

Santa Cruz County Grand Jury



**2009-2010
Final Report
with Responses**

Cover photograph courtesy of Richard Perez, Santa Cruz



County of Santa Cruz

Grand Jury

701 Ocean Street, Room 318-I
Santa Cruz, CA 95060
(831) 454-2099

June 29, 2010

Dear Reader:

For the past year, nineteen citizens of Santa Cruz County have served on the civil grand jury. They devoted thousands of hours to studying, investigating, researching, and finally writing the accompanying reports on seven aspects of city and county government. The 2009-2010 reports address pending legislation, a citizen's personnel commission complaint, jail inspections, public defender contracts, residential treatment facilities, the library system, and the financial status of a county water district. Each report communicates the outcome of the investigation through findings, conclusions, and recommendations. And this year's grand jury added a new report, tracking the responses to last year's recommendations in a continuity report.

As foreperson for the 2009-2010 Grand Jury, I have had the opportunity of working with a group of smart and dedicated people who care deeply about the efficiency of the governmental operations of the cities and county in which we live. They learned a great deal about how public agencies operate through departmental investigations, personal interviews, field trips and public meetings. The intelligence, creativity, energy, and collaboration of the jurors has made this year a tremendous success.

The grand jury thanks Presiding Judge Paul Burdick for his astute selection of jurors and for his guidance and support throughout the year. We extend special accolades to county counsel, Rahn Garcia. We are grateful for his prompt and expert service to the jury; he guided us with sensitivity and wisdom through unique circumstances and situations throughout the year. The grand jury also thanks the personnel of each agency who provided information for this report. Without their valued service and opinions about Santa Cruz governmental operations, these reports would not have been possible.

Finally, the civil grand jury encourages all citizens to be involved in the operations of the cities and counties in which they reside. Without the people's voice, government is only a bureaucracy. With the involvement of the people, government is a living, vital part of our lives.

On behalf of all of us on the 2009-2010 Grand Jury,

A handwritten signature in cursive script that reads "Lorna Horton".

Lorna Horton
Foreperson



County of Santa Cruz

Grand Jury

701 Ocean Street, Room 318-I
Santa Cruz, CA 95060
(831) 454-2099

March 19, 2011

Dear Citizens of Santa Cruz County:

The following document is the 2009-2010 County of Santa Cruz Grand Jury Final Report with Responses. It is the culmination of the work done by last year's Grand Jury, with the compiled responses by the required respondents interspersed into the body of each individual report.

As per the instructions given in Subsection (c) of Section 933 of the California Penal Code, a copy of this Final Report with Responses will be provided to the following individuals or agencies:

- Supervising Judge of the Superior Court
- Head of all departments and agencies affected by the report
- Districts and cities affected by the report
- County Clerk
- State Archivist

In addition, the complete responses in their original form received by the Grand Jury is compiled into a digital file and posted on our web site at www.co.santa-cruz.ca.us/grandjury.

The Grand Jury wishes to express its gratitude to all of the people who contributed their time and energy in helping to create this report. We look forward to carrying on this tradition in the spirit of making your local government more responsive and efficient.

Sincerely,

Gayle Larson
Foreperson

2010-2011 Grand Jury Of Santa Cruz County

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Introduction

Each year, nineteen jurors are selected through a combination of random processes and personal interviews to serve for one year, from July 1 through June 30, on the Santa Cruz County Grand Jury. These jurors are your neighbors, serving as independent watchdogs over local government on your behalf.

The grand jury concept dates back to the Norman conquest of England in the eleventh century. In the United States, the Massachusetts Bay Colony impaneled the first grand jury in about 1635 to consider instances of murder, robbery, and wife beating. Both the U. S. Constitution's Fifth Amendment and the California Constitution call for grand juries, and they were established throughout California during the early years of statehood. Now each of the 58 counties in this state impanels a grand jury.

Although most people think a grand jury only considers whether a crime has been committed and whether a certain person should be charged with that crime and required to stand trial, the grand jury in Santa Cruz County is an investigative body with three primary functions:

- the examination of all aspects of county government, city government, and special districts to ensure that those who govern are honest and efficient and that local government funds are being spent appropriately
- the investigation of complaints filed by citizens
- the inspection or investigation of the management and condition of all public prisons within the county

The grand jury submits a final report of its findings and recommendations before the end of its term to the Presiding Judge of the Superior Court. Government officials and agencies to which the recommendations are directed are required to respond to the details in the report within 60 or 90 days. The report and the responses are available to the public at the grand jury web site and in the local libraries. However, while the reports are public, all investigations and interviews are kept secret, and the jury's records may not be inspected or subpoenaed.

Citizens may submit complaints directly to the grand jury requesting it to investigate what they perceive as mistreatment by officials or suspicions of governmental misconduct or inefficiencies. The jury is not a consumer complaint agency but uses complaints to identify policies and procedures that might need improvement. While the grand jury cannot investigate every complaint, each one is considered carefully and treated confidentially. The ultimate goal of the grand jury is to improve government in the county and to make public officials responsive to the people.

Additional information about the grand jury, and complaint forms, are available at the address and web site below:

Santa Cruz County Grand Jury
701 Ocean Street, Room 318-I
Santa Cruz, CA 95060

Telephone 831-454-2099 Fax 831-454-3387

e-mail grandjury@co.santa-cruz.ca.us

web site <http://www.co.santa-cruz.ca.us/grandjury>



2009-2010 Grand Jurors

Front row, left to right: Roger Mock
Elizabeth Bradbury
Robin Russell
Gayle Larson
Kris Desmond
Robert Blanchfield

Second row, left to right: Patrick Henderson
Richard Hough
Bonnie Overgaard
Doug Horton
Scott Keesling
Barbara Robinson
Richard Perez
Carl Galewski
Stephen Drake

Back row, left to right: Peter Tola
Lorna Horton

Seated: Martha Jordan

Not pictured: Meggin Harmon

Photograph of jurors courtesy of Patrick Henderson, Scotts Valley

Instructions for Respondents

California law PC § 933.05 requires that those responding to the Grand Jury report must provide a response for each individual finding and recommendation within a report not a generalized response to the entire report. Explanations for disagreements and timeframes for future implementation or analysis must be provided. Please follow the format below when preparing your response.

Response Format

1. Find the **Responses Required** table that appears near the end of the report. Look for the row with the name of the entity you represent and then respond to the Findings and/or Recommendations listed in that row.
2. Provide the title and page number from the Grand Jury report.
3. Provide the date of your response.
4. For Findings, provide a copy of the original Finding and then indicate one of the following responses *and* provide the required additional information:
 - **AGREE** with the Finding,
 - **PARTIALLY AGREE or PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefore, or
 - **DISAGREE** with the Finding and provide an explanation of the reasons therefore.
5. Regarding the Recommendations, provide a copy of the original Recommendation and then select one of the following actions *and* provide the required additional information:
 - **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action,
 - **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation,
 - **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report,
 - **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefore.
6. If responding to more than one report, respond to each in a separate document or on separate pages of one document.
7. For an example, see 2008-2009 Final Report with Responses at the Grand Jury web site: <http://www.co.santa-cruz.ca.us/grandjury>.

If you have questions about the response report, please contact the Grand Jury by calling 831-454-2009 or by sending an e-mail to grandjury@co.santa-cruz.ca.us.

Where to Respond

1. Send a hard copy of your response to:

The Honorable Judge Paul Burdick
Santa Cruz Superior Court
701 Ocean Street
Santa Cruz, CA 95060
2. Send an electronic version of your response(s) via e-mail to the Grand Jury at grandjury@co.santa-cruz.ca.us. Please send all responses as a Microsoft Word document.

Due Dates

Elected officials or administrators are required to respond within 60 days of the Grand Jury report's publication. Responses by the governing body of any public entity are required within 90 days.

Penal Code § 933.05

1. For purposes of subdivision (b) of § 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a) the respondent agrees with the finding,
 - b) the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

2. For purposes of subdivision (b) of § 933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a) the recommendation has been implemented, with a summary regarding the implemented action,
 - b) the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c) the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report, or
 - d) the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.

4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.

6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Does Appearance Trump Substance?

Watsonville City Personnel Commission's Discipline Appeal Process

Summary

The City of Watsonville has a Personnel Commission and procedures to enable city employees to appeal a disciplinary action taken by management. On August 20, 2009, the Commission conducted an open hearing on an appeal. After the hearing, a complaint was filed with the Santa Cruz County Grand Jury questioning the fairness of the procedures and the behavior of the commissioners and the city attorney before and during the appeal process. The complainant stated that there was possible “bias” as the commissioners and the department manager had dinner together before the hearing, and that the city attorney unduly influenced the commissioners during the deliberations.

The Grand Jury found that the Personnel Commission and other parties involved correctly followed hearing procedures, and it commends the City of Watsonville for the construct of the appeals process for its city employees. However, the Jury recommends some changes to remove the potential appearance of bias and to encourage employee confidence in the appeal process.

Background

The City of Watsonville, through its charter and municipal code, has established a Personnel Commission and defined a process for its employees to appeal a disciplinary action taken by management, including actions such as suspension, demotion, or dismissal. The Commission is comprised of seven citizens appointed by the city council and conducts hearings according to established rules and procedures. The city attorney is present at hearings and may advise the commissioners during their deliberations. The commissioners hear appeals, deliberate, and make recommendations to the city manager.

In some cases, as when a hearing lasts into the evening, the City of Watsonville provides dinner for the commissioners, with a standing invitation to the city manager, the city attorney, and department heads. Other employees involved in the proceedings are invited to participate in the dinner but must pay for the meal themselves. An agenda is posted to announce when a dinner is provided; however, personnel not fully aware of the protocol for the dinners may have scheduling conflicts and be unable to attend.

A complaint was filed with the Grand Jury on September 23, 2009. The complainant was concerned with “unethical issues” relating to the August 20 appeal, stating that:

- the department manager greeted the commissioners at the door and had dinner with them, providing an informal opportunity for him to discuss the details of the case with them before the formal hearing, and
- although the city attorney represents the commission and other city committees, it appeared that the commissioners were not allowed to independently come to a decision without strict constraints placed upon them by the city attorney.

Scope

The Grand Jury reviewed the City of Watsonville disciplinary appeal process, including the governing documents, and investigated the activities of the Personnel Commission and other participants in the hearing that took place on August 20.

Findings

- F1. The City of Watsonville appeal process is outlined and governed by three documents: the City Charter, the Municipal Code, and the Rules and Procedures of the Personnel Commission.

Response: Watsonville City Council – PARTIALLY AGREE

In addition to the three documents, the appeal process is also governed by the Personnel Rules and Regulations of the City of Watsonville as adopted and amended through Resolution No. 44-07 (CM) of the Watsonville City Council and also by California Court decisions regarding due process. Government Code sections 3254(b) and 3254.5 were also taken into consideration as the employee involved is a firefighter.

- F2. Per the Watsonville Municipal Code and the City Charter, recommendations made by the Personnel Commission are only advisory to the city manager

No Response Required

- F3. Prior to the hearing on August 20, the city did provide dinner for persons involved in the hearing. An agenda was posted announcing the dinner. The commissioners attended, as did the city attorney and the department manager defending the disciplinary action. In fact, the manager greeted and admitted one of the commissioners into the room where the dinner took place.

Response: Watsonville City Manager – AGREE

There was an agenda posted announcing the dinner for the commissioners. Staff was in attendance at the dinner which was open to any one wishing to attend.

- F4. Those interviewed confirmed that the commissioner knew the department manager and that they did exchange salutations, but that nothing was said regarding the appeal. The hearing was not discussed during dinner. However, some of the commissioners also were concerned about the potential appearance of collusion.

Response: Watsonville City Council – PARTIALLY AGREE

Those in attendance confirm that nothing was said regarding the appeal/hearing at the dinner. However, it is not known whether or not some commissioners were concerned about the potential appearance of collusion as it was not expressed to staff, the City Attorney, or anyone else except apparently to the Grand Jury. Greeting and holding the door for someone is courteous and customary. For example, the attorney for the Department and the employee greeted each other in the hearing room.

Response: Watsonville City Manager – PARTIALLY AGREE

Those in attendance confirm that nothing was said regarding the appeal/hearing at the dinner. However, it is not known whether or not some commissioners were concerned about the potential appearance of collusion as it was not expressed to staff, the City Attorney, or anyone else except apparently to the Grand Jury. Greeting and holding the door for someone is courteous and customary. For example, the attorney for the Department and the employee greeted each other in the hearing room.

- F5. The employee who requested the Commission hearing could have attended the dinner but would have been required to purchase his meal; however, he was not told he could attend.

Response: Watsonville City Manager – PARTIALLY AGREE

It is correct that the employee requesting the appeal hearing could have attended the dinner; however, he was not expressly invited. Nevertheless, it was posted on the agenda. This was a unique situation as usually Personnel Commission hearings to consider employee disciplinary appeals are closed to the public. However, in this case, the employee expressly requested that the hearing be open to the public. As a result, the dinner was made open as well to anyone wishing to attend. Staff present that evening were invited to eat after all commissioners had been served. Had the employee been present, he presumably could have eaten as well. Again, normally, this would have been a closed affair and only the Personnel Commission and staff to the commission (Recording Secretary and Counsel) would have been present.

- F6. The hearing was held after dinner. All parties were represented by counsel, including the commissioners, who were represented by the city attorney. When the hearing was completed, the commissioners went into closed session with the city attorney for deliberations. The city attorney provided clarification and advice when requested by the commissioners; the attorney only answered questions asked by the commissioners and did not influence their decision on the appeal.

Response: Watsonville City Manager – AGREE

- F7. The Watsonville city attorney advises and represents the city council and all city boards and commissions. The Santa Cruz city attorney and the Capitola city attorney similarly advise and represent the city councils and all boards and commissions in their cities. However, the Watsonville City Charter, unlike the charters of these other cities within the county, does not explicitly include commissions and committees for city attorney representation.

Response: Watsonville City Council – PARTIALLY DISAGREE

The Santa Cruz City Charter in Section 812 states that the City Attorney shall have the power and be required to (a) Represent and advise the City Council and all City officers, commissions or boards or departments in all matters pertaining to their office. The City of Capitola is a general law city and has no charter.

Section 804 of the Watsonville City Charter states that the City Attorney shall,

- a. Represent and advise the Council and all City officers in all matters of law pertaining to their offices*

- b. Represent and appear for the City in any or all actions and proceedings in which the City is concerned or is a party, and represent and appear for any City officer or employee or former City officer or employee in any or all actions and proceedings in which any such City officer or employee is concerned or is a party, for any action arising out of his employment or by reason of his official capacity;*
- c. Attend all meetings of the Council and give his advice or opinion in writing whenever requested to do so by the Council or by any of the boards or officers of the City. The City was concerned in this matter.*

Response: Watsonville City Manager – PARTIALLY DISAGREE

The Santa Cruz City Charter in Section 812 states that the City Attorney shall have the power and be required to (a) Represent and advise the City Council and all City officers, commissions or boards or departments in all matters pertaining to their office. The City of Capitola is a general law city and has no charter.

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- a. Represent and advise the Council and all City officers in all matters of law pertaining to their offices*
- b. Represent and appear for the City in any or all actions and proceedings in which the City is concerned or is a party, and represent and appear for any City officer or employee or former City officer or employee in any or all actions and proceedings in which any such City officer or employee is concerned or is a party, for any action arising out of his employment or by reason of his official capacity;*
- c. Attend all meetings of the Council and give his advice or opinion in writing whenever requested to do so by the Council or by any of the boards or officers of the City. The City was concerned in this matter.*

Conclusions

- C1.** The Personnel Commission conducted the appeal in accordance with the requirements of the City Charter, the Municipal Code, and the Rules and Procedures of the Commission, and there were no errors in the manner in which the hearing was accomplished.
- C2.** There is a need to ensure that all participants receive a fair and impartial hearing by an independent judge. Although the dinner was not an illegal action, the mingling of commissioners with management prior to the hearing could result in a perception of bias that may undermine the credibility of the Personnel Commission in the eyes of the participants and the general public.
- C3.** The addition to the City Charter of specific language about the city attorney's representation of city commissions and committees would help to clarify the role and eliminate speculation about the legitimate powers and duties of that attorney.

Recommendations

- R1.** The Watsonville Personnel Commission should maintain a fair process free from suspicion of bias and to this end should limit the dinner attendees prior to the appeal hearings to commissioners, their legal counsel, and the recording secretary only.

Response: Watsonville City Council – HAS BEEN IMPLEMENTED

Dinners prior to future personnel hearings heard by the Personnel Commission will be limited to commissioners, the legal counsel to the commission and staff to the commission.

Response: Watsonville City Manager – HAS BEEN IMPLEMENTED

Dinners prior to future personnel hearings heard by the Personnel Commission will be limited to commissioners, the legal counsel to the commission and staff to the commission.

- R2.** To eliminate speculation about the role of the city attorney, the Watsonville City Charter should expand the description of the powers and duties of the attorney to include the representation of city commissions and committees.

Response: Watsonville City Council – WILL NOT BE IMPLEMENTED

The Watsonville City Charter already authorizes the City Attorney to advise the Commission.

- R3.** To provide the greatest separation between the Personnel Commission and city management, the city should consider hiring independent counsel for the Commission.

Response: Watsonville City Council – WILL NOT BE IMPLEMENTED

*In a series of California published cases over the last few years, California courts have been very clear that it is perfectly proper for the City Attorney to represent the Commission. In *Morongo Band of Mission Indians v. State Water Resources Control Board*, 45 Cal.4th 731 (February 9, 2009), the California Supreme Court addressed this very issue.*

In construing the constitutional due process right to an impartial tribunal, we take a more practical and less pessimistic view of human nature in general and of state administrative agency adjudicators in particular. In the absence of financial or other personal interest, and when rules mandating an agency's internal separation of functions and prohibiting ex parte communications are observed, the presumption of impartiality can be overcome only by specific evidence demonstrating actual bias or a particular combination of circumstances creating an unacceptable risk of bias. Unless such evidence is produced, we remain confident that state administrative agency adjudicators will evaluate factual and legal arguments on their merits, applying the law to the evidence in the record to reach fair and reasonable decisions. As we explain, any tendency for the agency adjudicator to favor an agency attorney acting as prosecutor because of that attorney's concurrent advisory role in an unrelated matter is too slight and speculative to achieve constitutional significance.

HOLDING: It did not violate license holder's right to due process for the prosecuting agency attorney to simultaneously serve as an advisor to the Board on an unrelated matter. The decision reversed the Court of Appeal's judgment.

*The Supreme Court's decision effectively overruled the decision in *Quintero v. City of Santa Ana*, 114 Cal. App. 4th 819 (Cal. Ct. App. 2003). The *Quintero* court held that the internal separation of functions on a case-by-case basis was insufficient to satisfy the constitutional requirements for due process of law, and that an administrative agency's internal separation of functions must be complete not only as to each individual case, but as to all cases, related or unrelated, that are pending before the agency at any given point in time.*

In the case of Watsonville's disciplined firefighter, the City hired a separate attorney from an outside law firm to advise the department and the City Attorney had no communications of any kind with the department or anyone else involved in the case except the Commission. The City could have hired an attorney from the same law firm if it followed particular protocols. Instead the City staff selected an attorney from a different law firm to avoid even an appearance of impropriety. It is also important to note that no one involved in the hearing process, including the employee ever claimed the City Attorney had a conflict of interest or any improper communications. The City follows best practices and the City's practices well exceed the due process protections afforded under California law.

Response: Watsonville City Manager – WILL NOT BE IMPLEMENTED

*In a series of California published cases over the last few years, California courts have been very clear that it is perfectly proper for the City Attorney to represent the Commission. In *Morongo Band of Mission Indians v. State Water Resources Control Board*, 45 Cal.4th 731 (February 9, 2009), the California Supreme Court addressed this very issue.*

*In construing the constitutional due process right to an impartial tribunal, we take a more practical and less pessimistic view of human nature in general and of state administrative agency adjudicators in particular. In the absence of financial or other personal interest, and when rules mandating an agency's internal separation of functions and prohibiting *ex parte* communications are observed, the presumption of impartiality can be overcome only by specific evidence demonstrating actual bias or a particular combination of circumstances creating an unacceptable risk of bias. Unless such evidence is produced, we remain confident that state administrative agency adjudicators will evaluate factual and legal arguments on their merits, applying the law to the evidence in the record to reach fair and reasonable decisions.*

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Commendations

The Grand Jury commends the City of Watsonville for the disciplinary appeal process for its city workers. The catered dinner for the private citizen personnel commissioners also is noteworthy.

Responses Required

Respondent	Findings	Recommendations	Respond Within/ Respond By
Watsonville City Council	F1, F4, F7	R1-R3	60 days September 1,2010
Watsonville City Manager	F3-F7	R1, R3	90 days October 1,2010

Sources

Interviews/Visits

- City of Watsonville Employee Complainant
- City of Watsonville Officials:
 - Attorney's Office
 - Manager's Office
- City of Watsonville Personnel Commissioners
- Santa Cruz County Officials:
 - County Counsel's Office

Publications/Documents

Grand Jury citizen complaint form 09-07

Agenda for the Special Personnel Commission meeting on August 20, 2009

City of Capitola Municipal Code Chapter 2.04. VII City Attorney 2.04.340 Powers and Duties.

City of Santa Cruz Charter Section 812 City Attorney: Appointments, Powers, and Duties

City of Watsonville City Charter Article IX Boards and Commissions Sections 902, 908, 909

City of Watsonville City Charter Section 804 City Attorney: Powers and Duties

City of Watsonville Municipal Code Article 2 City Attorney 2-3.201

City of Watsonville Municipal Code Title 2 Personnel Commission Chapter 4.02,03,04,12

City of Watsonville Rules and Procedures of the Personnel Commission

Web Sites

<http://www.ci.capitola.ca.us>

<http://www.ci.santacruz.ca.us>

<http://www.ci.watsonville.ca.us>

The Fiscal Impact of the Legalization of Cannabis on the Citizens of Santa Cruz

Introduction

Typically a Grand Jury examines local governmental agencies and officials and publishes its investigative findings and recommendations to improve their operations. This investigation and report, however, have been done for the citizens of Santa Cruz to shed light on the fiscal impact of the cannabis legislation that is on the November ballot. The data in this report is based on several statewide assumptions that have been applied to Santa Cruz County, with application being speculative at best.

The report deviates from the typical Grand Jury format by beginning with a preamble. In addition, the report will have no recommendations for action by any group within the county. The only action needed is for the citizens to be informed and ask questions about the potential ramifications of the legislation.

Preamble – Getting the Dope on Dope: The Grand Jury Attempts to Clear the Smoke in the Joint from the Numbers

Following this preamble (perhaps “pre-ramble” would be a better term depending on your state of mind) is the Grand Jury report entitled *The Fiscal Impact of the Legalization of Cannabis on the Citizens of Santa Cruz*. The report itself is very dry and almost mechanical in its content, which is exactly as it was intended. The Grand Jury purposefully left out any personality to its findings in order to present a report that did not in any way (1) overestimate the financial gain or loss to the County, (2) overestimate either increased costs or savings to law enforcement, or (3) consider the moral implications of legalized marijuana. Indeed, in the attempt to analyze said costs and benefits, the Grand Jury was cautioned by many, including County Counsel, not to appear to endorse or condemn any pending legislation. Hmm...then what is the point of doing this investigation? That question is what this “pre-ramble” hopes to answer because, while the report may be dry as cotton mouth or a great martini, the gathering of the information was done for the good of the community.

The issue of legalizing pot has three camps: “those for,” “those against,” and those who “really don’t know.” The “those for” and “those against” camps are set in their beliefs and the statistics spewed from either side have merit but also involve some exaggerations of the truth. Certainly legalizing and taxing pot is not going to end the recession, save our schools, or help create a new “California Euphoria.” Neither is legalization going to send California into a financial abyss where health care and rehab centers are overflowing with masses of the “perpetually stoned.”

Okay, so what is the truth? Can any of the numbers be trusted? Good questions. The more we checked, the more we needed to check. For example, Assembly Bill 390 (AB 390) was introduced by Assemblyman Tom Ammiano to legalize and tax marijuana in California. In response to AB 390, the California State Board of Equalization did a fiscal impact study on the

subject. *All* of the numbers used were estimates. Their findings estimated that ultimately 19 million ounces of pot would be smoked yearly in California upon legalization, and their figures for taxation income are based on a price of \$100 per ounce of marijuana sold. The Grand Jury research of local marijuana dispensaries and street prices show that \$100 per ounce is absurdly low. If that number is low, then is the usage estimation low as well? Who knows? It is illegal; how do you get data?

Many theories surfaced repeatedly as the Grand Jury gathered information:

- Marijuana dispensaries don't want recreational marijuana to be legalized. Why? They fear that legalization will reduce the need for their products and services and thus their income stream.
- Legalization of growth and sales will eliminate or greatly reduce the number of illegal grow houses, drug cartel growers and pot smugglers in California. However, if the price of legalized pot is too high, the black market still could survive by providing cheaper product.
- Legalization with regulation of the quality of marijuana could produce "cleaner" pot, without pesticides or dangerous strength levels.
- Law enforcement is divided on the issue of legalization. Most officials just want definitive laws.
- Legalization of Cannabis (marijuana/hemp) could provide a new California agribusiness.
- Proponents of marijuana legalization cite the income stream generated to the State by the alcohol/wine industry as an example of possible new income to State and local governments. Opponents cite the terrible addiction associated with alcohol and drugs and the accompanying problems and costs.
- Residents and officials of Humboldt County, where reportedly up to 75 percent of the income is generated and various taxes garnered from the growth, production, and sale of marijuana, are afraid that legalization will put them out of business.

So, what's the bottom line? We don't know. Our feeling is that this report is very conservative in its estimates and that legalization and taxation will provide net income gains to Santa Cruz County. But the real bottom line is that, legal or not, many million ounces of pot are going to be smoked by Californians year in and year out. Therefore, the real question becomes: should local government share in pot profits?

So sit back, relax, partake of your favorite beverage, powder, pill, or smoke, and read the following report, which surely will put you to sleep.

Summary

In 1996, the State of California legalized the sale and use of cannabis (marijuana) for medicinal purposes. In recent years several bills and initiatives have been proposed for the expressed purpose of legalizing marijuana for recreational use. California Assemblyman Tom Ammiano introduced Assembly Bill 390 (AB 390) in February 2009, which proposed to legalize, regulate and tax the cultivation, distribution and sale of marijuana in California. While AB 390 was not enacted, several organizations including the California State Board of Equalization, the RAND Corporation, and the Legislative Analyst's Office conducted studies to analyze the financial ramifications to the state upon marijuana legalization. Recently, several new initiatives have been proposed regarding marijuana legalization, and one, the Tax Cannabis 2010 Initiative, has been certified by the California Attorney General's Office and placed on the ballot to be voted on in November 2010.

The Grand Jury reviewed the studies mentioned above and analyzed the data regarding the economic consequences of marijuana legalization. The criteria used in the preponderance of data that has been prepared and is available for review are the monetary effects to the entire State. The Grand Jury has attempted to break down the savings, costs, and revenues from statewide consequences to the possible financial impact on Santa Cruz County alone. Sources and data used are considered reliable; however, all numbers are, at best, estimates only.

The Grand Jury limited its investigation to just the economic effects of marijuana legalization. The moral and social implications of such legalization are not part of this report..

Background

Cannabis sativa is the botanical name of a hardy plant family that grows in a wide variety of conditions, climates, and soil types. Plants from this family can be grown to provide fibers, oil, seeds, and drugs. Because the plants easily interbreed, there is considerable debate among scientists about how to classify them.

To resolve this issue, it has become the practice to focus on the amount of two chemicals, tetrahydrocannabinol (THC) and cannabidiol (CBD), in the plants. The chemical THC is responsible for inducing euphoria or a "high" when people use the plants as a drug. The chemical CBD blocks the euphoric effects of THC. When plants are grown with levels of these chemicals to produce a "high," they are interchangeably referred to as marijuana or cannabis; customarily these terms do not include the hemp plant. "Hemp" refers to plant varieties that have levels of THC and CBD such that there is no euphoric effect.

Hemp is used internationally for making rope, paper, textile products, bird seed, and several thousand other commercial products. Its fibers have the useful property of being naturally strong and durable. For example, hemp cloth is softer yet stronger than cotton, hemp rope does not rot, and hemp paper ages without yellowing. Once legal in the United States, commercial hemp was an agricultural staple of Colonial America. George Washington grew hemp at Mount Vernon, and both the Declaration of Independence and the Bill of Rights were written on high-quality hemp paper.

To deal with rising concerns in the United States of cannabis being used as a recreational drug, laws prohibiting its use began to be enacted in the early 1900's. By the late 1930's more than ten states had passed laws prohibiting the use of marijuana.

In 1937, the United States made the transfer and possession of any variety of Cannabis illegal partly in response to relentless pressure from William Randolph Hearst, the powerful newspaper publisher who purchased newsprint for his papers from timber companies in which he had a significant financial stake. The timber pulp/paper industry was threatened by the cheaper paper produced by hemp growers.

California, Hearst's home state, had criminalized Cannabis in 1913, and it remained illegal here until 1996, when Proposition 215 was passed, allowing the sale and use of marijuana for medicinal purposes. Recreational use of marijuana remains illegal in California, however, and in 2008 more than 78,000 people were arrested for marijuana-related offenses at a total cost to State and local governments of about \$200 million.

In February 2009, Assemblyman Tom Ammiano introduced AB390 to the California legislature to legalize, regulate and tax cannabis. Governor Arnold Schwarzenegger expressed support of an open debate on the subject. A State committee hearing was held in October 2009 to discuss the bill. Additionally, four ballot initiatives dealing with the legalization of marijuana were submitted to the California Attorney General for inclusion in the 2010 election. One of these initiatives, Tax Cannabis 2010, was certified and has been placed on the ballot for November 2010.

California currently is in a period of serious budget crises. State tax revenues have been drastically reduced. Budgets at every level of State and local government have been cut severely. State, County and City employees are being laid off and others are forced to take furlough days. As legislators and citizens look for savings or additional tax revenue, the topic of legalizing and taxing cannabis has gained appeal. Questions about the cost of enforcement and prosecution of marijuana laws have surfaced. What are the costs associated with law enforcement and prosecution in Santa Cruz County? If legalized marijuana were taxed, how much estimated revenue would be generated and how much would the County realize? The Grand Jury endeavored to answer these questions.

Scope

The Grand Jury investigated the monetary impact of the enforcement of current marijuana laws on people within Santa Cruz County as well as the financial effects should marijuana be legalized. The investigation was limited to the costs associated with enforcement, prosecution and incarceration under existing laws and the hypothetical financial repercussions if the cannabis laws were changed. The Grand Jury evaluated the revenue changes associated with sales tax, income tax and special excise taxes (an indirect tax levied, in this case, per ounce of marijuana) and also considered the resource impact to law enforcement, courts and jails.

Assumptions

The Grand Jury assumed for the purpose of this report that the cultivation, transportation, sale, and use of marijuana would be legal in California. If the federal government continued to enforce existing federal marijuana laws, however, this enforcement might disrupt the business activities associated with marijuana in California even if the State were to legalize those activities.

The Grand Jury hypothesized that the following taxes would be levied:

- A County-imposed \$50 per ounce excise tax on marijuana sales
- State sales tax on all sales with \$100 per ounce as the nominal average sales price for purposes of calculating sales tax revenues
- State income tax from people working in the marijuana industry (cultivation, production, sales)

Today Californians use approximately 16 million ounces of marijuana per year. Presumably, if it were legalized, the price would decrease and consumption would increase. The Grand Jury accepts the State Board of Equalization's estimate that, with a \$50 per ounce excise tax, marijuana consumption in California would increase to approximately 19 million ounces per year, which would generate about \$6.46 million in tax revenues to Santa Cruz County annually based upon a per capita allocation.

Findings

Cost Findings

F1. The following are the California State marijuana laws:

- 11357a: possess concentrated marijuana (hashish)- felony
- 11357b: possess less than one ounce of marijuana- infraction
- 11357c: possess more than one ounce of marijuana- misdemeanor
- 11357d: possess marijuana specific circumstances- misdemeanor
- 11357e: possess marijuana specific circumstances- misdemeanor
- 11358: cultivation of marijuana- felony
- 11359: possess marijuana for sale- felony
- 11360a: transportation of marijuana over 28.5 grams- felony
- 11360b: give/transport marijuana/hashish under one ounce- misdemeanor
- 11361b: furnish, et cetera, minor with marijuana- felony

F2. The Santa Cruz County District Attorney uses the equivalent of one Assistant District Attorney (salary about \$108,000/year plus benefits) to prosecute marijuana-related offenses. In 2007 the District Attorney filed 31 misdemeanor and 114 felony charges for marijuana offenses; in 2008 those numbers were 45 and 132.

F3. The Santa Cruz Narcotics Enforcement Team employs two detectives (salary about \$101,000/each/year, plus benefits) and one sergeant (salary about \$136,000/year including

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overtime, plus benefits). About 40 percent of the task force’s time is spent on marijuana offenses, for a total of \$135,200 in salaries and benefits.

Calculation: $\$101,000 * 2 = \$202,000 + \$136,000 = \$338,000 * .40 = \$135,200$

F4. The table below shows the number of marijuana charges filed in the four incorporated cities in the County in 2007 and 2008.

California State Laws	Capitola		Santa Cruz		Scotts Valley		Watsonville	
	2007	2008	2007	2008	2007	2008	2007	2008
11357a	3	4	17	31	1	7	3	3
11357b	53	28	302	545	40	32	105	233
11357c	7	5	7	13	3	3	3	4
11357d			1	5				1
11357e			22	37		5	14	13
11358	1	6	2	10		2	3	2
11359	1	2	34	48	1	2	10	10
11360a			8	17	1		1	
11360b			9	13	1	1		3
11361b			1	5				
Totals	65	45	403	724	47	52	139	269

F5. The approximate amount of officer time required in Capitola to process each marijuana-related case is as follows:

- 11357a: 85 minutes
- 11357b: 61 minutes
- 11357c: 76 minutes
- 11358, 11359, 11360: major cases lasting several hours to several days

F6. Using the amount of officer time required in F5 for Capitola and applying that figure to the charges filed in all four cities, we calculate that for the three offenses 11357a, 11357b, and 11357c, a total of 567 officer hours were spent in 2007 and 947 officer hours were spent in 2008 to process these marijuana related cases.

F7. 1,500 inmates in California State prisons are there for marijuana-only offenses, and the cost per inmate is roughly \$50,000 per year. This puts the annual cost of incarceration of marijuana-only offenders in State prisons at \$75 million. The number of marijuana-only related offenders in Santa Cruz County jails is unknown as the County computer system does not list marijuana-related offenses as a separate category.

F8. Approximately \$200 million is spent annually in California to arrest, prosecute and incarcerate marijuana offenders. (This figure includes the \$75 million from F7 above.) Allocating that cost to Santa Cruz County on a per capita basis would result in annual costs of \$1.36 million.

Calculation: CA population of approximately 38 million people
Santa Cruz County population of 260 thousand people or 0.68 percent
0.68 percent of \$200 million = \$1.36 million in annual costs

Revenue Findings

F9. The Santa Cruz Narcotics Enforcement Team seized approximately \$150,000 in cash and property in 2008 and approximately \$370,000 in cash and property in 2009. The Santa Cruz County Sheriff's Department received a \$30,000 grant in 2009 from the Federal Drug Enforcement Administration (DEA) under the Federal Domestic Cannabis Eradication and Suppression Program (DCESP) specifically to pay for overtime hours, training, and the purchase of equipment specific to marijuana-related crime enforcement.

F10. Santa Cruz County collects an unknown amount of revenue from marijuana-related fines; revenue is unknown because it is not tracked on a per offense basis. The fine for possession of less than one ounce of marijuana (11357b) is up to \$270. However, since the County system doesn't track fines per offense and since the fine amounts vary, the Grand Jury cannot estimate the current revenue for pot offenses.

F11. Based upon our assumptions about legalization and taxes, the State of California would collect approximately \$400 million in additional sales tax revenue; the Counties would collect about \$990 million in excise tax revenue. The State of California would collect additional income tax revenue from people working in the cultivation, production, and sales of marijuana.

F12. The County of Santa Cruz hypothetically would receive \$129,200 in marijuana sales tax revenue from the state. This number was calculated with an assumption of 19 million ounces of annualized statewide consumption allocated on a per capita basis to Santa Cruz County with a minimum sale price of \$100 per ounce.

Calculation: CA population of approximately 38 million people
Santa Cruz County population of 260 thousand people or 0.68%
0.68% of 19 million ounces = 129,200 ounces * \$100/ounce
1% of sales tax revenue is returned to the County
Sales tax to Santa Cruz County of \$129,200

F13. The County of Santa Cruz hypothetically would receive \$6.46 million in marijuana excise tax revenue if the County collected \$50 per ounce. This number was calculated with an assumption of 19 million ounces of annualized statewide consumption allocated on a per capita basis to Santa Cruz County.

Calculation: CA population of approximately 38 million people
Santa Cruz County population of 260 thousand people or 0.68%
0.68% of 19 million ounces = 129,200 ounces
\$50 per ounce * 129,200 ounces = \$6.46 million excise tax

Conclusions

- C1.** Although the federal government recently announced that it would no longer prosecute medical marijuana patients and providers whose actions are consistent with State laws, it has continued to enforce its laws on non-medical marijuana activities. To the extent that the federal government continued to enforce existing federal laws, it would inhibit the legal cultivation, sales, and use of marijuana in California even if the State legalized it for recreational purposes.
- C2.** Santa Cruz County spends considerable resources, roughly \$1.36 million based upon statewide estimates, enforcing existing marijuana laws through law enforcement, the courts, and jails. If marijuana were legal, it could result in savings to our local government by reducing the number of marijuana offenders incarcerated, reducing the associated time and costs for enforcement of marijuana-related offenses, and also the handling of related criminal cases in the court system. Costs associated with new marijuana regulations and the County's collection of excise taxes are unknown.
- C3.** Legalizing marijuana may result in the reduction of County revenues from fines for marijuana infractions, and it could reduce the cash and property seized by the Santa Cruz Narcotics Enforcement Team. It is unlikely that the county would receive another DCESP grant from the DEA. The County could impose additional fines and fees associated with a new law, but the net monetary effect is unknown.
- C4.** The State of California would realize additional revenues from sales taxes generated by retail sales of legal marijuana. Some of those sales taxes, \$129,200 based on the assumptions in this report, would come back to the County. The State also could realize additional income tax revenue from people involved in the business of marijuana cultivation, production, and sales. Santa Cruz County would derive some indirect benefit if the State were in better financial health as a result of marijuana legalization and taxation. Finally, Santa Cruz County would gain direct monetary benefit, \$6.46 million based upon the assumptions in this report, from a \$50 per ounce excise tax. The chart on the next page provides a summary of the Grand Jury's calculations to provide a net estimated increase in revenue to Santa Cruz County of over \$7.5 million if marijuana were legalized for recreational use.
- C5.** It seems clear that, legal or not, millions of ounces of marijuana are going to be smoked each year in California.

Changes in Revenues and Costs Associated With the Legalization of Marijuana

		Inc/(Dec) In Revenues (Inc)/Dec In Costs
<u>Revenues:</u>		
Sales Tax:		
Price per ounce	\$ 100	
Estimate # of ounces to be sold	<u>19,000,000</u>	
Total Sales	\$1,900,000,000	
Santa Cruz County population as a % of total CA population	<u>0.68%</u>	
Sales attributed to Santa Cruz County	\$ 12,920,000	
Santa Cruz County portion of sales tax	<u>1.00%</u>	
Sales tax to Santa Cruz County	\$ <u>129,200</u>	\$ 129,200
Excise Tax:		
Estimated # of ounces to be sold	19,000,000	
Santa Cruz County population as a % of total CA population	<u>0.68%</u>	
# of ounces attributable to Santa Cruz County	129,200	
Estimated excise tax per ounce	\$ <u>50</u>	
Excise tax to Santa Cruz County	\$ <u>6,460,000</u>	\$ 6,460,000
Revenue lost:		
Loss of fines related to marijuana	\$ Unknown	
Loss of DCESP Grant		\$ (30,000)
Estimated Cash and property seized based on 2008 actual – no longer available		\$ (370,000)
<u>Costs:</u>		
Amount spent annually in CA to arrest, prosecute, and incarcerate marijuana offenders	\$ 200,000,000	
Allocate to Santa Cruz County based on CA population	<u>0.68%</u>	
Estimated cost savings to Santa Cruz County	\$ 1,360,000	\$ 1,360,000
Additional possible costs related to legalized marijuana:		
Licensing and collection of taxes, etc	\$ Unknown	
Others	\$ Unknown	
Net Estimated Increase in Revenue to Santa Cruz County		<u>\$ 7,549,200</u>

Recommendations

This report was prepared by the Santa Cruz Grand Jury for the benefit of the citizens of the county, to inform them of the potential financial consequences of upcoming legislation to legalize the recreational use of marijuana. Written to provide information only, this report does not include recommendations.

Sources

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Forever Gr\$\$n, But Not Transparent: Why Does the Grand Jury Keep Investigating the Primary Public Defender Contract?

Summary

The public defender provides legal representation to those persons who are charged with a crime but cannot afford an attorney. In Santa Cruz County, the same law firm has held the primary public defender contract since 1975. That was the last year there was a competitive bidding process for this contract. Since then there have been negotiated extensions only. Moreover, despite prior Grand Juries' recommendations, never during this 35 year period has this contract been audited. Without a competitive bidding process and regular audits, there is no visibility into the actual costs of public defender services and no understanding of whether the County is receiving the best service at the best possible price.

The County has examined the possibility of converting the contracted public defender services into a County agency. The County's decision against conversion was based largely on the use of a comparability or replication model. The model, considered Confidential by the County Administrative Office (CAO), was developed in-house to compare the current contract costs to the costs of using County employees to provide public defender services. The comparability model has not been verified by an independent source.

All parties involved with the primary public defender, e.g., Superior Court personnel, County attorneys, and the CAO, agree that the quality of services rendered by the primary public defender to clients has been satisfactory. In fact, the Grand Jury received unsolicited positive comments on the performance of the incumbent contractor.

While there is general agreement that the contractor's services are satisfactory, the fact remains that for over three decades Santa Cruz County has not subjected the current primary public defender contract to competition or audit. This continued lack of transparency and oversight has led the Grand Jury to recommend the following:

- restructure the current contract from a fixed-price type to a cost element type immediately, or at the latest during the next contract negotiation period with the current contractor
- add a "right to audit" clause to the contract
- audit reports and invoices submitted by the incumbent contractor
- have an independent, outside agency verify the comparability model
- publish the process by which the decision to compete or not to compete is made, through a formal announcement by the County

Definitions

Comparability or replication model: A model developed by the County Administrative Office to compare the current contract against the cost of using County employees to provide public defender services. The County considers this model to be Confidential.

Conflict contract: When the primary public defender cannot represent defendants because of a conflict of interest, the County contracts with another private law firm to handle the cases.

Cost element contract: A contract that is structured to state the individual elements that comprise the bottom line cost. These elements include direct and indirect labor, materials and supplies, travel, and any other discrete costs which accumulate into the total final price. All cost elements are subject to audit. This is a standard contractual arrangement for service contracts.

