

LOS ANGELES TASK FORCE ON FAMILY DIVERSITY

RESEARCH TEAM ON FAMILY VIOLENCE

Submitted by:

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RECOMMENDATIONS --CHILD ABUSE

I. IT IS RECOMMENDED THAT THE CITY COUNCIL IMMEDIATELY REVIEW AND APPROVE THE ESTABLISHMENT OF A CHILD ABUSE PREVENTION AND EDUCATION PILOT PROJECT (CPP) IN THE VALLEY BUREAU OF THE LOS ANGELES POLICE DEPARTMENT; THAT FUNDING FOR THE PROJECT (\$389,645) BE APPROVED AS SOON AS POSSIBLE TO PERMIT PROMPT IMPLEMENTATION; AND THAT THE PILOT PROJECT BE FUNDED FOR A MINIMUM OF THREE YEARS.

II. IT IS FURTHER RECOMMENDED THAT COUNCILMAN WOO PRESENT BEFORE THE CITY COUNCIL THE CHILD ABUSE PREVENTION AND EDUCATION PROGRAM (CAPE) AS ORIGINALLY PROPOSED BY THE LOS ANGELES POLICE DEPARTMENT AND UNANIMOUSLY APPROVED BY THE BOARD OF POLICE COMMISSIONERS IN 1986; AND THAT THE CITY COUNCIL REVIEW THE PROGRAM AND APPROVE FUNDING FOR ITS IMPLEMENTATION CITY-WIDE, IN ORDER TO RESPOND TO THE GROWING PROBLEM OF CHILD ABUSE.

RECOMMENDATIONS --DOMESTIC VIOLENCE

I. IT IS RECOMMENDED THAT THE CITY COUNCIL CONVENE A TIME-LIMITED TASK FORCE, COMPRISED OF REPRESENTATIVES FROM LAW ENFORCEMENT, THE CITY ATTORNEY'S OFFICE, COMMUNITY AGENCIES, SHELTERS, AND KEY INDIVIDUALS IN THE GAY AND LESBIAN COMMUNITIES, TO EXAMINE THE PROBLEM OF GAY AND LESBIAN BATTERING, ASSESS THE NEEDS THAT EXIST, AND MAKE SPECIFIC RECOMMENDATIONS TO THE CITY.

II. IT IS RECOMMENDED THAT THE CITY COUNCIL OF LOS ANGELES URGE THE CALIFORNIA LEGISLATURE TO EXTEND THE PROTECTIONS AFFORDED TO OPPOSITE-SEX VICTIMS OF DOMESTIC VIOLENCE UNDER CPC SECTION 273.5 TO INCLUDE SAME-SEX VICTIMS OF DOMESTIC VIOLENCE AS WELL.

III. IT IS RECOMMENDED THAT THE CITY REQUIRE ALL CITY AGENCIES, INCLUDING THOSE FUNDED IN WHOLE OR IN PART BY THE CITY OF LOS ANGELES, TO FORMULATE POLICIES WHICH EXPLICITLY STATE THEIR INTENT TO PROTECT THE RIGHTS OF LESBIAN AND GAY FAMILIES AND TREAT LESBIAN AND GAY FAMILY UNITS WITH THE SAME LEVEL, KIND AND QUALITY OF SERVICE OR BENEFIT PROVIDED HETEROSEXUAL MARRIED COUPLES.

IV. IT IS RECOMMENDED THAT THE CITY COUNCIL MANDATE THAT THE LOS ANGELES POLICE DEPARTMENT MAINTAIN SEPARATE AND SPECIFIC RECORDS TO DOCUMENT THE INCIDENCE OF DOMESTIC VIOLENCE AMONG GAY/LESBIAN COUPLES

AND, IN ADDITION, SUPPORT INCREASED TRAINING FOR OFFICERS IN RESPON-
DING TO, IDENTIFYING, AND INTERVENING SENSITIVELY AND EQUITABLY IN
SUCH CASES.

RECOMMENDATIONS --FAMILY VIOLENCE AND THE RECENT IMMIGRANT

I. IT IS RECOMMENDED THAT THE CITY OF LOS ANGELES MANDATE THAT THE
LOS ANGELES POLICE DEPARTMENT DEVELOP AND PROVIDE WRITTEN MATERIALS
FOR VICTIMS OF DOMESTIC VIOLENCE INCIDENTS IN MULTIPLE LANGUAGES;
THAT REPRESENTATIVES OF IMMIGRANT COMMUNITIES BE SOLICITED FOR INPUT
REGARDING RELEVANT LANGUAGES AND FORMAT; AND THAT SUCH WRITTEN INFOR-
MATION EXPLICITLY STATE THAT THE POLICE WILL NOT REPORT TO THE IMMI-
GRATION AND NATURALIZATION SERVICE EITHER VICTIMS OR THEIR BATTERERS.

II. IT IS RECOMMENDED THAT THE CITY VOTE TO PROVIDE FUNDS TO EXIS-
TING FACILITIES PROVIDING SHELTER AND CRISIS COUNSELING SERVICES TO
IMMIGRANTS AND ETHNIC MINORITIES WHO ARE VICTIMS OF DOMESTIC VIOLENCE
(E.G., SU CASA AND CENTER FOR ASIAN PACIFIC WOMEN), AND THAT THESE
FUNDS BE DESIGNATED TO AUGMENT EXISTING EDUCATIONAL OUTREACH AND CRISIS
SERVICES FOR THESE COMMUNITIES.

III. IT IS RECOMMENDED THAT THE CITY ESTABLISH A TASK FORCE ON FAMILY
VIOLENCE AMONG IMMIGRANTS IN THE CITY OF LOS ANGELES, AND THAT THIS
TASK FORCE BE CHARGED AS FOLLOWS:

(A) TO CONSIST OF SERVICE PROVIDERS AND ORGANIZATIONS REPRESENTING
THE VARIOUS HISPANIC AND ASIAN-PACIFIC IMMIGRANT POPULATIONS (E.G.,
SU CASA, THE ASIAN PACIFIC CHILD ABUSE COUNCIL, CARECEN, ETC.);

(B) TO STUDY THE NEEDS OF IMMIGRANTS FOR EDUCATION AND SERVICES
RELATING TO CHILD ABUSE AND DOMESTIC VIOLENCE, AND TO MAKE SPECIFIC
RECOMMENDATIONS TO THE CITY COUNCIL REGARDING NEEDED CULTURALLY-
RELEVANT, MULTI-LINGUAL EDUCATIONAL AND INTERVENTION PROGRAMS.

RECOMMENDATIONS --ELDER ABUSE

I. IT IS RECOMMENDED THAT THE CITY COUNCIL CONVENE AN INTERAGENCY
TASK FORCE ON ELDER ABUSE IN LOS ANGELES, WITH THE FOLLOWING SPECI-
FICATIONS:

(A) TO INCLUDE IN ITS MEMBERSHIP REPRESENTATIVES OF APPROPRIATE
COUNTY AS WELL AS CITY OFFICES/DEPARTMENTS/PROGRAMS (E.G., ADULT

PROTECTIVE SERVICES, THE DISTRICT ATTORNEY'S OFFICE, DEPARTMENTS OF HEALTH AND MENTAL HEALTH, THE LOS ANGELES POLICE DEPARTMENT, THE CITY ATTORNEY'S OFFICE, THE CITY DEPARTMENT OF AGING, ETC.);

(B) TO INCREASE AND IMPROVE THE ROLE OF THE CITY DEPARTMENT OF AGING IN COORDINATION OF COMMUNICATION AND SERVICES AMONG CITY OFFICES AND DEPARTMENTS;

(C) TO UTILIZE THE LOS ANGELES COUNTY TASK FORCE REPORT ON ELDER ABUSE (1986) AS AN INITIAL GUIDE FOR THE CITY TASK FORCE'S STUDY OF ELDER ABUSE PROBLEMS AND PROPOSED SOLUTIONS;

(D) TO EXAMINE THE FEASIBILITY OF TRAINING SPECIALISTS WITHIN THE POLICE DEPARTMENT AND THE CITY ATTORNEY'S OFFICE TO HANDLE ELDER ABUSE CASES, AND TO RECOMMEND ACCORDINGLY;

(E) TO EVALUATE THE CURRENT RECORD-KEEPING AND TRACKING SYSTEMS USED BY THE LOS ANGELES POLICE DEPARTMENT AND THE CITY ATTORNEY'S OFFICE FOR ELDER ABUSE CASES AND MAKE RECOMMENDATIONS FOR CHANGES IF INDICATED;

(F) TO DETERMINE SPECIFIC PROGRAMS THAT COULD BE PROVIDED OR PARTIALLY SUPPORTED BY THE CITY TO IMPROVE SERVICES TO ABUSED OR AT RISK ELDERS AND THEIR FAMILIES, AND TO MAKE RECOMMENDATIONS REGARDING IMPLEMENTATION OF SUCH PROGRAMS.

INTRODUCTION

We continue to survive in a violent world. The nature of this violence in our society, as exhibited by wars and urban riots, appears to be more ghastly than ever. We also continue to survive in and among violent families.
(Flanzer, 1982, p.3)

The issue of family violence has been and is a growing social problem. National attention has focused on this issue of violence within families and has resulted in formal hearings, a report from the Attorney General's Task Force on Family Violence, as well as numerous media portrayals in television, movies, and documentaries. All of these have taken an indepth look at the violence which too often shatters our families' lives (Stewart, 1985). Despite our growing awareness of this issue and the development of service programs aimed at the reduction of the incidence of family violence, all forms of family violence do exist today, and the statistics regarding their incidence are staggering. It has been reported that violence occurs in one out of every four families in the United States. It transcends all socioeconomic, age, ethnic, and religious groups (Weinroth, 1987; Gomez-Shelby, 1987). The actual number of family violence cases may in fact be much greater than we know. Flanzer (1982) states that "the estimates of incidence are of necessity 'guesstimates' because perpetrators of abuse and their victims are often reluctant to report this type of problem" (p. 4). Statistics from the California Department of Justice reveal that in almost one-third of all willful homicides, the victim was killed by a spouse, parent or child (Herrington, 1984).

Family violence can take on many different forms among family members. It can vary from direct hitting or battering to sexual abuse and exploitation to severe physical/emotional neglect to financial exploitation--all secreted within the confines of the family. Research has found that violent episodes among and between family members are not usually single incidents. Most frequently, family violence is an intense, recurrent problem that will continue and may even escalate unless some external intervention emerges to deter its progress (Flanzer, 1982). For example, one study found that in over 50% of domestic homicides, the police had previously been called to the residence five times or more (Stewart, 1985).

Further evidence for the prevalence of family violence can be found in a national study by Straus, Gelles, and Steinmetz (1980) which concluded that 1.8 million couples experience spouse abuse annually. The authors state:

The predominant position of the family as a setting for violence seems to apply to every form of physical violence from slaps to torture to murder. In fact, some form of physical violence between family members is so likely to occur at some point in the life cycle that it can be said to be almost universal (p. 95).

Literally thousands of people are harmed, not by a stranger on the street, but by those they know, trust, and love. They become victims in their own homes. It is a well-documented fact that a large number of abusers were themselves victims of abuse or abusive homes (Flanzer, 1982; Star, 1982). Hence, the suggestion that violence is learned implies that to tolerate family violence on any level is to lay the foundation for its occurrence in later generations (Star, 1982).

In its guidelines for domestic violence intervention, the Commission on Peace Officer Standards for Training (1985) includes a distressingly accurate description of the complexity and special problems of violence among family members:

. . . family violence is often much more complex in causes and solutions than crimes committed by unknown attackers. To be abused by a spouse, a parent, a trusted adult or by one's own child or to witness such abuse carries with it a particular agony. Victims wrestle with feelings of fear, loyalty, love, guilt and shame. In this they often face conflicts not experienced by those attacked by strangers. Adults will be torn between the desire to shield and help a loved one and their responsibility toward their own safety or others in the household. Children often face alone the terrible truth that those who should protect them are in fact a source of harm. Anyone who lives in a violent home experiences an essential loss. The one place on earth where they should feel safe and secure has become instead a place of danger. A victim of domestic violence is no less a victim than one set upon by strangers. (p. 1)

The following report will further examine the problems of family violence. However, due to the broad scope of the issue, the focus in this report will be on four main areas. The first section will address the issue of child abuse and will recommend specific programs to improve the City's ability to intervene effectively and to prevent future abuse. The second section will deal with domestic violence as it occurs between partners/spouses, especially highlighting the problems and needs of the City's gay and lesbian communities in this regard. The third section will focus on family violence as it relates to recent immigrants to Los Angeles from other countries. The final section will look at the growing problem of abuse of our City's elderly. Each section will include specific recommendations to the City Council for action to address the problems and to help stop the ongoing cycle of family violence.

CHILD ABUSE

It shouldn't hurt to be a kid. We must listen to children, protect them and nurture them. I sometimes wonder how different my life would have been if there had been someone in my childhood who was able to hear me, be with me, protect me. Someone who could have asked, "Honey, has someone hurt you?"

-- Anonymous Victim

(Commission on the Enforcement of Child Abuse Laws, 1985)

Barely over a century ago, a mistreated child was removed from his parents' home by the Society for the Prevention of Cruelty to Animals on the grounds that he was a member of the animal kingdom and therefore entitled to protection under the laws against cruelty to animals. Soon thereafter (1871) the first Society for the Prevention of Cruelty to Children was founded in the United States (Lystad, 1975). Today, the problem of child abuse is widely recognized, and grave concern has led to massive efforts in both public and private sectors to intervene and to erradicate the ongoing abuse of our nation's children. This report, written for the Los Angeles City Council, will focus on the current incidence of the problem, and on some of the laws, programs, and services relating to child abuse as it affects the residents of this City.

It will acknowledge progress and successes, but will emphasize some areas in which improvements are needed, if the cycle of violence is to be broken.

Definition and Incidence of Child Abuse

For the purposes of this report, child abuse will be defined in accordance with the legal definition for reporting purposes as contained in California Penal Code Section 11165, subdivision (g):

--Physical injury which is inflicted by other than accidental means on a child by another person;

--Sexual abuse, including both sexual assault and sexual exploitation;

--Willful cruelty or unjustifiable punishment of a child;

--Corporal punishment or injury;

--Neglect, including both severe and general neglect; and

--Abuse in out-of-home care.

(Commission on the Enforcement of Child Abuse Laws, 1985, p. 1-1)

The actual incidence of child abuse is difficult to determine due to the fact that, even now, not all cases are reported. Mayhall and Norgard (1983) state that 14% of all children in America are subject to abuse each year, and 3.6% are at risk of serious injury.

