

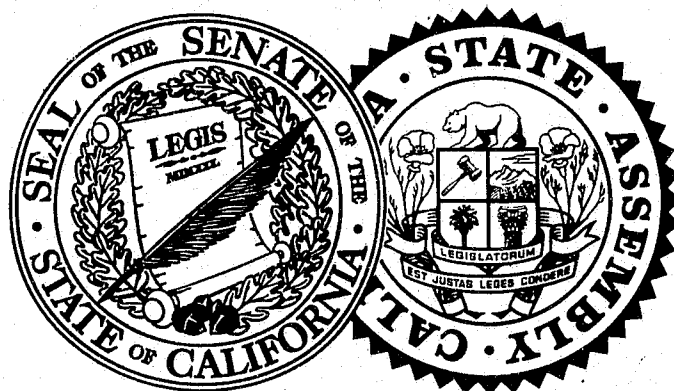
## **DETERRENCE AND RESPONSE TO NEIGHBORHOOD VIOLENCE**

**Joint Hearing Transcript**

**Senate Research Committee on Neighborhood Violence  
Dan McCorquodale, Chair**

**and**

**Assembly Select Committee on Neighborhood Violence & Mediation  
Dominic Cortese, Chair**



117848

**Friday, November 20, 1987**

**Eastside Union High School District  
Board Room  
830 N. Capitol Avenue  
San Jose, CA**

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**OCT 10 1989**

**ACQUISITIONS**

**Edited by:**

**Jerry Hawes**

**Senate Office of Research**

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Senator Dan McCorquodale  
Assemblyman Dominic L. Cortese  
Assemblyman Tim Leslie  
Assemblyman Charles W. Quackenbush

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ASSEMBLYMAN DOMINIC L. CORTESE: ... welcome to San Jose and I do see a number of familiar faces out there and I appreciate very, very much the response that we've received in terms of our hearing here this morning. From the information we have, there are 19 witnesses. There's a sign-up sheet in the back of the room so that if others want to speak to us probably at the end of our agenda, go over to the sign-up sheet, add your name to it, and we'll go from there.

While it's good to see you here today, what brings us together is a very unfortunate one. As you no doubt know, there was a shooting outside the Most Holy Trinity Catholic Church which is not far from here. One person was killed and another wounded and the community ended up emotionally scarred. The incident -- this is not an isolated one -- the FBI tells us that crimes reported by police increased 6.3 percent overall in 1986 and that crime was up in all but 7 of our 50 states. The Federal Department of Justice has estimated that five out six of today's 12-year-olds will be victims of violent crimes during their lifetimes and the current crime -- if the current crime rate persists. Federal, state, and local governments have been throwing (?) millions of dollars of crime prevention efforts. But if you look at the statistics, you have to come to the conclusion that we still are not doing enough.

Today we will hear from some of the people who are involved in our anti-crime efforts. We are also going to hold a similar joint hearing in Los Angeles on December 5. Hopefully this process will help us develop a better understanding of the problems and direct us toward most, more effective solutions.

I want to thank you again in advance for coming here this morning and participating in this very, very important event.

I would like to introduce to you the members of this select committee. And by the way, this is a joint hearing between the Assembly Select Committee on Neighborhood Violence and Mediation and the committee that Senator Dan McCorquodale from my area chairs, the Senate Research Committee on Neighborhood Violence. So to my left is Senator Dan McCorquodale, I'm sure a person who is familiar to you here in this area dating back, of course, through his long, hard work, during his tenure, on the Board of Supervisors. He and I, as you know, had the pleasure of serving together on the Santa Clara Board of Supervisors for a number of years.

Further to my left is Charles Quackenbush. Mr. Quackenbush represents the area across the valley to our west. We are pleased to have him on the committee and certainly appreciate the fact that he could join us this morning to share our concerns with you. To his left is Tim Leslie who's from the Sacramento area, Assemblyman Tim Leslie. And again, Tim is a member of the Assembly Subcommittee on Neighborhood Violence and Mediation and we're certainly pleased to have Tim with us. He has a long history with regard to community affairs and concerns. Tim and I go back a number of years to the days when he was involved with these issues across the state.

With that, I'll defer to Members of the Committee, ask them if they'd like to comment. I'm sure that Senator McCorquodale will make an opening statement, and then Mr. Quackenbush and Mr.

Leslie, if you also would make any comments, we'd appreciate hearing from you.

SENATOR McCORQUODALE: Thank you Dom. I would just kind of echo what you've said. We're pleased to be able to be here today but sorry for the reason that we have to be here. The issue of neighborhood violence -- neighbor -- violence against neighbor is one that is certainly of great concern to a lot of people. The incident, the specific incident, that brought us here was one that happened here in San Jose but unfortunately is not an isolated event. We've heard about similar incidences and occurrences in San Diego, Fresno, Sacramento, Los Angeles, San Francisco, various other communities around the state; so it's not a, not an isolated event and one that we do have to try to deal with. It also is one that's not easy to deal with because it's not subtle and you can't say that if we just simply did this, it takes care of the -- it's resolved, that the problems are solved. So we keep looking for things that we can do to try to make the meetings more effective in dealing with their concerns of trying to provide mechanisms and processes that can -- trying to deal with the problem. But fortunately for us, probably most of the work of preventing violence, in our society, is accomplished by individuals working with individuals. So there is a lot of expertise out there, people who are sharing their professional time working in that area, but also just as a neighbor, or deciding that they want to provide some guidance to the youngster next door to keep him from spray painting the building or doing something that causes tempers to flare, or just the little, ordinary, anything that soothe neighborhood concerns certainly make a lot of difference in the community in which we live.

I'm going to just say that I certainly appreciate the work that was done, and there is a background paper if you haven't gotten that. I think there's some on the back table, a very good job done by the Senate Office of Research, Linda Unruh, and the Senate Office of Research, Jerry Hawes, who's worked with putting together the material for today and the background information and I appreciate that. Also to my left is a person who has been working to help set up this meeting here and the one in Los Angeles, Michal Mendoza.

Again, thank you for being here.

ASSEMBLYMAN CORTESE: Mr. Quackenbush or Mr. Leslie?

ASSEMBLYMAN CHARLES W. QUACKENBUSH: I didn't have any particular comments but just to say the last thing you need is to have a bunch of state legislators come down here and tell you how to solve the Neighborhood Violence Program. It's a good thing we're having a hearing like this because you've got to tell us what works best down in your own community and then we can facilitate in any activities you might be having and any ideas that you might have. Let's make sure we keep our remarks geared toward how you can solve your own problems and how we can assist you, not you assist us in how to solve your problems.

ASSEMBLYMAN CORTESE: Mr. Leslie.

ASSEMBLYMAN TIM LESLIE: I'd just like to compliment the co-chairman of the panel and appreciate being included here. I did notice that in the background report it indicated that many of the areas in crime and violence are increasing. And then at the conclusion of the report, it says that Community Crime Resistance programs are perceived to be effective and this perception is accurate. So I'm very interested today to find out how we come to the conclusion that our efforts are accurate

and are accomplishing something and the crime rate continues to go up, so this could be very enlightening today. I look forward to the testimony.

Thank you.

ASSEMBLYMAN CORTESE: Thank you very much. We do have staff who did a tremendous job, we think, in preparing the background paper and developing resources and making community contacts as well as we could, in terms of our new committee and new effort with regard to a monumental problem.

To my far right is Linda Unruh who is with the Assembly Office of Research. Also to my left is Casey Sparks who is the consultant to the Assembly Local Government Committee. And then Mr. McCorquodale's staff person, Michal Mendoza.

With that, I will go to the agenda. And first off we will chat with -- the first witness on the agenda is Mr. James McEntee, Director of the Santa Clara County Human Relations Commission. Jim.

MR. JAMES P. McENTEE: First I'd like to say good morning to all of you and thank you for coming and listening to the testimony that we have on neighborhood violence and ways to go about resolving it.

My name is James P. McEntee. I'm the Director of the Office of Human Relations for Santa Clara County. We have a couple of major responsibilities within the county. Our ordinance requires us to take affirmative action to eliminate prejudice and discrimination within the community. It also gives us the overall responsibility to develop programs to promote harmony within the community. So effectively we have a responsibility to eliminate discrimination, prejudice, and also to be peacemakers in the community and we have tried as hard as possible to be able to fulfill those responsibilities.

I'd especially like to thank the local legislators who are here who have been involved in these programs, especially Dan and Dom in Santa Clara County, and helped us to get neighborhood mediation and conciliation programs off and running about ten years ago and for all of you who are knowledgeable and interested in the problems in the community.

What I'd like to say is just a little bit about our own program. In 1977, we put into operation as this part of our office -- what was called a Neighborhood Mediation and Conciliation Services. And at that time, we were able to get some CETA funding to get this program going; and at later times we developed different sources of funding to keep this program in operation. This program was started because we saw the need for this type of program and also because there was a demand on the part of the community that there be some type of alternative programs that would be available in the community. There was a time that -- there were people who were very active in the City of San Jose. I'd like to mention the name of Rudy Palomini that a number of you know who used to do his own type of mediation of neighborhood types of programs. And so a number of us from the community requested that the San Jose Police Department hire him on as a civilian employee, and they have hired him on as a civilian employee but then they put him in a whole different type of work that had nothing to do with solving these types of difficulties and so we had to come up with some other people. In a sense, we really do have to get this type of program together.

In this period of time from 1977 up to the present time, we've handled close to 5,000 cases that we would list as mediation/conciliation types of cases. And what we're finding is that we are handling more and more cases every day. When we started the program in 1977, we were able to put three staff people and a clerical person working this program; budget restrictions have forced changes in staffing. At the present time, we have one full-time staff person and about ten volunteers who work on this program. But we feel that one of the things that this committee can take a look at is what are the staffing patterns of mediation and conciliation types of programs to deal with neighborhood problems. We do make very effective use of volunteers; we will continue to make use of volunteers.

ASSEMBLYMAN LESLIE: Mr. Chairman, could I just ask a question? I think I'll understand the testimony better if -- could you do me the favor of describing how the program works? Or maybe you were going to do that anyway.

MR. McENTEE: Okay.

ASSEMBLYMAN LESLIE: I'm not familiar with the program personally.

MR. McENTEE: Okay. The program that we have, for one, we will -- we feel that we're most effective when we receive the calls directly from the public. We have tried to do a certain amount of publicity but we haven't done an awful lot of publicity because you really have to be ready to handle an onslaught of people. But if we can -- if people can call us directly, if they say that this is an alternative way to deal with the situation, that's the most effective way to go. A number of people do call us directly; a number of people will be referred to us by police departments, by other agencies, by governmental officials, or whatever, when they have a problem that they want settled. And this is any type of problem that is a problem within the community. The other types of problem that we do not deal with is divorce types of cases or child custody type of cases. And the reason why we will not go into those is that there are professionally staffed programs to deal with that within the county. And we feel that for us to try to do anything with that, we've got plenty of other things to do on a community level. Let those that are trained in that special area deal with those.

The first step is to fill out some type of an intake form. And we have a very simple intake form, basically find out what the problem is among these vendors. And then we will start to work on it on a staff level. The first thing that we try to do is contact the other party. Usually, if we have a problem, they'll say I have a problem with neighbor so and so. They might not even know the person's name but they know that they've been fighting and yelling and screaming back and forth at one another and maybe at times have almost come to violence against one another. But they eventually will use the county assistance to go and find out who lives at that particular address and try to get ahold of the other party.

The first thing that we will do is to try to see what we can do on a, what we call a conciliation level. If we can at least do some talking back and forth to see if there's any type of agreements that the parties will -- are willing to talk about with us -- and maybe it's something that can be solved very easily. If we can deal with it on the reconciliation level, we will deal with it on the conciliation level; otherwise, we will call the parties in and go into a formal mediation whereby we will act as a



neutral third party to bring this problem to a solution.

ASSEMBLYMAN LESLIE: Does this take an agreement or do you have the power under law to call them in?

MR. McENTEE: No, it takes their agreement and we do not want to get into a situation where - sometimes we have had some cases where the police departments have recommended very strongly, or even the District Attorney's Office has recommended very strongly, that they come to us. But we don't want to go into a thing where people are going to be coming and saying, well, they told me to come here so I've got to come here but I know you guys aren't going to do anything for me. We try to use our own methods of talking to people so that they're willing to come in. I think that most people, no matter how violent the situation has gotten, especially in their neighborhood type of situation, they want peace.

I always tell people when we start off that I will put up with all kinds of things at work, all kinds of pressures, have people coming in and doing other things. I don't like it but I can put up with it. But when I go home, I don't want to worry about who lives in front of me, who lives behind me, who lives on the side of me. I think most people are pretty much at that type of level -- the home is a place where they want peace and they usually respond to that type of motivation. And they might not know exactly how to get that and it's our job to help them to get to that.

Now one of the things that we will always do is, for one thing, and I think it has to be very clear, that when you're dealing with this type of program, which is a mediation type of program, you have to hear what the people are saying, and what they're really saying might not be what they first started talking about. I mean more of a situation -- I had a couple come in yelling and screaming at me that they're going to blow the neighbors' garage to smithereens by 7 o'clock in the morning if they didn't get it moved off their property line. Well, I felt that somebody must have come in, built a new garage over the property line, and they wanted it off. These people had been neighbors for 27 years. But it was their property line that they had used. It was a whole different type of situation. What we do is really get down to what the root of the problem is. I think sometimes you have to go into situations and realize that there's going to be racial overtones.

I went out on a situation a couple of months ago; I actually went out on a visit to the families; and one happened to be a Chicano family; the other one was a Jewish woman. I went first to the Chicano family and they started telling me, they said, "Well, I guess you came because that New York Jew called you." So I went into my whole thing, I said, "Hey, you know, we're not going to deal with racial types of situations. We're dealing with this because it's a problem; it's a problem between human beings." I went to the other party after I talked to them and got that quieted down. I started talking to them, to the woman, and her first statement to me was, "Well, I notice that you went to those low-grade Mexicans before you came to see me." So both of them were dealing with a negative type of situation. They were dealing with some racial feelings towards one another.

Actually on that particular situation, I happened to have a few little skills that I found from watching Senator McCorquodale from time to time. I asked them what the real problem was and there was a problem with their fence. I went out and took a look at the fence; I went out to my car,

got a hammer and six nails and fixed it and said, "Does that resolve it?" And they said, "Yes." And the reason why I mentioned that is that when it happened in this particular situation, they had called the Police Department; they called their City Council; they called the Mayor's Office; they called the City Manager's Office; they called the County Board of Supervisors; they called Mike Ross; they called me. And the only real problem was their racial feelings towards one another. And when they finally were able to get over that, we could show that it was a very simple type of situation.

Those are the types of situations that we're going to be dealing with. The one thing that we can possibly show in this type of program, number one, is that we are not arbitrators; we are mediators. When we come to some kind of resolution of this type of program, it's not going to be the Human Relations person, the mediator's solution. It's going to be the people's solution. And we have found that to be extremely important, that if we superimpose a situation, then it's not going to work.

We had a situation about three years ago of two families that had been fighting with one another. The police had been out a number of times. And as soon as the police car would go around the block, they'd be fighting again. They were told not to look at one another, not to talk to one another, not to walk by one another's house. As soon as the police car would drive around, they were told not to do this; it would happen again. They were called into court and one was looking for a restraining order. The judge was very smart. He decided to put a double restraining order, restrain both from dealing with one another. They happened to fight in the court lobby and the bailiffs had to break it up even though the judge has just told them, "You stay away from one another."

We were able to do it because we went out and talked to them back and forth, heard what they had to say, and the solution became their solution. It did not become something that was superimposed upon them. We also found out that it's very important that once you come to this type of a situation that it's in their own words and that it's written. We write out all agreements and they sign them. And we have found out that the best thing to keep people, help people to keep their agreements, is that they will work out the wording and that they will sign it. Sometimes we have everything worked out except maybe one or two words and that might take us two hours to work that but it is important that we do that.

Our particular program, even though people expect county agencies to be 8 to 5, we don't work that type of thing. Every once in a while, I wish that we would. But we work until 7, 8, 9, 10 o'clock at night, whatever time it takes. When people are available to work around these situations, that's when we will make our staff, our volunteers available to resolve these types of programs.

What we feel is that in Santa Clara County there is, at the present time, about 1,400,000 people. And that is actually almost the number of cases, and you could actually do geometrical types of things to figure out the number of types of situations that people can get into.

We have one goal in the program and that is to bring some type of resolution to problems. We're not recruiting people to sign up to participate in the human relations programs; we're not doing community organizing. We're simply trying to help them resolve their problems, and also teach them ways in which in the future they can resolve the problems themselves and not need to call upon us or not need to call upon other agencies to resolve them.

I think the types of problems that we deal with are important. We usually deal with any type of problem that is given to us. We had some national types of mediations with gay community groups and other rights groups. I'm involved with the programs. We have about seven or eight separate major ethnic groups in the community that we have worked with very closely to resolve internal problems.

One was about three months ago where we dealt with the Samoan community. There are about 6,000 Samoans in Santa Clara County and they were pretty well equally divided over the ethnic community organization. And we worked with them to resolve this problem. It took a number of weeks. It took developing an election process; it took working with them and even submitting the results of it to a court but we were able to bring a peaceful settlement to that type of situation.

We had the same type of situation with the Filipino community back about three or four years ago and were able to finally resolve the situation and also manage to develop an election process, and that was extremely important to get that community working together.

We had a situation within the Serbian community out in the Saratoga area about five years ago and we were able to bring that community together.

At the present time, we're working with the (inaudible) community. We had a situation referred to us by the Board of Supervisors; and though it's taken us pretty close to a year to get all the parties working together, we feel that we are finally up to the point that although there are differences, these are differences that people can work at and we've -- I think worked with ways where they can work together for the benefit of their total community.

We also had one last year that was very educational for me where we got up with the Ethiopian community. I never knew there were so many people in this community. The Board of Supervisors wanted to fund a program. When they went to fund the program, they found out that there were two community boards both saying that they were "the" community board that should be respected and looked upon as the official community board. So we started to work with those two boards and a third board came up and said, "You know, neither one of those are the official good board. We are the good board. We are the board that you ought to be working with." And so we had to work all of them together. I think it took ten Saturday mornings and then a full day of a whole election procedure with them before it was finally resolved, but it helped to cut out violence and threats in that community and to getting that community working with other community groups again.

On an individual level, I think that if there's any problem out there that can happen, we get called in somewhere along the line. We have been called in every once in a while about the number of dog barking complaints; we've had complaints about music; we have complaints about property lines; we've got problems about trees growing older and dropping all their leaves in somebody's property. And even though some of these don't seem like very serious situations when you first start talking about them, we have found that every one of them have to be taken extremely seriously. What starts out as a very simple type of situation can very easily grow into intense violence. Lieutenant Pat Dwyer who's here will tell us about it here -- he'll refer to a case told to us just this week -- of a situation where someone's having a problem with the neighbor's dog and what seemed like a very

simple situation that could be worked out, ended up in physical assault of one man upon the other.

People have to be able to work their problems out without physical violence, without physical assaults. We feel that we have some solutions and the other mediation programs have some solutions; you have to be able to offer people an alternative. Like I mentioned, there's any type of problem that can happen between not just individuals; it can be resolved through this situation. We have found that we can work a close relationship to police departments, to sheriffs departments, to the law enforcement agencies. What we find out is that they are funded and they do an excellent job at being the crisis interveners, that they go in and render the immediate stoppage to a problem. But that does not resolve the problem that might exist between neighbors and other different individuals. It's important that you have that next step so that after you put a step to the problem for the time being, that then you have another way to bring some type of permanent resolution to the problems. We feel that in the cases that we deal with that we get about an 80 to 90 percent success rate which we feel is extremely high. Once you're able to run people through the process, it usually resolves the problem for a period of time.

We feel that our justice system that does not have an alternative way of resolving problems, it's an incomplete system. And so we're asking that as your group is thinking about ways to help, that you take a look at the, the ways, the alternative types of programs as well as what is looked upon as the regular way of dealing with problems within the criminal justice system. What we're calling and talking about, conflict resolution, mediation; it's very often called an alternative type of system. We actually feel that it ought to be the first step. And then when you cannot deal with people resolving the problems themselves, then the next step should be to go into the ways of the criminal justice system. The people should actually be remanded into trying to resolve the problems rather than going through a whole court system and other types of systems, that it would be much more cost effective. We feel that our resolutions, even of major cases, can be done within a framework of about a couple of hundred dollars.

I was just reading in the paper last week that every time that an arrest was made, say, in the City of San Jose, it costs the City of San Jose between \$60 and \$100. It costs the County of Santa Clara about \$3,000 because of the job, the public defender, the district attorney, the probation department, and so forth. If we can bypass a lot of those ways, then we feel that we can have a very cost effective system.

I'd like to mention one program also that we've tried to implement within this framework also and this is what we call an "Instant Response Team." One of the problems that we've had in this community, and which are current in a number of different communities, is not just neighborhood types of situation but what comes out to be really racial situations or multi-cultural types of incidents. We're talking about the number of diverse ethnic groups that we have in the county. And I think that just down the street here you have Independence High School. There's about 50 different foreign languages of the parents of students in that school. That's how diverse a community we have. I think that if you go through Santa Clara County, you can find practically every ethnic, cultural language group that you'll find throughout the world. One of the sad things is that they're not always

able to get along real well with one another. But we have developed, and we want to put into operation, is a type of program where a conflict breaks out -- whether out of school, in a neighborhood, and whatever -- that it's dealt with just going in and talking with people and telling them they can't do this, that you go in and work it out but that it be a multi-cultural team that will go in. So we have people that are willing to be called 24 hours a day to be able to deal with the problem within their own community but deal with it in coordination with other communities. And we'd like you to maybe look at that type of a program and maybe help us to find some type of funding so that we could make that program more effective.

I would like to ask this committee to consider a couple of things that I would feel would be very helpful to mediation types of programs within the county and within the state:

One, I'd like to ask your committee to look into ways, with your resources, to get a better public image for mediation, conflict resolution types of programs. You know, if you watch the TV shows every night of the week, you can get three or four police shows; you have about four or five programs that deal with the courts at the present time -- some seriously, some not seriously -- but bringing that whole image of the courts. Last night, I was spending some time out of the side of my eye watching "L.A. Law". But this gives the whole image of a local community and gives the image that problems can be resolved if you have police, if you have lawyers, if you have courts, and those are going to resolve the problems of the world, and they will also be expensive and they'll take all the money away from social problems and be an impossible type of situation to deal with.

We have gotten ourselves into this adversarial relationship. And I would like to ask you to explore ways with us where we can get programs, pay and salaries, whatever ways we need to do it out into the community; that the best way to resolve a problem is to resolve it yourself. A lot of us have an edge on ways that we can do that, but we need some of the help that you could give us so that we can have a whole different image, so that when a neighbor has a problem with another neighbor, they can say, "Let's work it out; let's call a mediation program," rather than, "I'm going to call my lawyer." And that's pretty much what happens in most situations. So we'd ask you to work with us to really deal with that situation.

So we'd like to get into the mode of thinking mediation, thinking resolution, thinking conflict resolution, not thinking attorney or court.

ASSEMBLYMAN LESLIE: Are you funded?

MR. McENTEE: Our funding at the present time is simply out of the county. I have a staff person that is assigned to this; it's county funding.

Let me mention another thing and maybe this is an area that you can help in. Last year, the -- those of you who are here -- sure were involved in passing SB 2064, Garamendi's bill on Conflict Resolution between SB 2064 and SB 123. What this legislation did was to allow counties to impose a \$3 surcharge on first filings in civil cases in both the Superior and Municipal Courts. We backed this legislation; we worked with the legislative offices; and we're very happy when these bills were passed to put this in operation, because we felt that this might give some ongoing source of funding for mediation and conciliation types of programs, our programs, and others.

We felt that the way we were going to add this surcharge on was to approach the courts and to ask them to recommend to the Board of Supervisors that they impose a surcharge. And what we find out is usually if it was an ongoing thing, it's not, but this is for first filings. There's not going to be a terrific burden on anybody. And we just thought this would be a thing we hear all the time about the overcrowded courtrooms and how much it costs to provide calculators and all these types of things. Both the judges of the Superior Court and the Municipal Court in Santa Clara County decided that they were going to recommend against this type of funding. They sent us lovely letters on how great they felt the programs were, but we want to take that money, if they're putting more money, put into surcharges, and do it for more computerization of the courts and so forth.

I'd like to ask you to do possibly two things:

Number 1, making it more mandatory for courts throughout the state to impose this surcharge on programs. And that's how it's been done — I'm not saying this is, on a state level, has been done. But San Francisco County, I believe Alameda County, Los Angeles County have already passed this close to a year ago and they are getting the funding together to fund mediation types of programs. And that's — we're not doing anything in this county. And if it's necessary, I'd like to ask you to maybe contact the judges of the Superior and Municipal Courts saying that from a state level, these are important programs. I don't understand all the politics of it but my understanding is that the state is pretty much going to take over the funding of the courts.

ASSEMBLYMAN LESLIE: Mr. Chairman.

ASSEMBLYMAN CORTESE: Yes, Mr. Leslie.

ASSEMBLYMAN LESLIE: Is this the Board of Supervisors' decision or the ...

MR. McENTEE: The Board of Supervisors' decision, but we feel that we're going to need the recommendation from the judges.

ASSEMBLYMAN LESLIE: But you feel that the State of California should mandate on a statewide basis that this be done even though it's not the court or local decision of the local elected officials?

MR. McENTEE: What we would like to do is to get some way of getting this, this funding now to the mediation programs. We feel that that is the reason why the mediation was — why this legislation was passed.

ASSEMBLYMAN CORTESE: All right. Does that conclude your testimony?

MR. McENTEE: I feel that these are ways that maybe you can help us and we're willing to work with your committee or with other committees in implementing programs within the county or within the state. Thank you.

ASSEMBLYMAN CORTESE: Jim, before you leave, your program is no doubt unique and there's no question that you're a unique person leading a very, very low-cost program. We appreciate that very, very much — and Mr. McCorquodale and I can certainly relate — the benefits that you have provided over the years in terms of community mediation and your willingness to intervene. And we will hear of other situations during our interim hearing and the Most Holy Trinity situation, a number of incidents alleged of police brutality, et cetera, et cetera. So we admire and have been admiring

your work and certainly encourage you to continue. We're going to do work over the legislative session to take to heart the suggestions you have for us in terms of enhancing your program ...(gap in tape)... committee would communicate with the media in terms of getting the word out. Mediation is the way to go that we have, at least in this county, an established process whereby mediation can take over and help you in that way.

Do you have any information at all as to whether your program has been modeled anywhere else in the state?

MR. McENTEE: There are a number of similar types of programs. It's -- and I'm not saying they're modeled because I think we kind of all worked together, and Marin County has a similar type of program; there's a similar type of program in Orange County and in other areas. A number of the Human Relations Commissions throughout the state are involved in mediation programs. I know at our statewide conferences of human relations organizations, there's always a workshop on mediation because this is what Human Relationships Commissions are -- a lot of the work that they do.

ASSEMBLYMAN CORTESE: You've indicated what, how we can help do a certain follow-up. Jim, what do you do in terms of victims of violent crime? Do you become involved after a situation has cleared the courts in terms of ...

MR. McENTEE: I think with the victims of violent crime that the -- there is a Victim-Witness Assistance Program. And if we run into a situation, then what we'll do is refer that to the Victim-Witness Assistance Program or the National Conference of Christians and Jews who do an excellent job on that.

ASSEMBLYMAN CORTESE: Demographics are changing as to the ethnic makeup of our community. They certainly have changed since the last census. How do you feel the demographic change affects your program?

MR. McENTEE: One of the things that I'd like to make very clear, and I probably should have pointed it out earlier, is that, you know, I do not see any difference in different parts of the city or the county as to where people have problems. People would like to think that they're all over on this side of town. And I can show you our, our records that show that they're spread all over the community and that violence and crime is not special to any particular group or to any particular part of the community, that we can go into the most affluent communities in Santa Clara County and show that we've had some of the most violent situations or some of the hardest problems to resolve in those different areas. So it's not just in one part of town but we find out that these problems are scattered throughout the whole city.

ASSEMBLYMAN CORTESE: Would there be any merit to have an umbrella agency in the state, an organizational makeup, in terms of neighborhood mediation? I mean should there -- would it make matters worse or better to have ...

MR. McENTEE: I think we'd have to think that out whether we want to have -- deal with another bureaucratic level. I think that each community has a different way of dealing with situations.

ASSEMBLYMAN CORTESE: I'm thinking of a network.

MR. McENTEE: But I think some kind of a network. We do work pretty closely, a number of us, with the Attorney General's Office in violence prevention and so forth.

ASSEMBLYMAN CORTESE: How do you interact with other community agencies? What do you do in terms of referrals, to them and from them?

MR. McENTEE: We work very closely with all of them. One that — we're a kind a hybrid organization. Although we're a county department, we're also, almost looked upon as a community agency because we have so much community input. So we work very closely with all those community agencies.

ASSEMBLYMAN CORTESE: Jim, how do you plan your staff work? You're reacting mainly with situations that already have occurred and it's a situation whereby an incident has taken place and you're reacting to a problem, usually a problem where emotions have flared. What is behind all the — why are the incidents growing in number? What's happening? Is it economic? Is it ...

