



county of Santa Cruz

SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

701 OCEAN STREET, SUITE 520

SANTA CRUZ, CA 95060

(408) 454-2 100 FAX: (406) 454-3420

TDD: (406) 454-2123

August 26, 1998

Agenda: September 1, 1998

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

RESPONSE TO 1997-98 GRAND JURY FINAL REPORT

Dear Members of the Board:

Attached, for your approval, are the proposed responses to the recommendations contained in the 1997-98 Grand Jury Final Report pertaining to matters under the control of the Board of Supervisors.

The response also constitutes the required response of the County Administrative Officer and various County Departments to the Grand Jury's recommendations. The response from the General Manager of the Santa Cruz Consolidated Communications Center is also provided as a part of this response. In addition, copies of the required responses from the District Attorney, the Treasurer and the Sheriff-Coroner have been submitted to the Presiding Judge of the Grand Jury under separate cover and are attached for information purposes only.

As your Board is aware, Assembly Bill 829 was enacted during the current legislative session establishing the Civil Grand Jury Training, Communication, and Efficiency Act of 1997. The legislation provides for certain modifications relating to grand juror training and reporting, and response format. We are currently in the process of reviewing this legislation with County Counsel and will incorporate any necessary changes in future responses.

BOARD OF SUPERVISORS

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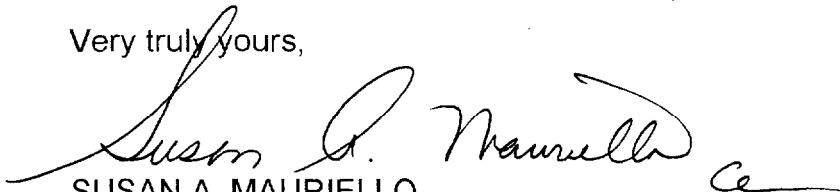
AGENDA: SEPTEMBER 1, 1998

RESPONSE TO 1997-98 GRAND JURY FINAL REPORT

It is therefore RECOMMENDED that your Board:

1. Approve the Board of Supervisors' and various departments' responses to the recommendations in the 1997-98 Grand Jury Final Report; and
2. Request the Chairperson to forward the response to Superior Court Judge Robert Yonts, Presiding Judge for the 1997-98 Grand Jury.

Very truly yours,



SUSAN A. MAURIELLO
County Administrative Officer

SAM:CHG/S:GRJURY98:GJ98BS.WPD

cc: District Attorney
County Counsel
Sheriff-Coroner
Health Services Agency
Human Resources Agency

Public Defender
Treasurer-Tax Collector
Probation Department
Parks, Open Space & Cultural Services
SCC Consolidated Communications Center

RESPONSE OF THE COUNTY BOARD OF SUPERVISORS AND
VARIOUS DEPARTMENTS
TO THE 1997-98 GRAND JURY REPORT

**BOARD OF SUPERVISORS RESPONSE TO THE
SANTA CRUZ COUNTY GRAND JURY
FINAL REPORT 1997-98**

The following report is the Board of Supervisors' reply to the recommendations contained in the 1997-98 Grand Jury's Final Report. The response also constitutes the required response of the County Administrative Officer and various County Departments to the Grand Jury's recommendations. The response from the General Manager of the Santa Cruz Consolidated Communications Center is also provided. In addition, copies of the required responses from the District Attorney, the Treasurer and the Sheriff-Coroner have been submitted to the Presiding Judge of the Grand Jury under separate cover and are attached for information purposes.

The format of this report restates the Grand Jury recommendations and then presents the County's response.

COUNTY COUNSEL

1. Grand Jury Recommendation

The County Administrative Officer should request the County Counsel to review existing policy in all county departments regarding Civil Grand Jury contact and cooperation to enhance uniformity and ensure compliance with applicable rules and laws. Recommendations for improvement should be made to and supported by the CAO and the Board of Supervisors.

Response

The County Administrative Officer is committed to ensuring that all County departments fully cooperate with the Grand Jury's requests for information. In this regard, the CAO encourages department heads to make key staff available for meetings with the Grand Jury, as necessary, to ensure complete and thorough responses to Grand Jury inquiries. Any examples of non-compliance with responsiveness to Grand Jury requests for information should be immediately brought to the attention of the County Administrative Officer. Existing policies will be reviewed at an upcoming department head meeting.

2. Grand Jury Recommendation

The County Counsel should initiate an annual review of the quality of service rendered to the office of the Grand Jury. That review should come shortly after the Civil Grand Jury completes its term of office and should involve the Jury Foreperson, the chief County Counsel and, at the discretion of the latter, the deputy assigned to the jury.

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Response

The Office of the County Counsel is committed to providing quality legal services to all of its clients and will always receive, review and respond accordingly to any report regarding client satisfaction. Annual client surveys are a part of the quality review process of the County Counsel's office. The County Counsel is available to meet with the Foreperson of the Grand Jury to discuss the services provided by the Office at the end of each term, or at any other time requested. Additional information from the County Counsel relating to the Grand Jury's findings and recommendations is attached.

CITY AND COUNTY GOVERNMENT COMMITTEE REPORTS

City of Watsonville

1. Grand Jury Recommendation

Upon completion of the Pajaro Valley Futures Project report, executives from the City of Watsonville and Santa Cruz County should meet to develop a social and economic plan that will address Watsonville's desire to supply full service city capabilities more effectively.

2. Grand Jury Recommendation

That a program of regular dialogue between the external groups making demands on the city be established. The groups should include the county, environmental organizations and the Farm Bureau.

Board of Supervisors' Response

The Board of Supervisors agrees that regular dialogue between the City of Watsonville and the County is essential and will assist the community in developing solutions to matters of mutual concern. There are a variety of intergovernmental groups and other committees which represent a broad segment of the community and which provide an important forum for the County, the City, environmental organizations, the Farm Bureau and other interests. County sponsored entities which include representatives from throughout the County, including the City of Watsonville, are: the Santa Cruz County Regional Transportation Commission, the Agricultural Planning and Advisory Commission (APAC) , the City Selection Committee, the Private Industry Council, the Santa Cruz County Job Training Task Force, the Local Agency Formation Commission,

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the Housing Advisory Commission, the Winter Shelter Advisory Committee, Zone 7 of the Flood Control and Water Conservation District Board of Directors, the Mayor's Pajaro River Flood Control Working Group, the Santa Cruz County Metropolitan Transit District, and the Regional Task Force for Road Reconstruction Funding Alternatives. The City Selection Committee also includes the County Board Chair and all of the Mayors. This group meets regularly to address inter-jurisdictional issues.

Each of these groups or committees are committed to the development of services to meet the social and economic needs of the entire County, including the City of Watsonville.

Public Works and Utility

1. Grand Jury Recommendation

The Board of Supervisors should ask the Santa Cruz County Agricultural Department to investigate farming practices to enhance erosion control and report back solutions.

Board of Supervisors' Response

The Board of Supervisors agrees that enhanced erosion control is a critical component of any land management plan. As the Grand Jury may be aware, the United States Department of Agriculture (USDA) Natural Resources Conservation Service is responsible for soil conservation and erosion control. The local USDA soil conservation agent for Santa Cruz County, Rich Casale, has many years of experience working with the farmers and residents of Santa Cruz County regarding erosion control. Mr. Casale works closely with farmers and residents to develop custom soil conservation plans, and has a substantial amount of information on current soil conservation techniques which is made available to residents at no cost.

Information on soil conservation and erosion control is readily available from the Natural Resources Conservation Service to the City of Watsonville and to individual residents and farmers to assist in flood prevention. The County Planning Department and Public Works Departments also assist county residents in establishing best practices in this area.

Watsonville Planning and Development Department

1. Grand Jury Recommendation

The County should revise and get state approval of its housing element in the General Plan.

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Board of Supervisors' Response

The Board of Supervisors agrees that the County should get approval of its housing element by the State. The County is once again attempting to finalize proposed revisions to the Housing Element in response to issues raised by the State following the Department of Housing and Community Development's (HCD) review of the adopted Housing Element. The proposed revisions are intended to get State approval of the County's Housing Element.

