

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA #: *B-1

AGENDA DATE: August 22, 2017

SUBJECT:

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury 2016-2017
Final Report

BOARD ACTION AS FOLLOWS:

No. 2017-459

On motion of Supervisor Withrow, Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

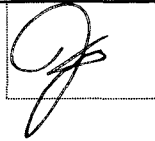
File No. M-39-N-9

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office
Urgent Routine

BOARD AGENDA #: *B-1

AGENDA DATE: August 22, 2017



CEO CONCURRENCE:

4/5 Vote Required: Yes No

SUBJECT:

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury 2016-2017 Final Report

STAFF RECOMMENDATIONS:

1. Accept the responses to the Stanislaus County Civil Grand Jury 2016-2017 Final Report with any modifications made after consideration by the Board of Supervisors and authorize the Chairman of the Board to forward the response to the Presiding Judge of the Superior Court by September 12, 2017.
2. Direct the Chief Executive Officer to ensure that any recommended actions by the Board of Supervisors be followed and completed by the subject County departments and report back to the Board of Supervisors as appropriate.

DISCUSSION:

The Stanislaus County Board of Supervisors has received the Stanislaus County Civil Grand Jury (SCCGJ) 2016-2017 Final Report. The report identifies several areas of investigation concerning the operations of various public agencies. The Grand Jury has either invited or requested that affiliated department heads and/or elected officials provide responses to the published findings and recommendations pertaining to the operations of their respective agencies in accordance with Penal Code Section 933.05. As the governing body overseeing the public agencies under review, the Board of Supervisors has also been either invited or requested to respond to specific findings and recommendations identified in the report. As stipulated in Penal Code Section 933.05 (c), the Board shall address only those budgetary or personnel matters, over which it has some decision-making authority.

The Sheriff-Coroner, Chief Probation Officer, Stanislaus County Librarian and Auditor-Controller have responded to the SCCGJ Final Report within the time frame allowed and their responses are attached to this report.

The recommended responses from the Board of Supervisors are as follows:

Participation in the Annual Financial Audit Report For the Fiscal Year Ended June 30, 2016 Findings (Invited Response):

Finding 1. The audits showed that accounting policies of Stanislaus County are being followed.

Response: The Board of Supervisors agrees with the finding.

Finding 2. The Stanislaus County Auditor-Controller's office management team exhibits competent leadership.

Response: The Board of Supervisors agrees with the finding.

Finding 3. The audit also showed that the management continuity at all levels of the departments results in an expertise and commitment by all staff to adhere to published accounting policies and procedures.

Response: The Board of Supervisors agrees with the finding.

Commendation. The SCCGJ commends the staff within the Auditor-Controller's office, and the directors and staff of each audited Stanislaus County Department, for their efforts in adhering to the policies and procedures set forth by the GASB and the OMB.

Response: The Board of Supervisors acknowledges the exemplary work of staff in the Stanislaus County Auditor-Controller's office along with work of directors and staff in each Stanislaus County department. Recognition as a model county organization within the state exemplifies the County's vision, to be a county that is respected for its service in the community and is known as the best in America.

City of Oakdale Residents Property Tax Bill 17-03C Findings (Invited Response):

The SCCGJ identified four findings and four recommendations regarding an investigation of the City of Oakdale Residents Property Tax Bill 17-03C. The Board of Supervisors was invited to respond to these findings and recommendations; however, the Board respectfully declines the invitation. City of Oakdale 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 activities. The Auditor-Controller was also invited to respond to the findings and recommendations. The Auditor-Controller's response is attached in this document.

Stanislaus County Library 17-18GJ Findings (Requested Response):

The SCCGJ identified four findings and four recommendations regarding an investigation of the Stanislaus County Library 17-18GJ. The Board of Supervisors was requested to respond to the recommendations. The Board of Supervisors responded to this report with Board Action number 2017-246 on May 16, 2017, attached in this document.

Civil Grand Jury 2016-2017 Case #17-20GJ – Stanislaus County Law Enforcement and Detention Facilities Inspections Findings (Requested Response):

Finding 1. The Stanislaus County Sheriff's Department is extremely adept at managing and maintaining its detention facilities.

Response: The Board of Supervisors agrees with the finding.

Finding 2. The Stanislaus County Downtown Men's Jail (CJ) is approaching the end of its useful life and is using valuable correctional resources that could be better utilized at newer detention facilities.

Response: The Board of Supervisors agrees with the finding. In a contractual arrangement with the State, under SB 1022, the county is in the midst of constructing a new 288-bed Re-entry and Alternatives to Custody Training (REACT) Center, intended to provide a full range of inmate programs and preparation of inmates for successful re-entry into society to reduce the level of recidivism in this county. Construction of the facility is 65% complete, with an anticipated activation date in May 2018. Once the REACT Center is opened, it will be staffed through utilization of existing positions assigned to the CJ. The CJ will then close as a detention facility and convert to a Court Holding Facility only.

Finding 3. The Stanislaus County Sheriff's Department was proactive in securing AB900 state project funding.

Response: The Board of Supervisors agrees with the finding.

Finding 4. During booking procedures at Juvenile Hall, male and female inmates are screened for syphilis but not hepatitis B or C.

Response: The Board of Supervisors disagrees partially with the finding consistent with the attached response of the Chief Probation Officer. The Stanislaus County Probation Department, along with the Stanislaus County Sheriff's Department, has contracted with the California Forensic Medical Group (CFMG) for inmate medical services for several years. The medical staff from CFMG is housed within Juvenile Hall and provides 24 hour medical services to the youth housed in both the Juvenile Hall and the Juvenile Commitment Facility. When youth are initially booked into Juvenile Hall, they are screened by secondary medical screening, which is completed within the first 96 hours after the youth is booked. If the youth has shown to have a history of high risk behavior (ex, IV drug use, sexually transmitted diseases, unprotected sex, etc.) CFMG staff will discuss testing for HIV, Hepatitis B and Hepatitis C with the youth at that time.

Finding 5. Working from a state of the art facility, the Stanislaus County Sheriff's Office Coroner's Division facility provides much utilized services to assist in determining causes of death.

Response: The Board of Supervisors agrees with the finding.

Finding 6. With the implementation of the new CAD system, the staff was provided adequate training and the system is now in full operation. Additionally, Stanislaus Regional 911 will now be responsible for receiving 911 cell phone calls.

Response: The Board of Supervisors agrees with the finding. SR911 was formed through a Joint Powers Agreement between Stanislaus County and the City of Modesto and is directed by a commission composed of representatives from each jurisdiction and the public safety agencies. The current Board Members are representatives of: Modesto City Council, Stanislaus County Supervisor, Modesto City Manager, County Chief Executive Officer, Hughson City Manager, City of Modesto Police Chief, and Stanislaus County Fire Warden.

Finding 7. The MPD, SCSD, and TPD are committed to protecting and serving the citizens of their respective cities.

Response: The Board of Supervisors agrees with the finding and thanks the SCCGJ for the acknowledgment of the commitment of the public safety agencies.

Finding 8. AMR operates a new program called Community Ambulance to assist SCSD officers when they are dealing with a person with possible mental health issues. The Community Ambulance program follows through with the subject, allowing officers to proceed with their duties.

Response: The Board of Supervisors agrees with the finding.

Civil Grand Jury 2016-2017 Case #17-20GJ – Stanislaus County Law Enforcement and Detention Facilities Inspections Recommendations (Requested Response):

Recommendation 1. The Stanislaus Sheriff's Department should develop a plan to better utilize the CJ.

Response: The Board of Supervisors agrees with the Sheriff's response. As referenced in finding 2, once the REACT Center is activated in May 2018, the CJ will cease to exist as a detention facility and will convert to a Court Holding Facility, due to its contiguous location and tunnel access to the downtown Court House.

Recommendation 2. The SCCGJ recommends Stanislaus County Probation Department screen for hepatitis B and C during the intake process.

Response: The Board of Supervisors supports the Chief Probation Officers' response and partially disagrees with the recommendation that the department screen for Hepatitis B and C during the intake process. During the minor's secondary, more detailed medical screening—usually occurring within the first 96 hours after booking, CFMG staff delve into more specific health related questions and high risk behavior where it is determined whether the minor should be tested for Hepatitis B and C. This detailed screening is not completed during the intake process due to time constraints and staffing levels. CFMG staff had indicated that they do not conduct Hepatitis B or C testing during the booking process at any of the adult detention facilities in the county and they follow all CDC guidelines when it comes to the testing of the youth.

Recommendation 3. There is a real need for the Coroner's Office to acquire its own X-ray machine. Needless time and money is spent transporting autopsy cases to Doctors Medical Center for X-rays. There is currently room at the facility for this machine to be installed.

Response: The Board of Supervisors partially agrees with the recommendation. The Coroner's office currently contracts with Doctor's Medical Center for X-rays. Further study is needed to determine the cost effectiveness of the purchase, maintenance, and training for a new X-ray machine, versus contracting with Doctors Medical Center.

Recommendation 4. The Stanislaus Regional 9-1-1 should consider developing a resource plan that would identify potential solutions in minimizing overtime, increase the retention of current workers, and reduce the loss of candidates during the hiring process.

Response:

The Board of Supervisors agrees with the recommendation. Staffing resource plans are ongoing and this recommendation is partially implemented.

Commendations 1. The SCCGJ commends the Stanislaus County Sheriff's Department in providing professional leadership, management and maintenance of the detention facilities under their supervisor.

Response: The Board of Supervisors appreciates the recognition of the management of the detention facilities by the SCCGJ. The dedicated managers and executives are focused on providing competent leadership to personnel; accountability for the operations and optimum services to stakeholders, including public and inmates in custody.

Commendations 2. The SCCGJ commends the Stanislaus County Sheriff's Department and the County of Stanislaus in securing AB900 funding and managing Projects 1 & 3 to a successful completion.

Response: The Board of Supervisors appreciates the recognition of the County's successful endeavor to secure funding under AB900 by the SCCGJ. The County received an award of \$80 million from the State, with a 10% match by the County of approximately \$9 million. With this funding, the county was successful in constructing and activating two 240-bed Maximum Security Units, a 72-bed Healthcare Unit and a Day Reporting Center. The County additionally funded a companion project to construct and activate a new Intake/Release/Administration/Transportation Building. It is noteworthy that to date, Stanislaus County is the first and only county to fully construct and activate new detention facilities in partnership with the State under the AB900 funding grant.

Commendations 3. The SCCGJ commends the Stanislaus County Sheriff's Office Coroner's Division personnel for providing outstanding services for three counties and maintaining a state of the art facility.

Response: The Board of Supervisors appreciates the recognition of outstanding services provided by Stanislaus County Sheriff's Office Coroner's Division.

Commendations 4. The SCCGJ commends the Regional Dispatch Center on its improvements, management, and well-run operation considering current staffing constraints.

Response: The Board of Supervisors appreciates the recognition of improvement, management, and well-run operation of the Regional Dispatch Center considering current staffing constrains.

Civil Grand Jury 2016-2017 Case #17-30C – Stanislaus County Probation Department Findings (Invited Response):

Finding 1. The Stanislaus County Probation Department's current Citizen Complaint and Citizen Declaration forms may discourage some citizens from filing a formal complaint due to the 148.6 CPC declaration.

Response: The Board of Supervisors agrees with the finding.

Recommendations. SCCGJ recommends that SCPD review their Citizen Complaint and Declaration forms to foster filing legitimate complaints and to come into compliance with the ruling of the 9th Circuit Court Appeals ruling on Section 148.6 CPC.

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury 2016-2017 Final Report

Response: The Board of Supervisors agrees with the recommendation and the Chief Probation Officer has reported that the new Citizen Complaint Form has been implemented. The updated Citizen Complaint Declaration includes information on the department's complaint process and a breakdown of frequently asked questions.

POLICY ISSUE:

The Stanislaus County Civil Grand Jury studies and investigates citizen complaints and the operations of selected public agencies, publishing its findings, conclusions, and recommendations at the end of each fiscal year. Agencies or departments, which are the subjects of these investigations, are required to respond to the findings and recommendations within 60 days after the final report is submitted. Additionally, Penal Code Section 933 stipulates that "the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body" no later than 90 days after the report is published. The formal responses must comply with Penal Code Section 933.05 and clearly indicate the respondent's agreement or disagreement with the findings and recommended actions. The recommended actions contained herein comply with the appropriate penal codes and the requirements of the Stanislaus County Civil Grand Jury.

FISCAL IMPACT:

There is no fiscal impact associated with acceptance of the Stanislaus County Civil Grand Jury 2016-2017 Final Report and the response to the Presiding Judge of the Superior Court. Further, there is no fiscal impact associated with the Board of Supervisors' recommendations contained in this item. Implementation of Grand Jury recommendations have either already occurred or will impart a negligible impact to the affected departments.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions meet the Board of Supervisors' priority area of Efficient Delivery of Public Services by appropriately addressing and complying with requests of the Stanislaus County Civil Grand Jury.

STAFFING IMPACT:

There is no staffing impact associated with the recommended Board actions. Departments studied within the Stanislaus County Civil Grand Jury 2016-2017 Final Report have existing staff and allocated positions to address the implementation of approved recommendations.

CONTACT PERSON:

Jody Hayes, Chief Executive Officer

Telephone: (209) 525-6333

ATTACHMENT(S):

1. Stanislaus County Civil Grand Jury 2016-2017 Final Report
2. Adam Christianson, Sheriff-Coroner Response
3. Mike Hamasaki, Chief Probation Officer Response
4. Lauren Klein, Auditor-Controller Response
5. Board Action Summary Number 2017-246

Attachment 1

Stanislaus County Civil Grand Jury 2016-2017 Final Report

**Stanislaus County
Civil Grand Jury
2016-2017**



Final Report

Stanislaus County Civil Grand Jury 2016-2017 Final Report

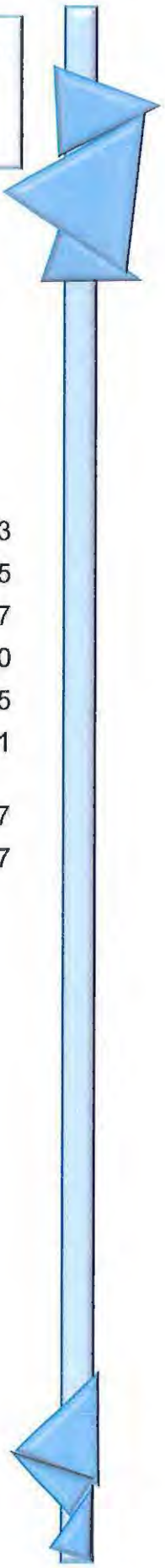


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STANISLAUS COUNTY CIVIL GRAND JURY

PO Box 3387 – Modesto, CA 95353 – (209) 558-7766 – Fax (209) 558-8170

June 1, 2017

The Honorable Ricardo Cordova
Presiding Judge of the Superior Court of California
800 11th Street
Modesto, CA 95354

Dear Judge Cordova:

The 2016-2017 Stanislaus County Civil Grand Jury is pleased to submit to your attention the panel's final report. Each panel member has worked diligently to complete this work.

On behalf of the entire grand jury panel, I want to thank you, the Court Executive Officer/Jury Commissioner, the Assistant Court Executive Officer, the Stanislaus County Counsel and the Civil Grand Jury Administrative assistant for your excellent guidance and support during the panel's term.

The grand jury completed the mandatory inspection of all the Stanislaus County Detention facilities. The panel attended the County of Stanislaus Audit entrance and exit meetings conducted by Brown Armstrong Accountancy Corporation as mandated. The panel also completed a follow up to the responses to the 2015-2016 SCCGJ's final report ensuring accountability.

The grand jury initiated and conducted, without prejudice, investigations and assessments of the following: County Election Practices, the Stanislaus County Library, the Stanislaus County Downtown Men's Jail, the Public Safety Center, the Juvenile Commitment Center, the Stanislaus County Sheriff's Office Coroner Division, the Day Reporting Center, Stanislaus Regional 9-1-1 as well as Law Enforcement Ride-Along programs.