MR. McENTEE: It's hard to analyze. I think that we have a change in communities, for one thing. And as communities change, there's a whole lot of differences that people go through. I think also that when people have other economic and other stresses on them that they're going to lash out in their home types of situations and that, that can add to it. I think the people who are under a lot of stress, that's when you go to find out these situations and when people have not been taught how to deal with their situations. We get very concerned starting right about this time until about a week after New Year's. As you go into a holiday season where people feel within themselves that they're supposed to be at peace with everybody, and when they're not, they lash out at one another. And we probably get more calls of problems between people in these next six or eight weeks than we do at any other six- or eight-week period of time during the year.

ASSEMBLYMAN CORTESE: What about the communications between one group and another?

MR. McENTEE: That's what I mentioned, this instant response type of team. We'll try to do is work with people within those communities. If we have a problem, and we've had some problems there, that instead of me going out, say, to a particular community, you'll have to resolve this problem, I would get a leader in that community that will work along with me.

ASSEMBLYMAN CORTESE: All right. Are there any further questions of Mr. McEntee?

SENATOR MCCORQUODALE: You had mentioned that there was a potential for a million hundred thousand different problems out there. For the effort, our efforts here, we ...

MR. McENTEE: If you could give us a dollar a year for each one of those potential problems, we might be able to resolve some.

SENATOR MCCORQUODALE: We tried to look at narrowing this down and I just wanted to get your reaction. In the four areas that we looked at where the tendency is likely to occur in public violence, which one of those do you think mediation and conciliation can be effective and those that it couldn't?

Racial violence — you mentioned that. You think that that, well, maybe could be effective?

MR. McENTEE: Yes.

SENATOR MCCORQUODALE: Domestic violence. Is that one you're dealing ...



MR. McENTEE: Domestic violence, we're not dealing a lot with that because there are other agencies that are dealing with -- when you're talking about inter-family types of situations.

SENATOR McCORQUODALE: But conciliation could be useful but maybe not for ...

MR. McENTEE: Yeah, but what I'm saying is that there are other programs that deal with that through the conciliation court.

SENATOR McCORQUODALE: How about the drug-related violence? Is there room for conciliation there or is that from an outside ...

MR. McENTEE: We've worked with the programs dealing with drug-related violence but not through this particular mediation type of program. You get into a lot of other problems. I don't see that as an area. What we might do is if we get a complaint and looks like drugs are very much part of the problem, then we will try to work with other agencies dealing with drug problems.

SENATOR McCORQUODALE: How about gang-related problems?

MR. McENTEE: Gang related if it means that you're dealing with problems between two groups and you can be effective by getting them together, then we feel that we could be effective in that as a neutral third party because most of the problems that they have is classic cases, that they're problem is with one another; it's not with the total community; it's against one another. So if a third party can be involved in that, then I feel that we can be somewhat effective in there.

SENATOR McCORQUODALE: All right. Thank you.

ASSEMBLYMAN LESLIE: If I can follow up on that question. What -- you feel that you could be effective with the gang related types of problems, but are you currently involved in that type of activity?

MR. McENTEE: Just to go back, a little bit of history that, go back about seven or eight years ago, we were very much involved in dealing with gang-related violence within the community and working very closely with the young people and did do a good deal of mediation. And the specifically gang-related violence in this community is way down. We're dealing with a lot of individual violence among different groups but it's not the same type of gang violence that we had around '79, '80, '81, in that period of time. And I might be not saying it, but there's a great deal of difference in the gang-related violence in this community than there was a number of years ago. And the way that we dealt with it is that a whole bunch of us worked together -- the police department, our department, social service agencies -- and really kind of got a handle on that type of situation.

ASSEMBLYMAN LESLIE: So then you're not that active in the gang violence type of situation?

MR. McENTEE: Not active in the gang suppression. Now we do have the contacts with a number of people that have been in that situation but we don't feel that that is the same type of problem.

ASSEMBLYMAN LESLIE: You may have a good situation here that could be studied because I get the impression that gang violence is on the increase in most of the other urban areas.

MR. McENTEE: I'd be willing to, you know, listen to what they have to say. But I think that we've gone through a lot of those problems and I think have somewhat resolved them.

ASSEMBLYMAN LESLIE: What percentage of your calls for assistance are direct calls from the

parties involved? You said that was the most effective.

MR. McENTEE: Yeah, I would say it's close to 50 percent.

ASSEMBLYMAN LESLIE: 50 percent? In other words, I have a problem with my neighbor; I've heard about your service; and I call you and ask if you can help me?

MR. McENTEE: Um-hmm.

ASSEMBLYMAN LESLIE: 50 percent? How many calls did you say a year?

MR. McENTEE: We're dealing with about 500 cases.

ASSEMBLYMAN LESLIE: Per year?

MR. McENTEE: Per year.

ASSEMBLYMAN LESLIE: So about 250 of them would be direct?

MR. McENTEE: Yeah.

ASSEMBLYMAN LESLIE: Okay.

MR. McENTEE: And we feel, again, as I mentioned, that if you're talking about cost effectiveness, once you get information out on the programs and let people know, that is the best way to go because then you completely go around the — you don't have to deal with all the other types of things that cost the criminal justice system.

ASSEMBLYMAN CORTESE: All right. Further questions? Any comments? Thank you very much, Jim.

MR. McENTEE: Thank you very much.

ASSEMBLYMAN CORTESE: Let's move to Evelyn Sanchez, Parishioner of the Most Holy Trinity Church.

MS. EVELYN SANCHEZ: Good morning. As Dom said, I'm Evelyn Sanchez and I'm a member of Most Holy Trinity Church. Because I was notified rather late of this hearing, I am not as well organized as I would like to be.

Most of the testimony I've heard this morning focuses on the victims as part and parcel to the problem of violence and I see violence more as a systemic problem. I am still trying to absorb the testimony of the residents who live in the area of King and Ocala and Cunningham, people who go to church with me every Sunday who visited with the Chief of Police last night to talk about the level of fear that they live with on a daily basis.

I decided to come here today for Frank Azevedo who held Cesa (?) Lopez in his arms until he died as a result of an accident, an accident caused by a man who was released by the courts early who should not have been driving, who was driving under the influence of alcohol. Mr. Azevedo has lived on King Road for 14 years and it is a common occurrence for him to take blankets to victims of accidents. I'm here for the brother and sister of Bobby Perez (?) who was killed on Ocala Avenue by a female driver under the influence of prescription drugs. And I'm here for Mr. and Mrs. Lopez (?) who have only one of their three children still living. I'm here for the parents of six-year-old Bellenoose Marquez (?) who will be returning to their native country because there is no good reason for them to stay on here. I'm here for the students of Silver Creek High School who, because of a racial incident, led police to declare literally a police state on that campus. There was no mediation involved. The

powers that be, simply applied a cork on an extremely volatile situation. I'm here for the 500 people who congregated last night at Most Holy Trinity Church to communicate the deep fear they live with every day. They fear for their property; they fear for their safety; and they fear their children might be the next victim of poor planning, inadequate police protection, too many cars, and crazy drivers let out on the streets by the judicial system.

The experience of organizing around last night's meeting was an overwhelming learning experience for me. I walked the houses along King Road and in the neighborhoods around that area. It is a common occurrence to have cars land on your front yard on King Road. It is considered lucky that the car did not make contact with a person.

I'm here for my friend Elena La Falsa (?) whose husband died in her arms while he was volunteering labor at our church.

This report gives a cursory bureaucratic summary of an experience that left thousands of people devastated. We have just finished going to the renovation of our church. The renovation was completed by volunteer labor -- volunteer carpenters, volunteer plumbers, volunteer electricians. How is it that if I go to volunteer my time at my local church I cannot feel safe?

The bullets that were shot at Eddie, some of them went from one end of our church building through the other, a distance of over 40 feet. And they bounced off the concrete wall of the elementary school directly behind it. I have two sons going to that school. We were lucky it was a legal holiday.

The impact of all of this violence on our community is tremendous. There's only one other time in my life when I have felt as much fear as I feel at this time in my life. We have a direct hotline at Most Holy Trinity Church to where counselors can seek assistance for emergency cases. At one of those meetings, the prankster described himself as a saturated sponge. He could not take any more. There have been too many funerals. There has been too much loss of life.

The testimony I have heard, and this is with all due respect to Jim McEntee who's training I have been through, whose program I have worked for and will continue to support. It provides a tremendous service to our community. But the testimony I have heard thus far is reactive and it tends to place focus on the victim as the problem. And this is not a surprising result in that we are a reactive society and not a preventative society.

What we need are builders who have a sense of community so that they construct traps with the conscience attention to the impact that they're buildings will have on an entire community. At this time, King Road carries 30,000 cars every day. Different roads are designed to carry different amounts of cars. King Road is designed for a Level D. King Road has been functioning at Level E for over a year.

ASSEMBLYMAN LESLIE: How many cars is a D?

MS. SANCHEZ: D is 30,000 so that's the cap that it should be functioning at. It is now functioning at Level E; has been functioning at Level E for over a year.

So what we need are people in power who are more responsible. We need mediative understanding police with less training in combat. We need judges who are in tune to one of these

beyond the realm of the written law. We need responsive government representatives who would walk one mile in our shoes. And that's all I have to say.

SENATOR McCORQUODALE: I certainly am sympathetic with all those people that you indicate. I think that probably you are as frustrated as we are in trying to figure out — it's one thing to say that we need officials that are more responsive. I wonder if that same group last night that was at the meeting with the Police Chief were asked if they want a sports arena for \$75 million in San Jose would have voted for the sports arena. Do you think that that ...

MS. SANCHEZ: We discussed that expenditure and the majority of the people there were opposed to it.

SENATOR McCORQUODALE: I wonder if they see any real advantage in the public monies that went into the Fairmont Hotel. They get very much benefit from that?

MS. SANCHEZ: No.

SENATOR McCORQUODALE: It's hard, though, for them — it's hard for me who's been involved in that development like that, looking at that for many years — to really see exactly what the impact is in dealing with problems in the neighborhood. But certainly it seems like there's a lot of — there is a relationship to some of the things that I see, the potholes in my street, those problems which create this frustration on the part of other people and whether the — I think you told me how many radar units in the city?

MS. SANCHEZ: We, at this time, we have 20, I think that you said last night.

SENATOR McCORQUODALE: For the whole city; whereas if there were maybe three or four times that, they might be able to much better regulate the speed and traffic on King Road.

MS. SANCHEZ: Yeah.

SENATOR McCORQUODALE: But I'm sure that City Council would say the money isn't there for that. And it is frustrating, I think, that Mr. Leslie talked to Jim about the problem of where do we — how far down can we require something to be done without taking away from the city their responsibility of some free choice in dealing with it. And it is a frustrating thing ...

MS. SANCHEZ: This is a challenge that I think the entire committee owns. I was born and raised in San Jose and I have mixed feelings about what's going on in downtown San Jose. It certainly looks a lot better than it has looked in a while. There is a distance that gets created when people achieve a certain position of power, I think. And there is — well, as a result of that distance, people that are impacted by increased traffic flow and other problems aren't heard. And the Chief of Police said it very well last night. He said he felt that East San Jose gets shortchanged and that he was very glad that we had given him the nudge to get out to our community and to hear the testimony. It's one thing for me to come here and talk to you about, about all of these incidents and it's another thing to actually have contact with the people that have been impacted by these incidents. I've been touched by them but certainly not as deeply as Eddie La Falsa's (?) two teenage daughters.

ASSEMBLYMAN CORTESE: Have any further questions or comments by the members?

Okay. Thank you very, very much.

We have an ongoing effort; they're embarking another area apart from this committee; a look at

getting all those revenues, all of those revenues that cities and counties and special districts receive, versus mandates that require specifics for local communities to do. And we're finding out in terms of what, what the real option is in the way of discretionary revenues, those monies that are left over after the property tax mandates are satisfied. There's a fine line in the area of discretionary revenue and we're going to go about the state looking at each and every community and find which efforts were effective and explore other types of governmental agencies such as regional governments. But anyway, what I'd like at some point this year, year and a half, we're going to have to get to the bottom line in terms of where those discretionary revenues are going irrespective of their sources, and demonstrate to local communities what to do and how to effectively spend discretionary revenues. So we are aware eventually what the local communities are doing in terms of their priorities, where are they spreading discretionary revenues. Is it related to the refugee problems or related to crime? Where is the discretionary revenues really going? And once we have a handle on that, we'll be able to react a little better in terms of whether it's redevelopment with the sports arena or it to be a downtown mall, et cetera, et cetera.

Our next witness is Meta Mendel Reyes.

MS. META MENDEL REYES: My name is Meta Mendel Reyes. Thank you for giving me the opportunity to testify today.

I'd like to speak very briefly about the community that I live in and the way in which our community responded to a specific incident of racial violence. I'd like to offer our experience as an example that might be useful to the Committee in thinking about ways in which you as lawmakers can help communities respond. I would also, as a private citizen, like to offer some suggestions based on my experience in this one incident. The issue is racial violence. I think most people here may have heard, maybe not, of the attack on a black woman that took place in downtown San Jose last August. Although downtown San Jose is somewhat closer to the proposed sports arena and to the Fairmont, our community doesn't seem in many ways a part of that same community. For those of you that have never been to downtown San Jose, it looks a lot like the residential areas of Sacramento. It's a mixed, integrated community. That's why I choose to live there, why many of us choose to live there. We're very proud of the fact that our community has so many different races and has so many different incomes in this community. And many of us were just startled to read in the Mercury that one of our neighbors was attacked at a downtown park, William Street Park, in broad daylight by four white youths who identified themselves as members of the Aryan Youth Movement.

They threatened to lynch her on the spot and told her that, if you'll excuse my language, "Niggers pay toll," referring to her attempts to cross the wooden bridge, which is part of this park. And if a young Chicano, named Juan Carlos Gonzales, hadn't stepped out to defend her, it's very likely that serious violence could have taken place.

My first reaction was disbelief. This is San Jose. This isn't the south or someplace where these types of incidents are supposed to occur. And I noted in a newspaper article that the victim, who was afraid to identify herself by name, said that even though she had grown up in the south, she hadn't experienced anything like the hate and fear that she felt in San Jose during the incident.

I called up one of my neighbors, Mary Trounstein (?), to see if there was anything that we could do as neighbors. It's a scary feeling ...(gap in tape)... theoretically we could be asked to pay toll, is the site of an incident. And it occurred to us that if we did something, not as an organization but as neighbors, it would be possible to get a message across to the hate groups that would support this type of an incident and to the people that might see themselves as victims but that weren't going to stand for that kind of racism in our community. Within three days, we received tremendous support from many organizations, a number of whom are present in this room, the Human -- I'm going to list just a few of the organizations that sponsored our rally and it's not the total list: The Human Relations Commission did; the NAACP, the Asian Law Alliance, the Central Labor Council, Men's Alternative to Violence, NOW, the Diocese of San Jose, the National Conference of Christian and Jews, American Assembly, Rah Aseed (?), the Rainbow Coalition, the Democratic and Republican Central Committees, Women's International League for Peace and Freedom, the Urban League, and all the neighborhood associations, Campus Community, Olinder (?), Northside, 24th Street, the Peace Center, Bay Neck (?), and a number of politicians not only sponsored our event but came to speak at it.

That's a pretty wide range. I imagine in most of the events that you deal with, you rarely, but occasionally, get that many people involved in the same issue. But I think it was important because people realized that while there are so many things you go to because you have to, because it's right, it's very rare that you have an opportunity to say I can actually go out to a meeting and do something about my neighborhood. My action can have a direct effect. We had about 300 people that gathered at the same place the incident took place. As some of you are probably aware, it received a lot of media coverage, both in the press and on television. And I think the high point for everybody was the fact that the victim who had been afraid to come forward until this point asked if she could speak to the gathering and said that, "You have made me feel like I can walk in my neighborhood again," and she wrote a poem about her experience and I'll just read a couple of lines. Some of you probably have already seen this in the press: "Then suddenly they turned on me and I felt (inaudible) towards the sun and ghosts of Gestapo marched toward me and the ghost of the Ku Klux Klan marched toward me and the doors of Auschwitz opened up before me and the doors of tomorrow closed before me. And Kennedy and Anne Frank and Martin Luther King, Jr., and the ghosts from hanging trees and gas chambers and concentration camps rose up from Coyote Creek to welcome me. Midnight closed in like a solid well around me and one way of life appeared. One man placed his life between me and eternity, Juan Carlos Gonzales."

The purpose of the meeting was twofold. We wanted a lot of media because we wanted to get our message across as loudly as we could that we weren't going to tolerate these kinds of acts in our community. We also wanted people in the community to take individual responsibility. Part of that was accomplished by the fact that each group or individual was allowed to speak and state what they as an organization would do and were committed to do. We also distributed hand signs and you can still see them around downtown. It's a brown and white hand and the legend is: "Rally Against Racism." And we encourage people to put these in the window so people would know this is a safe

house. This is a house where, if you're having trouble on the street, you can come.

I think it was successful, if anything that is a reaction to such a horrible incident can be termed a success, a number of the groups that sponsored the event are continuing to meet and in fact we have a meeting on December 3rd if either, any one of you or anybody in the audience is interested, in helping plan what more we can do to combat racism in downtown; we'd welcome your participation. That's December 3rd.

One of the projects that we're excited about, if I can just mention it, as a project is that we're going to have a hotline for racial violence and it looks like the Human Relations Commission is going to be able to house that hotline. So we think that would be tremendously important for people, who by definition are scared and think they're alone, have somewhere to call to get some action.

That's, I think, a good vehicle of the direction of the suggestions that I would like to make. I think to whatever extent -- and again, we're not an organization; we came together in response to this incident. I think that to whatever extent you can work within the communities and then can encourage communities themselves to respond to these issues, which sounds like it's happening at the church and is something that Jim talked a lot about, I would encourage you to do so. I do think the answers have to come from within the community. That's not to let you folks off the hook but it's to say to whatever extent you can help communities, realize that things can be done, given the example such as the one we had. I think that would be very important.

The second general suggestion I would just make, and I will go through this quickly, one of the -- people have contacted us after this incident and one of the groups that contacted us is the John Brown Anti-Klan Committee, which, I guess, monitors Klan and Klan-type activities all across the country. And they informed us that the response, though, of the police to this incident is in some sense typical of the response that they run into all across the country. So I want to mention it to you because it may be an area you can help in. I think that the police were very supportive of this demonstration and actually the representative spoke. So I'm not at all intending to criticize the police. But they were quoted several times as indicating that they didn't think the incident should be taken all that seriously, that it was an isolated example and apparently that's fairly characteristic of the response. And again, I'm sure you're going to hear from people in law enforcement. I'm not an expert. I'm just telling you how it looked to me as a private citizen. And the only suggestion I would make is that from just from dealing with this one incident it seems to me that these incidents do have to be taken seriously. Sure, we don't have attacks every day on black women in our neighborhoods. But there are groups out there, the Aryan Youth Movement, the Klan, that are very serious about white supremacism. And I do think at every level we need to take these kind of groups seriously and not dismiss them simply because their views are so extreme.

Dave Mazela (?), who's a national vice-president of the Aryan Youth Movement and lives in Mountain View -- which may or may not be in your district, I'm not sure, but it's certainly close -- said that the skinheads of the organizations, referring to the Aryan Youth Movements, quote, frontline warriors; they roam the streets and do what's necessary to protect the race. So again, it's not just an isolated incident. There are some people that think this is part of what's necessary to protect the

race.

Also, in a letter to the San Francisco Chronicle, a young woman who identified herself as a skinhead, disagreed with the San Jose police official who had said that the movement was all about (inaudible) white racial supremacy, end quote, by neo-nazism. And she said (inaudible) is not about racism. We believe in patriotism, white supremacy, the working class, and unity. So all I'm trying to say very simply is I think at every level, especially law enforcement, we need to take these folks seriously.

The third suggestion I would make is just to have you consider the use of public access for ideas of racial hatred and violence. It's certainly a complicated issued but I know that the Klan TV program, "Race and Reason," reaches 80,000 people in the North Bay because they're on a public-access channel. We don't have such a program down here yet but it could come out, and there are a lot of people in the community that don't believe that people that are actually advocating violence and hatred on the basis of race ought to be able to reach that many people, particularly more vulnerable young people over public airways. That's an issue that may fall into your lap. It's something I'd encourage you to look into. I've seen tapes of these programs and they're very, very scary.

And the third suggestion I'd simply make is the education system. I think there's no question that some of this hate are the object that leads to racial violence is directed particularly at young white men, the Aryan Youth Movement and the White Student Union particularly. And I think that there are ways in which -- now when you think about the schools, the schools can be doing more to what people understand, the history of nazism, the history of facism, what these groups have done; because you'll see -- for example, on the Klan TV program or even in the quotes of the people that were involved on the attack on the woman in our neighborhood -- but people are talking about these lies without any real understanding, the fact that wars, including World War II, had been fought to defend the rights of people not to be discriminated against or killed on the basis of their race or their religion. I don't know if the schools do very much around this and yet I do believe it's these young guys in particular that are most vulnerable to be getting involved in these organizations. I think the schools can do more.

And the last point I would simply make is I think that the work that you do in a broader sense to combat racism in our lives is very helpful in terms of preventing racial violence. Although the focus of this hearing is on violence and violent incidents, not only racial incidents, I think the work that you can do to combat discrimination in terms of jobs, to combat on equal opportunities for education, to combat equal opportunities for health care, I think it's part of the fight against racial violence. I also suspect that white youths who are unemployed who maybe are having a hard time getting a job are somewhat more likely to be recruited by the Aryan Youth Movement maybe than somebody that's able to find a job. So I would say, Jerry, whatever you're able to do to improve the economy, and in particular to combat discrimination in these areas -- I know you are working in any way -- is part of the work against racial violence.

That's all I have to say and I do appreciate the opportunity to speak before you today.



ASSEMBLYMAN CORTESE: Thank you very much. Are there questions? Mr. Quackenbush.

ASSEMBLYMAN QUACKENBUSH: Has there been any repeated incident, the San Jose incident, in the last few months?

MS. REYES: No, there has not.

ASSEMBLYMAN QUACKENBUSH: Not at all?

MS. REYES: No.

ASSEMBLYMAN QUACKENBUSH: Okay.

MS. REYES: There have been similar incidents since August in other parts of the state but not in San Jose so ...

ASSEMBLYMAN QUACKENBUSH: Have these skinheads been seen only in the city?

MS. REYES: I couldn't ...

ASSEMBLYMAN QUACKENBUSH: Are these skinheads still living in the city?

MS. REYES: Yeah.

ASSEMBLYMAN QUACKENBUSH: But they haven't repeated the attack?

MS. REYES: Not that I'm aware of.

SENATOR McCORQUODALE: Maybe unfortunately, partly, they were so successful that the next time they surfaced was in another part of my district in Modesto where they had a rally ...

MS. REYES: I think that ...

SENATOR McCORQUODALE: ... welcomed way that they -- you gave them here.

MS. REYES: That's why I did want to go into some detail about our incident, not just to toot our own horn. But I do think the fact that we reacted so quickly as a community has probably resulted in what Dan said, that they go elsewhere. Why not? They're after vulnerable people. They're not going to attack a crowd of 300. That's why I do think, if there's ways in which communities can be encouraged to respond quickly, that's a small way of trying to work on this problem.

ASSEMBLYMAN QUACKENBUSH: I have sort of mixed feelings about how to respond to a group like that. A group like that has just created an incident that on its surface, nothing really pertinent, yet they have more publicity than they could ever possibly have gotten by having an incident and having the rallies. Now if they're all following up with that, they could have turned them into more of a recruiting effort for their own groups. I'm kind of torn. I'm not sure of the options for that but I still don't want to give them that kind of free publicity.

As far as a group like the Klan or the Nazi party can make such a stir in that community with 30 or 40 members in a community of millions and get all the publicity and recruitment people into their own movements any way, you wonder about what kind of publicity you're really giving those people with all the extra attention they get.

MS. REYES: Assemblyman Quackenbush, that's a real good point. In fact one of the reasons we were drawn to do the rally was that even before we organized the rally, there was a series of articles, including one of the largest photos I've seen ever seen in the Mercury News on anything, on one of the inside pages. The media gave them so much publicity that we felt if we didn't do something to show

that other people in the community were opposed to this, that the effect that you're talking about is absolutely right. And race is another issue, which is a tough issue. But I do think to a large degree, the media reaction is to sensationalize these types of incidents apart from what the community does. And what's really scary about that is I think it looks attractive, even romantic, I think, to some of these young men that are the likely recruits.

All I want to say is it sure -- we could have increased some of the publicity by doing our rally. There's not question about that. But it's important to note that they were receiving so much publicity already, that if we don't do something, all the publicity would have been, I think, about what they thought and not what the community thought.

ASSEMBLYMAN QUACKENBUSH: Along the same topic in Germany, in the '30s, when the Nazi party was on the rise, they were given the same sort of comments made about them which was this is just a bunch of thugs and bullies out there; let's not pay attention to them; let's leave them alone. And they continued to thrive and they continued to grow. So that's why I think I'm torn between the two reactions to the group.

Do you ignore them and let them go on or do you publicize them and find out how lethal they are?

MS. REYES: Sometimes when you want to take your kid there, you don't see them. But I agree; it's not a clear-cut issue. That's what's good for having hearings like this and soliciting input from the community.

ASSEMBLYMAN CORTESE: Mr. Leslie.

ASSEMBLYMAN LESLIE: Well, just the comment that here we are, the State of California trying to figure out what we can do to help resolve some of these kinds of issues. And yet it goes to my attention that it was an individual -- Juan Carlos, I guess is his name; I was unfamiliar of the incident before this morning -- Juan Carlos?

ASSEMBLYMAN QUACKENBUSH: Juan Carlos ...

MS. REYES: That's his name.

ASSEMBLYMAN LESLIE: Wasn't there someone who stepped up and ...

MS. REYES: You're right; you're correct. Juan Carlos Gonzales stepped up and saved her.

ASSEMBLYMAN LESLIE: And saved the lady? Okay.

MS. REYES: Yes, that's correct.

ASSEMBLYMAN LESLIE: So we have an incident of an individual taking responsibility, caring enough about a neighbor that he was willing to get up and do what was required at that moment. And that was quickly followed by the neighborhood, the people in the area concerned and so outraged that they were willing to execute their personal responsibility and their caring for one another in their neighborhood, in their community, that they took action that really, as you say, probably nipped this in the bud maybe from growing any further and from reversing the media flow, hopefully, to show that the vast majority of people were repulsed by this type of activity and didn't want it to stop. And, in fact, it's been squelched hopefully, at least for a while. And it occurs to me that that is the ultimate answer for most of these problems. It's not going to be what government can do, certainly

at the state level, but it's going to be what are individuals willing to do in terms of their own life, their community, et cetera, their caring for one another, to really, to really deal with these problems, the government role. I suppose there are some places where we can encourage different kinds of things. But for the most part, the government role was going to be that police role, you know, the last result, the use of force to stop something. But in terms of solving the problem, if individuals aren't willing to get in and deal with the problem, solve the problem, resolve their problems, I don't know that there is a solution and the part that concerns me is that the Juan Carlos Gonzaleses of the world seem to be a vanishing breed. And if that's true, then I think we're in a lot of trouble.

(Inaudible Comments)

MS. REYES: If I can just respond. I won't quarrel with what you said. I guess I would just also want to call attention to the comment of the previous speaker that some of the problems are systemic and I think require some help from the government. If there's a little traffic problem that's leading to violence, taking the example that she gave you, that's going to be hard for individuals to deal with. If people are frustrated about discrimination on the job or in education, again, we need, we need some help not from government in the sense of something that's out there and it's not us, but we need some help from ourselves as a collective group as well as individuals. So it certainly has to be a joint effort, it seems to me.

ASSEMBLYMAN CORTESE: Thank you very much.

Next is Ms. Sarah Ann Boyd, Sarah Ann Boyd.

MS. SARAH ANN BOYD: Hi. I want to thank all of you for letting me come here this morning and I'm here because, on behalf of my two sons and all other children and parents that have gone through sexual abuse. And it is a community problem now because it's up on the uprise. And I'm here for the four-year-old -- four-month-old -- baby that died last week because her father raped her. And I'm here because we need the laws changed; we need money to help get more detectives in here to handle all these cases. In this area, there is only 25 investigators to handle all these abuse cases.

My brother-in-law a year ago was arrested for molesting my two boys. It took 'em five months to arrest him. He's out on bail; he went before the judge. The bail was high and it went down to where he could get out. We have been harassed; we had been threatened; he has been following my daughter who is 20. We go to the police and there is nothing they can do because there is not enough money to get financing for these people to be helped. He goes in front -- it takes -- it's been almost a year now and he goes in for sentencing in December. Rumor is he will get probation and he will be back out on the street again to do this to more young boys because to come to find out, 85 percent of all abusers were abused as children and they all need counseling. We slap 'em on the wrist; we put 'em in jail for five or six months; and they come out and they're doing the same thing over. And it can happen to anybody's children or grandchildren and it's happening not only in our churches, our foster home, and our preschools. We turn in a foster home two weeks ago to the police detective that they were molesting little children, not only one man but we are talking about two men. And it's been two weeks and we haven't heard a word, not nothing.

If you were to go down and sit in the Children's Shelter and watch when they bring in these little children that have been sexually molested — my one son has had to have two rectal surgery because of what has happened. The judges are going to have to be aware of what is really, they're dealing with out there and we need more money to help get this on the road to get it where the laws are stronger, more police force, because it is up on the uprise.

And that's all I really have to say because there is a lot of things that are going on out there that people aren't aware of and we need more help and we need more money and we need more investigators because there isn't enough.

ASSEMBLYMAN CORTESE: All right. Further questions or comments from committee members?

