



BOARD OF SUPERVISORS

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STOCKTON, CALIFORNIA 95202
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LOIS M. SAHYOUN
Clerk of the Board

STEVEN GUTIERREZ
First District

LARRY RUHSTALLER
Second District

VICTOR MOW
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KEN VOGEL
Vice Chairman
Fourth District

BROY ORNELLAS
Fifth District

August 19, 2008

Honorable William J. Murray, Jr.
Presiding Judge of the Superior Court
County of San Joaquin
222 E. Weber Avenue, Room 303
Stockton, CA 95202

Dear Judge Murray:

Responses to 2007-08 Grand Jury Reports

Pursuant to Section 933.05 of the California Penal Code, attached please find the Board of Supervisors' responses to the Grand Jury Final Report for the following cases:

- a. San Joaquin Juvenile Justice Center;
- b. San Joaquin County Exempt Position Hiring – Case #02-07;
- c. San Joaquin County Animal Control – Case #09-07;
- d. Mary Graham Children's Shelter – Case #10-07;
- e. San Joaquin County Registrar of Voters – Case #01-07(C) follow up report;
- f. San Joaquin County Stockton Metropolitan Airport – Case #01-07(D) follow up report;
- g. SJC Behavioral Health Services and SJC Office of Education (Valley LINC's Program) – Case #01-07(E) follow up report;
- h. San Joaquin County Emergency Medical Services – Case #01-07(F) follow-up report.

If you have any additional questions regarding these responses, please contact Manuel Lopez, County Administrator, at (209) 468-3203.

Sincerely,

Ken Vogel, Chairman
Board of Supervisors
County of San Joaquin

KV:ML:abm

Attachments

BOS08-01

Before the Board of Supervisors

County of San Joaquin, State of California

B-08- 940

MOTION: Gutierrez/Mow/5

Approval of Responses to 2007-08 Grand Jury Reports

This Board of Supervisors does hereby:

1. Approve the responses to the 2007-08 Grand Jury Report (**a copy of the Grand Jury Report is on file with the Office of the Clerk of the Board**):
2. Authorize the Chairman to sign and submit the responses to the Presiding Judge of the Superior Court.

I HEREBY CERTIFY that the above order was passed and adopted on August 19, 2008 by the following vote of the Board of Supervisors, to wit:

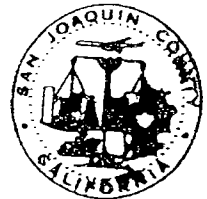
AYES: Ruhstaller, Ornellas, Gutierrez, Mow, Vogel

NOES: None

ABSENT: None

ABSTAIN: None

LOIS M. SAHYOUN
Clerk of the Board of Supervisors
County of San Joaquin
State of California



A handwritten signature in cursive script, reading "Lois M. Sahyoun".

(COB 12/87)



PROBATION DEPARTMENT

J. CHRISTOPHER HOPE
CHIEF PROBATION OFFICER

July 9, 2008

Honorable William J. Murray, Jr.
Presiding Judge, Superior Court
222 E. Weber Avenue, Room 303
Stockton, CA 95202

SAN JOAQUIN COUNTY
08 JUL 10 AM 10:31
COUNTY ADMINISTRATOR

Dear Judge Murray:

**Response to 2007-08 Grand Jury Final Report:
San Joaquin County Juvenile Justice Center**

The Grand Jury toured the Juvenile Justice Center (Juvenile Hall) on October 31, 2007 and offered one finding and one recommendation on page 12 of the 2007-08 Grand Jury Final Report as follows:

Grand Jury Finding:

- 1. **Inspirational life sized posters of sports figures were predominantly displayed on the walls of the hallways, some of which were inappropriate role models.**

Probation Department Response:

The Probation Department, which operates San Joaquin County Juvenile Hall, agrees with the Grand Jury finding. The poster of a professional athlete who was convicted of a crime was removed. We will be more vigilant in the future in selecting and monitoring appropriate role models for display within the facility.

Grand Jury Recommendation:

- 1. **Diversify the display of posters to include every day heroes.**

Probation Department Response:

The Probation Department agrees with the Grand Jury recommendation. In addition to life-size posters of professional athlete role models displayed on the walls of the facility, we have added every day role models as well. We will continue to honor every day heroes in this manner and in a variety of other ways for the youth detained in Juvenile Hall.