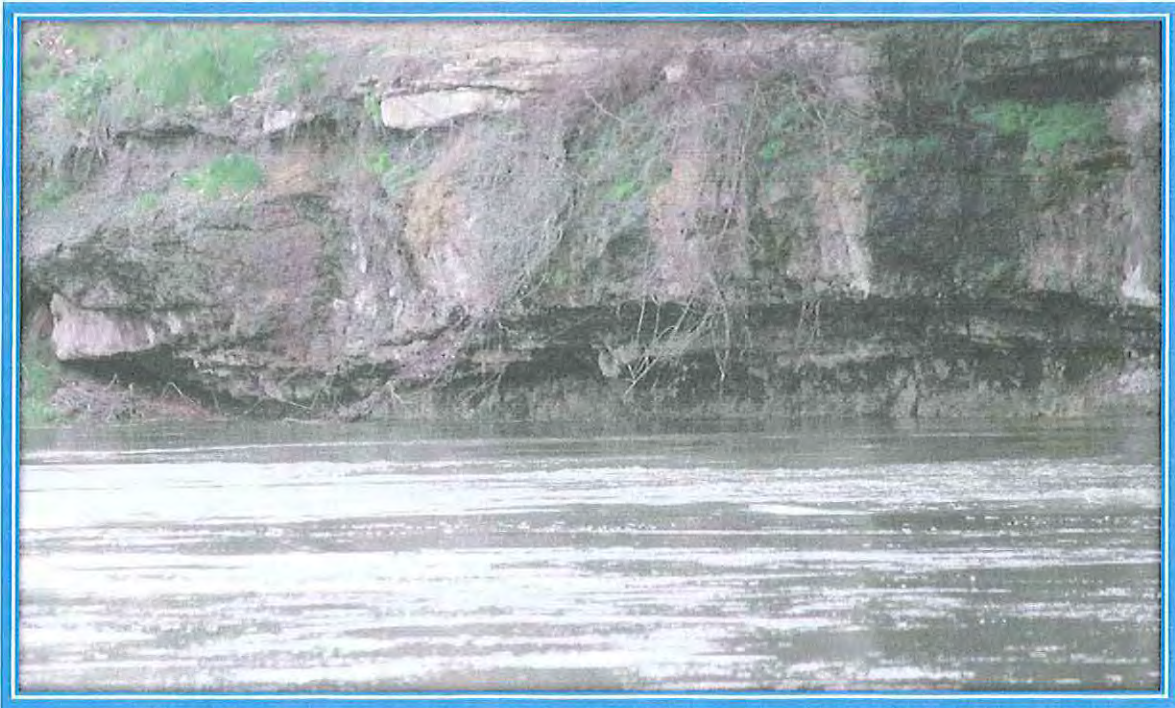
The grand jury received and investigated when necessary, a variety of complaints from concerned citizens. The complaints involved a number of issues related to the county and special districts. Reports on the City of Oakdale Residents Property Tax Bill and Oakdale Irrigation District Redistricting policies as well as a report on the Stanislaus County Probation Department were the result of such complaints.

As foreperson, I want to thank each person on our panel who worked diligently to provide this important service to our county.

Sincerely,

Tim Warnock
Foreperson

2016-2017 CIVIL GRAND JURY



FOREPERSON..... Timothy J. Warnock
FOREPERSON PRO TEM James B. McKay
RECORDING SECRETARY Laurie M. Overly
SERGEANT AT ARMS Thomas J. Cardoza

GRAND JURY PANEL

| | | | |
|---------------------|---------|--------------------|---------|
| Kenneth L. Adair | Modesto | Angela M. Lagos | Modesto |
| Jill A. Ayres | Modesto | James B. McKay | Modesto |
| Brian R. Bigelow | Modesto | Diane M. Mecca | Modesto |
| Melvin G. Bradley | Oakdale | Carol Anne Miller | Modesto |
| Thomas J. Cardoza | Modesto | Laurie M. Overly | Modesto |
| Beverly M. Finley | Modesto | Dalbir S. Plaha | Denair |
| Linda S. Fredericks | Modesto | H. Carol Perry | Denair |
| Don S. Hamaguchi | Turlock | Timothy J. Warnock | Modesto |
| Bruce Helmer | Modesto | | |

Part I

Summary of Responses to the 2015-2016 Final Reports

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

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

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

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| tax assessments. | | | CFO functions. | | | | |
| F5. The DPHD is actively planning to expand its healthcare center. | | X | R5. DPHD should delay the plan for capital expansion of the Del Puerto Health Center until the operational budget justifies the expansion. | | | X | |
| F6. A lack of county and City of Patterson audits may result in DPHD not receiving revenue to which it is entitled. | | X | R6. 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 | |
| F7. Unpublished minutes result in a lack of transparency in delivery of information to the community. | X | | R7. DPHD should publish board meeting minutes on the DPHD website. | X | | | |
| F8. 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 | | R8. 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 | | | |
| F9. 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 | | R9. 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 | | |
| F10. There is minimal public outreach to the community to explain the mission of DPHD and to attract qualified board members. | X | | R10. 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 to serve on the board. | X | | | |

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| F11. Without formal orientation and training processes for board members, dysfunction of the board will continue to exist. | X | | R11. 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 | | | |
| Stanislaus County Board of Supervisors | | | | | | | |
| | | | 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. | | | | |

Conclusion

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 | Implemented | Will Implement | Further Analysis Needed | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------|-------------------------|----------|
| | Agree w/ Finding | Agrees Partially | Disagrees Wholly | | | | Further Analysis Needed | Will Not |
| Stanislaus County Sheriff-Coroner Response | | | | | | | | |
| F1. 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 | | | R1. 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 | |
| F2. 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 | | | R2. 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 |

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| F3. Twelve-hour shifts are difficult to fill when deputies are unexpectedly absent. | X | | R3. 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 | | | | * |
| F4. Gang members' logs of custodial deputies' names and daily routines could cause intimidation of custodial deputies and their families. | | X | R4. The Stanislaus County Sheriff's Department should consider removing the names of custodial deputies from their uniforms. | | | | X |
| F5. The computer lab classroom is currently not being utilized due to lack of staffing. | X | | R5. The Stanislaus County Probation Department should consider recruiting community volunteers to assist in the staffing of the computer lab classroom. | | X | | |
| Stanislaus County Probation Department Response | | | | | | | |
| F6. The Juvenile Hall has some shower stall tiles that are in need of new grout and repair. | X | | R6. The Stanislaus County Probation Department should re-grout tiles in the common shower areas. | | X | | |
| F7. Juvenile Hall has some cells that have paint being scraped off of the walls. | X | | R7. The Stanislaus County Probation Department should re-paint cells that have paint issues. | X | | | |
| Stanislaus County Board of Supervisors Response | | | | | | | |
| F1. 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 | | R1. 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 |
| F2. 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 | | R2. 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 |

| | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------|---|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|
| F3. Twelve-hour shifts are difficult to fill when deputies are unexpectedly absent. | X | | R3. 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 |
| F4. Gang members' logs of custodial deputies' names and daily routines could cause intimidation of custodial deputies and their families. | X | | R4. 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**

Reason for Investigation

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.

Agencies Asked to Respond

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

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 | | | | Recommendations | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------|------------------|----------|
| | Agree w/ Finding | Agrees Partially | Disagrees Wholly | | Implemented | Will Implement | Further Analysis | Will Not |
| F1. 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. | | | | R1. 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. | | | | |

| Findings | Agree w/ Finding | | | Recommendations | Implementation Status | | | |
|-------------------|------------------|------------------|------------------|--------------------------------------------------------|-----------------------|----------------|------------------|----------|
| | Agree w/ Finding | Agrees Partially | Disagrees Wholly | | Implemented | Will Implement | Further Analysis | Will Not |
| 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 | | | | * |

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 the exception of Patterson and Riverbank who, after several requests, responded after the deadline.

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

Reason for Investigation

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.

Agencies Asked to Respond

- Stanislaus County Clerk-Recorder/Registrar of Voters

| Findings | | | | Recommendations | | | | |
|-----------------------------------------------------------------------------------------------------------|------------------|------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------|------------------|----------|
| | Agree w/ Finding | Agrees Partially | Disagrees Wholly | | Implemented | Will Implement | Further Analysis | Will Not |
| F1. Polling places were easy to find and access. | X | | | R1. None | | | | |
| F2. In dual polling places, some voters would attempt to place their ballots into the wrong ballot boxes. | | X | | R2. 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 | | |

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 the California Penal Code Section 933(c).

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

Reason for Investigation

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.

Agencies Asked to Respond

- Community Services Agency

| Findings | | | | Recommendations | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------|------------------|-----------------------------------------------------------------------------------|-------------|----------------|------------------|----------|
| | Agree w/ Finding | R Agrees Partially | Disagrees Wholly | | Implemented | Will Implement | Further Analysis | Will Not |
| 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. | | | | |

Conclusion

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).

Part II

County Financial Audit Report

**Stanislaus County
County Financial Audit Report**

Reason for Investigation

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.

Agencies Asked to Respond

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

| Findings | | | | Recommendations | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|------------------|-----------------------------------------------------------------------------------|-------------|----------------|------------------|----------|
| | Agree w/ Finding | Agrees Partially | Disagrees Wholly | | Implemented | Will Implement | Further Analysis | Will Not |
| F1. 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. | X | | | This finding received a commendation from the Stanislaus County Civil Grand Jury. | | | | |
| F2. 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. | X | | | This finding received a commendation from the Stanislaus County Civil Grand Jury. | | | | |

Conclusion

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**

Reason for Investigation

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.

Agencies Asked to Respond

- 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.
-

Conclusion

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).

Part III

Participation in the Annual Financial Audit Report

**Stanislaus County Civil Grand Jury (SCCGJ)
Participation in the Annual Financial Audit Report
For the Fiscal Year Ended June 30, 2016**

SUMMARY

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 2016-2017 Stanislaus County Civil Grand Jury (SCCGJ) reviewed the Stanislaus County Audit Report dated June 30, 2016. The audit was completed by Brown Armstrong Accountancy Corporation.

GLOSSARY

| | |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Comprehensive Annual Financial Report (CAFR) | A set of US government statements comprising the financial report of a state, municipal, or other governmental entity that complies with the accounting requirements published by the Governmental Accounting Standards Board. |
| SCCGJ | Stanislaus County Civil Grand Jury |
| The Single Audit | The Single Audit is a rigorous organization-wide audit or examination of an entity that expends \$950,000 or more of federal funds received for its operations. This Single Audit is also known as the Office of Management and Budget (OMB) A-133 Audit. |
| Unmodified Opinion | The auditor's opinion of a financial statement, given without reservation. Such an opinion basically states that the auditor finds the entity followed all accounting rules appropriately and that the financial reports are an accurate representation of the entity's financial condition. |

BACKGROUND

The June 30, 2016 Stanislaus County Audit Report addresses the CAFR, as well as the Single Audit Report. The 2016 CAFR is intended solely to describe the scope of financial internal control testing and to assure the county's financial statements are error free. The audit includes a sampling of departments and programs within Stanislaus County. This audit report received an unmodified opinion. The Single Audit addresses compliance with OMB A-133, which applies to the county's major federal programs. All programs in this report received an

unmodified opinion; therefore no corrective actions were recommended by Brown Armstrong Accountancy Corporation.

The audit samples included the following: Health Services Agency, Inmate Welfare Audit, Regional 911, Insurance Fraud Program, North County Corridor Transportation Expressway Authority, Joint Powers Authority (JPA), Stanislaus Animal Services Agency, City-County Capital Improvement and Financial Agency, Treasury Oversight Report, Tobacco Endowment Investment Fund, and Public Guardian.

METHODOLOGY

Members of the SCCGJ 2016-2017 attended the Entrance Audit Conference on September 27, 2016, and the Exit Audit Conference, on February 21, 2017. During the Exit Audit Conference, Brown Armstrong Accountancy Corporation revealed the county Auditor-Controller's office adopted several new accounting pronouncements throughout the year, as set forth by the Governmental Accounting Standards Board (GASB). The GASB is a board that establishes accounting and financial reporting standards for state and local governments that follow Generally Accepted Accounting Principles (GAAP). The review of the 2016 Stanislaus County Audit was conducted by the Brown Armstrong Accountancy Corporation at the Exit Audit Conference.

FINDINGS

- F1. The audits showed that the accounting policies of Stanislaus County are being followed.
- F2. The Stanislaus County Auditor-Controller's office management team exhibits competent leadership.
- F3. The audit also showed that the management continuity at all levels of the departments results in an expertise and commitment by all staff to adhere to published accounting policies and procedures.

COMMENDATIONS

- C1. The SCCGJ commends the staff within the Auditor Controller's office, and the directors and staff of each audited Stanislaus County Department, for their efforts in adhering to the policies and procedures set forth by the GASB and the OMB.

INVITED RESPONSES

Stanislaus County Auditor-Controller

Stanislaus County Board of Supervisors

Part IV

City of Oakdale Residents Property Tax Bill

17-03C

**Stanislaus County Civil Grand Jury
City of Oakdale Residents Property Tax Bill
17-03C**

SUMMARY

The 2016-2017 Stanislaus County Civil Grand Jury (SCCGJ) received a complaint from an Oakdale city property owner regarding a portion of the non-itemized 1% General County Tax (GCT) listed on their Stanislaus County property tax bill. The complaint questioned the authority for the OID portion of the tax levied on city property owners and what property owners received in return for the assessed tax. The complaint further alleges the Stanislaus County Auditor-Controller's Office (SCAC) did not disclose information about the property tax paid by Oakdale city property owners eventually being disbursed to the Oakdale Irrigation District (OID).

SCCGJ investigation researched to determine the authority for the property tax in question and what services are provided to the City of Oakdale property owners for said tax. During the investigation, the SCCGJ found that information explaining the breakdown of the GCT was not readily available to taxpayers regarding the assessed tax. It was also discovered that there are services available to City of Oakdale property owners resulting from the GCT, but these services were not common knowledge amongst city property owners. An additional concern of property taxpayers within the City of Oakdale is the value of the services provided by OID in return for the taxes they pay.

As a result of the investigation, SCCGJ recommends that the SCAC office develop methods to allow all property owners to demystify their tax bills. The SCCGJ recommends that OID and the City of Oakdale continue to work collaboratively on their Cooperative Action Plan and their Mutual Aid Agreement.

GLOSSARY

| | |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GCT | General County Tax, also known as Parcel tax, Ad valorem tax, and a 1% tax-which is based on the assessed value of the property owner's property according to Prop 13. |
| OID | Oakdale Irrigation District |
| SCAC | Stanislaus County Auditor-Controller's Office |
| SCCGJ | Stanislaus County Civil Grand Jury |
| TRA | Tax Rate Authority |

BACKGROUND

The SCCGJ investigated a matter of public concern/interest in the city of Oakdale, in regards to the GCT that can be found on a property owners' tax bill. An investigation was conducted and several interviews were held to determine the origin for the authorization of the GCT in question. During the investigation, the SCCGJ learned that property owners in the city of Oakdale were unaware of the GCT. SCCGJ also discovered that over one million dollars is paid annually to OID by city of Oakdale property owners. Further concerns arose questioning whether or not the city of Oakdale property owners are receiving a fair market value for services from OID in exchange for the amount of money they pay in GCT annually.

METHODOLOGY

SCCGJ used many avenues to gather information for this investigation. The committee reviewed tax records, interviewed individuals, and researched water laws and policies. The individuals interviewed include the following:

- The complainant
- Employees from the SCAC Office
- An OID employee
- A City of Oakdale employee
- Reviewed tax records from City of Oakdale
- Attended OID Board Meetings
- Reviewed the variances in the High/Low TRA tax rate
- Reviewed the City of Oakdale's Master Water Plan

DISCUSSION

The SCCGJ has reviewed property tax data for those who live in the city limits of Oakdale. These property owners pay a 1% GCT on the assessed value of their property. That 1% is paid, as part of their entire tax bill, to the SCAC office. The distribution of these funds is not reflected on the tax bill; the amount of tax paid will vary depending upon which Tax Rate Area (TRA) the property is located. It was determined by the SCCGJ that together Oakdale property owners pay approximately one million dollars per year to OID.

The legal authority for this assessment derives from the fact that OID is an independent special district established in 1909, in accordance with the provisions of the 1887 Wright Act. Voters approved the formation of the District, agreeing to be taxed accordingly. This independent special district continues to the present time.

The specific amount of property taxes allocated to OID by the SCAC office depends on the following:

- 1) The assessed value of each individual parcel.
- 2) The TRA in which the parcel is located. The City of Oakdale has forty-three such TRA's.
- 3) The formula specified in the Assembly Bill 8 after passage of Proposition 13. (AB8, Chapter 282, Statutes of 1979)

Currently, the only way an individual property taxpayer can learn how his/her taxes are dispersed is by visiting the SCAC office and requesting an itemized printout of the distribution of the 1% GCT for the individual's TRA.

Property owners in the City of Oakdale pay approximately 1 million dollars per year to Oakdale Irrigation District. This represents approximately 20% of OID's operating budget. While it is true City of Oakdale property owners receive services in return for their property tax, it is debatable if the value of those services is commiserate with the amount of tax provided.

Currently, OID provides 10,000 acre feet of water rights from New Melones reservoir as a contingency for water emergencies. In addition, OID provides flood control and water run-off abatement for city streets. Even so, equity questions remain.

To that end, the City of Oakdale and Oakdale Irrigation District have begun a process to review the equity of services rendered by OID to city residents. SCCGJ received the following draft documents:

- Mutual Aid Agreement between the Oakdale Irrigation District and the City of Oakdale
- Cooperative Action Plan between the City of Oakdale and Oakdale Irrigation District
- Scope of Work-Oakdale Irrigation District: Reuse Feasibility Study

FINDINGS

F1.The SCCGJ found no information was readily available to the City of Oakdale taxpayers explaining where the assessed 1% tax went and what if any services OID provided.

F2.Oakdale City residents pay over \$1 million annually in property taxes to the OID.

F3.The 1% tax that the Oakdale City residents pay is based on their TRA and assessed value of their property.

F4.OID and the City of Oakdale are aware of the possible disparities between property taxes paid and services provided to property owners. Both OID and the City of Oakdale are engaged in a dialogue regarding this issue.

RECOMMENDATIONS

R1.The SCCGJ recommends that the SCAC office create a way to explain the 1% ad valorem tax that is on property owners tax bills, or add an insert to their property tax bill explaining what this tax covers. It is further recommended that a link be added to their website (that residents can use with ease) to get this information as well.