All right. Thank you very much, Mrs. Boyd.

We're happy to be working with Mrs. Boyd. We'll be back with her case and her situation working with parents and community groups in terms of evaluating the child molestation laws. Somehow we can strengthen those laws -- we'll be talking to you further, Mrs. Boyd.

MS. BOYD: I appreciate your help.

MR. McENTEE: Mr. Chairman.

ASSEMBLYMAN CORTESE: Yes.

MR. McENTEE: An editorial comment from over this end of the room is that the Attorney General's report on pornography at the federal level indicated fairly conclusively that child abuse can be related at least in some direct degree to pornography in our nation and in our state today. And there have been efforts at the state level to crack down on the distribution of pornography. And when I say pornography, I'm not talking about the soft stuff. There is plenty of hardcore pornography. And I think that it's -- you know, people get wrapped up in the First Amendment rights, which is a legitimate concern to raise relating to pornography. Nevertheless, there is some pornography out there that's readily available to people that I don't think there is any question regarding First Amendment rights. It's just of the worst type. In even calculating the Attorney General's report would bring that to a clear focus because it's described in vivid detail what's there. My opinion is that it doesn't take necessarily a lot of money to take some tough legislative action in curtailing this pornographic menace that is throughout our land and in our state. And I think that we also need to take a strong look at that legislatively. It's nice that we deal with this pornographic material here that is available. We need to cut it down. And it would help in child abuse, child molestation area. And those efforts so far have not been able to make it through the necessary policy committees and make it to the floor.

ASSEMBLYMAN CORTESE: All right. Further questions or comments?

If -- I'm not sure. I don't see Bea Robinson out there. Would you mind -- I'm sorry to depart from the agenda but Bob Creamer from the Probation Department needs to be out of here by noon. I'm just going to ask you is it okay if Mr. Creamer goes before you? (Laughter) He said he has a very, very brief -- where is Mr. Creamer? He has a very, very brief comment and maybe we can accommodate him.

MR. BOB CREAMER: I apologize to the other speakers. I'll keep my remarks brief. I'm Bob Creamer from the Santa Clara County Probation Department. What I wanted to talk about just for a few minutes is the problem, not only a community problem but one that each of us faces as individuals. And it's certainly a statewide problem and I think probably the most significant source of community violence and that's the problem of street gangs.

We made a presentation to the Governor's Task Force last year. My remarks will be very similar today that we made then. I'd like to tell you very briefly about the problem we had in Santa Clara County, what response we had to that problem which was discussed very briefly by Mr. Leslie and Mr. McEntee and also make a couple of very brief recommendations.

In 1977, Santa Clara County was introduced to the gang problem when a California Youth Authority ward was paroled to Santa Clara County. Within the next two years, because of the reactions of that individual and his family starting a Northern California version of the Va Keys (?) town street gang and similar incidents that were happening in nearby neighborhoods with the growth of other barrio street gangs, we ended up in 1981, the San Jose Police Department identifying 51 street gangs in upwards of 2,000 street gang members. We had in 1981 487 felony assaults, 10 homicides, and last year that number had been reduced by over 60 percent both with misdemeanor and felony assaults, and we had one gang-related homicide.

I think there's some very important things that have happened in this community, in Santa Clara County, that perhaps they're not a model but certainly are instructive. The thing that happened in Santa Clara County is that some foresighted individuals at the Police Department, the District Attorney's Office, and Probation, went to the Office of Criminal Justice Planning and obtained grant money that we are now in our fourth year that required two things. And I think this has been a real key to dealing with this problem. I'm not going to get into stories about the problems that the street gangs are presenting. I simply would refer you to today's and yesterday's and tomorrow's newspaper for that. What that grant has required and what we have been very fortunate in achieving in this county is a two-part of that program, the first part being vertical prosecution and vertical case management where the District Attorney's Office, the Milpitas, Santa Clara, and San Jose Police Department, the County Probation Department, have worked very closely, literally on a daily basis, to try to coordinate the presentation of cases to court.

An ingredient that's not required in that grant, but I am absolutely convinced after looking at these programs across the state, that may or may not be something that the Legislature can address but I think it's certainly something you must keep in mind, is that this program would not have had any impact without the support of the bench. If you don't have the final decision being made at the court level by the judge that's hearing the case, all the efforts of the District Attorney, the funding from the Office of Criminal Justice Planning, coordination of the agencies, their agency, cooperation of ensuring of information that's going to fall on its face. I don't know how you address that problem but I would suggest you keep that in mind when you're considering funding these programs, a way to educate and gain the support of the court in various counties where these funds are being provided.

The second thing that we put together was an inter-agency council, a cooperative effort of the

Bay Area counties. We have the Santa Clara County Gang Investigators Association. That group, with the effort of the people that organized that council, called the California Gang Investigators Association, now includes some of the members that are going to be speaking today, including representatives and the director of OCJP.

What we're seeing in this county today is different than we were seeing in 1981. The kind of problems, I think, that Mr. McEntee talked about, and Mr. Leslie, referred to is that we're seeing a dramatic decrease in the problems that are happening because of the inter-agency cooperation. But we are seeing an increase in the violence recently. We are seeing an increase in the amount of mobility. We are having people from Sacramento County, Alameda County, San Mateo County, and Los Angeles County being arrested on increasing frequency in Santa Clara County as these groups, these street gangs, are becoming more organized and are requiring a more organized effort to deal with them.

The two recommendations that I would make to the Legislature to please keep in mind in trying to deal with this problem, because I think that it's very apparent that this problem is going to increase before it's going to get smaller, are to please consider keeping funding going to the Office of Criminal Justice Planning for inter-agency cooperation in dealing with street gangs. And the second effort would be to support the effort of the justice agencies in trying to put together an assured network of information statewide that would allow the police agencies in the smaller local communities to be able to get updated information on what activities are happening in some of the larger communities, how that's going to spill over, and a place that they can go for information about the individuals that they do come across. Right now it's being done on a person-by-person level from one police agency to another and I think that it is a place that the State can get involved.

SENATOR McCORQUODALE: I was just curious. I think this is an area that we hear a lot and we do read about and think of it. We don't get a lot of information related to gang activities in the state. You mentioned that you're seeing a movement across the state so you actually get some impact from gang activity in Los Angeles and you get some influence of it here.

MR. CREAMER: Absolutely. I think in Northern California, the most dramatic impact that you're seeing in a community is actually in the City of Sacramento. There have been a tremendous number of arrests, a dramatic increase in the number of homicides in that community, according to the Sheriffs Office and the Police Department. I was speaking with them last week. Due to the influx of the cocaine trafficking that is being brought into that community and into the Bay Area by the Southern California street gangs, primarily the gang most of you refer to as the Creps (?).

SENATOR McCORQUODALE: Is their primary activity ... the support for drugs or are there other reasons that there are gangs?

MR. CREAMER: There are lots of reasons historically for the existence of gangs. And just like other human institutions, it's a very fluid situation that change in the personalities and the composition of the members. The numbers of people and the sizes of the gangs and the number of gangs that exist in different community is really is not the problem. The problem is the severity and the frequency, the magnitude of the amount of violence that the gangs commit in the communities

that they land in and the fear and intimidation that they spread throughout the neighborhood just on an individual level. Now earlier one of the speakers referred to the help that can be provided by mediation when it's gang versus gang. The problem that we see today where that was a factor that was effective in the late '70s and early '80s is that according to the California Youth Authority, the research division, we are now approaching the point where 60 percent, almost two-thirds of the victims of gang violence in the State of California, the victims are innocent victims or simply bystanders who have no connection at all to any kind of gang crime or gang activity. So what we're talking about is you and me and my children and your children and the students in our neighborhood schools and the people, like the people who have been up here speaking so articulately before me.

ASSEMBLYMAN CORTESE: All right. Thank you, Mr. Creamer.

We'll get to Bea Robinson, Mr. Alvarez, before we get to lunch.

We thank you very much.

ASSEMBLYMAN LESLIE: Can I -- I'd like to ask a question real quickly before he leaves.

Mr. Creamer, sorry, but if you had gone away. But let me just real quickly ask you a question, if I can. Come on up. (Laughter)

MR. CREAMER: Oh, thank you.

ASSEMBLYMAN LESLIE: There's been a dramatic decrease in gang what? Gang activity, the number of gangs, is it down or is it just the number of law enforcement incidents relating to gangs?

MR. CREAMER: In Santa Clara County?

ASSEMBLYMAN LESLIE: Yes.

MR. CREAMER: There's been a dramatic decrease in the numbers of gangs, the number of gang members, the number of gang crimes, and the number of gang homicides.

ASSEMBLYMAN LESLIE: Okay. So in all categories, it's down?

MR. CREAMER: Yeah.

ASSEMBLYMAN LESLIE: And as I gather from your testimony, that's due primarily to increased law enforcement effectiveness?

MR. CREAMER: I'd say that it's due to a lot of factors -- and I think input from the community, cooperation from the schools -- all those things have had an impact on it. But I think the most significant impact has been made by the vertical prosecution, vertical case management, and inter-agency cooperation from all of the criminal justice system, not simply just the law enforcement agencies -- yes.

ASSEMBLYMAN LESLIE: The law enforcement community --

MR. CREAMER: Yes.

ASSEMBLYMAN LESLIE: -- from all aspects of it, they got together and said we have to deal with this. There's got to be solutions; we're going to cooperate and work together in increased ways in focusing on this particular problem and as a result the problem improved then?

MR. CREAMER: Yes. The focus in the grant proposal and the focus in the application of that funding has been to identify who the members are, identify most particularly who the violent, assaultive individuals in the street gangs are, and then do everything within the legal means that are

available to prosecute those people to the full extent of the law and get them off the street as long as we can. That's as simply said as I can make it.

ASSEMBLYMAN LESLIE: Thank you.

ASSEMBLYMAN CORTESE: Thank you very much.

Bea.

MS. BEA ROBINSON: Should I say that word, "sexist," that you let him go first? (Laughter)

Well, I have a prepared statement but I'm going to just, because I'm also in a hurry; I'm going to skip through it but I'm going to leave a copy of it for you to read at your leisure. And I'll start off of it by saying that I'm the Executive Director of WOMA and that every 15 seconds a woman is battered in this country and it's not just a slap; it's a serious enough battery to require medical attention and that domestic violence is a major social problem that cuts across all economic, ethnic, and social categories; and that for the past 13 years, WOMA has been providing assistance to battered women in this county in a variety of services such as counseling, crisis counseling, legal counseling, pre-employment training, shelter, resources, referrals, education, 24-hour hotline. Last year, in 1986-87, we served over 5,000 women through our direct services and 688 of them were at our shelter. Over — in addition to that, we had over 8,000 calls for information about domestic violence and our services.

Okay. Domestic violence does not happen by chance. It's a learned behavior which has serious, social consequences within our community. Children raised in violent homes learn to resolve conflicts violently. 68 percent of men who batter women were themselves abused as children. Domestic violence impacts our community. There is a loss to our country's economy of \$3 billion to \$5 billion per year as a result of absenteeism; \$1 million per year is spent in medical bills for victims of domestic violence. Because we realize that we could not just work with the victims, we also started a new program in September of this year. We call it RAP, the Relationship Assistance Program, which is designed to teach abusive men alternatives to violent behavior. Through the combined use of professional and peer counseling, we have a three-phase program that addresses the multiple issues of male violence. We get clients through self referrals, court referrals, referrals from law enforcement agencies, legal and mental health professionals of the county. Participants must make a commitment to accepting responsibility for their violent behavior and to change that behavior.

One of the things that we found out in this program is that the high correlation between alcohol and drug abuse — is the high correlation of alcohol and drug abuse and the incidence of domestic violence. Every male client interviewed for entrance to RAP has indicated that alcohol, prescription or illegal drugs were a part of his life. 80 percent admitted to having a substance abuse problem. It is evident that we must work with and treat substance abuse and product violence. We believe that those two go hand in hand. And how do we propose to work towards that end? We believe that the answer lies with our children. Education in our mind is the best form of prevention. Our Outreach Department provides domestic violence, education, prevention sessions and high schools and colleges in our community. As an extension of this effort, we will be providing structured six-week courses to the youth incarcerated at Juvenile Hall. With these young people, we see the highest



concentration of the product of substance abuse and violent homes.

Approximately 95 percent of the youth in Juvenile Hall has been abused or molested. Juvenile Hall admissions related to drug abuse increased from 376 in 1983 to 608 in 1985. Children learn from the actions of their primary teachers, their parents, and other adult role models. Men and women who saw their parents physically attack each other were three times more likely to hit their own spouses than those with non-violent parents. The sons of the most violent parents have a rate of wife beating ten times greater than that of the sons of non-violent parents.

Santa Clara County is known as the PC capital of the United States. Nearly all Juvenile Court arraignments in this county involve PCP. The abuse and the availability of this dangerous drug has reached tragic proportions in our community. San Jose Police Department's log of PCP-related arrests of persons under 18 years of age from March to April of 1987 showed a tragic statistic of 350 PCP arrests; 288 of those were young Hispanics. The District Attorney, Leo Himmelsbach, was quoted in the Mercury News on April 26 as saying: "PCP is literally destroying a significant number of young Hispanics. Something has to be done."

In spite of these alarming facts, there are no treatment alternatives available for adolescents who are not a part of the criminal justice system or who are not covered by their parents' insurance. Even for those incarcerated youths where treatment can cost \$1,700 to \$5,000 per youth. We must provide our youth with prevention and treatment programs for substance abuse and violent behavior. We must show our community's youth alternative methods to dealing with a life of violence.

In conclusion, I would like to stress two very important points: We're not dealing with separate problems. We're dealing with many parts of a whole problem. Until law enforcement, community agencies, government agencies, and community members join together to share information, resources, and solutions, our children who hold our future in their hands will perpetuate the lessons they have learned -- escape through substance abuse and release of anger and frustration in neighborhood violence. Secondly, I would be remiss if I did not point out to you that the dearth of funds needed to run the programs to address these -- about the dearth of funds needed to run the programs to address these problems. Programs like WOMA cannot continue to keep pace with the community needs unless a greater amount of money is allotted to save our society. We're looking forward to you elected representatives to lead the way in putting a halt to this terrible legacy.

ASSEMBLYMAN CORTESE: We do have a copy of your statement?

MS. ROBINSON: Yes, right here.

ASSEMBLYMAN CORTESE: It contains some facts and figures that would be very, very useful to the Committee and I would appreciate receiving a copy of that.

Are there any questions or comments with regard to Bea's testimony?

ASSEMBLYMAN LESLIE: I just think that Mrs. Robinson really hit the nail on the head in some of her remarks. She indicated that this domestic violence is a learned behavior and I think also, either said or implied, that none of the things that we're dealing with are really the symptoms or the results of some other, more a deep-set problem. There's a problem out there and it's acting itself out in domestic violence or in gang violence or in drug use or in alcoholism or, you know, the list is a mile

long. And there's a dearth of funds to deal with these problems because our solution to the problems is to attack the symptom, or to attack the —

MS. ROBINSON: Result.

ASSEMBLYMAN LESLIE: — result rather than the underlying reason. And we have to do that. I mean obviously programs like yours where you give women shelter where they can come and escape from physical danger is critical. We have to do that. But we're never going to — it's just — the problem is getting worse and worse and worse or the results of the problem are getting worse and we're never going to be able to keep up. We've got to — while we're putting the Band-Aids on with programs such as yours and the others and the mediations and all the rest, we've got to be focusing at where is the root problem; what is the route problem; and how are we going to address that? And we've got to deal with that and you indicated education in one behavior and I think you're absolutely right.

There's certain education that used to take place in the family setting that I believe is no longer taking place there. And although we can't replace the family and shouldn't try, we can supplement the education at the lowest levels and we ought to be starting at kindergarten, first grade, second grade, right on through, instilling certain kind of behavior patterns on our kids that focus on truth and honesty and self-respect and self-esteem and respect for other people's property, et cetera, et cetera, et cetera, and be inculcating that in their behavior so that when they become teenagers and then adults, they'll have the skills necessary.

And I think, from my understanding, that Senator Campbell is one of the leaders in our area because in the school system, they're looking, at least at the junior high level, on this QUEST program. I don't know if people are familiar with it. If anyone is, I'd like to have their reference and their testimony today. But that QUEST program, it's, I believe, in every junior high in the entire county here, is touching those very kinds of values and skills and putting them into education and dealing with the root cause which is the breakdown of the family unit. And I'd like to hopefully maybe hear some more testimony on that. If not at this hearing, maybe at some future date.

SENATOR McCORQUODALE: I heard a theory just recently which the theme was that domestic violence is during the peak and will drop off and I just thought I'd try it on you and you see what your reaction was. The theory that was put forth is that there's been a lot of effort in the last 10 to 15 years of educating women on the changing lifestyles and role in society. There hasn't been very much effort of educating men on the change in the role of women in society. So a lot of that's just been that you read or you hear it, nothing really in the sense of workshops for men, training sessions and for jobs, job sites, and that an awful lot of people go to work every day and they're working at some level and they look around and say, "You know, if it weren't for women in this formerly male-dominated job that I'm in — we've had women in this role — I'd be the supervisor today or I'd be the boss today or the foreman or I'd be at much higher level." And it creates this ongoing frustration on their part that they then take out on the only woman that's available, which is their wife that they can beat but that they can't beat the co-worker because that's really frowned on in a lot of ways, including in force and in public.

Do you think that we are in a real, sort of a crisis time, with family violence, and that you see anything possible that it is going to drop off or do you see that it's continuous, say, the first time you were involved, is it still growing on the same percentage or is there some hope that we're going to pass that time?

MS. ROBINSON: Well, I think the way I'm going to answer this is not just from WOMA perspective but as a human being and as a community member. I don't see domestic violence or violence per se between individuals ending until society as a whole begins to look at its values and considers whether war is the answer between nations or if we look at the jail population and find out what we're doing with people who are in jail and who we're sending to jail and why they're being sent to jail; when we look at politicians, with all due respect, and find out that the way that the politicians behave and how laws are enacted and why laws are not enacted; when we look at doctors and we find out that 90 percent of the doctors are using, are doing, because of their concern for being sued, they are not participating in natural birth any more. I know I'm sounding like I'm a little bit off here but I think it's that we have to look at society as a whole and to see where we are. There is no way that we can say we're going to stop people from stealing because we have laws and we have jails, and that is the same explanation I give you about domestic violence. Until we learn that violence is not acceptable, not because of the laws but because it is abominable behavior between two people and between friends and neighbors and nations, then I don't think we'll have a decrease in domestic violence.

Your other question, I think, had to do with particularly WOMA and what we saw and know the numbers continue to increase, and when we started with WOMA we started with a \$500 budget and a total volunteer force. Our budget is now over a million dollars and ten programs, and we can't seem to put an end to the need of the community. On the other hand, the community and the government isn't keeping pace with the needs.

SENATOR MCCORQUODALE: This older person may not change but that people that are about juniors in high school now, over the last ten years of their education, have had a pretty good education on the issue of equality. But once they're into the 40- and 50-year-old category, that's the point that there will be a pretty good acceptance of equality between men and women. Until we get to that point, there's still going to be the residual of feeling that women ought not to be competing against men for jobs or various other ...

MS. ROBINSON: I don't mean to be flip, but I guess until I see a female president or a female governor or women having, sharing more of the wealth of the nation, or until I see laws that are more equitable for women or until I see the ERA passed, I don't think we've accomplished as much as someone's leading you to believe. (Applause)

ASSEMBLYMAN CORTESE: Your reporting -- in terms of your operation, is that hindering or helping your ...

MS. ROBINSON: You mean in terms of the police department?

ASSEMBLYMAN CORTESE: Yes.

MS. ROBINSON: Yes, it's helping us tremendously. And I will say that as a result of perhaps

the laws but also as a result of individual officers and their concern for the victims and the respect for the work that WOMA and other organizations like WOMA does, that we're accomplishing a great, a great deal more. And also I want to compliment the Senator here for the work that he has done on the Task Force and bringing us together. We needed that to happen and his leadership has been exemplary.

ASSEMBLYMAN LESLIE: What is the name of your organization? It says here "Women's Alliance" but I hear you saying something different than that. Could you spell it?

MS. ROBINSON: I'm trying to confuse you — no, no. WOMA is just a shortened version of the Women's Alliance. Everybody recognizes ...

ASSEMBLYMAN LESLIE: WOMA is a man or a woman? Is that it?

MS. ROBINSON: That's exactly correct.

ASSEMBLYMAN LESLIE: Okay. (Laughter)

ASSEMBLYMAN CORTESE: Felix Alvarez, Californians Preventing Violence.

MR. FELIX ALVAREZ: San Jose has been host to a series of violent crimes in the past few months — the ski mask rapist, an incident in Most Holy Trinity where two church volunteers were gunned down with an uzi weapon; three children run over by a car, the individuals driving under the influence of alcohol and drugs; the track team from a local high school was run down by a woman driving under the influence of prescription drugs resulting in one death and several injured; and residents from Foxdale Apartments who are being paid by drug dealers and users to the point where they now buy and sell and use drugs openly at all hours of the day and night and the sale and use of PCP and Crack wherein the Hispanic mainly using PCP and the black mainly using Crack. Communities have reached crisis levels in San Jose.

In education, more than 50 percent of Hispanic and black students are dropping out of schools. In Santa Clara County, we are emptying the schools and we're filling up our jails. Economic circumstances are also forcing many in San Jose to join the ranks of the homeless living under bridges and in cars, a rise in family disturbance calls, random freeway shootings — I was a personal victim of a random shooting here in San Jose; one of my windows on the passenger side was shot — clashes between groups in schools, in their churches, and in the jails. Violence is the greatest concern of California residents, according to the Field Poll in 1984. Citizens express a strong sense of powerlessness in dealing with this issue in their personal and their social lives. Many are uninformed as to the root causes of violent behavior and as to what they can personally do to impact the problem. Others have some awareness of specific issues but feel that there is little or nothing that they can do to make a difference in their communities. Californians Preventing Violence, promoting positive alternatives, is working to address this situation by providing information on the causes of violence, and the methods of prevention. We address community apathy as well as the physical, mental, and the emotional roots of violent behavior. Our history:

CPV, Californians Preventing Violence, we grew out of California groups on crime control and violence prevention, established by Assemblyman John Vasconcellos in 1979. The Commission's findings were published in 1983 as Ounces of Prevention — Toward an Understanding of the Causes of

Violence. And I believe you have a copy. This is very obvious wherever I look. This is a copy which can be obtained from our offices or from Los Concelos .

This report gives a detailed assessment of the roots of violent behavior including drug abuse, racial, and economic factors and dysfunctional family environments which lead to personality conflicts and low self-esteem. Ounces of Prevention concludes with a strong recommendation for long-term preventative strategies to supplement the traditional reactive approaches of the Criminal Justice System. Following the expiration of the Commission in 1982, a public benefit organization was incorporated as Californians Working Together to Prevent Violence. And on March 31st of 1983, we changed the name to Californians Preventing Violence.

Our mission is to reduce violence in California by providing education, encouragement, and practical skills to foster self-esteem and the capacity to live nonviolently in the family, in the schools, the work place, and in the community. We are doing this by, one, sponsoring, producing, and disseminating public education programs based primarily on the Commission findings and recommendations. That will increase public awareness and foster in full public debate on issues relating to violence from a primary prevention perspective; and secondly to provide advisory services, technical assistance, and training programs that will encourage and facilitate individual, neighborhood, and community efforts to reduce and prevent violence. We will also work to publicize existing resource programs and serve as a model for similar efforts statewide. Our ultimate goal is to create a community-based network of resources for violence prevention, one which can be easily replicated in other communities throughout the state.

We recently carried out a two-year pilot project focused primarily around a six census track region of San Jose, the Franklin-McKinley School District. This area was chosen because of its manageable size, population of about 33,000, economic and ethnic diversity -- white, black, Asian, Hispanics -- are represented with incomes ranging from upper-middle class to below poverty, and a high incidence of reported domestic violence reported to police from the area. Our pilot program was entitled "Community Partnerships Against Violence" which consisted of two major components: A public awareness campaign and certainly community education and training for violence prevention.

Our public awareness was a multi-media approach. Currently it includes a quarterly newsletter, of which I have copies for each one of you, articles and newspapers and other publications, TV and radio public service announcements. We also have brochures, fliers, and a speaker's view; we have addressed groups and agencies throughout Santa Clara County.

Community Education Workshops. Our Community Education Program is now well under way with more than 100 workshops and over 200 presentations have already been conducted throughout the City of San Jose and parts of Santa Clara County. The basic workshop series includes the following workshops: The first workshop is called "Violence Prevention, the First Resort" -- it's an overview; the second is the role of a family in violence prevention; the third workshop is entitled "Skills for School and Work Experience"; the fourth workshop is entitled "Healthy Lifestyles"; the fifth is entitled "Community and Society"; and finally the sixth is "Taking Action, Resolving Conflicts

in Our Lives".

Our workshops have been developed by trained professionals in education and counseling fields. Each is two-and-a-half hours long and it's adaptable for shorter time frames focusing on four areas, each responding to one of the four key environments in which the seeds of violence are planted. These areas are in the family, at school, at work, and in the community. We have defined our goals in terms of addressing violence prevention issues in each of the areas to our public awareness campaign and our workshop sessions.

In the family, improving the family cohesiveness. The family has been often called the "cradle of violence." CPV provides community residents with information, on the role of family, and alleviating the root causes of violence. We offer basic skills in resolving family conflicts and introduce residents to local resources which they can utilize for resolving problems and improving their family life.

ASSEMBLYMAN QUACKENBUSH: How do you offer basic skills to the families? What program, how does the program work in that regard?

MR. ALVAREZ: Our view is, we focus in on four major skills: We bring to the family a support of the differences and the changes that they can do as individuals so that they have a sense of empowerment. I applaud the efforts of the community that stood up against the racism. But some of the communities out there are not as empowered and feel that there's nothing that they can do. So part of the effort of CPV then is to go into a community and go to the first units which are the family and the individuals and empower the individual and the family to have a better sense of the skills that are necessary for them to be able to do this. And those skills are communication skills; those skills are caring skills, being able to get recognition ...

ASSEMBLYMAN QUACKENBUSH: How do you get -- how do you track -- get the information to the Smith family?

MR. ALVAREZ: We do this through the process of the six workshops that we do in the community. We organize a series of sessions of our workshops where we'll have a group of either 20 to 30 or larger and we will present information to the families who attend these workshops. We invite families; we invite individuals; we invite professionals, agencies. We've done our workshops for school districts, for teachers, for the police department, for social service agencies, for employees of social service agencies because we feel that we need to get this information to everyone involved, to the whole society as a whole, okay?

In the school we deal with the educational factors on violence; CPV informs the residents about the causes of disruptive behavior, vandalism, violence, and youth criminal activities in the schools and in the community, and the methods for addressing these root causes through effective communication and conflict-resolution skills. At work, communication problem solving on the job. Community residents received information on training, dealing with the tensions which may arise in the work place and methods of dealing with them, including the skills described above. How many times have we seen them in the news? For example, the man -- I believe it was in Kansas -- who was a postal worker who went to his job site and just -- and killed employees, or where we're seeing the

very highly professional person here in Silicon Valley, I believe it was last week, who went in and murdered his child. This goes on. So it goes from top to bottom, to all communities.

And we also focus in the community. And in the community we provide the information about methods of giving and receiving community assistance, including the local resources for problem solving. Our efforts are not to replicate the efforts that are already out there in the community but to make the participants aware and to make the communities and the families and individuals aware that there is a program like WOMA, there are other agencies out there that they can receive support, resources, work.

Other issues addressed in the workshop series include drug and alcohol abuse, stress, poor nutrition, and other lifestyle problems which have been shown to be linked with violence. Participants are exposed to alternative methods of coping, including stress management techniques. Participants in our workshops, become trained as violence prevention advocates, and are encouraged to promote CPV among their friends and their acquaintances. Accordingly we ensure that everyone who is exposed to our training program receives a positive experience which will help them in their daily lives.

We also plan -- we have training of trainers. We plan to begin training 20 or 25 trainers in February of '88. We will be offering the opportunity for interested parties to learn about violence and violence prevention through participation in our training of trainers' workshops. These exciting seminars will consist of six six-hour and one four-hour session of intensive training. And it will be a combination of lecture, small- and large-group participation, exercises, role plays, demonstrations are used as teaching techniques. And in addition all the participants are given opportunities to present segments of the course in order that they do practical experience as future CPV volunteers.

The intent of the training is to teach participants to understand the nature and the root causes of violence, to identify and develop basic prevention strategies, to develop practical skills to enhance abilities, to resolve problems in a nonviolent manner, and to enhance your communication skills to build a well-stocked and useful pool of resource materials and to develop teaching skills and styles that will enable you to facilitate your own community workshop. Upon completion of the training each participant will then be equipped to return to their respective environments and train other staff, clients, and community members. Lastly, CPV staff will continue to be available to provide consultation to volunteer trainers upon request. The focus of the CPV training is to raise the public's conscienceness regarding the need for each one of us to commit to taking personal action, as we heard from Juan Carlos Gonzales.

Regarding the need for each of us to take commitment, to take personal action to, in fact, do something, our workshop course work provides the opportunity to make that commitment. For example, commitment to empower those who are powerless by enhancing your communication skills through CPV training so that you are better prepared to give recognition to others which in turn raises self-esteem, which leads to the notion that a person who feels good about him or herself can be more productive, more successful, more sensitive to other's needs, which puts the person in the position to deal with conflict in a more human, rational, and less violent manner. The possibilities of

this one commitment are endless, commitment to learning and teaching conflict resolution strategies to give people options which in turn empowers, which leads to feelings of strength and independence, which expands a person's potential as a parent, a productive community member, and a human being. Again, the sky is the limit.

