



SAN JOAQUIN COUNTY

Grand Jury

FINAL REPORT
2010-2011

What is a Grand Juror?

- Someone who wants to make a difference
- Someone who believes in honesty
- Someone who asks “Why?”
- Someone who knows the meaning of confidentiality
- Someone whose reports will live longer than they do
- Someone who can work with people they don’t agree with
- Someone who can intellectually defend his or her position
- Someone who learns there really are two sides to every story
- Someone who realizes they will never do all they want to do in a year
- Someone who knows they can accomplish more in a group than they can alone
- Someone who feels good about the work they produce
- Someone who is fed up with people who only complain about how things are
- Someone who asks questions no one wants to answer
- Someone who realizes that no grand juror is more important than the grand jury
- Someone who realizes that no grand jury is more important than the grand jury system
- Someone who will make meaningful friends with a common unique bond for life

Serving the people of San Joaquin County by preserving government integrity.

Grand Juror Oath

I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California, and all laws made pursuant to and in conformity therewith, will diligently inquire into and true presentment make, of all public offenses against the people of this State, committed or triable within this County, of which the grand jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the grand jury, nor anything which I or any other grand juror may say, nor the manner in which I or any other grand juror may have voted on any matter before the grand jury. I will keep the charge that will be given to me by the Court.

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Introduction



The Superior Court

222 E. WEBER AVENUE, ROOM 303
STOCKTON, CALIFORNIA 95202

Hon. George J. Abdallah
Judge of the Superior Court

TELEPHONE
(209) 468-2827

June 10, 2011

The Superior Court of California, County of San Joaquin thanks and commends the 2010-2011 Civil Grand Jurors for their conscientious efforts on behalf of all San Joaquin County citizens. Guided by experienced leadership of Foreperson Gene Andal, the Jurors undertook and completed their duties with great industry, intelligence and care in the service of their fellow citizens.

The Civil Grand Jury is composed of qualified individuals drawn at random from the community, applicants and those nominated by community leaders. The chosen citizens serve as an independent body under the court's authority. The 2010-2011 San Joaquin County Civil Grand Jury now takes its place in a long history of citizen involvement in civic life which was born in the English Common Law of 1166, adopted during the American Colonial period and codified in California in the 1880's. The 2010-2011 Civil Grand Jurors' thoughtful and constructive recommendations will help ensure the highest quality civic life to which all citizens are entitled.

As the Judge Advisor, it has been my privilege to review the work of the 2010-2011 Civil Grand Jury. This committed group of citizens delved into a broad range of issues which touch the lives of citizens throughout our communities. Additionally, the Grand Jurors made diligent efforts to follow through the work of their predecessors thereby assuring their fellow citizens that the San Joaquin County Civil Grand Jury as an institution has a continuity that strengthens its role and operations from year to year.

The time, energy, efforts and commitment of these devoted citizens has and will continue to better the civic life of all San Joaquin County residents. To each member of the 2010-2011 San Joaquin County Civil Grand Jury, for your many accomplishments the Superior Court extends its gratitude and congratulations.

Sincerely,

A handwritten signature in black ink, reading "George J. Abdallah, Jr.", written over a horizontal line.

Hon. George J. Abdallah, Jr.
Judge of the Superior Court
Advisor to the San Joaquin County Grand Juries



Grand Jury
County of San Joaquin
Courthouse
222 East Weber Avenue-Room 303
Stockton, California 95202
(209)468-3855

June 16, 2011

Hon. Robin Appel
Presiding Judge of the Superior Court
222 E. Weber Avenue, Room 303
Stockton, CA 95202

Hon. George J. Abdallah, Jr
Judge of the Superior Court and Advisor
Judge to the Grand Juries
222 E. Weber Avenue, Room 303
Stockton, CA 95202

Dear Judge Appel and Judge Abdallah:

The San Joaquin County Grand Jury has completed its term of service for the 2010/2011 year. The attached information represents the culmination of their investigations and activities.

Service

President John Kennedy once said "...ask not what your country can do for you, but what you can do for your country..." Service on the Grand Jury is the epitome of doing something for your country. The one year term is as much about volunteerism as anything else. Since the Grand Jury system is considered the watchdog of local government, when the Jury receives complaints, opens investigations and renders findings and recommendations, this completes the process.

Jurors come from all walks of life offering a broad range of talent and experience. But, the most important ingredient is a commitment to finding abuses and misjudgments by local officials. An understanding of public policy, a review of records and a curiosity of government operations are helpful attributes in the grand jury process. When appropriate, commendation of noteworthy service is cited by the Jury.

Complaints

During the course of service, the Jury receives complaints from a variety of sources including public employees, or citizens that have experienced or observed questionable situations. The Jurors may introduce subjects that appear in the media or from personal experience. Once a complaint has been receiving, the Jury makes a determination: no jurisdiction, no action or open an investigation. Investigations generally involve interviewing witnesses, some willing, some unwilling, site visits and records review.

In 2010/2011, the Jury opened 13 investigations and performed follow up on last year's Grand Jury work. It is the opinion of the Jury, based on testimony and research, that final investigative reports released to the public are a body of work that honor's the system.

Is there a number one report this year? Yes. The "Budgetary Impacts on the Administration of Justice" is a compelling work: essential for our time, necessary in arriving at critical decisions that

shape our community and a focused report defining the problem faced by our decision makers. The report speaks for itself.

Commendations

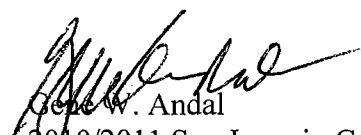
The Jury is and should be proud of its work. Several individuals deserve special attention. Betty Ingell, Vice Foreperson and head of the Editorial Committee, and Carla Cole, chair of many investigative committees. Not only was their work invaluable to the process but they invested a huge amount of time beyond the normal juror.

Some other jurors deserve mention for their dedicated participation: Gordon Deckelmeier, Sergeant at Arms, Diane Beaver, Jury Secretary, Vernell Phillips, Darla Buckley and William Moreno.

The Jury wishes to sincerely thank Grand Jury Staff Secretary/Judicial Secretary Trisa Martinez for her vast procedural knowledge, patience and good sense of humor. Her technical assistance with arranging training sessions, site visits, presentations, and scheduling interviews was invaluable.

The Jury is fortunate to have three skillful and supportive advisors: Judge George Abdallah, Scott Fitchner, Chief Deputy District Attorney, and Dave Wooten, County Counsel. The Jury extends its heartfelt appreciation for their assistance.

Respectfully,


Gene W. Andal
2010/2011 San Joaquin County
Grand Jury Foreperson

Roster of Grand Jurors

Executive Committee

Gene Andal Foreperson	Stockton	County Parks Director - Retired
Betty Ingell Vice-Foreperson	Ripon	Registered Nurse educator/administrator- retired
Diane Beaver Secretary	Woodbridge	Paralegal - Retired
<hr/>		
Gordon Deckelmeier	Lathrop	Sgt.-at-Arms
Eli Avila	Tracy	CALTRANS Maint. Supervisor
Pamela Bowman	Ripon	School Librarian
Darla Buckley	Manteca	Sales, Marketing-Retired
Carla Cole	Lodi	Law enforcement-Retired
John Day	Tracy	Business Owner-Retired
Lina Longmire	Tracy	Court Administrator-Retired
Harry Marzolf	Lodi	Probation Assistant-Retired
Stephen Miskar	Stockton	Electronic Field Service Technician-Retired
William Moreno	Tracy	Vice President - Sales Technology
Vernell Phillips	Stockton	IT Project Mgr/Communications - Retired
Trudy Reed	Stockton	CPA
Leo Van Grieken	Manteca	Supply System Analyst

Matthew Castleman, resigned
Don Henkel, resigned
Kevin Nolen, resigned
Chet Somera, resigned

2010-2011 SAN JOAQUIN COUNTY GRAND JURY



Front row (L to R): Harry Marzolf - Don Henkel - Lina Longmire
Second row (L to R): Vernell Phillips - Diane Beaver (Secretary) - Carla Cole
Third row (L to R): Pam Bowman - Steve Miskar - Trudy Reed - Darla Buckley
Fourth row (L to R): Eli Avila - Chet Somera - Betty Ingell (Vice-Foreperson) - Kevin Nolen
Back row (L to R): Gordon Deckelmeier - Leo Van Grieken - John Day - William Moreno - Gene Andal(Foreperson)

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Grand Jury Process and Organization

Qualifications

A grand juror must meet all of the following qualifications:

- Be a citizen of the United States
- Be at least 18 years old – be a resident of California and San Joaquin County for at least one year immediately prior to selection
- Possess ordinary intelligence, sound judgment, and good character
- Possess sufficient knowledge of the English language to communicate both orally and in writing

A grand juror cannot:

- Be serving as a trial juror in any California court
- Have been discharged as a grand juror in any California court within one year of the beginning date of service, July 1
- Have been convicted of malfeasance in office, any felony or other high crime
- Be serving as an elected public officer

Other desirable qualities:

- Good health
- Open-mindedness
- Sensitivity to and concern for the views of others
- Skill in working with others in a group setting
- Interest in and knowledge of community affairs
- Skill and experience in fact finding
- Skill and experience in report writing
- Working knowledge of computers
- General knowledge of the responsibilities, functions and authority of county and city governments

Commitment

Nominees selected for grand jury service must commit to serving at least one day each week for the period July 1 through June 30. Also, considerable time each week will be spent for investigative and report-writing assignments.

Selection

Applications will be reviewed and forwarded to the Presiding Judge for consideration and an interview will be scheduled with the judge if you are considered.

Grand Jury members are selected from the judicial districts of the county in proportion to the number of inhabitants in each district. In June, drawings are conducted under the supervision of the Presiding Judge of the Superior Court in the presence of the nominees. The names of 19 people who will compose the grand jury are drawn at random from a

pool of prospective grand jurors. Another ten names are drawn and ranked to form the alternate list. If a juror is unable to serve, a replacement is selected from the alternate list according to rank.

Application

Application forms may be received by writing to:

Trisa Martinez
Superior Court
222 E. Weber Avenue
Room 303
Stockton, California 95202

Application forms can be downloaded from: www.stocktoncourt.org

Please submit a written application to Ms. Martinez. The deadline for submitting applications is May 1 for the following July 1 through June 30 term.

Structure and Function of the Grand Jury

California Constitution, Article I, Section 23, provides that "One or more grand juries shall be drawn and summoned at least once a year in each county." The law governing Grand Jury formation, authority, powers and proceedings, is found in Part 2, Title 4, of the California Penal Code, Sections 888-939.91

The presiding judge of the Superior Court of San Joaquin County impanels nineteen citizens every year to conduct civil investigations of county and city government; a body of people who are independent of any political or special interest group.

The judge appoints a foreperson to preside over the Grand Jury. The foreperson selects the vice-foreperson and secretary with approval of the Grand Jury and standing committees and/or ad-hoc committees are formed. Each juror may serve on several committees and this is where the investigative work is done throughout the year. A general meeting is held weekly to coordinate activity and conduct business.

This Grand Jury serves in an independent oversight and investigative role for the County of San Joaquin. It serves to investigate allegations of misconduct of public officials and to determine whether to present formal accusations for nonfeasance, misfeasance or malfeasance. It will objectively investigate, audit or examine all aspects of County government, and its cities, to insure that these bodies are being effectively governed and that public monies are being judiciously handled.

The Grand Jury may subpoena persons and documents to obtain information on subjects under investigation. The Grand Jury acts in the public's interest by investigating and reporting on the operation, management and fiscal affairs of local government in the county. It may review and evaluate procedures, methods and systems used by county and city governments to determine whether more efficient and economical programs may be used. The Grand Jury is also mandated to inspect prisons, jails and other detention facilities in the county. The Grand Jury reviews complaints submitted by citizens alleging misconduct by officials or other concerns of government inefficiencies. Complaints are acknowledged and investigated for their validity. Jurors are sworn to strict confidentiality pertaining to complaints, witnesses or content of investigative matters. They may not disclose any information they receive within the confines of the jury or the identity of anyone appearing before them. The Grand Jury is an independent entity and it serves a democracy in which individuals can be involved for civil service on behalf of their community.

Complaint Procedure

Any citizen may submit a written complaint to the Grand Jury and all communications are confidential. A citizen may ask the Grand Jury to conduct an investigation into misconduct or inefficiencies by county governmental agencies.

The Grand Jury can act on complaints relating to a county department, any city within the county, all school districts and special purpose or taxing districts in the county.

The Grand Jury may consider complaints of willful or corrupt misconduct against public officials and policies, county and city employees; including the abolition or creation of offices and the equipment for performing duties of county government.

The Complaint Form should be submitted by citizens after all attempts to correct an issue have been explored, and without success.

Instructions for preparing the Complaint Form:

- Include your name, address and phone number
- Name the agency and/or person(s) you are complaining against
- Explain the nature of your complaint and provide detailed information
- List any other action requested or taken in an attempt to resolve the issue
- Provide contact information of witnesses who can substantiate your complaint

To obtain a complaint form, visit the Grand Jury website at:

www.stocktoncourt.org and download the Complaint Form (PDF format)

SAN JOAQUIN COUNTY CIVIL GRAND JURY
222 E. Weber Ave., Room 303 Stockton, CA 95202
Phone: (209) 468-3855

COMPLAINT FORM

All communications to the Grand Jury are confidential.

The Grand Jury is the avenue for county residents to bring attention to what they believe are injustices not resolved by public agencies, after other reasonable efforts have failed.

What is your name, address and phone number?

What agency and/or person are you complaining against? *(Name of agency and all individuals, including their addresses and phone numbers)*

Please explain the nature of your complaint providing as many details as you can, including dates, times, and places where the events took place. *(Attach extra sheets if necessary)*

Action taken. Please list other persons and/or agencies you have contacted in an attempt to resolve this complaint and any actions you have taken yourself.

Witnesses. Please provide names and telephone numbers of anyone else who can substantiate your complaint.

The information in this form is true, correct and complete to the best of my knowledge.

SIGNATURE: _____ **DATE:** _____

Responding to Findings and Recommendations

Provided here are extracts of California Penal Code Section 933 that establish the requirements for responding to Grand Jury reports.

The timetable for responses is found in Section 933(C):

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

Section 933.05 gives explicit instructions for how public agencies (including county departments and agencies, and all public agencies geographically situated within county borders, e.g., cities and their police departments) must respond to a grand jury report:

(a) ...as to each grand jury finding, 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 therefore.

(b) ...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 implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe 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 timeframe 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 therefore.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Written responses shall be delivered to:

Hon. Robin Appel
Presiding Judge of the Superior Court
County of San Joaquin
222 East Weber Avenue, Room 303
Stockton, California 95202

Contact Information

The San Joaquin County Grand Jury can be reached:

Via the Internet at:

www.stocktoncourt.org

Via Email at:

grandjury@courts.san-joaquin.ca.us

By visiting or writing:

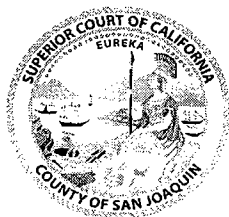
San Joaquin County Civil Grand Jury
222 E. Weber Ave. Room 605
Stockton, CA 95202

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Investigations

San Joaquin County Grand Jury



LODI UNIFIED SCHOOL DISTRICT 2010/2011 San Joaquin County Grand Jury Case No. 0210

Summary

The Grand Jury investigated Lodi Unified School District (District) due to a complaint received alleging various improprieties. The Grand Jury investigated allegations of:

- Student Disciplinary Due Process Rights violations
- Illegal administration/busing of students involved with the After School Program
- Conflict of Interest of a School Board Trustee

Glossary

District	Lodi Unified School District
Board	the elected body of Trustees of Lodi Unified School District
Trustee	an individual elected Board member
ASP	After School Program, a state grant program of academic enrichment occurring on some District sites after the regular school day, voluntary participation to students
CDE	California Department of Education Code
Club	Lodi Boys and Girls Club, Inc.
Brown Act	Ralph M Brown Act government code, also known as the Public Meeting Act

Background

Lodi Unified School District (District) is the second largest K-12 school district in San Joaquin County. There are approximately 30,947 students in attendance. The District operates 54 school sites which include: 33 elementary, seven middle, four comprehensive high schools, and two continuation high schools. In addition, the district offers two elementary community day schools, one middle community day school, a Middle College High School, an adult school, a Career Center, Children's Center, a Developmental Center for disabled students, and several pre-school programs. The sitting Board of Trustees at the time of this investigation were Jeff Thompson, Joe Nava, Calvin Young, Bonnie Cassel, Ken Davis and Board President Richard Jones.

Issues

The initial citizen complaint included an allegation of violation of student disciplinary due process rights by the District after an incident during the After School Program (ASP). The Grand Jury found no evidence to support this allegation. Due process policies exist to protect students' rights. The case was complicated by the misinterpretation of an abstention vote during an appeal to the District Trustee's. The abstention vote was counted as a positive vote for expulsion rather than a negative or no-vote during the student's appeal hearing.

The vote to expel the student was overturned and the student reinstated during an appeal hearing to the San Joaquin County Office of Education Board. The Grand Jury found all notices, hearings, rights to representation, findings and appeals were applied consistent with the California Department of Education Code (CDE) and District policies.

Illegal administration and busing of students participating in the District ASP was alleged. The complaint cited inappropriate use of state ASP funds to bus students to the Lodi Boys and Girls Club, Inc. (Club) to the exclusion of other Lodi and Stockton children facilities as part of the ASP. The Grand Jury found no evidence to support this allegation of illegal use of ASP funds.

The District ASP is operated on participating school sites only, using three contracted vendors for the educational enrichment program: City of Lodi Parks and Recreation Department, City of Stockton Parks and Recreation Department and the Club. The Club also provides an after school program for Club members, unrelated to the District ASP. The District provides home-to-school transportation to and from various "hub" locations throughout the District, based on a formula of walking distance and age ranges of students. The Club has been identified as a home-to-school busing site as part of the home-to-school transportation provided by the District, which is not funded with ASP funds.

Conflict of interest actions of a District trustee were alleged. Conflict of interest is defined by **'Lectric Law Library** as: *A situation when someone, such as a lawyer or public official, has competing professional or personal obligations or personal or financial interests that would make it difficult to fulfill his duties fairly.* When a situation of multiple interests or competition of interests arises in conducting the people's business, the actions available include recusal or abstention. Recusal calls for physical removal of the person with the potential conflict from all discussion and votes, as simply remaining present may constitute undue influence on others. An abstention vote could be appropriate in a situation involving no discussion, such as ratifying the payment of warrants. The trustee in question was also on the Board of the Club and had presented a list of vendors with potential conflicts, including some in the construction trades, to the District administration.

The potential for conflict of interest was based on the Trustee's serving on the board of the Club as well as other relationships with these vendors. The appearance of conflict of interest and undue influence may have existed due to multiple instances of lack of recusal and continued presence and participation in meetings involving discussions about the Club and various vendors from the list. Testimony and minutes confirmed the Trustee's abstention from authorizing warrants to those vendors and the Club. Testimony also confirmed the Trustee/Club Board

member remained in the District Board chambers during many of those discussions, had access to construction plans and budget estimates of building projects, which could be interpreted as posing an undue influence on other Board members votes, among other concerns. The Grand Jury found no evidence of attempts to influence other Trustees or their votes or personal monetary gain, but due to the fact that the board member did not recuse from most discussions involving vendors serving both organizations, the appearance of influencing other board members remains.

Method of Investigation

Upon receipt of the complaint about the LUSD, the Grand Jury conducted more than a dozen interviews of Board Trustees, administrators, and the complainant. The Grand Jury reviewed over 400 pages of documentation including Board agendas, minutes, ASP grant applications, District Bylaws and Policies and Procedures. The Brown Act and the CDE regulations were studied for compliance. The Grand Jury also attended Board meetings.

Interviews Conducted

- All Lodi School District Board of Trustees
- Assistant Superintendents, administrators and program managers
- Complainant

Discussion, Findings and Recommendations

1.0 Conflict of Interest

The allegation of conflict of interest was the result of a Trustee's association with the Club, on which the Trustee also served as President of the Club Board. The Trustee also had associations with donors that were vendors of services and contractors with the District, among other relationships. After a review of applicable statutes with reference to conflict of interest, including the CDE statues 89905.5-89907, California Code of Regulations Title 2 Section 18730 adopted by the Fair Political Practices Commission and District Board Policies and Bylaw 9270 et al, the Grand Jury determined that the Trustee should have recused himself from discussion and removed himself, as well as abstain from votes for formal contracts and warrants for these vendors of the District.

Finding

The Board member abstained from voting on warrants for identified vendors when a conflict was determined; however many times he remained in the meeting when discussion was held on contract and other business with these identified vendors. Best practice based on statute indicates that there was an obligation to recuse as well, which did not consistently occur.

Recommendation

The District adopt and implement a policy for legal counsel review of any potential conflict of interest issues with the Trustees, on initial appointment/election of a Trustee

and on an annual basis. This review should include actions available to a Trustee to remove any appearance of impropriety including: divestiture; abstention; recusal; resignation and/or leave of absence from other positions and/or organizations.

2.0 Due Diligence regarding perception of telephone serial meetings.

The Grand Jury received testimony of telephone conversations between Trustees on multiple occasions regarding school district business. The Brown Act defines the conditions by which a meeting is defined and specifically exempts discussion between individuals of a legislative body from the open meeting requirements, 54952.2 (c) (1). A *serial meeting* is deemed to have occurred “either in person or by telephone or FAX or go-betweens, and constitutes a meeting if done to develop a collective concurrence as to action.” The courts have held that no formal action is necessary in order to have held a meeting in violation of the Act, *Frazer v Dixon Unified School District*, 18 Cal. App. 4th 781, 796-798 (1993). No evidence existed that these conversations involved influence for a particular vote or position on an action item, nor a quorum of the Trustees.

These conversations between Trustees were not clear violations of the Brown Act statute. But in testimony from Board members they could not confirm if the member who had called them had spoken to another Board member about that same subject. Additionally, several Trustees testified that they received calls from other Trustees, yet none acknowledged initiating any calls. The trustees that received calls would not or could not identify who was making these calls. This concerned the Grand Jury.

Finding

Multiple Trustees acknowledged exchanging telephone calls with each other about school district business prior to board meetings. None acknowledged initiating such calls.

Recommendation

Trustees and staff adopt policies to assure due diligence to understand, implement and follow the intent of the Brown Act, Board Bylaws, Policies, and Procedures of the District, to conduct the people’s business in public. The District would benefit from regular legal counsel training on the Brown Act and Board Bylaws to familiarize themselves with the requirements, at the beginning of each trustee’s term and at least annually.

3.0 Organizational complexity and barriers to effective programs

The District faced challenges of effective communication as departments/divisions tend to become “silos” of knowledge and information. During this investigation, it was difficult for the Grand Jury to ascertain a complete picture and factual information about the ASP and transportation. Specifically, Trustees, and administrative personnel from Business Services, Transportation and Educational Services hierarchy had little cross understanding of program issues, regulations, funding and compliance issues. This lack of a comprehensive view by Trustees and administrators responsible for the ASP and student transportation concerned the Grand Jury. In testimony given by each person interviewed along the chain of command, many

answers did not match up to give the Grand Jury an accurate picture of the program. It was determined that subordinate administrators and manager appeared to be doing their job adequately, but with incomplete information. Also concerning was the lack of any detailed understanding by higher ranking administrators for the programs under their administrative authority

Finding

District Trustees and administrators were allocating resources for an after school program with incomplete information and assumptions about the program, agencies involved and how their segment fit in with the overall plan. In some cases their impressions and understanding were incorrect.

Recommendation

The District develops specific plans to improve communication and collaboration among and between various levels of program and service administration. This will improve understanding and brainstorm alternatives. This will result in improved efficiency and aid each manager's depth of understanding when faced with managing diminishing resources.

Conclusion

The District has effective policies and procedures to assure student disciplinary due process rights.

The ASP is a vital part of instruction and learning enrichment for many students in the District and school leaders are commended for seeking grant resources for this program.

The District faces many challenges, including effective communication and program administration. District leadership and administration must formalize strategies for improved communication that would benefit the District.

The Grand Jury recognizes the importance of community minded citizens to participate in public governance to improve their communities, including District Trustees. Those citizens must review their elected job duties and practice due diligence to assure high standards to eliminate the appearance of or the possibility of impropriety.

The Grand Jury also recognizes that the Brown Act is quite complex and annual Brown Act training is essential to effective governance. The longer Trustees serve, the more important they have continuing training. Periodic formal reviews of the California Education Code and Board Bylaws by Trustees assure well informed community leadership.