2. Grand Jury Recommendation

The Watsonville City Council and the Santa Cruz Board of Supervisors should meet and review the city's needs and how they can cooperate to meet them.

Board of Supervisors' Response

The Board of Supervisors agrees that cooperative efforts are critical to address the housing needs of the county, including those within the Watsonville area. City and County representatives meet on a regular basis to discuss issues that are brought to the attention of the Board.

COUNTY PARKS, OPEN SPACE AND CULTURAL SERVICES DEPARTMENT

1. Grand Jury Recommendation

The Board of Supervisors and the County Administrative Officer are urged to find ways to increase public understanding of and participation in the budget process, especially when it may prompt an increase in taxes.

Board of Supervisors' Response

The Board of Supervisors and the County Administrative Officer agree that the public understanding of the budget process and the financing structure of the County is vital to the successful implementation of the Board's public policies. It is especially critical to increase the public's understanding of the limited financial ability of the Board to meet specific local needs due to the requirements of State mandates, matching funds, maintenance of effort provisions, and voter approved initiatives.

The Board, the CAO, and County department heads are committed to ongoing public participation in the budget process through public meetings, presentations, and correspondence as requested.

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2. Grand Jury Recommendation

Further long term borrowing for system expansion should be discouraged until long-term funding problems are solved and the necessary revenue stream and public need and support are assured.

Board of Supervisors' Response

The Board of Supervisors agrees.

3. Grand Jury Recommendation

The Department recently presented its first full workshop presentation to the Board of Supervisors outlining its annual operations and budget needs. A similar and more vigorous joint effort is needed to work out the department's long-range mission and capability, with emphasis on permanent, stable funding and service priorities.

Board of Supervisors' Response

The Board of Supervisors agrees that a long range financing plan for the Parks department is a priority. The 1998-99 Budget Hearings, held subsequent to the departmental workshop, provided another opportunity for the Board to discuss the programs, services, and financing options for the department. However, as indicated above, long range financial planning for local needs such as Parks services is problematic due to the limited discretion of the Board of Supervisors over its' existing general purpose revenues and the uncertainty of annual State and federal budget actions, as well as voter initiatives, that can further reduce local funds.

4. Grand Jury Recommendation

The long term recreational and cultural needs of county residents should be-carefully studied and prioritized and more emphasis placed on attracting increased private funding support.

Board of Supervisors' Response

The Board of Supervisors agrees and will request the Parks Department to take this recommendation to the United Way Community Assessment Project to include questions in the United Way annual survey of Quality of Life Indicators to determine the long term recreational and cultural needs of county residents. In addition, the Cultural Council of Santa Cruz is currently undertaking an effort to assess these needs.

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With regard to non-county funding, the Parks Department regularly seeks State, federal, and private funds for a variety of activities conducted by the department. Funds for capital construction projects such as the parking area at Bonny Doon Beach, Davenport Landing Beach Access, Ben Lomond Promenade and the improvements of the restroom at Greyhound Rock have been secured from sources other than the County. In addition, the Department seeks grants and financial support from Foundations and Corporations for specific projects and programs.

In addition, the Parks Department uses the Volunteer Initiative Program to provide volunteer labor for development assistance at Ben Lomond Park, Felton Covered Bridge Park, the Polo Grounds, and the Valencia Hall and Post Office Restoration project.

5. Grand Jury Recommendation

The Department also should craft a more comprehensive joint development and use program with county schools to maximize use of existing and future facilities in off-school hours by the community at large.

Board of Supervisors' Response

The Board of Supervisors strongly supports increased partnership projects with the schools. The County Parks Department has an ongoing relationship with the schools to provide joint development and use of school facilities in off-school hours. In the past, the County Parks Department has built play areas at Live Oak Elementary School, Davenport School, and Rio Del Mar Elementary School.

The Department has also investigated the use of school sports fields for community use and found that the fields are already being used to capacity. The local soccer clubs and little leagues have contracted with schools for use of the fields during off-school hours. The demand for sports fields is higher than the number of fields available.

PUBLIC DEFENDER

1. Grand Jury Recommendation

The BOS should authorize a comprehensive study by an appropriate California consultant to review current practices and develop a complete contemporary plan for providing cost effective Public Defender services for Santa Cruz County.

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The study should include but not necessarily be limited to the following issues:

- 1) BOS to adopt PC987.81 of the Penal Code complete with a program similar to that described in the Marin County documents entitled "Procedures for Collection of Appointed Counsel Fees Marin County Criminal Courts", Revised 10/96. These documents are shown in the attached "List of Available Documents".
- 2) Increase Public Defender Fees to all offenders to more closely reflect the true cost of the PD services. These fees to be individually adjusted by the Collections Department only when necessary (ref: San Mateo County)> Make use of Tax Intercept for those who might be expected to be capable of paying within 120 days, regardless of whether they are taken into custody or not.
- 3) A plan to allow competitive bidding for providing the Public Defender service in a manner similar to the county's requirement for competitive bidding for all other major services. (See also, Butte County RFQ to provide "Indigent Defense Services County of Butte July 1, 1998 through June 30, 2001" and "Indigent Defense Services Contract dated 8/12/97". Also, San Mateo County "Resolution 60493 Authorizing San Mateo County to execute agreement with San Mateo County Bar Association for PD Services." 8/96 shown in attached list of Available Documents.)
- 4) A review of the California Penal Code to provide suggestions from recent state revisions for potential adoption by Santa Cruz County.

Board of Supervisors' Response

The Board of Supervisors agrees that a review of issues related to the provision of public defender services is appropriate and timely. Towards this end, a Public Defender Task Force is currently meeting to review several issues related to the continuation of efficient and effective public defender services for the County of Santa Cruz. The task force is comprised of two members of the Board of Supervisors, two members from the Courts, the County Counsel, Public Defender, and the County Administrative Officer. The task force will be reviewing indigent defense systems from other counties, including contracting out, in-house departments, and the San Mateo model which provides for individual appointments of counsel through a contract with the County Bar Association.

With regard to collections of Public Defender fees, the County Administrative Office, with assistance by the Courts, the Treasurer-Tax Collector and the Probation Department, is undertaking a review of the current system for the collection of court ordered fines and will also be evaluating the current collection system for Public Defender fees and other court related assessments. This will include a review of other

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counties' practices as well. The Board does not believe that the services of an outside consultant are necessary for these reviews.

JUVENILE HALL

1. Grand Jury Recommendation

Examine the possibility that the new crime bill and other juvenile justice bills might help fund the new South County facility and begin a program of grant writing towards that end.

Board of Supervisors' Response

The Board of Supervisors agrees that all sources of federal and state funds should be evaluated to determine their potential for funding residential services for youth. The Probation Department is actively engaged in following the progress of the Federal crime bill and other state and federal juvenile justice bills, as well as Foundation opportunities that could possibly help fund local residential facilities and other continuum of care options.

The Board of Supervisors has authorized the Probation Department to retain the consultant services of the Criminal Justice Research Foundation (CJRF) of Sacramento. CJRF is conducting a complete Juvenile Hall facility evaluation and needs assessment, as well as developing recommendations on a range of options that may apply to the current Juvenile Hall, as well as additional unmet residential needs. CJRF is also tracking bills and legislation that could provide funding, and will assist the Probation Department in the application and response to any Requests for Proposals in which funds are available for the Juvenile Hall or other residential programs, including a residential drug treatment program.

2. Grand Jury Recommendation

The Board of Supervisors should authorize a study to look at rehabilitation of the nurse station and also how the walls in the kitchen dishwashing area could be changed to prevent peeling.

Board of Supervisors' Response

The Board of Supervisors agrees and, as stated above, has authorized the consultant services of the Criminal Justice Research Foundation, which is actively engaged in a

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facility review. The study will address the rehabilitation and expansion of the Juvenile Hall Medical Unit. Nurses are now equipped with an operational radio to call for help if needed, and the Institutional Supervisor is within 45 feet of the Nurse's office.

