

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # *B-3

Urgent

Routine

AGENDA DATE September 1, 2015

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Consideration and Approval of Response to the 2014-2015 Stanislaus County Civil Grand Jury Final Report

STAFF RECOMMENDATIONS:

1. Accept the responses to the Grand Jury Final Report with any modifications made after consideration by the Board of Supervisors and authorize the Chairman of the Board to forward the response to the Presiding Judge of the Superior Court by September 16, 2015.
2. Direct the Chief Executive Officer to ensure that the recommended actions by the Board of Supervisors be followed and completed by the subject County Departments and report back to the Board as appropriate.

FISCAL IMPACT:

There is no direct fiscal impact associated with this response. The Civil Grand Jury is not required to address the funding issues associated with their recommendations; however, the Board of Supervisors and County Departments recognize the broader constraints of implementing recommendations that are beyond the financial resources available to County government.

BOARD ACTION AS FOLLOWS:

No. 2015-408

On motion of Supervisor Monteith, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No. M-39-N-2

DISCUSSION:

The Stanislaus County Board of Supervisors received from the 2014-2015 Stanislaus County Grand Jury Reports regarding: 15-02C – Stanislaus County Public Transit Systems; 15-04GJ – Stanislaus County Jail Facilities Inspection; 15-05C – East Side Mosquito Abatement District; 15-16GJ – Local Effects of Prison Realignment (AB 109) and Proposition 47; and 15-17GJ – Teach Them Well and Let Them Lead the Way.

The Grand Jury has requested that the Board of Supervisors and various County officials respond to the Findings and Recommendations made by the Grand Jury in these reports. The Sheriff-Coroner and Chief Probation Officer have responded to the Grand Jury and their responses are attached to this report.

The recommended responses from the Board of Supervisors are as follows:

Civil Grand Jury 2014-15 Case # 15-02C – Stanislaus County Public Transit Systems Findings:

Finding 1. The four transit authorities within Stanislaus County have differing policies, contracts, operating procedures, and ridership needs. These differences have a negative impact, which is affecting ridership.

Response: The Board of Supervisors partially agrees with this finding. While the differences may have a perceived negative impact, the four transit operators work together to ensure that transit services offered in all jurisdictions provide connectivity to riders of all transit operators. Collaboration among Stanislaus County transit operators contributes to more ridership gains within each service area.

Finding 2. Transit authorities have previously discussed consolidation strategies, and some authorities have completed both ridership and comprehensive reports with an emphasis toward partial or total consolidation of public transit needs.

Response: The Board of Supervisors partially agrees with the finding. In 2009, all four transit operators and the Stanislaus Council of Governments (StanCOG) completed a study to determine the feasibility of fully or partially consolidating transit systems in Stanislaus County. Findings and recommendations from that study were presented to StanCOG committees and the Policy Board. Most recently, the County completed a Comprehensive Operational Analysis (COA) that evaluated the feasibility of the City of Turlock and the County merging their respective public transportation systems. The findings in the COA study analyzed both systems and it was determined that further analysis is needed. Both the County and City have indicated their commitment to continue discussing benefits of merging the two transit systems.

Finding 3. All four transit authorities are deficient in current technological services.

Response: The Board of Supervisors partially agrees with this finding. All four transit operators participated in a Request for Proposals (RFP) that sought proposals from vendors to implement trip planning software on their respective websites. The trip planning software is utilized by all riders of the four transit systems which help passengers to better plan for their trips. Furthermore, the trip planning software provides information about each system and offers riders the ability to connect to and from other transit operations in the County.

As part of the COA study completed by the County, there were recommendations provided from the findings of the study to procure and implement Intelligent Transportation System (ITS) on StaRT buses. The County has included requests for ITS funding in the Transportation Development Act Claim cost plans submitted to StanCOG, and anticipates issuing an RFP in Fiscal Year 2015-2016. The ITS project will include reporting and scheduling software programs in addition to other software programs such as Automatic Passenger Counters, Automatic Vehicle Locators, Automatic Voice Annunciators, Geographic Positioning System, Transit Signal Priority, Wi-Fi, and Advanced Passenger Transportation Systems such as next bus technology.

Furthermore, the County's operation's contractor, Storer Transit System, Incorporated uses a paratransit scheduling and dispatch management software program to schedule trips for StaRT's Dial-A-Ride passengers. Storer has been using this technology for many years and has recently upgraded the software program. The County continues to discuss technological needs with Storer and will work together to establish a time-line when the software programs and hardware equipment will be procured and implemented.

Civil Grand Jury 2014 - 15 Case # 15-02C – Stanislaus County Public Transit Systems Recommendations:

Recommendation 1. The Stanislaus County Board of Supervisors should direct StanCOG to complete Request for Proposals and hire an independent professional consultant to conduct an all-inclusive consolidation of transit services study within Stanislaus County.

Response: The Board of Supervisors agrees with the recommendation.

Recommendation 2. The consolidation study should examine all public transportation systems within the county and include a cost/benefit analysis for a complete or partial consolidation. This study should take all operational and ridership matters into consideration and make specific recommendations to both StanCOG and the Board of Supervisors that will best serve the transit authorities, users, and taxpayers.

Response: The Board of Supervisors agrees with the recommendation.

Recommendation 3. StanCOG, StaRT, BLAST, CAT, and MAX should begin inquiry into the implementation of technological advances in the areas of both transit management and rider services, such as automated fare boxes, auto-announce, Wi-Fi, GPS tracking, and phone app schedules.

Response: The Board of Supervisors agrees with this recommendation. A process is underway to develop a scope of work for technology based improvements via the Request for Proposals (RFP) process.

Stanislaus County Jail Facilities Inspection – Case # 15-04GJ – Downtown Jail Findings:

Finding 1: The downtown jail is obsolete.

Response: The Board of Supervisors agrees with the finding.

Finding 2: The downtown jail has an allotted number of safety cells used as temporary placement for inmates who are actively violent or in immediate danger to themselves or others.

Response: The Board of Supervisors agrees with this finding.

Finding 3: The downtown jail has video-monitoring systems in place.

Response: The Board of Supervisors agrees with this finding.

Finding 4: Although each safety cell at the downtown jail has a functional video camera, they are observational only and not recorded onto any type of media.

Response: The Board of Supervisors agrees with this finding.

Stanislaus County Jail Facilities Inspection – Case # 15-04GJ Recommendations:

Recommendation 1: The County should close the downtown jail once the PSC Unit 2 and the New Modesto Courthouse become fully operational.

Response: The Board of Supervisors agrees with this recommendation.

Recommendation 2: None.

Recommendation 3: None.

Recommendation 4: Convert all existing safety cell cameras to record 24/7 onto media storage in an effort to mitigate claims of negligence or abuse at these high-risk locations.

Response: The Board of Supervisors agrees with the Sheriff's response.

Public Safety Center (PSC) Units 1 and 2 Findings:

Findings 5: The PSC has an allotted number of safety cells used as temporary placement for inmates who are actively violent or in immediate danger to themselves or others.

Response: The Board of Supervisors agrees with this finding.

Findings 6: The PSC has video-monitoring systems in place.

Response: The Board of Supervisors agrees with this finding.

Findings 7: Although each safety cell at the PSC has a functional video camera, they are observational only and not recorded onto any type of media.

Response: The Board of Supervisors agrees with this finding.

Public Safety Center (PSC) Units 1 and 2 Recommendations:

Recommendation 5: None.

Recommendation 6: None.

Recommendation 7: Convert all existing safety cell cameras to record 24/7 onto media storage in an effort to mitigate claims of negligence or abuse at these high-risk locations.

Response: The Board of Supervisors agrees with the Sheriff's response.

Regional 911 Center Findings:

Finding 12: Staff comments indicated CAD software is outdated.

Response: The Board of Supervisors disagrees with this finding. The new CAD system was implemented in June 2012 and upgraded as recently as May 2015. Prior to the May 2015 upgrade, the CAD system was running on an unsupported operating

system. That issue has now been resolved. This may have occurred subsequent to the review by Grand Jury.