Response Requirements

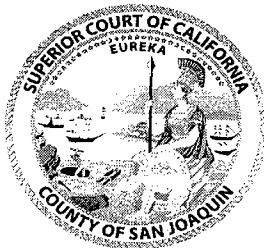
California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report is submitted to the Presiding Judge of the San Joaquin County Superior Court from Lodi Unified School District Board of Trustees by September 20, 2011.

Please mail or hand-deliver a hard copy of the response to:

Hon. Robin Appel, Presiding Judge
San Joaquin County Superior Court
222 E. Weber Av., Room 303
Stockton, CA 95202

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



OAK VIEW UNIFIED ELEMENTARY SCHOOL DISTRICT

2010-2011 Grand Jury Case No.0410

Summary

The Grand Jury investigated a citizen complaint alleging the non-recusal of a Board member on two incidents involving family members, failure to notify an employee of complaint action in closed session and improper notice/posting of agenda. Parents' attempts to address and resolve these issues have led to distrust of the school board. The Grand Jury found additional items of concern regarding the proper understanding of the Brown Act and Education Code related to action on closed session items.

Background

Oak View Unified Elementary School District is a K-8 rural school in a one school district. There are approximately 400 students in attendance. The District Superintendent serves as the Principal. At the time of this investigation, the board consisted of five Trustees: Carol Pehl, Jeanne Pearson, Greg Rauser, Mark Huft and Stan Seifert.

Method of Investigation

The Grand Jury interviewed Board of Trustees, administration, teachers, staff, and school parents. The Grand Jury reviewed District Policies, Procedures, Board Bylaws, The Brown Act, California Education Codes and other material relevant to the investigation. The Grand Jury attended several board meetings.

Interviews Conducted:

- All District Board of Trustees
- Superintendents
- School parents
- School teachers, administrators and support staff

Site Visited:

- Oak View Unified Elementary School

Issues

In the past 12 to 24 months, a group of parents has been going through a period of distrust of the school board. A letter presented on behalf of parents and community members at the May 22, 2010 board meeting expressed concern regarding a particular board member. The superintendent replied to the parents August 13, 2010; however, the parents were not satisfied with the response. The parents group felt a board member should have recused herself from all meetings involving a complaint against a teacher initiated by a family member. Parents expressed concern the teacher involved in the complaint did not receive proper notification by the board of the closed session meeting. In the second incident parents expressed concern over the hiring of a family member of this same board member.

Discussion, Findings and Recommendations

1.0 Improper/Inaccessible Agenda Posting, Brown Act Violation Section 54954.2

Grand Jury members checked for posted agendas and found one on the gate post at Dustin Road. In the evening the gate is closed and found to be inaccessible to the public. The plastic cover was dirty causing the agenda to be unreadable. No other agenda was found posted on the school grounds.

Finding

The posted agenda was found inaccessible.

Recommendation

Post the agendas in more than one location and make sure they are publicly accessible and of a size that it is legible.

2.0 Violation of Education Code Section 35146

Education Code Section 35146 is the authority to go into closed session regarding student suspensions. Upon review of board agendas, “student suspensions” were listed 23 of 24 times. Witnesses confirmed that the board has gone into closed session under “student suspensions” and discussed items not on the agenda. Topics discussed were: the new multipurpose building, general business and personal matters.

Finding

The Board convened into closed session, under “student suspensions”, and discussed business not on the agenda.

Recommendation

Conduct training for all Board Members on appropriate laws specific to closed session meetings. List on the agenda only those business items to be discussed in closed session.

3.0 Brown Act Violation Section 54957.7(b) Failure to reconvene back into open session

Witnesses testified that the board convenes into closed session, and adjourns without reconvening into open session. Members of the Board testified that if they did not vote on an item, there was no need to go back into open session. Witnesses confirmed this occurs on a regular basis and no attempt was made by the board to advise the public of the adjournment.

Finding

The board regularly goes into closed session and then adjourns without reconvening to public session.

Recommendation

Participate in annual Brown Act Training with emphasis on closed sessions procedures. The board reconvene from closed session back into open session at all meetings pursuant to the Brown Act.

4.0 Sign- in Sheet

Grand Jurors attended several of the Oak View School Board Meetings and were asked to sign in. It is not mandatory to sign in to attend the meeting. This is not a Brown Act Violation but as a “best practice,” a sign- in sheet should state “voluntary” to avoid any confusion.

Finding

Board members and staff passed around a sheet requesting members of the public to sign in before the meeting.

Recommendation

Prominently indicate “voluntary” on the sign-in sheet.

5.0 Perception of Conflict of Interest

A complaint was received alleging a board member had a conflict of interest for failing to recuse herself in two incidents involving a family member and a “relative”. In one incident, the Oak View School Board allowed a citizen who is related to a board member into a closed session meeting regarding a harassment issue involving the citizen’s wife and another teacher. In another incident the same board member was reported to have voted to hire a “niece” for a teaching position. The relationship was through marriage, and the marriage had dissolved. The perception of the community is that conflicts of interest were occurring thus leading to the Grand Jury investigation.

Finding

In the first closed session incident a family member was allowed into this session. This violated Oak View Board Policy 1321.1 Community Relations by allowing the family

member into the closed session meeting without first giving the superintendent/principal adequate time to resolve the complaint. Further, a closed session should only be attended by board members and essential support staff. Persons without an official role should not be present, otherwise it becomes a “semi-closed” session where some members of the public are allowed and some are not. The second incident, the “niece” was not related and not a violation. The community’s perception was that the “niece” was in fact related to the board member which would have been a conflict of interest. The perception of conflict of interest was real and the board member should have recused.

Recommendation

Develop and implement a board policy addressing recusals when family members and friends are involved.

6.0 Brown Act Violation Section 54957.2 Improper Notification

The husband of an employee of Oak View School wanted to address a personnel issue at a board meeting on behalf of his wife against another employee. Brown Act Section 54957.2 states the employee who is subject to a complaint must be notified in writing 24 hours before a board meeting. The employee stated she was not notified in writing.

Finding

The employee who was the subject of the complaint was not notified in writing of the board meeting.

Recommendation

Provide Brown Act training with emphasis on section 54957.2 pertaining to notification.

Conclusion

The Grand Jury is concerned that this board does not conduct the public’s business with transparency. While some of the allegations in the complaint were not found to be violations of the Brown Act, it was the perception of the parents and community that misconduct was occurring within the board. All board members need to be acutely aware of the perception their actions may cause.

Disclaimer

One Grand Jury member did not participate in this investigation due to a perceived conflict of interest.

Disclaimer

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924.1(a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929)

Response Requirements

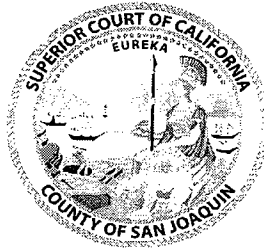
California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court from Oak View Union Elementary School District Board of Trustees by September 20, 2011.

Hand Deliver or mail a hard copy of the response to:

Honorable Robin Appel, Presiding Judge
San Joaquin County Superior Court
222 East Weber Ave, Room 303
Stockton, California 95202

Also please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



FRENCH CAMP/MCKINLEY FIRE DISTRICT

2010/2011 San Joaquin County Grand Jury Case No. 0510

Summary

The 2010/2011 Grand Jury investigated a citizen complaint alleging misconduct within the French Camp/McKinley Fire District (District). The Fire District Board initiated an investigation into the Fire Chief and Assistant Fire Chief. The Fire Chief was subsequently demoted from his position. During the course of the investigation, the Grand Jury received additional complaints alleging: unlawful audio taping of a meeting, removal or destruction of personnel records, and Brown Act violations.

Background

French Camp/McKinley Fire District is a small fire district with a large geographic area as well as complex fire response responsibilities. A large part of the District encompasses the San Joaquin County Hospital, the San Joaquin County Jail and several of the Delta island properties.

The District has two (2) regular employees, ten (10) contract fire fighters, and one (1) volunteer fire fighter. The District has a budget of \$896,980.61 for fiscal year 2010/2011.

The District has a five (5) person Board of Directors (Board). At the beginning of the investigation the Board consisted of: William Smith, Bob Pico, Henry Long, and Doug Beckwith. Albert Pagnucci had recently resigned his seat. The San Joaquin County Board of Supervisors appointed Gorman Houbein to replace Mr. Pagnucci when the Board could not come to a decision for a replacement. After the November 2010 election, the Board Members are: Bob Pico, Doug Beckwith, Gorman Houbein, Brandon Burlingame, and Serina Lee.

Issues

The 2010/2011 Grand Jury began this investigation from a citizen complaint alleging an improper notification of a Board investigation against two employees. The complaint alleged

because of the investigation an employee was not given the promotion that had been promised. With the investigation on-going, several more complaints were received alleging: illegal taping of a private conversation, documents were being removed from the fire station and ultimately destroyed, and several Brown Act violations.

Method of Investigation

The Grand Jury interviewed several Board members. The jury also interviewed the complainants and the retired Fire Chief. Also reviewed were: the Policy and Procedures manual, the Fire Fighters Bill of Rights, the Fire Districts Association Administrative manual, and the current budget.

Materials Reviewed

- Policy and Procedures manual
- Fire Fighters Bill of Rights
- Fire Districts Association Administrative manual
- 2010/2011 French Camp/McKinley budget

Interviews Conducted

- Complainants
- Board members
- Retired Fire Chief

Sites Visited

- French Camp/McKinley Fire Station
- San Joaquin General Hospital for Board meetings

Discussion, Findings and Recommendations

1.0 Violation of Government Codes 3253 and 3254

An investigation was initiated by the Board against the Fire Chief and the Assistant Fire Chief. Neither of the employees being investigated was properly notified before being interrogated regarding the investigation. The Fire Chief was temporarily demoted from his Chief position.

Finding

The Fire Chief and the Assistant Fire Chief were not properly notified before being interrogated regarding the investigation. This is a direct violation of Government Code 3253. It was further determined that the removal of the Fire Chief from his position was also in violation of Government Code 3254.

Recommendation

The Board must develop policies and procedures for issuing an investigation that do not violate government codes. Proper notification within the law must be observed.

2.0 Unresolved investigation

The investigation into the new Fire Chief and the retired Fire Chief has taken several months. Government Code Section 3254 determines that any punitive action has a one-year limitation on any investigation exceeding one (1) year. The Board must move quickly to resolve the issues in this investigation to meet the proposed time frame. It could be quite limiting for the new Fire Chief to have this investigation “hanging over” his head.

Finding

The initial investigation of the new Fire Chief and the retired Fire Chief is on-going after more than eight (8) months.

Recommendation

The Board of Directors must resolve this investigation within the next four (4) months or no punitive action can be taken. For the good of the department, the Board must conclude this investigation quickly.

3.0 Tape recording of a meeting

Finding

A meeting between a Board Member, the Fire Chief and the Assistant Fire Chief was recorded by the Assistant Chief. Although the Grand Jury could not find any law which requires notification of recording, best practices would dictate that all present for the meeting be notified. The recording device being in plain sight does not constitute notification.

Recommendation

Develop a policy mandating notification of recording to all participants in meetings.

4.0 Removal or destruction of personnel records

Finding

The Grand Jury found no evidence of either removal or destruction of personnel records. General office purging was performed.

Recommendation

When clearing paper for reasons of efficiency and space, two (2) people should be present so that nothing is destroyed that might be questioned.

5.0 Brown Act violations

During several Board meetings of the original Board, the Grand Jury witnessed violations of the Brown Act including: not posting an agenda to a Board meeting and closed session; not notifying disciplined personnel of impending action by the Board; voting on non posted agenda items. The original Board moved quickly to correct these violations. The new Board takes Brown Act violations seriously and is working hard to learn the rules surrounding Brown Act. The Grand Jury witnessed some confusion in the conduct of meetings. Training on Roberts Rules of Order would be helpful.

Finding

The Grand Jury witnessed violations of the Brown Act by the initial Board of Directors which included: closed session agenda posting (54954.2), proper notification (54957), and public voting (54953 (c)). However, with help from the Districts counsel, the Board took immediate action to correct these violations.

Recommendation

The Board of Directors shall conduct Brown Act training on an annual basis or within two (2) months of the election of new members. Basic training on common Roberts Rules of Order is recommended.

Disclaimer

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Response Requirements

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court from French Camp/McKinley Fire District Board of Directors by September 20, 2011.

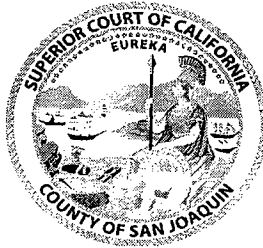
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222 E. Weber Av., Room 303
Stockton, CA 95202

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at

grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



STOCKTON FIRE DEPARTMENT

MINIMUM STAFFING

2010/2011 San Joaquin County Grand Jury Case No. 0610

Summary

The Grand Jury reviewed minimum staffing levels of the Stockton Fire Department to determine at this time of fiscal instability if a cost savings could be achieved. Measure H was a contentious ballot measure that overwhelmingly passed in November 2010, enhancing the City of Stockton's position in dealing with the fire department. Local agencies are browning-out stations and equipment, unions are being asked for further concessions and cities are facing deeper budget cuts. The Grand Jury investigated cost savings to the City of Stockton by eliminating one firefighter from each engine and truck. These eliminations would align staffing levels consistent with surrounding cities and regions, with a minimum cost savings of \$5,000,000 to \$7,000,000.

Glossary

- **Apparatus:** Fire engines and trucks
- **Fire Engine:** A fire suppression vehicle that has a water pump and is designed to carry hoses and a limited supply of water.
- **Fire Truck:** A fire suppression vehicle that carries ladders and tools necessary for a fire scene. The truck is responsible for ventilation of a structure on fire.
- **Structure Fire:** Fire involving the structural components of various residential or commercial buildings i.e. single family homes, townhomes, apartments, malls and high-rise buildings

Background

The Grand Jury reviewed the fiscal impact of Stockton Fire Department's minimum staffing levels on engines and trucks. The cities of Tracy, Manteca, and Lodi staff apparatus with three firefighters compared to Stockton staffing engines with four (Captain, Engineer and two firefighters), and trucks with five (Captain, Engineer and three firefighters). The Stockton Fire

Fighters Union has publicly announced their unity in sustaining the minimum staffing that is currently in place for the safety of the firefighters and citizens. During the course of the investigation, the Grand Jury found that approximately 3.5% of the calls for service to Stockton Fire are in fact fires, and approximately 77% are emergency medical calls. (See Table 1). This is consistent with the national trend of fewer fire-related calls and more medical emergencies.

Every fire chief in the country would embrace four firefighters on the engines and five on the trucks, but in reality the cost to sustain those firefighters must be addressed at a time when cities are planning deeper cuts to city services to balance the budgets.

TABLE 1
Calls for Service – Stockton Fire Department

	2008	2009	2010
Structure Fires	536	476	381
Vehicle Fires	362	365	296
Brush/Grass Fires	564	451	462
Chimney Fires	12	15	11
Total Fires	1,474	1,307	1,150
Fire Alarms	2,258	2,138	1,620
Vehicle Accidents	2,138	2,032	1,709
Miscellaneous	3,581	3,269	3,032
Total Other Services	7,977	7,439	6,361
Emergency Medical Services-EMS	27,583	28,982	25,225
TOTAL CALLS FOR SERVICE	37,034	37,728	32,736

*Statistics provided by Stockton Fire Department

Method of Investigation

The Grand Jury surveyed local fire agencies for information regarding staffing, salary costs, budget, paramedic services, firefighter injuries and the number of calls for service. The Grand Jury interviewed the Chiefs of Stockton, Tracy, Manteca and Lodi.

Materials Reviewed:

- City Memorandums of Understanding (MOU) and budgets
- Data provided by agencies
- Measure H campaign literature
- Newspaper articles

Discussion, Findings and Recommendations

1.0 Minimum Staffing

The cities of Tracy, Manteca and Lodi staff fire engines and trucks with three firefighters each. Stockton's current MOU requires a staffing level of four firefighters to an engine and five firefighters on a truck.

OSHA Standards "Two in Two Out" requires two firefighters outside for two firefighters inside an immediately dangerous to life or health environment (IDLH). When a structure fire is reported in Stockton, the initial first alarm assignment is three engines, (12 firefighters), two trucks (10 firefighters), a mobile command unit, and both on-duty battalion chiefs. One engine is intended as a safety resource and the second arriving truck company establishes a Rapid Intervention Team (RIT) intended for firefighter rescue. The OSHA standard for Stockton is the same for Manteca, Tracy, Lodi, Fresno and Fremont, yet all these communities have staffing of three firefighters on engines and trucks.

Stockton's fire union compares several Northern California cities in examples to justify current staffing ratios, including Oakland, San Jose, and San Francisco. However, Stockton has more in common with other cities in San Joaquin County, than with San Jose, San Francisco, and Oakland. These cities are significantly larger than Stockton. Their region has residential areas in the hills, creating unique firefighting issues. They also have many high rise buildings, international airports, major warehouse areas and densely populated cities. The City of Oakland currently has a supplemental tax (Measure Y, "The Violence Prevention Act") that augments firefighter staffing levels. Oakland's fire officials indicate they will be faced with reducing staffing when Measure Y sunsets in 2014. Similarly, the City of San Jose will be reducing truck staffing from five to four in July of 2011.

The Governor is proposing the states firefighting agency, Cal Fire, reduce their budget by \$30 million dollars for the fiscal year 2011/2012. Cal Fire responds to wild fires that frequently endanger many structures and densely populated areas. This will ultimately reduce the seasonal firefighter staffing from four to three on the engines. Table 2 shows a comparison of fire agency staffing locally and in surrounding communities.

TABLE 2**Engine and truck staffing in San Joaquin County and surrounding areas**

City	Population (not including contract cities)	Number of Personnel	Current Staffing Levels
Stockton	291,707	229	4/5
Manteca	69,000	42	3/3
Tracy	82,000	73	3/3
Lodi	63,000	59	3/3
Fresno	494,665	383	3/3
Fremont	214,810	161	3/3
Sacramento	466,488	634	3/3
Oakland	390,727	500	4/4/5*
San Francisco	805,235	1450+	4/5
Modesto	201,165	141	3/4
San Jose	945,942	629	4/5

Population figures from the 2010 census

*3 of 7 truck companies are staffed with five firefighters based on numerous high rise structures and densely populated areas.

Finding: Tracy, Manteca and Lodi Fire Departments safely staff engines and trucks with three firefighters each. Stockton staffs engines with four firefighters and trucks with five firefighters.

Recommendation: Reduce staffing on Stockton fire engines to three firefighters and trucks to four firefighters. Create a relief pool from the staffing reduction that would cover firefighters on leave rather than pay overtime.

2.0 Minimum Staffing Cost Savings**TABLE 3****Stockton Fire Department Salary and Benefits**

	Without Longevity		With Longevity (22 years of service)	
	Base Salary	W/Benefits	Base Salary	W/Benefits
Captain	\$ 91,656	\$ 171,960	\$ 102,204	\$187,764
Engineer	80,724	154,803	90,072	168,732
Firefighter	74,076	144,368	82,608	157,032

Stockton Firefighters are paid a base salary and are eligible for additional monthly salary increases depending on collateral duties, specialty assignments and higher education such as: paramedic certification receives a 6-11% increase in base pay, tiller operator receives a 5%

increase in base pay, haz-mat receives a 5% increase in base pay, having a basic or advanced certificates receives a 3-6% increase in base pay, an AA degree and above receives a 3% increase in base pay and the sum of these special pay increases could add an additional \$15,000-\$20,000 to their salary.

TABLE 4
Minimum Cost Savings

Base Top Step Firefighter Salary and Benefits without longevity	Reduced Positions	Number of Shifts	Minimum Savings
\$144,368	16	3	\$6,929,664

Cost Savings equals Base salary x reduced positions x number of shifts

Finding

The cost savings by eliminating one position from each of the Stockton Fire Department Engine and Truck Companies on all three shifts would be a savings of \$5,000,000 - \$7,000,000.

Conclusion

The Grand Jury believes the residents of Stockton would continue to be safely served with the reduction of one firefighter per engine and truck. This staffing would be consistent with surrounding agencies and counties. This limited action at cost containment would result in a savings of \$5,000,000 - \$7,000,000 annually.

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Response Requirements

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court by August 23, 2011 from the Stockton City Council.

Hand Deliver or mail a hard copy of the response to:

Honorable Robin Appel, Presiding Judge

San Joaquin County Superior Court

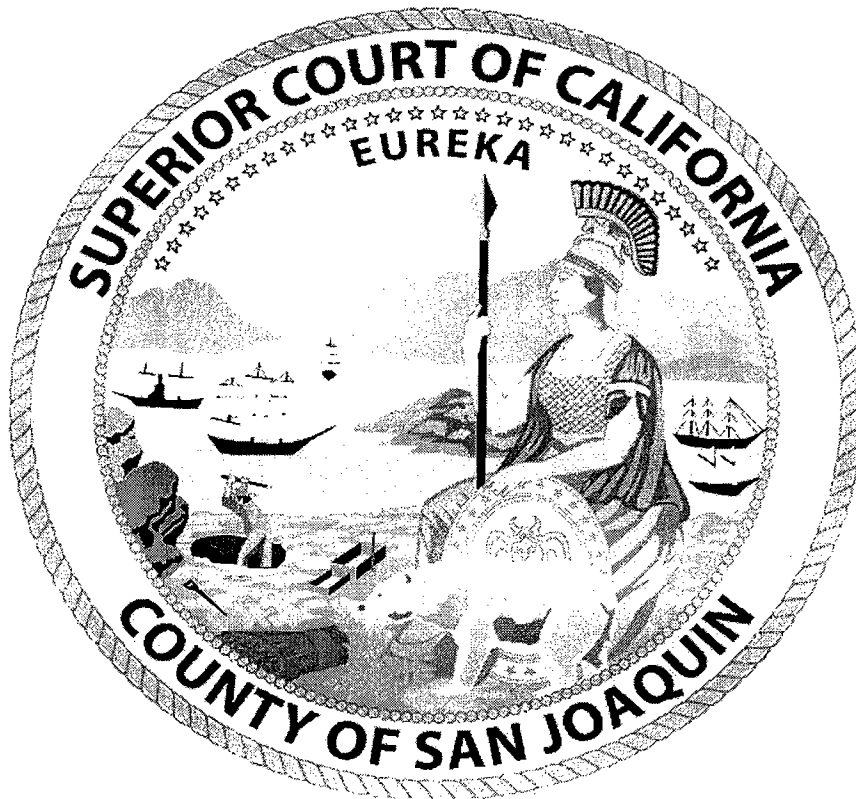
222 East Weber Ave, Room 303

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Also please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury

INFORMATIONAL REPORT



BUDGETARY IMPACT ON ADMINISTRATION OF JUSTICE IN SAN JOAQUIN COUNTY

EXECUTIVE SUMMARY

Public Safety is a critical component of an orderly and civilized society. The 2010/2011 Grand Jury met with municipal and county law and justice leaders about the concern of ongoing drastic reductions to budgets, personnel and services that ensure public safety in San Joaquin County.

- Communities in the County have experienced significant loss of personnel in law and justice agencies, ranging from 25-40% in the past three years
- More than 4,000 gang members reside in the County and are a significant source of violent crime
- Police gang units have been reduced or eliminated due to lack of resources
- Homicides increased 244% in Stockton in the first six (6) months of 2010, compared to the same time period in 2009
- Significant reductions of fiscal and human resources have led to reductions in arrests, prosecutions, adjudications and punishments of criminals in San Joaquin County

Areas in the county have had long-term socio-economic forces that complicate a just system of law and order in society. Police agencies become the social service agency of last resort during severe economic constraints on governmental services. Reductions in the law and justice system lead to less prevention, detection, and adjudication of criminal activity.

Stockton has a persistent violent crime rate of more than 300% of the state and national averages. In 2006, Stockton Police Department commissioned a research study directed at preventing violent street crime. The study provides critical analysis and insight into the problems facing Stockton. The serious implementation of the recommendations would likely have a positive impact on critical dynamics of crime, law and justice in the community. One of the most critical recommendations included increasing the ratio of the police force to near national recommendations. In actuality, modest police force increases, with appropriate leadership and direction, have been shown to significantly impact crime. The challenges facing each law and justice agency in the county are detailed in the discussion section, along with various demographic data of each community.

The Grand Jury found that agencies, public representatives and administrators are approaching the challenges facing law and justice in a constructive manner. They are approaching the difficult task as opportunities to think creatively, change significant operational priorities, and consider alternative to service models.