In addition, during the 1998-99 Budget Hearings, the Board of Supervisors authorized the hiring of a food service worker whose primary responsibility will be the cleanliness of the kitchen area. Additionally, the Probation Department weekend work program has done extensive painting in the kitchen area.

SANTA CRUZ COUNTY MAIN JAIL-WATER STREET FACILITY

1. Grand Jury Recommendation

Open the remaining portion of the medium security facility to alleviate the overcrowding at this facility. The high inmate population is detrimental to both the inmates and the detention officers.

Board of Supervisors' Response

The Board of Supervisors agrees with this recommendation and has approved funding as part of the 1998-99 Budget to open the remaining portion of the Medium Security Detention Facility on January 1, 1999.

2. Grand Jury Recommendation

Add camera monitoring to the temporary holding cells in the booking area. Only the "Detox Cell" has one now. We recommend that all of the temporary holding ("H") cells be equipped with one.

Board of Supervisors' Response

As discussed in the response from the Sheriff-Coroner, this recommendation is being considered in the context of planning for security improvements in the Main Detention Facility which is funded by a \$1 million State grant.

3. Grand Jury Recommendation

Put a higher priority on maintenance. Even though maintenance seemed "good," "excellent" is attainable. Paint and some minor repairs done in a timely manner would enhance the environment greatly.

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Board of Supervisors' Response

The Board of Supervisors agrees that all County facilities should be maintained at the highest standard possible within the limits of available financing.

MEDIUM SECURITY DETENTION FACILITY

1. Grand Jury Recommendation

The facility is designed to hold inmates in two areas. Due to the grave overcrowding in the Main Jail we recommend the unopened half of this facility be opened as soon as possible.

Board of Supervisors' Response

The Board of Supervisors agrees with this recommendation and has approved funding as part of the 1998-99 Budget to open the remaining portion of the Medium Security Detention Facility on January 1, 1999.

2. Grand Jury Recommendation

A doctor or another nurse should be assigned to this facility to allow medications to be dispensed as needed. The inmates who need medication more than once a day could then be housed there.

Board of Supervisors' Response

As discussed in the response from the Sheriff-Coroner, the Board of Supervisors approved funding in the 1998-99 Budget for the addition of a full-time nurse at the Medium and Minimum Security facilities that will allow for an increased population at the Medium Security facility and will provide for medications to be dispensed twice a day.

SANTA CRUZ COUNTY SHERIFF'S OFFICE

1. Grand Jury Recommendation

The County should provide a security fence to protect emergency equipment parked at the county building on Ocean Street. This recommendation is fully supported by the Sheriff's Office as evidenced by the Sheriff's numerous requests for this important improvement.

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Board of Supervisors' Response

As part of the 1998-99 Budget, the Board of Supervisors approved funding for a preliminary design and cost estimate for a security fence. Funding for the project is projected to be considered as part of the 1999-00 Budget, as discussed in the Grand Jury response from the Sheriff- Coroner.

2. Grand Jury Recommendation

Funds should also be made available to open the second half of the Medium Security Detention Facility in Watsonville.

Board of Supervisors' Response

The Board of Supervisors agrees with this recommendation and has approved funding as part of the 1998-99 Budget to open the remaining portion of the Medium Security Detention Facility on January 1, 1999.

ENVIRONMENTAL HEALTH SERVICES

1. Grand Jury Recommendation

EHS should more forcefully encourage users of its first responder threat assessment data software to jointly seek the kind of computer expertise needed to make the system operational. Fire District administrators, and those who direct them, should welcome and support such an initiative.

EHS should seek the help of its multi-agency advisory committee, to forge such a consensus. A united county wide effort, supported by BOS and local State Legislators, could then petition the state's Department of Health Services (DHS) and Office of Emergency Services (OES) for such technical support.

EHS should again lobby those in charge of NetCom to embrace the idea of becoming the central dispenser of such critical safety information. If NetCom had the EHS safety data in its computer system, it could provide an early and vital "heads-up" when it dispatches responding police, fire and/or medical units to accidental release scenes. Scotts Valley has been given the computerized data base, since it is not part of NetCom and has chosen to provide such services on its own.

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Response

1. EHS agrees with the recommendation of the Grand Jury and continues to pursue the issue of informing first responders of the presence of hazardous materials at a site. In December, EHS hired a Department Information Systems Specialist on a half-time basis. Because of the needs in this area, the position was increased to full-time in March. The Hazardous Materials Program Manager and the Department Information Systems Specialist have subsequently met with the Santa Cruz Consolidated Emergency Communications Center's (NETCOM) Communications Operations Coordinator to discuss data sharing. The meeting was productive, and within two weeks NETCOM personnel were provided data to input into their system. Now dispatchers advise first responders of the presence of hazardous materials at a site and provide the "type" of material (e.g. flammable, combustible, acutely hazardous, reactive, etc.) that may be encountered.

More recently, new ideas for future improvements to this system have come from meetings with the two fire agencies which operate HazMat response vehicles (Scotts Valley Fire Protection District and City of Watsonville Fire Department) and the County's Emergency Services Coordinator. EHS has encouraged fire officials to assist/participate in this endeavor and will to continue to pursue this issue until the speed and range of information available to first responders is commensurate with current technology. EHS has compiled and made available to all County fire agencies a computer data file pertinent to the specific jurisdiction which the respective agencies can up-load and integrate into their own files. This file is maintained by EHS and quarterly updates will be provided without charge. EHS is available to consult with fire agencies as they implement their responsibilities in this area.

Grand Jury Recommendation

2. EHS should lobby the CAO and BOS to solicit support from participating federal and state agencies for a county-wide funding mechanism that would assure payment for emergency hazardous material response vehicles and crews when summoned beyond their jurisdiction.

The existing process is seriously flawed and in need of high-level attention from policy makers, administrators and politicians in the county and its 11 mutual-aid fire districts.

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Federal and State legislators from the area also should be lobbied by BOS to help change the federal and state Superfund clean-up programs to pay for emergency response to hazardous material spills or dumping. At the present time, Superfund only pays for clean-up of such incidents.

Board of Supervisors' Response

2. Environmental Health Service agrees with the Grand Jury that the emergency response funding process is complex and in need of ongoing discussions with State and federal representatives, as well as local jurisdictions and fire agency representatives.

With regard hazardous material response vehicles, Environmental Health Service maintains an Emergency Response Van that allows EHS staff to categorize and identify materials, determine the level of hazard caused by a spilled material, and oversee the mitigation of nearly all hazardous spill incidents that occur in the county. This service is provided by EHS on a 24 hour per day, 7 day per week basis. The Grand Jury notes that there are more than 100 calls responded to annually. It is this EHS vehicle that responds to most of these 100 calls per year. It costs Santa Cruz County approximately \$40,000 per year (FY 97/98) to provide this service to the community.

The larger HazMat Response Vehicles housed within Scotts Valley Fire Protection District and Watsonville City Fire Department are designed to respond to only a very few calls per year that require a higher level of response. Records show that the number of calls per year requiring the higher response have dramatically declined and now represent a very small percentage of the total. The Scotts Valley vehicle responds to about 8 calls a year for assistance outside the City of Scotts Valley, the Watsonville vehicle to about 3 calls/annually for assistance outside the City of Watsonville. The HazMat vehicle now owned by the City of Watsonville, was paid for with State Grant funds in exchange for service to the community.

Both the Scotts Valley Fire Protection District and the Watsonville City Fire Department have stated that prior to responsibility for hazardous materials management being transferred to EHS by the California Environmental Protection Agency (Cal EPA), each jurisdiction subsidized their Vehicle's costs with fees. Now that EHS collects those fees (and provides the majority of the services) there remains an expectation that some portion of the fees should be returned to them to support their vehicles.

There are a number of reasons why EHS does not agree with this approach.

