

LOCAL NEWS • News

San Bernardino County settles foster child sexual abuse case for \$7.8 million

Former social worker allegedly concealed boy's history of sexual abuse from foster parents

By **BEAU YARBROUGH** | byarbrough@scng.com | The Press-Enterprise

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San Bernardino County has agreed to pay \$7.8 million to settle a lawsuit alleging the county foster care system did not protect a boy from sexual and physical abuse by his older brother, who was placed with him in a foster home, despite officials knowing about previous abuse.

“There were prior issues with the older child who was abusing my client,” said attorney Eric Rossman, of the Idaho-based Rossman Law Group, which represented foster parents William and Michelle Mueller. “They protected other kids from the older kid, but they didn’t protect this child.”

“The county agreed to resolve litigation filed by the child and the adoptive parents,” San Bernardino County spokesman David Wert wrote in an email. “While the county has not admitted any liability in this matter, when deciding to resolve litigation the county considers the effects of protracted litigation on children and families. The county considers the resolution to be consistent with the well-being of all parties.”

While in foster care, the boy — identified as “E.M.” in [court filings](#) — was physically and sexually abused by his older brother, identified as “C.T.”

The county knew of the boys’ prior history of sexual abuse, according to Rossman, but did not disclose it to the Muellers when the boys were placed in their home in 2016.

Before they were sent to live with the Muellers, C.T. had reportedly been “forced to watch pornography” by his biological parents and had been removed from a previous foster home after he was caught exposing himself repeatedly to other young children. He also reportedly had a 7-year-old girl touch him inappropriately. C.T. had been referred to a special intervention program as a result.

But the two boys were kept together in future foster placements.

“On the one side, you want to keep siblings together when possible. But on the other hand, when you see inappropriate sexual behavior by the older child, you not only want to protect other children, but you also need to protect the younger child as well,” Rossman said.

According to the lawsuit, former San Bernardino County Child and Family Services social worker Deborah Kay did not properly supervise the boys’ cases, letting them remain in close contact with each other and did not interview them separately about their status.

The lawsuit also alleges, Kay did not monitor E.M.’s physical condition, despite him being reportedly covered in bruises, nor did she recommend or attempt to get E.M. counseling when the boy acted out sexually, including repeatedly exposing himself on the school bus, or after two times in 2016 where the then-7-year-old boy expressed a desire to kill himself.

Kay could not be reached for comment. She has not worked for San Bernardino County since May 2019, according to Wert.

E.M. said he told Kay that C.T. was physically and sexually abusing him. But Kay did not report the abuse, despite being [required to do so by California law, as a mandated reporter](#). The abuse reportedly continued through March 2017.

“There were numerous red flags that were coming up with (the department’s) visits with the children, such as excessive bruising, acting out and other things that a social worker should be conscious of,” Rossman said. “He said he told Deborah Kay and she discouraged him from communicating it.”

She also reportedly concealed C.T.’s prior history when the Muellers were considering adopting the boys and told E.M. to keep the sexual abuse a secret so it wouldn’t prevent them from adopting him.

The problem goes further than just one social worker, according to Rossman. At the time of the incidents, San Bernardino County did not require foster children to be interviewed privately, away from one another, although state law and the county handbook for social workers require monthly private and separate conversations for each foster child.

“There’s just a systemic problem in San Bernardino County,” Rossman said. “They were not adequately training and supervising the social workers.”

Wert disputes the criticisms.

“Children and Family Services policy is consistent with applicable laws and other regulations, and always has been,” he wrote in an email. “CFS continues to hire staff at all levels on a continuous basis.”

This is not the first time allegations have been leveled against the county’s Department of Children and Family Services.

A [2016 San Bernardino County Grand Jury report](#) found the department failed to accurately document cases, overloaded social workers with too many cases and failed to provide complete information to police investigating child abuse.

In July 2021, a [jury awarded former San Bernardino County Child and Family Services social worker Eric Bahra \\$2.5 million](#) after he was retaliated against when he raised concerns about county staff intentionally keeping children’s former sexual activity from prospective foster parents.

The Muellers ended up adopting E.M. in 2017, according to Rossman.

“For the first time in his life, he has good parents, wonderful parents,” he said. “And they’re doing everything they can to take care of him, but the psychological impact has been significant.”

DAILY PRESS

NEWS

Sheriff's Department suspends CleanSWEEP program after DOJ investigation



Rene Ray De La Cruz

Victorville Daily Press

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A Department of Justice investigation has led the San Bernardino County Sheriff's Department to suspend its CleanSWEEP program at approximately 100 campuses throughout the county.

Launched on three high school campuses in 1999, CleanSWEEP was billed by the SBCSD as a "unique," one-of-a-kind, comprehensive and all-inclusive effort to protect county students.

The program is disciplinary in nature and designed to address minor offenses in a school setting through non-criminal procedures, with a focus on keeping students in school and not being suspended or expelled.

The Sheriff's Department sent a letter to all CleanSWEEP participating school districts this week, informing them of the suspension.

Sheriff's spokeswoman Mara Rodriguez said school districts that participated in CleanSWEEP included several in the High Desert/Mojave Desert, including Apple Valley, Helendale, Lucerne Valley, Needles, Oro Grande, Silver Valley, Trona, and Victor Valley.

The other districts include Alta Loma, Bear Valley, Chaffey, Colton, Morongo, and Rim of the World.

