

San Bernardino County Sun (<http://www.sbsun.com>)

County leaders, publisher of Forbes tout rising economy in San Bernardino County

By Neil Nisperos, Inland Valley Daily Bulletin

Wednesday, March 8, 2017



ONTARIO >> San Bernardino County leaders on Wednesday evening shared a vision of economic strength and growth at their annual State of the County event, which touched upon recent positive trends.

Hundreds heard how real estate, e-commerce job growth and the arrival of locally grown businesses are opening new markets and opportunities for a highly skilled local workforce.

A 10-minute video presentation included Rich Karlgaard, the publisher of Forbes magazine, commenting on the economic potential of the region, in addition to the county Board of Supervisors.

Other speakers in the economic presentation video included entrepreneurs Jack Dangermond of the [Redlands-based Esri digital mapping company](#); Chris Ma, CEO of the [Ontario-based Vantage LED company](#), which makes large LED displays; and Ben Cook, owner of Hangar 24 Brewery in Redlands.

“If we look at this past year, there was substantial growth within the bi-county areas, and there were 15,000 new jobs in the past year for the county,” Robert Lovingood, chairman of the San Bernardino County Board of Supervisors, said in a phone interview prior to the event. “You have up-markets in health care, up-markets in business services, up-markets in manufacturing.”

Board vice chairman Curt Hagman agreed, saying by phone the county is on a very strong foundation right now.

“On Nov. 1, we got our ([Ontario International airport back](#)) and that is a big plus for the economy,” Hagman said. “We’re going forward with infrastructure projects throughout the county.”

In the video, Karlgaard called attention to the work Esri is doing in Redlands and its role as a major player in digital data services — and as a potential catalyst for other companies to locate in the region.

“Events are moving in San Bernardino County’s direction,” Karlgaard said in the video.

With the region serving as an important hub for logistics and manufacturing, and that sector’s anticipated arrival of automation and robotics, educating the region’s workforce for the highly technical jobs of the region’s future warehouses and factories are key, Supervisor Josie Gonzales said in the video.

Toward that goal, the video highlighted the efforts of the [The InTech Center program](#), which opened last year at California Steel Industries in Fontana. The program is a grant-funded program led by Chaffey College and involves a consortium of 10 colleges, Cal State San Bernardino and UC Riverside. The goal is to provide the high-tech skills necessary for manufacturing and logistics work.

“When a region like San Bernardino County has a resource like InTech that is specifically designed to teach 21st century talent and skills that are needed in a 21st century manufacturing environment that is very tech-driven, that’s a huge advantage,” Karlgaard said in the video.

Dangermond, in the video, called attention to a new spirit of entrepreneurship he's seen in young businesspeople in the region.

"There are strong universities here," Dangermond said. "A leading medical center in Southern California is here. There's a young generation of people who are entrepreneurial that are turning it on."

He added: "There's some kind of new generation of spirit that's occurring that I think will lift up this region and show it as a spotlight, world class."

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Defense continues questioning of county Supervisor Gonzales at Colonies trial

By Richard K. De Atley, The Press-Enterprise

Wednesday, March 8, 2017

SAN BERNARDINO >> Defense attorneys continued their cross examination Wednesday of county Supervisor Josie Gonzales at the Colonies corruption trial, grilling her over the truthfulness of her accounts about visits to China and her voting pattern during settlement negotiations in the more than decade-old civil case.

Gonzales' claim she could not get documents she sought before voting on the \$102 million settlement between the county and the Colonies developers was also examined – the defense said there were opportunities to review the material preceding a vote.

Before jurors entered the courtroom, attorneys for both sides argued over whether Gonzales should have been called upon by prosecutors to testify about the China trips at all, given the amount of evidence contradicting her various accounts over the years.

Gonzales [claimed on the witness stand Tuesday](#) that she had an encounter with Jim Brulte, current chair of the California Republican Party and a former state assemblyman and senator, and defendant and Rancho Cucamonga developer Jeff Burum, in a hotel lobby in China in 2005 during a county trade mission. Gonzales claims Brulte invited her for a lobbying dinner and night out on the town that she rejected.

However, defense attorneys on Tuesday showed Gonzales was stateside during the September 2005 trip, attending events, Board of Supervisor meetings, and a donation mission to hurricane-ravaged Gulfport, Mississippi.

She previously testified under oath that the encounter with Brulte and Burum was in 2006, but that account ruptured when news reports and other evidence showed Burum was not in China at the time she claimed he was.

“Mrs. Gonzales’ testimony is completely made up. It is a made-up incident that never happened,” Burum defense attorney Jennifer Keller told Judge Michael A. Smith during the heated exchange, pointing out that Gonzales is an elected official.

Gonzales’ recounting of the China trips, whether in 2005 or 2006, “cannot be true under any interpretation,” Keller said.

Deputy Attorney General Melissa Mandel told Smith it was improper to assert that prosecutors knew something was wrong, but presented it anyway. She said there were other conflicting accounts about the trips to be explored.

“That is what a trial is for,” she told Smith. “This is an area of conflict in the evidence.”

Smith, who called the exchange an “interesting intellectual exercise,” made no rulings on the matter. Burum, at one point, appearing upset, walked out of the courtroom during the legal arguments.

Gonzales also told Smith on Wednesday she could not find her expired passport from the China trips involved in her testimony.

During her Wednesday testimony it appeared that Gonzales went back to claiming the China incident happened in 2006. Asked how that could be when Burum's passport showed he was not in China during that time, she hypothesized in front of jurors that Burum could have snuck into the country on his private plane, and without a visa.

In the [Colonies case](#) prosecutors allege three former top county officials each allegedly took \$100,000 in bribes from Burum to gain approval for the \$102 million court settlement between the county and Colonies Partners LP over flood control work at Colonies' 434-acre residential and commercial development in Upland.

Defendants include Burum, former county Assistant Assessor Jim Erwin, former county Supervisor Paul Biane, and Mark Kirk, former chief of staff for former Supervisor Gary Ovitt.

All the defendants have denied any wrongdoing, saying the contributions that prosecutors call bribes were public donations to political action committees made as a good faith effort by Colonies Partners to mend political relationships soured by the lengthy legal battle in civil court. The donations could be viewed online, defense attorneys said.

With the jury called in and under questioning from Keller, Gonzales testified she initially voted "yes" on a settlement proposal in November 2006 that included \$88 million cash and a \$14 million chunk of county property in Rancho Cucamonga. But Gonzales subsequently voted "no" on the deal, saying she was not provided with documentation backing Colonies' damages claims.

Keller also elicited testimony in which Gonzales also voted "yes" in closed sessions to vote in favor of other settlements.

Gonzales testified on March 2 that Judge Christopher Warner's July 31, 2006 statement of intended decision, which upheld Colonies' allegations in its longstanding legal battle with the county, was made in haste. But Keller noted Warner heard testimony for 18 days over a six-week period and spent two months analyzing the evidence before rendering his decision.

Gonzales' standing reason for ultimately voting against the settlement was that she did not have documentation about the work Colonies had done to create a 67-acre flood control basin on the property, necessitated to handle runoff from county-built flood-control channels that emptied into the property.

Keller brought up that much of the documentation for the work Colonies did on the basin could have been found at an array of permitting agencies that would have overseen the work. Keller asked if Gonzales had made an effort to get those records. Gonzales said she did not.

Keller also said Colonies on the eve of the vote to approve the settlement delivered three binders of material about costs for the flood control basin, down to parking receipts.

Gonzales said she did not read it and complained there was not enough time for her or her staff to review it.

Keller asked if Gonzales thought to ask to delay the vote so the material could be properly reviewed. She said she did not.

Keller also pointed out that Gonzales also voted with the other four supervisors at the time to validate the final agreement, despite having opposed it earlier.

Keller and Gonzales sometimes clashed during her testimony Wednesday afternoon.

"You're not making sense to me," Gonzales told Keller at one point

"Well, that's a two-way street," Keller replied.

"Thank you," Gonzales replied.

Testimony resumes Monday in Judge Smith's courtroom.

URL: <http://www.sbsun.com/government-and-politics/20170308/defense-continues-questioning-of-county-supervisor-gonzales-at-colonies-trial>

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Racial-profiling data must be kept concise

By The Editorial Board, San Bernardino County Sun

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San Bernardino County Sheriff John McMahon and his law enforcement brethren are fretting about a new data-gathering task that's rapidly approaching for their deputies or officers.

In response to fatal officer shootings of unarmed black men, Assembly Bill 953 became law two years ago. Dubbed the Racial and Identity Profiling Act of 2015, it requires law enforcement agencies to compile data on every stop they make — the officer must record the perceived race of the person stopped, why the stop was made, whether it resulted in arrest, and other data points.

Exactly which other data points are required — and what constitutes a “stop” — are issues that concern McMahon, because of the hours that data-recording will add up to over the course of a day.

Current estimates are that it will take 10 minutes to record the data, he told our editorial board last week. That means an officer who makes six stops in a day loses an hour of patrol time. Using that estimate, the sheriff figures he'll lose manpower equivalent to 88 deputies, a real blow to a strapped department. McMahon fears it will result in a drop in proactive policing like traffic and pedestrian stops, and a corresponding rise in street crime.

That 10-minute estimate is more of a guesstimate. It's up to the attorney general to decide by Jan. 1 which data to require in addition to the seven data points required by the law. McMahon said 200 possible data fields are under discussion.

And the law defines a “stop” as “any detention by a police officer of a person, or any peace officer interactions with a person in which the peace officer conducts a search ... of the person's body or property” A detention or a search could happen as part of a call for service, where officers have to separate, and perhaps search, people in, say, a domestic dispute.