Finding 13: Regional 911 implements continuous recruitment to fill vacated and budgeted positions.

Response: The Board of Supervisors agrees with this finding. Regional 911 works hard to maintain full staffing levels and continually recruits to fill budgeted positions as they are vacated.

Finding 14: Employees of the Regional 911 Center are highly trained and dedicated to providing public service to the community of Stanislaus County.

Response: The Board of Supervisors agrees with this finding. Employees of the Regional 911 Center are exceptional in providing this critical public service to the community of Stanislaus County.

Regional 911 Center Recommendations:

Recommendation 12: The Regional 911 Director should take steps to update the CAD system.

Response: The Board of Supervisors disagrees with this recommendation. The new CAD system was implemented in June 2012 and upgraded as recently as May 2015. Prior to the May 2015 upgrade, the CAD system was running on an unsupported operating system. That issue has now been resolved. This may have occurred subsequent to the review by Grand Jury.

Recommendation 13: None.

Recommendation 14: None.

East Side Mosquito Abatement District Case # 15-05C Findings:

Findings 1: The current management practices at ESMAD are in need of evaluation and review by an outside entity. Clearly, problems do exist and need to be addressed. The concerns and issues raised in the complaint are ones that should be handled within the District, by allowing employees to communicate their issues. Employees are entitled to a work environment free of intimidation, malice, and discrimination of any kind. Subordinates should be able to air their grievances to management without fear of retribution. Information conveyed to the SCCGJ by the employees about management, was consistent with items listed in the original complaint.

Response: The Board of Supervisors has no knowledge of the current management practices at ESMAD. The Board of Supervisors agrees that employees are entitled to a work environment free of intimidation, malice, and discrimination of any kind.

Findings 2: The District's current HR system is outdated and does not appear to be adequate. For example, a blank employee annual review form was provided on request, but the interviewed employees were unaware of the existence of the document. The District Policies and Procedures handbook is in need of updating. The policy on filing an employee grievance provided was last updated in the late 1980's and still referenced union representation; however, the employees have not been part of a union in years.

Response: The Board of Supervisors has no knowledge of the current human resources system being implemented by the ESMAD. The Board of Supervisors agrees that the District Policies and Procedures handbook should be up to date.

Findings 3: The Board members are appointed by the County Board of Supervisors to a three year term, with a two term limit. The current tenure of the Board is an average of 20 years.

Response: The Board of Supervisors has the authority to appoint members to Special District beyond the two term limit. All posting of vacancies are compliant to State law.

Findings 4: The observations of the SCCGJ during our investigation indicate differing views from each of the Districts, one is more preemptive, and the other is more reactive in their approach the control of the mosquito population. Merging the two Districts would utilize the strengths of each and streamline operations.

Response: The Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, codified in Government Code Section 56000 et seq., grants the Local Agency Formation Commission (LAFCO) exclusive authority to regulate government boundaries, including a potential consolidation of ESMAD and TMAD. A municipal services review would need to be conducted prior to merging the two districts. Such reviews are the responsibility of Stanislaus LAFCO. Appendix B of Stanislaus LAFCO's Policies and Procedures states, "The service reviews are intended to serve as a tool to help LAFCO, the public and other agencies better understand the public service structure and evaluate options for the provisions of efficient and effective public services." Furthermore, as part of Government Code Section 56430(b), such reviews can evaluate the option of consolidating governmental agencies. The last municipal services review for the East Side Mosquito Abatement District was adopted on July 24, 2013.

East Side Mosquito Abatement District Case # 15-05C Recommendations:

Recommendation 1: An audit of ESMAD's management practices by an outside firm to identify deficiencies and corrective actions needed. All employees should attend ethics and diversity training administered by a third party. Both the District Manager and

Foreman would benefit from further training in regards to supervision and management of employees. The change needs to happen from the top down.

Response: The Board of Supervisors has no knowledge of the current management practices at ESMAD. The Board of Supervisors agrees that employees are entitled to a work environment free of intimidation, malice, and discrimination of any kind.

Recommendation 2: An audit of ESMAD's HR procedures by an outside firm specializing in HR management practices to identify deficiencies and suggest corrective actions needed.

Response: The Board of Supervisors has no knowledge of the current human resources system being implemented by the ESMAD. The Board of Supervisors agrees that the District Policies and Procedures handbook should be up to date.

Recommendation 3: The ESMAD needs a Board that is more involved in the oversight of the District. The Stanislaus County Board of Supervisors should expand public awareness of ESMAD Board vacancies to increase interest in Board membership.

Response: The Stanislaus County Board of Supervisors appointment process follows the requirements of the "Maddy Act" pursuant to Government Code Section 54970-54975 and Section 1779. The Clerk of the Board of Supervisors distributes press releases announcing the vacancy(s) for Special Districts and Board and Commission openings to local newspapers and the County libraries when an opening exists. Each Board vacancy is also posted on the Board web site and on the posting board outside of 1010 10th Street, Modesto, CA. The appointment process to special district boards includes an application process where candidates are asked to demonstrate their particular strengths, background, experience, perspectives and talents that might contribute to effective representation. All applications for district board appointments are reviewed by the members of the Board of Supervisors. Candidates are appointed based upon this review of qualifications. Sometimes it is difficult to fill appointments to district boards. Board appointments require a strong personal commitment of time and energy that many individuals are not willing to invest.

Recommendation 4: The Stanislaus County Board of Supervisors should prepare a study to examine the feasibility of consolidating the ESMAD and TMAD by LAFCO.

Response: Government Code Section 56430 requires the Local Agency Formation Commission (LAFCO) to conduct municipal services reviews prior to establishing or updating spheres of influence. Additionally, as part of LAFCO Policies and Procedures, municipal service reviews are prepared every five years. In Appendix B of Stanislaus LAFCO's Policies and Procedures it states, "The service reviews are intended to serve as a tool to help LAFCO, the public and other agencies better understand the public service structure and evaluate options for the provisions of efficient and effective public services." Furthermore, as part of Government Code Section 56430(b), such reviews

can evaluate the option of consolidating governmental agencies. The last municipal services review for the East Side Mosquito Abatement District was adopted on July 24, 2013.

Local Effects of Prison Realignment (AB 109) Case # 15-16GJ Findings:

Finding 1: AB 109 has affected County Sheriff and Probation Departments most, and there have been some effects to other County departments.

Response: The Board of Supervisors agrees with this finding.

Finding 2: The State provides funding for the implementation of AB 109 through a formula that has been developed and amended several times since AB 109 passed.

Response: The Board of Supervisors agrees with this finding.

Finding 3: The Community Corrections Partnership (CCP), particularly the CCP Executive Committee, is responsible to allocate the funds provided by the State for the implementation of AB 109.

Response: The Board of Supervisors agrees with this finding.

Finding 4: The CCP meetings are public, but are not widely publicized, and the current location of the CCP meetings would not be able to accommodate a large number of public participants.

Response: The Board of Supervisors agrees with the Chief Probation Officer's response.

Finding 5: AB 109 may have some effects to local public safety in the County, which may be compounded by budget cuts that have occurred to local law enforcement agencies.

Response: The Board of Supervisors agrees with this finding.

Local Effects of Prison Realignment (AB 109) Case # 15-16GJ Recommendations:

Recommendation 1: None.

Recommendation 2: The Stanislaus County Sheriff and Chief Probation Officer should continue to be active, both individually and through their statewide organizations, to ensure that Stanislaus County receives its fair share of funding for the implementation of AB 109.

Response: The Board of Supervisors agrees with this recommendation.

California Proposition 47 Case # 15-16GJ Recommendations:

Recommendation 6: None.

Recommendation 7: The Stanislaus County Board of Supervisors and the City Councils of all nine incorporated cities within the County should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the current and future challenges of Proposition 47.

Response: The Board of Supervisors partially agrees with the Sheriff's response to this recommendation pertaining to the Sheriff's Office and the four cities of Patterson, Waterford, Riverbank, and Hughson where the County Sheriff provides contractual law enforcement services.

Recommendation 8: See R9

Response: No Response.