There are risks other than public safety affected by a reduction of staff and funding in the justice system. It is clear that residential and commercial property values are lower. New business and industry are less likely to locate in less safe communities. Higher unemployment could be an outcome from these situations. Less safe communities have high emotional and physical damage, and obviously the chances of becoming a victim of crime are much higher. It is also clear that it is up to each citizen of the community to embrace and value the potential of each person and the community. There needs to be active citizen involvement of time, energy and resources to support the success of the community, find opportunities for the challenges facing the community and not just expect government and elected officials to be able to accomplish the changes that are needed without active involvement of citizens.

2010/2011 San Joaquin County Grand Jury Case No. 0810

Summary

This report is intended to inform residents of San Joaquin County about the changes to essential services, reductions in workforce, and budget constraints affecting public safety. While there may be weak signs of economic recovery at a global level, California's economy is less than "golden". City and county government is still facing unknown fiscal impact from future state and federal budget decisions for fiscal 2011/2012.

Public safety is a critical component of an orderly and civilized society. San Joaquin County public jurisdictions have been under increasing budget management pressure to secure sufficient resources to deliver an acceptable level of service. The need to continue to reduce budgets, personnel and services over the past several years threatens the ability to ensure public safety in the present fiscal climate.

Law and justice leaders throughout the County have prioritized limited resources and focused primarily on immediate threats to life and public safety. These changes lead to the implementation of "work-around" strategies by an overwhelmed workforce and a cascade of unintended consequences.

Background

During presentations about current operations, tours of facilities in the county and interviews, it became obvious to the Grand Jury that each agency will have to develop new strategies for service needs due to:

- Police agencies struggling to fill minimum staffing levels
- Police agencies eliminating or reducing most or all "proactive policing units" such as community school resource officers and those focused on criminal activity for drug, gang, and auto theft
- Community Accountability Program is now used for low level misdemeanor offenders by the District Attorney's Office
- Sheriff Dept closing housing units at the honor farm
- Juvenile Probation Detention eliminating 30-bed-housing unit due to budget cuts

The Grand Jury met with leaders from each municipal and county law enforcement agency, the offices of the District Attorney, the Public Defender, Lawyer Referral Service, and detention facilities in the County.

Glossary

Work-around	A strategy that bypasses a recognized problem in a system with a temporary, creative and “outside-the-box” solution. Typically placing pressure on a workaround may result in later failures in the system
Part 1 Violent Crime	Homicide, Rape, Robbery and Aggravated Assault, commonly referred to in the Uniform Crime Report as Violent Crime
Broken Window Theory	A hypothesis by George Kelling asserting that addressing minor quality of life offenses that contribute to public disorder, would prevent more serious crimes from being committed
DOJ	United States Department of Justice
FBI	Federal Bureau of Investigation, a branch of the DOJ
UCR	Uniform Crime Reports, statistical data published by the DOJ, FBI
Type 1 Jail	“A local detention facility used for the detention of persons for not more than 96 hours, excluding holidays, after booking”, as defined by California Code of Regulations, Title 15
Priority 3 Calls	Non-emergency calls for police service, also known as “cold calls”

Issues

It would be simplistic to assign the origin of the current economically challenging situation to revenue shortfalls resulting from a collapsed banking and housing market alone. Inefficiencies exist in all branches of government. Rapid advances in technology and information services require continuous costly capital improvements. Negotiated public employee benefits have reached unsustainable long-term commitments of resources. These are only a few of the economic precursors to the current situation in which San Joaquin County finds itself.

Other factors affecting leaders’ decisions include the 2010 data about the County having the:

- tenth highest state unemployment rate (18.3% vs. 9.6% statewide)
- seventh highest rate of home foreclosures in the nation
- persistent reductions in property value (67% since 2005)

These factors, in conjunction with a weak business climate, have contributed to reductions of:

- property values
- residential and commercial property tax values and revenues
- sales tax revenues

This investigation focuses on key elements of the law and justice system and may appear to primarily address law enforcement, because policing is the entry point into the criminal justice system in most instances.

The Nature of Policing and Crime – The Social Service Agency of Last Resort

Stockton is the only city in San Joaquin County with a population in excess of 100,000. The US Department of Justice (DOJ), Federal Bureau of Investigation (FBI) maintains national crime statistics on all cities and posts those with a population of 100,000 or more. According to data derived from the FBI Uniform Crime Report (UCR) for 2009, Stockton ranked second in California and 14th in the nation for Violent Crime in cities with populations over 100,000 (see Tables 1, 2 and 3). Comparisons of the first six months of 2010 with the same time frame in 2009 reveal significant increases in every indicator of violent crime. Most striking is homicides increased from nine (9) in 2009 to 22 in the same period of 2010, a 244% increase in that single category. Local crime rates should concern the average citizen of the County.

TABLE 1
Stockton Crime Rankings
 Compared to US Cities Over 100,000 Population
 from data reported to
 Department of Justice, FBI Uniform Crime Report
 January 1-December 31, 2009*

	CALIFORNIA	RANK IN U.S.
Violent Crime-combined rate	2 nd	14 th
Homicide	9 th	60 th
Rape	23 rd	154 th
Robbery	3 rd	32 nd
Aggravated Assault	2 nd	13 th

*last complete year of data

TABLE 2
Stockton Property Crime Rankings
 January 1-December 31, 2009*

	California**
Property Crime-combined rate	2nd
Burglary	3rd
Theft	3rd
Stolen Vehicles	9th
Arson	47th

*last complete year of data

**national rankings are not reported for property crime

The Grand Jury reviewed research and studies about the prevention of violent crime and the relationship of police staffing levels to the reduction of crime (see Bibliography). There are

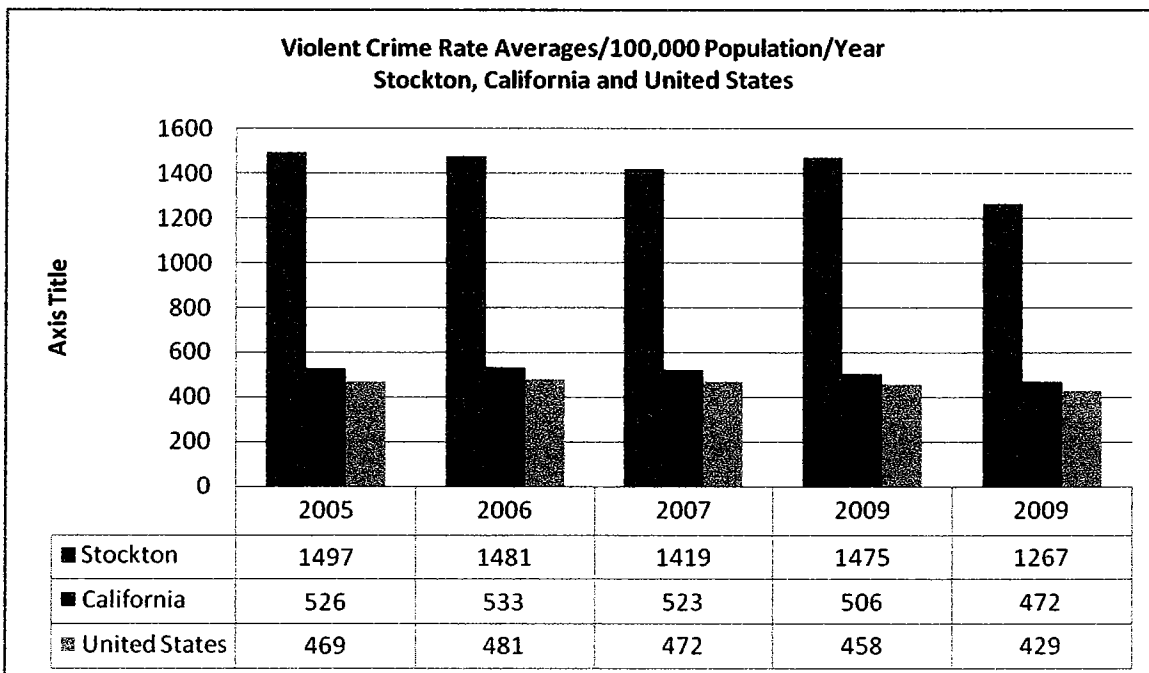
numerous research theories and models in the literature, and only a limited few will be discussed in this report.

A number of studies (Corman and Mocan 2000; Marvell and Moody 1996; Vollaard 2005) all examined crime over long periods of time, and found that modest increases of five to ten percent in the number of police officers, with the right leadership and direction, lead to reductions in crime and nuisance in communities. When communities are faced with severe reductions in public funding of health and human services and programs, including mental health, street youth program and public housing programs, the police become the social service agency of last resort, dealing with street disorder and associated crime. Socio-economic stressors of a community significantly contribute to crime rates of the community

Preventing Violent Street Crime in Stockton -2006 Study

Stockton has persistently maintained an average rate of violent crime that is at least 300% of the national and state average. In 2006, the City of Stockton commissioned a study "*Preventing Violent Street Crime in Stockton, CA*" by Anthony A. Braga, Ph.D. Dr. Braga is a Senior Research Associate in the Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University. In 2004 and 2005, Stockton was identified as the most violent city in California with a rate of 1,362 violent crimes per 100,000 residents based on the FBI Uniform Crime Reports. The Stockton study is definitely a study that should be revisited by elected officials, city leaders and interested community members throughout the county. Recent trends in reported rates of crime in Stockton compared to California and national average rates of crime can be seen in Table 3.

TABLE 3
Violent Crime Rate Averages/100,000 Population/Year
National Stockton and California



Dr. Braga is well known for his research in and publication of *Problem-Oriented Policing and Crime Prevention*, Criminal Justice Press, 2002. He has an impressive resume and history of consultation, designing and implementing problem-oriented policing strategies. One study involved reducing youth homicide in Boston by two-thirds during the mid to late 1990's. The model helps bridge a gap between research in criminology and local police practices. The model stresses the need to build on the institutional capacity within policing to engage in in-depth research that translates into improved police practices and outcomes. When experienced officers become focused on and target certain crime problems in the community, significant results occur to reduce violent crime. Examples of where investment of police resources reduces criminal activity include targeting: neighborhoods and places where crime frequently occurs, high-activity repeat offenders, and protecting repeat victims.

In the Stockton study, Dr. Braga started by systematically analyzing the nature of violent crime in Stockton. He then provided recommendations to the challenges and opportunities facing Stockton. He found Stockton shared similarities with other cities. Violent crime was highly concentrated among a small number of "hot spot" locations and highly-active gang-involved offenders. He also found a wide range of rates of violent crime when data was disaggregated by category of violent crime (homicide, rape, robbery, etc.). He initially focused on Homicide, not only because of its severity, but because it is a fairly reliable barometer of all violent crime. It is also the most reliable reported crime across the nation. Among his findings: most homicides were gun related, offenders and victims shared similar characteristics including 70% with a history of at least one prior arrest, and more than half were gang members. At the time of the study, Stockton had more than 40 street gangs, with estimated membership between 2,507 and 2,813. While they represented a small percent of Stockton's residents, they were generating a large share of violent crime.

Dr. Braga also found the Stockton Police Department (SPD) had developed a series of violent crime reduction responses that were based on national best practices for strategic crime prevention. He also found the command staff had made earnest efforts to maximize their ability to prevent violence despite very limited resources and persistent urban problems.

Key recommendations included:

- Increase the number of authorized full-time sworn officers closer to the national average for similar sized populations. The recommended force number at the time of the study was 550 sworn officers. Also required were increases of support staff and supervisory positions. (Note: In 2010, there are currently 342 sworn officers in Stockton Police Department).
- Until the force could increase to appropriate size, the City and SPD should maintain the hot spot policing programs at original levels.
- Continue to focus on hot reporting districts by maintaining an increased presence and community policing, to maintain short-term crime prevention gains in targeted neighborhoods.
- Expand the number of officers dedicated to preventing gang violence. The mission should more closely adhere to an approach that combines enforcement, prevention, and intervention to proactively prevent gang violence. Collecting and analyzing intelligence and crime data must be an important component of gang violence prevention efforts.

- The Operation Peacekeeper initiative must be reinvigorated.
- The City of Stockton hire additional gang outreach workers to provide gang-involved youth and their families with opportunities and services.

Best Practices in Police to Population Ratio's

The U.S. Department of Justice, Bureau of Justice Statistics, issues highly reliable data on state and local police personnel throughout the U.S. These survey results represent national averages of sworn officer to population. These statistics are recorded based on community size. Decisions regarding staffing and deployment of police personnel are variable based on needs assessed within each local community. Table 4 is included as a point of reference in comparing the communities in San Joaquin County with nation-wide averages for communities of similar size.

The last time a comprehensive national survey was completed of the ratio of sworn officer to population was 2003. This period of time was relatively stable economically, compared to the past three plus years of economic stress on government services. Police force staffing more likely reflected what was reasonable for communities, and provides a poignant point of reference and contrast to current ratios.

A metropolitan area the size of Stockton has a national comparison ratio of 2.5 sworn officers to 1,000 residents. Stockton has a current ratio of 1.1 per 1,000 population, 44% of the average national force. This is prior to the impending budget and personnel cuts expected for the 2011-2012 fiscal year.

TABLE 4
Ratio of Sworn Officers to 1000 Population
San Joaquin County Total Population 674,860 - 2010 Census Data

Agency	Population 2010 Census	Officer to 1,000 Population Ratio 2010	National Average 2003 Officer to 1,000 Population Ratio*
Escalon	7,132	1.1	2.2
Lathrop	18,023	1.3	2.0
Lodi	62,134	1.2	1.8
Manteca	67,096	0.89	1.8
Ripon	14,297	1.5	2.0
San Joaquin Sheriff	133,687	0.90	1.9
Stockton	290,409	1.1	2.5
Tracy	82,082	1.0	1.8

*latest available data

Method of Investigation

Materials Reviewed

- San Joaquin County Budgets, Law and Justice
- City of Stockton Budgets, Law and Justice

- Crime Data from each City and the County of San Joaquin, 2005-2010
- U.S. Department of Justice, Federal Bureau of Investigation- FBI Uniform Crime Reports, 2005-2010
- Various research studies and surveys

Interviews Conducted

- San Joaquin County Sheriff and leadership staff
- Chiefs of Police of the Cities of Escalon, Lathrop, Lodi, Manteca, Stockton and Tracy
- Law Enforcement Officers on Ride-a-Longs by the Grand Jury members
- Mayor of the City of Stockton
- City Manager of Stockton
- Senior Deputy County Administrator
- District Attorney
- Public Defender
- Representative, Lawyer Referral Services
- Representative, San Joaquin Bar Association

Resources and Website Resources

- www.popcenter.org/library/reading/pdfs/braga/pdf
- www.stocktonpoa.com/Braga_Report.pdf
- www.policeforum.org
- www.springerlink.com/content/g54255r76x275806/
- www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/preliminary-crime-in-the-us-2009
- www.theiacp.org/LinkClick.aspx?fileticket=LF7xdW11tPk%3d&tabid=87

DISCUSSION

Law and Justice in San Joaquin County

The Grand Jury has attempted to summarize each agency's challenges for their specific community and mission, within the context of comparable demographics. Additionally, the impacts of budget and personnel cuts are noted, as well as trends in crime reporting.

SAN JOAQUIN COUNTY SHERIFF/CORONER, Unincorporated areas

San Joaquin County is 1,400 square miles with a total population of approximately 674,860 residents. There are about 133,687 people living in the unincorporated areas of the county, served by the Sheriff's office. The San Joaquin County Sheriff has numerous mandated service missions. These programs have experienced budget cuts of \$28,000,000 over the past three years. The following programs have been seriously impacted by reductions in money, personnel or both: Boating Patrol, Mountain House community patrols, Patrol Division, Communications, Detectives, Records, Civil Division, Coroner/Morgue, Administration & Support Services,

Lathrop City Police contract, Court Services, Custody (Jail), Supervision of Custody Work programs, Public Administrator functions, Fish and Game, and Burials.

The jail facility serves as county intake center and provides for the detention of sentenced and unsentenced persons. Juveniles are not detained in the facility. The county jail currently has 1,380 beds. The jail population is averaging between 1,200-1,250 inmates in the jail compound and honor farm on a daily basis. The Sheriff is under court order for early releases when the population of the jail reaches capacity. AB 900 will fund construction of an additional 1,250 bed addition to the current jail. Officials are moving forward with the plans, but timelines have yet to be established. There may be insufficient funding to staff the facility.

The Sheriff's Office currently has 735 employees. Personnel reductions have occurred in the following areas:

TABLE 5
San Joaquin County Sherriff
Personnel Reductions by Service Area

Patrol	Detectives	Records	Morgue	Custody	Support Staff
-42	-8	-9	-1	-57	-4

An additional 11 allocated Correction Officer positions are vacant and unfunded and will likely be recommended for elimination. The Patrol Division has four vacant and unfunded positions that will also likely be eliminated.

TABLE 6
San Joaquin County Sherfff/Coroner
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests

SHERIFF	2007	2008	2009	2010*
Homicide	12	9	10	*
Rape	30	27	34	*
Robbery	234	205	195	*
Aggravated Assault	805	844	819	*
Calls for Service	69,631	77,049	83,901	86,912
Total Arrests	8,017	8,127	9,812	12,230
New Jail Bookings	2,769	2,776	2,914	3,167
Jail Daily Inmate Population	1,532	1,512	1,587	1,666

*Incomplete data available at time of report

CITY OF ESCALON

The City of Escalon has a population of 7,132 in two square miles. Escalon Police Department (EPD) laid-off a full time dispatcher and entered into a consolidation dispatching agreement with the City of Ripon Police Department. EPD acquired an additional sworn police officer through grant funding, making their police to population ratio 1.2 to 1,000, and reduced the Animal Control Officer full-time position to part-time due to budget constraints.

Escalon has a low crime rate compared to other cities in the County. The EPD has a total of eight sworn police officers and relies heavily on their 11 Reserve Officers. The Chief feels the level of staffing is adequate at this time and is able to maintain the same level of service to the citizens of Escalon.

TABLE 7
Escalon Police Department
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests

ESCALON	2007	2008	2009	2010
Homicide	0	0	0	0
Rape	4	0	1	3
Robbery	2	2	2	1
Aggravated Assault	19	24	16	12
Calls for Service	5,292	5,726	5,193	5,905
Total Arrests	470	478	418	308

CITY OF LATHROP

The City of Lathrop has a population of 18,023 in approximately 20 square miles. The Lathrop Police Department (Lathrop PD) consists of a contracted force provided by the San Joaquin County Sheriff's Department. Lathrop PD faced a 10% budget reduction in 2010/2011 necessitating the loss of four sworn deputies and one clerical position, with 23 sworn deputies remaining. The deputy to population ratio is 1.2 to 1,000. Lathrop has similar issues with gang and drug activity as other cities in the County. Currently there are 400 documented gang members in Lathrop. The Chief's challenges include being underfunded, understaffed and being unable to be pro-active in the community.

TABLE 8
Lathrop Police Department
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests*

LATHROP	2009	2010
Homicide	2	1
Rape	9	2
Robbery	21	25
Aggravated Assault	21	24
Calls for Service	17,757	16,291
Total Arrests	729	777

*Only two years of data available

CITY OF LODI

The City of Lodi has a population of 62,134 in 12.2 square miles. Lodi Police Department (LPD) has a staff of 36 full time and 6 part-time non-sworn and 73 sworn officers. Lodi has a ratio of 1.2 officers per 1,000 residents. LPD currently has 12 unfunded positions and 6

positions unfilled due to retirement. LPD operates a Type 1 jail facility which allows officers to remain in town booking subjects in their own facility.

According to LPD officials, the crime rate is down. A LPD study in 2011 found gang activity increased by 5% per year, and that gang activity is cyclical with peaks and valleys of gang violence. LPD wrote 203 reports related to gang violence in 2010. At one time, Lodi ranked as high as Stockton for vehicle thefts. In 2010, vehicle thefts declined 40%. Burglaries have increased 20% in the past year. LPD is facing a \$2,000,000 deficit for next year, if concessions are not agreed to with the various labor groups.

TABLE 9
Lodi Police Department
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests

LODI	2007	2008	2009	2010
Homicide	1	1	1	1
Rape	8	10	10	13
Robbery	77	92	107	113
Aggravated Assault	169	195	216	126
Calls for Service	57,457	56,424	54,096	52,251
Total Arrests	4,932	4,752	4,331	4,593

CITY OF MANTECA

The City of Manteca has 67,096 residents in 15 square miles and is a bedroom community for the Bay Area. The City faced a \$14,000,000 deficit for the 2009/2010 fiscal year. The Manteca Police Department (MPD) was significantly impacted by the downturn of the economy and the collapse of the real estate market. The City eliminated seven police officer positions that were at that time vacant or frozen and offered early retirement which resulted in the elimination of six more positions. The city further cut 16 police officer positions as a result of failed labor negotiations. Over a 14 month period, the police department was reduced from 83 sworn officers to 58. MPD now has an officer to population ratio of 0.89 to 1,000 residents.

Significant reductions in the Gang and Drug Suppression unit staffing were made, as well as traffic, detectives, and school resource officers. Aggravated assaults have increased 85 % in the City as a result of gang-on-gang violence. MPD has seen a decrease in arrests, including eight of 12 categories of Part 1 violent crimes, an overall reduction of 13.43% in felony crimes and 11.84% in misdemeanors. The Chief is making every effort to remain connected with the community despite the reductions of programs. The police need to be involved in the community outreach.

The department reorganized and shifted resources to accommodate the shortfall of officers and increased efficiency of Patrol Operations. Calls for service over the last five years have averaged approximately 36,000 annually. Community Service Officers and online reporting options handle Priority 3 calls (cold calls) so that officers are able to respond to priority emergency calls.

TABLE 10
Manteca Police Department
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests

MANTECA	2007	2008	2009	2010
Homicide	1	1	2	1
Rape	27	26	31	18
Robbery	72	81	85	71
Aggravated Assault	102	74	52	98
Calls for Service	38,412	37,279	35,334	33,634
Total Arrests	4,332	3,839	3,189	2,691

CITY OF RIPON

The City of Ripon is a community that prides itself with traditional values and low crime rates. The City currently has a population of 14,297 residents in five square miles. The Ripon Police Department (RPD) suffered a \$400,000 budget deficit which caused significant staffing and program reductions. RPD lost nine positions (5 sworn and 4 non-sworn) due to the budget and dissolved the following programs: Special Investigation Unit (Gangs/Narcotics), Police Activity League, Traffic Unit and National Night Out. At the present time, RPD has a sworn officer's force of 23 with an officer to population ratio of 1.5 per 1000.

TABLE 11
Ripon Police Department
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests

RIPON	2007	2008	2009	2010
Homicide	0	0	0	0
Rape	2	0	4	3
Robbery	5	4	7	4
Aggravated Assault	28	17	19	15
Calls for Service	11,930	13,032	12,856	11,617
Total Arrests	1,196	1,391	1,482	1,200

CITY OF STOCKTON

The City of Stockton is the county seat for San Joaquin County with a population of 290,409 residents in 54 square miles. Stockton Police Department (SPD) has suffered \$22,000,000 in budget cuts over the last two years and is faced with an additional \$13,000,000 shortfall for 2011/2012. A former 441 sworn officer force is now reduced to 342, prior to the impending \$13 million dollar shortfall for the next budget year. It is not certain which classifications of staff will be eliminated, nor the number. The sworn officer to population ratio is 1.1 to 1,000 residents.

SPD had to eliminate the following programs due to the budget crisis:

- Gang and Drug Missions
- Community Policing Officers
- School Resource Officer Program
- Downtown Bike Patrol
- Field Training Officer Program
- Background Investigations
- Camera Monitoring Program

The elimination of these programs was necessary as SPD had to reassign the officers to the patrol division to be able to staff the city sectors 24/7. Stockton has become a reactive response (call driven) agency, with proactive policing activities eliminated, except for a federal grant funded Gang Street Enforcement Team (GSET). There are over 2,700 street gang members in Stockton.

TABLE 12
Stockton Police Department
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests

Stockton	2007	2008	2009	2010
Homicide	29	24	33	49
Rape	105	112	82	107
Robbery	1,615	1,558	1,259	1,413
Aggravated Assault	2,467	2,628	2,329	2,464
Calls for Service	157,540	156,513	142,200	140,660
Total Arrests	22,854	22,862	18,475	13,407

The priority challenges for the SPD are:

- Crime
- Quality of life issues:
 - Neighborhood Services Role
 - Traffic Issues
 - “Broken Windows” Theory
- Dealing with Perceptions of Crime and Feelings of Lack of Safety

SPD has 30% fewer personnel than two years ago. Arrests are down 41% over 2008. 342 police officers in the City of Stockton are not enough to combat the gang, narcotic and associated crimes that Stockton has been experiencing, nor enough to connect with the community and foster a partnership for prevention of crime.