- 1) State Law (Health & Safety Code, Chapter 6.95) does not require nor make provision for lead jurisdictions to provide a Hazardous Materials

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Emergency Response Vehicle of any kind. The law mandates that businesses or individuals with hazardous materials must provide information on what materials they have; what quantities exist on-site, where on-site they are located and to meet minimum standards by which these materials are contained. The Administering Agency (EHS) is required to maintain this data, verify the accuracy of information reported by the business or individual, and to offer emergency response personnel (fire, police/sheriff, and other city/county officials) access to the information in the event of an emergency.

- 2) Fees are currently paid by the business community for hazardous materials permits they are required to have. Revenue now collected each year by EHS does not fully cover the cost of activities required for EHS to conduct the over 1,250 inspections required each year, to keep the data current and to regulate businesses complying with the law. The fees do not cover the costs of EHS's van and emergency response program.
- 3) Few of the emergency response calls have anything to do with the businesses which have permits and are regulated by EHS. It would be unfair to burden the business community with a problem unrelated to their facilities or operations.
- 4) If a business should cause a catastrophic event necessitating the use of either Scotts Valley Fire Protection District or City of Watsonville Fire Department HazMat Emergency Response Vehicles, the business would be responsible for paying for the services provided by either agency.
- 5) EHS is mandated by State Law to justify fees charged to the regulated community. In light of the above information it would be difficult to justify an increase in fees to regulated businesses to pay for HazMat Response costs for incidents not related to the regulated facilities.

With regard to federal and State Superfund cleanup programs, EHS concurs with the Grand Jury's recommendation to request our Federal and State legislators to support expanding the current level of funding support (currently limited to clean-up) to include time and materials consumed during a response. EHS will work with our local legislators to determine an appropriate course of action to address these issues.

Grand Jury Recommendation

3. BOS should petition CalEPA, and enlist the support of local state Senators and Assemblymen, to end the double fee dipping on local hazardous waste generators.

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Board of Supervisors' Response

3. On March 16, 1998 the Environmental Health Hazardous Materials Program Manager and counterparts from five other counties concerned with this issue met with Senator Byron Sher and Jesse Huff, Director of Cal-EPA's Department of Toxic Substance Control. In addition to local regulators at this meeting, there were representatives from the circuit board industry and manufacturing groups speaking on behalf of the State's business community in support of local agencies charging the fees, not the State. Senator Sher has been an advocate for reducing State fees and is continuing to pursue legislative initiatives in this area.

Grand Jury Recommendation

4. EHS program managers should continue -- and enlarge -- the kind of record keeping and retrieval effort that became necessary during the Civil Grand Jury review to help accurately and objectively assess program progress or shortcomings.

Response

4. EHS agrees with the Grand Jury recommendation and has hired a Department Information Systems Specialist. The new Specialist is busy with project requests from throughout the EHS Program. The Department will continue committing substantial resources in the way of personnel, time, and to software and hardware upgrades, in an effort to provide better data management and recovery.

PUBLIC GUARDIAN

1. Grand Jury Recommendation

The PG should seek creation and funding of an inter-disciplinary team of health professionals to evaluate reports of hundreds of patients in local facilities who qualify for but are not covered by any protective program. That investigation should include full participation of independent patient rights advocates. The goal should be to verify those reports. If found true, the team should develop and recommend ways to close such inequitable and potentially dangerous loopholes.

Response

There are currently multi-disciplinary teams (MDT's) including the MDT meeting on the first Wednesday of the month and the Adult and Long Term Care Commission which meets every other month.

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The members of the MDT meeting come from a wide variety of agencies, including HRA (Adult Services Program Manager, Adult Protective Services, and Public Guardian), Ombudsman, County Mental Health, private health care agencies such as Visiting Nurses Association, Lifespan, and Prime Health at Home, representatives from Dominican Hospital, Watsonville Community Hospital, Santa Cruz County Health Options (the entity which manages the county's Medi-Cal program) and others.

The Adult and Long Term Care Commission also has members from a wide variety of governmental and community agencies. Effective at the beginning of the 1998/99 program year, the Public Guardian will designate a staff person to regularly attend the Adult and Long Term Care Commission.

The Ombudsman's Office is the agency responsible for investigation into patient care in local skilled nursing and board and care facilities. When that agency finds patients in need of protection, they make referrals to Adult Protective Services who evaluate the appropriateness of referring the case on to the Public Guardian.

2. Grand Jury Recommendation

The Public Guardian should develop and implement a formal complaint tracking system to help analyze and document the effectiveness and fairness of the system and make it available to authorized outside use in such a way as to continue to safeguard the confidentiality of clients. That would permit independent outside auditing of the process by the Civil Grand Jury, patients rights advocates or others and also serve as a valuable tool for the PG to subjectively evaluate the system and methods.

Response

The Public Guardian agrees with the recommendation and will develop and implement a formal complaint log tracking system.

3. Grand Jury Recommendation

The PG has insufficient time to independently draft a departmental policy and procedures manual to guide the staff if or when he is unavailable. He should delegate some responsibility for that task to senior deputies familiar with the required duties, but maintain close oversight and review of the project. The job could be completed more quickly that way and free the PG for other pressing matters.

Board of Supervisors' Response

The Public Guardian has completed a portion of the policy and procedures manual. With the filling of a vacant deputy position and the deputy position approved by the Board of Supervisors for the 1998/99 fiscal year, the senior deputies who currently carry

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full caseloads will have their caseloads reduced in order for the Public Guardian to delegate more tasks to them.

4. Grand Jury Recommendation

The Human Resources Agency should conduct a study to verify and determine why the county's population of mentally ill patients is so high. That effort should check how long patients have resided here and whether imposition of residency requirements would be legal, fair and effective. The study should recommend actions to correct any causative factors discovered.

Response

State Mental Health data suggests that Santa Cruz County has a slightly higher level of mentally disabled adults than other bay area counties. The reasons for this slightly higher prevalence is unclear. It may be due to the relatively high proportion of persons under age 30 (which correlates with the age of onset of mental illness for most people) or it may be a transient factor which will change over time. County Mental Health does have residency requirements for all services except emergency care. Individuals from other counties who seek mental health care are assisted in returning to their home area. Since local mental health programs are funded primarily by state and federal funds, additional residency restrictions are prohibited.

5. Grand Jury Recommendation

The PG, HRA and County Administrative Officer (CAO) should work together to upgrade the PG computers and make them fully compatible with the main county system so that inter-departmental communication, client referral information and record tracking might be improved.

Response

An upgrade of the Public Guardian computers is planned for early in the 1998/99 fiscal year which should address these issues.

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Additional Information: Correction to Grand Jury Report Findings

Please note that the Grand Jury Report (page 178, paragraph 4) contains errors regarding the Public Guardian 1996/97 and 1997/98 budgets. The following provides the corrected information:

Grand Jury Report	HRA Corrected
1996/97 Revenue: 753,000 - County General Fund 304,000 - Mental Health 140,000 - fees from clients 80,000 - Medical payments for client services 80,000 - client investment management fees [Total: \$1,357,000]	1996/97 Revenue: 164,018 - County General Fund 304,300 - Mental Health 171,323 - fees from clients' 28,814 - federal Health Program 77,407 - interest, non-County Treasurer Total: \$745,862
1997/98 Total Budget: \$1,495,000	1997/98 Total Budget: \$890,106

SPCAGrand Jury Recommendation:

We are recommending that the County Administrator's Office which is responsible for negotiating the contract with the SPCA do a cost benefit analysis during this next fiscal year to determine if outsourcing all of these services to the SPCA is still cost effective.

Response:

Annually, the cost effectiveness of the SPCA contract is reviewed. In preparation for budget hearings for 1999-2000, the public entities, which include the County of Santa Cruz, the City of Santa Cruz, the City of Capitola, the City of Scotts Valley, and UCSC, will meet to consider the appropriate level of funding for services to be provided in the coming fiscal year, and to analyze whether the services provided by the SPCA are cost effective for the public entities. In addition, the current contract with the SPCA provides for a monthly report of activities, and for quarterly contract administration meetings for the purpose of reviewing the budget, operations, contract compliance issues, and the location of targeted patrols.