R2.The SCCGJ recommends that OID commence dialog with the City of Oakdale residents regarding services provided by OID in regards to this 1% tax.

R3.The SCCGJ recommends that SCAC office explore ways of providing a link on its website that is user friendly and explains the breakdown of this tax.

R4.The SCCGJ recommends that OID and the City of Oakdale continue to work collaboratively on their Cooperative Action Plan and their Mutual Aid Agreement.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

OID Board of Directors

Oakdale City Council

INVITED RESPONSES

From the following individuals:

Stanislaus County Audit Controller

Board of Supervisors-Stanislaus

OID General Manager

City of Oakdale-City Manager

Part V

**Stanislaus County
Library**

17-18GJ

**2016-17 Stanislaus County Civil Grand Jury
Stanislaus County Library
Case #17-18GJ**

Summary

Where can I get the most recent best seller to download on my e-book? Where can I take my preschooler to listen to a good story? It's after 4:00 p.m. and I need to apply for a passport. Where can I go? I need up-to-date resources for my term paper. How can I get them if I don't have a computer? I want to improve my English. Where can I go? The answer to all of these questions is the same – the public library. The Stanislaus County Library is a real gem.

The Stanislaus County Public Library offers these services as well as many others. Most community members agree public libraries should offer programs to teach patrons digital skills and help them learn how to use new, creative technologies. At the same time, libraries should offer comfortable places for reading and relaxing. The Stanislaus County Public Library has worked diligently to offer such places in our community. Library patrons are provided with a useful and interesting collection of services that are centered on meeting their needs and expectations. These services improve the quality of community life as well.

Glossary

| | |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SCCGJ | Stanislaus County Civil Grand Jury |
| SCL | Stanislaus County Library |
| Fiscal Year | Budget Year (June 30th to July 1 st) |
| Home Delivery System | This system delivers library materials to county residents who are unable to visit a branch library. Home Delivery Service also includes a program, based on past requests and patron interests, that suggests a list of books and materials personalized to each individual patron from current library holdings. |

Background

The Stanislaus County Civil Grand Jury (SCCGJ) believed that it would be beneficial to the public to review the Stanislaus County Library (SCL). A review of SCL had not been done since the 1992-93 SCCGJ term, and there have been tremendous changes implemented and challenges faced by the Library in recent years.

Changes include the further incorporation of electronic resources, expansion of outreach programs and transitioning to an institution that services all patrons in Stanislaus County.

Challenges include providing essential services and programs while implementing a strategic plan with uncertain revenue sources. 90% of the SCL revenue comes from sales tax and must be periodically approved by the voters of Stanislaus County. The next election to determine the fate of the SCL will be in November 2017.

Additional challenges include dealing with aging facilities and providing up-to-date materials for patrons. This is especially important when it comes to technological resources. Additionally, the SCCGJ wanted to evaluate the SCL operations in light of the tremendous fiscal decline suffered during the "Great Recession" and to what extent the SCL has recovered from this decline of resources.

Methodology

Members of the SCCGJ toured the Modesto branch of the SCL. This tour was conducted by the Library Director, the Modesto Library Manager, and additional staff members, who provided specialized information.

The SCCGJ members also toured two of the thirteen branch libraries that are part of the SCL system. The SCCGJ asked for, and received, a variety of documents and data from the SCL. The information included the following:

- Current operating budget
- List of budgeted positions
- List of outreach programs
- Number of school visits
- Total Story Time participants
- Copies of surveys used to evaluate services
- Monthly activity calendars
- Circulation statistics of books, magazines, E-audio, E-books, E-languages, and E-magazines
- Number of logged computer sessions
- Total number of clients assisted in the adult literacy program in partnership with Learning Quest
- Number of passports processed last year

Discussion

On Thursday, September 8, 2016, members of the SCCGJ toured the Modesto Branch of the SCL. Jury members observed the scope and depth of services provided to the residents of Stanislaus County.

The SCL operates thirteen branch libraries; all are open at least five days per week and in most cases six days per week. (see 1A in the appendix for branch hours and days of operation.) The number of open hours has increased from 240 ten years ago to 478 today, and all libraries are now open on Fridays. The SCL provides a variety of children's programs including Story Time, pre-literacy sessions, tours, and classroom visits.

The SCL has 722,427 printed materials and a material circulation of 1,900,927, an eBook circulation of 42,698 and an e-magazine circulation of 5,106. There were 2,260,628 visits to the libraries in 2014-2015. By all indications, these numbers will increase in fiscal year 2015-2016. The Modesto branch of the SCL processes over 10,000 passports each year. This appointment-only service is open until one hour before closing time each day, including Saturdays.

The SCL is in the process of developing a five-year strategic plan. This plan has incorporated a professional survey, patron feedback, and input from community leaders. The strategic plan will direct future library services and is expected to be released in early 2017.

Each year, the SCL partners with outside agencies and organizations such as Stanislaus Reads and Learning Quest-Stanislaus Literacy Centers. The Learning Quest partnership is funded with a grant from the State Library Literacy Fund. Since 1995, the Partnership has assisted 15,495 adults to improve their literacy skills in reading, comprehension, writing and math. Currently, there are approximately 120 adult volunteers working with adult students. SCL has been successful in securing over \$310,000 in grants for the current fiscal year.

Specialized programs have increased the availability of resources for county residents. The Home Delivery System matches patrons' interests with items in the library collection, then delivers these materials to residents who are unable to visit a library branch. In addition, patrons requesting materials will normally have them delivered to any branch library within 48 hours. Last year, there were 276 Story Telling sessions attended by 11,600 children.

A "Pop-Up" library program has been instituted to promote early literacy. A pop-up library takes library services into communities so that patrons can access all library services, including Story Hour for preschool children.

The SCL has purchased over 52,000 new materials this year. The SCL receives the latest books on the same day as major booksellers receive copies. The

Library is able to purchase new books at a 30% to 40% discount. The SCL also maintains books utilizing an in-house bookbinding and repair services.

The SCL recognizes the need for a family-friendly learning environment. They have full-time security and have established "Rules of Behavior" for all patrons. Everyone is expected to abide by these rules in order to continue to use library services. In addition, the SCL has banned smoking anywhere on library property.

Findings

- F1. The Stanislaus County Library funding is dependent on a portion of county sales tax revenue that must be voter-approved on a regular basis. Failure to receive voter approval would result in cuts of approximately 85% of library services for residents of the county. The Stanislaus County Grand Jury finds this budgetary uncertainty to be a limiting factor in SCL strategic planning for future needs and operations of the library system.
- F2. The SCL does not provide discarded materials to other agencies, students, teachers, non-profit organizations, or inmates in the county correctional facilities. Rather, they dispose of materials that may still be of use to the community.
- F3. The SCCGJ finds that additional technology, especially computer workstations, wireless printers and an extension of Wi-Fi capabilities, are needed to keep up with the demands of the public.
- F4. The SCCGJ finds that there is a need for additional skilled volunteers to assist with more challenging library tasks.

Recommendations

- R1. The Stanislaus County Civil Grand Jury recommends that a more stable source of funding be found for the Stanislaus County Library. A concerted effort needs to be undertaken to explore additional revenue streams to augment the SCL budget.
- R2. The SCCGJ recommends that the Stanislaus County Library Administration continue to pursue all appropriate avenues to provide discarded materials to public and non-profit agencies. The current disposal protocol of these materials appears to be a waste of resources that could be utilized elsewhere in the community.

R3.The SCCGJ recommends that the SCL continue to budget for additional up-to- date technology in order to meet the evolving needs of library patrons.

R4.The SCCGJ recommends that the SCL continue to explore all means and methods to increase the number of skilled library volunteers to assist with more complicated library tasks.

Commendations:

C1.The Stanislaus County Civil Grand Jury commends the Stanislaus County Library for providing numerous high-quality, professional services and programs to an ever-changing county.

C2.The SCCGJ commends the SCL for its variety of programs and services to the residents of Stanislaus County, as well as providing these services under very tight budget constraints.

C3.The SCCGJ commends the SCL for its dedication to solicit input from a variety of county residents as it determines which services and programs it will offer. These services and programs are modified to fit the ever-changing needs of the community.

C4.The SCCGJ commends the SCL for its transparency and its communication with the public. The Library website and printed materials provide the public with detailed calendars of events and activities, information on available programs and services.

Responses

Pursuant to Penal Code section 933.05, the Stanislaus County Civil Grand Jury requests the Stanislaus County Board of Supervisors to respond to R1 – R4 within 90 days.

Responses are to be submitted to the Presiding Judge of Stanislaus County Superior Court in accordance with the provisions of Penal Code section 933.05.

STANISLAUS COUNTY LIBRARY – BRANCH INFORMATION

Feb. 7, 2017 (Collection counts from 2-7-17)

| Library Address | Telephone # | Person in charge, Title or description | Open hours | Other Information |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Library Administration & System-wide Staff 1500 I St. Modesto CA 95354 | 558-7801 558-8951 558-4813 558-4946 558-7863 558-7816 558-8949 558-7801 558-7808 558-7852 | Diane McDonnell, County Library Director Vicki Peitz, Business Mgr/Safety Officer Susan Lilly, PR & Marketing Manager Michael Leamy, Modesto Library Manager Bryan Sontag, Branch Operations Manager John Fleming, IT Manager Lindsey Pimentel, Human Resources Patti Boardrow, Admin Clerk Kathy Davis, Circulation Supervisor Stacey Chen, Collection Services Librarian | Mon 10-5 Tues 10-5 Wed 10-5 Thurs 10-5 Fri 10-5 | Hours/Week 35 public hours |
| Modesto Library 1500 I St Modesto CA 95354 | 558-4946 558-7810 558-7814 558-7808 | Michael Leamy, Modesto Library Manager Children's Services Reference Services Michele Bertolero, Page Supervisor | Mon 10-8 Tues 10-8 Wed 10-8 Thurs 10-8 Fri 10-5 Sat 10-5 | Hours/Week 54 Public area sq. ft.: 37,000 (bldg = 62,000 total sq.ft.) Collection Items: 286,406 Community Rm Capacity: 12 & 140 |
| Ceres Library 2250 Magnolia St Ceres CA 95307-3209 | 537-8938 | Anne-Marie Montgomery, Branch Supervisor | Mon 10-8 Tues 10-6 Wed 10-6 Thurs 10-6 Fri 10-5 Sat 10-5 | Hours/Week 48 Bldg. Sq. ft.: 5,000 Collection Items: 24,700 |
| Denair Library 4801 Kersey Rd PO Box 190 Denair CA 95316-0190 | 634-1283 | Karina Mendoza, Branch Supervisor | Tues 12-6 Wed 12-6 Thurs 12-6 Fri 11-5 Sat 11-5 | Hours/Week 30 Bldg. Sq. ft.: 1,851 Collection Items: 11,574 |
| Empire Library 18 South Abbie PO Box 7 Empire CA 95319-0007 | 524-5505 | Grace Habiger, Branch Supervisor | Tues 12-6 Wed 12-6 Thurs 12-6 Fri 11-5 Sat 11-5 | Hours/Week 30 Bldg. Sq. ft.: 1,920 Collection Items: 10,366 Community Room Capacity: 45 |
| Hughson Library 2412 A 3 rd St PO Box 1025 Hughson CA 95326-1025 | 883-2293 | Heather Bailey, Branch Supervisor | Tues 12-6 Wed 12-6 Thurs 12-6 Fri 11-5 Sat 11-5 | Hours/Week 30 Bldg. Sq. ft.: 2,100 Collection Items: 11,747 |
| Keyes Library 4420 Maud Ave PO Box 369 Keyes CA 95328-0367 | 664-8006 | Yvonne Reagers, Branch Supervisor | Mon 9-5:30 Tues 9-5:30 Wed 9-5:30 Thurs 9-7:30 Fri 9-5 | Hours/Week 44 Bldg. Sq. ft.: 1,200 Collection Items: 10,512 |
| Newman Library 1305 Kern St Newman CA 95360-1603 | 862-2010 | Thomas Kaps, Branch Supervisor | Tues 12-8 Wed 10-5 Thurs 10-5 Fri 10-5 Sat 10-5 | Hours/Week 36 Bldg. Sq. ft.: 2,613 Collection Items: 16,268 Community Room Capacity: 80 |
| Oakdale Library 151 S. First Ave Oakdale CA 95361-3902 | 847-4204 | Wayne Philbrook, Branch Supervisor | Mon 10-5 Tues 10-8 Wed 10-5 Thurs 10-8 Fri 10-5 Sat 10-5 | Hours/Week 50 Bldg. Sq. ft.: 6,500 Collection Items: 42,601 Community Room Capacity: 36 |
| Patterson Library 46 North Salado Patterson CA 95363-2587 | 892-6473 | Xia Thao, Branch Supervisor | Mon 10-5 Tues 10-5 Wed 10-8 Thurs 10-5 Fri 10-5 Sat 12-5 | Hours/Week 45 Bldg. Sq. ft.: 4,070 Collection Items: 29,811 Community Rm Capacity: 40 & 124 |
| Riverbank Library 3442 Santa Fe St Riverbank CA 95367-2319 | 869-7008 | Vicky Holt, Branch Supervisor | Mon 10-5 Tues 10-5 Wed 10-8 Thurs 10-5 Fri 10-5 Sat 12-5 | Hours/Week 45 Bldg. Sq. ft.: 3,594 Collection Items: 25,294 Community Room Capacity: 30 |
| Salida Library 4835 Sisk Rd Salida CA 95368-9445 | 543-7353 | Carol Blomquist, Branch Supervisor | Mon 10-8 Tues 10-8 Wed 10-5 Thurs 10-5 Fri 10-5 Sat 10-5 | Hours/Week 50 Bldg. Sq. ft.: 28,000 + 5,000 sq ft Community Room Collection Items: 77,578 Community Room Capacity: 259 |
| Turlock Library 550 Minaret Ave Turlock CA 95380-4148 | 664-8100 | Diane Bartlett, Branch Supervisor | Mon 10-8 Tues 10-8 Wed 10-8 Thurs 10-5 Fri 10-5 Sat 10-5 | Hours/Week 51 Bldg. Sq. ft.: 10,000 Collection Items: 73,765 |
| Waterford Library 324 E St Waterford CA 95386-9005 | 874-2191 | Cindy Scott, Branch Supervisor | Mon 10-5 Tues 10-5 Wed 10-8 Thurs 10-5 Fri 10-5 Sat 12-5 | Hours/Week 45 Bldg. Sq. ft.: 2,075 Collection Items: 16,887 |
| WIC Collection - Modesto | 556-9170 | Olga Cardenas, Youth Community Outreach Librarian | Tu-2-4/W-3:30-5:30 | Collection Items: 1,365 |

Website: Stanislauslibrary.org

Total # Collection Items (physical items only): 638,874

Part VI

Oakdale Irrigation District Redistricting

17-19C

**2016 – 2017 Stanislaus County Civil Grand Jury
OAKDALE IRRIGATION DISTRICT REDISTRICTING
Case # 17-19C**

SUMMARY

The 2016/2017 Stanislaus County Civil Grand Jury's decision to conduct an investigation into the Oakdale Irrigation District's failure to redistrict its Board of Directors' voting districts following the 2010 Federal Census was prompted by a complaint submitted to the grand jury by an Oakdale area resident and articles in The Modesto Bee.

Special Districts in California are required by both Federal and State law to redistrict as needed after every Federal Census. The Oakdale Irrigation District is a Special District governed by a five-member Board of Directors. Each board member represents his/her respective voting district.

During the investigation, it was found that OID last revised its five voting districts' boundaries in 1991, a full 25 years ago. It should be noted that other irrigation districts in the area have redrawn voting districts' boundaries following the 2000 and 2010 Federal Census, as required by Federal and State law. It was further discovered that the current OID voting districts differ substantially in size.

The SCCGJ recommends that OID promptly redraw its voting district boundaries based on the 2010 Federal Census population data to bring itself into compliance with Federal and State law. SCCGJ also recommends that OID create a formal policy to redistrict voting districts within the six month period following each Federal Census Report release, to prevent this disparity from recurring.

GLOSSARY

| | |
|----------------|------------------------------------------------|
| SCCGJ | Stanislaus County Civil Grand Jury |
| OID | Oakdale Irrigation District |
| OID-BOD | Oakdale Irrigation District Board of Directors |

BACKGROUND

The OID was established on November 1, 1909. Its mission statement reads: "To protect and develop Oakdale Irrigation District water resources for the maximum benefit of the OID community by providing excellent irrigation and domestic water service."

A five-member Board of Directors governs OID. The five board members are elected, by voting district, to four-year terms that are staggered in odd-numbered years. Therefore, not all seats are up for election at the same time. The current model of governance provides that the OID board members exercise full control over the OID's administrative and operational activities.

Federal and State law require that Special Districts reapportion their voting districts every 10 years, based on the latest Federal Census population data, if voting districts are disproportionate. Reapportioning assures that all people residing in a given district are equally represented on the Board of Directors.

Since 2011, several articles have appeared in The Modesto Bee referring to OID's failure to reapportion its voting districts. In addition, the Stanislaus County Clerk-Recorder & Registrar of Voters sent a letter to all Special Districts in Stanislaus County in 2011, reminding each district of its responsibility to redistrict, as needed, after the 2010 Federal Census.

SCCGJ members interviewed OID's General Manager and asked why redistricting had not been done since 1991. The response was, "We simply forgot to do it." In addition, SCCGJ members interviewed the complainant and several OID customers. Members also reviewed applicable voter laws.