CITY OF TRACY

The City of Tracy has a population of 82,082 residents in 21 square miles. Tracy is a bedroom community to the Bay Area and has a low reported crime rate. The crime rate per 1,000 residents is 3.8, eighty percent (80%) property crimes and twenty percent (20%) violent crimes. Due to the 4.8 million dollar budget deficit, Tracy Police Department (TPD) has reduced sworn staff from 94 to 85. The ratio of officers to residents is 1.1 in the City. Thirteen (13) other positions have

been eliminated within the agency, specifically in Animal Control, Dispatch, Records and Community Service Officers. Currently the Chief's challenges are the fear of violence from the gang activity, and establishing funding for technology upgrades. The police department is seeking funding to target the elementary grade level students to steer away from gang life that has produced third and fourth generation gang members. TPD wants to work with teachers to better prepare them on what to look for in gang activity. The Chief feels Tracy is still a safe city.

TABLE 13
Tracy Police Department
Part 1 Violent Crime Statistics, Calls for Service and Total Arrests

TRACY	2007	2008	2009	2010
Homicide	2	0	5	4
Rape	3	4	4	9
Robbery	71	69	80	57
Aggravated Assault	61	59	80	65
Calls for Service	72,667	72,526	66,178	59,225
Total Arrests	4,458	4,325	4,266	3,361

SAN JOAQUIN COUNTY DISTRICT ATTORNEY

Budget cuts have caused drastic reductions in the District Attorney (DA's) Office personnel. In March 2009, the DA's Office stated their staffing was adequate for the mandate and missions of the agency. By July 2009, the DA's Office budget sustained a 15% reduction due to fiscal constraints in the County. By July 2010, there was another budget reduction of 26%. The County Administrator recommended a 10% reduction in net County cost for 2011-2012. This equates to approximately \$1.8 million budget reduction for the DA's office. In order to close the gap for 2011-2012, the DA will eliminate an additional five Deputy DA positions, the Assistant Chief Investigator, a Lieutenant Investigator, four Investigative Assistants, two Legal Technicians, and one Victim Claims Specialist. In addition, the DA will close the Lodi and Manteca offices saving approximately \$125,000 in lease and miscellaneous operating expenses.

State funds from vehicle license fees provide approximately \$500,000 to the District Attorney for prosecution expenses. The vehicle license fee is scheduled to sunset in July 2011. The Governor has proposed a ballot measure to extend and increase those fees. If the measure fails, the funds will be lost to the DA's Office this next fiscal year. Other revenue sources to the DA's Office include funds derived from investigations and prosecutions of fraud cases from environmental agencies, insurance companies, and Workers Compensation funds.

TABLE 14
District Attorney Staffing Levels 2006-2010

	2006	2007	2008	2009	2010
Deputy D.A.	83	89	89	77	67
Investigator	19	23	24	22	10
Clerical	39	43	41	38	32

The DA's Office is now faced with prioritizing "core obligations". Serious offenses, threatening immediate safety or life constitute "core" priorities. Fewer cases are being charged at the misdemeanor level. Those not charged are often referred to the Community Accountability Program for resolution. The right to a speedy trial is constitutionally guaranteed. Fortunately, for the criminals, the courts are seriously impacted as well, and criminals waive those rights frequently, as they are happy to wait.

SAN JOAQUIN COUNTY PUBLIC DEFENDER

The US Constitution, 6th amendment, guarantees the right to Counsel in criminal matters, among other guarantees. A Public Defender is a licensed attorney, assigned to represent people who are charged with a crime and who desire legal representation, but cannot afford to privately retain an attorney.

The Public Defender's Office successfully met the following challenges in 2009/2010:

- Appointed attorneys to three death-eligible special circumstance murder cases
- Re-assigned staff for pending serious felony trial cases
- Adjusted to modifications by Superior Court to "home court system"
- Re-arranged personnel from Manteca and Tracy and relocated offices

The current budget for the Public Defender is \$11,240,826, of which \$10,480,897 is salary and benefits. The total revenue received through fees and other revenue sources is \$3,456,924 leaving total net county cost of \$7,783,902. The Public Defender's Office budget was cut \$1,683,268 from the 2010/2011 budget. The budget decrease included the loss of 15 attorneys, two investigators and one legal technician. The budget cuts have caused the Office to declare itself unavailable in certain court caseloads, because of a lack of staff. The Office also no longer represents clients in expungements, sealing, Certificates of Rehabilitation, and does not participate in Homeless Court. New clients are not being accepted by the Public Defender in Lodi. All staff was previously withdrawn from circuit Superior courts, but has recently been reinstated in Manteca. The office has maintained representation in Civil Contempt, Probate Conservatorships, Guardianships, and Termination of Parental Rights. The Public Defender submitted four supplemental funding requests in spring 2010 to mitigate service reductions in 2010/2011 due to budgetary constraints. All were denied.

TABLE 15
Public Defender's Office Budget and Cases

	2008	2009	2010
Budget	\$13,389,506	\$12,924,094	\$11,240,826
Cases	27,315	26,253	20,558

LAWYER REFERRAL SERVICE

The Lawyer Referral Service (LRS) of San Joaquin County is a California State Bar certified voluntary program administered by the San Joaquin County Bar Association. LRS has operated

in the County since 1959. Of the 586 members-of the San Joaquin County Bar Association, 90 are qualified “panel” members, 56 are members of the Court Assigned Counsel (Criminal Law) Program. “Panels” are categories for which lawyers have experience, interest and expertise in crimes such as: misdemeanors, felonies, special circumstance cases, etc. There are several reasons for the County to contract to provide alternative legal counsel options in addition to the Public Defender’s office, as required by law. For example, if the Public Defender’s Office has a legal conflict in defending an individual, such as co-defendants in a criminal case, then the court assigns alternative counsel from LRS.

TABLE 16
LRS Budget and Expenditures

	2006/2007	2007/2008	2008/2009	2009/2010
Budget	\$3,393,810	\$4,064,208	\$4,567,484	\$4,781,028
Expenditures	\$3,374,777	\$4,042,591	\$4,354,481	\$4,355,252
Unbilled balance	\$19,033	\$21,616	\$213,003	\$425,776

During 2010/2011, LRS caseloads have increased over 380% due to the Public Defender’s Office reduction in services. In order to ensure the indigent in San Joaquin County have legal representation, additional funding is needed.

TABLE 17
LRS Budget and Cases

	2006/2007	2007/2008	2008/2009	2009/2010
New Cases	2698	2809	2068	7906
Additional Cases	-	111	-741	+5838
+/- percent from previous year	-	+ 4%	-35%	+382%
Budget	\$3,393,810	\$4,064,208	\$4,567,484	\$4,781,028*

***Note:** Due to increased caseloads, LRS has submitted a supplemental request to the 2010 budget in the amount of \$150,000 for funding through June 30, 2011

SAN JOAQUIN COUNTY PROBATION

In January 2011, California Department of Corrections and Rehabilitation announced “counties will assume supervision of state youthful offenders on Parole.” Under the terms of AB1628, The Public Safety and Rehabilitation Act of 2010, counties will gradually assume juvenile supervision over the next three years, and courts will establish the conditions for supervision, assuming that responsibility from the Juvenile Parole Board. The shift of parole supervision to the county reinforces a trend that gives local officials more responsibility for the rehabilitation of youth who live in their community. The question is what funding is the state going to give the counties to accommodate AB 1628? The Department of Juvenile Justice will continue to supervise 1,500 youth offenders currently on parole, but all offenders will be transferred to the county jurisdictions no later than July 2, 2014.

San Joaquin County Probation Department has dealt with a \$5,000,000 budget deficit by eliminating 42 positions within the Department. Officials are anticipating an additional five to ten percent cut to the 2011/2012 budget year. The Juvenile Detention Division was forced to close a 30-bed-housing unit due to staff and fiscal resources reduction. The capacity in that facility has been reduced from 180 to 150 beds.

The Adult Probation Division had to eliminate the Violent Crimes Unit and Minimum Supervision Unit due to budget reductions. The cascading effect of fewer police officers making arrests, fewer district attorneys charging and prosecuting crimes and fewer public defenders providing legal services to lower level crimes, has lead the Probation Department to anticipate a reduction of approximate 57% in the number of referrals received by the adult probation division in 2011/2012 as compared to the current year.

Failure of a probationer to report may result in a Violation of Probation charge which can lead to arrest. General conditions of Probation vary based upon the type of offense committed, and could include paying a fine, counseling, community service, drug testing, and suspension of driver's license, and admission to a drug and alcohol rehabilitation or jail.

The Probation Division has been working with Superior Court Judges to determine appropriate candidates for informal and formal probation.

- Informal probation means the defendant is not required to meet with a probation officer. The defendant is still responsible for following the terms of the probation and paying of all fines, but is not monitored.
- Formal probation is also known as supervised probation meaning the probationer meets with his/her probation officer once a month, which may include reviewing employment history, drug testing and other requirements of probation.

There are 14,840 adults and 1,847 juveniles on probation in the County. Half of all adults on probation have at least one outstanding warrant for their arrest for Violation of Probation. There are insufficient Probation Officers to locate and serve the outstanding warrants.

The Department of Juvenile Justice has closed eight facilities statewide since 2002, two in Stockton, and has realigned its staff to operate as cost effectively as possible. In June of 2011, Preston Youth Facility was closed in Ione to save approximately \$30,000,000 and reduced staffing statewide by 435 positions saving another \$30,000,000-40,000,000. These shifts of state responsibility to the county have not been defined with a funding source.

CONCLUSION

Agencies, public representatives and administrators are generally approaching the reductions in personnel, operations, and budget limitations in a constructive manner. Most agencies have approached these challenges as opportunities to think creatively, change significant operational priorities, focus on staffing for immediate safety needs, use forward thinking to consider alternatives including merger and consolidation with other agencies, etc. Most leaders are using evidence-based recommendations from research in public safety. Agencies have developed priorities and alternatives to traditional responses to the mandates of their agency.

Throughout the State, individual communities have responded to similar public safety concerns in a variety of ways. Some voters have approved local tax measures to maintain existing levels of service. In 24 counties, including San Mateo County, legal services for indigents are contracted with private groups for county public defense obligations. Some communities have moved to consolidate and merge smaller and larger agencies. Some counties have moved to plan regional type facilities, such as coroner facilities and jails. Almost all counties have sought labor concessions through negotiations.

What San Joaquin County elected officials and administrators will do in the immediate future to ensure the public safety of the communities of the County is unknown and uncertain.

More certain:

- Modest increases of police force size, with appropriate leadership and direction, lead to significant reductions in crime
- The community should concurrently encourage innovation and “outside-the-box” thinkers in all areas of our society, including: education, health and human services, youth services, employment, business and industry development
- Law and justice focus must be concentrated on gang activity
- Data does matter
- Perceptions of safety and community matter
- Negative notoriety matters
- The sick economy is not over yet
- We must redirect our “downward spiral” as a community
- The value and potential of this community must be actively embraced by citizens, not just government and elected officials
- It will take significant grass roots effort to improve quality of life issues for the entire community-it does “take a village”
- There are many examples of successful approaches and solutions to difficult community challenges

Citizens are encouraged to stay informed, involved in ways that bring passion, value, purpose and meaning to them personally, and represent their concerns and priorities to those who represent them.

DISCLAIMER

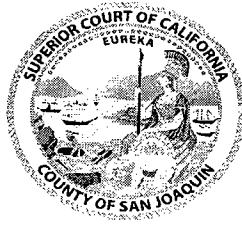
Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon the specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 991, 924.1(a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929).

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San Joaquin County Grand Jury



WOODBRIIDGE SANITARY DISTRICT

2010/2011 San Joaquin County Grand Jury Case No. 1110

Summary

The Grand Jury investigated Woodbridge Sanitary District (District) due to complaints received alleging various improprieties that included:

- Payroll fraud and fiscal mismanagement
- Falsifying State Water Resources Control Board records
- Harassment of employees
- Nepotism/Favoritism
- Lack of training for employees
- Lack of Board policies and procedures to the detriment of the District

Glossary

WSD	Woodbridge Sanitary District
Board	The elected body of Trustees of Woodbridge Sanitary District
Director	An individual elected Board member
GM	General Manager of the Woodbridge Sanitary District
SWRCB	State Water Resources Control Board
Operator	State licensed to operate wastewater treatment plants with varying classifications of license
OIT	A state licensed Operator-in-Training trainee accumulating 2080 hours of experience under reasonable oversight of a Certified Operator

Background

Woodbridge Sanitary District (WSD) in Woodbridge is a public district charged with maintaining the sewage and wastewater systems in the unincorporated Woodbridge area. The District has annual revenues of approximately \$376,000 and a staff of five to ten part-time employees. The sitting Board of Directors at the time of this investigation was: Harold Rohrbach, P. Richard Best, Glenda Wall, Dwight Langhoff and Douglas Colucci.

Issues

Payroll Fraud and Fiscal Management

According to documents and testimony, a WSD part time employee, on Social Security Disability, accumulated 36 hours of work, which if paid to him, could have impacted his benefit payment. These hours were recorded as compensatory time off (comp time) on his payroll records. In order to compensate this employee, the General Manager (GM) directed a check in the amount of \$1,260 be issued to another employee for 36 hours with the understanding that the money would be turned over to the original employee so that his benefits would not be adversely impacted. A witness brought this to the attention of the Board and no action was taken. The Board has not addressed the fraudulent payment.

Falsifying time records was an allegation in the complaint. In the review of time sheets it is impossible to verify anyone's time records. Every employee was asked to write in the time worked and turn in the sheet to the secretary for the payroll records. It was alleged that management is seldom on site to regulate or check the employee's actual time worked or to verify hours reported. There is no formal work schedule for employees. Employees are allowed to set their own schedule based on their individual needs.

The initial citizen complaint included an allegation of theft of district property by employees. Small and large power tools were continually missing from the storage trailer used by the district. In reviewing records kept by the secretary and credit card receipts, some of the same tools were purchased continually. There is no inventory system or sign out sheet to regulate the tools in the storage trailer, and every employee has access to the central storage trailer.

No purchasing control is alleged in the complaint. In the review of purchasing done by employees, it was found that most employees have a district issued credit card to purchase whatever they need to complete their job assignments. All purchases are approved after the fact as long as the cost is within the limit of the credit cards. Credit card purchases averaged \$2883 per month. Tools and equipment purchases averaged \$1595 per month.

The 2009 year-end audit, released in October 2010, performed according to Generally Accepted Accounting Principles by Croce & Company, Accountancy Corporation identified the following significant deficiencies in internal controls:

1. "The District does not have controls in place to monitor and authorize hours worked by District employees. Timecards should be reviewed and hours approved by management. Such approval should be evidenced by initialing the timecard."
2. "The District does not have controls in place over purchases with District credit card. Credit card purchases should be subjected to the same approval process as expenses paid by warrants. Credit limits should be evaluated and set annually by the Board of Trustees."

Falsifying State Water Resources Control Board Records

Falsification of State Water Resources Control Board (SWRCB) records was alleged in the complaint. The Grand Jury received testimony by employees regarding the falsification of water quality readings at the plant. Unlicensed employees performed specific water tests in the absence of the GM. The GM then signed off on all the reports that were sent to the SWRCB. Testimony indicated that readings were “adjusted” to be within the legal limits, when in fact, they exceeded the legal limits. Additional testimony uncovered that three spills were reported to the SWRCB and documentation in the WSD office indicated at least a dozen spills had been reported within the district by rate payers. Based on testimony from the SWRCB investigator and the definition of spills by their guidelines, these spills appear to fit the parameters of reportable occurrences.

The SWRCB cited the district for several violations: inadequate staffing, no equipment repair tracking and no maintenance and water sampling procedures. In addition a recommendation was made that the GM be on site 16 hours a week strictly for operator duties. Additional hours would be required for administrative duties and District management.

Harassment of Employees

The complainant felt harassed by certain Board and staff members when cameras were installed and directed at the desk and work area. The complainant also alleged being stripped of keys to all filing cabinets, computer passwords were changed and desk drawers were searched. The complainant feels that this was retaliatory action for bringing concerns to the Board about irregularities.

Nepotism/Favoritism

In a review of employment records, nepotism was a common form of filling positions. This led to favoritism of certain employees. Many employees at the district are or were related to other employees. In reviewing pay records and invoices authorized for payment, higher rates of pay were found for relatives over employees. As an example, a relative was hired to cut weeds at \$35 an hour when an existing employee was paid \$10 to \$15 per hour.

Lack of Training for Employees

Lack of training for employees was alleged in the complaint. The GM hired several laborers to do general maintenance at WSD. With minimal instruction and without written policy and procedures to guide their activities, the laborers did the work at the WSD locations including water testing, skimming ponds, cleaning filters and repairing equipment. Based on the SWCRD guidelines and testimony, water testing can only be done by a licensed operator. These other jobs were done on a daily basis by the laborers and not reviewed or supervised by the GM unless there was an issue or warning alarm to indicate a problem.

Lack of Board Policies and Procedures

Failure of the Board to respond to complaints by citizens and employees was alleged in the complaint. In a review of emails, attendance at board meetings, and testimony from witnesses, the Board was non responsive to specific complaints. The complaints were submitted in written and verbal form to the Board and specifically to the current and former Presidents with supporting documentation.

Mismanagement in the form of lack of presence of the GM on site was alleged in the complaint. The GM is the state licensed Plant Operator, who trains and oversees OIT's. The Board has given the GM a contract for no more than 20 hours per week that does not require any specific time on site. The position's responsibilities include: Certified Operator, trainer and supervisor for OIT's, and Manager of the District. No specific schedule or hours was allocated for these various tasks of the GM.

Additionally uncovered in this investigation is a lack of Board oversight.

Method of Investigation

The Grand Jury conducted approximately a dozen interviews. The Grand Jury reviewed over 1000 pages of documentation including: Board agendas, minutes, timesheets, purchase orders, credit card statements, and audit findings. Various SWRCB regulations were reviewed. The Grand Jury also attended numerous Board meetings.

Interviews Conducted

- All Woodbridge District Board of Trustees
- General Manager, employees and former employees
- Complainant
- SWRCB Compliance Investigators

Site Visited

- Woodbridge Sanitary District

Discussion, Findings and Recommendations

The Grand Jury found a lack of policies, procedures, Board oversight and mismanagement, including payroll fraud and fiscal mismanagement of WSD. The Grand Jury additionally found SWRCB records for plant operation and reporting purposes were falsified based on testimony and SWRCB observation. The SWRCB identified a number of deficiencies in the operation of the District. The SWRCB asserted that the District needed an onsite Operator at least 16 hours per week performing licensed operator required activities, in addition to the training and reasonable oversight of OIT's. These hours did not include administrative duties.

1.0 Payroll Fraud and Fiscal Mismanagement

Finding 1.1

A check in the amount of \$1,260 was issued to an employee for 36 hours he did not work, with the understanding that the money would be turned over to another employee so that his eligibility and disability benefits would not be impacted.

Finding 1.2

There is no equipment inventory system. Every employee has access to the central storage trailer. Employees are frequently allowed by the GM to use District property for personal use off site.

Finding 1.3

After review of last year's credit card statements and warrants, suspicious charges were found including:

- Multiple gas charges on the same day
- Hundreds to several thousand dollars of tool purchases each month
- Inappropriate contract services to relatives of employees

Recommendation 1.1

The Board develop written policies and procedures to strengthen and assure financial accountability.

Recommendation 1.2

The Board immediately develop performance standards for the evaluation of the GM including disciplinary actions in the event of SWRCB violations and schedule regular reviews of GM performance.

Recommendation 1.2 A

The Board implement an inventory control system.

Recommendation 1.2 B

The Board develop strict policies forbidding employees/contractors personal use of District property, including tools and equipment.

Recommendation 1.3

The Board develop procedures for the prior authorization of expenditures to appropriate industry vendors via purchase orders/warrants.

Recommendation 1.3A

The Board define parameters of District credit card use, including no personal use and limit the number of cards in the District.

Recommendation 1.3B

The Board systematically verify and reviews all fiscal expenditures including itemized documentation.

Recommendation 1.3C

The Board subject credit card purchases to the same approval process as expenses paid by warrants.

2.0 Falsifying State Water Resources Control Board Records

The state mandated record keeping for water quality was allegedly falsified by the General Manager when sent into the SWRCB.

Finding 2

Original readings taken on water quality were revised when the reading were not within the legal limit.

Finding 2.1

Three spills of sewage were reported by the District to the SWRCB and records within the district office indicated at least a dozen spills had been reported by ratepayers.

Recommendation 2

The Board create a policy for review of water readings assuring they are reported to the SWRCB accurately and that public safety is not compromised.

Recommendation 2.1

The Board create a policy for the accurate reporting and review of spills to the SWRCB.

3.0 Harassment of Employees

The secretary brought irregularities to the Board's attention. Thereafter, a camera was installed in the office, keys had to be surrendered, passwords were changed and the desk was searched. The complainant alleged this constituted harassment.

Finding

The Grand Jury could not confirm this allegation as harassment or retaliation because the measures taken by the District could have been viewed as increasing security.

4.0 Nepotism/Favoritism

Nepotism was a common form of filling positions in WSD. Some relatives hired for laborer positions were paid higher hourly wages than other district laborers. These wages sometimes exceeded twice the hourly rate.

Finding

Relatives were hired and paid more per hour than other district laborers.

Recommendation

Create job descriptions, work evaluation standards and pay scales to avoid favoritism by management.

5.0 Lack of employee training

The employees do not have a training manual. There is no formal policy for employee performance evaluations.

Finding 5

There is no training manual to guide employees in performing their daily duties.

Recommendation 5

The Board develop a training manual for District employees.

Recommendation 5.1

The Board require the Operator to be on site to train and review OITs.

6.0 Lack of Board policies and procedures

The lack of written policies and procedures has resulted in numerous issues within the District.

Finding 6

The Board has received numerous complaints from citizens and employees without taking effective action to resolve the complaints. This lack of written policies and procedures and the non-responsiveness of the board have led to serious concerns by the public.

Recommendation 6

The Board develop written policies and procedures for the operation of WSD and to address the auditors and SWRCB recommendations.

Recommendation 6.1

The Board annually review policies and procedures and update as necessary.

Recommendation 6.2

The Board develop a complaint procedure policy and its enforcement.

7.0 Lack of Board Oversight

Lack of Board oversight, deferred maintenance, capital outlay investment, and planning deficiencies has created violations of SWRCB guidelines, unsafe working conditions, and mismanagement of WSD.

Finding 7

The Board has not adequately reviewed operations or visited WSD site to ensure compliance with current Board policies.

Finding 7.1

The Board has not educated themselves on sanitary district “Best Practices” procedures.

Finding 7.2

WSD does not have an adequate timetable to address deferred maintenance, replacement of an aging infrastructure, or raise capital funds to make improvements.

Recommendation 7

The Board initiate monthly review of all activities at WSD including onsite visits.

Recommendation 7.1

Based on the current structure of management and staffing, the Board take an active role in creating a sound business plan and an operational presence to eliminate the fiscal and management disarray currently at WSD.

Recommendation 7.2

The Board contact other sanitary districts to further familiarize themselves with the operational procedures of sanitary districts and general operational Best Practices. Additionally check with other water and sanitation operators to compare current practices at WSD to insure compliance and reliability of current operator.

Recommendation 7.3

The Board initiate an adequate timetable for the replacement of aging infrastructure and equipment and for the capital funds to pay for these improvements.

Conclusion

The District serves an important function in health and safety for residents of Woodbridge. The poor management and Board oversight does not merit the public trust.

The Board is doing a disservice to constituents by the lack of policy and procedures which limits transparency of policy, and fiscal decisions.

Board Members are poorly informed, or do not take seriously, their policy and fiduciary responsibilities, prudent fiscal stewardship and accountability, planning responsibilities, or oversight of effective management. It is vitally important for the continued and safe operation of WSD and the community, for citizens to become more involved in the decisions made on their behalf by their elected officials.

During the initiation of the Grand Jury Investigation, the Board has corrected the following issues:

- Employees no longer accumulate compensatory time
- Approval of a time clock
- Development of credit card policies
- Development of job descriptions
- Development of Personnel Manual

Disclaimer

One grand Jury member recused themselves from the investigation and all preparation of this report. Grand Jury reports are based in documentary evidence and the testimony of sworn and admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon the specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929).

Response Requirements

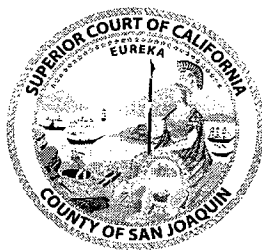
California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report is submitted to the Presiding Judge of the San Joaquin County Superior Court from Woodbridge Sanitary District Board of Directors by September 8, 2011.