Evergreen contract: A contract that is automatically renewed in its entirety after a predetermined period. The contract continues unless either party gives notice for termination. Evergreens often are used for long term agreements such as memberships or maintenance contracts.

Fiscal year (FY): A twelve month period for which an organization plans the use of its funds. For Santa Cruz County, the fiscal year is July 1 – June 30.

Fourth party services: A law firm appointed by the Court to represent defendants when a conflict of interest exists with all of the other contracted public defender firms.

The Lanterman-Petris-Short Act (LPS): This act is associated with a person's involuntary civil commitment to a mental health institution in the State of California.

Request for proposal (RFP): An invitation for providers of a product or service to bid on the right to supply that product or service to the individual or entity that issued the RFP.

Background

In 1963, the United States Supreme Court ruled that state courts are required under the Sixth Amendment of the Constitution of the United States to provide effective legal representation to those persons who do not possess the financial means to hire an attorney in criminal cases, juvenile delinquency proceedings, mental health commitments, and quasi-criminal (e.g., contempt of court) cases.

California counties use one of three methods to provide this legal representation:

1. a public defender's office as part of the local government, staffed by attorneys who are County employees,
2. private attorneys who serve as public defenders under contract with the local government, or
3. private attorneys who are appointed by the court on a rotating basis to serve as public defenders.

Santa Cruz County has chosen the second option, to contract with private law firms for its public defender services. This primary public defender contract has been with the same law firm from 1975 to the present. Although technically it is not an “evergreen” contract, the County has not issued a request for proposal since 1975. For the first ten years, the contract was renewed annually. Since 1985 the contract has been renewed on a multi-year basis with a series of negotiated extensions.

Per the current contract, the primary public defender must provide quarterly reports to the County Auditor-Controller and County Administrative Office. These quarterly reports include information regarding types of cases and how many there are in each of the following categories:

- felony jury trials
- adult misdemeanor cases
- adult felony cases
- adult probation violations
- juvenile criminal cases
- LPS cases
- paternity cases
- conflict of interest cases declared that arise solely from the contractor’s private criminal practice or other assigned cases
- other cases

The contractor also must provide other reports to the Board of Supervisors as may be requested from time to time by the CAO. The contractor annually reports to the CAO the frequency and cost of other services in representing parties including witness fees and fees for scientific investigations and other services. The County reimburses the contractor for these charges. Under the contract provisions the primary public defender firm must maintain a minimum staffing of the full time equivalent of 19 attorneys, 6 investigators, and 2 paralegals. The current annual workload of the primary public defender is about 10,500 cases (2,600 felonies; 6,300 misdemeanors; 900 juvenile cases; and 700 miscellaneous cases). The primary public defender may handle private criminal cases except those cases where there would be a conflict with a previous assignment arising out of the contract.

The above information concerning reimbursed fees and caseload cannot be verified as no audit provision is included in the current contract.

The latest contract was renegotiated effective July 1, 2009 and extends through June 30, 2014. Contract costs include a direct charge for services; this charge for FY 2009/10 is \$5,254,738. This amount is scheduled to increase annually, and the final year of the current contract (FY 2013/14) it will be \$6,390,009. While the yearly increases appear modest (see *Schedule of Payments* below), there are two points to consider:

1. The contracted amount for FY 2013/14 represents about a 21 percent increase over the charges for FY 2009/10.
2. While the amounts paid by the County to the primary public defender contractor increase from year to year, at the same time, due to the economic crisis, the County

District Attorney's Office may suffer budget cuts. In fact, for FY 2009/10 this budget cut was over 4 percent. It is true that the primary public defender has agreed to the same fee for 2009/10 as for 2008/09, in exchange for a contract extension.

Schedule of Payments for Primary Public Defender Contract

Fiscal Year	Annual Amount	Percent Change
2005/06	\$4,524,237	
2006/07	\$4,803,487	+6.17
2007/08	\$4,940,580	+2.85
2008/09	\$5,254,738	+6.36
2009/10	\$5,254,738	0.0
2010/11	\$5,454,738	+3.81
2011/12	\$5,729,738	+5.04
2012/13	\$6,031,106	+5.26
2013/14	\$6,390,009	+5.95

In addition to the contract cost for services, there are a variety of other expenses associated with the primary public defender contract:

- rent, janitorial services, and utilities for the primary public defender's offices in Watsonville
- reimbursement to the contractor for the costs associated with court transcripts; medical, psychological, and psychiatric experts; interpreters; witness fees; and other such services as may be required
- the actual cost of the contractor's professional errors and omissions insurance
- some fees associated with the contractor's employee insurance

Besides all these stated fees for the primary contractor, additional charges are incurred for conflict contractors, fourth party services, other professional services, and miscellaneous expenses, bringing the total budget for public defender services in FY 2009/10 to \$8,416,825.

The 1991/92 and 1994/95 Santa Cruz County Grand Juries investigated the primary public defender's contract arrangements. Among the Grand Juries' recommendations were the following:

- all County contracts should contain provisions for audit
- an outside firm should be hired to study the feasibility of establishing an in-house Public Defender's Office
- the CAO should request the review and concurrence with the [comparability] model's assumptions and numbers from both the Auditor-Controller's Office and the District Attorney's Office before presentation to the Board of Supervisors

None of these recommendations were implemented.

The 2009/10 Grand Jury was prompted, by the continued lack of transparency and oversight, to research the procedures used in retaining the contract with the primary public defender. The current arrangement might be the best for the citizens of Santa Cruz County, but because there

has been no competition for or audit of this contract for many years, it only can be assumed that this is the best and most cost-efficient means for providing public defender services.

Scope

The Grand Jury's goal was to learn how the primary public defender contract was awarded and continues to be extended without competition or audit.

The investigation included interviews with personnel of County agencies, public defender contractors, and individuals in the Superior Courts. The Grand Jury also reviewed a variety of documents including the comparability model, contracts, the primary public defender's quarterly reports, and detailed lists of County expenditures for all public defenders' costs.

Findings

- F1.** The current contract for public defender services is a fixed-price multi-year instrument. There is no visibility (transparency) into the breakdown of costs associated with this effort. The CAO negotiates extensions to this contract periodically without reference to the separate cost elements which make up the bottom line price.

Response: Santa Cruz County Administrator Office and Board of Supervisors – PARTIALLY AGREE

The current contract for public defender services is a fixed price multi-year instrument. The current contract is scheduled to expire as of June 30, 2015. The County Administrative Office has in the past negotiated extensions to this contract prior to and in accordance with expiration dates, and has negotiated reductions in the mid-term when the County's fiscal constraints have required such renegotiation. The County has negotiated extensions to the contract in exchange for concessions from the amounts previously negotiated.

Fixed price contracts are used throughout the County including in Public Works where large contracts do not include line item details on costs.

- F2.** The primary Public Defender's contract has never been audited by the County Auditor-Controller's Office or any independent, outside auditor. This finding is similar to a finding of the 1991-1992 Grand Jury, which recommended that provisions for audit be included in all County contracts. The County's response was, "*The County's policy regarding the inclusion of an audit provision within a contract is determined by the specific requirements of the contract. Certain contracts, particularly for professional services, including legal services, generally do not contain a provision for audit.*"

Response: Santa Cruz County Auditor-Controller – AGREE

To our knowledge such an audit has not been performed.

- F3.** The County, as directed by The Board of Supervisors, has not initiated a request for proposal for the primary public defender contract due in part to the following reasons:
- belief that public competition for this contract would be costly and complex

- assumption that there is no other local law firm of sufficient size that could manage the current work load
- fact that the Board of Supervisors and judges are satisfied with the current law firm and therefore there is no reason to change contractors

Response: Santa Cruz County Administrator Office and Board of Supervisors – PARTIALLY AGREE

The County has identified the following reasons for not recently initiating a request for proposals for the primary public defender contract:

- *the complexity and costs associated with transitioning the magnitude of the current public defender case load (between approximately 9,500 to 10,500 adult and juvenile appointments per year),*
- *the absence of another local firm with sufficient staffing resources and management experience to provide comparable services,*
- *the indications by the Board of Supervisors and the Superior Court that the current contractor meets the need of their clients and the needs of the Court.*
- *the determination that costs for the current primary public defender contract are competitive with the costs the County would pay for a Public Defender Office operated as a County department, staffed with public employees and,*
- *the importance that the current Public Defender plays in the local Criminal Justice System as an advocate for the defense of indigent clients and as an advocate for an efficiently run criminal justice system.*

- F4. The County's decision not to convert from a contracted public defender to a County department is based largely on the use of a comparability or replication model and the costs associated with conversion. This model was developed in-house by the CAO and is considered to be Confidential.

Response: Santa Cruz County Administrator Office and Board of Supervisors – DISAGREE

The County's decision is based on all of the issues identified in the response to Finding 3 above.

- F5. In 1998, the County created a Public Defender Transition Task Force to consider future provisions for public defender services if the primary contractor were no longer available. The Task Force's efforts included estimating the costs of contracting with other law firms and the costs of providing public defender services through an in-house department staffed by attorneys who would be County employees. Since this 1998 exercise and a 2006 update of the comparability model, there have been no recent evaluations of possible alternatives for providing public defender services.

Response: Santa Cruz County Administrator Office and Board of Supervisors – PARTIALLY AGREE

The County created a Public Defender Transition Task Force in light of the fact that as of July 1998 there would be three years remaining on the agreement with the Biggam law firm. The purpose of the Task Force, as articulated in a preliminary agenda for the meeting on June 19, 1998, was to continue the County's long tradition of cooperation between the

Board of Supervisors and the Court in the delivery of public defender services, and to develop a plan for Public Defender Services, to address what happens when the Biggam Law firm is no longer available to provide public defender services, including a determination of what the form of the next provider would be, i.e., a County Department or another contractor, and when the transition would begin and end.

During the period from June 1998 through December 1998 the Task Force considered a number of issues, including: how public defender services are provided in other counties, the County's legal authority for multi-year agreements, inter-county cost comparisons for Public Defender services and the distribution of cost and caseloads between the main firm and the conflicts firms, the history of collection of payments for public defender services assessed by the Courts, the cost per case for the District Attorney's Office, and the estimated cost of the main public defender function if it were operated as a county department. Among other costs, the estimate included costs for a Public Defender, attorneys, administrative staff, investigators and support staff.

While not recalculated each year, in the event that the County renegotiates the economic value of the contract mid-term, the various elements of the comparability model are tested.

- F6.** All parties involved with the primary public defender, e.g., the Superior Courts, the County Board of Supervisors, County attorneys, and the CAO, are satisfied with the services provided by the contractor. Several persons interviewed by the Grand Jury volunteered favorable comments about the quality of the primary public defender's services.

No Response Required

Conclusions

- C1.** During the last 35 years, the same law firm has been contracted to be the primary public defender. Because there has been no competition for, or audit of, this contract during this time period, the citizens of Santa Cruz County only can assume that this is the best means of providing public defender services. The County needs to make public not just their reasoning but also their factual findings as to why the County continues to contract public defender services with the same firm.
- C2.** There is more latitude with service contracts than just the bottom line. The County's argument that the contract is too large for another local firm cannot be known without an RFP; another firm may be able to satisfy the terms of the contract. The County's arguments that there are costs involved in the RFP process and that everyone appears to be satisfied with the current contractor seem to be true. However, with the RFP process the County might be able to award the contract to the current contractor at a lower cost to the County.
- C3.** Without an analysis (audit) of the cost elements which determine the bottom line price of the public defender services contract, it is impossible to determine if the price is fair and reasonable for the effort being performed, especially since this contract is extended periodically without competition. The County's response to a prior Grand Jury

recommendation that a provision for audit be included in all County contracts was vague and does not address the need for audit provisions.

- C4. The primary public defender contract and any extensions need to be audited to determine the validity of the periodic reports from the contractor and the accuracy of the information provided in their proposals to change or extend the contract.
- C5. The assumptions of the 1998 Public Defender Transition Task Force now are almost twelve years old and may be out of date. Additionally, the comparability model may be an accurate tool to use to evaluate the use of a contracted primary public defender versus an in-house office staffed by County employees, but another party or organization outside of the CAO should update this model and validate its assumptions and accuracy.

Recommendations

- R1. The Board of Supervisors should direct the County Administrative Office to restructure the current contract from a fixed-price type to a cost element type immediately or, at a minimum, during the next negotiation with the incumbent contractor.

Response: Santa Cruz County Administrator Office and Board of Supervisors – WILL NOT BE IMPLEMENTED

The County Administrative Office cannot restructure the current contract immediately because the term of the contract has not expired. The County will include discussion of different methods of cost structuring in future negotiations.

- R2. The County Administrative Office should add a ‘right to audit’ clause to the primary public defender’s contract.

Response: Santa Cruz County Administrator Office and Board of Supervisors – HAS NOT BEEN IMPLEMENTED BUT MAY BE IMPLEMENTED IN THE FUTURE

The County Administrative Office cannot unilaterally amend the existing contract. The office will discuss this recommendation with the contractor if renegotiations occur.

- R3. The County Auditor-Controller’s Office should conduct annual audits of the public defender contracts as part of the ongoing County Audit Program.

Response: Santa Cruz County Auditor-Controller – WILL NOT BE IMPLEMENTED WITHIN NEXT 6 MONTHS

The County performs various audits each year included some contract compliance audits. Due to staffing limitations and the wide range of audits to be performed, it is unusual that the same contract compliance audit would be performed annually unless the County is required to do so by either contract terms or legal requirements.

The current primary Public Defender's contract does not presently have a clause that allows the Auditor-Controller to perform a contract compliance audit of it. Any request to perform an audit would need to be negotiated by the County Administrative office with the Public Defender firm. Under the current terms of the contract, it would be at the Public Defender's discretion to allow the audit and to control the scope of the audit. However, the

contract does stipulate that the Public Defender "shall provide other reports to the Board of Supervisors as may be requested from time to time by the County Administrative Office." The Auditor-Controller will work with the County Administrative Office to request various reports supporting a variety of detailed information which will hopefully allow the County to analyze staffing and case loads.

At the time the Public Defender's contract is next modified, we support the contract being brought in compliance with the current County Procedures. The Current County Policy and Procedures Manual, Section 300.A, which covers contracts and agreements, requires that contracts contain an audit provision allowing for audit and retention of records for a period of not less than 5 years or until audited whichever occurs first. The originating department is responsible for ensuring that these provisions are included in the agreement. We would at that time place the contract compliance audit on our annual audit plan.

- R4.** The County Administrative Office, or other appropriate agencies, should announce publicly if and when the public defender contracts are being competed or extended by negotiation in a manner similar to other contract awards or announcements. In view of the extended period since this contract was put out for bid (1975), such an announcement would indicate that a formal public process is being used by the County to obtain these services.

Response: Santa Cruz County Administrator Office and Board of Supervisors – HAS BEEN IMPLEMENTED

Each year, the Board of Supervisors adopts the Public Defender Budget in a Public Hearing. The County Administrative Officer's Recommended Budget and subsequent documents including the Supplemental Budget and Last Day Budget are made widely available to the public. For the past several years, existing contracts for the conflicts and main firms have only been re-opened by mutual consent solely to make reductions in the compensation schedules based on the County's fiscal constraints. For each year that reductions have been agreed to by the contractors, the negotiations have included a one-year extension. These contracts are considered by the Board of Supervisors either in scheduled Public Hearings during budget considerations, or on publicly noticed Board of Supervisors' Agendas.

- R5.** The County Administrative Office should have the comparability model reviewed and updated by another agency or organization, such as the County Auditor-Controller's Office or an independent auditor, to verify that the model provides a valid basis for the decision to continue to use a contracted public defender.

Response: Santa Cruz County Administrator Office and Board of Supervisors – HAS NOT BEEN IMPLEMENTED BUT MAY BE IMPLEMENTED IN THE FUTURE

Working with County Counsel to assure confidentiality, the County Administrative Office will review the comparability model with the Auditor-Controller for the purpose of verifying that the model provides a valid basis for the comparison of costs between a contracted public defender and providing these services as a County department.

Responses Required

Respondent	Findings	Recommendations	Respond Within/ Respond By
Santa Cruz County Auditor-Controller	F2	R3	90 Days October 1,2010
Santa Cruz County Administrative Office	F1, F3 – F5	R1, R2, R4, R5	90 Days October 1,2010
Santa Cruz County Board of Supervisors	F3	R1	60 Days September 1, 2010

Sources

Documents/Publications

1991/92 Grand Jury Report: Public Defender's Office
 1994/95 Grand Jury Report: A Study of the Cost of Public Defender Services for Indigents
 1998 Public Defender Transition Task Force Agendas and Memos
 2006 Comparability Model
 2008/09 Expenditure Actual Transactions Report for Professional and Special Services
 Budget Unit Financing Uses Detail – Public Defender FY 2008/09
 Conflict attorney contracts
 Primary public defender contract (current)
 Primary public defender contractor's quarterly reports to the CAO
 Santa Cruz County Budgets for FYs 2005/06 through 2009/10

Interviews

Administrators and Personnel:

County Administrative Office
 County Auditor-Controller's Office
 County District Attorney's Office
 Primary Public Defender Contractor
 Superior Court of California County of Santa Cruz

Site Visits

Superior Court of California County of Santa Cruz

Web Sites

<http://www.buttecounty.net/Department%20Contacts.aspx>
<http://www.co.marin.ca.us/>
<http://www.co.merced.ca.us/>
<http://www.co.santa-cruz.ca.us/>
<http://www.co.shasta.ca.us/html/CAO/budgets.htm>
<http://www.cpda.org/>
<http://www.placer.ca.gov/Departments/Auditor/Budget.aspx>
<http://www.slocounty.ca.gov/site4.aspx>

How to Catch the RecoveryWave

RecoveryWave.com

and

A Catalogue of Residential Treatment Facilities

Summary

For those seeking a residential facility for the treatment of drug and alcohol addiction—either for themselves or for another individual—Santa Cruz County provides a web site with introductory information: RecoveryWave.com. This resource was developed several years ago by members of the County’s Alcohol and Drug Abuse Commission (ADAC) and by personnel of the Santa Cruz County Health Services Agency (HSA). Unfortunately, the County has not vigorously promoted this web site. Anecdotal evidence suggests that few who have enrolled in residential treatment facilities in Santa Cruz County used the web site as the springboard for making contact with the facility.

RecoveryWave.com can provide important and useful information to those who are looking for local residential treatment programs, but the importance and utility depend on the information being current, accurate, and comprehensive. The Grand Jury conducted an investigation to assess the ease of use of this online resource and to see if the descriptions of the facilities were correct and adequate in scope. The Jury also compiled comprehensive details about the residential treatment facilities listed on the web site. Information regarding the specifics on the facilities begins on page 13. The Grand Jury recommends a few changes to RecoveryWave.com, especially the update and expansion of the treatment facility listings using the material gathered during its investigation.

Clearly, the foundation for providing information on drug and alcohol rehabilitation exists. By strengthening and building on this existing tool, Santa Cruz County can transform RecoveryWave.com into a more vital and helpful resource for those with alcohol and drug addiction problems seeking treatment in a residential facility. The Grand Jury advocates this transformation.

Definitions

12-Step Program: Pioneered by AA in the 1930’s, 12-step programs are utilized with many forms of addictions. A 12-step program is a set of guiding principles outlining a course of action for recovery from addiction to a substance or behavior. According to the American Psychological Association the process involves:

- Admitting that one cannot control one’s addiction or compulsion
- Recognizing a greater power that can give strength
- Examining past errors with the help of a sponsor (experienced member)
- Making amends for those errors
- Learning to have a new life with a new code of behavior
- Helping others that suffer from the same addiction or compulsion

Aftercare: Upon completing an agreed-upon treatment in a facility, recovering addicts typically participate in aftercare. This can consist of attending follow-up meetings and consulting with a mentor to ensure that their living and working environments are conducive to success.

Alcohol and Drug Abuse Commission (ADAC): A panel of ten individuals appointed by the Board of Supervisors of Santa Cruz County. Each supervisor appoints two people to serve on the commission. Its mission is to act in an advisory capacity to the Board of Supervisors with regard to issues in the addiction arena. Those serving on the commission should have either a personal commitment to or professional interest in the issues.

Biofeedback: A scientific method of learning tension reduction. Biofeedback practitioners use specialized instruments and technology to measure quantifiable reactions and responses of the body, such as blood pressure, heart rate and muscle tension. Patients receive immediate feedback about the tension in their bodies. People practicing biofeedback often say they gain psychological confidence when they learn they can control their physiology. It is essentially mind over matter.

Biophysical Detoxification: A type of detoxification that does not utilize medication. The process involves natural methods incorporating sauna, hydration, and vitamins to rid the body of toxins. In addition, diet and exercise are key components.

California Work Opportunity and Responsibility to Kids (CalWORKs): A program that provides temporary financial assistance and employment services to families with minor children who have income and property below the State minimum limits for their family size. The program is operated locally by County welfare departments.

Cenaps Model: Integrates the principles of Alcoholics Anonymous and the Minnesota Model Treatment to meet the needs of relapse-prone patients. The principles are self-regulation, integration, understanding, self-knowledge, coping skills, change, awareness, significant others, and maintenance. Each principle is complemented by a procedure or clinical technique that can be used to implement that principle with patients.

Certified Alcohol and Drug Abuse Counselor (CADAC): Counselors in residential treatment centers need to be certified in the field of addiction. This certification combines classroom training and practical experience in the field. There are two levels of certification: CADAC 1 requiring 2,000 hours of education and group hours, and CADAC II requiring 4,000 hours.

Cognitive Behavior Therapy: Not a specific therapy but several different types of therapies in the same family. It is based on the cognitive model of emotional response where thoughts cause feelings and behaviors, not externals, such as people, situations, and events. By utilizing this model, patients can change the way they feel even if the situation does not change. It is a collaborative effort between therapist and patient.

Commission on Accreditation of Rehabilitation Facilities (CARF): The commission reviews and grants accreditation services nationally on request of a facility or program. The process is based on the concepts of peer review, networking and sharing ideas. Peer professionals provide

an impartial, external review of the facility, conduct an onsite survey, and examine the processes used. Once a facility receives accreditation, it is eligible for discounts on insurance premiums as well as recognition from the accreditation.

Completion Rate: A statistic provided by a rehabilitation facility to indicate what percent of the clientele has successfully finished the program. At face value this could be a very easy number to produce. How many people went through the entire program? However, there are variables to take into account. For example, some start the program and leave within a week, but then return at a later date to finish. Completion rate might also be tied to the success rate at some facilities. There is no clear definition of what constitutes completion.

Dual Diagnosis: Identifies individuals who suffer from both an addiction to alcohol and/or drugs and mental illness. The use of alcohol or drugs can mask the symptoms of mental illness; therefore it may be difficult to determine the appropriate treatment. Not all treatment facilities are equipped to handle the needs of dual diagnosis patients.

Health Services Agency (HSA): The public health organization for the County responsible for the following:

- Clinical Services
- Environmental Health
- Mental Health and Substance Abuse
- Public Health Services
- Health Benefit Programs
- Health Information Resources
- Health Alerts

Intervention: A means to assist an individual engaged in self-destructive behavior to realize the extent of the damage to self and others. Typically done with the assistance of a professional interventionist, it helps break down barriers an addict has created. Once the intervention is successful, the individual enters some type of addiction treatment.

Matrix Model: An intensive outpatient treatment developed in the 1980s that any treatment center can implement. It is a proven, effective, evidence-based protocol that covers six key clinical areas:

- Early recovery
- Family education
- Individual/conjoined therapy
- Relapse prevention
- Social support
- Urine testing

Medical Detoxification: The process to remove unwanted contaminants from the body. Detoxification is a necessary step in beginning the process of recovery from addiction. When undergoing medical detoxification, a patient will have been thoroughly evaluated by a physician to determine individual needs. During the actual process a trained professional monitors the patient's progress to ensure a successful outcome. Various types of medication can be used to

reduce the symptoms of withdrawal and decrease physical discomfort. The typical length of acute detoxification is three to five days for alcohol; in the case of opiates it may be about ten days.

Non-medical Detoxification: Typically known as going “cold turkey.” Individuals are monitored for acute distress but no medication is provided. This is a natural therapy that uses nutrients to assist in a smooth, comfortable drug withdrawal. If the withdrawal symptoms are not tolerated, transfer to a facility administering medications may be necessary.

Residential Treatment Facility (RTF): One type of treatment available to assist in the process of recovery. The patient moves into a specialized residence to participate in therapies and activities that promote a healthier lifestyle. Treatment duration in Santa Cruz County varies from twenty-eight days to six months. Many of these facilities also offer aftercare.

Serial Inebriate: A term used to describe someone who is chronically drunk, e.g., one who has been arrested more than five times within a six-month period. This condition often is associated with homelessness.

Success Rate: A statistic provided by a rehabilitation facility to indicate the percent of graduates completing the program and remaining sober. There is, however, no standard definition of success. How is success measured by each facility? Some of the methods used are contacting graduates by phone and inquiring if they are sober, or contacting the individual who paid for the treatment, e.g., parent or spouse. Some programs weed out high-risk individuals, which will help the program perhaps achieve a higher success rate. One needs to ask many questions to obtain an accurate picture of a facility’s success.

Background

For whatever reasons, people of all ages abuse and become addicted to alcohol and drugs. Can addictive behavior be stopped? Yes. It’s called recovery – a way to gradually re-establish control.

RecoveryWave.com

RecoveryWave.com is a joint project between the Alcohol and Drug Program of the Health Services Agency and members of the County’s Alcohol and Drug Abuse Commission (ADAC). ADAC is a ten-member panel appointed by the County Board of Supervisors to four-year terms. The members represent the entire county with two representatives from each of the five districts.

The information on RecoveryWave.com was gathered and developed by HSA over many years in an on-going effort to compile the many programs within the county into a comprehensive directory. The web pages that we see today were improved quite recently through the work of ADAC commissioners and HSA personnel. Knowing that web searches now are a very common and well-used means to get information and contacts, their goal was to make this important information more accessible and useable.

The RecoveryWave.com home page layout is easy to use with a *Questions and Answers* section on the right side (1), a highlighted and easy-to-read center section introducing four strategies for recovery (2), and a list of sixteen categories under the *Options* title on the left (3). Help-line information (454-HELP) (4) is in the upper right corner in bold print on a red background. On the left side of the page, highlighted in yellow, is a link (Recuperación en Español) to a Spanish version of all the web page information (5). Every portion is further linked and cross-linked to additional information and contacts. At the very bottom, in blue fine print, is a link to the Santa Cruz County HSA disclaimer (6).



Figure 1. RecoveryWave.com Home Page

The Grand Jury was curious about the possible relationship between Santa Cruz County and the programs described on RecoveryWave.com. The listing of a program on the web page has the appearance of a program endorsement. Additionally, the Grand Jury wondered if there were financial ties between the County and any of the listed programs and what those ties might be. It was noted that some of the programs have religious affiliations, and the Grand Jury questioned

whether the County regarded this as an issue. Finally, the Grand Jury was interested in what process there might be for the maintenance and expansion of the RecoveryWave.com site itself.

Because of the multitude of options listed on RecoveryWave.com, the Grand Jury narrowed its focus to Residential (Live-in) Recovery. Eleven residential treatment facilities (RTFs) were listed at the “Residential” link under RecoveryWave *Options* at the time the Grand Jury investigation began in the fall 2009. Three of these facilities (The Camp Recovery Center, Narconon Vista Bay, and Providence Recovery Center) are private businesses. The remainder (Janus of Santa Cruz, Janus Perinatal (formerly Mondanaro-Baskin Center), Las Hermanas, New Life Community Services of Santa Cruz, Paloma House, Santa Cruz Residential Recovery, Sí Se Puede, and Tyler House) have connections to Santa Cruz County through funding.

Seven of the RTFs serve special populations generally underserved in access to addiction treatment:

- Teens (The Camp and Tyler House)
- Pregnant women (Janus Perinatal)
- Dual diagnosis (Paloma House)
- Parolees (Santa Cruz Residential Recovery, Sí Se Puede)
- Gang members (Sí Se Puede)
- Latinas (Las Hermanas)

The Grand Jury noted that there currently are no residential treatment programs serving the serial inebriate population of the county.

The listing for each RTF includes its address and phone number(s) and a short descriptive paragraph of varied information. Some reference a contact person and list a web page link. The information about the RTFs generally is not of sufficient scope to be useful, and it is not consistent for all listings. Furthermore, upon first review the Grand Jury found inaccuracies in the information. The Grand Jury decided to investigate the process by which the web site is managed and to correct and expand the information available about the RTFs, benefiting the public, HSA, and ADAC. The Grand Jury was encouraged to undertake this effort by County officials.

Scope

The Grand Jury’s investigation was threefold. First, it reviewed the RecoveryWave.com web site to determine the ease of use and relevance of the components. Additionally, the Grand Jury interviewed members of HSA and ADAC to understand their process for managing and updating the site, for selecting the RTFs and collecting salient information about each to add to the web site catalogue.

Second, the Grand Jury was interested in what, if any, financial links there are between the County and the RTFs. The Grand Jury interviewed personnel in many County departments to understand the nature of financial support from public sources for individuals in residential treatment. Additionally, at each interview with RTF personnel, the Grand Jury asked about funding from the County in support of their clients.

Third, the Grand Jury carried out an extensive investigation of the RTFs. After an initial review and comparison of the web site descriptions of the RTFs, the Jury launched a multi-phased fact-finding effort which included a thorough Internet search of each RTF and the organizations sponsoring them, a questionnaire completed by the directors of each RTF, followed by lengthy in-person interviews with the facility and/or program directors. After this Grand Jury investigation began in the fall of 2009, two facilities closed: Las Hermanas, serving a Latina population, and Paloma House, serving a dual diagnosis population.

Topics in the questionnaire included current information regarding:

- Contact information
- Legal information, such as currency of licenses and certification, and ownership
- Fees, costs and payment options
- Program information including types of programs, detoxification, and length of stay
- Staffing and training
- Physical features of the facility
- Support information including languages, family involvement, culture-specific strategies

Using the responses to the questionnaire, in-depth interviews with the facility and/or program directors covered:

- Populations served
- Intake process
- Services and programs
- Costs and financing
- Staffing and professional development
- Connection to the County offices of Santa Cruz County

Finally, the Grand Jury created a comprehensive compilation of useful information for each of the nine remaining RTFs. Information regarding the specifics begins on page 11.

Findings

RecoveryWave Web Site

The Grand Jury gathered information about the history, development, and maintenance of RecoveryWave.com. Its growth and appearance has depended upon the extra time and energy of a few individuals from ADAC and HSA. At present there are no designated personnel in either organization with the on-going dedicated responsibility for the web site. The helpline (454-HELP) referred to on the home page was established before the web site was initiated. Various personnel at HSA, who might not have special training in the issues handled by the entire department, answer these calls for assistance.

F1. The information included in the RecoveryWave.com web page describing each of the listed residential treatment facilities is incomplete, inconsistent, and contains inaccuracies. For instance, the information associated with some RTFs does not include a contact person, and some listings include fees but the stated fees are incorrect. In fact, for one treatment facility

the fees were understated by \$10,000. Updates are handled haphazardly. Some but not all information might be updated to reflect current circumstances. Information on two RTFs was left on the web site long after the facilities had closed.

County Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

The County Alcohol and Drug Program's (ADP's) Resource Directory was used as the source of information for RecoveryWave.com. ADP's past practice has been to update the Resource Directory information annually and as specific notifications of changes are received. However, due to budget constraints and County hiring freezes, the position responsible for updating the Resource Directory was vacant for over a year. When the position was eventually filled in January 2010, one of the new staff member's first projects was to update the resource directory, and this information was included in the RecoveryWave.com website. The County Alcohol and Drug Program intends to resume its practice of comprehensively updating the resource directory annually and as notifications of changes are received, and will share this information with the Commissioner who has volunteered to update the RecoveryWave.com website.

- F2.** At present there is no system in place to periodically correct and update RecoveryWave.com. It is not clear whether this responsibility lies with ADAC or with HSA. Also, there currently is no system interface between the RecoveryWave.com web site and a resource directory maintained by HSA.

County Response: Santa Cruz County Board of Supervisors – DISAGREE

As indicated above, after an extended vacancy in the position responsible for updating the Resource Directory, the County Alcohol and Drug Program has resumed periodic updates of the Resource Directory. Updates are shared with a member of the Alcohol and Drug Abuse Commissioner who has assumed the responsibility for updating the website content. Although it was the website creator's intention that the website would replace the Resource Directory, the Resource Directory fills the need for a hard copy handout to professionals and members of the public.

- F3.** Personnel not trained in the complex issues of alcohol and drug addiction answer calls on the 454-HELP line. Occasionally calls are transferred to experienced personnel.

County Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

Sufficient resources do not exist to have all calls responded to by trained clinicians. Most calls are handled by clerical staff, who are trained to respond to requests for basic information about treatment program services, contact information, etc. Calls requiring a clinical response are transferred to experienced clinical staff.

- F4.** The entire RecoveryWave.com web site is available in Spanish, except for the disclaimer. Again, these translations were accomplished by a few dedicated employees of HSA. The Grand Jury had the opportunity to ask about these translations during its survey of the RTFs. It appears that some of the translation needs editing and rewording.

County Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

HSA's Spanish language Resource Directory listings were used in creating the Spanish version of RecoveryWave.com. Translation of original text created for the site was performed by a bilingual commissioner with the help of a Si Se Puede staffer.

Disagreements on the quality or exactness of translations are not uncommon, and periodic review and updating of translations are useful.

Endorsement and Disclaimer

Part of the mission statement of ADAC is to promote “*high quality public and private programs to eliminate alcohol and other drug abuse in the county.*” To this end ADAC is enjoined to:

“Encourage and educate the public to understand the nature of alcoholism and other drug dependencies and alcohol and other drug abuse programs; and encourage support throughout the county for development and implementation of effective alcohol and other drug prevention, intervention, treatment and recovery programs.”

The Commission has responded to this mandate well with the development of RecoveryWave.com. ADAC promotes all programs, public and private, those with religious ties and those without, in an effort to serve as many people as possible. This is in keeping with the mission statement of HSA to promote community health in the public and private sectors. Thus, RTFs are listed on RecoveryWave.com as a service to the county without the intent to validate or endorse the programs.

While the community service aspect of RecoveryWave.com is clearly mandated by HSA and ADAC, the County also needs to limit its exposure to legal liability. To that end RecoveryWave.com includes a link to a disclaimer found in small print at the bottom of the home page only. This disclaimer includes sections covering liability with the phrase “use at your own risk” with language releasing the County from fault. The disclaimer is in English only, even on the Spanish translation pages.

F5. HSA and ADAC are actively carrying out the mandate to educate the public and promote alcohol and drug treatment programs with RecoveryWave.com. The seeming appearance of endorsement by the County could be viewed as an unintended consequence of this public service role. The English-only disclaimer on RecoveryWave.com provides the County legal protection from misuse of the web site information. There is tension between the mandate to provide information to the public and the exposure of the County to the misuse of the information. This leads to a lack of clarity about County support and the appearance of an endorsement of the private programs included on RecoveryWave.com.

County Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

The disclaimer on the website specifically states, “This site and its content are provided on an ‘as is’ basis. The County of Santa Cruz to the fullest extent permitted by law, disclaim all warranties, either express or implied, statutory or otherwise, including but not limited to the implied warranties of merchantability, non-infringement of third parties rights, and fitness for any particular purpose.” Furthermore, the website only indicates that the recovery programs listed are available, and makes no statements of endorsement. However, the County agrees that it is possible, despite the above disclaimers, that a member of the public could misconstrue listing of a program on the website as an endorsement by the County, and agrees that the disclaimer is not in Spanish.

Santa Cruz County Funding for Individuals in Residential Treatment for Alcohol and Drug Addictions

In addition to the information gathered about the residential facilities, the Grand Jury interviewed County officials to understand the nature and extent of the funding from the County to the RTFs. With the severe budgetary cutbacks of recent years, there has been a drastic reduction in County support for residential treatment. In many cases funding cuts have meant the curtailment of programs, leaving some special populations without residential treatment entirely. In other cases programs have been shortened to the extent that there is insufficient recovery time. Personnel of the County and those RTFs receiving public support emphasized the difficulty in helping individuals with their addictions when the programs are severely shortened. Providing no support for the most vulnerable populations, like the dual-diagnosed or serial inebriates, presents a challenge for the County.

- F6.** Santa Cruz County provides critical financial support for Santa Cruz residents in treatment at Janus, Janus Perinatal (formerly Mondanaro-Baskin), New Life Center, Santa Cruz Residential Recovery, Sí Se Puede, and Tyler House. Because of the budget constraints, the County has shortened the length of stay it will support for an individual in residential treatment. With the closure of Paloma House and Las Hermanas, two populations often underserved have had resources disappear. At present there is no County support for residential treatment for serial inebriates.

County Response: Santa Cruz County Board of Supervisors – AGREE

Since the time the Grand Jury report was prepared, the County, in partnership with the City of Santa Cruz, Dominican and Sutter Hospitals, and the Central California Alliance for Health, has reinstated the Serial Inebriate Project, which provides residential treatment for serial inebriates.

- F7.** Adolescents with addiction problems can be treated at Tyler House, often at no cost to their families. Importantly, the program is structured and of sufficient length to promote recovery. Students residing at Tyler House are able to continue their education at La Escuela Quetzal, a sober school adjacent to the house on the same property. Tyler House is not well-known and is underutilized.

County Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

Tyler House is very well known to its primary referral sources (Probation, Children's Mental Health, and the Alcohol and Drug Program) and is seeking to be better known by the general public. Although the occupancy rate at Tyler House is typically high, it dipped between January and June of 2010 due to clients with more difficult behavior problems being placed in the program who exited the program earlier than anticipated. Tyler House is working with the Probation Department to coordinate referrals of clients who are more appropriate for the program.

The Role of the Alcohol and Drug Abuse Commission (ADAC)

The Grand Jury found that ADAC has been dedicated in assisting the Santa Cruz County Health Services Agency in its efforts to stem alcohol and drug abuses. Historically, there have been times when ADAC has had to operate without a full panel of representatives.

- F8.** HSA has been handicapped by a lack of resources to promote broad awareness of RecoveryWave.com in the Santa Cruz county community, especially to those in critical and immediate need of support and information.

County Response: Santa Cruz County Board of Supervisors – AGREE

The County supported the Commission's early promotion efforts, including paying for the printing of 11"x14" color posters and 8"x11" color flyers in English and Spanish. Commissioners, HSA personnel and members of the recovery community helped distribute the promotional materials, and the Commission issued press releases regarding the website. However, in recent years resources have not been available to support these public awareness efforts. The English version of the site has received 16,220 page loads (hits) since the Commission began accumulating data on the site on February 15, 2009. The site's average daily hit count has increased 17.5 percent, from 28.5 hits in 2009 to 33.5 hits through July 21, 2010. The Spanish language site draws significantly fewer visitors, with 3,405 total hits during the same time period.

- F9.** Both HSA and ADAC have voiced their willingness to accept the recent work of this Grand Jury on the residential treatment facilities as a resource both for HSA and for addition to the RecoveryWave.com web site.

County Response: Santa Cruz County Board of Supervisors – AGREE

The County agrees with this finding and thanks the Grand Jury for the thorough review of the website. The Commission is dedicated to maintaining an accurate, up-to-date, robust and informative website, consistent with the needs of the community and within budgetary constraints.

Conclusions

- C1.** The RecoveryWave.com web site does not include adequate information to help individuals make an informed decision when choosing a residential treatment facility in Santa Cruz County.
- C2.** Santa Cruz County funding for residential treatment for individuals with drug and alcohol addictions has been cut back to such a severe degree as to deny treatment to many of the most vulnerable, such as the dual-diagnosed and serial inebriates, and to hamper recovery for many others because of shortened programs. Most of the funding available to Santa Cruz County for all these programs has been provided by the State. The drastic reduction in State support has severely affected programs within Santa Cruz County.
- C3.** Despite the presence of a lengthy disclaimer on RecoveryWave.com, there is the appearance of endorsement of the programs listed on the web site by the County Health Services Agency and the Alcohol and Drug Abuse Commission.
- C4.** The Santa Cruz County Board of Supervisors has provided limited support for promoting its public service web site, RecoveryWave.com.

- C5. Because of issues with the Spanish translation and the lack of a disclaimer in Spanish, the usefulness of the web site for Spanish speakers is compromised.
- C6. The disclaimer is nearly hidden in tiny type at the very bottom of the home page only, and a web site user is not easily aware of the cautionary remarks by the HSA.

Recommendations

- R1. The Health Services Agency of Santa Cruz County and The Alcohol and Drug Abuse Commission should review the RecoveryWave.com web site and verify the accuracy of the information provided by the Grand Jury on the residential treatment facilities for inclusion on the web site. They also should establish a clear strategy for ongoing, timely updates and corrections of RecoveryWave.com.

County Response: Santa Cruz County Board of Supervisors – HAS BEEN IMPLEMENTED

This recommendation has been implemented. Now that a long-term clerical vacancy has been filled, the County Alcohol and Drug Program has resumed its past practice of comprehensively updating the resource directory annually and as notifications of changes are received. This updating process relies on treatment programs to provide accurate information. These updates and changes are routinely incorporated into the RecoveryWave.com website by the Commissioner who has volunteered for this task.

- R2. HSA and ADAC should evaluate and, if necessary, revise the Spanish translations on RecoveryWave.com for best content and grammar. They also should provide a Spanish translation of HSA's disclaimer.

County Response: Santa Cruz County Board of Supervisors – HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE

This recommendation will be implemented by October 1, 2010 or sooner.

- R3. HSA and ADAC should clarify the appearance of County endorsement for the treatment facilities listed at RecoveryWave.com with a simple and prominent statement of intent. They also should make the existing link to the HSA disclaimer more obvious.

County Response: Santa Cruz County Board of Supervisors – HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE

This recommendation will be implemented by October 1, 2010 or sooner.

- R4. The Santa Cruz County Board of Supervisors should become more aware of the residential treatment facilities and provide access to relevant facilities for the underserved populations of dual-diagnosed persons and serial inebriates, and they should press the State to reinstate funding for treatment programs.

County Response: Santa Cruz County Board of Supervisors – HAS BEEN IMPLEMENTED

The County Board of Supervisors is very aware of the residential treatment facilities and, within the constraints of available funding, intends to maintain and increase access to under-served persons with dual diagnoses and serial inebriates. As mentioned above, the

County, in partnership with key stakeholders, has re-instated the Serial Inebriate Project. The County continues to advocate with the State to preserve and expand funding for alcohol and drug treatment programs.

- R5.** The Santa Cruz County Board of Supervisors should fund HSA’s efforts to make the public aware of county treatment resources through use of the RecoveryWave.com web site.

County Response: Santa Cruz County Board of Supervisors – HAS BEEN IMPLEMENTED

Through funding provided to the HSA Alcohol and Drug Program, the Board of Supervisors has implemented this recommendation, including provision of timely updates of the treatment resources listed on the RecoveryWave.com website. In addition, the implementation of the county-wide 211 information referral line will help guide the public toward the RecoveryWave.com website.