Beyond the commitment aspect of CPV training, we provide an opportunity through a group process to examine the root causes of violence, to expand a current information base, to develop various prevention skills, and to develop a personal program plan for taking action, and then lastly awaiting a future -- of further expansion.

Our efforts center on developing a solid base of support which will provide continuity beyond the pilot project period. Initial support for our organization for CPV came from local state government from OCJP but OCJP funding is time limited. We also had very good success at private-sector support and the financial amounts were always small.

Prevention is a long-term process and we need the time to educate a whole generation. In order that we and others in the prevention field continue our work, there will have to be efforts made on the part of local and federal legislators to set in motion processes for continual funding of preventive approaches. In this way, we can seriously compliment the established remedies and become a viable service that mitigates against the violence to continue. In addition a serious look has to be taken at breaking the cycle of those social ills that have been identified by our commission as the root causes of violence.

And just in ending, a little story in terms of depicting what we mean by "prevention", there's a story of these two individuals walking along the river and they hear a cry for help. And one of them jumps in the river, swims out there, risks his or her life. And they pull the victim out of the water and they begin to apply mouth-to-mouth resuscitation and they bring the person back to life. And they continue walking along the river and they hear another cry for help. So the other one jumps in, goes out there, and rescues the individual, applies mouth-to-mouth, and the individual arises. They continue to walk down the river and again they hear another cry for help and again they jump in, they save the individual.

Finally, after three or four times of doing this, one of them started walking up river and the other one says, "Hey, wait a minute. Where are you going?" And the one going up river replied, "I'm going upriver to find out who's throwing these people in the river and teach them how to swim."

Thank you.

ASSEMBLYMAN CORTESE: Thank you very much, Felix. Do you have your testimony in writing available for us?

MR. ALVAREZ: Yes, I do. I also brought with me a report on the development of a PCP network here in the community. It's a review of the commonest PCP problem that I would like for you to also have. Many groups and organizations and individuals in the city worked together to put this together to begin the work on that issue and I hope that this will also give you some insight as to the PCP problem. I also brought with me a telephone survey which we conducted in the Franklin-McKinley area in terms of their perceptions of violence. And I also brought with me a report that



was presented to the City Council of San Jose regarding the drug deals and the sale of PCP and Crack in and around and affecting the Foxdale Apartment residents.

ASSEMBLYMAN CORTESE: Thank you very much. We expect there to be very much information here — I should have announced this earlier — is taking the testimony; it's being recorded; and also written testimony; sorting it out, evaluating it. And we will be doing a summary of our proceedings here. We'll have a booklet that will summarize our proceedings. We'll hopefully read and review the testimony, see a line of consensus running through the report which will be ideal in terms of making recommendations for legislation. So hopefully we'll be able to correlate all this, put it together, evaluate it in booklet form, and then go from there to constructive legislation.

We appreciate your testimony and your efforts in doing what you are doing to prevent crime in California rather than merely reacting to incidents that take place after the fact. We do thank you very, very much.

MR. ALVAREZ: Thank you. I'd also like to say that we'd be more than glad to make ourselves available as a group to — if you have any questions later on, contact us and we'll go to Sacramento, et cetera.

ASSEMBLYMAN CORTESE: In view of what we have to do in terms of evaluating your testimony and putting together legislation, we will be in touch, very, very definitely in touch with you. And likewise our office in Sacramento is open to you if you're in the area for another purpose or if you're there on this subject, stop in and see us.

MR. ALVAREZ: All righty.

ASSEMBLYMAN CORTESE: And our consultants are available to you in terms of your afterthoughts as far as this subject is concerned.

ASSEMBLYMAN LESLIE: How are you funded?

MR. ALVAREZ: Right now we're under the wing of the economic and social opportunities, agencies in Santa Clara County, and that's it. Yeah. Pass the hat, you know. (Laughter) No, as most of you know, monies in the prevention field are so very hard to get. That's why I believe the efforts of many of us who are out there in the primary prevention area can't stress enough the importance of putting monies in that area. For example, on the PCP issue here in San Jose, the community went to City Hall and basically City Hall responded by saying, "Yes, there is a problem. We know it. Here's a hundred thousand bucks." They put in a police task force. They're there for — a hundred thousand will pay for a police force, task force, either for a month, two, three months. I don't know, whatever the time period. But once it's over, the police task force goes back to its office; PCP dealers come back into the neighborhood.

So the kind of efforts that we're talking about are efforts that are going to be long term. We can't begin to see the fruit of prevention efforts until we begin to water and nurture those seeds of prevention that we've already planted and nourish that tree to grow. But we must see those fruits come to bear.

ASSEMBLYMAN CORTESE: Thank you very much.

I'd like to, before we break for lunch, interrupt the order of spekaers so that we can hear from

Reverend Monroe Taylor of Modesto so he could start commuting back to Modesto. Reverend Monroe Taylor.

REVEREND MONROE TAYLOR: Thank you. Good morning, Mr. Chairman and Members. We're certainly glad you read our minds back there (laughter) to bring us down here. We had no idea what, where we fitted in the scope of this but we're certainly glad to be here.

We thought that rather than give you the bizarre side of what our office has been involved in that we would speak collectively to you this morning on the matter of what can be done in light of all of the grotesque facts and figures and situations and configurations that you have heard about this morning. We want you to know that over in Modesto our city too is visited by a tremendous increase in domestic violence. We have documented that the cause of this violence is threefold, mainly, domestic violence within the home where the parents become combative and the wife becomes battered and then has to be taken care of in the Battered Women's Shelter. And we have checked with all the directors of those shelters in Modesto and there is a waiting list in every one of them. So whoever suggested that the situation is decreasing may have a philosophical point. But the practical, actual experience is that domestic violence within the whole spectrum is on the increase. Probably the cause of that has been linked with the rapid increase of Crack and PCP that's been coming into our community, as the last speaker just alluded to.

We believe that because of this, and because of a tremendous number of welfare recipients being put on the Crack man's list, that a tremendous number of young people who receive welfare grants by the State AFDC route. A tremendous number of these families are receiving these grants and using them to provide themselves with Crack cocaine and PCP. Now the oddity of this is that because they become addicted to these drugs then the Medi-Cal program would not be a source for drug rehabilitation. There is no available programs funded in our community that will address the welfare recipient. But we have a compounded problem where, because the mother does not spend the money as it's budgeted, or directed on food, clothing, and shelter for their families over there, that those kids within that family are really going to become part of the mobile gangs that get out into the street and they're commencing this black-on-black, brown-on-brown crime that is rapidly on the increase. We believe that at the state level some mandatory program to deal with the low-income and welfare recipient addict to bring them into a rehabilitation and drug-free lifestyle and that this program has to be operative, possibly in every one of our cities -- in view of the vast increase in drug use and utilization of drugs. I think sometimes there is a sort of idea that comes over our law enforcement agencies that since it's involved with low-income people, and minorities, let it hang over there until it weeds itself out. I think a brighter outlook on this must emanate across our community so we can all support our drug enforcement units. We must let them know that these drug addicts are utilizing our parks. We can't even take our families there. I've had my office staff at the park and we've had to do a specific job of cleaning up and running the addict out of there so that the park could be maintained and utilized for all the people.

If we can get a handle on the drug issue and if we can get a handle on the other contributing extremes -- I said there were three drug issues: One, domestic violence from within the homes; two,

the fact that there is no available employment; and three, because of this fact, the persons who have to support families resort to breaking in and burglary, rapes, and all of that. We believe that the centralized outlook must prevail at the state level and that some program or the expansion of Medi-Cal to be an incentive feature for rehabilitation; we believe that that program could fill up in San Jose and in Modesto immediately if it was possible to get an addict into a training program.

We -- and lastly, we believe that if we can provide such an increase in Medi-Cal, if the State can do anything in the area of directing its funds into CBOs that can address the issue, then we believe that change will take place.

ASSEMBLYMAN QUACKENBUSH (?): What's a CBO?

REVEREND TAYLOR: Community-based organization.

ASSEMBLYMAN QUACKENBUSH (?): Thank you.

REVEREND TAYLOR: I thought you guys were acclimated to those initialized things, but there are a number of community-based organizations that are right out in the line of fire. And I believe that those organizations can again take over the manner while addressing the problem, that we had quite a success in the past when the social programs were addressed to most of the bureaucratic structure into the community-based organizations. From where I stand, I believe that we have to participate in community-organized groups to close down these Crack houses, to close down these -- and bring them to the public officialry, the identification of all those who are involved in the manufacturing of, or the transportation of. We understand that a tremendous amount of the drugs that come into Modesto come out of this area, a tremendous amount of them come out of Pittsburg, come out of Contra Costa County. So if it's possible to arrest these people ... I understand that gangs are a very viable part of our concern because we have noticed just an increase of them in the area where they have become violent. You can't take and spend the Crack man's money and not pay for your Crack because then they become violent and then we have homicides and assaults all over the place. And this is what we have noticed, a great increase in. We must abate it; we must try to confront it. And we trust and hope that you can develop a mechanism by which we can do this.

ASSEMBLYMAN CORTESE: Thank you very much. Are there questions or comments? Senator McCorquodale.

SENATOR McCORQUODALE: I am pleased that you were able to come over, Reverend, because you've done a good job at trying to do just exactly what you were saying about taking that park back to be a park of the people rather than a park of gangs and drug dealers and you are to be commended for your continued effort of how to do deal with very few resources but with a tremendous problem. And we need to take some clues from you in how you've been able to turn around an area that you've certainly been effective in.

ASSEMBLYMAN LESLIE: Reverend, you indicate that we need more good rehabilitation programs as part of the solution to the problem we have. I certainly agree that we have an inadequate number of places for people to go if they have a drug problem. What I'm wondering, do you really think that if we had all the drug rehabilitation programs anyone could ever want, is that really going to be the way to solve this drug problem?

REVEREND TAYLOR: It would be only a means toward an end. You can't rehab something that's never been habilitated.

ASSEMBLYMAN LESLIE: That is exactly the point I was getting towards. If we have to rehabilitate people ...

REVEREND TAYLOR: (Cross talking) ... before we agree to it. It would seem to me that when they mandate a grant and the AFDC grant is given to a family with the commitment and trust that that family would administer that grant, and when it's made known to the investigation department of the welfare department, grants not being administrated right, then I think there ought to be the wherewithal within that agency to move in and reassign the grant so the kids can be taken care of. When we do that and go through the wherewithal of making it known, then we run into the fact that, "I'm sorry; this is confidential; we can't do this and that," and then that compounds the problem.

I believe that we could get 50 welfare mothers tomorrow to enter a treatment program if we had a way of covering the cost of that program. In our jobs we can go and get drug rehabilitation counseling up to the extent of \$10,000 or more through our insurance carriers. But we don't have any methods in which we can pay for that. Now I am certain that it will not help all the mothers on welfare but it may help just 3 or 4 or 5, 10, 15, 20 percent of them. If we take the children that are involved in that and give a better horizon for them, then I think in the future we can build this thing up to where it might be therapeutic.

But, no, rehabilitation itself is not the only answer.

ASSEMBLYMAN LESLIE: Thank you.

ASSEMBLYMAN CORTESE: Questions or comments?

Thank you very much, Reverend.

REVEREND TAYLOR: Thank you, sir. Glad to be with you.

ASSEMBLYMAN CORTESE: Thank you, Reverend.

We're going to take a break until 1:30 and be back here, more or less, Sacramento time, 1:30.

(Laughter) No, we'll make every effort; you be here at 1:30.

(BREAK)

ASSEMBLYMAN CORTESE: All right. The Committee is back in session. Is Shere Montgomery here, please?

MS. SHERE MONTGOMERY: Yes.

ASSEMBLYMAN CORTESE: Thank you. Juvenile Justice Program Manager?

MS. MONTGOMERY: Yes. (Inaudible Comments) Friends Outside has been in Santa Clara since 1955 and we work as a nonprofit agency involved with prisoners and their families. Our programs are based on the concept of community involvement and the beliefs that the individuals are responsible for their re-integration into the community. We serve at least 10,000 clients in any given year. In our youth department there is probably about 500 direct services involved every year with the kids. We do education and recreation programs with them, work with about 400 to 600 volunteers

in the agency. We have jail service programs. We have family service programs. We have a south county office that deals with family and youth programs as well as a parole group. We lead a parole group down there for young parolees out of CYA in hoping to, you know, increase their re-integration successfully into the community after they've been paroled out of CYA.

In Juvenile Hall we recently, within the last year, have started programs in Juvenile Hall in hopes of bringing community services into the hall, working with the kids there. We're in the process of developing a master plan for volunteer efforts going into the Juvenile Hall. Some of the groups that we've established within there are the Ala-Teen groups, the AA groups, the Narcotics Anonymous groups. We have vocational assessment going on through the Sheriff's Youth Foundation. We've brought suicide and crisis prevention groups into the Hall through the County; Meg Paris is in charge of that. We have a funded source through OCJP to bring intern psychologists in who work with the kids on group and individual counseling. We have the ICEF which is under the organization of the Parents United group and they go in and do counseling with the kids that have been abused, sexually and physically abused, and work with them on a one-to-one counseling situation. We have hairstyling that goes in there for the kids that have to appear before the judges. They don't have any services like that in the Hall. We give monetary and money support to the Hall staff, like providing for G.E.D.s and things like that that the kids don't have. We are working on ways to -- we are researching ways to bring added services into the Hall for the kids there.

We recently have joined in partnership with the probation department and are going to be starting up a brand new program called the Victim/Offender Restitution -- Mediation and Restitution Program. And we will be working in conjunction with them setting up a program that's in its infancy right now. And within the next two weeks, we'll be setting up -- they've got an outline for how we're going to do the program here. And with the information that I just handed you were some of the studies and the information that had been given to us by the national organization. There's only one other county in the State of California that has a juvenile Victim/Offender Mediation Program that's in operation, and that's Fresno County. And we'll be doing that now here and are looking at this as being the model in working with probation as an alternative program to incarceration for the youth. And that was -- you know, we are, like I said, in our infancy so we don't have a lot of statistics from this county. But when you're taking a look at other statistics that have been gathered from the programs that are intact on the east coast, in Texas and various places, the results are real favorable in this as being an alternative. And we are going to be dealing with about 20 percent of the juveniles. We'll get probably 500 referrals, plan to work with about 140 actual cases that will be done by the end of the year. And out of that 20 percent will be violent offenders; and out of that the 2 to 3 percent will be, you know, direct, serious offenders. And so it's a small population but it's something that I think needs a lot of support and monetary, you know, taking a look at for this county. A lot of people are inquiring after it at the adult level as a way of, you know, deterring crime.

What's going to happen with these kids is they'll be assigned a mediator, get a chance to meet with their victim, take a look at, you know, and have the victim involved in the judicial outcome of what's going to happen with that child, be it, you know, pay the person back or do community work or

do work for the victim or, you know, have the kid get back in school or have the kid get counseling or something like that. And it really is, to me, a detriment or a, you know, a deterrent to crime so that those kids aren't going to end up in Juvenile Hall.

We've faced a big crisis here periodically at the Hall with overcrowding and recidivism rate and all of that, as you're, I'm sure, well aware of with other juvenile halls across the State of California. So we're really taking a look at this as something that's really going to improve the system here for the juveniles and then hopefully advance that to the adult level.

ASSEMBLYMAN CORTESE: Inasmuch as Tim Leslie's not here, I'll ask his question. You touched on it, at least partially; what's your funding?

MS. MONTGOMERY: We have an OCJP grant right now.

ASSEMBLYMAN CORTESE: I heard you say that. How about United Way and that type of thing?

MS. MONTGOMERY: Well, the care organization, Friends Outside, is United Way funded. Right now that is not in our United Way budget because it's just a recent grant that we received. I'm looking probably within the next year and a half to that being involved in United Way funding. But right now we're on a separate grant for that. We also have the intern program with the intern psychologist that we have in Juvenile Hall that actually meet with the kids on a group and individual basis. That is an OCJP grant as well.

ASSEMBLYMAN CORTESE: What size staff are you going to be able to maintain?

MS. MONTGOMERY: It will be half time, Friends Outside's staff.

ASSEMBLYMAN CORTESE: County wide.

MS. MONTGOMERY: County wide? Right now, in the pilot project, half time for Friends Outside staff and half time probation officers' staff; 20 volunteer-trained mediators, and an advisory board of probably about 12 members. And that's just the pilot project looking to serve a completed case number of 140 by the end of one year's time. We start in January, by next January.

ASSEMBLYMAN CORTESE: Where is your facility located?

MS. MONTGOMERY: Friends Outside is located on Stockton Avenue in San Jose. And we also have an office in Juvenile Hall and then I imagine I'll be given an office ...

ASSEMBLYMAN CORTESE: You've been there for a number of years. I was just wondering if it's still in the same place.

MS. MONTGOMERY: They started out on Elm Street.

ASSEMBLYMAN CORTESE: By Bellarmine.

MS. MONTGOMERY: Right, and then have -- and that was -- so we're not too far from Bellarmine. We're on Stockton Avenue. And we're going to need to expand; we have 13 staff now and we are expanding by leaps and bounds so we will be looking for alternative facilities and hoping to move our youth department into the east side for more direct services for the youth over there.

ASSEMBLYMAN CORTESE: Are community resources still available to you in terms of food, clothing ...

MS. MONTGOMERY: Yes, yes. We do a full line of services for prisoners and their family and

referral services.

SENATOR McCORQUODALE: One of the things that we're hearing is that a lot of different organizations are working, dealing with their circle around them. So there seems to be a lot of examples out there and seems to be some level of success for the people that they come in contact with.

MS. MONTGOMERY: We serve 10,000 clients a year; that's outside.

SENATOR McCORQUODALE: But looking at this caseload of 144 with one full-time person, if you had five full-time people, more, would you serve another 700?

MS. MONTGOMERY: Yes.

SENATOR McCORQUODALE: Or would you break down after ...

MS. MONTGOMERY: I would imagine we could. Right now we're in the initial stages so we have to come up with the total master plan and they've got goals and objectives and time lines for meeting that. Within the next two weeks we will have our probation staff on board and then we'll sit down and come up with, you know, the time line for that. But, yeah, I can see it expanding incredibly. There were 5,008 — 508 — arrests last year of nonviolent-type crimes of juvenile offenders. So that — that's a pretty big population.

SENATOR McCORQUODALE: How many again?

MS. MONTGOMERY: 5,000.

SENATOR McCORQUODALE: 5,000.

MS. MONTGOMERY: Something like that, I don't have the exact figures here.

SENATOR McCORQUODALE: So the, so the numbers would be there to ...

MS. MONTGOMERY: Um-hmm, um-hmm, to serve. And if you start these kids with Friends Outside, the younger you start, the better off you're going to be for deterring, you know, the adult criminal.

The paper that's directly on the top there, the kind of grey-colored paper, that is a program that just recently got started that we will be working with in combining all of the county, you know, agencies and groups, that are involved with kids at risk, you know, youth at risk. And so she's, (name inaudible), has been hired to coordinate this. So these services won't be duplicated so that we can dovetail into each other's services and that's something that recently just got off the ground is that pilot project. And you can see the agencies that are involved in that on the front page there. I only had one copy of that. I just happened to get it out of my car, knowing I had that for your information.

ASSEMBLYMAN CORTESE: If you had your number one choice on a wish list, what would you — what would you ask for in terms of help from the State? What do we do to ...

MS. MONTGOMERY: Additional funding (laughter) and taking a look at supporting more legislation, more support toward alternatives to incarceration. It's obvious in this county that the jail overcrowding and, you know, juvenile justice program problems are pretty severe. And there's got to be a different way to handle that and to educate and — as the Reverend said this morning, to habilitate people. We're looking at younger and younger so we — I guess that we focus on the youth

and getting their younger and younger to ...

SENATOR McCORQUODALE: One of the things that we see is a conflict between, in that society and representative in people, on the issue of alternatives to incarceration. This morning a young woman came up and said that you need more judges that are more innovative in their sentencing and not just the idea of using jails but to use other ways.

MS. MONTGOMERY: Um-hmm.

SENATOR McCORQUODALE: And at the same time that she was critical of a person who has been released from jail early and ran over a child ...

MS. MONTGOMERY: Um-hmm.

SENATOR McCORQUODALE: And so from your experience, do you see that the judges are still willing to use alternatives or are they getting ...

MS. MONTGOMERY: Judge Edwards is -- the judiciary is real responsive to our programs in the Juvenile Hall and the new program that we're going to be starting. He's very supportive.

SENATOR McCORQUODALE: So if the resources are there, you feel comfortable the judges would use --

MS. MONTGOMERY: Um-hmm, um-hmm.

SENATOR McCORQUODALE: -- the community ...

MS. MONTGOMERY: And it's a matter of education for them too and seeing that these things work so it'll be up to us to provide the materials and statistics for them from the programs that are already in existence. There's a 91 percent collection of restitution that's coming in as, you know, as statistics versus 45 percent from other programs involved with restitution collection. And this program also involves the victim in the process, in the judiciary process.

SENATOR McCORQUODALE: What would you -- I see a lot of the negatives to doing it. But just what your reaction would be, if you said the basis on restitution also had to provide surcharge for supportive alternatives ...

MS. MONTGOMERY: Um-hmm.

SENATOR McCORQUODALE: Does that create any problems or ...

MS. MONTGOMERY: You mean fees for services?

SENATOR McCORQUODALE: Well, I guess it'd be sort of that. But just say that you required everybody to reimburse the person that they had caused the loss to, plus 10 percent or 15 percent into a fund. That way you have some people who aren't able to come up with the money, who never get to provide restitution but others that could and would provide it, so if you just said everybody's got to provide ...

MS. MONTGOMERY: Personally I don't think so because that's the beauty, of at least the program that we're going to be piloting here, because it involves the victim in that and they may not see that person as having to pay back in order to gain something. They may want that person to get counseling, to get, you know, whatever, so that they can grow up to be productive adults. So I can't see across the board -- to me it would a more individualized system. Yes, it would be nice for those of us that have been victims that haven't gotten any compensation for it. You know, I've been



victimized several times and I've seen nothing as a result of it.

SENATOR McCORQUODALE: But the fee for service ...

MS. MONTGOMERY: Yeah, I agree in fee for service. Even with the kids that we sent out on backpack trips and do our self-esteem programs with, they get paid. You know, they get charged a dollar or two dollars, whatever, for those services. And if they can't pay the monetary, they work it out, like sweeping my floor at Friends Outside or something so (chuckle) ...

ASSEMBLYMAN CORTESE: What was your reaction to the early release program that we heard so much about just recently as it related to the overcrowded jail? How did it impact on you?

MS. MONTGOMERY: It impacted on our clothes closet. It impacted on other services that we provide. I think that there was a certain element of risk in that because of the, you know, the things that happened after that, the death of, you know, on those kinds of things that happen. But incarceration is not fixing those people. There's got to be other ways of dealing with it. Yes, it takes them off the street temporarily but they're going to get released anyway. And if they're incarcerated in overcrowded conditions, they're going to come out of there angrier anyway.

ASSEMBLYMAN CORTESE: Okay. Thank you very much.

MS. MONTGOMERY: Thank you.

ASSEMBLYMAN CORTESE: Lieutenant Pat Dwyer?

MR. PATRICK DWYER: Long day. I'd like to thank you for allowing me to speak today. My name is Pat Dwyer. I'm a lieutenant with the San Jose Police Department, as you already know. I'm not going to talk about gun control and I haven't written a book. (Laughter) What I am is the commander of the Assaults ...

ASSEMBLYMAN CORTESE: You mean you didn't go to that meeting last night?

MR. DWYER: No, I didn't. I'm the commander of the Assaults Unit in the Detective Bureau for San Jose Police Department. And what the Assaults Unit is responsible for is the investigative response to all felony assaults, misdemeanor assaults, elderly abuse, child abuse, and domestic violence. Essentially, if it's not a rape, and if the person doesn't die, my unit gets it. So that's what my responsibility is and that's kind of the perspective that I'm speaking to you from today. And during the short time -- I'm not going to talk as long as Jim McEntee.

During the time I'm here, I'd like to do two things: I'd like to present some real brief statistics to you to give you maybe an overview of what's happening in terms of violent crime in San Jose and then share with you a couple of ideas that I have basically as a neophyte -- I'm not a social scientist -- but some ideas I have about some creative strategies that might be -- might deserve your attention in terms of preventing violence in the future.

It's almost a sad coincidence that I'm speaking here today because one of the incidents that gave rise to this hearing, I guess, is the shooting at Holy Family or Holy Trinity Church over on Cunningham, and I was the commander there at the scene that day when that murder went down. In fact, I was there when we pulled out the automatic assault rifle from under the bed and made the arrest. And people can talk about that kind of crime in the abstract; but when you're there seeing it and experiencing it and watching people wash the blood off the concrete with a hose, you have a

different perspective. And also, coincidentally, right after that, I got transferred to the Detective Bureau and I was the commander in charge of the investigation of the incident at William Street Park. And I would like to set the record straight on one thing. We did say it was an isolated incident, and I repeated that many times to the press. We never, ever, were in a position where we didn't take it seriously. We took it seriously enough — my people got about three felony charges filed against that suspect and he's still in the slammer awaiting trial, and they've got his probation violated in Southern California.

As I present these statistics, I'd like you to keep in mind that as I present them, I'm not giving them to you just as abstract numbers or coming from a social science, you know, let's-study-crime viewpoint. I'd like you to keep in mind that every one of these numbers and every one of these events involves the personal response of the San Jose police officers, somebody that I work with. It's not something that — you know, crime and violence isn't something that we can study in a sterile, academic environment, something that we're immersed in on a daily basis. And the guys that I work with have got, well over a thousand of us now in the City of San Jose, have to live with this and in a sense they're also victims of crime because every time we respond to one of these situations it has an effect on us. So ... you know, I'd like you to view it as something a little more personal than just abstract, you know, numbers that somebody's throwing at you about how many crimes occur in San Jose. A good example, this is what happened to Officer Jorge Coblenco yesterday morning when somebody shot him in the face right here in San Jose. These aren't abstract numbers to me. They represent personal responses on the part of my people and, in fact, some good friends of mine.

I have distributed a handout that I think may be valuable to you that breaks down crime in different categories over the last ten years, all felonious crime. Attached to that are some really nice graphs that show you what's going up and what's going down. What I'd like to do, though, is summarize all that in about two minutes by focusing on the last three fiscal years in San Jose. And I'm going to go through these really quickly and I hope you can bear with me. I'm not trying to bore you with statistics.

But in '84 and '85, we had 54 homicides; '85-'86, 58; '86-'87, 29. So homicides — we've done 141 homicides in the last three fiscal years. Sexual assaults run about 3,000 a year for over the last three fiscal years — that's '84-'85 through '86-'87 — 8,706 sexual assaults in the City of San Jose. My unit is the unit that I would like to focus on a little bit more in detail. And that's because the influx of domestic violence cases, as a result of recent legislative and policy changes, has just caused a plethora of incoming cases for us.

In '84-'85, the assault unit, addressing the areas that I told you about before, had 3,305 cases; '85-'86, 4,166; in '86-'87, we had 9,710. So in a three-fiscal-year period, the incoming cases to my assault unit increased almost 200 percent, about 193 percent, I think, is what we broke it down to. Most of that increase, almost all of it, is due to domestic violence cases and the changes in the laws and, in fact, our response to domestic violence. Robbery and auto theft, I lumped together. And just briefly we have 17,514 robberies and auto thefts in San Jose over those fiscal years. And my figures might differ just a little bit from yours because yours are taken from the report to the FBI and mine

were taken from our budget, but they're pretty close. And I think that these numbers kind of exemplify at least the violent criminal aspect of crime in our community. What that all adds up to over a three-fiscal-year period is almost 44,000 violent crimes in the City of San Jose and we are lower than most comparable cities by far.

Again, you know, statistics can be boring and misleading sometimes so I'd like to take what we call our "watch commander's log". This is a report that every watch commander prepares at the end of his shift. And it kind of summarizes major events that happened during that particular commander's shift. I did these for two years as I was a watch commander in BFO, Bureau of Field Operations, before I went up to the Detective Bureau.

I had my secretary pick an average day. I said, "Go get me a day of a watch commander's log reports. This is what I'm going to do with them." She just pulled one out a couple of weeks ago when I first found out I was going to speak here today. And this is the kind of thing that we're responding to. This is November 12th and 13th because our shifts overlap...(tape turned over)... is resisting arrest and probation violation, task force officers; this is the PCP and cocaine, the Crack Task Force that we organized to address Forestdale Apartments -- not Forestdale Apartments, but Foxdale Apartments. The Task Force officers assisted probation department in locating the subject; the subject barricaded himself, and then jumped out a second-story window. A chase ensued with the subject being forcibly arrested.

The second event, officers responded to a disturbance at a location listed here. A foot pursuit resulted in two suspects being arrested after a fight. Officers McKelvey (?) and Mejiula (?) sustained minor injuries. Both suspects were transported and booked. And we have an auto theft, a bomb threat, a robbery of a cab driver where he was beaten with a hammer by the subject that he was transporting; an assault with a deadly weapon, the victim onviewed a drug deal involving four suspects. The suspects asked the victim if he was a cop. Then they jumped him and beat him with a coke bottle and a metal pipe. The victim was taken to VMC and sustained lacerations. And then we have the description of the people who were arrested.