Mail or hand-deliver a hard copy of the response to:

Hon. Robin Appel, Presiding Judge
San Joaquin County Superior Court
222 E. Weber Av., Room 303
Stockton, CA 95202

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



SCHOOL BOARD COMPENSATION

2010/2011 San Joaquin County Grand Jury Case No. 1210

Summary

The Civil Grand Jury investigated School Board compensation in San Joaquin County K-12 Schools. In this economic climate, financial prudence is expected of trustees in their governance role in public schools. This report allows the public to compare their school board compensation to others in the county. The report is informational in nature and does not include any findings or recommendations.

Background

San Joaquin County has 15 school districts, including the County Office of Education. These districts are as diverse as a one school district in a remote section of the county, to a school district that is in a large city and has 59 schools. The State Board of Education determines how many trustees a district may have, as well as the maximum monthly stipend a board member can receive, depending on the number of students in the district (Ed. Code 35012). Board members are empowered to set their own stipend (Ed. Code 35120). In addition, health, dental, vision and life insurance benefits can be offered, per each district's bylaws, at the board's discretion.

Method of Investigation

The Grand Jury contacted the County Office of Education, Stockton Unified and Lodi Unified School District. The County Office of Education was able to supply financial information for all county school districts, except Stockton Unified and Lodi Unified. Demographic information for all schools was received from the County Office of Education. All Districts were contacted to confirm the information presented in this report was correct.

Materials Reviewed:

- Board Bylaws for each school district
- Demographics and Board financial compensation provided by the County Office of Education
- Board financial compensation data provided by Stockton Unified
- Board financial compensation data provided by Lodi Unified

Discussion

Table One describes the demographics of each school including: the number of schools in each district; enrollment as of March 15, 2011, number of trustees, their monthly stipend, the most (cap) the district allowed for health benefits per trustee, the total annual cost to the district, and the maximum potential compensation the district could have to pay. There were a variety of different costs to each district, as well as variations by trustee, depending on what each trustee opted to receive. The explanations for the differences within each board are detailed in the footnotes.

Table 1:
2010 School Board Compensation

School Districts	Schools	Enrollment*	Trustees	Monthly Stipend	District Paid Health Benefits**	Total Actual Cost to District	Maximum Potential Cost***
Banta Elementary	1	290	3	\$0	\$17,992	\$53,976	\$53,976
Escalon Unified	7	2,948	5	\$0	\$7,860 ¹	\$18,200	\$39,300
Jefferson Elementary	4	2,503	5	\$240	\$0	\$12,640	\$14,400
Lammersville Elementary	3	1,810	5	\$77	\$0	\$9,802 ²	\$9,262
Lincoln Unified	11	8,783	5	\$0	\$0	\$0	\$0
Linden Unified	8	2,422	7	\$0	\$0	\$0	\$0
Lodi Unified	54	30,942	7	\$675	\$4,070 ³	\$57,500	\$59,875
Manteca Unified	29	23,226	7	\$380	\$8,031 ⁴	\$63,217	\$88,137
New Hope Elementary	1	203	3	\$0	\$11,950 ⁵	\$11,950	\$34,771
New Jerusalem Elementary	3	762	3	\$0	\$10,200 ⁶	\$10,200	\$30,600
Oak View Union Elementary	1	420	5	\$0	\$11,000	\$55,000	\$55,000
Ripon Unified	6	3,056	5	\$0	\$12,830 ⁷	\$19,244	\$32,073
Stockton Unified	59	38,141	7	\$675	\$10,123 ⁸	\$106,173	\$127,568
Tracy Unified	24	17,494	7	\$400	\$8,482 ⁹	\$62,714	\$92,974
SJ County Office of Education	see 10	2700	5	\$300	\$14,818	\$90,381	\$92,090

*Enrollment as of 3/15/2011

**Health Benefits per member includes: health, dental, vision, and life insurance, if offered

***This figure is the total possible cost to the district if every board member opted to collect full stipend and health benefits, including health, dental, vision, and life insurance, if offered

¹Three members received all benefits; two declined all benefits

²Figure is higher than the maximum due to turnover in the board in 2010

³One member received all benefits; two opted for dental and vision; four declined all health benefits

⁴One member received all benefits at \$8031; district reimbursed two members \$11,730.48 for member paid health benefit expenses including dental and vision; district reimbursed and/or paid \$12,381.11 for two members for life insurance; one member declined all benefits, one member declined all benefits and stipend

⁵Only one member chose to receive health benefits

⁶Two members declined benefits

⁷Three members received all benefits; two declined all benefits

⁸Three members received all benefits; two opted for medical rebate, dental and vision costing the district \$7,004.69 per member; one member who did not serve a full year received dental and vision only costing the district \$418.85; one member declined all benefits

⁹Three members received all benefits; four members declined benefits

¹⁰SJCOE Operates SELPA (Special Education Local Plan Area) classrooms at various locations and schools, SELPA centers, and all Community Schools in San Joaquin County

Conclusion

Severe revenue shortfall in K-12 education statewide has resulted in lay-offs of staff and certificated employees, larger class sizes, and other significant reductions in services, such as home to school transportation. Boards may wish to reduce or eliminate district paid benefits on their behalf. In addition, the public may wish to discuss trustee compensation with their Boards.

The 2010/2011 Grand Jury requires no further action.

Links

San Joaquin County Office of Education: <http://www.sjcoe.org/>

California Education Code 35012: www.cde.ca.gov/re/lr/do/documents/dochap7.doc

California Education Code 35120:

<http://www.aroundthecapitol.com/code/getcode.html?file=../edc/35001-36000/35120-35124>

Disclaimer

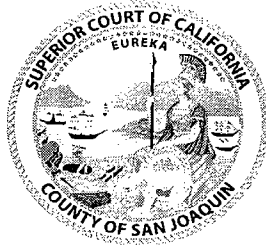
Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon the specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Sections 911, 924.1(a) and 929. Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929).

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Law and Justice

San Joaquin County Grand Jury



Law and Justice Overview

San Joaquin County Detention and Law Enforcement Agencies

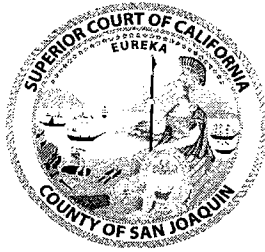
The California Department of Corrections and Rehabilitation governs a total of 33 prisons and four Juvenile Justice Corrections Facilities housing men, women and juveniles incarcerated in the State of California. San Joaquin County has three of these institutions: Deuel Vocational Prison (DVI), O.H. Close and N.A. Chaderjian Juvenile Justice Facilities. Additionally the county houses San Joaquin County Jail, Juvenile Hall and the Lodi City Jail.

The California Penal Code section 919(a) (b) requires the Grand Jury inquire into the institutions management, safety and inmate security in the state and county facilities to ensure inmates are being treated in a humane manner.

The 2010/2011 Grand Jury completed the mandated visits and inspections to the following institutions:

- Deuel Vocational Institute Reception Center , also known as California Department of Corrections and Rehabilitation (CDCR), Tracy
- San Joaquin County Jail, also known as John Zunino Detention Facility, French Camp
- San Joaquin County Superior Court Holding Facility-Stockton
- San Joaquin County Superior Court Holding Facility-Manteca
- San Joaquin County Superior Court Holding Facility-Tracy
- San Joaquin County Superior Court Holding Facility-Lodi
- San Joaquin County Sheriff/Coroner/Morgue
- City of Lodi Jail
- San Joaquin County Juvenile Justice Center, French Camp
- O.H. Close, Department of Juvenile Justice Center, Stockton
- N.A. Chaderjian, Department of Juvenile Justice, Stockton

San Joaquin County Grand Jury



Law and Justice

Ride-A-Long Program

The 2010/2011 Grand Jurors participated in the Public Safety Ride-a-Long Program and shared a shift with officers, deputies and firefighters. All law enforcement agencies within the county participated including fire departments in Stockton, Manteca, Tracy and Lathrop.

Jurors accumulated over 125 hours of patrol, seeing firsthand what officers, deputies and firefighters do on a daily basis to keep the county safe.

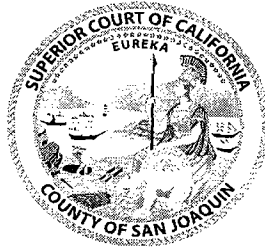
The types of calls jurors witnessed:

- shots fired
- dead body
- DUI check points
- weapons offenses
- domestic violence
- runaways
- fights
- vehicle accidents
- neighbor disputes
- accidents
- Fire Department runs – emergency medical calls only
- Traffic stops
- Animal Control Calls

The Grand Jury commends the officers' professionalism in the performance of their duties.

The 2010/2011 Grand Jury requires no further action.

San Joaquin County 2010/2011 Grand Jury



LAW AND JUSTICE

DEUEL VOCATIONAL INSTITUTION

Background

Deuel Vocational Institution (DVI) was built in the early 1950's to house 1,249 inmates. There are approximately 3,800 inmates housed in unclassified levels of I to IV, IV being the most serious. DVI has seen many changes and has several functions.

1. DVI serves as a reception center for California's northern and central counties. Last year 18,000 convicted inmates were received, assessed and processed to other institutions throughout the state.
2. DVI has a General Population Level II medium security inmate population. The general population portion has a mission unrelated to that of the Reception Center. The principal focus is to safely and securely house Level II commitments.
3. DVI operates a Minimum Support Facility that is located outside the main fenced security perimeter. The Minimum Support Facility inmates are assigned to the dairy, farm, garage, sewer treatment plant, firehouse, boiler house, and ground maintenance.

Inmates not participating in voluntary academic programs are provided work in Food Service, Plant Operations, Prison Industries and various support related functions. During the fiscal year ending on June 30, 2010, the California Prison Industry Authority (CALPIA) recorded total revenues from operations at DVI in the amount of \$9,199,423. CALPIA operated Furniture (\$3,085,619) and Dairy (\$6,113,804) enterprises at DVI during that period of time. These funds are sent to the California Prison Industry Authority.

The Grand Jury toured and inspected the areas of: kitchen/dining room, chapels, reception center intake, random housing blocks, bathroom/showers, barracks, medical and dental facilities. It is apparent repairs that require immediate attention exist in the kitchen and Z Dorm bathroom.

Issues

Pursuant to California Penal Code 919(b), the Grand Jury made two visits to DVI for the purpose of fact-finding, interview of inmates, staff and general tour.

Method of Investigation

- Site visits
- Reviewed main culinary floor funding requests
- Reviewed Z Dorm Field House bath and shower modification requests
- Interviewed Warden, administrative, kitchen and correctional staff
- Interviewed inmates

Discussion, Findings and Recommendations

1.0 Kitchen and Dining Facility

The Grand Jury toured the kitchen/dining facility and found a vast improvement over the course of a year. Both were very clean and well organized for a kitchen that prepares over 11,000 meals daily. Kitchen management should be commended for the preparation of meals in compliance with state mandated nutrition requirements and under the allotted budget cost of \$2.90 per day per inmate. The floor in the kitchen is in urgent need of replacement and has been an issue in several grand jury findings. Grand Jury members reviewed several funding requests for the floor replacement. Before the floor project can be started the pipes under the kitchen floor have become a priority for repair. Emergency funding has been requested and funds may be available Spring 2011. The guard/handrail around the grill area was missing 12 bolts, allowing the handrail to move freely. The sink near the Hobart Mixer had a leg unsecured and could easily be broken off and used as a weapon.

Findings

- 1.0 The kitchen floor still has not been fixed. The pipes under the floor have now become a priority for repair.
- 1.1 The guard/hand rail around the grill is not bolted down.
- 1.2 Kitchen floor drains have covers missing and others are not bolted down.
- 1.3 Sink leg unsecured to the floor.

Recommendations

- 1.0 Continue to pursue funding.
- 1.1 Bolt down the guard/handrail around the grill.
- 1.2 Replace and bolt floor drain covers.
- 1.3 Secure the sink leg to the floor.

2.0 Z DORMITORY

Z Dorm once known as the Gymnasium/Field house was transformed into a barracks type facility due to overcrowding. Approximately 150 reception center inmates occupy a portion of the gym

separated by a metal fence that houses an additional 300 general population inmates. Inmates asked grand jury members to inspect the bathroom facility. The inspection found several deficiencies: tiles were missing, toilets were removed and not replaced, four toilets were broken, shower heads were inoperable, sinks were loose, faucets run 24/7, wash basins need replacing and the walls have a black substance around the toilets and sinks. Staff indicated Special Repair Requests were submitted each year for the last four years to fix the bathroom. As of this date the State approved the project, but remains unfunded. Inmates keep the bathroom facility clean. Small repairs could be done now to alleviate some of the issues.

Buckets in Z Dorm were being used to catch water from the leaking roof. The ceiling inside was dirty with a black colored substance. Staff indicated to clean the ceiling, inmates need to be outside and heavy hoists brought in. The roof is in need of repair and associated complications could arise which may result in staff and inmate health and safety concerns. Staff indicates CDCR Facilities Branch will be performing roof evaluations in spring 2011 to determine the priority of the repairs to the roof. Food Service and Medical have priority in the order of repair. It appears the need for immediate repairs at DVI with the exception of kitchen water pipes have not reached the threshold for state funding.

Findings

- 2.1 Special Repair Requests submitted for four years for upgrades to Z Dorm bathroom facility have not been funded.
- 2.2 Z Dorm roof is leaking.
- 2.3 The overhead pipes and supporting structures indicate an excessive accumulation of dust and black colored substance.
- 2.4 The State of California budget issues dictate priorities of repairs.

Recommendations

- 2.1 Continue to monitor funding dates
- 2.2 Repair the leaky roof
- 2.3 Clean the ceiling pipes and supporting structures

Conclusion

The Grand Jury's overall impression of the facility is that of acceptable condition for prisoner housing given the fact of its 57- year- old construction and recurring overcrowding. Walls were free of graffiti with exception of the short term transition housing dorm. The walking areas inside and out were clean and maintained well. The interaction between the staff, inmates and administration appeared to be respectful with good communication. The Grand Jury interacted with inmates throughout the institution: the law library, various religious services, the dorms/barracks and staff. Inmates indicated they were treated fairly and with respect but indicated they did not belong in prison nor did they want to go back.

It is apparent the state budget and system wide overcrowding will dictate the priority of required repairs at DVI. The Grand Jury applauds the Warden and staff for doing the best they can with their budget restrictions while maintaining humane treatment of prisoners.

Disclaimer

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Response Required

California Penal Code sections 933 and 933.5 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court from the California Department of Corrections and Rehabilitation by September 20, 2011.

Hand deliver or mail a hard copy of the response to:

Honorable Robin Appel, Presiding Judge
San Joaquin County Superior Court
222 E. Weber Ave, Room 303
Stockton, California 95202

Also please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



Law and Justice

San Joaquin County Jail

John J. Zunino Detention Facility

The California Penal Code Section 919(b) mandates the Grand Jury shall inquire into the conditions and management of the detention facilities in the county. The 2010/2011 Grand Jury visited the County Jail, also known as John J. Zunino Detention Facility three times for the purpose of fact finding, tour of the facility and follow-up investigation.

The Grand Jury toured the following areas of the jail: Medical Housing, Booking Area, Lobby, Intake, South Jail, Sheltered Housing, Honor Farm, and Prison Industries areas.

The facility serves as a county intake center and provides for the detention of sentenced and unsentenced persons. Juveniles are not detained in the facility. The county jail currently has 1,380 beds. The jail population is averaging between 1,200-1,250 inmates in the jail compound and honor farm on a daily basis. The Sheriff is under court order for early releases when the population of the jail reaches capacity. Assembly Bill 900 was passed by the legislature for the construction of an additional 1,250 bed addition to the current jail. Officials are moving forward with the plans but timelines have yet to be established.

The Honor Farm houses the less violent offenders, both men and women. Barracks visited by the Grand Jury were recently refurbish and occupied with approximately 300 inmates.

The kitchen at county jail has had findings and recommendations yearly in past Grand Jury reports due to its condition. The kitchen is old and was in jeopardy of being closed down by the Health Department, Fire Department and Corrections Standards Authority due to condition. The Sheriff in order to comply with all statutes of food service required for inmates, entered into a multiyear contract with Aramark Food Service which provides meals to the institution. Inmates working in the kitchen prepare the lunches and Aramark delivers two hot meals ready for serving. The Grand Jury found the jail complex to be well maintained and clean.

Grand Jury members noted the shelf under the steel table in the kitchen was loose and hanging.

Finding:

Metal shelf under steel table in the kitchen is broken and needs to be welded or bolted.

Recommendation:

Fix the shelf.

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Response Required

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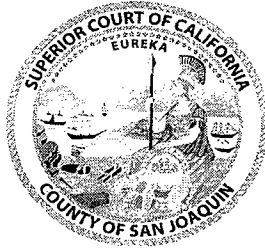
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San Joaquin County Grand Jury



Law and Justice

San Joaquin County

Court Holding Facilities

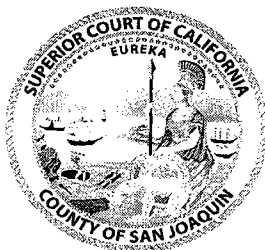
The Grand Jury toured the court holding facilities at:

- Stockton Superior Court
- Lodi Superior Court
- Manteca Superior Court
- Tracy Superior Court

Grand Jury members found no issues with any of the facilities.

The 2010/2011 Grand Jury requires no further action.

San Joaquin County Grand Jury



Law and Justice

San Joaquin County Sheriff/Coroner/Morgue

Background

The County Morgue was built in the late 1930's as a crematory for the San Joaquin County Hospital. It was converted in the mid 1980's to a morgue facility. The most recent jail complex in French Camp was completed in 1992 which encompassed the Morgue but no consideration was given for future expansion of the facility. The morgue is small and outdated for a county in excess of 640,000 residents. The facility has a capacity of 23 decedents in the morgue and six in temporary storage located in back of the morgue. The rooms in the Morgue include: an entry way with a floor scale, six roll out wall compartments, a walk in refrigerator, the autopsy/preparation room, one bathroom, two offices that were once crematories and a Columbarium.

Discussion, Findings and Recommendations

The building is deteriorating due to wear and tear and dry rot. Testimony verified the building has asbestos. Exposure to asbestos is a health risk for all staff and visitors to the facility. The ventilation in the autopsy/preparation room lacks proper airflow and employees have to rely on a portable ventilator. Due to a lack of space, Formalin filled jars with tissue samples taken from autopsies are stored on shelves in the Columbarium that are kept for one year and one day. Homicide case samples are kept forever. Formalin is carcinogenic and is a health and occupational hazard to all persons who work or visit the morgue.

There are a total of 5,574 indigent cremains that have not been relocated or claimed that are still stored in a 30 x 25 foot Columbarium that date back to 1935. It would cost the County approximately \$600,000 to legally and respectfully dispose the cremains.

The Sheriff-Coroner handles approximately half of all deaths reported within the County. Table 1 shows the total number of deaths reported within the County for the last six years.

TABLE 1

	2005	2006	2007	2008	2009	2010
Deaths Reported in San Joaquin County	4,662	4,614	4,576	4,635	4,342	4,493
Deaths handled by the Coroner's Office	2,560	2,473	2,532	2,554	2,451	2,621
% Investigations handled by the Coroner's Office	55%	54%	55%	55%	56%	58%

Findings:

Dry rot located over the front door.

Recommendation:

Repair dry rot.

Findings:

1. The building is small for the amount of cases handled by the Sheriff/Coroner.
2. The use of asbestos, formalin and other chemicals creates a health hazard to all persons working or visiting the morgue.

Recommendation:

Explore options of relocating Morgue operations to a centralized facility or build a new facility.

Conclusion

The Grand Jury realizes the budget constraints that the county is facing; however, the condition of the morgue threatens the health and safety of employees and the community. The Grand Jury finds the condition of this morgue to be deplorable. The Grand Jury urges the County to immediately replace or relocate the existing Morgue. We understand the urgency of this situation and the Grand Jury suggests the County Board of Supervisors tour the facility.

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Response Required

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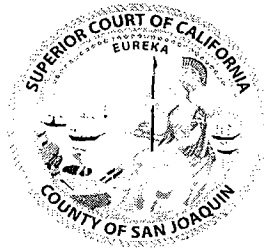
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grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



Law and Justice

Lodi City Jail

Lodi Jail is a Type I facility used for the detention of persons for not more than 96 hours, excluding holidays, after booking. The purpose of the Lodi City Jail is to house inmates prior to the appearance in court for arraignment. Lodi Jail has 10 double bed cells (20 beds), a safety cell, and two intoxication cells. The building is fairly new and in good condition.

Dispatchers in the Lodi Police Department are trained in custody and jail procedures as mandated by the Corrections Standards Authority. Dispatchers are assigned to the jail facility and are responsible for the following:

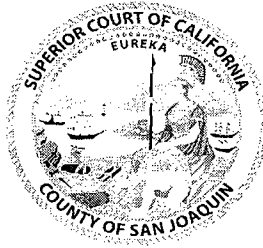
- Fingerprinting and Photographing persons arrested
- Feeding of inmates
- 30 minute safety checks
- Preparation of court documents
- Processing inmates property
- Completing a medical questionnaire to ensure the health and safety to the arrestee and others in the facility

The Grand Jury was impressed with the facility, condition and staff.

Findings: None

The 2010/2011 Grand Jury requires no further action.

San Joaquin County Grand Jury



Law and Justice

Juvenile Justice/Detention Center

Grand Jury members met with the Chief Probation Officer and staff for a site tour of the facility. Overall, the site was clean and appeared well organized.

Due to budget cuts for the fiscal year 2010/2011 the Probation Department eliminated 42 positions, which impacted all divisions of the Probation Department. A 30-bed housing unit is vacant due to a lack of funding. The bed capacity dropped from 179 to 150 beds. To keep up with the state mandated functions, the Probation Department has reorganized staff to absorb additional duties due to staffing reductions.

TABLE 1

Offenses for Juveniles Confined in Juvenile Hall

January 1, 2010 to December 1, 2010

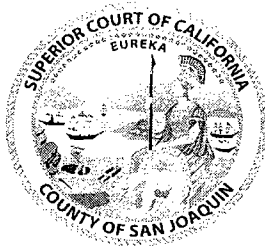
Weapons Offense	10%	952
Property Offenses	31%	3,020
Physical Offense on Person	19%	1,831
Vehicle Offenses	3%	236
Drugs and Alcohol	5%	508
Other – Misc (Violation of Probation and Placement Failures	32%	3,075

Ongoing programs are designed to help deter antisocial behaviors and work on rehabilitation of youthful offenders, as explained to the Grand Jury by a variety of staff.

Findings: None

The 2010/2011 Grand Jury requires no further action.

San Joaquin County Grand Jury



Law and Justice

Department of Juvenile Justice Correctional Facility

Discussion

The Department of Juvenile Justice (DJJ) Compound, which includes O.H.Close, Karl Holton, Dewitt Nelson and N.A. Chaderjian, was built in the mid 60's with a capacity to house 1,800 youth offenders. Through years of changing policy, litigation and legislation, only two facilities remain operational in Stockton: O.H. Close and N.A. Chaderjian and two in Southern California.

O.H. Close

O.H. Close houses youth offenders under the age of 18 sentenced for sex offenses, substance abuse and other violent crimes. Youth offenders are required to attend school and participate in counseling sessions. This facility was built in 1965 and houses approximately 230 violent youth offenders in a dormitory style setting. At the time of the Grand Jury tour, the offenders were in class. Grand Jury members spoke with five offenders during a break, each telling of their offenses, length of sentence, remorse for the victim, and what their goals are once they are released. All wards that Grand Jury members contacted were respectful and indicated they were treated well.

N.A. Chaderjian

N.A. Chaderjian Facility was built in 1991 and houses approximately 311 offenders 18-25 years of age for a variety of violent crimes. Chaderjian has intense treatment programs for substance abusers and sex offenders. Programs include: basic skills, high school courses, special education, and if a gang member wants to disengage from the gang lifestyle. A popular vocational program at Chaderjian offers classes in refurbishing computers and selling them to the community through an outside vendor.

Both facility perimeters were secure and the grounds well kept.