Commendations

1. The Grand Jury commends the Alcohol and Drug Abuse Commission and the Drug and Alcohol Program of the Health Services Agency for the creation and promotion of RecoveryWave.com. The site provides critical information for those researching the multiple treatment options available in Santa Cruz County for drug and alcohol addiction.
2. The Grand Jury also commends the residential treatment facility personnel for their compassion, dedication, and professionalism in assisting county residents with their addiction recovery process.

Responses Required

Respondent	Findings	Recommendations	Respond Within/By
Alcohol and Drug Abuse Commission	F1, F2, F4, F8, F9	R1 – R3	90 Days October 1, 2010
Santa Cruz County Board of Supervisors	F6 – F8	R4, R5	60 Days September 1, 2010
Santa Cruz County Health Services Agency Alcohol and Drug Program	F1 – F9	R1 – R3	90 Days October 1, 2010

Note: The Santa Cruz County Board of Supervisors controls the Health Services Agency and Alcohol and Drug Abuse Commission. The Board of Supervisors, therefore, approves and issues a combined county response to the above findings and recommendations.

Catalogue of Residential Treatment Facilities

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CAMP RECOVERY CENTER

The Camp

3192 Glen Canyon Road
Scotts Valley, CA 95066
831-438-1868 or
800-924-2879 – National Resource Center
Contact: James Bailey, Program Director
www.camprecovery@crchealth.com

INTRODUCTION

Camp Recovery Center (The Camp) is located in lovely rural Scotts Valley. It provides services for both adolescents and adults. This is one of two county residential programs for adolescents. The adult residential program is 30 days. The adolescent program is 60 days. In addition, they have both outpatient and aftercare programs. Some of the amenities provided are a swimming pool, tennis courts and a ropes course. The Camp has had very good success in working in conjunction with interventionists to persuade patients to enter the facility.

LEGAL STATUS:

- CA State licensed and certified, expiration 9/30/2010
- CA Community Care License for Adolescent Unit
- Ownership status: Camp Recovery Center (CRC), Limited Partnership
- CARF certified, expiration 3/2012

CLIENT BASE

- Treatment options for both adults and adolescents
- Minimum age for adolescents is 14
- Minimum age for adults is 18
- Predominantly Caucasian
- Typical male/female ratio is 3:2
- 25 percent of clientele from Santa Cruz County
- No dual-diagnosed clients
- Utilizes ASI (an assessment tool recognized in the field of addiction) to determine if client has potential mental issues as they do not treat dual diagnosis

REFERRAL PROCESS

- Open to anyone who calls and fits the admission criteria
- Alumni readmit
- Alumni referral

INTAKE PROCESS

- Clients must sign clinical and financial criteria/confidentiality release of information/ground rules/privacy rules

PROPERTY AND FACILITY CHARACTERISTICS

- 25 acres in rural Scotts Valley
- 17 adolescent beds/53 adult beds
- Recreation: swimming pool, tennis courts, yoga and ropes course
- Disabled accessible
- Smoking allowed in designated areas

DETOXIFICATION SERVICES

- Medical detoxification provided (physician determines a protocol based on individual needs)
- Nurses monitor vitals and provide necessary medication for those going through detox

TREATMENT AND PROGRAMS

- 30-day program for adults/60-day for adolescents
- Levels of care: detox/rehab/day treatment/intensive outpatient services
- 12-Step as well as Cognitive Behavior Therapy
- All programs focus on relapse prevention and getting outside support
- Individual treatment plans developed for clientele
- Individualized discharge plan developed by case manager
- Weekly yoga classes available to provide an alternate way to calm the mind and soul
- Family programs involve individualized sessions between a case manager and family/client (twice a month)
- Aftercare programs consist of 1-2 times a week at the Camp which is based on 12-Step

SERVICES

- Ropes course provides an opportunity to develop clients' self-esteem, trust, sense of accomplishment
- Large annual alumni gathering with picnic and live music
- Spanish translators available for Spanish-speaking families of clients

COSTS AND FINANCING

- Self-pay: \$12,500 for adults/\$14,200 for adolescents
- Payment options: private pay/managed care insurance (currently preferred provider of over 60 managed care organizations)
- Loans provided by Clark Behavioral Financing (specializing in loans for chemical dependency)

STAFF

- 24 Hour nursing
- Medical assistants
- Medical Director - physician
- Certified chemical dependency counselors
- Two family program counselors
- Technicians
- Ancillary staff (administration, intake counselors, dietary, housekeeping, grounds)

SANTA CRUZ COUNTY CONNECTIONS

- About 25 percent of clientele from Santa Cruz County
- Under Prop 36 Santa Cruz County HSA tried to utilize The Camp for needed beds, however, financially it did not work due to the low reimbursement rate and the County's being on a fiscal year and The Camp on a calendar year
- Participates with Santa Cruz County in September for Recovery month
- Receives no county funds

ADDITIONAL INFORMATION

- The Camp utilizes the National Resource Center for phone calls and preliminary screening (800-924-2879)
- Marketing of The Camp directed to geographical areas with businesses offering insurance to employees (San Jose, San Francisco Bay)
- CRC, which owns The Camp, owns about 150 web sites for facilities and marketing
- CRC changed focus to include more Internet marketing over the past 5 years.
- Contact information for the facility on the RecoveryWave is not correct
- Most clients are in need of medical detox

JANUS OF SANTA CRUZ

200 7TH Ave., Suite 150
Santa Cruz, CA 95062
831-462-1060 or toll free 866-526-8772
Contact: Margie Storms
www.januscc.org

INTRODUCTION

Janus of Santa Cruz is a multi-faceted treatment center providing residential programs, day programs, and detoxification services. Approximately 250 people enter the residential program yearly, and 75 to 80 percent complete treatment. Janus puts a strong emphasis on their clients' return to the community. Janus works to have people "step down" to less restrictive environments and work on real-life stressors. Additionally, Janus emphasizes personal health and considers healthy food services as part of the recovery treatment.

LEGAL STATUS

- CA State licensed, expiration 06/30/2010
- Ownership status: Private nonprofit organization founded in 1976
- CARF certified

CLIENT BASE

- Adult population
- Male to female ratio typically 3:2
- Makeup typically Caucasian 70 percent, Latino 23 percent
- Most residents (85 percent) from Santa Cruz county
- Treatment for dual-diagnosed clients available

REFERRAL PROCESS

- Residents come to Janus through self-admit, web site/yellow pages, professional intervention, CalWORKs, Child Protective Services, or court referral

INTAKE PROCESS

- Wait list requires in-person interview
- To maintain position on the list individual must phone on regular basis
- Individuals might need clearance from a physician before entering the detoxification program
- Clients sign Consent for Treatment agreement

PROPERTY AND FACILITY CHARACTERISTICS

- Janus has 24 bed capacity/18 optimal number
- Disabled accessible
- Eastside Santa Cruz neighborhood location near the ocean
- Smoking permitted (designated areas and times)

DETOXIFICATION SERVICES

- Detoxification program non-medical and of variable length (4 – 6 days)
- Detoxification program also offered to general public not enrolled in the Janus treatment programs

TREATMENT AND PROGRAMS

- Length of residential treatment variable depending on clinical need with goal to stabilize, think clearly
- With healthy outside support, clients can move to outpatient status
- “Step down” model is the determiner of the length of stay
- Self help programs include: 12-Step, Smart Recovery, Celebrate Recovery, Three Principles
- Comprehensive chemical dependency treatments include: Matrix Model, Cenaps Model, Cognitive Behavior and Biofeedback
- Stages of Treatment consists of 5 steps:
 - Step 1 Self acceptance of addiction and its effects
 - Step 2 Express acceptance to peers and develop communication skills
 - Step 3 Develop a support system
 - Step 4 Create strong discharge plan
 - Step 5 Participate in aftercare program
- Family programs (once a month/all day)
- Family session includes counseling and education and multi-process group
- Lifetime aftercare is part of the program
- Janus counselors provide drop-in recovery support sessions in Watsonville and Santa Cruz
- Recreational opportunities include chi gong, tai chi, meditation and yoga
- Clients get NVC (Nonviolent Communication) training

SERVICES

- All programs and treatments available in Spanish

COSTS AND FINANCING:

- Many insurance and health care policies accepted
- Sliding scale fee for Santa Cruz county residents
- Payment options: County support, self-pay, insurance, sliding scale for self-paying clients
- Cost for the detoxification program rated per day
- For a self-pay client Janus maintains an affordable rate with a sliding scale starting from \$4,900 for 28 days of residential treatment
- Self-pay \$1,000 for 4 days of detoxification treatment
- Medical insurances pay for some detoxifications based on physician diagnosis

STAFF

- Staff to resident ratios: 1:1 dayshift, 1:5 swing shift, 1:16 for overnight
- Physician on call 24/7
- PA (physician assistant)/RN on site or on call
- 3 or 4 drug and alcohol abuse counselors on site during day and evening hours
- Licensed Marriage and Family Therapist present 2 days per week

SANTA CRUZ COUNTY CONNECTIONS:

- Janus offers educational seminars to the Santa Cruz community regarding addiction
- Janus works closely with Santa Cruz County HSA to ensure the highest quality of care for all clients in the larger county service system
- Janus receives County funding for some people in their residential treatment centers
- Janus is a member of the Perinatal Council on Substance Abuse and Families
- Janus sponsors the annual Addiction Conference for addiction professionals and community members

JANUS PERINATAL **Formerly Mondanaro-Baskin**

516 Chestnut Street
Santa Cruz, CA 95060
831-423-9015
831-423-9098
Contact: Antoinette Williamson
www.janussc.org

INTRODUCTION

Janus Perinatal is a special resource for chemically addicted mothers and pregnant women. It is part of the Janus of Santa Cruz network with close ties to the County of Santa Cruz for financial and medical resources. Last year 48 residents completed the residential program and 44 completed the day program with 75 to 80 percent of the clients completing the programs. Janus Perinatal is sensitive to the difficult lives of its clients and provides opportunities for emotional recovery. Learning to be a successful parent is central to the treatment program.

LEGAL STATUS

- CA State licensed and certified, expiration 06/30/2010
- Ownership status: Private nonprofit, part of the Janus of Santa Cruz network
- CARF certified

CLIENT BASE

- Treatment option for addicted mothers and pregnant women
- Make-up is typically 45 percent Latina
- All clients from Santa Cruz county
- Treatment available for some who have been dual-diagnosed

REFERRAL PROCESS

- Open only to Santa Cruz county residents
- Can enter only by phoning contact, referral by CalWORKs, Child Protective Services, County service coordinators, or Dominican Hospital

INTAKE PROCESS

- Mandatory wait list by phoning contact number
- Weekly check-in required to maintain wait list

PROPERTY AND FACILITY CHARACTERISTICS

- Downtown Santa Cruz neighborhood location
- 10 adult beds
- Beds available for infants and young children
- Disabled accessible
- Smoking permitted away from proximity of children

DETOXIFICATION SERVICES

- No detoxification at facility
- Janus Main provides detox services if needed

TREATMENT AND PROGRAMS

- Stay at facility varies according to need/1 to 3 months on average
- Modalities used: evidence-based treatment, Matrix Model, Cenaps Model for relapse prevention, self-help groups
- The Perinatal Program is a phased program
- Each phase increases personal and family responsibility/decreases intense program elements
- Stability primary goal of the program
- All clients eligible for lifetime aftercare with programs at Janus and in Watsonville
- All aftercare conducted by Janus counselors
- Successful mothering, positive discipline and positive parenting emphasized
- Family program/family involvement vital component of treatment

SERVICES

- Recreational opportunities available near-by
- All services available in English and Spanish

COSTS AND FINANCING

- Sliding scale/Medi-Cal accepted
- Client cost \$60/month
- County co-pay except for drug Medi-Cal clients
- Installment payments available/no one turned away because of inability to pay

STAFF

- Physician and nurses on call 24/7
- Alcohol and drug abuse counselors

SANTA CRUZ COUNTY CONNECTION

- County funded program

NARCONON VISTA BAY

262 Gaffey Road
Watsonville CA 95076
Director: Daniel Manson
Key Contact: Jeff Panelli
831-768-7190
www.vistabay.com

INTRODUCTION

William Benitez founded the Narconon Program in 1966, where it was first utilized in the Arizona State Prison system. The Narconon Program uses the drug rehabilitation technology created by L. Ron Hubbard. The program at Narconon Vista Bay is a non 12-Step, non-traditional disease model. It is drug/medication free with an intensive sauna detoxification program considered to cleanse the body of drugs and toxins. Self-empowering life skills are taught along with cognitive therapy. The program involves four sequential educational phases and clients (students) progress at their own rate of speed.

LEGAL STATUS

- CA State licensed and certified, expiration 12/31/2010
- Ownership status: Association of Better Living and Education International
- Private non-profit (501c3) organization
- Not CARF certified at time of interview (12/15/09)

CLIENT BASE

- Dual diagnosis not accepted
- Typical male/female ratio: 3:2
- Approximately 70 percent Caucasian/30 percent Latino
- Approximately 90 percent of clients from outside Santa Cruz county
- Clients must be 18 years or older
- Average age of client: 30 years

REFERRAL PROCESS

- Internet search (www.rehab.net) primary source of referral
- Alumni referral

INTAKE PROCESS

- Clients sign admission agreement
- All clients medically examined and screened for non-medical detox
- Payment fee required upon admission
- Upon arrival outside communication “ten-day black out period” imposed

PROPERTY AND FACILITY CHARACTERISTICS

- 40 beds
- Facility generally runs at full capacity
- 12,000 square feet facility located on 30 acres in foothill area
- Recreation: swimming pool, volleyball court, basketball hoop, horseshoe pit and outdoor exercise room
- Disabled accessible
- Smoking allowed

DETOXIFICATION SERVICES

- Medical detox available before entering facility (If it is determined that potential clients cannot safely participate in drug free detox they are sent to a Monterey medical detox facility that has an agreement with Narconon Vista Bay.)
- Non-medical detox takes place during Phase I of the treatment program

TREATMENT AND PROGRAMS

- Typical stay/3 to 6 months
- Daily classes Monday through Saturday, 10:00 am to 7:00 pm with breaks and lunch
- Sunday, students attend one section of class
- Narconon course materials: a “secularized” version of L. Ron Hubbard’s (founder of Scientology) writings/curricula

- **The Narconon program is divided into Four Phases:**

Phase I

- A) Drug Free Withdrawal
- B) The Communication Course
- C) The New Life Detoxification Program (non-medical)
 - Must be medically cleared for sauna treatment
 - 4.5 to 5 hours in dry sauna per day
 - “Vitamin Bombs” are administered once a day and include: niacin, up to 5,000 mg, for seven weeks; calcium and magnesium five times the amount of daily requirement

Phase II

- A) Learning Component Course
- B) Communications and Perception Course

Phase III

- A) Ups and Downs Life Course
- B) Personal Values and Integrity Course
- C) The Changing Conditions in Life Course

Phase IV

- A) Comprehensive Review
 - After care considered part of the six month program

SERVICES

- Pick up at airport
- Transportation to personal medical/dental appointments
- Supervised visits to beach and shopping excursions (earned privilege upon completion of New Life Detoxification Program)
- Individuals can return for 30 days of treatment, free of charge, if they relapse within six months of program completion/graduation
- Referrals to outside resources are offered to family seeking support programs/services
- Visits must be approved 48 hours in advance

COSTS AND FINANCING

- Cost to client \$29,000.00
- Payment option: two installments of \$18,500 and \$12,000 within the first 30 days

STAFF

- Narconon graduates make up 85 percent to 90 percent of staff
- Staff must be drug/alcohol free for 6 months prior to working at Vista Bay
- All alcohol/drug counselors certified through Breining Institute/onsite/online
- 20 onsite staff per shift (12 counselors/8 staff)
- 1 nurse/2 PAs (physician assistants) on staff
- RN or PA present 8:00 am – 6:00 pm
- Medical doctor available to Narconon
- Emergency medical situations transferred to Watsonville Community Hospital ER

SANTA CRUZ COUNTY CONNECTIONS

- Does not receive county funds
- Staff participates in local community work: Sober Grad Night at high school, drug education in schools
- Narconon Vista Bay has made donations to the following local organizations: Watsonville High School, California Grey Bears, Watsonville Police Officers Association, Aptos Academy (source: 2007 990 filings report)

NEW LIFE COMMUNITY SERVICES OF SANTA CRUZ

New Life Center

707 Fair Avenue
Santa Cruz, CA 95060
831- 427-1007 or
831- 458-1668
831-454-0545 (Fax)
Contact: Emmanuel DeNike
www.nlcsonline.org

INTRODUCTION

New Life Center is the oldest organization in Santa Cruz County providing combined services for the homeless, abused, and chemically dependent. In a year it treats approximately 275 people in residential programs and 350 people in follow-up care. The treatment programs emphasize continued connection with the community. All clients work or volunteer while in recovery. The programs are individualized to promote success in getting control of all elements in one's life. The facility also is unique in serving families with space appropriate for children.

LEGAL STATUS

- CA state licensed, expiration 04/30/2011
- Ownership status: Private non-profit addiction treatment program established in 1972
- Not CARF certified

CLIENT BASE

- Emphasis on low-income single adults and families
- Typically 25 percent Latino
- African-American percentage greater than the county
- Male to female ratio typically 2:1
- 80 percent of the population is from Santa Cruz County, most everyone is from California
- Accepts some dual diagnosed clients

REFERRAL PROCESS

- Walk-ins, use facility contact number, or referral
- Referral sources: probation, criminal justice, Child Protective Services

INTAKE PROCESS

- Personal interview to establish position on wait list
- Daily phone call required to maintain position on list
- Average wait time two weeks
- Eligible for interim services while on wait list
- Intake papers include: consent to treatment, service agreement, financial contract, house rules and regulations, personal rights statement
- Non-refundable intake fee: \$100.00

PROPERTY AND FACILITY CHARACTERISTICS

- 38 beds for adults/19 beds for children
- Disabled accessible
- Westside Santa Cruz neighborhood location
- Smoking only in outside designated areas

DETOXIFICATION SERVICES

- No detox services available/people referred to area hospitals or Janus

TREATMENT AND PROGRAMS

- Variable length of stay, six months or longer
- Non-custodial facility with transitional/vocational programs
- Treatment elements: men only/women only/co-ed groups: drug and alcohol classes, relapse prevention, crisis counseling, support groups, individual sessions
- 12-Step required
- Initial 12-Step programs on-site, transitioning to a home group with commitment to attend and get sponsored
- Mandatory part time work/volunteer/personal child care targets: time management, paying bills, responsible behavior, and personal health
- Not faith based, house rules require broadly interpreted spiritual component
- Each client designs an individualized medical care program: referred to Medi-Cal, Medi-Cruz, Homeless Persons Health Project, Senior Citizens Rotary Care, and Lions Club for vision services
- Adjustable program schedule accommodates outside jobs
- Scheduled daily recreation time
- Ongoing aftercare at alumni meetings

SERVICES

- Refers clients to clean and sober transitional housing
- Children may stay with their parents during treatment
- Family counseling, marriage counseling, counseling for children
- Monolingual Spanish treatment (education groups, group therapy, individual counseling)
- Children of clients go to school or day-care with goal to make a normal life for them

COSTS AND FINANCING

- Flexible sliding scale fee structure starting at \$21.00 per day/no cost for children
- Insurance payees and SSI recipients accepted
- Payment options: cash, money order, and credit
- Payment plans arranged
- Fees based on a sliding scale depending on weekly income. Lowest rate is \$196.00 per week/highest rate is \$476.00 per week

STAFF

- 1.14 to 1 during the day/5 to 1 during the night
- No medical personnel on staff or on call
- Four or five alcohol and drug abuse counselors on site per shift
- Additional staff includes Marriage and Family Therapists
- Most staff in training for degrees in clinical psychology/addiction studies and upon completion of studies often remain as volunteers
- Many certified addiction counselors

SANTA CRUZ COUNTY CONNECTIONS

- Receives some County financial support for local clients

PROVIDENCE RECOVERY CENTER

831 Paget Avenue
Santa Cruz, CA 95062
831-475-1326
Contact: Claudia Porter
www.providencerecovery.com

INTRODUCTION

Located in a quiet residential neighborhood near Twin Lakes in Santa Cruz, Providence Recovery Center provides a program that caters to individuals who are looking for a personal approach. The facility accepts both men and women who are at least 18 years old. With only 13 beds, Providence is able to offer individualized attention to all patients. Over the last two years the average population has been approximately 8 residents per month, which allows staff the opportunity to create a family atmosphere. The addict personality is one of manipulation. In a smaller environment, like the one provided by Providence, it is harder to “skate,” as there is a much smaller ratio of patient to clinician. The home has large comfortable rooms as well as an expansive yard with flowering gardens. A physician recommends medical detoxification onsite after an individual assessment, and a medical technician closely monitors the patient throughout the process. In addition, a new recovery track called Fleahab has been implemented. This track incorporates popular recreational activities, a strategy that has been shown to increase the chances of success in beating addiction.

LEGAL STATUS

- CA State licensed and certified, expiration 6/30/2010
- Ownership status: private corporation
- Fleahab program non-profit
- Not CARF certified

CLIENT BASE

- Predominantly Caucasian
- Typical male/female ratio is 3:1
- Approximately 40 percent to 50 percent are from Santa Cruz county
- Dual diagnosis accepted

REFERRAL PROCESS

- Family intervention most common means of admittance
- Advertising
- Word of mouth

INTAKE PROCESS

- Clients sign a behavioral/compliance agreement honoring 4 standards
- Payment for program required at intake

PROPERTY AND FACILITY CHARACTERISTICS

- Located in a residential neighborhood in eastern Santa Cruz
- 13 beds
- Disabled accessible
- Smoking permitted in designated areas

DETOXIFICATION SERVICES

- Medical detoxification provided
- Detox protocol based on individual needs/determined by physician
- Medical technician continually monitors vitals utilizing an assessment tool and records the information
- Detoxification included in the program fee
- At least 75 percent of the client population needs to go through detox once admitted

TREATMENT AND PROGRAMS

- Programs offered: 30/60/90 days
- Clients encouraged to stay more than 30 days for greater chance of success
- Individual treatment program designed for clientele
- 12-Step program available
- Behavior therapy for those not comfortable with the higher power concept in 12-Step
- Dual diagnosis treated by outside psychiatrist and psychologists/ recommendations available
- Family sessions every Sunday during treatment
- Recreational opportunities are available at a fitness center 3 times a week, 2 hiking outings per week (weather permitting)
- Individual treatment plans developed for clientele
- Saturday morning programs available for life offered for aftercare

SERVICES

- Innovative additional recovery track, Fleahab, utilizes different types of recreational sports (surfing, golfing) for 9 hours per week

COSTS AND FINANCING

- Three alternatives: 30 day \$10,500/60 day \$21,600 /90 day \$30,000
- Additional \$1,500 month for Fleahab
- Payment options are determined on an individual case basis, no financial assistance provided
- Total amount paid upon admission
- Month to month option available if there is doubt of success
- Insurance may cover the detoxification component (typically 17-23 days)

STAFF

- Physician available 24/7
- Alcohol and drug abuse counselors
- Staff requirements: must be clean and sober for minimum of 2 years prior to hiring
- Sign contract agreeing to random testing

SANTA CRUZ COUNTY CONNECTIONS

- Receives no Santa Cruz County funds

SANTA CRUZ RESIDENTIAL RECOVERY

125 Rigg St
Santa Cruz, CA 95060
831-423-3890 (phone)
831-423-6657 (fax)
Contact: Cynthia Evey cynthia.evey@scccc.org
www.scccc.org

INTRODUCTION

Located in an historic building in downtown Santa Cruz, this 30-bed facility treats an ethnically diverse group of men and women, the majority of whom are currently on probation or parole. Typically the male-female ratio is 22 men to 8 women. The treatment utilizes a criminal thinking model developed by Stanton Samenow who believes that the disease concept does not work for the criminal thinker. Clients with institutional way of thinking will not tell anyone anything, won't be a "snitch" and think like criminals. A criminal looks for the next way to make money and get material things. Clients learn to live in an environment with rules, boundaries, and structure. There is a strong emphasis on relapse prevention and denial management. This is a 3 to 6 month program, but clients with methamphetamine addiction need to realize it takes about a year for the brain to clear toxins from methamphetamine. Services are conducted in English, but if a client is more comfortable with Spanish, a coordinator will be assigned to translate. Anyone who has been a resident of Santa Cruz County for six months can apply for treatment.

LEGAL STATUS

- CA State licensed, expiration date 6/30/10
- Component of Santa Cruz Community Counseling Center
- Private non-profit SCCCC
- Not CARF certified

CLIENT BASE

- Adult women and men
- Typical male to female ratio is 3:1
- Almost 100 percent from County Probation or State Parole
- California Youth Agency (higher level offenders ages 18-24) funds recovery/will pay for a Sober Living Environment
- Walk-ins require minimum 6 month SC county residency
- Ethnically diverse
- About 50 percent of clients dual-diagnosed
- Dual-diagnosed clients are not allowed narcotics; anti-psychotic drugs, anti-anxiety, and anti-depressants allowed

REFERRAL PROCESS

- County clients usually referred by probation officer or family member
- State prison client enrolls in SASCA (Substance Abuse Services Coordinating Agency) program for nine months (If the state funds their RTF care, they are considered in custody for the first 90 days. Clients are released from parole (State) upon completion of five month program.)

INTAKE PROCESS

- Intake interview conducted in jail or Blaine Street Women's Facility
- Contract signed at intake
- \$250.00 intake fee
- Individual on wait list referred to AA meetings
 1. Individuals in custody required to call or write weekly
 2. Community residents required to call daily

PROPERTY AND FACILITY CHARACTERISTICS

- Historic building in downtown Santa Cruz
- 30 beds
- Smoking limited to specific times and places
- Partially wheelchair accessible

DETOXIFICATION SERVICES

- Not available
- Client needs to be clean and sober for 3 days/7days required if on heroin
- Client needing detox referred to either Janus or Dominican Hospital

TREATMENT AND PROGRAMS

- Program duration 3-6 months
- 12-Step in house. Off-site meetings used to find sponsor. (A sponsor needs to have been sober for 1 year and have worked all steps)
- Strong emphasis on relapse prevention and denial management
- Change attitudes/no emotional outburst allowed/identify positive and negative triggers
- Educational seminars followed by writing assignments focus clients on "denial patterns" and triggers which negatively impact their lives
- Primary counselor develops individual treatment plan
- Parenting training ("Positive Discipline For Parenting In Recovery")
- Acupuncture from 2:30-3:30 pm on Monday
- Because of budget cuts, aftercare is being redesigned to be on-site
- Two Sober Living Environments: 8 men/5 women

SERVICES

- Job training
- Family visits-supervised family sessions if clinically appropriate: Saturday ongoing family orientation on expectations and allowed topics of discussion; Sunday child visitation
- Recreation: movies, beach, volleyball, cultural events

COSTS AND FINANCING

- \$250.00 non-refundable intake fee
- \$250.00 monthly fee
- Pro-rated refund available
- No one refused services due to lack of ability to pay
- Sliding scale, some County funding, self-pay
- People who walk in on their own without a referral from a County agency do not qualify for sliding scale
- Santa Cruz County will pay 89 percent SDI (disability) or unemployment
- State funding for clients on parole

STAFF

- Marriage/Family Therapist consultant for clinical supervision, more complex cases and dual diagnosis
- Interns get field experience for their certification
- Alcohol and drug abuse counselors

SANTA CRUZ COUNTY CONNECTIONS

- County pays for 10 beds out of 30
- Clients volunteer at Walnut Avenue Women's Center doing yard work and also participate in the Human Race

SÍ SE PUEDE RECOVERY CENTER

161Miles Lane
Watsonville, CA 95076
831-761-5422 (phone)
831-761-3772 (fax)
Contact: Jorge Sanchez, Jorge Gutierrez
www.scccc.org.

INTRODUCTION

In existence for 19 years, Sí Se Puede (“Yes, we can”) is a comprehensive rehabilitation service for men with drug and alcohol abuse problems. Services are provided in English and Spanish. The program provides opportunities for men to face their addiction and build a strong foundation for recovery. Connecting the culturally diverse men back to their various cultures through blending food, tradition, and way of dressing into their treatment is important. A sweat lodge is used two times a month. The men, 90 percent of who are current or former gang members, are taught: to take care of business, to take care of health, and to be wary of magical thinking. While at Sí Se Puede, the men are encouraged to quit smoking and to leave their gangs. They are taught anger management and the cycle of domestic violence. Sí Se Puede works with the family as well, as these men have injured relationships with family and have trust issues. The family often denies that they are co-dependants. Fathers take care of their children on visiting day and attend parenting classes. Sí Se Puede provides mentors to county youth at risk. Many clients return to visit and give support to current residents. Sí Se Puede encourages graduates to relocate to gang-neutral areas for safety. Success is when a person who completes the program has a job and a steady place to live.

LEGAL STATUS

- CA State licensed, expiration 6/30/10
- Private nonprofit SCCCC
- Not CARF certified

CLIENT BASE

- Male adults
- Over 90 percent involved in gangs
- 80 percent on probation
- 80 percent with history of mental and/or sexual abuse
- Ethnic make-up primarily Latino, also Caucasian, African American, Asian
- Not a dual diagnosis program, but can accommodate some who are on medication
- Men with history of repeated violence or sexual crimes not allowed
- Clients primarily from Santa Cruz county
- Average age: 25-30

REFERRAL PROCESS

- Clients primarily from Probation

INTAKE PROCESS

- Interview often taken in jail
- Wait list referred to Fenix Service (out-patient alcohol and drug abuse counseling)
- Court referred client has responsibility to check in for space available
- Smokers asked if they want to quit (primary counselor coordinates cessation effort)

PROPERTY AND FACILITY CHARACTERISTICS

- Capacity: 23 beds
- Watsonville residential neighborhood
- Smoking allowed at specific times and places
- No smoking with family
- Disabled accessible

DETOXIFICATION SERVICES

- Not available
- Referred to Watsonville Health Clinic for detoxification

TREATMENT AND PROGRAMS

- Program duration 3-6 months:
 - Phase 1:** Orientation/Socialization (one to one and a half months)
 - Phase 2:** Rehabilitation (two months)
 - Phase 3:** Transition and Re-Entry into community (evaluation of progress/needs, outside community connection set up one month before exit)
- Criminal thinking model by Stanton Samenow utilized (Clients are taught that criminal thinking works against them even more than their drug use. They need to learn their denial patterns and be responsible for changing these patterns)
- Treatment for abusive behavior, drugs, alcohol
- 12- Step Program
- Modalities: Matrix, Denial Management Counseling, and Cenaps models
- Counselor mentors irresponsible, unhealthy client on issues related to court problems and/or health
- Smoking cessation program (non-smokers have better success in quitting addiction)
- Cultural awareness sessions
- Sweat lodge optional twice a month
- Gang intervention education
- Survivor Healing; Triangle Speakers; Defensa de Mujeres; SCAP (Santa Cruz AIDS Project); Parenting class; Lesbian, Gay, Bisexual, Transgender (LGBT)
- Family seminar participation required prior to visitation (seminars focus on chemical dependency, co-dependency, and domestic violence)
- Clients attend Positive Parenting Classes at Manzana Complex in Watsonville
- Assistance offered to clients who need to enroll in Homeless Person Health Project (HHP)
- Connect clients with Cabrillo College, education encouraged
- Connect clients with temporary job agencies and with Santa Cruz County's unemployment office's job search help

- Aftercare is conducted on site, client participation according to need
- Sí Se Puede manages a Clean and Sober House of 11 beds

SERVICES

- All services available in Spanish and English
- Recreational activities: beach, parks, 6 Flags, camping trip
- Tuesday and Thursday acupuncture appointments to assist with sleep problems

COSTS AND FINANCING

- \$250.00 intake fee
- \$100.00 minimum monthly rent/payback arrangements are made
- County pays for 16 beds out of 23
- Funded through Health Service Agency, Santa Cruz County Human Services Department, and the City of Watsonville

STAFF

- Alcohol and drug abuse counselors
- Residential addiction specialists
- 99 percent are former addicts, five years clean and sober before employed, 40 percent Sí Se Puede graduates
- All staff receives 40 hours of training on specific topics

SANTA CRUZ COUNTY CONNECTIONS

- Mentors to Tyler House regarding gang intervention
- Gang intervention talks given at all major county high schools
- Probation officers encourage graduates to return for after care.

TYLER HOUSE

2716 Freedom Boulevard
Freedom, CA 95019
831-688-6293
Contact: Bill McCabe, Director
www.scccc.org

INTRODUCTION

Tyler House is a residential facility dedicated exclusively to the treatment of adolescents between the ages of fourteen and seventeen seeking treatment for substance abuse and/or mental issues. Located in the southern part of the county in Freedom, the residence is a clean, spacious, and well-equipped two-story building with beds to accommodate up to six adolescents. The facility is under the supervision of the Santa Cruz Community Counseling Center.

Structure is key to success in the program, and much effort is given to providing such an environment. At intake parents and their adolescent must sign several agreements relating to expected behavior, discipline, program, and grounds for dismissal from the residence.

Students residing at Tyler House are able to continue their education at La Escuela Quetzal, a school adjacent to the house on the same property. The operation of the school is shared between Youth Services and the Santa Cruz County Office of Education. The student's day is organized and structured.

Residents of Tyler House commit to a six-month program, which, through government funding, is provided at no cost to most, if not all, of the participants.

LEGAL STATUS

- CA State licensed, expires 09/08/2010
- Private nonprofit SCCCC

CLIENT BASE

- Male/female ages 14-17
- Dual treatment (mental health and substance abuse) facility
- Residents may stay beyond age 17 if they turn 18 while a resident
- Admittance preference is given to those older than 14
- Admits residents of Santa Cruz county only
- Male to female ratio of 2:1 (optimal)
- Majority of residents Latino
- Capacity: 6 beds

REFERRAL PROCESS

- Parents, school officials, probation, County mental health department, therapists, and social services

INTAKE PROCESS

- Clients and parents/guardians sign the following agreements:
 - (1) Admissions Agreement
 - (2) Program Rules and Procedures
 - (3) Discipline Policy and Personal Rights
 - (4) Complaints and Grievance Policy
 - (5) Discharge/Removal Policy
- Once the adolescent enters, he/she becomes a ward of the State for the duration of the stay at the residence

PROPERTY AND FACILITY CHARACTERISTICS

- Rural setting with abundant orchards nearby
- Two-story building with a spacious office and reception area, modern kitchen, and large living room
- Six beds
- Smoking not permitted
- Disabled accessible

DETOXIFICATION

- Not available

TREATMENT AND PROGRAMS

- Program duration/6 months
- The structure of the program consists of four phases:
 - (1) Preparation and Challenge
 - (2) Acceptance and Commitment
 - (3) Leadership and Integrity
 - (4) Gratitude and Accountability
- The Seven Challenges is a commercial curriculum specifically designed to help adolescents:
 - (1) Commit to change
 - (2) Develop the skills and strategies to implement the desired changes
- A 12-Step program provided but optional
- Supporting strategies include motivational interviewing, group therapy, and milieu therapy
- Residents attend school for three hours per weekday
- Two hours three days a week reserved for homework
- Special focus on honesty and self-regard
- Medical, dental, and eye care included
- Zero tolerance for contraband
- The residence is a dual treatment (mental health and substance abuse) facility
- Aftercare strongly recommended

SERVICES

- Reading materials/English and Spanish
- No religious affiliation

COSTS AND FINANCING

- Parents charged on a sliding scale up to \$4,490 per month
- Services free if parents cannot afford to pay
- Clients receive foster care financial support by virtue of being designated a ward of the State

STAFF

- No medical or psychiatric staff on site
- There is one alcohol and drug abuse counselor on site for two of three shifts
- Staff training required of all employees
- Therapist on site four days a week
- Additional therapists contracted as needed

SANTA CRUZ COUNTY CONNECTIONS

- The residence is under the supervision of the Santa Cruz Community Counseling Center.
- Receives State licensed care facility money allocated through the County (once the adolescent enters the residence he/she becomes a temporary ward of the State)
- Receives a mix of federal, state, and county money allocated to the Children's Mental Health agency. The money is accessed through Medi-Cal. This funding covers the costs for dual diagnosis.
- If the parent is uncomfortable with consenting to the child having the ward label, the parent may opt to pay, on a sliding scale, up to the current rate of \$4,490 per month.

Sources

Interviews/Contacts

Key Personnel of the Following Residential Treatment Facilities:

- Camp Recovery Center
- Janus of Santa Cruz
- Janus Perinatal (formerly Mondanaro-Baskin)
- Narconon Vista Bay
- New Life Community Services of Santa Cruz
- Providence Recovery Center
- Santa Cruz Residential Recovery
- Sí Se Puede
- Tyler House

Personnel of Santa Cruz County Agencies

- Alcohol and Drug Abuse Commission
- Auditor-Controller's Office
- County Administrative Office
- Health Services Agency
- Mental Health and Substance Abuse Services
- Office of the County Counsel
- Office of the District Attorney
- Probation Department
- Sheriff's Office

Personnel of California State Department of Alcohol and Drug Programs

- Licensing and Certification
- Office of Legal Services

Meetings

Alcohol and Drug Abuse Commission: September 14, November 9, December 14, 2009;
January 11, February 8, March 8, 2010

Publications/Documents

Alcohol and/or Other Drug Programs Certification Standards, Department of Alcohol and Drug Programs, Health and Human Services Agency, State of California, 2004

California State Health and Safety Code Section 11834.01-11834.18

Complaints Against Residential Treatment Facilities, Department of Alcohol and Drug Programs, Health and Human Services Agency, State of California: 2008, 2009

Deficiency Notices for Residential Treatment Facilities, Department of Alcohol and Drug Programs, Health and Human Services Agency, State of California, 2009

Licensing Documents for the Residential Treatment Facilities, Department of Alcohol and Drug Programs, Health and Human Services Agency, State of California: 2007, 2008, 2009

Resource Referral Directory, County of Santa Cruz, Alcohol and Drug Program, 2010

Standards for Drug Treatment Programs, Department of Alcohol and Drug Programs, Health and Human Services Agency, State of California, 1982

Web Sites

<http://www.12step.org>

<http://www.adp.state.ca.us/>

<http://www.adp.state.ca.us/licensing/>

<http://www.drugabuse.gov>

<http://www.drugrehab.net>

<http://www.Hazelden.org/web/public/matrix.page>

<http://www.hbo.com/addiction/treatment>

<http://www.matrixinstitute.org/>

<http://www.methoide.fcm.arizona.edu>

<http://samhsa.gov>

<http://www.santacruzhealth.org/1disclaim.htm><http://faq.scientology.org/able.htm>

<http://www.santacruzhealth.org/recoverywave/>

<http://www.vistabay.com/program.php>

<http://www.yourrehabilitation.com>

The Jail Inspection Reports

Summary

The Grand Jury is mandated under Sections 919 (a) and (b) of the Penal Code to inspect all correctional facilities in Santa Cruz County to ensure that they are safe and secure and that inmates are treated in a humane manner. Under these provisions, members of the Santa Cruz County 2009-2010 Grand Jury toured and inspected the seven correctional facilities located in the county.

The Santa Cruz County Sheriff's Office operates the Main Jail, Blaine Street Women's Facility, Rountree Minimum/Medium Facility, and the Court Holding Cells in Santa Cruz and Watsonville. Juvenile Hall is operated by the County Probation Department. The budget for each facility is controlled by the County Board of Supervisors.

In addition to the facilities operated by Santa Cruz County, the county is home to Camp 45, a fire and conservation camp operated jointly by the California Correctional Center in Susanville, California, and CAL FIRE. Although the County has no jurisdiction over the camp, the Grand Jury conducted a courtesy inspection of the facility. The budget for Camp 45 is controlled by the State of California.

An inspection form from the California Grand Juror's Association and California Corrections Standards Authority (CSA) was used as the standard document to report conditions at each site. Although the inspection reports include findings, conclusions, and recommendations, the intent is to identify areas for future in-depth investigation. The Grand Jury found that although the facilities run smoothly and the correctional officers do an excellent job, the lack of medical/mental health services at Rountree contribute to the overcrowding at the Main Jail. In addition, vocational and educational programs which are essential for inmate rehabilitation have been reduced among all facilities because of budget constraints.

Definitions

Capacity: The number of inmates each detention facility was built to hold (rated capacity) or the number of inmates that can safely be housed in the facility (maximum capacity).

Commissary/Canteen: The place where inmates can purchase goods and toiletry items while in custody. Inmates may request individuals from outside the jail to put money in their account or can earn credits by attending classes or working in the jail to buy items.

County Jail: A jail facility operated by the County Sheriff's Office to hold un-sentenced prisoners suspected of felony or misdemeanor crimes and sentenced prisoners facing a term of one year or less.

Electronic Monitoring: A program run by the Probation Department in which the offenders are fitted with an ankle bracelet programmed to alert the Probation Department of their whereabouts.

Felony: A major crime punishable by confinement of one year or up to the death penalty.

General Educational Development (GED): A group of tests that cover five subject areas which when passed certify that the taker has an American high school level of academic skills. The GED is sometimes referred to as a **General Equivalency Diploma** or **General Education Diploma**.

Gemma: A program provided by the Community Action Board of Santa Cruz County, Inc., dedicated to preparing women in jail for their reentry into society and to reunite with their families. The program provides diverse life skills classes to help prevent falling into the recidivism cycle.

Infirmary: A healthcare unit set up and operated for the purpose of caring for inmates who need skilled nursing care but are not in need of hospitalization or placement in a licensed nursing facility, and whose care cannot be managed safely in an outpatient setting.

Isolation Cell: An isolated room in which the walls and floors are covered in a rubber material. Inmates who present a serious danger to themselves can be housed in this room and are monitored by a surveillance camera and visited by staff every fifteen minutes.

Medium Security: A locked facility in a dorm-like setting, rather than individual cells, for inmates whose crime and criminal history do not pose a high security risk.

Minimum Security: An unlocked facility for inmates whose crime and criminal history pose very little security risk.

Misdemeanor: A less serious crime punishable by confinement in a County jail normally for a period of one year or less, and/or probation

Norteños: A term referring to a coalition of Latino gangs in Northern California affiliated with Nuestra Familia.

“O” Unit: The observation unit that includes rooms within the medical unit where inmates who are physically or mentally ill are monitored both by video and medical staff.

“P” Unit: A coveted housing area with fewer restrictions for inmates who agree to work in the kitchen, laundry, et cetera.

Parole: A condition of a sentence whereupon a person convicted of a felony is closely supervised by an agent (Parole Officer) of the California Department of Corrections and Rehabilitation after being released from prison.

Parole Hold: Parolees are placed in custody in the County jail by his/her parole officer for violating the conditions of parole or for committing a new crime. A hearing is held while the person is in custody to determine the disposition of the parole violation

Plastic Boats: Used as beds for inmates when the population exceeds the maximum capacity of the facility. The boat-shaped plastic bed sits directly on the floor within a cellblock.

Prison: A place of confinement to house persons convicted of a felony.

Sally Port: A relatively small controlled space often remotely monitored in which the entrance is protected in some way. In the case of correctional facilities, the middle space between two doors of the sally port can be monitored for movement and number of persons, materials, and in some cases, vehicles. The structure enhances the safety of persons and property occupying the larger structure connected to the port.

Sobriety Cell: A room used if a newly arrested individual needs time to sober up before going through the booking process.

