

## **Summary of Responses to the 2015-2016 Stanislaus County Civil Grand Jury's Final Reports**

### **SUMMARY**

Following up on the findings and recommendations from a prior year is a prime responsibility of the Stanislaus County Civil Grand Jury (SCCGJ). Each year, the Grand Jury issues reports with findings and recommendations directed to Stanislaus County officials, agencies and municipal and other public entities. Findings are written responses as dictated by California Penal Code Sections 933 and 933.05 and are an important function of all California Grand Juries. Governing bodies of public agencies are required to respond no later than 90 days after the Civil Grand Jury submits a final report; elected county officers, including county boards of supervisors and agency heads, are required to respond no later than 60 days.

### **GLOSSARY**

<b>DPHD</b>	Del Puerto Healthcare District – A special district that provides health care services to Patterson and the surrounding area
<b>CFO</b>	Chief Financial Officer of Del Puerto Healthcare District
<b>PSC</b>	Public Safety Center, Stanislaus County Detention Facility
<b>DJ</b>	Downtown Jail. Stanislaus County Facility
<b>DRC</b>	Day Reporting Center, Stanislaus County
<b>JCC</b>	Juvenile Commitment Center, Stanislaus County
<b>CSA</b>	Community Services Agency, Stanislaus County

### **BACKGROUND**

The report demonstrates to affected parties and to the public that the Stanislaus County Civil Grand Jury requested reviews and acts on all responses. The SCCGJ acts on missing and/or inadequate responses to its findings and recommendations. This continuity procedure enables the current and subsequent grand juries to determine if further action is required by the provisions of the California Penal Code.

## METHODOLOGY

The responses and comments submitted concerning reports issued by the 2015-2016 Civil Grand Jury were evaluated by the 2016-2017 Civil Grand Jury with reference to the California Penal Code Section 933.05(b), which requires an agency head, a county officer, or governing body to provide one of four possible responses to each recommendation.

1. Have implemented the recommendation
2. Will implement the recommendation
3. Further analysis needed
4. Will not implement the recommendation

California Penal Code Section 933.05(h)(3) requires that respondents indicating that “further analysis needed” to a recommendation must conclude each study within six months from the date of the publication of the Civil Grand Jury Report.

The SCCGJ developed a chart to track responses from county officials and agencies and municipal and other public entities. The following chart reflects each entity’s responses to the Findings and Recommendations of the 2015-2016 SCCGJ Final Report. Please note that the responses filed by the Board of Supervisors and the various agencies are much more extensive than indicated in the following pages. All Civil Grand Jury reports and the responses can be viewed on the following website: [www.stanct.org/final-report](http://www.stanct.org/final-report).

## DEL PUERTO HEALTH CARE DISTRICT

Case # 16-06C & 16-11C

### Reason for Investigation

The Stanislaus County Civil Grand Jury received two citizen's complaints, Grand Jury Case Numbers 16-06C and 16-11C, alleging mismanagement by the Board of Directors of the Del Puerto Healthcare District [DPHD]. In addition, other allegations included personal use of district credit cards by an ambulance company employee, two traffic accidents by a district ambulance with the same crew on the same day, inappropriate influence by a board member who served on a malpractice insurance board of directors, micro-management by board members in the day-to-day operations of the district.

### Agencies Asked to Respond

- ❖ Board of Directors Del Puerto Healthcare District, Recommendations R4-R11

### Agencies Invited to Respond

- ❖ Stanislaus County Board of Supervisors

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<b>Board of Directors Del Puerto Healthcare District</b>								
<b>F1.</b> The medical clinic delivers good quality healthcare and is effectively managed.	X			<b>R1.</b> None				
<b>F2.</b> Patterson Ambulance delivers good quality ambulance service and is effectively managed.	X			<b>R2.</b> None				
<b>F3.</b> The investigation concluded that most of the allegations have been resolved with new management or had no merit.				<b>R3.</b> None  * DPHD did not respond to this Finding.				*
<b>F4.</b> DPHD's finances are too dependent on Stanislaus County taxes and City of Patterson special tax assessments.		X		<b>R4.</b> DPHC should consider hiring a part time CFO, or hire an outside resource to provide CFO functions.			X	