SCCGJ members found that the OID Districts are now out of balance by as much as 194%. The customary and reasonable variance for each voting district's population should be within a 5 percent range from the calculated average voting district population. Clearly, OID is out of compliance with the laws on redistricting. In order to keep voting districts as equal as possible in population, OID needs to quickly complete redistricting of its five voting districts. Redistricting must be completed at least 180 days before the upcoming November 2017 election for THREE of its board members. The 180 days would fall in May 2017.

METHODOLOGY

Members of the SCCGJ:

- Interviewed the complainant
- Interviewed OID General Manager

- Interviewed a member of the Stanislaus County Board of Supervisors
- Interviewed several OID customers
- Reviewed documents provided by the complainant, OID customers, and the OID General Manager
- Attended several OID board meetings
- Reviewed applicable voter laws, redistricting / reapportionment requirements
- Communicated with a Representative of The Statewide Database & Election Administration Research Center, University of California, Berkeley Law

DISCUSSION

The SCCGJ received a citizen complaint alleging that the Oakdale Irrigation District (OID), neglected to redistrict after the release of the 2010 census. The complaint alleges OID chose not to follow requirements of the law to redistrict after the release of the Federal Census every 10 years. Furthermore, the complaint alleges that one or more of the five districts do not meet California Elections Code Division 21, Section 21500-21506 and Voting Rights Act requirements as it relates to equal populations in each of the five voting districts.

The following is an excerpt from a letter sent to OID by the Stanislaus County Clerk-Recorder & Registrar of Voters, as well as to all Special Districts in Stanislaus County, dated April 6, 2011, as a reminder, following the 2010 census: "Federal and State law require that after each 10-year Federal Census, voting districts must be of equal population. This process to readjust internal division, trustee, area or zone boundary lines within a district requires that each district uses federal census data as a basis. The primary laws governing this process are the US Constitution, the Voting Rights Act, local district charter and California Elections Code Sections 21500-21506."

OID is governed by the California State Water Code, California Elections Code and The Voting Rights Act. OID is required, after each 10 year Federal Census, to determine whether or not its voting districts are as equal in population as possible and to redistrict as needed. The customary and reasonable variance for each voting district's population should be within a 5% range from the calculated average voting district population.

OID Board of Director's last redistricted in 1991, after the 1990 Federal Census release; therefore, it has been over 25 years since its voting districts have been redrawn. OID did not review its voting districts' population following the 2000 census. It also did not review its voting districts' population following the 2010 census. OID's voting districts' boundaries remained stagnant, in spite of warnings over the past five to six years. These included the following:

- Several articles appearing in The Modesto Bee regarding OID and redistricting;
- A 2011 letter sent to OID on redistricting from Stanislaus County Clerk-Recorder & Registrar of Voters;
- Other local irrigation districts complying with the redistricting law, after the 2010 census revealed it was necessary, in order to equalize voting districts.

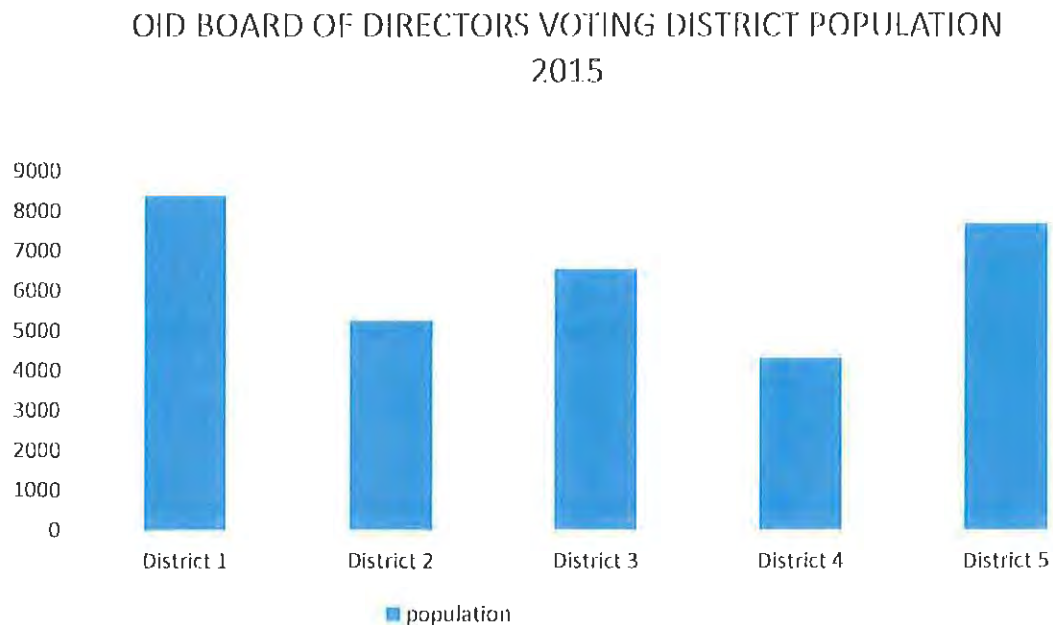
Each of these instances highlighted the issue of redistricting for the OID Board of Directors and General Manager.

Below are 2 tables showing the population of each voting district, the total OID population and the calculated average voting district population, as of 2015. *This information was provided by OID's General Manager.*

| <u>OID District Number</u> | <u>District Population</u> |
|------------------------------------------------------------------|----------------------------|
| 1 | 8,358 |
| 2 | 5,240 |
| 3 | 6,520 |
| 4 | 4,305 |
| 5 | 7,669 |
| Total OID District Population = 32,092 | |
| Calculated average OID voting district population = 6,418 | |

Based on the information above, the largest voting district is 30% larger than the calculated average OID voting district, and the smallest voting district is 32% smaller than the calculated average OID voting district. The customary and reasonable variance is within 5%.

The following graph shows the voting district populations as of 2015 *per information provided by OID's General Manager.*



FINDINGS

- F1.OID-BOD's voting districts are not equal in population. Based on the 2010 Federal Census, the largest district has a population of approximately 8,358; and its smallest district has a population of approximately 4,305. The largest district is 30.3% larger than the calculated average of the OID districts, and the smallest district is 32.5% smaller than the calculated average OID district.
- F2.OID-BOD is required by Federal and State law to redistrict, as necessary, after each Federal Census.
- F3.OID-BOD failed to take action after becoming aware OID voting districts were out of compliance with Federal and State redistricting law, in both 2011 and 2015.
- F4.OID-BOD last redistricted in 1991, after the 1990 Federal Census release; therefore, it has been over 25 years since OID has redrawn its voting districts.
- F5.OID-BOD failed to reapportion its five voting districts, as needed and in a timely manner, after both the 2000 census release and again after the 2010 census release.

F6.OID currently has no formal policy on record to redistrict after each Federal Census data release.

RECOMMENDATIONS

R1.OID-BOD should comply with the existing redistricting law, including California Election Code Sections 21500-21506 and 22000-22001, and redraw its voting districts' boundaries no later than 180 days prior to the November 2017 election of OID's Board of Directors.

R2.OID-BOD should immediately develop and implement a district policy to redistrict within the first six month period after the release of every Federal Census, to assure redistricting is done, as required by law when voting districts differ by more than 5 percent.

R3.OID-BOD should determine if redistricting is needed after the release of every upcoming Federal Census population data in 2021, 2031, 2041, and subsequent years. OID-BOD should redistrict in a timely manner, as consistent with the law.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the Stanislaus County Civil Grand Jury requests responses as follows:

From the following:

- OID Board of Directors - Recommendations R1-R3 within 90 days.
- OID General Manager – Recommendations R1-R3 within 90 days.

Part VII

Stanislaus County Law Enforcement & Det. Facilities Inspections

17-20GJ

**2016 – 2017 Stanislaus County Civil Grand Jury
Stanislaus County Law Enforcement and Detention Facilities Inspections
Case # 17-20GJ**

SUMMARY

The 2016 – 2017 Stanislaus County Civil Grand Jury (SCCGJ) conducted its annual detention and other facility inspections. These inspections included the jail facilities, the Stanislaus County Sheriff's Office Coroner's Division (SCSOCD), Stanislaus Regional 911 (SR911), Juvenile Commitment Facilities (JDF), and the Day Reporting Center (DRC). The Stanislaus County Sheriff's Office Coroner's Division, a state-of-the-art facility that determines individuals' cause of death for the population of three counties: Mariposa, Stanislaus, and Tuolumne. The Stanislaus County Sheriff's Department detention facilities are also state-of-the-art. The SCCGJ participated in ride-along programs offered by Stanislaus County law enforcement agencies. SCCGJ commends the Sheriff's Department, Modesto Police Department, and Turlock Police Department for their cooperation and assistance during the various inspections and tours.

The SCCGJ conducted physical inspections of each facility between September 9, 2016 and March 21, 2017.

GLOSSARY

| | |
|---------------|-------------------------------------------------------|
| BSCC | Board of State and Community Corrections |
| CAD | Computer Aided Dispatch |
| CJ | Stanislaus County Downtown Men's Jail |
| DRC | Day Reporting Center |
| IRT | Intake/Release/Transportation |
| JH | Juvenile Hall |
| JDF | Juvenile Commitment Facility |
| MSH | Maximum Security Housing |
| MHU | Minimum Housing Unit |
| MPD | Modesto Police Department |
| PSC | Public Safety Center (Adult detention facility) |
| SCDF | Stanislaus County Detention Facility |
| SCCGJ | Stanislaus County Civil Grand Jury |
| SCSD | Stanislaus County Sheriff's Department |
| SCSOCD | Stanislaus County Sheriff's Office Coroner's Division |

SR911 Stanislaus Regional 911
TPD Turlock Police Department

BACKGROUND

Stanislaus County currently has no public prisons; however, there are five jail facilities that SCCGJ chose to tour: CJ, PSC, MHU, IRT and MSH. With the exception of the CJ, all other Stanislaus County jails were funded 90% through state AB900 realignment funding. The remainder of funding is the responsibility of Stanislaus County. The most recent jail construction was completed in March 2017, and is known as AB900 Project 1 (MHU) and 3 (IRT). The DRC was completed in 2015.

METHODOLOGY

The SCCGJ conducted inspections at each of the following law enforcement facilities. Jurors interviewed command and operational staff, managers, and medical personnel at the detention facilities.

Stanislaus County Public Safety Center [PSC Unit 1, 2 & 3]
200 Hackett Rd.
Modesto, CA. 95358

Stanislaus County Downtown Men's Main Jail (CJ)
1115 H St.
Modesto, CA. 95353

Stanislaus County Juvenile Commitment Center (JCC)
2215-A Blue Gum Ave.
Modesto, CA. 95351

Stanislaus County Juvenile Detention Facility (JDF)
2215-A Blue Gum Ave.
Modesto, CA. 95351

The following Non-Detention Facilities were inspected:

Stanislaus County Day Reporting Center (DRC)
190 E Hackett Rd.
Modesto, CA. 95357
Stanislaus Regional 911 (SR911)
3705 Oakdale Rd.
Modesto, CA. 95357

Stanislaus County Sheriff's Office Coroner's Division (SCSOCD)
921 Oakdale Rd.
Modesto, CA. 95355

STANISLAUS COUNTY DETENTION FACILITIES (SCDF)

The Stanislaus County detention facilities consist of four main structures, three located on Hackett Road, in close proximity to the Sheriff's Department, and another in downtown Modesto. The downtown jail is called the Stanislaus County Men's Jail (CJ).

The three Hackett Road facilities are the Public Safety Center (PSC) and the Minimum Housing Unit (MHU). The MHU is divided into Units 1 and 2. New facilities, Intake/Release/Transportation (IRT) are also located on the Hackett Road site and opened in March 2017.

Documentation from the SCSD indicated the inmate population as of October 19, 2016, was 364 inmates at CJ, 498 at PSC and 355 at MHU for a total of 1,217 inmates. Gender breakdown consisted of 1,077 males and 140 females. The ethnic composition of inmates is displayed in the following table:

| Ethnic | Total | Male | Female |
|------------------|--------------|-------------|---------------|
| American Indian | 3 | 0 | 3 |
| Asian | 18 | 18 | 0 |
| Black | 144 | 124 | 20 |
| Hispanic | 470 | 427 | 43 |
| Mid-East/African | 11 | 11 | 0 |
| White | 520 | 446 | 74 |
| Other/Unknown | 51 | 51 | 0 |

There were 330 sentenced inmates and 887 un-sentenced inmates in custody. From the total inmate population 1,058 were charged with felonies and 159 were charged with misdemeanors. Security levels classify inmates. There were 78 maximum, 374 medium, and 465 minimum-security inmates.

The Sheriff's Department has a formal grievance policy that allows inmates to file a written grievance against any action, policy, regulation, procedure or activity they feel is

detrimental. The table below represents the number of grievances filed during Fiscal Years 2014-2015, 2015-2016, and 2016-2017 to date (October 19, 2016).

| Grievance | 2014- | 2015- | 2016- | Total |
|---------------------------------------------|-------|-------|-------|-------|
| Medical | 230 | 185 | 70 | 485 |
| Staff Conduct | 117 | 89 | 10 | 216 |
| Visits | 11 | 12 | 1 | 24 |
| Class/Programs | 9 | 10 | 2 | 21 |
| Recreation | 4 | 2 | 3 | 9 |
| Commissary | 3 | 16 | 9 | 28 |
| Discipline | 3 | 26 | 12 | 41 |
| Maintenance | 3 | 14 | 1 | 18 |
| Meals | 2 | 3 | 8 | 13 |
| Missing | N/A | 7 | 19 | 26 |
| Housing | N/A | N/A | 37 | 37 |
| Mail | N/A | N/A | 5 | 5 |
| Policy | N/A | N/A | 3 | 3 |
| Property | N/A | N/A | 1 | 1 |
| Other | 2 | 6 | 12 | 20 |
| Total | 384 | 381 | 193 | 958 |
| N/A: New grievance category not yet counted | | | | |

The staff of the Board of State and Community Corrections (BSCC) conducted the 2014-2016 biennial inspection of Stanislaus County Downtown Men's Jail and both facilities at the Public Safety Center on June 7, 2016. One corrective action was noted related to Title 24 Physical Plant Inspection. At the time of the inspection, some of the single cells contained more than one inmate. This resulted in non-compliance with Title Section 470A.2.6, Single Occupancy Cell. With the spring opening of the new PSC detention facility, this should not be an issue in the future.

Stanislaus County Downtown Men's Jail (CJ): The CJ was opened in 1955 and, for the most part, has been well maintained despite the age of this facility. It is a three-story structure built adjacent to the Superior Court and has a secured underground hallway leading from the CJ to the Superior Court. It houses sentenced, un-sentenced, maximum security and high-risk inmates. Only male inmates are booked and housed at this location. The men's jail processes approximately 1500 arrests per month. The federal maximum capacity is 396 inmates. At the time of the inspection, this facility housed 364 inmates.

During the booking process, inmates are interviewed to determine if they have any gang affiliations. For those inmates with medical needs, additional follow up is required. Inmate clothing is specifically color coded for gang classification, general population, maximum security, mental health and protective custody.

Public Safety Center Units (PSC) Minimum Housing Units 1 & 2: The first unit was built in 1992, followed by incremental openings of other facilities. The last PSC unit opened in 2013. In sharp contrast to the CJ, these facilities were built with a more contemporary style of construction and adhere to a more progressive jail management philosophy that provides for more direct supervision of all inmates. Only women are booked at this facility, although both men and women are housed at this location. The maximum bed capacity of this facility is 534; there were 498 inmates at the time of the inspection. During the inspection, the SCCGJ observed a very clean and well-managed facility. The booking area, temporary holding cells, interview rooms program classrooms, and medical facilities were inspected.

Maximum Security Housing (MSH) & Intake/Release/Transportation (IRT): MSH, also known as Project 1, includes 2 maximum-security housing units that have 480 beds. There are 72 beds in the medical and mental health housing unit; of those, 15 are sheltered medical beds, bringing the total to 552. Additionally, there is a Health Services Facility and a Security Administration. Project 1 and IRT were funded 90% by the State of California and 10% by Stanislaus County. The budget for Project 1 was \$83.9M.

IRT, also known as Project 3, is the hub where all processing, booking, staging and transportation occurs and is the vital support for the Phase II jail expansion that was completely funded by Public Facility Fees. The budget for IRT was \$24M. The SCCGJ inspected these facilities on Feb. 21, 2017; the command staff and other operations staff were on site to support the inspection. A facilities dedication was planned for March 7, 2017, and movement of inmates was scheduled to begin March 20, 2017. As indicated, there were no working operational staff or inmates at this facility, although a training class was in progress during inspection.

Juvenile Hall and Commitment Center (JH & JCF): JH provides temporary, safe and secure detention for minors who are alleged to have committed violations and are awaiting Juvenile Court hearing, placement in foster care, or placement in the Department of Juvenile Justice. Originally constructed in 1978, with additional units added in 2000, this facility is very well-managed and maintained. At the time of inspection, JH had an inmate population of 56 juveniles: 54 males and 2 females. Overall capacity is 158 inmates, housing general and maximum security juveniles.