Recommendation 9: The criminal justice leaders of Stanislaus County should continue to be active, both individually and through their professional organizations, in California's legislative challenges to salvage the unintended consequences of Proposition 47.

Response: The Board of Supervisors agrees with the Sheriff's response to this recommendation.

Planning and Development of the Public Safety Center Findings:

Finding 9: The County has been comprehensive and forward thinking in the planning of the Public Safety Center and has maximized the County's ability to respond to changing criminal justice facility needs and to qualify for state funding for the construction, expansion, and modification of facilities particularly in response to AB 109.

Response: The Board of Supervisors agrees with this finding, and that the County has engaged in comprehensive and proactive planning for public safety needs in the planning and development of the County's Public Safety Center

Planning and Development of the Public Safety Center Recommendations:

Recommendation 9: The County Board of Supervisors should continue to update the master plan for the Public Safety Center on a periodic basis and provide adequate review under CEQA.

Recommendation 3: None.

Recommendation 4: The CCP should develop strategies to increase public awareness of its mission and to encourage more public participation at meetings.

Response: The Board of Supervisors agrees with the Chief Probation Officer's response.

Recommendation 5: The Stanislaus County Board of Supervisors and the City Councils of all nine incorporated cities within the County should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the potential challenges of AB 109.

Response: The Board of Supervisors agrees with this recommendation as it relates to Stanislaus County. The Board of Supervisors has adopted a Public Safety Restoration Plan that devotes significant County fiscal resources to the restoration of public safety staffing and programs.

California Proposition 47 Case # 15-16GJ Findings:

Finding 6: Proposition 47 has resulted in impacts to all levels of the County's criminal justice system, but it is difficult to quantify these impacts in the short term, and the long term impacts are unknown.

Response: The Board of Supervisors agrees with this finding.

Finding 7: Proposition 47, combined with the budget reductions to local law enforcement agencies, may result in an increase in property crimes throughout the county.

Response: The Board of Supervisors agrees with this finding.

Finding 8: The passage of Proposition 47 has resulted in significant unintended consequences. These include crippling Drug Court, creating holes in the state DNA database, and the reclassifying of some gun crimes.

Response: The Board of Supervisors agrees with this finding.

Finding 9: There have been attempts to create legislative solutions to some of the consequences of Proposition 47, but they are yet to be successful.

Response: The Board of Supervisors agrees with this finding.

Response: The Board of Supervisors agrees with this recommendation, and notes that the County Sheriff and Chief Executive Office have been, and continues to be diligent in monitoring jail capacity requirements. The County has periodically conducted comprehensive review of these needs to update the Public Safety Center Master Plan and to maintain compliance with the conditions of the California Environmental Quality Act (CEQA) relative to development of the site.

New Modesto Courthouse Findings:

Finding 10: The construction of the New Modesto Courthouse and the development of the PCS raise significant questions concerning the future use/reuse of the downtown block containing the existing Courthouse and Downtown Men's Jail.

Response: The Board of Supervisors agrees with this finding.

Finding 11: The transportation of offenders from the existing Downtown Men's Jail to the New Modesto Courthouse would pose logistical, financial and public safety challenges.

Response: The Board of Supervisors agrees with this finding. The Sheriff's office is responsible for transportation of persons in-custody between the jail facilities and the courthouse. The State Courts are responsible for providing for secure daily holding of inmates awaiting hearings while at the Courthouse; but not overnight. The existing Courthouse is connected to the Downtown Jail by a security pedestrian tunnel for the movement of Sheriff's staff and persons in-custody.

Finding 12: It is imperative that the New Modesto Courthouse contain adequate holding facilities for detainees awaiting court proceedings.

Response: The Board of Supervisors agrees with this finding.

Finding 13: Consistent with the original goals of the development of the PSC, the opportunity will never be better to eliminate the outdated facilities at the Downtown Men's Jail once the new courthouse is completed.

Response: The Board of Supervisors partially agrees with this finding. Closure of the Downtown Jail is a goal of the Jail Master Plan, but is dependent on several factors, including the provision of adequate temporary Court holding facilities in the New Modesto Courthouse (Findings 11 and 12.) The plan anticipates closure of the Downtown Jail at a future date and the reassignment of existing jail staff to new jail facilities at the Public Safety Center; however, the on-going jail needs assessment process will determine whether the Downtown Jail can be permanently taken out of service after the New Modesto Courthouse is operational and future jail space demands allow for its closure.

Finding 14: The 800 block of 11th Street will need to be redeveloped once the new courthouse is completed.

Response: The Board of Supervisors partially agrees with this finding. The Courthouse Block is primarily owned by the State of California and the County retained ownership on two parcels on the block. The property is within the City of Modesto boundaries.

New Modesto Courthouse Recommendations:

Recommendation 10: The City of Modesto and Stanislaus County should begin immediate negotiations with the State of California to gain control of the old courthouse property by the time the new courthouse is completed and operational.

Response: The Board of Supervisors disagrees with this recommendation. The County has no planned uses for the State's Courthouse facility and property. The County will however support the City of Modesto and the community's efforts to prepare a dynamic re-use plan for this important block in Downtown Modesto.

Recommendation 11: The City of Modesto, Stanislaus County Board of Supervisors, and the Stanislaus County Sheriff should vigorously advocate in these early planning and design stages that the State of California provide adequate holding facilities in the New Modesto Courthouse.

Response: The Board of Supervisors agrees with this recommendation.

Recommendation 12: See R11.

Response: The Board of Supervisors agrees with this recommendation and notes that the New Modesto Courthouse project is the responsibility of the California Judicial Council and subject to the review of the State Public Works Board.

Recommendation 13: See R14.

Response: Please see the response to Recommendation 14.

Recommendation 14: Prior to the opening of the New Modesto Courthouse in 2019, the City of Modesto and Stanislaus County, with considerable public participation, should partner to develop a comprehensive plan for the reuse and redevelopment of the old courthouse and Downtown Men's Jail.

Response: The Board of Supervisors partially agrees with this recommendation. The Board of Supervisors acknowledges the importance of the old Courthouse block in downtown Modesto, but also respects the interests of the City of Modesto jurisdiction in seeking a re-use plan for the property.

Teach Them Well and Let Them Lead the Way Case # 15-17GJ Findings:

Finding 1: In 2013 the Juvenile Hall court school standardized test results showed that only 6% of the youth were proficient in English and 15% were proficient in math. Prior years produced similar data.

Response: The Board of Supervisors agrees with the Chief Probation Officer's response.

Finding 2: Approximately 98% of youth placed by the court in out of home placement are housed in a group care facility. Studies show that group homes are detrimental to the development of youth.

Response: The Board of Supervisors agrees with the Chief Probation Officer's response.

Finding 3: Detained youth are encouraged to participate in vocational programs including culinary and computer repair. However, according to recent employment trends, the areas of greatest employment growth are in the technology and internet based business industries.

Response: The Board of Supervisors agrees with the Chief Probation Officer's response.

Finding 4: Detained youth who are also parents are encouraged to maintain relationships with their young children, but the facilities only allow limited visitation.

Response: The Board of Supervisors agrees with the response of the Chief Probation Officer.

Teach Them Well and Let Them Lead the Way Case # 15-17GJ Recommendations:

Recommendation 1: The Probation Department should work with other Stanislaus County agencies and community-based organizations to develop a comprehensive program including mentoring, for youth returning to regular school, modeled after the "Graduation Coach" implemented in 2013, to provide a more comprehensive individualized approach.

Response: The Board of Supervisors agrees with the response from the Chief Probation Officer

Recommendation 2: Eliminate group care for probation supervised youth and partner with community groups such as Seneca Center's Family Finding Program to identify and support relatives and increase placement options.

Response: The Board of Supervisors agrees with the response from the Chief Probation Officer

Recommendation 3: Expand vocational/career training programs to include more options in technology and internet based careers.

Response: The Board of Supervisors agrees with the response from the Chief Probation Officer

Recommendation 4: Facilities should ensure that policies prioritize the relationship between probation supervised youth and their children:

- Detained youth who are parents should be allowed to visit during all regular visitation hours as well as by special appointment.
- During visitation youth should be provided normal casual attire and any needed support with grooming to present a positive image for children during visitation.
- Visitation should be in a closed setting separated from general visitation.

