advice Whether or not it decides that a joint program with the County is in order.

The City can also improve its handling of housing. Since seniors often qualify for federal programs, it is important that the City administer the programs through a fair and accessible system. The results of this report show that the existing system is improving, but is ^{not} very effective in providing complete housing information and services to seniors. A principal cause of this is the lack of communication between agencies. The City can begin to remedy the situation by providing an interagency communication system and funds for the training of housing desk experts at the multipurpose centers.

I sincerely believe that these issues, as well as other senior issues, need the immediate attention of the City Council. The senior community is very often overlooked and its problems pushed aside. The issues discussed herein are real and affect identifiable segments of the population. More importantly it is common knowledge that the elder population is growing comparatively faster than the rest of society. Thus these problems should be addressed presently. The proposals will probably not be very expensive. If the City hesitates now, these problems will continue to be ignored. As the problems grow along with the senior population, so will the cost to society to remedy them.

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REPORT ON CHILDCARE NEEDS IN THE CITY OF LOS ANGELES

to

THE TASK FORCE ON FAMILY DIVERSITY

by

Julia B. Morton

December 1, 1986

INTRODUCTION

The need for quality, affordable childcare has become one of the "hottest" issues of the 1980s. No doubt this derives from the fact that the family unit is changing and with that has come a change in its need for childcare. U.S. Bureau of Labor statistics show that the percentage of mothers of children under age 18 who are in the labor force has increased from 40% in 1970 to nearly 60% in 1983. Today 53% of children in two-parent families have employed mothers.¹ The need is clear -- the challenge with which the Task Force on Family Diversity ("Task Force") and the City of Los Angeles is faced is to respond to that need.

In approaching my research for the Childcare Committee of the Task Force I anticipated that I would quite easily find evidence of a need for quality, affordable childcare in the City; that I would find a variety of programs in existence and under consideration meant to fill that need; that I would simply summarize my findings and present them in a paper to the Task Force with my suggestions as to additional measures that I felt should be taken. In a sense, that is what I found and what I did. Through telephone conversations, office visits and research I began to get a sense of the efforts being taken in the City to meet the childcare need, became aware that a strong need does exist, and began to get a feeling of some general kind of commitment throughout the City to the issue of childcare. What I did not expect to find was the element of politicization that has attached to the issue and the corresponding lack of and need for a system of comprehensive cooperation among those in the City who are working on this issue.

As a result, the focus of this paper is somewhat different than I originally had anticipated it would be. There are three major "efforts" underway in the City regarding childcare -- I think it important for the Task Force to be aware of these. I hope to

be able to provide not only a summary of each but also to describe the ways in which they fit together to form the City's current effort to address its childcare needs. In addition, my research has raised some concerns which I think the Task Force should address in the coming months. I will present these and make recommendations which the Task Force might consider implementing in addressing them.

THE CITY OF LOS ANGELES' EFFORTS

The Picus Proposal

The Personnel and Labor Relations Committee, of which Councilwoman Joy Picus is Chairwoman, has come out with a draft Policy Statement on Childcare and a draft Policy Implementation recommendation. A public hearing to get input on the Policy Statement was held in October and another has been scheduled for December 10. The Committee hopes to present a final policy statement and implementation plan to the City sometime in the Spring of 1987.² The Policy Statement's purpose is to "...express a willingness and commitment on the part of the City of Los Angeles to utilize its resources as educator, model and facilitator in the expansion of childcare services throughout the City."³ The target group will be City employees.

The Policy Statement focuses on twelve areas:

1. Need - the City "recognizes and acknowledges the importance of affordable and accessible quality childcare, and the detrimental impacts on the individual, the family, the workplace and the community in the absence of such care."
2. Partnerships - the City will promote partnerships among itself, parents, developers, employers, businesses, community leaders to work toward the common goal of "...the expansion of accessible and affordable quality childcare to working families in the City of Los Angeles."
3. Model - the City will work to become a model in the delivery of childcare services to its employees.
4. Planning - the City "...shall integrate, wherever possible, the childcare needs of working families into the City's planning process."