Sheriff Shannon D. Dicus's letter

Sheriff Shannon D. Dicus sent a letter to all CleanSWEEP participating school districts, informing them of the suspension. The letter contained the following information:

Effective immediately, the San Bernardino County Sheriff's Department is suspending the CleanSWEEP program and asks you to also immediately cease all CleanSWEEP activities at your campuses.

"I feel compelled to take this step out of an abundance of caution and to better focus our ongoing response to DOJ requests and inquiries," Dicus stated.

Recently, the California Department of Justice informed the SBCSD that it was investigating CleanSWEEP in light of "some concerns expressed to the DOJ" about the program. Dicus said.

"While we have repeatedly asked what those concerns are, the DOJ has unfortunately refused to tell us," Dicus said. "Nevertheless, my department has been diligently working with the DOJ."

Over the past several months, the department provided extensive records, materials and pertinent information, Dicus said.

More: Feds settle with Victor Valley Union High School District over discrimination

"It is our hope that these unknown concerns are either unfounded or can be addressed through collaborative efforts, focused on positive student outcomes," Dicus said.

"In the meantime, please know that the Sheriff's Department and our entire staff truly care about the wellbeing of our students. We appreciate and value our partnerships within the county and look forward to continuing our work with you in providing safe learning environments."

The DOJ did not return messages from the Daily Press about the investigation.

VVUHSD's civil rights investigation

The DOJ investigating the SBCSD could stem from actions that occurred last month when the U.S. Department of Education's Office for Civil Rights investigated the Victor Valley Union High School District.

The Daily Press reported that the VVUHSD entered into a resolution agreement to end race discrimination in the implementation of school discipline, according to the Office for Civil Rights.

The Office for Civil Rights determined that VVUHSD discriminated based on race in violation of the Civil Rights Act of 1964 by disciplining Black students more frequently and more harshly than white students. The Office for Civil Rights opened the investigation into VVUSD in 2014.

The voluntary resolution agreement requires the district to revise its discipline policies and procedures, train its staff regarding them, and develop and implement a corrective action plan to ensure nondiscrimination in student discipline.

The resolution letter mentioned how Black students were treated more harshly in discipline than white students, and how Black students received citations more frequently through the CleanSWEEP program.

The Office of Civil Rights reported that witnesses reported that the program disproportionately punished Black students and that Black students were punished more severely than White students for dress code violations, "being loud," "inappropriate behavior" and truancy.

About CleanSWEEP

The CleanSWEEP program is described as the only juvenile citation-based program in the country that empowers school administrators to write real citations for students who break the law on campus.

Students receive citations for such crimes as littering and possessing tobacco products and alcohol, face fines, but they also face the kind of diversionary programs that can help them avoid trouble with the law in the future, the SBCSD said.

Students at participating CleanSWEEP schools know beforehand that citations can be issued by administrators and students receive a verbal warning first when caught in an act that could have resulted in a ticket.

Deputies examine each citation before signing off on it and they make sure it is properly written, with all the elements of the suspected crime included. Deputies can always reject a ticket if it is not adequate in any way.

In addition, citations written by CleanSWEEP "citewriters" are all handled as infractions in court, even though the crimes themselves off campus would be handled as a misdemeanor by a deputy.

https://www.hddailynews.com/news/local/local-school-districts-ordered-to-cease-sheriffs-cleansweep-program-amid-investigation/article_f5004462-2a27-11ed-84cb-7b159d9b5f78.html

Local school districts ordered to cease Sheriff's 'CleanSWEEP' program amid investigation

Andrew Caravella

Sep 1, 2022

Google Maps

The sheriff says that the DOJ in California is investigating the San Bernardino County Sheriff's Department youth program that focuses on increased discipline procedures for school districts.

School districts in Apple Valley, Lucerne Valley, Victorville, Silver Valley, Oro Grande and Helendale have been ordered to immediately suspend the enforcement of the **CleanSWEEP** program according to San Bernardino County Sheriff Shannon Dicus, "I feel compelled to take this step out of an abundance of caution, and to better focus our ongoing response to DOJ requests and inquiries." The program was implemented by the San Bernardino County Sheriff's Department in

about 100 campuses county-wide. It allows administrators to write real citations for students who break the law. CleanSWEEP was seen as an alternative to expulsion. The citations are considered infractions, even though they can be misdemeanors.

The news comes as there has been an ongoing investigation in which the California Department of Justice cited "concerns expressed" about the program according to Dicus.

"My department has been diligently working with the DOJ. Over the past several months we have provided extensive records, materials, and pertinent information. Despite this, it is still unclear what the concerns are, or what steps we can take to remedy them. It is our hope that these unknown concerns are either unfounded or can be addressed through collaborative efforts, focused on positive student outcomes."

Officials at the DOJ's office have told **HDdailynews.com** that they are not able to comment on any potential, ongoing investigation.

San Bernardino County Fire Chief Dan Mejia retires after 35 years of service, Martin Cerna to fill the position

By **Manny B. Sandoval** - September 1, 2022



Chief Martin Cerna is proudly serving the cities of San Bernardino, Muscoy, Grand Terrace, Mentone, and Devore, the East Valley Division; one of the most culturally diverse areas composed of neighboring metropolitan regions.

On August 17th, San Bernardino County Fire Chief Dan Mejia announced his retirement to the City of San Bernardino after 35 years of service.

Mejia started his career as a firefighter for Lake Arrowhead Fire District in 1987 and has since been responsible for fire, rescue and emergency medical response in the East Valley region, the eastern half of the San Bernardino Valley.

