

RESPONSES TO THE 2016-2017 CIVIL GRAND JURY REPORTS

Providing Continuity by Following Through on Previous Investigations

SUMMARY

The 2017-2018 Civil Grand Jury has reviewed the responses to the investigations and recommendations made by the 2016-2017 Civil Grand Jury. In addition to a review of responses to the 2015-2016 investigations, the 2016-2017 Civil Grand Jury issued 8 investigative reports. Although respondents did not adopt all recommendations in those reports, their responses comply with the requirements of the Penal Code.

BACKGROUND

The Civil Grand Jury system in California exists to promote effective and efficient local government. The Civil Grand Jury is empowered by the Penal Code with broad investigative powers to provide oversight to county and city government, and special districts within Sonoma County, bringing positive change in the best interest of all residents.

These investigations result in a published report to the residents of the county. These published reports contain facts and findings that lead to recommendations for improvement. Governing bodies are required to respond to the findings and recommendations in a form and within time limits that are set out in the Penal Code.

Succeeding grand juries review those responses and determine if they meet the requirements of the Penal Code. Continuity is established from one Civil Grand Jury to the next by this review. The seated Civil Grand Jury may evaluate responses for adequacy and determine if appropriate steps have been taken to implement recommendations or if further investigative action is required.

METHODOLOGY

The Civil Grand Jury reviewed the responses and evaluated them for compliance with the governing sections of the Penal Code.

DISCUSSION

According to the Penal Code, agencies and government entities are required to respond to findings in grand jury reports and the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

According to the Penal Code, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implementation action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The summary of the responses to the 2016-2017 Civil Grand Jury recommendations is set out in the table in Appendix A. In some cases, the respondent indicated that "Recommendation has or shall be partially implemented." The Civil Grand Jury concluded that these responses were in compliance even though they did not strictly conform to the Penal Code.

FINDINGS

- F1. The 2016-2017 Sonoma county Civil Grand Jury issued 25 recommendations requiring responses from 22 different County agencies or governing boards.
- F2. All the responses received were in compliance with the requirements of the Penal Code.

RECOMMENDATIONS

NONE

REQUIRED RESPONSES

NONE

BIBLIOGRAPHY

- California Penal Code 933.05
- Complete responses are available on line at <http://sonoma.courts.ca.gov/>

**SEE TABLES ON THE FOLLOWING PAGES
FOR SUMMARIES OF THE RESPONSES RECEIVED**

2016-2017 GRAND JURY RESPONSE SUMMARY CHART				
RECOMMENDATIONS	RESPONDENT	PENAL CODE COMPLIANT	RESPONSES	2017/2018 GJ OBSERVATIONS
DETENTION FACILITIES INSPECTION				
R1 The Probation Department provide the Sonoma County Civil Grand Jury a copy of the report and analysis on recidivism as soon it is completed.	Sonoma County Probation Department	Yes	R1 has not been completed.	R1 has not been completed.
R2 The Sonoma County Board of Supervisors continue to provide adequate funding in support of the Probation Department's goals and should fund a Data Analyst position if requested by the Probation Department.	Sonoma County Board of Supervisors	Yes	The Board commends the Department's efforts to use existing resources to fund high priority efforts. The Board recognizes the need for additional data analysis capacity, and will continue to evaluate all priorities for funding during the annual budget process.	R2 may be implemented in the future.
2016-2017 GRAND JURY RESPONSE SUMMARY CHART				
RECOMMENDATIONS	RESPONDENT	PENAL CODE COMPLIANT	RESPONSES	2017/2018 GJ OBSERVATIONS
ELEMENTARY SCHOOL TRUANCY				
R1 The Santa Rosa City Schools' truancy program be modeled after the Petaluma City Schools' program to reflect an emphasis on truancy prevention.	Santa Rosa City Schools Superintendent	Yes	There are resources under Project Sail that look at model programs that will review best practices to address chronic absenteeism.	R1 will be implemented.
R2 A Santa Rosa City Schools' action plan for the implementation of these best practices used by Petaluma City Schools be completed by the beginning of the 2017-2018 school year.	Petaluma City Schools Superintendent.	Yes	Attendance is currently in the process of formulating an action plan based on the best practices used by Petaluma City Schools. The plan will be completed by December of 2017.	R2 has been implemented.