Social Model: A holistic approach to developing positive social behavior through providing opportunities to enhance self-worth and self-esteem. The model fosters a sense of belonging to the community which makes inmates less likely to succumb to anti-social behavior and become candidates for recidivism. The development of healthy social habits is the primary focus.

Sureños: A term referring to a coalition of Latino gangs who originally were members of La Eme also known as the Mexican Mafia.

Title 15: California State minimum jail standards for operation and administration of detention facilities covering classification of inmates, safety issues, educational programs, disciplinary guidelines, and medical services.

Title 24: California State minimum standard regulations for the physical plant, furnishings, and equipment for local correctional facilities.

Ward: An offender who is under the age of eighteen years whose case is within the jurisdiction of the Juvenile Court.

Work Extension Program: Low risk inmates live and work offsite for the last 30 days of their sentence.

Work Furlough: A joint program with the Probation Department in which inmates work and/or attend school offsite, returning to the facility at night.

Work Release Program: A program that allows individuals meeting certain criteria to serve their sentences through the performance of community service work projects for up to 60 days. If the court has recommended detainees for Work Release they may apply for the program to determine if they meet criteria established by the Sheriff's Office. Participants pay a one-time \$52.00 application fee and \$10.25 for each day of the sentence.

Background

The Grand Jury is required by statute to inspect all correctional facilities in the county each year. There are seven facilities in six locations to serve incarcerated individuals.

The Santa Cruz County Sheriff's Office operates the Main Jail, Blaine Street Women's Facility, Rountree Minimum/Medium Detention Facility, and the Court Holding Cells in Santa Cruz and Watsonville. The Main Jail, opened in 1981, provides maximum-security units and has the capacity to hold up to 311 detainees. Adjacent to the Main Jail is the Blaine Street Women's Facility, opened in 1984. Blaine is a minimum-security jail for women who are very low security risks. Women who do not meet the criteria for the Blaine facility remain in the Main Jail.

Rountree Minimum/Medium Detention Facility is a less restrictive detention center that houses two classifications of inmates: minimum risk and medium risk. Nonviolent offenders are placed at the Rountree facility and often are there for one year or less or until sentenced. Minimum risk inmates can qualify for work extension programs or work release programs. Minimum and medium inmates are segregated. Until January 2010, the minimum and medium risk inmates were housed in separate sections at one facility. However, in a cost saving measure, the minimum risk inmates were moved to the medium risk location for housing.

Finally, the Sheriff's Office operates two holding facilities in the county. Santa Cruz Holding facility is located below the County court building and is commonly termed the "tomb." In Watsonville, a newer facility within the courthouse is considered "the jewel of Santa Cruz County." The facility incorporates state of the art technology and the highest level of safety.

The County Probation Department operates Juvenile Hall, established in 1968. Youth in Juvenile Hall are between the ages of 13 and 18. Teenagers are assigned to the facility if public and personal safety issues escalate to the level that home release is not feasible. Detainees also are placed in Juvenile Hall if there is a possibility that they will not keep a court appearance.

Located in Santa Cruz County is Camp 45, a minimum security camp designed to provide fire fighting and conservation services in the local area. The California Correctional Center in Susanville, California, has a joint arrangement with CAL FIRE to operate the facility. Camp 45 is within the boundaries of Santa Cruz County but not under the jurisdiction of county government and under no obligation to respond to the Santa Cruz County Grand Jury findings and recommendations.

Scope

The 2009-2010 Grand Jury considered various methods of gathering information on each correctional facility. It was decided this year's report would be an inspection rather than an investigation. An inspection is a review of conditions of a facility based on specific standards while an investigation typically is an in-depth study of conditions with an attempt to determine the reasons for any problems discovered.

A template was created for each site to track the information gathered through both observations

and interviews. The inspection criteria were gleaned from an inspection form suggested by the California Grand Jurors' Association and CSA. Categories for inspection included:

- Classification process
- Staffing
- Condition of grounds
- Condition of exterior/interior of buildings
- Types of cells/housing
- Inmate orientation
- Meals/nutrition
- Inmate appearance/clothing
- Educational and vocational programs
- Discipline and inmate grievances
- Correspondence available to inmates
- Visitation policies

All Grand Jury members were invited to attend the initial inspections of each site followed by three Criminal Justice committee members returning for additional visits. The Grand Jury inspected the holding cells once and the other facilities twice. During and in addition to the site visitations, the jurors did the following:

- Reviewed previous Grand Jury jail reports dating back to 2004-2005
- Interviewed correctional officers, staff
- Interviewed inmates in some facilities
- Created individualized questionnaires for each facility to gather additional information not obtained during the onsite visits
- Reviewed Title 15 and Title 24 which pertain to the construction, operation and administration of correctional facilities
- Reviewed web sites regarding detention facilities on both the County and State level
- Reviewed jail population reports for the county
- Communicated via email and telephone with facility management throughout the inspection process

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Santa Cruz County Grand Jury 2009-2010 Correctional Facility Inspection Report

Facility Name: SANTA CRUZ COUNTY MAIN JAIL	Inspection Date(s): September 15, 2009 January 12, 2010
Address: 259 Water Street Santa Cruz, CA 95060	Rated Capacity: 311 Occupancy: 338 (September 15, 2009)
<p>Background:</p> <p>The Main Jail, opened in 1981, is located at 259 Water Street in Santa Cruz. It is the only detention facility in the county that provides maximum security units. Constructed of reinforced concrete and containing 70,000 square feet, the facility has a rated capacity of 311. The jail is completely under the management of the Santa Cruz County Sheriff's Office.</p> <p>In addition to the annual mandated inspection by the Grand Jury, the Main Jail also undergoes additional inspections by the following:</p> <ul style="list-style-type: none"> • State Corrections Standards Authority every two years • State Fire Marshal every two years • Santa Cruz County Environmental Health Officer every year 	
<p>Findings:</p> <p>F1. At the time of this inspection, there were five unfilled correctional officer positions due to budget constraints.</p> <p>F2. The mental health of inmates is handled by medications, the social model, counseling, and behavior modification. Mental health services are limited due to a shortage of trained mental health professionals to serve the needs of so many inmates.</p> <p>F3. On the two occasions that the Grand Jury toured the Main Jail, it found boxes of supplies stored in the hallways. The boxes blocked the visibility of the fire alarm.</p>	
<p>Conclusions:</p> <p>C1. The shortage of correctional officers hinders the individual care and progress of inmates and overburdens the workload of the current correctional officers.</p> <p>C2. Reduction of recidivism is possible if there are alternatives for mental health inmates such as appropriate medications and behavioral programs.</p> <p>C3. The Main Jail does not have adequate storage for supplies. Supplies are stored in areas that create a hazard to staff and inmates.</p>	

Recommendations:

- R1.** The Santa Cruz County Sheriff's Office and the Santa Cruz County Board of Supervisors should develop a plan to remedy the shortage of correctional officers in the Main Jail so that the plan can be implemented as funds become available.
- R2.** The Grand Jury recommends that the Sheriff's Office and the Board of Supervisors seek additional funds to increase mental health services for inmates.
- R3.** The Sheriff's Office and the Board of Supervisors should solve the storage problem at the Main Jail by finding an appropriate place to house supplies or by purchasing additional storage space.

Commendations:

- 1.** The Grand Jury commends the staff at the Main Jail for creating a culture in which strict behavioral guidelines are balanced with dignity and respect.
- 2.** The Grand Jury commends the staff at the Main Jail for their positive attitude despite continually having to do more with less.
- 3.** The Grand Jury also commends the staff at the Main Jail for grouping inmates by degree of sociability and safety potential rather than by ethnicity.
- 4.** The Grand Jury commends the mental health staff for their exceptional dedication to the treatment of inmates with mental health issues.

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1 – F3	R1 – R3	60 days September 1, 2010
Santa Cruz County Sheriff's Office	F1 – F3	R1 – R3	60 days September 1, 2010

AREA INSPECTED/REVIEWED (Please Check)		
<u>Quality of Life</u>	<u>Programs</u>	<u>Persons Interviewed</u>
<input checked="" type="checkbox"/> Physical Plan	<input checked="" type="checkbox"/> Educational	<input checked="" type="checkbox"/> Inmates
<input checked="" type="checkbox"/> Meals Nutrition	<input type="checkbox"/> Vocational	<input checked="" type="checkbox"/> Facility Manager
<input checked="" type="checkbox"/> Mental Health	<input type="checkbox"/> Community Services	<input checked="" type="checkbox"/> Medical
<input checked="" type="checkbox"/> Physical/Dental Health	<input type="checkbox"/> Domestic Violence	<input checked="" type="checkbox"/> School Staff
<input checked="" type="checkbox"/> Religious Services	<input checked="" type="checkbox"/> Victim/Gang Awareness	<input checked="" type="checkbox"/> Mental Health Staff
<input checked="" type="checkbox"/> Visiting	<input checked="" type="checkbox"/> Substance Abuse	<input checked="" type="checkbox"/> Line Staff
<input checked="" type="checkbox"/> Volunteer Involvement	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Food Services Staff
<input type="checkbox"/> Other		<input type="checkbox"/> Other

GENERAL INFORMATION

What is the rated capacity of the facility?

311.

Has the facility exceeded capacity since the last inspection?

Yes, on 14 out of 15 random examinations of daily population analysis reports.

What is the inmate classification system? Describe:

All inmates are classified immediately after being booked. Classification is determined through an interview process based on six questions. Inmates are not segregated by race or gang affiliation.

Since the last inspection indicate the following:

- o Number of suicides: 0
- o Number of attempted suicides: 0
- o Number of deaths from other causes: 0
- o Number of escapes: 0

Date of last fire/emergency drill: October 2008

LOCAL INSPECTIONS

Fire Inspection Conducted: Date: October 2008
Medical/Mental Health: Date: September 2009
Environmental Health: Date: June 2009
Nutritional Health: Date: March 2009
Corrections Standards Authority: Date: June 2009
Other (Describe): Date:

STAFFING

Is there enough staff to monitor inmates?

Yes; however, five correctional officer positions currently are unfilled due to budget constraints.

Does staff communicate in language that an inmate can understand?

Yes.

Diversity of staff:

Primarily Caucasian and Latino.

Impression of staff/inmate interactions:

Very good. Conspicuous mutual respect.

CONDITION OF GROUNDS

Lawns, recreations area, blacktop, asphalt, other:

Excellent.

EXTERIOR OF BUILDING(S)

General conditions, paint, roof, drains/gutters, other:

Good.

INTERIOR OF BUILDING(S)

Walls, paint, floors, drains, plumbing fixtures working, air vents, windows:

Generally good. Several leaks in ceiling areas, however.

Are cleaning fluids and chemicals labeled and safely stored?

Yes.

Weapons locker present:

Yes.

Recreation/sports equipment:

Available in designated areas.

Are the hallways clear, are doors propped open or closed?

Boxes of supplies in hallway blocked view of fire alarm.

Holding areas (cells/rooms) [if present] have access to drinking water and toilet?

Yes.

Are there individual cells/rooms, or dormitories?

Cell blocks; P-Unit: a coveted housing area with fewer restrictions for inmates willing to work (e.g., kitchen, laundry); O-Unit: a highly restrictive housing area for inmates requiring strict monitoring for medical and/or psychological issues.

Beds – type of bed and 12 inches off the floor:

Metal/Cement framed beds 12 inches off the floor. Plastic "boats" placed on floor and used as beds as needed when above the rated capacity.

Adequate lighting:

Yes.

Temperature:

Average: 68 degrees.

INDIVIDUAL CELLS/ROOMS

Conditions of walls:

Good.

Personal possessions allowed in cell/room (art, books, et cetera):

Yes.

Graffiti present:

No.

Ample bedding:

Yes.

ORIENTATION OF INMATES

Are inmates oriented to rules and procedures?

Yes.

Are rules and grievance procedures posted?

Yes.

Are rules and grievance procedures understood by inmates?

Comprehension check is made after presentation at intake.

Number inmates interviewed: 4

Comments:

Comments ranged from appreciation of the atmosphere of mutual respect to complaints about not receiving requested medication or the food being only okay.

MEALS/NUTRITION

The kitchen area – Is it clean? Are knives and chemicals locked?

Yes, clean and orderly. Knives and chemicals are locked up.

Have the inmates working in the kitchen been trained?

Yes. The majority of kitchen staff is from the Blaine Street Women's Facility across the street from the Main Jail.

Are meals served in the cell, dayroom, or at a central cafeteria?

Cells.

Are inmates allowed to converse during meals?

Yes.

Length of time allowed for eating:

30 Minutes.

PERSONAL APPEARANCE OF INMATES

What is appearance of inmates (dirty, unkempt, well groomed, et cetera)?

Generally neat and clean.

Showers – Frequency, privacy, maintained, supervised by staff?

Showers are allowed any time inmates are out of their cells, but only one person may shower at a time.

Are there any reported assaults by inmates on inmates?

Yes.

Condition of clothing (does the clothing fit, appropriate for weather, etc)?

Good condition and appropriate. The clothing is color coded: orange for the general population, yellow for those in lockdown status, and red for the female population.

PROGRAMS

Exercise inside or outside? How frequently is it offered? How much time is each inmate offered? Do men get more exercise time than women?

There is an enclosed exercise area within each unit. Inmates are allowed daily exercise during daylight hours depending on disciplinary status.

Are there clergy available to inmates on request? Is there access to religious services?

Clergy is available on request and religious services are available.

Are anger management and other applicable programs available?

Yes.

Are medical services available? How frequently is mental health staff onsite? How long do inmates wait to be seen?

Medical services are available from M.D., R.N., and L.V. N. Medical services are available 24 hours a day. Emergency and more serious medical cases are transferred to Dominican Hospital Emergency Room. Mental health staff is available 24 hours a day.

Are vocational classes available? If so, what types (cooking, gardening, painting, computers, et cetera)?

Vocational classes are not offered. Life skills classes are offered.

Is there a program to involve community volunteers?

Friends Outside is a community volunteer support program that helps with the daily needs of inmates such as paying bills, running errands, and buying stamps.

Is there a work program?

No.

Other:

DISCIPLINE OF INMATES

How often is discipline enacted? What is the range of discipline options?

Discipline is enacted as needed. The range of options include: confinement to room; withdrawal of television viewing privileges; withdrawal of access to coffee pot; placement on the Loaf Diet, which is a baked loaf consisting of nonfat dry milk, grated potato, chopped carrots, tomato juice, cabbage, oil, whole wheat flour, salt, onion, egg, red beans, chili powder, and a protein (beef, turkey, or Textured Vegetable Protein); loss of visitation privileges.

GRIEVANCES

What are the most common types of grievances filed by inmates? Is there a record kept based on type and number?

The most common grievances relate to food and medical issues. Records are kept based on type and frequency.

CORRESPONDENCE

Is there limited free postage to inmates without money?

Yes.

Incoming/outgoing – are inmates aware that mail can be read?

Yes.

Confidential correspondence to attorneys, legislators, CSA, et cetera – How is it handled?

Confidential correspondence is checked only for contraband.

Do inmates have access to telephones? What are the restrictions?

Inmates have access to telephones but may be restricted due to disciplinary status.

VISITATION

Is there adequate space and privacy? Convenient times or accommodations to family work schedules, et cetera?

On visitation days family members access inmates one of three ways: 1) directly through a metal screen; 2) by telephone but separated by a window; 3) weekend visit in a room with no physical contact. Visits can be arranged to accommodate the work schedules of families. The extent of visitation privileges is determined by inmate behavior.

Are there provisions for special visits with attorneys and clergy?

Yes.

Does staff supervise visits?

Yes.

Do all inmates have access to visiting? – If not give reasons:

Inmates can lose visitation privileges for disciplinary reasons.

EDUCATIONAL PROGRAMS

College levels, high school level, other:

High school GED is the maximum level of educational classes offered to inmates.

Name of school district providing educational services:

Santa Cruz City Unified School District Adult Education

Number of teachers – full time, part-time, substitutes:

0 paid teachers; 2 part-time volunteer teachers.

Number of inmates and in what types of educational programs:

The number varies with the census; basic GED requirements are the core of the curricula.

Atmosphere of classroom(s):

Professional and courteous.

Are there adequate supplies (books, paper, computers, et cetera)?

Yes.

Are activities and coursework assigned by teachers?

Yes.

Relationship between staffs of educational program staff and facility staff:

Excellent.

Santa Cruz County Grand Jury 2009-2010 Correctional Facility Inspection Report

Facility Name: BLAINE STREET WOMEN'S FACILITY	Inspection Date(s): September 15, 2009 February 2, 2010
Address: 141 Blaine Street Santa Cruz, CA	Rated Capacity: 32 Occupancy: 14
Background: Opened in 1984, Blaine Street is a minimum security correctional facility for women who have been classified as very low security risks. Those not meeting this criterion are held at the Main Jail, which is across the street from the rear entrance to the facility. The proximity to the Main Jail has provided mutual advantages. The medical resources and supplies at the Main Jail are available to the women at the Blaine Street facility. The women, on the other hand, provide assistance with cooking responsibilities at the Main Jail. The reciprocal relationship has been appreciated over the years.	
Findings: F4. While the officers had been on weekly rotations to monitor and maintain order at the facility, currently the Sheriff's Office has ended the rotation and a permanent officer has been assigned to the site. F5. Inmates at Blaine Street attend classes at the Main Jail. However, the classroom space there is divided by an accordion partition and the classrooms often are noisy. Additionally, the classes for women are limited to basic education and life skills.	
Conclusions: C4. The presence of a permanent officer onsite is a significant improvement, especially in the areas of employee-inmate relations and inmate accountability. There is more stability and consistency because inmates are clearer on expectations. C5. Improving the classroom space and the curriculum for women inmates would provide a better learning environment and perhaps enable the women to learn skills that would be useful to them when they are no longer incarcerated.	
Recommendations: R4. The Santa Cruz County Sheriff's Office should continue the strategy of having a permanent officer on site. R5. The Sheriff's Office and the Santa Cruz County Board of Supervisors should allocate funds to create a classroom and expand the curriculum to include more general education classes and job-training skills.	

Commendations:

5. The Grand Jury commends the staff at the Blaine Street Women's Facility for its professional and competent manner of running the facility.
6. The Grand Jury commends the staff for maintaining a clean and orderly computer room.
7. The Grand Jury commends the staff for accessing the Gemma program.

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F5	R5	60 days September 1, 2010
Santa Cruz County Sheriff's Office	F4, F5	R4, R5	60 days September 1, 2010

AREA INSPECTED/REVIEWED (Please Check)		
<u>Quality of Life</u>	<u>Programs</u>	<u>Persons Interviewed</u>
<input checked="" type="checkbox"/> Physical Plan <input checked="" type="checkbox"/> Meals Nutrition <input checked="" type="checkbox"/> Mental Health <input type="checkbox"/> Physical/Dental Health <input checked="" type="checkbox"/> Religious Services <input checked="" type="checkbox"/> Visiting <input type="checkbox"/> Volunteer Involvement <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Educational <input checked="" type="checkbox"/> Vocational <input type="checkbox"/> Community Services <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Victim/Gang Awareness <input checked="" type="checkbox"/> Substance Abuse <input type="checkbox"/> Other	<input type="checkbox"/> Inmates <input checked="" type="checkbox"/> Facility Manager <input type="checkbox"/> Medical <input checked="" type="checkbox"/> School Staff <input type="checkbox"/> Mental Health Staff <input type="checkbox"/> Line Staff <input type="checkbox"/> Food Services Staff <input type="checkbox"/> Other

GENERAL INFORMATION

What is the rated capacity of the facility?

32

Has the facility exceeded capacity since the last inspection?

Yes.

What is the inmate classification system? Describe:

All inmates are classified immediately after being booked. Classification is determined through an interview process based on six questions. Inmates are not segregated by race or gang affiliation.

Since the last inspection indicate the following:

- o Number of suicides: 0
- o Number of attempted suicides: 0
- o Number of deaths from other causes: 0
- o Number of escapes: 1

Date of last fire/emergency drill: January 2010

LOCAL INSPECTIONS

Fire Inspection Conducted:	<input checked="" type="checkbox"/>	Date: March 2009
Medical/Mental Health:	<input checked="" type="checkbox"/>	Date: September 2009
Environmental Health:	<input checked="" type="checkbox"/>	Date: June 2009
Nutritional Health:	<input checked="" type="checkbox"/>	Date: March 2009
Corrections Standards Authority:	<input checked="" type="checkbox"/>	Date: June 2009
Other (Describe):	<input type="checkbox"/>	Date:

STAFFING

Is there enough staff to monitor inmates?

Yes. Moreover, the assignment of permanent officers rather a system of rotating officers has produced postive results.

Does staff communicate in language that an inmate can understand?

Yes.

Diversity of staff:

Mostly Caucasian or Latino.

Impression of staff/inmate interactions:

Humane and mutually respectful.

CONDITION OF GROUNDS

Lawns, recreations area, blacktop, asphalt, other:

Generally neat and clean. Patio benches showed some signs of deterioration.

EXTERIOR OF BUILDING(S)

General conditions, paint, roof, drains/gutters, other:

Clean and in good repair.

INTERIOR OF BUILDING(S)

Walls, paint, floors, drains, plumbing fixtures working, air vents, windows:

Neat and clean.

Are cleaning fluids and chemicals labeled and safely stored?

Yes.

Weapons locker present:

No.

Recreation/sports equipment:

Yes.

Are the hallways clear, are doors propped open or closed?

Hallways are clear. Doors are closed.

Holding areas (cells/rooms) [if present] have access to drinking water and toilet?

Yes.

Are there individual cells/rooms, or dormitories?

Yes.

Beds – type of bed and 12 inches off the floor:

Bunk 12 inches off the floor.

Adequate lighting:

Yes.

Temperature:

68 degrees.

INDIVIDUAL CELLS/ROOMS

Conditions of walls:

Clean.

Personal possessions allowed in cell/room (art, books, et cetera):

Yes.

Graffiti present:

No.

Ample bedding:

Yes.

ORIENTATION OF INMATES

Are inmates oriented to rules and procedures?

Yes.

Are rules and grievance procedures posted?

Yes.

Are rules and grievance procedures understood by inmates?

Yes.

Number inmates interviewed: 0

Comments:

Few inmates were present during the visits. They were either working or attending classes.

MEALS/NUTRITION

The kitchen area – Is it clean? Are knives and chemicals locked?

Yes.

Have the inmates working in the kitchen been trained?

Yes.

Are meals served in the cell, dayroom, or at a central cafeteria?

Central cafeteria.

Are inmates allowed to converse during meals?

Yes.

Length of time allowed for eating:

30 minutes.

PERSONAL APPEARANCE OF INMATES

What is appearance of inmates (dirty, unkempt, well groomed, et cetera)?

Neat.

Showers – Frequency, privacy, maintained, supervised by staff?

Showers are allowed daily. The showers are maintained by the inmates. Inmates are unsupervised while using the showers.

Are there any reported assaults by inmates on inmates?

Yes.

Condition of clothing (does the clothing fit, appropriate for weather, etc)?

Clothing is clean.

PROGRAMS

Exercise inside or outside? How frequently is it offered? How much time is each inmate offered? Do men get more exercise time than women?

Exercise is available inside and outside, and it is offered daily during daylight hours. Inmates have substantial flexibility on how much time they devote to exercising.

Are there clergy available to inmates on request? Is there access to religious services?

Yes, and there also are religious services.

Are anger management and other applicable programs available?

Yes.

Are medical services available? How frequently is mental health staff onsite? How long do inmates wait to be seen?

Yes. Mental health staff is available everyday. Waiting time depends on the severity of the condition that needs attention.

Are vocational classes available? If so, what types (cooking, gardening, painting, computers, et cetera)?

Yes, a computer class is available. Parenting skills are learned in the Gemma program, named after a plant bud that blossoms. The hope is that through learning good parenting and social skills, the inmates also will "blossom." Generally two topics are covered each week. On the day of the Grand Jury inspection inmates were receiving instruction on writing a resume and interviewing skills.

Is there a program to involve community volunteers?

Yes, Friends Outside.

Is there a work program?

Yes

Other:

DISCIPLINE OF INMATES

How often is discipline enacted? What is the range of discipline options?

Inmates needing discipline are transported to the Main Jail.

GRIEVANCES

What are the most common types of grievances filed by inmates? Is there a record kept based on type and number?

The most common grievances focus on the food and medical issues.

CORRESPONDENCE

Is there limited free postage to inmates without money?

Yes.

Incoming/outgoing – are inmates aware that mail can be read?

Yes.

Confidential correspondence to attorneys, legislators, CSA, et cetera – How is it handled?

This correspondence is checked for contraband only.

Do inmates have access to telephones? What are the restrictions?

Yes, unless the privilege has been removed as a disciplinary action.

VISITATION

Is there adequate space and privacy? Convenient times or accommodations to family work schedules, et cetera?

Yes, there is a community room and a garden area providing adequate space and privacy. Weekends are set aside for visitations, but modifications are possible to accommodate the families' work schedules.

Are there provisions for special visits with attorneys and clergy?

Yes.

Does staff supervise visits?

Yes.

Do all inmates have access to visiting? – If not give reasons:

Yes.

EDUCATIONAL PROGRAMS

College levels, high school level, other:

No higher than high school level. GED classes are offered.

Name of school district providing educational services:

Santa Cruz City Adult Education Program.

Number of teachers – full time, part-time, substitutes:

5 paid teachers; 2 volunteer teachers. All teachers are part-time.

Number of inmates and in what types of educational programs:

All inmates participate in the GED program. Other classes open to all inmates are: 1) a writing class provided by students from UCSC, 2) a class on arts and film provided by students from UCSC, 3) a computer class, 4) knitting and crocheting, 5) substance abuse, 6) 12-Step alcohol and drug programs, 7) nondenominational religious studies, 8) yoga, and 9) a class on life after release from custody called "Getting Out and Staying Out" provided by the community volunteer group Friends Outside.

Atmosphere of classroom(s):

Professional, attentive, mutual respect.

Are there adequate supplies (books, paper, computers, et cetera)?

Yes.

Are activities and coursework assigned by teachers?

Yes.

Relationship between staffs of educational program staff and facility staff:

Mutually appreciative.

Santa Cruz County Grand Jury 2009-2010 Correctional Facility Inspection Report

Facility Name: ROUNTREE MINIMUM/MEDIUM CORRECTIONAL FACILITY	Inspection Date(s): September 3, 2009 January 14, 2010
Address: 90/100 Rountree Lane Watsonville, CA 95076	Rated Capacity: 110 Occupancy: 109 (1/14/10)
Background: <p>The Rountree correctional facility houses two classifications of male inmates: minimum risk and medium risk. Rountree inmates are nonviolent offenders and most have been sentenced to a year or less. The minimum risk inmates are not considered to pose a threat to other inmates and do not possess a high level of criminal sophistication. These inmates can qualify for the Work Extension Program or Work Release Program. The medium risk inmates require incarceration and/or segregation from other inmates but do not require the level of maximum security found at the Main Jail. Many Rountree inmates are awaiting trial or sentencing.</p> <p>In early January 2010, minimum security inmates were moved into the medium risk facility for housing. The Grand Jury visited the combined facility on January 14, 2010, and this inspection report is based on the newly restructured, combined facility.</p>	
Findings: <p>F6. In January 2010, in a cost saving measure, minimum security inmates were moved into the medium risk facility for housing. The minimum risk facility (commonly referred to as “The Farm”) remains open to minimum security inmates for day activities such as GED classes and auto body classes.</p> <p>F7. Medical services are not available at the Rountree facility. Emergency medical cases are transported to local Doctors on Duty or Watsonville Community Hospital. Mental health professionals are available on an on-call basis. Inmates requiring mental health prescription medication cannot be housed at Rountree due to lack of medical personnel.</p>	
Conclusions: <p>C6. The conjoining of the two facilities was conducted in an efficient manner causing minimal disruption and optimal results.</p> <p>C7. Lack of medical and mental health treatment at the Rountree facility limits the type of inmate who can be housed at the facility and contributes to the overcrowding of the Main Jail</p>	

<p>Recommendations:</p> <p>R6. The Santa Cruz County Sheriff’s Office should assign medical personnel to Rountree to administer medications. This would allow inmates who are housed at the Main Jail because they need medication, but who otherwise would qualify for Rountree, to be transferred to that facility, which perhaps would be a better setting for them and also ease overcrowding at the Main Jail.</p>
<p>Commendations:</p> <p>8. The Grand Jury commends the Rountree staff and correctional officers for the smooth transition during the combination of the minimum and medium detention facilities. The general well-being and safety of the inmates, staff, and correctional officers remained a priority and daily operations were not disrupted.</p>

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F7	R6	60 days September 1, 2010
Santa Cruz County Sheriff’s Office	F7	R6	60 days September 1, 2010

AREA INSPECTED/REVIEWED (Please Check)		
<u>Quality of Life</u>	<u>Programs</u>	<u>Persons Interviewed</u>
<input checked="" type="checkbox"/> Physical Plan	<input checked="" type="checkbox"/> Educational	<input checked="" type="checkbox"/> Inmates
<input checked="" type="checkbox"/> Meals Nutrition	<input checked="" type="checkbox"/> Vocational	<input checked="" type="checkbox"/> Facility Manager
<input checked="" type="checkbox"/> Mental Health	<input type="checkbox"/> Community Services	<input type="checkbox"/> Medical
<input checked="" type="checkbox"/> Physical/Dental Health	<input checked="" type="checkbox"/> Domestic Violence	<input checked="" type="checkbox"/> School Staff
<input checked="" type="checkbox"/> Religious Services	<input type="checkbox"/> Victim/Gang Awareness	<input type="checkbox"/> Mental Health Staff
<input checked="" type="checkbox"/> Visiting	<input checked="" type="checkbox"/> Substance Abuse	<input checked="" type="checkbox"/> Line Staff
<input checked="" type="checkbox"/> Volunteer Involvement	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Food Services Staff
<input checked="" type="checkbox"/> Other		<input type="checkbox"/> Other

GENERAL INFORMATION

What is the rated capacity of the facility?

110.

Has the facility exceeded capacity since the last inspection?

No.

What is the inmate classification system? Describe:

Inmates are classified at the Main Jail prior to being incarcerated at Rountree.
(See section under Classification Section in Main Jail report for detailed description.)

Since the last inspection indicate the following:

- o Number of suicides: 0
- o Number of attempted suicides: 0
- o Number of deaths from other causes: 0
- o Number of escapes: 0

Date of last fire/emergency drill: 2009

LOCAL INSPECTIONS

Fire Inspection Conducted: Date: 2009
Medical/Mental Health: Date: N/A
Environmental Health: Date: 2009
Nutritional Health: Date: 2009
Corrections Standards Authority: Date: 2009
Other (Describe): Date:

STAFFING

Is there enough staff to monitor inmates?

Yes.

Does staff communicate in language that an inmate can understand?

Yes.

Diversity of staff:

Caucasian/Latino.

Impression of staff/inmate interactions:

Excellent. Staff demonstrated a respectful attitude and conversational style with inmates.

CONDITION OF GROUNDS

Lawns, recreations area, blacktop, asphalt, other:

Very good, particularly in outside visitation area for minimum security inmates.

EXTERIOR OF BUILDING(S)

General conditions, paint, roof, drains/gutters, other:

Excellent.

INTERIOR OF BUILDING(S)

Walls, paint, floors, drains, plumbing fixtures working, air vents, windows:

Very good. Clean and well maintained. No graffiti present.

Are cleaning fluids and chemicals labeled and safely stored?

Yes.

Weapons locker present:

Yes.

Recreation/sports equipment:

Basketball, ping-pong within both cell units. Two guitars are available.

Are the hallways clear, are doors propped open or closed?

Yes.

Holding areas (cells/rooms) [if present] have access to drinking water and toilet?

Yes.

Are there individual cells/rooms, or dormitories?

There are two dormitories with bays for bunks referred to as Unit R and Unit S. One unit houses medium risk inmates and the other minimum risk inmates.

Beds – type of bed and 12 inches off the floor:

Metal beds 12 inches off the floor.

Adequate lighting:

There is a great deal of natural light in the units as well as ample artificial lighting.

Temperature:

70 - 75 degrees.

INDIVIDUAL CELLS/ROOMS

Conditions of walls:

Excellent.

Personal possessions allowed in cell/room (art, books, et cetera):

No.

Graffiti present:

No.

Ample bedding:

Yes.

ORIENTATION OF INMATES

Are inmates oriented to rules and procedures?

Yes.

Are rules and grievance procedures posted?

Yes.

Are rules and grievance procedures understood by inmates?

Yes.

Number inmates interviewed: 6

Comments:

The inmates interviewed expressed reasonable satisfaction with their surroundings. Most of them recognized that being incarcerated at Rountree is much preferable to being incarcerated at the Main Jail. One medium security inmate complained that he felt he was not receiving the allotted number of minutes from his telephone card. A correctional officer reiterated to him the way the phone cards work. A disabled medium security inmate dependent on a wheelchair stated that he felt his needs were fully met. A minimum security inmate complained that his aunt had not been allowed to visit on a prior visiting day. It was explained by the attending correctional officer that the rules and procedures for visitation require that visitor requests must be filed in writing every 90 days in order to conduct a proper screening of potential visitors. Individuals on probation are not allowed to visit inmates.

MEALS/NUTRITION

The kitchen area – Is it clean? Are knives and chemicals locked?

The kitchen is immaculate. Knives and chemicals are locked up.

Have the inmates working in the kitchen been trained?

Yes. It is considered a privilege to work in the kitchen. The kitchen is well-maintained and inmates are well-supervised by the chef.

Are meals served in the cell, dayroom, or at a central cafeteria?

Central cafeteria. Minimum and medium inmates eat at separate times.

Are inmates allowed to converse during meals?

Yes.

Length of time allowed for eating:

30 minutes.

PERSONAL APPEARANCE OF INMATES

What is appearance of inmates (dirty, unkempt, well groomed, et cetera)?

Clean, well groomed.

Showers – Frequency, privacy, maintained, supervised by staff?

Showers are allowed daily. There is a privacy wall in the showers. The shower areas are maintained by inmates. A correctional officer is present at all times in the unit.

Are there any reported assaults by inmates on inmates?

Yes.

Condition of clothing (does the clothing fit, appropriate for weather, etc)?

The jail-issued clothing consists of underwear, t-shirt, outer top, long pants and shorts. Inmates' clothing looked well-maintained and clean.

PROGRAMS

Exercise inside or outside? How frequently is it offered? How much time is each inmate offered? Do men get more exercise time than women?

Exercise is provided inside and outside of each unit and is offered daily. Inmates are allowed to exercise during daylight hours. Both units have an adjacent secure outside area that can be used for basketball and other sport activities. Minimum risk inmates walk to the former minimum security facility for exercise and recreation during the day (8:00 am to dusk) where they have access to volleyball, handball, and outdoor exercise equipment.

Are there clergy available to inmates on request? Is there access to religious services?

Yes. A nondenominational service is held each week.

Are anger management and other applicable programs available?

No.

Are medical services available? How frequently is mental health staff onsite? How long do inmates wait to be seen?

Rountree inmates have access to a physician at the Main Jail who conducts sick call Monday through Friday. There is a nurse on duty at the Main Jail 24/7. Rountree inmates in need of medical care are transported to the Main Jail by van. For medical emergencies, inmates are transferred to a nearby Doctors on Duty clinic or Watsonville Community Hospital. Inmates requiring mental health medication cannot be housed at Rountree due to lack of medical personnel. A staff member commented that the Rountree facility could house more inmates and therefore be more efficiently utilized if medical personnel could be present to distribute psychiatric medication. As it is, minimum risk inmates requiring mental health medication must be housed at Main Jail.

Are vocational classes available? If so, what types (cooking, gardening, painting, computers, et cetera)?

Auto body classes and computer classes are available.

Is there a program to involve community volunteers?

Yes. Drug and alcohol classes and counseling is offered through volunteers.

Is there a work program?

There is both a Work Furlough Program and a Work Extension Program for low risk inmates.

Other:

DISCIPLINE OF INMATES

How often is discipline enacted? What is the range of discipline options?

Discipline is enacted when a violation is committed by an inmate. Discipline varies in severity. Examples of discipline: written warning, loss of telephone privileges, loss of visitation privileges, good work time credit removed, isolation, transfer to Main Jail.

GRIEVANCES

What are the most common types of grievances filed by inmates? Is there a record kept based on type and number?

Inmates file complaints about the number of citations they receive, the canteen, and medical services. All inmate complaints are numbered, responded to and filed at the Main Jail.

CORRESPONDENCE

Is there limited free postage to inmates without money?

Yes.

Incoming/outgoing – are inmates aware that mail can be read?

Letters are opened in front of the inmates and checked for contraband.

Confidential correspondence to attorneys, legislators, CSA, et cetera – How is it handled?

Confidential correspondence is opened in the presence of inmates and checked only for contraband.

Do inmates have access to telephones? What are the restrictions?

Yes. There are telephones within the units. Inmates use prepaid telephone calling cards. Incoming and outgoing phone calls are monitored.

VISITATION

Is there adequate space and privacy? Convenient times or accommodations to family work schedules, et cetera?

Yes. Six people per inmate are allowed on approved visitors list. Every 90 days inmates must submit a new list for approval. There are different areas for visitation. Medium risk inmate visits are by phone (through window). The common dining area is used for family visits. The minimum inmate visitation area includes a picnic area with lawn, tables and a playground for children. Accommodations can be arranged to meet family work schedules.

Are there provisions for special visits with attorneys and clergy?

Yes. Inmates are allowed attorney visits at any time. Private rooms are available for these visits.

Does staff supervise visits?

Yes.

Do all inmates have access to visiting? – If not give reasons:

All inmates have access to visitation unless the privilege is removed due to a violation.

EDUCATIONAL PROGRAMS

College levels, high school level, other:

GED is the maximum level of formal education offered. All inmates without a high school degree are required to take GED classes. Correctional officers and educational staff expressed regret that due to budget cuts many classes and programs have been eliminated, e.g., ESL and Parent Education. Records indicate that inmate involvement in educational programs increases the chance for successful re-entry into society.

Name of school district providing educational services:

Pajaro Valley Unified School District/Adult Education.

Number of teachers – full time, part-time, substitutes:

There are two full time and three part-time paid teachers for GED, computer and autobody. There also are ten part-time volunteer teachers.

Number of inmates and in what types of educational programs:

105 across all of the programs.

Atmosphere of classroom(s):

Good. The Program Liason officer and teachers are enthusiastic and professional. In one classroom the emergency call button is located at the back of the classroom, on the opposite wall from where the teacher stands, putting him/her at potential risk.

Are there adequate supplies (books, paper, computers, et cetera)?

Yes.

Are activities and coursework assigned by teachers?

Unknown.

Relationship between staffs of educational program staff and facility staff:

Excellent. The correctional officers work daily with the Program Liason officer and program staff.

Santa Cruz County Grand Jury 2009-2010 Court Holding Inspection Report

Facility Name: SANTA CRUZ COURT HOLDING FACILITY	Inspection Date(s): January 5, 2010
Address: 701 Ocean Street Santa Cruz, CA 95060	Rated Capacity: 78 Occupancy: 50 (daily average)
Background: <p>The Santa Cruz Holding Facility is located in the basement of the Superior Court Building. It is operated by the Santa Cruz County Sheriff's Office. Inmates with scheduled court dates are transferred from their respective correctional facilities and held in the holding cells before their court appearance. The basement area that contains the holding cells is relatively small, dark, and often referred to as "the tomb" by inmates.</p>	
Findings: <p>F8. The Santa Cruz Holding Facility is very old and has only five cells available to separate inmates by classification. The general population cell houses as many as 20 inmates at a time. Rival gangs are separated, with one cell devoted to Sureños members and one cell to Norteños members. Females are placed in one cell, and juveniles, mental health inmates, and special circumstances inmates reside in the fifth cell. The approximate number of custodials per day is 50.</p>	
Conclusions: <p>C8. With a high volume of inmates and only five holding cells, it is a challenge to adequately separate inmates who pose a danger to one another and therefore to staff. Given the configuration of the holding cells, juveniles (particularly those who are affiliated with a gang) are at risk for being influenced by adult gang members.</p>	
Recommendations: <p>R7. The Santa Cruz County Sheriff's Office and the Santa Cruz County Board of Supervisors should develop a plan to update the Santa Cruz Holding Facility and to fully utilize the Watsonville Holding Facility and the Watsonville courthouse to alleviate the overcrowding of certain individual cells in the Santa Cruz Holding Facility.</p>	

Commendations:

9. The Grand Jury commends the correctional officers and staff for maintaining a well-controlled environment within Court Holding, particularly given the need to update the facility.

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F8	R7	60 days September 1, 2010
Santa Cruz County Sheriff's Office	F8	R7	60 days September 1, 2010

CONDITIONS OF DETENTION

Secure non-public access, movement within and egress. If the same entrance is used by both minors and adults, is movement scheduled so that there is no opportunity for contact/communication?

Great effort is made at all times to keep minors and adults separate and movement is scheduled to keep inmates from different classifications separate.

Are minors separated from adults once inside court holding area?

There is a separate cell for juveniles.

Access to toilets and washing facilities:

Yes.

Access to drinking fountain or water:

Yes.

SUPERVISION OF ADULTS

Staff training completed? (Including segregation occupants, emergency procedures and planning, and suicide prevention)

All staff members are well trained and supervised.

Is there an established classification plan for adults? Is classification information received in a timely manner?

Yes. Prior to each day that court is in session the holding cell staff receives a classification report for all inmates scheduled for court appearances. After receiving the classification report, they check the data against three different sources for accuracy.

Is there a suicide prevention program?

Yes.

Ability and frequency of staff to supervise adults:

There are five large, separate, concrete holding cells:
(1) General population (with as many as 20 inmates in one cell), (2) Sureños, (3) Females, (4) Norteños, (5) Mental health/juvenile/special circumstances. There are frequent and regular checks on all inmates in the holding cells: every 30 minutes for adults, every 15 minutes for juveniles.

Review of Incident Reports:

NA.

Number adults interviewed: 0

Comments:

It was recommended, for safety reasons, that the Grand Jury inspection occur when inmates were not present.

SUPERVISION OF MINORS

Staff training completed? (Including segregation of minors, emergency procedures and planning, and suicide prevention)

Yes.

Is there an established classification plan for minors? Is classification information received in a timely manner?

There is a classification plan for minors. Classification information is received in a timely manner.

Is there a suicide prevention program?

Yes.

Ability and frequency of staff to supervise minors

Staff check on minors every 15 minutes.

Review of Incident Reports:

NA.

Number minors interviewed: 0

Comments:

Housing juveniles in court holding is infrequent with an average of only three juveniles a month.