“I have a deep appreciation for the San Bernardino County Fire Department. Chief Mejia, you have served our City well; we thank you and wish you good luck in retirement; it’s well deserved and earned. On behalf of the City of San Bernardino, I do extend my sincere appreciation for your services to our City,” said Mayor John Valdivia.

Before retiring, Mejia prioritized recruiting a new, well-qualified citizen dedicated to service and public safety.

“I have enjoyed my time here. But it has been 35 years, and it’s time to go. I love my job and what I do, but it’s time, and we found a great replacement. I want to introduce Fire

Chief Martin Cerna,” said Mejia.

While Cerna certainly has big shoes to fill and is new to the department, he is certainly not new to the field of work.

“I look forward to the opportunity to work with not only your honorable body but with the leadership team in the City of San Bernardino and carry on the tradition of providing excellent service to the community at large; and building on the successes of my predecessor,” Cerna said.

“Chief Serna brings with him a wealth of knowledge in the fire service,” said Fire Chief Dan Munsey. “We are confident in his abilities and expertise to help support and advance the department moving forward.”

Cerna, who resides in the Inland Empire, joked that he is happy to no longer commute to work.

“I come from the City of Torrance, where I have served 29 years; six years as fire chief. I reside here in the Inland Empire, and I’m glad to be home and not commuting on the 91 freeway anymore,” concluded Cerna.

For more information, visit sbcfire.org.

https://www.fontanaheraldnews.com/opinion/inland-empire-is-offering-new-opportunities-for-innovation-collaboration-and-philanthropy/article_81f74c76-2a28-11ed-8bc1-5b41cb28a4d6.html

Inland Empire is offering new opportunities for innovation, collaboration, and philanthropy

By RANDALL LEWIS

Sep 1, 2022



The Randall Lewis Health and Education Collaborative helps hundreds of high school and college students pursue careers as entrepreneurs, innovators and public health professionals.

When my parents started a homebuilding company in 1955, the Inland Empire was still decades away from being the robust population and economic center that it has become.

What they saw was opportunity — and a quality of life unmatched in Southern California.



Today, the I.E. is the 12th largest metropolitan area in the U.S. — home to 4.7 million people, more than 72,000 businesses, some of the most creative and innovative minds in the world, and spectacular regional assets.

Recent census data show that 47,000 people per year are migrating into San Bernardino and Riverside counties — the fifth fastest rate of growth in the country and part of a trendline that will see the Inland Empire exceed 6 million people by 2045.

As more and more individuals and families choose to live here for a better life and new career opportunities, investors, too, are giving this vibrant region a closer look. One national crowdfunding firm included the IE among its Top 20 places to invest in 2022 — alongside Boston, Nashville, Charlotte and San Diego.

And yet, challenges remain. More than 12 percent of the population lives in poverty. Access to healthy food, adequate housing and advancement opportunities continue to strain public entities and nonprofit organizations dedicated to helping those in need.

Here too, however, there are some encouraging signs.

According to data collected by the California Foundation Center, the level of philanthropic investment into the Inland Empire from major foundations has increased significantly. From 2014-2019, total foundation giving into the two-county region more than doubled, from \$77 million to \$156 million, with nearly \$40 million of that increase coming from foundations based outside the region.

This represents a major shift from historic trends in which per capita philanthropic investment into the I.E. from outside sources lagged significantly behind state averages. While a gap still exists, the Inland Empire is catching up as foundations — like their private enterprise counterparts — see the value of investing in San Bernardino and Riverside counties.

I feel blessed to be part of a family business that saw giving back to the communities we serve as an important part of what we do. I also feel blessed to have the opportunity to partner with great organizations that are committed to making this region the best it can possibly be.



This year, the Randall Lewis Health and Education Collaborative will help hundreds of high school and college students pursue careers as entrepreneurs, innovators and public health professionals. We'll help dozens of municipalities, public agencies, universities and nonprofit organizations advance meaningful public health initiatives to improve the quality of living across our region while improving equity and access. We'll raise the bar on what can be, and encourage others to pursue the challenges and opportunities our communities face.

I am proud to support this important work, and even prouder to be a part of the Inland Empire community — a region of growth, vision and unlimited possibilities.

(Randall Lewis is the executive vice president of the Lewis Group of Companies.)



NEWS > CRIME AND PUBLIC SAFETY • News

Heat prompts 3rd day of Flex Alert for Friday

By **HUNTER LEE** | hlee@scng.com |

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The manager of the state's power grid has issued a third Flex Alert on Friday, Sept. 2, asking residents to continue voluntarily conserving as much electricity as possible during [the ongoing heat wave](#).

Cal-ISO, the California Independent System Operator, has warned that more Flex Alerts are likely to be posted during the duration of the heat spell, particularly on Sunday and Monday, which are predicted to have the highest electricity demand.

“With excessive heat in the forecast across much of the state and Western U.S., the grid operator is expecting high electricity demand, primarily from air conditioning use, and is calling for voluntary conservation steps to help balance supply and demand,” Cal-ISO said in a statement.

On Friday between 4 p.m. and 9 p.m., California residents again are asked to take set their thermostats at 78 degrees or higher and avoid charging electric vehicles or using major appliances.

Flex Alerts were issued on Wednesday and Thursday, and there were no major outages in areas covered by Southern California Edison so far, Edison officials said. Spokesman David Song attributed that to the Flex Alerts.