<p>R3 Santa Rosa City Schools require that all staff who interact with students attend the truancy training programs offered by Sonoma County Office of Education (SCOE). Implementation of this recommendation should begin no later than the first semester of the 2017-2018.</p>	<p>Santa Rosa City Schools Superintendent.</p>	<p>Yes</p>	<p>The Director of Attendance will be fully trained (beginning with today's meeting, 8/11/2017 with the Program Manager for KKIS) to facilitate staff training who will interact with students during the first semester 2017-2018 school year.</p>	<p>R3 will be implemented.</p>
<p>R4 The Petaluma and Santa Rosa School Districts seek additional grants to continue the Keep Kids in School (or its equivalent) case management program in Sonoma County Schools.</p>	<p>Petaluma City Schools Superintendent</p>	<p>Yes</p>	<p>Petaluma City Schools is continuing its relationship with Keep Kids in School and is in its first year of a two year contract. In addition, Petaluma has agreed to be part of the program and evaluation for Keep Kids in School that will study the efficacy of the program.</p>	<p>R4 has been implemented.</p>
	<p>Santa Rosa City Schools Superintendent</p>	<p>Yes</p>	<p>SRCS has met this recommendation as a recipient of the Sail grant. The KKIS grant expires December 2017, however funding will continue by Sonoma County Probation through the 2017-2018 school year.</p>	<p>R4 has been implemented.</p>

R5 Santa Rosa City Schools develop a budget and plan by the end of January 2018 to hire an adequate number of case managers to work with truant and their families.	Santa Rosa City Schools Superintendent	Yes	TPS was approved by the SRCS at its meeting on June 28, 2017.	R5 has been implemented.
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2016-2017 GRAND JURY RESPONSE SUMMARY CHART

RECOMMENDATIONS	RESPONDENT	PENAL CODE COMPLIANT	RESPONSES	2017/2018 GJ OBSERVATIONS
DECLARATION OF HOMELESSNESS EMERGENCY				
<p>R1 By September 30, 2017 the City of Santa Rosa should commit to continue to renew the Declaration of Homeless Emergency every 30 days, at least through Winter of 2017-2018.</p>	<p>Santa Rosa City Council</p>	<p>Yes</p>	<p>Pursuant to Section 8630 requires that the City Council terminate the local emergency "at the earliest possible date that conditions warrant." The City Council therefore cannot, at this time, commit to renewal of the declaration through the winter of 2017-2018. Staff intends, however to recommend continued monthly renewal of the declaration of local homeless emergency for so long as conditions warrant.</p>	<p>R1 will be implemented.</p>
<p>R2 The City of Santa Rosa should formally engage the County to implement the multifaceted Tool Box approach.</p>	<p>Santa Rosa City Council</p>	<p>Yes</p>	<p>Both jurisdictions have adopted the Housing First strategy outlined in the document. In addition, the County has implemented the recommendation that allows the County to invest in affordable housing within Santa Rosa City Limits. County and City staff are also working to implement other components of the Tool Box, primarily the facilitation of policy discussion to secure a resource for affordable housing production.</p>	<p>R2 will be implemented.</p>
<p>R3 The Sonoma County Board of Supervisors should commit to making the Chanate site available for homeless services until it's sale is completed and should solicit proposals from the local homeless service entities for managing the facilities.</p>	<p>Sonoma County Board of Supervisors</p>	<p>Yes</p>	<p>At the August 11, 2015 meeting, the Board of Supervisors adopted the findings and recommendations of the Facilities Ad Hoc Committee, including a finding that "the hospital buildings are unsuited to reuse due to the state of disrepair, and high cost to modernize." There are several studies attached to that item supporting this finding.</p>	<p>R3 will not be implemented.</p>
<p>R4 The Sonoma County Board of Supervisors should commit to making at least a portion of the parking area at the Veterans Building available for CHAP.</p>	<p>Sonoma County Board of Supervisors</p>	<p>Yes</p>	<p>This will not be implemented because the Veterans Building is rented out to local residences and groups to host a variety of activities. The parking at the site meets the requirements for these uses and must remain available for the users of this facility.</p>	<p>R4 will not be implemented.</p>
<p>R5 By September 30, 2017, the City of Santa Rosa should develop an action plan to work more preemptively with local residents to welcome homeless services.</p>	<p>Santa Rosa City Council</p>	<p>Yes</p>	<p>The City is actively engaged in education and outreach to the community regarding homeless services. The City maintains a webpage dedicated to the City's programs and initiatives to address homelessness and participates in public presentations to inform the community about homeless services. A joint effort between Santa Rosa's Office of Community Engagement and the City's Homeless Encampment Pilot Program is underway to seek proposals for affordable housing at the former Water Agency property on College Avenue.</p>	<p>R5 has been implemented.</p>