Santa Cruz County Grand Jury 2009-2010 Court Holding Inspection Report

Facility Name: WATSONVILLE COURT HOLDING FACILITY	Inspection Date(s): January 14, 2010
Address: One Second Street Watsonville, CA 95076	Rated Capacity: 48 Occupancy: NA (Average custodials per day: 18)
Background: The Watsonville Holding Facility is located within the new (2008) courthouse at One Second Street. Inmates are transported from their respective correctional facilities to the holding facility on the day of a scheduled court appearance. The facility incorporates state of the art technology to ensure the highest level of safety for inmates as well as the safety of staff and correctional officers. The building that houses the holding facility is owned by the city of Watsonville.	
Findings: F9. The Watsonville Holding Facility is a new facility that is state of the art and referred to by many correctional officers as “the jewel of Santa Cruz County.” The Watsonville Holding Facility has six holding cells for the following classifications: general population, females, juveniles, special needs such as inmates needing wheel chair access, and rival gangs. The Sureños and Norteños are kept in separate holding cells. The average number of custodials per day is 18 with a maximum capacity of 48.	
Conclusions: C9. The Watsonville Holding Facility incorporates several innovative and specific methods for assuring the safety of inmates and officers including a secure sally port area for the transfer of detainees, extensive video surveillance, a state of the art secure control room and well thought out classification of cell populations.	
Recommendations: None	

Commendations:

10. The Grand Jury commends the officers and staff of the Watsonville Holding Facility for their exemplary management and maintenance of the facility as well as their dedication and diligence in assuring the safety and well-being of the inmates, the correctional officers, and the public.

Responses Required: NONE

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>

CONDITIONS OF DETENTION

Secure non-public access, movement within and egress. If the same entrance is used by both minors and adults, is movement scheduled so that there is no opportunity for contact/communication?

Yes. Juveniles and adults are kept apart from one another.

Are minors separated from adults once inside court holding area?

Yes, both auditorially and visually.

Access to toilets and washing facilities:

Yes.

Access to drinking fountain or water:

Yes.

SUPERVISION OF ADULTS

Staff training completed? (Including segregation of occupants, emergency procedures and planning, and suicide prevention)

Yes. All staff and correctional officers are trained in the above areas.

Is there an established classification plan for adults? Is classification information received in a timely manner?

Yes. Prior to each day that court is in session the holding cell staff receives a classification report for all inmates scheduled for court appearances. After receiving the classification report, they check the data against three different sources for accuracy.

Is there a suicide prevention program?

Yes.

Ability and frequency of staff to supervise adults:

There are six separate holding cells, one each for:
(1) General population, (2) Females, (3) Juveniles, (4) Special needs (e.g., inmates requiring wheelchair access), (5) Norteños, (6) Sureños. There are frequent and regular checks on all inmates in the holding cells: every 30 minutes for adults, every 15 minutes for juveniles.

Review of Incident Reports:

NA.

Number adults interviewed: 0

Comments:

For safety reasons it was recommended by the Sheriff's Office that the Grand Jury members visit holding cells when inmates were not present.

SUPERVISION OF MINORS

Staff training completed? (Including segregation of minors, emergency procedures and planning, and suicide prevention)

Yes.

Is there an established classification plan for minors? Is classification information received in a timely manner?

There is a classification plan for minors. Yes.

Is there a suicide prevention program?

Yes.

Ability and frequency of staff to supervise minors

Staff check on juveniles every 15 minutes.

Review of Incident Reports:

NA.

Number minors interviewed: 0

Comments:

Approximately three juveniles a month are held in the Watsonville Court Holding facility.

Santa Cruz County Grand Jury 2009-2010 Juvenile Facility Inspection Report

Facility Name: SANTA CRUZ JUVENILE HALL	Inspection Date(s): September 22, 2009 January 28, 2010
Address: 3650 Graham Hill Road Santa Cruz, CA 95060	Rated Capacity: 42 Occupancy: 26
Background: Santa Cruz Juvenile Hall, built in 1968, provides temporary and secure facilities for juveniles between the ages of 13 through 18. The law requires that reasonable efforts be made to keep juveniles at home and in the community rather than in detention. The youth are kept in Juvenile Hall only if public and personal safety issues rise to the level where home release is not feasible or there is a strong likelihood the juvenile will not make his or her court appearance.	
Findings: F10. Due to the lack of funds, the project to convert inward-opening doors to outward-opening doors in detainee cells was terminated halfway through the project. Currently half of the doors on detainee rooms open inward, which limits space in an already small area. In addition, detainees can barricade the doors from the inside, causing unsafe conditions for staff and the detainee. F11. Due to the lack of funds, the existing recreational space at the juvenile facility is limited to a small, cracked and uneven concrete quad area for all recreational activities. The backfield area is not fenced and does not have security cameras.	
Conclusions: C10. The doors that swing inward into the cells create a safety hazard for both detainee and staff. C11. Additional recreational space could be provided if the rear of the facility was fenced and security cameras were added. There would be access to a lawn area that would provide a more outdoorsy feel instead of the concrete recreational space that currently exists.	
Recommendations: R8. The Probation Department and the Board of Supervisors should provide funds to complete the door alteration project to increase safety as well as increase the amount of space for the detainee. R9. The Probation Department and the Board of Supervisors should allocate funds to secure the backfield and install security cameras.	

Commendations:

- 11. The staff is to be commended for their persistence in obtaining funds from grants.
- 12. The staff is to be commended for their progressive attitude in incorporating state of the art and well-researched methodologies in juvenile offender rehabilitation.
- 13. The Grand Jury commends the kitchen staff for their continual efforts in enhancing nutritional offerings for detainees, including use of organic products as well as reducing fat content in the food served.
- 14. The staff is to be commended for their use of "high strictness, high warmth," which encourages a positive attitude among detainees and facilitates the quick re-entry into their home environment.

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F10, F11	R8, R9	60 Days September 1, 2010
Santa Cruz County Probation Department	F10, F11	R8, R9	90 Days October 1, 2010

AREA INSPECTED/REVIEWED (Please Check)		
<u>Quality of Life</u>	<u>Programs</u>	<u>Persons Interviewed</u>
<input checked="" type="checkbox"/> Physical Plan <input checked="" type="checkbox"/> Meals Nutrition <input checked="" type="checkbox"/> Mental Health <input checked="" type="checkbox"/> Physical/Dental Health <input type="checkbox"/> Religious Services <input checked="" type="checkbox"/> Visiting <input type="checkbox"/> Volunteer Involvement <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Educational <input type="checkbox"/> Vocational <input type="checkbox"/> Community Services <input type="checkbox"/> Domestic Violence <input checked="" type="checkbox"/> Victim/Gang Awareness <input checked="" type="checkbox"/> Substance Abuse <input type="checkbox"/> Other	<input type="checkbox"/> Minors <input checked="" type="checkbox"/> Superintendent <input checked="" type="checkbox"/> Medical/Psyche. Staff <input type="checkbox"/> School Staff <input checked="" type="checkbox"/> Supervisor <input checked="" type="checkbox"/> Child Supervision Staff (Counselors) <input checked="" type="checkbox"/> Food Services Staff <input type="checkbox"/> Other

GENERAL INFORMATION

Has the facility exceeded rated capacity since the last inspection?

No.

Since the last inspection indicate the following:

- o Number of suicides: 0
- o Number of attempted suicides: 0
- o Number of deaths from other causes: 0
- o Number of escapes: 0

Date of last fire/emergency drill: October 2009

LOCAL INSPECTIONS

- Fire Inspection Conducted: Date: October 2009
- Medical/Mental Health: Date: January 2009
- Environmental Health: Date: June 2009
- Nutritional Health: Date: December 2009
- Corrections Standards Authority: Date: June 2009
- Other (Describe): Date:

STAFFING

Staff to child ratio – awake and sleeping:

Title 15 requires a 1:10 ratio during waking hours and a 1:30 ratio while asleep. The ratio at the facility typically runs 1:5 during waking hours and 1:10 while asleep. There are always at least 4 staff members during awake hours and 2 staff during sleeping hours. The average daily population in 2009 was 22.

Does staff communicate in language that minor can understand?

Yes.

Diversity of staff:

Caucasian/Latino.

Impression of staff/minor interactions:

Very good. The interactions witnessed between staff and detainees revealed a level of respect on both sides. When one young man who appeared angry was transported from his room to another part of the building, the staff person supervising him maintained a polite and supportive attitude throughout the process.

Number staff interviewed: 5

Comments:

CONDITION OF GROUNDS

Lawns, playing fields, blacktop, asphalt, other:

There are no playing fields due to the lack of fencing at the back of the facility. The only area for recreation is a small concrete area in the middle of the facility that is cracked, uneven, and inadequate for the detainees.

EXTERIOR OF BUILDING(S)

General conditions, paint, roof, drains/gutters, other:

The exterior of the building is in good repair and the setting is lovely. However, the building has a concrete exterior which projects a very dreary impression.

INTERIOR OF BUILDING(S)

Walls, paint, floors, drains, plumbing fixtures working, air vents, windows:

The general impression of the interior is of a clean and neat facility. However, on closer inspection some of the walls appear dirty and in need of paint. The heating/air conditioning is in need of a major upgrade. The temperature fluctuates frequently.

Are cleaning fluids and chemicals labeled and safely stored?

Yes.

Weapons locker present:

There are no weapons on the grounds.

Recreation/sports equipment:

There is limited recreation available due to the restricted outdoor space available to detainees.

Are the hallways clear, are doors propped open or closed?

Only half of the cell doors open outward. The other half open inward, decreasing cell space for detainees.

Holding areas (cells/rooms) [if present] have access to drinking water and toilet?

Yes. Each room has a stainless steel toilet and sink.

Are there individual cells/rooms, or dormitories?

Individual 8 foot by 10 foot cells.

Beds – type of bed and 12 inches off the floor:

Each bed is a cement slab with a mattress on top.

Study area:

Common area within each of the two units.

Adequate lighting:

Yes.

Temperature:

Temperature fluctuates frequently due to building age and cinder block walls.

INDIVIDUAL CELLS/ROOMS

Conditions of walls:

Okay, although some cleaning and painting is necessary.

Personal possessions allowed in cell/room (art, books, et cetera):

Yes.

Graffiti present:

No.

Ample bedding:

Yes.

ORIENTATION OF MINORS

Are minors oriented to rules and procedures?

Yes.

Are rules and grievance procedures posted?

Yes.

Are rules and grievance procedures understood by minors?

Yes.

Number minors interviewed: 0

Comments:

During both visits juvenile inmates were occupied in classes or activities that prevented interviews.

MEALS/NUTRITION

The kitchen area – Is it clean? Are knives and chemicals locked?

Very clean. Knives and chemicals are locked.

Have the youths working in the kitchen been trained?

NA.

Are meals served in the cell, dayroom, or at a central cafeteria?

Central cafeteria.

Are minors allowed to converse during meals?

Yes.

Length of time allowed for eating:

30 minutes.

Are staff present and supervising?

Yes.

Is a weekly menu prepared? Is it posted?

A weekly menu is prepared.

Are servings ample, nutritious and appetizing?

Yes. The Grand Jury was invited to sample the tacos that had been prepared for for a meal. They were delicious. The cook, who exhibited great pride in his work, uses fresh ingredients and is committed to preparing healthy foods using natural produce and reduced fat.

Are weaker youths protected from having food taken from them?

Meal time is supervised.

PERSONAL APPEARANCE OF MINORS

What is appearance of minors (dirty, unkempt, well groomed, et cetera)?

The minors appeared well-groomed.

Showers – Frequency, privacy, maintained, supervised by staff?

Daily showers are allowed.

Are there any reported assaults by youths on youths?

No.

Condition of clothing (does the clothing fit, appropriate for weather, etc)?

Uniforms, which resemble school uniforms rather than "jail issued" clothing, were clean and fit well.

PROGRAMS

Exercise inside or outside? How frequently is it offered? How much time is each minor offered?

Outside exercise is provided at least twice daily, with the minimum time allotment of 1 hour.

Are there clergy available to minors on request? Is there access to religious services?

Yes. Religious services are provided twice a week.

Are anger management and other applicable programs available?

Yes, anger management classes are provided in both a group setting and individually.

Are medical services available? How frequently is mental health staff onsite? How long do minors wait to be seen?

Medical services are provided by a nurse 6 hours/day 7 days/week. Mental health staff is available 8 hours/day 7 days/week. No wait for either medical/mental professionals.

Are vocational classes available? If so, what types (cooking, gardening, painting, computers, et cetera)?

Yes. Yoga, creative writing, classical literature reading, life skills, holiday/special event history.

Is there a program to involve community volunteers?

Yes. Community volunteers assist in the programming for detainees.

Counseling and casework:

Yes. Juvenile Hall staff complete and update case plans for each minor every 30 days while the youth are in custody. Cases also are reviewed weekly by multidisciplinary teams which include mental health professionals, Juvenile Hall staff, probation officers and education staff.

Family reunification planning:

Yes. Family unification is done by both Juvenile Hall staff and probation officers. In addition to the case plans completed by the Juvenile Hall staff every 30 days, the probation officers meet with the minors once a week to work on reunification and reentry plans.

Substance abuse counseling:

Yes.

Victim awareness classes:

Yes.

Gang awareness classes:

Yes. Barrios Unidos provide programs related to gang awareness.

Sexual harassment classes:

Yes.

Parenting classes:

Parenting classes are offered to the parents of youth every Saturday before visiting. One of the mental health counselors offers the curriculum. Classes were previously offered to the youth in custody through the Healthy Returns Initiative Grant. However, the grant expired in 2009 and was not renewed, so the funds have been lost.

Community service:

Youth in custody can earn community service hours by completing work in the facility. This includes working in the youth garden, helping clean the facility, repainting the rooms, assisting teachers, et cetera.

Work program:

Yes. Juvenile Hall is a certified work site for Youth Employment.

Other:

DISCIPLINE OF MINORS

How often is discipline enacted? What is the range of discipline options?

Discipline is enacted as needed. The philosophy is "high strictness, high warmth."
Various verbal warnings up to room confinement depending on the level of the issue.

GRIEVANCES

What are the most common types of grievances filed by minors? Is there a record kept based on type and number?

Most common grievances are about facility conditions. Grievances are reported monthly to the Juvenile Justice Commission and State authorities. Yes.

CORRESPONDENCE

Is there limited free postage to minors without money?

Yes.

Incoming/outgoing – are minors aware that mail can be read?

Incoming/outgoing correspondence not read by staff.

Confidential correspondence to attorneys, legislators, CSA, et cetera – How is it handled?

Once correspondence is identified as a legal document, it is not scanned. Can be personally stored by detainees.

Do minors have access to telephones? What are the restrictions?

Yes, but not during classroom hours.

VISITATION

Is there adequate space and privacy? Convenient times or accommodations to parent work schedules, et cetera?

Cafeteria is utilized for visits. Hours are 7:30 pm to 8:30 pm weekdays and 1:30 pm to 2:30 pm on week-ends. Access to visitation twice a week.

Are there provisions for special visits with attorneys and clergy?

Yes, Probation approves special visits with attorney and clergy.

Does staff supervise visits?

No.

Do all minorss have access to visiting? – If not give reasons:

No. Not if they are confined to their room due to disciplinary issues.

SCHOOL

Number of teachers – full time, part-time, substitutes:

1 teacher, 1 teacher's aide. Substitute teacher is provided as needed.

Name of school district providing educational services:

Santa Cruz County Office of Education through Hartman School.

Number of minors attending school:

All detainees participate in the educational program.

Number of minors in each classroom:

1 classroom.

Number of minors on independent study:

0.

Atmosphere of classroom(s):

Engaging and respectful.

Are there adequate supplies (books, paper, computers, et cetera)?

Yes.

Are activities and coursework assigned by teachers?

Students are given the same work as at any other high school.

Are minors required to do homework?

Yes.

Number of minors not attending. Reason?

0.

Relationship between school and juvenile hall staff:

Good relationship. Facility staff often act as teacher's aides, enhancing the relationship between the two groups.

Describe access to school, recreation, exercise and recreation for minors confined to their rooms.

The youth were given schoolwork to complete in their rooms; however, many of the youth just slept instead of completing their work. Now the youth are required to come out to the dayroom during school hours to complete their assignments. They also receive assistance from staff if they need it. They are entitled to 1 hour/day of exercise per Title 15.

ACCESS TO MEDICAL AND MENTAL HEALTH SERVICES

Available 6 hours a day for medical and 8 hours a day for mental health services, 7 days a week.

Santa Cruz County Grand Jury 2009-2010 Correctional Facility Inspection Report

Facility Name: CAMP 45 – INMATE FIRE CAMP	Inspection Date(s): November 12, 2009 January 28, 2010
Address: 13575 Empire Grade Santa Cruz, CA	Rated Capacity: 100 + 10% overflow Occupancy: 97
Background: <p>Camp 45 is a minimum security facility for male inmates who have gone through a comprehensive screening process prior to their assignment at the camp. In a joint arrangement between California Correctional Center in Susanville, California, and CAL FIRE, the prisoners provide fire fighting services as well as conservation-related projects for local, state and federal agencies. The correctional facility in Susanville oversees the camp as specified by the State of California Department of Corrections and Rehabilitation operations manual, Title 15 and State penal codes. As a State-run facility over which the County of Santa Cruz has no jurisdiction, there is no obligation on the part of the State to respond to the Santa Cruz Grand Jury report.</p>	
Findings: <p>F12. The 2007-2008 Grand Jury report recommended that Camp 45 install surveillance cameras at access points in the rear of the property. Upon inspection of the facility and through communication with management, the 2009-2010 Grand Jury learned that the cameras have not been installed.</p> <p>F13. GED and college extension programs for inmates sometimes are provided by Feather River College in Lassen County. Currently only GED classes are offered. No teachers are available to the inmates onsite; students must communicate with teachers through phone conversations. Assignments are completed and sent to Feather River College via a bus that travels to Susanville once a week.</p>	
Conclusions: <p>C12. Surveillance cameras would provide additional safety to the camp and potentially deter inmates from trying to escape.</p> <p>C13. The distance from the camp to the college limits the number of course offerings. In addition, the quality of education is not optimum with communication mostly via phone.</p>	
Recommendations: <p>R10. The California Department of Corrections and Rehabilitation should install surveillance cameras at access points in the rear of the Camp 45 property to increase the safety and protection of staff and inmates.</p> <p>R11. The California Department of Corrections and Rehabilitation and Camp 45 should establish partnerships with local colleges and/or universities to offer onsite GED and college</p>	

extension programs to provide a more convenient educational experience.

Commendations:

- 15. The Grand Jury commends Camp 45 and CAL FIRE for the excellent working relationship and communication they have established at the camp.
- 16. The Grand Jury commends the management and staff of Camp 45 for creating a caring and supportive environment that contributes to the success of the rehabilitation process.
- 17. The Grand Jury commends Camp 45 for the utilization of inmates in creating delicious meals and baked goods as well as a very well-run kitchen.
- 18. The Grand Jury commends Camp 45 for creating a welcoming atmosphere with outside grounds that include tables and barbecues. Visitors are able to enjoy the beautiful surroundings while providing inmates a chance for contact with family and friends.

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
CAL FIRE	F12, F13	R10, R11	90 Days October 1, 2010
California Department of Corrections and Rehabilitation	F12, F13	R10, R11	90 Days October 1, 2010

AREA INSPECTED/REVIEWED (Please Check)		
<u>Quality of Life</u>	<u>Programs</u>	<u>Persons Interviewed</u>
<input checked="" type="checkbox"/> Physical Plan <input checked="" type="checkbox"/> Meals Nutrition <input checked="" type="checkbox"/> Mental Health <input checked="" type="checkbox"/> Physical/Dental Health <input checked="" type="checkbox"/> Religious Services <input checked="" type="checkbox"/> Visiting <input checked="" type="checkbox"/> Volunteer Involvement <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Educational <input checked="" type="checkbox"/> Vocational <input checked="" type="checkbox"/> Community Services <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Victim/Gang Awareness <input checked="" type="checkbox"/> Substance Abuse <input type="checkbox"/> Other	<input type="checkbox"/> Inmates <input checked="" type="checkbox"/> Facility Manager <input type="checkbox"/> Medical <input type="checkbox"/> School Staff <input type="checkbox"/> Mental Health Staff <input checked="" type="checkbox"/> Line Staff <input checked="" type="checkbox"/> Food Services Staff <input type="checkbox"/> Other

GENERAL INFORMATION

What is the rated capacity of the facility?

100 with a 10% overflow.

Has the facility exceeded capacity since the last inspection?

No.

What is the inmate classification system? Describe:

No classification process takes place at the camp. Classification is done at the Susanville correctional facility, where the inmates undergo intensive screening to qualify for placement at the fire camp. Inmates cannot have participated in any violent behavior in the past or they will be disqualified from participating in the program.

Since the last inspection indicate the following:

- o Number of suicides: 0
- o Number of attempted suicides: 0
- o Number of deaths from other causes: 0
- o Number of escapes: 0

Date of last fire/emergency drill: December 2009

LOCAL INSPECTIONS

Fire Inspection Conducted:	<input checked="" type="checkbox"/> Date: January 2010
Medical/Mental Health:	<input checked="" type="checkbox"/> Date: November 2009
Environmental Health:	<input checked="" type="checkbox"/> Date: March 2005
Nutritional Health:	<input checked="" type="checkbox"/> Date: June 2009
Corrections Standards Authority:	<input type="checkbox"/> Date: Not recorded
Other (Describe):	<input type="checkbox"/> Date:

Inspections are handled by the administrative staff at the California Correctional Center and CAL FIRE Northern Region Division.

STAFFING

Is there enough staff to monitor inmates?

Yes.

Does staff communicate in language that an inmate can understand?

Yes.

Diversity of staff:

Latino, African-American, Caucasian.

Impression of staff/inmate interactions:

There is a mutual respect between the staff and inmates.

CONDITION OF GROUNDS

Lawns, recreations area, blacktop, asphalt, other:

The grounds are well-maintained with an abundance of space. Picnic tables are available to meet with family and friends. Overall, the grounds provide an excellent impression to the outsider as well as the inmates.

EXTERIOR OF BUILDING(S)

General conditions, paint, roof, drains/gutters, other:

The exterior of the building is in excellent repair.

INTERIOR OF BUILDING(S)

Walls, paint, floors, drains, plumbing fixtures working, air vents, windows:

The interior of the buildings appear to be well-maintained.

Are cleaning fluids and chemicals labeled and safely stored?

Yes.

Weapons locker present:

No weapons are allowed at the facility. Weapons are stored at an off-camp location.

Recreation/sports equipment:

Made available.

Are the hallways clear, are doors propped open or closed?

Hallways are clear. Doors are closed.

Holding areas (cells/rooms) [if present] have access to drinking water and toilet?

No holding areas.

Are there individual cells/rooms, or dormitories?

Dormitories with waist-high walls dividing the room into cubicles with 2 inmates per cubicle. There's also a room shared by 6 inmates who have earned privileged bunk status, providing more privacy for these inmates.

Beds – type of bed and 12 inches off the floor:

Metal beds with mattresses provided, more than 12 inches off the floor.

Adequate lighting:

Yes.

Temperature:

Comfortable.

INDIVIDUAL CELLS/ROOMS

Conditions of walls:

Minimal walls, but condition is fine.

Personal possessions allowed in cell/room (art, books, et cetera):

Yes.

Graffiti present:

No.

Ample bedding:

Yes.

ORIENTATION OF INMATES

Are inmates oriented to rules and procedures?

Yes. All orientations are conducted within 48 hours of arrival. There are three types of orientation: New arrival, CAL FIRE, and California Department of Correctional Rehabilitation Supervisor.

Are rules and grievance procedures posted?

Yes.

Are rules and grievance procedures understood by inmates?

Yes. A Test of Adult Basic Education (TABE) is used. If inmates score below a determined threshold, a staff member is assigned to assist in their understanding.

Number inmates interviewed: 0

Comments:

MEALS/NUTRITION

The kitchen area – Is it clean? Are knives and chemicals locked?

Very clean. Yes.

Have the inmates working in the kitchen been trained?

Inmates working in the kitchen have been certified prior to camp placement by the California Correctional Center.

Are meals served in the cell, dayroom, or at a central cafeteria?

Central cafeteria.

Are inmates allowed to converse during meals?

Yes.

Length of time allowed for eating:

Meals typically completed between 25 and 40 minutes.

PERSONAL APPEARANCE OF INMATES

What is appearance of inmates (dirty, unkempt, well groomed, et cetera)?

Inmates appeared well groomed.

Showers – Frequency, privacy, maintained, supervised by staff?

Daily showers are allowed between 6:30 am and 10:00 pm. No supervision by staff. Cleaned twice a day by inmates.

Are there any reported assaults by inmates on inmates?

No.

Condition of clothing (does the clothing fit, appropriate for weather, etc)?

Condition of clothing is related to length of time served. It is appropriate for the weather as well as work performed.

PROGRAMS

Exercise inside or outside? How frequently is it offered? How much time is each inmate offered? Do men get more exercise time than women?

Exercise equipment available outside. Inmates are allowed to do basic calisthenics and stretches in the doorways. Exercise is allowed between 6:30 am and 10:30 pm. No women at the facility.

Are there clergy available to inmates on request? Is there access to religious services?

Clergy is available upon request through California Correctional Center. Religious services are provided three times a week: Saturday, Sunday, and Bible Study on Thursday.

Are anger management and other applicable programs available?

No anger management but both Alcoholics Anonymous and Narcotics Anonymous provided.

Are medical services available? How frequently is mental health staff onsite? How long do inmates wait to be seen?

Sick call is offered morning and evening for basic cough/cold/first aid. Any injury or progressive medical situation is referred to local hospitals, clinics, or the Susanville correctional facility.

Are vocational classes available? If so, what types (cooking, gardening, painting, computers, et cetera)?

Basic skills and certificates for Fire Fighter-I classification, chainsaw training, and Preparation for Class-A Truck Driver License. Has been designated for a Vocational Auto Mechanic program in the near future.

Is there a program to involve community volunteers?

Yes. They are responsible for the Bible Study as well as the Alcoholics Anonymous and Narcotics Anonymous classes.

Is there a work program?

The entire camp is a work program.

Other:

DISCIPLINE OF INMATES

How often is discipline enacted? What is the range of discipline options?

An average of six to eight reports are generated per month. Verbal counseling, written reprimands, and administrative/serious rules violations reports. If inmates cross over camp boundaries, they are considered to be escapees and will be transferred back to Susanville.

GRIEVANCES

What are the most common types of grievances filed by inmates? Is there a record kept based on type and number?

Personal property theft. Records are kept based on number and type of grievance filed.

CORRESPONDENCE

Is there limited free postage to inmates without money?

Yes.

Incoming/outgoing – are inmates aware that mail can be read?

Yes. All outgoing mail is inspected by staff and sealed in the presence of the inmate.

Confidential correspondence to attorneys, legislators, CSA, et cetera – How is it handled?

All correspondence is opened and inspected in the presence of the inmate.

Do inmates have access to telephones? What are the restrictions?

Yes. All calls are monitored with a record of the phone number and name of the person who called. Files are kept. No cell phones.

VISITATION

Is there adequate space and privacy? Convenient times or accommodations to family work schedules, et cetera?

Yes. There is a visiting room and picnic area with barbecue grills for family visits. Hours are 9:00 am to 3:30 pm Saturday and Sunday.

Are there provisions for special visits with attorneys and clergy?

California Correctional Center's litigation department coordinates all legal or attorney visits. Clergy visits are handled either by telephone or at the correctional center.

Does staff supervise visits?

Yes.

Do all inmates have access to visiting? – If not give reasons:

Yes.

EDUCATIONAL PROGRAMS

College levels, high school level, other:

GED and college extension programs.

Name of school district providing educational services:

Feather River College in Lassen County.

Number of teachers – full time, part-time, substitutes:

Various teachers assist through phone conversations with inmates. Additionally, assistance is provided through communication with the correctional center.

Number of inmates and in what types of educational programs:

Currently 6.

Atmosphere of classroom(s):

Correspondence courses only. School work is completed during inmates free time, with assignments sent to the college on the bus that goes to Susanville once a week.

Are there adequate supplies (books, paper, computers, et cetera)?

Yes.

Are activities and coursework assigned by teachers?

Yes.

Relationship between staffs of educational program staff and facility staff:

Little interaction due to geographical distance.

Composite Table of Required Responses

Respondent	Findings	Recommendations	Respond Within/By
Santa Cruz County Board of Supervisors	Main Jail: F1 – F3 Blaine Street: F5 Rountree: F7 Santa Cruz Holding: F8 Juvenile Hall F10, F10	R1 – R3 R5 R6 R7 R8, R9	60 Days September 1, 2010
Santa Cruz County Probation Department	Juvenile Hall F10, F10	R8, R9	90 Days October 1, 2010
Santa Cruz County Sheriff's Office	Main Jail: F1-F3 Blaine Street: F4, F5 Rountree: F7 Santa Cruz Holding: F8	R1-R3 R4, R5 R6 R7	60 Days September 1, 2010
CAL FIRE	Camp 45: F12, F13	R10, R11	90 Days October 1, 2010
California Department of Corrections and Rehabilitation	Camp 45: F12, F13	R10, R11	90 Days October 1, 2010

Santa Cruz County Board of Supervisors Responses

Main Jail

F1. At the time of this inspection, there were five unfilled correctional officer positions due to budget constraints.

Response: Santa Cruz County Board of Supervisors – AGREE

F2. The mental health of inmates is handled by medications, the social model, counseling, and behavior modification. Mental health services are limited due to a shortage of trained mental health professionals to serve the needs of so many inmates.

Response: Santa Cruz County Board of Supervisors – PARTIALLY DISAGREES

The reason Mental Health Services are limited is not due to a shortage of trained mental health professionals but because funding available from the State for Mental Health services has experienced cuts for the last three years, and the Mental Health Division of the Health Services

Agency continues to faces significant challenges due to a reduction of almost \$3 million in Proposition 63 (Mental Health Services Act) funding for 2010-11.

- F3.** On the two occasions that the Grand Jury toured the Main Jail, it found boxes of supplies stored in the hallways. The boxes blocked the visibility of the fire alarm.

Response: Santa Cruz County Board of Supervisors – AGREE

The County agrees that boxes of supplies have from time to time been stored in the hallways at the Main Jail.

- R1.** The Santa Cruz County Sheriff's Office and the Santa Cruz County Board of Supervisors should develop a plan to remedy the shortage of correctional officers in the Main Jail so that the plan can be implemented as funds become available.

Response: Santa Cruz County Board of Supervisors – HAS BEEN IMPLEMENTED

As in previous years, the Sheriff's Office has a plan in place to fill existing vacancies should funding become available for this purpose.

- R2.** The Grand Jury recommends that the Sheriff's Office and the Board of Supervisors seek additional funds to increase mental health services for inmates.

Response: Santa Cruz County Board of Supervisors – HAS BEEN IMPLEMENTED

As they have in prior years, the County's Health Services Agency and the Sheriff-Coroner have applied for grants for mentally ill offenders whenever funding opportunities have become available. In addition, the County's Health Services Agency has also sought funding for dual diagnosis (drug abuse/mental health) programming, but at this time, no new funding has been identified.

- R3.** The Sheriff's Office and the Board of Supervisors should solve the storage problem at the Main Jail by finding an appropriate place to house supplies or by purchasing additional storage space.

Response: Santa Cruz County Board of Supervisors – HAS BEEN IMPLEMENTED

All areas in front of fire alarms have been cleared of obstruction, and the Sheriff's Office has assigned the fire safety officer to monitor keeping these areas clear. The Sheriff's Office does not believe that there is a need for additional storage at this time.

Blaine Street Women's Facility

- F5.** Inmates at Blaine Street attend classes at the Main Jail. However, the classroom space there is divided by an accordion partition and the classrooms often are noisy. Additionally, the classes for women are limited to basic education and life skills.

Response: Santa Cruz County Board of Supervisors – DISAGREE

Inmates at the Blaine Street facility do not attend classes at the Main Jail. Classes for Blaine Street inmates attend classes conducted at Blaine Street.

The Blaine Street facility offers a number of classes, programs and support groups to the occupants including Alcoholics Anonymous, Narcotics Anonymous, New Direction, Parenting, Computer Lab, Art and Writing through the University of California at Santa Cruz, Walnut Avenue Domestic Violence Support, Health Education, Yoga and faith-based programs. Women at the Blaine Street facility are eligible to participate in the Gemma Day Program. Gemma staff screen, interview and

enroll 6 to 8 women at a time, giving priority to those who will be homeless upon their release from jail, and who have long incarceration histories. The Day Program is a 9-week series of diverse life skills classes that can prepare women for reentry into the community. Women who participate in the Day Program and who do not have a safe place to live upon release can apply for the Gemma Residential Program.

- R5. The Sheriff's Office and the Santa Cruz County Board of Supervisors should allocate funds to create a classroom and expand the curriculum to include more general education classes and job-training skills.

Response: Santa Cruz County Board of Supervisors – WILL NOT BE IMPLEMENTED

Jail program curriculum is evaluated monthly by a fulltime program manager dedicated to this task, and inmate curriculum and programs change, expand or decrease based on inmate populations, available instructors, and available funding.

Rountree Minimum / Medium Correctional Facility

- F7. Medical services are not available at the Rountree facility. Emergency medical cases are transported to local Doctors on Duty or Watsonville Community Hospital. Mental health professionals are available on an on-call basis. Inmates requiring mental health prescription medication cannot be housed at Rountree due to lack of medical personnel.

Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

It is accurate to say that medical services provided by Sheriff's medical staff are not available at the Rountree facility. However, as mentioned previously, emergency medical services are provided and mental health professionals are available on an on-call basis.

- R6. The Santa Cruz County Sheriff's Office should assign medical personnel to Rountree to administer medications. This would allow inmates who are housed at the Main Jail because they need medication, but who otherwise would qualify for Rountree, to be transferred to that facility, which perhaps would be a better setting for them and also ease overcrowding at the Main Jail.

Response: Santa Cruz County Board of Supervisors – WILL NOT BE IMPLEMENTED AT THIS TIME

At this time, funding is not available to provide additional medical personnel that could be deployed to the Rountree facility. As additional funding becomes available, the increase of medical personnel will be considered with other program needs.

Santa Cruz Court Holding Facility

- F8. The Santa Cruz Holding Facility is very old and has only five cells available to separate inmates by classification. The general population cell houses as many as 20 inmates at a time. Rival gangs are separated, with one cell devoted to Sureños members and one cell to Norteños members. Females are placed in one cell, and juveniles, mental health inmates, and special circumstances inmates reside in the fifth cell. The approximate number of custodials per day is 50.

Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

Juveniles are rarely held in the holding facility for the Santa Cruz Court.

- R7. The Santa Cruz County Sheriff's Office and the Santa Cruz County Board of Supervisors should develop a plan to update the Santa Cruz Holding Facility and to fully utilize the Watsonville Holding Facility and the Watsonville courthouse to alleviate the overcrowding of certain individual cells in the Santa Cruz Holding Facility.

Response: Santa Cruz County Board of Supervisors – WILL NOT BE IMPLEMENTED AT THIS TIME

The Superior Court has transferred all criminal courts from the Watsonville Courthouse facility to the Santa Cruz Courthouse facility. This practice will prevent the County from utilizing the Watsonville Holding facility at this time. The Santa Cruz Holding facility meets all federal and State requirements.

Santa Cruz County Board of Supervisors / Santa Cruz County Probation Department Joint Responses

Juvenile Hall

- F10. Due to the lack of funds, the project to convert inward-opening doors to outward-opening doors in detainee cells was terminated halfway through the project. Currently half of the doors on detainee rooms open inward, which limits space in an already small area. In addition, detainees can barricade the doors from the inside, causing unsafe conditions for staff and the detainee.

Response: Santa Cruz County Board of Supervisors – PARTIALLY AGREE

It is correct that the County has not converted all the doors in detainee cells. However, those rooms with inward opening doors are no longer used to house detainees so there are no safety issues.

- F11. Due to the lack of funds, the existing recreational space at the juvenile facility is limited to a small, cracked and uneven concrete quad area for all recreational activities. The backfield area is not fenced and does not have security cameras.

Response: Santa Cruz County Board of Supervisors – AGREE

- R8. The Probation Department and the Board of Supervisors should provide funds to complete the door alteration project to increase safety as well as increase the amount of space for the detainee.

Response: Santa Cruz County Board of Supervisors – This recommendation will not be implemented because it is not warranted.

The door alteration (change in door swing) was originally initiated to provide better access to detainee rooms, in cases of double bunking, when the facility was over crowded. One half of the rooms have been modified as such. Because of the success of the past ten years of detention reform efforts, the Juvenile Hall population has consistently remained at, or under 60% of capacity. Overcrowded conditions are not anticipated in the foreseeable future. Should they occur, the available rooms, with modified door swing would provide ample resources to meet a population of up to 140% of the facility's rated capacity.

- R9. The Probation Department and the Board of Supervisors should allocate funds to secure the backfield and install security cameras.

Response: Santa Cruz County Board of Supervisors – THIS RECOMMENDATION HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE

In 2009, the County was awarded grant funds to construct a multi-use recreational facility. Part of the scope of that project will be to provide secure fencing and security equipment, so as to make a larger play field available for use, in addition to the multi-use indoor facility. The construction on this project is currently planned for completion by the end of 2013.

Sheriff's Office Responses

Main Jail

- F1.** At the time of this inspection, there were five unfilled correctional officer positions due to budget constraints.

Response: Santa Cruz County Sheriff's Office – AGREE

- F2.** The mental health of inmates is handled by medications, the social model, counseling, and behavior modification. Mental health services are limited due to a shortage of trained mental health professionals to serve the needs of so many inmates.

Response: Santa Cruz County Sheriff's Office – NO RESPONSE (DEFERS TO HSA)

The Sheriff's office defers response to this statement to the County Health Services Agency (HSA). HSA employs and manages mental health professionals providing service at the jail.

- F3.** On the two occasions that the Grand Jury toured the Main Jail, it found boxes of supplies stored in the hallways. The boxes blocked the visibility of the fire alarm.

Response: Santa Cruz County Sheriff's Office – AGREE

- R1.** The Santa Cruz County Sheriffs Office and the Santa Cruz County Board of Supervisors should develop a plan to remedy the shortage of correctional officers in the Main Jail so that the plan can be implemented as funds become available.

Response: Santa Cruz County Sheriff's Office – HAS BEEN IMPLEMENTED

The Sheriffs Office has a plan for additional correctional officers should funds become available.

- R2.** The Grand Jury recommends that the Sheriffs Office and the Board of Supervisors seek additional funds to increase mental health services for inmates.

Response: Santa Cruz County Sheriff's Office – REQUIRES FURTHER ANALYSIS

The County Health Services Agency (HSA) manages mental health services in corrections. The Sheriff's Office is satisfied with the level of service provided by HSA employees in the jail but is not in a position to recommend staffing levels for another agency.

- R3.** The Sheriffs Office and the Board of Supervisors should solve the storage problem at the Main Jail by finding an appropriate place to house supplies or by purchasing additional storage space.

Response: Santa Cruz County Sheriff's Office – HAS BEEN IMPLEMENTED

All fire alarms have been cleared of obstructions and are checked monthly by the fire safety officer. No additional storage space will be purchased.

Blaine Street Women's Facility

- F4.** While the officers had been on weekly rotations to monitor and maintain order at the facility, currently the Sheriff's Office has ended the rotation and a permanent officer has been assigned to the site.

Response: Santa Cruz County Sheriff's Office – NO RESPONSE

- F5.** Inmates at Blaine Street attend classes at the Main Jail. However, the classroom space there is divided by an accordion partition and the classrooms often are noisy. Additionally, the classes for women are limited to basic education and life skills.

Response: Santa Cruz County Sheriff's Office – DISAGREE

Blaine Street inmates do not attend classes inside the Main Jail. In addition to basic education and life skill courses, women are provided courses in alcohol and drug cessation, spiritual services (multiple faiths), and trauma support.

- R4.** The Santa Cruz County Sheriff's Office should continue the strategy of having a permanent officer on site.

Response: Santa Cruz County Sheriff's Office – NO RESPONSE

- R5.** The Sheriff's Office and the Santa Cruz County Board of Supervisors should allocate funds to create a classroom and expand the curriculum to include more general education classes and job-training skills.

Response: Santa Cruz County Sheriff's Office – HAS BEEN PARTIALLY IMPLEMENTED

Jail program curriculum is evaluated monthly by a fulltime programs manager. Inmate curriculum and programs change, expand or decrease based on inmate populations, available instructors, and available funding. There is no physical space at the Main Jail for an additional classroom.

Rountree Minimum / Medium Correctional Facility

- F7.** Medical services are not available at the Rountree facility. Emergency medical cases are transported to local Doctors on Duty or Watsonville Community Hospital. Mental health professionals are available on an on-call basis. Inmates requiring mental health prescription medication cannot be housed at Rountree due to lack of medical personnel.

Response: Santa Cruz County Sheriff's Office – AGREE

- R6.** The Santa Cruz County Sheriff's Office should assign medical personnel to Rountree to administer medications. This would allow inmates who are housed at the Main Jail because they need medication, but who otherwise would qualify for Rountree, to be transferred to that facility, which perhaps would be a better setting for them and also ease overcrowding at the Main Jail.

Response: Santa Cruz County Sheriff's Office – WILL NOT BE IMPLEMENTED

The Sheriff's Office does not have additional medical staff to assign to Rountree.

Santa Cruz Court Holding Facility

F8. The Santa Cruz Holding Facility is very old and has only five cells available to separate inmates by classification. The general population cell houses as many as 20 inmates at a time. Rival gangs are separated, with one cell devoted to Sureños members and one cell to Norteños members. Females are placed in one cell, and juveniles, mental health inmates, and special circumstances inmates reside in the fifth cell. The approximate number of custodials per day is 50.

Response: Santa Cruz County Sheriff's Office – AGREE

R7. The Santa Cruz County Sheriff's Office and the Santa Cruz County Board of Supervisors should develop a plan to update the Santa Cruz Holding Facility and to fully utilize the Watsonville Holding Facility and the Watsonville courthouse to alleviate the overcrowding of certain individual cells in the Santa Cruz Holding Facility.

Response: Santa Cruz County Sheriff's Office – WILL NOT BE IMPLEMENTED

The Santa Cruz Court holding facility provides adequate separation of inmates and complies with State and Federal standards.

Note: Camp 45 is operated by the State of California. Since it is located within Santa Cruz County, the Grand Jury is required to inspect the facility. However, CAL FIRE and the California Department of Corrections and Rehabilitation are not in the purview of Santa Cruz County, and are not required to respond; any response would be at the option of the state agency.

CAL FIRE Responses

Camp 45

F12. The 2007-2008 Grand Jury report recommended that Camp 45 install surveillance cameras at access points in the rear of the property. Upon inspection of the facility and through communication with management, the 2009-2010 Grand Jury learned that the cameras have not been installed.

Response: CAL FIRE – NO RESPONSE

F13. GED and college extension programs for inmates sometimes are provided by Feather River College in Lassen County. Currently only GED classes are offered. No teachers are available to the inmates onsite; students must communicate with teachers through phone conversations. Assignments are completed and sent to Feather River College via a bus that travels to Susanville once a week.

Response: CAL FIRE– NO RESPONSE

R10. The California Department of Corrections and Rehabilitation should install surveillance cameras at access points in the rear of the Camp 45 property to increase the safety and protection of staff and inmates.

Response: CAL FIRE– NO RESPONSE

- R11.** The California Department of Corrections and Rehabilitation and Camp 45 should establish partnerships with local colleges and/or universities to offer onsite GED and college extension programs to provide a more convenient educational experience.

Response: CAL FIRE– NO RESPONSE

California Department of Corrections and Rehabilitation Responses

Camp 45

- F12.** The 2007-2008 Grand Jury report recommended that Camp 45 install surveillance cameras at access points in the rear of the property. Upon inspection of the facility and through communication with management, the 2009-2010 Grand Jury learned that the cameras have not been installed.