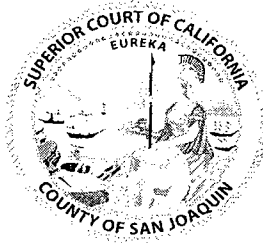
Conclusion

Beginning January of 2011, under the terms of Assembly Bill 1628, The Public Safety and Rehabilitation Act of 2010, a three year shift of youth offenders paroled from the Department of Juvenile Justice to the county probation departments across the state. Local courts will determine supervision requirements, and the probation department will ensure that the conditions are met. By July 1, 2014, all Department of Juvenile Justice (DJJ) parolees will become the responsibility of the county in which they live.

Findings: None

The 2010/2011 Grand Jury requires no further action.

San Joaquin County Grand Jury



Law and Justice Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Law and Justice Investigation

Summary

The Law and Justice Committee followed up on the recommendations from the 2009/2010 Grand Jury Reports for:

- Deuel Vocational Institute, (DVI)
- San Joaquin County Jail
- San Joaquin County Courthouse Video Arraignment – Stockton Main
- City of Escalon Police Department
- Stockton Police Department

Background

The California Penal Code section 919(a) (b) requires that the Grand Jury inquire into the institutions management, safety and inmate security in the state and county facilities to ensure inmates are being treated in a humane manner.

Issues

The 2010/2011 Grand Jury conducted an investigation of each of the institutions and facilities required by California Penal Code, to verify progress on findings recommendations from the 2009/2010 Grand Jury Final Report and responses from the agencies.

Method of Investigation

Interviewed administration and staff

Site visit of institution

Review of documents

DEUEL VOCATIONAL INSTITUTE

Recommendations from the 2009/2010 Final Report

- R1. CDCR fund repair/replacement of kitchen:
- R2. CDCR implement a fixed and portable “Live Scan” system for intake and release of inmates.
- R3. CDCR provide annual updates to the Grand Jury regarding the status of overcrowding.
- R7. CDCR establish additional on-site training and familiarization with DVI staff and other local fire jurisdictions.

Discussion and Conclusions from the 2010/2011 Grand Jury

DVI continues to submit annual funding requests to California Department of Corrections and Rehabilitation (CDCR) for funding. The kitchen repair/replacement has not ranked high enough for state funding in the CDCR system for capital outlay projects. The administration has identified some internal funding sources for emergency safety repairs and has contracted with an outside vendor for preparation and delivery of food.

DVI currently utilizes all available departmentally approved identification technology during the intake and release of inmates. Security improvements are a constant goal of DVI. Live Scan or other equivalent technology would have to be funded and approved for the statewide system by the Department of Corrections and Rehabilitation prior to being implemented.

The administration agrees to update the Grand Jury during their yearly visits as requested. The department continues to utilize out-of-state facilities which have alleviated some of the overcrowding of CDCR Prison. CDCR has also initiated evidence base programs and numerous parole reforms in an effort to help reduce recidivism. CDCR hopes that these programs and reforms will ultimately lead to a reduction in overcrowding. The Grand Jury observed continued utilization of the Gymnasium/Field house as “Z Dormitory”, a barracks type housing unit for approximately 450 reception center and general population inmates.

The respondent agrees and has already begun to initiate on-site training and familiarization as noted. Since the Grand Jury’s previous visit, DVI has established formal communications with local community fire departments. The DVI Fire Chief is scheduled to meet with local Fire Chiefs to coordinate training and a mutual aid plan of action in the next few months.

The 2010/2011 Grand Jury requires no further action.

SAN JOAQUIN COUNTY SHERIFF'S OFFICE/JAIL

Recommendations from the 2009/2010 Final Report

- R1. The SO improve the communications system within San Joaquin County to eliminate "dead spots."
- R2. The SO make arrangements to proceed with construction of a replacement kitchen at the county jail.

Discussion and Conclusions from the 2010/2011 Grand Jury

The San Joaquin County Sheriff's Office (SO) works in partnership with the San Joaquin County Information Systems Department to continuously improve the public safety radio system. The Department has:

- completed an engineering study
- secured grant funding to modernize significant portions of the SO radio system
- secured permission to place county radio equipment on an existing south county tower to address long standing radio problems in the Corral Hollow area
- secured additional funding to build/complete low level additional radio towers
- developed a process to search for grant funding opportunities

There is a countywide radio communications master plan. The SO plans purchases of radio equipment to meet the plan goals by: providing the best performance of radio transmission/reception; capability, durability, and reliability of equipment, and assurance that radio communications will be maximally available for officers during critical and non-critical situations. This is in addition to the planned phased approach to meet the Federal Communications 2013 mandate for all digital communications and movement to low-level tower sites throughout the county instead of the use of two current mountain top sites.

In 2010, the SO determined the best course of action for the ongoing statutory compliance needs in the provision of food services to inmates at the jail and the Honor Farm to be a multi-year (3) contract with the vendor, ARAMARK. The contract can be renewed with two one (!) year extensions. ARAMARK prepares food off site and delivers it to the County facilities. The Honor Farm kitchen currently exists to store chilled food and to provide a place for the washing and drying of food trays. The funding mechanism for a replacement kitchen is unknown at this time, and the SO is investigating the possibility of using phase II Assembly Bill 900 funds to build a kitchen that will support all of our facilities and potentially that of the Juvenile Justice System.

There have been previous discussions regarding a "Super Kitchen" for San Joaquin County to address all food-related issues for the County. County Capital Projects are investigating the

future options for food service delivery in the county. This action puts on hold further discussion about kitchen replacement at the Honor Farm.

The 2010/2011 Grand Jury requires no further action.

VIDEO TELECONFERENCING

Recommendations from the 2009/2010 Final Report

- R1. The District Attorney, Public Defender, Sheriff, Probation Department, San Joaquin County Bar Association Lawyer Referral Services, and County Administrator, in furtherance of efforts to install a teleconferencing system:
- a. Prepare a preliminary cost estimate for acquisition and installation
 - b. Prepare a cost benefit analysis
 - c. Identify potential grant resources to implement the system

Discussion and Conclusions from the 2010/2011 Grand Jury

SHERIFF:

The Sheriff's Office (SO) response was supportive of Video Teleconferencing. The administration of various involved agencies complicates the planning and funding of this recommendation. The SO, however, is not the only department that will need to buy into the video arraignment concept. All interviewees concurred about the benefits of teleconferencing.

The SO is supportive of this suggested recommendation and is making plans to wire (with video capability) the new jail addition that is being planned using Assembly Bill 900 funding. The new 1,280- bed jail addition will be utilizing video visiting as the method for inmate contacts by family and friends. This wiring exists in the current housing units and the office is planning to make the new jail addition compatible with a video arraignment system.

The value of this technology has proven itself where it is currently being used. Safety is increased, escape attempts are reduced, and transportation and security costs are reduced.

The Administrative Office of the Courts (AOC) has the responsibility for funding and operating video arraignment (neither the Sheriff nor the County have jurisdiction). At this time, the Sheriff's Office is not aware of any grants the AOC is pursuing. The Sheriff will diligently work with the courts in the implementation of this system should they desire to pursue and fund it.

The AOC is in the final stages of plans to build a new Stockton Courthouse facility (to be completed in 2012-2013), and the SO hopes that the plans for video arraignment technology are included in those plans. Prior to the implementation of this technology, there will continue to be a need to educate all parties, due to the perceived confidentiality issues (attorney/client privilege) and the reluctance to participate. Defendants are allowed by law to choose or not to choose to participate in video arraignment. The SO and all of its partners are cognizant of lowering government costs and increasing efficiency for our community.

COUNTY ADMINISTRATOR:

The 2010/2011 Grand Jury concluded the implementation of the recommendation requires further analysis, with timeframe dependent upon the Court (State): a) defining the project work scope; and b) committing funding for the project. The County is not opposed to the Court instituting a video arraignment program, but the project requires definition in order to properly determine the equipment needed, installation costs, facility modifications, etc. The County would be supportive of the courts efforts to research the use of this technology and to identify grant funding for its implementation.

The 2010/2011 Grand Jury requires no further action.

CITY OF ESCALON POLICE DEPARTMENT

Recommendations from the 2009/2010 Final Report

R2. The EPD install camera(s) in the detention and sally-port areas.

R3. The EPD evaluate the need to acquire assault rifles.

Discussion and Conclusions from the 2010/2011 Grand Jury

The Police chief confirmed the purchase and installation of cameras to meet the video requirements of the detention areas, as well as audio coverage. This monitoring can be accessed via web-based computers within the police department, as well as the dispatch area.

The Police Chief has determined the need for increased weaponry in the evolving criminal climate. Currently, the Chief is performing the necessary research and development to acquire the most cost-effective and reliable patrol rifles for the Escalon police officers.

The 2010/2011 Grand Jury requires no further action.

CITY OF STOCKTON POLICE DEPARTMENT

Recommendations from the 2009/2010 Final Report

R1. City of Stockton provide an estimated time for occupancy of the new facility.

Discussion and Conclusions from the 2010/2011 Grand Jury

The new Stockton Police Department Dispatch Center is slated for the fourth floor of the Stewart/Eberhardt Building (SEB) located at 22 E. Weber Avenue. Bonds have been sold and the construction has begun. The estimated time for the projection completion is May 2011, when a series of tests will take place. The estimated time for occupancy is July 2011.

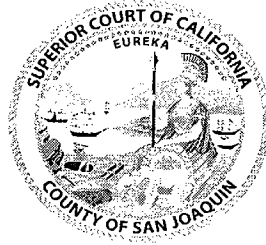
The 2010/2011 Grand Jury requires no further action.

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FOLLOW-UP

San Joaquin County Grand Jury



Review and Investigation of Responses to the 2009/2010 Final Grand Jury Report

Civil grand juries are charged with the mission of acting as the “Watch Dog” of the government for the citizens of the County. The 2009/2010 Grand Jury issued its final report in June 2010, which consisted of 13 individual reports on government agencies, departments, school districts and special districts throughout San Joaquin County.

Each finding in a grand jury report is required to be substantiated by written documents and /or oral testimony. Each recommendation must be supported by at least one finding. A recommendation generally suggests a shortcoming and calls for some change.

For every recommendation in a grand jury report, State law requires at least one organization, agency or official to submit a written response to the Presiding Judge. The grand jury must assure each response was submitted within the timeframe and is compliant with the requirements of the California Penal Code as follows:

California Penal Code Section 933(c) *No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls.*

The response must be addressed to the Presiding Judge of the San Joaquin County Superior Court. Responses were received from all government agencies and officials.

The succeeding grand jury may review the agency’s response and can choose to accept response as is and cease further investigation, or re-investigate, collect further information and re-issue a new report.

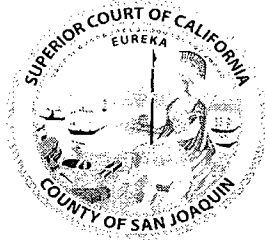
Method of Investigation

When reviewing and evaluating the responses to the 2009/2010 Grand Jury findings and recommendations, the 2010/2011 Grand Jury used the following criteria to ensure compliance with the requirements of the Penal Code Section 933.05(c):

- Response was received within statutory timeframe.
- Respondent indicated agreement with finding, or if there was disagreement or dispute, provided an explanation.
- Recommendation was implemented, a summary of the implementation action was provided, along with evidentiary documentation.
- Recommendation had not been implemented, but was in the process of being implemented, the respondent provided a timeframe for implementation.
- Recommendation required further study or analysis; the respondent provided an explanation of what actions were being taken and a timeframe for the study or analysis to be completed.
- Respondent indicated that the recommendation could not be implemented because of circumstances beyond their control.

The responses to the 2009/2010 Grand Jury's Final Report and the Recommendations and Findings of the 2010/2011 Grand Jury are on the following pages.

San Joaquin County Grand Jury



MARY GRAHAM CHILDREN'S SHELTER

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 0109

Summary

The 2009/2010 San Joaquin Grand Jury investigated a complaint against the Mary Graham Children's Shelter alleging misconduct and negligence by the Shelter's Director and Assistant Director. As a result of this investigation, the complaints received were unfounded; however, areas for improvement were identified.

Background

The HSA Director is aware of the issues at the Shelter and has been unsuccessful in resolving the problems. The Grand Jury acknowledges the public sentiment surrounding the proper care of the children that the shelter serves. Our community benefits from the presence of the shelter due to the fragile nature of its clientele's circumstances. While benefits are realized from the Shelter's offerings, complaints still surface. The Grand Jury received various complaints regarding the Shelter. While the Shelter is beneficial, its operation must be fiscally responsible.

The 2009/2010 Grand Jury received detailed complaints about the management of the Shelter. The complaints allege:

- There are serious communication problems at the Shelter resulting in low staff morale.
- The forceful management style of the Assistant Director hampers team building and is not conducive to good staff morale.
- Some long time staff members are discontented and resistant to change.
- The Director of the Shelter is often unavailable to staff.
- The Shelter Manual and the Employees Handbook have not been updated for years.
- When the number of children living at the Shelter decreases, management fails to reduce staff, rather they have increased full time staffing over the last four (4) years.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury met with administration of the Mary Graham Shelter and discussed the findings and recommendations. The jury had the opportunity to tour the facility.

Recommendations from the 2009/2010 Final Report

- R1. The Director and Assistant Director as well as the HSA Director develop a budget and a plan for awards and recognition of the staff to help build morale and leadership.
- R2. The Director, Assistant Director, and the HSA Director continue to search for outside County support to assist in the funding of the Shelter to preserve quality staffing levels. The independent Mary Graham Foundation could be instrumental in this effort to build public awareness and support

Discussion and Conclusions from the 2010/2011 Grand Jury

The 2010/2011 Grand Jury met with administration and staff and concluded administration at MGCS are constantly looking for ways to improve communication with the staff, especially the part time staff. Administrators indicated that holding the supervisors more accountable for their actions and required attendance at briefings enables them to verbally pass on items of interest, issues with the children and facility. Email is also used as a way of keeping staff informed from shift to shift. The MGCS Foundation and the Staff Appreciation Committee (SAG) help with BBQ's and pot lucks as a means of recognition for the employees.

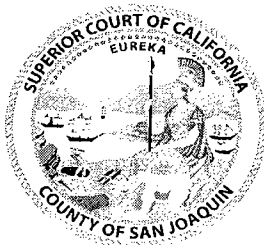
The staffing levels at the Shelter will continue to meet or exceed the State requirements set by the licensing board. Administration is always exploring additional services that would enhance the services to the children in San Joaquin County. The Shelter has operated the last couple of years under budget without sacrificing services to the abused and neglected children of this county. The shelter is grateful for the accomplishments of the Mary Graham Foundation, a private foundation.

The 2010/2011 Grand Jury requires no further action.

Disclaimer

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San Joaquin County Grand Jury



FARMINGTON RURAL FIRE PROTECTION DISTRICT

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 0209

Summary

This report is a follow-up to the investigation conducted and the recommendations made by the 2009/2010 Grand Jury (Case #0209). The case originated from a citizen complaint against the Farmington Fire Chief and the Farmington Volunteer Battalion Chief, who is also the current President of the Board, alleging conflicts of interest and misuse of public funds. A second complaint alleges that the Board routinely withheld information from the citizenry and acted outside the confines of the Brown Act. According to one complaint, family ties dominate the command structure of the Board and the Fire Department, implying conflicts of interest.

The 2010/2011 Civil Grand Jury conducted a follow-up investigation to determine the amount of progress made in addressing the prior year's recommendations.

Background

The District is formed under the Fire Protection District Law of 1987. It is an independent District and is not subordinate to the County Board of Supervisors. Voters of the District elect the Board members. Elections are managed by the County Registrar of Voters. The District Board has jurisdiction over the Fire Department. The District operates a Fire Station located in Farmington that is supported by 15 volunteers and seven pieces of equipment. The Fire Chief manages the Fire Department and serves at the pleasure of the Board. The District covers an area of approximately 100 square miles. Property taxes are the main source of operating funds.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury interviewed the Farmington Fire Chief. The Jury also toured the Farmington Fire Station.

Recommendations from the 2009/2010 Final Report

- R1. The Board conduct an annual review of the District's employee handbook to ensure it continues to conform to the County's conflict of interest regulation.
- R2. The Board prepares and promulgates a tenant agreement between any individual residing at the Fire Station which comes under review annually by the Board at a public meeting.
- R3. The Board fills the position of Secretary to the Board.
 - a. The Board should provide separate and secure office space in the fire station for the Secretary to the Board.
 - b. The Secretary to the Board shall report only to the Board.
 - c. To avoid conflicts of interest, real or perceived, the positions of Secretary to the Board and Fire Chief should not be held by the same individual.
- R4. The Board contract with an alarm monitoring company for the purpose of protecting against unauthorized entry, burglary and fire.

Discussion, Findings and Recommendations from the 2010/2011 Grand Jury

The California Employee Association updates the Farmington Fire employee handbook anytime there are changes in the laws/regulations and notifies the department regularly.

Board Policy #09-10-13 – Station Utilization Policy has been updated and will be reviewed annually at a public meeting.

The Farmington Rural Fire Protection District Board feels that the two to three hours a week the Chief currently spends on secretary duties is sufficient for the needs of the District. They will closely monitor for any conflicts.

- F1. The Board is examining all options to maintain security with completion of a contract by mid-2011.**
- R1. The Farmington Fire District Board shall complete their security contract by mid 2011.**

Please see Response Requirements

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924.1(a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929)

Response Requirements

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court from the Farmington Fire Protection District Board of Directors by September 20, 2011.

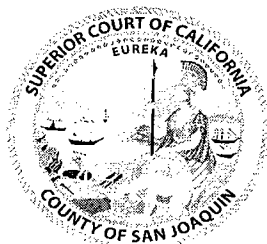
Mail or hand-deliver a hard copy of the response to:

Hon. Robin Appel, Presiding Judge
San Joaquin County Superior Court
222 E. Weber Av., Room 303
Stockton, CA 95202

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at

grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



VOTE BY MAIL

Follow-Up Report to the 2009/2010 San Joaquin County Grand Jury Case No. 0309

Summary

The 2009/2010 Grand Jury reviewed Vote by Mail (VBM) practices across the nation and investigated the fiscal impact of exclusive VBM in San Joaquin County. VBM is a process that allows voters to receive ballots at home, make their selections and return ballots to the Registrar of Voters.

Background

The 2009/2010 Grand Jury found VBM elections are conducted in Oregon and mostly throughout Arizona and Washington. California law does not permit counties discretion to conduct elections exclusively VBM. If California gave permission to San Joaquin County to implement exclusive vote by mail, it would save at least \$500,000 per election. The investigation also found the county equipped 513 precincts with automated voting machines for approximately 200 special needs voters at a cost of \$500,000. Significant expenses could be saved by reducing the number of precincts with automated voting machines while preserving access, dignity and privacy of special needs voters.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury interviewed the Registrar of Voters.

RECOMMENDATIONS FROM THE 2009/2010 FINAL REPORT

- R1. The San Joaquin County Board of Supervisors pursue enabling legislation that will allow the county the option of conducting future elections exclusively by mail.
- R2. The San Joaquin County Board of Supervisors reduce the number of precincts with voting machines provided for special needs voters throughout the county. Five sites could provide adequate access. Public transportation is available to special needs voters.

Discussion and Conclusions from the 2010/2011 Grand Jury

The Registrar of Voters agreed to review the recommendation to pursue enabling legislation and present that recommendation to the Board of Supervisors. The Registrar of Voters agreed that the current economy is driving the need for saving money in any way possible. Plans are being formulated to reduce the number of precincts, and consideration of exclusive VBM remains a viable option. To date that has not occurred.

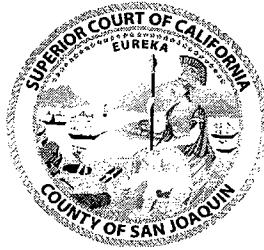
The respondent agreed in part with the recommendation, acknowledging enabling legislation would be required to allow the County to implement alternative voting methods for special needs voters and the Registrar would make such a recommendation to the Board of Supervisors should that become an option. There are no timelines for implementation of these plans.

The 2010/2011 Grand Jury requires no further action.

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San Joaquin County Grand Jury



BEST INTEREST OF THE CHILD

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 0409

Summary

The 2009/2010 Grand Jury investigated citizen complaints and news stories alleging instances of Child Protective Services (CPS) personnel actions contrary to the best interest of the child and against parental rights.

Background

Recognizing CPS investigations can be emotionally charged and permanently affect the lives of families involved, the Grand Jury chose to examine Social Worker (SW) demeanor during CPS investigations. The results of the investigation found that the processes for complaints against employees of CPS were not established in policy and procedures for employees and citizens did not know how to report alleged social worker misconduct.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury interviewed the Human Services Agency Director and the Interim Division Chief of Children's Services, reviewed documents and the website.

Recommendations from the 2009/2010 Final Report

R1. CPS create a policy and procedure for dealing with citizen complaints against CPS personnel.

R2. CPS draft, make available for distribution in print and on the web site, information advising the public how to report SW misconduct.

Discussion and Conclusions from the 2010/2011 Grand Jury

The San Joaquin County Board of Supervisors agreed in part with the recommendation, and agreed to formalize the process into policy and procedures and train staff on complaint policy.

The Children's Services Handbook, Section B-24, "Complaint Procedure", was revised to ensure all social worker staff followed a standard set of guidelines to ensure clients are made aware of the complaint procedure at first contact with employees from Children's Services. Additionally, a *Transmittal* document went to all employees including a copy of the revised procedure.

The HSA Director and Interim Division Chief acknowledge receiving CPS client complaints about personnel among other topics. Complaints are usually resolved at the social worker supervisor level or within the chain of command structure for CPS. Administration deals with personnel complaints through a standard personnel progressive discipline process that can and does on occasion lead to termination.

CPS developed procedures for many levels of client contact. A brochure is provided to all Human Services clients at first contact, which explains specific civil rights for public assistance, including Child Welfare Services. It includes the main number for the Human Services Agency and the number to call if a client wishes to file a complaint with the State of California. Additionally a business card is given to clients with contact information for a specific social worker. The complaint procedure is now prominently displayed for clients on the website. A transmittal has been developed for employees to standardize voice mail to include supervisors name and phone number. Clients phoning the main HSA phone number now may select option # 4 from the main menu to register complaints.

Administration acknowledged the seriousness of client complaints and the need to be responsive to all complaints from clients.

Conclusion

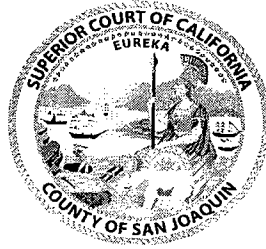
The 2010/2011 Grand Jury The Grand Jury found the agency made sincere efforts to expand awareness of complaint procedures, standardize contacts with clients, and train social worker staff on new procedures. Administration deals with personnel complaints through a standard personnel progressive discipline process that can and may on occasion lead to termination.

The 2010/2011 Grand Jury requires no further action.

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San Joaquin County Grand Jury



INFORMATION SERVICES

Follow-Up Report to the 2009/2010 San Joaquin County Grand Jury Case No. 0609

Summary

This report is a follow-up to the investigation conducted and the recommendations made by the 2009/2010 Civil Grand Jury (Case No. 0609). As the internet becomes more prevalent in the daily lives of San Joaquin County citizens, the importance of information accessibility and efficiency of document distribution on City websites is a topic of importance. Each city in our County maintains a website offering a multitude of information and documents.

2010/2011 Grand Jury conducted a follow-up investigation to determine the amount of progress made in addressing the prior year's recommendations.

Background

A city government's website is an extension of city hall and it is the digital presence that a city maintains on the World Wide Web. City government websites are a public entity primarily funded by taxpayers. Proper implementation and management of the site is an obligation of the city. By creating and continuing to evolve policy, management and fiscal responsibility of the city website, city officials will ensure that helpful information and relevant documents will be available to residents and businesses in an efficient manner.

An investigation was conducted by requesting and reviewing relevant documentation from each city in our County. Requested documents were analytical software reports, website policy and budget documents.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury reviewed responses to findings and recommendations, interviewed city personnel and reviewed various websites.

City of Escalon

Recommendations from the 2009/2010 Final Report

- R1. Cities implement analytical software for their websites and monitor the reports generated.
- R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.
- R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.
- R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Discussion, Findings and Recommendations from the 2010/2011 Grand Jury

The City of Escalon plans to launch a new website on May 1, 2011 and will use Word Press which has tracking capability. All department heads have been trained on how to update their own department's web pages.

The new policy to govern the city website's external content is not in place at this time, but should be implemented by the end of the 2011 fiscal year. All new external links are on hold until policy is finalized.

The City of Escalon added a line item for the website to the 2010 budget.

The City of Escalon is currently working on a policy for a quarterly review by department of the content and relevance to users of the city government website.