Next event is a kidnapping. The victim was 16 years old, was waiting for a bus ride home when a party who's described here with -- we don't want to get into the description too far -- pointed a gun at the victim and ordered her into a car. The suspect drove her to an unspecified location in District Y, committed sexual battery, and then dropped the victim off a block and a half from her home. And it goes on; that's an average day for the Bureau Field Operation officer in our department.

I said the second thing that I wanted to do was mention a couple of strategies, creative strategies, hopefully that may be of some value to you in your consideration of the problem of violence.

The first thing I would be remiss if I didn't mention was the ongoing problems we have at our police department, and, in fact, in most police departments, that involve such programs as Neighborhood Watch and Crime Stoppers. The important aspects of those successful programs that I'd like you to keep in mind is that they work towards decreasing community tolerance towards crime. A lot of crime, in my opinion, after 20 years in this business, happens because the community

tolerates it, because there isn't enough of the type of fear that was described so articulately by some of the speakers that were before me today. And as community tolerance decreases, community ownership of the crime problem and of the social problems there increases. I think that, you know, there's a direct relationship there. And I think that the success of programs like Crime Stoppers, Neighborhood Watch lays — lies — in that relationship, a decrease in community tolerance towards violence and crime and increasing ownership for what's happening out there in the neighborhoods.

The second thing I'd like you to consider is something that I don't think is happening in too many other places, but it's a wonderful model that, in fact, has nationwide recognition, and that's the Si Se Puede Program here in San Jose. You may be familiar with the term. I know that Shere Montgomery and Bea and some of the other speakers that have been here today are involved in that program. Si Se Puede is an inter-agency cooperative effort that's supported by the Police Department, the Probation Department, different school districts, social service agencies, neighborhood groups, school principals, and individuals who come together on a regular basis to network, have a synergistic effect on a problem solving in a specific geographic area. The program started out in San Jose Unified and has now moved down into Franklin-McKinley, coincidentally, the same area that one of the other speakers talked about from Californians Against Violence.

The Si Se Puede Program provides such services as intervention, counseling, program development, empowerment programs, and conflict resolution. Now we've had at least two other conflict resolution programs described here today. I also brought a handout that I duplicated — yours is in green — but this is an article that was taken from the San Jose Mercury that describes the conflict resolution model that's being borrowed from San Francisco's Community Boards concept and applied in Franklin-McKinley by the Si Se Puede Program. Essentially what it involves is training community people from grammar school kids in classrooms who serve as conflict resolution specialists in the playground up through adults who are resolving conflicts out in their communities, a totally voluntary program. It's based on the training and the development of people from the community to resolve and mediate conflicts in the community. It's worked in San Francisco and I'm hoping that it's going to work here. It's a good description of it here.

I had hoped that Brian Miller who is heading that program for the Si Se Puede Program could be here today but coincidentally their end-of-the-month meeting, the monthly networking meeting that they have, is today because of the Thanksgiving holiday. Most of us who — as a matter of fact, probably half the speakers who are here today would have been speaking there as we do every month if we weren't here.

I'd also like to cite this issue of Western City Magazine; it's the July 1986 issue of Western City. And it has an excellent article describing the success of the Si Se Puede Program. Unfortunately I couldn't get this one run off in time to have a copy for you all, but I think it's a good reference and well documents the success of that program.

ASSEMBLYMAN CORTESE: Is that the most recent edition?

MR. DWYER: No. July of '86.

ASSEMBLYMAN CORTESE: July?

MR. DWYER: It's a little over a year old. I have served off and on for about seven years on the management team for Si Se Puede, so if you have any questions about that I'd be glad to handle them after I'm done here.

The last strategy that I'd like to address, the third of them, is a concept called "law-related education". A wonderful woman in the County Office of Education here by the name of Norma Rike (?) has pretty much spearheaded the law-related ed program in this county. It's supported by the Police Department, the Bar Association, different, you know, various legislators -- just about every judge on the bench in this county participates in some way or another -- and essentially what it does -- and this is an oversimplification -- but it brings our legal system and the responsibilities of citizenship in our society into the classrooms from elementary schools through the high schools, and by teaching our legal system and responsibilities of citizenship and giving an understanding of how our legal responsibilities, the terms I've called, like citizens (?), are presented. It has been successful in repeated experiments in reducing juvenile violence. I have again duplicated the findings of a two-year study from the Office of Juvenile Justice and Delinquency Prevention which documents the success of law-related education in reducing juvenile violence. And I'll just read a short excerpt from the introduction to that: "A recent study of the effects of law-related education in senior high school classrooms in six communities across the nation has demonstrated, that when taught according to prescribed principles, law-related education results in a significant reduction in student participation in delinquent activities. The study, conducted with the support of the Office of Juvenile Justice and Delinquency Prevention during the Spring of 1981, involved 323 students located in metropolitan and nonmetropolitan areas." And there's a description there what law related that is.

So what I'm trying to do is present, you know, just a little bit of statistical, of a statistical picture, about what's happening in terms of violent crime and then suggest to you three alternatives you may want to consider in your study of this program. And I'd like to end by just thanking you again for the opportunity to be here.

ASSEMBLYMAN CORTESE: Thank you, Lieutenant.

The Most Holy Trinity incident was an isolated incident. It was that incident that got us involved, Senator McCorquodale involved, in the creation of these committees which resulted obviously in this hearing and the result in additional hearings and hopefully lead to some legislation. Father John Sandersfield (?), who would like to have been here today to testify, is in the Philippines, as you know. He may be back in time to testify in Los Angeles. At any rate we were called in to observe and listen to what happened in that community as a result of -- and the aftereffects, of what happened in that community as a result of that incident. On the other hand, Father John indicated to me, and I don't have all the data that you have, that there are other incidents, or there have been other incidents, during his tenure as pastor of that church over the years. And I guess they fluctuated from high numbers to moderate and I doubt very much that it's ever been low or below average.

How do you -- how do you respond, not necessarily you but the Department, or is there any response, to those areas that all of a sudden jump into the high numbers in terms of, in terms of crime rate? Do you focus; do you concentrate; do you center on those areas? Or do you just try to

leave well enough alone and move away and hope that it goes away and so forth? Is there a — it seemed to me that when something begins to flare in a community — and one incident perhaps leads to another and one violent activity perpetrates another violent activity, which seems to be the case — what do you do? And you focus on those communities that all of a sudden, for whatever reasons, and that's what we're trying to discover, what reasons, for whatever reasons, develops this atmosphere.

MR. DWYER: I can try to respond to your question, sir, basically on two levels — on an intellectual, professional management level. Twice a year, we do a major, major computer study of crime in San Jose and we have computerized pin maps. And essentially what it is is a totally automated manpower allocation system that's taken years to develop. It's probably the model for the rest of the nation and we, you know, having developed the model as far as it is now, we can just (snapped fingers) automatically use it every six months to reallocate our patrol manpower as it's needed. If there is a rise in felony crime, what we would call priority one, priority two calls for service in a given geographic area of the city, and we're divided into 12 districts citywide, we have that graphically and clearly displayed before us every six months and we make automatic adjustments to our patrol force. So we're, you know, we're putting the people where they're needed based on empirical data that we get. I mean that's the professional, intellectual management, manager response. And it's true, we do that.

At a more gut level, there are some, kind of gut-level responses that occur. One example of that is that an ongoing chronic problem that is leading to violence, that was, in fact, as bad as everybody described at the Foxdale Apartments, ultimately our response to that was the formulation of a task force and taking resources from other areas — in fact, cutting short other, other patrol units and detective units to staff a task force with the lieutenant and a couple of sergeants and a group of officers who will do nothing but respond to the problems of the Foxdale Apartments. And, in fact, it just met with tremendous support from the community there, tremendous support from the merchants and from the commercial establishments that surround that area, and have been very successful. They're the arrest statistics. We will keep that new jail full if we keep this task force chugging along at the rate we're going.

That is a quick response. The problem is there. But as the community focused their attention, as the community came together — and it's maybe an example of that empowerment and that ownership that I was talking about. The community said, "We don't want this. We want you to come in and respond to it." We did. We took the manpower from other places; we formulated a task force and responded out there. Now there's a little bit of a difference between a homicide which, in a sense, was isolated in an ongoing, chronic problem with Crack sales at Foxdale Manor. But I think the thing that's analogous is that when somebody brings the problem to us, if we can document the problem is there, we will respond to it in whatever way we can. I know now that a different allocation of our patrol resources would have prevented the homicide that occurred on Cunningham that day. It happened because there were people who didn't know anything about anger management and, you know, what essentially started out over a verbal dispute over some cement that had been

messed up or something like that. It turned into a homicide because tempers flared and guns were available a hundred yards away. The gun wasn't there at the scene; the gun was at a house a hundred yards away until somebody brought it back.

ASSEMBLYMAN CORTESE: Okay. What about ...

MR. DWYER: I told you I wasn't going to talk about ...

ASSEMBLYMAN CORTESE: So records are kept on a timely basis.

MR. DWYER: Yes.

ASSEMBLYMAN CORTESE: Is it daily or weekly or whatever?

MR. DWYER: No, it's basically whenever we have a shift change or a watch change which is when we change assignments; that's every six months.

ASSEMBLYMAN CORTESE: Daily? How can we get a summary of the crime rate by geographic area?

MR. DWYER: We can provide that to you.

ASSEMBLYMAN CORTESE: You can? And that's provided?

MR. DWYER: Yeah. If you come to us -- as I said, the City of San Jose is divided into 12 patrol districts. Each district has a sergeant and a team of men around the clock. We can give you crime data by district in San Jose basically up to about two weeks ago. I mean we may -- there may be a two-week lag time.

ASSEMBLYMAN CORTESE: Is that true statewide? Can we ...

MR. DWYER: No, that is not true statewide.

ASSEMBLYMAN CORTESE: We cannot get that kind of information statewide?

MR. DWYER: You can only get that on a timely basis from the departments that have the computer-assisted dispatch system because the information comes from the dispatch system. As we dispatch a call, the computer assigns the proper deed and district and everything. Then when the officer clears the call, the dispatcher types in a disposition. And that's all kept on computer tapes. And when we do runs, all we have to do is query the tape.

ASSEMBLYMAN CORTESE: Yeah. What I'm looking for, and maybe would even try to address legislatively, would be a common reporting system statewide so that we can monitor or track the crime rate as it grows and diminishes in given geographic areas and then see if we can't find some common denominator statewide in terms of demographics, poverty level, unemployment, racial tension, or whatever, would just be ideal, I think, to have a profile in front of us, in terms of almost like the population census or the CPI or economic indicators. Do we have a -- couldn't we have a crime rate indicator? And then could we look at that and say, "Hey, by the way, a good, sanitary (?) look at this indicates that, indicates that this is happening among certain populations"? That's what I'm driving at.

And the other thing, going back to my first question, not only do we, not only would I wonder what your response is in terms of the crime as it takes place, but what resources, community resources, focus on a given community, when something goes wild in that community, wherever it is? And maybe you can't solve those answers; I don't know. But what have we done in terms of any

community? Use the Most Holy Trinity Community for convenience, if for no other reason. And we heard this morning that there are a number of incidents taking place that are varied, but what are we doing in terms of a community in focusing? What resources can we bring to that community to solve that particular community's problem? Do we have to be spread all over the county?

MR. DWYER: No, we don't.

ASSEMBLYMAN CORTESE: Or have any ...

MR. DWYER: Let me respond in order to these.

ASSEMBLYMAN CORTESE: Okay.

MR. DWYER: The first thing you brought up is the possibility of taking crime information, based on geographic areas within a jurisdiction, and coupling that with demographic data to say if there's common trends and stuff. That is a distinct possibility. I can't think of any jurisdiction in California that should not be able to provide you with crime data based on geographic areas within their jurisdiction. It's easier in a city like San Jose that has it automated because we can push a couple of buttons and have it for you the next day. There may be jurisdictions that have to hand tally, for instance, all their assault cases or all their domestic violence cases to give you that information. But every department has the information. It's just the question of how easily they can retrieve the information and put it in a form that's useable to you. It would take some cooperation with other social service agencies to couple the crime information with the demographic data. Unfortunately that cooperation hasn't always existed between law enforcement and other government departments. In this jurisdiction we have that information; in others I think it might be more difficult. But certainly the demographic data can be coupled with the crime data to provide you with the kind of information you want. It's not an easy task but that can be done.

ASSEMBLYMAN CORTESE: We'd be looking for, you know, a trend.

MR. DWYER: Yeah, that can be done.

ASSEMBLYMAN CORTESE: In each, in a series of communities. And then some common denominator —

MR. DWYER: Yeah.

ASSEMBLYMAN CORTESE: — in terms of data.

MR. DWYER: Not only can it be done, I think it would be very worthwhile.

ASSEMBLYMAN CORTESE: Yeah, what's happening here and is it ...

MR. DWYER: Nobody's doing it now, that's for sure.

ASSEMBLYMAN CORTESE: Yeah, okay.

MR. DWYER: That's the response to the first question.

In response to the second question, as I understand it, is what kind of community resources can we mobilize to attack the problem like on Cunningham? Or I think what's a better example is the Foxdale problem because the Cunningham problem, the pastor's comments notwithstanding, you can't really link a homicide that happens down on Story Road as a result of a dope deal to a homicide that happens at the Holy Trinity Church as a result of somebody stepping on somebody else's concrete. There's no real causal link between those two other than the fact that the violence is occurring, you



know, it may be in southeast San Jose.

On the other hand, at Foxdale, there was a common link and it was a common link that finally the community got fed up with. There were dope dealers coming up from L.A., as has been described earlier with regard to the Sacramento experience; there were dope dealers coming down from the areas in the East Bay; there were dope dealers coming from Sacramento; and we had our own home-grown dope dealers who were also selling Crack and other controlled substances at the Foxdale Manor Apartments. It had been going on for sometimes. We tried to respond in the best manner we could, given the resources that we had allocated out there at the time. And the community, in fact, wanted more. And quite vocally they let the Police Department know they wanted more. And that didn't happen by accident. There were church groups, neighborhood groups, citizen -- or businessmen's groups -- that supported that action and they got together.

One of the things that brought them together was a rotary club from San Jose actually went out there as a community group -- somebody called it a CBO or something, earlier, a good acronym -- community-based organization.

ASSEMBLYMAN CORTESE: Community-based organization?

MR. DWYER: The rotary club went out there, knocked on doors, and said, "Would you be interested in trying to develop a group to focus the attention of all the businessmen and all the homeowners on this problem and see if we can get some government response?" -- one of the rotary clubs in San Jose. And, in fact, Mr. Alverado was very instrumental in that process; started organizing citizens and they had, even before our task force was formed, a Citizens' Group out there that then became a Neighborhood Watch Group because our crime prevention jumped on that right away once they had the mechanism in place. The Citizens' Group became a Neighborhood Watch Group. Then the Citizens' Group grew; and the first thing you know, the pressure that was generated by that Citizens' Group gave us the support we needed to get the resources to respond to the program -- to the problem.

So if that's the kind of example you're talking about, it was a group of citizens, the rotary clubs, and businessmen who got together and ...

ASSEMBLYMAN CORTESE: But that happened spontaneously, almost --

MR. DWYER: Yes, it was.

ASSEMBLYMAN CORTESE: -- as a coincidence, and there's no -- there is no way of bringing community groups together; there's no ...

MR. DWYER: There is. And I think that the model that we can look at to do that is that Si Se Puede model. The Si Se Puede goes into a geographic area and brings together different -- police, probation, the schools, health service organizations, the clergy. Who else, Shere? Shere's Friends Outside Organization is involved there.

You're not going to find too many forums anywhere where a police lieutenant is going to be sitting next to a lady from Friends Outside networking to solve community problems.

ASSEMBLYMAN CORTESE: Well, what are you -- what would trigger that particular activity, that particular structure or organization from going to work in the Most Holy Trinity area? Has that

happened? Is there a reason for it to happen? Maybe it doesn't have to happen.

MR. DWYER: There is a reason for it to happen. I think basically what has caused Si Se Puede to succeed is that they have some continuity and support from the agencies involved. And primarily I'm talking about the County Office of Education has dedicated a couple of people to keeping this thing going. Dave Akeman (?) and Rick Moore (?) from the County Office of Education have been working in that program for several years. And what they do is go into a geographic area and pull together the resources that are in that area. Now if the pastor or somebody from that church were willing to assume the role that the County Office of Education has assumed elsewhere, it's a very workable model. And what you would see on Cunningham Drive, across the street from Overfelt High School is the — for example, the police commander who's responsible for that district, probation officers who work in that district, health service administrators who — you know, public health nurses, and people like that who serve that district — the principal from Overfelt High School, people from the church, and from various churches, in fact, people from Eastridge Shopping Center, maybe the manager of the shopping center — all those people coming together.

ASSEMBLYMAN CORTESE: Are they together now?

MR. DWYER: No, no.

ASSEMBLYMAN CORTESE: So the incident at Most Holy Trinity is isolated, no question about it, and as you pointed out, the King Road traffic matter is entirely unrelated to what happened at Most Holy Trinity Church, et cetera. But there are tensions in that community and that's why we're here; that is what really provoked the creation of these committees. And there are tensions — I would venture to say there are tensions in that committee and scars in that committee and aftereffects that are still taking place and it's compounded. You have a traffic accident, another traffic accident, a shooting, whatever and whatever. And they're all isolated incidents. But that community, I happen to believe, is really hurting. And somebody needs to move in there and bring that community together again and try -- there are things happening there and there are various kinds of tensions. They're individual, emotional problems, I would imagine; there's a possibility of racial tension — I don't know -- as an aftermath of an incident that's completely isolated, et cetera. But one bad deed or one unfortunate incident leads to another, to another, to another; as positive deeds lead to more positive things. So what, what, picking on that particular community, but it happens to be a district that we're focused on. It's one that I'm particularly interested in because it's my district. But what's happening -- well, you know what the question is.

MR. DWYER: Yeah. I would say, based on my opinion -- and again, I'm not a social scientist; I'm a cop -- but I would say that the model that's working now in Franklin-McKinley School District, which is only about five miles away from the area you're talking about, is very workable and could directly impact the problems there. If you could get one institution in that community, be it a church or a school or a school district -- I guess that's Eastside Unified -- somebody to provide the impetus to get it going and give it some continuity because I know that the Probation Department and the Police Department and all these other agencies that have participated traditionally in the Si Se Puede model would do it in that neighborhood. And I think it can work. It's only one model but I would

suggest it as a good possibility.

ASSEMBLYMAN CORTESE: Right. Okay. We'll take a good, hard look at it.

Dan, do you have any questions?

SENATOR McCORQUODALE: Well, I think that's a good, good direction and it's something that we have to pursue.

I wanted to go back just a little bit to some of the data that you gave us which certainly indicates that the violent crimes are on the increase and property crimes seem to be going down and that we've had a reduction in the crime index. But the data that you read us off of the different one. I was trying to think ...

MR. DWYER: That's my budget information (chuckle).

SENATOR McCORQUODALE: I'm trying to think of which ones of those could -- is there anything we could have done to have prevented -- or anybody really -- and it seems like it comes down to -- there really wasn't too many of those incidents that you read about on the report that we could have done much about. We might have been able to have better lighting or something related to the young woman who was picked up in the car. But somebody who would drive up along the street with a gun, it seems like there's not a lot of prevention you can do with that, in a case like that. But in most of those cases, either of a person's own actions or else their luck that the police happen to be driving by or something, he might slowly -- there's not a lot -- we can't just say, "Well, we'll put in a new program and that'll take care of it."

Do you see any pattern in those that there's anything that could be done?

MR. DWYER: I think that the company line, sir, would be we could use a few hundred more policemen in San Jose. (Laughter)

SENATOR McCORQUODALE: Well, if you had that, though ...

MR. DWYER: In fact, I think, yes, there's things that can be done to deter crime and the document that the man from Californians Against Violence pointed to earlier that really examines the basic causal factors that cause crime, there's a lot of factors in there that I would agree with in part. I can't buy all of it. When they get into the biochemical and biological aspects of causal factors of crime, they kind of leave me. But there are a lot of things that can be impacted that in the long run will reduce violence of crime.

Some of the things that can be done now, for instance, in the area of assaults, let's concentrate on my specialty because that's what I can talk about. My caseloads ...

SENATOR McCORQUODALE: And you've got the only growth industry? (Laughter)

MR. DWYER: I've had about a 200 percent increase in caseload in the past three years. Most of that has to do with domestic violence. And we are doing things statewide, and especially in this county, to address the issue of domestic violence. I would disagree with Bea a little bit because I think that domestic violence is going to peak but it's not necessarily going to be the result of the factor that you propose, sir. I think what's happening is we have two simultaneous efforts. The response of law enforcement to domestic violence has gone from one of mediation and conciliation to one of arrest. Arrest is now the desired disposition. That's the disposition that we want our officers

to do because the research that has been conducted nationally shows that even when there's not a prosecution or a conviction, the arrest experience of the violator or the abuser tends to reduce violence that occurs in the future. So more of these people we arrest, not even necessarily convict but just arrest, we're having a very positive impact on the reduction of domestic violence there. And also, as a result of the attention that has been focused on this crime nationally, in California, and in our community, agencies like WOMA and the Mid Peninsula Support Network, Family Services Association, and the Institute for Community of Extended Family -- that's the one that Shere couldn't remember -- all of these agencies are now coming together and working with the police department and with probation, and counseling services are way more available than they ever have been in the past. So I think, you know, in terms of a response to crime, yeah, we can do things -- better cooperation, more resources, more public attention; and, in fact, at least with domestic violence, a much harder enforcement stance than we've had in the past -- is impacting the problem. We're having some luck on it.

SENATOR McCORQUODALE: It doesn't seem like -- hopefully the arrest will work. It doesn't seem like serving time really does when I look at the data which indicates that on some months the people going into state prison -- 7 percent are parole violators, going back in for a violation of parole, maybe something else too; but they get under the category of parole violators. So two-thirds of the people who live in the prison are in for violating their parole within the first year of when they are -- after they've served time there. So I don't know whether it needs to be -- maybe we should let the roof leak on them or something.

MR. DWYER: My background is in law enforcement, not corrections. But I can guarantee you that any street cop who's been out there working a year can give you some real solid response about the efficiency of our correctional system in rehabilitating.

SENATOR McCORQUODALE: Well, we certainly recognize that. I mean if you've got a facility in which it's supposed to provide for 500 and it's got almost 2,000, there's not much room to do much rehabilitation.

MR. DWYER: That's true.

SENATOR McCORQUODALE: But it still -- it just seems like it's awful hard to release them and remember they are just going back in on parole violation.

MR. DWYER: I think, speaking for myself, and I think for a lot of other law enforcement officers, our view is that people who come out of any correctional institution are a lot worse than they came in.

SENATOR McCORQUODALE: Yeah.

MR. DWYER: You know. That's the way it is.

SENATOR McCORQUODALE: The guy that -- the skinhead that was arrested and jailed will come back out as a gentleman (?) now. He's been in the jail that long.

MR. DWYER: I suspect he's getting quite an education around now.

SENATOR McCORQUODALE: Okay. Very good.

MR. DWYER: He won't learn sensitivity while he's in the jails.

MR. STEVE ARVELO: Senator McCorquodale, excuse me, if I may make a comment, a short comment, on what the officer -- Assemblyman Cortese, my name is Steve Arvelo and I grew up in that specific area of Most Holy Trinity, Parish; I did go to Overfelt; made my first communion at Most Holy Trinity, confirmed at Most Holy Trinity. So I grew up in that part of town. I grew up out of King Christopher so I'm kind of sensitive to what the assemblyman is trying to find out over there.

Basically I'm a real estate agent. I sell a lot of homes in there as well. Basically that neighborhood is a racially mixed neighborhood; there's a lot of Hispanics, a lot of Filipinos live in there, a lot of Vietnamese, a lot of Samoans. It's very -- it's a very diverse area as far as part of San Jose. It's always been stemmed as part of the armpit of San Jose. It's been very neglected as far as city services. It takes a long time to even get a car towed. You see a lot of abandoned cars. The area -- you've got a self-esteem problem in there, lack of youth services in there. And I don't think it's a question of bringing all these various agencies in and everything else. I think it's just a basic thing of the people in that community empowering themselves, period, and changing it like the parishioners at Most Holy Trinity. It's been going on for years and years. They talk about PCP; they talk about drug abuse. I can remember about four or five years ago when I was walking over there trying to sell real estate in one particular part by the -- what's the apartments over there by San Juan Batista? There was open drug dealing on the streets. So it took, you know, almost five years before the -- for the city to respond for a task force. It just didn't happen just like that. It was a constant struggle out there. So I think with that neighborhood problem and what you're trying to do here today, I think it's in a very positive direction. But I think it's, you know, the people out there have suffered and they've suffered a lot the past year. And for one neighborhood to go after tragedy after tragedy, it's incredible and something has to be done. And there are certain groups right now who are working -- we have the PCP Prevention Network and then there's another COPE Network, as well as for Community Organized for Progress and Education, of concerned citizens in a community trying to help alleviate some of those problems. And I think it will take some time like what Felix Alavarez did. It's not going to happen overnight; it's a long-term solution.

And the Assemblyman here, Leslie, stated, well, we have to start getting to the roots of the problem. Well, I think we have gone to the roots; I think we know what the root of the problem is. When you have lack of educational -- lack of education, lack of health care, lack of employment, lack of economic development -- those problems will create. And that's something we've been talking about for the last ten years that those are the roots of the problem and still we say things, keep on coming back and coming back and coming back. So we all know what the root is; it just getting a commitment of resource from the State, from the federal government, to start putting -- saying this is what we need to combat from our youths -- from stop getting hooked on drugs, for them to keeping them in school so we can help to reduce this violent behavior in our community. And I think it's a commitment that has to come from the State as far as money and resource to combat this and I don't think we're getting enough of it, and I think the resource that we do have is not being -- it's not being put into those areas.

SENATOR MCCORQUODALE: Well, I think the -- I'm sympathetic with people who say that

money is needed but I think that the reality of things is that people have elected two administrations, one in Washington and one in Sacramento, that is not going to send any more money. So as long as the answer is more money, we might as well close up shop and go home. But the answer is that we can do some structure changes which make it more possible for people to deal with their own problems in a local area; then we may be able to handle that. But right now the current theory is that given some freedoms from tax reduction, some rebates mailed back to 'em on a periodic basis, various things like that, people can solve their own problems. And so we may not — we may not agree with that, but that's the philosophy and the guidelines which, within which we are required to work because that was the motive of the people in California.

MR. ARVELO: Well, if the money, then I think it's a question of the resource. Where are the resources being — where are the — the monies right now that are currently being spent or how that money is being spent. I think that's the question, restructuring.

SENATOR McCORQUODALE: In the two next weeks, you give — everybody pays their taxes and that area will be getting back somewhere between \$38 and \$250. So the question of where they want to spend their money — well, the administration says that if they want to have more resources, if they want to hire — find more people to deal with the problem of juveniles — then they'll contribute their money to Friends Outside. If they readily have the money to buy Christmas presents, they'll go buy Christmas presents. So we'll see what the philosophy of people turn out to be.

MR. ARVELO: Well, hopefully, that with this hearing, I think back what the Assemblyman said, we have to get to the root cause and I think we've discussed for the last — since I've been involved in all this for the last ten years — what the root causes are. So I thank you ...

SENATOR McCORQUODALE: Thank you for coming, Mr. Arvelo.

MR. ARVELO: Thank you for the opportunity.

SENATOR McCORQUODALE: Alan Seid, Asian-American for Community Involvement.

DR. ALAN SEID: Thank you, Senator McCorquodale and to Assemblyman Cortese and to the staff. I just want to, before beginning, draw the attention to the roster of speakers and just to acknowledge publicly, although I think they may have made it known to staff this morning, these were groups that were here to speak to the issue of anti-Asian violence. And because of time constraint, they were unable to stay. Number 11, Robin Wu of the Chinese for Affirmative Action, was here; number 15, Mike Wong from the Asian Law Caucus, was here; and I believe they've turned in written testimony. Also this morning here was the Cambodia New Life Association, Hen Siad (?). I have his notes and we'll attempt to incorporate his into my presentation. Also in the interest of time, because I'm the national president of the Asian/Pacific-American Coalition, I will mesh that in with the one on Asian-American for Community Involvement of 10, 11 — I mean 10 and 14 and maybe number 20, the Cambodia New Life. I'll try to put all those in here in the interest of time.

Let me then begin with the issue of the Asian/Pacific-American Coalition, USA. This was essentially a California-based coalition of over 600 Asian/Pacific organizations, California, which began in 1981, so it's into its sixth year. And it has regional chapters in Sacramento, San Francisco Bay Area, Los Angeles, San Diego, Central Valley, and in Washington, D.C.

I think for the presentation of the APAC, USA, and I would just have maybe the committee members, the legislators of the state, just refer to the monthly newsletter known as the "APAC ALERT", which is sent to your Sacramento offices every month. And spotted through the last five years of the "APAC ALERT" has been articles concerning anti-Asian violence in our State of California and also in the nation. So acute has the problem been since the 1980s, that there was a tier strategy by APAC to have public hearings. And I'm so delighted that there is this public hearing.