Response: California Department of Corrections and Rehabilitation – NO RESPONSE

- F13.** GED and college extension programs for inmates sometimes are provided by Feather River College in Lassen County. Currently only GED classes are offered. No teachers are available to the inmates onsite; students must communicate with teachers through phone conversations. Assignments are completed and sent to Feather River College via a bus that travels to Susanville once a week.

Response: California Department of Corrections and Rehabilitation – NO RESPONSE

- R10.** The California Department of Corrections and Rehabilitation should install surveillance cameras at access points in the rear of the Camp 45 property to increase the safety and protection of staff and inmates.

Response: California Department of Corrections and Rehabilitation – NO RESPONSE

- R11.** The California Department of Corrections and Rehabilitation and Camp 45 should establish partnerships with local colleges and/or universities to offer onsite GED and college extension programs to provide a more convenient educational experience.

Response: California Department of Corrections and Rehabilitation – NO RESPONSE

Sources

Documents/Publications

- State of California, California Code of Regulations, *Title 15 Crime Prevention and Corrections*, December 2009
- State of California, California Code of Regulations, *Title 24 Minimum Standards for Local Detention Facilities*, December 2009
- The daily Population Analysis Report published at the Santa Cruz County Sheriff's Office web site

Interviews/Contacts

Administrators and Personnel:

- Blaine Street Women's Facility
- CAL FIRE
- Camp 45
- Juvenile Hall
- Juvenile Probation
- Main Jail
- Rountree Medium/Minimum Facility
- Santa Cruz Holding Facility
- Watsonville Holding Facility

Web Sites

- http://www.co.santa-cruz.ca.us/grandjury/GJ2005_final/3%20-%201%20CJ%20%20Jail%20Review.htm
- http://www.co.santa-cruz.ca.us/grandjury/GJ2008_final/1-5%20Jails%20Review.htm
- <http://www.scsheriff.com/>

Saving the Branches May Kill the Tree

The Fate of the Santa Cruz City/County Public Libraries

Summary

A battle is being waged in the Community Meeting Room of the Central Branch of the Santa Cruz City/County Public Library (SCPL). Will the Joint Powers Authority Board (JPB), the governing board of the library system, further reduce library hours, or will it perhaps close library branches? Citizens from around Santa Cruz County have been attending the monthly meetings of the JPB as it considers the library budget for the 2010/11 fiscal year, passionately lobbying on behalf of their local library branches.

Fear not, citizens. Don't worry about this month or this year, but do worry about the future. Once again the JPB is failing to make the tough decisions necessary to ensure the long-term financial sustainability of your library system. Faced with projected deficits for the next several years and a negative cash fund balance of over \$4 million at the end of the 2013/14 fiscal year, the JPB is making the same decisions today that it made last year:

- continued reduction in open hours for the branches
- cuts in the books and materials budget
- no reserve funds
- further delays in the purchase of technology that's critical to library operations

It was the 2009/10 budget and citizens' complaints about shortened library hours and irregular, tough-to-remember schedules that led the Grand Jury to investigate the SCPL system to determine what might be done to maximize open hours. What the Grand Jury discovered are aging facility and technology infrastructures, a declining collection, no reserves for normal operations or emergencies, and no plans to create the financial foundation that will enable the SCPL to be nimble in meeting the future needs of patrons in an era of rapidly-evolving technology. The priorities that are driving this year's budget are not those that will ensure long-term system viability. The Grand Jury recommends new priorities, even though some near-term consequences will be unpopular. The SCPL needs to balance the budget while investing in technology and establishing cash reserves, and if this means reducing staff and closing branches, it must do that.

Definitions

Book Wish List: Many local bookstores feature displays of books that the SCPL has on its "Wish List." Patrons can buy these books at the register and the bookstore sends them to the library.

Fiscal year: A twelve month period for which an organization plans the use of its funds. For the SCPL, the fiscal year is July 1 – June 30. For the Friends of the Santa Cruz Public Libraries, the fiscal year is May 1 – April 30.

Floating collection: Materials “float” freely among system libraries rather than being “owned” by a specific location. When a patron returns a circulating item, it is shelved at the location where it was returned instead of being sent back to the location from which it was checked out.

Friends of the Santa Cruz Public Libraries (Friends): A 501(c)(3) nonprofit organization incorporated in 1979 and dedicated to supporting the SCPL system. The 1,500 members of Friends support the library through advocacy, fundraising, volunteer services, and program sponsorship.

FTE: Full time equivalent, the number of working hours that represents one full-time employee during a fixed time period, usually one year, quarter, or month. FTE simplifies work measurement by converting large amounts of hours into number of people.

Integrated Library System (ILS): Also known as a library management system (LMS), a resource planning system for a library, used to track items owned, orders made, bills paid, and patrons who have borrowed. Each patron and item has a unique ID in the database that allows the ILS to track its activity.

Joint Powers Authority Board (JPB): A board of nine members that administers the SCPL system under the Joint Powers Agreement between the County of Santa Cruz and the Cities of Capitola, Santa Cruz, and Scotts Valley. It includes elected officials from each entity (two each from the County and the City of Santa Cruz and one each from Capitola and Scotts Valley) and three citizen members. The library director and the city of Santa Cruz director of finance attend meetings and provide staff support for the JPB.

Single point of service: Merging reference and circulation desks into a single service area. Although the two functions are quite different, the merge provides one-stop assistance for users and an efficient and flexible staffing solution, and uses space more efficiently, too.

Background

“Library should join the 21st century,” reads the letter to the editor in the *Santa Cruz Sentinel* in January 2010. “Library leaders see bleak year ahead,” scream the headlines in the *Sentinel* later that month.

There is strong community support of the libraries, demonstrated by increased use in the last few years and the passage of a permanent ¼ cent sales tax in 2008 to provide additional funds for the library system. However, the 2009/10 budget was a “budget of cuts ... cuts to supplies, cuts to services, cuts to programs, cuts to the book and media budget, cuts to staff, cuts to branch hours,” per the acting director’s budget memo to the JPB last year. Next year’s budget will be more of the same.

About 207,000 people live in the SCPL service area. The system is comprised of the Central Library in downtown Santa Cruz and nine smaller branches along with outreach services. The balance of the Santa Cruz County population of 254,538 residents is served by the separate Watsonville Public Library, which includes the main library in downtown Watsonville and one

branch facility. The Grand Jury investigated only the SCPL. Motivated by news of the short open hours at many branches and the public's openly-voiced irritation with these circumstances, we were hopeful of understanding whether greater use of volunteers and improved technology could enable the SCPL to open the libraries more hours per week, including additional hours on weekends. Right now the Central Library is open 40 hours a week including Saturday, but some branches are open only eight hours during the week and are closed on both Saturday and Sunday. No libraries are open on Friday.

The last two years have been characterized by continuous reductions in personnel and the supplies and services budgets due to declining revenues. Furloughs were initiated during the last 21 weeks of the 2008/09 fiscal year by closing the libraries on Friday, and all the libraries were closed two weeks over Thanksgiving and Christmas. The furloughs begun in 2009 will continue through this fiscal year and now on into the next. Library hours continue to be cut. The JPB has been nibbling at the SCPL system to balance the budget, allowing it to survive—but barely.

Despite all the measures taken to curb expenses, the current Five Year Operating Fund Projections anticipate net operating losses every year, growing to a loss of \$1,328,226 in 2013/14 and a negative cash fund balance at the end of that fiscal year of \$4,086,840.

Scope

In reviewing the Five Year Operating Fund Projections, the Grand Jury concluded that recruiting more volunteers and adding a few new computers could not solve the financial crisis threatening the SCPL system. Therefore, it seemed useful to expand the investigation to consider what major shifts in priorities and operations might be necessary for the library to achieve financial sustainability.

The investigation included:

- interviews with SCPL library administrators and staff and visits to all ten branches and the headquarters building
- interviews with Santa Cruz city administrators
- interviews with Watsonville library administrators and visits to the main library and the one branch library
- visits to the Los Gatos Public Library and the Cambrian branch of the San Jose Public Library and interviews with staff at both
- interviews with members of the Joint Powers Authority Board
- attendance at monthly meetings of the Joint Powers Authority Board
- attendance at the town hall meetings throughout the Santa Cruz area that were part of the strategic planning process
- attendance at the special Joint Powers Authority Board meeting in April to discuss/approve the strategic plan
- reviews of documents: annual budgets, master facility plans, meeting minutes, other library system planning documents, et cetera

Findings

The Facilities

The JPB and SCPL developed a Facilities Master Plan for FY 2008/09 – FY 2012/13. The plan includes the construction of new libraries in Capitola, Felton and Scotts Valley as well as improvements to many other branches. The JPB acknowledged that even though both Capitola and Scotts Valley have redevelopment funds from the County, the new libraries will cost substantially more money than the SCPL can raise from current revenue sources and they will need to consider other funding options. The severity of the economic downturn was not apparent at the time the plan was drafted and the JPB and SCPL were optimistic about the opportunities for financing capital projects.

The Master Plan describes the library system in terms of a Branch Service Framework:

- Neighborhood branches – smaller community libraries with neither the space nor the resources to provide complete information services to their communities; instead they provide a popular materials collection, meet some reference needs of adults and try to meet the information needs of children through junior high. The neighborhood branches are Boulder Creek, Branciforte, Capitola, Felton, Garfield Park, and La Selva Beach.
- Regional branches – larger libraries serving regional populations, with bigger collections, more reference services; they try to meet the information needs of children through high school. The regional branches are Aptos, Live Oak, and Scotts Valley.
- The Central branch serves as system headquarters for the collections, reference and youth services, and contains special collections such as local and California history and genealogy.
- Outreach – not a branch but a service, including the bookmobile. Outreach staff provide off-site services to seniors, homecare providers, day care workers and other people who cannot go to a library branch. Outreach is housed in the library headquarters at 117 Union Street.

F1. Including the three new libraries described below, the Master Plan calls for the construction of over 34,000 square feet of library space over the next several years.

- Capitola was without a library from the mid-1970's, when the original library was closed due to Proposition 13 cutbacks, until 1999, after the passage of the Measure B sales tax for the libraries. The current library is considered an interim library; it's about 4,300 square feet and is not a permanent building but rather six portable structures tied together by the roof and floor. In 1987 Capitola signed a redevelopment agreement with the County that obligates the city to begin construction by 2018 of a 7,000 square foot facility that the SCPL would operate.

Response: Joint Powers Authority Board – PARTIALLY AGREE

The Capitola agreement was first signed in 1984.

Response: Santa Cruz City/County Public Libraries – PARTIALLY AGREE

The Capitola agreement was first signed in 1974.

- The Felton library is a 1,250 square foot deconsecrated church. There is no disabled access, staff workspace, or storage area. There is only street parking. The entrance is up two flights of hillside stairs, making access difficult for parents with young children and seniors. There is little space for comfortable seating or study carrels. Public school class visits are not possible due to the small space. The collection is small, crowded, and inadequate. Nevertheless, the Felton library has a community of fierce supporters. Due to the gross inadequacies of the facility the JPB adopted a resolution in April 2008 identifying the Felton branch as the SCPL's highest capital project priority, planning an 8,800 square foot facility for the area population of 16,000. However, despite a bequest of \$146,000 and the donation of the land for the library, it is estimated that another \$5.5 million might be needed to actually build the library.

Response: Joint Powers Authority Board – PARTIALLY DISAGREE

The area population that will be served by the new Felton Branch is 30,000. This includes all of San Lorenzo Valley and parts of Bonny Doon. There has been no official cost estimate for construction.

Response: Santa Cruz City/County Public Libraries – PARTIALLY AGREE

We have done a bit of "remodeling" and opened up space. The collections are not crowded anymore. It is also not inadequate for the size building it is and patrons have the system collection at their fingertips. There are book discussion groups and story times that do meet in this facility. Class visits might be possible depending on the size of the class.

- Scotts Valley has had a library since 1953. The branch currently occupies 5,300 square feet rented in a shopping center. However, within the next year the library will be moving to a space of about 12,500 square feet in a remodeled building the city of Scotts Valley has purchased through a redevelopment agreement with the County. The Scotts Valley chapter of the Friends of the Library has launched an ambitious campaign to raise \$250,000 to outfit the library interior.

Response: Joint Powers Authority Board – PARTIALLY DISAGREE

The new library will be 13,150 square feet. The base bid will cover a great deal of the interior. The Scotts Valley Redevelopment Agency is covering the new costs of the exterior and interior of the new library except for a fireplace/community art book wall project, media wall and other "extras" being funded by groups such as the Scotts Valley Chapter of the Friends of the Library.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

The new library is actually 13,150 square feet. The base bid will cover a great deal of the interior and is paid for by The Scotts Valley Redevelopment Agency. The Scotts Valley Chapter of the Friends is fundraising for additional items.

- F2. In addition to the capital improvements described in F1 above, there are the routine maintenance and extraordinary repairs required by the library facilities and vehicles. In just the last few months, the library staff had to deal with:

- a leaky roof affecting a light panel in Capitola, which caused the staff to delay opening the library for the day because of safety concerns
- cleanliness and plumbing problems in Branciforte and Capitola
- a T1 data line in Capitola malfunctioning for three days, resulting in 42 crates and 6 book trucks of materials needing to be transported to Live Oak for processing
- lights and alarms causing problems in Live Oak from October 2009 to January 2010
- the need to install an underfloor water detection system at Live Oak
- the heating/air conditioning system in Live Oak is a perpetual problem
- irrigation problems at Live Oak that have resulted in high water bills
- a leaky window and graffiti in Garfield Park
- the bookmobile out of service twice in two months because of transmission problems
- electric bills for headquarters that are unexpectedly high

No Response Required

F3. The community of La Selva Beach, unhappy with the local branch schedule and concerned that the SCPL's financial problems might trigger the decision to close the branch altogether, proposed that its Friends chapter might fund the purchase of self checkout equipment and supply volunteers who, after training, would supplement the staff and allow the library to be open more hours. While library policy requires at least two employees to staff any open library, the hope was that administration would agree that one employee, self checkout, and a volunteer might be adequate. Administration did agree and this proposal is under development; union agreement is necessary for implementation.

Response: Joint Powers Authority Board – PARTIALLY AGREE

The pilot program has been launched as of July 2010. La Selva Branch is now operating 14 hours a week with one SCPL employee and one volunteer provided by the La Selva Beach Chapter of the Friends of the Library.

Response: Santa Cruz City/County Public Libraries – PARTIALLY AGREE

The Santa Cruz Public Library Friends funded self check machines for the entire system not the local chapter. The only reason La Selva can operate with one staff and one volunteer is because volume of circulation is so low that only one staff member is needed. The volunteer is there for "security" purposes, not to provide direct public service.

The Technology

Library staff have stated that the SCPL is the last in the country to use the current Integrated Library System (ILS). It was installed in the 1980's and updated/upgraded twice in the 1990's. It is an outdated but heavily customized system on dedicated, obsolete hardware (with no support from the manufacturer at this point in time), with only a single employee with the expertise to maintain the system. This means there are multiple points of failure: hardware, software, and personnel.

F4. Technical services staff state that library technology has been under-funded for several years, perhaps by as much as \$500,000 to \$700,000 per year.

Response: Joint Powers Authority Board – DISAGREE

Without specific information regarding the time period and the specific items underfunded, the LJPB cannot comment on the accuracy of this finding.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

First, I believe this is meant to be Library Information Technology staff not Technical Services. They are two different divisions. I am not sure where that number comes from. We estimate that \$100,000 is needed for PC replacement each year. A new ILS is in the neighborhood of \$200,000 but is a one time expenditure with annual maintenance fees of about \$30,000.

- F5.** A new ILS, which could cost upwards of \$200,000, would enable several improvements in library operations, such as the adoption of the floating collection, now considered a library “best practice”; computer-printed hold slips (library staff handwrite over 200,000 hold slips annually); and automated check in.

Response: Joint Powers Authority Board – PARTIALLY DISAGREE

Automated check in is not dependent on a new ILS.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

Floating collections are not considered a best practice. It is something that works in some systems but is not at the level of a best practice. It does hold some promise for a system of our size, however. Automated check in is not dependent on a new ILS.

- F6.** Only three libraries in the SCPL system currently offer self checkout: Aptos, Live Oak, and Scotts Valley. Sadly, very few people are using it, just about 8 % of patrons compared to 60% in Watsonville and Los Gatos and about 95% at the San Jose libraries. Efforts to convert to self checkout have been handicapped by the need to add barcode labels to outside book covers, a time-consuming and costly exercise; labels originally were put inside the books.

Response: Joint Powers Authority Board – PARTIALLY DISAGREE

Live Oak self check is currently at 84%. A rollout plan is underway whereby all branches will be using self checkout by December 2010. Rebarcoding is taking place at each branch prior to implementation of self check.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

Live Oak has achieved 84% self checkout since it was instituted in a serious way in April 2010. There is a rollout plan whereby all branches will be using self checkout by December 2010. Previous attempts to do so had many barriers which are being corrected. Rebarcoding is happening just before each library goes to self check. We are using ARRA paid workers through September and then volunteers. I question the 95% figure. The industry benchmark is 80%. San Jose does have the advantage of an aggressive building program which enabled them to build branches with self checkout integrated into the design. Scotts Valley will be built to this standard.

- F7.** The SCPL has about 150 computers in the ten branches for public use. This number of computers compares favorably with comparable library systems. The technology

department is in the process of slowly replacing old equipment with newer refurbished terminals with multimedia capability.

Response: Santa Cruz City/County Public Libraries – AGREE

- F8.** The new Scotts Valley library is anticipated to be the first “real 21st century” library in the SCPL system. There will be lots of computers, with both wired and wireless connection to the internet, lots of bandwidth, and fiber. There will be two large LCD presentation screens and projection equipment. There will be single point of service and four self checkout stations, and space for automated materials handling equipment, although this equipment will not be purchased at this time.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

All our branches offer wireless capabilities. The LCD screens and projection equipment are dependent on Scotts Valley Friends fund raising.

Volunteers

Library volunteers are members of the Friends of the Santa Cruz Public Libraries, and in 2008/09 560 volunteers worked over 14,000 hours in the libraries, equivalent to seven FTE. They also gave the libraries more than \$200,000 last Friends’ fiscal year and have pledged another \$52,000 to buy new self checkout machines. There are branch-specific Friends chapters in Boulder Creek, Felton, La Selva Beach, and Scotts Valley. The Scotts Valley chapter has just begun a capital campaign to raise \$250,000 for equipment and furnishings for the new Scotts Valley library, and the parent chapter is beginning an ambitious campaign to raise funds for technology improvements and other needs of the library system.

The money will be useful, but library supporters wonder why volunteers cannot be used to keep the libraries open more hours. It appears from comments in the press and on the internet that there would be no shortage of people willing to volunteer their time and efforts to keep the library doors open.

- F9.** It is library policy that a volunteer cannot check out books to patrons. Government Code Section 6267 is cited as the basis for this policy. However, this code does not explicitly exclude volunteers from checking out books for patrons, nor is there case law which would prohibit their doing so. Code Section 6267 reads:

“All registration and circulation records of any library which is in whole or in part supported by public funds shall remain confidential and shall not be disclosed to any person, local agency, or state agency except as follows:

- (a) By a person acting within the scope of his or her duties within the administration of the library.
- (b) By a person authorized, in writing, by the individual to whom the records pertain, to inspect the records.
- (c) By order of the appropriate superior court.

Response: Santa Cruz City/County Public Libraries – PARTIALLY AGREE

The confidentiality of library patrons is legally protected by the State of California. Staff undergoes background and fingerprint checks before being hired. This is an issue of public

trust and allowing volunteers to access information considered confidential by our patrons and protected thereby by law is an area of great concern. Checking out materials is considered a core and basic service. Libraries, in general, do not entrust this type of service to volunteers. Signing a confidentiality agreement is a weak form of protection since there are no sanctions to be taken against a volunteer who violates patron confidentiality. Paid employees risk their livelihood and references to secure another job; volunteers can only be asked to not volunteer anymore.

- F10.** The SCPL does not have a volunteer organization under the library administration. Instead, volunteers are part of the Friends group, which has a paid member who works 20 hours a week interviewing prospective volunteers and matching them with appropriate library tasks. Volunteers do fill out applications and sign confidentiality agreements.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

Not all volunteers sign confidentiality agreements.

- F11.** With the current procedures for recruitment and training, volunteers suffer a bad reputation with library personnel. Some staff consider volunteers to be unreliable, prone to mistakes, or lax in fulfilling their obligations. Nevertheless, library administration states that the more than 14,000 hours of work accomplished by volunteers this past year were greatly appreciated.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

This is too strongly stated. Volunteers do not have a bad reputation with staff. Staff is too taxed to take on any additional responsibility that using volunteers more than they already do would require. There is also very little support available for when a volunteer isn't working out.

- F12.** It is library policy that volunteers can only assist staff; they cannot replace staff. A volunteer can perform one task but not all tasks that constitute a job description. This reflects the library system's agreement with the unions.

Response: Santa Cruz City/County Public Libraries –AGREE

This is also library and city policy on the role of volunteers. It is a past practice with the unions more than a formal agreement.

- F13.** Volunteers need to be trained and they need to be supervised; these needs require staff time and attention, and consequently there are costs associated with the use of volunteers.

Response: Santa Cruz City/County Public Libraries –AGREE

- F14.** The Friends recently expanded the list of current volunteer needs posted on its web site. It does not include checking out books, however, which limits the possibility of using volunteers to keep the libraries open more hours.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

Thinking that using volunteers to check out is the only way they can help libraries stay open more hours is way too narrow. There are many functions that volunteers can help

with that might eventually result in being able to be open more hours. We need staff devoted to volunteer coordination as stated in Finding 13 to explore this. Until that happens, even if we were to use volunteers to check out books, we would not be able to do so without staff to manage the volunteer function.

Library Services and the Strategic Plan

In December 2008, the past library director retired after 25 years of service. There was an interim director for a brief time while the JPB and the City of Santa Cruz recruited and hired a new director, who joined the SCPL system in July 2009.

Under new leadership, the SCPL undertook an ambitious series of town hall meetings and focus group sessions with the goal of developing a community-based plan for the next five years. The town hall meetings were centered on the library branches. The focus groups were of assorted demographics (seniors, Latinos, business leaders, teens, educators, the homeless, a lady's club, et cetera). The data collected through these activities was supplemented with information from about 2,500 surveys gathered over the internet and in person at grocery stores and farmers markets in the county. The result is the *3-5 Year Strategic Plan, 2010-2015*, presented to the JPB and the public on Monday, April 19, 2010. The strategic plan that was developed is not intended to solve current budget problems but rather to provide the system with a focused future.

F15. What was discovered through the planning process was not a surprise: library patrons use their local libraries, but they also enjoy visiting other libraries in the system. This is supported by the data in the chart that follows on page 9 illustrating where people from each community check out their library materials. These percentages are based on numbers from the 2007/08 fiscal year, before the serious reduction in open hours.

The first, second, and third most frequently used libraries (in terms of circulation) for each residential area are color-coded. You can see that patrons from all communities in the county check out books from the Central library, with the Aptos and Scotts Valley branches being second and third most popular.

Response: Santa Cruz City/County Public Libraries –AGREE

F16. There was considerable consistency in library service priorities, with reading, viewing, and listening for pleasure; lifelong learning; creating young readers; and connecting with the online world being generally the highest ranked. One notable contrast was the attitude of some among the more mature population who favor local branches and believe libraries must be about books and personal service, while others among the younger population suggest that there will be fewer branches in the future and libraries will be less about books and more about technology. Everyone, regardless of age, wants the libraries open many more hours and on regular schedules.

Response: Santa Cruz City/County Public Libraries –AGREE

F15 Percentage of Check Outs by Borrower Home Location at Each Branch 2007-2008

Home Location	Library Branch										
	Aptos	Boulder Creek	Branciforte	Capitola	Central	Felton	Garfield Park	La Selva Beach	Live Oak	Scotts Valley	
Aptos	73%	1%	2%	5%	12%	0%	0%	2%	4%	1%	
Aromas	47%	2%	1%	8%	37%	0%	0%	2%	3%	0%	
Ben Lomond	2%	9%	2%	1%	20%	21%	0%	0%	3%	41%	
Boulder Creek	1%	68%	1%	0%	14%	3%	0%	0%	1%	12%	
Brookdale	10%	37%	1%	1%	25%	8%	1%	0%	2%	16%	
Capitola	14%	0%	2%	51%	16%	0%	1%	1%	13%	2%	
Corralitos	75%	0%	2%	6%	12%	0%	0%	1%	3%	2%	
Davenport	2%	0%	3%	1%	83%	1%	7%	0%	1%	2%	
Davenport	1%	2%	2%	1%	24%	36%	0%	0%	2%	31%	
Felton	37%	0%	2%	2%	40%	1%	15%	1%	1%	0%	
Freedom	33%	0%	4%	2%	11%	0%	0%	47%	1%	1%	
La Selva Beach	3%	0%	7%	11%	23%	0%	0%	0%	53%	1%	
Live Oak	2%	1%	4%	1%	12%	17%	0%	0%	1%	61%	
Mt. Hermon	82%	0%	1%	3%	8%	0%	0%	3%	2%	1%	
Rio Del Mar	2%	0%	16%	2%	63%	1%	10%	0%	4%	2%	
Santa Cruz City	4%	0%	18%	11%	40%	1%	3%	0%	7%	16%	
Santa Cruz Out	1%	0%	1%	1%	12%	1%	0%	0%	1%	82%	
Scotts Valley	88%	0%	1%	3%	5%	0%	0%	0%	1%	1%	
Seacliff	26%	0%	3%	39%	20%	0%	1%	1%	9%	1%	
Soquel	4%	0%	6%	6%	36%	2%	1%	0%	3%	42%	
SC County Unincorp	45%	0%	4%	7%	27%	0%	1%	9%	4%	2%	
Watsonville City	14%	0%	13%	8%	45%	1%	0%	9%	7%	4%	
Watsonville Out	11%	1%	3%	5%	52%	6%	4%	1%	4%	14%	
Out of Area											
Totals	15%	4%	8%	8%	34%	3%	4%	1%	10%	13%	

Greatest number of checkouts per home location
 Second in number of checkouts per home location
 Third in number of checkouts per home location

Library patrons use their local libraries, but they also enjoy visiting other libraries in the system. This chart illustrates where people from each community check out their materials. For instance, people living in Aptos check out 73 percent of their books and other items from the Aptos library, 12 percent from the Central library and 5 percent from the Capitola library. These percentages are based on numbers from the 2007/2008 fiscal year, before the serious reductions in library hours.

F17. One important part of the Strategic Plan is the section entitled “Change for the Future,” a description of five current trends in public library services that the SCPL has identified and committed to in the coming years as it pursues its vision of *Transforming lives and supporting communities*. Succinctly, the five trends are:

1. Patrons get service at the level they want – more self-service in checking out materials, placing and picking up holds, editing own accounts, paying fines; and single point of service,
2. Rebranding and marketing – establishing the library as a relevant resource through evolving services and better marketing of those services,
3. Local focus – providing local content that is unavailable elsewhere and taking library services outside into the community,
4. Remote delivery of services – associated with self-service; downloadable materials, e-books, podcasts; online payment of fees, and
5. User involvement – use of social media like Twitter, Facebook, and Wikis.

Response: Joint Powers Authority Board – AGREE

Response: Santa Cruz City/County Public Libraries –AGREE

F18. Despite the budget problems, the SCPL offers an amazing range of outreach programs and in-house events. Through the efforts of library employees and Friends volunteers, there are programs for special populations like toddlers and young readers, students of all levels, teens, film and gaming enthusiasts, the elderly, the sight impaired, and the developmentally disabled. There are special holiday events, including pumpkin carving and gingerbread workshops. *Programs and Partnerships* was begun in September 2009, involving local businesses in library activities. It includes the “Book Wish List” being supported by local bookstores. Other businesses have held fundraisers, and still others have partnered with the library in offering parents and children in-store workshops and story-times.

Response: Santa Cruz City/County Public Libraries –AGREE

However, the Programs and Partnerships Division was established for more than just involving local businesses. It was established to bring under one roof all library programming and various partnerships with all sectors of the community.

The Budget

Funding for the libraries comes from five sources:

- county property taxes and Santa Cruz and Watsonville city general funds
- the ¼ cent sales tax approved by voters first in 1996 and then again in 2008
- library fees and fines
- a State of California Public Library Fund grant
- income from bequests and trusts

The sales tax and monies from the city general funds are allocated to the SCPL and the Watsonville Library each year by a Library Financing Authority; the funds are divided using a population-based formula. The city of Santa Cruz provides administrative, financial, human resources, and legal services to the SCPL; they charge the library system a flat 5.5% of its total revenues for these services.

F19. In March 2009, after two years of generous sales tax revenues, the SCPL had no cash reserves. In April 2009, the JPB set guidelines for the FY 2009/10 budget that included establishing and maintaining ongoing cash reserves of at least 5% of its annual budget and dedicating at least 8% of its operating budget to books and media. These goals were not met in the FY 2009/10 budget, and they are not being met in the budget proposed for FY 2010/11.

Response: City of Santa Cruz Director of Finance – AGREE

Response: Joint Powers Authority Board – AGREE

Sales taxes were projected to increase FY08/09 from FY07/08 by \$27,000. In reality, they declined by \$344,000. The 8% for materials was established in the Facilities Master Plan adopted in 2008 not in FY 2009/10 as stated above.

Response: Santa Cruz City/County Public Libraries –AGREE

Sales taxes were projected to[sic] in FY08/09 from FY07/08 by \$27,000. In reality, they declined by \$344,000. The 8% for materials was established in the Facilities Master Plan adopted in 2008.

F20. Over the last decade, prior and present library administrators have proposed or recommended closing from one to six branches to benefit the balance of the library system. However, in May 2009, the JPB directed library management to develop a balanced budget for FY 2009/10 that did not close any branches. They provided the same direction this April while facing even greater challenges to the system, essentially “kicking the can down the street a bit farther,” in the words of one board member.

Response: Joint Powers Authority Board – PARTIALLY AGREE

In April 2010 the JPB was presented with several options that all achieved the same goal—a balanced budget for 10/11. They selected the one that reduced hours at all the branches.

Response: Santa Cruz City/County Public Libraries –PARTIALLY AGREE

In April 2010 the JPB was presented with several options that all achieved the same goal—a balanced budget for 10/11. They selected the one that did not call for closing any facilities.

F21. The SCPL may be able to balance the budget through deep cuts in personnel and services, but there is a cash-flow problem. The City of Santa Cruz loans the library the cash for payroll and other payables; it covers the actual cash deficit between the time expenses are paid and revenues are received. Currently this loan balance averages between \$1 million and \$1.4 million. The City charges interest at portfolio rates (in April 2010, about 1.4%), but beginning with the 2011/12 fiscal year the interest will rise to portfolio rates plus 2% (about 3.4% if the portfolio rate was still 1.4%); in the meantime the City will cap the loan at \$1 million. The additional interest will add to the cost of operating the library system, and staff stated that, with a cap, some bills will not be paid in a timely manner and additional staff time and effort will be required to prioritize payments.

Response: City of Santa Cruz Director of Finance – PARTIALLY AGREE

The average loan balance has not averaged between \$1 million and \$1.4 million. The loan balance averaged approximately \$500,000 in fiscal year 2009 and approximately \$400,000 in fiscal year 2010. The loan balance has decreased over the last two fiscal years and there has been no need for a loan during the last 3 months of fiscal year 2010.

Response: Joint Powers Authority Board – PARTIALLY DISAGREE

The loan balance does not average between \$1-1.4 million. These are maximum amounts reached on several days last year not on a regular basis. The Library has also factored into its 5 year projections re-establishing the reserve to handle the cash flow issue. Given the current situation (ending FY0910 in the black) we do not anticipate exceeding the limit.

Response: Santa Cruz City/County Public Libraries –PARTIALLY DISAGREE

The loan balance does not average between \$1-1.4 million. These are maximum amounts reached on several days last year not on a regular basis. The Library has also factored into its 5 year projections re-establishing the reserve to handle the cash flow issue. The line about with a cap, some bills MAY not be paid in a timely manner rather than will. Given the current situation (ending FY0910 in the black) we do not anticipate this issue occurring.

F22. The SCPL has three loans that it must repay, with interest, and substantive rent for headquarters:

- First, there is the working capital loan mentioned above, the advance from the City of Santa Cruz to cover the cash requirements on a day-by-day basis. This loan will be outstanding until the SCPL develops the reserves to manage its cash flow.

Response: Joint Powers Authority Board – PARTIALLY DISAGREE

This is a cash flow loan that is repaid as soon as the monthly payment is received from the County.

Response: Santa Cruz City/County Public Libraries –PARTIALLY DISAGREE

This is a cash flow loan that is repaid as soon as the monthly payment is received from the County.

- Second, there is a loan associated with a Santa Cruz County overpayment, a distribution error discovered in 2005. From August 2005 through August 2013, the SCPL must pay annual principal of \$40,293 plus variable rate interest.

Response: Joint Powers Authority Board – AGREE

Response: Santa Cruz City/County Public Libraries – AGREE

- Third, there is a loan from the city of Santa Cruz for improvements to the new headquarters building. Interest is 5%. In September 2008, the principal was \$467,303; the current loan balance is about \$430,150. The annual payment is \$60,518, and this loan will be paid off in 2018.

Response: Joint Powers Authority Board – AGREE

Response: Santa Cruz City/County Public Libraries – AGREE

- The City of Santa Cruz purchased the building at 117 Union Street in Santa Cruz for use as library headquarters, to house administrative and technical services and outreach. The facility is shared with the Water Department, and building expenses are allocated to each according to the square footage occupied. The library's portion of the annual rent is \$287,189, until 2037 when the City's loan for the building purchase will be paid in full.

Response: Joint Powers Authority Board – AGREE

However, it is important to note that the Library was paying \$21.89 per square foot for rent and utilities for its Headquarters building on Pacific Avenue and now pays \$20.93 per square foot for a building that is being purchased not rented.

Response: Santa Cruz City/County Public Libraries – AGREE

However, it is important to note that the Library was paying \$21.89 per square foot for rent and utilities for its Headquarters building on Pacific Avenue and now pays \$20.93 per square foot for a building that is being purchased not rented.

Complete Finding Response: City of Santa Cruz Director of Finance – PARTIALLY AGREE

The amount of the annual payment to the City of Santa Cruz for use of the building at 117 Union Street is not \$287,189; rather the amount varies each year between fiscal year 2010 and fiscal year 2037, from a low of \$283,147 in fiscal year 2028 to a high of \$312,516 in fiscal year 2035. After 2037, no payments are due under the existing lease.

F23. While the library staff tabulates a wealth of data about the Santa Cruz community's library use, (visits per capita, books and materials checked out per capita and per active member; busyness and circulation and visits per open hour, et cetera), there are no established cost accounting measures to gauge the cost of operating the individual branches or the cost of specific library services. The library director prepared a one-time memo detailing the monthly and annual costs for the bookmobile in March 2010 upon request from a member of the JPB.

Response: City of Santa Cruz Director of Finance – AGREE

Response: Joint Powers Authority Board – AGREE

Response: Santa Cruz City/County Public Libraries – AGREE

This statement is, however, very misleading. Establishing costs per individual branch is very complicated. Fixed costs are easy to calculate and have been. There are variable costs that are much harder to calculate. We would need to come up with a chargeback system for all administrative functions- payroll, computer support, courier service, branch supervision, programming support, acquisitions/cataloging and processing etc. This is further complicated since the smaller branches have been sharing staff with the larger branches so allocating staff time can get very fuzzy. There has really been no value in allocating costs this way since revenues are not branch specific. I am not sure what

specific library services are being referred to in terms of cost. Once again, there has not been any value perceived in determining the cost of a service such as materials acquisition. It isn't like we will stop doing it based on cost. We are always looking at ways to be more efficient but quantifying that in terms of service provided is not an appropriate model for this type of organization. The Library is not a business and cannot be run like one.

- F24.** Currently there are no reserves for technology repairs or improvements or for replacing the several SCPL vehicles, including the bookmobile. There are no reserves to finance facility development. There are no emergency reserves.

Response: City of Santa Cruz Director of Finance – AGREE

Response: Joint Powers Authority Board – AGREE

Response: Santa Cruz City/County Public Libraries – AGREE

- F25.** In FY 2008/09, personnel costs accounted for 73.6% of the budget, while books and materials accounted for 6.3% and technology accounted for 0.8%. Personnel costs are projected to consume 80% of the budget within a few years. While employees have been furloughed about 10% of the time this year and the furloughs will continue into the next fiscal year, retirement programs through the California Public Employees' Retirement System (CalPERS) have not been fully funded and health insurance rates are expected to rise significantly.

Response: City of Santa Cruz Director of Finance – AGREE

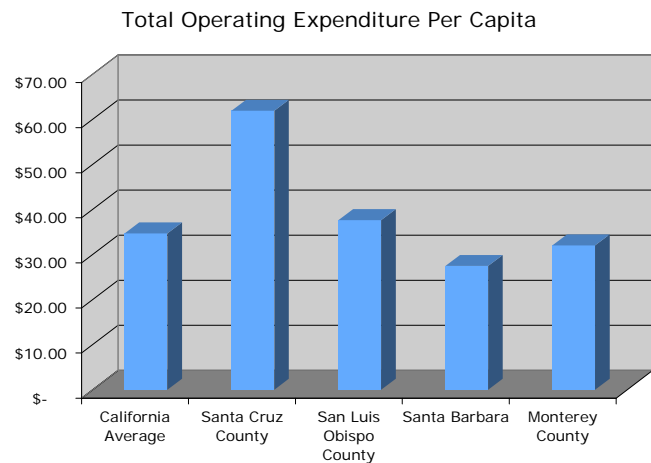
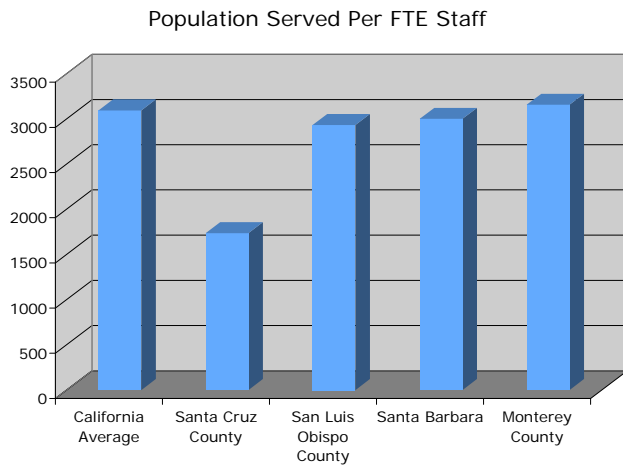
Response: Joint Powers Authority Board – PARTIALLY AGREE

It isn't really correct to say that CalPERS has not been fully funded. During the period of the furlough, city and employees have been paying in based on their reduced pay. When current employees retire, the calculation will be made on their non-furlough pay which is higher. There is a slight discrepancy which is why we have decided not to continue the furlough beyond 2 years.

Response: Santa Cruz City/County Public Libraries – PARTIALLY AGREE

It isn't really correct to say that CalPERS has not been fully funded. During the period of the furlough, city and employees have been paying in based on their reduced pay. When current employees retire, the calculation will be made on their non-furlough pay which is higher. There is a slight discrepancy which is why we have decided not to continue the furlough beyond 2 years but this amount has been declared not significant enough to be concerned about at this time.

- F26.** Also in FY 2008/09, the population served per FTE was lower than the State mean (1,735 versus 3,094) and lower than comparable counties' figures. Expenses per capita were significantly higher than the State mean (\$61.90 versus \$34.69) and comparable counties' numbers. Library administration suggested this was "probably because of the relatively large number of branches we have for the population." The abundance of branches and the reported library policy that at least two employees are required to staff any open library contribute to these outsized numbers.



Response: Joint Powers Authority Board – PARTIALLY DISAGREE

There is insufficient information to verify whether the relatively low population to FTE and the expenses per capita is caused by the relatively large number of branches nor does it preclude that there may be other contributing factors. Without studying all the factors simply closing branches will not achieve the expected goals. The JPB task force will be studying this issue.

Response: Santa Cruz City/County Public Libraries – PARTIALLY DISAGREE

It was suggested that the number of branches is probably high given the small size of the county. Expenses per capita are also higher because Santa Cruz is an expensive place to live. Staff in Santa Cruz do not earn as much as their colleagues over the hill. Our problem is more that the total square footage in our branches is inadequate for the size of the population. A staffing level of two is considered minimum for personal security reasons. We have never stated that one of those two cannot be a volunteer as long as the workload and assigned tasks are appropriate to the staffing configuration. In general, there is a certain economy of scale that can be reached by having fewer but larger branches. The down side is that neighborhoods lose branches that help identify that neighborhood and serve as cohesion for it as well.

F27. Santa Cruz County has more branches, or outlets, per square mile than the comparable counties of Monterey, San Luis Obispo, and Santa Barbara. With a total area of 436 square miles in the county, the service area per outlet averages about 40 square miles.

County	Population	Area in Square Miles	Service Area per Outlet in Square Miles
Santa Cruz	209,332	436	40
San Luis Obispo	240,480	3,305	207
Santa Barbara	227,349	1,164	129
Monterey	230,478	3,125	156

Response: Joint Powers Authority Board – PARTIALLY AGREE

This comparison is questionable because it does not factor in the geographical differences among these counties. Also, it doesn't reflect the library square footage per capita or the library square footage per square mile. Counties with large rural areas will have more square miles per branch.

Response: Santa Cruz City/County Public Libraries – AGREE

See comment in F26.

Conclusions

- C1.** *The mission of the Santa Cruz Public Libraries is to provide materials and services which help community residents meet their personal, educational, cultural, and professional information needs.*

This is the current mission statement for the SCPL. Although library enthusiasts from around the county participated in the strategic planning process and considered what the library might look like in 2020, it's very hard to know just where technology will take us – and our libraries – in the next ten years. In fact, it is difficult looking just a couple of years down the road. The library system will need a solid financial foundation to enable it to evolve as necessary to meet the needs of the community in this era of swiftly-changing technology.

- C2.** There is not enough money in our current economic climate for everything the JPB and the SCPL needs to do today:

- there are three loans to pay off and significant rent for the headquarters building
- there are plans to build new libraries in Scotts Valley, Capitola, and Felton; in addition to building and equipment costs, there will be moving expenses and additional ongoing staff and utility expenditures because of the increased square footage
- there is routine maintenance and emergency repairs for the ten branches and headquarters
- there are major technology improvements that must be funded
- there is equipment, including vehicles, that need to be maintained in the short term and that will need to be replaced in the near future
- there must be funding to build the collection
- there must be savings to build reserves
- there are personnel costs that are increasing from year to year while revenues are decreasing

- C3.** A dramatic shift in library priorities and operations is necessary to create a balanced budget while allocating the funds necessary to buy the technology that will allow the library staff to improve productivity and to create a library that will continue to meet the needs of the community as our future is increasingly shaped by technology. Unfortunately, the JPB has been unwilling year after year to make the decisions that are necessary to provide an adequate and stable financial foundation for the Santa Cruz library system. The board, with

elected representatives of the cities and county constituting a majority, seems to lack the political will to make the tough decisions that might be unpopular with constituents.