5. Facilitator - the City will develop or improve procedures which seek to expedite the necessary approvals and permits for construction of childcare facilities.
6. Review - the City will periodically review programs it has implemented to promote expansion of childcare services and to determine their effectiveness.
7. Expertise - the City will create expanded childcare expertise and coordination capabilities within the Department of Community Development.
8. Resource - the City will utilize its information and referral capabilities in the furthering of childcare services throughout the City.
9. Property - the City will, where appropriate, make available vacant or underutilized City owned land or facilities to qualified non-profit childcare providers.
10. Legislation - the City's State and Federal Legislation Program will include support of legislation which would provide assistance to the City in pursuing their childcare policy.
11. Policies - the City will seek to develop a requirement that businesses have a stated childcare policy.
12. Vendors - the City will explore encouraging childcare among its vendors by including childcare policies as a consideration in awarding contracts.⁴

The corresponding Implementation Recommendations are:

1. Establish a "Childcare Technical Advisory Committee" to provide technical assistance to City policy makers, childcare providers, developers and others interested in the expansion of childcare within the City;
2. Designate the Community Development Department as the City's principal agency in the administration and monitoring of City sponsored or assisted childcare activities and programs;
3. Instruct the Department of Community Development to prepare and present a report outlining the necessary requirements for the establishment of a Childcare Information and Referral System;
4. Instruct the Chief Legislative Analyst to develop and implement a State legislative program on childcare in keeping with adopted Council policy;
5. Instruct the Planning Department to revise when appropriate the elements of the Citywide Plan to reflect the City's childcare policies, goals and objectives.⁵

The Cunningham Proposal

On February 4 the Los Angeles City Council submitted to the Planning and Environment Committee a report and proposed draft ordinance on the feasibility of

requiring developers that build in the City to contribute space for childcare facilities or contribute to a fund commensurate with the size of their projects.

This has been referred to as the "Cunningham Proposal". The ordinance would,

...amend the LA Municipal Code to require developers of non-residential projects of 50,000 square feet or more to set aside 3,000 square feet or one percent of the total floor area (whichever is greater) for an on-site non-profit care center. Developers may elect to contribute an amount equal to one half of one percent of the value of the project in lieu of providing space. The ordinance establishes a fund to receive such contributions. The fund is to be administered by the Community Development Department.⁶

The ordinance represents an amalgamation of two similar ordinances in the cities of Concord and San Francisco, and was a reaction to a demonstrable need for quality day care in Los Angeles.

In addition to proposing a specific ordinance, the Council noted several issues which would have to be addressed before such an ordinance could be put into place, These include: administrative responsibility; the mechanics of day care; the geographic dimension of day care; code provision; licensable space; real estate marketing in the downtown area. It also stated that the need for "quality day care both in individual and societal terms is clear and self-evident...", and that the "...desirability of work-site day care facilities is unquestionable and their advantages considerable."⁷ The target group of this ordinance would not be limited to City employees.

Mayor's Advisory Committee on Child Care

The Mayor's Advisory Committee on Child Care ("Mayor's Advisory Committee") has committed a great deal of time and energy to the childcare issue. The Committee has come out with a Position Statement on Quality Child Care for City Related Programs in which it describes those elements necessary for "quality care". The stated purpose of the Position Statement is to "...define child care quality and clarify the Mayor's Advisory Committee on Child Care's position."⁸

The Position Statement defines quality care by "...concrete criteria such as qualified and trained personnel, adult-child ratios, healthy and safe physical

environments, and age-appropriate curriculum," and gives examples of each. In addition, the Position Statement recommends proposals aimed at decreasing costs, increasing efficiency, and encouraging support from the entire business community.⁹ (Mary Kelly of the Task Force's Childcare Committee is a member of the Mayor's Advisory Committee. The Task Force should also note that next week sometime week Crystal Stairs, a Resource and Referral service used frequently by the Mayor's Advisory Committee, will be coming out with a break-down of childcare need for the entire City.)

These three "efforts" do not represent the sum total of all the available childcare options in the City -- far from it. There are a multitude of private facilities, programs and services in existence in the City but to name them would be an overwhelming task. I have narrowed the focus of this paper to the Picus and Cunningham proposals and the Mayor's Advisory Committee's work because they represent collectively the childcare effort that is coming out of the City Council at the present. These are the efforts of which the Task Force should be aware and they provide a "target group" of people with whom the Task Force should join forces in meeting the challenge of filling the City's childcare needs.

From what I was able to find out the Picus and Cunningham proposals have received rather wide-spread support. The Picus proposal will be targeted at City employees only. As such, it is the City Attorney's Office who will be responsible for drafting the eventual City ordinance. I spoke with Jessica Heinz in the City Attorney's Office to get some of their office's reactions to the proposal. No work has been done yet from what I understand on an ordinance -- they will wait to receive feed-back and instructions from Councilwoman Picus before they will draft the ordinance. Some of the concerns/thoughts were:

- some concern with whether giving a preference in contracting is violative of the competitive bid rules;
- not sure if they wanted to go as far as the proposal in providing childcare benefits;

- Jessica voiced a personal concern that there does not exist a centralized childcare referral agency where a parent can call and get "checked-out" referrals. She is not sure how effective the existing childcare Resource and Referral (R&Rs) are.

