



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Board of Supervisors

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August 22, 2017

Honorable Jose L. Alva, Presiding Judge
Superior Court of California, County of San Joaquin
180 East Weber Avenue, Suite 1306
Stockton, CA 95202

Dear Judge Alva:

Responses to 2016-2017 Civil Grand Jury Reports

Pursuant to Sections 933 and 933.05 of the California Penal Code, attached are responses to the following 2016-2017 Civil Grand Jury Reports:

- Countywide Dispatch for Fire *"Two Are Not Always Better than One"* – Case No. 0616
- The Housing Authority of the County of San Joaquin *"Progressing from Caretaker to Developer"* – Case No. 0216
- San Joaquin County Self-Governing Special Districts *"Who is Watching the Cookie Jar?"* – Case No. 0416
- Juvenile Justice Detention Facilities – Follow Up Report to the 2015-2016 Civil Grand Jury
- San Joaquin County Public Defender Fees – Follow Up Report to the 2015-2016 Civil Grand Jury

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

Sincerely,

A handwritten signature in blue ink that reads "Chuck Winn".

Chuck Winn, Chair
San Joaquin County Board of Supervisors

CW:RK:ag

Attachment – Responses to 2016-2017 Grand Jury Reports

c: Board of Supervisors

Clerk of the Board
County Administrator
County Counsel
Health Care Services Director
Housing Authority of the County of San Joaquin Executive Director
Auditor-Controller
Chief Probation Officer
Public Defender

BOS08-02

Attachment A

Responses to the 2016-2017 Civil Grand Jury Reports

- A. Countywide Dispatch for Fire *"Two Are Not Always Better than One"* – Case No. 0616

1.0 San Joaquin County Fire Dispatch, Stockton Fire or VRECC

Finding F1.2:

The vast majority of fire agencies are in favor of a single countywide emergency fire dispatch center; they agree it would be in the best interest of the citizens and the County of San Joaquin.

Response to F1.2:

Agree.

The San Joaquin County EMS Agency concurs with this finding and has taken action to facilitate the creation of a single countywide dispatch center through the inclusion of fire dispatch standards and cost control measures in the requests for proposals (RFPs) issued for emergency ambulance service in 2005 and 2014.

Finding F1.3:

There is disagreement as how to organize, operate and fund a single countywide fire dispatch capability. This has led to a failure to pursue creation of a single countywide fire dispatch center.

Response to F1.3:

Agree.

Multiple factors have contributed to cities' and fire districts' reluctance to explore forming a single countywide fire dispatch center.

Recommendation 1.3:

By Dec. 31, 2017 County EMS in collaboration with the City of Stockton, the Joint Radio Users Group and the San Joaquin County Regional Fire Dispatch Authority develop a task force and provide a plan to consolidate into a single countywide emergency fire dispatch center.

Response to R1.3:

The recommendation will be implemented.

By December 31, 2017, the San Joaquin County EMS Agency will seek the cooperation of the two fire dispatch governing bodies to form a task force to explore the possibility of creating a single countywide EMS and fire dispatch center. The San Joaquin County EMS Agency did request that the City of Stockton explore utilizing a single countywide EMS and fire dispatch center throughout the period of time the County and the City were engaged in dispatch and EMS litigation (2006-2010). Also, the San Joaquin County EMS Agency sought cooperation of the city fire chiefs to explore the possibility of forming a single countywide EMS and fire dispatch center as part of the 2014 request for proposals (RFP) for emergency ambulance service. None of those previous attempts were successful.

2.0 Borders, Automatic Aid and Automatic Vehicle Locator

Finding F2.1:

Automatic aid agreements between neighboring fire agencies can reduce response times.

Response to F2.1:

Agree.

Finding F2.2:

AVL on all fire vehicles and AVL capability at dispatch centers can reduce response times.

Response to F2.2:

Agree.

3.0 San Joaquin County EMS Policy 3202

Finding F3.1:

There is disagreement among San Joaquin County Fire Chiefs regarding EMS Policy 3202. Some believe EMS Policy 3202 does not allow responders to provide the level of service expected in their communities.

Response to F3.1:

Agree.

The San Joaquin County EMS Agency is aware of the disagreements regarding EMS Policy No. 3202. However, the EMS Agency's goal in adopting medical control policies such as EMS Policy No. 3202 is to design a system to effectively and efficiently deliver medical care to acutely ill and injured patients. Although the EMS Agency routinely

solicits input from stakeholders during public comment periods prior to adopting or revising such policies, the goal is not necessarily consensus.

In 1980, the state legislature adopted the EMS Act, which charged local EMS agencies with planning, implementing, and evaluating EMS systems to create an organized pattern of readiness and response services based on public and private agreements and operational procedures. In the EMS Act, the Legislature declared its intent to establish a statewide system for the delivery of emergency medical services. The EMS Act intentionally supplanted the inconsistent delivery of services that had existed through cities and districts, and instead vested the medical director of the local EMS agency with oversight and medical control of the EMS system.