In California, the first Child Abuse Reporting Law became effective in 1963. The State's present system for child abuse reporting (which includes the above expanded definition of abuse, a wider range of professionals mandated to report suspected abuse, and an improved centralized reporting and record-keeping system) went into effect on January 1, 1981. As a result of the improved reporting system and increased public attention to the problem, the number of reported suspected cases of child abuse has steadily risen (Ibid., 1985).

The Los Angeles County Department of Children's Services (DCS) is responsible for the investigation of all reports of suspected child abuse in the County. In 1985, DCS received reports regarding, and had face-to-face contact with, members of 39,783 families, involving 79,655 children. Its Child Abuse Hotline calls increased

from approximately 19,000 in 1981 to 50,000 in 1985. The number of Dependency Petitions filed on behalf of children thought to be in need of protection increased from 9,000 in 1981 to 18,000 in 1985 (ICAN Report, 1986).

In 1985 alone, the Los Angeles Police Department handled 10,000 radio calls on possible child abuse incidents. The number of investigations of reports by the Department's Abused Child Unit has dramatically increased in recent years:

1974	--	927 cases
1984	--	3,346 cases
1985	--	3,855 cases
1986	--	4,788 cases

(ICAN Report, 1986 and Brown, 1987). According to Lieutenant Warkentin of the LAPD, the Department is overwhelmed by the numbers of cases, among which sexual abuse cases are increasing most rapidly, now constituting 50% of all those investigated (Castello, 1986).

In 1985 the Los Angeles Unified School District had an enrollment of 562,793 students. According to one School District report, "based on conservative estimates. . . 20% of students are victims of abuse or neglect, while 10% are victims of serious abuse or neglect." Based on those estimates, there are 112,000 students in our local schools who are abused--half of them seriously (ICAN Report, 1986).

Our concern about child abuse should be no greater if 100,000 are affected than if it were only one: The welfare and protection of each human being must be the responsibility of any humane and democratic society. These incidence statistics are important only inasmuch as they alert us to the magnitude of the problem,

and indicate the extent of resources and effort that will be needed if the problem is to be eliminated. As the figures show, we have come a long way in identifying the problem of child abuse, and in designating it as a crime; but we have much further to go.

With respect to reporting and identification of cases, the National Study of the Incidence and Severity of Child Abuse concluded that professionals fail to report more than half of the maltreatment of children that they see (Besharov, 1986), and the affected children are frequently unable or afraid to speak out for themselves and ask for help. With respect to intervention in identified cases, there are many unanswered questions about how the problem should best be handled, both legally and in terms of treatment. Further, we must attend to the issue of prevention, to assure that future generations do not continue to experience the crippling effects on mind, body, and spirit of child abuse.

The Cycle of Violence and Its Costs

There is widespread evidence that the problem of child abuse does not end when the child grows up:

Children who have been abused and neglected provide the pool from which the next generation of neglecting, abusive parents are derived. We have repeatedly noted that nearly all those caretakers who maltreat their children give a history of similar treatment in their own earliest years. (Steele, 1976, pp. 19-20)

Additionally, the same author cites numerous studies which support the association of early abuse with later delinquent behavior, including homicidal behavior (Ibid.) At least 80% of the people who are in prison, and virtually all those incarcerated for violent crimes, were abused as children (ICAN Report, 1985). Not only does 'violence breed violence,' but there are other lingering

effects, as well. In a national study of 1,000 adult survivors of sexual abuse, one third were found to suffer from alcoholism, one third from eating disorders, and three-fourths from marked depression. Forty-one percent had at some time attempted suicide, and thirty-one percent were battered women (Sexton, 1987). Seventy percent of runaway youth are fleeing from abusive families (Ibid.).

In summary:

Professionals, public policy makers, and the general public are beginning to recognize the high cost of the cycle of abuse. Common sense, professional experience, and the emerging studies are beginning to indicate a connection or correlation between child abuse and crime, mental illness, drug and alcohol abuse, runaways, teenage prostitution, juvenile sex offenders, education and employment problems, and other social problems. . . . The estimated cost of social services, criminal justice, health, mental health, and other systems intervention for the untreated or undertreated victims of child abuse is enormous. These costs include such things as medical treatment, therapy, foster care and incarceration. (Commission on the Enforcement of Child Abuse Laws, 1985, p. 5-1).

The increased reporting of child abuse has flooded all systems designed to intervene on both County and City levels--DCS, the LAPD, the City Attorney's Office (which according to ICAN's Report conducted 1,200 child abuse hearings in 1984), and other agencies established to provide various social and health services. Even with expanded staffs and special interventions programs, resources to meet the increasing demands are overstretched. For example, the Abused Child Unit of the LAPD has responsibility for investigating all reports of child physical or sexual abuse by parents, legal guardians, or others living in the home and assuming guardianship responsibilities, as well as suspicious deaths of children

under age 11. The first six months of 1986 saw an increase of 68% in the number of Injury Reports, which document incidents of excessive discipline and indicate that an "at risk" situation exists within the family and that investigation is needed. According to a department report, the tremendous increase in cases means Injury Reports too often do not get investigated immediately while the report is still "fresh" (LAPD Juvenile Division Task Force, 1986). The California Commission on Enforcement of Child Abuse Laws, in its 1985 Report, recognized that existing response and intervention systems are seriously overburdened. The rising tide of child abuse and its lifelong costs to the individuals, their families, and society requires not only "damage control" (Ibid., p. 5-1) in the most severe cases, but preventive services for families at risk of becoming abusive or neglectful:

There is a developing realization that child abuse prevention is cost effective from a public policy perspective. Prevention is being recognized as a long-term approach to reducing the demands on our over-burdened intervention and response systems.

(Commission on the Enforcement of Child Abuse Laws, 1985, p.5-1)

A Step In the Right Direction: CARE

For the past six years, the Los Angeles Unified School District (LAUSD) has been operating a program for grades K through six called "Child Abuse: Recognize and Eliminate" (CARE), created to prevent child abuse before it occurs and to intervene on behalf of children already being subjected to abuse. These goals were to be accomplished by (1) increasing awareness of child abuse among classroom teachers and improving their ability to detect abuse among their students; (2) training a team of experts at each school to implement an effective system of reporting and follow-up

on child abuse cases; and (3) providing all students with instruction in self-protection. The program utilizes expertly developed training materials for use with children of various grade school ages, and includes video presentations and discussions on "how to say no" to abuse. The model is an excellent one, and its aims highly commendable. Schools participating in the program have initiated significantly more child abuse reports (2% of students) than schools not participating in CARE (only 0.3% of students reported for suspected abuse), and only 2% of all suspected abuse cases reported by CARE schools were deemed to be unfounded by subsequent law enforcement investigation. Despite evidence of its usefulness, however, in six years of operation, only 1,000 out of 23,000 LAUSD teachers have received the training, and only 8% of LAUSD schools have thus far participated. Additionally, the program does not target junior and senior high schools (ICAN Report, 1986). This ambitious and much-needed program is apparently not sufficient to meet the needs with respect to child abuse education, identification, or prevention. Mayhall and Norgard (1983) suggest that "school involvement in prevention programs can be seen as increasing the already-heavy burden of responsibility for children assigned to the district and the individual" (p.227).

We must ask if it is realistic or fair to expect teachers to assume so much additional responsibility for child abuse intervention and education, when other demands on them to educate and care for our children are so great. Other agencies and services must increase their participation in order to reach those in need of information and help.

A Proposed Response: CAPE -- (Child Abuse Prevention and Education Program -- Los Angeles Police Department, Juvenile Division

[All information in this section describing the CAPE Program and CAPE Pilot Program (CPP) was obtained from the following sources:

LAPD Juvenile Division's "Child Abuse Prevention and Education (CAPE) Summary," 1986; LAPD Juvenile Division's "Revised CAPE Pilot Program," 1987; public testimony by Detective Jim Brown, LAPD Juvenile Division, to the Task Force on Family Diversity, 1987; and subsequent telephone conversations between Detective Brown and member of the Task Force on Family Diversity, Family Violence Team.]

In 1985, Los Angeles Police Chief Daryl Gates commissioned LAPD Juvenile Division Task Force to research methods for involving law enforcement personnel in breaking the cycle of violence in the City. Toward that end, the Task Force recommended the establishment of a new section within the Juvenile Division, entitled the Child Abuse Prevention and Education (CAPE) Section, with two major components fulfilling the following functions:

(1) Field Referral Unit: This unit would include a 24-hour Advisement Desk to provide Department and public information; specially trained law enforcement personnel to respond immediately to all child abuse calls on Day and P.M. watch; coordination of referrals of families to selected child abuse prevention agencies, if no crime had been committed, but an "at risk" situation was assessed; assistance to patrol officers with reports and coordination of preliminary child abuse investigation; provision of six-week follow-up with each family to assess effectiveness and

observe for abuse; and ongoing development of additional referral agencies to handle cases.

(2) An Education Unit: This unit would serve as a primary catalyst for public and private agency child abuse prevention programs; would provide police officers to offer instruction on child abuse and its prevention in high schools, colleges, private schools, hospitals, county and city agencies, and the mass media; and would promote legislation for programs that would target young people and help prevent them from becoming future abusive parents.

The initial proposal called for the establishment of CAPE sections City-wide at a cost of \$1,839,674. The proposed project was unanimously approved in March, 1986, by the Board of Police Commissioners and was forwarded to the Mayor and City Council for their consideration. However, as part of the approval process, the CAPE proposal was first reviewed by the City Administrative Officer. In an interdepartmental memo of April 30, 1986, to the Finance and Revenue Committee, the CAO recommended that because the program attempted to deal with social problems which might more appropriately be the responsibility of various county programs, funding for CAPE should be deferred pending a further analysis of "jurisdictional questions." To date, the City Council has had no opportunity to review the program or consider its merits.

At the request of the Task Force on Family Diversity, Family Violence Team, the Juvenile Division was requested to research the possibility of a less costly version of the CAPE proposal and submit it for consideration. In May, 1987, LAPD approved for submission to Councilman Michael Woo and the Task Force on

Family Diversity, Family Violence Team, a proposal for a revised CAPE Pilot Program (CPP), to be implemented within the Investigative Control Unit (ICU), Child Protection Section, Juvenile Division.

A summary of aspects of the proposed CPP program follows:

-- The proposed CAPE Pilot Program would be located in the Valley Bureau, in part because of the excellent diversity of families in terms of their ethnic, social, and economic characteristics.

Additionally, two private agencies in that area providing high-quality child abuse prevention services [The Center for the Improvement of Child Caring (CICC) and the Juvenile Justice Connection Project (JJCP)] have agreed to receive referrals from CPP, assess family needs, connect families with appropriate services, and provide CPP with information about the families which would be needed for CPP's six-week follow-up assessment. A third factor in selecting this location for the pilot project is that JJCP has just received three-year funding for a major child abuse prevention project and has agreed to provide program evaluation and program validation (including long-term tracking of families) for CPP free of charge. Such assistance will be extremely helpful in assessing the success of the program. The diverse population, free program evaluation resources, and cooperation of local service agencies make the Valley Bureau an excellent area in which to test and validate CPP as a potential model for a subsequent City-wide CAPE program.

-- Personnel required for the program would be one Sergeant II, one Detective II, five Police Officers III, and a clerk typist.

The Sergeant II would research and develop the educational component

(see previous description of CAPE Education Unit) while the Detective II would become the Officer-in-Charge of the ICU and have supervisory responsibility for the five CPP officers. Officers would respond to all abuse calls, evaluate, thoroughly investigate all noncriminal cases of suspected abuse, make cross-reports and referrals to JJCP or CICC, and do six-week follow-up assessments of each case.

As the educational component is implemented, officers will spend an estimated 20% of their time as prevention instructors, primarily in senior high schools.

-- A primary purpose of CPP will be to determine the effectiveness of early interdiction and immediate appropriate referrals for "at risk" families. Extensive records will be kept for this purpose, with periodic analysis of the information.

-- A communication link between CPP and the Investigative Control Unit, Juvenile Division, using ROVERS, is proposed, to enable CPP officers to respond directly to suspected child abuse calls, provide appropriate reporting and booking advice to Patrol officers, and assume full investigative responsibility for the situation if it appears to be a noncriminal excessive discipline matter.

-- The cost of the proposed pilot program is estimated at \$389,645, including salaries for personnel and equipment (vehicles and five ROVERS).

(Further details regarding the organization, budget, and functions of all CPP personnel can be obtained from the Revised CAPE Pilot Program description included in the Appendix.)

CAPE's funding was initially deferred because of questions regarding the appropriateness of City law enforcement becoming involved in social problems that presumably might be better addressed by county programs. It seems important, therefore, to emphasize the appropriate and, in fact, mandated and essential role of police in any efforts to break the child abuse cycle through prevention.

In Child Abuse and Neglect: Sharing Responsibility, Mayhall and Norgard (1983) write:

In matters of neglect and abuse, law enforcement agencies are mandated to receive and investigate reports, to report, and to intervene where the child's immediate safety is in question. They share some of these responsibilities with child protective services. . . Working closely with and sharing information with child protective services may appear to be in conflict with agency policy and police function. . . (However, such collaboration should be viewed as positive:). . . The power and authority vested by law in police agencies can be used to empower the child, and can encourage the cooperation of family members in treatment efforts. . . (p. 214 - 216).

The involvement of a police officer in the referral of an "at risk" family for assessment and treatment or services, and the knowledge that the officer will return in six weeks to follow-up is very likely to be a powerful motivator to many families reluctant to acknowledge their need for change. Police participation in prevention programs aimed at children and young people enables children who are abused or at risk to realize and to trust that they can ask for and receive protection by the law, if needed. Police involvement in community education and prevention further serves as a constant reminder that child abuse is a crime, and that many still-commonly-practiced methods of physical discipline are not legally acceptable.

It has always been the responsibility of police--not DCS-- to investigate LAPD injury reports. The CAPE program and proposed pilot project offer, among other things, mechanisms to provide immediate investigations of such reports by highly skilled and experienced police department specialists who can then make referrals to agencies with which they communicate regularly.

Finally, the Manual of the Los Angeles Police Department, Section 1/130.10, states:

Peace in a free society depends on voluntary compliance with the law. The primary responsibility for upholding the law therefore lies not with the police, but with people. Since crime is a social phenomenon, crime prevention is the concern of every person living in society. Society employs full-time professional police to prevent crime, to deter it, and when that fails, to apprehend those who violate the law.

(From LAPD Juvenile Division's 1986 Summary of CAPE Proposal, no page number)

Child abuse is a crime, whose crippled victims often grow up to commit more crimes. Clearly, the prevention of child abuse must be an active concern of the Police Department, and of each and every resident of our City.