Response: The Board of Supervisors agrees with the response from the Chief Probation Officer.

POLICY ISSUE:

Pursuant to California law, the Board of Supervisors must respond to the Presiding Judge of the Superior Court no later than 90 days after submittal of the Final Report of the Civil Grand Jury. Adoption of this response meets this requirement.

STAFFING IMPACTS:

County Departments that are subjects of the Grand Jury Reports are required to prepare a response to the findings and recommendations of the Grand Jury. Existing staff has prepared the recommended response.

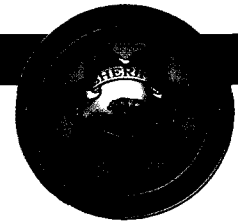
CONTACT PERSON:

Stan Risen, Chief Executive Officer

Telephone: (209) 525-6333.

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Telephone: (209) 525-6333.

**SHERIFF'S DEPARTMENT**

Adam Christianson, Sheriff-Coroner

BOARD OF SUPERVISORS**2015 JUL -8 A 9:55****ADMINISTRATION
DIVISION**

June 22, 2015

The Honorable Marie Sovey Silveira, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, CA 95353

Re: Response to Grand Jury Report 15-04GJ

Dear Judge Silveira;

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed "Case # 15-04GJ Stanislaus County Jail Facilities Inspection" report, dated June 17, 2015.

The Civil Grand Jury included a narrative section in the report; wherein it describes in very brief, generic terms the detention facilities, including the downtown Men's Jail (CJ) and the Public Safety Center (PSC), which includes the PSC-Main Facility and the PSC-Units 1/2.

Pursuant to Penal Code Sections 933(c) and 933.05 (f), the following is our response as it pertains to the Sheriff's Department Detention Facilities:

Findings (Specific to Facilities)**Men's Jail:**

F1. The downtown jail is obsolete.

Response: The Respondent agrees with the finding.

The Men's Jail is, in fact, an outdated facility that will close with the activation of the SB1022 REACT project at the current site of the PSC, which is projected for late 2018 or early 2019. At that time, the Men's Jail will continue to serve as a Court Holding Facility, due to its contiguous location to the existing Courthouse, until a new Courthouse is constructed in downtown Modesto.

F2. The downtown jail has an allotted number of safety cells used as temporary placement for inmates who are actively violent or in immediate danger to themselves or others.

Response: The Respondent agrees with the finding.

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Re: Response to Civil Grand Jury Report 15-04GJ

F3. The downtown jail has video-monitoring systems in place.

Response: The Respondent agrees with the finding.

F4. Although each safety cell at the downtown jail has a functional video camera, they are observational only and not recorded onto any type of media.

Response: The Respondent agrees with the finding.

Public Safety Center:

F5. The PSC has an allotted number of safety cells used as temporary placement for inmates who are actively violent or in immediate danger to themselves or others.

Response: The Respondent agrees with the finding.

F6. The PSC has video-monitoring systems in place.

Response: The Respondent agrees with the finding.

F7. Although each safety cell at the PSC has a functional video camera, they are observational only and not recorded onto any type of media.

Response: The Respondent agrees with the finding.

Recommendations (Specific to Facilities)

Men's Jail:

R1. The County should close the downtown jail once the PSC Unit 2 and the New Modesto Courthouse become fully operational.

Response: The Respondent partially agrees with this recommendation.

The Men's Jail will close as a traditional detention facility upon completion of the SB1022-Re-entry and Alternatives to Custody Training (REACT) center, which includes 288 inmate beds and is projected for completion in late 2018 or early 2019. The PSC Unit 2 was activated and "fully operational" in 2013 as a replacement facility for beds lost to a fire at the now closed Honor Farm in June 2010. Once the SB1022 project is activated, the Men's Jail will revert to a Court Holding Facility, due to its contiguous location to the existing Courthouse. When the new Courthouse is completed, the Men's Jail may close at that time.

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Re: Response to Civil Grand Jury Report 15-04GJ

R2. None

R3. None

R4. Convert all existing safety cell cameras to record 24/7 onto media storage in an effort to mitigate claims of negligence or abuse at these high-risk locations.

Response: The respondent partially agrees with this recommendation.

The installation of an updated camera system to provide media storage is a sound recommendation however; significant costs may be borne by the department for a facility that is intended for closure as a traditional detention facility in less than four years. The department will research such an upgrade, particularly for a similar recommendation made for the existing PSC.

Public Safety Center:

R5. None

R6. None

R7. Convert all existing safety cell cameras to record 24/7 onto media storage in an effort to mitigate claims of negligence or abuse at these high-risk locations.

Response: The Respondent partially agrees with this recommendation.

Such an upgrade may be cost-prohibitive. The department will research costs to upgrade the system and assess the feasibility of such an upgrade. It is noteworthy that the most significant liability occurs at the time of placement into a safety cell and substantially decreases after occupancy. Additionally, the technology being installed in the new AB900 II project will have record to digital media and archive capabilities.

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Re: Response to Civil Grand Jury Report 15-04GJ

Sincerely,

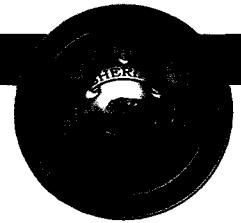
A handwritten signature in black ink, appearing to read 'Adam Christianson', with a long horizontal flourish extending to the right.

ADAM CHRISTIANSON
Sheriff-Coroner
Stanislaus County

cc: Supervisor Terry Withrow, Chairman
Stanislaus County Board of Supervisors

Judy Navarro, Foreperson
2014-2015 Civil Grand Jury

Stan Risen, Chief Executive Officer
Stanislaus County

**SHERIFF'S DEPARTMENT**

Adam Christianson, Sheriff-Coroner

BOARD OF SUPERVISORS

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ADMINISTRATION
DIVISION

June 22, 2015

The Honorable Marie Sovey Silveira, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, CA 95353

Re: Response to Grand Jury Report 15-16GJ

Dear Judge Silveira;

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed "Case # 15-16GJ Local Effects of Prison Realignment (AB 109) and Proposition 47" report, dated June 17, 2015.

The Civil Grand Jury included a narrative section in the report pertaining to the "Planning and Development of the Public Safety Center" and the "New Modesto Courthouse". Our response is included in this letter.

Pursuant to Penal Code Sections 933(c) and 933.05 (f), the following is our response as it pertains to "Case # 15-16GJ Local Effects of Prison Realignment (AB 109) and Proposition 47", "Planning and Development of the Public Safety Center" and the "New Modesto Courthouse".

Findings:

F1. AB 109 has affected County Sheriff and Probation Department most, and there have been some effects to other County departments.

Response: The Respondent agrees with the finding.

F2. The State provides funding for the implementation of AB 109 through a formula that has been developed and amended several times since AB 109 passed.

Response: The Respondent agrees with the finding.

F3. The Community Corrections Partnership, particularly the CCP Executive Committee, is responsible to allocate the funds to provided by the State for the implementation of AB 109.

Response: The Respondent partially agrees with the finding.



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Re: Response to Civil Grand Jury Report 15-04GJ

The CCP presents a spending plan to the Board of Supervisors for approval.

- F4. The CCP meetings are public, but not widely publicized, and the current location of the CCP meetings would not be able to accommodate a large number of public participants.

Response: The Respondent agrees with the finding.

- F5. AB 109 may have some effects to local public safety in the County, which may be compounded by budget cuts that have occurred to local law enforcement agencies.

Response: The Respondent agrees with the finding.

- F6. Proposition 47 has resulted in impacts to all levels of the County's criminal justice system, but it is difficult to quantify these impacts in the short term, and the long term impacts are unknown.

Response: The Respondent agrees with the finding.

- F7. Proposition 47, combined with the budget reductions to local law enforcement agencies, may result in an increase in property crimes throughout the County.

Response: The Respondent partially agrees with the finding.