*Includes: monthly conservatorship fees, representative payee fees, storage use fees, transportation reimbursement charges, extraordinary fees, and estate (bond) fees.

RESPONSE OF COUNTY COUNSEL
TO THE 1997-98 GRAND JURY REPORT

COUNTY COUNSEL'S RESPONSE
TO 1997-98 CIVIL GRAND JURY
REPORT, FINDINGS & RECOMMENDATIONS

GRAND JURY FINDINGS AND COUNTY COUNSEL RESPONSES:

Finding: the current Civil Grand Jury term, the County Counsel delegated his duties as the panel's chief legal advisor to a Deputy, changing a decade-long practice in that important role. Questions arose about why and how that change was made and whether the new advisor was sufficiently familiar with, interested in and supportive of matters of Civil Grand Jury interest and reach. In an interview with the County Counsel, the jury learned that the newly-assigned advisor has more experience in civil law than anyone else in the department but no prior Grand Jury background. The County Counsel did not convey to the Civil Grand Jury either those facts or the purpose or reasoning for the shift in duties when the change occurred. The explanation came later, when the Jury examined the issue.

Response: The change in assignment from the County Counsel to a Chief Assistant was made during the term of the previous 1996-97 Grand Jury and written notice of the reassignment was sent by the County Counsel to the Grand Jury at that time. A copy of the notice is attached. The 1996-97 Grand Jury was disbanded prematurely and apparently information regarding County Counsel services was not forwarded to the 1997-98 Civil Grand Jury. In any event, the change was part of an office restructuring and numerous other changes in attorney duties and client assignments. The Chief Assistant given the assignment was/is the senior staff attorney with both the longest tenure in the office and well as the greatest overall depth and breadth of County and local government law experience; the Chief Assistant eagerly accepted the assignment. As is the custom in the office generally, the County Counsel provided his resource materials to his successor and was/is consulted in the course of researching issues and responding to requests for advice, particularly in sensitive matters or where the law is unclear or unsettled.

Conflicts of interest may arise when the Civil Grand Jury asks for legal advice on issues involving other branches of county government also served by the Counsel's office. When that occurs, the Counsel's office should recuse itself from representing the Civil Grand Jury in favor of the District Attorney's Office, which has no such conflicting civil law responsibility to county government.

Response: State law provides the Grand Jury with the option to seek legal advice from the Presiding Judge or the District Attorney rather than seeking such legal advice from

County Counsel whenever the Grand Jury prefers to do so. (Penal Code Sections 934 and 935) Accordingly, if the Grand Jury is investigating another “client” of the County Counsels Office, the Grand Jury may seek such alternative sources of legal advice at its discretion. The County Counsel’s office may also identify instances where a conflict may exist and advise the Grand Jury of the need for it to obtain legal advice from the Presiding Judge or District Attorney. However, in many instances, the Grand Jury will be able to obtain general legal advice from County Counsel as to its authority, legal procedures, existing laws, etc. without getting into the specifics of an investigation of another client or otherwise presenting a conflict situation.

Findings: A separate concern exists over the lack of uniformity within county government on policies regarding contact and cooperation with the Civil Grand Jury. Policy varies from department to department on notifying and getting permission from superiors once jury contact is made. Some departments even prohibit unmonitored cooperation with fully authorized investigating committees.

Response: The heads of County departments establish various policies for the administration of their respective departments, according to their personal management preferences. In responding to informal requests by the Grand Jury to voluntarily cooperate in its investigations, there is no legal requirement for uniformity and each elected or appointed county official or department head has the authority to determine department policy as to responding to such requests.

GRAND JURY RECOMMENDATIONS AND COUNTY COUNSEL RESPONSES:

Recommendation: The County Administrative Officer should request the County Counsel to review existing policy in all county departments regarding Civil Grand Jury contact and cooperation to enhance uniformity and ensure compliance with applicable rules and laws. Recommendations for improvement should be made to and supported by the CAO and the Board of Supervisors.

Response: This recommendation is directed to the County Administrative Officer.

Recommendation: The County Counsel should initiate an annual review of the quality of service rendered by the office to the Grand Jury. That review should come shortly after the Civil Grand Jury completes its term of office and should involve the Jury Foreperson, the chief County Counsel and, at the discretion of the latter, the deputy assigned to the jury.

Response: The Office of the County Counsel is committed to providing quality legal services to all of its clients and will always receive, review and respond accordingly to

any report regarding client satisfaction. The County Counsel is available to meet with the Foreperson of the Grand Jury to discuss the services provided by the Office at the end of each term, or at any other time requested.

Dated: July 23, 1998

DWIGHT L. HERR, COUNTY COUNSEL

Dwight L. Herr

OFFICE OF THE
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

GOVERNMENT CENTER
(408)454-2040
FAX(408)454-2115

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

DWIGHT L. HERR
COUNTY COUNSEL
DEBORAH STEEN
SAMUEL TORRES, JR.
CHIEF ASSISTANTS

HARRY A. OBERHELMAN III
MARIE COSTA
JANE M. SCOTT
RAHN GARCIA
TAMYRA CODE
PAMELA NFE
ELLEN LEWIS
KIM **ELIZABETH** BASKETT

ASSISTANTS

April 29, 1997

Grand Jury
County of Santa Cruz
,701 Ocean Street
Santa Cruz, CA 95060

Attn: Julian White Eagle

RE: **County** Counsel Attorney Assignment

Dear Mr. White Eagle:

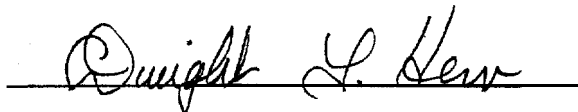
As a result of an annual review of the attorney assignments in the office, Deborah Steen, Chief Assistant, has been assigned to provide legal services to the Grand Jury to replace Dwight L. Herr.

Ms. Steen is an experienced attorney and well qualified for this assignment. This reassignment is effective May 1, 1997.

Please advise if you have any questions in this regard.

Very truly yours,

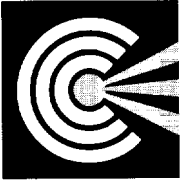
DWIGHT L. HERR, COUNTY COUNSEL



DLH:ji:coco1.6hl
cc: Deborah Steen, Chief Assistant

COCO1.WPD

RESPONSE OF THE SANTA CRUZ CONSOLIDATED EMERGENCY
COMMUNICATIONS CENTER
TO THE 1997-98 GRAND JURY REPORT

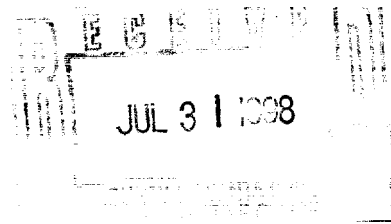


Santa Cruz Consolidated Emergency Communications Center

495 Upper Park Road
Santa Cruz, California 95065
(831) 471-1000 Fax (831) 471-1010

Michael J. McDougall
General Manager

g -1-1 FIRE
POLICE
MEDICAL



Date: July 30, 1998

To: Susan Mauriello, CAO

From:  Michael J. McDougall, General Manager

Subject: Response to FY 97/98 County Grand Jury Report

As we discussed yesterday, I agree with the findings, conclusions and recommendations included with the Grand Jury Report as it relates to our Agency's investigation.

SPECIFIC RECOMMENDATION:

"The dispatchers seem to spend a lot of their time obtaining vehicle registration, driver licence, and arrest warrant information from state sources and reading it to the patrol officers (via the radio). We would recommend that freeing the dispatchers from as much of these operations as possible would present significant opportunities for dispatchers to improve their service in other areas. We understand that the Watsonville Police Department is installing computer terminals in their patrol cars which will allow the dispatchers to have retrieved information sent directly to the computer in the patrol car.