Very candidly, in 1982 the strategy of our organization was to get the U.S. Civil Rights Commission to be involved in it. But because of the abrupt dismissal of three members of the U.S. Civil Rights Commission, we were hesitant as to what might happen if we were to pursue that course. So instead we embarked on a strategy in '82 of trying to interest -- number one, our choice was to have a joint legislative investigative committee look into this matter. If failing that, we would turn to the Attorney General to see if he would convene some kind of a commission to look into this issue. If failing that, we would call on CAHRO, the California Association of Human Rights Organization, to look into it. Happily the Attorney General did convene a commission on religious, racial, national origin violence; and they're report is out. And I'm pleased to say that many groups testified and among them were many Asian-American groups pointing out the concerns of anti-Asian violence in our state. I was pleased also that the San Jose Police Department made a number of recommendations which I thought was really to the target and I want to return to some of, possibly some of their good recommendations that's embodied in that report. We, ourselves, as a national organization, submitted about over 30 recommendations to the Attorney General and some of which are embodied in his report.

The other thing that might be of interest for this committee to know is that Congressman Don Edwards convened an anti-Asian investigation, his subcommittee, just approximately two weeks ago in Washington, D.C. And my information is that they will have additional hearings in the spring. Our organization did send forth a survey to them, and I will leave as the national president of APAC essentially a report that I gave before a conference in Washington, D.C., last fall before the National Institute Against Prejudice and Violence in Washington, D.C., that details in much, with better elaboration, something I will go into now which is the issue of the high tide or great prevalence of anti-Asian violence in our country over the last five to seven years.

Let me then launch into, because of shortage of time, just to give you a flavor of why we are so concerned -- and it gets into talking about statistics which Assemblyman Cortese was raising and then Lieutenant Dwyer spoke a little bit about, crime statistics -- what we have here, and let me just say, is about the best that the U.S. Civil Rights Commission, they did get into it as a staff about four years ago. And they came to us as a national organization and said we had about the best statistics on it. To me I felt good that our community-based organization had best statistics; but on the other hand, I found it appalling that a community-based group would have the best statistics -- I would expect that our law enforcement agencies, such as the U.S. Justice Department, the FBI, and possibly our state law enforcement agencies and possibly local law enforcement agencies would have statistics of interest and accuracy for the U.S. Civil Rights Commission.

What we do have is a documentation which is at the level of what community-based agencies can do, admittedly sporadic, and only of limited sophistication. What we have here, we attempt through -- to scan the newspapers locally, the ethnic newspapers, the primary language newspapers for incidences or crimes against Asian-Americans which seems to have sufficient basis to be called a crime motivated by race. And these are some that we have on our computer documentation and I guess we have not only what would be called the hard crimes -- murders, body assaults, and vandalism -- but we also have things which are of a psychological nature such as political leaders making slurring statements on racial basis. So I'll very quickly just read a few -- this represents maybe, about a tenth of what we have in our computer files.

This starts off -- I just have here: "U.S. Senator Demeans Asian in Speech from Floor", Washington, D.C.; "Congressmen Blames Japanese for Trade Problems in Slurring Statement in the House", Washington, D.C.; "Northern California Assemblyman Makes Slurring Remarks about Japanese-American Constituents" then apologizes, Sacramento, California; "Young Chinese-American Bashed to Death by Baseball Bat", Detroit; "Vietnamese High School Student Stabbed to Death", Davis; "Vietnamese Fishing Boats Burned" in Monterey; "Vietnamese Fishing Boat Fired Upon", Bolinas Bay, California; "Cross Burned on Lawn of Filipino Family", Fremont; "Teenagers Seriously Burned -- Teenager Seriously Burns Issei Woman", San Jose, California; "Tires Slashed on 31 Autos in Laotian Community", San Jose, Fourth of July; and so on and so on. And I won't go further except to say that this, I've just read, maybe something, about 50 that I just have here on the paper.

I will go on to say that in our county area, APAC have documented incidents such as the following: There were many incidences of posters and window stickers bearing an Asian face wearing a conical hat, circled in red and crossed by red line. We have the name of the company and it's within driving distance from here. We called them up. The response was, "This is a free country. We can put anything we want on our private vehicles." Other negative portrayals of that kind has been documented in our transit buses in our valley here and on T-shirts in our area.

Moving along here, essentially APAC has, with other groups, been successful in getting a number of human rights commissions to hold hearings on anti-Asian violence. Among the human rights commissions that have held hearing was certainly the one here in Santa Clara County by the Santa Clara County Human Rights Commission which was very well publicized throughout the Bay Area and which was not our plan. It was picked up and handled by Professor Bunzel (?) of the U.S. Civil Rights Commission. That's how they got into the scene.

Here then I'll just state that for APAC we want to make the State, make the comment that anti-Asian violence in California and across the United States is at a high tide and unfortunately remains so and that Silicon Valley is among the areas that has a high incidence of anti-Asian violence, both physical assaults as well as psychological assaults. And, in fact, the tide was so great that CBS put it on their Sunday morning program -- I forget the exact name right now -- nationwide about a year and a half ago on a Sunday morning with scenes that I know both of the esteemed legislators would recognize all the scenes here in Santa Clara County that CBS filmed. So the issue of mob violence, of murders, assaults, and so on, which unfortunately has been one side of the history of



Asian-Americans, seems to be of great concern now.

And I wanted to just make a statement that pertains to Assemblyman Cortese's concern and those comments from Lieutenant Dwyer about isolated incidences that I sense that Assemblyman Cortese was trying to say that there is many things which seemingly might be isolated incidences may well not be. My statement from APAC is each anti-Asian incident taken singly can be mistakenly dismissed as an isolated event. But each incident analyzed carefully reveals a pattern unmistakably linked collectively to an alarming wave of anti-Asian animosity and violence which has swept and continues to raise north and south in our State of California and across our country and its manifestation are buried and many.

So those are general comments from myself as the national president of Asian/Pacific-American Coalition, USA. And I have some recommendations for the State from APAC. I want to get them to speak in terms of Asian-Americans for community involvement and for the Cambodia New Life Association, their documentations to me.

As I mentioned, APAC, as well as AACI, we are documenting incidences of anti-Asian violence in the area. Cambodia New Life is one of the support associations helping with Asian-Americans for the -- I need to maybe explain a little bit. I guess, due to the strong support of certainly Assemblyman Cortese and now Senator McCorquodale, when they were supervisors, AACI blossomed and was strengthened in this advocacy role. Since that time of the -- your elevation to the state level, AACI has blossomed into a very -- having very extensive humane multi-service program which is getting close to about an annual budget of a million dollars. It sounds like a lot; but when I think both of the legislators here know, in terms of the growth of the Asian/Pacific-Islander community in Santa Clara County, that amount of money doesn't buy very much of services when one is covering the field of mental health, social services, immigration assistance, social adjustment services, which the federal government has pulled out of, services to seniors, services in child abuse, elders' abuse, domestic violence, when you begin to list these things and attempt to look at Santa Clara County as to what other agency has any of these funds to work on these areas, you will get an answer that's hardly any other. When one looks at the budget of the county-run agencies, operated agencies, as to what language capability they might have in serving the Asian/Pacific population, you almost get zero. And maybe it's not true literally, but in practice that is the case and so that although AACI, as I say, is an agency that has been supported by both of you as legislators, its services are varied and many but it's a drop in the bucket for a county such as this area.

Among the activities then working within the -- essentially 14 languages, but the ones that we concentrate on are Vietnamese, five dialects of Chinese, the Cambodian, the Laotian, the hills tribe of Mien (?), the Filipino's dialects of Tagalog and Ilicano (?), and then Japanese, we get spread pretty thin. But in terms of violence itself then, on behalf of the Cambodian group, which is a support association for AACI's direct services, just to give a flavor, that on March 16th, 1986, on Poco Way, there was an altercation, which was a fist fight between a Hispanic person and a Cambodian-ancestry person, and what the Cambodia New Life Association wish to suggest, and I, myself, am suggesting here, that here we may have a situation of both racial incident between minority groups, which are

really sad, but basically we have a situation of have-nots, poverty people fighting over limited resources and being pitted against one another because of their desperateness.

August 18th, '87, similarly four Samoan young persons and a Cambodian ancestry person, something that's straight out almost every month that our staff at AACI encounters, is the vandalism, the break-ins, into the apartments of Cambodian families in this area and particularly in the Franklin-McKinley area, one of which alarmed me as the director of AACI, that one of our staff members was part of an effort by Cambodians who say women and children go to the rear, the men up front because police officers are not there to help us; no one is there to help us. So I guess we have to arm ourselves and so the men get up front; the women and the children back. In order to deal with the issue of one apartment that was vandalized, I mean burglarized repeatedly, so that I think to this day now that apartment remains empty and all of us know that, how short we are in low-income, affordable housing. But that apartment is empty because of the frequency of break-ins.

I'd like to cite additional incidents that he has here in terms of, particularly, maybe it is part of neighborhood violence, is the altercation on the campuses between racial groups. And Lieutenant -- no, it was Creamer who talked about gangs. Let me just say that I have high respect for our Attorney General. I'm a supporter of his. He made a mistake when he gave his last press conference and zeroed in on Asian gangs in a manner which, one side, his intent was appropriate which is to highlight the seriousness of it. On the other side, he was aiding and abetting an old practice of fanning sort of a stereotypic picture for Chinese who remain (?) Tongs. For the Vietnamese, it's kind of like Vietnamese hit gangs. But the Attorney General apologized for maybe inadvertently speaking, replying in excessive manner to a reporter. But I do want to say that he is fingering an important and concern because in our -- I think in Northern California, AACI runs maybe just one of the two adolescent day treatment programs in all of Northern California and maybe even covering Southern California; I think there may be one in Los Angeles. But we're running into receiving from the Juvenile Probation Department young people under 18 who are part of gangs. And Probation Officer Creamer talked about the mobility and the fierceness of them. Let me just say I'm a psychiatrist. Verbal therapy is no match for a bullet and so we are concerned. We, as a mental health agency, are not able to really work with some of these youngsters. I think we would clearly come off second best every time in our efforts to wean the youngster away from the gangs and I'm not sure my mental health staff is able to stand up to a pistol or a machine gun. So the thing is that it's not -- in some ways, I'm very pleased that it hasn't made the newspapers a lot because that would add to the stereotype of Asians being sinister, warlike, gang-like, all the negative stereotypes which have been used to oppress Asians and Asian-Americans. On the other hand, this is a dilemma how to address it. I know the police department is very concerned about it. One of their dilemmas is how, within their limited budgets, to be able to infuse their department with more bilingual Asian workers. But certainly at this point, they are very limited in their ability to assist with the more serious issue of gang violence and equally the important issue of neighborhood violence that is in the form of physical violence.

Very quickly, I want to just say talking about neighborhood violences and causes with the

esteemed senators here, I think this part is rather elementary. I don't know the rest of your committee but I'll go through it quickly. When there is no hope, when the group feels powerless, when they essentially attempt to learn English so that they can, as quickly as they can, to become a part of our American society, but yet they are stymied by the fact that there's insufficient classes to teach English. And when -- with the absence or the lack of English proficiency, they have an impossible task to be trained for marketable skills. The other areas is because of the federal retreat from providing monies for refugees; and I know for California legislators, it's of great concern because we have a disproportionate number of Southeast Asian refugees. The training, the ESL's been knocked out from funding; the social services; acculturation services has been knocked out; mental health services have been knocked out as being fundable. We have a population that certainly needs social services. But what we have in the Department of Social Services is essentially a department with staff that do not do social service work. What they do do is respond to -- through their capacity as a child welfare agency dealing with child protective cases or adult protective cases and anything -- social service work that do not fall into that parameter, it's seen as illegitimate work. And the social workers essentially get dinged for doing social work because they're not putting in the units of services that is reimbursable.

The other areas that has great concern and causing neighborhood violence certainly has to do with the -- in education area, in terms of, again, teaching language proficiency. It's a matter of public record that I'm a supporter of bilingual education. Funds have been cut in that area; counseling services has been wiped out since Prop. 13 way back then. Gann limit doesn't help anybody. But educational experiences is certainly a great concern. And we have a liability as Asian-Americans as put on us by the larger society -- the glorification of those one or two or three Asian-American valedictorians, they make the newspapers. So somehow the Asians are seen as the model minority excelling in schools. What is lost in that brush-positive painting is the vast numbers of newcomers that suffer with inability to learn English in our schools and getting a proper, basic education that will equip them to be citizens in Santa Clara Valley and our Silicon Valley.

The other sinister thing that is of concern and I want to raise here, which it has made the newspapers, and for us at AACI, it's a reality, the denial of admissions at the UC campuses, both at Berkeley, where we have documentation, as well as UCLA; and then to the credit to the one university in our county boundary lines, Stanford University, to their credit; at least they admit it that there was unconscious bias against admitting Asians. And they have a select committee that hopefully will address the issue of equitable support, not only for Asian but other groups, minority groups.

You have been aware of the movement, of the English only movement, by the U.S. English group. I think this can only lead to additional frustration in the communities which Asian community, their sense of being a part of the total community.

Let me move into suggestions. There are so many things that might be said. I think basic -- I mean many -- Assemblyman or Senator (sic) Tim Leslie, I guess this morning, was talking about it really rests with the individual. Yeah, I do believe in individual responsibility. But I sure believe

when it comes to racial violence that it rests a great deal on political leadership. When a legislator from the state or even in local area, a mayor or a council person, supervisor, comes out and stand up straight and say, "We will not tolerate anything that's committed, a crime's committed on the basis of race. We will not tolerate violence." It makes a whole lot of difference in freeing up goodwill citizens to come forward. But without that political leadership, I think it's very difficult for citizens to stand up in this climate and handle racial crimes.

Getting to the point of Assemblyman Cortese is something that was raised by him earlier, I feel, is the key to solving those violences at the neighborhood level that is based on racial, religious motivations. And that's the issue of statistics. The San Jose Police Department is unable, like most, if not all -- I don't want to say all -- in local jurisdictions in California -- they're unable to give you statistics on crimes that are based on racial motivation or religious motivations. They simply do not have it in their reporting system. And I think there is opportunity for this committee to either initiate again, if it didn't pass at this last legislative session, legislation that will mandate, at least at the State level, that there be reporting, uniform crime reporting, on a number of categories. And crucial to ethnics of color and religious groups, Jewish groups, is the ability to look at a crime and be able to say that this crime, with some degree of backing, this particular crime has no racial motivation even though the victim was a religious minority or a racial minority, ethnic minority, or national origin minority; whereas this other crime, there's some basis that it can be labeled that kind of crime. I believe that the -- I guess I call -- it's been called "hate-crime bills", I guess, recent. I believe at the last legislative session AB 63 passed; I forget the author -- Tom Banes (sic), I believe. His hate-crime bill had to do with increasing the penalties for specific crimes that were linked with the additional issue of being racially motivated. I don't know if the Governor signed it so my -- but at the -- did not sign it. Okay.

Now the other part of hate-crime bills is this push to have police departments have an extra check box. Now some of the police departments have testified that it's really a great burden, very difficult for them to do. I think it's very difficult to do, but I feel that if a community-based organization like APAC can make a stab at it, they can probably -- the police -- law enforcement agency can do better. Essentially it does take some time. And some of the clear-cut criterias are such as whether in the commission of crime against a racial, religious minority, where there's verbal statements made which are derogatory. Now that in itself is only one criteria. Another is the history of surrounding a crime. If there has been racial tension in a neighborhood and crimes are -- a specific crime is connected with -- the commission of the crime is committed with a background of a particular racial tension, that adds to it.

Further elements, strangely enough, are some of the perpetrators of these hate crimes are very proud of it; they own up to it. I mean these are things that are easily documented and I'm not saying it's really easy but it's doable. Now the House of Representative, U.S. House of Representative, John Conyers, and a separate bill by Congresswoman Barbara Kennelly, are attempting to have passed this kind of bill for the federal level and on the Senate side I think the Senator from Illinois, Simon, has introduced a hate-crime bill of that type. I hope that there might be something that we in the State

of California can do. I feel that doing it at the state level will assist local jurisdictions to begin to follow in that manner. And I think it's at that point where committees such as these, such as Assemblyman Cortese suggested, you're able to see the profile that in the 1987 period, how many crimes are committed on religious basis? How many crimes are committed with racial motivations? You can see the rates going up, going down. And one can then begin to target funds in an appropriate way.

For example, there are funds coming into this county from the OCJP. And I remember the days of Assemblyman Cortese in the old Criminal Justice Planning Board. There's very little money targeted for handling racial crimes. The problem is simply, there's no statistics on it. And when we have our statistics as APAC, I think it's a fair question to ask, these are anecdotal. Many people will say, "Anecdotal accounts. Give us hard statistics." People simply do not believe community-based groups; and, okay, that's fine. I think law enforcement agencies has a different credibility of statistics come from them somehow is magically more believable and I'm for whichever way we can get the true facts out.

Second recommendation has to do with -- let me talk about San Jose, Santa Clara County. It's true with every other county; it's the issue of the -- a lot has been talked about, the collaboration between police and community groups in terms of addressing neighborhood violence. I happen to be among those who say that the San Jose Police Department, they did a nice job in setting up the Neighborhood Watch Program which was alluded to. That came directly as a result of the tire slash, 31 cars with tires slashed in the Laotian community. With the help of the San Jose Police Department, Human Rights Organization, AACI, and the Laotian community, that Neighborhood Watch, which included the element of Laotians who did not speak English, would be able to contact someone who is bilingual, Laotian and English. And there was to be in the police department someone who would answer phone calls rather quickly and that the police would get out to the Laotian community and address the problem. Let me just say I feel that that model worked well for about a year, a year and a half. I don't know what happened after that. There may be shifts of people. But I personally have been touting the San Jose Police Department and asking San Diego to follow the pattern. But it's something that has to have priority within local police departments for it to be sustained and for community-based groups to be able to assist new immigrant refugee groups to keep that connection up with the police department. Here AACI can play a role because we're essentially American-born Asians and able to speak English and able to understand the American system to act as continuous sisters in maintaining this system.

The other thing that's critically needed is the bilingual hotline. Now essentially what's happening is that in our area there is a group that's -- if you call the 911 number, there are some bilingual workers there. People throw their hands up high when they deal with 14 dialects or more, 20 dialects of Asian. It can be done, and the profit-making group named CALL, Communications and Language, something, out of Monterey, essentially is hooked up with different 911 systems to be able to provide instant connection with language capabilities.

But let me just say that they depend on AACI and AACI, we're stretched thin doing everything

else. And I just stated to the director of that program, "We've got to back out," because we're handling calls from Alaska for someone to speak Mien (?) dialect. But something like that is worthy of some governmental funding that will emulate that profit-making model. Essentially the profit-making group, I think, is a legitimate, good group. Their problem is that they're trying to rely on community-based agencies such as ours. We're funded essentially from county and state and federal mental health funds. And to do this is sort of like extra work, like we're doing extra work and social service work because the Department of Social Service don't do it anymore. But that's another kind of thing that would assist the police and assist the victims and the community.

A third thing is -- what we're trying to do is that we've developed at AACI, out of a small grant from United Way, a computerized system for -- there's 156 agencies and we have included some police departments which may have at least one Asian language capabilities; others that do not, we have not listed them. But this is a directory that's computerized so that language workers who are bilingual, let's say in Mien (?) or Laotian, Vietnamese, or Hao-dao (?), dialect of Chinese, can plug into and search information rather quickly. But essentially that's not funded. I would think that criminal justice money of some kind would be very useful for that. That's something that everybody, I think, is looking for. But when it comes to Asians, they waive their hands up in frustration and say it's impossible; you got too many dialects, and they don't try. The system is in place and I guess this year we go to talk with Chief McNamara (?) or other people in the police department and in education and social service to fund that type of thing. It's not new funding. Again, I think we all recognize there's not going to be a lot of money. It's reallocation of funding, looking at issues of where funds can really address neighborhood problem.

Finally the model I think that -- Si Se Puede is a fine one. But when we come to the Asian community, we have many new immigrants here, some of whom are from Southeast Asia and we call them refugees. Now the issue that Steve Arvelo talked about is powerlessness and the need to empower them. Essentially what AACI has constructed is a model that can be emulated throughout the state is that if other groups won't do it in general in the community, Asian-American groups will. There's some identification between American-born Asian groups with, what they see as Asian newcomers; AACI is just one of the examples. It's the direct concentrated effort to empower refugee, new immigrant groups, helping them to become incorporated, which for many of them is a really formidable task. Getting them so that they're able to, be able to apply for funds from private and public sources; essentially restoring to them a sense of confidence that their talents which they had in their ancestral country is useful here. So getting them incorporated, giving efforts to sustain them as a collective group instead of trying -- for example, I was thinking about the example by Lieutenant Dwyer of the Rotary Club. I thought what they did was great in knocking door to door. But if they were to try to do that in Asian community, they'll get nowhere. They may get one or two good-hearted Asians who might not be needing to work at two jobs. But that model doesn't quite work. The model that does work is essentially finding the indigenous leaders, and it's not a new idea; it's not an Asian idea; it's an American idea; essentially pulling in together indigenous folks, empowering them, giving the truth to -- of what, in the proper way in our society, helping them not

to fear the police but rather see the police as a resource. That's another strategy that I think would work for Asian-American groups.

I think I better stop now, that I've concentrated on the issue of racial violence in our community. Let me just end by saying that the issue of domestic violence is a -- one of high concern. The issue of child abuse and neglect is of high concern and there's not time to talk about that. But I just want to say that the work that's done by Mid Peninsula Network and the WOMA is good and we're trying to do something in domestic violence and child abuse and neglect without any funds. So I guess AACI is going to raise high hell next year if within Santa Clara County there isn't going to be one penny given to dealing with child abuse and neglect in our county. There has not been one penny up to this point.

Thank you for your indulgence. I appreciate it.

MS. MERCADO: There is a -- the Attorney General's staff person who was supposed to be here and testify; he is ill, is his specialist on his racially motivated violence task force.

DR. SEID: Yes, that's Marty Mercado, I believe. They've done some fine work. But I would hope that since Lieutenant Dwyer is here that Los Angeles County has been able to begin the system on documenting racial crimes or crimes based -- that might be based on racial/religious motivation. San Francisco is near it but it's got stalled. My feeling, in listening to all the testimony before the Attorney General's Office, I thought San Jose Police Department made the most, the most number of recommendations that really made sense. So I would hope that there might be push within our area with help from the State that maybe in Santa Clara County we can lead the way in getting a sophisticated system of reporting.

ASSEMBLYMAN CORTESE: Dr. Seid, how do you -- how do you react or relate to crime within the Asian community itself? You talked about racial tension and racial violence coming from out -- therein. Do you view the problem differently in terms of the Asian community itself and what's happening in that community? If you haven't at all, is it different at all from other types of violence or crime or does it exist?

DR. SEID: Oh, yes. Let me just say indeed it does exist. For example, using analogy that's long been known where there has been gangs and minority communities, the gangs of a particular minority group, they tend to really commit crimes against their own ethnic group. We have that in our Asian community. Vietnamese gangs essentially prey on Vietnamese. There has historically been on and off, depending on the community's relations with the police, Chinese gangs that prey on Chinatowns. The common denominator seems to be within the Asian community, new and old, has been the issue of lack of relationship with the law enforcement agencies.

With the Southeast Asian community, there is a distrust of governmental agencies. Law enforcement is seen as part of government. In terms of, let's say, the older Chinatown communities, Manilatown, Japantown, because of discrimination laws, there have been individuals who have come here undocumented. And they're afraid to interact with police departments for fear that somehow there's a secret pipeline between the police department and immigration department. So in that area there is crime, extortion being one of the high crimes, but out and out burglary, strong-arm burglaries

are happening. And I'm sure that the police know only a percentage of it because it's not reported to the police for fear of retribution by the gangs. So it is a problem but I feel confident in speaking here before you two as legislators I will not be so free to be forward to others because what happens is that suddenly an exotic story appears in the front newspaper headlines saying "Crimes in Chinatown" or "Crimes in Vietnamesetown". We're very worried about that. But there are crimes as under-reported. Police have difficulty getting follow-up when it's reported. I think it's on both sides -- the reluctance on the victim's side to say too much for fear of getting hit up by the gang later when the police isn't around. I think the other side is true that there has to be leadership in the police chief to really hire bilingual workers. San Jose happens to be one of the better police departments; they really do try. But the fact is they still don't have a whole lot of it, whole lot of bilingual Asian policemen. But I'm not -- I feel that there has been good efforts made by our local police department. In other cities, there is not at all.

ASSEMBLYMAN CORTESE: We're welcome (?) to our credit. I just came back from Taiwan and the Highway Patrol Commissioner in Taiwan was educated at San Jose State. (Laughter)

DR. SEID: Assemblyman Cortese, I must say that they must be paying higher than what we're paying. But thank you kindly, Senator McCorquodale and Assemblyman -- oh, okay. I'll leave the -- some written documents here, one from AACI and one from APAC. Thank you very much.

ASSEMBLYMAN CORTESE: Thank you. Ron Wakabayashi? Did I pronounce that correctly? He's not here? Then I must have pronounced it correctly. Mary Sied?

DR. SEID: Oh, I spoke on behalf ...

ASSEMBLYMAN CORTESE: You did. Okay. I didn't realize that.

Roberta Lee Siegman, Roberta Lee Siegman? No? How about Albert Howenstein? Oh, yeah. I have an arrow here from here down to here.

MR. G. ALBERT HOWENSTEIN, JR.: Mr. Cortese and Mr. McCorquodale, thank you very much. Al Howenstein, the Director of the Office of Criminal Justice Planning, and I thank you for inviting us to participate today. As I indicated to Assemblyman Cortese, I was sorry I didn't get here a little bit earlier but there seemed to be some very inclement weather in Sacramento that was delaying those little, bitty airplanes that bounce over the hills between San Francisco and Sacramento. I think my stomach has settled someplace over Santa Clara -- I mean over Contra Costa County.

I did present some information as I looked over the very nice synopsis that was prepared by staff of the Committee and talked about a variety of the programs that our office supports throughout the state to address these issues. We have presented some brief materials there that you're looking at, Senator, and some extensive documents that we put in the hands of Casey. I'd like to kind of add a few things and maybe respond to a couple of points that I've heard in some earlier testimony.

I was particularly interested in what Dr. Seid was saying because we found a great deal validation of a number of his comments, particularly two years ago when we did the gang violence studies throughout the state, identified certain of the issues that he spoke to very accurately and very correctly as to what happens to new populations, particularly the Southeast Asian populations as



they come into California and also the problems that are facing other undocumented residents in California, particularly of the South American orientation too. So we have -- the expansion of what he says really does exist in California and I need to re-validate his comments.

There are certain things that are taking place, though, that are making an effort to address these, and I would like to draw attention to a particular project through our Community Crime Resistance Program taking place in the City of Fresno as well as one that took place in the City of Stockton where through our crime prevention program they worked with the minority communities and in hiring representatives of the communities that populations in those communities developed crime prevention programs and videotapes and communication channels to address the exact concerns that Dr. Seid acknowledged, is that many populations, because of the fear of law enforcement, the fear of government, because of historic activity, needed a hand of that transitional support. And these programs have turned out to be extremely effective, and they're available for replication in other agencies throughout the state.

I'd also like to point out in the City of Anaheim, the chief there, with a tremendously diverse Southeast Asian population, developed a repertoire of over 50 volunteer interpreters who are available to the policing agency to help in that communication activity that is so critical and in assisting a person who does not have English-speaking capabilities of seeking assistance from the law enforcement agency. In Oakland we just funded and just finished a program with one of our sexual assault/rape crisis centers for a very comprehensive prevention program that addresses cultural needs throughout the state in the major cultural populations that have been identified today so that -- to increase their communication and increase that empowerment that is so very, very important.

I was particularly delighted when I heard comments about the WOMA organization here in Santa Clara County, particularly San Jose, in dealing with the issues of domestic violence and their work with ICEF (?) who works on the areas of child sexual abuse and assistance for those types of victims, the Mid Peninsula Support group, the Probation Department and their anti-gang programs, the new programs that we're beginning to work with in area drugs, all that go to the roots of the issues that we're concerned about.

I was really pleased about two and a half years ago when, after our office had been working in the area of victim services, predominately for Victim-Witness and for rape crisis programs for a number of years, that I felt as an old law enforcement officer -- and I say "ole" with an "e", not with a "d". But I had a 24-year career in law enforcement before I became the director of the office. And during those times, I found that victims' issues were the critical component of an effective criminal justice system and that the system is really designed to serve victims yet they had never been brought to the pinnacle of attention that they needed to be. And as we implemented our victim service centers, as we implemented our rape crisis programs -- and I say "ours" only by reason that we have the privilege and honor of supporting them through financial and technical assistance -- it's at the local level that these energies and activities are really delivered so highly, effectively.

The area that we had not served and served well was the area of domestic violence and a realization that if we were truly going to address victims' needs in the state, that as well as dealing

with our victim-witness centers and the rape crisis programs, we needed to provide the support and assistance for the networks of the domestic violence programs that exist throughout our state and through legislation that was carried -- our office was given the very special opportunity to also implement that program and support victim -- I'm sorry -- the domestic violence centers to address that other circle of violence that oftentimes and so often gets deeply permeated into a community, when you see that violence that goes unaddressed and all the history and all of the studies and the researches we have gone through show the cycle of violence, that those who have been victimized eventually as they grow become victimizers. And as that continues to grow, we have a continuing growth and expansion of the whole issue of violence in our society. And, that is, as I think you indicated earlier, Senator, law enforcement is a growth industry because crime continues to grow despite all of the efforts that we're putting into it. But I think we're beginning to find things that work, and I believe that the number of programs that our office administers today are programs that work. Unfortunately there isn't sufficient financial support to do each of those programs in every community in California. We can only do it as we currently are on a gradual basis, on a -- get programs up and running and on occasion get them transferred over to local substenance and then we can move to another agency to begin working on those.