Sincerely yours,

J. Christopher Hope
Chief Probation Officer

- c: Honorable Barbara Kronlund, Presiding Judge, Juvenile Court
Board of Supervisors
Manuel Lopez, County Administrator ✓
Patty Mazzilli, Assistant Chief Probation Officer
Marilyn Martin, Deputy Chief, Juvenile Detention

Juvenile Court and Field Services
575 W. Mathews Road
French Camp, CA 95231
209/468-4000

Juvenile Detention Facilities
535 W. Mathews Road
French Camp, CA 95231
209/468-4200

Adult Services
Room 201, Cantia Building
24 S. Hunter St.
Stockton, CA 95202
209/468-4100

Administration
575 W. Mathews Road
French Camp, CA 95231
209/468-4068



ATTACHMENT B

COUNTY OF SAN JOAQUIN

Human Resources Division
24 South Hunter Street, Room 106
Stockton, California 95202
Telephone (209) 468-3370
Fax (209) 468-0508

June 2, 2008

Grand Jury
County of San Joaquin
Courthouse
222 East Weber Avenue, Room 303
Stockton, CA 95202

Re: Response to Case No. 02-07: San Joaquin County – Exempt Position Hiring

This is in response to the 2007-2008 Grand Jury report concerning citizen complaints in July and August of 2007 alleging improprieties in the process for hiring the exempt position of Assistant Clerk of the Board of Supervisors. As noted in the findings, the Civil Grand Jury found no evidence of pre-selection, or that incorrect processes were used in the selection process for the Assistant Clerk of the Board.

Following is San Joaquin County Human Resources' response to the three (3) recommendations the Civil Grand Jury made concerning the County's exempt hiring process:

Recommendation #1: While flexibility in hiring might be a good thing, the ability to create numerous exempt positions is not. Because an extensive list of exempt employees appears to have developed over the years, the Grand Jury recommends that the list be re-examined for validity as necessary for exempt status.

Response: We are not in agreement with Recommendation #1. The list of exempt classifications has grown over time as County departments have grown. For example, San Joaquin County has increased the number of classifications in this category by adding assistant department heads in departments where none previously existed. This approach was designed to facilitate workforce planning strategies required to address potential leadership gaps resulting from Department Heads retiring or moving on to other agencies. Four new exempt positions were added in the 2006-2007 fiscal year budget for Assistant Department Head level positions in the Employment and Economic Development Department, Stockton Metropolitan Airport, Purchasing and Support Services, and the Clerk of the Board's Office.

There are currently one hundred and five (105) exempt classifications. The majority of exempt classifications are executive and senior management leadership positions in San Joaquin County. Thirty-four percent (34%) of the exempt classifications represent positions that are elected officials and department heads. Approximately sixty percent (60%) of the exempt classifications are senior management positions which represent the County's assistant department heads or high level division directors in larger County departments. The remaining six percent (6%) are classifications that are middle management or confidential positions.

As an ongoing part of the Human Resources' classification process, new classifications are carefully reviewed to determine if the class should be in an exempt category. In addition, as exempt positions become vacant, the classification is reviewed and evaluated to determine if it should remain exempt. Recommendation #1 will not be implemented because the requested review is already an ongoing process; therefore, there is no need to re-examine the listing of exempt classifications for validity.

Recommendation #2: The Grand Jury recommends that future announcements for exempt positions contain an explanation of what an exempt position means.

Response: We are in agreement with Recommendation #2. The recommendation has not been implemented but will be implemented beginning July 1, 2008. The following statement will be included in any exempt recruitments beginning July 1, 2008:

This position is exempt from the San Joaquin County Civil Service system. Appointments to exempt positions in San Joaquin County are at-will and not governed by the Civil Service Rules.

Recommendation #3: The Grand Jury recommends that some type of hiring guideline for exempt positions be written and approved by the County Board of Supervisors, so that appointing authorities in the County (and job applicants) have a consistent path to follow. These guidelines should be written to ensure a visible and standard approach to exempt position hiring without overly restricting the appointing official.

Response: Human Resources has developed Selection Guidelines for Classified Exempt Positions which will be distributed to Department Heads the beginning of the fiscal year, July 1, 2008. However, this is a guideline only and is not a policy, ordinance, or order that requires approval of the Board of Supervisors. Although we are in agreement that a written hiring guideline for classified exempt positions be written, we are not in agreement that the hiring guidelines should require approval by the Board of Supervisors. As noted in Recommendation #1, the majority of exempt positions are assistant department heads or

division directors. The department head should retain the greatest flexibility in the selection process for an exempt appointment to meet the organizational mission, goals and objectives of the department.