The heat wave baking most of the state was expected to continue through the Labor Day weekend, but National Weather Service officials later extended their excessive heat warning to Tuesday.

Southern California had two record highs as of Thursday afternoon, the NWS said – Sandberg reached 99 degrees, breaking the previous record of 97 in 1947. Lancaster had a high of 112, breaking the record of 110 set in 1950. Big Bear tied with a Sept. 1 record of 86 degrees set in 1978.

A Flex Alert is the lowest-level notification issued by Cal-ISO, though if voluntary conservation efforts fails to reduce strain on the power grid, the agency could move into a series of emergency alerts that could lead to rolling blackouts.

[The Route fire in Castaic](#) knocked a power facility out of commission Wednesday evening, according to Cal-ISO President Elliot Mainzer. Most of the services at the facility had been restored on Thursday.

“With high temperatures and high demand, Wednesday was a challenge for all of us but we were able to keep the system balanced and power flowing,” he said in a statement.

“With even greater levels of extreme heat on the way, we remain laser-focused on watching conditions throughout the day,” he said.

Ways to cut back on electricity:

- Set thermostats to 78 degrees or higher
- Avoiding use of major appliances
- Turn off unnecessary lights
- Try to avoid charging electric vehicles
- Close blinds and drapes to keep interiors cool

Also Thursday, [air quality conditions in parts of LA County were marked as “unhealthy”](#) by South Coast Air Quality Management District as smoke from the Route fire spread into surrounding communities.

Air quality officials issued an advisory that extends through Friday evening for the San Fernando Valley and parts of San Gabriel Valley due to the smoke plumes drifting from the fire.

Communities with unhealthy air quality included Porter Ranch, Chatsworth, Montrose and Altadena and the mountains above them.

As of Thursday evening, the burn area was reported at 5,208 acres with 27% containment.

Omicron boosters set to roll out

CDC advises shots for Americans 12 and older to combat dominant strains.

BY CORINNE PURTILL AND KAREN KAPLAN

The United States will replace most of its COVID-19 booster shots with updated versions that target the dominant Omicron strains and streamline its ongoing vaccination campaign, the Centers for Disease Control and Prevention announced Thursday.

Under the new plan, Americans ages 12 and up will be asked to roll up their sleeves for the reformulated boosters, which are engineered to combat the BA.4 and BA.5 subvariants along with the original coronavirus that arrived in the U.S. in early 2020. The “bivalent” boosters could begin going into arms in a matter of days.

People will be eligible for the new shots if it's been at least two months since their last dose. About 209 million Americans currently meet those criteria; most of them haven't received a shot in more than six months.

The change was recommended Thursday by the Advisory Committee on Immunization Practices, an influential group of vaccine experts that provides guidance to the CDC. Dr. Rochelle Walensky, the agency's director, quickly accepted the group's advice.

The two offerings — one from Pfizer and BioNTech for people 12 and older and another from Moderna for adults 18 and over — represent the first substantial change to the COVID-19 vaccine recipe since the country's immunization campaign began nearly two years ago. The original boosters that don't target BA.4 and BA.5 will no longer be available to those 12 and up.

“The updated COVID-19 boosters are formulated to better protect against the most recently circulating COVID-19 variant,” Walensky said in a statement. “If you are eligible, there is no bad time to get your COVID-19 booster and I strongly encourage you to receive it.”

The CDC also revised its accounting of vaccine doses. Going forward, Americans will be considered “up to date” with their COVID-19 vaccinations after receiving the bivalent booster, regardless of the total number of shots they've received.

“I think this is a huge step forward in simplifying the recommendations and hopefully enhancing coverage,” said [Dr. Katherine Poehling](#), a pediatrician at Wake Forest School of

Medicine who serves on the CDC advisory committee.

People who've had a recent coronavirus infection are advised to wait at least three months after their positive coronavirus test or the onset of their COVID-19 symptoms before getting the new shot.

President Biden and members of his COVID-19 response team have been touting a fall booster campaign centered on the bivalent vaccine. The administration has already purchased 171 million doses.

"It's going to be really important that people this fall and winter get the new shots," White House COVID-19 coordinator [Dr. Ashish Jha](#) said last month. "It's designed for the virus that's out there."

And because the updated boosters will train the immune system to recognize the dominant BA.4 and BA.5 strains, he added, they're expected to enhance the vaccines' "ability to prevent infection, to prevent transmission, certainly to prevent serious illness and death."

[A team](#) of disease-modeling experts from around the country projects that making the new booster available to adults in September instead of waiting until November could prevent 137,000 hospitalizations due to COVID-19 and avert 9,700 deaths. They also forecast that rolling out the new booster to all adults instead of limiting it to those 50 and older would reduce hospitalizations by 20% and deaths by 15%.

A [separate study](#) by the Commonwealth Fund estimated that launching a booster campaign in early fall could save between \$63 billion and \$109 billion, mostly in hospitalization costs.

The U.S. Food and Drug Administration [authorized the two bivalent boosters](#) Wednesday after tests on animals showed "a very good immune response," said Dr. Peter Marks, the agency's vaccine chief.

In a move that echoes the annual update of the flu vaccine formulation, the FDA did not require additional tests in people before acting. Both companies said human trials of the new boosters are ongoing, but the lack of data made some panel members uneasy.

"I understand we need better vaccines," said Dr. Pablo Sanchez, a pediatric infectious diseases expert at [Nationwide Children's Hospital](#) in Columbus, Ohio. "But I'm struggling with making a recommendation for a vaccine, a bivalent vaccine ... that has not been studied in humans." He was the only panel member to vote against the recommendation.