You were particularly interested, I think, earlier, Assemblyman, about the crime-analysis component and how law enforcement can modify their activities on a timely basis to address changing demographics and crime patterns in their communities. A number of years ago, I had the privilege of implementing one of the first, what we call "Career Criminal Apprehension Programs" that was sent out by the Office of Criminal Justice Planning in 1978. And I saw that at that time as a county sheriff as being an excellent way to allow me the opportunity to really manage my resources in a timely fashion to address community needs and issues. I had the pleasure then of speaking to the previous Governor on the importance of this program and having it eventually become a part of the ongoing budget of the Office of Criminal Justice Planning, and now I get to see it from the other side. But we have over 50 agencies in California that we have or are currently funding on a 3½ to 5 year process to implement crime analysis, manage and control operations, manage criminal investigations so they can identify in a timely fashion crime patterns, crime issues, and crime problems and move those there, all of the resources, in an effective fashion to address that. And this program, I think, has the, has the -- also the capabilities through the crime analysis to deal with the other finally being recognized issue of bias crime, hate crime, however we want to identify it, and realizing that in many of our communities this is very, very, very critical to identify and respond to and to address and recognize it as it really is and not just lump it into other activities but as we work with the career criminal apprehnsion program. And we can address that, that same component in there, so there again is the timely response. For law enforcement to be effective, it has to be proactive and on time to the issues and not just reactive; and that was my great frustration as a policeman just running around and taking reports and never able to go out and to be involved in one of the prevention and advanced work that helps deter those things. So the Career Criminal Apprehension Program that we administer, I think, is wonderful.

There's also a national project that's taking place through the Bureau of Criminal Statistics in Washington, the FBI, trying to get what they call to be a victim-based reporting system for our current uniform crime reporting system, UCR, that each agency in California on a monthly basis reports both to the Department of Justice as well as to the FBI their crime issues for that month. But it's always just been almost -- I use the term advisedly, a "take (?) fashion", one for each type of crime -- a 459 for a burglary, a 211 for an armed robbery, a 187 for a murder, a 484 for the theft cases. Those kinds are just numbers. What they're doing in Washington, and trying to do in some pilot projects that I see as just as the implementation of really crime analysis throughout the nation, is to get to offender base or victim base to reporting documents that give us this other information. It is going to be more time consuming; it is going to be more difficult for law enforcement; it is going to cause some problems at that level. I think we need to recognize that just as we did with the new domestic violence reporting issues that after some hearings it was found to be issues that relate to additional work in state mandates claims and things of that nature. But I think if we sell the product and we sell this reporting system as a way to assist, as I have said on the Career Criminal Apprehension Program, as a way for a law enforcement executive to effectively utilize the limited resources that exist today, to more effectively serve their community. And I think that one's very, very critical.

I talked about the crime prevention program we have. I was delighted earlier in listening to a conversation about how communities work together. Two years ago we started some projects in the state of training activities that we called Neighborhood Watch Challenge. We held three seminars throughout the state and had over 100 communities come to these three two-and-a-half day trainings where we talked about developing community-based crime prevention activities and we brought in and invited what we call "teams". And it had the political leaders; it had the law enforcement leaders; it had religious leaders; it had business leaders; educators -- who would all talk about and develop during this two-and-a-half day training period a methodology for that individual community to go back and develop a comprehensive crime prevention program to enhance both Neighborhood Watch, to enhance Business Watch, to get the entire community involved in crime prevention activities so that there was the coalescence of all of those energies, that it just wasn't everybody waiting for the police department to do it. I used to have an old analogy, the old kind of Wild West story about come over the hill and which way the bad guy go and everybody would point, you know, he went this a way. And when we came to dealing with crime problems, historically what we have done in our state and what I experienced during my 24 years as a cop, it was the cop's problem. And then as we looked at society's problems as a whole, I remember -- I think it was in the late '60s as a policeman at that time being called a "pig" and a variety of other terms that we've only used in this form -- I knew that I was the cause of society's problems because I was told that everyday. A little bit later, our educators were told that they were the cause. A little bit later, our judges were told that they were the cause. A little bit later, we told the probation folks that they were the cause. A little bit later, we told the churches that they were the cause. And we kept pointing the finger of accusation in a variety of ways. And now I see us today, rather than pointing accusingly at who's at

fault, we're looking in these fashions as how we can work together for resolution. And that's what, that's what occurs in the kinds of things that we're involved in. That's what happened with those challenge seminars that we did that coalesce communities to address issues. We were extremely pleased with that.

To quickly go into the drug issue, when we were developing our implementation program for the federal drug money, as we went around — and I traveled the State and talked to law enforcement executives and prosecutors and probation officers and talked about the crime problem and the amount of gang activity related to and community violence that related to the distribution of dope and the communities that were actually being held hostage — I coined a phrase — or maybe I didn't coin it — maybe I assumed it — the domestic terrorist was what I called the gangs who were purveying drugs in their communities. And I use the terms "terrorist", I said, and I use it I think correctly because a terrorist is one who extorts; a terrorist is one who kills; a terrorist is one who takes away freedom; a terrorist is one who instills the kind of horror and fear that has occurred in the communities where these dope dealers have taken over the streets, the neighborhoods, the parks, and the corners to purvey their drugs and to actually take the community's freedom away from 'em. And we found that to be a reality. One of the focuses for the drug money and the federal program was to target on street gangs and street activities, to support law enforcement and prosecutors and probation people, to have some impact in these areas. Like everything else, there's a limited number of dollars. When we have a request for \$40 million and we only have \$11 million to distribute, we can't hit the entire state. But I can assure you from my experience and the knowledge and the direct testimony that I receive, both publicly as well as privately from law enforcement executives and law enforcement leaders throughout the state, that the problem is equally insidious and serious throughout the length of California as well as the breadth of California. It may be different because of different demographics that exist but it is there; it is a major issue for us; it is something that affects our crime problems in our state. We've had law enforcement executives talk to the fact that crime related to drugs can be anywhere from 50 to 80 percent, the cause of crime — or the number of crimes related to drug and drug problems. And that, that gives our office a chance to, I think, have some impact and some service in various communities.

We have another project that is helping early on address crime problems of young people. I heard discussions earlier — I think it was by you, Senator — about the number of parolees who get out and then go back in. We recognize that historically the people who go to prison are usually the worst. The ones who have long crime patterns and long crime commitments to criminal activity and to change them by a few years in state prison really isn't what's going to make the changes and I think we all recognize that. And because a person, if you only deal with them after they've developed an inculcative behavior pattern of a criminal life or become career criminals that we focus on for prosecution purposes that getting at that end of the line we're not as effective as we are if we start on early. And we have some — a new project we started this year called "Serious Habitual Offender" and that's early on identifying juveniles who are committing inordinate numbers of crime and beginning to focus the support activities of the system and identifying and serving that particular

child and young person before their crime career continues to the point where all of a sudden they become a real predator on society. One of my comments was a career criminal, a serious, violent criminal, does not drop out of a cocoon and come out of a parachute at 21 or 18 years of age. There are many activities that take place that precede the manifestation of the things that get us into the criminal justice process.

So we have those things that are taking place, trying to have impact in the variety of challenges I think that are facing our state. I speak with a great deal of, I know, personal pride of that, the number of programs that our office has and the list that we presented to you, and with the — what happens with our Community Crime Resistance Program, the empowerment of communities to take back what is rightfully theirs, and, that is, their streets and their communities. And with just a little under \$900,000, we're supporting a large number of programs throughout the state to have that community organization and to support that police department in that community in working together, the family violence prevention programs, realizing we need to get to the front end of the problem and support that family and try to reduce violence within that community and just the three projects that we do with that minimal \$200 a year helps us develop the kinds of information that can go out to help other communities and those are equally exciting.

I talked about the Domestic Violence Program of which I have one of the great levels of satisfaction because it was an area of high need that we were finally able to participate in. But when you look at the level of dedication that those volunteers and those community-level workers, CBOs, the community-based organizations, the kind of work that they're doing to help victims in the recovery and the impairment (?) of themselves and take control over their own lives is phenomenal. The drug problems we have, I think an outstanding example of an effective program, the drug suppression in the schools where it's required there be a joint application between the police department and the school district to apply for the money and to implement a program for prevention and awareness for the children, the parents, the students for treatment as well as for apprehension of those who are dealing drugs in the campuses realizing that in a violent or drug atmosphere there's not much education that's going to take place. And where that program has worked, we have some wonderful anecdotal studies. But one that has impressed me probably the most is I knew that out of the program that we would see improved relationships between the police officers and the schools and the teachers and the parents and the officers and that we would see some reduction of drug problems on campuses. But the one thing that I didn't project, with all of the things when you cast your eyes on your crystal ball and you think you see something, I didn't project, is that where the program has worked well and been instituted for a while, that they had found that educational achievement of the students who have gone through these programs has gone up differently than in other areas and that's equally exciting.

I talked about the Gang Violence Program. That's one that has been very close to my heart as we started out with just a minimal program supporting prosecution and some community-based programs but realizing that that wasn't doing the job as well as we hoped. We went back with the support of the administration and the legislation — Legislature. We were able to double our budget

from 750 to a million and a half dollars and then supported law enforcement and probation programs. And then after the gang study, there was another augmentation of over \$2 million that allowed us now to what I call comprehensively and systematically address the problem by supporting community-based programs, supporting school information and prevention programs, as well as law enforcement prosecution and probation issues so that they can help in the prevention, deal with the current problem, and help divert young people before they get deeply involved in those kinds of behaviors because we do clearly know that a root of much of the violence that exists in our communities is in those areas.

And I notice the day has been long for you, gentlemen, and I could go on ad infinitum with a variety of not only my own points but the good things that I see our office doing in supporting local agencies. Our office's commitment is to take the dollars that our legislators give us to support and assist local agencies, to implement effective programs, to serve the needs of their community, and to take the guidelines that are in the legislation, and use those -- use those guides to support the community implementation of them to provide training for those who receive our money or who are interested in like programs so that they may benefit from the kinds of services that the Legislature and the administration have seen fit to support through our office.

So that's kind of a quick synopsis in a variety of areas and we can inundate you with, you know, more detail. And Casey was nice and asked me about, what my time limitations are. When I talk to you about the programs that we're involved in and I see the benefit of them and go out into the field and I've been here in Santa Rosa -- Santa Rosa -- Santa Clara one day I was sitting and I came down to visit with the DA's Office, Mr. Popoesio (?) in the Gang Prosecution Program; and from his office, I went over to the Probation Department, was talking to them about what they were doing with some juvenile justice money that we had on anti-gang activities and I sat there and a I listened to Fred as he called and talked to a school official about young gang activity and took immediate course of action. It just set a whole new tenor for me in realizing that effectively working together we can accomplish a lot of significant things. There are a lot of good things that have happened here in San Jose, in Santa Clara County. I think, as you've identified on some of the other issues earlier, the problems here are not too dissimilar as they exist in other places of the state. I think your focus on the issues of community violence get right at the core as to the value and the sanctity of life in California. And if we are going to have -- and I doubt if we'll ever get to be crime free -- but if we're going to have crime reduced to the point where people can go back on the streets that are rightfully theirs, go back to the parks that are rightfully theirs, children can go to school and be educated, that the system of social services can be delivered, that we can see a much better California and a much better society as a result of that. But it does have to start in the neighborhoods and in the communities because that's where the people are. I think the people need to feel that the system, that the local government and that the state government is there to work with them to address that issue.

We need to, I think, realize that much as Dr. Seid said, that new populations to California do not necessarily see government as a support for their needs. I think we might now be too far fetched

to say there are other populations who have been in California for a long time and maybe hold those same feelings. So I think it's for us and government to be sure that we serve the needs of the people that were sworn to serve and not try to serve ourselves, and those are the kinds of things for which I say thank you for your hearings and thank you for the opportunities you've given me to make some difference through the auspices of our office and the State.

ASSEMBLYMAN CORTESE: Thank you very much. I think the bottom line is the comment that you made toward the end of your presentation. The whole issue revolves around values.

MR. HOWENSTEIN: Yes.

ASSEMBLYMAN CORTESE: And I don't know how we begin to change values as government. I suppose that's what this hearing is all about and that's what the whole quest or effort is all about, where people who, individually, have tremendous handicaps and worked to overcome those handicaps and there are people who have everything to live for and destroy their lives because of alcoholism or drug abuse. That's personal choice values. So I suppose what we're looking for is a way to change society's values. And I — maybe that is the bottom line.

MR. HOWENSTEIN: That's a good line.

ASSEMBLYMAN CORTESE: Getting back, getting back, getting down to something a little more practical, although maybe not as important, do you need legislation in order to improve reporting practices? And then I want to relate that to my comments earlier with regard to the prospects of developing a statewide system of reporting crime rate by geographic area so we can look for a common denominator and determine, maybe by looking at that, whether something is happening that is common to this community versus this community, when the two are so far removed in terms of geographics.

The other part of that is how do we get, when we get that information or make that determination, how do we get the community itself to react and take care of its own problem? And part of that too is how do we overcome the Sylvester Stallone, Rambo, nothing hurts, kill, shoot, over television shows in which automobiles race through town at 100 miles an hour, skid, crash, roll over and kids are watching this and nobody gets hurt? And I know that if I pinch my finger, it kills me. The question is values, reporting, and community — what do we do about the communities to make them well again and make themselves well again?

MR. HOWENSTEIN: I love all three of those questions. Very early, as a young juvenile officer, I was talking with a group of kids about, about values. And I had a parent come up to me and say, "How dare you teach my children your values." I said, "Excuse me, ma'am." I said, "I'm not teaching your children my values. What we're talking about is values and the values that I was talking about — is it okay to steal; do you like to be hit; do you like to have things stolen from you; do you like to have your classroom messed up; do you want to see your mother harassed when she's going to the store?" I said, "Ma'am, those aren't my values. I'm asking the children to form values." And those are the kinds of things that I think it's okay to say that we value human life; we value human property; and we value the sanctity of our individual freedom. And that's the value system that I think we can instill and support by reason of a couple of other things, and, that is, by being sure we

have the communication channels with our communities, that, to local law enforcement agency has the communication channel with the diversity of their populations so that they will talk about what the issues and what the problems are as the policing agencies identify crime trends and crime changes, the things that CCAP does is (inaudible) also used to drive crime prevention programs? And as you identify crime trends, you not only modify your police activities to put your resources towards who are committing the crime and the areas of the crime but you also take another very important part of police resources and prevention and go in to work with that community to get their involvement into prevention activities. And there has to be a bridge building; there has to be a concerted effort on the part of the communities and upon a part of the law enforcement agency to be sure that when we sit down to talk, that we're not sitting and talking accusatory — it's your problem because of your ethnicity or your culture or the fact that you're a policeman. It's our problem because it's our community; it's our children.

I had the most beautiful experience along these lines recently with two new projects we've done with the Indian Native American populations. One was in Northern California. And I spoke with the sheriff briefly before going to the reservation to talk to the Indian leaders. And the sheriff said to me that we've had many cultural problems between the law enforcement agency and the Native Americans in this community. But I see us now wanting to work together because we have a common cause, our children. And when I spoke with the Indian, with the chiefs and the leaders of the Indian nations, they said essentially the same thing. They recognize the historic problems but they saw that the common frame of reference and concern was the children and through that they could build the other bridges to improve the communication, and I think that's the kind of thing that we need to do. A lot of this sounds idealistic, I realize, but I've been an idealist all my life. I think that's what allows us to stay in government service sometimes, is knowing that there is something more that we can do and there are things that we can achieve, as what you're doing here.

The reporting system is probably going to be the most difficult to achieve because currently not all law enforcement agencies in the state have the capabilities of the computerized crime analysis of the computerized crime reporting so that they can generate that data on a daily or weekly basis. They can generate it and they do generate it on a monthly basis. To get a statewide reporting system that has all of that, I have thought about it on a number of occasions and argued with the people in Washington and they wanted to implement this thing nationwide with \$3 million. And I said you couldn't even do it in some of our major communities in California with \$3 million, much less nationwide. The dollars are very high. Unfortunately I think I have to look at this one incrementally, that by gradually moving through the State, as we are doing with our CCAP and as some other agencies have already done it under their own leadership as they have here in San Jose, going into the computer age and can generate that information, maybe taking a look at how many agencies don't have it and then what resources may be available to help them along the line. The other part of it maybe just training and supporting through P.O.S.T., the California Peace Officers of Standards and Training, through their executive training to help the law enforcement executives reach to that level because it's going to have to be one of those things, I think, Mr. Cortese, where we all agree it's



where we need to go. Maybe it's a little bit like my wife when she wants something, wants me to do something that I'm not anxious to do. She calls me a very stubborn name and it's, you know, if I'm not willing to do it -- I admit it -- occasionally probably my heels do kind of dig in. But if I see the need and value the importance, it's amazing how the energy moves.

So I don't know that I addressed the question but the reporting system is important. They help us deal with crime and violence and with crime changes and with the patterns and to be timely in response because unless we're timely in response we may as well -- we're not -- we're wasting our time. The citizens don't feel good. If a cop shows up the day after the crime occurred, who cares, almost. It's like if the trial takes place two years after the person is arrested, who cares if there's no timeliness; there's no sense of cause and effect; and there's no sense that the system is working for them. And so it's, it's -- we're beginning; I think we're beginning here. I hope that's an answer. If it's not, I'll try to -- try it once more. And if there's any other assistance that I or our office can offer, we'd be happy to do it.

MS. SPARKS: I actually, I actually do have one question.

ASSEMBLYMAN CORTESE: I don't want to get a commitment from you. You're the most -- you're the person in position most able to help us through our wisdom to expedite and move on.

MS. SPARKS: Can you give us a staff person to explain to us all the various resources that you have?

You have under you a pilot project that was put together to be funded to start on July 1, 1985, for four pilot projects. And I believe -- I wish I brought my codes; I don't know the exact name, but it's Community Violence and Conciliation and it was to fund four projects statewide to deal with that. And I was wondering, because it must be to the time point where they're about ready to submit -- it was a two-year maximum. So they're either just finishing or ...

MR. HOWENSTEIN: I don't have any information on that with me and I'll have to get it to you. But I would suggest -- I would give you a name of someone to talk with in San Francisco, Ray Shonholtz (?). Ray has one of the most deep commitments to community resolution activities that I've ever seen as well as one of the most effective that's around, that I can help you through my staff and the contacts with Ray and get you the other information -- or what happened with those four projects.

MS. SPARKS: I think we'd be real interested to see what kind of results the projects would have and what things they're doing. It sounds as though ...

MR. HOWENSTEIN: We started one in Marin when I was still there, the sheriff, and I was really excited about the kinds of things that can be done at the community level, that they give people a sense of good feeling because it's not the cop or the judge or somebody else jamming it to you. You're talking to your peers and your neighbors and it really gives the sense of community coalescence and ...

MS. SPARKS: But it didn't give you the impression that it was just for mediation purposes?

MR. HOWENSTEIN: There was, I think, would have ended up being in some areas by both (?). We'll get you more data on it.

MS. SPARKS: What's his last name?

MR. HOWENSTEIN: Ray Shonholtz (?). And I can't say if I can give you a staff person for interpretation of everything but I will make whatever resources are necessary to — available to assist you in assimilating any of the vast amounts of data that, you know, we can generate. I have often said that our office can push more paper per pound per person than any other agency in state government. But we try to push this timeliness fast as we can because I hate paper. Actually I abhor paper. The more we can get rid of, the better off we are.

MS. SPARKS: Okay. Thank you.

MR. HOWENSTEIN: Thank you.

ASSEMBLYMAN CORTESE: Thank you very, very much and we'll certainly be in touch and we appreciate your making that extra effort to come down.

MR. HOWENSTEIN: It was a pleasure, and I'll drive back and see if I can pick up my stomach someplace along the road. (Laughter) Have a nice weekend. Thank you very much.

MS. SPARKS: Take care.

ASSEMBLYMAN CORTESE: Is there anybody else to be heard?

MS. SPARKS: Yes, yes, yes.

ASSEMBLYMAN CORTESE: We do? Maria Elena Chang?

MS. SPARKS: Chavez.

MS. MARIA ELENA CHAVEZ: Chavez.

ASSEMBLYMAN CORTESE: Chavez? I just see C-h-a-n — Chavez? Okay. Chavez.

MS. CHAVEZ: And I'm Elena.

ASSEMBLYMAN CORTESE: We have a mixture of a number of other names.

MS. CHAVEZ: I'm going to be so brief that you need to pay real close attention. (Laughter)

My name is Maria Elena Chavez and I'm with the Alum Rock Counseling Center and I'm the PCP Project Coordinator for Alum Rock. I haven't come to give you a big spiel today about PCP or let you know what you already know that San Jose is the capital of the PCP problem but to let you know that we have some 25 agencies, some — about 100 people now working on solutions towards that. I brought you a guide that is the first of our brochures to go out to people where in two pages it tells you what the problem is, the effects, the damage, and the solutions that people can look for. I brought some extra copies if anybody would like some. (See Appendix I)

So all that I've come to let you know is that we are aggressively looking for solutions and we're working in our communities targeting those places where the drug is more prevalent. We are going to be doing six months' worth of forums, public education, letting people, letting us into their churches, their schools, homes, wherever we can get into to let them know the facts about PCP and what we can collectively do to help eradicate this problem or at least look at them. So that's all I come to tell you. And what I would like from you is that if any legislation comes through, if anything that we should know from the state level comes in — and you have my card and address and all that — then let us know so that we can utilize that information.

Thank you. Does anybody have any questions?

ASSEMBLYMAN CORTESE: Your funding is pointed out.

MS. SPARKS: This is a brand new program.

MS. CHAVEZ: It's a brand new program. We've been working on it about eight months now with different agencies and people in the community. It's a very grass-roots kind of oriented work force of people. We feel real comfortable with one another and we can make some real good inroads with schools and police departments and counseling places and lots of good ideas, a lot of communication. We have it all down on those wonderful computers. So I feel very good about the work we've done.

ASSEMBLYMAN CORTESE: Is there a program elsewhere in the state that -- is this brand new in terms of ...

MS. CHAVEZ: Yes, brand new in terms of California, at least, um-hmm. I'm not sure if there's -- I don't know that anybody else has a problem of the size that we have. I don't know what kind of efforts they've done up. We are receiving tons of phone calls from everywhere about giving us information on what you're doing and how we're doing it. And so we're getting -- we're sending this particular piece and another one out to people as they need it.

We just -- we're at the school (?) conference yesterday where we passed out about 1,100 of these pieces to youngsters instead of yet again more forms for schools. See, youngsters seem to really be -- find this an easy read because it's two pages and they can, you know, they don't like looking at these things very much. This just kind of, in two pages, it's all it there, informs. So we've had a lot of help with all of our efforts and we feel real good about our project.

ASSEMBLYMAN CORTESE: Sounds good. We'll be watching it and congratulations and good luck.

MS. CHAVEZ: Thank you.

ASSEMBLYMAN CORTESE: Anyone else in the audience to be heard? If not -- yes?

MS. \_\_\_\_ (?): May I make several comments?

ASSEMBLYMAN CORTESE: Sure.

MS. \_\_\_\_ (?): You had mentioned a minute ago about television?

ASSEMBLYMAN CORTESE: Why don't you come up and ...

MS. \_\_\_\_ (?): Okay. About television. And the thing that occurred to me today was the fact that the film industry isn't being addressed or television isn't being addressed. And I don't have a TV in my home and I don't go to the movies for the reason of the violence that is there. There was a low-budget film that just came out I heard over a local radio station that's called "Freeway" and you can bet, as soon as that movie hits the, you know, the screens, that people are going to increase, you know, the freeway shootings. And I think that for me that's a major, you know, thing to take a look at, is that, the way that's coming out, the violence issue of either the films or television. And we are reaching an audience and what are we teaching them? Not a lot.

And then another thought occurred to me that no mention today was made of the mentally ill population in regards to neighborhood violence. I've worked for years with schizophrenics, paranoid schizophrenics, manic-depressives and a lot of them have, you know, a lot of violence in their background due to their mental illness. And I think that needs to be addressed in some fashion too in

your studies because they do perpetrate a lot of crimes because of their illness.

One of the things that Pat Dwyer -- Lieutenant Dwyer -- mentioned today was Si Se Puede and the success of that project. They are also working in conjunction with San Jose State and involving the university at that level, has been real successful, and he didn't mention that today so I wanted to mention that, that that's been real successful, their involvement in making that program work, the recreation department and, you know, having classes to train their community workers to carry out that program.

She was talking about PCP. In the month of September for Juvenile Hall, I have their arrest admissions record. For PCP, 32 were arrested in the month of September in Juvenile Hall. Then also for the violation of probation, there were 102 arrests in the month of September, recidivism. So just ...

SENATOR McCORQUODALE: We aren't ignoring that, the mentally ill.

MS. \_\_\_\_ (?): I'm not saying you were; I just didn't here it addressed.

SENATOR McCORQUODALE: (Cross talking) ... in Los Angeles another hearing we spent a whole day yesterday in Los Angeles.

MS. \_\_\_\_ (?): Okay. I just didn't want to be ...

SENATOR McCORQUODALE: It is a problem and it also carries over again into the prisons; they're building a prison, a jail, in Los Angeles and the sheriff now operates the largest psychiatric hospital in, probably, maybe the world, certainly in the United States, and it has a couple thousand cells and 500 of them will be psychiatric. So certainly everybody, including the sheriff, feels very strongly about it, about building psychiatric hospitals.

MS. \_\_\_\_ (?): A lot of our mentally ill are sitting in the jails downtown and I've been in there to interview in my previous capacity, and it is a hell inside that jail for the mentally ill. It only makes them want to go out and do it more. Their paranoia increases while they're in there.

Okay. Thank you very much.

ASSEMBLYMAN CORTESE: Thank you very much.

Again, anyone in the audience to be heard? If not, the hearing is adjourned.

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## APPENDIX I

# WHAT YOU CAN DO ABOUT PCP ABUSE

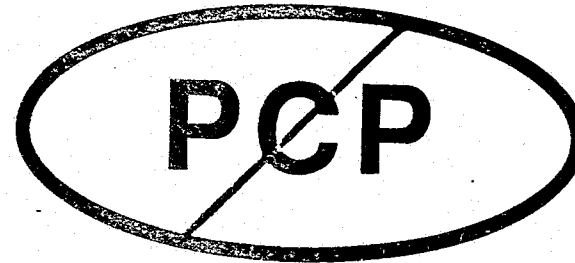
Families, friends and other community members are often best able to help the PCP abuser by using the following steps:

- Recognize - Acknowledge and do something about the problem at home or in the community
- Education - Learn about drug and alcohol abuse in order to prevent it.
- Support - Get support for the abuser. Try the various agency and professional resources or services
- Intervention - This is a way that families & friends can lovingly confront the abuser with the harsh realities of their situation to enable him/her to seek treatment. Professionals in your area can help

Be Active - Get involved!

## END PCP USE IN OUR COMMUNITY!

### INFORMATION GUIDE ON



### ABUSE

PREPARED BY:  
MARK W. STANFORD, PH.D.,  
DIRECTOR OF CLINICAL SERVICES, PATHWAY SOCIETY, INC.

IN CONJUNCTION WITH  
THE EASTSIDE PCP PREVENTION NETWORK:  
ALUM ROCK COMMUNICATIONS CENTER, INC.  
BOYSCOUTS OF SANTA CLARA COUNTY  
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### WHAT IS PCP?

PCP is phencyclidine (pronounced: fen-cykla-deen), a very dangerous street drug. Users of this drug may experience a variety of harmful physical and psychological effects. PCP can produce extreme toxicity and may cause unpredictable behavioral effects on the user.

### WHERE DOES PCP COME FROM?

PCP is made in clandestine labs. The manufacture of this substance is illegal, and the person who makes the drug (the "cooker") is usually one step ahead of the law. There is **NO quality control** in the illegal manufacturing of PCP. This means that we never know:

- the potency, or strength, of the drug
- whether the drug has impurities or contaminants
- the cleanliness of the labs
- the knowledge level of the "chemist" making the drug.

PCP is a most dangerous and highly **unpredictable drug** in its effect on the user. However, the situation can be made worse if the drug is contaminated, too potent, or too toxic for the user. Without quality control, there are too many unknowns that can creep into the manufacturing process creating a potential for greater problems.

### PCP IS KNOWN BY OTHER NAMES ON THE STREET

Alternative names include:

Blast	Sherms	KJ
Elephant Trank	Angel Dust	Horse Trank
Crystal	Ozone	Super weed
Wack	Rocker/Jet Fuel	Trank
Embalming Fluid	K-Blast	Dust

There are alot of myths and untruths concerning PCP on the streets. Getting good, valid information is important. Seek out such information from qualified persons and organizations. Don't be afraid to ask questions! Don't take your best friends advice! Possible resources are listed at the end of this booklet.

### HOW TO HELP

Some of the biggest dangers of PCP user are:

- the unpredictableness of its reaction on a person
- the accidents that can happen as a result of being under the influence
- unpleasant side effects that include anxiety, depression, delusions, and physical illness
- long-lasting after-effects including amnesia, confusional states, and disorientation
- flashbacks

Because PCP accumulates in the body, it can be re-released at its full potency at any time. This characteristic of PCP makes the drug extremely hazardous to the user and others (e.g. driving an automobile, working with any kind of equipment, etc.).