Many of the department heads utilize the assistance of Human Resources to recruit for exempt positions, however it is not required, and should not be a requirement to fill an exempt position. Department Heads are expected to make responsible decisions that impact all facets of their department. Ultimately the Department Head is responsible for providing leadership for his or her department and should be afforded the flexibility to select classified exempt, at-will senior managers to support their vision for the organization.

Even without formal guidelines, the majority of classified exempt recruitments have been conducted with the assistance of Human Resources. The recruitment process for Assistant Clerk of the Board, which was conducted by Human Resources, and followed a step-by-step process for selection, was both fair and objective. However, even with this approach, individuals made allegations about the process which were unfounded. A prescriptive guideline that does not allow for variances in the selection process, provides a mechanism for grievances that mirror the Civil Service process. A guideline that restricts this flexibility in any way, impedes the discretion that Department Heads are expected to exercise. These positions have been specifically exempted from the Civil Service System in recognition of the need for the greatest flexibility, latitude, and discretion in hiring classified exempt, at-will staff.

We appreciate the opportunity to respond to the recommendations made in Case No. 02-07: San Joaquin County – Exempt Position Hiring. It is our opinion that Recommendation #2, which recommends that future announcements for exempt positions contain an explanation of what an exempt position means will have the greatest impact on clarifying what exempt status means for individuals interested in applying for a classified exempt position. If the statement had been included in the recruitment brochure for the Assistant Clerk of the Board, there may not have been the same questions concerning process because applicants would have clearly understood they were applying for a position that was exempt from the San Joaquin County Civil Service system, and therefore, the applicable selection rules would not apply.

Respectfully submitted,

Cynthia M. Clays

Cynthia M. Clays
Director of Human Resources

CMC:bt

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2101 E. EARHART AVE., SUITE 100

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209/831-5407

SIMMS STATION - RIPON
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SCOTT HUDSON
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES
ANIMAL CONTROL

SAN JOAQUIN COUNTY
OFFICE OF THE
AGRICULTURAL COMMISSIONER

2101 E. EARHART AVE., SUITE 100
STOCKTON, CALIFORNIA 95208-3924
PHONE: 209/953-6000
FAX: 209/953-6022

August 1, 2008

Mr. Manuel Lopez
County Administrator
222 E. Weber Ave.; Rm. 707
Stockton, Ca. 95202

Dear Mr. Lopez:

SAN JOAQUIN COUNTY
08 AUG - 1 AM 10: 07
COUNTY ADMINISTRATOR

Introduction

This is a follow-up to the 2007-2008 Civil Grand Jury report regarding an Animal Control complaint concerning a barking dog. The investigation determined that significant action and procedures were taken by the San Joaquin Animal Control Division and the situation was resolved to both the complainant and the dog owner's satisfaction.

Response to the Grand Jury's Findings

Finding 1: Barking dog complaints are very hard for Animal Control to verify, especially when the dog is barking at night. The Animal Control Division provides after hours services for emergency calls only, and just one officer provides services for the entire county.

Response: Agree.

Finding 2: The first step in responding to a barking dog complaint is to send a letter to the dog's owner. A second complaint about the same dog results in a second letter being sent. A third complaint results in a Notice of Violation being sent. Sometime multiple Notices of Violation are sent.

Response: Agree.

Finding 3: If the issue is still unresolved, the animal control officer must go out to the location and actually hear the dog barking. The dog must be barking unprovoked, and the unprovoked barking must go on for 10 minutes. A citation can then be issued which can result in a fine imposed by a judge. However, Animal Control tries to resolve the issue prior to issuing a citation. They talk to the dog owner and see if the complaint can be resolved amicably.

Response: Agree.

Finding 4: Based on the documentation provided by Animal Control and discussions with them, the complainant's allegation of nothing being done was determined to be unfounded. A possible reason for the complainant thinking nothing was being done was because the first two notices were sent to the wrong address. This error was corrected in June and Animal Control subsequently took more than 10 actions between June 2007 and December 2007 to try to resolve this issue. Animal Control Officers went to the location to try and hear the barking. However, criteria for issuing a citation were never met.

Response: Agree.