[Dr. Matthew Daley](#), a researcher at Kaiser Permanente Colorado, agreed that clinical data would be reassuring. But considering that the pandemic is still causing about 85,000 infections and 400 deaths each day in the U.S. alone, Daley said the risks of waiting for that data outweighed the risks of moving ahead with the new boosters.

"I think they're going to be an effective tool for disease prevention this fall and into the winter," he said.

Another bivalent vaccine from Moderna that targets the original Omicron strain, known as BA.1, [was authorized](#) by the United Kingdom's Medicines and Healthcare Products Regulatory Agency last month. When tested in people, the side effects were similar to those seen with the original vaccine and were typically "mild and self-resolving," according to the agency.

Pfizer was also developing a bivalent vaccine aimed at BA.1. But the FDA said in June that the only tweaked boosters it was interested in were [ones that target BA.4 and BA.5](#). Together, the two subvariants account for about 92% of the COVID-causing viruses now circulating in the U.S., according to CDC estimates. They have identical spike proteins, which is the part of the virus the vaccine is trained to recognize.

While the original vaccines and boosters have proved effective at preventing serious illnesses and death, the hope is that the new shots will be more effective at warding off infections. There's reason to think they will: Both Pfizer and Moderna said their BA.1 boosters prompted recipients to produce higher levels of Omicron-fighting antibodies compared with booster doses of their original vaccines.

In addition, Moderna officials presented data to the advisory committee showing that compared with people who had a traditional second booster, those who got their BA.1 shot produced modestly higher levels of antibodies to the Alpha, Beta, Delta and Gamma variants. That's [in line with experiments](#) showing that exposure to a wider range of coronaviruses makes the immune system better equipped to handle ones it's never seen before.

Walensky's decision is the last federal barrier to getting the new shots to the public. But before they can be made available in California, they'll need the blessing of the [Western States Scientific Safety Review Workgroup](#), an independent board of public health experts that reviews COVID-19 vaccines. Officials expect the shots to be available here [soon after Labor Day](#).

Los Angeles County has placed an order for 170,000 doses of the boosters, the maximum amount currently allowed. Those are expected to arrive between Sept. 6 and Sept. 9 and will be distributed to roughly 300 healthcare providers by the middle of the month, according to Public Health Director Barbara Ferrer.

Both companies are still developing bivalent shots for younger kids, which could be ready within a few months. In the meantime, children 11 and under will have to stick with the original booster formulations.

Ultimately, the shots' ability to prevent the next wave will depend on how many people choose to get them. Although more than two-thirds of all Americans have completed their primary series of COVID-19 shots, only 48.5% of those eligible for a first booster have received it. And only 33.7% of Americans 50 and older who are able to get a second booster dose have done so, [according to the CDC](#).

In a survey conducted by the CDC, 72% of those polled said they would get the new booster.

Test scores show COVID's fallout

National data reveal biggest drops among students who were already struggling.

BY PALOMA ESQUIVEL AND HOWARD BLUME

National reading and math test scores of 9-year-olds released Thursday revealed alarming trends about the extent of the pandemic's negative effect on learning, with scores showing the steepest declines in decades and the biggest drops among children who were already academically struggling.

The declines and wide equity gaps come as Los Angeles Unified Supt. Alberto Carvalho said he has reviewed unreleased state test scores in the nation's second-largest school district that "show devastating loss in terms of student achievement levels, particularly in reading and mathematics."

Average math scores on the National Assessment of Educational Progress tests fell 7 points, to 234 on a 0-500 scale. For students performing in the bottom 10%, the drop was 12 points, compared with 3 points for those in the top 10%.

Average reading scores fell 5 points, to 215. Students performing in the lowest 10% lost 10 points. The top 10% of test takers lost about 2 points.

"That's five times the rate of loss in reading," Carvalho noted.

The declines and wide equity gaps also will be reflected locally, Carvalho said.

"There has been a truly historic decrease in performance," said Carvalho, who sits on the governing board for the tests, known as the nation's report card. "So whether you look at reading or mathematics, this is obviously a grave concern, particularly when you disaggregate the data. Why? When you disaggregate the data, the most severe performance loss or decreases we're seeing are experienced by the lower-performing students."

The drop in math scores was the first since the tests began to be administered in the 1970s. The reading decline was the largest in 30 years.

Experts say the results point to a crisis among American schoolchildren.

“What I worry is that there is the risk that the already underachieving students now will never be able to catch up,” said Li Cai, professor of education at UCLA. “That over time they will never be able to match the achievement of those students that may have been born into luckier circumstances.

“We have to ask ourselves, is that something we want as a society?” Cai added.

The scores offer the first look with a national sample comparing where students were earlier this year to where they were just before the COVID-19 pandemic was declared in 2020.

The scores showed significant variations by racial and ethnic student groups.

For example, in math, white student scores fell 5 points, Latino scores fell 8 points and Black student scores fell 13 points. In reading, white, Black and Latino students all declined 6 points.

Scores for Asian students and Native American students were not measurably different.

As part of the data collection, researchers also asked about student access to learning opportunities. The results point to stark inequities in the ways students experienced school closures.

More than 80% of remote-learning students performing at or above the 75th percentile had access to a desktop computer, laptop or tablet all the time. Only about 60% of students in the bottom 25th percentile had the same access.