It might be valuable to know who's getting stopped on the street or in cars, and how their ethnicity compares to the local populace at large. But, as McMahon points out, in a call for service the officer encounters whatever races and ethnicities are involved in the incident; he or she is not choosing with whom to make contact.

Clearly the attorney general needs to whittle the requirements down to the most telling data, or data-collecting will overwhelm policing.

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Lucky few get a sneak peek at Rancho Cucamonga library expansion

By Suzanne Sproul, Inland Valley Daily Bulletin

Wednesday, March 8, 2017



RANCHO CUCAMONGA >> Phase I of the [Paul Biane Library \\$2.2 million second-floor expansion](#) was the center of attraction at a recent special sneak peek at the RC Kids Interactive Discovery Space.

And it's quite a space. Community members and city officials enjoyed tours of [the 13,500-square-foot upstairs facility](#). Project updates were given. Guests, including a large number of children, spent time visiting the various spaces that will house a STEM (science, technology, engineering and mathematics) lab, art room and just plain fun interactive discovery sections. It was hard to distinguish who was having more fun, young people or the young at heart. All were clearly excited.

[The facility](#) is in the midst of a \$4 million fundraising campaign. Completion of the entire project is expected within the next four years. The library's very dedicated Rancho Cucamonga Library

Foundation has committed to raising \$1.5 million for the second phase of the library expansion. To date, about \$500,000 of that pledge has been met.

"A formal fundraising campaign will be launched later this year to help achieve the funds needed to design and create the interactive displays/activities planned for the space," city spokeswoman Francie Palmer said.

Pictures posted throughout the space were meant to share the idea of the types of play spaces that could be created with community and business support. A grant has been provided to fund some initial programming in the space starting next month. Ultimately, there will be fee-based programming.

The catchphrase for the evening, however, was "Read, Dream, Discover, Explore!" By the looks of it, there will be ample opportunities to do all four and then some. The open exhibit space will allow for building and designing projects; the early learning center will encourage open play; and the STEM lab will challenge kids to find out more about robotics. Nearby, too, is an art studio of circuit sculptures and a workshop focusing on science and nature.

"It's so exciting for our children to have something so new and innovative. It shows that the city thought ahead from when it built this wonderful library to now 10 years later. I've watched it grow from the ground up, and I can't tell you how awesome the children's programs are," said Faith Collari, president of the Rancho Cucamonga Friends of the Library.

Collari brought granddaughters Ivy and Violet Green to the event. At the mere mention of the proposed STEM lab, Ivy broke out in a huge smile. "We have one of those at my school and I didn't know there was going to be one here. I want to see it," she said.

Elisa Cox was beaming throughout the night too. “I’m thrilled we can finally show off this space,” she said. “Eventually we will be bringing in exhibits that are learning-based, all geared toward helping to develop our youth’s minds and so they can have fun too.”

Cox is the deputy city manager. She oversees the city’s civic and cultural services including the community services and library services departments.

When completed, she said, the library’s Interactive Discovery Space will be one of a very few public library settings in the country. “We have such a great adventure ahead of us.”

Seen at the scene: Rancho Cucamonga Mayor Dennis Michael; council members Sam Spagnolo, Lynne Kennedy, Bill Alexander and Diane Williams; Faith Collari, president of the Rancho Cucamonga Friends of the Library with her granddaughters Ivy and Violet Green; Rancho Cucamonga Friends of the Library members Sharon Totaro, Mary Ann Shell and Lorene Chang; Rancho Cucamonga Library Foundation board member Pam Easter; Danny De La Mora; and Mark Rivera.

Uplanders host fashion show and luncheon

The Uplanders Club Charitable Organization is hosting its annual fashion show and luncheon at 11 a.m. March 25 at the DoubleTree Hotel, 555 Foothill Blvd. in Claremont. The theme will be “Celebrate Spring ... Celebrate Kids” and will feature fashions from the Dress Barn in Fontana.

Tickets are \$55 and available by calling Sandy Kimball at 909-985-8698. The fundraiser will benefit [Million Kids](#).

Ontario firefighters support Megan’s Wings

For the past 15 years, members of the Ontario Fire Department have hosted a St. Patrick’s Day fundraiser at El Torito, 3680 Inland Empire Blvd. in Ontario. That continues this year.

Capt. Marty Perez started the fundraiser years ago and this will be his last as chairperson as he is retiring. Firefighters meet and greet guests as well as wait on tables throughout the day. The event features music, impersonators, raffles, a silent auction and an Irish-inspired buffet along with the regular menu. The fun is from 11 a.m. to 9 p.m. March 17, with 25 percent of food sales benefiting Megan’s Wings, which supports children and families challenged by cancer.

Send news of social events with charitable purposes to ssproul@scng.com or on Twitter [@SuzanneSproul](https://twitter.com/SuzanneSproul). Include a contact phone number. Attach high-resolution JPEG photos, and include group name and identification of individuals from left to right.

URL: <http://www.sbsun.com/social-affairs/20170308/lucky-few-get-a-sneak-peek-at-rancho-cucamonga-library-expansion>

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Councilwoman Gomez's third nominee for Victorville Planning Commission rejected

Wednesday

Posted Mar 8, 2017 at 3:47 PM

Updated Mar 8, 2017 at 4:36 PM

By

Staff Writer



VICTORVILLE — With her choice for the Planning Commission failing to get appointed yet again, Councilwoman Blanca Gomez said Wednesday she will continue to seek the advice of her peers in order to fill the vacant seat.

During Tuesday night's City Council meeting, Gomez nominated Victorville resident and recent City Council candidate Sergio Reyes as her third choice for the Planning Commission. While Gomez made the motion to appoint Reyes, who ran as a 19-year-old in the November election, none of Gomez's peers seconded her motion.

Gomez said she chose Reyes for his community service and involvement in the city, and said "we need a community of leaders to voice their concerns and influence what's happening here."

Reyes was Gomez's third nominee to fail to get appointed. The others were former Hesperia Council candidate Anthony Rhoades, who she nominated on Dec. 20, and American Charro Association representative Ramiro Rodriguez, who was rejected on a split vote on Feb. 7.

"We don't want to put that it's something against Blanca because I know we're working together, but unfortunately politics get in the way," Gomez said.

Reyes, who is a business administration student at Victor Valley College, emphasized how important cooperation within the city and networking is while also highlighting his knowledge of financial stability, budgeting, zoning and community involvement.

Although the Council commended Reyes for his hard work and encouraged him to continue his involvement with the city, they did not see him qualified enough for the position. Mayor Gloria Garcia said it would be unfair to the Planning Commission to appoint Reyes as he has "a lot of book theory, but no experience."

"The Planning Commission is a place where we need people who are knowledgeable, experienced and invested in the community," said Councilman Jim Kennedy. "It's a vitally important position. The Council defers in most cases to Planning Commission judgment, so that experience is critically important and I just don't see it in a college student.

"There are so many people in this community eminently qualified and I would like to see us have one of those folks nominated."

Mayor Pro Tem Jim Cox said he was bothered by the fact the majority of the Council has spoken to Gomez regarding her nominee knowing how important the position is for the growth of the community.

"I am afraid we are embarrassing these candidates because we are not appointing those individuals whose names have been submitted," Cox said. "My greater concern is Council member Gomez understands what it takes for this Council to consider a positive vote, and I hope the rumor that she is submitting candidates that cannot be appointed to claim a push back are untrue."

Cox expressed the need to find someone as soon as possible and said he hopes Gomez will submit a qualified candidate who meets the appropriate requirements.

"I hope this doesn't continue and I don't know how to cure it," Cox said. "I don't want to go through this again. This is not a push back. It has nothing to do with a push back. It's not personal."

Gomez claimed she has taken very specific advice from Cox and has focused her search on someone who is either qualified in the business sector or heavily involved in community service.

"When I considered that and I saw Sergio being very involved in the community, my understanding was he would be a perfect candidate," Gomez said. "When I look for my fourth candidate I will make sure once again, twice (or) three times, those candidates have (those qualifications)."

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San Bernardino County Sun (<http://www.sbsun.com>)

San Bernardino city manager drops out of Reno race

By Ryan Hagen, The Sun

Wednesday, March 8, 2017



SAN BERNARDINO >> San Bernardino City Manager Mark Scott's public interview Wednesday to be city manager of Reno, Nevada, didn't take long, opening with his endorsement of the other candidate.

"I have a dramatic announcement," Scott said in his opening statement, after Assistant Clark County Manager Sabra Smith Newby had been interviewed for an hour. "I think you've already met your future city manager, and it is she."

Scott said no city manager should take a job on a 4-3 vote, and he didn't want to put Reno in that position.

The withdrawal opens up the possibility Scott — by most accounts a popular city manager who is operating on a month-to-month contract — will continue working for San Bernardino long term.

"I will talk to the Council about how we might make it work now that I am having to drive 130 miles (round-trip from Cathedral City) a day," Scott said by email Wednesday. "I need to see if I can do that."

This was to be Scott's second and final public interview with the Reno City Council, with the first [selecting him and Newby](#) as finalists and a series of private one-on-one interviews with council members following.

Tuesday was his first opportunity to meet with Reno staff and council members, which is when he decided he wasn't "sold" on the position being right for him, Scott said.

His [initial one-year contract](#) in San Bernardino ended in February. In January, he applied for the position in Reno. Under Nevada law, his application was a public record once he was chosen for an interview, and interviews with the full council were public — something potentially damaging the credibility of applicants, Scott told the Reno council.