The Cunningham proposal, on the other hand, is not limited to a target group of City employees. In that respect it could provide a more wide-spread and across the board childcare service to the City. The Mayor's Advisory Committee has expressed a desire for the two proposals to be considered as an entire package that could meet the City's childcare needs. I think it is important for the Task Force to consider these two proposals in that light and recognize the dynamics between the Council members regarding the childcare issue. The three "efforts" mentioned in this paper are the ones I think it most important for the Task Force to use not only as models for a similar proposal they might consider making, but also as part of a network on the Council of which they should become a part.

CONCERNS/RECOMMENDATIONS FOR THE TASK FORCE

By far our biggest discovery has been that the childcare issue is a highly politicized one, or at least there exists a very real danger of it becoming so. There are many efforts throughout the City to provide quality, affordable, accessible childcare, yet there is not comprehensive cooperation among those who are committed to this issue. My first two proposals for the Task Force's consideration stem from that concern.

Proposal A

I think that one of the most positive and potentially productive next-steps that the Task Force should consider taking would be in some way to "hook-up" with the Mayor's Advisory Committee on Child Care by establishing a liason or some similar relationship. The Mayor's Advisory Committee wants to take the position that childcare is a comprehensive issue. It would like to see both the Picus and Cunningham proposal

be considered as not distinct and work toward the implementation of a comprehensive childcare policy and program throughout the City.¹⁰

The Mayor's Advisory Committee has done a great deal of thoughtful and thorough research and is anxious to give input, but has had difficulty in disseminating the information they have discovered throughout the community. It would be a wonderful and timely opportunity for the Task Force to work together with the Mayor's Advisory Committee to help combat the "politicization" problem and to try and bring about a unified commitment from the Council and the City to the issue of childcare. (The Task Force should note that Mary Kelly has spoken with some of the members of the Mayor's Advisory Committee and feels such a liason idea would receive support. In addition, she feels strongly that the Mayor's Advisory Committee is a good resource for public witnesses for the Task Force's up-coming hearings.)

One concern that this proposal raises is how to implement it without stepping-on-toes politically. Clearly our Committee would need guidance from the other Task Force Committees and members on how to approach such a relationship with the Mayor's Advisory Committee in a politically feasible and acceptable manner. If this hurdle could be overcome, I think this is a relationship to which the Task Force should give serious consideration. Again, the fact that Mary Kelly is already a member of the Mayor's Advisory Committee might make such a relationship more readily available.

Proposal B

It has become clear that although there are many and varied childcare options available in the City, often times they are underutilized because people in need of their services are not sure how to find them. Although the City has several Resource and Referral services (R&Rs), there is no one, central and "parent" referral agency. In thinking about this problem and considering solutions I began to think that there could be great utility in providing such a service not only for childcare but also for a variety of "family issues" that face families in the City. It seems appropriate

that the Task Force on Family Diversity should establish a type of "family clearing house" that would serve as a "parent" referral and resource agency for the City on a myriad of family issues. I propose that the Task Force look into the feasibility of establishing such a "family clearing house" in the City of Los Angeles.

A natural place to begin looking into such an option would be for the Task Force to investigate and research the existing R&Rs as "models", to get a sense of their effectiveness, how often and how widely they are used, estimates on costs of establishing and maintaining such a facility, ect. The underlying idea would be that although there are many family service providers and many referral services, there is no unifying body to pull all of the resources together and be responsive to family needs throughout the City. The utility of a "family clearing house" would be that it could aid in full use being made of existing services, and perhaps also be a kind of "finger on the pulse" of family issues in that it could asses the ongoing family needs in the City.

It is clear from my research that there are many individual efforts in the City and that many individuals feel strongly about the childcare issue, but there needs to be created a network of efforts and a unity of efforts for the City as a whole. If not those with little or no access to the political system or any of the other groups who are working hard on the childcare issue will fall through the cracks with their childcare and family needs unmet and unrepresented. I think this would be a great contribution from the Task Force and thought should be given to an effort along those lines.