During the JH inspection, operational staff explained the intake process for both male and female offenders that included screening for syphilis. If, during the medical evaluation, the juvenile shows symptoms of other sexually transmitted diseases, then additional screening will occur. Other diseases, such as hepatitis B or C are not routinely screened.

JCF houses youth who require a period of incarceration as part of their final disposition or pending placement. Only one of the three units was populated when inspected. There were 28 males incarcerated at the time of the inspection, with a capacity of 60 general population juveniles. No maximum security inmates are housed at this facility. This facility opened in 2013, and the SCCGJ found the grounds and facility to be clean and well-maintained.

The BSCC staff conducted the 2014-2016 biennial inspection of JH and JCF and found no corrective action required.

STANISLAUS COUNTY LAW ENFORCEMENT INSPECTIONS

Stanislaus County Sheriff's Office Coroner Division (SCSOCD): On Tuesday, December 6, 2016, the SCCGJ toured the SCSDCD. This facility contains 16,000 square feet of space, with 11,000 square feet currently in use. There is room for expansion in the future. The Division also provides contracted services to Tuolumne and Mariposa counties, because neither county has coroner's facilities.

The SCSOCD is led by a Stanislaus County Sheriff's Department sergeant who supervises a staff of twelve that includes five Deputy Coroner investigators, a legal clerk, a public administrator, a full time pathologist, a part-time pathologist, and three autopsy technicians.

The various areas of the compound include administrative offices, areas where bodies and vehicles are processed into the facility for examination and evidence, and cold storage that is kept at 39 degrees and can hold up to 120 bodies, as necessary. There are also two rooms where family members can wait, as well as two chaplain's offices where chaplains can privately provide comfort to families. The facility also has a large conference room that can be transformed into a Stanislaus County command center in the event of a disaster.

The facility contains an additional Decomposition Autopsy room, used for extreme cases of bodily decay and for high-profile cases; the room can be sealed off to protect the chain of evidence. The facility also has a donor network room that can be used to extract bone, tissue, and skin for transplantation purposes. Bodies are transported to Doctors Medical Center if x-rays are needed.

The actual autopsy room is currently set up with two stations, but, as needed for growth, can expand to set up to three additional stations. The autopsy room has state of the art forensic equipment. Autopsies can be observed from an observation deck that overlooks the autopsy stations. This observation deck is sealed off from the autopsy stations, and a closed-circuit video monitor is employed to facilitate communication between the two areas, useful for law enforcement and legal personnel to observe and listen while an autopsy is in progress. All air in the labs is filtered through HEPA (High-Efficiency Particulate Air) filters.

Since January 1, 2016 through January 1, 2017, the SCSOCD has processed 2,756 cases. The breakdown of this number is as follows:

- 1,933 reportable deaths
- 475 autopsies
- 283 chart review/co-sign/storage cases
- 65 cases from Mariposa and Tuolumne counties

Day Reporting Center (DRC): This facility is designed to offer a multitude of services to offenders who are under the jurisdiction of the probation department, with the goal of reducing recidivism (repeat offenders). The DRC serves as a one-stop shop for offenders to meet with their Probation Officer, submit to drug and/or alcohol testing and receive a variety of rehabilitative services. A Probation Orientation Meeting is scheduled for the second Monday of each month. These meetings consist of educating recently released offenders about additional services available in the community that can assist them and their families.

The SCCGJ found this facility and grounds to be clean and well-managed. SCCGJ observed the assessment offices, several of the classrooms and the computer room; all were adequately equipped. On the afternoon of the inspection, March 21, 2017, only one class was in progress, a 52 week domestic violence/batterer's treatment course attended by three female offenders. Only three absences are allowable; a fourth absence will result in termination from the program, and the offender is referred back to court. To increase participation in the program, bus passes are offered to those needing transportation.

Stanislaus Regional 911 (SR911): The current SR911 is located at 3705 Oakdale Road, Modesto, California. The Dispatch Center has been located at this location since 2000. Dispatch services are provided to all local county fire and law enforcement agencies, with the exception of Oakdale Police Department, Ceres Police Department, Newman Police Department, and Turlock Fire and Police Departments. Dispatchers are responsible to answer emergency and non-emergency phone calls. The annual call volume for 2016 is reported as 196,394 emergency calls and 390,372 non-emergency calls. However in 2016 cell phone calls were not taken by SR911.

The SCCGJ toured the SR911 on Tuesday January 24, 2017. Two of the center's dispatch managers were present and were interviewed. A general overview of the center, staff and operations was given during the interview. During the tour, the SCCGJ was able to see call takers and dispatch staff in their work space conducting routine business.

The CAD System was updated in 2016. Upon implementation of the upgraded system, the staff was trained in new functionality and operations. When asked if the updated CAD System was a positive one, staff commented that it is somewhat more complex to navigate but will better meet future growth.

The current staff consists of four full-time call takers and 39 dispatchers. In addition, there are four managers and a director on the operations side. Although they were interviewing on the day of the tour, it was mentioned that the number of staff has not been increased in several years. Despite this, the center attained a 98% staffing measurement by year-end. The current volume of staff is such that overtime is a common occurrence. In addition, managers are occasionally required to work 24-hour shifts to help with coverage. Starting in 2017, cell phone calls will be received at SR911 and will significantly increase the volume of calls.

Ride-Along Program

Modesto Police Department (MPD): The Ride-Along occurred between 11:00 am and 4:00pm. Prior to the start of the ride-along, the officer advised about procedures for the participant of the ride-along. The officer encountered a variety of calls, including cruelty to animals, a possible suicidal individual, homeless issues and a runaway juvenile. The officer exhibited professional 'conflict resolution' skills. Overall, it was an informative experience, and resulted in a better understanding of the difficulties encountered daily by law enforcement.

Stanislaus County Sheriff's Department (SCSD): At the afternoon Ride-Along with the SCSD, the participant was advised by the sheriff's deputy of the safety procedures for the ride-along. On this ride-along, the deputy encountered crimes including the following: a cruelty to animals call, involving training fighting roosters and a call regarding found credit cards and ID documents, which were eventually returned to the owner.

During briefing the subject of a new SCSD program called, "Community Ambulance", operated by AMR, an ambulance service, was shared. As part of the program, when officers encounter a person with possible mental health issues, the Community Ambulance is dispatched. Based on the AMR technicians' evaluation of the subject, the subject may be transported to a facility by the ambulance service for further evaluation. In this manner, the deputy is then free to continue on to the next call.

Turlock Police Department (TPD): At the beginning of the TPD ride-along, the officer in charge advised the participant about necessary safety and security procedures. Interactions included contact with several homeless people. The officer handled the encounters in an understanding and compassionate manner, ensuring safety for everyone involved.

FINDINGS

- F1. The Stanislaus County Sheriff's Department is extremely adept at managing and maintaining its detention facilities.
- F2. The CJ is approaching the end of its useful life and is using valuable correctional resources that could be better utilized at newer detention facilities.

- F3.The Stanislaus County Sheriff's Department was proactive in securing AB900 state project funding.
- F4.During booking procedures at Juvenile Hall, male and female inmates are screened for syphilis but not hepatitis B or C.
- F5.Working from a state of the art facility, the Stanislaus County Sheriff's Office Coroner's Division facility provides much utilized services to assist in determining causes of death.
- F6.With the implementation of the new CAD system, the staff was provided adequate training and the system is now in full operation. Additionally, Stanislaus Regional 911 will now be responsible for receiving 911 cell phone calls.
- F7.The MPD, SCSD, and TPD are committed to protecting and serving the citizens of their respective cities.
- F8.AMR operates a new program called Community Ambulance to assist SCSD officers when they are dealing with a person with possible mental health issues. The Community Ambulance program follows through with the subject, allowing officers to proceed with their duties.

RECOMMENDATIONS

- R1.The Stanislaus Sheriff's Department should develop a plan to better utilize the CJ.
- R2.The SCCGJ recommends Stanislaus County Probation Department screen for hepatitis B and C during the intake process.
- R3.There is a real need for the Coroner's Office to acquire its own X-ray machine. Needless time and money is spent transporting autopsy cases to Doctors Medical Center for X-rays. There is currently room at the facility for this machine to be installed.
- R4.The Stanislaus Regional 9-1-1 should consider developing a resource plan that would identify potential solutions in minimizing overtime, increase the retention of current workers, and reduce the loss of candidates during the hiring process.

COMMENDATIONS

The SCCGJ commends the Stanislaus County Sheriff's Department in providing professional leadership, management and maintenance of the detention facilities under their supervision.

The SCCGJ commends the Stanislaus County Sheriff's Department and the County of Stanislaus in securing AB900 funding and managing Projects 1 & 3 to a successful completion.

The SCCGJ commends the Stanislaus County Sheriff's Office Coroner's Division personnel for providing outstanding services for three counties and maintaining a state of the art facility.

The SCCGJ commends the Regional Dispatch Center on its improvements, management, and a well-run operation considering current staffing constraints.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

- Stanislaus County Board of Supervisors

INVITED RESPONSES

From the following governing bodies:

Stanislaus County Sheriff's Department

Stanislaus County Coroner's Division

Part VIII

Stanislaus County Probation Department

17-30C

**2016 – 2017 Stanislaus County Civil Grand Jury
Stanislaus County Probation Department
Case # 17-30C**

SUMMARY

The Stanislaus County Civil Grand Jury (SCCGJ) received a complaint alleging the Stanislaus County Probation Department (SCPD) acted in an illegal manner when conducting a property search, failed to follow SCPD procedures, and intimidates citizens from filing formal complaints. SCCGJ chose to investigate the complainant's allegation that the SCPD Citizen Complaint Form and Citizen Complaint Declaration language may prevent citizens from filing complaints. The SCCGJ agrees and recommends SCPD review their Citizen Complaint and Declaration Forms with the intent of removing any language that would discourage citizen input. There may also be an issue with the current form's language not meeting the requirement of a recent judicial opinion.

GLOSSARY

| | |
|--------------|----------------------------------------|
| CPC | California Penal Code |
| SCCGJ | Stanislaus County Civil Grand Jury |
| SCPD | Stanislaus County Probation Department |

BACKGROUND

On December 1, 2016, a citizen filed a written complaint with SCCGJ alleging perceived intimidation when completing the SCPD Citizen Complaint and Declaration form. He alleges that each of these forms contains language that threatens the complainant with a misdemeanor charge and possible prosecution if they knowingly make a false complaint against any peace officer. The text of this language is derived from Section 148.6 of the California Penal Code. This section has come under judicial review of the 9th Circuit Court of Appeals and was recently revised effective January 1, 2017.

The SCCGJ interviewed the complainant and an SCPD employee regarding the use of this form. Additionally the SCCGJ conducted a review of other Stanislaus County law enforcement agency complaint forms and found that none contained similar language. As a result, the SCCGJ believes the SCPD Complaint and Declaration form is outdated, intimidating and prevents citizens from filing complaints.

METHODOLOGY

The SCCGJ conducted an investigation using the following methods:

- Interviewed the complainant.
- Interviewed an SCPD employee.
- Reviewed citizen complaint forms from other Stanislaus County law enforcement agencies.
- Reviewed SCPD's Citizen Complaint Form and administrative policy manual

DISCUSSION

An interview was conducted with the complainant on February 24, 2017 and summarized the facts of the complaint as follows: On January 12, 2016, the complainant filed a report with the SCPD as a result of a search of his front and back yard areas by SCPD officers on December 16, 2015. Officers were searching for a probation violator who SCPD's GPS tracking system indicated was in the complainant's back yard. When the probation violator was not found to be on the complainant's property, a complaint was filed with the SCPD. In doing so, the complainant stated he felt threatened and intimidated by the use of language on both the Citizen Complaint and Citizen Complaint Declaration forms. Specifically, the form stated, "It is against the law to make a complaint that you know to be false. If you make a complaint against an officer knowing that it is false, you can be prosecuted on a misdemeanor charge." The complainant believed that even a small reporting error could result in being charged and prosecuted with a crime. Additionally, Section 148.6 CPC was ruled unconstitutional by the 9th Circuit Court of Appeals in *Chaker v. Crogan*, 428 F.3d 1215 (9th Cir. 2005), cert. denied, 126 S. Cr. 2023 (2006); and should be removed from the citizen complaint forms.

On March 22, 2017 the SCCGJ interviewed an employee of SCPD. Questions were asked regarding SCPD's citizen complaint process. Additionally, the SCPD employee stated that a new Chief Probation Officer was recently appointed and the SCPD has begun a review of all current department forms, including the citizen complaint forms.

Due to the complainant's allegation that portions of SCPD's complaint forms have been ruled unconstitutional by the 9th Circuit Court of Appeals, the SCCGJ reviewed other Stanislaus County law enforcement complaint forms. None of them contained the disputed language from Section 148.6 CPC.

FINDINGS

F1. The Stanislaus County Probation Department's current Citizen Complaint and Citizen Declaration forms may discourage some citizens from filing a formal complaint due to the 148.6 CPC declaration.

RECOMMENDATIONS

R1. SCCGJ recommends that the SCPD review their Citizen Complaint and Declaration forms to foster filing of legitimate complaints and to come into compliance with the ruling of the 9th Circuit Court of Appeals ruling on Section 148.6 CPC.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- Stanislaus County Chief Probation Officer

INVITED RESPONSES

Stanislaus County Board of Supervisors

APPENDIX-STANISLAUS COUNTY PROBATION DEPARTMENT CITIZEN COMPLAINT FORM



Probation

**STANISLAUS COUNTY PROBATION DEPARTMENT
CITIZEN COMPLAINT**



**STANISLAUS COUNTY PROBATION DEPARTMENT
CITIZEN COMPLAINT DECLARATION**

Section 148.6 of the California Penal Code

You have the right to make a complaint against a police officer for any improper police conduct. California Law requires this agency to have a procedure to investigate citizen complaints. You have the right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint; even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Citizen complaints and any reports or findings relating to complaints must be retained by this agency for at least five years.

It is against the law to make a complaint that you know to be false. If you make a complaint against an officer knowing that it is false, you can be prosecuted on a misdemeanor charge.

I have read and understand the above statement.

Complainant

Date

NOTE: Your right to complain also extends to probation officers, probation corrections officers and all other peace officers.

(over)

**STANISLAUS COUNTY PROBATION DEPARTMENT
CITIZEN COMPLAINT**

Employee's Name: _____ Title: _____

Complaint Received by: _____ Title: _____

Date and Time Complaint Received: _____

Complainant's Name: _____

Address: _____

Telephone: _____

Allegation: _____

(Attach additional sheets if necessary)

| | <u>Witness</u> | <u>Address</u> | <u>Telephone</u> |
|----|----------------|----------------|------------------|
| 1. | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |

I declare under penalty of perjury that the above allegation is true and correct to the best of my knowledge. I agree to cooperate with and testify before any examining authority if this complaint results in disciplinary proceedings or other legal action against a County employee. I understand that I may be held liable in a civil lawsuit if I knowingly make a false or malicious complaint against any County employee, and that I may additionally be charged with a misdemeanor crime if I knowingly make a false complaint against any peace officer.

Complainant Signature

Date

Attachment 2

Adam Christianson, Sheriff-Coroner Response



SHERIFF'S DEPARTMENT
Adam Christianson, Sheriff-Coroner

ADMINISTRATION
DIVISION

June 19, 2017

The Honorable Ricardo Cordova, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, Ca 95353

Re: Response to Grand Jury Report 17-20-GJ

Dear Judge Cordova:

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed "Stanislaus County Law Enforcement and Detention Facilities Inspections" report, Case # 17-20-GJ, dated June 14, 2017.

The Civil Grand Jury included a narrative section in the report; wherein it describes, in very brief generic terms, the detention facilities, statistical data and inherent operations, including the new Public Safety Center Intake/Release/Transportation facility (PSC-East), Public Safety Center-West (PSC-West), the PSC-MHU (including Units 1 and 2), the downtown Men's Jail (CJ) as well as the Coroner's Division.

Pursuant to Penal Code Sections 933(c) and 933.05 (f), the following is our response as it pertains to the Sheriff's Department Facilities:

Findings:

F1. The Stanislaus County Sheriff's Department is extremely adept at managing and maintaining its detention facilities.

Response: The Respondent agrees with the finding.

F2. The CJ is approaching the end of its useful life and is using valuable correctional resources that could be better utilized at newer detention facilities.

Response: The Respondent agrees with the finding.

In a contractual arrangement with the State, under SB 1022, the department is in the midst of constructing a new 288-bed Re-entry and Alternatives to Custody Training (REACT) Center, intended to provide a full range of inmate programs and preparation of inmates for successful re-entry into society to reduce the level of recidivism in this county. Construction of the facility is 65% complete, with an anticipated activation date in May 2018. Once the REACT Center is



opened, it will be staffed through utilization of existing positions assigned to the CJ. The CJ will then close as a detention facility and convert to a Court Holding Facility only.

F3. The Stanislaus County Sheriff's Department was proactive in securing AB900 state project funding.

Response: The Respondent agrees with the finding

F5. Working from a state of the art facility, the Stanislaus County Sheriff's Office Coroner's Division facility provides much utilized services to assist in determining causes of death.

Response: The Respondent agrees with the finding.

F7. The MPD, SCSD, and TPD are committed to protecting and serving the citizens of their respective cities.

Response: The Respondent agrees with the finding and thanks the SCCGJ for the acknowledgement of our commitment to public safety.