The California Supreme Court in *County of San Bernardino v City of San Bernardino* (1997) 15 Cal.4th 909, 931 explicitly stated that “the Legislature’s desire to achieve coordination and integration is evident throughout the act.” Then, in *Valley Medical Transport, Inc. v. Apple Valley Fire Protection Dist.* (1998) 17 Cal.4th 747, 760, the California Supreme Court again held that allowing cities to “mov[e] even farther away from the goal of integration appears to be contrary to the legislative intent...” Accordingly, to allow cities and fire districts to provide an uncoordinated response, thereby allowing the cities and fire districts to move further away from integration, is contrary to the legislative intent of the EMS Act.

The San Joaquin County EMS Agency adopted EMS Policy No. 3202 to establish coordination and achieve integration of all response resources including ambulance services and fire services. EMS Policy No. 3202 is used in conjunction with NAED Medical Priority Dispatch System (MPDS) Version 13.x. MPDS consists of 35 chief complaint protocols with standardized sections consisting of key questions, determinant codes, response assignments, medical information, post-dispatch instructions, and pre-arrival instructions. The determinant codes are categorized into six levels: omega, alpha, bravo, charlie, delta, and echo (Ω-A-B-C-D-E). Determinant levels do not indicate the severity of situation. Each level reflects a response group designed to provide the appropriate resources needed for a specific situation which is identified through the call taking process based on the 35 chief complaint protocols.

The San Joaquin County EMS Agency relies on peer reviewed empirical research to guide the development of policies and EMS system design, including the adoption and approval of medical dispatch protocols and resource assignments. In areas with limited research, the medical director of the San Joaquin County EMS Agency relies on presumptive evidence and informed expert medical opinion. In EMS, as well as medicine overall, more is not always better. The misapplication and misalignment of resources often leads to poorer patient outcomes. With all of this in mind, the San Joaquin County EMS Agency has agreed to allow a degree of flexibility within EMS Policy No. 3202 on the assignment of non-transport EMS resources in the cities of Stockton and Tracy.

As mandated by statute, the San Joaquin County EMS Agency regularly evaluates the effectiveness of EMS Policy No. 3202 and other medical control policies toward achieving the goal of effectively and efficiently delivering medical care to acutely ill and injured patients.

- B.** The Housing Authority of the County of San Joaquin “Progressing from Caretaker to Developer” – Case No. 0216

3.0 Board selection

Finding F3.1:

The quality of boards and commissions directly affects the quality of agencies in San Joaquin County.

Response to F3.1:

[Agree.](#)

Finding F3.2:

The full Board of Supervisors interviewed the candidates for the Port Commission, strengthening that selection process.

Response to F3.2:

[Agree.](#)

Recommendation R3.1:

By September 30, 2017, the San Joaquin County Board of Supervisors develop, adopt and implement a policy that requires the full board interview final candidates for the Board of Commissioners of the Housing Authority of the County of San Joaquin.

Response to R3.1:

[The recommendation has been implemented.](#)

On May 9, 2017, the Board of Supervisors adopted a policy requiring public interviews of candidates for appointment or reappointment of at-large positions that are not district representatives to the Housing Authority of the County of San Joaquin, in addition to the Stockton Port District and the San Joaquin Regional Transit District, based on the significant decision-making authority of these boards.

4.0 Board training is not mandated.

Finding F4.1:

Members of the Board of Commissioners of the Housing Authority of the County of San Joaquin are not required to attend a thorough orientation or ongoing training.

Response to F4.1:

Agree.

It is not currently a requirement to attend training before being appointed, however, in the fall of 2016, the Board of Supervisors introduced a pilot Government Leadership Training program through the University of the Pacific, entitled How to be an Effective Public Board or Commission Member. The training is designed for elected and appointed members to Boards and Commissions, and covers topics such as trust-building, the role of board members and staff, conducting effective meetings, and legal requirements. All members appointed by the Board of Supervisors to its Boards and Commissions were invited to attend one of the ten sessions offered, and all sessions were scheduled to capacity. One member of the Housing Authority of the County of San Joaquin attended the training.

The training will continue in the 2017-2018 fiscal year and has been enhanced to include sessions specifically for board chairs and board liaisons. The results of a survey provided to all attendees, pre-training and post-training, indicated increased knowledge and understanding of their roles.

Due to the success of the pilot program and the clear need to ensure that all members of boards and commissions receive uniform information, the Board of Supervisors will be presented with a resolution to include this training as a mandatory requirement at the Board meeting of September 26, 2017.

It would be appropriate for the Executive Director of the Housing Authority of San Joaquin to recommend subject-matter training through industry associations and facilitate attendance at such training.

Recommendation R4.1:

The San Joaquin County Board of Supervisors seek a commitment to receive necessary training from each candidate for the Board of Commissioners of the Housing Authority of the County of San Joaquin.

