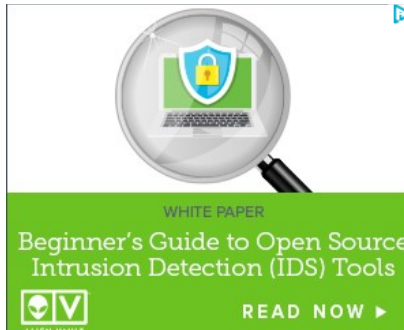




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July 27, 1997



Child Protective System in S.D. Scored by Grand Jury : Children: County Department of Social Services has a 'mind-set' that abuse is everywhere, report says.

February 07, 1992 | ALAN ABRAHAMSON | TIMES STAFF WRITER

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SAN DIEGO — The San Diego County child-protective system is "out of control, with few checks and little balance," the county grand jury said Thursday in a blistering report that called for "profound change" and urged prompt "corrective action."

Capping a seven-month investigation, the grand jury said the county Department of Social Services has developed a "mind-set" that abuse and neglect are everywhere, a powerful bias that too frequently tears families apart unnecessarily rather than working to keep families together whenever possible.

In many cases involving allegations of sexual molestation, for instance, it is "almost impossible to prove that (molestation) happened," the panel said. But "the burden of proof, contrary to every other area of judicial system, is on the alleged perpetrator to prove his innocence."

The grand jury said that virtually every aspect of the system--designed to identify, then safeguard children who are abused or neglected--must share the blame. The county social service agency is too bureaucratic. County lawyers fail to screen cases carefully. Juvenile Court is too chaotic, the grand jury said.

The current system, "characterized as it is by confidential files, closed courts, gag orders and statutory immunity, has isolated itself to a degree unprecedented in our system of jurisprudence and ordered liberties," the grand jury said. In addition, the system resists external criticism as "inappropriate," the panel said.

The first of 86 changes, the grand jury said, should be to do away with the agency charged with investigating abuse and replace it with a brand-new one apart from existing bureaucracy.

Currently, the agency includes a division that too often "can not distinguish real abuse from fabrication, abuse from neglect and neglect from poverty or cultural differences," it said.

Richard W. (Jake) Jacobsen, director of the county Department of Social Services, said Thursday he welcomed the report but disputed certain charges--though he stressed he could not comment on most allegations because he had not yet read the 55-page grand jury report.

"Our social workers can tell the difference between fabrication and child abuse," Jacobsen said. He added, "I stand behind my staff but that doesn't mean my staff doesn't recognize, and I don't recognize, that there are areas for us to improve.

"Certainly if they've got recommendations in there that are going to help us improve, we're going to welcome those recommendations and implement them," Jacobsen said, adding that change would be timely. "It always puts it on a fast rail when it comes like this."

County officials have 90 days to respond directly to the grand jury and its report. But the grand jury cannot enforce the changes it recommends.

The grand jury said it was acutely aware that the county is financially strapped. In putting the report together, the panel was told repeatedly that "the solution was more dollars." For instance, judges said they needed 16 more courts and Jacobsen said he needed twice as many social workers.

The panel said, however, that its conclusion was that the system "does not need to expand." Instead, a streamlined bureaucracy with "clearly defined goals" should save the county "many of the dollars which are currently contributing nothing to the well-being (of) children and families," the panel said.

Too many social workers are overworked and over-stressed, the grand jury said. Meanwhile, the agency has too many managers, the grand jury said, recommending that "much" of Social Services management return to "on-line" social work.

"I think the DSS has become so large and become so unwieldy and so top heavy that it is no longer able to function efficiently," said Carol Hopkins, the grand juror who spearheaded the panel's report. A new agency with "a specific goal could function more efficiently," she said, but did not provide other details.

Jacobsen said the agency was not too top-heavy. The agency has 150 "senior managers" serving 4,000 employees, he said.

The agency had an \$821-million budget for fiscal 1992, Social Services spokeswoman Carol Baenziger said.

About \$51 million of that total went to the Children's Services Bureau, one of six Social Services departments, Baenziger said.

The bureau should be taken out of the Social Services orbit and reorganized under a new name, Department of Family Services, the grand jury said.

Jacobsen said he was not necessarily opposed to the idea. "If that is the way it goes, that does not bother me," he said, adding that it made no sense "to hang on just to hang on."

One of the most compelling reasons the change makes sense, the grand jury said, is that allegations of abuse too often lead to a child, especially an infant or toddler, being yanked away from home and ultimately put up for adoption. Some 40% of the children in the system will never return home, it said.

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