IT IS RECOMMENDED THAT THE CITY COUNCIL IMMEDIATELY REVIEW AND APPROVE THE ESTABLISHMENT OF A CHILD ABUSE PREVENTION AND EDUCATION PILOT PROJECT(CPP) IN THE VALLEY BUREAU OF THE LOS ANGELES POLICE DEPARTMENT; THAT FUNDING FOR THE PROJECT (\$389,645) BE APPROVED AS SOON AS POSSIBLE TO PERMIT PROMPT IMPLEMENTATION; AND THAT THE PILOT PROJECT BE FUNDED FOR A MINIMUM OF THREE YEARS.

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(CAPE) AS ORIGINALLY PROPOSED BY THE LOS ANGELES POLICE DEPARTMENT
AND UNANIMOUSLY APPROVED BY THE BOARD OF POLICE COMMISSIONERS IN
1986; AND THAT THE CITY COUNCIL REVIEW THE PROGRAM AND APPROVE
FUNDING FOR ITS IMPLEMENTATION CITY-WIDE, IN ORDER TO RESPOND
TO THE GROWING PROBLEM OF CHILD ABUSE.

DOMESTIC VIOLENCE

The physical abuse escalated during the marriage in frequency and seriousness over time and so did my feelings of guilt, of shame about it, of dependence on the relationship and a desperate desire to be a better person so he would not beat me.

-- A Victim

(Attorney General's Task Force on Family Violence:
Final Report, 1984, p. 34)

Historical Overview

Historically, the legal system explicitly sanctioned spousal abuse through its recognition of a husband's common law right to chastise his wife (Stedman, 1971). In 1824, the Mississippi Supreme Court held that:

A husband should be permitted to chastise his wife moderately in cases of great emergency 'without subjecting himself to vexatious prosecution for assault and battery, resulting in the discredit and shame of all parties concerned.'

[Bradley v. State (1824) 2 Miss (Walker) 156, 158]

This right was often referred to in other states as the "Rule of Thumb," which allowed a husband to batter his wife as long as he did so with a rod "no thicker than his thumb" (Prosser, 1971).

During the Twentieth Century, the "Rule of Thumb" evolved into a policy of non-intervention by the criminal justice system:

Battery in the home was perceived as a personal or family problem, best addressed, if at all, civilly. When called, the police usually refused to arrest the batterer, often even when the victim was seriously injured (Castello, 1986). In recent years, however, the notion that the criminal justice system should not intervene in domestic violence has been rejected. As a result of education, community efforts and political pressure, the legislature

has enacted over the past decades comprehensive statutory protection for victims of violence in the home (Castello, 1986), which will be discussed in more detail in a later section of this report.

Definition of Domestic Violence

[Except where otherwise noted, the information reported below represents a summary of extensive research conducted during the Fall of 1986 by George Castello for the Task Force on Family Diversity.]

The term 'domestic violence' has traditionally been used to refer to violence between marital partners/spouses. For the purpose of this report, 'domestic violence' will be used to refer to violence between adults, presently or formerly cohabiting, whether married to each other or not, or who are parents of a child, or who have been in a dating or engagement relationship (Weinroth, 1987). This definition is in accordance with the definition stated in the California Penal Code, Section 13700.

Further, in an effort to clarify the definition of domestic violence, it is important to draw a distinction between what is meant by domestic violence and what is meant by family disputes.

'Disputes,' which often include mental and emotional abuse, while extremely destructive to the family and particularly damaging to children, do not involve conduct which is identified as criminal (Weinroth, 1987). Conversely, 'domestic violence' can be construed to refer to such conduct as the California Penal Code defines specifically as assault and battery. It is important to note that under the California Penal Code, the criminality of conduct is independent of the relationship between victim and assailant (Weinroth, 1987).

Specifically, the California Penal Code [CCP Section 542(a)] defines abuse as:

Intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury.

Under California Penal Code Section 542(b), Domestic Violence is abuse perpetrated against a family or household member. Further as defined in California Penal Code Section 542(c), family or household members constitute the following:

- a) Spouse, ex-spouse, parent or child or any person related with second degree by blood or marriage, or
- b) Any person who regularly resides in household, or within past six months regularly resided in household.

Incidence and Characteristics of Domestic Violence

Domestic violence has been considered to be among the most under-reported of crimes (Flanzer, 1982; Weinroth, 1987). Thus, documentation which would give a complete picture of the domestic violence problem is difficult to obtain. It is, however, considered to be one of the most frequent crimes, despite the paucity of accurate data, according to the U. S. Department of Justice (Goolkasian, 1985).

While the exact incidence of domestic violence is not known, studies and reports have yielded estimates of the incidence and other information about the characteristics of domestic violence:

- 98+% of victims are women (Weinroth, 1987);
- Between 50 and 80% of all women will be victims of domestic violence during their lifetime (Ibid.);

-- 7 out of 10 assaults against women are perpetrated by a spouse, ex-spouse, boyfriend, or ex-boyfriend (Ibid.);

-- Most domestic batterings take place in front of the children (Ibid.);

-- Domestic violence seems to escalate over time, both in frequency and seriousness (Ibid.);

-- Much domestic violence appears to be learned behavior and to be transmitted from one generation to another (Ibid.);

-- Domestic violence cuts across all demographic classifications and appears to be relatively independent of occupation, socio-economic circumstances, number of children, and ethnicity (Ibid.);

-- According to the FBI, a woman is battered every eighteen seconds in this country (Gelles, 1975);

-- One-fourth of all women who are beaten are pregnant (Ibid.);

-- A large percentage of all homicides are attributed to domestic violence. In 1971 in California, one out of three female homicide victims was killed by her husband. In 1974, one-fourth of all homicides in the United States occurred between members of the same family, and over one-half involved one spouse killing another. In 1979, one out of every five homicide victims was related to the offender (Domestic Violence Practice Manual, 1982).

The statistics available suggest a staggering incidence of domestic violence. In response to the growing evidence of the prevalence and severity of the problem and to mounting public pressure, new laws have been enacted to provide greater protection for victims of violence in the home.

Legislation Concerning Domestic Violence

The enactment of the Domestic Violence Prevention Act (DVPA) represented a major step in the campaign to reduce domestic violence. As stated in the California Penal Code [CPC Section 540 et seq.] the DVPA seeks to "prevent recurrence of domestic violence by spouse or household member and to provide a period of separation" by way of civil restraining orders (Castello, 1986). Under the DVPA, there is no requirement that parties be related by blood, marriage or adoption, or be of the opposite sex, or be involved in a sexual relationship. Therefore, 'domestic partners' under the DVPA includes both heterosexual and homosexual cohabiting couples as well as blood-related family members (children, parents, grandparents), roommates, and spouses. All of these persons are hence able to file for restraining orders in cases of domestic violence.

Still further protection for some victims of domestic violence was afforded upon the enactment of Penal Code 273.5, which "raises a battery upon a cohabitant to the level of a felony upon a showing of a lesser injury than required for a felonious battery on a stranger" (Weinroth, 1987, p. 2). Penal Code 273.5(a) states that any person who willfully inflicts upon his/her spouse or any person of the opposite sex with whom he/she is cohabiting, corporal injury resulting in a traumatic condition is guilty of a felony and upon conviction thereof shall be punished by imprisonment in the State prison for 2, 3, or 4 years, or in the County jail for not more than one year. According to Penal Code 273.5(b), one need not identify oneself as the husband or wife of the person with whom one is cohabitating, and 273.5(c) defines "traumatic.

condition" as a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, which was caused by a physical force. This last section of Penal Code 273.5 was added in 1985 to remove the requirement that "serious bodily injury" (CPC Section 243) must occur before a police officer could make a felony arrest. With the addition of this Section, any injury--minor or serious--is sufficient to constitute a traumatic condition and allow police to arrest an abuser (Castello, 1986).

There are, however, individuals who are not equally protected under this law. It is important to note that while CPC Section 273.5 provides a significant measure of protection for opposite sex or heterosexual domestic partners or cohabitants which was previously unavailable, it does not extend the same statutory protection and is hence unavailable to same-sex cohabitants or homosexual domestic partners. There exists in the City of Los Angeles a significant population of gay and lesbian people. These residents are outside the scope of protection of PC Section 273.5 and hence remain under the "serious bodily injury" requirement for a felony arrest to occur (Castello, 1986). Equal protection under the law for all residents is not available, and justice requires that the inequities be removed. It is strongly recommended that the City of Los Angeles urge the State to extend the protection afforded by PC 273.5 to all cohabitants, whether same-sex or opposite-sex.

The most recent legislative action widely impacting law enforcement intervention in domestic violence cases and the protection of victims was the passage in 1984 of Senate Bill 1472 (now Section

13519 and 13700 et seq. of the Penal Code). The law required that by January 1, 1986, the following would be accomplished by law enforcement agencies throughout the State: (1) Development of guidelines for law enforcement responses to domestic violence cases; (2) Adoption and implementation of written policies and standards for response to domestic violence calls; (3) Development and implementation of training programs in the handling of domestic violence cases for all law enforcement officers; (4) Development of systems for recording and reporting all domestic violence calls for assistance, and for maintaining statistics (Commission on Peace Officer Standards and Training, Guidelines and Curriculum for Law Enforcement Response to Domestic Violence, 1985).

Among other things, the implementation of this law required law enforcement officials to intervene in domestic violence cases in the same manner in which they would intervene in cases of other (non-domestic) violence. Prior to the implementation of this law, individual law enforcement officials had broad discretionary power regarding whether or not to arrest, report, etc., with the frequent result that in domestic violence cases, violent abusers were either charged with misdemeanors or let off with a lecture and a warning. For example, a nationwide study found that law enforcement agencies classified two thirds of the domestic violence cases that came to their attention as "simple assault"--i.e., misdemeanors. In fact, in half of those (so-called) misdemeanor assaults, the victims were injured so seriously that, had their attacker been anyone other than their spouse/partner, felony charges would undoubtedly have been filed (Weinroth, 1987). The

implementation of the guidelines and standards for intervention required by the new law should make such severe inequities in law enforcement intervention in domestic violence cases far less likely, if not impossible. For example, in the first quarter after the new guidelines and procedures were put into effect in the City of Los Angeles (January 1, 1986), there were 917 felony arrests in domestic violence cases, which represented a 718% increase over the same period in the prior year (Canfield, 1986). The vast increase in arrests is most encouraging. Arrest of an abuser affords the victim some immediate protection, and it makes a clear, unambivalent statement to the batterer that his/her behavior is a crime, with serious consequences. Additionally, arrest may well be the most effective law enforcement intervention to prevent future violence, as demonstrated in the Minneapolis domestic violence experiment. In that scientifically-controlled test of the effects of arrest in domestic violence cases, arrest was found to be the most effective of the three standard methods used by police to reduce violence. Only 10% of subjects who had been arrested exhibited any further domestic violence during the six-month period following their arrest, while 19% of those who had been given advice/mediation by police, and 24% who had been ordered from the home for eight hours, had recurrence(s) of violence (Sherman and Berk, undated).

Gay/Lesbian Battering

I can't believe it. Only when I move, feel the aching and see the scratches and bruises do I know it's real. And when I fall asleep at night it all returns in a nightmare of no escape. . . She laughed at my attempts to defend myself. She told me I couldn't hurt her. She said that for every time I hit her she would hit me twice, and twice as hard. She was going to kill me if I didn't submit. I started looking for an escape . . . She kept hitting. She took my face in her hand and bashed my head into the edge of the door frame. . . I don't want to die. . . Why me? Didn't I suffer enough beatings as a child? Wasn't it supposed to end when I got big and left left home?. . . I don't understand.

(Victim's statement, in Lobel, 1986, p. 41)

While the larger area of domestic violence as it addresses violence between husband and wife or opposite-sex cohabitants is important and continues to warrant the attention and concern of the City of Los Angeles, it is necessary for the purposes of this report to restrict the focus to domestic violence as it relates to gay and lesbian couples. Therefore, the following section will specifically address the issues of domestic violence as it impacts the gay and lesbian community, with a particular emphasis on what the City of Los Angeles may do in order to address this issue. The report will examine what we know about domestic violence between gay and lesbian partners, the incidence and characteristics of gay and lesbian battering, and the current services and programs that exist in the City of Los Angeles for gays and lesbians who are victims of domestic violence.

There is an increasing awareness of the presence of physical abuse and violence in lesbian and gay relationships (Hammond, 1986)--a problem which had been largely ignored both in the gay

and lesbian communities as well as in the larger community (Geraci, 1986). In January of 1978, the United States Commission on Civil Rights held a national hearing with a specific focus on the abuse of women. As a result of the organizing and outreach efforts made, hundreds of advocates for battered women from all around the country came to testify about the violence that existed in the lives of many women. This, in fact, constituted the first gathering which openly discussed lesbian battering. Subsequently, the National Coalition Against Domestic Violence (NCADV) was organized (Hart, 1986) and assumed among its priorities that of addressing the problem of lesbian battering.

-- Reluctance to Address the Issue --

Discussion regarding domestic violence among gay and lesbian partners has only recently emerged from within the confines of the gay and lesbian communities. Evidence supports the fact that there has been a general reluctance of many gays and lesbians to openly address the issue of domestic violence within their communities (Lobel, 1986; Hammond, 1986; Warshafsky, 1987). Much of this reluctance is reported to stem from the efforts of the gay and lesbian community to bring a certain level of legitimacy to their relationships and hence the fear that open admission of the occurrence of domestic violence would spur homophobic attacks, misconceptions, and misunderstanding (Warshafsky, 1987). Further, it has also been suggested that gay and lesbian couples may indeed have difficulty identifying the violence in their relationships as abusive and hence be reluctant to step forward to seek help. Additionally, they may confuse self-defense

with being a co-batterer and therefore perceive themselves as the source of the problem, rather than view themselves as, in fact, victims.

-- Incidence/Prevalence/Characteristics --

While there are no specific statistics to document the actual incidence of domestic violence in the gay and lesbian community, it is a well-known fact that domestic violence among gay and lesbian couples does, in fact, exist (Warshafsky, 1987; Irvine, 1984). Melinsky (1984), a therapist for the Gay and Lesbian Services Center in Boston, reported that "violence was an issue for as many as one fourth of the couples who called the center" (p. 13). While the above information indicates the presence of violence in gay and lesbian relationships and estimates its prevalence, for reasons cited previously, accurate data regarding the extent of the problem is difficult to obtain. For example, inquiries regarding the incidence of domestic violence among gay and lesbian partners were made of the Los Angeles Police Department. At the time of this report we were unable to obtain any specific statistics regarding the number of such reported cases, and statements by personnel in the Domestic Violence Unit suggested that the problem is so rarely identified by or reported to the LAPD that no separate records of gay and lesbian domestic violence were maintained. However, there has been some documentation from the New York City Gay and Lesbian Anti-Violence Project which indicates that in the first seven months of the project (begun in 1986), 33 calls related to domestic violence among same-sex couples were received, which constituted about 12% of the total

calls received, without any special outreach efforts to those communities having been made (Wertheimer, 1986).

