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2011-2012 GRAND JURY RELEASES REPORTS

Today the San Joaquin County 2011-2012 Civil Grand Jury released its reports regarding new investigations, observations and review of the various law enforcement agencies visited within the County, and follow-up reviews and investigation to responses received for the 2011-2012 final Grand Jury report. A brief summary of the reports follows.

New Investigations

- **Stockton Unified School District Police Department (SUSD PD):** The Grand Jury investigated two separate complaints alleging issues within SUSD PD. The first complainant alleged the prejudicial assignment of overtime and referenced another formal complaint filed with SUSD by five employees against management, which alleged racial discrimination and a hostile work environment. A second complaint alleged a child was mistreated by an SUSD PD officer and by the School District. A five (5) year old special needs student was improperly restrained for a long period of time and transported without parental notification.

Through its investigation, the Grand Jury found there did not appear to be a violation of the department's policy regarding the assignment of overtime. The Grand Jury could not substantiate the alleged discrimination, but the information provided led to additional issues such as: the frequency and consistency of training is not current with the Peace Office Standards and Training and District mandates; there is a lack of specific training dealing with special needs children; complainants are not notified of the results of their complaint as set forth in the SUSD Board policies; and evaluations are not completed on an annual basis for each employee.

The Grand Jury made several recommendations based on their findings (see Final Report) and concluded: *"An unhealthy atmosphere exists in the Stockton Unified School District Police Department. The Grand Jury is concerned with the application of SUSD Police Policies, and the lack of communication between the management and the police officers. This, in effect, has resulted in a lack of trust, factions within the Department, and differences of opinion about various police policies."*

With a large population of students enrolled in Stockton Unified School District schools, the responsibilities of their police officers are magnified greatly in order to keep its students safe and secure at school sites. With the current existence of student discipline problems and violence on campus, the Grand Jury strongly urges that SUSD police officers receive specialized training as is recommended in this report. Training police officers will not only help promote an environment of uninterrupted education, but also gain the support of parents, educational personnel, and the community.”

The SUSD PD is required to respond in writing to the Presiding Judge of the Superior Court by September 20, 2012 as to each finding and recommendation.

- **Housing Authority of the County of San Joaquin:** The Grand Jury’s investigation stemmed from a compliant *“alleging certain irregularities in the administration of the Housing Choice Voucher Program including preferential treatment of an employee’s family member now housed under the voucher program. The complaint alleges insufficient clarification in correspondence, discrimination, and staff being nonresponsive to inquiries. During the investigation the Grand Jury had concerns with the security of confidential files and intimidation of witnesses who testified.”*

The Grand Jury found the following: (1) voucher notification letters are unclear and misleading; (2) inappropriate preference was given an applicant who is related to an employee of the Housing Authority; (3) the Housing Authority has been lax in file room security and fire precaution/prevention; (4) the Housing Authority’s published policy covering family members of employees who apply for vouchers under the Housing Choice Voucher Program is in need of augmentation to establish a cross reference to employee disclosure; and (5) complaint procedures are not clearly defined and are not posted.

The Grand Jury’s recommendations include, but are not limited to: follow Housing Authority policy and procedures when disbursing public funds and determining eligibility; review correspondence for clarity and provide a more specific explanation to applicants of decision/process/status; amend the pre-application so that applicants can self-disclose a relationship with a relative who is employed by the Housing Authority; and continue with security and fire prevention improvements.

The Grand Jury concluded *“... it should be standard policy/practice to treat all applicants fairly and without bias. The Housing Authority needs to be considerate in the way they communicate with the population they serve. The Grand Jury has legitimate concerns that best practices were not followed in this case.”*

The Housing Authority is required to respond in writing to the Presiding Judge of the Superior Court by September 20, 2012 as to each finding and recommendation.

- **San Joaquin Mosquito and Vector Control District (District):** The District was investigated by the Grand Jury for a complaint received from *“an employee alleging several issues; sexual harassment, a hostile work environment, nepotism, and being subjected to rude, abusive language by a supervisor.”* In the course of the Grand Jury’s

investigation, it was alleged that *“the District was performing illegal spraying of a carcinogenic chemical on the mosquito fish in the ponds at the District Fish Hatchery located at White Slough. The complaint further alleged the District was not reporting the spraying of the pesticide to the proper authorities as was required. Because the allegation was of an illegal nature, the Grand Jury referred this to the San Joaquin County District Attorney’s office for review.”*

Through the Grand Jury’s review of numerous documents, site visits, attendance at Board Meetings, and interviews conducted, the *“Grand Jury found several instances of sexual harassment in the form of rude, vulgar and lewd remarks that occurred in the workplace. Other allegations of hostile work environment, management retaliation, illegal spraying, and nepotism were unfounded.”*

The San Joaquin Mosquito and Vector Control District is required to respond in writing to the Presiding Judge of the Superior Court by September 20, 2012 as to each finding and recommendation.

- **Department of Human Services—Child Welfare Service (CWS):** The *“Grand Jury investigated complaints alleging excessive workload experienced by the social workers in the Intake and Assessment Unit of CWS.”* During the course of the Grand Jury’s investigation, *“an allegation was made that the 2010 San Joaquin County Peer Quality Case Report (PQCR) was altered by administration to cover up the issues of high stress, heavy caseload, low morale, and job performance.”*

Through its investigation, the Grand Jury found CWS workloads are high and above the state average; there is a lack of productive two-way communication between employees and management, which has hampered social workers efforts to improve the agency; and formal in-house critical incident debriefing for staff does not exist and staff are unfamiliar with or hesitant to use an employee assistance program that provides emotional and psychological counseling. Additionally, the Grand Jury found that the information regarding low morale and disconnect with the social workers was removed from the 2010 San Joaquin County Peer Quality Report just one week prior to its submission to the required state agency and reports were not available to staff for review.