2016-2017 GRAND JURY RESPONSE SUMMARY CHART

RECOMMENDATIONS	RESPONDENT	PENAL CODE COMPLIANT	RESPONSES	2017/2018 GJ OBSERVATIONS
COMPOSTING				
R1 When entering into long-term agreements, The Board of Supervisors require independent audits be done every three to five years to ensure the terms remain fair to all parties to the agreement.	Sonoma County Board of Supervisors	Yes	Recommendation R1 has not been implemented and will be implemented in the future.	The County will assess requiring independent audits for compliance of long term agreements as part of the annual review of the County's Services Agreement Policy.
R2 The County review and reinforce its internal policies for reviewing contracts, operations, and interagency cooperation.	Sonoma County Board of Supervisors	Yes	Recommendation R2 has been implemented and will continue to be implemented in the future.	R2 has been implemented and will continue to be implemented in the future.

	Director of Department of Transportation and Public Works, and Executive Director of Sonoma County Waste Management Agency (SCWMA)	Yes	The Department is in a continuous process of improvement as it relates to the review and oversight of its contracts for operations. As it relates to the Interagency cooperation necessary to re-establish composting within Sonoma County, the Sonoma County Waste Management Agency (SCWMA), which is a separate legal entity from the County of Sonoma, is the lead agency for the project.	R3 has been implemented and will continue to be implemented in the future.
R3 The Board of Supervisors and SCWMA make it a high priority to bring composting back to Sonoma County.	The Sonoma County Board of Supervisors and Sonoma County Waste Management Agency	Yes	The BOS and SCWMA make it a high priority to bring composting to Sonoma County	R3 has been implemented and will continue to be implemented
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GROUND WATER SUSTAINABILITY				
R1 Continue to work cooperatively in order to finalize and approve the JPA (Joint Powers Authority) by the State mandated June 30, 2017 deadline.	The Sonoma County Board of Supervisors and Joint Powers Authority	Yes	The governing bodies of the JPAs should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meetings of the Brown Act.	R1 has been implemented
R2 Specifically Instruct through their JPA agreements that the three Groundwater Agencies pool technical resources and staff in order to avoid costly duplication.	The Sonoma County Board of Supervisors and Joint Powers Authority	Yes	The JPAs contain the following provisions regarding coordination: "WHEREAS in order to promote efficiency in sharing of resources, the Members individually and collectively, encourage coordination between GSAs in Sonoma County.	R2 has been implemented

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ENVIRONMENTAL HEALTH AND SAFETY				
R1 Director of EHS, Division Director, Department Director and Human Services Analyst should develop a plan to fill currently vacant position no later than December 31, 2017 and provide that plan to the 2017-2018 Civil Grand Jury.	Director of Environmental Health and Safety, Division Director, Department Director, and Human Resources Analyst	Yes	The Department has worked with County Human Resources Department to develop recruitment plans for each vacant position and will continue to work with County Human Resources Department to fill future vacancies positions as quickly as possible.	R1 will be implemented
R2 Director of the Public Health Division should meet with SSU's Chair of the Environmental Studies Department to recommend a curriculum that would lead directly to REHS certification no later than December 2017 and provide a summary of the outcome of those meetings to the 2017-2018 Civil Grand Jury.	Director of the Public Health Division	Yes	The Department of Health Services Director, Public Health Director and the Director of Environmental Health will request an initial meeting with Sonoma State University President to review opportunities for collaboration on workforce needs across the Department and to request the University President's support to pursue a conversation with the Environmental Studies Department regarding Registered Environment Health Specialist certification.	R2 will be implemented
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MATERNAL, CHILD, AND ADOLESCENT HEALTH				
R1 To avoid a rise in financial and social costs associated with ACEs, The Director of Department of Health Services should develop a plan for maintaining or increasing adequate staffing levels of MCAH Public Health Nurses. It is recommended that the improvements be implemented no later than October 31, 2017; and it is requested that information on the plan be submitted to the Sonoma Civil Grand Jury by that date.	The Director of Department of Health Services	Yes	The Department of Health Services continually assesses our current delivery models and options for expanding and strengthening the impact of all of our programs, including the home visiting program, within available resources. The preparation of a meaningful plan does not change the market factors that impact our Public Health Nurse recruitments, and would only serve to add additional burden on limited resources.	The Sonoma County Civil Grand Jury did not receive a plan for maintaining or increasing adequate staffing levels of MCAH Public Health Nurses from the Department of Health Services.
R2 Because the prevention of ACEs deserves to be among the highest budget priorities of the Public Health Division in Sonoma County, the Board of Supervisors should provide increased funding to MCAH.	The Sonoma County Board of Supervisors	Yes	This recommendation has not been implemented and may be considered for implementation in the future.	R2 has not been Implemented