- C4. Library administration and staff have failed to expand the use of volunteers to provide more regular open hours for patrons.

Recommendations

- R1. The Santa Cruz Public Libraries should replace its Integrated Library System immediately. This will avoid the catastrophe that would occur if the current system suffers a terminal failure. An up-to-date ILS also will allow the automation of many activities presently being handled manually, as well as enable activities just not possible at all today.

Response: Joint Powers Authority Board – HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE

The Library is currently researching ILS systems. Implementation is planned for the fiscal year 2010/11.

Response: Santa Cruz City/County Public Libraries – HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE

This is currently planned for fiscal year 2010/11.

- R2. The Joint Powers Authority Board and the SCPL should determine and commit to a reasonable cash reserve that will enable it to manage its cash flow and pay bills and cover payroll expenses without relying on loans from the City of Santa Cruz.

Response: Joint Powers Authority Board – HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE

The JPB plans to implement a cash reserve policy in the budget for FY 2011/12.

Response: Santa Cruz City/County Public Libraries – HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE

This is being taken into account when defining financial sustainability and looking at alternatives by the task force established by the JPB. The JPB plans to implement a cash reserve policy in the budget for FY2011/12.

- R3. The SCPL should buy and install self checkout equipment at all the regional branches – buying the best units possible in sufficient quantity to accommodate all book and material checkout – and then aggressively promote its use to get close to the 95% use levels enjoyed by the San Jose libraries.

Response: Joint Powers Authority Board – HAS BEEN IMPLEMENTED

Scheduled completion is slated for December 2010.

Response: Santa Cruz City/County Public Libraries – HAS BEEN IMPLEMENTED

(Scheduled for completion in December 2010): There is currently a plan to have self check in place with rebarcoding done by December 2010. Even with that I doubt we will achieve 95% self checkout. The industry benchmark is 80%. Until fines can be paid at the self

checks we will not likely exceed 80% and that is not being planned until after a new ILS is in place. It should be noted that when we do achieve 80-95% self check, the remaining transactions will be much more complicated and will definitely require staff to handle them; not volunteers.

- R4.** With R1, 2, and 3 as priorities, the JPB and the SCPL should develop a balanced budget, also keeping in mind that investments in the collection (books and materials) and additional investments in technology are important to a healthy library system. The Grand Jury believes that a substantial reduction in personnel, perhaps by as much as 20 percent, might be necessary to achieve an ideal budget.

Response: Joint Powers Authority Board – REQUIRES FURTHER ANALYSIS

The budget is currently balanced. The Library Board established a task force to consider financially sustainable alternatives.

Response: Santa Cruz City/County Public Libraries – REQUIRES FURTHER ANALYSIS

The budget is currently balanced. The Library Board established a task force to consider alternatives that are financially sustainable.

- R5.** The SCPL should make a serious investment in volunteer development. Dedicate library staff to recruit, interview, select, assign, and train volunteers. Assign volunteers consistent responsibilities. Use volunteers to greatly expand library hours, and use more volunteers to provide many of the outreach services currently handled by employees.

Response: Joint Powers Authority Board – REQUIRES FURTHER ANALYSIS

Staff supervision of volunteers increases as the library utilizes more volunteers. The costs need to be considered along with the benefits. Currently we do not have funds allocated for a full time volunteer coordinator. Please refer to the full volunteer report.

Response: Santa Cruz City/County Public Libraries – REQUIRES FURTHER ANALYSIS

This would take staffing that we currently cannot afford. Please refer again to the full volunteer report. Once again, the task force is likely to address this.

- R6.** The JPB and the SCPL should then develop staffing plans for the libraries, reconsidering the policy that at least two employees are needed at every open library, and including the expanded use of volunteers. Consider what library branches might need to be closed and maximize the hours at those left open. One strategy proposed by library administration in March was the closing of some branches, leaving the book and materials collections and the computers and turning the facilities over to their communities for use as reading rooms/learning centers. In some communities the recreation district might be able to manage these centers.

Candidates for conversion would be the branches in:

- Felton, open 8 hours/week, 3.5 miles from the Scotts Valley branch
- Garfield Park, open 12 hours/week, 1.7 miles from the Central library
- Branciforte, open 14 hours/week, 1.5 miles from the Central library
- Capitola, open 14 hours/week, 2.3 miles from the Live Oak branch

The La Selva Beach library would be a prime candidate for conversion to a reading room. It is open 8 hours/week and is 5.2 miles from the Aptos library. However, considering the project underway to operate with one library employee, one self checkout machine, and a volunteer, the SCPL could offer a choice to that community: to implement that project (if the union approves the plan) or for the La Selva Beach community to take over the library and operate it with volunteers as a reading room.

On the other hand, the Boulder Creek library is an ideal branch for implementing the “one staff member plus volunteers and a self checkout machine” concept. It serves unincorporated northern Santa Cruz County, serves a larger population than the La Selva Beach branch, and is 10.2 miles from the Scotts Valley library.

For a prototype of a local, all-volunteer library, communities could look at the Porter Memorial Library in Soquel. One big advantage of this possibility for the local communities is that they can maximize the number of open hours, on a schedule that is most convenient for them.

This recommendation is proposed as an intermediate-term strategy to allow the SCPL system to focus and develop the financial foundation necessary to create long-term sustainability for a system that can be expanded again as future revenues increase.

Response: Joint Powers Authority Board – REQUIRES FURTHER ANALYSIS

The LJPB has established a Task Force made up of one representative from each of the 10 branches, 4 JPA board members, the library director, 3 staff members and a facilitator. The Task Force will begin work in August 2010 to identify service models that are financially sustainable and aligned with the five year projections.

Response: Santa Cruz City/County Public Libraries – REQUIRES FURTHER ANALYSIS

The Library Board established a task force to consider alternatives such as those recommended here. The issue of square footage of available library space must be factored in and one cannot just look at the distance between facilities in our unique configuration.

- R7.** Just as the SCPL has partnered with local businesses to enrich its collection and offer outreach programs, it should consider business partnerships/corporate sponsorships of the bookmobile. Solicit businesses to buy a bookmobile or van or to cover the annual cost of a vehicle, and allow them to wrap it with their advertising. The cost of a vinyl wrap for the bookmobile is estimated to be about \$4,000.

Response: Joint Powers Authority Board – REQUIRES FURTHER ANALYSIS

The recently adopted SCPL 2010-2015 Strategic Plan states under Community Connections that “The library will initiate and nurture partnerships with the public, private, and nonprofit sectors in Santa Cruz County for the mutual benefit of the partners, the Library, and the Community.” We currently have many partnerships that enrich our programs and will continue to seek mutually beneficial opportunities.

Response: Santa Cruz City/County Public Libraries – REQUIRES FURTHER ANALYSIS

We currently have many partnerships that do enrich our programs and are always looking for mutually beneficial opportunities. Businesses generously support our summer reading program by donating prizes for all ages. Borders has done a fund raiser for us as has Peet’s Coffee and Tea. Libraries need to be careful when it comes to advertising. We do not want to be viewed as partial to any one business as we serve the entire community. If a bookmobile were to have advertising on it for a company, it would still need to be recognizable as the bookmobile and not as a delivery vehicle for the company that is sponsoring it. It is not clear from this recommendation that the Grand Jury recognizes that we already do have a bookmobile. The current one does not need to be replaced for several more years.

- R8.** The SCPL system should re-evaluate the policy that all services must be free to everyone. Concentrate on the key priorities. Understand the costs of extra services and charge fees to cover those costs. In fact, the SCPL should adopt good cost accounting measures so that the costs of operations are clearly understood – the costs associated with each branch, with each library service and program, et cetera.

Response: City of Santa Cruz Director of Finance – REQUIRES FURTHER ANALYSIS

It may be useful for the Library to allocate its variable operating costs to each branch so that the Library could determine the most cost effective use of Library resources. To the extent allowed by law, it may be appropriate for the Library to determine if there are unexplored opportunities to implement new and/or higher fees.

Response: Joint Powers Authority Board – REQUIRES FURTHER ANALYSIS

We can look at value added services that perhaps we can charge for such as Interlibrary Loan or Books by Mail; however basic library service must remain free as per state law. The library task force will be studying these recommendations and will report back in January 2011.

Response: Santa Cruz City/County Public Libraries – REQUIRES FURTHER ANALYSIS

We can look at value added services that perhaps we can charge for- Interlibrary Loan or Books by Mail perhaps. Basic library service must remain free as per state law. The requested cost accounting is not necessarily the best way to proceed. Once again, we expect the task force to review this.

- R9.** The JPB should add another two voting members: (1) a financial or accounting advisor so that the library system has an expert planner and advocate for financial sustainability, and (2) a library professional, from another nearby library system or from The School of Library & Information Science at San Jose State University.

Response: Joint Powers Authority Board – WILL NOT BE IMPLEMENTED

This expertise is already present in the City Finance Director and the Library Director. Changes such as this would require opening up the JPA agreement which is not due to be opened until 2017 and an early opening is not recommended.

Response: Santa Cruz City/County Public Libraries – WILL NOT BE IMPLEMENTED

This expertise is already present in the City Finance Director and the Library Director. Changes such as this would require opening up the JPA agreement which is not due to be opened until 2017 and an early opening is not recommended.

- R10.** The requirements of the library system as a whole should take precedent over the needs of neighborhood branches, and the Joint Powers Authority Board members should consider the long term implications of their decisions.

Response: Joint Powers Authority Board – HAS BEEN IMPLEMENTED

The JPA Board members already take into consideration the long term implications of their decisions. The JPA Board does take into consideration the impact on the whole system in making decisions. There are negative consequences to closing neighborhood branches upon the system as a whole which the Board must also take into consideration.

Commendations

- 1.** The Grand Jury commends the new library director, Teresa Landers, and library staff for their considerable efforts despite the current economic difficulties, especially for the strategic planning process, for *Programs and Partnerships*, and for the abundance of outreach programs both in the community and in-house at the library branches. Also, in interviews and during the Grand Jury's site visits to the branches, all employees evidenced extraordinary good cheer and helpfulness.
- 2.** The Grand Jury particularly commends the technical services employees of the library for accomplishing so much with so little for so long.
- 3.** Finally, the Grand Jury commends the Friends of the Santa Cruz Public Library for the good work that they do on behalf of the libraries, for the generous number of hours they volunteer and the dollars they donate.

Responses Required

Respondent	Findings	Recommendations	Respond Within/ Respond By
City of Santa Cruz Director of Finance	F19, F21-F25	R8	90 Days September 10,2010
Joint Powers Authority Board	F1, F3-F6, F17, F19- F27	R1-R10	90 Days September 10,2010
Santa Cruz City/County Public Libraries	F1, F3-F27	R1-R9	90 Days September 10, 2010

Sources

Documents

3-5 Year Strategic Plan 2010-2015: *Connect, Inspire, Inform*
 California Library Statistics 2009 (Fiscal Year 2007-2008); 2010 (Fiscal Year 2008-2009)
Check It Out @ the santa cruz public libraries: January, March 2010
 Facilities Master Plan for the Santa Cruz City County Library Systems
 FY 2008-09 – FY 2012-13
Integrating an Engineering Library's Public Services Desk: Multiple Perspectives,
 © 2007, Jill Powell, et al.
 Library Director's Monthly Report: September – December 2009; January – February 2010
 Library Draft Budget FY 2009-2010, FY 2010-2011
 Library Joint Powers Board Motion Log, January 2009 – February 2010
 Memo, Bookmobile Costs; Teresa Landers to Joint Powers Board; March 18, 2010
 Revised Technology Plan: June 9, 2008
 Strategic Plan "Vision" Statements from Town Hall Meetings and Focus Group Sessions

Interviews

City of Santa Cruz Administrators
 County of Santa Cruz Administrators
 Los Gatos Public Library Staff
 Porter Memorial Library Volunteers
 San Jose Public Library Cambrian Branch Staff
 Santa Cruz Public Library Administrators and Staff
 Santa Cruz Public Library Joint Powers Authority Board Members
 Watsonville Public Library Administrators and Staff

Meetings Attended/Meeting Minutes

Library Joint Power Authority Board Meetings: February 1, March 8, April 5, May 3,
 June 7, 2010
 Library Joint Powers Authority Board Finance Subcommittee Meeting: April 26, 2010
 Library Joint Powers Authority Board Special Session: Monday, April 19, 2010
Minutes, Joint Powers Authority Board Meetings: April 6, September 14, November 2, 2009;

January 11, 2010

Minutes, Joint Powers Authority Board Finance Committee Meeting: February 22, 2010

Minutes, (Library) Strategic Plan Committee Meetings: August 24, September 8,

November 3, December 8, 2009

Minutes, Special Joint Meeting of the Capitola City Council and Redevelopment Agency:

November 4, 2009

“Shape the Future of Your Library” Town Hall Meetings : October 29, 2009 (Central Branch), January 7, 2010 (Scotts Valley Community Center)

Newspapers and Other Periodicals, Articles and Letters

Mid-County Post

January 15, 2010: “Salary Costs, Volunteers Key to Future of Local Libraries”

Santa Cruz Sentinel

July 20, 2009: “Library volunteers fill in the gaps all over Santa Cruz County”

January 14, 2010: “As You See It” (letter)

January 11, 2010: “Budget Woes: Library leaders see bleak year ahead”

April 6, 2010: “Small libraries on the block”

April 19, 2010: “Library trustee says it’s time to close smaller branches”

April 21, 2010: “As You See It” (letter, Volunteers bureau needed for libraries)

April 21, 2010: “Library friends give \$200,000”

April 25, 2010: “Friends provide needed help to library”

San Lorenzo Valley Press Banner

April 23, 2010: “Book blues”

Scotts Valley Press Banner

January 1, 2010: “Planning key for library survival”

January 15, 2010: “Plans for Scotts Valley library plow forward”

April 23, 2010: “Felton, Boulder Creek libraries in jeopardy”

April 23, 2010: “Scotts Valley library friends aim to raise \$250,000”

Scotts Valley Times

March 2010: “Financial Facts about Scotts Valley’s New Library”

Site Visits

Los Gatos Public Library, Town Civic Center, 110 East Main Street, Los Gatos

Porter Memorial Library, 3050 Porter, Soquel

San Jose Public Library, Cambrian Branch, 1780 Hillsdale Avenue, San Jose

Santa Cruz Public Library

Aptos, 7695 Soquel Drive, Aptos

Boulder Creek, 13390 West Park Avenue, Boulder Creek

Branciforte, 230 Gault Street, Santa Cruz

Capitola, 2005 Wharf Road, Capitola

Central, 224 Church Street, Santa Cruz

Felton, 6299 Gushee, Felton

Garfield Park, 705 Woodrow Avenue, Santa Cruz

La Selva Beach, 316 Estrella Avenue, La Selva Beach

Live Oak, 2380 Portola Drive, Santa Cruz

Scotts Valley, 230-D Mount Hermon Road, Scotts Valley

Watsonville Public Library

Freedom Branch, 2021 Freedom Boulevard, Freedom

Main Library, 275 Main Street, Suite 100, Watsonville

Web Sites

http://en.wikipedia.org/wiki/Integrated_library_system

<http://fsvpl.org>

<http://porterm1.org>

<http://theshiftedlibrarian.com/stories/2002/01/19/whatIsAShiftedLibrarian.html>

<http://www.co.santa-cruz.ca.us/descriptionSCC.htm>

<http://www.davinciinstitute.com/papers/creating-the-ultimate-information-experience/>

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<http://www.futuristspeaker.com/2009/01/the-library-of-the-future-series-part-3-the-electronic-outpost>

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<http://www.losgatosca.gov/index.aspx>

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<http://www.orientpoint.com/FTE.htm>

<http://www.santacruzpl.org>

<http://www.sjlibrary.org>

<http://www.watsonville.lib.ca.us>

<http://www.webjunction.org/techplan-writing>

Up a Creek without a Financial Paddle The Lompico County Water District

Summary

The Santa Cruz County Grand Jury strongly recommends that the Lompico County Water District (LCWD) and the San Lorenzo Valley Water District continue to evaluate a merger of the two districts post haste. LCWD is teetering on the edge of total collapse. Between the time the Grand Jury began looking into the Lompico water district in July 2009 and finished its formal investigation in mid-May 2010, an experienced member of the board of directors has resigned; the district secretary has been fired and arrested on felony charges of embezzlement; the general manager has been fired; and the District Attorney's Office has opened an investigation of the water district's finances.

Thirty years ago, LCWD was considered by some to be among the best water districts in Santa Cruz County, proudly represented by its new, state-of-the-art redwood water tanks. Today, its infrastructure is falling apart. Up to 60 percent of the lateral pipes that feed the residences need to be replaced. Water tanks are leaking so seriously that pumps from the four district wells are being overworked to keep up with the loss of water. One of the two largest leaking tanks needs a foundation and two other tanks need to be replaced or rebuilt. The cost of replacing the dilapidated tanks and the faulty pipes is estimated to be one to two million dollars. The water district runs the risk of system failure if these pieces of the infrastructure are not replaced immediately.

The financial health of LCWD is in worse shape than its infrastructure. Although its water rates are the highest of any public water district in the county, it has been operating at a deficit for the past five years and is unable to cover district employee costs, day-to-day operations, and infrastructure needs. Through years of ineffective actions and neglect by its boards of directors and management staff, LCWD is on the verge of bankruptcy. By the end of 2009, employee costs had escalated to consume 75 percent of the district revenue. Employee overtime has contributed significantly to these escalating personnel costs. That several boards of directors permitted this situation to exist is inexcusable. Without strong and inquisitive boards, district management has had too much control, which has led to questionable hiring practices and accounting of district funds.

A healthy water district would pull money from its capital improvement fund or its reserve fund to address these financial challenges, but LCWD has no money in either fund, nor does it have the realistic capability of attracting new sources of funding, such as bonds or loans.

Since July 1, 2009, Santa Cruz County has taken over check writing for LCWD and has been providing "dry period financing" to the district to help it meet its monthly obligations when cash has not been adequate to cover expenses. However, this financing will not be available beyond April 2010. LCWD remains in serious debt to creditors, including fines owed the State of

California and bills owed creditors like PG & E, which has threatened to shut off the district's electrical power.

The financial shortfall of the water district has far-reaching ramifications beyond the obvious operational needs. With public knowledge of LCWD problems, there is the associated problem of possible loss of private property values. Mortgage lenders potentially will be reluctant to extend loans on residential properties that do not have guaranteed access to potable water and adequate water supply for fire protection.

The LCWD general manager has been in charge of day-to-day system operations and maintenance and also has been the chief administrative employee overseeing the business office functions including finances, record-keeping, and planning for the district. In a well-functioning water district, the general manager would keep the board of directors fully apprised of the water quality, the condition of the infrastructure, the financial health of the organization, new employees, and customer concerns. The general manager would present annual and ongoing budgets, capital improvement and equipment replacement plans, and strategies for making other improvements to the board for its approval. Board members rely on management to provide them the specifics in all these areas, as it is their responsibility to oversee all aspects of the district operations and respond in a timely way to keep everything running smoothly. In the Lompico Water District, management was reported to have given inaccurate and incomplete information to the board members, causing them to believe all was well when, in fact, the water district was falling apart. For its part, the board did not effectively make use of the systematic processes in place to assure that all its oversight responsibilities were being accomplished. Ultimately, it is the LCWD board of directors that has principal responsibility for all decisions affecting the operation of the water district. **However, it is the Lompico water district residents themselves who have the most to lose if potable water cannot be delivered to them – and at a reasonable cost.**

The body of this Grand Jury report provides details of the problems in the LCWD. Some of the problems identified can be attributed, at least in part, to the demands placed on a district the small size of LCWD. However, even small districts must perform in a manner consistent with the needs of the people for safe and reliable public service. After the Background and Scope, the report is divided into three major sections: Finances, Governance, and Management. Each section includes an Overview, Findings, and Conclusions. The detailed Recommendations of the Grand Jury cover all three major sections.

Definitions

Accrual or accrued liability: An expense that is recorded when it is incurred rather than when it is paid. For example, vacation and overtime pay are expenses recorded but not paid until some future date, at the current rate of pay.

Agenda: A list of meeting activities and topics in the order in which they are to be addressed during the public meetings. The Lompico district manager is responsible for preparing the LCWD agendas.

At-will: An “at-will” employee is someone an employer can terminate at-will for any reason or for no reason at all. An employer cannot fire employees in any way that constitutes discrimination, a violation of state public policy, or that contradicts any actual or implied promise regarding the criteria or procedures for employee termination. That still leaves wide latitude to fire employees for economic or performance reasons, for violating the law or internal company policies, or even for no reason at all, in some cases.

Audit: Review of an organization’s finances. Audits are performed to ascertain the validity and reliability of information. The goal is to express an opinion that the financial statements are accurate and complete and free from material error.

Blog: Also known as a web log. It is a type of web site with commentary from one or more individuals.

Board of Directors’ Policy Manual: Document used to govern the actions of the board of directors of the Lompico County Water District, adopted May 19, 2009.

Brown Act: Enacted in 1953, this law guarantees the public’s right to attend and participate in meetings of local legislative bodies. The Act promotes the transparency of government by requiring that the people’s business be conducted in public. It applies to the governing boards of all local governments in California.

Budget: A list of all estimated and planned revenues and expenses, including a strategy for the coming financial period. A prudent budget would include income, expenditures, cash flow, infrastructure maintenance, a capital improvement plan, and reserves for economic uncertainty. Typically a budget is created on an annual basis and reviewed frequently to ascertain the viability of the financial operations.

California Water Code: Laws governing water usage in the state of California. Special water districts such as the LCWD are subject to Water Code section 30000 *et seq.*

Capital Improvement Plan: A capital improvement plan or CIP is a plan, usually extending four to six years, which identifies capital projects and equipment purchases, provides a schedule, and identifies options for financing the plan.

Dry Period Financing: Financing an overdrawn account for a specified period of time. In county government, it typically is used to pay expenses until tax revenues are received from the State, at which time the amount borrowed is reimbursed to the County with interest.

FEMA: The Federal Emergency Management Agency is the federal agency within the Department of Homeland Security that is tasked with responding to, aiding in the recovery from, and mitigating against man-made and natural disasters. Entities that experience disasters can be reimbursed by FEMA for expenses related to a local emergency, but only for that purpose.

Forensic Audit: An examination of an organization's financial affairs resulting in a report designed especially for use in a court of law; it focuses on the application of accounting methods for the investigation and prosecution of criminal acts such as embezzlement or fraud.

Lateral Pipe: Pipe that connects the water main to the residential water meters.

Local Agency Formation Commission (LAFCO): Local government agency authorized by state law to regulate governmental boundary changes to cities and districts for the purpose of managing urban sprawl and efficiently providing governmental services such as recreation, water delivery, or fire protection.

Lompico Board of Directors: Five citizens residing within the geographical boundaries of the LCWD elected by the community to govern the water district.

Lompico County Water District (LCWD): A special district in Santa Cruz county designed to provide potable water to approximately 1,500 residents in the Lompico Canyon of the San Lorenzo Valley.

Lompico Personnel Manual: Document containing the policies governing the water district's employees. Original adoption date unknown. Revised Manual adopted January 12, 2010.

Meeting Minutes: The official written record of discussions and decisions of a board or committee. Minutes are used to acknowledge correspondence received and record old and new business. Minutes document official actions taken by the district's board of directors.

MEMCOR® XP Filters: A self-contained membrane filtration system that uses advanced, industry-proven membrane technology. MEMCOR® XP is ideally suited for small communities and industrial applications where suspended solids removal is critical. Its straightforward and compact design maximizes the efficiency and reliability in producing the quality and quantity of water needed, at any time. It is also ideal for remote systems, schools, developments and disaster relief applications.

Proposition 218: "The Right to Vote on Taxes Initiative." An amendment to the California Constitution (November 5, 1996 ballot) requiring local government to obtain the vote of taxpayers for any proposed new or increased tax or the approval of affected property owners for any proposed new or increased assessment.

Ready to Serve (RTS): Basic service charge that every customer pays before receiving water.

Special District: An agency established under California state law for the performance of a local government function (fire, water, roads, etc.) within specific boundaries in order to serve a common community interest.

Sturgis' Rules of Order: Parliamentary rules of order by which LCWD board meetings are to be conducted.

Turbidity: A measure of the degree to which water loses its transparency due to the presence of suspended or colloidal particles; it commonly is used as an indicator of the quality of drinking water. The more total solids in the water, the murkier it seems and the higher the turbidity.

Background

Lompico County Water District (LCWD) is an independent special district serving 500 residential hookups and supplying the water to about 100 fire hydrants in the isolated mountain valley community of Lompico. The LCWD was founded in 1963, is governed by five directors elected by the voters residing in the water district, and operates pursuant to the California Water Code 30000 *et seq.* Lompico is located north of Felton at the southeastern tip of Loch Lomond Reservoir. In the 1920's the Lompico Canyon area was divided into lots which by the early 1950's had developed into a summer retreat of small cottages. Now the area is a year-round community of permanent homes.

In 1979 the district built a new state-of-the-art water facility, financed with funds from grants and bond sales, to upgrade and integrate the water system. Now, thirty years later, major parts of this system are failing. Two 100,000 and one 60,000 gallon redwood water storage tanks are leaking. Laterals from the water mains to each residence are breaking at a rapid rate from the inferior plastic pipe installed in 1979 and now require emergency replacement.

The costs to replace and upgrade these basic elements of the system have created an alarmingly large financial burden. In addition, the district's boards of directors and management historically have ignored long term planning for capital improvements and have not analyzed employee costs or day-to-day expenses for their impact on the total district budget.

The 2009-2010 Grand Jury decided to investigate LCWD after reviewing information from the latest Local Agency Formation Commission's (LAFCO) state-mandated five-year review, statements made on the public record at recent LAFCO meetings, and articles and blogs published in *The Press-Banner* newspaper in late summer of 2009. The 2005 LAFCO five-year report observed that residents of LCWD had the highest public water rates in the county; that is still true today. These sources mention a variety of critical issues facing the LCWD including payroll shortages, the poor state of the infrastructure, and the possibility of bankruptcy. Concerns about the ability of the elected LCWD officials and management to govern and operate the water district effectively also were communicated to the Grand Jury. In response to this information and these concerns, the Grand Jury initiated an investigation.

Scope

The Grand Jury investigation of LCWD focused on three areas: (1) fiscal solvency, (2) infrastructure needs, and (3) governance by the board of directors and management. Multiple interviews were conducted with the board members, employees, and residents living within the LCWD. The Grand Jury attended board and committee meetings and also requested documents relevant to the fiscal and operational management of the district. The investigation was conducted to evaluate the status of the finances and infrastructure of the district, what factors contributed to the current condition of LCWD, and what solutions could be suggested to continue to provide quality

water service to the Lompico residents within the constraints of the budget. Topics investigated included:

- the financial status of LCWD
- the infrastructure of the water district
- the policies and practices used by the board of directors and management concerning governance of the district
- long-term plans for capital improvement projects and deferred maintenance
- water rates and service to the community
- employee costs and hiring practices
- potential strategies for financial recovery

Financial Overview

The LCWD financial structure is in worse shape than its water system. Five years of negatively certified budgets put LCWD on the verge of bankruptcy. The water district's present financial situation is worsened by an ever-increasing need to repair and replace worn out equipment and facilities.

A financially well-functioning water district, in addition to covering its regular operational costs, should have a fully-funded capital improvement plan and an adequate reserve fund. In contrast, LCWD is struggling to pay regular operating costs and has no capital improvement plan or reserve fund. Therefore, money is not available to accommodate the systematic replacement of old equipment or to handle emergencies.

Financial Findings

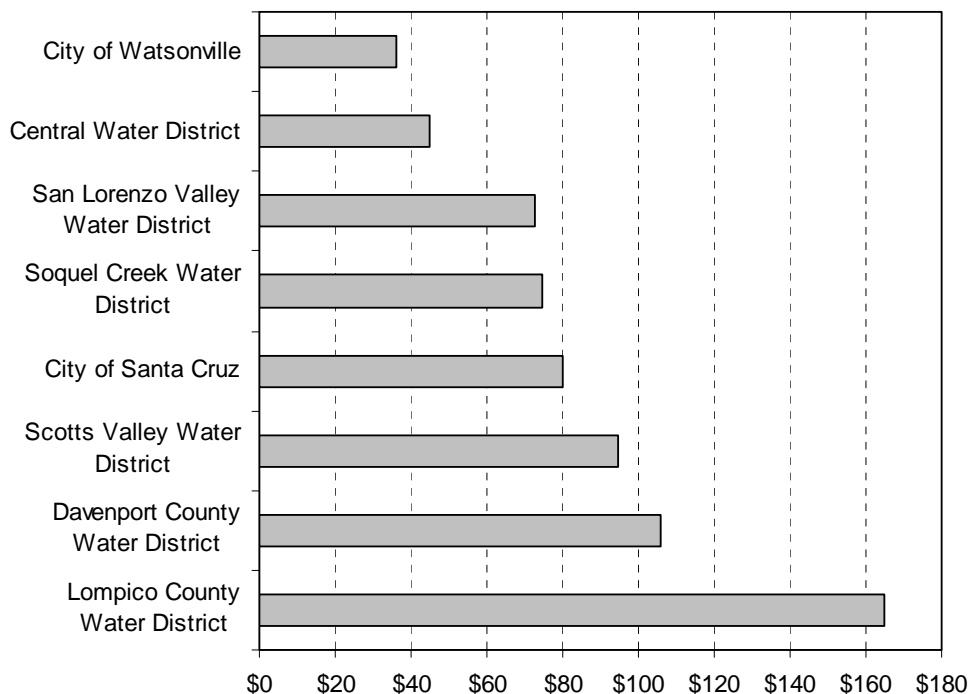
F1. Upon reviewing annual audits, the Grand Jury determined that LCWD has been operating at a deficit for at least the past five years. LCWD budgets are incomplete, inaccurate, and do not provide for economic uncertainties or a capital improvement plan.

- Revenue to the district comes from customer water bill payments and a percentage of property taxes refunded to the water district from the State. In two recent years, a portion of the tax money was not released to the district on schedule because of the State's budget crises. Although that money now has been released, the water district finances remain in a deficit status.
- The approximate revenue to LCWD is \$400,000 annually. The Grand Jury was unsuccessful in its efforts to obtain an accurate copy of the district's budget, including up-to-date revenue and expenditure figures. The budgets received were incomplete, were missing information, and did not include a capital improvement plan or a reserve account.
- Three redwood water storage tanks have serious leaks and need to be replaced. Moreover, the system of old lateral pipes going to residences needs to be replaced due to manufacturer defects in the pipes originally purchased by the district.

Approximately 40 percent of the plastic lateral pipes have been replaced with copper. Much of the replacement work was done on an emergency overtime basis, costing the district additional money.

- The ready-to-serve (RTS) rate, which must be paid by every customer before any charge for actual water usage, is \$82.64 every two months; this includes the most recent rate hike of \$15 per billing period. The actual water usage portion of the bill is based on a tier system calculated on the amount of water used in the current billing cycle.

Bi-Monthly Residential Charge for Average Santa Cruz County Customer
(5/9 x 3/4" meter and 20 CCF usage)



Source: Santa Cruz LAFCO: Countywide Service Review - June 2005

Until very recently, customers' water bills were not itemized to show the amount in each category on an individual's water bill. LCWD has the highest water rates of any public district in the county. This was true in 2005, as revealed in the chart below, and it is still true today.

- The board of directors was dependent upon staff for all financial and budgetary information. Board members indicated that their financial oversight of the water district budget was hampered by their lack of direct access to information maintained on the district's computer.
- An independent audit in 2008 recommended that LCWD hire a qualified bookkeeper. This recommendation was not implemented.

- After the secretary and the district manager were fired in early 2010, the board of directors became aware that the district's financial information was disorganized, incomplete, inaccurate, or missing altogether. Additionally, the board found many overdue bills in the office.
- The Santa Cruz County Auditor-Controller's office performed an *Independent Accountant's Report on Applying Agreed-Upon Procedures* at the request of the LCWD board of directors and presented the report on December 3, 2009. The audit examined payroll procedures for the three-year period of June 30, 2005, through June 30, 2008. That report, now part of public record, indicated the following:
 - Pay rates for this three-year period were provided for the secretary but not the district manager.
 - At the time of the LCWD 2008 official audit by an outside auditor, the accrued compensation for district employees for unpaid vacation and overtime since 1999 had grown to \$140,000.
 - Numerous errors abound in timekeeping and payroll processing, including inaccuracies in tracking forms, inaccurate reporting for the California Public Employees Retirement System (CalPERS), and intermittent omission of state and/or federal tax withholdings.
 - LCWD did not provide any evidence of payroll-related policies for this report, which includes executive leave accrual guidelines, board-approved minutes authorizing various cost of living adjustments (COLA), and other payroll details.
 - During the period analyzed, there were numerous examples of apparent misreporting of on-call pay, overtime pay, executive pay, and vacation time, including lack of reporting state and federal taxes and correct hours for CalPERS, ultimately resulting in loss of district funds.
- Since July 1, 2009, at the request of the LCWD board of directors, the County Auditor-Controller's office has taken over the function of paying the bills and payroll. They also have been extending "dry period financing" to cover payroll and bills when there have not been adequate district funds on hand to cover these expenses. The County covered two pay periods in February 2010 due to lack of revenue in LCWD. Once the tax revenues are distributed to the water district in April 2010, the Auditor-Controller's office, by statute, will no longer be able to extend financing to LCWD.
- Due to the District Attorney's arrest of the district secretary for embezzlement, the most recent independent auditor stated that a detailed forensic audit is required, which could push this year's accounting costs to approximately \$20,000.

- PG & E has threatened to cut off power to LCWD for failing to pay bills in a timely manner and for ignoring two negotiated payment plan agreements. As of March 2010, LCWD had an outstanding bill of \$2,700 with PG & E.
- LCWD currently is on a cash-on-delivery basis with suppliers. In March 2010, the district could not pay for the chemicals needed for the filtration system and had to appeal to the County of Santa Cruz to cover the bill.

Response: Lompico County Water District Board of Directors – AGREE, with the exception of current budget.

As of July 1, 2009 the budget is filed with the County and included with each monthly board agenda packet showing all income and expenditures. The budget for 2009-2010 allowed for \$23,000 excess revenue over appropriations, which was designated to reserves.

F2. Employee costs including compensation and accrued benefits have escalated in recent years, placing a significant strain on the district's limited resources.

- With a budget of approximately \$400,000 in revenue, LCWD spends about \$300,000 annually on personnel costs for three employees. The remainder of the budget, approximately \$100,000, is left to run the district, to make repairs, buy replacements, and maintain water quality. This amount has proven insufficient to meet the district's needs.
- During the five-year period 2001-2006, approximately 55 percent of the district budget went for employee expenses. By 2007-2009, these expenses increased to approximately 75 percent of the budget due to increased salaries and benefits. At the same time, revenue remained flat due to reduced tax revenues and reduced income from customers because of drought-condition water conservation.
- In 1999, Resolution 99-679 was approved by the board placing a two-year limit on compensation and benefit accruals. However, the Grand Jury found no evidence that the board adhered to this resolution thus creating a substantial unfunded liability to LCWD.
- Records indicate that day laborers' wages were paid out of petty cash funds and were not part of budget planning and development.

Response: Lompico County Water District Board of Directors – AGREE

F3. LCWD does not have the funds to conduct the preparatory work required to apply for grants or loans. The generally weak national and local economy severely hampers LCWD's ability to qualify for additional working capital. Most large projects require studies and pre-engineering costs which the district cannot afford. Furthermore, grant money generally is restricted to innovative projects and cannot be used to replace leaky tanks or to subsidize operational costs.

Response: Lompico County Water District Board of Directors – AGREE

Financial Conclusions

- C1. Neither the board of directors nor management fulfilled their fiscal responsibilities to create and maintain a budget to meet the financial and infrastructural needs of the water district.
- C2. LCWD has not created an adequate rate structure to sustain the operation of the water district, and so the revenues are insufficient to cover the district expenses or the present and future facility needs and obligations.
- C3. While elsewhere salaries have remained flat and some City and County employees have been furloughed due to the State financial crises, LCWDs salaries and benefits have increased in the past few years, further contributing to the deteriorating financial conditions of the district.
- C4. The handling of the district’s financial resources by the boards of directors and management staff has left LCWD on the verge of bankruptcy.

Governance

The LCWD is governed by a board of five directors and managed by a single general or district manager. Registered voters in the Lompico water district elect the five members of the board. Candidates do not need to meet any qualifications, other than being a qualified voter in the water district, or hold any special credentials, and frequently they do not have any relevant experience to hold this office. Once elected, they receive limited training to prepare them for the considerable challenge of governing a district that supplies water to 500 homes. Since the early 1960’s, the board has suffered financial and infrastructure demands that have led to turmoil and dissension, resulting in frequent resignations by board members. The resulting vacancies were filled by board appointments on some occasions and by uncontested or hotly contested elections on other occasions.

In the 1970’s the board of directors planned an ambitious \$2 million modernization and upgrade of the water distribution system. It successfully financed the project with bonds and grants and completed the work in 1979. Just six years later, however, several directors were recalled as the result of an outstanding bill for \$138,000 for a mandated San Lorenzo Valley septic system study; the septic system was not built and the debt eventually was forgiven.

In April 1987, the *Scotts Valley Banner* published an article titled “Down the Drain” describing the directors’ dissension and indecision in collecting bills, a situation that cost LCWD thousands of dollars. In May 1987, the *Santa Cruz Sentinel* reported that two directors resigned. In the fall of that year, the Santa Cruz County Grand Jury began an investigation of the LCWD. Its report, *Lompico Water District*, was published in June 1988 and described the lack of governance and oversight and the poor accounting that resulted in the LCWD’s failure to collect thousands of dollars owed by customers. The report revealed that the board of directors tried to manage the water district itself for several years after the departure of the district manager. The Grand Jury

recommended “a public dialogue concerning some combination or coordination of operations with the neighboring San Lorenzo Valley Water District.”

During the 1990’s, despite frequent turnovers in board membership, numerous resolutions were passed only to be later ignored by subsequent boards. As an example, in 1999 a two-year limit on vacation and overtime accruals was approved, but successive boards appear to have ignored or were not made aware of the limit. Furthermore, while water rates were raised occasionally, there was never enough revenue to create a healthy reserve fund for replacing equipment.

From 2006 to 2008, district residents were divided on what role LCWD should play in replacing a section of Lake Boulevard’s main water line loop that failed in a landslide. The issue was prominently featured in the November 2008 election, with eight candidates competing for three of the five board seats. Two new directors were elected and an incumbent was re-elected. Months of difficult discussions followed, and on November 23, 2009, the board voted 2-2 with one abstention on whether to apply for an extension on a request for FEMA funds to reconnect the water line. Three years after the event, the board could not agree on how to fix the problem.

Governance Findings

F4. Through a review of district records and interviews with past and present directors, the Grand Jury determined that the boards of directors have failed to adequately perform some of the basic duties of a governing board.

- LCWD directors indicated that they had little or no training to be board members. In addition they have not taken sufficient advantage of opportunities to educate themselves, nor have they created a training manual or handbook to appropriately educate successive boards.
- The LCWD board has not created rules or guidelines for its proceedings, such as district bylaws, as required by the California Water Code section 30530.
- The Board Policy Manual created in 2009 was duplicated from San Lorenzo Valley Water District.
- Interviews and documentation reveal that the LCWD consistently failed to hold regular board and committee meetings.
- LCWD board members stated that the agenda for meetings did not reflect items board members requested to be placed on the agenda.
- The Grand Jury observed that some LCWD board members were not familiar with using Sturgis’ Rules of Order and that they sometimes failed to treat each other and members of the public with civility when conducting their meetings.
- The Grand Jury’s review of meeting minutes from 2006 to the present revealed that the LCWD board did not monitor minutes for completeness or accuracy.

- Letters from the District Attorney's office in 2008 and 2009 indicated that citizens filed complaints about alleged violations of the Brown Act. The District Attorney did not find sufficient grounds to warrant criminal charges.

Response: Lompico County Water District Board of Directors – AGREE, with updates.

In 1964, the Board of directors of Lompico County Water District adopted Ordinance 2, which defined when and where the board would meet to conduct meetings, the order of the agenda, and that the board of directors shall use Robert's Rules of order. The Board of directors reviewed Ordinance 2 at a special meeting on June 8, 2010.

The board of directors has been improving its compliance with Robert's Rules of order in conducting meeting. Within 72 hours of the regular board meetings, the District Secretary writes up the minutes from the meeting, and emails the minutes to each director for review. The corrections, if any are transmitted back to the District Secretary for update.

The Board conducted a special meeting on June 8, 2010 to review Ordinance 3 Rules and Regulations of Water Service and enhance their understanding of those rules and regulations. The original Ordinance 3 was passed in 1964. In the 45 1/2 years since, Ordinance 3 has undergone numerous additions and changes. While these changes have been available in the district's files, it was difficult to know all the rules, as they were found in more than 40 different ordinances. The board has produced a single document containing all of Ordinance 3, complete with additions and changes from the last 45 1/2 years. The board members are in the process of providing needed updates for consideration by the board. The resulting ordinance will contain updates needed due to a reorganization of the staff positions and duties, reorganization of the ordinance to improve its readability, as well as clarifications, and other changes needed to reflect county policies. The board will be reviewing and consider for adoption the resulting codified version. The result will be one document that defines the rules and regulations of water service.

The board recently adopted a budget for fiscal 2010 - 2011 with revenue excess of \$32,675. This includes one time large expenses for forensic audits. These numbers are based on reasonable forecasts of income.

The board has scheduled a workshop on planning and rate setting with a professional in small water districts from the California Rural Water Association.

The board and District Secretary have aggressively pursued collection of delinquent water charges and the board is in pursuit of placing delinquent water charges on the tax rolls to recover long delinquent accounts receivable. The delinquent water charges have not been included in the income forecasting. The pursuit of delinquent water charges has brought \$13,524.00 in funds to the district. The 5 day disconnect notices for remaining delinquent charges for water services have been sent, and the district expects additional collection of delinquent charges for water service as a result. By the end of the billing cycle for May-June 2010, any remaining accounts that are delinquent will be either making payments under an agreed to payment plan, or will be locked off for non-payment.

The board has educated themselves on the billing and collection procedures described in the Rules and Regulations of Water Service, and has brought action to bring enforcement of collection of delinquent water charges through disconnection of water service. The board's enforcement of the disconnection process is now current. Per Ordinance 3, Rules and Regulations of Water Service, Accounts that are delinquent will be disconnected within 60 days from billing of charges not paid (if not under payment arrangements).

Response: Santa Cruz County LAFCO Directors – AGREE to the extent that LAFCO does not have any information that contradicts the findings.

In its role as a boundary regulatory agency, LAFCO gathers information for its periodic preparation of service reviews and agency spheres of influence. When a boundary change application is filed, LAFCO prepares a detailed staff report that analyses the proposed boundary change. LAFCO has not received a boundary change application concerning the Lompico County Water District in many years. Therefore, LAFCO does not have first-hand information concerning any of the subsections of Finding F4. LAFCO does maintain a file of district bylaws that special districts in Santa Cruz County voluntarily submit, and any public agency is welcome to use these samples when drafting a set of bylaws.