Addiction is an epidemic and it's addiction that fuels property crime. While adequate law enforcement resources are critical in the fight against those who victimize others, early intervention, prevention and education are also critical to the promotion of a healthier, safer community. The challenge of addiction and mental illness is not exclusively a law enforcement problem. It's a community problem and we must have strong community partnerships and relationships to abate this epidemic. Speaking for the Sheriff's Office, we're supported by the Board of Supervisors who has made public safety restoration a priority.

- F8. The passage of Proposition 47 has resulted in significant unintended consequences. These include crippling Drug Court, creating holes in the state DNA database, and the reclassifying of some gun crimes.

Response: The Respondent agrees with the finding.

- F9. There have been attempts to create legislative solutions to some of the consequences of Proposition 47, but they are yet to be successful.

Response: The Respondent agrees with the finding.

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Re: Response to Civil Grand Jury Report 15-04GJ

F9. (Planning and Development of the Public Safety Center).

For clarification purposes, page #15, paragraph #3 of the CGJ's report states, "The expansion financed through the Phase II AB 900 project continues with the development and construction of Unit 2, consisting of maximum security housing, medical/mental health facilities, a new Day Reporting Center, an intake/release/transportation/custody/administration facility, and a County Re-entry and Enhanced Alternative to Custody Training (REACT) Center Project."

Unit 2, a 192 bed direct observation, dormitory style housing unit with three separate 62 bed units is fully constructed and operational. Unit 2 was built in 2013 using insurance proceeds from the fire at the now closed Honor Farm. This was not a project related to AB109. Current construction on our AB900 II project will include maximum security housing, a medical/mental health care unit, centralized intake/release, statewide transportation facilities as well as administrative space. Our SB1022 project is our Re-entry and Alternatives to Custody Training center (REACT) with a projected completion date of early 2019.

The County has been comprehensive and forward thinking in the planning of the Public Safety Center and has maximized the County's ability to respond to changing criminal justice facility needs and to qualify for state funding for the construction, expansion and modification of facilities particularly in response to AB 109.

Response: The Respondent agrees with the finding.

F10. The construction of the New Modesto Courthouse and the development of the PCS raise significant questions concerning the future use/reuse of the downtown block containing the existing Courthouse and Downtown Men's Jail.

Response: The Respondent defers to Stanislaus County.

F11. The transportation of offenders from the existing Downtown Men's Jail to the New Modesto Courthouse would pose logistical, financial and public safety challenges.

Response: The Respondent partially agrees with the finding.

The Sheriff's Office moves nearly 120 criminal offenders everyday through the criminal justice system, the Courthouse, other hearing locations, medical appointments etc., from four different housing units. Our team of deputy sheriffs and other support staff, responsible for the supervision, housing, movement, transportation of those inmates, along with the safety and security of the process, do an outstanding job and accept the

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Re: Response to Civil Grand Jury Report 15-04GJ

challenges they face. What we do now, very efficiently and effectively, will be the very same job we will do, if and when a new Courthouse is built.

- F12. It is imperative that the New Modesto Courthouse contain adequate holding facilities for detainees awaiting court proceedings.

Response: The Respondent agrees with the finding.

- F13. Consistent with the original goals of the development of the PSC, the opportunity will never be better to eliminate the outdated facilities at the Downtown Men's Jail once the new courthouse is completed.

Response: The Respondent partially agrees with the finding.

The Men's Jail is, in fact, an outdated facility that will close with the activation of the SB1022 Jail Expansion Project at the current site of the PSC, which is projected for late 2018 or early 2019. At that time, the Men's Jail will continue to serve as a Court Holding Facility, due to its contiguous location to the existing Courthouse, and until a new Courthouse is constructed in downtown Modesto.

- F14. The 800 block of 11th Street will need to be redeveloped once the new courthouse is completed.

Response: The Respondent defers to Stanislaus County and the City of Modesto.

Recommendations:

- R1. None.

- R2. The Stanislaus County Sheriff and Chief Probation Officer should continue to be active, both individually and through their statewide organizations, to ensure that Stanislaus County receives its fair share of funding for the implementation of AB 109.

Response: The Respondent agrees with the recommendation.

- R3. None.

- R4. The CCP should develop strategies to increase public awareness of its mission and to encourage more public participation at meetings.

Response: The Respondent agrees with the recommendation.

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Re: Response to Civil Grand Jury Report 15-04GJ

- R5. The Stanislaus County Board of Supervisors and the City Councils of all nine incorporated cities within the County should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the potential challenges of AB 109.

Response: The Respondent agrees with the recommendation speaking ONLY for the Sheriff's Office and the four cities of Patterson, Waterford, Riverbank, and Hughson where we provide contractual law enforcement services.

The Board of Supervisors has made public safety restoration one of their highest priorities. We have a three year public safety restoration plan that is a fiscally conservative plan, Board supported and Board funded. The Sheriff's Regional Training Center is again offering the Peace Officer Standards and Training (POST) Regular Basic Course and is currently hosting Class #174-15 with recruits representing the Sheriff's Office, the Modesto Police Department and other law enforcement agencies.

The idea of community oriented policing and problem oriented policing isn't a new idea. The Sheriff's Office has used both models for years with great success. We've previously received the "James Q. Wilson" award for our efforts.

- R6. None.

- R7. The Stanislaus County Board of Supervisors and the City Councils of all nine incorporated cities within the County should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the potential challenges of Proposition 47.

Response: The Respondent agrees with the recommendation speaking ONLY for the Sheriff's Office and the four cities of Patterson, Waterford, Riverbank, and Hughson where we provide contractual law enforcement services.

The Board of Supervisors has made public safety restoration one of their highest priorities. We have a three year public safety restoration plan that is a fiscally conservative plan, Board supported and Board funded. The Sheriff's Regional Training Center is again offering the Peace Officer Standards and Training (POST) Regular Basic Course and is currently hosting Class #174-15 with recruits representing the Sheriff's Office, the Modesto Police Department and other agency sponsored recruits.

The idea of community oriented policing and problem oriented policing isn't a new idea. The Sheriff's Office has used both models for years with great success. We've previously received the "James Q. Wilson" award for our efforts.

- R8. See R9.

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Re: Response to Civil Grand Jury Report 15-04GJ

- R9. The criminal justice leaders of Stanislaus County should continue to be active, both individually and through their professional organizations, in California's legislative challenges to salvage the unintended consequences of Proposition 47.

Response: The Respondent partially agreed with the recommendation.

There are currently efforts underway in the State Legislature with the support of the California State Sheriffs' Association that is focused on the "unintended consequences" of Proposition 47. The fact is that much of what the voters of California approved cannot be changed by the State Legislature and any recommended changes would have to go back to the ballot for the People to decide. The changes the Sheriffs of California seek are not widely accepted by the State Legislature as they're determined to decriminalize criminal conduct and behavior in an attempt to reduce the State's dependency upon incarceration as a deterrent to crime. The "unintended consequence" of stripping accountability and consequence out of our criminal justice system is that you're doing a disservice to the victims of crime and you continue to promote personal irresponsibility.

- R9. (Planning and Development of the Public Safety Center).

The County Board of Supervisors should continue to update the master plan for the Public Safety Center on a periodic basis and provide adequate review under the California Environmental Quality Act (CEQA).

Response: The Respondent agrees with the recommendation.

It has been the Respondent's experience that the Board of Supervisors, County Representatives, the CEO's Office and the Sheriff's Office have always been proactive in following a well laid out comprehensive plan that has always included the CGJ's recommendation as described.

- R10. The City of Modesto and Stanislaus County should begin immediate negotiations with the State of California to gain control of the old courthouse property by the time the new courthouse is completed and operational.

Response: The Respondent defers to Stanislaus County and the City of Modesto.

- R11. The City of Modesto, Stanislaus County Board of Supervisors, and the Stanislaus County Sheriff, should vigorously advocate in these early planning and design stages that the State of California provide adequate holding facilities in the New Modesto Courthouse.

Response: The Respondent agrees with the recommendation.