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<b>F5.</b> The DPHD is actively planning to expand its healthcare center.		X		<b>R5.</b> DPHD should delay the plan for capital expansion of the Del Puerto Health Center until the operational budget justifies the expansion.			X	
<b>F6.</b> A lack of county and City of Patterson audits may result in DPHD not receiving revenue to which it is entitled.		X		<b>R6.</b> DPHD should request both a Stanislaus County and City of Patterson audit to ensure all revenues and tax assessments due to the DPHD are correct.			X	
<b>F7.</b> Unpublished minutes result in a lack of transparency in delivery of information to the community.	X			<b>R7.</b> DPHD should publish board meeting minutes on the DPHD website.	X			
<b>F8.</b> The investigation revealed that performance appraisals were not given to recent CEOs. In addition, after interviewing board members and other district employees, it is obvious that the board is divided, unsure and unclear about the responsibilities of the Administrative Director. It is not clear whether the board is aligned on the expectations of the position.	X			<b>R8.</b> When the new Administrative Director is hired, the DPHD Board should: a) Set firm expectations and monitor performance of the Administrative Director and conduct annual performance reviews. b) Establish a policy to allow the Administrative Director to manage the District and refrain from unnecessary board micro-management. An excellent reference is the Oakland City Charter 218 Non-Interference Policy (Attachment B).	X			
<b>F9.</b> The job specifications used by DPHD to recruit for the new position of Administrative Director were modified to more closely match candidates to the position.	X			<b>R9.</b> Once the Administrative Director is hired, the DPHD Board should ensure that the job description for the Administrative Director position matches the job specifications used in recruitment.		X		
<b>F10.</b> There is minimal public outreach to the community to explain the mission of DPHD and to attract qualified board members.	X			<b>R10.</b> The DPHD should develop an action plan to inform and educate the voters within DPHD on the following: a) The responsibilities of the board b) The role of a board member. c) The qualifications necessary	X			

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<b>F11.</b> Without formal orientation and training processes for board members, dysfunction of the board will continue to exist.	X			<b>R11.</b> DPHD should hire a consultant after each election to provide training for all current and incoming board members on how to work together as an effective team.	X			
<b>Stanislaus County Board of Supervisors</b>								
				The SCCGJ identified 11 findings and eight recommendations regarding the investigation of the district. The Board of was invited to respond. However, the District is not a county department or agency under the purview of the Board of Supervisors governance, and the Board has no authority over the district's budget or personnel.				

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### Conclusion

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The response from Del Puerto Health District did not include a response for Finding F3. The 2016-2017 SCCGJ is satisfied that no response is needed for this finding.

The 2016-2017 SCCGJ is satisfied that all the entities requested have responded to the findings and recommendations of the 2015-2016 SCCGJ report within the time frame stipulated by California Penal Code Section 933(c).

**Stanislaus County Detention Facilities Inspections  
Case # 16-13-GJ**

**Reason for Investigation**

The 2015-2016 Stanislaus County Civil Grand Jury (SCCGJ) conducted its annual detention facilities inspections, as required by California Penal Code 919(b) [CPC919(b)]. The facilities inspected were: Public Safety Center (PSC), Downtown Main Jail (DJ), Day Reporting Center (DRC) and Juvenile Commitment Center(s) (JCC).

**Agencies Asked to Respond**

- ❖ Stanislaus County Sheriff-Coroner
- ❖ Stanislaus County Probation Department

**Agencies Invited to Respond**

- ❖ Stanislaus County Board of Supervisors

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<b>Stanislaus County Sheriff-Coroner Response</b>								
<b>F1.</b> Closed - circuit video cameras are used only on doors that access the facility and each housing unit, and in the safety and sobering cells, since camera views into cells or showers are not permitted.	X			<b>R1.</b> The Stanislaus County Sheriff's Department should consider purchase and installation of additional CCTV cameras in the general population units where permitted at the Public Safety Center.			X	
<b>F2.</b> Currently, Stanislaus County custodial deputies do not wear body cameras either in the facilities or on the street. Video recording devices are used only if there is an incident or if there is a planned cell extraction.	X			<b>R2.</b> The Stanislaus County Sheriff's Department should consider equipping custodial deputies in all detention facilities with personal body cameras that are activated when inmates are in the pods outside of their cells.				X

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<b>F3.</b> Twelve-hour shifts are difficult to fill when deputies are unexpectedly absent.	X			<b>R3.</b> The Stanislaus County Sheriff's Department should reconsider the current staffing model of 12-hour shifts versus 8-hour shifts. In the alternative, consider creating part-time position (reserve custodial deputies) to augment scheduling in the event of unanticipated absences and to serve as a resource for full-time candidates for hiring. * Explained in report Conclusion				*
<b>F4.</b> Gang members' logs of custodial deputies' names and daily routines could cause intimidation of custodial deputies and their families.			X	<b>R4.</b> The Stanislaus County Sheriff's Department should consider removing the names of custodial deputies from their uniforms.				X
<b>F5.</b> The computer lab classroom is currently not being utilized due to lack of staffing.	X			<b>R5.</b> The Stanislaus County Probation Department should consider recruiting community volunteers to assist in the staffing of the computer lab classroom.		X		
<b>Stanislaus County Probation Department Response</b>								
<b>F6.</b> The Juvenile Hall has some shower stall tiles that are in need of new grout and repair.	X			<b>R6.</b> The Stanislaus County Probation Department should re-grout tiles in the common shower areas.		X		
<b>F7.</b> Juvenile Hall has some cells that have paint being scraped off of the walls.	X			<b>R7.</b> The Stanislaus County Probation Department should re-paint cells that have paint issues.	X			
<b>Stanislaus County Board of Supervisors Response</b>								
<b>F1.</b> Closed circuit video cameras are used only on doors that access the facility and each housing unit, and in the safety and sobering cells, since camera views into cells or showers are not permitted.	X			<b>R1.</b> The Stanislaus County Sheriff's Department should consider purchase and installation of additional CCDTV cameras in the general population unit where permitted at the Public Safety Center.			X	