Proposal C

In speaking with my Task Force member and other students in the class it has become obvious that there is a good deal of overlap and shared interests among the various committees on the Task Force. Further, after having completed the "first stage" of the Task Force's existence, there is a large amount of new information to be shared. I think it appropriate and advisable at this juncture for the Task Force

to take a critical look at itself and reassess its structure. I think consideration should be given to "collapsing" some of the committees into each other in order to gain the support and aid of each other's efforts and to work together where there exists natural overlap. The purposes of this would be to:

1. benefit from the sharing of resources and information on overlapping topics;
2. provide support in research and maximize efforts on similar topics;
3. unify the Task Force towards the common goal of its final report.

In addition, it might prove useful in terms of scheduling the public hearings to be "whittled-down" to 5 or so committees on general issue areas. Even if the committees are not officially collapsed into each other, I think the Task Force should consider in its second stage encouraging a greater interaction and cooperative effort amongst the separate committees.

CONCLUSION

There is a definite and growing need in the City of Los Angeles for quality, accessible, affordable childcare and although there are strong efforts being made towards that end, there is room for the Task Force on Family Diversity to make a positive contribution. Of primary concern should be an effort to unify the individual efforts and establish a comprehensive cooperation and commitment to this issue within the City. Further contributions could be made in establishing a central childcare R&R for the City and/or a central "family clearing house" which would deal with a multitude of family needs. The Task Force should concentrate its childcare energies in assessing the feasibility and desirability of those goals.

FOOTNOTES

- ¹Child Care in Los Angeles County, League of Women Voters of Los Angeles County, 1986 at pg. 28.
- ²Based on conversation with Steve Lipman of Joy Picus's office.
- ³Draft City of Los Angeles Policy Statement on Childcare (Picus)
- ⁴Ibid.
- ⁵Draft Policy Implementation Recommendations (Picus)
- ⁶Council File No. 85-1795 -- Los Angeles City Planning Department Memo, February 4, 1986 (Cunningham)
- ⁷Ibid.
- ⁸Mayor's Advisory Committee on Child Care, Position Statement on Quality Child Care for City Related Programs
- ⁹Ibid.
- ¹⁰Passed on to me by Mary Kelly -- from last week's meeting of the Mayor's Advisory Committee on Child Care

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Draft City of Los Angeles Policy Statement on Childcare

Draft City of Los Angeles Policy Implementation Recommendations

Los Angeles City Planning Department Memo, February 4, 1986

Mayor's Advisory Committee on Child Care, Position Statement on Quality Child Care for City Related Programs

Personal conversations/visits with:

Jessica Heinz, City Attorney's Office

Steve Lipman, Office of Councilwoman Joy Picus

Mark Siegle, Office of Councilman Joel Wachs

(Mary Kelly - Task Force on Family Diversity; Childcare Committee)

ATTACHMENTS

**Draft City of Los Angeles Policy Statement on Childcare and Policy Implementation
Recommendations (See Supplement, page S-89)**

**Los Angeles City Planning Department Memo of February 4, 1986 re; Cunningham
Proposal**

**Mayor's Advisory Committee on Child Care Position Statement on Quality Child Care
for City Related Programs**



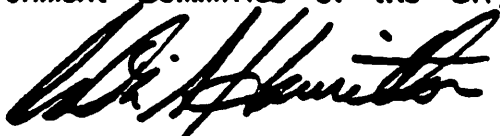
Los Angeles City Planning Department

Room 561 City Hall

Council File No. 85-1795

DATE: February 4, 1986

TO: Planning and Environment Committee of the City Council

FROM: Calvin S. Hamilton
Director of Planning 

REQUESTED BY: Council Motion (Cunningham-Russell-Finn-Yaroslavsky-Wachs)

SUBJECT: REPORT AND PROPOSED DRAFT ORDINANCE ON THE FEASIBILITY OF REQUIRING DEVELOPERS TO CONTRIBUTE SPACE FOR CHILD CARE FACILITIES OR CONTRIBUTE TO A FUND COMMENSURATE WITH THE SIZE OF THEIR PROJECTS

Request

At the meeting of October 22, 1985, the Planning and Environment Committee of the Los Angeles City Council considered a council motion to direct the Department of City Planning to investigate the feasibility of the City of Los Angeles establishing an ordinance requiring developers that build here to provide financial or in-kind assistance for the provision of child care as currently required in the City of San Francisco. The City of Concord also has such an ordinance and a child care program.