He had hinted during [Monday's San Bernardino City Council meeting](#), at which his month-to-month contract with the city was approved, that he might not accept the Reno post if offered.

But it was only a hint — "Don't say that on TV," he told Councilman Fred Shorett when Shorett tried to clarify Scott's comment — and he flew into Reno for a community event Tuesday and the interview Wednesday.

Scott also hedged when asked Monday if he would commit to San Bernardino longer term.

"From a professional standpoint, this year has been more rewarding for me than any other," said Scott, who took over in February 2016 and has overseen the city's exit from bankruptcy. "But I'm a 67-year-old man who's been living separate from my 43-year wife for three of the last five years. I can't do that forever."

Scott said he moved out of his San Bernardino apartment last week, and instead has been commuting daily from Cathedral City.

"I'm not reluctant to end up the loser in this situation — that's not what this is about," Scott told the Reno City Council, in a meeting broadcast live online. "I could have phoned this in, if I were concerned about the humiliation of this moment."

But he wanted to tell them in person, he said.

Reno officials thanked him for his integrity.

"San Bernardino is in good hands," said Reno Mayor Hillary Schieve. "You've shown that."

The Reno City Council then voted unanimously to negotiate a contract with Newby.

Members of the public and San Bernardino council members praised Scott Monday, and several said the in-person withdrawal only improved their opinion.

"I hear nothing but good things about his leadership," Councilman Henry Nickel said Wednesday. "I think we'd be well off if he were to stay with the city. I know our residents really appreciate his candor and his willingness to speak with them and to be available to them. Personally, I'm sure this was a sacrifice for him, but I was very impressed by his comments (to the Reno and San Bernardino councils), his professionalism, and the commitment he made."

After Scott's initial contract expired, the City Council [voted Feb. 21](#) to extend his contract for only two weeks, saying they were wary about tying themselves to an administrator with one foot out the door.

Monday, just before that two weeks expired, the council voted unanimously to give Scott the month-to-month contract he'd asked for. The \$248,076-per-year [contract](#) allows either Scott or the city to terminate the contract with 30 days' notice, or less if both parties agree.

The council also began a performance evaluation Monday.

And officials said they now recognize the need to establish a clearer transition.

Scott said he, too, had recognized the need since taking the job.

"I've been trying to prepare SB ever since I got here since we only assumed a one-year commitment," he wrote. "Now, however ... I want more because I am happy with what we are doing."

Turnover at the top

Years of turnover preceded Scott's tenure.

Consultant Management Partners calculated in 2015 that the city had 24 percent executive turnover since 2004, including five city managers, police chiefs and public works directors.

In recent memory, City Manager Charles McNeely — a former Reno city manager — [resigned in 2012](#), months before the city filed for bankruptcy.

Then, in 2013, acting City Manager [Andrea Travis-Miller left](#) to become executive director of the San Gabriel Valley Council of Governments. (She returned to San Bernardino as assistant city manager in 2016.)

Her replacement, Allen Parker, was forced into a [negotiated resignation](#), with his last official day being Dec. 31, 2015.

That's when Scott, who had just [resigned from Burbank](#), applied for the San Bernardino job. The City Council quickly chose him, with Police Chief Jarrod Burguan filling in until Scott could start.

In short, as Scott put it in his cover letter to Reno, "San Bernardino had had a nearly complete breakdown in both its governance and management operations."

No one capable would apply, Scott wrote — a conclusion he repeated Monday to the City Council, which gave no indication it disagreed.

Scott, as well as Management Partners and others who have studied the city, attribute much of that breakdown to the city's peculiar city charter. Without charter change, Scott said, he would have to leave because it was impossible to succeed.

[Voters changed the charter](#) in November, which among other things clarified and strengthened the city manager's role relative to the mayor and City Council.

The new charter states that the mayor and City Council — not the mayor, as under the prior charter — are responsible for choosing a city manager who then serves as chief executive officer.

That makes it all the more vital to ensure someone qualified is always in the role, Nickel said.

"We have an obligation to make sure that position is properly filled, that there's continuity in that position," Nickel said. "To me, under our new charter, that is really our primary role, to make sure that position is filled by someone who brings the expertise, the contacts, the resources to ensure that our city is progressing."

Charles McNeely, March 2009-March 2012

Andrea Travis-Miller, March 2012-February 2013

Allen Parker, February 2013-December 2015

Jarrold Burguan, (interim) January 2016

Mark Scott, February 2016-

URL: <http://www.sbsun.com/government-and-politics/20170308/san-bernardino-city-manager-drops-out-of-reno-race>

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Are we any closer to learning John Benoit's replacement?

By [JEFF HORSEMAN](#)

2017-03-08 09:45:01



It might be a while before Gov. Jerry Brown appoints John Benoit's successor, Riverside County Supervisor John Tavaglione said Tuesday, March 7.

Speaking at a Board of Supervisors meeting, Tavaglione said that contrary to rumors coming from a candidate's camp – he didn't say who – an appointment of someone to serve the remainder of Benoit's supervisorial term is not imminent.

Tavaglione, the board chairman, said he spoke with the governor's office last week and that while the field has been narrowed to three candidates,

Brown has yet to speak with any of them, a customary step before he appoints a supervisor.

A spokeswoman for the governor's office declined comment.

By law, the governor has the sole authority to fill a vacancy on the board. Benoit, who represented the Coachella Valley, [died Dec. 26](#) after being diagnosed with pancreatic cancer around Thanksgiving.

Benoit's passing leaves the board with four supervisors. Supervisor Marion Ashley is overseeing Benoit's Fourth District until an appointment is made.

Those who have expressed interest in the appointment include, among others, former state assemblyman and Coachella Councilman V. Manuel Perez, Cathedral City Councilman Greg Pettis, Desert Healthcare District board member Jennifer Wortham and Silvia Paz, a board member for the Desert Recreation District.

The governor is under no deadline to appoint a supervisor and his office has declined to reveal any details about the candidates or the appointment process. Benoit's term runs through the end of 2018.

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Unseasonably warm weather to settle in Inland area

By [ANNE MILLERBERND](#)

2017-03-08 17:15:22



Southern Californians who have shivered through what passes for winter weather here - highs in the 50s and 60s - will soon warm up as what passes for springlike weather - highs in the 80s or even 90 - arrives.

Though no records are expected to break in the next week, forecasters say we're headed for an unseasonably warm and dry pattern. Temperatures will be about 10 to 15 degrees above normal for early March, according to the National Weather Service.

Highs for most of Southern California, other than the beaches and mountains, will be in the mid- to upper 80s by Thursday and stay there

through at least Tuesday.

"This is something we haven't seen in a while with all of these rains," said Los Angeles-based weather specialist Stuart Seto.

A high-pressure system and some light offshore winds are to thank (or blame) for the increased temperatures, Seto said.

Temperatures along the coast will stay in the 70s. Areas of Los Angeles and Orange counties farther inland won't likely surpass the mid-80s, according to the weather service. As usual, Riverside and San Bernardino counties will trend a bit warmer. Headed for the desert? Parts of the Coachella Valley could get above 90 degrees.

San Diego-based Weather Service meteorologist Derek Schroeter said dry and warm conditions aren't unusual this time of year, but it doesn't imply the wet season is in the past either.

"I would not completely rule out another period of wet weather at some point in the next week or two," he said.

The wettest months tend to be December, January and February. Schroeter said if Southern California does see more rainfall, it isn't likely to be the heavy, street-flooding kind that locals typically dread.

"The wettest months are behind us for the year but there's still a chance to get another storm," he said.

The winds that tend to accompany warmups shouldn't be that noticeable this week, Seto said, and aren't likely to prompt weather warnings.

But, Seto says, you can at least plan on a sunny, dry next seven days.

"Enjoy!" he said. "It's been a long time since we've had this."

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State Water Board adopts climate change resolution

Wednesday

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Updated Mar 8, 2017 at 5:20 PM

By

Staff Writer



SACRAMENTO — The State Water Resources Control Board has adopted a climate-change resolution that will affect decisions related to drinking water regulation, water quality protection and financial assistance.

Characterized as a "comprehensive response" in SWRCB documents, the resolution requires "a proactive approach to climate change in all Board actions," including tracking and reporting on actions to reduce greenhouse gases, coordinating with stakeholders to account for climate change and developing recommendations for enforceable actions, among other directives.

In a statement, SWRCB Vice Chair Fran Spivy-Weber described Tuesday's resolution as part of the state's "continuing leadership on climate change."

She listed the "dramatic swing" from California's years-long drought to weeks of record-setting precipitation as an example of the impacts of extreme weather and said the Golden State needs to respond by improving the resiliency of its water systems.

"The water boards (in California) have a critical role to play because our programs range across water conservation, recycling, stormwater management, groundwater management and surface water allocation," Spivy-Weber said. "We

can reduce greenhouse gas emissions, protect our infrastructure and our ecosystems."

The resolution also requires collaboration with the California Air Resources Board and other agencies to reduce methane emissions from landfills, feedlots and wastewater treatment plants as part of the state's goal of reducing short-lived climate pollutants, according to the statement.

Additionally, SWRCB staff and state regulators can no longer rely solely on historical data to guide decisions under climate change, the statement shows. Rather, they must use current models and data to inform actions.

And, in an attempt to increase regulatory consistency, the resolution requires staff to use climate change policy guidance from other agencies, such as the California Coastal Commission and Ocean Protection Council for decisions on coastal infrastructure protection.

SWRCB officials say the resolution builds on one adopted in 2007, which set forth initial actions the board was to take in response to climate change and in support of the implementation of Assembly Bill 32, also known as the Global Warming Solutions Act.

