

# RESULTS



# BROKEN SHIELD

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## State lawmakers order audit of developmental center police

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<http://bit.ly/BrokenShield-Lawmakers-order-audit>

**L**awmakers directed the California State Auditor yesterday to examine the in-house police force at the state's board-and-care institutions for the severely developmentally disabled. The force, called the Office of Protective Services, is responsible for protecting roughly 1,700 patients with cerebral palsy and other intellectual disabilities at five developmental centers in Los Angeles, Orange, Riverside, Sonoma and Tulare counties. Police at the centers have **been criticized repeatedly** by advocacy groups and state and federal regulators for lax work on criminal investigations.

The review is intended to assess the training, handling of abuse cases and overtime spending by the Office of Protective Services. The auditor plans to assess whether the police force's procedures comply with state law and to determine what actions the force "has taken to fulfill its responsibilities to protect" patients at the centers.

The review will cost an estimated \$409,200, according to a preliminary analysis by the state auditor. It is projected to take several months of work, but there is no strict deadline for completion.

"This audit will clarify what went wrong in the past and determine how we can prevent this from happening again," Assemblywoman Connie Conway, R-Tulare, said in a written statement yesterday. "Vulnerable Californians should not be put in danger by the very same hands who are responsible for protecting them."

State Sen. Joel Anderson, R-Alpine, and Assemblyman Jim Beall, D-San Jose, also requested the audit of the Office of Protective Services.

The state Department of Developmental Services, which operates the centers and the police force, did not oppose the audit.

"The health and safety of the people we serve is our highest priority regardless of whether they

live in a developmental center or the community,” Nancy Lungren, the agency’s spokeswoman, said in a prepared statement. “The department has and continues to take aggressive action to improve our internal law enforcement, and we welcome the assistance of (the state auditor) and the Legislature.”

Separately, the state Assembly Committee on Appropriations yesterday approved two measures – **SB 1051** and **SB 1522** – that would require that the developmental centers report to outside law enforcement suspicious deaths, and patient abuse and sexual assault allegations involving state employees. The bills now go to an Assembly floor vote.

The audit and legislation are in response to an ongoing **series of stories** this year by California Watch, which reported that detectives and patrol officers at the institutions **routinely fail to conduct** basic police work, even **when patients die** under mysterious circumstances. In case after case, detectives and officers have delayed interviews with witnesses or suspects – if they have conducted interviews at all. The force also has waited too long to collect evidence or secure crime scenes and has been accused of going easy on co-workers who care for the disabled.

These shortcomings were present late last year in a **major abuse case** at the Sonoma Developmental Center.

In September, the Office of Protective Services received a tip that Archie Millora, a caregiver at the Sonoma center, had abused several profoundly disabled men with a stun gun. Internal records obtained by California Watch show detectives found burn marks on several patients and, later, discovered a Taser and a loaded handgun in Millora’s car.

After the assaults were discovered, the Office of Protective Services made no arrest and instead handled it as an administrative matter. At least nine days after the revelations, detectives still had not interviewed Millora, records show.

The Sonoma County district attorney’s office announced last week it would review the matter as a potential criminal abuse case. Previously, the Office of Protective Services had only referred a misdemeanor weapons charge against Millora for possessing a concealed firearm.

The Department of Developmental Services has hired numerous people with no law enforcement experience to handle criminal investigations. In 2007, the department hired Nancy Irving, a former labor negotiator and government manager, as police chief despite the fact that she was not a sworn officer. Irving led the force for a year before retiring from the department.

The current chief, Corey Smith, spent most of his career as a firefighter.

California Watch stories have also detailed how the small force is one of the most proficient in the state at accumulating overtime. Twenty-two officers, roughly one-fourth of the force, have claimed enough overtime to double their salaries.

In all, the state is budgeted to spend \$550 million on the patients and facilities this fiscal year, or about \$314,000 per patient.