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Re: Response to Civil Grand Jury Report 15-04GJ

In fact, the Sheriff's Office has a strong relationship with the local Court Administrator and we've been actively engaged in discussions about offender holding areas inside the new Courthouse which must also meet strict State guidelines and statutory mandates such as Title 15 and Title 24 of the California Government Code, recognizing that there will be insufficient space to accommodate the large number of offenders we move through the local criminal justice system. The Sheriff's Office moves nearly 120 criminal offenders everyday through the criminal justice system, the Courthouse, other hearing locations, medical appointments etc., between four different housing units. Any new Courthouse construction cannot accommodate holding space for that many offenders and still maintain a safe/secure environment thus the reason the Men's Jail will no longer be used as a traditional detention facility, but a Court holding facility until all construction projects are complete on the Hackett Road Campus/Public Safety Center.

R12. See R11

Response: The Respondent agrees with the recommendation.

R13. See R14

Response: The Respondent defers to Stanislaus County and the City of Modesto.

R14. Prior to the opening of the New Modesto Courthouse in 2019, the City of Modesto and Stanislaus County, with considerable public participation, should partner to develop a comprehensive plan for the reuse and redevelopment of the old courthouse and Downtown Men's Jail.

Response: The Respondent defers to Stanislaus County and the City of Modesto.

Sincerely,



ADAM CHRISTIANSON
Sheriff-Coroner
Stanislaus County

cc: Supervisor Terry Withrow, Chairman
Stanislaus County Board of Supervisors

Judy Navarro, Foreperson
2014-2015 Civil Grand Jury

Stan Risen, Chief Executive Officer
Stanislaus County

**SHERIFF'S DEPARTMENT**

Adam Christianson, Sheriff-Coroner

BOARD OF SUPERVISORS**2015 JUL -8 A 9:55****ADMINISTRATION
DIVISION**

June 22, 2015

The Honorable Marie Sovey Silveira, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, CA 95353

Re: Response to Grand Jury Report 15-04GJ

Dear Judge Silveira;

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed "Case # 15-04GJ Stanislaus County Jail Facilities Inspection" report, dated June 17, 2015.

The Civil Grand Jury included a narrative section in the report; wherein it describes in very brief, generic terms the "Regional 911 Center".

Pursuant to Penal Code Sections 933(c) and 933.05 (f), the following is our response as it pertains to the "Regional 911 Center":

Findings:

F12. Staff comments indicated CAD software is outdated.

Response: The Respondent agrees with the finding.

F13. Regional 911 implements continuous recruitment to fill vacated and budgeted positions.

Response: The Respondent agrees with the finding.

F14. Employees of the Regional 911 Center are highly trained and dedicated to providing public service to the community of Stanislaus County.

Response: The Respondent absolutely agrees with the finding!

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Re: Response to Civil Grand Jury Report 15-04GJ

Recommendations:

R12. The Regional 911 Director should take steps to update the CAD system.

Response: The Computer Aided Dispatch (CAD) system was upgraded in 2007-2008. Since that time the original vendor no longer exists. The team at SR911, in collaboration with its partners, are focused on upgrades to the system including meetings with the current vendor to form an action plan.

R13. None

R14. None

Sincerely,

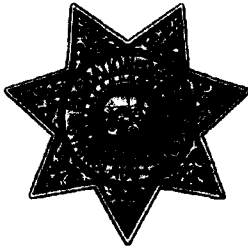
A handwritten signature in black ink, appearing to read 'Adam Christianson', with a long horizontal flourish extending to the right.

ADAM CHRISTIANSON
Sheriff-Coroner
Stanislaus County

cc: Supervisor Terry Withrow, Chairman
Stanislaus County Board of Supervisors

Judy Navarro, Foreperson
2014-2015 Civil Grand Jury

Stan Risen, Chief Executive Officer
Stanislaus County



STANISLAUS COUNTY PROBATION DEPARTMENT

2215 Blue Gum Avenue • Modesto, CA 95358-1097 www.sccp.org
Telephone: 209.525.5400 • Facsimile: 209.525.4588

2015 JUL 15 P 2:27

JILL SILVA
Chief Probation Officer

July 6, 2015

The Honorable Marie Sovey Silveira
Presiding Judge of the Superior Court – Stanislaus County
PO Box 3488
Modesto, CA 95353

Dear Judge Silveira:

On June 17, 2015, the Stanislaus County Civil Grand Jury forwarded their report on cases 15-04GJ, 15-16GJ and 15-17GJ detailing their findings and recommendations including the annual inspection of custodial facilities in the county as mandated by California Penal Code Section 919(b). Thank you for the opportunity to respond to the comments and recommendations of the 2014-2015 Civil Grand Jury. Members of the Grand Jury visited the County's Juvenile Hall, Juvenile Commitment Facility and Day Reporting Center. I also had the opportunity to personally meet with a number of the members on more than one occasion. I was pleased to see the members found our juvenile facilities to be clean and well maintained, and that they found the Day Reporting Center to be a valuable facility for delivering services to our adult offenders. The following are the department's responses to those findings and recommendations requiring a response.

RESPONSE TO FINDINGS/RECOMMENDATIONS 15-16GJ

FI. Finding: *AB 109 has affected County Sheriff and Probation Departments most, and there have been some effects to other County departments.*

R1. Recommendation: *None*

Response: The department agrees with the finding.

Administration
2215 Blue Gum Avenue
Modesto, CA 95358-1097
Telephone: 209.525.4598
Facsimile: 209.525.5486

Adult Division
801 11th Street, Suite B100
Modesto, CA 95354
Telephone: 209.567.4120
Facsimile: 209.567.4188

Juvenile Division
2215 Blue Gum Avenue
Modesto, CA 95358-1097
Telephone: 209.525.5400
Facsimile: 209.525.4588

Juvenile Institution
2215 Blue Gum Avenue
Modesto, CA 95358-1097
Telephone: 209.525.4580
Facsimile: 209.525.5469

F2. Finding: *The State provides funding for the implementation of AB 109 through a formula that has been developed and amended several times since AB 109 passed.*

R2. Recommendation: *The Stanislaus County Sheriff and Chief Probation Officer should continue to be active, both individually and through their statewide organizations, to ensure that Stanislaus County receives its fair share of funding for the implementation of AB 109.*

Response: The department agrees with the finding and recommendation. As the Chief Probation Officer and Chair of the Community Corrections Partnership (CCP), I, along with Sheriff Christianson, continue to be actively involved both at the state and local levels in advocating for adequate, sustainable AB 109 funding. Given the limited resources and needs of our criminal offender populations, it is imperative that the county receive its fair share of available funding.

F3. Finding: *The Community Corrections Partnership, particularly the CCP Executive Committee, is responsible to allocate the funds provided by the State for the implementation of AB 109.*

R3. Recommendation: *None*

Response: The department agrees with this finding.

F4. Finding: *The CCP meetings are public, but are not widely publicized, and the current location of the CCP meetings would not be able to accommodate a large number of public participants.*

R4. Recommendation: *The CCP should develop strategies to increase public awareness of its mission and to encourage more public participation at meetings.*

Response: The department partially disagrees with the finding and the recommendation will not be implemented because it is unwarranted or unreasonable. The department includes the following explanation.

The CCP membership is established by California Penal Code Section 1230. All meetings are open to the public; however, there is no requirement that a CCP must advertise the meetings above and beyond those required by California Government Code 54950, also known as the Brown Act. The Community Corrections Partnership (CCP) has consistently followed the requirements of the Brown Act including posting all meeting dates, times, location, agendas and minutes on the Probation Department's website. Information about the CCP is made public each year when the CCP Plan is before the Board of Supervisors for approval. Both the Sheriff and Chief Probation Officer have spoken to various

civic groups throughout the year about the impacts of Public Safety Realignment and the involvement of the CCP. Additionally, there have been many local and statewide reports published on Public Safety Realignment and the role of the Community Corrections Partnership. Although increased public participation is welcomed, the CCP is meeting its obligation to ensure all meetings are open to the public and information about the work of the CCP is available at any time through the website. With regards to the current meeting location, the meeting site has the capacity to hold up to 50 individuals. There are approximately 25 individuals who regularly attend the CCP meetings. If more than 50 individuals show up at any given time, the CCP meeting would be moved to a larger meeting room at the Juvenile Commitment Facility within the same Juvenile Justice Complex.