We (the Grand Jury) recommend that the other law enforcement agencies consider adding this technology to their patrol cars. "

AGENCY RESPONSE:

The Watsonville Mobile Data Computer (MDC) System is operational and is presently in limited use. Issues remaining to be resolved and implemented include 1) establishing protocol for dispatchers and officers regarding which incidents/calls and/or state computer inquiries are most appropriately handled via the new system and which should remain handled via the radio, and 2) finalizing the technical programming to include such important features as the ability to "stack" calls on an MDC units, the ability to issue case numbers via the MDC, and other functionality. The target date for project completion is set for November 1998.

Expanding the implementation of MDC technology to the other three (3) law enforcement agencies we serve continues to be a point of discussion at our bi-monthly User Chief Meetings. Last month, both the Santa Cruz Police Department and the Sheriff's Department submitted

grant funding requests (via the **COPSMORE** program) for the purchase and installation of MDC systems. The **Capitola** Police Department, given their size limitation, is presently considering joining with Watsonville as an addition user on their MDC system (once installation is complete and working as designed). In the event that both Santa Cruz Police and the Sheriff's Office receive grant funding within the next few months, it is expected that detailed system design, interface development, engineering, procurement, and installation will take most, if not all, of the next fiscal year to complete. Furthermore, the Center's **Computer-Aided-Dispatch (CAD)** system will require minor expansion in advance of any additional MDC implementation.

Agency staff is prepared to work closely with our law enforcement Users in the detailed design of any future system(s) to ensure that connectivity to CAD and other state and local data bases are as seamless and cost effective as possible.

RESPONSE OF SANTA CRUZ COUNTY ELECTED OFFICIALS
TO THE 1997-98 GRAND JURY REPORT
(INFORMATION ONLY- PREVIOUSLY PROVIDED UNDER SEPARATE COVER)

DISTRICT ATTORNEY



COUNTY OF SANTA CRUZ

ARTHUR DANNER III
DISTRICT ATTORNEY

JON E. HOPKINS
CHIEF DEPUTY, CRIMINAL OPERATIONS
G. DAVID GENOCHIO
CHIEF DEPUTY, ADMINISTRATION

July 30, 1998

The Honorable Robert Yonts
Judge of the Superior Court
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: 1997-1998 REPORT OF THE SANTA CRUZ COUNTY CIVIL GRANT JURY

Dear Judge Yonts:

Pursuant to Section 933.05 of the Penal Code the District Attorney for the County of Santa Cruz has reviewed the 1997-1998 Final Report of the Santa Cruz County Civil Grand Jury. In respect to a portion of the report that is contained in the Criminal Justice Committee Report, and the conclusions set out on pages 112 and 113 of that report with regard to an investigation of an alleged criminal case by the Watsonville Police Department and the Santa Cruz District Attorney's Office, the District Attorney responds as follows:

1. The nature of the case considered by both the Watsonville Police Department and the District Attorney's Office was extremely complex and involved evaluations of difficult legal issues as well as credibility questions. In an attempt to aid the Watsonville Police Department (because of unusual circumstances that existed) the Santa Cruz County District Attorney's Office did undertake to investigate an allegation of criminal conduct in this case and numerous other cases.

2. Effective communication with interested citizens is and will always be the policy of the District Attorney's Office' and any assistance in enhancing this communication process is well received. The investigation of this case focused on attempting to prove the case by locating the suspect and attempting to gain admissions concerning the alleged criminal conduct. This proved to be difficult due to the fact that the suspect was not and still has not been located. The legal issues concerning the statute of limitations were discovered

☐ SANTA CRUZ OFFICE
P.O. BOX 1159
701 OCEAN STREET
SANTA CRUZ, CA 95061
(408) 454-2400
(408) 454-2227 FAX

☐ WATSONVILLE OFFICE
P.O. BOX 228
FREEDOM, CA 95019
1430 FREEDOM BLVD.
WATSONVILLE, CA 95076
(408) 763-8120
(408) 763-8029 FAX

☐ FAMILY SUPPORT DIVISION
P.O. BOX 1841
420 MAY AVENUE
SANTA CRUZ, CA 95061
(408) 454-3700
(408) 454-3752 FAX

The Honorable Robert Yonts
Page 2
July 30, 1998

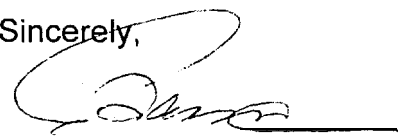
by a more experienced attorney when the case came to his attention in the process of investigating. Statute of limitations issues became relevant only when a review by the more experienced attorney concluded that the allegations amounted to misdemeanors rather than felonies. Otherwise, the case continued in the pending category while investigators attempted to locate the suspect.

Additionally, as pointed out in the Grand Jury findings there were reasons to believe that the interested citizen had been communicated with based on a referral to the Santa Clara District Attorney by the Assistant District Attorney reviewing the case. While this may have been a reasonable assumption given what the Assistant District Attorney knew at the time, apparently no direct communication had occurred with the interested citizen until such time as that citizen contacted the Assistant District Attorney who reviewed the case.

This was unfortunate and an oversight by staff who reasonably believed that communication had occurred. The staff involved are not individuals insensitive to the needs of victims and or legally interested parties to the point that they would intentionally not communicate the progress of the case. Other than in situations where communication could jeopardize investigation, the District Attorney's Office has staff that comply with the policy to inform victims and legally interested parties. Taking the Grand Jury's findings along with this explanation it is the District Attorney's view that this was an aberration and an isolated instance based on a number of unusual events in a case that ordinarily would not occur

We appreciate the Grand Jury drawing this to our attention and still have the case under consideration in conjunction with the Watsonville Police Department.

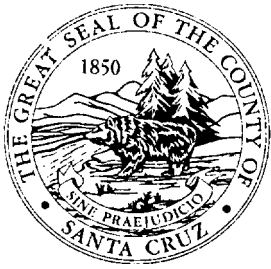
Sincerely,



ARTHUR DANNER III
DISTRICT ATTORNEY
COUNTY OF SANTA CRUZ

jmr

cc: Board of Supervisors
Susan A. Mauriello, County Administrative Officer



COUNTY OF SANTA CRUZ
OFFICE OF THE TREASURER-TAX COLLECTOR
RICHARD W. BEDAL - TREASURER-TAX COLLECTOR
DEBORAH LAUCHNER - ASSISTANT TREASURER-TAX COLLECTOR

99

CENTRAL COLLECTIONS DIVISION TELEPHONE (831) 454-2292 TDD (831) 454-2123
OFFICE: 701 OCEAN STREET, ROOM 150, SANTA CRUZ CA 95060
MAIL: POST OFFICE Box 801, SANTA CRUZ CA 95061

July 23, 1998

The Honorable Robert Yonts
Judge of the Superior Court
701 Ocean Street
Santa Cruz CA 95060

RE: Departmental Response to 1997-98 Grand Jury Report

Dear Judge Yonts:

The 1997-98 Grand Jury Report requested the response of this department regarding its report entitled "Economic Improvements to the Public Defender System."

Our responses are as follows:

Grand Jur-v Comment:

In Santa Cruz County, only 7% of the offenders using the PD system are assessed anything.

Departmental Response:

The Central Collections division has no information about the total number of cases in which PD fees are assessed. The courts transmit only those cases in which an order for payment of PD fees is entered.

Grand Jury Comment:

The Santa Cruz County Collections Department is hindered in its operation by two factors:

- a), The average collectable fee assessed by the Court is below the actual cost of collection.

Departmental Response:

Public defender fees are generally ordered at the rate of \$60 per case, which includes a public defender registration fee of \$25. The average cost of collection of public defender fees is \$22.31 per case, not including court and process service fees. If the defendant does not have any additional accounts with the office, the case will not meet the minimum standards for additional legal action to collect the debt because the \$22.31 average cost, plus court and process service fees advanced by the department often exceed \$100.

- b). There is no penalty involved in the offenders' non payment of PD fees.