- F1. A policy for annual review of each department represented on the city website is being developed.**
- R1. Conduct annual review by department for website content and relevance.**

Please see Response Requirements

City of Lathrop

Recommendations from the 2009/2010 Final Report

- R1. Cities implement analytical software for their websites and monitor the reports generated.
- R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.
- R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.

- R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Discussions and Conclusions from the 2010/2011 Grand Jury

The City of Lathrop launched a new website as of December 2010, which uses the free Google Analytics software for site reports.

City of Lathrop Policy # 00-26 governs external website content.

The City of Lathrop has implemented the recommendation with the addition of a network security and software maintenance budget line item. The website is part of the maintenance process.

The Lathrop City Manager has appointed a committee which encompasses representation from each department to review website content at least every three months.

The 2010/2011 Grand Jury requires no further action.

City of Lodi

Recommendations from the 2009/2010 Final Report

- R1. Cities implement analytical software for their websites and monitor the reports generated.
- R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.
- R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.
- R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Discussions, Findings and Recommendations from the 2010/2011 Grand Jury

The City of Lodi uses analytical software. The City currently uses the free Google Analytics software for site reports.

The City of Lodi has a website content and external link policy which is reviewed frequently for relevance in a changing world.

The City of Lodi does not maintain a budget line item for the City website. The website is managed by City staff. Other than soft costs associated with staff time, the only hard costs are annual domain renewal of \$250 and citizen complaint module that costs \$1,000 annually. The City of Lodi has nominal website-related costs and adding a discrete budget line would not add value to the budget document.

The City of Lodi does not have such a process. The City of Lodi will consider the most cost and time-effective way to accomplish recommended review and implement the same.

F1. The City of Lodi does not have a process to review website content.

R1. Develop and document a process to evaluate documents and the relevance to users of the website.

Please see Response Requirements

City of Manteca

Recommendations from the 2009/2010 Final Report

R1. Cities implement analytical software for their websites and monitor the reports generated.

R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.

R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.

R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Discussions, Findings and Recommendations from the 2010/2011 Grand Jury

The City of Manteca uses analytical software and monitors reports.

The City of Manteca has no formal policy in place, though links to other government agencies and non-profits are allowed. At a later date Manteca will draft a policy pertaining to external web links.

The City of Manteca's website is maintained in house. No specific line item is needed. Manteca budgets for annual web-related maintenance.

The recommendation has not been implemented. The City of Manteca maintains that the content for each department shall be up to each department, provided the general presentation is consistent with the rest of the site. As Manteca moves forward to the SharePoint platform, a workflow process will help control this. Departments should have some autonomy in deciding what content is posted, while formatting should be standardized.

F1. The City of Manteca has no formal policy in place, though links to other government agencies and non-profits are allowed. At a later date Manteca will draft a policy pertaining to external web links.

R1. Develop and implement policy to govern external website content.

Please see Response Requirements

City of Ripon

Recommendations from the 2009/2010 Final Report

- R1. Cities implement analytical software for their websites and monitor the reports generated.
- R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.
- R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.
- R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Discussions and Conclusions from the 2010/2011 Grand Jury

The City of Ripon webmaster currently uses analytical software which provides information and statistics including page-views and frequently accessed pages. The information provided by this software has proven valuable for evaluating which information is most frequently used, and to evaluate the ease-of-use of the City of Ripon website.

The City of Ripon currently has an external-link policy in place. Before being placed on the City of Ripon website, external links are first reviewed by the webmaster, and secondarily by the City Administrator.

The City of Ripon currently monitors website-related expenses closely. The duties of webmaster are performed by a salaried-employee who is also assigned to several other job functions making detailed evaluation of personnel costs difficult. Any software or hardware capital expenses or maintenance costs must be approved by the City Administrator.

The City of Ripon has implemented a policy by which the webmaster will produce a listing of all information and documents pertaining to each specific department and deliver that list to each respective department-head. Upon reviewing the body of information, the department-head will notify the webmaster of information or documents that are no-longer relevant and should be removed, as well as new information that should be included. Annual review will be done in July

The 2010/2011 Grand Jury requires no further action.

City of Stockton

Recommendations from the 2009/2010 Final Report

- R1. Cities implement analytical software for their websites and monitor the reports generated.
- R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.

- R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.
- R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Discussions, Findings and Recommendations from the 2010/2011 Grand Jury

The City of Stockton's new website was launched as of March 31, 2011. It utilizes the free Google Analytics software for site reports.

The City of Stockton links to external websites are indented and labeled as such at the bottom of each page. A new Document Room site has been implemented that includes forms, brochures, news release, etc. This will enable people that know what they are looking for to go directly to the item. Department pages provide a link to the Document Room.

The City of Stockton maintains a budget line item for the website and has a defined budget account for maintenance and webmaster-type support. Content-specific website costs are born by the departments responsible for the content.

With the implementation of the new website, the expiration of each item will be indicated. An email will be sent to the author to advise the document is about to expire. Page content will be reviewed on at least an annual basis. Documents that have a longer expiration date, i.e., will be reviewed every two years.

A documented written policy is in the process of being written. Once more data is received from Google Analytics on how the site is being utilized by the public the policy will be finalized and published.

A yearly report is being planned that will be provided to the departments allowing them to identify changes that may be desirable to the departmental site maps and the content of their web pages. The City will implement by September 30, 2011.

F1. A written policy for website management is not in place.

R1. Complete written policy for website management.

Please see Response Requirements

City of Tracy

Recommendations from the 2009/2010 Final Report

- R1. Cities implement analytical software for their websites and monitor the reports generated.
- R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.

- R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.
- R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Discussions and Conclusions from the 2010/2011 Grand Jury

The City of Tracy uses software (Google Analytic) that can identify how and how much the City's website is being utilized. This information is available for City management to make decisions regarding operation and content on the website.

The City of Tracy currently has a website policy which addresses external links. It can be located at: <http://www.ci.tracy.ca.us/site/>

The City of Tracy is just completing a \$75,000 revamping of the City's website. Per City budgeting practices, this upgrade was budgeted as a Capital Improvement Project. The new website is expected to be launched with the new fiscal year in July. There is no line item at this time in the annual budget, other than the cost of implementation of the new website.

The City of Tracy's new website has all new content and will be updated as time and resources permit.

The 2010/11 Grand Jury requires no further action.

Conclusion

The 2010/2011 Grand Jury found that the cities included in this report are aware of the need for websites that are properly managed and fiscally responsible. Several cities have launched new websites. In this time of budget short falls it is imperative that policies be put in place to govern websites in order to best serve the public and help reduce and lower costs. Policies must be reviewed and updates to the websites must be implemented in order to keep information up to date, relevant to the users.

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Response Requirements

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court by September 20, 2011, from the following entities:

- **Escalon City Council**
- **Lodi City Council**
- **Manteca City Council**
- **Stockton City Council**

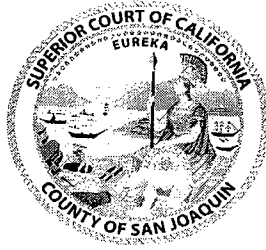
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San Joaquin County Grand Jury



NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 0809

Summary

This report is a follow-up to the investigation conducted and the recommendations made by the 2009/2010 Grand Jury (Case #0809). The case originated from a citizen complaint alleging several concerns including: fiscal and budgetary improprieties, improper bidding process, poor accounts payable procedures, conflict of interest and improper storage of public records. The Grand Jury initial report found that most of these allegations were without merit. The 2010/2011 Grand Jury conducted a follow-up investigation to determine the amount of progress made in addressing the prior year's recommendations.

Background

The Water Conservation District Board of Directors placed Measure C on the June 2010 ballot. This measure was crucial to providing an adequate water supply to the district's water users. Measure C reads in part: "...Measure V be repealed to allow North San Joaquin Water Conservation District to impose and collect a groundwater charge as described in the Water Code ..." The assessment was effectively a tax on all property owners of this District. The Board did not adequately communicate the necessary reasons for this assessment prior to their decision. This caused a number of the residents to circulate a petition for a vote to overturn the assessment. Measure V was placed on the ballot and it passed, thus repealing the ground water charge. This has caused a lack of funds to meet the State Water Resource Control Board requirements and has put the water supply of the District in jeopardy.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury interviewed the president of the Board.

Recommendations from the 2009/2010 Final Report

- R1. Due to the importance to Measure C, the Board make a concerted effort to educate their constituents of its content.
- R2. The Board establish a minimum dollar value above which all projects will be bid. In the pursuit of transparency, and to restore confidence in the Board, it would be appropriate to seek sealed bids for all major projects.
- R3. For an orderly transfer of duties the District establish a policy manual, operations manual, and job descriptions.
- R4. The entire Board receive training in the Brown Act and the fiduciary responsibilities of a Board member.
- R5. The Board continue town hall meetings to inform constituents of the District's needs and priorities.

Discussion and Conclusions from the 2010/2011 Grand Jury

The District held three town hall meetings (11/17/2009, 4/6/2010, and 5/12/2010) to discuss the measure. The District also sent out two newsletters (3/11/2010 and 5/10/2010) that provided information about the measure.

A minimum dollar value was implemented at the Board meeting of December 7, 2010.

The job description has been formalized and was presented to the Board and is pending approval.

The remaining policy and operations manuals are being formalized for Board approval.

The Board's attorney held training on the Brown Act at the December 7, 2010 meeting.

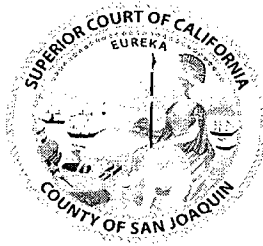
The Board is holding town hall meetings every three months or as needed.

The 2010/2011 Grand Jury requires no further action.

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San Joaquin County Grand Jury



PUBLIC APPOINTMENT PROCESS

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 1009

Summary

This report is a follow-up to the investigation conducted and the recommendations made by the 2009/2010 Civil Grand Jury (Case No. 1009). Hundreds of private citizens are appointed to various public boards/commissions/committees (BCC) throughout the county. The 2009/2010 Grand Jury concluded that the loose guidelines for the appointment process allowed appointed individuals to go unchecked and, without adhering to strict background checks, the appointment process lacks emphasis on fiduciary responsibility.

The 2010/2011 Grand Jury conducted a follow-up investigation to determine the amount of progress made in addressing the prior year's recommendations.

Background

The Grand Jury investigated incorporated cities of San Joaquin County, the Board of Supervisors and school districts. Interviews were conducted with a variety of BCC members. The number of BCC in the incorporated cities throughout the county is approximately 69. The Board of Supervisors has in excess of 100 BCC. At the time the report was written, there were 45 vacancies out of a possible 467 appointees. Qualifications for BCC appointments are based on residency and/or voter registration. Background investigations are not routinely completed on potential candidates. Some legislative bodies do not have policies in place to remove BCC appointees.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury confirmed and reviewed each agency's responses and materials. The Jury also interviewed administrators and staff.

City of Escalon

Recommendations from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.
- R3. Utilize alternative sources to advertise vacant positions: i.e. Twitter, movie theaters, television, radio, announcements at public events.
- R4. Annually review appointee performance and take appropriate action.
- R5. Develop policy and procedures defining the process for appointee removal.
- R6A. Develop criminal and credit check standards for appointees.
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Discussion and Conclusions from the 2010/2011 Grand Jury

The City of Escalon will be working on developing a written policy for the appointment of boards/commissions/committees (BCC) members.

The city currently requires all members of the Planning Commission to take ethics training every other year and provides all BCC with updated Brown Act information every year. The City Attorney is available to all BCC members for questions regarding the Brown Act.

Due to the size of Escalon and the lack of available staff, respondent finds the time and money spent on these alternatives sources of advertising would not be efficient or effective.

The Council may remove a member of a BCC at any time pursuant to the Escalon Municipal Code, with a majority vote.

The City of Escalon currently has in place a removal from office section for each BCC in its Municipal Code and will include it in written policies.

The City of Escalon will include the standards in the written policies. The respondent will perform a limited background check, which will include credit and criminal history on all appointees prior to appointment. Criminal and credit checks are not being performed; however, the City is currently performing fingerprint scans.

The 2010/2011 Grand Jury requires no further action.

City of Lathrop

Recommendations from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.

- R3. Utilize alternative sources to advertise vacant positions: i.e. Twitter, movie theaters, television, radio, announcements at public events.
- R4. Annually review appointee performance and take appropriate action.
- R5. Develop policy and procedures defining the process for appointee removal.
- R6A. Develop criminal and credit check standards for appointees.
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Discussion and Conclusions from the 2010/2011 Grand Jury

The City of Lathrop has a policy for appointment of BCC members in the City Council Handbook of Rules and Procedures, adopted by resolution.

The Brown Act and fiduciary responsibility training is provided to Planning Commission member as required by Assembly Bill 1234. Training is documented and when needed training is provided to the appointees.

The vacant positions are advertised in all suggested venues.

Appointee performance is reviewed at the BCC level, including attendance and other responsibilities. There are procedures in place for removal.

The appointee removal process is included in the Lathrop Municipal Code and the City Council Handbook of Rules and Procedures.

The development and implementation of criminal and credit background check standard is cost prohibitive and non-essential to the ability of BCC appointees to serve.

The 2010/2011 Grand Jury requires no further action.

City of Lodi

Recommendations from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.
- R3. Utilize alternative sources to advertise vacant positions: i.e. Twitter, movie theaters, television, radio, announcements at public events.
- R4. Annually review appointee performance and take appropriate action.
- R5. Develop policy and procedures defining the process for appointee removal.
- R6A. Develop criminal and credit check standards for appointees.
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Discussion and Conclusions from the 2010/2011 Grand Jury

The City of Lodi routinely follows its policies and procedure for BCC appointments from recruitment through the final appointment. The City will review its existing policies and procedures and update as necessary.

The City of Lodi routinely offers Brown Act and fiduciary responsibility training to BCC appointees as is required by Assembly Bill 1234. In addition, the City documents such training and notifies BCC appointees and their respective staff liaisons when said training is due to expire, when it will be offered again through the City, and online options to acquire said training.

The City of Lodi reviews BCC appointee performance at the BCC level and forwards matters to the legislative body for further action when necessary. The City of Lodi currently reviews BCC performance at the BCC level, including attendance and other matters of concern. When necessary if such matters are not resolved at the BCC level, the matters are brought to the legislative body for review and appropriate action.

The City of Lodi sets forth the BCC appointee removal process in certain BCC bylaws and/or other BCC incorporating documents. In addition, the City of Lodi has a default removal process through the legislative body. As a matter of law, the City Council has the authority to remove any appointee. A policy is not needed to reiterate that authority.

The City of Lodi does not currently perform criminal and/or credit background investigations on BCC appointees. The development and implementation of criminal and credit background check standards is cost prohibitive and non-essential to the ability of BCC appointees to serve as volunteers for the City of Lodi and may limit participation.

The 2010/2011 Grand Jury requires no further action.

City of Manteca

Recommendations from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.
- R3. Utilize alternative sources to advertise vacant positions: i.e. Twitter, movie theaters, television, radio, announcements at public events.
- R4. Annually review appointee performance and take appropriate action.
- R5. Develop policy and procedures defining the process for appointee removal.
- R6A. Develop criminal and credit check standards for appointees.
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Discussion and Conclusions from the 2010/2011 Grand Jury

The City of Manteca is not aware of any incidents where a potential BCC member has not completed an application. On rare occasions when no one has submitted an application, the Mayor has suggested a resident for appointment, which has then been discussed by the full Council in a properly noticed public meeting. Agree to develop/update policies and as it may become necessary and as sufficient staffing permits.

Manteca currently requires Planning Commission, Recreation and Parks Commission, Senior Advisory Committee and Youth Advisory Commission members to undergo ethics training every other year, and provides BCC members with updated Brown Act information as it becomes available. The City Attorney's Office is also available to all BCC members for question regarding the Brown Act. Although not routinely offered, Brown Act training has been provided on occasion to various BCCs. Formal fiduciary training is not, nor should it be, required for all BCCs, since this area is outside the purview of most BCCs.

Manteca does not believe the time and money needed to pursue these media is a cost-effective or cost-efficient use of public resources due to lack of available staff and financial resources. The City of Manteca advertises vacancies for BCCs in the local newspaper, posts on local government-access cable channel and posts on the City's website. City staff also notifies BCC incumbents of any vacancies. In addition, staff presents upcoming vacancies to the City Council at publicly noticed meetings prior to soliciting applications, further promoting the vacancies.

The Mayor and council members sometimes take it upon themselves to review, as they see appropriate, performance by BCC members, and prior to considering members for reappointment. In the event a majority of elected Council members is not satisfied with the performance of any BCC member, the Mayor and Council can elect not to reappoint the BCC member for an additional term.

Manteca already has said policy and procedures in place. Manteca's BCC policy states: "Unexcused absence from three consecutive meetings or five or more regular meetings in any 12-month period shall result in the position being vacated subject to any appeal process adopted by the City Council. Excused absences shall include illness, medical reasons, confirmed conflicts of interest, illness of family members or one's business necessitating one's absence. The member should notify the Chairman of the committee of the reason for the absence in advance of the meeting if at all possible."

The City of Manteca requires BCC members to file Conflict of Interest statements each year and believes this is sufficient for services on BCCs.

The 2010/2011 Grand Jury requires no further action.

City of Ripon

Recommendations from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.
- R3. Utilize alternative sources to advertise vacant positions: i.e. Twitter, movie theaters, television, radio, announcements at public events.
- R4. Annually review appointee performance and take appropriate action.
- R5. Develop policy and procedures defining the process for appointee removal.
- R6A. Develop criminal and credit check standards for appointees.
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Discussion, Findings and Recommendations from the 2010/2011 Grand Jury

Chapter 2.15 of the Ripon Municipal Code provides for the creation and operation of five commissions within the City of Ripon. The code codifies the application process and selection procedure for filling vacancies, and the specific powers and duties of each commission. Nonetheless, many of the Grand Jury's recommendations, if implemented, will improve the operations and accountability of the City's commissions. The City of Ripon believes that the current provisions of Chapter 2.15 of the Ripon Municipal Code are adequate with regard to the appointment of BCC members.

The City of Ripon will continue and strengthen its practice of providing Brown Act training to all appointees by regularly providing new members with Brown Act training publication and by providing training from the City Attorney's office on an annual basis.

The City of Ripon will continue to utilize its website to advertise BCC vacancies, and will use alternative sources such as Twitter, and announcements at public events to foster more interest in vacant positions. However, we would note that unlike other entities in the County, (sic) vacancies of BCC's are not a significant issue in Ripon.

The City of Ripon will institute a policy requiring a review once annually of the performance and achievements of each BCC, to occur during a regularly noticed City Council meeting. This annual review, if warranted, could result in individual appointee performance evaluations. The City council notes, however, that BCC appointees are serving without compensation, and thus, unnecessary or burdensome "performance expectations", or the appearance that BCC members are being "micromanaged" should be avoided. City staff, along with the assistance of the City Attorney, has drafted a policy for the annual evaluation of all council-elected commission members. The staff report, including the drafted policy, has been submitted to the City Council for their review and approval at the May 2, 2001 Council meeting.

The policy for resolving appointee vacancies, as well as a provision allowing for the removal of any BCC commissioner, is set forth in Chapter 2.15 (Section 2.15.030(C) of the Ripon Municipal code.

The City Administrator will work with the Ripon Police Department to develop a standard for criminal background checks for BCC appointees. To the extent any CC appointee, or his/her commission, handles public funds, a credit check may also be required, at the discretion of the City Administrator.

The Ripon Police Department will conduct criminal background checks for all future BCC appointees prior to their appointment. To the extent a credit check is necessary per, R6A, above, the credit check will be performed by the City Clerk/Finance Director or his/her designee.

- F1. The City of Ripon will institute a policy requiring a review once annually of the performance and achievements of each BCC, to occur during a regularly noticed City Council meeting.**
- R1. The Ripon City Council provide the Grand Jury with the written policy outlining the performance reviews.**

Please see Response Requirements.

City of Stockton

Recommendations from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.
- R3. Utilize alternative sources to advertise vacant positions: i.e. Twitter, movie theaters, television, radio, announcements at public events.
- R4. Annually review appointee performance and take appropriate action.
- R5. Develop policy and procedures defining the process for appointee removal.
- R6A. Develop criminal and credit check standards for appointees.
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Discussion, Findings and Recommendations from the 2010/2011 Grand Jury

The City of Stockton has a Council Policy (100-2) in place relative to the appointment of BCC members. This policy was last updated August 24, 2010. At that time, the recruitment and appointment processes were streamlined and modified to allow for more transparency, an extended recruitment timeline, and retention of candidate applications who might be interested in other BCC opportunities.

The City of Stockton has a handbook for Boards and Commissions that touches briefly on Brown Act and fiduciary responsibility. It has been given to the City's Civil Service Commission and will be modified to be more generic so that it may be shared with any BCC. Brown Act and fiduciary responsibility training were provided to the Civil Service Commission, and plans are being developed to provide this training to all City of Stockton BCC in the next twelve months.

- a. Modify the existing BCC handbook to include more information on Brown Act and fiduciary responsibilities, and
- b. Provide for and extend training in Brown Act and fiduciary responsibility.

Currently, the City of Stockton sends public service announcements to the local newspaper for publication, and attends Chamber of Commerce mixers to hand out flyers and promote upcoming vacancies on BCC. The City of Stockton inquired of movie theaters several years ago regarding public service announcements; however, it was cost prohibitive. In the next six months, the City will identify the various venues that will allow "free advertising" regarding the vacancies on BCC, and include this information as part of the recruitment process.

This recommendation requires further review. The City currently has 25 Boards and Commissions with a total of 246 appointees. Other than the Mayor, the Council is part-time. In the next nine months, the City of Stockton will evaluate the current internal review practices versus the recommended, more time intensive formal annual reviews of all BCC members. The City Council will then make a policy decision on this issue.

The City of Stockton currently has a policy for removal of a BCC member for excessive or unexcused absences. The BCC handbook has been modified.

In the next nine months, the City of Stockton will evaluate the BCC policy to consider addressing the development of standards for criminal and credit checks for appointees. The City will also amend the BCC policy to address the issue of performing criminal and credit background check on all appointees prior to appointment.

- F1. The City of Stockton has a Council Policy (100-2) in place relative to the appointment of BCC members. This policy was last updated August 24, 2010.**
- F2. The City of Stockton has a handbook for Boards and Commissions that touches briefly on Brown Act and fiduciary responsibility. It has been given to the City's Civil Service Commission and will be modified to be more generic so that it may be shared with any BCC.**
- F3. Currently, the City of Stockton sends public service announcements to the local newspaper for publication, and attends Chamber of Commerce mixers to hand out flyers and promote upcoming vacancies on BCC.**
- F4. In the next nine months, the City of Stockton will evaluate the current internal review practices versus the recommended, more time intensive formal annual reviews of all BCC members. The City Council will then make a policy decision on this issue.**

- F5. In the next nine months, the City of Stockton will evaluate the BCC policy to consider addressing the development of standards for criminal and credit checks for appointees. The City will also amend the BCC policy to address the issue of performing criminal and credit background check on all appointees prior to appointment.**
- R1. Notify by copy, the modification to the BCC handbook. Provide dates for Brown Act and fiduciary training.**
- R2. Provide the Grand Jury with a list of “free advertising” venues which the City plans to use.**
- R3. Inform the Grand Jury of the outcome of the policy decision on evaluating BCC members.**
- R4. Inform the Grand Jury on the outcome of development standards for criminal and credit checks for appointees.**

Please see Response Requirements.

City of Tracy

Recommendations from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.**
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.**
- R3. Utilize alternative sources to advertise vacant positions: i.e. Twitter, movie theaters, television, radio, announcements at public events.**
- R4. Annually review appointee performance and take appropriate action.**
- R5. Develop policy and procedures defining the process for appointee removal.**
- R6A. Develop criminal and credit check standards for appointees.**
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.**

Discussion and Conclusions from the 2010/2011 Grand Jury

Resolution 2004-152 adopted May 18, 2004, establishes the selection process for all City boards and commissions and defines the City’s residency requirements. Every applicant who fills out an application form is invited to interview with a City Council subcommittee. The subcommittee is provided with a list of approximately 20 questions to assist in determining the most suitable candidate. The list of question was updated in April of 2010. Questions are loosely divided into three groups. Initial questions relate to an applicant’s interest, experience and training, followed by questions specific to each board or commission’s purview. Final questions relate to conflict of interests, ethics and residency requirements. While not all questions are posed to all applicants, the final questions are mandatory and are designed to ensure that successful applicants are aware of the requirements relating to Assembly Bill 1234, the annual filing of the

Form 700, and the City's residency requirements. The Council subcommittee submits their recommendation to the full council at a regular City Council meeting for final appointment. The Council also has the option to create an eligibility list. The list is kept on file for one year and is used to fill vacancies for specific boards or commissions which occur during that time. There is no limit to the number of terms members may serve; however, at the end of each term members who wish to reapply are required to fill out updated application forms and take part in the selection and interview process.