If you suspect someone is under the influence of PCP, do the following:

- **Get assistance from others.** If the person is violent, hostile, or agitated, do not attempt to help on your own. PCP can make the user stronger and less sensitive to pain. If there is no one immediately available to provide help, dial 911 for assistance.
- **Reduce light, noise, and activity around the person.** Keep the person as quiet as possible. Do not confront or act aggressive. Do not try to talk the person down. PCP is not like LSD; you cannot help the person off a bad trip on PCP.
- **Observe the person closely for changes in behavior.** Watch for such physical changes as muscle rigidity, stiffness, and/or convulsions. Watch for severe mood swings, agitated/hostile behavior.
- **Call for medical assistance.**

#### HOW TO GET INFORMATION AND HELP CONCERNING PCP

Several local organizations offer either information or treatment services, or both. The following list is not all inclusive, but provides a basic listing of those services available in the community.

#### COMMUNITY RESOURCES FOR PCP ABUSE

##### INFORMATION

SANTA CLARA COUNTY DRUG ABUSE SERVICES: 299-6002  
PHARM-CHEM LABS (for drug testing): (415) 328-6200

##### TREATMENT

- **PATHWAY SOCIETY, INC.:** 244-1834  
(Pathway provides both inpatient and outpatient treatment services)
- **CAPS:** 286-1090  
(CAPS provides inpatient and outpatient treatment services)
- **ALUM ROCK COUNSELING CENTER:** 251-8623  
(Provides assessment, intervention and referral)
- **COMADRES, FAMILY SERVICE ASSOCIATION OF SANTA CLARA COUNTY:** 288-6209  
(Outpatient treatment services for women)

##### Treatment (Con't)

- **MEXICAN-AMERICAN COMMUNITY ASSOCIATION:** 926-2818  
(Outpatient treatment services)
- **SANTA CLARA COUNTY DRUG-FREE OUTPATIENT PROGRAM:** 270-2587  
(Outpatient treatment services)

##### SELF HELP GROUPS AND MEETINGS

- **NARCOTICS ANONYMOUS HOTLINE:** 988-4200  
(Call for meeting locations, times, and days)
- **NARANON FAMILY GROUPS:** 923-3897  
(For family members, friends, and others concerned about a PCP user. Call for meeting locations, times, and days)

##### EMERGENCY HELP

- **DIAL 911 IN EMERGENCY SITUATIONS.** TELL THEM YOU SUSPECT PCP USE.
- **CALL NEAREST HOSPITAL FOR ADVICE AND EMERGENCY PROCEDURES.**

**REMEMBER:** You can have a positive impact in our community against PCP abuse. Know the facts about this dangerous drug. Know how to help and how to get help by using the community resources available.

##### EFFECT, SIDE EFFECTS, AND AFTER EFFECTS

PCP usually comes in three forms: liquid, powder, or pill. PCP can be smoked, swallowed, or injected. The most common method of ingestion is by smoking. The PCP is sprinkled on parsley leaves or combined with marijuana and rolled into a "joint".

The effects of PCP begin within a couple of minutes of ingestion. A high can last up to eight hours. Unpleasant effects can occur randomly. These side effects may include sudden violent and hostile responses. PCP causes the user to experience.

- **Heavy perspiration**
- **Numbness and lack of pain awareness**
- **Increased blood pressure/increased heart rate**
- **Nausea and dizziness**
- **Agitation and restlessness**
- **Uncontrolled eye movements**
- **Disorientation and lack of coordinated movement**



## Effects (Con't)

It also causes the user to feel a sense of:

- **Euphoria or false sense of well being**
- **Separation from reality and depression**
- **Delusions of feeling estranged from self and surroundings**
- **Hallucinations including hearing things that are not there.**

A number of unpleasant **after effects of PCP** can last up to several days after the use of the drug. These after effects include: *episodes of severe depression, bad headaches, speech problems (stuttering), amnesia, flashbacks, sleepiness and restlessness.*

## PCP PROBLEMS AND SPECIAL DANGERS

**PCP is different than any other drug.** PCP is a stimulant, a depressant, a hallucinogen, and an anesthetic rolled into one substance. The effects of using this drug can happen at once or randomly.

The first phase of PCP intoxication includes intensified sensations and perceptions, twisted and distorted time and space orientations, and often bizarre hallucinations. These qualities usually fade into a heavy depression and withdrawal/detachment. Impaired coordination resulting in slurred speech and jiggling eye movements is common. A blank stare and an inability to walk normally are also symptoms.

At higher, doses, PCP causes a flooding of reactions within the user. Reactions include:

- **A sharp drop in blood pressure**
- **Muscular rigidity**
- **Convulsions**
- **Coma leading to possible death**

An all too common experience for the PCP user is the unpredictable and very frightening bad trip. A sudden, extreme, and uncontrollable mood change occurs. This is accompanied by bizarre delusions and often terrifying hallucinations. **A PCP bad trip may cause the person to erupt in aggressive or hostile behavior.** Since PCP sometimes causes **amnesia**, the user may not remember the experience of the bad trip once it is over.

**MAKE CERTAIN THAT YOU HAVE ACCURATE, UP-TO-DATE INFORMATION CONCERNING THIS VERY DANGEROUS DRUG. DO NOT ACCEPT THE WORD OF YOUR FRIENDS CONCERNING ITS EFFECTS. USE THIS BOOKLET AND THE RESOURCES LISTED TO INCREASE YOUR KNOWLEDGE AND UNDERSTANDING. KEEP PCP OUT OF YOUR BODY AND OUT OF YOUR LIFE!!!**

**APPENDIX II**

From:

# Crime Analysis

Date: May 22, 1987

To:

Lt. Bill Gergurich/Operations Support Services

Subject:

Ten-Year San Jose Crime Trends (1977-1986)

The attached tables are based on San Jose's FBI Crime Index, not including arson. The number of crimes included in the Crime Index is shown by crime type. The crimes are also aggregated into two major categories: violent crimes vs. property crimes, in order to see those two trends. Finally, robberies are subdivided into armed vs. strong-arm robberies while burglaries are subdivided into residential, school, and other burglaries.

The first table shows the actual number of offenses for each year from 1977 to 1986. The second table shows the percent change obtained by comparing 1986 to each prior year. In the second table, for example, the first column of figures represents the percentage of increases or decreases in 1986 compared to 1977 as the base year; in the second column, 1978 would be the base year, etc.

Calendar year 1986 had a lower Crime Index than any year since 1976. Property crimes were at an all-time 10 year low. Violent crimes increased by 15% over 1985, mostly due to a 38% increase in felony assaults associated with mandatory domestic violence reporting. Forcible rape and strong-arm robbery also increased but only slightly.

Compared to five years ago (1981), all crime categories were lower in 1986. Compared to ten years ago (1977), armed robbery, burglary, and auto theft were still lower in 1986. The crime reductions are even more significant considering the 21% growth experienced in San Jose over the last ten years (an increase of over 125,000 persons from 587,700 in 1977 to 713,385 in 1986).

Re: CAS #7913

Prepared by: Elba Lu

1-09-82210

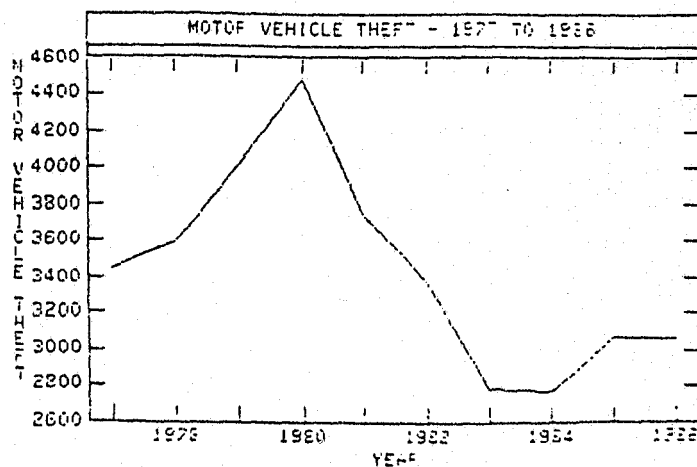
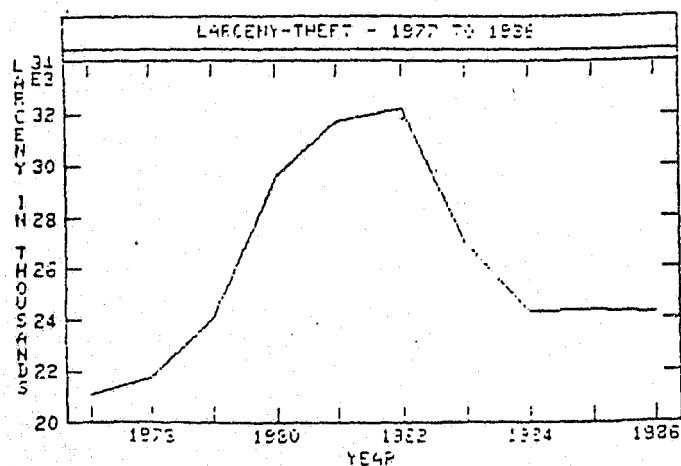
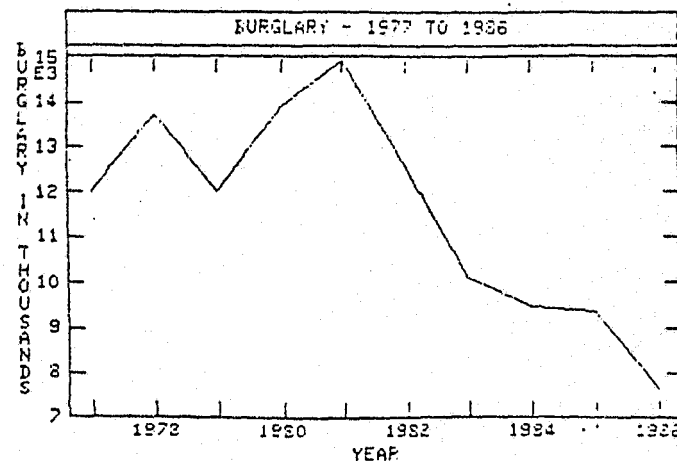
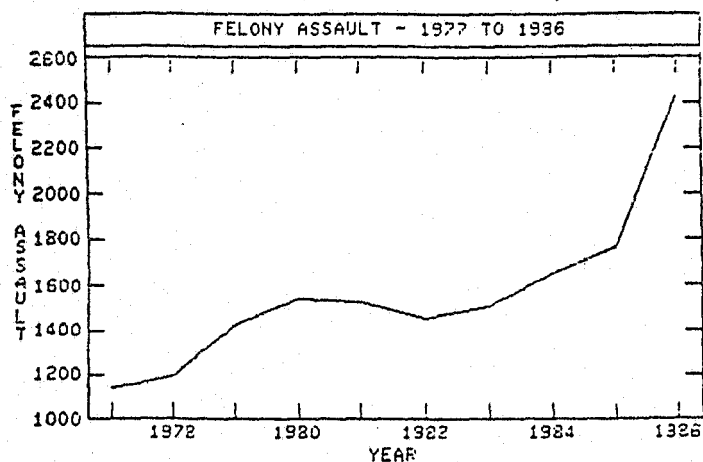
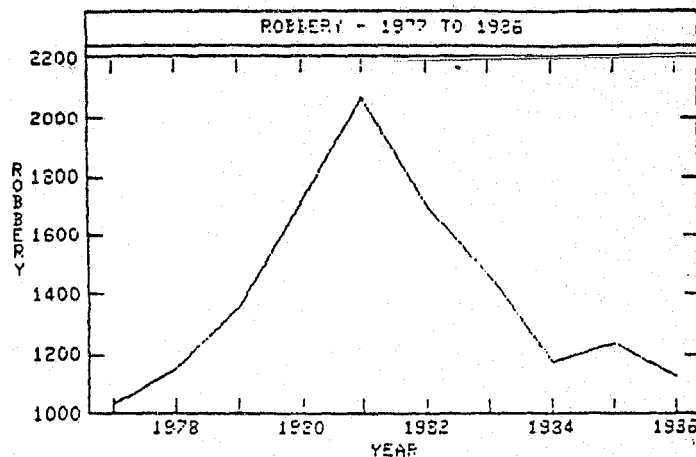
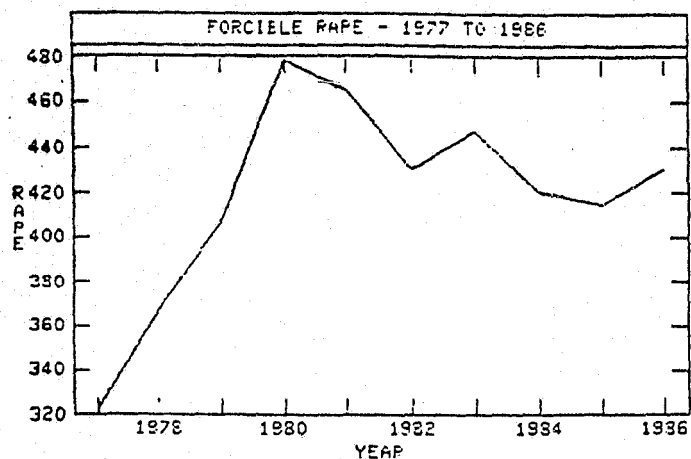
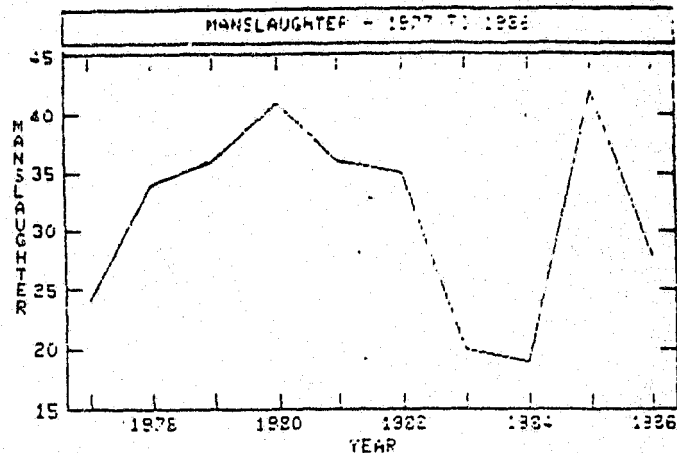
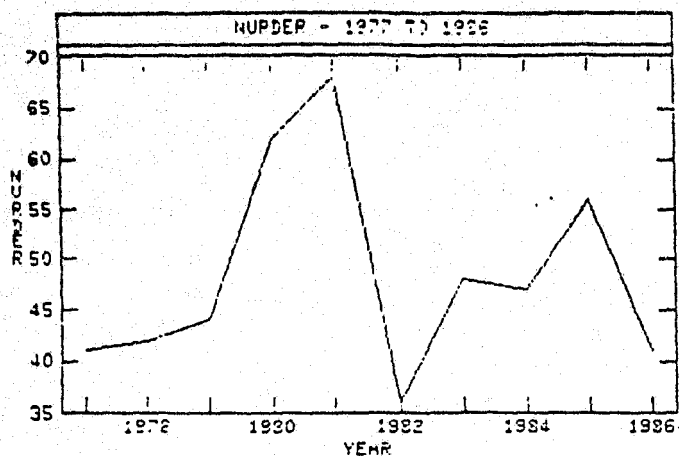
# SAN JOSE CRIME INDEX 1977-1986

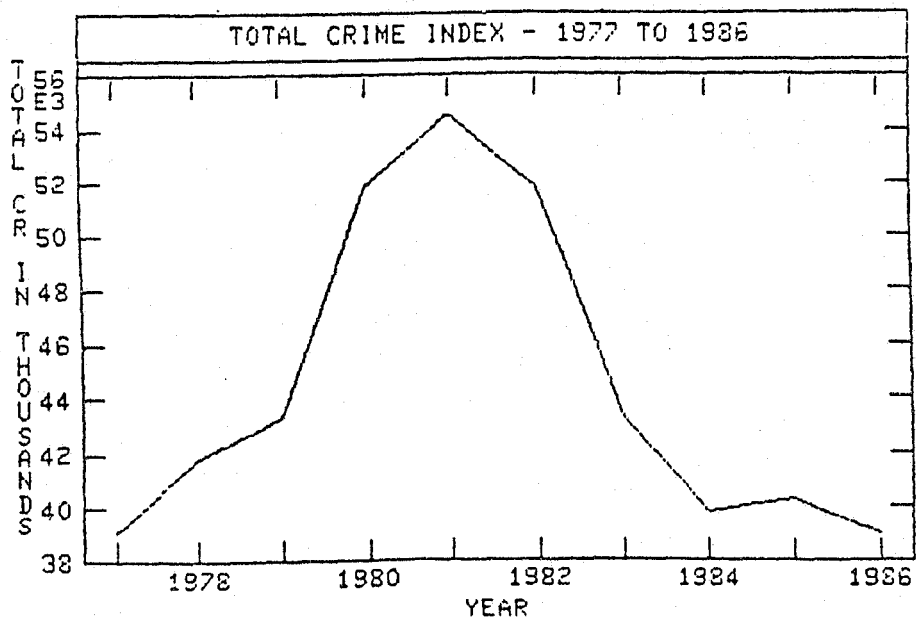
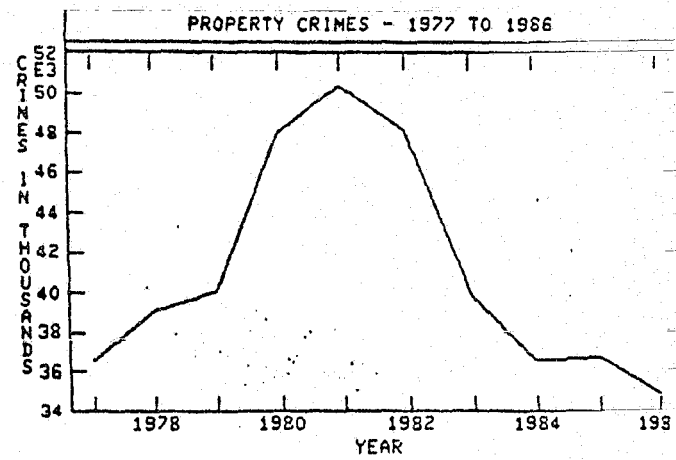
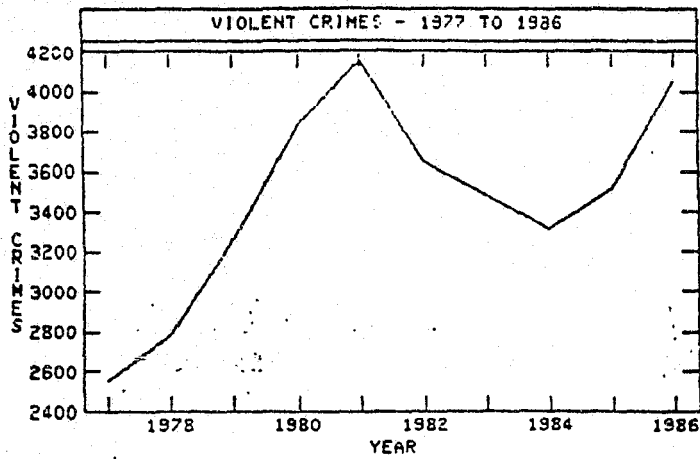
CRIME	CI-1977	CI-1978	CI-1979	CI-1980	CI-1981	CI-1982	CI-1983	CI-1984	CI-1985	CI-1986
MURDER	41	42	44	62	68	36	48	47	56	4
MANSALTER	24	34	36	41	36	35	20	19	42	24
RAPE	322	367	407	479	465	430	447	421	415	76
ROBBERY	1031	1155	1358	1714	2070	1701	1461	1175	1237	11
FEL_ASSL	1134	1189	1427	1533	1519	1448	1504	1651	1763	24
BURGLARY	12027	13749	12042	13955	14932	12593	10104	9457	9359	76
LARCENY	21064	21731	24019	29608	31708	32199	26959	24296	24331	242
AUTOTHFT	3447	3596	4012	4480	3752	3373	2784	2770	3064	30
TOTAL	39090	41863	43345	51872	54530	51815	43327	39836	40267	390
VIOLENT	2552	2787	3272	3829	4158	3650	3480	3313	3513	40
PROPERTY	36538	39076	40073	48043	50392	48165	39847	36523	36754	349
ARMROBB	684	771	795	1059	1328	1038	809	648	714	5
SA_ROBB	347	384	563	655	742	663	652	527	523	5
BURG_RES	9400	10856	8967	10571	11675	9623	7690	7427	6923	55
BURG_SCL	0*	450	368	428	440	354	333	321	250	1
BURG_OTH	2627*	2443	2707	2956	2817	2616	2081	1889	2186	19

## % CHANGE COMPARING 1986 TO PRIOR YEARS

CRIME	PCT_77	PCT_78	PCT_79	PCT_80	PCT_81	PCT_82	PCT_83	PCT_84	PCT_85
MURDER	0	-2	-7	-34	-40	14	-15	-13	-27
MANSALTER	17	-18	-22	-32	-22	-20	40	47	-33
RAPE	34	17	6	-10	-8	0	-4	2	4
ROBBERY	9	-3	-17	-34	-46	-34	-23	-4	-9
FEL_ASSL	114	104	70	58	60	67	61	47	38
BURGLARY	-36	-44	-36	-45	-49	-39	-24	-19	-18
LARCENY	15	12	1	-18	-24	-25	-10	0	0
AUTOTHFT	-11	-15	-24	-32	-19	-9	10	10	0
TOTAL	0	-7	-10	-25	-28	-25	-10	-2	-3
VIOLENT	59	45	24	6	-3	11	16	22	15
PROPERTY	-4	-11	-13	-27	-31	-27	-12	-4	-5
ARMROBB	-14	-24	-26	-45	-56	-44	-28	-10	-16
SA_ROBB	56	41	-4	-18	-27	-19	-17	2	3
BURG_RES	-41	-49	-38	-48	-52	-42	-28	-25	-20
BURG_SCL	0*	-57	-47	-54	-56	-45	-41	-39	-22
BURG_OTH	-27*	-21	-29	-35	-32	-27	-8	2	-12

\* During 1977, School Burglaries were included with Other Burglaries.





FINDINGS OF A TWO-YEAR STUDY SHOW THAT LAW-RELATED  
EDUCATION CAN REDUCE JUVENILE DELINQUENCY AND YOUTH CRIME

A recent study of the effects of law-related education in senior high school classrooms in six communities across the nation has demonstrated that, when taught according to prescribed principles, law-related education results in a significant reduction in student participation in delinquent activities. The study, conducted with the support of the Office of Juvenile Justice and Delinquency Prevention during the spring of 1981, involved 323 students located in both metropolitan and non-metropolitan areas.

Law-related education is designed to foster among elementary and secondary students civic competence, civic responsibility, and an understanding of and commitment to the fundamental principles, processes, and values essential to the preservation and improvement of our free society. It is not an attempt to impose a particular curriculum on the schools, nor is it a means of teaching people to become lawyers. It does provide diverse, proven, and practical approaches useful in the reform and revitalization of civic education programs in our nation's schools. Law-related education also promotes a "legal literacy" which helps students avoid legal problems and deal more responsibly and effectively with such problems when they do arise.

In successfully conducted classes a number of features of law-related education appeared to account for its capacity to reduce delinquency. These included:

- o the use of classroom practices which involved a relatively high degree of student participation in such activities as case studies, mock trials, moot courts, and other institutionalized means of conflict management and decision-making.
- o the support of faculty and administrative personnel for the use of the innovative teaching and learning practices law-related education involves.
- o the participation of law enforcement officers and other members of the system of justice in the instruction of students through communication to students of their efforts in the equitable application of the law and the difficulties they encounter.
- o the high interest of students in learning about the practical application of the law, the Constitution, and the system of justice.
- o the capacity for large numbers of students in each class to participate and excel in law-related education in which practical understanding and competence are stressed.

Of particular interest and importance is that the data indicate that the favorable impact of law-related education instruction extends to students at all ability levels in the classroom as well as to young persons whose pre-existing levels of delinquent behavior ranged from slight to substantial. Even those displaying evidence of becoming violent "career delinquents" showed improvement from their exposure to law-related education.

These findings confirmed the belief expressed by more than 2,000 professionals surveyed in 1980 and 1981 that law-related education can improve the behavior of young persons. In both years, a substantial national majority of elementary and secondary school principals, chief state school officers, juvenile and family court judges, state juvenile justice specialists, and members of the National Council for the Social Studies, not only expressed the view that law-related education was beneficial but offered to work to support its implementation.

This study was part of an evaluation of grants from the Office of Juvenile Justice and Delinquency Prevention of the U. S. Department of Justice to six national law-related education organizations:

The Special Committee on Youth Education for Citizenship  
of the American Bar Association, Norman Gross, Staff  
Director  
The Children's Legal Rights Information and Training Center,  
Roberta Gottesman, Director  
The Constitutional Rights Foundation, Vivian Monroe,  
Executive Director  
Law in a Free Society, Charles N. Quigley, Executive  
Director  
The National Street Law Institute, Jason Newman and  
Edward O'Brien, Co-Directors  
Phi Alpha Delta Law Fraternity International, Robert Redding,  
Director of Law-Related Education Projects.

The classes evaluated used curriculum materials developed by the Constitutional Rights Foundation, Law in a Free Society, and the National Street Law Institute.

Additional information on the evaluation may be obtained from the directors of the study:

Dr. Robert Hunter  
Center for Action Research  
P. O. Box 3578  
Boulder, CO 80303  
(303) 443-7977

Dr. Mary Jane Turner  
Social Science Education  
Consortium  
855 Broadway  
Boulder, CO 80302  
(303) 492-8154



The study revealed that students in the classes where law-related education was properly implemented:

- o decreased their acceptance of the use of violence to solve problems;
- o decreased their dependence on maintaining relationships with others who engage in delinquency behavior;
- o reported a decrease in the degree to which they felt their parents viewed them in a negative manner

The study also revealed positive trends with regard to additional factors known to be associated with delinquency. These included:

- o a decrease in feelings of isolation from teachers;
- o a decrease in the degree to which they felt teachers viewed them in a negative manner;
- o a decrease in the degree to which they felt other students viewed them in a negative manner;
- o a reduction in the frustration they felt between the goals they wished to achieve and their perceptions of their abilities to achieve those goals.

In addition, it was found that increased knowledge of the law, the Constitution, and the legal system was directly related to reductions in delinquency. Because of uneven compliance by teachers with recommendations for proper presentation of law-related education in their classes, improvements in behavior occurred only in some of the classes studied. However, in four classes which were properly implemented, a number of desirable changes occurred. In these classes, which enrolled a total of 72 students, there were the following reductions in delinquent acts in relation to what normal would have been predicted on the basis of the students' previous levels of delinquent behavior:

- o 30 fewer thefts;
- o 24 fewer acts of violence against other students;
- o 8 fewer index offenses (motor vehicle thefts, gang fights, breaking and entering, strongarming teachers);
- o 38 fewer instances of avoiding payments for goods and services.

At the same time that the above students reduced their delinquent behavior, the control students in the same schools either showed only slight improvement or increased the number of offenses they committed in the above and other categories. For example, with respect to the violation of school rules (cheating on tests and truancy) the students in law-related education classes reduced their violation by 13 while students in the control group classes increased their offenses in the same period by 99.

RESIDUAL GAINS IN NUMBER OF OFFENSES COMMITTED BY LRE STUDENTS  
IN CLASSES THAT ADHERED TO RECOMMENDED IMPLEMENTATION PRINCIPLES

AND BY CONTROL SUBJECTS IN THE SAME SCHOOLS

(Minuses signify a reduction in delinquent behavior)

	Theft			Violence against Other Students			Index Crimes			Avoiding Payment for Goods or Services		
	N	$\bar{X}$	$N \times \bar{X}$	N	$\bar{X}$	$N \times \bar{X}$	N	$\bar{X}$	$N \times \bar{X}$	N	$\bar{X}$	$N \times \bar{X}$
LRE STUDENTS:												
Class #1	26	-.3	-7.8	26	-.3	-7.8	26	+.2	+5.2	26	-.8	-20.8
Class #2	16	-.6	-9.6	16	-.8	-12.8	16	-.5	-8.0	16	-1.4	-22.4
Class #5	14	-.8	-11.2	14	+.1	+1.4	14	0	0	14	0	0
Class #10	16	-.1	-1.6	16	-.3	-4.8	16	-.3	-4.8	16	+.3	+4.8
TOTAL FOUR CLASSES	72	-.42	-30.2	72	-.33	-24.0	72	-.11	-7.6	72	-.53	-38.4
Projected rate of change per 100 students	-42			-33			-11			-53		
	N	$\bar{X}$	$N \times \bar{X}$	N	$\bar{X}$	$N \times \bar{X}$	N	$\bar{X}$	$N \times \bar{X}$	N	$\bar{X}$	$N \times \bar{X}$
CONTROL SUBJECTS:												
Class 1,2	18	+.2	+3.6	18	-.5	-9.0	18	-.4	-7.2	18	-.15	-2.7
Class #5	13	+.5	+6.5	13	-.2	-2.6	13	+.3	+3.9	13	0	0
Class #10	86	-.1	-8.6	86	+.6	+51.6	86	0	0	86	-.2	-17.2
TOTAL CONTROLS	117	+.01	+1.5	117	+3.4	+40.0	117	-.03	-3.3	117	-.17	-19.9
Projected rate of change per 100 controls	+1			+34			-3			-17		