After AB 32's passage in 2006, Gov. Jerry Brown's administration developed the California Water Action Plan — referred to as a blueprint for achieving more sustainable water management — and the SWRCB, as well as regional boards, implemented a variety of actions in response to climate change.

Examples include funding the expansion of recycled water to augment drought resilience and adopting regulations that increase the collection of urban stormwater, according to the statement.

Legislative mandates, like the Sustainable Groundwater Management Act, are also being implemented to strengthen climate change resilience. The SGMA, officials say, will bring depleted groundwater basins into compliance to provide a buffer against future droughts.

Matthew Cabe can be reached at or at 760-951-6254. Follow him on Twitter

Earthquake on the beach: Scientists think a 7.4 temblor could reach from L.A. to San Diego

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Researchers say the land has been pushing at a rate of more than 1 inch a year since 1857. (March 7, 2017)



By **Rong-Gong Lin II**

MARCH 9, 2017, 5:05 AM

The discovery of missing links between earthquake faults shows how a magnitude 7.4 earthquake could rupture in the same temblor underneath Los Angeles, Orange and San Diego counties, a new study finds.

Such an earthquake would be 30 times more powerful than the magnitude 6.4 earthquake that caused the 1933 Long Beach earthquake, which killed 120 people.

But to get to a 7.4, the earthquake would not only have to again rupture the Newport-Inglewood fault in Los Angeles and Orange counties. The temblor would also have to jolt the adjacent Rose Canyon fault system, which runs all the way through downtown San Diego and hasn't ruptured since roughly 1650.

“These two fault zones are actually one continuous fault zone,” said Valerie Sahakian, the [study’s](#) lead author, who wrote it while working on her doctorate at Scripps Institution of Oceanography at UC San Diego. Sahakian is now a research geophysicist with the U.S. Geological Survey.

In the past, scientists reported gaps between the two fault systems of as much as 3 miles apart. But the latest study shows the gaps are actually less than 1¼ miles apart.

“That kind of characterizes it as one continuous fault zone, as opposed to two different, distinct fault systems,” Sahakian said, making it far easier for an earthquake to keep shaking land as it races down a longer fault, widening the seismic reach of the temblor.

There had already been consensus among scientists over the last three decades that the fault systems were actually one, said [Caltech](#) seismologist Egill Hauksson, who was not involved with this study. “We now have real evidence that this is the case,” Hauksson said.

The difficulty in proving it was caused by the location of the gap — under the Pacific Ocean between Newport Beach and La Jolla. Drawing a better map meant trying to figure out where the fault was underwater.

So Scripps researchers hopped aboard boats, and in the fall of 2013 spent more than 100 days at sea collecting data. They created an image of what the earth looks like under the seafloor to estimate where the fault lies.

To do so, they used a technique kind of similar to how submarines use sonar or bats use echoes to see.

From the ship, scientists towed a machine that generates acoustic waves that bounce off the seafloor and deeper underground layers and returns to the ship, giving the data the scientists need to produce a better map of where the faults actually are located. The researchers also used previously collected data to perfect their new map.

The study was [published](#) online Tuesday in the Journal of Geophysical Research.

Work on this fault is a reminder that major earthquakes can strike Orange and San Diego counties, regions that have not undergone catastrophic seismic damage in recent generations.

Orange County, for instance, is sandwiched between the Newport-Inglewood and Whittier faults, Hauksson said. Also underlying the region are the Elsinore fault and Puente Hills thrust fault.

And there’s the problem of the fault being located along the shoreline, Hauksson said, “which can have a soft, water-saturated soil.

“So you would see a lot of liquefaction in the coastal areas, which means there will be a lot of damage to all kinds of coastal structures or piers,” Hauksson said.

In such a quake, hard-hit areas might need to reach out as far as the Inland Empire and Ventura and Santa Barbara counties for help.

There is one possible bright spot for the beaches. The chance of a major temblor in our lifetime on the Newport-Inglewood/Rose Canyon fault is less than a temblor on the southern San Andreas fault, which runs further inland through mountains, valleys and desert.

That's because the land on either side of the southern San Andreas is moving fast, pushing against the other at a rate of more than 1 inch a year. The fault is accumulating energy that will be suddenly released in a major earthquake some day.

In contrast, the Newport-Inglewood/Rose Canyon fault is moving far more slowly. At its north end, the fault is moving one-hundredth of an inch annually.

"These faults are moving pretty slowly compared to the San Andreas, so the likelihood is pretty small — but it's still there," Hauksson said. "It's almost like a lottery ticket. If you buy a ticket, you have some chance of winning, but it's exceedingly small."

While San Diego County may be spared the worst from a San Andreas earthquake, Orange County could be hit hard from either the coastal fault or the San Andreas, which is expected to send powerful seismic waves into the Los Angeles Basin, whose soft soils exacerbate shaking like Jell-O.

"They're on the same soft sediment as the city of Los Angeles," Hauksson said of Orange County.

The funding for the fault research came from Southern California Edison, the operator of the [San Onofre nuclear power plant](#) located on the north tip of the San Diego County coast. The nuclear plant stopped producing electricity in 2012 and is being decommissioned.

Two years earlier, the California Energy Commission directed Edison to evaluate earthquake faults that could affect the power plant. One result of the research was finding that the seismic risk to San Onofre was less than previously feared, with [experts concluding](#) that a hypothetical Oceanside blind thrust fault did not actually exist, according to Edison spokeswoman Maureen Brown.

The other finding — the proof that the Newport-Inglewood and Rose Canyon faults connect — does not change the risk assessment for the power plant, where radioactive nuclear waste is stored.

Buildings that house the nuclear waste are expected to withstand ground shaking from a hypothetical magnitude 7.5 earthquake, larger than what the coastal fault is capable of producing, according to Brown.

Edison decided to decommission the plant after a small amount of radiation leaked in one of two steam generators that had been recently replaced. The generators convert water to steam from heat produced through the nuclear reaction. The steam powers a turbine that creates electricity.

The nuclear power plant's closure was not related to the earthquake study, Brown said.

The northern end of the Newport-Inglewood/Rose Canyon fault zone is near the northwestern border of Beverly Hills and the Westside of Los Angeles.

Among the cities that the fault cuts through are Inglewood, Carson, Long Beach, Signal Hill, Seal Beach, Huntington Beach, Fountain Valley, Costa Mesa and Newport Beach. At that point, the fault goes under the ocean and parallels the coast of Orange and San Diego counties. The fault resumes its path under dry land through the La Jolla neighborhood of San Diego, and continues through downtown and Coronado.

Besides Sahakian, the study's other authors are Neal Driscoll and Alistair Harding of Scripps, as well as Jayne Bormann, Graham Kent, and Steve Wesnousky, who were affiliated with the Nevada Seismological Laboratory at University of Nevada, Reno while conducting the study.

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San Bernardino County Sun (<http://www.sbsun.com>)

Immigrant inmates given rotten meat, 24-hour solitary at Orange County jail, watchdog finds

By Grace Wyler, The Orange County Register

Thursday, March 9, 2017



Immigrants held in Theo Lacy jail in Orange County were served spoiled lunch meats, forced to use dirty showers, and subjected to harsh solitary confinement, among other unsafe conditions, according to a government watchdog.

As a result, officials with the Department of Homeland Security Inspector General's office on Wednesday said they had called for Immigration and Customs Enforcement (ICE) to address health and safety concerns at the jail, which doubles as an immigration detention facility.

"Because of concerns raised during (our) inspection, we recommend that ICE take immediate action," the report said.

As of Wednesday, there were 528 immigrants detained at Theo Lacy, according to immigration officials. The jail, which can house about 3,000 other male inmates in separate units, is run by the Orange County Sheriff's Dept.

During a surprise visit to the jail in November, federal officials found unsafe food handling and unsanitary living conditions in the jail's immigration units, including moldy bathroom stalls and trash-strewn cells.

Detainees told inspectors that meat was often so rotten they had to wash it before eating.

"Of deepest concern, when inspecting the refrigeration units, we observed slimy, foul-smelling lunch meat that appeared to be spoiled," the report said.

The meat was also served to immigrants in other Orange County detention and processing facilities. A Sheriff spokesman, Lt. Lane Lagaret, said inmates throughout the county are served the same food.

Immigration officials said Wednesday that food, bathroom, and phone issues at Theo Lacy have been resolved. They also said they have met with the Sheriff's Department to make sure the center is being run in compliance with the agency's detention standards.

Immigration agents remain on site at Theo Lacy, according to ICE spokesperson Virginia Kice.

The Sheriff's Department said all of the concerns raised in the report had been addressed, and that it "remains committed to the health and safety of all immigration detainees housed" in its jails.

In addition to the food safety and other health violations, Wednesday's report found that detainees accused of violating jail rules were held in solitary confinement for 24-hour periods with no access to recreation or visitors, in violation of ICE detention standards.

Inspectors also reported that immigrants with minor or no criminal records were housed alongside immigrants convicted of serious crimes — another violation of ICE policy. Detainees were not given the opportunity to appeal housing decisions, the report said, and neither the Sheriff's Department nor federal immigration agents had a system for tracking or addressing grievances from detainees.

While the Sheriff's Department has taken steps to resolve these issues, the findings highlighted in the federal report are significant, said Tom Dominguez, president of the Association of Orange County Deputy Sheriffs.

"We are pleased that the Inspector General's findings were not of a more serious nature," Dominguez said.

He added that the union is "hopeful the Sheriff makes further improvements throughout the entire county jail system."

Immigrant rights advocates heralded the report as a victory, citing a long history of complaints by detainees and advocacy groups against Theo Lacy and the Orange County Sheriff's Department.