Recommendations

1. It is reasonable and feasible to require developers to provide space or pay a fee, commensurate with the size of their developments, for the provision of day care. The attached proposed ordinance for discussion requires this. In view of this and in furtherance of the intent of the subject motion, the Los Angeles Department of City Planning recommends that the Planning and Environment Committee refer the attached proposed ordinance for discussion to the Los Angeles City Planning Commission for their consideration and action.
2. Administrative and programmatic responsibility for the child care facilities and fund proposed herein have not been decided upon. It is recommended that the Planning and Environment Committee instruct the Community Development Department to work in conjunction with the City Attorney and Department of City Planning to prepare such ordinances or other implementing documents as may be necessary to carry out the intent of the subject motion.

Discussion

The Necessity for Quality Day Care. The protection and nurturing of young children while their parents work is essential for the present and future well-being of our society. As increasing numbers of women, married as well

as single, have entered the work force, the need for facilities to care for their children has increased dramatically. These factors combined with the growth of the office and service component of Los Angeles' economy make the establishment of a citywide day-care system critical to the continued economic growth and health of the city.

Summary of Ordinance

The ordinance amends the Los Angeles Municipal Code to require developers of non-residential projects of 50,000 square feet or more to set aside 3,000 square feet or one percent of the total floor area (whichever is greater) for an on-site non-profit care center. Developers may elect to contribute an amount equal to one half of one percent of the value of the project in lieu of providing space. The ordinance establishes a fund to receive such contributions. The fund is to be administered by the Community Development Department.

San Francisco's Ordinance. The City of San Francisco has adopted an ordinance requiring those who construct office buildings or additions of 50,000 square feet or more to provide without fee or rent, a minimum of 3,000 square feet of space for a non-profit child-care facility. A fee of one dollar per square-foot may be paid, in lieu of providing the space. This is approximately one-half of one percent of the cost of the development, an amount comparable to that charged by Concord in that city's program. The child-care requirement may be satisfied by a combination of providing space and payment of a fee. In lieu child care fees are to be paid into an affordable child care fund. "According to San Francisco's ordinance, the fees . . . deposited in the Fund shall be used solely to increase the supply of child care facilities affordable to households of low and moderate income." The Mayor's Office of Community Development administers the program for San Francisco.

There was some opposition to the ordinance. However, according to staff in San Francisco, developers supported the ordinance because it increases the marketability of buildings, makes it easier to hire and retain employees and increases the value of buildings.

Studies conducted in San Francisco have documented a severe and growing need for day care in that city. This need is described in terms of projected employment trends and the age and employment status of the projected workforce. The growing need was attributed to a significant increase in office construction and a consequent increase in the number of office workers. San Francisco's ordinance states: "office uses in the City are benefitted by the availability of child care for persons employed in such offices close to their place of employment. However, the supply of child care in the City has not kept pace with the demand for child care created by these new employees. Due to this shortage of child care, employers will have difficulty in securing a labor force, and employees unable to find accessible and affordable quality child care will be forced either to work where such services are available

outside of San Francisco or leave the workforce entirely, in some case seeking public assistance to support their children. In either case, there will be detrimental effect on San Francisco's economy and its quality of life."

Concord's Ordinance and Program. The City of Concord has established a program to fund child-care programs in that city. The Concord ordinance was adopted about three months prior to San Francisco's ordinance. Their program is the product of a year's work by a task force comprised of councilmembers, developers and child-care providers.

The program requires the collection of a fee equivalent to one-half of one percent of the value of a development as calculated on the building permit by the Concord Department of Building and Safety. The fee is imposed on any non-residential construction valued at \$40,000 or more. Developers have the option of offering alternative means of satisfying the requirement. These can include providing space (as in San Francisco), or receiving credit for employees' participation in a child-care program.

Concord's child-care fund is administered by a non-profit agency funded by the City. The Concord Child Care Program also assists employers of employees with various day-care programs such as a voucher program for parents, and they plan to establish a low-interest revolving loan fund for physical improvements or program start-up. The Concord program also funds an after school program in the city's schools.

The Concord Community Development Department administers and monitors fee collection and disbursements for the city.

The Pertinence of these Programs to Los Angeles. The proposed ordinance is an amalgamation of the approaches used in San Francisco and Concord. It combines those aspects of the two cities programs that are best suited to conditions here in Los Angeles.

The scale of the developments subject to San Francisco's program is similar to the scale of developments here in Los Angeles. However, San Francisco is much more compact than Los Angeles and real estate market conditions here are more varied than in San Francisco. Because of this, the emphasis on provision of space for work site day care makes sense there. It does not appear likely that real estate market conditions in Los Angeles would support exactments of ground floor space for day-care facilities in more than a few locations.

In Concord the scale of development is not comparable to that of Los Angeles. However, the emphasis on a variety of programs that are close to residences or schools rather than work places appears well suited to Los Angeles with our dispersed population and lengthy journeys to work.