Recommendations:

R1. The Stanislaus County Sheriff's Department should develop a plan to better utilize the CJ.

Response: The Respondent agrees with the finding.

As referenced in F2, once the REACT Center is activated in May 2018, the CJ will cease to exist as a detention facility and will convert to a Court Holding Facility, due to its contiguous location and tunnel access to the downtown Court House.

R3. There is a real need for the Coroner's Office to acquire its own x-ray machine. Needless time and money is spent transporting autopsy cases to Doctors Medical Center for X-rays. There is currently room at the facility for this machine to be installed.

Response: The respondent agrees with the findings.

The Coroner's office currently contracts with Doctor's Medical Center for X-rays. Further study is needed to determine the cost effectiveness of the purchase, maintenance, and training for a new X-ray machine, verses contracting with Doctors Medical Center.

Commendation:

The SCCGJ would like to commend the Stanislaus County Sheriff's Department in providing professional leadership, management and maintenance of the detention facilities under their supervision.

Response: The Department appreciates the recognition of our management of the detention facilities by the SCCGJ. Our dedicated managers and executives are focused on providing competent leadership to our personnel; accountability for our operations and optimum services to our stakeholders, including the public we serve and the inmates in our custody.

The SCCGJ commends the Stanislaus County Sheriff's Department and the County of Stanislaus in securing AB900 funding and managing Projects 1 & 3 to a successful completion.

Response: The Department appreciates the recognition of the County's successful endeavor to secure funding under AB900 by the SCCGJ. The County received an award of \$80 million from the State, with a 10% match by the County of approximately \$9 million. With this funding, we were successful in constructing and activating two 240-bed Maximum Security Units, a 72-bed Healthcare Unit and a Day Reporting Center. The County additionally funded a companion project to construct and activate a new Intake/Release/Administration/Transportation Building. It is noteworthy that to date, Stanislaus County is the first and only county to fully construct and activate new detention facilities in partnership with the State under the AB900 funding grant.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Christianson', with a long horizontal flourish extending to the right.

ADAM CHRISTIANSON
Sheriff-Coroner
Stanislaus County

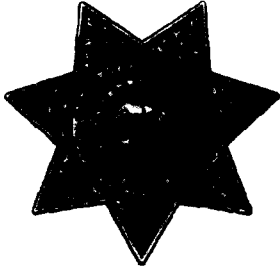
cc: Supervisor Vito Chiesa, Chairman
Stanislaus County Board of Supervisors

Timothy Warnock, Foreperson
Stanislaus County Civil Grand Jury 2014-2015

Stan Risen, Chief Executive Officer
Stanislaus County

Attachment 3

Mike Hamasaki, Chief Probation Officer Response



STANISLAUS COUNTY PROBATION DEPARTMENT

2215 Blue Gum Avenue • Modesto, CA 95358-1097
Telephone: 209.525.5400 • Facsimile: 209.525.4588

MIKE HAMASAKI
Chief Probation Officer

BOARD OF SUPERVISORS
2017 JUL 20 P 2:31

July 18, 2017

The Honorable Ricardo Cordova
Presiding Judge of the Superior Court – Stanislaus County
PO Box 3488
Modesto, CA 95353

Dear Judge Cordova,

On June 14, 2017, the Stanislaus County Civil Grand Jury forwarded their report on Case #17-20 GJ detailing their findings and recommendations following the annual inspection of custodial facilities in the county as mandated by California Penal Code Section 919(b). Also included in their report was a citizen's complaint Case# 17-30C with findings and recommendations. Thank you for the opportunity to respond to the comments and recommendations of the 2016-2017 Civil Grand Jury. We value the opinion of the Grand Jury and recognize the need to have others from outside of our organization review the conditions and practices of our facility and department.

The following are the responses to findings and recommendations specific to the Probation Department.

RESPONSE TO FINDINGS 17-20 GJ – Stanislaus County Juvenile Detention Facilities (JDF)

F4. Finding: *During booking procedures at Juvenile Hall, male and female inmates are screened for syphilis but not hepatitis B or C.*

R5. Recommendation: *The Stanislaus County Probation Department screen for hepatitis B and C during the intake process.*

Response: The department disagrees partially with the finding. An explanation is included.

-
- Administration
 2215 Blue Gum Avenue
 Modesto, CA 95358-1097
 Telephone: 209.525.4598
 Facsimile: 209.525.5486
 - Adult Division
 801 11th Street, Suite B100
 Modesto, CA 95354
 Telephone: 209.567.4120
 Facsimile: 209.567.4188
 - Juvenile Division
 2215 Blue Gum Avenue
 Modesto, CA 95358-1097
 Telephone: 209.525.5400
 Facsimile: 209.525.4588
 - Juvenile Institution
 2215 Blue Gum Avenue
 Modesto, CA 95358-1097
 Telephone: 209.525.4580
 Facsimile: 209.525.5469

The Stanislaus County Probation Department, along with the Stanislaus County Sheriff's Department, has contracted with the California Forensic Medical Group (CFMG) for inmate medical services for several years. The medical staff from CFMG is housed within our Juvenile Hall and provides 24 hour medical services to the youth housed in both the Juvenile Hall and the Juvenile Commitment Facility. When youth are initially booked into Juvenile Hall, they are screened by CFMG medical staff prior to Juvenile Hall accepting the booking. A thorough secondary medical screening, which is completed within the first 96 hours after the youth is booked, details specific questions related to any history of high risk behavior for that youth. If the youth has shown to have a history of high risk behavior (ex. IV drug use, sexually transmitted diseases, unprotected sex, etc.) CFMG staff will discuss testing for HIV, Hepatitis B and Hepatitis C with the youth at that time.

CFMG medical staff makes every attempt to verify that the youth has received the Hepatitis B vaccinations. If the youth is short a vaccination or has never received any of the Hepatitis B vaccinations, CFMG staff will either continue or start the Hepatitis B series of vaccinations.

With regards to the screening for Syphilis during the booking process at Juvenile Hall, it is only conducted on all pregnant females entering the facility. CFMG staff conducts a rapid Syphilis test immediately at booking as a preliminary measure and then conducts a secondary confirmation test within the pregnant female's first week after booking. Any youth being tested for Chlamydia or Gonorrhea or presents with symptoms of Syphilis will be tested for Syphilis. This test is only offered if the youth has shown a history of high risk sexual behaviors.

The department disagrees partially with the finding in that not all minors are screened for Syphilis at the time of booking. Only pregnant females are tested immediately at booking.

The department also partially disagrees with the recommendation that the department screen for Hepatitis B and C during the intake process. During the minor's secondary, more detailed medical screening – usually occurring within the first 96 hours after booking, CFMG staff delve into more specific health related questions related high risk behavior where it is determined whether the minor should be tested for Hepatitis B and C. This detailed screening is not completed during the intake process due to time constraints and staffing levels.

CFMG staff has indicated that they do not conduct Hepatitis B or C testing during the booking process at the any of the adult detention facilities in the county and that they follow all CDC guidelines when it comes to the testing of our youth.

The Honorable Ricardo Cordova
July 18, 2017
Page Two

RESPONSE TO FINDINGS 17-30C – Stanislaus County Probation Department

- F1. Finding:** The Stanislaus County Probation Department's current Citizen Complaint and Citizen Declaration forms may discourage some citizens from filing a formal complaint due to the 148.6 CPC declaration.
- R1. Recommendation:** SCCGJ recommends that the SCPD review their Citizen Complaint and Declaration forms to foster filing of legitimate complaints and to come into compliance with the ruling of the 9th Circuit Court of Appeals ruling on Section 148.6 CPC.

Response: The department agrees with the finding.

After further review of the department's Citizen Complaint Declaration, it was determined best to remove language related to Section 148.6 of the California Penal Code. The updated Citizen Complaint Declaration includes information on the department's complaint process and a breakdown of frequently asked questions. The updated Citizen Complaint Packet is included in this response.

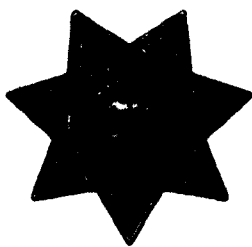
Thank you for the opportunity to respond to the comments and recommendations of the 2016-2017 Civil Grand Jury. Please extend my gratitude to the members for their time and effort during this past year.

Sincerely,



Mike Hamasaki
Chief Probation Officer
Stanislaus County Probation Department

cc: Stanislaus County Board of Supervisors ✓
Stan Risen, Chief Executive Officer
John P. Doering, County Counsel



STANISLAUS COUNTY PROBATION DEPARTMENT
2215 Blue Gum Avenue • Modesto, CA 95358-1097
Telephone: 209.525.5400 • Facsimile: 209.525.4588

MIKI HAMASAKI
Chief Probation Officer

CITIZEN COMPLAINT PROCEDURES

The Stanislaus County Probation Department is committed to being responsive to public concerns about the conduct of our employees and understands the importance of maintaining the public trust. Almost all interactions with Probation Department staff are of a favorable nature and very few contacts would cause a complaint to be made. However, we encourage members of the community to report what they believe to be any act of misconduct by Probation Department staff. It is the policy of the Stanislaus County Probation Department that all complaints or allegations of misconduct on the part of any department employee shall be investigated promptly. We believe in the right of all persons to report potential misconduct by Department members without fear of retaliation. Retaliation will not be tolerated in any form.

We are an organization committed to enhancing public safety through effective supervision, rehabilitation, and successful reintegration of our clients back into the community. The Probation Department always strives to deliver the best quality of services and we sincerely appreciate your input and comments.

In Your Service,

Mike Hamasaki
Stanislaus County Chief Probation Officer

CITIZEN COMPLAINT DECLARATION

A law enforcement agency accepting allegations of misconduct that employs peace officers (including Probation and Probation Correctional Officers) shall require the complaining party to read and sign the following information advisory.

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A LAW ENFORCEMENT OFFICER FOR ANY IMPROPER LAW ENFORCEMENT CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

I have read and understand the above statement:

Signature of Complaining Party

Date

CITIZEN COMPLAINT PROCEDURES

Section 832.5 of the California Penal Code requires: Each department or agency in this state which employs peace officers shall establish a procedure to investigate citizen's complaints against personnel of such departments or agencies, and shall make a written description of the procedure available to the public.

Probation Officers and Probation Correctional Officers are peace officers as defined in California Penal Code section 830.5.

Complaint Process Information

Who can make a complaint?

Any person may file a complaint. If the complainant is under the age of 18, we request s/he be accompanied by a parent or guardian. All complaints will receive immediate attention. Complaints may be made to any supervisor or manager of the Department. Complaints may be received:

- (1) In person,
- (2) by telephone; or
- (3) in writing.

When can a complaint be made?

A complaint may be made during normal business hours, Monday through Friday, between 9 am and 4 pm in person, by telephone, or by mail. All complaints sent via U.S. mail should be sent to:

Stanislaus County Probation Department
Attention: Administration Office
2215 Blue Gum Avenue
Modesto, California 95358-1052
Ph: (209) 525-5400

*You may retrieve a copy of our complaint form and instructions at our office or online at: <http://www.stancounty.com/probation/>

What happens after a complaint is filed?

An investigator will be assigned by the Chief Probation Officer or his/her designee to interview the complainant and witnesses, collect evidence, and gather any other materials pertaining to the complaint. All statements will be recorded and incorporated into the investigation. Once the investigation is complete, it will be reviewed by executive staff members to determine findings

and make recommendations concerning each allegation to the Chief Probation Officer. The Chief Probation Officer will provide a disposition and take appropriate disciplinary action if warranted. *You will be notified of the findings by U.S. mail only as prescribed by law.*

Will I have to testify if I make a complaint?

If an allegation is sustained and discipline is imposed, the Probation Department employee may contest the findings and/or the proposed discipline in accordance with statutory due process procedures. If the accused employee requests an evidentiary hearing you may be asked to testify before the Stanislaus County Employee Disciplinary Proceedings Hearing Board, an independent Arbitrator, or in extremely rare cases the California Superior Court. You may also be asked to testify in Superior Court should it be discovered the allegations against the employee involve criminal conduct and the District Attorney's Office decides to file formal criminal charges. However, in the large majority of cases testimony is limited to the investigation.

How much time does it take to complete an investigation?

According to the Peace Officer Bill of Rights Government Code Section 3304, investigations into alleged peace officer misconduct must be completed within one year of the received date; however, there are specific exceptions that can extend that period. Generally, the Department endeavors to complete investigations within 120 days dependent upon the complexity and scope of the allegations, availability of witnesses, and other factors such as the workload of the assigned investigator(s).

How is an allegation proven?

An allegation is proven or *sustained* when the evidence indicates that it is more likely than not that a violation of policy, procedure, and/or law occurred; this standard of evidence is known as "preponderance."

What are the possible findings in the investigation?

The available findings to an allegation include:

Unfounded: The investigation conclusively proved that the act or acts complained of did not occur, or the member named in the allegation was not involved in the act or acts, which may have occurred.

Exonerated: The act or acts, which provided the basis for the allegation or complaint occurred, however, the investigation revealed they were justified, lawful, and proper.

Not Sustained: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation made in the complaint or the complainant failed to disclose promised information needed to further the investigation and/or the complainant affirmatively indicates the desire to withdraw his/her complaint.

Sustained: The investigation disclosed sufficient evidence to clearly prove the allegation made in the complaint.

If an allegation is sustained will discipline information be provided to me?

No, state law prohibits the release of this information. California Penal Code section 832.7 requires: "peace officer personnel records...or information obtained from these records" are confidential. In addition, the Stanislaus County Probation Department policy IV-10 prohibits the release of personnel information to comply with state law. Consequently, the Department cannot release disciplinary information.

What happens if a complaint is found not to contain a violation of Department or County policy, procedure, rules, regulations, or the law?

Allegations that do not amount to violations of policy, procedure, rules, regulations, or law will not trigger a formal investigation. However, the Chief Probation Officer or his/her designee will examine the content of the complaint and decide whether it warrants some action not covered by policy, procedure, rules, regulations, or the law.

What if I have a disability and need an accommodation to file a complaint?

The Stanislaus County Probation Department (SCPD) believes in providing equal access to all members of the public. If you are a person with a disability who needs an accommodation in order to communicate your complaint, we will make every reasonable effort to accommodate your needs. SCPD has also adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call our Department.

What if English is not my primary language?

If you are not proficient speaking, reading, or writing in the English language, the SCPD will make every reasonable effort to provide assistance with translating information to and from your preferred language so that your complaint can be properly filed and communicated.

**STANISLAUS COUNTY PROBATION DEPARTMENT
CITIZEN COMPLAINT**

Employee's Name: _____ Title: _____

Complaint Received by: _____ Title: _____

Date and Time Complaint Received: _____

Complainant's Name: _____

Address: _____

Home Phone: _____ Cell Phone: _____

Allegation: _____

(Attach additional sheets if necessary)

| | <u>Witness</u> | <u>Address</u> | <u>Telephone</u> |
|----|----------------|----------------|------------------|
| 1. | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |

I declare under penalty of perjury that the above allegation is true and correct to the best of my knowledge. I agree to cooperate with and testify before any examining authority if this complaint results in disciplinary proceedings or other legal action against a County employee.

_____ **Complainant's Signature**

_____ **Date**

Attachment 4

Lauren Klein, Auditor-Controller Response



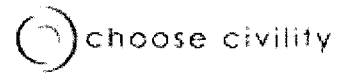
Auditor - Controller

AUDITOR-CONTROLLER

Lauren Klein, CPA
Auditor-Controller

BOARD OF SUPERVISORS 1010 10th Street, Suite 5100, Modesto, CA 95354
P O Box 770, Modesto, CA 95353-0770
Phone: 209.525.6398 Fax: 209.525.7507

2017 AUG -3 P 1:36



August 2, 2017

The Honorable Ricardo Cordova,
Presiding Judge Superior Court of California,
County of Stanislaus
Post Office Box 3488
Modesto, California 95353

AUDITOR-CONTROLLER RESPONSE TO THE 2016-2017 STANISLAUS COUNTY CIVIL GRAND JURY REPORT

City of Oakdale Residents Property Tax Bill – Grand Jury Case Number 17-03C

Findings:

F1: The SCCJ found no information was readily available to the City of Oakdale taxpayers explaining where the assessed 1% tax went and what if any services OID provided.

The respondent agrees with the finding related to the assessed 1% property tax to the City of Oakdale residents. The respondent cannot address services provided by the Oakdale Irrigation District (OID).

F2: Oakdale City residents pay over \$1 million annually in property taxes to the OID.

The respondent agrees with the finding.

F3: The 1% tax that the Oakdale City residents pay is based on the TRA and assessed value of their property.

The respondent agrees with the finding.

F4: OID and the City of Oakdale are aware of the possible disparities between property taxes paid and services provided to property owners. Both OID and the City of Oakdale are engaged in a dialogue regarding this issue.

The respondent cannot address the finding regarding the dialogue between OID and the City of Oakdale.

Recommendations:

- R1: The SCCGJ recommends that the SCAC office create a way to explain the 1% ad valorem tax that is on property owners tax bills, or add an insert to their property tax bill explaining what this tax covers.

The recommendation will not be implemented because it is unreasonable.