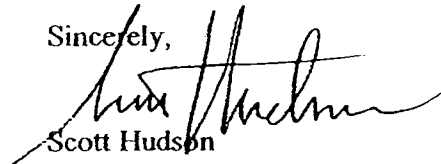
Finding 5: After an Animal Control Officer met with the complainant and the dog owner in December, the final action on December 12, 2007 has resolved the issue to the satisfaction of both the complainant and the dog owner.

Response: Agree.

Response to the Grand Jury's Recommendations

None required.

Sincerely,


Scott Hudson
Agricultural Commissioner/Sealer

**HUMAN SERVICES AGENCY
GRAND JURY CASE #10-07**

**SAN JOAQUIN COUNTY RESPONSE TO FINDINGS AND
RECOMMENDATIONS**

INTRODUCTION

The San Joaquin County 2007-2008 Civil Grand Jury inquired about the operational issues involving Mary Graham Children's Shelter. Following a review of the Grand Jury final report in regard to the findings, MGCS has reviewed the findings and recommendations that are a result of their investigation.

Please accept the following San Joaquin County's responses to the findings and recommendations made by the 2007-2008 SJCCGJ:

FINDINGS

1. There are serious communication problems at MGCS resulting in low staff morale.

RESPONSE: Agree in part

Agree that MGCS has an ongoing challenge with communication; however, it should not be qualified as "serious". 24-Hour operations are inherently challenging in regards to communication. Significant information is continually passed on effectively as is evident by the quality of care provided to MGCS Residents. Organizational communication is currently under review, has been for the past few months, and remains an organizational priority.

The Documentation and Communication Committee (DCC) was formed early fall of 2007 to address communication and morale issues. This committee is comprised of Counselors, Supervisors, and MGCS Director to better insure multi-level representation. Since its inception many individual staff representatives have commented on how much the committee's work is appreciated. Using many typical, and some creative strategic planning approaches, the committee has continued to seek opportunities for staff to have more input/influence in operational matters. There is an increase in the frequency of all-staff meetings as well as smaller focus groups. The DCC implemented a Communications board where pertinent information is posted regarding residents, operational items, and DCC's progress. The DCC board is located in the staff break room and clearly visible to all staff. MGCS has also broadened the meeting base. Other positive outcomes emerging from the DCC are: Staff have been given many opportunities to

provide input on prioritization of goals for the organization, participation in open – forums with peers from same classification or shifts to vent or discuss out ideas, transparency in the organizational planning process, and a sense of change in what was perceived as a stagnant organization.

MGCS Leadership has been including Counselors in the development and implementation of MGCS program through participation in weekly meetings, the Safety Committee, and the Program Committee (comprised of Counselors, Supervisors and the Assistant Director). The Program Committee is charged with improving or enhancing the program operation of the facility as it pertains to the daily care and well-being of the kids. The Safety Committee reviews, monitors, and when necessary, recommends changes in aspects of shelter operations that involve environmental and operational safety.

2. The Assistant Director's forceful management style has hampered team building and is not conducive to good staff morale.

RESPONSE: Agree in part

The Assistant Director takes his responsibility very serious. His management approach is currently being evaluated. Since "management style" is somewhat subjective, in particular, the allegations presented, solutions will need to be multi-faceted. Clearly, there is a need to improve his positive presence and staff's sense of the Assistant Director being approachable and responsive to constructive feedback and program input. The MGCS Director is working closely with the Assistant Director on improving his application of the Shelter values of honesty, caring, respect, and responsibility. The Assistant Director is committed to managing and communicating in accordance to these values. The Director and Assistant Director are also increasing their presence across shifts to help improve the building of positive relationships with staff and operational clarity.

3. There are some long time staff members who are discontented and are resistant to change and management.

RESPONSE: Agree

There are some tenured staff members who are discontented and are resistant to change and management. The DCC efforts and increasingly inclusive problem-solving and decision-making are expected to improve the opportunities for tenured staff to feel more involved and invested in current operations. The MGCS Leadership team is also undergoing significant self-reflection and making creative adjustments to improve their positive leadership presence. Building consensus and being more transparent during decision-making are increasingly important areas for their attention.

Providing more immediate opportunities for staff to request clarity on changes, etc, appears to be helping in this area.