A 2015 federal complaint filed on behalf of 10 immigrant inmates at the jail alleged that sheriff's deputies physically abused and denied medical treatment to detainees. Last August, several detainees at the jail launched a hunger strike to bring attention to what they said were poor conditions and treatment at the facility.

The jail in 2013 was the subject of an Orange County Grand Jury investigation that found sheriff's deputies systematically shirked their duties by sleeping in the guard station, playing video games and using jailhouse bullies to punish other inmates.

"After months of inaction by the O.C. Sheriff's Department and ICE, we are glad to see that the Inspector General has taken our complaints seriously," said Christina Fialho, executive director of Community Initiatives for Visiting Immigrants in Confinement, which filed the 2015 complaint.

"The federal government needs to end its relationship with the O.C. Sheriff's Department and stop squandering taxpayer dollars on detaining immigrants in a system rife with human and civil rights abuses," Fialho added.

URL: <http://www.sbsun.com/government-and-politics/20170309/immigrant-inmates-given-rotten-meat-24-hour-solitary-at-orange-county-jail-watchdog-finds>

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LOCAL GOVERNMENT



Officials' Top Ten Things to Remember About Public Participation in Local Government

POSTED BY : **BBK LAW** MARCH 8, 2017

Do I Have to Let Them Say/Do That?

Originally published at So Cal Latino Policy Center.

By Ruben Duran.

As the national political climate heated up recently, some local governments are facing spillover effects, with local and sometimes even out-of-town activists and provocateurs attending city council, school board and other meetings to let their voices be heard. While representative democracy usually benefits from a free flow of information and public input, unfortunately some recent incidents have made clear that the rancor and divisiveness that ensures high ratings on cable TV news programs can interfere with the work of local government.

Here are the top ten things to remember about public involvement in local government meetings in California:

1. The basic rule in California under the Brown Act is that the work we do as public officials is the "people's business." As such, the public has broad rights to attend meetings of the legislative body (anytime a majority or more of your council or board is gathered to hear, discuss, deliberate or act on an item of agency business). Those meetings, of course, must be conducted after proper notice and posting of an agenda. Additionally, the public has the right to comment on the items we discuss and act on prior to our taking any actions on the items.

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2. The public also has the right to comment on any *other* issue “within the subject matter jurisdiction” of your agency during any regular meeting of the body. This can sometimes be tricky, and may require some deft handling of meetings. For example, most city councils in California have no control over schools within their jurisdiction; locally elected school boards have that authority. Thus, it would be acceptable to stop someone from commenting on school-related issues at a city council meeting. The converse is also true: a school board does not have to allow comments that should be directed at city officials at a school board meeting.

Does that mean a city council can stop public comment on national immigration policy issues, for example? Strictly speaking, local governments have no policy control over federal immigration decisions. To the extent public input is focused on issues or decisions over which the local governing body has no input, decision-making authority or control, there is a strong argument that commentary on such issues need not be allowed.

The reality in 2017, however, is that some local governments *are* taking public and policy-related stands on immigration issues, usually in the context of “sanctuary city” questions or local law enforcement stances vis-à-vis federal immigration enforcement. As some of us have experienced recently, those issues and debates can quickly devolve into shouting, catcalls, whistles and other disruptive activity.

3. Which leads to the third point to remember: while the law protects speech rights for members of the public to address the legislative body, those rights are not without limits. The agency has a right to halt speech that disrupts the body’s ability to complete its business on the posted agenda.

4. Here, it is critical to remember that the agency’s rights to limit or prohibit speech cannot be based on the *content* of that speech only. Content-based restrictions on speech have long been held unconstitutional by courts across the U.S. Instead, the local agency’s right to stop speech at a public meeting arises *only* when that speech becomes disruptive – interfering with the agency’s ability to do business. There must be *actual disruption* resulting from the speech, not merely the potential for disruption or discomfort, anger or disbelief for the audience, the body or the staff.

5. Examples of disruptive speech (as found by courts) include:

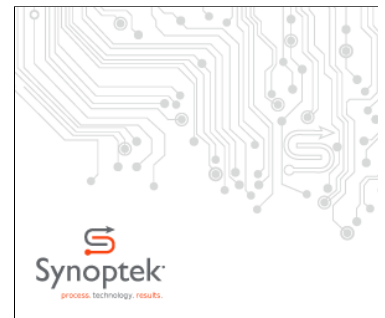
- Speech that is too long
- Speech that is unduly repetitious
- Speech that includes extended discussion of irrelevancies
- Yelling
- Interrupting
- Personal, slanderous, or profane remarks that are also disruptive (personal, slanderous, or profane remarks on their own are not necessarily disruptive)

This means that you can legally remove from the meeting room individuals who engage in speech that disrupts your meeting.

6. Your options when your meeting is disrupted by members of the public are laid out in the [Brown Act](#). You can eject the disruptive person(s) from the room or clear the entire room, except for non-disruptive press, if necessary.

7. You must allow criticism of the “policies, procedures, programs or services of the agency [and] of the acts or omissions of the legislative body,” so long as that criticism does not result in a disruption of the meeting.

8. For cities, there are also options for when the disruption is caused by a member of your own city council. [The California Government Code](#) authorizes a city council to “punish a member or other person for disorderly behavior at a meeting.”



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9. Although not legally required, it makes policy sense to consider adopting a policy that lays out the rules so everyone knows what to expect and what to do when things get out of hand. The policy should include notice and warnings if necessary so that the people involved are given fair opportunity to conform their behavior to the rules.

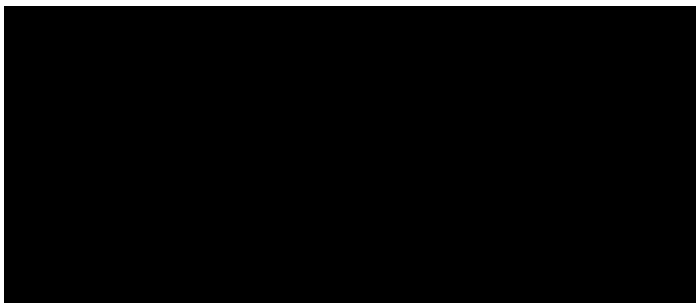
10. Finally, remember that the main reason you hold regular and special meetings of your city council, school board or other legislative body is to get the business of your agency done and serve the public. The law allows and expects that your meetings can and should be run effectively and efficiently in an environment of respectful decorum and transparency.



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Upgrade your jail cell - for a price

Pay-to-stay option allows even those convicted of serious crimes a safer, more comfortable stay

By **ALYSIA SANTO** (<https://www.themarshallproject.org/staff/ALYSIA-SANTO>), **VICTORIA KIM** (<http://www.latimes.com/la-bio-victoria-kim-staff.html>) AND **ANNA FLAGG** (<https://www.themarshallproject.org/staff/ANNA-FLAGG>)

MARCH 9, 2017

Read the story



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Beverly Hills Jail

Alan Wurtzel met Carole Markin on Match.com in 2010. On their first date, he took her to coffee. After their second date, he walked Markin to her door, followed her inside and, she said, forced her to perform oral sex.



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Wurtzel later claimed the act was consensual, but in 2011 he pleaded no contest to sexual battery and was sentenced to a year in jail. His victim was disappointed in the short sentence, but she still believed a measure of justice would be served with her assailant locked behind bars at the Los Angeles County Jail.

Instead, Wurtzel found a better option: For \$100 a night, he was permitted by the court to avoid county jail entirely. He did his time in Seal Beach's small city jail, with amenities that included flat-screen TVs, a computer room and new beds. He served six months, at a cost of \$18,250, according to jail records.

Markin learned about Wurtzel's upgraded jail stay only recently, from a reporter. "I feel like, 'Why did I go through this?'" she said.

In what is commonly called "pay-to-stay" or "private jail," a constellation of small city jails — at least 26 of them in Los Angeles and Orange counties — open their doors to defendants who can afford the option. But what started out as an antidote to overcrowding has evolved into a two-tiered justice system that allows people convicted of serious crimes to buy their way into safer and more comfortable jail stays.

An analysis by the Marshall Project and the Los Angeles Times of the more than 3,500 people who served time in Southern California's pay-to-stay programs from 2011 through 2015 found more than 160 participants who had been convicted of serious crimes including assault, robbery, domestic violence, battery, sexual assault, sexual abuse of children and possession of child pornography.

Breaking down pay-to-stay convictions

More than 3,500 people participated in pay-to-stay programs in Southern California from 2011 through 2015. An analysis found 4.5% of the cases involved serious offenses, labeled **injurious or sex crimes** in the table below.