The 1% ad valorem property tax rate is the general property tax rate that resulted from the passage of Proposition 13 in 1978. OID and other taxing entities which placed a levy on the 1977-78 tax roll were incorporated into the Proposition 13 general 1% ad valorem tax rate. In fact, OID may have placed levies on the tax roll decades earlier as the District was formed in 1909. At the time of the formation of the District, the City limits were much different than they are today. The majority of the District boundaries would have been County and not City. As the City grew and land was annexed from the County to the City, the dynamics of the District boundaries changed. There are 159 different Tax Rate Areas (TRA's) within the District, of which 43 are located in the City of Oakdale.

The California Property Tax system is the most complex property tax system in the nation. Layers of legislation and mandates at the State level over the decades have created a system that is challenging to administer at the local level. Additionally, there are limitations as to the software applications that act as a primary tool to administer the California Property Tax system. Due to State mandates, the components within the individual TRA's may vary. Every TRA is comprised of a unique blend of county, city, school districts, school bonds and special districts such as fire districts, successor agencies (former Redevelopment Agencies), lighting districts, landscaping districts and others. In addition to a TRA's unique blend of taxing agencies, a TRA is subject to property tax revenue shifts, which are unique to each taxing agency and thus to each TRA. A tax revenue shift transfers property tax revenue from one agency to another. Examples of tax revenue shifts are the Successor Agency (SA) tax shift, in which tax revenue is shifted between the SA and other taxing agencies within its boundaries, as well as the Educational Revenue Augmentation Fund (ERAF), in which tax revenue is shifted from counties, cities and special districts to school districts.

While the recommendation appears to be reasonable, the California Property Tax system would need to be far less complex in order to be able to comply with the request. In the current system, the amount of work involved to accommodate this request would require the use of an additional database outside of the property tax application and a great deal of resources that local government does not have. I'm certain most California counties would appreciate a simplified property tax system to administer, as the burden of this complex system is unreasonable.

R2: The SCCGJ recommends the SCAC office explore ways of providing a link on its website that is user friendly and explains the breakdown of this tax.

The recommendation will not be implemented because it unreasonable. The Auditor-Controller does provide general information on the County website as to the distribution of property taxes. This information can be found at:

<http://www.stancounty.com/auditor/property-tax-division.shtm>

The specific distribution of the OID distribution cannot be provided. Refer to R1.

R3: The SCCGJ recommends that OID commence dialog with the City of Oakdale residents regarding services provided by OID in regards to this 1% tax.

The responder cannot reply on behalf of OID.

R4: The SCCGJ recommends that OID and the City of Oakdale continue to work collaboratively on their Cooperative Action Plan and their Mutual Aid Agreement.

The responder cannot reply on behalf of OID or City of Oakdale.

Participation in the Annual Financial Audit Report for the Fiscal Year Ended June 30, 2016

Findings:

F1: The audits showed that the accounting policies of Stanislaus County are being followed.

The respondent agrees with the finding.

F2: The Stanislaus County Auditor-Controller's office management team exhibits competent leadership.

The respondent agrees with the finding.

F3: The audit also showed that the management continuity at all levels of the departments results in an expertise and commitment by all staff to adhere to published accounting policies and procedures.

The respondent agrees with the finding.

Commendations:

C1: The SCCGJ commends the staff within the Auditor Controller's office, and the directors and staff of each audited Stanislaus County Department, for their efforts in adhering to the policies and procedures set forth by the GASB and the OMB.

The respondent agrees with the commendation. The staff of Stanislaus County strive together to be the best, which is our County Motto. The commendation by the Grand Jury related to compliance with GASB (Governmental Accounting Standards Board) and OMB (Office of Management and Budget) standards is an example of success in meeting this goal.

Thank-you,



Lauren Klein, CPA
Auditor-Controller

C: Honorable Kristin Olsen, Supervisor – District 1
Honorable Vito Chiesa, Supervisor – District 2
Honorable Terry Withrow, Supervisor – District 3
Honorable Dick Monteith, Supervisor – District 4
Honorable Jim DeMartini, Supervisor – District 5
Stan Risen, Chief Executive Officer (retiring August 11, 2017)
Jody Hayes, Chief Executive Officer (as of August 12, 2017)
Stanislaus County Grand Jury
Elizabeth King, Clerk of the Board

Attachment 5

Board Action Summary Number 2017-246

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA #: *B-1

AGENDA DATE: May 16, 2017

SUBJECT:

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury Regarding the Stanislaus County Library Report

BOARD ACTION AS FOLLOWS:

No. 2017-246

On motion of Supervisor Olsen, Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. M-39-N-6

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA #: *B-1

Urgent Routine

AGENDA DATE: May 16, 2017

CEO CONCURRENCE: *phh*

4/5 Vote Required: Yes No

SUBJECT:

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury Regarding the Stanislaus County Library Report

STAFF RECOMMENDATIONS:

1. Accept the responses to the Stanislaus County Civil Grand Jury Stanislaus County Library report and any changes the Board of Supervisors wishes to make to the recommended response by the Board of Supervisors and then authorize the Chairman of the Board to forward the response to the Presiding Judge of the Superior Court by June 12, 2017.
2. Direct the Chief Executive Officer to ensure that any recommended actions by the Board of Supervisors be followed and completed by the subject County departments and report back to the Board of Supervisors as appropriate.

DISCUSSION:

The Stanislaus County Board of Supervisors has received the Stanislaus County Civil Grand Jury (SCCGJ) Stanislaus County Library report. The report identifies areas of investigation concerning the Stanislaus County Library. The Grand Jury has requested the Stanislaus County Library director and Board of Supervisors to respond to the published findings and recommendations pertaining to the operations of the Stanislaus County Library in accordance with Penal Code Section 933.05. The Stanislaus County Library has a drafted a response to the SCCGJ report, and will submit within the time frame allowed and is attached to this report.

The recommended responses from the Board of Supervisors are as follows:

F1. Finding: The Stanislaus County Library funding is dependent on a portion of county sales tax revenue that must be voter-approved on a regular basis. Failure to receive voter approval would result in cuts of approximately 85% of library services for residents of the county. The Stanislaus County Grand Jury finds this budgetary uncertainty to be a limiting factor in SCL strategic planning for future needs and operations of the library system.

R1. Recommendation: The Stanislaus County Civil Grand Jury recommends that a more stable source of funding be found for the Stanislaus County Library. A concerted effort needs to be undertaken to explore additional revenue streams to augment the SCL budget.

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury Regarding the Stanislaus County Library Report

Response: The Board of Supervisors agrees with the finding and recommendation that additional revenue sources should be explored to support current services and provide for future growth and innovation to meet community needs.

In California, 24 counties imposed a separate property tax for libraries before Proposition 13 (1978). This property tax rate is still in place and generates revenue that is dedicated to the library services for these 24 counties. Of the 21 counties with a population over 200,000 and which operate a library service, Stanislaus County is one of four without this type of dedicated property tax revenue source, therefore causing a reliance on the 1/8 cent tax. Dedicating a more stable source of revenue, such as the County's discretionary revenue, is not feasible at this time as it would come at the cost of reduced public safety and general county services. To facilitate long term strategic planning, the County in November 2017 will submit to the electorate a proposed extension to the 1/8 cent transaction and use tax of 12 years.

Regarding the estimated cuts to service; of the remaining 15% of funding apart from sales tax funding, most does not fund general library services. For example, the majority of this 15% represents funding for Adult Literacy services provided by Learning Quest.

F2. Finding: The SCL does not provide discarded materials to other agencies, students, teachers, non-profit organizations, or inmates in the county correctional facilities. Rather, they dispose of materials that may still be of use to the community.

R2. Recommendation: The SCCGJ recommends that the Stanislaus County Library Administration continue to pursue all appropriate avenues to provide discarded materials to public and non-profit agencies. The current disposal protocol of these materials appears to be a waste of resources that could be utilized elsewhere in the community.

Response: The Board of Supervisors partially disagrees with the finding and would like to clarify the procedure for handling discarded materials. The Library generates revenue by conducting a used book sale of discarded materials at each of the thirteen library sites. In the 2016-17 Fiscal Year, the Library generated \$16,457 from the sale of discarded materials. The majority of materials ultimately recycled is in poor condition and deemed to be of no use. The Board of Supervisors will direct the Library to evaluate the potential for reuse and distribution to a suitable agency when handling discarded materials.

F3. Finding: The SCCGJ finds that additional technology, especially computer workstations, wireless printers and an extension of Wi-Fi capabilities, are needed to keep up with the demands of the public.

R3. Recommendation: The SCCGJ recommends that the SCL continue to budget for additional up-to-date technology in order to meet the evolving needs of library patrons.

Response: The Board of Supervisors agrees with the finding and recommendation. The Board of Supervisors will direct the Library to continue to strategically plan and budget for innovative technologies and to remain a valued source of free computers and internet access.

F4. Finding: The SCCGJ finds that there is a need for additional skilled volunteers to assist with more challenging library tasks.

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury Regarding the Stanislaus County Library Report

R4. Recommendation: The SCCGJ recommends that the SCL continue to explore all means and methods to increase the number of skilled library volunteers to assist with more complicated library tasks.

Response: The Board of Supervisors agrees with the finding and recommendation. Over the past year, 257 volunteers have contributed approximately 6,691 hours in service to the Library. The Library relies on this generous gift of time and talent to extend the capacity of paid Library staff, and plans are to expand volunteer opportunities to better match the unique skills of our volunteers.

POLICY ISSUE:

The Stanislaus County Civil Grand Jury studies and investigates citizen complaints and the recommendation at the end of each fiscal year. Agencies or departments, which are the subjects of these investigations, are required to respond to the findings and recommendations included in the final report. Penal Code Section 933 stipulates that "the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body" no later than 90 days after the report is published. The formal responses must comply with Penal Code Section 933.05 and clearly indicate the respondent's agreement or disagreement with the findings and recommended actions. The recommended actions contained herein comply with the appropriate penal codes and requirements of the Stanislaus County Civil Grand Jury.

FISCAL IMPACT:

There is no fiscal impact associated with the acceptance of the Stanislaus County Civil Grand Jury Stanislaus County Library report and the response to the Presiding Judge of the Superior Court. Further, there is no fiscal impact associated with the Board of Supervisors' recommendation contained in this item. Implementation of Grand Jury recommendations have either already occurred or will impart a negligible impact to the affected departments.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions meet the Board of Supervisors' priority area of Efficient Delivery of Public Services by appropriately addressing and complying with request of the Stanislaus County Civil Grand Jury.

STAFFING IMPACT:

There is no staffing impact associated with the recommended Board actions. Departments studied within the Stanislaus County Civil Grand Jury Stanislaus County Library report have existing staff and allocated positions to address the implementation of approved recommendations.

Consideration and Approval of Response to the Stanislaus County Civil Grand Jury Regarding the Stanislaus County Library Report

CONTACT PERSON:

Keith D. Boggs, Assistant Executive Officer
Diane McDonnell, County Librarian

Telephone: (209) 525-6333
Telephone: (209) 558-7801

ATTACHMENT(S):

1. Stanislaus County Civil Grand Jury Stanislaus County Library Report
2. Department Head Response

Attachment 1

Stanislaus County Civil Grand Jury Stanislaus County Library Report



STANISLAUS COUNTY CIVIL GRAND JURY

PO Box 3387 – Modesto, CA 95353 – (209) 558-7766 – Fax (209) 558-8170

March 14, 2017

CONFIDENTIAL – DELIVERY VIA EMAIL

Board of Supervisors
1010 10th Street, Ste 6700
Modesto, CA 95354

2017 MAR 14 P 3:00
BOARD OF SUPERVISORS

Dear Board of Supervisors:

The Stanislaus County Civil Grand Jury has completed the attached report titled “Stanislaus County Library.” The Civil Grand Jury is providing you with a copy of this report.

Your response to the jury’s findings and recommendations must be submitted to the Presiding Judge of the Superior Court, the Honorable Ricardo Cordova, Presiding Judge, at PO Box 3488, Modesto, CA 95353. Submit a hard copy and an electronic copy of your response. Enclosed are guidelines that may be helpful as you prepare your response.

Sincerely,

Timothy Warnock
Foreperson
2016-2017 Civil Grand Jury

Attachment: Report 17-18GJ

| | |
|-----------------------------------------------------|------------------------------------|
| Distribution Information | |
| <input checked="" type="checkbox"/> Electronic Copy | <input type="checkbox"/> In person |
| To: Board of Supervisors | <u>March 14, 2017</u> Date |

HOW TO RESPOND TO FINDINGS & RECOMMENDATIONS

Responses

The California Penal Code §933(c) specifies both the deadline by which responses shall be made to the Civil Grand Jury Final Report recommendations, and the required content of those responses.

Deadline for Responses

All agencies are directed to respond to the Presiding Judge of the Stanislaus County Superior Court,

- Not later than 90 days after the Civil Grand Jury submits a final report on the operations of a public agency, the governing body of that agency shall respond to the findings and recommendations pertaining to the operations of their agency.
- Not later than 60 days after the Civil Grand Jury submits a final report on the operation of a County agency, the elected head governing that agency shall respond to the findings and recommendations pertaining to the operations of their agency.
- Information copies of responses pertaining to matters under the control of a county officer or agency are to be sent to the Board of Supervisors.
- A copy of all responses to the Civil Grand Jury reports shall be place on file with the clerk of the public agency and the Office of the County Clerk, or the city clerk when applicable.
- One copy shall be placed on file with the applicable Civil Grand Jury by, and in the control of, the currently impaneled Grand Jury, where it shall be maintained for a minimum of five years.

Content of Responses

For each Civil Grand Jury findings and recommendations, the responding person or entity shall report one of the following actions:

- The respondent agrees with the finding.

- The respondent disagrees wholly or partially with the finding and shall include an explanation.
- The recommendation has been implemented, with a summary regarding the implemented action.
- The recommendation has not been implemented, but will be implemented in the future, with a time frame for implementation.
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame if it is to be implemented later.
- The recommendation will not be implemented because it is unwarranted or unreasonable, with supportive explanation.

Respond to:

Responses to the Civil Grand Jury's findings and recommendations are sent in the form of an original hard copy and an electronic copy (Microsoft Word or PDF) to:

**The Honorable Ricardo Cordova, Presiding Judge
Superior Court of California, County of Stanislaus
PO Box 3488
MODESTO, CA 95353**

2016-17 Stanislaus County Civil Grand Jury
Stanislaus County Library
Case #17-18GJ

Summary

Where can I get the most recent best seller to download on my e-book? Where can I take my preschooler to listen to a good story? It's after 4:00 p.m. and I need to apply for a passport. Where can I go? I need up-to-date resources for my term paper. How can I get them if I don't have a computer? I want to improve my English. Where can I go? The answer to all of these questions is the same – the public library. The Stanislaus County Library is a real gem.

The Stanislaus County Public Library offers these services as well as many others. Most community members agree public libraries should offer programs to teach patrons digital skills and help them learn how to use new, creative technologies. At the same time, libraries should offer comfortable places for reading and relaxing. The Stanislaus County Public Library has worked diligently to offer such places in our community. Library patrons are provided with a useful and interesting collection of services that are centered on meeting their needs and expectations. These services improve the quality of community life as well.

Glossary

| | |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SCCGJ | Stanislaus County Civil Grand Jury |
| SCL | Stanislaus County Library |
| Fiscal Year | Budget Year (June 30th to July 1 st) |
| Home Delivery System | This system delivers library materials to county residents who are unable to visit a branch library. Home Delivery Service also includes a program, based on past requests and patron interests, that suggests a list of books and materials personalized to each individual patron from current library holdings. |

Background

The Stanislaus County Civil Grand Jury (SCCGJ) believed that it would be beneficial to the public to review the Stanislaus County Library (SCL). A review of SCL had not been done since the 1992-93 SCCGJ term, and there have been tremendous changes implemented and challenges faced by the Library in recent years.

Changes include the further incorporation of electronic resources, expansion of outreach programs and transitioning to an institution that services all patrons in Stanislaus County.

Challenges include providing essential services and programs while implementing a strategic plan with uncertain revenue sources. 90% of the SCL revenue comes from sales tax and must be periodically approved by the voters of Stanislaus County. The next election to determine the fate of the SCL will be in November 2017.

Additional challenges include dealing with aging facilities and providing up-to-date materials for patrons. This is especially important when it comes to technological resources. Additionally, the SCCGJ wanted to evaluate the SCL operations in light of the tremendous fiscal decline suffered during the "Great Recession" and to what extent the SCL has recovered from this decline of resources.

Methodology

Members of the SCCGJ toured the Modesto branch of the SCL. This tour was conducted by the Library Director, the Modesto Library Manager, and additional staff members, who provided specialized information.

The SCCGJ members also toured two of the thirteen branch libraries that are part of the SCL system. The SCCGJ asked for, and received, a variety of documents and data from the SCL. The information included the following:

- Current operating budget
- List of budgeted positions
- List of outreach programs
- Number of school visits
- Total Story Time participants
- Copies of surveys used to evaluate services
- Monthly activity calendars
- Circulation statistics of books, magazines, E-audio, E-books, E-languages, and E-magazines
- Number of logged computer sessions
- Total number of clients assisted in the adult literacy program in partnership with Learning Quest
- Number of passports processed last year

Discussion

On Thursday, September 8, 2016, members of the SCCGJ toured the Modesto Branch of the SCL. Jury members observed the scope and depth of services provided to the residents of Stanislaus County.