Regarding the characteristics of violence among gay and lesbian couples, evidence indicates that such battering appears to follow many of the same patterns as heterosexual battering (Lobel, 1986; Warshafsky, 1987). It has been described by Lobel (1984) to be "as brutal, vicious and severe as heterosexual battering" (p. A13). More recently, much of the information regarding the nature of gay and lesbian domestic violence has been gathered from surveys, needs assessment research, direct service groups, and writings in the area (Warshafsky, 1987). Some of these characteristics, which are similar to those of heterosexual couple battering, are summarized below:

(1) Lesbian battering cuts across race, social and class lines (Pharr, 1984).

(2) Sexual abuse is often a part of the domestic violence (Irvine, 1984).

(3) Lesbians who were abused as children or raised in violent homes appear more likely to abuse their partners (Lasater, 1984).

(4) Lesbian victims of battering are no less economically dependent on their abusers than the heterosexual victim of battering (National Coalition Against Domestic Violence, undated publication).

(5) Denial by lesbian victims of battering may be greater than among heterosexual women due to a lack of awareness of what truly constitutes domestic violence and a lack of resources to address the issues (Irvine, 1984).

(6) Statistics show that 70 to 90 percent of all battering involves alcohol (Underhill, 1984).

(7) Lesbians are considered a high-risk group for alcohol abuse (Ibid.).

(8) Battered lesbians feel isolation, shame and silence (Lobel, 1984).

(9) Physical size seems to have no relationship to either who is battered or to the amount of physical damage that can be inflicted (Irvine, 1984).

(10) Lesbian battering should not be labeled as mutual abuse (National Coalition Against Domestic Violence).

-- Availability of Services/Programs --

The lack of available services and programs for the gay and lesbian victim of domestic violence has been repeatedly documented (Lobel, 1986; Olson, 1986; Warshafsky, 1987). According to Olson (1986), for example, "If a battered lesbian does 'come out' to seek help, it is very difficult to get adequate care because of the tremendous amount of 'homophobia' in our society" (p. A14).

Homophobia has been defined as "that particular blend of all these things that work to keep homosexuals as a hidden underclass of society, discriminated against, treated as deviants, sinners, maliciously perverted, sick and abnormal" (Pharr, 1984, p. A14). It has also been defined as a "fear or hatred of lesbians and gay men" (Benowitz, 1986). Whatever definition one chooses to use, it is the consensus of several writers that the existence and prevalence of homophobic attitudes are in part responsible for the paucity of services and programs aimed specifically toward

the issue of domestic violence among gay and lesbian partners (Pharr, 1986; Benowitz, 1986).

To date, then, there are few services or programs designed to explicitly address the domestic violence issue for this target group (Warshafsky, 1987). More specifically, support groups for the abused lesbian and treatment for her abuser are practically non-existent (Lobel, 1986). Even more alarming is the lack of services or programs for gay men who fall victim to or perpetrate domestic violence (Warshafsky, 1987). Therefore, a central issue for the gay or lesbian victim of domestic violence is the lack of appropriate resources, given that social services like the police, hospitals, and criminal justice system are perceived as being geared toward opposite-sex partnerships (Lobel, 1984). A further illustration of the inadequacy of services to address the domestic violence problems of gays and lesbians can be found in reports on the availability of shelters for victims of such abuse. First, there are no identified shelters or refuge in the City of Los Angeles for either an abused gay man or a lesbian victim of domestic violence (Warshafsky, 1987). Theoretically, shelters for the battered heterosexual woman would be able to accommodate lesbians who have been battered by their partners. However, it has been documented that existing battered women's shelters, places of refuge where the abused woman from an opposite-sex partnership can go, have not been viewed as particularly supportive or safe for the lesbian victim (Ibid.). Reports from lesbians who have sought help from these shelters have indicated that they have experienced homophobia and sexual orientation discrimination

(Warshafsky, 1987; Lobel, 1986) as well as existence of poorly-trained staff. A battered lesbian may further encounter difficulties finding shelter for children residing in the home if their biological mother is the battering partner. The battered lesbian has no legal right to take her partner's children from the battering home environment even if she feels that they are also in danger (Warshafsky, 1987; LaViolette, 1986). (Battered lesbians may also risk custody battles with former spouses involving their own children if they seek assistance to escape violent lesbian relationships.)

With reference to law enforcement, evidence further suggests that gay/lesbian victims of domestic violence do not perceive law enforcement as protective of their rights (Lobel, 1986). The criminal justice system is perceived as unresponsive to and often hostile toward homosexuals (Warshafsky, 1987). In some cities, when reports of gay or lesbian domestic violence are made, the police file "mutual assault" charges when intervening in such battering situations (Ibid.). Evidence of this practice occurring within the City of Los Angeles is not available. However, the possibility of its occurrence based upon personal experiences of some gays and lesbians continues to haunt members of the community and perpetuate a sense of distrust in the law enforcement officials and criminal justice system to treat victims of homosexual battering equally and fairly. Charging a gay or lesbian victim of domestic violence with mutual assault is not in accordance with the current procedures, policies or laws regarding domestic violence as stated in the California Penal Code, and is in direct conflict with the statutory protection afforded opposite-sex partners under the

current laws. This type of intervention also reflects a "blaming the victim" mentality that should not be reinforced in a society that is committed to the equal protection of all its members and to breaking the violence cycle.

In a significant respect, gay and lesbian victims of domestic violence are currently not provided with equal protection under existing California law. As previously discussed in this report, CPC Section 273.5 does not extend the same statutory protection to battered gays and lesbians that it offers to victims of violence in heterosexual relationships. Same-sex partners are still bound to the "serious bodily injury" requirement for a felony arrest to occur (Castello, 1986). Thus, not only is there question as to whether existing laws are equitably enforced, but the laws themselves are at least in some respects significantly discriminatory against gay and lesbian victims in need of protection.

In summary, it appears that there is a commitment in the LAPD to training law enforcement officers to learn to recognize, respond and intervene in cases that involve same-sex domestic violence (Canfield, 1987). However, there are currently no separate records or statistics kept by the LAPD that would assist in truly understanding the incidence of the problem within our gay and lesbian communities. Further, there is a clear absence of any city-supported services which have as their foremost concern the prevention, intervention and rehabilitation of domestic violence problems among gays and lesbians. According to Susan Hornstein, Executive Director of the Western Center on Domestic Violence:

There is a belief that domestic violence is a family's problem and society doesn't have the concern for non-traditional families that we do for traditional ones. Most people just don't see lesbian (gay) relationships as important family units (1984, p. 14).

- I. IT IS RECOMMENDED THAT THE CITY COUNCIL CONVENE A TIME-LIMITED TASK FORCE, COMPRISED OF REPRESENTATIVES FROM LAW ENFORCEMENT, THE CITY ATTORNEY'S OFFICE, COMMUNITY AGENCIES, SHELTERS, AND KEY INDIVIDUALS IN THE GAY AND LESBIAN COMMUNITIES, TO EXAMINE THE PROBLEM OF GAY AND LESBIAN BATTERING, ASSESS THE NEEDS THAT EXIST, AND MAKE SPECIFIC RECOMMENDATIONS TO THE CITY.
- II. IT IS RECOMMENDED THAT THE CITY COUNCIL OF LOS ANGELES URGE THE CALIFORNIA LEGISLATURE TO EXTEND THE PROTECTIONS AFFORDED TO OPPOSITE-SEX VICTIMS OF DOMESTIC VIOLENCE UNDER CPC SECTION 273.5 TO INCLUDE SAME-SEX VICTIMS OF DOMESTIC VIOLENCE AS WELL.
- III. IT IS RECOMMENDED THAT THE CITY REQUIRE ALL CITY AGENCIES, INCLUDING THOSE FUNDED IN WHOLE OR IN PART BY THE CITY OF LOS ANGELES, TO FORMULATE POLICIES WHICH EXPLICITLY STATE THEIR INTENT TO PROTECT THE RIGHTS OF LESBIAN AND GAY FAMILIES AND TREAT LESBIAN AND GAY FAMILY UNITS WITH THE SAME LEVEL, KIND AND QUALITY OF SERVICE OR BENEFIT PROVIDED HETEROSEXUAL MARRIED COUPLES.
- IV. IT IS RECOMMENDED THAT THE CITY COUNCIL MANDATE THAT THE LOS ANGELES POLICE DEPARTMENT MAINTAIN SEPARATE AND SPECIFIC RECORDS TO DOCUMENT THE INCIDENCE OF DOMESTIC VIOLENCE AMONG GAY/LESBIAN COUPLES AND, IN ADDITION, SUPPORT INCREASED TRAINING FOR OFFICERS IN RESPONDING TO, IDENTIFYING, AND INTERVENING SENSITIVELY AND EQUITABLY IN SUCH CASES.

FAMILY VIOLENCE AND THE RECENT IMMIGRANT

Recent immigrants from foreign countries constitute a large and growing segment of the population of the City of Los Angeles. This section of the report will address some special problems that these new residents may face with respect to two forms of family violence: Child abuse and domestic violence (here, defined as and limited to violence between spouses/partners).

-- Description of the Population --

In this section, the term 'immigrant' will be used to refer to someone born in another country who later moved to the U.S. It will be assumed, for purposes of this discussion, that immigrants may be either legal or undocumented. The term 'recent immigrants' refers to those who moved to the U.S. within the past five years.

Between 1975 and 1980, an estimated 500,000 immigrants settled in the Southern California area, 80% of them in Los Angeles County (Southern California Association of Governments, 1984). According to demographic data compiled by the State of California, in 1980 an estimated 27.1% of residents in the City of Los Angeles were foreign-born (California Statistical Abstracts, Table 56). If the immigration trends witnessed between 1975 and 1980 continue, it is expected that by the year 2000, (1) non-Hispanic whites will no longer comprise the majority in Southern California, (2) the currently defined 'minority' population (Blacks, Hispanics and Asians) will become the 'majority' population, (3) the proportion of the Hispanic population will roughly equal that of the white population, and (4) foreign-born residents will constitute 30% of the population of the Southern

California region (Southern California Association of Governments, 1984). It has been estimated that there are currently approximately 450,000 undocumented immigrants of Latino origin residing in Los Angeles County (Gomez-Shelby, 1987), including over 200,000 immigrants from El Salvador alone residing in the City of Los Angeles (Southern California Association of Governments, 1984). Some estimates project that as many as 75,000 undocumented and 65,000 documented immigrants per year will move to the Southern California region between now and the year 2000, mostly settling in Los Angeles County; and these new residents will be primarily of Hispanic or Asian origin (Ibid.).

Clearly, a growing number of our City's residents are foreign-born individuals who are seeking to build new and better lives for themselves and their families in the U.S. However, they face serious challenges as they begin the task of adjusting to life in this country and providing for their basic needs here. Many speak little or no English. According to the 1984 report of the Southern California Association of Governments, 76.4% of Hispanic and 39.4% of Asian/other immigrants are non-fluent in English. Immigrants of all nationalities are found to have significantly lower incomes than other residents. Over 50% of immigrant households had incomes of less than \$15,000 in 1980 (Ibid). About 44% of all recent immigrants live in overcrowded housing (Ibid.). In addition, Hispanic immigrants have a significantly lower educational level than either current residents or immigrants from other nations, and thus are heavily concentrated in unskilled or low-skill jobs which offer both less income and job satisfaction (Ibid.). Undocumented residents frequently live in fear of detection and possible deportation, and thus may avoid the use of

needed services available to other residents because of fears of being identified by the INS (Gomez-Shelby, 1987). Finally, all immigrants bring with them their own deeply engrained tradition of family life.

Their cultural views of the relationship between men and women and of child rearing are likely to be different from the prevailing norms in this country (Korbin, 1982), and may be in conflict with our State's laws in some regard. With this brief summary of the special challenges facing recent immigrants in mind, we will look further at the problem of family violence among these residents.

-- Definition of Terms and Incidence --

Child abuse and domestic violence have been defined elsewhere in this report, and the reader may refer to previous sections for those definitions, as well as for discussions of the incidence in the general population. As for the incidence of such violence among recent immigrants (legal or undocumented), no specific statistics are available. However, Castello (1986) reports that the LAPD "recognizes that the undocumented face domestic violence and crime in general more than other communities" (p. 10), and Korbin (1982) acknowledges the proportionately high frequency of reports of child abuse and neglect among ethnically diverse populations in multicultural nations.

-- Immigrants, Domestic Violence, and the Legal System --

Access to the criminal justice system and its legal protections is not based upon immigration status. Recent immigrants (both legal and undocumented) are afforded the full protection of existing domestic violence laws (Castello, 1986). The policy of the Los Angeles Police Department in responding to domestic violence calls is not to inquire about immigration status, nor does the LAPD report to the Immigration

and Naturalization Service (Ibid.). Furthermore, The Guidelines and Curriculum for Law Enforcement Response to Domestic Violence (Commission on Peace Officer Standards and Training, 1985) developed to comply with PC Section 13519 and 13700 et seq. require, among other things, that (1) training in domestic violence for law enforcement personnel include issues of "family structure and culture" (p. 11); and (2) when called to intervene in domestic violence disputes, police be required to provide each domestic violence victim with written information about available shelters and services, their right to file a criminal complaint or petition for a restraining order, and other matters of legal recourse against the batterer.

Given these facts, it might be assumed that recent immigrants would have no special problems in legal protection in domestic violence incidents, or that such problems as posed by differences in culture are adequately addressed. In fact, the situation is quite complex. Unaware that police do not report to INS, undocumented persons continue to be haunted by fears of possible deportation:

Undocumented people, who usually live in the shadows of this society, tend to seek help outside their established support systems only in very desperate situations. Thus, it is doubly difficult for an undocumented woman to make the decision to leave a violent home. About 37% of undocumented women have reported to us that the reason they stayed with their abuser was abuser's unrealistic threats to call 'imigre' and have her deported, never to see her children. These women also indicated the reason they left was they thought they would be killed, and/or their children were in danger and were willing to risk deportation rather than stay. (Gomez-Shelby, 1987)

Additionally, families who are originally from other countries may well perceive law enforcement officials and police in particular as representing severe punishment and even death. Recent immigrants need assistance to realize that police can be supportive (Gomez-Shelby,

1987), and that the laws in this country are equitably administered and punishments are reasonable. The police officer's actions at the scene are critical in demonstrating to the woman that the entire criminal justice system is supportive of her welfare and to the abuser that his actions are illegal and he will be held accountable for them (Ibid.).