F5. **Finding:** *AB 109 may have some effects to local public safety in the County, which may be compounded by budget cuts that have occurred to local law enforcement agencies.*

R5. **Recommendation:** *The Stanislaus County Board of Supervisors and the City Councils of all the City Councils of all nine incorporated cities within the County should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the potential challenges of AB 109.*

Response: The department agrees with the finding and a response to the recommendation is not applicable to the Probation Department.

F6. **Finding:** *Proposition 47 has resulted in impacts to all levels of the County's criminal justice system, but it is difficult to quantify these impacts in the short term, and the long term impacts are unknown.*

R6. **Recommendation:** *None*

Response: The department agrees with the finding and a response to the recommendation is not applicable to the Probation Department.

F7. **Finding:** *Proposition 47, combined with the budget reductions to local law enforcement agencies may result in an increase in property crimes throughout the county.*

R7. **Recommendation:** *The Stanislaus County Board of Supervisors and the City Councils of all nine incorporated cities within the county should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the current and future challenges of Proposition 47.*

Response: The department agrees with the finding and a response to the recommendation is not applicable to the Probation Department

F8. Finding: *The passage of Proposition 47 has resulted in significant unintended consequences. These include crippling Drug Court, creating holes in the state DNA database, and the reclassifying of some gun crimes.*

R8. Recommendation: See R9

Response: The department agrees with this finding and recommendation.

F9. Finding: *There have been attempts to create legislative solutions to some of the consequences of Proposition 47, but they are yet to be successful.*

R9. Recommendation: *The criminal justice leaders of Stanislaus County should continue to be active, both individually and through their professional organizations, in California's legislative challenges to salvage the unintended consequences of Proposition 47.*

Response: The department agrees with this finding and recommendation.

RESPONSE TO FINDINGS/RECOMMENDATIONS 15-17GJ

F1. Finding: *In 2013 the Juvenile Hall court school standardized test results showed that only 6% of the youth were proficient in English and 15% were proficient in math. Prior years produced similar data.*

R1. Recommendation: *The Probation Department should work with other Stanislaus County agencies and community-based organizations to develop a comprehensive program including mentoring, for youth returning to regular school, modeled after the "Graduation Coach" implemented in 2013, to provide a more comprehensive individualized approach.*

Response: The department agrees with the finding. The recommendation has not been implemented, but the department intends to implement a portion of the recommendation. The department includes the following explanation.

The Probation Department agrees that a majority of youth entering the criminal justice system lack proficiency in English and math. School performance is a strength factor that can prevent youth from entering the justice system. The Probation Department has recently been awarded a

state grant to reduce racial and ethnic disparities in the juvenile justice system. A key component of the grant is to increase community participation and implement preventative programs including those programs that target school performance. Mentoring is currently offered to female offenders through the Parent Resource Center and will be considered for expansion to male offenders through the new grant. However, without specific analysis and proven performance outcomes related to the recommended "Graduation Coach" program, it is uncertain if that specific program can or should be implemented.

One week prior to a youth being released from custody, an individualized reintegration meeting is held at the juvenile facility. Participants include the minor's parents or guardians, facility mental health staff, facility medical staff, the probation officer, and representatives of the Stanislaus County Office of Education (SCOE). SCOE informs the minor and his/her parent which school he/she is to enroll upon release and provides the contact information for the school site. SCOE sends the minor's transcripts to the school once released. The meeting helps to facilitate the minor enrolling as soon as possible upon release. As noted in the Grand Jury report, a snapshot taken on April 30, 2015, reflected the average length of stay for Juvenile Hall was 96 days and the Juvenile Commitment Facility was 40 days. The average length of stay for Juvenile Hall also includes those detained youth directly filed to the adult court system. These youth are generally in custody more than a year. The majority of youth detained in Juvenile Hall stay for brief periods, which doesn't allow for much time to improve school performance. However, in 2014, 18 youth received a diploma while in custody. One youth completed their GED and one youth received their high school certificate. The department believes the Stanislaus County Office of Education is doing a remarkable job despite the limited time youth are in custody and the school performance levels of youth upon entry into the facility. The department will continue to focus its efforts on prevention services through the state grant.

- F2.** **Finding:** *Approximately 98% of youth placed by the court in out of home placement are housed in a group care facility. Studies show that group homes are detrimental to the development of youth.*
- R2.** **Recommendation:** *Eliminate group care for probation supervised youth and partner with community groups such as Seneca Center's Family Finding Program to identify and support relatives and increase placement options.*

Response: The department disagrees wholly or partially with the finding and the recommendation will not be implemented because it is unwarranted or unreasonable. The department includes the following explanation.

Although the department agrees that 98% of youth ordered into placement are housed in a group home setting, the department disagrees that group homes are detrimental to the development of youth. The reasons probation youth are ordered into out of home care are different than the reasons youth are placed into foster care through the dependency system. A vast majority of our youth who are placed in out of home placement by the Court have parents or guardians who are unwilling or unable to care for them. They continue to commit crimes and/or use illegal substances despite the services provided to them to be able to maintain them in their family home. The department utilizes specific group home facilities, licensed and monitored by the State of California, that specialize in working with minors who may have a specific need or needs that require additional attention. Many times, removing a minor from their current living situation and placing them in an environment where they can focus on positive growth and learn new life skills enhances their development rather than hinders their development. The department also utilizes out of state of placements for those minors needing care beyond what is available here locally. Many of the minors who are placed out of state end up making positive connections and some ultimately end up staying in the placement facility after their probation has ended. A snapshot taken for 2014 shows that only 36 youth statewide were placed into a foster family through a Foster Family Agency. Many foster families do not want youth from the Probation system due to their criminal behavior. The department does work with Foster Family Agencies to find suitable homes for youth, as well as relative and non-relative placements prior to considering congregate care facilities. The fact that very few probation youth are placed in foster families throughout California demonstrates the vital role group home facilities play in addressing the significant needs of probation youth.

- F3. Finding:** *Detained youth are encouraged to participate in vocational programs including culinary and computer repair. However, according to recent employment trends, the areas of greatest employment growth are in the technology and internet based business industries.*
- R3. Recommendation:** *Expand vocational/career training programs to include more options in technology and internet based careers.*

Response: The department partially agrees with the finding and the recommendation will be implemented in the future. The department includes the following explanation.

As previously stated above, in-custody minors score fairly low in both English and math proficiency. With that in mind, having more career training in both technology and internet based careers may not be suitable for the majority of youth in our care and custody. Facility staff has tried to find realistic skills and training programs that the minors could utilize immediately upon release. Included with the culinary program at the Juvenile Commitment Facility, the minors receive instruction and then test for a food handler's card through the ServSafe Program. In order to obtain the card, the minors have to pass a regulated test that demonstrates they are aware of food handling regulations and standards. Once they obtain the card, they can apply at any food establishment showing that they have experience and have successfully passed the exam. In the next few weeks, minors in custody will be introduced to our newest programming piece through Paxton Patterson. Class instruction will begin in plumbing, drywall, painting and blueprint reading. Minors going through this curriculum will begin hands on training to gain a base knowledge of the construction industry. Programming rooms at the Juvenile Commitment Facility are equipped with the capability to learn computer technology. The department has not yet been able to identify a service provider to meet the needs in this area. Expansion of vocational training, including computer technology is a future goal of the department.

F4. Finding: *Detained youth who are also parents are encouraged to maintain relationships with their young children, but the facilities only allow limited visitations.*

R4. Recommendation:

- *Facilities should ensure that policies prioritize the relationship between probation and supervised youth and their children*
- *Detained youth who are parents should be allowed to visit during regular visitation hours as well as by special appointment.*
- *During visitation youth should be provided normal casual attire and any needed support with grooming to present a positive image for children during visitation.*
- *Visiting should be in a closed setting separated from general visitation.*

Response: The department agrees with finding; however, the recommendation will not be implemented because it is unwarranted or unreasonable, or is currently being implemented. The department includes the following explanation.