Brown Act training is provided for all of the City's boards and commissions, with the exception of the Youth Advisory Commission. Following is a list of the City's boards and commissions together with the date of the Brown Act Training:

Planning Commission	Individual training is provided to each commissioner by the City attorney's office following appointment
Building Board of Appeals	April 27, 2010
Parks Commission	April 3, 2008
Tracy Arts Commission	March 9, 2010
Transportation Advisory Commission	February 11, 2010

In addition, all members of the City's boards and commissions, with the exception of the Building Board of Appeals, are required to complete Assembly Bill 1234 training within one year of appointment and once every two years thereafter. Board and commission members do not exercise control over City monies and, for the most part, act as advisory bodies to the City council only. As such, fiduciary responsibility training is not necessary.

Interest cards are available from the website and are kept for one year. Notices of vacancies are posted on the City's website, on Channel 26, and at the Tracy library. Vacancy notices are sent to the Tracy Press, the Record and the Tri-Valley Herald for local interest stories. Subscribers to Face Book and Twitter are automatically notified when notices are posted to the website. Vacancy notices are also automatically mailed to retiring members and to all parties who have submitted interest cards.

Board and commission members are evaluated at the end of their term only if they choose to reapply and complete the application process. Members are evaluated on an annual basis based on attendance, compliance with required training which includes Assembly Bill 1234 and submittal of Form 700, Statement of Economic Interests.

Resolution 2009-191, adopted October 20, 2009, provides standard bylaw language for all City boards and commissions regarding attendance, and outlines the process for removing an appointee who fails to attend four regular meetings in any calendar year. "Resolution 2010-022 adopted March 2, 2010, outlines the process for terminating an appointee who fails to comply

with AB 1234 training or file a form 700, Statement of Economic Interests, in a timely manner.”
“Ordinance 1146 adopted on March 16, 2010, clarifies the status of Planning Commissioners and outlines a process for termination.”

Board and commissions members do not exercise control over City monies and, for the most part act as advisory bodies to the City Council only. As such, criminal or background check are not necessary.

The 2010/2011 Grand Jury requires no further action.

County Board of Supervisors

Recommendations and Responses from the 2009/2010 Final Report

- R1. Develop or update policies and procedures for appointment of BCC members.
- R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.
- R3. Utilize alternative sources to advertise vacant positions; i.e. Twitter, movie theaters, television, radio, announcements at public events
- R4. Annually review appointee performance and take appropriate action.
- R5. Develop policy and procedures defining the processes for appointee removal.
- R6A. Develop criminal and credit check standards for appointees.
- R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Discussion and Conclusions from the 2010/2011 Grand Jury

Current procedures comply with applicable regulations governing boards and commissions and are currently being performed.

An effort of the County departments to augment recruitment efforts has resulted in a decrease in boards and commissions vacancies.

Due to a lack of funding and staffing reflecting budget shortfalls, these recommendations will not be implemented.

The 2010/2011 Grand Jury requires no further action.

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon the specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Sections 911,

924.1(a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929)

Response Requirements

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court by September 20, 2011 from the following entities:

- **Ripon City Council**
- **Stockton City Council**

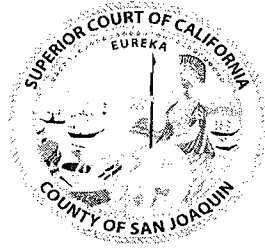
Mail or hand-deliver a hard copy of the response to:

Hon. Robin Appel, Presiding Judge
San Joaquin County Superior Court
222 E. Weber Av., Room 303
Stockton, CA 95202

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury, at

grandjury@courts.san-joaquin.ca.us

San Joaquin County Grand Jury



CITY OF STOCKTON AUDITS

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 1209

Summary

For the last several years, city leaders have been lax in resolving audit findings reported by the Stockton City Auditor. Audit topics included financial shortcomings and operational deficiencies. Since 2005, some department heads, prior City Councils and former City Managers were responsible for this lack of diligence in correcting exposed deficiencies. After media exposure and discussions with the Grand Jury, the current City Council and City Manager are placing a higher priority on correcting audit findings.

Background

The auditor's findings are significant because resolution of the findings will improve operational efficiency of the city, reduce operational expenses, increase accountability, strengthen internal controls and may increase revenue. The City Auditor is hired by and works independently for the City Council. City management has the responsibility to develop action plans, determine resolution timelines and update the status of resolution of audit findings. During the past fifteen years of audits 88 findings have required departments to develop solutions. Before an audit is closed, the audit department verifies the actions taken resolve the outstanding finding. Prior to 2005, 89% of audit findings were closed. In 2005, 68% of the audit findings were resolved. In 2008, only 21% of the audit findings were resolved. On September 23, 2009, the Auditor reported to the City Council there were 26 open findings, one dating back six years. Seventeen findings were identified in the City Manager's office, six in the Library, two in Parks and Recreation, and one in the City Clerk's office. The 2010 audit report added an additional number of new findings.

The April 2011 report, *Audit Findings Follow-up: Status of Management Action Plans-2010*, discussed 35 audit findings with management action plans due to be implemented by June 30, 2010 or earlier. Twenty-nine outstanding findings had been resolved through corrective actions by management. The remaining six outstanding findings had reasonable progress explanations

and new completion timelines established. In fact, the majority of the corrective action plans had been implemented for the remaining issues. Renewed interest and commitment from the City Council, Audit Committee and recently hired City Manager contributed to the resolution of these ongoing unresolved issues.

The practice of performance review evaluation has been inconsistently applied for years by the city council and city managers. According to current City Council members, prior to 2009, city managers did not receive performance evaluations for 7-8 years. However, in mid-2009, the Council conducted a performance evaluation of the City Manager. Also, the city managers did not perform evaluations of their city department heads. The lack of performance by the City Manager was the cause of the audits not being completed in a timely fashion. The City Auditor does not set the target date for a response to audit findings. These dates are set by the City Manager and the department heads. Extensions of the target dates are also made by the City Manager and the department heads.

Some City Council members expressed concern that the remaining open audit findings cannot be addressed due to staffing reductions. However, ignoring the audit findings will have a more significant negative economic impact. It is imperative that the City find a way to resolve all the findings.

Audit finding number 159-02 concerns the processes used in construction management of the Events Center. This includes contract letting, contract oversight, and contract management. The City cannot go back and make changes to the Events Center, admittedly, an anomaly of normal construction and funding practices in the City. However, as indicated in the audit findings, the City can use this experience as a "lesson learned" to improve the construction management processes. The improved processes would benefit the City's planned \$200 million Delta Water Supply Project. As of March 1, 2010, \$42 million of the estimated expenditure of \$217 million was spent due to the weather delays. The majority of the construction has not yet started. New system changes reported in the Audit Report as corrective action should adequately address these concerns in the future.

Method of Follow-Up Investigation

The 2010/2011 Grand Jury interviewed the City Auditor and City Manager to discuss the findings and recommendations of the 2009/2010 final report. Attention was directed to the long overdue audit items and priority given to the totality of the list. Additionally, the following reports were read:

- *AUDIT FINDINGS FOLLOW-UP: STATUS OF MANAGEMENT ACTION PLANS-2010* by the City Auditor, April 2011
- *CITY OF STOCKTON, CALIFORNIA Report to the Audit Committee and City Council for the Fiscal Year Ended June 30, 2010*, by external auditors Macias Gini & O Connell LLP

- *CITY OF STOCKTON, CALIFORNIA A Single Audit Reports (OMB Circular A-133), For the Fiscal Year Ended June 30, 2010* by external auditors Macias Gini & O Connell LLP
- 2010 and 2011 meeting minutes of the City Audit Committee.

Recommendations from the 2009/2010 Final Report

- R1. All open audit findings be resolved and closed.
- R2. The findings in Audit 159-02 must be addressed and concluded as soon as possible.
- R3. Target dates for a response to the findings in an audit shall be set by the Auditor and enforced by the City Council.
- R4. The City Council conduct an annual performance evaluation of the City Manager.
- R5. The City Manager conduct annual performance evaluations of all department heads
- R6. The City Council immediately update the construction management processes for capital outlay projects.

Discussion and Conclusions from the 2010/2011 Grand Jury

The 2010/2011 Grand Jury concluded general satisfaction with the progress of work demonstrated for the completion of this recommendation by the earnest effort of the recently hired City Manager and Leadership Team. Additionally, the Grand Jury was encouraged that the City Auditor and City Manager have been collaborating to develop strategies to resolve the most difficult remaining open items. Of the previously open 35 audit findings, there remain six open findings that are either in partial compliance, or awaiting approval of Administrative Directives for full compliance.

The City Manager is developing a process whereby managers are expected to support the audit program and ownership of their outstanding audit findings. This requires a change in the management culture of former leaders to the new leadership. Management was able to demonstrate the completion of certain items to the satisfaction of the City Auditor and a better understanding of the remaining items for early resolution. The Grand Jury was pleased with the progress and cautiously optimistic about completion of the current list and continual updating of the list for the betterment of the City.

The 2010/2011 Grand Jury concluded the City Manager is on target to resolve the outstanding issues related to the Events Center capital project findings (159-01, 159-02). All parties agree the project was an anomaly in how the City conducts capital projects, and directives have been updated to further tighten oversight of future projects.

The 2010/2011 Grand Jury concluded there are at least two target dates involved in resolving audit findings. The first date is the deadline for departments to provide their action plan to the City Auditor. Depending on the number and complexity of the audit findings, a response from department heads may take two to four weeks. The second target date is the deadline for actually correcting the conditions reported in audit findings. Procedurally, those dates are set by management responsible for corrective action.

A list of each outstanding audit finding was reviewed with the Grand Jury and significant progress has been made to resolve the audit findings with the majority of findings successfully closed, several partially completed and in-progress toward addressing systems issues contributing to the findings (old, uncollected Library fines; updating and documentation of policies, procedures and administrative directives). The City Manager has monitored each outstanding finding diligently and the Auditor acknowledges progress toward resolution of outstanding findings. Ultimately the City Council is responsible for assuring satisfactory resolution of outstanding audit findings.

The 2010-2011 Grand Jury concluded that the City Manager has been with the City of Stockton for ten months and was evaluated by the City Council, per his contract, at the six month anniversary. The next evaluation is to be conducted at the 18 month anniversary.

The 2010-2011 Grand Jury concluded that the City Manager meets weekly with department heads, held a leadership retreat for all senior managers to establish performance goals for themselves and their departments as well as write a business plan for each department. These goals and plans will become the basis on which their annual performance will be evaluated.

The 2010-2011 Grand Jury concluded the City disagreed with the finding. There are strict guidelines and processes in place, including monthly reports of the work progress, pay estimates, contractor and City project inspector/engineer reviews and determination of project completion percentages. Each project is tracked with discrete account numbers and purchase orders. A construction management firm may be employed to provide construction management services on large-scale construction projects. The city also agrees that the findings related to the Event Center, resulted from anomalous administration and funding practices. Safeguards and processes have been instituted and updated to reduce the possibility of that type of inadequate oversight from occurring in the future.

Conclusion

The recently released external audit of the 2010 fiscal year has identified a number of potentially significant lapses in best practices for fiscal administration. At least some of the findings of these audits appear related to the funding and workforce shortages from the several year fiscal crises facing the City. Additionally, there are critical technology needs for standardized fiscal check and balances in payroll services and processes, adding to the challenges facing policy makers and management. The City Council and budget planners will face challenges to guard the critical need for funding to ensure prudent fiscal policies.

The Grand Jury encourages the City Audit Committee members, City Auditor and City Manager to meet at least quarterly to review and possibly establish priorities for departmental review from the City Auditor. The purpose of the meeting would be to share concerns regarding mitigation of risk of loss, detection of graft, and other administrative issues of concern. The Auditor should remain free of influence in the conduct of the audit review and reports to the City Council.

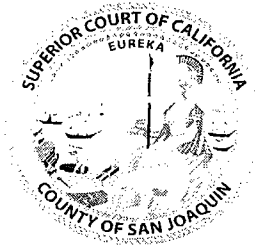
The Grand Jury commends the City Auditor, Administration and City Council for establishing high priority to address the concerns of the 2009-2010 Grand Jury regarding outstanding audit finding.

The 2010/2011 Grand Jury requires no further action.

Disclaimer

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San Joaquin County Grand Jury



FIRST 5 OF SAN JOAQUIN

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 1309

Summary

The 2009/2010 Grand Jury investigated a complaint that the San Joaquin County Children and Families Commission (First 5) was not clearly reporting grants awarded to entities that had representatives who were First 5 Commissioners. Additionally, similar omissions were found in the audited financial statements violating California Government Accounting Standards Board Code Section 2300.107f and Statements of Accounting Standards 45 paragraph 11-12.

Background

Since 1998, San Joaquin County received its pro-rata share of California cigarette taxes from Proposition 10. These taxes provide funding for pre-school education preparedness. The San Joaquin County Children and Families Commission (First 5) was established by the County as an autonomous entity to receive funding, disburse grants and incur administrative expenses. The grant recipients are published on the First 5 website. Eight of the nine First 5 Commissioners were associated with entities that receive grants

Method of Follow-Up Investigation

The 2010/2011 Grand Jury reviewed the lengthy and detailed response to the 2009/2010 Grand Jury findings, which found that the quoted government code alleging violation of accounting standards did not apply to this entity according to the independent auditor. During discussions with the current Chair of First 5 of San Joaquin it was noted that the current independent auditor agrees with the opinion of the previous independent auditor responsible for the response to the 2009-2010 Grand Jury Findings.

RECOMMENDATIONS FROM THE 2009/2010 FINAL REPORT

- R1. Comply with California reporting requirements.
- R2. Annual reports shall disclose amounts awarded to each Commissioner related entity.

Discussion and Conclusions from the 2010/2011 Grand Jury

The First 5 Commission undergoes annual independent audit and public reporting according to Generally Accepted Accounting Principles, and complies with applicable Government Audit Guides and Codes.

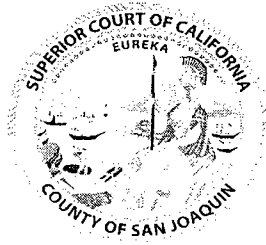
The First 5 Commission had three, not eight commissioners associated with programs that publically recused themselves during votes of grant awards. Additionally the interpretation of transactions referenced between the Commission and Commissioners was misapplied. The contracts were actually between the First 5 Commission and governmental agencies for which the three Commissioners were employees, not direct contractors with the Commission. The independent auditor of First 5 shall interpret the laws regarding public disclosure.

The 2010/2011 Grand Jury requires no further action.

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San Joaquin County Grand Jury



SAN JOAQUIN DELTA COMMUNITY COLLEGE

BROWN ACT VIOLATIONS

Follow-Up Report to the

2009/2010 San Joaquin County Grand Jury Case No. 1409

Summary

The 2009/2010 Grand Jury investigated a complaint regarding the conduct of some members of the San Joaquin Delta Community College Board of Trustees (Board). Several members of the Board had allegedly violated the Brown Act. The Board had been investigated by several prior Grand Juries for similar violations.

The Brown Act is the common name for the law that prohibits public officials from conducting public business outside of the open Board meetings except under narrowly defined circumstances such as personnel or litigation issues.

The information received by the Grand Jury involved three Trustees attempting to influence the vote of a fourth Trustee, thereby violating the Brown Act by initiating a serial meeting.

Background

The Brown Act was enacted to ensure that all normal, non-confidential business before any Board or Public Agency be conducted in public view. A complaint was received alleging the violation of at least two sections of the Brown Act.

The first was a serial meeting of a majority of the Board to influence an important vote. These meetings occurred over the telephone and in person.

The second violation occurred when two Trustees, on separate occasions, disclosed information from a confidential closed session in the open public session of the meeting.

A majority of the Board agrees that these meetings and contacts were ill advised and could have resulted in a violation of the Open Meeting Law. In spite of this acknowledgement, the Board declined to censure or discipline the Trustees as recommended by the 2009/2010 Grand Jury.

Method of Follow-Up Investigation

Interviewed several members of the Board of Trustees

Reviewed the response to the original report from San Joaquin Delta College Board of Trustees

Attended several meetings of the San Joaquin Delta College Board of Trustees

Recommendations from the 2009/2010 Final Report

- R1. Trustees take responsibility for keeping themselves apprised of required training opportunities
- R2. Censure of Trustees A, B and C by the Board for cooperating in violating the Brown Act
- R3. Censure of Trustee A by the Board for disclosing confidential information from a closed session in a public forum
- R4. Censure of Trustee B by the Board for disclosing confidential information from a Closed Session in a public forum
- R5. The President of the board ensure that all Trustees participate and complete, at least quarterly, mandatory training clarifying the legalities and intent of the Brown Act
- R6. The Clerk of the Board maintain records verifying Trustee attendance and completion of all training, especially relating to the Brown Act

Discussion and Conclusions from the 2010/2011 Grand Jury

The Board refused to implement any of these recommendations.

They also refused to censure Trustees A, B and C, because they feel the allegations in the report were not specific enough and the Trustees were not identified. However, in follow-up testimony Trustees acknowledged that they knew who Trustees A, B, and C were and they stated that a serial meeting had in fact occurred, though they claim they did not know it was a violation of the Brown Act. The Grand Jury's report was as specific as possible given the guidelines and rules it is bound by. This response is disingenuous on the part of the Board.

The Grand Jury recommended maintaining records verifying attendance and completion of all training, especially relating to the Brown Act. The Grand Jury determined that the Board and its President do not have the authority to enforce this recommendation. It is the responsibility of the individual Board member to attend the appropriate classes. The Board will update its annual self-evaluation instrument to include participation in training for Brown Act compliance.

The San Joaquin Delta College Board of Trustees has refused to censure its own when faced with evidence of violations of the Brown Act.

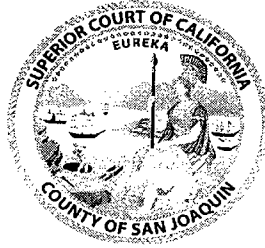
The Brown Act was created to increase the transparency of public meetings. The Board's actions indicate a lack of knowledge and respect for both the citizens of San Joaquin County and the Brown Act.

The 2010/2011 Grand Jury requires no further action.

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San Joaquin County Grand Jury



SAN JOAQUIN DELTA COLLEGE STUDENT DISCIPLINE

Follow-Up Report

2009/2010 San Joaquin County Grand Jury Case No. 1509

Summary

The 2009/2010 Grand Jury received a complaint regarding student discipline procedures. The two allegations were: inconsistent imposition of discipline and unwillingness by the administration to investigate claims. The 2009/2010 Grand Jury found that Delta did not investigate student claims sufficiently. It was recommended that Delta draft a policy clearly stating the investigation policy and the student hearing procedure and implement them consistently in the future.

Background

The 2009/2010 Grand Jury received and investigated a complaint describing a series of events, which culminated in the suspension of a student, allegedly without due process. The student was an elected officer of the Associated Student Body Government (ASBG). One of the complainant's duties was to report on the activities of the flea market held on the campus. Upon discovering possible improprieties in cash handling he brought this issue to the attention of the Vice President (VP) who oversees the ASBG. The VP was dismissive of the cash management issues. Because of the response from the VP, the Complainant expressed his concerns during the Public Comment section of the Delta Board of Trustees meeting.

Female students who worked at the flea market subsequently filed several complaints of harassment. The VP sent a letter to the Complainant advising him of the complaints. The letter further stated that he "was in violation of the college's *Student Code of Conduct*" and "should contact this office immediately to schedule an appointment", and a "misconduct hold" had been placed on his records. It appears the VP had already pre-judged the case by declaring him in violation and meting out punishment without any opportunity to present a defense.

The Complainant contacted the VP's office and verbally scheduled an appointment. There was no written or email confirmation of the appointment. The Complainant arrived for the appointment at 12:00 and was informed that the appointment was at 11:00. The VP did agree to meet with the Complainant at 3:30 that day.

When the Complainant returned at 3:30 he met with the VP who simply recited the allegations against him. The VP then signed a previously drafted letter which informed him that:

- he missed the meeting and therefore forfeited his opportunity to respond,
- his actions constituted "good cause" for discipline
- he was suspended and would be on probation for one year, if he returned to Delta
- he could appeal the suspension within five college days, in writing, to the Student Grievance Coordinator.

The Complainant filed a grievance requesting redress for "arbitrary or capricious or improperly discriminatory action affecting the evaluation of, or impeding the progress of, the student's academic performance or achievement," and "improper or unwarranted imposition of discipline."

The Vice-President rejected the grievance citing Administrative Procedures 5500 and 5530, *Standards of Conduct* and *Student Rights and Grievances*, respectively. The student was not using the grievance procedure to protest the discipline itself, but the lack of proper procedures, which did not allow him due process.

Method of Follow-Up Investigation

- Interviewed several members of the Board of Trustees, the Interim Vice President of Student Services, and the Dean of Student Activities.
- Reviewed the response to the 2009/2010 report from San Joaquin Delta College Board of Trustees.
- Reviewed the revised Administrative Procedures 5500, 5510 and 5520, and the revised Board Policy 5500.
- Attended several meetings of the San Joaquin Delta College Board of Trustees.

Recommendations from the 2009/2010 Final Report

- R1. Delta draft and abide by investigation procedures for complaints based on Administrative Policy 5500 Standards of Conduct.
- R2. Delta clearly define discipline procedures and comply with due process requirements.
- R3. Delta apply a "miscellaneous hold" instead of "misconduct hold" upon receiving a complaint to maintain student integrity. At the conclusion of the process the appropriate hold will be applied.
- R4. Discipline policy include a required procedure to confirm all verbal communications with written correspondence.
- R5. Discipline policy include a required procedure to provide the accused advance access to allegations and associated details with reasonable time to review.
- R6. All disciplinary meetings are fair and impartial, including a neutral hearing officer.

- R7. Claims alleging disciplinary actions are arbitrary and capricious be subject to review under Administrative Procedure 5530 Student Rights and Grievances.
- R8. Hard copy forms associated with the discipline process be made available at multiple Delta common use facilities.
- R9. Delta utilize a suspension hearing panel as required by Administrative Procedure 5500 Standards of Conduct and the California Education Code 66017.

Discussions and Conclusions From the 2010/2011 Grand Jury

The Trustees' written response to the 2009/2010 Grand Jury Final Report was vague and did not address any specifics in the findings and recommendations. The reaction of the Trustees was to deny any problems and stated that they would not revise the Policies and Procedures.

The Vice President of Student Services at the time of the 2009/2010 report has resigned.

The Interim Vice President of Student Services and the administrative staff did take the findings and recommendations seriously. Administrative Procedure 5500 has been revised. The new policy complied with the recommendations of the Grand Jury.

Although the official response stated there would be no change in policy, the new Interim Vice President of Student Services has taken the initiative to revise the policies

The Grand Jury commends the Interim Vice President of Student Services for the courage and integrity demonstrated by writing and implementing these new procedures in the face of the indifference of the Board.

The 2010/2011 Grand Jury requires no further action.

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Section V

Presentations

Site Visits

ACTIVITIES

PRESENTATIONS

San Joaquin County Adult Probation Chief Probation Officer
Patty Mazzilli

San Joaquin County Assessor/Clerk/Recorder
Ken Blakemore

San Joaquin County Behavioral Health Services
Vic Singh

San Joaquin County District Attorney
Jim Willett

San Joaquin County Human Services Agency
Joseph Chelli

San Joaquin County Public Defender
Peter Fox

San Joaquin County Sheriff/Coroner
Steve Moore

Stockton City Manager
Bob Deis

Stockton City Mayor
Ann Johnston

Stockton Fire Chief
Ron Hittle, represented by Deputy Chief Paul Willette

Stockton Firefighters Union President
Dave Macedo

SITE VISITS

American Medical Response Dispatch

Deuel Vocational Institution

Lodi Police Department and Jail

Northern California Youth Correctional Complex

O.H. Close facility

N.A. Chaderjian Facility

Port of Stockton

San Joaquin County Behavior Health

San Joaquin County Jail and Honor Farm

San Joaquin County Juvenile Probation

San Joaquin County Morgue

San Joaquin County Public Conservator

San Joaquin County Registrar of Voters

San Joaquin General Hospital

South San Joaquin Irrigation District

Stockton Fire Dispatch

Stockton Metropolitan Airport

Superior Court Detention Facilities

Lodi

Manteca

Stockton

Tracy