Cultural factors, as well, may be responsible for immigrant victims' failure to report or press charges for domestic violence. Various cultures have different views of what constitutes normal or aberrant behavior between husbands and wives and what, therefore, warrants legal intervention (Gomez-Shelby, 1987; Herrera, 1984). Women from countries which afford them fewer rights and less protection from abusive treatment may not realize that in Los Angeles they have a right to be protected from abuse and will be protected by the law if needed.

The man may be equally ignorant that abusive behavior against his spouse/partner is, in this State, a crime which can result in imprisonment. Clearly, the law enforcement personnel intervening in such cases face a massive and sensitive education task.

Compounding these problems in perception of the legal system, the laws, and law enforcement personnel is the issue of language. As previously indicated, many immigrants speak little or no English. In the midst of a stressful domestic violence situation, this language problem complicates the efforts of police to teach and victims to learn about various legal procedures and available services. The guidelines for police officer intervention do not require that written information be provided in various languages, and culturally-sensitive, multi-lingual legal and social services for foreign-born residents are rare, as we shall see in the section to follow.

-- Domestic Violence Services and Programs --

There is a shortage of programs and services providing assistance to recent immigrants or ethnic residents who are victims of family violence. For example, there are only two shelters for battered women in the Greater Los Angeles area that specifically target ethnic minorities and provide culturally-relevant and bilingual/multilingual services to these battered women and their children (Gomez-Shelby, 1987). Su Casa, which specifically targets the Hispanic population, served 1,829 women through its crisis hotline, and 110 women and 172 children in its shelter program, during 1986. It is the only shelter providing 24-hour-a-day bilingual telephone crisis counseling and an all-bilingual staff. Another shelter served an equivalent number of clients who are predominantly of Asian-Pacific origin (Ibid.). These shelters are not nearly adequate to meet the needs of these ethnic groups. Other shelters are also over-filled, and if open to these residents, they lack the cross-cultural staff and language capabilities to provide adequate service to these women and children at such a crisis time in their lives (Ibid.). Furthermore, information about the few available resources is frequently lacking in the ethnic communities. Almost all victims who eventually reached Su Casa had stayed for a long time in battering situations because they did not know of any place they could go or of any alternatives to continued dependence on men whose abuses threatened their health and safety and that of their children (Gomez-Shelby, 1987).

In order for any service to be useful to its recipients, it must be sensitive to the cultural mores, values, perspectives and experiences of its clientele (Acosta et al., 1982). "Care must be taken to

respect the dignity of diverse cultures while also protecting (women and) children from undue affronts to their well-being" (Korbin, 1982, p. 263). Clearly, there are inadequate resources to meet the needs for culturally-sensitive, bilingual services to large numbers of victims of domestic violence in Los Angeles who are from other countries. To fail to address this deficiency of services is to give implicit consent for the cycle of violence to continue and to grow among these hard-pressed communities struggling to acculturate in our society. Another result of our failure to educate, protect, and foster the welfare of immigrant women who are victims of domestic violence is that the lives of their children are scarred, and at least 50% of the children in those homes are themselves the direct recipients of physical abuse (Gomez-Shelby, 1987).

-- Immigrants and Child Abuse --

As we have seen, the problem of child abuse is pervasive in our society. Although it affects all classes, races, religious groups, etc., higher frequencies of child abuse and neglect have been reported among ethnically diverse populations (Korbin, 1982). The recent immigrant is at higher risk for child abuse for a number of reasons.

As previously stated in this report, these groups tend to have lower incomes, live in overcrowded housing, have lower levels of education and employment, and face many stresses due to language and cultural differences. These factors are very significant with respect to these families' high risk for child abuse, as well as other forms of domestic violence. For example, Pelton (1985) cites substantial strong evidence for the relationship between poverty and child abuse and summarizes:

. . . the living conditions of poverty generate stressful experiences that may become precipitating factors of child

abuse, and the poor have little means by which to escape from such stress. . .Such poverty-related factors as unemployment, dilapidated and overcrowded housing, and insufficient money, food, recreation, or hope can provide the stressful context for abuse.
(pp. 33-34)

Oates writes that other factors which must be considered as contributors to child abuse are the stresses of modern life and alcoholism and drug addiction--widespread problems among many immigrants for whom escape from reality has replaced realistic hopes for the future. Additionally, the greater the number of stressful events occurring in a year, the higher the incidence of child abuse (Ibid.). Recent immigrants of all sorts, and the undocumented in particular, face day-to-day stresses of enormous magnitude. Pressure, tension and frustration build, as hopes, dreams, and patience dwindle, resulting in a fertile environment for the eruption of violence displaced onto innocent children.

Finally, it must be continually remembered that while our society has laws protecting children against what we view as abuse, "there is (no) unitary, cross-cultural valid standard for either optimal child-rearing or child maltreatment" (Korbin, 1982, p. 257). Further, "studies and works by historians and anthropologists have clearly demonstrated vast differences, from one period to another and from one culture to another, regarding acts considered to constitute child maltreatment" (Cantwell, 1982, p. 271). Each society has its own unique beliefs about what constitutes appropriate childrearing practices. Some of our own accepted practices would be regarded as abusive and/or neglectful in other countries--e.g., making an infant or child sleep alone in another room at night; making infants wait certain time intervals to be fed; allowing a child to "cry himself out" while withholding attention; allowing teen-age girls to go out alone with males.

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Likewise, some of the practices of other cultures are viewed as abuse or neglect, and are illegal, in our own--e.g., corporal punishment; leaving a 6-year-old to babysit for a 6-month-old while the mother works, etc. In dealing with recent immigrants and child abuse, care must be taken to understand and respect cultural diversity while nevertheless protecting the children. Cultural conflict in identifying unacceptable behavior towards children must be acknowledged, while at the same time, laws must be enforced. Recent immigrants, like all other residents of our City, must obey existing laws and be treated accordingly if they do not; but we also have a responsibility to teach them our laws regarding family violence, and to educate them in more acceptable and healthy ways of childrearing and problem resolution.

For change to occur in long-standing, culturally-accepted practices, the old practices must be shown to be harmful, and the new ones must 'make sense' to the culture in question (Korbin, 1982).

I. IT IS RECOMMENDED THAT THE CITY OF LOS ANGELES MANDATE THAT THE LOS ANGELES POLICE DEPARTMENT DEVELOP AND PROVIDE WRITTEN MATERIALS FOR VICTIMS OF DOMESTIC VIOLENCE INCIDENTS IN MULTIPLE LANGUAGES; THAT REPRESENTATIVES OF IMMIGRANT COMMUNITIES BE SOLICITED FOR INPUT REGARDING RELEVANT LANGUAGES AND FORMAT; AND THAT SUCH WRITTEN INFORMATION EXPLICITLY STATE THAT THE POLICE WILL NOT REPORT TO THE IMMIGRATION AND NATURALIZATION SERVICE EITHER VICTIMS OR THEIR BATTERERS.

II. IT IS RECOMMENDED THAT THE CITY VOTE TO PROVIDE FUNDS TO EXISTING FACILITIES PROVIDING SHELTER AND CRISIS COUNSELING SERVICES TO IMMIGRANTS AND ETHNIC MINORITIES WHO ARE VICTIMS OF DOMESTIC VIOLENCE (E.G., SU CASA AND CENTER FOR ASIAN PACIFIC WOMEN), AND THAT THESE

FUNDS BE DESIGNATED TO AUGMENT EXISTING EDUCATIONAL OUTREACH AND CRISIS SERVICES FOR THESE COMMUNITIES.

III. IT IS RECOMMENDED THAT THE CITY ESTABLISH A TASK FORCE ON FAMILY VIOLENCE AMONG IMMIGRANTS IN THE CITY OF LOS ANGELES, AND THAT THIS TASK FORCE BE CHARGED AS FOLLOWS:

- (A) TO CONSIST OF SERVICE PROVIDERS AND ORGANIZATIONS REPRESENTING THE VARIOUS HISPANIC AND ASIAN-PACIFIC IMMIGRANT POPULATIONS (E.G., SU CASA, THE ASIAN PACIFIC CHILD ABUSE COUNCIL, CARECEN, ETC.);
- (B) TO STUDY THE NEEDS OF IMMIGRANTS FOR EDUCATION AND SERVICES RELATING TO CHILD ABUSE AND DOMESTIC VIOLENCE, AND TO MAKE SPECIFIC RECOMMENDATIONS TO THE CITY COUNCIL REGARDING NEEDED CULTURALLY-RELEVANT, MULTI-LINGUAL EDUCATIONAL AND INTERVENTION PROGRAMS.

ELDER ABUSE

Ours is a 'graying' society. The over-85 age group is the most rapidly growing segment of the U.S. population. Publicly-funded or subsidized services for the elderly do not include custodial care for these citizens, and cut-backs in funds for hospital and nursing home care mean shorter stays for many elderly who are ill. As a result, people who would have once been considered elderly themselves are bearing an increasing responsibility for caring for an even older generation in home environments (Westbrook, 1987):

For every elderly person in a nursing home, at least four others with physical or mental problems that impair their ability to care for themselves survive in their local communities because of family members who pitch in as surrogate nurses, aides, housekeepers, gardeners and even accountants. (Peterson and Rosenblatt, 1986)

As families have become more geographically dispersed, as the proportion of non-traditional families has increased, and as the number of children per family has declined, there are fewer children to care for aging parents and relatives. Additionally, with more women employed outside the home, there are fewer women available full-time to provide for day-to-day care of aging relatives in need of custodial care. In reality, many working adults with aging parents or relatives find themselves with two jobs.

For example, in a recent survey of its 10,000 employees, Travelers Insurance Company found that 28% of its employees cared for aging relatives for an average of 10 hours per week over a 5-year-long period of time (Peterson and Rosenblatt, 1986). The stress of the day-in and day-out responsibility of caring for an elderly

person takes serious tolls on the caregiver: Increased depression and/or drug-alcohol abuse (30% higher incidence in adults providing care for an aging person), deterioration of job performance of those employed outside the home, deterioration of relationships with spouse, friends, and other family members, and physical problems in the adult providing care (Westbrook, 1987). A recent study at Duke University found that adults providing care to elderly with memory problems experienced eight times more stress-related symptoms than adults without such responsibilities (Peterson and Rosenblatt, 1986). When the strain becomes too great, the potential for neglect or abuse of the elderly increases (Ibid.).

For many elderly and their caregivers, there is no relief in sight--no break from the continuous dependency and responsibility.

There are only 25 day-care centers for the elderly in Los Angeles County, and they are not widely publicized (Peterson, 1986).

There are virtually no settings where the elderly can be left overnight so that caregivers can temporarily be relieved of the responsibility for care (Westbrook, 1987). The County has a total of only three beds available to provide temporary board-and-care services to elders in abusive or high-risk situations (Kerr, 1987).

While the dynamics of elder abuse are complex and variable, there is no question that the risk of abuse increases when caretakers become overwhelmed. Most abusers of the elderly are not heartlessly cruel people, but are simply lacking in or drained of resources to cope (Peterson and Rosenblatt, 1986). While the frail elder is indeed a victim, elder abuse hurts everyone involved. It

is imperative that the City immediately and rigorously address the problem of abuse among this growing segment of its residents, for the sake of the elderly and those who care for them.

Definition and Incidence

For the purposes of this report, elder abuse will be defined as "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"(County Task Force Report, 1986, p. 8). It is estimated that 4% of the elderly (or approximately 30,000 in Los Angeles County) are abused (Rawitz, 1986), although only one-sixth of all cases are likely to be reported (Gee and Balliet, 1982). Not only may the abused elderly person be unable to report because of his/her condition, but he or she may be unaware of sources of help. Even if informed of resources and able to report, the abused elderly person may still fear that bringing the problems to light will result either in increased abuse, or in his or her removal from the home and placement in an institution. Health professionals dealing with the elderly may be uninformed about the reporting statutes, or hesitant or neglectful in reporting their suspicions (Rawitz, 1986).

The abused elderly person is likely to be an extremely old person (36% are over 80, and 54% are over 75) with significant mental and/or physical impairment (75%), female (80%), living with the abuser (75%), who is usually a family member (84%) and

abuses the victim on a recurring basis (78%) (Gee and Balliet, 1982). While elder abuse unquestionably does occur in institutional care settings, this report will concern itself only with abuse of elders living either in their own homes or those of relatives-- not only because that is where most elders reside, but because there are existing policies and procedures for the licensing and oversight of care provided to the elderly in institutions (Rawitz, 1986). Additionally, since this report is being prepared for the City of Los Angeles, it will address itself to the City's current programs and mechanisms for dealing with the problems of elder abuse and will include recommendations for action that could feasibly be taken on the City level.

Elder Abuse and the City of Los Angeles

[Except where otherwise noted, the findings reported below represent a summary of extensive research conducted by Brett Rawitz for the Task Force On Family Diversity during the Fall of 1986.]

Widespread and systematic study of the problem of elder abuse is relatively new, following in the wake of two decades in which increasing attention has been paid, first, to the problem of child abuse, and more recently, to violence between spouses/sexual partners. The state of affairs in various City offices and departments with respect to elder abuse reflects this relatively recent focus of attention to the problem--e.g., there are no "experts" (specially designated and trained personnel) or special programs or units designed specifically to address the problem of elder abuse, and no separate statistics are retained regarding the incidence, tracking, or handling of elder abuse cases in the

various City offices and departments. A more detailed summary of findings and discussion of those findings follows.

-- In the City Attorney's office, there is a recently-established Domestic Violence Unit consisting of eight attorneys and charged with dealing with all altercations in the home resulting in misdemeanors. According to the Unit Director, elder abuse is handled by this unit inasmuch as it constitutes an altercation within the home. There is no special training regarding elder abuse, and there are no special procedures for its handling.

No separate statistics are kept regarding these types of cases, nor is there a system for tracking of such misdemeanors (Kerr, 1987). Some reported cases are prosecuted immediately, and some are referred to the Hearings Office, where, again, there are no specially trained personnel to handle such cases, no separate statistics are kept, and no mechanisms are in place to provide referrals or follow-up if the victim does not press charges.

While no statistics are kept, staff estimate that cases of elder abuse constitute less than one percent of all cases handled by the Hearings Office.

-- The Los Angeles Police Department also has a designated Domestic Violence Unit which is responsible for handling cases of elder abuse. However, according to Unit staff there, elder abuse has thus far received less special or separate recognition than violence between spouses/partners, largely because such cases are so "uncommon." According to Sgt. Robert Canfield, recent laws have increased the responsibility of police to report incidents to the county, and he is involved in working in liaison with the County's Adult Protective Services.