The department encourages minors in custody to maintain a positive connection with their children. Visiting occurs at scheduled times in order to maintain the security of the facilities and as minors must be supervised during family visitation. All in-custody minors are allowed visiting with parents/guardians a minimum of two days a week as required by state regulations. The department has designated one day per week for minor/child visits as children of minors should be shielded from other offenders in custody. If circumstances occur where the child's caretaker is unable to bring the child to the scheduled visit, other accommodations will be made for minor/child visits. Special visits can also be arranged by the probation officer, the court, and mental health staff as needed.

For security purposes, all in-custody minors must wear their facility issued attire so that both staff and visitors are able to distinguish between visitors and in-custody minors at all times. Allowing the minor to change into normal attire creates safety and security issues for the facilities.

When the Juvenile Commitment Facility was built in 2013, a special visiting room was established within the Visitors Center to accommodate minor/child visits. As visitation occurs in a separate area of the facility, additional staff must accompany the youth to the visiting area to ensure adequate supervision of the minor. Therefore, it is necessary to ensure appropriate staffing levels are available in order to supervise the visits.

Thank you for the opportunity to respond to the comments and recommendations of the 2014-2015 Civil Grand Jury. Please extend my appreciation to the members for their time and efforts in conducting a thorough site visit.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Silva", with a long horizontal flourish extending to the right.

Jill Silva
Chief Probation Officer
Stanislaus County Probation Department

cc: Stanislaus County Board of Supervisors
Stan Risen, Chief Executive Officer
John P. Doering, County Counsel



CHIEF EXECUTIVE OFFICE

Stan Risen
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Keith D. Boggs
Assistant Executive Officer

Jody Hayes
Assistant Executive Officer

August 28, 2015

1010 10th Street, Suite 6800, Modesto, CA 95354
Post Office Box 3404, Modesto, CA 95353-3404

Phone: 209.525.6333 Fax 209.544.6226

The Honorable Marie Sovey Silveira
Presiding Judge of the Superior Court – Stanislaus County
P.O. Box 3488
Modesto, CA 95353

Dear Honorable Judge Silveira:

On June 17, 2015 I received a copy of the Stanislaus County Civil Grand Jury's report entitled *Local Effects of Prison Realignment (AB 109) and Proposition 47, Case 15-16GJ*, in which I was asked to respond in my role as the Stanislaus County Chief Operations Officer. Please find my response to these sections below.

Planning and Development of the Public Safety Center Findings:

Finding 9: The County has been comprehensive and forward thinking in the planning of the Public Safety Center and has maximized the County's ability to respond to changing criminal justice facility needs and to qualify for state funding for the construction, expansion, and modification of facilities particularly in response to AB 109.

Response: The Chief Operations Officer agrees with this finding, and that the County has engaged in comprehensive and proactive planning for public safety needs in the planning and development of the County's Public Safety Center.

Planning and Development of the Public Safety Center Recommendations:

Recommendation 9: The County Board of Supervisors should continue to update the master plan for the Public Safety Center on a periodic basis and provide adequate review under the California Environmental Quality Act (CEQA).

Response: The Chief Operations Officer agrees with this recommendation, and notes that the County Sheriff and Chief Executive Office have been, and continues to be diligent in monitoring jail capacity requirements. The County has periodically conducted comprehensive review of these needs to update the Public Safety Center Master Plan and to maintain compliance with the conditions of the California Environmental Quality Act (CEQA) relative to development of the site.

New Modesto Courthouse Findings:

Finding 10: The construction of the New Modesto Courthouse and the development of the PCS raise significant questions concerning the future use/reuse of the downtown block containing the existing Courthouse and Downtown Men's Jail.

Response: The Chief Operations Officer agrees with this finding.

Finding 11: The transportation of offenders from the existing Downtown Men's Jail to the New Modesto Courthouse would pose logistical, financial and public safety challenges.

Response: The Chief Operations Officer agrees with this finding. The Sheriff's office is responsible for transportation of persons in-custody between the jail facilities and the courthouse. The State Courts are responsible for providing for secure daily holding of inmates awaiting hearings while at the Courthouse; but not overnight. The existing Courthouse is connected to the Downtown Jail by a security pedestrian tunnel for the movement of Sheriff's staff and persons in-custody.

Finding 12: It is imperative that the New Modesto Courthouse contain adequate holding facilities for detainees awaiting court proceedings.

Response: The Chief Operations Officer agrees with this finding.

Finding 13: Consistent with the original goals of the development of the PSC, the opportunity will never be better to eliminate the outdated facilities at the Downtown Men's Jail once the new courthouse is completed.

Response: The Chief Operations Officer partially agrees with this finding. Closure of the Downtown Jail is a goal of the Jail Master Plan, but is dependent on several factors, including the provision of adequate temporary Court holding facilities in the New Modesto Courthouse (Findings 11 and 12.) The plan anticipates closure of the Downtown Jail at a future date and the reassignment of existing jail staff to new jail facilities at the Public Safety Center; however, the on-going jail needs assessment process will determine whether the Downtown Jail can be permanently taken out of service after the New Modesto Courthouse is operational and future jail space demands allow for its closure.

Finding 14: The 800 block of 11th Street will need to be redeveloped once the new courthouse is completed.

Response: The Chief Operations Officer partially agrees with this finding. The Courthouse Block is owned by the State of California and the County retained ownership of two parcels on the block. The property is within the City of Modesto boundaries.

New Modesto Courthouse Recommendations:

Recommendation 10: The City of Modesto and Stanislaus County should begin immediate negotiations with the State of California to gain control of the old courthouse property by the time the new courthouse is completed and operational.

Response: The Chief Operations Officer disagrees with this recommendation. The County has no planned uses for the State's Courthouse facility and property. The County will however support the City of Modesto and the community's efforts to prepare a dynamic re-use plan for this important block in Downtown Modesto.

Recommendation 11: The City of Modesto, Stanislaus County Board of Supervisors, and the Stanislaus County Sheriff should vigorously advocate in these early planning and design stages that the State of California provide adequate holding facilities in the New Modesto Courthouse.

Response: The Chief Operations Officer agrees with this recommendation.

Recommendation 12: See R11 (The Civil Grand Jury report refers to Recommendation 11): The City of Modesto, Stanislaus County Board of Supervisors, and the Stanislaus County Sheriff should vigorously advocate in these early planning and design stages that the State of California provide adequate holding facilities in the New Modesto Courthouse.

Response: The Chief Operations Officer agrees with this recommendation and notes that the New Modesto Courthouse project is the responsibility of the California Judicial Council and subject to the review of the State Public Works Board.

Recommendation 13: See R14 (The Civil Grand Jury report refers to Recommendation 14): Prior to the opening of the New Modesto Courthouse in 2019, the City of Modesto and Stanislaus County, with considerable public participation, should partner to develop a comprehensive plan for the reuse and redevelopment of the old courthouse and Downtown Men's Jail.


Response: The Chief Operations Officer partially agrees with this recommendation. The Chief Operations Officer acknowledges the importance of the old Courthouse block in downtown Modesto, but also respects the interests of the City of Modesto jurisdiction in seeking a re-use plan for the property.

Recommendation 14: Prior to the opening of the New Modesto Courthouse in 2019, the City of Modesto and Stanislaus County, with considerable public participation, should partner to develop a comprehensive plan for the reuse and redevelopment of the old courthouse and Downtown Men's Jail.

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Response: The Chief Operations Officer partially agrees with this recommendation. The Chief Operations Officer acknowledges the importance of the old Courthouse block in downtown Modesto, but also respects the interests of the City of Modesto jurisdiction in seeking a re-use plan for the property.

Sincerely,



Patricia Hill Thomas
Chief Operations Officer

cc: Supervisors Terry Withrow, Chairman
Stanislaus County Board of Supervisors

Judy Navarro, Foreperson
2014-2015 Civil Grand Jury

Stan Risen, Chief Executive Officer
Stanislaus County