Response to R4.1:

The recommendation will be implemented.

By August 22, 2017, the Fact Sheet for the Housing Authority of the County of San Joaquin will be updated to include training expectations and during public interviews the Board of Supervisors will seek a commitment from candidates to attend both general and subject-specific training.

C. San Joaquin County Self-Governing Special Districts “Who is Watching the Cookie Jar?” – Case No. 0416

3.0 Embezzlers can be creative

Recommendation R3.2:

The Board of Supervisors direct independent, self-governing special districts to review and revise fact sheets to include financial acumen of board candidates and provide financial training for all board members.

Response to R3.2:

The recommendation will be implemented in part.

The Board of Supervisors has, in some instances, the authority to appoint members to the governing bodies of independent, self-governing special districts. The Board of Supervisors does not have the authority to direct that the special district take any certain action. The Board of Supervisors, consistent with this recommendation, will request that the governing bodies of the special districts review and revise the fact sheets, or equivalent document, to include financial acumen of board candidates. The Board of Supervisors, likewise, will recommend that the special district provide financial training for all board members and will explore facilitating the provision of such training. It should be noted that special districts can utilize the resources available through the California Special Districts Association (CSDA) to which many fire, reclamation, and special districts are members. CSDA has contemporary training that is tailored for special districts.

D. Juvenile Justice Detention Facilities – Follow Up Report to the 2015-2016 Civil Grand Jury

Finding F1.1:

The funding to replace the intercom system in Unit 5 was included in the 2016-2017 fiscal year budget and work was started May 8, 2017. Quotes for services to repair and replace the remaining intercom, central control and video surveillance camera recording systems have been received. The San Joaquin County Probation Department is appearing before the Board of Supervisors on May 23, 2017, to request funding to complete the upgrade throughout the facility. If the requested funding is not sufficient to rectify the problems, the Probation Department will return to the Board of Supervisors to request additional appropriations.

Response to F1.1:

[Agree.](#)

Recommendation 1.1:

By Sept. 1, 2017, The Board of Supervisors approve the funding to upgrade the audio, intercom and video cameras throughout the Juvenile Detention Facility.

Response to R1.1:

[The recommendation has been implemented.](#)

On May 23, 2017, the Board of Supervisors approved \$500,000 in savings in salaries and benefits and services and supplies from the Probation Department's 2016-2017 Fiscal Year Budget to replace the audio, intercom and video cameras throughout the Juvenile Detention Facility. These funds were encumbered into the 2017-2018 Fiscal Year. The table below reflects the anticipated costs to replace the audio, intercom and video cameras throughout the Juvenile Detention Facility. The Board was also advised at that time that due to the timing with the end of the fiscal year, it was unknown if the below stated measures would completely rectify the problems; therefore, the Department may need to return to the Board in Fiscal Year 2017-2018 for an additional appropriations adjustment request.

Amount	Item Description
\$130,000	Replacement of the intercom systems in the housing units (not including Housing Unit 5)
\$100,000	Replacement of the core technology for the video surveillance system
\$20,000	Control System technology improvements
\$200,000	Procurement and installation of fiber, copper cable, replacement cameras and other infrastructure to support the overall system replacement
\$50,000	Contingency
\$500,000	TOTAL

Recommendation 1.2:

By June 30, 2018, the Probation Department complete all upgrades to the intercom, central control and the video surveillance camera systems, as funding allows.

Response to R1.2:

The recommendation is in the process of being implemented and will be completed by June 30, 2018.

Quotes have been received for the projects and have been processed through the County's Purchasing and Support Services Department. Equipment has been ordered and as soon as it arrives, work will commence. The replacement of the intercom system is expected to be complete by September 2017.

E. San Joaquin County Public Defender Fees – Follow Up Report to the 2015-2016 Civil Grand Jury

Finding F1:

The Board of Supervisors response to F1.1 stated that the Public Defender's Office does not have the personnel to track whether every defendant has paid. Defendants have no incentive to pay, and there are no consequences for non-payment.

Response to F1:

Agree.

Recommendation R1:

By December 31, 2017, the Board of Supervisors implement a policy to track and collect all assessed fees for the services of the Public Defender and forward total assessed fees and total collected fees to the County Administrator.

Response to R1:

The recommendation has not yet been implemented, but requires further analysis.

The recommendation requires further analysis and discussions to determine the probability of implementation. The Department will develop a simple tracking system to monitor whether every defendant has paid the Public Defender fees within the next 120 days. The Department will meet with the Revenue and Recovery Division of the Office of the Treasurer-Tax Collector to determine the feasibility of and to potentially create a system to forward any Defendant's delinquent accounts to Revenue and Recovery for collection. This would provide an incentive to pay and consequences for non-payment. The Department will complete the feasibility determination within 120 days. The amount collected for the 2016-2017 fiscal year totaled \$425.