4. The Director of MGCS is often unavailable. His absenteeism has compromised the progress of MGCS.

RESPONSE: Agree in part

This perspective is more accurate for the period covering 2007. For a wide variety of legitimate reasons, the Director was not as present during 2007 as compared to his first 5 years. The Director is making a concerted effort to be present across all shifts and also out on the living units where the staff and residents congregate. This has already resulted in an increase of direct face to face communication with both staff and residents. This seems to be improving the perception of staff regarding his presence and connection to the staff, residence, and operation. The Director is also taking a more hands-on approach to issues that present themselves at the Shelter, especially in the area of personnel issues. Over the next few months, clarification of administrative roles will be defined and presented to staff.

5. The Director of Human Services Agency is aware of the issues at MGCS and has taken steps to address them, but without success.

RESPONSE: Disagree

The Director of Human Services Agency is aware of the issues at MGCS but, disagree that the steps he has taken have not been successful. The Director of Human Services Agency has made himself available to the Leadership Team at MGCS. He has attended their leadership meetings to improve his understanding of the group dynamics. The Director of Human Services Agency meets weekly with the Director of MGCS to discuss the progress the Shelter is making toward improving the atmosphere at the facility. The MGCS Director provides on-going status reports to the HSA Director. The HSA Director has provided support and is making resources available to assist in shelter operations, leadership training, and better communication.

6. The MGCS Manual and the Employee Handbook have not been updated for years. New policies have been reviewed by staff and signed off, but not yet promulgated.

RESPONSE: Agree in part

Agree that the MGCS Manual has not been updated. The Director of MGCS and his staff have been working hard to complete this operational manual update. The MGCS Manual Update is scheduled to be completed in September 2008.

The Employee Handbook Update was completed in June 2008.

7. Changes in the use of MGCS and changes in the criteria Child Protective Services uses to bring children there have resulted in a significant drop in the census without a corresponding drop in staff. In fact, there has been an increase in full time staffing during the past four years.

RESPONSE: Agree in part

Agree that there has been a drop in census over the last few years. However, it is disagreed that this drop in census is related to a change in the criteria the Child Protective Services uses to bring children into our child welfare system. Due to the positive results of the new CPS Differential Response program which provides effective early prevention and intervention support to families in crisis; there has been a decrease of petitions needed to be filed with the court to remove children from their families.

In addition, there are more extenuating circumstances beyond those addressed in the report as to why staffing needs has not proportionately decreased based on a lower MGCS census. The Shelter census is lower than expected but the needs of the children remain high. Due to the number of children who cycle in and out of group homes and/or foster homes, MGCS is often faced with providing care and services to children who have complex behavioral needs. The majority of these children are extremely difficult to find suitable placement for based upon their exhibited behaviors. The result of trying to meet the needs of these children often requires a higher level of staffing.

With regard to staffing, MGCS is fully committed to being fiscally responsible. Staffing levels have not increased or the last four years. Last summer, MGCS implemented a self-imposed hiring freeze. Since then, the only vacated full time position recruited for has been the Supervisor I position.

8. MGCS is able to accommodate 60 children but has been well below that level for several years. The fluctuation in the number of children makes it difficult to schedule MGCS staff on a daily basis.

RESPONSE: Agree

Agree that it is difficult to schedule on a daily basis due to the lack of predictability of workload and the operational variances in an emergency temporary shelter. The fluctuation pattern of the Shelter population is challenging and the leadership at MGCS will continue to adjust staffing patterns based upon established need. Part time staff is not brought into

work when there is no demonstrated need. MGCS has implemented a monthly tracking system on their population to try and help MGCS Administration with the planning and utilization of staff.

9. This Grand Jury found no reason to believe that children at MGCS are mistreated or abused.

RESPONSE: Agree

MGCS will continue to provide residents with a safe and secure living environment. The safety and well-being of the children has always been, and will continue to be, our highest priority.

RECOMMENDATIONS

1. Evaluate management positions and restructure MGCS management to clearly designate the function and responsibility of each manager. Strengthen Administrative functions.

RESPONSE: Will be Implemented

The MGCS Director is working with the Documentation and Communication Committee (DCC) to initiate a multi-faceted review of staff roles and responsibilities. As mentioned previously, improving communication is a key goal that management will be focusing on this fiscal year.

2. Evaluate staffing and adjust it to financially defensible levels, recognizing all of the needs in San Joaquin County, not just the needs of MGCS.

RESPONSE: Implemented

The recommendation has been implemented and in fact we have been operating under budget expectations since 2003. Shelter staffing in relation to workload is a daily aspect of operations. Whenever possible, staffing adjustments are made to match the current and projected operational needs.