Necessary Considerations. The Council motion refers to a recent study showing a severe shortage of quality child-care spaces in Los Angeles comparable to that in San Francisco. In any event, the growth of the service sector of the Los Angeles economy can be expected to cause an increase in the demand for quality day care spaces for the children of the workers who will

fill these jobs. Whether or not this demonstrable need in Los Angeles can be translated into a program like those in San Francisco and Concord depends upon a number of considerations.

1. Agreement would have to be reached among the various affected interests on the following points:
 - that the figures cited in the council motion are accurate;
 - that there is a connection between the need for day care in Los Angeles and the city's office work force. In other words, agreement that those needing a day care here are, indeed, those employees in the city's offices, stores, and other workplaces;
 - that the economics of real estate development in Los Angeles are such that developers would be able to absorb the costs of providing space for a child care program and still make a reasonable return;
 - that such programs are the most appropriate way to meet the day care need for Los Angeles' office work force.

2. Agreement would also have to be reached on the benefits attributed to providing day care in connection with the place of employment (whether on site or near workers' homes or the schools of their children). These benefits include:
 - Increased marketability of office buildings
 - Increased rates of retention of office workers
 - Increased ease of hiring office workers
 - Reduced employee absenteeism
 - Reduced duration of parental leaves of absence.

3. Agreement would have to be reached that providing work site day care would provide sufficient benefits to the businesses ultimately paying for the provision of the space; and, that those businesses would be willing to pay the extra costs involved rather than deciding to locate outside Los Angeles.

Administrative Responsibility. Although the attached draft ordinance for discussion meets the charge of the initial council motion, there are additional matters that will have to be addressed before the ordinance can be presented to the council.

A city agency must be designated to administer compliance with the provisions of this ordinance, regulate or oversee the child-care providers utilizing the space or funds made available pursuant to the subject ordinance and to disburse monies collected pursuant to the subject ordinance. The Community Development Department would be the most logical choice for this function.

Code Provisions Licensable Space and Real Estate Marketing in Downtown Areas. Current LAMC requirements for day-care facilities are reasonable in view of the need to assure the safety of children in such facilities. Moreover, it is the extremely strict state licensing requirements pertaining to day-care facilities that frequently make it difficult to establish such facilities in downtown locations. In particular, requirements for open space and a ground floor location pose serious problems in establishing downtown day-care facilities.

These difficulties are compounded by the fact that ground floor space in large buildings is extremely valuable. Demand in San Francisco may be so great that developers will give up extremely valuable ground floor space in exchange for permission to develop. Such conditions may not exist any place in Los Angeles, particularly in view of the abundance of land here in comparison with San Francisco.

The Mechanics of Day Care. Implicit in the provision of space and funds for day care is the establishment of a system of non-profit day-care centers. How these would be developed, funded, administered, monitored and staffed would need to be considered and agreed upon in connection with exacting space or in lieu fees for day care. In San Francisco this is in part handled through the Mayor's Office of Community Development and in Concord by the Community Development Department and by a non-profit agency established by that city.

Regardless of whatever entity in Los Angeles is given the responsibility for overseeing or programming day-care services, there are a number of considerations that need to be addressed. These include:

- Establishing mechanisms for funding the day-care services that would be located in the space made available as a consequence of the subject ordinance.
- Establishing policies that will attract and keep high quality, well trained and highly motivated day-care workers.
- Assuring the physical and emotional security of children in day-care programs resulting from municipal actions.
- Assuring dependability and continuity in whatever programs are established.

The Geographic Dimension of Day Care. Consideration should be given to correlating intensity of development with provision of on site day care. San Francisco is very intensely developed. In contrast with San Francisco it might be that the economics of real estate development here are such that only the most intensely developed portions of Los Angeles could support a mandatory child care exactment of space. In this regard Concord's program suggests that exactment of funds on a citywide basis could be appropriate for Los Angeles.

Conclusion

The need for quality day care both in individual and societal terms is clear and self-evident. The desirability of work site-day care facilities is unquestionable and their advantages considerable. The experiences of San Francisco and Concord provide examples of approaches which, if selectively applied to Los Angeles, could provide funds, and in some cases space for day care in connection with the work place.

The attached proposed draft ordinance embodies features from the ordinances currently in force in the cities of San Francisco and Concord. San Francisco's ordinance was developed in connection with a fortuitous convergence of a developer willing to provide day care, a desire on the part of that city to in some way provide for it and real estate market conditions such as to be able to support such a costly exactment. Concord's ordinance was developed through an orderly and rational process that took into account virtually all affected interests and which was intended to provide as much flexibility as possible in the ways that day care might be provided.