-- The discrepancy between the estimated number of cases of elder abuse identified by and/or reported to police and the incidence of elder abuse according to the Adult Protective Services Unit and others (4% of all elderly) suggests that with respect to elder abuse, there are still major problems with identification and reporting, not unlike the situation that existed in previous decades with respect to child abuse and marital violence: The problems occurred, but most often remained family or neighborhood secrets, while profoundly scarring the lives of victims and abusers alike. Education of the public, of law enforcement personnel, and of various professionals providing services to the elderly seems needed. Regarding the apparent under-reporting, Rawitz (1986) states, "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" (p. 4).

-- There is a lack of city-supported services to provide preventive, emergency, and rehabilitative services to abused elders and their families, or to those at high risk. In particular, there are no city-funded day-care programs or temporary shelter facilities for elders, nor funds for hiring in-home health or custodial caregivers who could support and relieve family members providing care.

-- There appear to be communication and coordination problems within and among agencies and departments within the City, and between City and County offices and departments. It is often unclear who is knowledgeable about or responsible for handling

questions and issues regarding elder abuse. The investigator obtaining information for this report had difficulty finding someone in various offices who could answer questions, and was transferred to inappropriate personnel and/or offices. Others who work with elders stress the need for better coordination of services both within the City and between City and County (Westbrook, 1987 and Kerr, 1987), both to improve service delivery and to save money and time wasted by duplicated efforts. The City has an established Department of Aging. Its current role in coordinating elder abuse information or services across City departments or offices seems limited and might potentially be enhanced.

This concludes the summary of specific findings regarding the current City mechanisms and services for handling elder abuse. There follows a brief discussion of the implications of the current absence of special training in elder abuse for personnel in the Domestic Violence Units of the City Attorney's Office, including the Hearings Office, as well as some implications of handling elder abuse cases in the same was as other forms of domestic violence.

Though elder abuse shares aspects of both child abuse and violence between partners, there are nevertheless differences that need to be explicitly acknowledged and addressed. For instance, like victims of child abuse, the frail or disabled elderly may be dependent and vulnerable to exploitation, without ability to withdraw or protect themselves. However, an abused but mentally competent adult cannot be removed from the home against her/his

wishes, as is sometimes done to protect an abused child. Shelters such as those available for battered women are generally not appropriate to serve the physical or psychological needs of the abused elder. (There are also no shelters in the area for men at all.) Further, age, ill health, and frequently financial considerations may make prospects for independent functioning outside of an institution virtually impossible for these victims.

Given the lack or undesireability of living alternatives, continued dependence on the abuser seems to be for some abused elderly their only or best recourse. Interventions which focus on the family as a unit may in many cases be preferable to standard law enforcement or legal proceedings which may result in further alienation of family members from one another. Gee and Balliet (1982) warn, among other things, against interventions that place blame in elder abuse--an inherent aspect of any legal proceeding in which charges are filed and prosecution may result--and against inadequate or inappropriate interventions which "may be worse than none at all":

To place blame is generally dysfunctional. It may antagonize the abuser, making that person more difficult to deal with, and may reduce the chances for terminating the abuse or neglect. . . Intervention and assistance that promise a great deal and deliver little, or come at the abuser and victim from all sides, may cause them to reject assistance now and in the future. In some instances, such unbalanced intervention may greatly increase the risk to the victim (pp. 60-61).

Existing laws must be equitably enforced. However, the special problems of the abused elderly and their families deserve much careful study and, subsequently, appropriate and sensitive handling, particularly at the level of the City Attorney's office, in order

to guard against the risk of ongoing or increased abuse of the elder. One possibility in some cases might be a deferred prosecution program, wherein the City Attorney would forego prosecution while the abuser underwent counseling and supportive services could be located (Rawitz, 1986). Such a program would necessitate careful monitoring and close coordination with Adult Protective Services. This alternative to immediate prosecution of the abuser might reduce some of the current reluctance to report elder abuse, although no data is available to support this conjecture.

Los Angeles County -- Task Force on Elder Abuse and Other County Efforts

In 1986, a County Task Force studied the problem of elder abuse, including the County's related programs and policies, and summarized findings and made recommendations. It seems important here to recount some of those findings and recommendations, both to avoid 'reinventing the wheel,' as it were, and to provide a foundation for time- and money-saving coordination between City and County offices and departments which are simultaneously attempting to deal on different levels with the problem of elder abuse.

The task force found that the District Attorney's Office approaches elder abuse cases in the same way that the City Attorney's Office and the Los Angeles Police Department do--that is, elder abuse cases are treated as one type of domestic violence case, with no specialized staff assignment or procedural approach.

The County Task Force Report concluded that there was a lack of awareness among the public and agency personnel regarding

the detection and reporting procedures for elder abuse. It recommended, among other things, a thorough information/education program throughout county agencies and the public at large. It recommended in addition that cases of "mild abuse" be handled as "a problem requiring therapeutic and educational intervention," rather than as a "crime requiring law enforcement intervention," with law enforcement agencies being notified through cross-reporting only in "dangerous cases" (Rawitz, p. 8). While recommending significant variation in the legal handling of these cases, the County Task Force nevertheless recommended that no separate, parallel system of services for elder abuse be established within the County Departments, but that elder abuse should continue to be included as a form of domestic violence in terms of services provided by the County. This recommendation was based upon two factors: The cost-ineffectiveness of parallel programs, and the risk of further isolation of the elderly from the rest of society.

The County Task Force Report represented the combined efforts of representatives of various County departments/agencies. A further demonstration of the results of interdepartmental collaboration to address the problem of elder abuse is the County's Elder Abuse Hotline, started in August, 1986, through the joint efforts of the Departments of Public Social Services, Health Services, Mental Health, and Community and Senior Citizens Services.

To publicize the hotline, the County published an eye-catching and informative brochure, in Spanish and English, which defines elder abuse, and gives guidelines for its detection and the names

and phone numbers of various agencies to call for further information and/or assistance. The brochure and the hotline represent important steps toward better public and governmental recognition of the problem, and toward interdepartmental collaboration to meet the needs of the County's elderly residents.

IT IS RECOMMENDED THAT THE CITY COUNCIL CONVENE AN INTERAGENCY TASK FORCE ON ELDER ABUSE IN LOS ANGELES, WITH THE FOLLOWING SPECIFICATIONS:

A. TO INCLUDE IN ITS MEMBERSHIP REPRESENTATIVES OF APPROPRIATE COUNTY AS WELL AS CITY OFFICES/DEPARTMENTS/PROGRAMS (E.G., ADULT PROTECTIVE SERVICES, THE DISTRICT ATTORNEY'S OFFICE, DEPARTMENTS OF HEALTH AND MENTAL HEALTH, THE LOS ANGELES POLICE DEPARTMENT, THE CITY ATTORNEY'S OFFICE, THE CITY DEPARTMENT OF AGING, ETC.);

B. TO INCREASE AND IMPROVE THE ROLE OF THE CITY DEPARTMENT OF AGING IN COORDINATION OF COMMUNICATION AND SERVICES AMONG CITY OFFICES AND DEPARTMENTS;

C. TO UTILIZE THE LOS ANGELES COUNTY TASK FORCE REPORT ON ELDER ABUSE (1986) AS AN INITIAL GUIDE FOR THE CITY TASK FORCE'S STUDY OF ELDER ABUSE PROBLEMS AND PROPOSED SOLUTIONS;

D. TO EXAMINE THE FEASIBILITY OF TRAINING SPECIALISTS WITHIN THE POLICE DEPARTMENT AND THE CITY ATTORNEY'S OFFICE TO HANDLE ELDER ABUSE CASES, AND TO RECOMMEND ACCORDINGLY;

E. TO EVALUATE THE CURRENT RECORD-KEEPING AND TRACKING SYSTEMS USED BY THE LOS ANGELES POLICE DEPARTMENT AND THE CITY ATTORNEY'S OFFICE FOR ELDER ABUSE CASES AND MAKE RECOMMENDATIONS FOR CHANGES IF INDICATED;

F. TO DETERMINE SPECIFIC PROGRAMS THAT COULD BE PROVIDED OR PARTIALLY SUPPORTED BY THE CITY TO IMPROVE SERVICES TO ABUSED OR AT RISK ELDERS AND THEIR FAMILIES, AND TO MAKE RECOMMENDATIONS REGARDING IMPLEMENTATION OF SUCH PROGRAMS.

RECOMMENDATIONS --CHILD ABUSE

I. IT IS RECOMMENDED THAT THE CITY COUNCIL IMMEDIATELY REVIEW AND APPROVE THE ESTABLISHMENT OF A CHILD ABUSE PREVENTION AND EDUCATION PILOT PROJECT (CPP) IN THE VALLEY BUREAU OF THE LOS ANGELES POLICE DEPARTMENT; THAT FUNDING FOR THE PROJECT (\$389,645) BE APPROVED AS SOON AS POSSIBLE TO PERMIT PROMPT IMPLEMENTATION; AND THAT THE PILOT PROJECT BE FUNDED FOR A MINIMUM OF THREE YEARS.

II. IT IS FURTHER RECOMMENDED THAT COUNCILMAN WOO PRESENT BEFORE THE CITY COUNCIL THE CHILD ABUSE PREVENTION AND EDUCATION PROGRAM (CAPE) AS ORIGINALLY PROPOSED BY THE LOS ANGELES POLICE DEPARTMENT AND UNANIMOUSLY APPROVED BY THE BOARD OF POLICE COMMISSIONERS IN 1986; AND THAT THE CITY COUNCIL REVIEW THE PROGRAM AND APPROVE FUNDING FOR ITS IMPLEMENTATION CITY-WIDE, IN ORDER TO RESPOND TO THE GROWING PROBLEM OF CHILD ABUSE.

RECOMMENDATIONS --DOMESTIC VIOLENCE

I. IT IS RECOMMENDED THAT THE CITY COUNCIL CONVENE A TIME-LIMITED TASK FORCE, COMPRISED OF REPRESENTATIVES FROM LAW ENFORCEMENT, THE CITY ATTORNEY'S OFFICE, COMMUNITY AGENCIES, SHELTERS, AND KEY INDIVIDUALS IN THE GAY AND LESBIAN COMMUNITIES, TO EXAMINE THE PROBLEM OF GAY AND LESBIAN BATTERING, ASSESS THE NEEDS THAT EXIST, AND MAKE SPECIFIC RECOMMENDATIONS TO THE CITY.

II. IT IS RECOMMENDED THAT THE CITY COUNCIL OF LOS ANGELES URGE THE CALIFORNIA LEGISLATURE TO EXTEND THE PROTECTIONS AFFORDED TO OPPOSITE-SEX VICTIMS OF DOMESTIC VIOLENCE UNDER CPC SECTION 273.5 TO INCLUDE SAME-SEX VICTIMS OF DOMESTIC VIOLENCE AS WELL.

III. IT IS RECOMMENDED THAT THE CITY REQUIRE ALL CITY AGENCIES, INCLUDING THOSE FUNDED IN WHOLE OR IN PART BY THE CITY OF LOS ANGELES, TO FORMULATE POLICIES WHICH EXPLICITLY STATE THEIR INTENT TO PROTECT THE RIGHTS OF LESBIAN AND GAY FAMILIES AND TREAT LESBIAN AND GAY FAMILY UNITS WITH THE SAME LEVEL, KIND AND QUALITY OF SERVICE OR BENEFIT PROVIDED HETEROSEXUAL MARRIED COUPLES.

IV. IT IS RECOMMENDED THAT THE CITY COUNCIL MANDATE THAT THE LOS ANGELES POLICE DEPARTMENT MAINTAIN SEPARATE AND SPECIFIC RECORDS TO DOCUMENT THE INCIDENCE OF DOMESTIC VIOLENCE AMONG GAY/LESBIAN COUPLES

AND, IN ADDITION, SUPPORT INCREASED TRAINING FOR OFFICERS IN RESPON-
DING TO, IDENTIFYING, AND INTERVENING SENSITIVELY AND EQUITABLY IN
SUCH CASES.

RECOMMENDATIONS --FAMILY VIOLENCE AND THE RECENT IMMIGRANT

I. IT IS RECOMMENDED THAT THE CITY OF LOS ANGELES MANDATE THAT THE
LOS ANGELES POLICE DEPARTMENT DEVELOP AND PROVIDE WRITTEN MATERIALS
FOR VICTIMS OF DOMESTIC VIOLENCE INCIDENTS IN MULTIPLE LANGUAGES;
THAT REPRESENTATIVES OF IMMIGRANT COMMUNITIES BE SOLICITED FOR INPUT
REGARDING RELEVANT LANGUAGES AND FORMAT; AND THAT SUCH WRITTEN INFOR-
MATION EXPLICITLY STATE THAT THE POLICE WILL NOT REPORT TO THE IMMI-
GRATION AND NATURALIZATION SERVICE EITHER VICTIMS OR THEIR BATTERERS.

II. IT IS RECOMMENDED THAT THE CITY VOTE TO PROVIDE FUNDS TO EXIS-
TING FACILITIES PROVIDING SHELTER AND CRISIS COUNSELING SERVICES TO
IMMIGRANTS AND ETHNIC MINORITIES WHO ARE VICTIMS OF DOMESTIC VIOLENCE
(E.G., SU CASA AND CENTER FOR ASIAN PACIFIC WOMEN), AND THAT THESE
FUNDS BE DESIGNATED TO AUGMENT EXISTING EDUCATIONAL OUTREACH AND CRISIS
SERVICES FOR THESE COMMUNITIES.

III. IT IS RECOMMENDED THAT THE CITY ESTABLISH A TASK FORCE ON FAMILY
VIOLENCE AMONG IMMIGRANTS IN THE CITY OF LOS ANGELES, AND THAT THIS
TASK FORCE BE CHARGED AS FOLLOWS:

(A) TO CONSIST OF SERVICE PROVIDERS AND ORGANIZATIONS REPRESENTING
THE VARIOUS HISPANIC AND ASIAN-PACIFIC IMMIGRANT POPULATIONS (E.G.,
SU CASA, THE ASIAN PACIFIC CHILD ABUSE COUNCIL, CARECEN, ETC.);

(B) TO STUDY THE NEEDS OF IMMIGRANTS FOR EDUCATION AND SERVICES
RELATING TO CHILD ABUSE AND DOMESTIC VIOLENCE, AND TO MAKE SPECIFIC
RECOMMENDATIONS TO THE CITY COUNCIL REGARDING NEEDED CULTURALLY-
RELEVANT, MULTI-LINGUAL EDUCATIONAL AND INTERVENTION PROGRAMS.