Sixty percent of higher-performing students in math said their teacher was available to help with schoolwork at least once or twice a week. Only 39% of lower-performing students said the same.

The tests reflect the performance of 9-year-olds, who are typically in third and fourth grade — a crucial time of learning.

“It’s when a lot of those foundational skills need to be in place to start increasing academic rigor,” said Heather Hough, executive director of the research center Policy Analysis for California Education. “For students who are really behind in third grade, who don’t have basic literacy and numeracy, it can be really hard to catch up.”

Additional National Assessment of Educational Progress results for the nation, states and 26 urban school districts — including Los Angeles and San Diego — are expected to be released later this year.

The results released Thursday clarify a picture that has been emerging for some time through state and local data about the adverse effect of the pandemic and remote learning on education.

Students with resources — such as good internet access and support from caregivers — were often able to pivot more easily to virtual school. Students lacking support and

resources constantly struggled to connect online, often had to care for younger siblings or work to help support their family, and couldn't get the extra tutoring they needed.

School systems in California were among the last to bring students back to campus — with most not fully reopening until spring 2021.

[An analysis](#) in summer 2021 by the consulting firm McKinsey & Co. showed that by the end of the 2020-21 school year, the pandemic had left students an average of five months behind in math and four months in reading, with the biggest effects on historically disadvantaged students.

A [Times analysis](#) of L.A. Unified student assessment data last year showed big drops in test scores and below-grade level standing in key areas of learning, with Black, Latino and other vulnerable children especially hard hit.

Earlier this year, [a release](#) of limited state assessment data also showed California students experiencing big academic setbacks during the 2020-21 school year, with growing achievement gaps and lagging progress in math and English.

“Everything we’ve seen over the past two years has shown us that an outcome like this was what we were going to see,” Hough said.

In Los Angeles, efforts to help students recover have met big challenges.

Last year, nearly half of students were chronically absent, not only because of COVID-19 quarantines and illness, but also due to a broader disengagement with school that educators are [still working](#) to address. And extra tutoring reached only 2 of 10 academically fragile students, Carvalho said. He defined “academically fragile” as below or far below grade level, a definition he said applied to 40% to 50% of students.

Carvalho has promised a “year of acceleration” with strategies that include targeted class size reduction, more money to struggling schools, continued recruitment and deployment of expanded counseling and mental health services, and retrieving students who have fallen out of school entirely.

Using federal grant funds, the district also committed to providing high-speed internet to every family that requests it, as well as increased tutoring.

This year, the district has adopted a “tiered” approach to tutoring, offering one-on-one support to the most fragile students while others are offered help in slightly larger groups of four to five, Carvalho said.

Hough, an expert on student outcome data, said that the data revealed Thursday were extremely concerning. She also worries the scores will cause schools to focus intensively on reading and math at the exclusion of other things like playtime, social and emotional support, and lesson plans that reflect students’ experiences.

“Kids learn best when they feel seen, when they’re engaged, when they’re excited about the material,” Hough said. “The worst thing that we could do as a country and as a state is

for our worry about this to take the wrong direction and go to a place where we're narrowing the curriculum with the goal of addressing these scores.

"The fix to this is much more transformative and much more comprehensive," she said.

NEWS • News

Restoration of Prado Dam patriotic mural near Corona set to start

Artwork created by Corona High students in 1976 and visible off the 91 Freeway has fallen into disrepair

Mural designer Ron Kammeyer stands Wednesday, Aug. 31, 2022, in front of the bicentennial mural he helped create in the 1970s for the Prado Dam spillway near Corona. (Photo by Jeff Gritchen, Orange County Register/SCNG)

By **ALLYSON VERGARA** | avergara@scng.com |

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An aging patriotic mural on the Prado Dam near Corona — visible to millions of drivers traveling east on the 91 Freeway — has been called the “gateway” or “marquee to the Inland Empire.”

And after graffiti, lead paint concerns, and a long legal battle with the U.S. Army Corps of Engineers — which controls the Prado Dam — the nearly 50-year-old mural’s long-awaited restoration is about to happen — using the same design as in its 1976 debut.

The Bicentennial Freedom Mural on the dam’s spillway is the size of six Mt. Rushmore monuments, at 120 feet tall and 664 feet long, with a 40-degree slope.

With a faded liberty bell and 13 stars representing the 13 colonies, the red-, white-and-blue-mural was painted by Corona High School students to mark the nation’s bicentennial in 1976. Its slogan celebrated “200 Years of Freedom.”

That year, the Vietnam War was a fresh memory and Gerald Ford was president, promising to mark the nation’s patriotism with public events and large-scale displays. Ford knew about the freedom mural idea conceived by high school students, and later said that it should be preserved, according to the Friends of Prado Dam Mural’s website.

“It’s the largest patriotic mural in America, and one of the most beloved,” said landscape architect Ron Kammeyer, one of the mural’s original designers and a Corona High graduate. “More than a third of a million vehicles look at it every day.”

But in early 2015, the fate of the mural near the 91 and 71 freeways was unclear after the Army Corps of Engineers announced plans to begin removing the fading, gigantic painting. Officials wanted to raise the spillway’s height and start long-planned improvements to the flood dam, first built in 1941, and surrounding the Prado Basin.

Kammeyer and the Mural Conservancy of Los Angeles sued in May 2015 seeking to end those plans. Soon after, as crews were ready to begin removing the faded mural, a federal judge issued an injunction temporarily blocking the Corps from altering or destroying the mural. The mural did not qualify for preservation as a national landmark, officials said in 2019.