The subject ordinance incorporates those elements of San Francisco's ordinance that pertain to the metropolitan scale of that city. Although real estate market conditions and degree of concentration of development in San Francisco are different than in Los Angeles, the magnitude and in some cases intensity of development in the two cities are comparable in scale. The proposed draft ordinance incorporates the Concord ordinance's emphasis on the collection of a fee rather than exaction of space. This approach is appropriate for the urban form of Los Angeles, which like that of Concord involves a wide variety of types and intensities of development in a dispersed rather than compact configuration. Both cities have considerable numbers of detached single-family suburban houses.

Day Care Programs. The State of California has established a program to aid non-profit state employee child care programs. There is work being done within the City of Los Angeles by various entities with the objective of establishing city employee day care. These efforts could provide a basis for city actions and guidelines for day care programs to be located in the space or utilizing space made available as a result of the subject motion.

In addition, there are many resources in the community that could provide guidance to the city with respect to the content of day-care programs established in space or using funds made available as a consequence of the subject motion. These sources should be encouraged to participate in actions taken pursuant to the recommendations in this report.

Report Preparation and Review

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PROPOSED ORDINANCE FOR DISCUSSION

An ordinance amending Article 2 of the Los Angeles Municipal Code to require developers of non-residential projects to provide space or pay a fee for child-care facilities and amending Section _____ of the Los Angeles Administrative Code to establish a Child Care Facilities Fund to receive and disburse fees collected pursuant to this ordinance.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Article 2 of the Los Angeles Municipal Code is hereby amended by adding Section 12.40 to read as follows:

Section 12.40 CHILD CARE

A. Requirements

1. Prior to the issuance of a building permit for any non-residential development or addition of 50,000 square feet or more the developer of said project shall either set aside 3,000 square feet of floor space or 1.0 percent of the total floor area (which ever is greater) for an on-site child care center to be made available to a non-profit child care provider or contribute an amount equivalent to one-half of one percent of the value of the development as calculated by the Department of Building and Safety to the Child Care Facility Fund established pursuant to Sec. _____ of the Los Angeles Administrative Code.

1
2
3 (a) If the developer of a non-residential project subject to this
4 Section elects to provide space for a child-care facility on
5 the premises of the project to meet the requirements of this
6 Section, the space for the child-care facility shall:

7
8 (i) Be provided to a non-profit child-care provider without
9 charge for rent, utilities, property taxes, building
10 services, or any other charges of any nature; and
11

12 (ii) Comply with all applicable local and state laws; and
13

14 (iii) Have a minimum gross floor area or an area determined
15 according to the following formula, whichever is
16 greater: gross square feet of non-residential
17 development X .01 = Square Feet of Child-Care Facility;

18
19 (iv) Be provided for the life of the structure.
20

21 (b) If the developer of a non-residential project subject to this
22 Section elects to pay a fee in lieu of providing space for an
23 on-site child-care facility, the fee shall be computed by the
24 Department of Building and Safety to equal one-half of one
25 percent of the value of the project. Upon payment of the
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fee in full to the Department of Building and Safety and at the request of the applicant the Department shall issue a certification that the fee has been paid. Presentation of said certification to the Department of Building and Safety shall satisfy the Child Care Provision requirement which must be met prior to issuance of a building permit for developments subject to this Section.

Sec. 2. Chapter 5 of Division 5 of the Los Angeles Administrative Code is hereby amended by adding a new _____ to read:

CHILD CARE FACILITIES FUND

Section _____ Creation and Administration of the Child Care Facilities Fund.

(a) There is hereby created within the Treasury of the City of Los Angeles a special fund known as the "Child Care Facilities Fund" hereafter referred to as the "Fund" to be administered by the Community Development Department.

1
2
3 (b) The Fund shall be used for the deposit of money collected
4 by the Department of Building and Safety pursuant to
5 Section 12.40 of the Los Angeles Municipal Code or any other
6 money appropriated or given to said Fund for the purposes
7 set forth in Section 12.40 of the LAMC.
8

9 (c) All interest or other earnings from money received into the
10 fund shall be credited to the fund and devoted to the
11 purposes set forth in Section 12.40 of the LAMC.
12

13 (d) No expenditure shall be made from the Fund without the
14 prior approval of the General Manager of the Community
15 Development Department or his or her duly authorized
16 representative.
17

18 Sec. 4. The City Clerk shall certify. . .
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Mayor's Advisory Committee on Child Care
Position Statement on Quality Child Care
for City Related Programs

High Quality standards for child care programs fostered by the City of Los Angeles must be an integral part of the City's proposed child care policy in order to serve its' citizens and employees. The purpose of this position statement is to define child care quality and clarify the the Mayor's Advisory Committee on Child Care's position.