RECOMMENDATIONS --ELDER ABUSE

I. IT IS RECOMMENDED THAT THE CITY COUNCIL CONVENE AN INTERAGENCY
TASK FORCE ON ELDER ABUSE IN LOS ANGELES, WITH THE FOLLOWING SPECI-
FICATIONS:

(A) TO INCLUDE IN ITS MEMBERSHIP REPRESENTATIVES OF APPROPRIATE
COUNTY AS WELL AS CITY OFFICES/DEPARTMENTS/PROGRAMS (E.G., ADULT

PROTECTIVE SERVICES, THE DISTRICT ATTORNEY'S OFFICE, DEPARTMENTS OF HEALTH AND MENTAL HEALTH, THE LOS ANGELES POLICE DEPARTMENT, THE CITY ATTORNEY'S OFFICE, THE CITY DEPARTMENT OF AGING, ETC.);

(B) TO INCREASE AND IMPROVE THE ROLE OF THE CITY DEPARTMENT OF AGING IN COORDINATION OF COMMUNICATION AND SERVICES AMONG CITY OFFICES AND DEPARTMENTS;

(C) TO UTILIZE THE LOS ANGELES COUNTY TASK FORCE REPORT ON ELDER ABUSE (1986) AS AN INITIAL GUIDE FOR THE CITY TASK FORCE'S STUDY OF ELDER ABUSE PROBLEMS AND PROPOSED SOLUTIONS;

(D) TO EXAMINE THE FEASIBILITY OF TRAINING SPECIALISTS WITHIN THE POLICE DEPARTMENT AND THE CITY ATTORNEY'S OFFICE TO HANDLE ELDER ABUSE CASES, AND TO RECOMMEND ACCORDINGLY;

(E) TO EVALUATE THE CURRENT RECORD-KEEPING AND TRACKING SYSTEMS USED BY THE LOS ANGELES POLICE DEPARTMENT AND THE CITY ATTORNEY'S OFFICE FOR ELDER ABUSE CASES AND MAKE RECOMMENDATIONS FOR CHANGES IF INDICATED;

(F) TO DETERMINE SPECIFIC PROGRAMS THAT COULD BE PROVIDED OR PARTIALLY SUPPORTED BY THE CITY TO IMPROVE SERVICES TO ABUSED OR AT RISK ELDERS AND THEIR FAMILIES, AND TO MAKE RECOMMENDATIONS REGARDING IMPLEMENTATION OF SUCH PROGRAMS.

REFERENCES -- CHILD ABUSE

- Besharov, D., "Deliverance: The Duty to Report Child Abuse." Los Angeles Daily Journal, September 4, 1986.
- Brown, Detective J. (Los Angeles Police Department, Child Abuse Unit), Public testimony to City of Los Angeles Task Force on Family Diversity, February 19, 1987.
- Castello, G., Domestic Violence Team Report. Unpublished paper prepared for City of Los Angeles Task Force on Family Diversity, December, 1986.
- Commission on the Enforcement of Child Abuse Laws, Final Report: April 1985. Office of the Attorney General, California Department of Justice, 1985.
- Inter-Agency Council on Child Abuse and Neglect (ICAN), ICAN Data/Information Sharing System: Report to Policy Committee, 1986.
- Los Angeles Police Department, Juvenile Division, "Child Abuse Prevention and Education (CAPE) Summary," 1986.
- Los Angeles Police Department, Juvenile Division, "Revised CAPE (Child Abuse Prevention and Education) Pilot Program," April, 1987.
- Lystad, M., Violence at Home: A Review of the Literature. American Journal of Orthopsychiatry, 45(3), 1975.
- Mayhall, P. and Norgard, K., Child Abuse and Neglect: Sharing Responsibility. New York: John Wiley and Sons, 1983.
- Sexton, D. (Child Help U.S.A.), Public testimony and written statement to the City of Los Angeles Task Force on Family Diversity, April 8, 1987.
- Steele, B., Violence Within the Family. In Heffer, R. and Kempe, C., Child Abuse and Neglect: The Family and the Community. Cambridge, Mass.: Ballinger Publishing Co., 1976.

REFERENCES -- INTRODUCTION AND DOMESTIC VIOLENCE

- Benowitz, M., How Homophobia Affects Lesbians' Responses to Violence in Lesbian Relationships. In Lobel, K. (Ed.), Naming the Violence. Seattle: Seal Press, 1986.
- Bradley v. State (1824) 2 MISS (Walker) 156, 158.
- Canfield, Sgt. R. (Los Angeles Police Department, Domestic Violence Unit), Public Testimony to City of Los Angeles Task Force on Family Diversity, February 19, 1987.
- Castello, G., Domestic Violence Team Report. Unpublished paper prepared for City of Los Angeles Task Force on Family Diversity, December, 1986.
- Commission on Peace Officer Standards and Training, Guidelines and Curriculum for Law Enforcement Response to Domestic Violence. Sacramento, 1985.
- Domestic Violence Practice Manual. Voluntary Services Program, State Bar of California, 1982.
- Flanzer, J. (Ed.), The Many Faces of Family Violence. Springfield, Ill.: Charles Thomas Publ., 1982.
- Gelles, R., Family Violence. Beverly Hills: Sage, 1979.
- Geraci, L., Making Shelters Safe for Lesbians. In Lobel, K. (Ed.), Naming the Violence. Seattle: Seal Press, 1986.
- Gomez-Shelby, C. (Shelter Director, Su Casa), Public Testimony to City of Los Angeles Task Force on Family Diversity, 1987.
- Goolkasian, G., Confronting Domestic Violence: A Guide for Criminal Justice Agencies. U.S. Department of Justice, 1985.
- Hammond, N. Lesbian Victims and the Reluctance to Identify Abuse. In Lobel, K. (Ed.), Naming the Violence. Seattle: Seal Press, 1986.
- Hart, B. Lesbian Battering: An Examination. In Lobel, K. (Ed.), Naming the Violence. Seattle: Seal Press, 1986.
- Herrington, L., Preface. In U.S. Attorney General's Task Force on Family Violence: Final Report. Washington: Department of Justice, 1984.
- Hornstein, S., Cited in Kaye, J., "Breaking the Silence on the Problem of Lesbian Battering." Los Angeles Herald Examiner, March 29, 1984.
- Irvine, J., "Lesbian Battering: The Search for Shelter." Gay Community News, January 14, 1984.

- Lasater, L., Cited in Kaye, J., "Breaking the Silence on the Problem of Lesbian Battering." Los Angeles Herald Examiner, March 29, 1984.
- LaViolette, A., Ibid.
- Lobel, K., Ibid.
- Lobel, K. (Ed.), Naming the Violence. Seattle: Seal Press, 1986.
- Melinsky, G., Cited in Irvine, J., "Lesbian Battering: The Search for Shelter." Gay Community News, January 14, 1984.
- Olson, C., Cited in Kaye, J., "Breaking the Silence on the Problem of Lesbian Battering." Los Angeles Herald Examiner, March 29, 1984.
- Pharr, S., Ibid.
- Prosser, W. Handbook of the Law of Torts, Fourth Edition, 1971.
- Sherman, L. and Berk, R., "The Minneapolis Domestic Violence Experiment." Police Foundation Reports, No. 1. Washington: Police Foundation, undated.
- Star, B., Characteristics of Family Violence. In Flanzer, J., The Many Faces of Family Violence. Springfield, Ill.: Charles Thomas Publ., 1985.
- Stedman, "Right of Husband to Chastise Wife," 3 Va. L. Rev. 241, 1971.
- Stewart, J., Forward. In Goolkasian, G., Confronting Domestic Violence: A Guide for Criminal Justice Agencies. U. S. Department of Justice, 1985.
- Straus, M, Gelles, R., and Steinmetz, S., Behind Closed Doors: Violence in the American Family. Garden City, N.Y.: Anchor Press, 1980.
- Underhill, B., Cited in Kaye, J., "Breaking the Silence on the Problem of Lesbian Battering." Los Angeles Herald Examiner, March 29, 1984.
- U.S. Attorney General, Task Force on Family Violence: Final Report. Washington: Department of Justice, 1984.
- Warshafsky, L. (Director of Counseling, Gay and Lesbian Community Services Center), Public Testimony to City of Los Angeles Task Force on Family Diversity, April 8, 1987.
- Wertheimer, cited in Frelberg, P., "New York State Grants 40,000 to Gay Antiviolence Group." The Advocate, October 14, 1986.
- Weinroth, L., (Directing Attorney, Battered Women's Legal Counseling Clinic), Public Testimony to City of Los Angeles Task Force on Family Diversity, January 28, 1987.

REFERENCES -- FAMILY VIOLENCE AND THE RECENT IMMIGRANT

- Acosta, F., Yamamoto, J., and Evans, L., Effective Psychotherapy for Low-Income and Minority Patients. New York: Plenum Press, 1982.
- California Statistical Abstracts (Table 56--Summary of Social Characteristics: 1980), 1984.
- Cantwell, N., Crossing Cultural Boundaries. In Oates, K., Child Abuse: A Community Concern. New York: Brunner/Mazel, 1982.
- Castello, G., Domestic Violence Team Report. Unpublished paper prepared for City of Los Angeles Task Force on Family Diversity, December, 1986.
- Commission on Peace Officer Standards and Training, Guidelines and Curriculum for Law Enforcement Response to Domestic Violence. Sacramento, 1985.
- Gomez-Shelby, C. (Shelter Director, Su Casa), Public Testimony and Written Report to City of Los Angeles Task Force on Family Diversity, 1987.
- Herrera, "Family Violence for Latinos: Stereotypes will Remain a Problem." Los Angeles Daily Journal, June 6, 1984.
- Korbin, J., What Is Acceptable and Unacceptable Child-Rearing--A Cross-Cultural Consideration. In Oates, K. (Ed.), Child Abuse: A Community Concern. New York: Brunner/Mazel, 1982.
- Oates, K. (Ed.), Child Abuse: A Community Concern. New York: Brunner/Mazel, 1982.
- Pelton, L., The Social Context of Child Abuse and Neglect. New York: Human Sciences Press, 1985.
- Southern California Association of Governments (SCAG), Southern California: A Region in Transition. Draft Report, October, 1984.

REFERENCES -- ELDER ABUSE

- Gee, P. and Bailliet, S., Domestic Violence Practice Manual.
Published by State Bar of California, Voluntary Legal Services
Program, 1982.
- Kerr, S. (Adult Protective Services Unit, L.A. County Department
of Public Social Services), Public testimony on elder abuse
to City of Los Angeles Task Force on Family Diversity, January 28,
1986.
- Los Angeles County, "Elder Abuse Hurts. . . Everyone: Elder Abuse
Hotline." Pamphlet published by L.A. County, 1986.
- Los Angeles County Elder Abuse Task Force Report, June 2, 1986.
- Peterson, J. "Adult Day-Care Centers Cater to the Elderly."
Los Angeles Times, April 6, 1986.
- Peterson, J. and Rosenblatt, R. "Care of Aged Takes Toll on Families."
Los Angeles Times, April 6, 1986.
- Rawitz, B., Senior Task Force Report. Unpublished report prepared for
City of Los Angeles Task Force on Family Diversity, 1986.
- Westbrook, J. (Media Coordinator, American Society on Aging),
Public testimony on respite care for caregivers to City of
Los Angeles Task Force on Family Diversity, April 8, 1987.

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REVISED CAPE PILOT PROGRAM

JUVENILE DIVISION

APRIL, 1987

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EXECUTIVE SUMMARY**PROGRAM GOAL**

Child abuse in our society has been found to be a cyclical phenomenon involving the intergenerational passing of abusive behavior characteristics. This process is not genetic. It is the effect of parenting role models being handed down from one generation to the next. It is an endless unchecked cycle. This program is designed to impact the cyclical child abuse problem through education and early interdiction.

DISCUSSION

In June, 1985, Chief of Police Daryl F. Gates called upon Juvenile Division to develop a program aimed at breaking the endless cycle of child abuse. In an effort to impact this problem, an LAPD Task Force was established to study the crisis and recommend solutions. The resulting document, Child Abuse Prevention and Education (CAPE), was submitted for approval in October, 1985.

In March, 1986, the Board of Police Commissioners unanimously approved the Department's request for initial CAPE funding, and the proposal was forwarded to the Mayor and the Council for their consideration. As part of the approval process, the CAPE proposal was reviewed by the City Administrative Officer. In April, 1986, the City Administrative Officer deferred funding for the CAPE proposal.

In February, 1987, Juvenile Division provided testimony to the Task Force on Family Diversity regarding the CAPE proposal. The Task Force was commissioned by Councilman Michael Woo to identify any evident problems experienced by the diverse families living in the City of Los Angeles. After testimony was heard, the Task Force expressed interest in a scaled down, less costly version of the CAPE proposal. Juvenile Division was requested to research this possibility and report back to the Task Force.

The original CAPE proposal contained a recommendation for a CAPE Pilot Program (CPP) implemented in Valley Bureau. Staffed by a Lieutenant II, a Sergeant II, a Detective II, three Detectives I, and a Clerk Typist, CPP would have become the foundation for the Child Abuse Prevention and Education Section. The interdiction/investigation function would have begun immediately. Planning for the education program would have been finalized. Additional officers would have been necessary before implementation of the education program.

This revised program recommends implementation of CPP within the Investigative Control Unit (ICU), Child Protection Section, Juvenile Division. Staffing would require a Sergeant II, a Detective II, five Police Officers III, and a Clerk typist.

Under the direction of the Officer-in-Charge, Child Protection Section, the Sergeant II would research and develop CPP's

education function while the Detective II would become the Officer-in-Charge of ICU and have supervisory responsibility over the five CPP officers.

The officers would have bifunctional responsibilities. Initially, they would respond to child abuse calls, evaluate the situation, and assume the investigative responsibility on noncriminal cases of suspected child abuse. Once the education component was implemented, the officers would serve as instructors in the senior high schools. It is expected that 80% of an officer's time will be spent doing investigations and 20% will be as an instructor.

The Clerk Typist will provide clerical support.

Implementation is recommended for Valley Bureau. Valley Bureau was chosen because of the excellent diversity of families and their economic and social makeup. Also, two agencies, the Juvenile Justice Connection Project (JJCP) and the Center for the Improvement of Child Caring (CICC) are available in the San Fernando Valley area. These private agencies have agreed to receive referrals of suspected child abuse, assess the family's needs, connect the family with appropriate community services, and provide CPP with information needed to complete the six week follow-up.

Additionally, JJCP has received funding from a major foundation interested in "breaking the cycle of child abuse." The funds will provide staffing for the child abuse referrals and an evaluation component. Funding will be for a three year program. If CPP is implemented, program validation will be handled by JJCP.