DUIs Driving under the influence of alcohol or drugs	66.2%
DRIVING VIOLATIONS Speeding, reckless driving and traffic violations	13.1%
INJURIOUS OR SEX CRIMES Assault, battery, domestic violence, robbery, sex crimes	4.5%
PROPERTY Vandalism, property damage	2.6%
DRUGS Possessing, selling, transporting illegal drugs	1.5%
DRIVING CAUSING INJURY Vehicular manslaughter and driving violations that cause injury	0.9%
OTHER All other crimes	3.4%
NO DATA No data available	7.8%

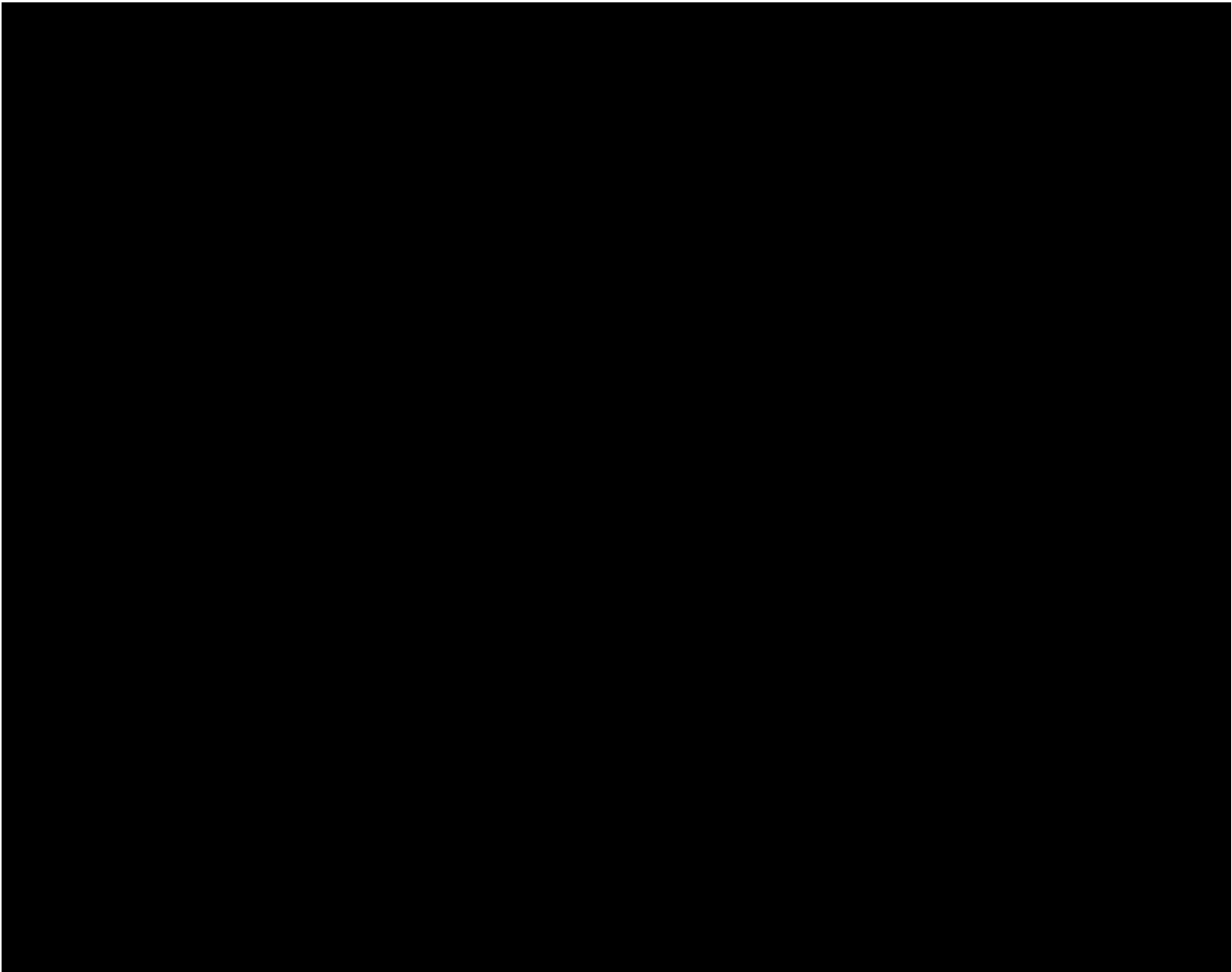
SOURCE: INDIVIDUAL CITY JAILS.

They include a hip-hop choreographer who had sex with an underage girl; a former Los Angeles police officer who stalked and threatened his ex-wife; and a college student who stabbed a man in the abdomen during a street scuffle.

Like Wurtzel, those defendants were convicted of felonies, which can end in a state prison sentence. But judges have the discretion to order some felony offenders to serve time in county jails. In those cases, judges can also allow a defendant to serve the time in a city jail.

Pay-to-stay jail assignments make up only a small fraction of the tens of thousands of inmates sent to detention centers in Southern California each year. But allowing some defendants to avoid the region’s notoriously dangerous county jails has long rankled some in law enforcement who believe it runs counter to the spirit of equal justice.

The region’s pay-to-stay jails took in nearly \$7 million from the programs from 2011 through 2015, according to revenue figures provided by the cities. In attracting paying customers, some cities openly tout their facilities as safer, cleaner and with more modern amenities. The Santa Ana jail’s website, for example, notes that jail is a “highly disruptive experience” and promotes its jail as a place where criminals can serve their time in a “less intimidating environment.”



Click or tap to explore
a Beverly Hills Jail cell

“The whole criminal justice system is becoming more and more about: How much money do you have? Can you afford better attorneys? Can you afford to pay for a nicer place to stay?” said John Eum, a detective with the Los Angeles Police Department who investigated the hip-hop choreographer.

Pay to stay is not cheap. From 2011 through 2015, the average cost of a stay — which can last from just one day to more than a year — was \$1,756.

The most expensive stay, according to jail records, was \$72,050, paid by a man responsible for a drunken freeway crash that killed one of his passengers.


A racial breakdown of pay-to-stay participants could not be determined because complete data were unavailable.

“

The whole criminal justice system is becoming more and more about: How much money do you have? Can you afford better attorneys? Can you afford to pay for a nicer place to stay?

”

— LAPD Detective John Eum

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Some defendants have done repeated stints in the pay-to-stay system, the analysis showed.

Wurtzel, a one-time real estate developer, was one of them. In 2004, six years before the assault on Markin, he was accused of sexually assaulting women he lured to his Pacific Palisades home through an ad for a live-in housekeeper. He pleaded no contest in 2007 to sexual battery of two women, one of whom was an undercover officer, and was sentenced to 135 weekends in jail. He split his time between Hawthorne’s pay-to-stay jail at \$75 a night and Glendale’s jail, which then cost \$85 a night.

Wurtzel declined to comment. His defense attorney, Robert Schwartz, said that pay-to-stay jails were the appropriate place for his client, a convicted sex offender then in his 60s. “There’s a pecking order among inmates...he’s not somebody who would do well,” said Schwartz. “It’s still jail. There’s still the loss of freedom.” The judge in the case declined to comment.

Most pay-to-stay jails have a sales pitch centered around security, but defendants also comparison-shop like consumers for amenities and flexibility. After he pleaded no contest to statutory rape of a 14-year-old girl who attended his South L.A. church in 2011, Leonel Pelayo, then 45, compiled a list of every pay-to-stay jail he could find.

“County jail, you’re verbally abused, physically abused by everybody,” said Pelayo, who was a church leader. “I didn’t want to spend one day there.”



“



Leonel Pelayo (LAPD)

[In] County jail, you're verbally abused, physically abused by everybody, I didn't want to spend one day there.

”

— Leonel Pelayo, who pleaded no contest to statutory rape of a 14-year-old girl who attended his South L.A. church in 2011.

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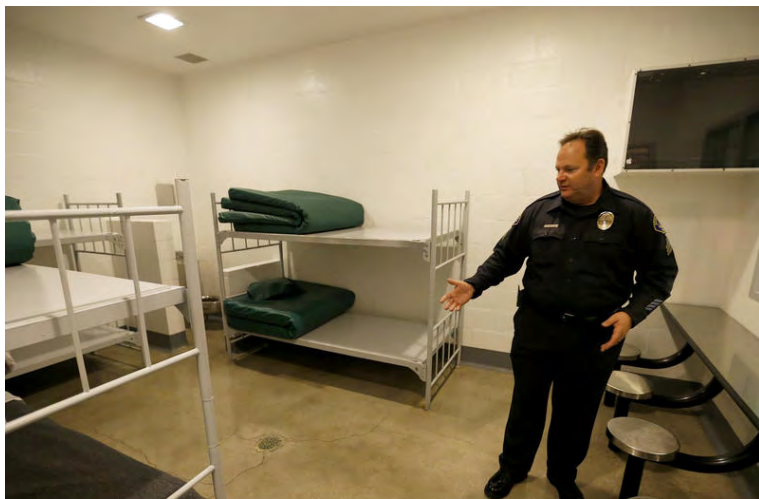
He eventually settled on the jail in Seal Beach, paying \$18,250 for the privilege, jail records show.

“What I don't agree with is people saying that's not enough [punishment],” Pelayo said. “What's the concept of punishment? Is it the time, or getting beat up every other day in jail?”

Brutality and overcrowding have long plagued the Los Angeles and Orange County jail systems. They are the only adult jails in California currently under Justice Department scrutiny over concerns such as unsafe prisoner conditions, and similar allegations have been made by civil rights attorneys dating back to the 1970s.

A legislative crackdown on drunk driving in the 1980s strained already overcrowded county jails, and a few small city jails with unused beds in Los Angeles County offered to take the spillover, as long as the inmate paid a daily rate for his or her costs. The applications poured in, many from inmates worried about the risk of assault in crowded county lock-ups. City jails in Orange County soon set up similar programs.

Today, there are nearly 200 city jail beds for rent in Los Angeles and Orange counties, which have taken the most advantage of the option, by far. A Los Angeles Times-Marshall Project review of jails statewide showed only one pay-to-stay program outside Southern California — in Fremont, near San Francisco.





"We bend over backwards to make sure their basic needs are met. But they have to remember, it's still a jail," said Sgt. Steve Bowles, who runs Seal Beach's pay-to-stay jail. (Allen J. Schaben / Los Angeles Times)



Inmates crowd a dorm room inside the Men's Central Jail in Los Angeles. Brutality and overcrowding have long plagued the Los Angeles and Orange County jail systems. (Brian van der Brug / Los Angeles Times)

The section of California penal code that allows people to serve county jail sentences in city jails specifies that the option is available for misdemeanor offenses committed in the same county where the pay-to-stay jail is located. But in practice, judges have allowed offenders convicted of felonies to participate in pay-to-stay — and allowed others to take advantage of the program even though they committed their crimes elsewhere.

