

RESULTS



BROKEN SHIELD

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Brown signs bills on developmental center abuse

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<http://bit.ly/BrokenShield-Governor-signs-bills>

Gov. Jerry Brown signed two bills yesterday to require California's developmental centers to alert outside police and a disability protection organization when patients die under suspicious circumstances, are abused or are seriously injured.

The state operates five board-and-care institutions for more than 1,600 people with cerebral palsy and intellectual disabilities in Sonoma, Orange, Tulare, Riverside and Los Angeles counties. An in-house police force, called the Office of Protective Services, patrols and investigates crimes against the centers' patients.

In a series of stories this year, California Watch has reported how the **force has failed** to complete **basic police work**, even in assault and death cases. State lawmakers drafted the measures – **SB 1051** and **SB 1522** – in response to the news coverage.

The bills were marked "urgent" and took effect immediately.

Advocates for the developmentally disabled praised the governor's action as a step toward better protecting the vulnerable.

"This package of legislation together shows a commitment by the administration to begin to address this nightmare situation of disproportionate victimization of people with disabilities," Tony Anderson, executive director of The Arc of California, said in a written statement.

The state Department of Developmental Services, which operates the centers and police force, emailed a statement about the new laws today.

"The Department of Developmental Services is pleased that the Governor has signed SB 1051 (Liu) and SB 1522 (Leno)," the statement said. "These bills are supportive of and consistent with the administration's priority and ongoing efforts to ensure the health and safety of developmental center residents."

The first measure introduced, SB 1051, mandates that the Department of Developmental Services report suspicious deaths and allegations of abuse by employees to Disability Rights California, a protection group.

“It kicks the door open a little bit,” Leslie Morrison, head of investigations for Disability Rights, said of the law.

Sen. Carol Liu, D-Glendale, and Sen. Bill Emmerson, R-Riverside, sponsored the bill.

Additionally, the new law sets minimum job requirements for the chief of the Office of Protective Services. The chief now must be a certified peace officer “with extensive management experience directing uniformed peace officer and investigation operations,” the legislation said.

In 2007, the department appointed Nancy Irving, a former labor negotiator and government manager without law enforcement certification or background, to **work as police chief**. Irving spent a year running the Office of Protective Services. More recently, Corey Smith, a career firefighter, served as chief despite having little experience with criminal investigations. Smith **accepted a demotion** to second-in-command in August.

The companion law, SB 1522, will require that the developmental centers immediately notify an outside law enforcement agency regarding patient deaths, sexual abuse, assaults with a deadly weapon or severe injury, and unexplained broken bones.

Detectives working at the institutions often have been the only law enforcement officials to learn of crimes against patients.

“The governor’s signature will bring much-needed accountability and consequence to unlawful acts at our developmental centers,” said Sen. Mark Leno, D-San Francisco, sponsor of SB 1522.

In numerous cases, investigation records show, detectives at the Office of Protective Services did not collect physical evidence. Officers routinely delayed witness interviews and have been accused of going easy on co-workers who care for the disabled.

The bills moved through the Legislature without public opposition.

“The issue was not considered a partisan one,” Leno said, “and a strong majority of my colleagues recognized that the status quo was not sustainable and needed the attention of this bill.”