3. Continue to work on communication issues at MGCS. Management needs to clearly explain their reasons for change and listen carefully to concerns of their staff.

RESPONSE: Implemented

The DCC initiated the evaluation of Shelter communications in the Fall of 2007. Improvements have already been noted by staff. The process remains

in progress as noted in the Findings Response # 1. An outside consultant will likely be brought in to help identify communication issues and assist the DCC and MGCS Leadership team in their efforts in improve in this area.

4. Institute regular anonymous staff surveys to gauge MGCS effectiveness.

RESPONSE: Implemented

The Documentation and Communication (DCC) and Program Committees have been utilizing anonymous surveys to gain valuable information to assist them in their evaluations and planning processes. Periodically surveys will be put out to gauge MGCS effectiveness. The DCC also implemented open forum discussions to deepen the understanding of staff concerns. These will continue periodically to help assess operational concerns.

5. Provide MGCS staff access to counseling services to address not only personal, but also work-related stress. MGCS is a stressful work environment.

RESPONSE: Implemented

MGCS staff has been notified of the options available through the County's Employee Assistance Program (Options). Literature regarding this program is available in the break room, and Administration has made contact with the EAP coordinator regarding additional training and in-service opportunities.

6. Update the MGCS Manual and the Employee Handbook.

RESPONSE: Will Be Implemented

The Director and staff are in the process of updating the MGCS Manuel. The update is planned to be completed by September 30, 2008.

The Employee Handbook Update was completed in June 2008.

**FINAL REPORT – CASE NO. 01-07 (C) FOLLOW-UP REPORT
SAN JOAQUIN COUNTY REGISTRAR OF VOTERS**

INTRODUCTION:

The Grand Jury report on Case No. 01-07(C) is a follow-up report to the 2006-2007 Civil Grand Jury report regarding the Registrar of Voters. The Registrar of Voters registers all voters and maintains registration records; conducts federal, State, county, city, school, and special district elections.

Please accept San Joaquin County's responses to the findings and recommendations made by the Grand Jury.

**Response to the 2007-2008 Grand Jury Findings
Regarding the Recommendations from the 2006-2007 Grand Jury**

2007-2008 Grand Jury Finding #1: The Registrar of Voters has made significant efforts to work with the Grand Jury in ensuring the process is clear and concise.

Response #1: Agree

2007-2008 Grand Jury Finding #2: Although the Registrar of Voters agreed with the recommendation to improve efficiency of absentee ballot counting, this Grand Jury did not see any changes to the process from the previous year.

Response #2: Disagree. Per Board Order B-07-1245, 100 Optical Scan units were purchased by the ROV for use during the 2008 elections. This allowed the Registrar of Voters to count and process paper ballots more quickly.

2007-2008 Grand Jury Finding #3a: The Registrar of Voters has included in their training a contact at headquarters should the precinct have trouble opening on time. Support staff is then dispatched to that precinct. Since the decertification of the Diebold machines and the use by every one of paper ballots, the second part of the recommendation becomes a moot point.

Response #3a: Agree

2007-2008 Grand Jury Finding #3b: This Grand Jury is aware that the Diebold machines and any changes or repairs must be done at the State and Federal level. Since the decertification of the machines is also a moot point.

Response #3b: Agree

2007-2008 Grand Jury Finding #3c: Improvements in the training for precinct workers has been implemented. Additional training has been implemented for inspectors and field inspectors as well.

Response #3c: Agree

2007-2008 Grand Jury Finding #3d: The Registrar of Voters now sends a sample ballot to every voter with instructions prior to elections. To change the wording would require federal and state action.

Response #3d: Agree

Responses to the 2007-2008 Grand Jury Recommendations

Recommendation #1: If and when the Diebold machines are recertified for use in our County, the Registrar of Voters needs to make every effort to inform the State of the concerns of this Grand Jury regarding wording for printing the ballot.

Response #1: Has not yet been implemented. The ROV will send a letter to the Secretary of State's Office and to Premier (formerly Diebold) informing them of the concern of the Grand Jury regarding wording for the printing process if the machines are recertified.

Recommendation #2: Should the Diebold machines be recertified, the precinct workers need to be trained to inform anyone that they may vote by paper ballot at any time.

Response #2: Has been implemented. It is the current practice of the ROV to train poll workers to inform voters that they may vote by paper ballot at any time.