Kammeyer said he fought “tenaciously,” rounding up thousands of letters in support of keeping the mural.

“I showed up in court and there were all these lawyers ... you’d think I was going to blow up the dam. I’m just trying to restore it,” Kammeyer said. “President Ford said that America’s bicentennial was the highlight of his presidency. He said the mural needed a fresh coat of paint ... For me, (this) represents 20-plus years of struggle, of making that promise to our president. It reminds people of that moment in time.”

In April, U.S. District Judge Jesus G. Bernal [dismissed the lawsuit and lifted the federal injunction](#). Though supporters were initially alarmed, the organizers have since worked with Army Corps officials to arrange for the mural to be fully repainted, with work to begin later this year.

Corps spokesperson Dena O'Dell [said in April](#) that the judge's [ruling](#) means the federal agency "can proceed with removing and abating the lead-based paint on the Prado Dam mural."

Riverside County spokesperson Brooke Federico said that the county's flood control district is "committed to working with federal and local partners to get the mural restored."

Federal and county leaders met with mural advocates to sign an agreement and to discuss a plan and timeline to begin the restoration.

The groups will first remove the toxic lead paint and other damage before repainting, Kammeyer said.

The goal is to have the mural "completely restored, hopefully, by July 4 of 2023," he said.

Earlier this year, Rep. Ken Calvert, R-Corona, [secured \\$2.5 million in federal dollars](#) to remove the lead paint on the spillway, Calvert spokesperson Jason Gagnon wrote in an email.

The money will be used by the Army Corps of Engineers to remove paint and graffiti and begin the restoration, with aid from the Riverside County Flood Control and Water Conservation District, Orange County Water District and the non-profit [Friends of the Prado Dam Mural](#).

In a Tuesday, Aug. 30, statement, Calvert — who [once called the mural "more graffiti than mural" and a "bad image"](#) — expressed his support. He called it "as a source of pride for Corona residents and everyone in our region."

"The desire to restore the mural to its original condition is something that unites people across the political spectrum, and I'm thrilled that I've been able to contribute along with the other stakeholders to make that restoration a reality," Calvert said.

Peter Usle, of the Friends of the Prado Dam Mural — which is leading fundraising efforts — said five city councils — Corona, Eastvale, Norco, Chino and Chino Hills — signed resolutions "in support of returning the mural to its former glory."

"Not only does it express the ideals of our nation, it's also been accepted as public art, and unlike other monuments of its kind, no one's face is on it. So when viewing it, it touches you directly," Usle said. "This beloved mural, like the 1976 Bicentennial itself, brings people together with the spirit of volunteerism, friendship and working together. Like so many have told us, I know I'm home when I see it."

A private groundbreaking ceremony will be staged at the Prado Dam spillway Thursday, Sept. 8, with federal and county officials and some original mural painters from Corona High.

Donations for the mural's restoration can be made online at [pradodammural.com](#).

Staff writer David Downey contributed to this report.

OPINION • Editorial

Another scandal for Riverside County Sheriff Chad Bianco

Riverside County Sheriff Chad Bianco, seen Thursday, Feb. 20, 2020, has an announced challenger for the June election. (File photo by Terry Pierson, The Press-Enterprise/SCNG)

By **THE EDITORIAL BOARD** | opinion@scng.com |

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In a free society, armed agents of the government should never be able to break down the doors of a home and terrorize innocent people.

Yet that's what deputies of Chad Bianco's Riverside County Sheriff's Department evidently did to Chen-Chen Hwang, 67, and her husband, Jiun-Tsong Wu, in Lake Elsinore.

According to Allyson Vergara of the Southern California News Group, on Aug. 5, 2021, "deputies broke down multiple doors inside" of the couples' home "and spent hours rummaging through the couple's belongings."

The armed deputies then arrived at their second home, where Hwang was, and demanded entry into her home because they believed the couple was involved in growing illicit marijuana.

"She did not grant permission to search their second home, but saw deputies photographing the home and doing a warrantless search of the garage for up to 15 minutes," reports Vergara, citing a complaint the couple made against the deputies.

The deputies, who didn't have a warrant, reportedly suspected the couple of wrongdoing because of suspicions about their utility usage.

"The deputies believed the defendants were stealing power to grow marijuana because their power consumption was low, and they said as much," said attorney Alex Coolman.

The actual reason their power consumption was low, however, is that they use solar panels and are described as "thrifty" in their energy usage.

Needless to say, deputies found nothing implicating them as criminals.

"The way the sheriff handled this situation was unreasonable and illegal," attorney Alex Coolman said. "Nobody's home should be broken into based on a hunch about their use of electricity."

The couple filed a federal civil rights lawsuit against the county in March. The county has since settled the case for \$136,000. "This was a very strange and frightening incident," Hwang said in a statement. "We did nothing to deserve this, and it made us feel unsafe in our own homes."

This is the sort of unprofessional and disgraceful conduct one might expect from a rogue regime, but it shouldn't happen here in the United States, in California or the Inland Empire.