Departmental Response: There is no criminal penalty involved in the offenders' non payment of PD fees. A broad range of actions can be taken for collection through civil means. However, the lack of a criminal penalty does make collection more difficult as there is no threat of jail to the defendant if he fails to pay. Most other fine and restitution cases involve criminal penalties for failure to pay.

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Grand Jury Recommendation:

The BOS should authorize a comprehensive study by an appropriate California consultant to review current practices and develop a complete contemporary plan for providing cost effective Public Defender services for Santa Cruz County. The study should include but not be limited to the following issues:

1. BOS to adopt PC§987.8 1 of the Penal Code complete with a program similar to that described in the Marin County documents entitled "Procedures for Collection of Appointed Counsel Fees Marin County Criminal Courts".

Departmental Response:

The department has no opinion as to the Marin County procedure or the adoption of the procedures set out in §987.81 PC. Should the county decide to conduct a study, we would be interested in participating. At this time, the Central Collections Division is only involved in evaluating a defendant's ability to pay after the court has issued an order to pay the fees. Any financial information discussed in court is not provided to the division,

Grand Jury Recommendation

2. Increase Public Defender Fees to all offenders to more closely reflect the true cost of the PD services. These fees are to be individually adjusted by the Collections Department only when necessary. Make use of Tax Intercept for those who might be expected to be capable of paying within 10 years regardless of whether they are taken into custody or not.

Departmental Response:

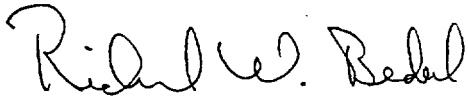
The department has no opinion as to whether Public Defender fees should be increased. Currently, the fees are set at \$60. This total usually includes a public defender registration fee of \$25. The average cost of collection for public defender fee accounts is \$22.3 1 per case. When the individual has no other accounts in the division, Public Defender fees frequently do not meet the office's established standards for post-judgment litigation because the average cost of collection plus costs advanced by the department often exceed \$100.

The Collections Division does not adjust accounts unless there is a court order or originating departmental directive to do so. We would expect to continue this practice if any changes to the public defender system are made.

All public defender accounts are already submitted for Tax Intercept when the account balance exceeds \$50.00. The dollar limit is established by the Franchise Tax Board's program. Active cases are submitted to the FTB Intercept program in the fall of each year, as required by the program, with monthly updates as payments are received.

We appreciate the support of the Grand Jury for the Collections Division and its staff.

Very truly yours,



RICHARD W. BEDAL
TREASURER-TAX COLLECTOR

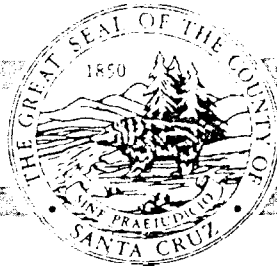
RWB/mmf

cc: Board of Supervisors

✓ Susan A. Mauriello, County Administrative Officer

Thomas Sprague, Foreperson, Santa Cruz County Civil Grand Jury

SHERIFF - CORONER



102
COUNTY OF SANTA CRUZ

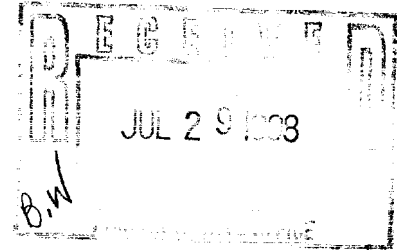
MARK TRACY
SHERIFF-CORONER

701 OCEAN ST., RM. 340
SANTA CRUZ, CALIFORNIA 95060

PHONE (408) 454-2985
FAX (408) 454-2353

July 27, 1998

Robert Attack, Presiding Judge
Superior Court
701 Ocean Street
Santa Cruz, CA 95060



Dear Judge Attack:

Please accept the Sheriffs Office response to the 1997-98 Civil Grand Jury Report.

My staff and I were pleased with the efforts of this year's Grand Jury. Jury members spent numerous hours reviewing material and taking the effort needed to fully understand the issues. We especially appreciate their attendance at Task Force meetings that discussed inmate suicides. The Grand Jury's understanding of this difficult issue and the commitment of the Sheriffs Office, County Health Services and others to reduce jail suicides was commendable.

Sincerely,

Mark Tracy
Sheriff-Coroner

DEATH OF THREE INMATES AT THE SANTA CRUZ COUNTY MAIN JAIL

Conclusion/Findings:

The Grand Jury investigation confirmed that the personnel on duty at the Main County Jail facility followed correct procedures. It was also found that there is an on-going effort to identify inmates who are potentially suicidal.

Response:

The Sheriffs Office agrees with the findings and the conclusion. (Inmate Deaths at the Main Jail, page 118) The Grand Jury noted the ongoing efforts of the Sheriffs Office and a Task Force formed to immediately address this various serious issue of inmate suicides. The Grand Jury found there is “an on-going” effort to identify inmates who are potentially suicidal.”

The Sheriffs Office now has instituted a revised medical intake screening form, revised pre-classification form to screen for “high risk” inmates, increased safety checks, educated staff about suicide prevention, and started the retrofit of air vent grates which have been used by inmates for suicide by ligature.

Grand Jury Recommendation:

As of January 9, 1998, no completion date has been provided for the remaining retrofit of all air vents and windows by adding screens. **Therefore, the jury recommends** that a higher priority be given to this work by setting a completion date for the earliest time possible.

Response:

To date, we have completed about 3/4 of all the grates in the Main Jail, All of the North and South wings have been completed as well as the high security areas of the West Wing, including Sections “K”, “Q” (maximum security), “J” and “O.” These vents cost about \$350.00 a piece. We have made tremendous progress to date and should finish by the end of a Summer. We are awaiting another order of grates once the new fiscal year begins on July 1, 1998.

LAW ENFORCEMENT RECOMMENDATIONS

Recommendation:

1. Lap-Top computers with a multi-jurisdictional records system should be added to police vehicles. Lap-tops -would not only be a time saver for the officer but for the dispatcher as well.

Response:

I. The Sheriffs Office agrees with the recommendation on the use of Iap-top computers in patrol. The Sheriffs Office has already issued lap-top computers to patrol deputies for report writing. The Sheriffs Office has also applied for a Community Oriented Policing Grant for funding to implement further in-carcomputing. This grant will allow for equipment in the cars that not only access local records systems but state and national law enforcement data systems. **Grant** award notices should be available by the end of Summer 1998.

Recommendation:

2. Year end reports should be published by law enforcement agencies for the following reasons:

- A. To provide the citizen population with information on their department, useful in determining budgetary needs.
- B. They provide the city council a solid overview of the police department, useful in determining budgetary needs.
- C. They are an excellent self-evaluation tool that aids the administration in measuring the effectiveness and quality of on-going programs.
- D. They are efficient tools which can expedite the application process for various state and federal grants.
- E. They are of assistance to the Civil Grand Jury in conducting their investigations.

Response:

2. The Sheriffs Office agrees with the recommendation of publishing year-end agency reports. The Sheriffs Office has completed year-end reports for many years. The report has had minimal circulation, but those who do receive it, find it helpful. The Sheriffs Office will continue issuing reports and improve our efforts to complete them on a timely basis.

SANTA CRUZ COUNTY MAIN JAIL-WATER STREET FACILITY

The Grand Jury examined the operation of the Main Jail in Santa Cruz. The Grand Jury made the following findings:

Conclusion/Findings:

1. The jail is overcrowded. At the time of our tour, there were 365 inmates. The maximum population should be 249. Triple bunks were set up in the common area. Some inmates were sleeping directly on the floor.
2. Security is good. Cameras are located throughout the facility both inside and outside. Hallway doors are operated from a control room. The booking area is in need of more monitoring. (Please see Recommendation #2.) *
3. The booking area and temporary holding cells have very limited space. Busy periods have potential “back up” with numerous prisoners coming in within a short period of time.
4. Overall cleanliness is good. The Jurors did note some areas that were in need of paint or repair, but as a whole the facility was well maintained.