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<b>F2.</b> Currently, Stanislaus County custodial deputies do not wear body cameras either in the facilities or on the street. Video recording devices are used only if there is an incident or if there is a planned cell extraction.	X			<b>R2.</b> The Stanislaus County Sheriff's Department should consider equipping custodial deputies in all detention facilities with personal body cameras that are activated when inmates are in the pods outside of their cells.			X	
<b>F3.</b> Twelve-hour shifts are difficult to fill when deputies are unexpectedly absent.	X			<b>R3.</b> The Stanislaus County Sheriff's Department should consider the current staffing model of 12 hour shifts versus 8 hour shifts. In the alternative, consider creating part-time positions (reserve custodial deputies) to augment scheduling in the event of unanticipated absences and to serve as a resource for full-time. Candidates for hiring.				X
<b>F4.</b> Gang members' logs of custodial deputies' names and daily routines could cause intimidation of custodial deputies and their families.	X			<b>R4.</b> The Stanislaus County Sheriff's Department should consider removing the names of custodial deputies from their uniforms.				X

### Conclusion

The 2016-2017 SCCGJ is satisfied that all entities requested have responded to the findings and recommendations of the 2015-2016 SCCGJ report within the time frame stipulated by California Penal Code Section 933(c).

\*With respect to the SCCGJ recommendation F3 to reconsider the current 12-hour shift model, the Stanislaus County Sheriff's Department responded that they "partially disagree" with the findings as this labor model was agreed upon through formal negotiations as part of an approved MOU between the Deputy Sheriff's Association and the County Board of Supervisors. They further state that this model has been in effect since February 2015, which is a relatively brief period for analysis, and therefore, believe more time is needed before an effective evaluation can be prepared. The SCCGJ is satisfied with this response.

**Stanislaus Building Study  
Case #16-15GJ**

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**Reason for Investigation**

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The 2015-2016 Stanislaus County Civil Grand Jury (SCCGJ) conducted an investigation to determine if city-owned properties were being used to their highest and best practices. The SCCGJ requested a summary of all properties owned by each city in the county to determine if they were being used appropriately.

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**Agencies Asked to Respond**

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- City of Waterford
- City of Oakdale
- City of Ceres
- City of Patterson
- City of Hughson
- City of Riverbank
- City of Modesto
- City of Turlock
- City of Newman

Commendation: The City of Waterford is commended for using the Central San Joaquin Valley Risk Management Authority Building Detail Report when responding to the request of the SCCGJ.

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<p><b>F1.</b> The City of Waterford is the only city to use the Central San Joaquin Valley Risk Management Authority Building Detail Report. This report has a complete summary of each property, including date built or acquired, address, type of construction, services, features, valuations, and conclusions. In addition, each property has a current photo. Other cities would benefit from using the same system to list their inventory.</p>				<p><b>R1.</b> The Stanislaus County Grand Jury recommends that all cities in Stanislaus County should consider using the Central San Joaquin Valley Risk Management Authority Building Detail Report to efficiently account for and report to the public all city-owned properties.</p>				

Findings				Recommendations				
	Agree w/ Finding	Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
City of Ceres	X				X			
City of Hughson	X				X			
City of Modesto	X						X	
City of Newman	X			* The City of Newman “agrees with the recommendation.”				
City of Oakdale	X					X		
City of Patterson				Response did not directly relate to recommendations				X
City of Riverbank								X
City of Turlock	X			* The City of Turlock agrees with the findings				*

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**Conclusion**

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The 2016-2017 SCCGJ is satisfied that all entities requested have responded to the findings and recommendations of the 2015-2016 SCCGJ report within the time frame stipulated by California Penal Code Section 933(c) with the exception of Patterson and Riverbank who, after several requests, responded after the deadline..