**FINAL REPORT – CASE NO. 01-07(D) FOLLOW-UP REPORT
COUNTY OF SAN JOAQUIN/STOCKTON METROPOLITAN AIRPORT**

INTRODUCTION:

The Grand Jury report on Case No. 01-07(D) is a follow-up report to the 2006-2007 Civil Grand Jury report regarding San Joaquin/Stockton Metropolitan Airport. The Metropolitan Airport serves the commercial, corporate business, and general aviation needs of San Joaquin County. The Department of Aviation plans, operates, and maintains the safety and appearance of the Airport to meet the highest standards. The Department also manages numerous tenant agreements and facilities located on Airport land; promotes development of Airport property for aviation and commercial related services; obtains and administers Federal Aviation Administration (FAA) grants.

Please accept San Joaquin County's responses to the findings made by the Grand Jury.

**Response to the 2007-2008 Grand Jury Findings
Regarding the Recommendations from the 2006-2007 Grand Jury**

2007-2008 Grand Jury Finding #1: The formal policy for the County regarding release of records under the Public Records Act is contained in Section 1307.1 of the County Administrative Manual. The County's practice is that when departments receive requests for information under the Public Records Act, they consult with the County Counsel's Office. The Airport policy is to forward any request to the Interim Director who then forwards that request to County Counsel.

Response #1: Agree.

2007-2008 Grand Jury Finding #2: The County in fact does have a policy regarding the Public Records Act. The airport staff has been trained and understand that the procedure as described above is to be used with any request for documents.

Response #2: Agree

2007-2008 Grand Jury Finding #3: The training of the Airport staff has been completed and no records leave the airport without being seen and approved by either or both the Interim Director and County Counsel.

Response #3: Agree

2007-2008 Grand Jury Finding #4: The records retention policy is contained in Section 2729 of the County Administrative Manual. The Airport staff has received training on records retention with reference to this policy.

Response #4: Agree

2007-2008 Grand Jury Finding #5: The Interim Airport Director has established policies for records management including a comprehensive Filing Plan. All staff have been trained regarding these policies.

Response #5: Agree

2007-2008 Grand Jury Finding #6: Airport management has updated the filing system and training has been completed for all staff. In addition to a filing plan, the Interim Airport Director is attempting to create a comprehensive electronic filing system, which he intends to present to the Board of Supervisors in the following months. We believe this system would greatly improve filing and record keeping conditions at the airport.

Response #6: Agree. While it was the intent of the former Interim Airport Director to create a comprehensive electronic filing system, however, with his departure in July 2008, the project has been postponed and will be reexamined by the new Airport Director once the Board of Supervisors makes the appointment.

2007-2008 Grand Jury Finding #7: The Interim Airport Director has established a comprehensive filing plan. The basement filing has been cleaned up and the files are clearly labeled.

Response #7: Agree

2007-2008 Grand Jury Finding #8: In October 2002, San Joaquin County Board of Supervisor's Ordinance No. 4169 was approved. This ordinance limits the Airport Directors approval of leases to only those of one year or less. All other agreements must be reviewed and approved by the Board of Supervisors. The Interim Airport Director has implemented Leaseman software which greatly helps the airport supervise and control existing leases.

Response #8: Agree**Response to the 2007-2008 Grand Jury Recommendation**

Recommendation: None

Response: None required

San Joaquin County Mental Health Services**Response to Grand Jury Final Report - Case # 01-07 (E) Follow-Up Report:
San Joaquin County Behavioral Health Services and
San Joaquin County Office of Education (Valley LINC's Program)****Introduction**

The Grand Jury report on Case # 0906 relates to the Valley Learning in a Caring System (LINC's) Program. Valley LINC's is a collaboration between the San Joaquin County Office of Education and San Joaquin County Mental Health Services. This program provides educational and mental health services to adolescents in grades seven through twelve who have not been successful in their district schools because of mental health issues. The school is located on a public high school in Stockton, housed within two modular classrooms. The Valley LINC's Program utilizes staff from San Joaquin County Mental Health Services, the San Joaquin County Office of Education, and Victor Community Support Services, Inc. The latter agency contracts with Mental Health Services to provide a Support Counselor and a Mental Health Clinician to augment staffing for the program.