The SCL operates thirteen branch libraries; all are open at least five days per week and in most cases six days per week. (see 1A in the appendix for branch hours and days of operation.) The number of open hours has increased from 240 ten years ago to 478 today, and all libraries are now open on Fridays.

The SCL provides a variety of children's programs including Story Time, pre-literacy sessions, tours, and classroom visits.

The SCL has 722,427 printed materials and a material circulation of 1,900,927, an eBook circulation of 42,698 and an e-magazine circulation of 5,106. There were 2,260,628 visits to the libraries in 2014-2015. By all indications, these numbers will increase in fiscal year 2015-2016. The Modesto branch of the SCL processes over 10,000 passports each year. This appointment-only service is open until one hour before closing time each day, including Saturdays.

The SCL is in the process of developing a five-year strategic plan. This plan has incorporated a professional survey, patron feedback, and input from community leaders. The strategic plan will direct future library services and is expected to be released in early 2017.

Each year, the SCL partners with outside agencies and organizations such as Stanislaus Reads and Learning Quest-Stanislaus Literacy Centers. The Learning Quest partnership is funded with a grant from the State Library Literacy Fund. Since 1995, the Partnership has assisted 15,495 adults to improve their literacy skills in reading, comprehension, writing and math. Currently, there are approximately 120 adult volunteers working with adult students. SCL has been successful in securing over \$310,000 in grants for the current fiscal year.

Specialized programs have increased the availability of resources for county residents. The Home Delivery System matches patrons' interests with items in the library collection, then delivers these materials to residents who are unable to visit a library branch. In addition, patrons requesting materials will normally have them delivered to any branch library within 48 hours. Last year, there were 276 Story Telling sessions attended by 11,600 children.

A "Pop-Up" library program has been instituted to promote early literacy. A pop-up library takes library services into communities so that patrons can access all library services, including Story Hour for preschool children.

The SCL has purchased over 52,000 new materials this year. The SCL receives the latest books on the same day as major booksellers receive copies. The Library is able to purchase new books at a 30% to 40% discount. The SCL also maintains books utilizing an in-house bookbinding and repair services.

The SCL recognizes the need for a family-friendly learning environment. They have full-time security and have established "Rules of Behavior" for all patrons. Everyone is expected to abide by these rules in order to continue to use library services. In addition, the SCL has banned smoking anywhere on library property.

Findings

- F1 The Stanislaus County Library funding is dependent on a portion of county sales tax revenue that must be voter-approved on a regular basis. Failure to receive voter approval would result in cuts of approximately 85% of library services for residents of the county.
The Stanislaus County Grand Jury finds this budgetary uncertainty to be a limiting factor in SCL strategic planning for future needs and operations of the library system.
- F2 The SCL does not provide discarded materials to other agencies, students, teachers, non-profit organizations, or inmates in the county correctional facilities. Rather, they dispose of materials that may still be of use to the community.
- F3 The SCCGJ finds that additional technology, especially computer workstations, wireless printers and an extension of Wi-Fi capabilities, are needed to keep up with the demands of the public.
- F4 The SCCGJ finds that there is a need for additional skilled volunteers to assist with more challenging library tasks.

Recommendations

- R1 The Stanislaus County Civil Grand Jury recommends that a more stable source of funding be found for the Stanislaus County Library. A concerted effort needs to be undertaken to explore additional revenue streams to augment the SCL budget.
- R2 The SCCGJ recommends that the Stanislaus County Library Administration continue to pursue all appropriate avenues to provide discarded materials to public and non-profit agencies. The current disposal protocol of these materials appears to be a waste of resources that could be utilized elsewhere in the community.
- R3 The SCCGJ recommends that the SCL continue to budget for additional up-to-date technology in order to meet the evolving needs of library patrons.

- R4 The SCCGJ recommends that the SCL continue to explore all means and methods to increase the number of skilled library volunteers to assist with more complicated library tasks.

Commendations:

- C1 The Stanislaus County Civil Grand Jury commends the Stanislaus County Library for providing numerous high-quality, professional services and programs to an ever-changing county.
- C2 The SCCGJ commends the SCL for its variety of programs and services to the residents of Stanislaus County, as well as providing these services under very tight budget constraints.
- C3 The SCCGJ commends the SCL for its dedication to solicit input from a variety of county residents as it determines which services and programs it will offer. These services and programs are modified to fit the ever-changing needs of the community.
- C4 The SCCGJ commends the SCL for its transparency and its communication with the public. The Library website and printed materials provide the public with detailed calendars of events and activities, information on available programs and services.

Responses

Pursuant to Penal Code section 933.05, the Stanislaus County Civil Grand Jury *requests* the Stanislaus County Board of Supervisors to respond to R1 – R4 within 90 days.

Pursuant to Penal Code section 933.05, the Stanislaus County Civil Grand Jury *requests* the Stanislaus County Library Director to respond to R1 – R4 within 90 days.

Responses are to be submitted to the Presiding Judge of Stanislaus County Superior Court in accordance with the provisions of Penal Code section 933.05

STANISLAUS COUNTY LIBRARY – BRANCH INFORMATION

Feb. 7, 2017 (Collection counts from 2-7-17)

| Library Address | Telephone # | Person in charge, Title or description | Open hours | Other Information |
|---------------------------------------------------------------------------------------------|-------------|---------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Library Administration & System-wide Staff 1500 I St. Modesto CA 95354 | 558-7801 | Diane McDonnell, County Library Director | Mon 10-5 | Hours/Week 35 public hours |
| | 558-8951 | Vicki Peitz, Business Mgr/Safety Officer | Tues 10-5 | |
| | 558-4813 | Susan Lilly, PR & Marketing Manager | Wed 10-5 | |
| | 558-4946 | Michael Leamy, Modesto Library Manager | Thurs 10-5 | |
| | 558-7863 | Bryan Sontag, Branch Operations Manager | Fri 10-5 | |
| | 558-7816 | John Fleming, IT Manager | | |
| | 558-8949 | Lindsey Pimentel, Human Resources | | |
| | 558-7801 | Patti Boardrow, Admin Clerk | | |
| Modesto Library 1500 I St Modesto CA 95354 | 558-4946 | Michael Leamy, Modesto Library Manager | Mon 10-8 | Hours/Week 54 Public area sq. ft.: 37,000 (bldg = 62,000 total sq.ft.) Collection Items: 286,406 Community Rm Capacity: 12 & 140 |
| | 558-7810 | Children's Services | Tues 10-8 | |
| | 558-7814 | Reference Services | Wed 10-8 | |
| | 558-7808 | Michele Bertolero, Page Supervisor | Thurs 10-8 | |
| | | | Fri 10-5 | |
| Sat 10-5 | | | | |
| Ceres Library 2250 Magnolia St Ceres CA 95307-3209 | 537-8938 | Anne-Marie Montgomery, Branch Supervisor | Mon 10-8 | Hours/Week 48 Bldg. Sq. ft.: 5,000 Collection Items: 24,700 |
| | | | Tues 10-6 | |
| | | | Wed 10-6 | |
| | | | Thurs 10-6 | |
| | | | Fri 10-5 | |
| | | | Sat 10-5 | |
| Denair Library 4801 Kersey Rd PO Box 190 Denair CA 95316-0190 | 634-1283 | Karina Mendoza, Branch Supervisor | Tues 12-6 | Hours/Week 30 Bldg. Sq. ft.: 1,851 Collection Items: 11,574 |
| | | | Wed 12-6 | |
| | | | Thurs 12-6 | |
| | | | Fri 11-5 | |
| | | | Sat 11-5 | |
| | | | | |
| Empire Library 18 South Abbie PO Box 7 Empire CA 95319-0007 | 524-5505 | Grace Habiger, Branch Supervisor | Tues 12-6 | Hours/Week 30 Bldg. Sq. ft.: 1,920 Collection Items: 10,366 Community Room Capacity: 45 |
| | | | Wed 12-6 | |
| | | | Thurs 12-6 | |
| | | | Fri 11-5 | |
| | | | Sat 11-5 | |
| | | | | |
| Hughson Library 2412 A 3 rd St PO Box 1025 Hughson CA 95326-1025 | 883-2293 | Heather Bailey, Branch Supervisor | Tues 12-6 | Hours/Week 30 Bldg. Sq. ft.: 2,100 Collection Items: 11,747 |
| | | | Wed 12-6 | |
| | | | Thurs 12-6 | |
| | | | Fri 11-5 | |
| | | | Sat 11-5 | |
| | | | | |
| Keyes Library 4420 Maud Ave PO Box 369 Keyes CA 95328-0367 | 664-8006 | Yvonne Reagers, Branch Supervisor | Mon 9-5:30 | Hours/Week 44 Bldg. Sq. ft.: 1,200 Collection Items: 10,512 |
| | | | Tues 9-5:30 | |
| | | | Wed 9-5:30 | |
| | | | Thurs 9-7:30 | |
| | | | Fri 9-5 | |
| | | | | |
| Newman Library 1305 Kern St Newman CA 95360-1603 | 862-2010 | Thomas Kaps, Branch Supervisor | Tues 12-8 | Hours/Week 36 Bldg. Sq. ft.: 2,613 Collection Items: 16,268 Community Room Capacity: 80 |
| | | | Wed 10-5 | |
| | | | Thurs 10-5 | |
| | | | Fri 10-5 | |
| | | | Sat 10-5 | |
| | | | | |
| Oakdale Library 151 S. First Ave Oakdale CA 95361-3902 | 847-4204 | Wayne Philbrook, Branch Supervisor | Mon 10-6 | Hours/Week 50 Bldg. Sq. ft.: 6,500 Collection Items: 42,601 Community Room Capacity: 36 |
| | | | Tues 10-8 | |
| | | | Wed 10-6 | |
| | | | Thurs 10-8 | |
| | | | Fri 10-5 | |
| | | | Sat 10-5 | |
| Patterson Library 46 North Salado Patterson CA 95363-2587 | 892-6473 | Xia Thao, Branch Supervisor | Mon 10-6 | Hours/Week 45 Bldg. Sq. ft.: 4,070 Collection Items: 29,811 Community Rm Capacity: 40 & 124 |
| | | | Tues 10-6 | |
| | | | Wed 10-8 | |
| | | | Thurs 10-5 | |
| | | | Fri 10-5 | |
| | | | Sat 12-5 | |
| Riverbank Library 3442 Santa Fe St Riverbank CA 95367-2319 | 869-7008 | Vicky Holt, Branch Supervisor | Mon 10-5 | Hours/Week 45 Bldg. Sq. ft.: 3,594 Collection Items: 25,294 Community Room Capacity: 30 |
| | | | Tues 10-6 | |
| | | | Wed 10-8 | |
| | | | Thurs 10-6 | |
| | | | Fri 10-5 | |
| | | | Sat 12-5 | |
| Salida Library 4835 Sisk Rd Salida CA 95368-9445 | 543-7353 | Carol Blomquist, Branch Supervisor | Mon 10-8 | Hours/Week 50 Bldg. Sq. ft.: 28,000 + 5,000 sq ft Community Room Collection Items: 77,578 Community Room Capacity: 259 |
| | | | Tues 10-8 | |
| | | | Wed 10-6 | |
| | | | Thurs 10-6 | |
| | | | Fri 10-5 | |
| | | | Sat 10-5 | |
| Turlock Library 550 Minaret Ave Turlock CA 95380-4148 | 664-8100 | Diane Bartlett, Branch Supervisor | Mon 10-8 | Hours/Week 51 Bldg. Sq. ft.: 10,000 Collection Items: 73,765 |
| | | | Tues 10-8 | |
| | | | Wed 10-8 | |
| | | | Thurs 10-5 | |
| | | | Fri 10-5 | |
| | | | Sat 10-5 | |
| Waterford Library 324 E St Waterford CA 95386-9005 | 874-2191 | Cindy Scott, Branch Supervisor | Mon 10-6 | Hours/Week 45 Bldg. Sq. ft.: 2,075 Collection Items: 16,887 |
| | | | Tues 10-6 | |
| | | | Wed 10-8 | |
| | | | Thurs 10-5 | |
| | | | Fri 10-5 | |
| | | | Sat 12-5 | |
| WIC Collection - Modesto | 556-9170 | Olga Cardenas, Youth Community Outreach Librarian | Tu-2-4W-3:30-5:30 | Collection Items: 1,365 |

Attachment 2

Department Head Response



STANISLAUS COUNTY LIBRARY

Diane McDonnell
County Librarian

1500 I Street, Modesto, CA 95354
209.558.7801 Fax: 209.529.4779
www.stanislauslibrary.org

May 5, 2017

The Honorable Ricardo Cordova, Presiding Judge
Superior Court of California, Stanislaus County
P.O. Box 3488
Modesto, CA 95353

Re: Response to Grand Jury Report 17-18GJ

Dear Judge Cordova:

The Stanislaus County Library has reviewed the findings and recommendations of the 2016-17 Stanislaus County Civil Grand Jury report regarding the Library. The following are the Library's responses to those findings and recommendations requiring a response.

RESPONSE TO FINDINGS/RECOMMENDATIONS 17-18GJ

- F1. Finding:** The Stanislaus County Library funding is dependent on a portion of county sales tax revenue that must be voter-approved on a regular basis. Failure to receive voter approval would result in cuts of approximately 85% of library services for residents of the county. The Stanislaus County Grand Jury finds this budgetary uncertainty to be a limiting factor in SCL strategic planning for future needs and operations of the library system.
- R1. Recommendation:** The Stanislaus County Civil Grand Jury recommends that a more stable source of funding be found for the Stanislaus County Library. A concerted effort needs to be undertaken to explore additional revenue streams to augment the SCL budget.

Response: The Library agrees with the finding and recommendation that additional revenue sources should be explored to support current services and provide for future growth and innovation to meet community needs.

In California, 24 counties imposed a separate property tax for libraries before Proposition 13 (1978). This property tax rate is still in place and generates revenue that is dedicated to the library services for these 24 counties. Of the 21 counties with a population over 200,000 and which operate a library service, Stanislaus County is one of four without this type of dedicated property tax revenue source, therefore causing a reliance on the 1/8 cent tax. Dedicating a more stable source of revenue, such as the County's discretionary revenue, is not feasible at this time as it would come at the cost of reduced public safety and general county services. To facilitate long term strategic planning, the County in November 2017 will submit to the electorate a proposed extension to the 1/8 cent transaction and use tax of 12 years.

Regarding the estimated cuts to service; of the remaining 15% of funding apart from sales tax funding, most does not fund general library services. For example, the majority of this 15% represents funding for Adult Literacy services provided by Learning Quest.

F2. Finding: The SCL does not provide discarded materials to other agencies, students, teachers, non-profit organizations, or inmates in the county correctional facilities. Rather, they dispose of materials that may still be of use to the community.

R2. Recommendation: The SCCGJ recommends that the Stanislaus County Library Administration continue to pursue all appropriate avenues to provide discarded materials to public and non-profit agencies. The current disposal protocol of these materials appears to be a waste of resources that could be utilized elsewhere in the community.

Response: The Library partially disagrees with the finding and would like to clarify the procedure for handling discarded materials. The Library generates revenue by conducting a used book sale of discarded materials at each of the thirteen library sites. In the 2016-17 Fiscal Year, the Library generated \$16,457 from the sale of discarded materials. The majority of materials ultimately recycled is in poor condition and deemed to be of no use. The Library will evaluate the potential for reuse and distribution to a suitable agency when handling discarded materials.

F3. Finding: The SCCGJ finds that additional technology, especially computer workstations, wireless printers and an extension of Wi-Fi capabilities, are needed to keep up with the demands of the public.

R3. Recommendation: The SCCGJ recommends that the SCL continue to budget for additional up-to-date technology in order to meet the evolving needs of library patrons.

Response: The Library agrees with the finding and recommendation. The Library will continue to strategically plan and budget for innovative technologies and to remain a valued source of free computers and internet access.

F4. Finding: The SCCGJ finds that there is a need for additional skilled volunteers to assist with more challenging library tasks.

R4. Recommendation: The SCCGJ recommends that the SCL continue to explore all means and methods to increase the number of skilled library volunteers to assist with more complicated library tasks.

Response: The Library agrees with the finding and recommendation. Over the past year, 257 volunteers have contributed approximately 6,691 hours in service to the Library. The Library relies on this generous gift of time and talent to extend the capacity of paid Library staff, and plans are to expand volunteer opportunities to better match the unique skills of our volunteers.

In clarification of statements included in the **Discussion** section of the report, the Library would like to add that security services are currently utilized at the Modesto and Turlock Libraries. Additionally, the total number of public service hours per week at all thirteen libraries with the addition of Friday hours in Fiscal Year 2016-17 is 558.

Thank you for the opportunity to respond to the comments and recommendations of the 2016-17 Civil Grand Jury. Please extend my appreciation to the members for their time and efforts in conducting thorough site visits and the time devoted to review, and for acknowledgement of the efforts and excellence displayed by SCL staff and volunteers.

Sincerely,

A handwritten signature in black ink, appearing to read "D McDonnell". The signature is fluid and cursive, with a long horizontal stroke at the end.

Diane McDonnell
Stanislaus County Librarian

cc: Stanislaus County Board of Supervisors
Timothy J. Warnock, Foreperson, Stanislaus County Civil Grand Jury 2016-17
Stan Risen, Chief Executive Officer, Stanislaus County
Keith D. Boggs, Assistant Executive Officer, Stanislaus County