The Grand Jury concluded that *“the stress of heavy workloads and lack of empowerment to effect change within the Child Welfare Service has impacted the ability of social workers to fulfill the goal to advocate for the safety of our county’s children. The welfare of the children and those who have the responsibility to protect them could be at risk.*

The comments made by social workers during the Peer Quality Survey and suggestions for improvements were redacted from the final version of the Peer Quality Case Report. This eliminated an opportunity for discussion of issues in the Self Assessment Report. The removal of this information prevented the necessary steps to implement corrections in the System Improvement Report. This action was a disservice to the agency and its staff.”

The Department of Human Services is required to respond in writing to the Presiding Judge of the Superior Court by September 20, 2012 as to each finding and recommendation.

- **North San Joaquin Water Conservation District (District):** *“The Grand Jury investigated complaints alleging the non-recusal of voting Board members, violations of the Ralph M. Brown Act, financial mismanagement, lack of leadership, an adversarial attitude, an unwillingness to follow the advice of legal counsel, and violations of District policies, California Water Resource Control Board codes, and California Government codes. The Grand Jury’s investigation found the District incurred considerable indebtedness. Lack of additional revenue sources and inadequate leadership, could lead to insolvency and possible absorption by another water district.”*

The Grand Jury’s findings include, but are not limited to the following: the Board is acting in direct conflict with District Policy, minutes were not completed or distributed in compliance with the Ralph M. Brown Act, the District has failed to provide and review financials in accordance with the California Water Code, Board members have violated the District’s Code of Ethics, and two Board members failed to recuse themselves from the discussion of and voting on issues they had a financial interest in, resulting in a conflict of interest.

The Grand Jury concluded that *“this Board has been dysfunctional and has not conducted the public’s business according to the District’s Policy and the Ralph M. Brown Act. Minutes of each meeting as well as a current, balanced financial report should be available at the subsequent Board meeting for review and approval. The Board’s behavior has placed the financial future and even the ability to survive as a District in jeopardy. The turmoil has cost the District thousands of dollars in legal and process fees. The District’s inability to create effective solutions, to raise much needed revenue, and maintain its water rights remains unresolved.*

The Board President has since resigned. Due to a change of leadership, the overall conduct of the District has shown improvement. The current Board is attempting to follow District policies and regulations.

The State of California Fair Political Practice Commission is currently conducting an investigation of the alleged conflict of interest.”

The North San Joaquin Water Conservation District is required to respond in writing to the Presiding Judge of the Superior Court by September 20, 2012 as to each finding and recommendation.

Law and Justice

The 2011-2012 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:** *“The Grand Jury conducted informal interviews with staff and inmates to assess the atmosphere of DVI. The staff or inmates interviewed gave no negative comments and most were very open in their*

opinions of daily life. The inmates said although their freedom is restricted, they are being treated fairly and with respect and they appreciated the opportunity to work and take advantage of the many programs that were offered.”

- **San Joaquin County Jail, also known as John Zunino Detention Facility, French Camp:** *“Overall conditions of the County Jail were satisfactory. The Grand Jury found the jail complex to be well maintained and clean.”*
- **San Joaquin County Superior Court Holding Facility-Stockton, Manteca, and Lodi:** *“No issues were found with any of the facilities.”*
- **San Joaquin County Sheriff/Coroner/Morgue:** *“The Grand Jury observed that the Morgue is small and old, and it provides basic functions in light of the reduced funds. It was clean and odor free. The Grand Jury realizes the budget constraints that the county is facing. The Sheriff acknowledged that the County is in need of a new morgue but it is cost prohibitive at this time.”*
- **City of Lodi Jail:** *“The jail area was clean with no noticeable areas that required maintenance. The Grand Jury did not view any safety violations or concerns.”*
- **San Joaquin County Juvenile Justice Center, French Camp:** *“The Grand Jury observed students attending class and working on special projects in their housing units. The grounds were well groomed and the staff maintained a high level of security.”*
- **O.H. Close and N.A.Chaderjiam, Department of Juvenile Justice, Stockton:** *“The Grand Jury reviewed the safety and maintenance of the buildings and grounds and believed they were satisfactory.”*

The 2011-2012 Grand Jurors also participated in the Public Safety Ride-a-Long Program. *“The Grand Jury toured and rode along with several law enforcement agencies within the county observing personnel performing their duties. There were 135 hours registered riding with sheriff deputies, police officers, firefighters, and other agencies...The Grand Jury observed the professionalism of emergency personnel and never felt their safety was jeopardized by the type of calls they encountered. Several dispatch centers were visited and the personnel are to be highly commended for their continuous ability to work under pressure and to provide a vital service.*

2010-2011 Grand Jury Follow-up

The 2011-2012 Grand Jury released follow-up reviews and investigation to responses received for the 2010-2011 final Grand Jury report.

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The 2011-2012 Grand Jury’s Final Report can be accessed by visiting:
<http://stocktoncourt.org/grandjury/>.