**The Stanislaus County Civil Grand Jury  
Case #16-18GJ**

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**Reason for Investigation**

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The purpose of an observer is to provide an avenue for public input into the election process, to assist in validating its integrity, encourage participation, and build voter confidence. Since a review of Stanislaus County election procedure had not been conducted in more than ten years, the SCCGJ observed the process, the counting, and the handling of election ballots to ensure that requirements were being followed.

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**Agencies Asked to Respond**

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- Stanislaus County Clerk-Recorder/Registrar of Voters

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
<b>F1.</b> Polling places were easy to find and access.	X			<b>R1.</b> None				
<b>F2.</b> In dual polling places, some voters would attempt to place their ballots into the wrong ballot boxes.		X		<b>R2.</b> In dual polling places, a solid barrier should be put into place so that voters cannot cross over into the wrong precinct when placing their ballot into the ballot box.		X		

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**Conclusion**

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The 2016-2017 SCCGJ is satisfied that all entities requested have responded to the findings and recommendations of the 2015-2016 SCCGJ Report within the time frame stipulated by the California Penal Code Section 933(c).

**Assessment of the Community Services Agency  
Case #16-23GJ**

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**Reason for Investigation**

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The 2015-2016 Stanislaus County Grand Jury (SCCGJ) performed an assessment of the Stanislaus County Community Services Agency (CSA) to determine whether adequate audits/reviews were being performed. The CSA budget for 2015-2016 is \$325 million or 29,6% of the total Stanislaus County budget of \$1billion. The CSA was chosen because it represents a large portion of the county budget.

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**Agencies Asked to Respond**

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- Community Services Agency

Findings				Recommendations				
	Agree w/ Finding	R Agrees Partially	Disagrees Wholly		Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*
F1. CSA has adequate audits/reviews to ensure proper financial and internal controls, as well as a performance and an on-going self-improvement system.				This finding received a commendation from the Stanislaus County Civil Grand Jury.				

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**Conclusion**

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The 2016-2017 SCCGJ is satisfied that all entities invited to respond to the findings and commendations of the 2016-2016 SCCGJ Report within the time frame stipulated by the California Penal Code Section 933 (c).

## Stanislaus County County Financial Audit Report

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### Reason for Investigation

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In accordance with California Penal Code Section 925, civil grand juries are required to investigate and report on the operations, accounts, and records of the departments or functions of the county. Therefore, the 2015-2016 Stanislaus County Civil Grand Jury (SCCGJ) reviewed the Stanislaus County Fiscal Year 2015 Single Audit Report dated June 30, 2015. The audit was conducted by Brown Armstrong Accountancy Corporation.

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### Agencies Asked to Respond

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- Stanislaus County Auditor-Controller
- Stanislaus County Board of Supervisors

Findings	Agree w/ Finding	Agrees Partially	Disagrees Wholly	Recommendations	Implemented	Will Implement	Further Analysis Needed	Will Not Implement/Other*

<p><b>F1.</b> The audits show that the accounting policies of Stanislaus are being followed and the office of the Stanislaus County Auditor-Controller has excellent leadership and management.</p>	<p>X</p>		<p>This finding received a commendation from the Stanislaus County Civil Grand Jury.</p>				
<p><b>F2.</b> The continuity of management at all levels has resulted in a depth of knowledge and a commitment to adhere to the accounting policies and procedures established.</p>	<p>X</p>		<p>This finding received a commendation from the Stanislaus County Civil Grand Jury.</p>				

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**Conclusion**

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The 2016-2017 SCCGJ is satisfied that all entities have responded to the findings and commendations of the 2015-2016 SCCGJ report within the time frame stipulated by the California Penal Code Section 9339(c).

**Board of Supervisors of the County of Stanislaus  
Response to the Stanislaus County Civil Grand Jury 2015-2016 Final Report**

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**Reason for Investigation**

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Each year, civil grand juries submit a final report of findings to county boards of supervisors. The report identifies several areas of investigation concerning the operations of various public agencies. As the governing body overseeing the public agencies under review, the Board of Supervisors has been either invited or requested to respond to specific findings and recommendations identified in the report. The pertinent responses are included in the previous charts where appropriate. As stipulated in Penal Code 933.05(c), the Board only addresses those budgetary or personnel matters over which it has some decision-making authority.

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**Agencies Asked to Respond**

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- Stanislaus County Board of Supervisors.
- The Sheriff-Coroner, Chief Probation Officer, and Clerk-Recorder/Registrar of Voters have also responded to the SCCGJ Final report within the time frame allowed.

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**Conclusion**

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The 2016-2017 SCSG is satisfied that the Stanislaus County Board of Supervisors has responded to the findings and recommendations of the 2015-2016 report within the time frame stipulated by the California Penal Code Section 933(c).