The 2006-2007 Civil Grand Jury had received a complaint regarding the Valley LINC's Program alleging the following:

1. Misuse of funds in establishing a library for use by county educators and staff.
2. Placing the library in an inappropriate location.
3. Failure to implement the recommended treatment for each participant's Individual Education Plan (I.E.P.).
4. Concerns that the physical layout of the program's facility was not conducive to the structure of the program.
5. Problems related to the safety of the students and staff.
6. Concerns regarding the qualifications of the contracted staff.

**Response to the 2007-2008 Grand Jury Findings
Regarding the Recommendations from the 2006-2007 Grand Jury**

2007-2008 Grand Jury Finding #1: The San Joaquin County Office of Education re-evaluated the location of the library and made several appropriate changes to maintain confidentiality at all times.

Response: Not Applicable. Mental Health Services does not hold responsibility for the Library.

2007-2008 Grand Jury Finding #2: The San Joaquin County Office of Education re-evaluated the classroom and made many changes to better organize and prioritize usage of the room.

Response: Not applicable. Mental Health Services does not hold responsibility for the classroom.

2007-2008 Grand Jury Finding #3: San Joaquin County Mental Health has made changes to the contract to ensure that their contract clinicians meet or exceed all standards expected of county employed clinicians.

Response: Agree.

San Joaquin County Emergency Medical Services**Response to the 2007-2008 Civil Grand Jury Final Report -Case No. 01-07(F) Follow-up Report San Joaquin County Emergency Medical Services**

The Civil Grand Jury Final Report -Case No. 01-07(F) is a follow up to the 2006-2007 report addressing two complaints alleging serious dispatch failures by American Medical Response (AMR) and a "personal attack on the Emergency Medical Services (EMS) Agency and its Director. The County concurred with the 2006-2007 Grand Jury Report that found there were "few dispatch failures" by AMR and "no validity to any of these charges" of negligence, illegality, manipulation of data, and misconduct by the EMS Agency or its Director.

The County agrees with the three findings of the 2007-2008 Grand Jury Report which:

- 1) Reconfirms the Grand Jury's earlier finding of few dispatch failures affecting the provision and response of emergency medical services;
- 2) Acknowledgment of the problem of emergency departments delaying the transfer of patient care from ambulance personnel to emergency department personnel and the impact this delay has on availability of ambulances in the EMS system;
- 3) Acknowledgement that AMR has been granted a 3-year accreditation by the Commission on Accreditation of Ambulance Services (CAAS), and the fact the AMR in San Joaquin is one of only 14 ambulances in California and one of only 112 in the entire country to receive this accreditation.

Response to 2007-2008 Grand Jury Recommendations

Recommendation #1: The County of San Joaquin and City of Stockton "give it at least one more effort to resolve the 'Warren Act' issue of who decides how first responders are dispatched."

Response: The County remains open to meet with the City of Stockton to resolve the issue of the City of Stockton's failure to abide by the results of the request for proposals for emergency ambulance service and to submit to and carry out the policies and procedures of the EMS Agency as required by the 1986 Agreement between the County and the City. On this point, the City of Stockton is unilaterally in a position to resolve the litigation by complying with the requirement to transfer emergency medical callers to the County's designated EMS dispatch center - Lifecom. **Recommendation not yet implemented.**

Recommendation #2: Phase II of the CAD-to-CAD system linking the computer dispatch systems of Lifecom and the Stockton Fire Department (SFD) be developed and implemented.

Response: The County required the winning contractor AMR to pay for the development and implementation of a CAD-to-CAD link with the SFD. This requirement was successfully accomplished in October 2006. Phase II is a voluntary effort by AMR and SFD to enhance the existing system. According to the City SFD must upgrade its current dispatch software before Phase II can be implemented. Recommendation is not applicable to the County and will not be implemented by County.

Recommendation #3: Require AMR to quantify the delays and do a study of turnaround time at various hospitals in the County, noting the actual effect this has had on ambulance response times.

Response: The County is concerned about the effect transfer of care delays have on the care of patients in emergency departments and the effect these delays have on patients requiring emergency ambulance response. The delay in the transfer of care in the emergency departments is first and foremost a hospital problem that requires the commitment of hospital administrators to resolve. AMR is working cooperatively with the EMS Agency to evaluate the scope and nature of the delays and the effect on ambulance availability. Recommendation will not be implemented. The County will continue to work with the four emergency ambulance providers and seven acute care hospitals to study, reduce, and eliminate delays in the transfer of care.