CONCLUSION

This Department remains committed to the implementation of a CAPE program. The intended goal of impacting the cyclical child abuse phenomenon can not be ignored. New interest has been generated for a CAPE Pilot Program. If approved and funded, an excellent opportunity would exist to test and validate CAPE in a manageable area.

A program of this magnitude will be costly. However, the cost is insignificant when compared to the price this community now pays in police services, ruined lives, and crime. Community awareness and concern about family violence and child abuse has never been higher. Public and private revenue sources stand ready to combat this epidemic.

Once implemented, this program will touch the lives of many of Los Angeles citizens. The goal of the program is the reduction of

child abuse and family violence. The benefits of reaching this goal are priceless, especially in terms of human life and healthy family relationships.

RECOMMENDATION I

It is recommended that a Child Abuse Prevention and Education (CAPE) Program be implemented in Valley Bureau. The program should begin as soon as funding is made available and personnel can be selected and trained. The duration of the program should be a minimum of three years. During that time, full funding for the entire program will be sought.

DISCUSSION

The implementation of the CAPE Pilot Program (CPP) should be scheduled for Valley Bureau. Valley Bureau was chosen because of the excellent diversity of families and their economic and social makeup. Also, two agencies, the Juvenile Justice Connection Project (JJCP) and the Center for the Improvement of Child Caring (CICC) are available in the San Fernando Valley area. CPP will deploy on Day Watch and mid-Day Watch, Monday through Friday. Personnel assigned to CPP will have investigative and/or education responsibilities.

CPP officers will respond to all child abuse calls in Valley Bureau during its hours of operation. CPP will assume the responsibility of investigating all noncriminal referrals of suspected child abuse normally handled by the Abused Child Unit in Valley Bureau. The officers will conduct thorough follow-up investigations, make the legally required cross report to the Department of Children's

Services (DCS), complete the necessary reports, and refer the family to JJCP or CICC. The family will be advised that a referral is being made to a community agency and a follow-up will be conducted at a later date. When making the cross report to DCS, CPP officers will advise DCS that the family has been referred to a community agency. This will prevent duplicate referrals.

The Juvenile Justice Connection Project and the Center for the Improvement of Child Caring should be used as the primary referral agencies. JJCP has been accepting noncriminal suspected child abuse referrals from ACU on children six years of age and older since September, 1985. CICC has been accepting similar referrals on children under the age of six since October, 1986. Both agencies have agreed to provide CPP with sufficient feedback information regarding the referrals so that CPP officers may make knowledgeable follow-ups with the families.

Additionally, JJCP has received funding from a major foundation interested in "breaking the cycle of child abuse." The foundation is specifically interested in assisting with the referrals presently being referred to JJCP by ACU. The funds will provide staffing for the child abuse referrals and an evaluation component. Funds have been provided for a three year program.

Six weeks after the initial follow-up and referral, CPP officers will conduct a second follow-up with the family. The purpose of the second follow-up is to determine if the community service used by the family was adequate. Also, CPP officers will assess whether subsequent excessive discipline has occurred in the home. In that event, following standard procedures, strong consideration should be given to placing all "at risk" children into protective custody.

A primary function of CPP will be to determine the success of early interdiction and the immediate referral of "at risk" families to a community agency. In order to make this evaluation, CPP will be required to maintain accurate logs of contacts made, action taken, and the results of subsequent follow-up investigations. A periodic analysis of this information will be used to evaluate the operating procedures and progress of CPP. If CPP is implemented, JJCP will handle program validation.

A communications link between CPP and the Investigative Control Unit, Juvenile Division, should be established. This will enable CPP officers to respond directly to suspected child abuse radio calls. Once on the scene, and after an assessment has been made, CPP officers will provide the appropriate report and booking advice to Patrol officers. Whenever the situation appears to be a

noncriminal excessive discipline matter, CPP will complete the investigation. CPP will not be responsible for Arrest and Preliminary Investigation Reports normally completed by Patrol officers.

NOTE: Providing CPP officers with ROVERS would be the most effective method for establishing radio contact with the Investigative Control Unit (ICU) and Communications Division. Whenever a Patrol unit is dispatched to a child abuse call, Communications Division could also dispatch a CPP officer. Any further contact between the CPP officer and ICU could be by telephone.

Personnel assigned to CPP should have a strong background in juvenile procedures and child abuse investigations. They will work with little or no supervision and be expected to complete thorough and accurate reports. CPP should seek out individuals with a high aptitude in writing and communication skills.

Intervention by CPP will not otherwise impact the current preliminary investigative responsibilities of field officers or alter report processing.

PROPOSED TABLE OF ORGANIZATION

The implementation of the CAPE Pilot Program (CPP) will require seven sworn officers and one clerk typist. CPP will be implemented within the Investigative Control Unit (ICU), Child Protection Section, Juvenile Division, and be administered by the Officer-In-Charge, ICU.

Under the direction of the Officer-In-Charge, Child Protection Section, an Administrative Officer (Sergeant II) will be responsible for researching and developing the education function of CPP targeted for the senior high schools. The Administrative Officer will assist the Officer-In-Charge, Child Protection Section, with CPP administrative functions.

Under the direction of the Officer-In-Charge, Child Protection Section, a senior detective (Detective II) will become the Officer-In-Charge of the Investigative Control Unit. In addition to the supervisory responsibilities of ICU, the senior detective will supervise the five CPP officers (Police Officers III).

Additionally, the senior detective will develop, coordinate, and instruct within the education function targeted for the medical, educational, and day care professions. The senior detective will

also serve as the training officer for the officers assigned to CPP. The senior detective should have an extensive background in juvenile procedures and child abuse investigations.

The responsibilities of the officers will be bifunctional. First, the officers will respond to all child abuse calls in Valley Bureau during the hours CPP is operational, conduct the follow-up investigation on noncriminal excessive discipline complaints, complete the necessary reports and referrals, and conduct the six-week secondary follow-ups. Second, once the education component of CPP is fully developed and ready for implementation, the officers will perform the education function in the senior high schools.

POSITION DESCRIPTIONS

Sergeant II (1)	Administrative Officer
Detective II (1)	Officer-In-Charge
Police Officer III (5)	Field Investigator/ Instructor
Clerk Typist (1)	Clerical

SERGEANT II**ADMINISTRATIVE OFFICER**

The Administrative Officer is responsible for researching, developing, and implementing CPP'S educational function at the senior high school level. The Administrative Officer will evaluate all Juvenile Justice legislation from the State Assembly and Senate to determine its impact on the Prevention and Education program; in conjunction with the Administrative Section, Juvenile Division, he will make recommendations as to the Department's position on this legislation.

The Administrative Officer is responsible for the development of a multiplicity of necessary orders, memoranda, notices, position papers, and other written communications relative to the Department's CAPE Pilot Program; responds by telephone or in writing to requests from federal, state, and local agencies requesting information regarding the program; completes special projects and staff research; is responsible for ensuring that the Juvenile Procedures Manual is updated when CPP policy or procedures necessitate such changes; is responsible for development of the CAPE education programs.

The Administrative Officer reviews staff projects for thoroughness and consistency prior to submission the Section OIC; coordinates

the paper flow of CPP including correspondence, overtime, leave of absence, and performs other ministerial duties; conducts research into the effectiveness of the referrals to determine if CPP's goals are being achieved (program validation will be done by JJCP).

DETECTIVE II**DETECTIVE SUPERVISOR**

The Detective Supervisor will become the Officer-In-Charge of the Investigative Control Unit. In addition to the responsibilities associated with ICU, the Detective Supervisor has direct supervisory responsibility for the officers assigned to CPP. The Detective Supervisor supervises, trains, and evaluates subordinates; reads and approves reports for completeness and thoroughness; determines due dates for follow-ups on referrals; reviews all suspected child abuse referrals to determine appropriateness of upgrading to a criminal investigation; makes written or oral reports to the Section OIC regarding weekly activities or unusual incidents.

The Detective Supervisor coordinates the activities of the assigned officers; is responsible for evaluating the officers and ensuring that they are properly trained.

The Detective Supervisor meets regularly with the OIC, Abused Child Unit, to coordinate procedures and policies regarding the field advisement and preliminary investigation of child abuse cases.

The Detective Supervisor maintains a working relationship with public and private referral agencies to develop programs and

ensure that the requisite services are being rendered; meets with and coordinates the involvement of new referral agencies into the prevention program, including investigating their amenability with CPP; meets regularly with officials of the Department of Children's Services to coordinate the programs of the two departments.

The Detective Supervisor develops training programs in conjunction with educational institutions and teacher training programs to educate teacher and student teachers to recognize potential child abuse; coordinates an ongoing program within the medical community to assist physicians, nurses, and other medical personnel to recognize, detect, and report suspected abuse; develops training for preschool and day care personnel to recognize, detect, and report suspected child abuse.

The Detective Supervisor must have an extensive background in juvenile procedures and child abuse investigations.

POLICE OFFICER III**FIELD INVESTIGATOR/INSTRUCTOR**

The officers assigned to CPP will conduct the noncriminal excessive discipline investigations, complete the necessary reports and referrals, and conduct the six-week secondary follow-ups; respond to radio calls regarding child abuse investigations, interview suspects, witnesses, and victims; determine the scope and course of the investigation and advise uniformed field officers of the appropriate procedures to be followed; may assist officers by searching crime scenes for evidence; provide immediate guidance to potentially abusive parents; refer the family to an appropriate agency; during the six-week follow-up, check for evidence of subsequent abuse or excessive discipline.

The officers may respond to the scene of child homicides and secure the location, detain suspects or victims, and preserve evidence until arrival of the Abused Child Unit investigators; may assist Abused Child Unit investigators at the scene of a homicide as necessary.

When the Education Program is developed and implemented, the officers will conduct CPP's education function at the senior high school level.

The officers may cross train with the Abused Child Unit to obtain the knowledge and expertise necessary for this position.

CLERK TYPIST

The Clerk Typist will perform clerical work requiring some independent judgment; sorts, classifies, indexes, cross references, and files correspondence, memoranda, reports, and other documents; checks work for clerical and arithmetical accuracy, completeness, and conformance with established form and procedure; acts as a receptionist; operates a small telephone switchboard; searches for information contained in files; assists callers in person or over the telephone by answering questions, receiving and recording complaints, and referring callers to proper sources; records, computes, and summarizes the time of employees; maintains personnel records and prepares a variety of personnel documents; takes inventories and prepares requisitions for supplies; compiles data for activity reports; operates various office machines including mimeograph, ditto, xerox, collators, cameras, and related photocopy equipment; tabulates statistical data and prepares reports; and receives callers and arranges appointments with supervisors.

In addition to the above, the Clerk Typist types letters, reports, memoranda, statistical and financial tabulations, and other documents from plain or corrected copy, rough drafts, or dictating machine records; cuts stencils and types ditto masters; composes and types correspondence of a routine nature by following general

instructions as to content or by referring to office records of previous correspondence; and may operate word processing text editing equipment, remote data entry and recall systems, or other devices with a standard typewriter keyboard.

RECOMMENDATION II

It is recommended that personnel for this proposed pilot program be selected by a committee of supervisors appointed by the Commanding Officer, Juvenile Division.

DISCUSSION

Personnel assigned to the CAPE Pilot Program (CPP) must possess skills commensurate with the individual tasks described in the proposed program. The committee appointed by the Commanding Officer, Juvenile Division, will outline those characteristics and skills required to ensure that personnel selected can professionally carry out the task and properly represent the Department in each assignment. All of the proposed assignments will require personnel with exceptional "people" skills and the ability to communicate not only as instructors, but also with an attitude of personal care for those people served by the program. Officers with Spanish language skills will be necessary for CPP's function.

RECOMMENDATION III

It is recommended that funding for CPP for fiscal year 1987/1988 be sought by Resolution Authority. Subsequent funding should then be sought through the normal budget process.

DISCUSSION

Councilman Michael Woo's Task Force on Family Diversity has requested this proposal for their review. With a favorable recommendation from the Task Force, indications are that Councilman Woo will support funding for CPP. The following is a projected cost breakdown provided by Fiscal Support Bureau personnel:

PERSONNEL

Sergeant II (1)	@ \$50,216.40	\$ 50,216.40
Detective II (1)	@ 47,564.60	47,564.60
Police Officer III (5)	@ 40,423.70	202,118.50
Clerk Typist (1)	@ 16,745.80	16,745.80
	Subtotal	316,645.30

EQUIPMENT

Vehicles-plain (5)	@ 13,000.00	65,000.00
ROVERS (5)	@ 1,600.00	8,000.00
	Subtotal	73,000.00

	TOTAL	\$389,645.30
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RECOMMENDATION IV

It is recommended that longitudinal studies of the CPPs' targeted area be developed.

DISCUSSION

A program of this importance will require controls, audits, and validation to ensure success in accomplishing the stated objective. Long term tracking of sample populations involved in CPP is the only significant way to measure the success of the proposed program and to identify necessary program adjustments. The Juvenile Justice Connection Project will provide program evaluation and validation at no cost to the City.

COST COMPARISION FACT SHEET

	CAPE CITY-WIDE	CAPE* VALLEY & SOUTH BUREAUS	CAPE PILOT PROGRAM (CPP)** VALLEY BUREAU	REVISED CPP*** VALLEY BUREAU
PERSONNEL****				
Lieutenant II	(1)\$ 53,576	(1)\$ 53,576	(1)\$ 53,576	None
Sergeant II	(2) 91,276	(1) 45,638	(1) 45,638	(1) 45,638
Administrative Assistant	(1) 30,210	None	None	None
Detective III	(2) 95,682	None	None	None
Detective II	(5) 216,330	(4) 173,064	(1) 43,266	(1) 43,266
Detective I	(13) 527,215	(6) 243,330	(3) 121,665	None
Police Officer III	(16) 603,936	(10) 377,460	None	(5) 188,730
Police Service Reps	None	(2) 51,216	None	None
Senior Clerk Typist	(1) 22,468	None	None	None
Clerk Typist	(1) 17,153	(1) 17,153	(1) 17,153	(1) 17,153
Subtotal	1,657,846	961,437	281,298	294,787
EQUIPMENT	181,828	194,000	None	73,000
TOTAL	\$1,839,674	\$1,155,437	\$281,298	\$367,787

* This program received unanimous approval from the Police Commission.

** The original CAPE Pilot Program did not include personnel for CAPE's education function or equipment costs.

*** The revised CAPE Pilot Program includes personnel for the investigative and education functions and equipment costs.

**** All personnel costs were figured using Fiscal Year 1985/86 salaries.