Response:

1. The Sheriffs Office agrees with the findings.
2. The Sheriffs Office partially agrees with this finding. Some holding cells require more observation than others. The issue of increased camera observation in Booking will be addressed as part of an upcoming Central Control remodel. The recent suicides in the jail did not occur in the Booking area but in housing units. We are exploring the increased use of camera monitors in some selected housing units as a suicide prevention tool.
3. The Sheriffs Office agrees with the finding. It is our goal to provide a short turnaround time for local law enforcement officers when bringing arrestees to the jail. The staff will continue to examine ways to prevent backups in the intake process. Recently, on the Fourth of July additional staff were allocated to the process. The turnaround time for Peace Officers dropping off arrestees was kept under five minutes during the entire night.
4. The Sheriffs Office agrees with the findings.

Recommendations:

1. Open the remaining portion of the medium security facility to alleviate the overcrowding at this facility. The high inmate population is detrimental to both the inmates and the detention officers.
2. Add camera monitoring to the temporary holding cells in the booking area. Only the "Detox Cell" has one now. We recommend that all of the temporary holding ("H") cells be equipped with one.
3. Put a higher priority on maintenance. Even though maintenance seemed "good," "excellent" is attainable. Paint and some minor repairs done in a timely manner would enhance the environment greatly.

RESPONSE:

1. Medium Security Jail: **Opening** the second half of the Medium Security Jail has been a goal of our Office and is now approved in this upcoming fiscal year's (98-99) budget. This should provide immediate relief for the Main Jail. The opening date is scheduled for January 1, 1999. In addition, the approval of a full-time nurse for the Rountree facilities will allow us to house more low security inmates at the Minimum Security site.
2. Camera monitoring of the Holding Cells: This is under consideration in the context of the scheduled revamping of the Master Central Control room which will provide state-of-the-art security improvements for the entire Main Jail. This will be done with a million dollar grant awarded the Sheriffs Office by the Board of Corrections for "hardening" of jail facilities for violent offenders. The grant construction time period is 18 months to be complied by December, 1999.
3. Higher Priority on Maintenance: The Detention Bureau is dedicated to providing clean facilities for the inmates and staff, Upkeep is a twenty-four hour job, and the Main Jail has two Logistics Officers that constantly inspect and note security and general maintenance items and help General Services fix these problems on a priority basis. The Detention Bureau has monthly meetings with General Service's representatives to address ongoing problems and get time lines for resolution. General Services reports their paint budget is constantly strained due to competing needs for other County buildings but have been given priority to our facilities.

MEDIUM SECURITY DETENTION FACILITY**CONCLUSIONS/FINDINGS:**

The facility is clean, well organized and officer morale is good, It is a modern, well maintained facility.

RESPONSE:

The Sheriff's Office agrees with the findings.

RECOMMENDATIONS:

1. The facility is designed to hold inmates in two areas. Due to the grave overcrowding in the Main Jail, we recommend the **unopened** half of this facility be opened as soon as possible.
2. A doctor or another nurse should be assigned to this facility to allow medications to be dispensed as needed. The inmates who need medication more than once a day could then be housed there.

RESPONSE:

1. The opening of the second half of the facility was approved in the 1998-99 budget. The scheduled opening date is January, 1999.
2. Medium Security Facility-Nursing Services: The opening of the other half of the Medium Security Facility has been approved by the Board of Supervisors. As part of this funding, a portion of our proposed budget will provide eight (8) hours of medical/nursing services at the Medium and Minimum Security facilities. This will greatly enhance the number of inmates who can be placed at these facilities and allow medications to be dispensed twice a day. Currently such inmates requiring these medications are restricted from being housed at the Medium or Minimum facilities.

MINIMUM SECURITY DETENTION FACILITY**CONCLUSION/FINDINGS:**

The facility and operation is satisfactory.

RESPONSE:

The Sheriffs Office does not agree with the finding that the operation is “satisfactory.” The Minimum Security Facility has an outstanding record of inmate programs. Vocational and Academic classes are taught by a dedicated staff of instructors who promote skills and life changes for the inmate population. Additional drug and alcohol counseling are provided, along with instructions on overcoming violent behavior. I would invite this year’s Grand Jury to attend one of the certificate ceremonies that are conducted quarterly to recognize the inmate successes that are achieved in these programs,

SANTA CRUZ COUNTY SHERIFF'S OFFICE

CONCLUSION/FINDINGS:

The Santa Cruz Sheriffs volunteers and reserves are well trained units.

The Crime Scene Investigator Unit is well equipped and is highly skilled. There is also a good team effort between the District Attorney and the Sheriffs Department. The certification program for the Sheriffs Service Dogs appears be very effective.

The positive programs being administered and the helpful attitudes exhibited by the Sheriff and his staff indicate that they are aggressively following their Mission Statement: "To be united with local communities to make Santa Cruz County a place where all people can live safely and without fear."

RESPONSE:

The Sheriffs Office agrees with the Grand Jury findings.

RECOMMENDATIONS:

Having reviewed the organization and operation of the Santa Cruz County Sheriffs Office, the 1997-98 Civil Grand Jury recommends the following:

1. The County should provide a security fence to protect emergency equipment parked at the county building on Ocean Street. This recommendation is fully supported by the Sheriffs Office as evidenced by the Sheriffs numerous requests for this important improvement.
2. Funds should also be made available to open the second half of the Medium Security Detention Facility in Watsonville.

RESPONSE:

1. Funds were approved in the 1998-99 budget to examine the design for patrol car fencing. The monies will be used to hire an architect for preliminary design work, material selection and a budget. The Sheriffs Office will return to the Board of Supervisors at the 99/00 budget hearing for construction funding.
2. The Board of Supervisors have approved funding for opening the second half of the Medium Security Jail, effective January 1, 1999.

CONCLUSION/FINDINGS:

The majority of the walkaways were from the Minimum Security facility at Rountree. This is a minimum security facility where prisoners are given rules to abide by with few restrictive boundaries. The fencing is minimal and most doors remain unlocked day and night.

RESPONSE:

The Sheriffs Office partially disagrees with the finding. Inmates do have a number of restrictive boundaries, including “off limits” areas. Head counts are conducted both routinely at meals and at unscheduled times.

We do agree that fencing is minimal and for fire escape reasons, doors remain unlocked. The facility is minimum security. The Sheriffs Office has examined increased security measures at the facility, i.e. guard towers, razor wire fencing, etc. At this time, however, we still believe proper classification of inmates reduces walkaways. Alternatives to incarceration have continued to remove low-end offenders from the jail setting. More serious offenders are now being housed at non-secure facilities. The Sheriffs Office will continue to examine the need for upgraded security and make changes when necessary.

RECOMMENDATIONS:

Because of the nature of the Minimum Security Facility, the Civil Grand Jury recommends that greater care be given to the placement of prisoners at the Minimum Security Facility. Felons that have been convicted of crimes against persons should not be given the benefits that minimum security offers. (Persons charged with 647.6-annoying or molesting children and 288 of the penal code; however, lewd and lascivious acts involving children were housed there at the time of our investigation).

RESPONSE:

The Grand Jury recommends that “greater care” be given to the placement of prisoners at the Minimum Security Facility. The Grand Jury expressed concern about felons convicted of violent crimes and child crimes being housed at the Minimum Security facility.

This is a constant concern of the Detention Bureau, and Classification Officers who determine placement of inmates in the respective facilities. Placement at the Minimum also works on a “point” system wherein inmates have to earn their way to being housed at the Minimum. Violation of rules at the Minimum facility can revert them back to a more secure housing at the

Medium or Main Jail. The opening of the other half of the Medium Security facility will greatly alleviate some of these concerns, as it will give the Detention Bureau much-needed space to house these type of offenders. There are no current plans to place additional fencing at the Minimum but possibly improve the cameras monitoring the doors and exits. Overall, the general daily population at jails across the state is running around a 70% felony population. The placement of a more serious offender population within the respective jail facilities is a growing logistical problem for most Sheriffs Offices.

c: CAO