Nearly every pay-to-stay program welcomes people whose crimes have taken place across county or even state lines. In Southern California, city jails have housed more than 200 people who broke the law in Arizona, for instance, and have also accepted clients with arrests as far away as Iowa, Washington, Minnesota and Montana, a review of the data shows.

Prices vary widely, with each city setting its own rate. Defendants can get a bargain-basement bed at La Verne for \$25 a night or pay a modest \$75 a night in Hawthorne. Or they can splurge, paying \$198 a night in Redondo Beach or \$251 a night in Hermosa Beach. Monterey Park even offers the option of serving time in half-day increments, for \$51. "We just basically let them book their time," said D.J. Casey, the lead records clerk for Monterey Park's police department. "Sometimes they call and cancel and say, 'My kid's sick.'"

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On average, defendants served 18 days in pay-to-stay jails, the analysis found. Most facilities offer bunk beds and shared common areas. The programs vary in size from one cell, which contains two beds, a refrigerator, phone and television, in Fullerton, to an eight-bed dorm room in Montebello.

Two programs, in Monrovia and Whittier, do not allow overnight stays; participants come in for shifts to do janitorial work and other duties. Most programs require paying inmates to perform chores in the jail.

City jail administrators say they provide a valuable alternative for those who may be particularly vulnerable in county jail, such as sex offenders, celebrities and very young or old inmates. Jail administrators say they have to maintain a reputation for being sufficiently punitive or judges will refuse to send inmates their way.

“We bend over backwards to make sure their basic needs are met. But they have to remember, it’s still a jail,” said Sgt. Steve Bowles, who runs Seal Beach’s pay-to-stay jail. “We’re just another option...it’s not the Four Seasons by any means.”



(/projects/la-me-pay-to-stay-seal-beach/)

‘This is like paradise’: Seal Beach’s pay-to-stay program actively markets its jail, attracting deep-pocketed offenders

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The Times-Marshall Project review showed that much of the pay-to-stay program has stayed true to the original spirit: The majority of defendants who served time in the facilities from 2011 through 2015 — 79% — had driven under the influence or committed other driving-related offenses.

But in dozens of other cases, the crimes were more serious.

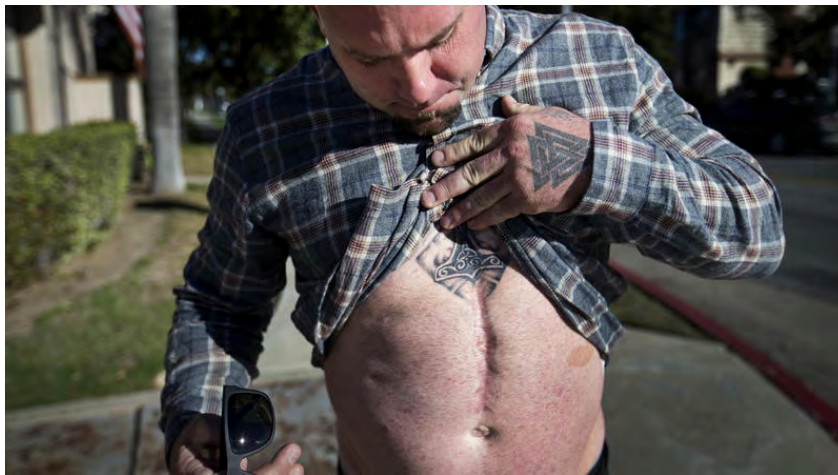
Nearly 3% of cases involved violence or the threat of violence to another person, including more than five dozen assault or battery cases, almost four dozen domestic violence cases, and a robbery. Among them were a pair of defendants who jointly attacked two sheriff’s deputies; two motorcycle gang members who assaulted a man in a bar fight; and a man who hurled his girlfriend against the couch in a jealous rage, breaking her jaw.

The review of the data also showed that nearly five dozen people — about 1.5% of the total — were convicted of sex crimes, most of them involving abuse of minors, including child molestation, possession of child pornography and statutory rape.

At least seven people served time in pay-to-stay programs after causing fatal vehicular accidents.

Some prosecutions were marred by imperfect witnesses or murky circumstances. But it is not clear if judges considered that when allowing defendants to serve time in pay-to-stay jails.

In October 2011, Eric Lund was walking with a friend in Huntington Beach when they clashed with Tanner Mester on the street. A war of words escalated into a brawl, and Lund stabbed Mester in the abdomen.



Tanner Mester shows his scar where he was stabbed in the chest. (Allen J. Schaben / Los Angeles Times)

They had lived distinctly different lives. Lund was a 21-year-old student at the UCLA. Mester, who still had gang tattoos from repeated stints behind bars, was a former drug addict. At age 30, when he encountered Lund, he was clean, caring for a newborn and starting a plumbing business.

Their experiences with the justice system turned out to be different, too.

Lund, who argued self-defense, pleaded guilty to felony aggravated assault with a deadly weapon and faced up to eight years in state prison. As part of a deal, he was granted probation with a year in jail. The judge agreed that for \$100 a night, Lund would serve his sentence in Seal Beach. The total price tag for Lund's year-long sentence was \$36,550, including a small administrative fee, according to jail records.

Lund said he was hesitant to take his chances with a jury. "Once I knew I would get private jail versus Orange County jail, the year was a no brainer," Lund wrote in an email sent through his current lawyer.



Eric Lund's booking photo. (Huntington Beach Police Department)

“

Once I knew I would get private jail versus Orange County jail, the year was a no brainer.

”

— Eric Lund, who paid \$36,550, including a small administrative fee, for his stay at Seal Beach.

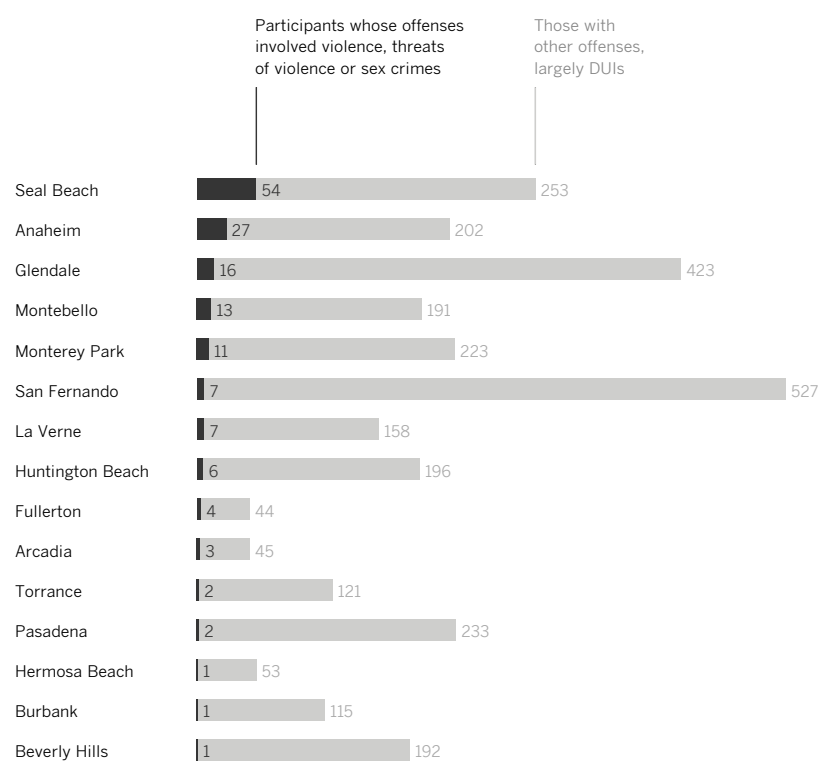
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Mester, who needed two surgeries to repair internal damage to his stomach and liver, had no idea it was possible in California to pay for special jail accommodations. "They tried to tell me he was afraid of the general population ... but that's part of jail," he said in a recent interview. "That's what makes you not want to go back, it being such a horrible experience."

The prosecutor on the case, Lynda Fernandez, said she agreed to allow pay-to-stay after weighing the strength of the case against Lund. “I try to do justice the best way I can,” Fernandez said.

It is ultimately a judge’s choice whether to permit a defendant to enter a pay-to-stay program. But judges were not eager to talk about their decision-making. More than a dozen judges in Los Angeles and Orange counties declined interview requests. Some city officials were also reluctant to disclose information, with five city jails declining to comply with public records requests until lawyers for the Marshall Project intervened. One, Baldwin Park, said it did not keep records prior to 2016.

Pay-to-stay participants by jail and offense



INCLUDES ONLY CITIES WITH AT LEAST 50 PARTICIPANTS FROM 2011 TO 2015. IN SOME CASES, CONVICTION INFORMATION WAS NOT AVAILABLE FOR EACH PARTICIPANT. HUNTINGTON PARK WAS EXCLUDED BECAUSE CONVICTIONS WERE UNAVAILABLE FOR A MAJORITY OF PARTICIPANTS. SOURCE: INDIVIDUAL CITY JAILS.

The pay-to-stay option can be frustrating for victims.

Shane Sparks, a choreographer with credits on the reality shows “So You Think You Can Dance” and “America’s Best Dance Crew,” met Monique Fronti in the 1990s at the Los Angeles dance studio where he worked and

she was a student. They began having sex a week before her 13th birthday, she later alleged.