A quality child care program encompasses the components demonstrated by research to encourage healthy intellectual and socioemotional development of our children. Quality assures equal respect for all participants, children, aprents, and child care personnel. Quality care can be defined by concrete criteria such as qualified and trained personnel, adult-child ratios, healthy and safe physical environments, and an age-appropriate curriculum.

A description of the elements necessary for quality care shall be adressed below:

Personnel

*Personnel have formal early childhood education and experience.

*Personnel receive ongoing inservice training.

Ratios

*Ratios and group size are small enough to facilitate interaction between adults and children.

Insert NAEYC Minimums

Physical Environment

*The indoor and outdoor environment are safe, clean, functional, and attractive.

*The indoor and outdoor environment are in compliance with the legal requirements for protecting young children's health and safety.

Curriculum

* The curriculum reflects the program's philosophy and goals for children.

* Based on assessment of individual needs, staff provide a variety of developmentally appropriate activities and materials to foster active experiences.

The Cost of Quality Child Care

Quality child care is expensive. It is labor intensive requiring highly trained personnel and a low adult/child ratio to provide a safe and healthy physical environment and a developmentally age appropriate curriculum. . Adults who work with children are more likley to stay on the job, be responsible and be interested in staying current on educational and child development trends when they are paid decent wages and receive paid sick days, vacation days and health care benefits.

In the county of Los Angeles, the current average cost of \$55 per week for a preschoolaged child care does not provide personnel with sick days, vacation days, or benefits. The wages primary caregivers earn will be no more than \$5.35 per hour or \$11,128 per year. A director will earn no more than \$6.35 per hour or \$13,208 per year. Paying primary caregivers \$7.00 per hour or \$14560 per year, paying directors, \$10.00 per hour or \$20,800 and providing them with two weeks vacation and 5 sick days will mean a minimum cost of \$85/week per child. If parents are expected to pay the entire cost of quality care they will pay over \$4000 per year.

How to pay for quality care

How can parents afford quality child care? Obviously, among today's average two-child families there are few who can shoulder the full costs of care during the infant and preschool years. If we accept the premise that the nurturing and education of our children is a responsibility borne by society at large, there are a variety of viable options for subsidizing care. A number of these are outlined in the the proposed City of Los Angeles Child Care Policy. Four proposals which would specifically decrease costs and increase efficiency.

- * Incentives should be offered to companies who do business in the city by providing business tax relief to those who offer child care benefits to their employees.

- * Inventoried city properties which could be utilized as child care facilities should be released on favorable terms to qualified child care providers. An RFP process which includes specifications for quality child care should be developed to make this feasible.

- * The one stop permit counter specializing in child care should be implemented to assist developers and prospective child care providers with permits and building code requirements.

- * The City should require developers in all City assisted private development projects to develop or assist

in the development of a child care facility or contribute to a child care development as a precondition to city assistance.

In addition to pursuing an agenda focusing on the city's functions regarding planning and development, the entire business community should be encouraged to support families with policies which impact the cost of child care both directly and indirectly. Among the options we recommend business pursue are:

- * Initiating alternative schedules such as flextime for employees - allowing parents to accommodate their child and spouse's schedules and reducing the hours a child must spend in out-of-home care.

- * Allowing families greater latitude in leave policies - the use of accumulated sick leave to remain home with an ill child, or greater surety that an extended leave following childbirth will not result in lower status, employment category, or pay.

- * developing some form of benefit plan which provides a variety of options for families to pay for or reduce the cost of child care - vendor/voucher direct subsidy programs, or cafeteria style benefits and dependent care assistance programs including direct subsidies for child care, and

indirect subsidies as exemplified by salary reduction plans permitted under Section 129 of the Federal Internal Revenue Code.

Conclusion

To create the future we envision for the City of Los Angeles a future with citizens who are safe, productive, and prepared to meet intellectual and economic challenges. We must invest in quality child care today. Children who grow up without their community's respect and commitment of resources become adults incapable of respect for or commitment to their country, their community, or their fellow man. We ask that others to recognize that only through a partnership of community, business, and government can we accomplish the dream of quality for all of this city's children.