LA County commission blasts Sheriff's Department over misinformation about deputy charged with sex crimes

Civil Service Commission says statement from Sheriff's Department was 'false and defamatory'



Sheriff Alex Villanueva holds a press conference in Los Angeles on Monday, August 15, 2022 on the arrest of a man accused of robbing a \$60,000 Rolex watch from a man and woman in the parking lot of 99 Ranch Market in Rowland Heights. (Photo by Sarah Reingewirtz, Los Angeles Daily News/SCNG)

By **SCOTT SCHWEBKE** | sschwebke@scng.com | Orange County Register

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The Los Angeles County Civil Service Commission is pushing for an investigation into last month's erroneous claim by the Sheriff's Department that commissioners had overturned the firing of a deputy charged with sexually assaulting four girls.

Sean Essex, 51, who faces 33 criminal counts, hasn't been terminated by the Sheriff's Department nor has he ever appeared before the Civil Service Commission to appeal a disciplinary matter, said Craig M. Hoetger, the commission's executive director.

"The Civil Service Commission, which has sole jurisdiction over termination appeals of Los Angeles County employees, including Sheriff's Department employees, has not taken any action with respect to Mr. Essex's employment status," Hoetger told the Southern California News Group on Wednesday, Aug. 31. "In fact, Mr. Essex has never filed an appeal with the Civil Service Commission, which is the only way the commission would have authority to issue an order regarding his employment."

Essex remains on leave from the Sheriff's Department without pay.

Hoetger said he has asked the county Board of Supervisors to look into the "false and defamatory misrepresentations" the Sheriff's Department made in a series of statements widely disseminated by the media.

A spokesperson for the supervisors confirmed the board has been contacted by Hoetger and is looking into the matter.

Meanwhile, the Board of Supervisors has contacted the Los Angeles County Office of Inspector General, which provides oversight for the Sheriff's Department, Hoetger said.

'No attempt to hide facts'

The Sheriff's Department said in a Thursday statement it did not intentionally mislead journalists and the public regarding Essex's employment status.

"The department believes in transparency and there was no attempt to hide facts," the statement said.

A Los Angeles County grand jury returned an indictment Aug. 9 charging Essex with 18 counts of oral copulation of a child, 12 counts of lewd acts upon a child under the age of 14, two counts of continuous sexual abuse of a child under 14 and one count of possession of material depicting a child sex act.

The alleged offenses involved victims ranging in age from 7 to 13 and occurred from 2006 through this year. Essex faces multiple life sentences if convicted.

"Sexually assaulting a child not only robs them of their innocence but also leaves lasting mental trauma," Los Angeles County District Attorney George Gascon said in a statement. "This is one of the most egregious crimes my office encounters and it is made worse when the crime is committed by someone who has been entrusted to protect them and our community from harm."

Contradictory statements

A series of media advisories issued by the Sheriff's Department after Essex was indicted contains contradictory statements.

The department's initial statement on the evening of Aug. 10 said Essex was investigated in 2018 by the Internal Affairs Division while assigned to the Training Bureau.

"After a criminal and internal investigation, Mr. Essex was terminated," the statement said. "The Civil Service Commission, which is independent of the Sheriff's Department, overturned the Sheriff's Department termination and the Sheriff's Department was ordered to reinstate Mr. Essex. The Civil Service Commission, over the objections of the Sheriff's Department, ordered him returned to his assignment at Training Bureau."

Within an hour, however, the Sheriff's Department modified its initial statement, with a new advisory stating that after the 2018 investigation Essex's bonus pay was removed. There was no mention of his termination. However, like the first statement, the advisory again claimed that despite the Sheriff's Department's opposition, the Civil Service Commission reinstated Essex.

In yet another statement on Aug. 23, the Sheriff's Department told the Southern California News Group that the Los Angeles County Employee Relations Commission, which regulates labor disputes, had overturned the removal of Essex's bonus pay and ordered his return to the Training Bureau.

Deputy sought arbitration

The Employment Relations Commission is separate from the Civil Service Commission, which is the appellate body for major disciplinary actions, discharges, reductions, suspensions in excess of five days, and discrimination complaints from county workers in the civil service system.

The Association for Los Angeles Deputy Sheriffs filed a request for arbitration with the Employee Relations Commission on Sept. 10, 2018, on behalf of Essex, according to heavily redacted records obtained by the Southern California News Group.

Information was not provided regarding the nature of the dispute or the outcome of the arbitration. The Sheriff's Department declined to release disciplinary and internal investigative reports for Essex.

The Civil Service Commission first learned of the Sheriff's Department's contradictory statements from the Southern California News Group, which filed a public records request with the agency for all documents relating to Essex's purported firing and reinstatement, Hoetger said.

"It is unclear to me why this readily verifiable information was released by the Sheriff's Department, which has access to the civil service records of its employees," Hoetger said. "Moreover, had the Sheriff's Department contacted the Civil Service Commission prior to releasing this statement, we would have confirmed that Mr. Essex has never filed an appeal with the commission."

Hoetger plans to send a letter to Sheriff Alex Villanueva demanding an explanation.

The Sheriff's Department told the Southern California News Group on Thursday that many times it "substitutes statements or provides updated statements for questions and inquiries as facts are gathered."

History of disputes

The Sheriff Department has a history of squabbling with the Civil Service Commission and county supervisors over controversial personnel matters.

In 2020, a judge overruled Villanueva's attempt to rehire former Deputy Caren Carl Mandoyan, who had been fired over domestic violence allegations. Mandoyan, who worked on Villanueva's election campaign, had been fired in 2016 by then-Sheriff Jim McConnell.

Villanueva defended his decision to reinstate Mandoyan and accused the Civil Service Commission of ignoring evidence that could have exonerated the former deputy.

The county supervisors filed a petition to block Mandoyan's rehiring.