At the time, Fronti said, she felt forced into having sex. In 2009, she talked to a therapist, who reported the alleged abuse to police. Sparks admitted to a detective to having a sexual relationship with Fronti but said it was consensual. In a recent interview, Sparks said he assumed Fronti was of legal age because she sometimes worked behind the front desk.

Sparks pleaded no contest in 2011 to sexual intercourse with a minor under the age of 16 and served 135 days in Alhambra's jail. Although a judge said Sparks had to serve his time within a year, he took two years to finish as he continued working and traveling internationally, according to court and jail records.

"It was actually a retreat for me," Sparks said of his time in jail. He wore his own clothes and brought his own bedding and food, he said. He said he spent most of the time editing musical recordings on his computer.




Shane Sparks (Chris Polk / FilmMagic)

“

It was actually a retreat for me.

”

— Shane Sparks, who pleaded no contest in 2011 to sexual intercourse with a minor under the age of 16 and served 135 days in Alhambra's jail.

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"He got to take what he wanted from me and take what he wanted from the court," Fronti said recently. "And at no point did I feel like I had justice."

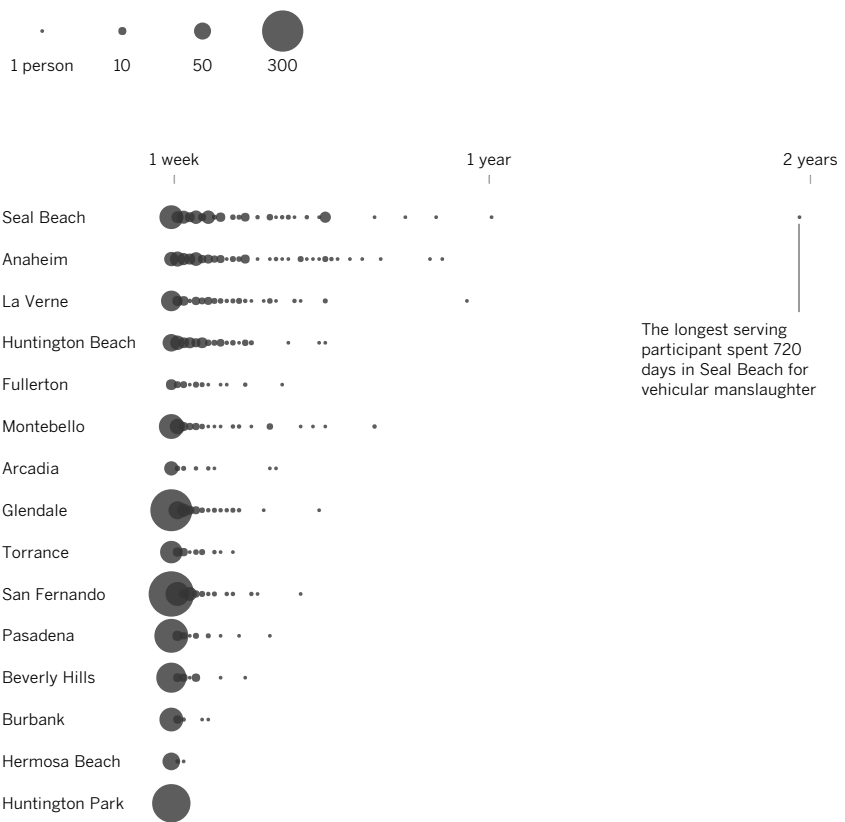
Los Angeles Deputy Dist. Atty. Alison Foster said the difficulty of proving a 15-year-old case and Sparks' clean record in the intervening years were all considerations in agreeing to the pay-to-stay sentence. She called it, "an unusual set of facts and not something that is considered in most felony cases."

The state agency overseeing California's jails is the Board of State and Community Corrections, which inspects the facilities every two years. But the board does not monitor whether or how much jails charge for their services, what kind of defendants they allow, or what amenities are available. City jail administrators say they carefully screen applicants and are willing to eject inmates who do not follow the rules.

One of the most attractive conveniences in pay-to-stay programs — not available at county jail — is the option to go on work furlough, which allows people to go to their jobs with an ankle bracelet and return to the jail in the evenings to sleep. At least eight city jails offer work furlough, and most of the other pay-to-stay facilities allow people to serve time on weekends. The Los Angeles County jail has no weekend option, although Orange County does.

For Robby Johnson, though, work furlough offered another opportunity. Johnson, a former Los Angeles Police Department officer, pleaded guilty in 2012 to stalking and harassing his ex-wife. He was sentenced to one year in jail and was allowed to serve in Seal Beach.

Time served in pay-to-stay



INCLUDES ONLY CITIES WITH AT LEAST 50 PARTICIPANTS FROM 2011 TO 2015. DATA EXCLUDE THOSE FOR WHOM THE CITY COULD NOT PROVIDE LENGTHS OF STAY. SOURCE: INDIVIDUAL CITY JAILS.

For \$120 a day, totaling more than \$32,000 for 272 days, Johnson left the facility each weekday to work as a guard for American Corporate Security and teach fitness classes. But when recently contacted by reporters, those employers said they did not know Johnson was serving jail time and that they believed he forged letters from them to secure a judge’s permission to leave jail.

In an interview, Johnson said his employers knew that he was in legal trouble, but when asked whether they were aware he was commuting to work from jail, he responded “probably not.”

“If I would have told [my employers], I would have not been employed. And when you’re not employed, you go to prison.” Johnson no longer works for American Corporate Security. The company would not provide details about when or why he left.

The L.A. and Orange County district attorney’s offices said they have no set policy or procedure for agreeing to pay-to-stay sentences.

“Each case is decided on its own merits,” Los Angeles County district attorney spokeswoman Jane Robison wrote in an email. Susan Kang Schroeder, chief of staff for the Orange County district attorney, said a pay-to-stay sentence for a serious crime is “not something we take lightly.”

“We didn’t create the system,” Schroeder said. “So we have to work within it and figure out what is in the best interest of a case. You could even say that if it helps the taxpayer save money, that’s always a good thing.”

Luicci Nader is one young defendant who realizes his situation could have been much worse.

At age 18, he crashed his Ferrari on Christmas Eve 2009, killing his cousin. Prosecutors alleged that he was speeding, and in 2012, he pleaded guilty to felony vehicular manslaughter.

Nader blamed the car’s speed on a computer malfunction. He said his family spent more than \$1 million on attorneys fees and automotive experts for his defense. His family paid more than \$18,000 for his jail stay.

Nader spent six months in jail doing chores, praying, reading novels and reflecting.

“I was lucky,” he said. “A less fortunate person in my shoes should have the same option.”

Tenny Tatusian and Michael Phillis contributed research to this article.

This story was reported in partnership with the Marshall Project, a nonprofit news organization covering the U.S. criminal justice system.



How We Crunched California’s Pay-to-Stay Data: A guide to our methodology

[Read the story](#) [\(/projects/la-me-pay-to-stay-methodology/\)](/projects/la-me-pay-to-stay-methodology/)

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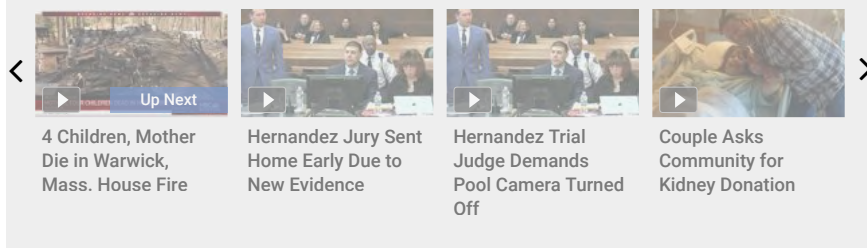
Wild Interpretive Dance Performed at Portland City Council Meeting

By Danielle Waugh



ARTS IN THE CHAMBER
PORTLAND, ME
NBC BOSTON

A City Council meeting in Portland, Maine, was recently transformed into a stage for a five-minute-long interpretive dance.
(Published Wednesday, March 8, 2017)



City council meetings aren't known for their entertainment value, but in Portland, Maine, council chambers turned into must-see TV when a local artist performed a five-minute-long interpretive dance.

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Monday's meeting featured "dance comic" and performance artist Sara Juli, who did an excerpt of her piece "Shadow Artist."

It started with Juli crouching and panting in front of the councilors, then slowly forming and repeating the phrase: "Have you ever tried so hard to do something that it paralyzed you?"



City Council meetings aren't known for their entertainment value, but in Portland, Maine, Monday, council chambers were transformed into a stage for a five-minute-long interpretive dance. (Published Wednesday, March 8, 2017)

She said it's about "struggling with my own fear of being an artist."

Juli twirled and flailed for several minutes, then surprised everyone in the audience by climbing on top of a Zoning Board member's lap.

• Controversial Bill Proposes Safety Measures for Dogs in Cars

"This was my introduction to local government," said Robert Bartels, who was attending his first ever Portland City Council meeting.

City councilors appeared shocked and unsure how to react when Juli jumped on Bartels, who called the dance "whimsical and brave."

"She put a smile on everybody's face, and she reminded all of us we should not take ourselves so seriously," said Bartels.

Juli said she work takes personal issues, and makes them public. In this dance, she was depicting an artist trying so hard to perform, that they suffer a kind of writer's block.

When she gagged and choked to depict paralysis, many interpreted it as vomiting.

Mayor Strimling said it could be a tough act to follow.

"She challenged us, she entertained us, it was risky, it was great," said Strimling.

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49° Few Clouds
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Radar



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Maps

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Pick One: Chinese food or Thai food?

☐ Chinese

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☐ Neither

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