- F5.** The board of directors failed to adequately oversee the financial activities of the water district and to verify that operations were conducted according to good business practices, and they made questionable business decisions.
- LCWD board did not set rates and charges at a level sufficient to provide for repairs and depreciation of works owned or operated by the district as required by California Water Code section 31007.
 - LCWD directors did not set rates and charges sufficient to cover the operational expenses of the water district, in part because they lacked the background or knowledge of bookkeeping and budgeting procedures in general, and they did not demand the information specific to the district that would allow them to set rates reasonably. In interviews, board members stated they were reluctant to impose higher rates on their friends and neighbors.
 - In 1998, the LCWD board made a voluntary \$100,000 CalPERS retirement payment on behalf of the district manager for ten years he had worked for the district prior to the adoption of the retirement program.
 - LCWD boards ignored or did not know about a 1999 resolution to cap the accrual of vacation and overtime pay to two years. The Grand Jury was unable to find any official action to rescind the limits. However, the board did re-impose the limits in 2009.

Response: Lompico County Water District Board of Directors – AGREE

Response: Santa Cruz County LAFCO Directors – AGREE to the extent that LAFCO does not have any information that contradicts the findings.

As a boundary regulatory agency, LAFCO does not gather detailed information such as retirement system payments or employee vacation accrual rules. LAFCO does not have information that verifies or counters the Grand Jury's findings.

F6. The past and present board of directors failed to provide adequate oversight of the personnel and personnel functions and activities of the district.

- The original Personnel Manual was rewritten and approved in early 2010. The approved manual is still incomplete because there are no job descriptions.
- The LCWD board did not conduct adequate due diligence to confirm the qualifications of new hires, specifically the district secretary.
- The LCWD board did not systematically conduct in-depth performance evaluations for the district manager.
- The LCWD board did not hold the site management adequately accountable for day-to-day activities, long-term planning, and financial tasks.

Response: Lompico County Water District Board of Directors – PARTIALLY AGREE

The current board, when made aware of the Personnel Manual, took steps to enforce and update these policies. The board met with extreme resistance from the manager and secretary on day-to-day activities, long-term planning and financial tasks.

Governance Conclusions

C6. The boards of directors consistently demonstrated a lack of knowledge and oversight of all aspects of the district's operations: governance, finances, management and facilities.

C7. The directors often appeared to disregard the California Water Code, the Director's Guide for Setting a Budget, the Lompico Water District Manual, the Board Policy Manual, and resolutions passed by preceding boards.

C8. Members of the board of directors appear to lack the financial knowledge necessary to develop and oversee a balanced budget and consequently may not be adequately prepared to guide the district in a financially sustainable direction.

C9. Because agendas are poorly developed and meeting minutes are incomplete and inaccurate, there is a lack of reliable records to allow consistent governance of the district's business.

C10. Board policies pertaining to personnel matters have at times not been followed.

C11. The board of directors did not hold the site management and staff sufficiently accountable from day-to-day activities to long-term planning.

Management

The LCWD district manager is an at-will employee reporting to the board, and management duties are outlined in the Personnel Manual and referenced in the Board Policy Manual. The district manager is responsible for the business activities and the day-to-day operations of the district. The other employees (two at the time of this investigation: the district secretary and the operations technician) report to the manager, who also serves as the safety officer for the district. While there have been many members of the board of directors through the years, there has been only one district manager over the past 20 years.

Management Findings

F7. The board of directors depends on the LCWD staff for accurate information delivered in a timely manner.

- The LCWD board did not receive timely and accurate board meeting agendas. Furthermore, protocol and board requests regarding the preparation of the agendas were at times disregarded or altered.
- For the last five years, management did not provide complete and realistic budgets for review and approval by the board.
- The urgency of infrastructure repairs was evident upon inspection of the physical plant. However, board members stated that management did not stress the importance of the need for immediate repairs.

Response: Lompico County Water District Board of Directors – AGREE

F8. The business and personnel activities of the district were not always conducted in a professional and appropriate manner.

- The district's independent auditor recommended hiring a bookkeeper in 2008; however, the district did not hire one, citing the lack of funds.
- In 2009, a district secretary was hired who had no bookkeeping experience, which was a specific qualification for that position. Selection protocol established by the board, such as posting the position in the newspaper, was not followed.
- Performance reviews for the secretary and the operations technician were not performed annually as specified in the Personnel Manual.
- Daily work logs sometimes were not completed and were not given to the board even when requested.

- The office file of customer work was not updated on a daily basis.
- Creditors' bills were not always paid in a timely fashion. Board members revealed that checks were written and then stored in the district office safe until adequate revenues arrived to cover the checks. Consequently, in July 2009 the board of directors asked the Santa Cruz County Auditor-Controller's office to take over payroll and other accounts payable functions.
- LCWD received a letter dated February 1, 2010, from the State Controller's Office Division of Accounting, informing it that the Annual Report of Financial Transactions had not been filed for the fiscal year ending June 30, 2009. The State imposed a \$5,000 penalty for non-filing.
- The Santa Cruz County Auditor-Controller's office performed an *Independent Accountant's Report on Applying Agreed-Upon Procedures* at the request of the LCWD board of directors and presented the report on December 3, 2009. The report revealed that sufficient and accurate data on payroll procedures was not provided to the County despite multiple requests.
- Communications and unresolved complaints from customers sometimes were not recorded in the minutes or addressed, nor were they always reported to the board.
- The main and satellite offices, and the records and files associated with the district's business, were not maintained in an organized, orderly fashion.

Response: Lompico County Water District Board of Directors – AGREE

The current board is addressing all items.

F9. The infrastructure was not maintained in good and working order.

- The California State Public Health Department (CSPH) shut down the LCWD water treatment plant from May 6, 2010 to May 14, 2010 because the water treatment filters (Memcor filters) in the plant were no longer viable. The filters dated from 1996 and the effective life span of the filters, according to their manufacturer, was seven years. New Memcor filters were installed on May 12, 2010.
- The monthly reports to the CSPH documenting the turbidity of the drinking water in LCWD were not accurate. The chart wheels that record daily turbidity provide the information that is transferred to the report form that is submitted to the CSPH. The information on the chart wheels should be exactly the same as information on the reports. Grand Jury members compared the two and noted that they did not match.
- A written capital improvement plan (CIP) was not found.

- There was no immediate systematic replacement plan for the faulty lateral pipes; consequently, failing pipes needed emergency repair, causing customers inconvenience and resulting in additional expense in overtime pay.
- Facility maintenance was not done on a routine basis; for example, the fire hydrants had not been flushed annually nor had the gate shut-off valves been checked regularly.
- There was no plan for the repair or replacement of the three finished water storage tanks that have severe leaks. Water tanks are leaking so seriously that pumps from the four district wells are being overworked to keep up with the loss of water. In addition, there is extra expense for the chemicals and power to treat additional water.

Response: Lompico County Water District Board of Directors – AGREE

F10. The safety of LCWD staff and the Lompico community was put at risk.

- Frequently just one employee responded alone to night emergencies, regardless of the weather.
- Employees failed to shore up the sides of the trench and walls of a deep excavation pit.
- The fire hydrants had not been flushed for several years, although they should be flushed annually.
- Zayante Fire District was not always notified of low water conditions that were a consequence of the tank leaks.
- Zayante Fire District was not always notified when LCWD was doing repairs or maintenance on the tanks and there was low water pressure or no water at all.

Response: Lompico County Water District Board of Directors – AGREE

Management Conclusions

C12. There often was poor communication between the board of directors and district management, and the board consistently lacked the accurate and complete information necessary to help it govern the district competently.

C13. The condition of the district's finances is so poor that the district is near collapse. Additionally, the infrastructure has deteriorated almost to the point of failure, and the board of directors was not properly apprised of the true condition of either the finances or the facilities.

C14. The lack of water or water pressure puts the residents of the community at risk of serious fire damage, particularly when the Zayante Fire District is not informed of conditions.

Recommendations

R1. The Santa Cruz County Grand Jury recommends that the board of directors of LCWD should continue to evaluate and, if appropriate, pursue a merger with the San Lorenzo Valley Water District (SLVWD) using one of the three options listed below. Although many residents of Lompico are passionate about their independent water district, the Grand Jury finds the ongoing crises facing this water district too overwhelming for it to handle by itself. Three merger options are listed in order of increasing complexity and time:

- (1) A working alliance with SLVWD using a Joint Powers Agreement (JPA) which is established by the two water district boards of directors. This type of agreement is very flexible. For instance, it could be used for management of the districts only, and can be revised as necessary. A JPA could go into effect immediately and could in time lead to LAFCO reorganization of the district.
- (2) A consolidation of LCWD and SLVWD through LAFCO. If the boards of each district file with LAFCO for consolidation, it would happen automatically. This process generally takes about six months.
- (3) Reorganization through application to LAFCO. Any party can file directly to LAFCO, for example, a group of property owners, registered voters, or a board of directors. Whoever applies pays the filing fee. This process usually takes at least a year and a half.

Response: Lompico County Water District Board of Directors – REQUIRES FURTHER ANALYSIS

The board is currently exploring the possibility closest to item (2), which would require dissolution of Lompico Water District; San Lorenzo Valley Water District would then request a Sphere of Influence amendment for the annexation of the territory of Lompico. The board has held a series of public meetings for education and community input. This action will require further negotiations of indeterminate time, and is also subject to the timeframe held by the LAFCo review process.

Response: Santa Cruz County LAFCO Directors – THIS RECOMMENDATION SHOULD BE IMPLEMENTED AS QUICKLY AS POSSIBLE.

This section has not been implemented yet because the Lompico and San Lorenzo Water Districts are studying their options, and no application has yet been filed with LAFCO. After receiving a consolidation or reorganization application, LAFCO will prepare a comprehensive report and conduct a public hearing on the application. LAFCO expects its review process and public hearing to take between three and six months. LAFCO staff has already provided information to Board Members of the Lompico County Water District and the San Lorenzo Valley Water District to explain the LAFCO processes. LAFCO staff attended a public forum at the Zayante Fire Station on July 8, 2010 at which the Lompico community discussed their options.

LAFCO acknowledges the 2009-2010 Grand Jury's thorough investigation of the Lompico County Water District, which emphasizes the problems facing the Lompico water system.

LAFCO notes the Grand Jury's recommendation, under Recommendation R2 on page 162, that the Lompico County Water District evaluate an immediate merger with the San Lorenzo Valley Water District. In the last ten years, LAFCO has reviewed two applications to "merge" water systems into the San Lorenzo Valley Water District--the Mañana Woods Mutual Water Company and the Felton Service Area of the California-American Water Company. Both mergers were complicated. In both cases, the San Lorenzo Valley Water District presented a professional service plan, LAFCO authorized the mergers, the affected communities found the costs to be reasonable. The San Lorenzo Valley Water District is now operating both of the merged systems in a manner consistent with the service plans that accompanied the original applications to LAFCO.

- R2.** The Santa Cruz County Grand Jury recognizes the possibility that LCWD might want to reorganize and recast itself as a viable water district. The difficulty of the challenges involved should not be minimized. Continuing the status quo would almost certainly lead to financial collapse and possible bankruptcy. If the board of directors of LCWD chooses this option, to remain an independent, unassociated water district, the following actions would be critical in the restructuring:
- (1) Adopt a clear and thorough set of bylaws as a binding ordinance.
 - (2) Establish a clear and binding personnel hiring and management system, and follow bylaws and the guidelines in the Personnel Manual when hiring staff.
 - (3) Separate business operations/administration from maintenance operations to allow the manager to run the district in a financially prudent manner without the potential conflict of interest that exists when serving two roles.
 - (4) Hire a permanent, qualified bookkeeper.
 - (5) Develop a training program for the directors to educate them in the business operations of a water utility, including: budgets and finance, parliamentary procedures, water utility functions.
 - (6) Create a reliable system to provide the board of directors full access to all of the district's business.
 - (7) Generate and implement a new financial business plan that includes:
 - a fee structure that guarantees that all operational expenses can be met,
 - an immediate assessment on all property owners to fund a capital improvement fund and a reserve fund,
 - a long range plan to increase revenues incrementally to continue to build the capital improvement and reserve funds, and

- the implementation of all recommendations made by the County Auditor-Controller’s office in the recent public report of December 2009 titled *County of Santa Cruz Report on Agreed-Upon Procedures of the Lompico County Water District For the Period June 30, 2005 through June 30, 2008*.

Addressing all the recommendations in (R2) would be daunting. It is unclear whether the current or future boards of directors will have the ability, knowledge, and strength-of-purpose to accomplish these tasks in a time frame that will prevent LCWD from financial or infrastructure collapse. **The Grand Jury highly recommends that LCWD evaluate an immediate merger with SLVWD (R1). Doing so will not necessarily be less expensive than the changes suggested in R2 but could prevent the failure of the water system.**

Response: Lompico County Water District Board of Directors – REQUIRES FURTHER ANALYSIS, PROBABLY NOT POSSIBLE

Perhaps if the board five years ago had been made aware of the district’s situation, they could have made the corrections necessary to survive.

The current board is working to resolve financial, management and structural problems. R2 would be a daunting task and possibly not financially sustainable by the community.

Commendation

The Grand Jury commends the actions taken in 2010 by the Lompico Water Board. This board has begun to recognize and understand the challenging issues facing the District and has taken difficult but necessary first steps to address them.

Responses Required

Respondent	Findings	Recommendations	Respond Within/ Respond By
Lompico County Water District Board of Directors	F1-F10 All parts, all findings	R1, R2	60 Days August 1, 2010
Santa Cruz County LAFCO Directors	F4, F5 All parts, both findings	R1	90 Days September 1, 2010

Sources

Emails

Member of County Counsel's Office
Personnel, Santa Cruz County Environmental Health Services

Interviews

Administrators and Staff:
Santa Cruz County Assessor's Office
Santa Cruz County Auditor-Controller's Office
Santa Cruz County LAFCO
Zayante Fire District
LCWD:
Administration and Staff
Board Members, past and present
California Environmental Consulting
Independent Auditor
Members of the County Board of Supervisors

Letters and Bills to/from LCWD

From California Department of Public Health, 2/8/2010
From California State Controller, 11/23/2009, 2/1/2010
From PG&E, 2/2/10.
From Department of the Treasury, Internal Revenue Service, 10/5/2009, 12/28/2009, 3/15/10
From Board of Directors LCWD to Local Government Reporting Manager, California State Controller's Office, 3/17/10

Meetings and Visits

LAFCO monthly meetings, August and September, 2009
LCWD Board of Directors and committee meetings:
August, September, October, November, 2009
LCWD facilities site visits: November 12, 2009, and May 14, 2010

Minutes

LCWD Board of Directors meetings, January 2006 to August 2009
Santa Cruz County LAFCO, 8/05/2009, page 19
Santa Cruz County LAFCO, 9/02/2009, page 9

Newspaper Articles

The Press Banner:

"Lompico Water Considers Rate Hike," Peter Burke, 5/07/2009
"Water Board Says Increase Necessary to Avoid Bankruptcy," Peter Burke, 5/21/2009
"Lompico Approves Water Rate Hike," 7/05/2009
"LCWD Under Investigation By Grand Jury," Peter Burke, 10/06/2009
"Lompico Water Board Fires Manager," Peter Burke, 3/12/2010
"Lompico Water Board Speaks Out," LCWD Board of Directors, 3/26/2010

“SLV water explores merger with Lompico,” 5/07/2010

Photos

100,000 Gallon Tank, Lewis #I, 5/14/2010, courtesy of R. Perez

Publications/Documents

1986-1987 Santa Cruz Grand Jury Report: Lompico County Water District

California State Public Health Department: Monthly reports sent from LCWD to the CSPH detailing all required water quality measurements from January 2005 – April 2010

California Water Code section 30520-31007

Correspondence from Lompico residents in response to a Grand Jury request published in *The Press Banner*, November 12, 2009

County of Santa Cruz Report on Agreed-Upon Procedures of the Lompico County Water District for the Period June 30, 2005, through June 30, 2008, prepared by the County of Santa Cruz Auditor-Controller, December 2009

Local Ordinances for Washington Cities and Counties, Report No. 50, May 2000, MRSC

Lompico County Water District:

A Director’s Guide for Setting the Budget

Board of Directors Policy Manual, 2009

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Web Sites

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<http://marinwater.org>

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<http://www.santacruzlafco.org/pages/standards/html>

<http://www.slvwd.com/h2o.htm>

Continuity...The Beginning of the Never-Ending Report Follow-up on the 2008-2009 Santa Cruz County Grand Jury Final Report

Summary

This year's Grand Jury reviewed responses to the 2008-2009 Santa Cruz County Grand Jury Final Report for compliance with California Penal Code 933.05. The Jury found that additional information is needed from respondents for five of the six reports in order to fully address the recommendations of the Grand Jury and meet the Penal Code requirements.

Background

Each year county grand juries in California review and investigate selected aspects of county and city government. They report the results of their investigations to the relevant governing bodies and elected officials, and to the public. The reports include findings and recommendations that are intended to identify and provide alternatives to problematic operations and procedures discovered during the investigation.

Specified persons and agencies are required to respond to the report findings and recommendations. California Penal Code 933.05 provides the process and timeline for responders to follow. They send their responses to the presiding judge of the Superior Court. Elected persons must respond within 60 days and governing bodies are required to respond within 90 days.

For findings, respondents must indicate one of the following responses and provide associated additional information:

- **AGREES** with the finding,
- **PARTIALLY AGREES or PARTIALLY DISAGREES** with the finding and specifies the portion of the finding that is disputed and includes an explanation of the reasons therefore,
- **DISAGREES** with the finding and provides an explanation of the reasons therefore.

Regarding the recommendations, the responding person or entity must report one of the following actions:

- **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action,
- **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe for implementation,
- **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report,

- **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefore.

The 2009-2010 Grand Jury decided to review and consider the legal adequacy of the responses to the 2008-2009 Grand Jury Report, issued on June 30, 2009. This review communicates to relevant persons and agencies and to the public that the Grand Jury will consider and act on missing and/or inadequate responses to its findings and recommendations. Additionally, it provides assurance that the current Grand Jury recognizes the worth of the efforts of previous juries.

The 2008-2009 Grand Jury Report included six formal reports. Those reports were:

1. Alcohol, a Drug of Choice for Scotts Valley Teens
2. For Everything Else There's CAL-Card
3. Information Services Department – Stagnation or Migration?
4. A Tale of a SERP
5. What's in Store for Stores?
6. Who Is Watching Our Special Districts?

Following are synopses of the six reports and the current Grand Jury's findings regarding the responses. There are new recommendations in this Continuity Report where the responses were judged to be inadequate per Penal Code Section 933.05 or where the Jury concluded that additional information is warranted.

Section 1: Alcohol, a Drug of Choice for Scotts Valley Teens

Synopsis

Alcohol is reported to be the number one drug of choice among our nation's youth. Local and county statistics mirror the national trend and confirm that binge drinking among youth in Santa Cruz County is at an alarmingly high rate. With underage alcohol use threatening the wellness of teens, the Grand Jury decided to investigate the Scotts Valley Unified School District (SVUSD) to determine student alcohol usage as well as the District's approach to intervention and prevention programs.

Current Findings

- F1.** The implementation of Recommendation 5 to reinstate the School Resource Officer was delayed due to staffing and budgetary restrictions but no timeframe was provided for the reinstatement.
- F2.** The responses to Recommendations 9 and 12 indicated the District would conduct further analyses of the suggestions in the recommendations but there were no explanations, no descriptions of the scope and parameters of the analyses or studies, and no timeframes.

	2008-2009 Recommendation	Respondent	2008-2009 Response
5	SVUSD should work with the Scotts Valley Police Department (SVPD) to reinstate the School Resource Officer to the high school campus when budgetary restrictions allow.	SVUSD SVPD	Has not been implemented but will be implemented in the future
9	All staff members who teach or counsel students regarding alcohol prevention should be part of the planning team that addresses prevention and intervention solutions. The many resources provided through county agencies should be available for use by staff.	SVUSD	Requires further analysis
12	SVUSD should involve students in self-help strategies such as peer counseling and conflict resolution, as well as county-wide programs such as Friday Night Live and the Together for Youth collaborative.	SVUSD	Requires further analysis

Current Recommendations

R1. SVUSD and SVPD should provide the Grand Jury with an update on the status of reinstating a School Resource Officer to the high school campus.

Response: Scotts Valley Police Department – AGREE

Has not yet been implemented but will be implemented in the future. The Scotts Valley Police Department remains committed to reinstating a School Resource Officer (SRO) at Scotts Valley High School as soon as staffing allows. Unfortunately, we have lost one officer to another organization and are still understaffed by two positions. Recruitment, academy and field training for one new officer can take a year to complete, thus delaying a return to full staffing. Once training is complete and we have returned to full staffing, which should take approximately 1 to 2 years, we will dedicate an officer to Scotts Valley High School.

Response: Scotts Valley Unified School District

At the time of the district’s initial response, the district had set aside funds for an SRO, but the Scotts Valley Police Department had no personnel to provide. This year, because of the state funding crisis, the district no longer has funding for an SRO, as all funds are needed to maintain basic core programs. If and when funds again become available, and if the SVPD is able to provide an SRO, the district intends to fund a partial SRO position at the high school.

R2. SVUSD should provide the Grand Jury with status reports on the analyses associated with Recommendations 9 and 12.

Response: Scotts Valley Unified School District

Response to Recommendation #9: An advisory committee was convened during the 2009-10 school year by a high school counselor to investigate prevention and intervention options for students. The committee included high school staff involved with alcohol/drug abuse education, students, community members and law enforcement representatives who participated in defining a prevention/intervention strategy for the school, including parent programs and programs for students. This committee was instrumental in supporting the district's participation in the Reduce Alcohol Abuse Program (RAAP) federal grant described below, a grant built upon the resources and participation of the Santa Cruz County Office of Education, Youth Services, North County high schools and adult education programs. Alcohol/drug abuse prevention continues to be part of the ninth grade health curriculum for all students with additional education, prevention and intervention as described below.

Response to Recommendation #12: As one result of the RAAP grant, a student group, collaborating with Friday Night Live, will be arranging programs for district students. In addition, also as a result of the RAAP grant, Project Success will be providing prevention, intervention and parent programs. Project Success includes three components: 1) Twenty hours per week of counseling services are provided through Santa Cruz Community Counseling Program (Youth Services) onsite. All sophomores will participate in a small-group scripted curriculum (7 Challenges) for ten weeks focusing on resiliency and problem solving. 2) Students needing intervention will receive additional individualized services of the Youth Services counselor as needed. 3) The program will also provide parent events annually, to be determined by the committee. The intent is to ensure that students have the skills and strategies to make good choices for themselves and avoid drug and alcohol abuse.

Section 2: For Everything Else There's CAL-Card

Synopsis

Santa Cruz County departments rely on a centralized purchasing system to acquire almost \$30 million in goods and services to sustain County functions. The processing of purchases costs the County in excess of \$500,000 annually in administrative costs. These costs are allocated to individual departments based on the number of purchase orders processed for that department. Other purchasing options are available, including CAL-Card, a Visa card offered by U.S. Bank through a contract with the State of California. The Grand Jury investigated the benefits and drawbacks to using the CAL-Card system to encourage and maximize savings.

Current Findings

F1. The County Auditor-Controller and the Board of Supervisors (whose responses included input from the Purchasing Division of General Services) stated that further analysis was required for Recommendations 1, 2, 4, and 5. They also stated that the analyses and any proposed changes would be provided to the Board of Supervisors in December 2009, when the Board was scheduled to hear updates to the County's Policies and Procedures Manual.

F2. Recommendation 7 suggested an optimization audit from U.S. Bank to examine how the savings from CAL-Card could be maximized. The response from the County Board of Supervisors indicated that the recommendation had not been implemented but would be implemented in the future when Purchasing Division staff had sufficient time to provide the bank with the necessary information and to schedule a meeting, but no specific timeframe was provided.

	2008-2009 Recommendation	Respondent	2008-2009 Response
1	The County should encourage CAL-Card use by re-examining and reducing restrictions to eliminate as many obstacles to card use as is practical.	County of Santa Cruz: Board of Supervisors General Services – Purchasing	Requires further analysis
2	The County should revise and increase card limits for higher-level personnel, with accompanying revisions to “Guidelines for Purchases” and related Purchasing Policy Manual sections.	County of Santa Cruz: Board of Supervisors General Services – Purchasing	Requires further analysis
4	The County should simplify the processes of billing, reconciliation, and questioned item resolution for CAL-Card purchases to reduce paperwork and burden on individual users.	County of Santa Cruz: Board of Supervisors General Services – Purchasing	Requires further analysis
5	The County should automate CAL-Card billing and reconciliation to maximize rebates for on-time payments.	County of Santa Cruz: Auditor-Controller Board of Supervisors General Services – Purchasing	Requires further analysis
7	The County should request an optimization audit from Visa and U.S. Bank to examine how the savings from use of CAL-Card could be maximized.	County of Santa Cruz: Board of Supervisors	Has not yet been implemented but will be implemented in the future

Current Recommendations

- R1.** The County Board of Supervisors, the Purchasing Division of General Services, and the Auditor-Controller should provide status reports on Recommendations 1, 2, 4, and 5 indicating when the analyses were completed, describing any recommended changes to County procedures, and providing the date(s) the County Board of Supervisors reviewed and approved the changes.

Responses to 2008-2009 Grand Jury recommendations 1, 2, 4, and 5

Updated County Response: Santa Cruz County Board of Supervisors, responding also for General Services – Purchasing

Auditor-Controller Response: Santa Cruz County Auditor-Controller

2008-2009 Recommendation 1: The County should encourage CAL-Card use by re-examining and reducing restrictions to eliminate as many obstacles to card use as is practical.

Updated County Response: This recommendation has been implemented.

On November 24, 2009 the Board of Supervisors approved several important changes to the CALCARD program section 9.0 of the County Policy and Procedures Manual, as recommended by the General Services Department, after review and approval by the Auditor-Controller's Office.

In the Manual, Section 9.2 Controls, was modified to eliminate some strict single purchase limits, modify how the card can be used for travel and training purchases and remove the restriction on purchasing certain items as well as to incorporate many other changes. The changes are extensive and are detailed in the attached strike out and clean copies of this new procedures section.

General Services presented a training workshop to its CALCARD user group on November 19, 2009, educating users regarding the changes, which were met with positive responses from staff. These modifications allow for greater use of the CALCARD program while balancing out the need for controls and oversight of County purchases.

Auditor-Controller Response:

2009-2010 Response: *On November 24, 2009 the Board of Supervisors approved several important changes to the CALCARD program section 9.0 of the County Policy and Procedures Manual, as recommended by the General Services Department, after review and approval by the Auditor-Controller's Office.*

In the Manual, Section 9.2 Controls, was modified to eliminate some strict single purchase limits, modify how the card can be used for travel and training purchases and removed the restriction on purchasing certain items as well as to incorporate many other changes. The changes are extensive and are detailed in the attached strike out and clean copies of this new procedures section.

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modifications allow for greater use of the CALCARD program while balancing out the need for controls and oversight of County purchases.

2008-2009 Grand Jury Recommendation 2: The County should revise and increase card limits for higher-level personnel, with accompanying revisions to “Guidelines for Purchases” and related Purchasing Policy Manual sections.

Updated County Response: This recommendation has been implemented.

On November 24, 2009 the Board of Supervisors approved changes to the CALCARD program section 9.0 of the County Policy and Procedures Manual, as recommended by the General Services Department, after review and approval by the Auditor-Controller’s Office. These revisions included changes to section 9.2 (a) Single Purchase Limit, which allows the individual departments to work with the Purchasing Department to determine appropriate limits for its various staff and managers rather than restrict them to the previous maximum single purchase limit.

Auditor-Controller Response:

2009-2010 Response: On November 24, 2009 the Board of Supervisors approved changes to the CALCARD program section 9.0 of the County Policy and Procedures Manual, as recommended by the General Services Department, after review and approval by the Auditor-Controller's Office. These revisions included changes to section 9.2 (a) Single Purchase Limit, which allows the individual departments to work with the Purchasing Department to determine appropriate limits for its various staff and managers rather than restrict them to the previous maximum single purchase limit.

2008-2009 Grand Jury Recommendation 4: The County should simplify the processes of billing, reconciliation, and questioned item resolution for CAL-Card purchases to reduce paperwork and burden on individual users.

Updated County Response: This recommendation has been implemented.

On November 24, 2009, the Board of Supervisors approved changes to the CALCARD program section 9.0 of the County Policy and Procedures Manual, as recommended by the General Services Department, after review and approval by the Auditor-Controller’s Office.

Changes made to section 9.2 Controls, and the inclusion of section 9.3 Procurement Card Invoice Payment, removed the requirement for certification of all purchases by each cardholder. This certification can instead be delegated to the departmental staff person preparing the CALCARD reconciliation. The removal of this step has increased the timeliness of processing CALCARD invoices.

No changes were made to the procedures for questioning items. The individual departments are currently required to handle their questioned charges and returns, because they are the ones most knowledgeable about the transaction. Departments can take advantage of filing any disputes related to charges directly with Visa and U.S. Bank online.

No other changes were made to the reconciliation requirements. These requirements are similar to those for reconciling other invoices a department receives; the invoice must have

receipts attached and any error on the invoice must be resolved by the department or card holder. As with other purchases employees make on behalf of the County, the employee may be held personally financially responsible for their purchases and unresolved charges. These controls are necessary to safeguard the County against fraud, waste or abuse.

Auditor-Controller Response:

2009-2010 Response: *On November 24, 2009 the Board of Supervisors approved changes to the CALCARD program section 9.0 of the County Policy and Procedures Manual, as recommended by the General Services Department, after review and approval by the Auditor-Controller's Office.*

Changes made to section 9.2 Controls, and the inclusion of section 9.3 Procurement Card Invoice Payment, removed the requirement for certification of all purchases by each cardholder. This certification can instead be delegated to the departmental staff person preparing the CALCARD reconciliation. The removal of this step has increased the timeliness of processing CALCARD invoices.

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No other changes were made to the reconciliation requirements. These requirements are similar to those for reconciling other invoices a department receives; the invoice must have receipts attached and any error on the invoice must be resolved by the department or card holder. As with other purchases employees make on behalf of the County, the employee may be held personally financially responsible for their purchases and unresolved charges. These controls are necessary to safeguard the County against fraud, waste or abuse.

2008-2009 Grand Jury Recommendation 5: The County should automate CAL-Card billing and reconciliation to maximize rebates for on-time payments.

Updated County Response: This recommendation will not be implemented.

Changes have not made to this area. Information was gathered from other counties that have automated systems and it was determined that automation of the billing and reconciliation would need to be customized. Due to staffing and budget limitations, no additional work was done in this area. It is our intention that the potential for an automated system will be reviewed again in the future at such time as funding is available. No date has been established at this time.

Auditor-Controller Response:

2009-2010 Response: *Changes have not made to this area. Information was gathered from other counties that have automated systems and it was determined that automation of the billing and reconciliation would need to be customized and due to staffing and budget limitations, no additional work was done in this area. However it our hope that the area will be reviewed again in the future.*

- R2.** For Recommendation 7 regarding the optimization audit, the Supervisors and Purchasing Division should provide the results of the audit if completed or the anticipated timeframe for the audit if not yet accomplished.

2008-2009 Grand Jury Recommendation 7: The County should request an optimization audit from Visa and U.S. Bank to examine how the savings from use of CAL-Card could be maximized.

Updated County Response: This recommendation has been implemented.

U.S. Bank represents the County of Santa Cruz's Cal Card Visa account. On July 20, 2010, U.S. Bank/Visa provided an Optimization Interest Accounts Payable Analysis for 09/10 fiscal year based on the information provided by the Auditor's office. Further staff work and analysis is needed in order to determine how much additional use of the CalCard is feasible and appropriate under the current County Code, County Policy and Procedures, and State Codes. The Auditor-Controller staff are expected to complete their analysis by December 31, 2010. The Board of Supervisors would approve any policy changes the next year as part of the regular updating of the County Policies and Procedures Manual.

Section 3: Information Services Department **Stagnation or Migration?**

Synopsis

The Santa Cruz County Information Services Department (ISD) provides centralized information technology services to County departments. For many years the County used (and continues to use) a mainframe computer system of the type popular in the 1980's and 1990's, and ISD developed software in-house to address the County's needs. In the late 1990's with the advent of server-based computer systems and "commercial off-the-shelf software," it was determined that these newer programs operating on modern hardware would be more efficient for the individual County departments to use. They also would be less expensive for ISD to maintain and much easier and more reliable to use in backing up data. However, ISD had no formal plan or timeline for the technology changes. The 2002-2003 Grand Jury examined the way ISD used software and hardware and recommended "migrating to current ... technology" and discontinuing use of the obsolete mainframe. Shortly after the Jury published its report, the County committed to an ambitious timeline of four years to transition all applications and data to new hardware and retire the obsolete mainframe.

The 2008-2009 Grand Jury revisited ISD to see what progress had been made toward the stated goal of ending the County's dependence on obsolete technology. They found that there had been no significant progress towards eliminating the old mainframe system. However, during the course of the Jury's investigation, the County approved and initiated numerous major migration projects with an ambitious timeline. The Grand Jury commended the current progress and hoped the aggressive timeline could be accomplished. However, it did have concerns about the County's resources to successfully complete this critical mission during an era of budget crisis.

Current Finding

F1. The Grand Jury found that the responses to the two recommendations complied with Penal Code 933.05. The ISD and the Board of Supervisors stated that the recommendations had been implemented and also provided descriptions of those implementations.

Section 4: A Tale of a SERP

Synopsis

The Pajaro Valley Unified School District (PVUSD) offered a Supplemental Employee Retirement Plan (SERP) to staff in the district to encourage highly-paid personnel to retire so that the district could save money by hiring lower-paid replacements. The SERP was offered to three employee groups including management employees. A retired interim superintendent was among the management employees who took advantage of the offer. Although the procedure used to authorize and offer a SERP to PVUSD management employees followed District board policies and procedures, the Grand Jury identified several procedures to improve the SERP process and to ensure fiscal responsibility of public funds.

Current Finding

F1. PVUSD’s and the Santa Cruz County Office of Education’s (SCCOE) answers to Recommendation 8 were inconsistent, with PVUSD responding that the recommendation “Has Been Implemented” but without a description of the implementation, and the SCCOE responding that the recommendation “Has Not Yet Been Implemented But Will Be Implemented in the Future” without providing a timeframe for the implementation.

	2008-2009 Recommendation	Respondent	2008-2009 Response
8	PVUSD and the SCCOE should discuss the SERP process and clarify the roles of each agency prior to, during, and after implementation.	PVUSD SCCOE	Has been implemented Has not yet been implemented but will be implemented in the future

Current Recommendation

R1. PVUSD and the SCCOE should provide the Grand Jury with documentation verifying that they have collaborated and clarified the roles of each agency throughout the SERP process.

Response: Pajaro Valley School District – NO RESPONSE

Response: Santa Cruz County Office of Education

The 2008/09 Grand Jury Report contained a section on school district’s use of early retirement incentive programs. While the Grand Jury recommended that PVUSD and the SCCOE discuss the process and clarify the roles of each agency, as regards these programs, we believe it is appropriate that it be applicable to all LEA’s.

As discussed at the August B.I.G. Meeting, we indicated that we would be sending a memo to all districts regarding this issue.

The PERS Early Retirement Program already is processed through the SCCOE in accordance with PERS law. The regulations, eligibility and cost data is well documented. While the STRS Early Retirement Program does not directly come through the SCCOE, it is under similar rule sets and authorization as PERS.

District retirement incentive programs (for annuity-type payments) are not processed through the SCCOE and are not subject to the conditions and rule sets that govern PERS/STRS. The district programs are more at the discretion of the local school boards to design, and are subject to less control over parameters than PERS/STRS Programs.

Thus, in accordance with the Grand Jury recommendation, we are requesting that all supplemental Early Retirement Programs that are being implemented by school districts be forwarded to this office at the time of submittal to the district Board. This will permit the SCCOE to be aware of such program offerings and facilitate our review. We do not believe that we have authority to approve or disapprove such Agreements — with the exception of districts in negative Interim Certifications or disapproved Budget status. However, this will allow us to stay informed of district actions in this area and permit us an opportunity to clarify elements before final action by the local Board.

Section 5: What’s in Store for Stores?

Synopsis

Santa Cruz County owns and operates a Central Store warehouse (Stores) where materials needed by different departments and agencies are stored and/or distributed. The 2008-2009 Grand Jury had reservations about the cost and efficiency of the Stores operation and compared the cost effectiveness of the current storage and distribution system to a business model for the purchase and delivery of goods. The recommendations suggested that the County should assess the efficiency of the Stores operation and consider the purchase of food and supplies on an “as needed” basis directly from private sector vendors.

Current Finding

F1. General Services responded that Recommendations 2 and 3 require further analysis but no timeframes were supplied.

	2008-2009 Recommendation	Respondent	2008-2009 Response
2	General Services should research options to purchase food and supplies on an “as needed” basis from private businesses.	County of Santa Cruz: Board of Supervisors General Services	Requires further analysis
3	General Services should divest some stored items that are unlikely to be used again and invest in file box racks, or discontinue the Central Stores operation altogether and contract with the private sector instead.	County of Santa Cruz: Board of Supervisors General Services	Requires further analysis

Current Recommendation

- R1.** The Santa Cruz County Board of Supervisors and the General Services Department should provide details of the outcome of the analyses of the recommendations or, if the analyses have not been accomplished, they should provide the anticipated timeframes for these studies.

Responses to 2008-2009 Grand Jury recommendations 2 and 3

Updated County Response: Santa Cruz County Board of Supervisors, responding also for General Services

2008-2009 Recommendation 2: General Services should research options to purchase food and supplies on an “as needed” basis from private businesses.

Updated County Response: **This recommendation has been implemented.**

General Services’ staff has completed an informal analysis since the Grand Jury’s recommendation. Pricing was obtained on the cost to drop ship smaller orders directly to the jail on an as needed basis when a new food order was placed. Preliminary figures show the price for the smaller quantity shipments were higher than the cost to store those items and deliver from the Warehouse. Currently, the jail does not have the storage space necessary for bringing more stored food into their area.

Another advantage of having an on site storage facility is that during a major catastrophe such as an earthquake or fire, supplies from the warehouse have been made available to assist the community in recovery. Because the County of Santa Cruz is isolated with only three main roads into the county, it can take days to reach isolated areas during major emergencies. The Central Warehouse has served as an effective distribution point in the past and can hold quantities of needed items for such a purpose. The on site storage facility enables the jail to maintain necessary food supplies longer than would be possible with drop shipments that were interrupted. More research is needed on the appropriate cost effective use of the Warehouse, but because of the current financial constraints and staff reduction, no date or time for the further review has been set.

2008-2009 Recommendation 3: General Services should divest some stored items that are unlikely to be used again and invest in file box racks, or discontinue the Central Stores operation altogether and contract with the private sector instead.

Updated County Response: **This recommendation will not be implemented.**

Most County stored items are held for various departments that pay for this storage. These items consist of critical parts to maintain their obsolete workstations for which parts are unavailable or they are needed for future expansion. Other surplus equipment received into the warehouse is sold either at auction, monthly sales or deposited at the landfill on a regular schedule so that nothing remains in storage any longer than necessary. The General Services – Purchasing Division has modernization of the warehouse operations on an internal list of future projects, which includes enlisting the services of a consultant to engineer an increased, environmentally controlled storage area for records retention. At this time, no funds are available and there is a lack of staff to accomplish this analysis in

house. No date for completion can be determined until a funding source is identified and the project approved.

2009-2010 Recommendation 1: The Santa Cruz County Board of Supervisors and the General Services Department should provide details of the outcome of the analyses of the recommendations or, if the analyses have not been accomplished, they should provide the anticipated timeframes for these studies.

Updated County Response: This recommendation will not be implemented.

No analyses of the future of Stores has been conducted to date due to the lack of funding and sufficient staff time. It is the intent of General Services to conduct such analyses as staff time and funds exist. Because funding does not appear feasible anytime in the near future, no completion dates have been determined at this time.

Section 6: Who Is Watching Our Special Districts?

Synopsis

There are 92 special districts in Santa Cruz County. One of the tasks of a Grand Jury is to act as a watchdog over these special districts in an attempt to ensure they are functional and operating in the best interests of the citizens they serve. Acting upon a complaint, the 2008-2009 Grand Jury investigated the operations of one of the special districts and recommended that all special districts under the purview of the Santa Cruz County Local Agency Formation Commission (LAFCO) create uniform governance documents and that these documents be available to the public for review.

Current Finding

F1. The Grand Jury found that all responses to recommendations were appropriate and in compliance with Penal Code 933.05.

Current Recommendation

R1. While the responses to the 2008-2009 Grand Jury Final Report technically met the requirements of Penal Code 933.05, the current recommendation is that the County Board of Supervisors and LAFCO should clarify their roles and the responsibilities of each organization in the oversight of special districts.

Response: Santa Cruz County Board of Surpervisors – THIS RECOMMENDATION WILL NOT BE IMPLEMENTED BECAUSE IT IS NOT WARRANTED.

The 2008-09 Grand Jury's recommendation that LAFCO Commissioners and/or the County Board of Supervisors "draft enforceable penalties for failure to comply with these recommendations, following adoption" indicated an essential misunderstanding of the relationship of the Board of Supervisors to non-Board governed special districts. The Board has no legal relationship to independent special districts within the County and has no authority to provide oversight to their operations or draft enforceable penalties.

Residents of non-Board governed special districts elect their own independent Boards of Directors in whom all responsibility is vested. Non-Board governed special districts are not under the oversight or review of the Board of Supervisors.

The Board of Supervisors does serve as the Board of Directors for certain Board governed health and sanitation districts, recreation districts, road districts, and special districts operated through the County Redevelopment Agency. Information on those special districts which are under the Board's purview is provided on pages 24 through 38 in the Special District Budget Schedules in the 2011-12 Proposed County budget (attached).

However, the location of a special district within the boundaries of Santa Cruz County does not give the Board of Supervisors the authority to make requirements or enforce penalties on its Board of Directors as recommended by the 2008-09 Grand Jury.

Response: LAFCO

LAFCO's response is that it has already set up a repository of mission statements, bylaws, and parliamentary procedures voluntarily presented from special districts in Santa Cruz County. LAFCO has already committed to requesting website links and paper copies of these documents when preparing the next round of Municipal Service Reviews (Government Code Section 56430). The County of Santa Cruz and the Local Agency Formation Commission of Santa Cruz County often share information regarding special districts in the County. Neither the County nor LAFCO has operational oversight of the twenty-four independent special districts based in Santa Cruz County, and neither has statutory authority to enact penalties for a failure to adopt mission statements, bylaws, or parliamentary procedures. These districts are governed by elected Boards of Directors, who, under state laws, are directly responsible to voters and residents of the district. While LAFCO will not take any further measures at this time concerning district mission statements, bylaws, and parliamentary procedures, LAFCO agrees with the Grand Jury that these documents can be helpful to facilitate the orderly conduct of the public's business, and LAFCO believes that each district should consider the benefits of adopting one or more of these documents if it has not already done so.

2009-2010 Responses Required

Respondent	Recommendations	Respond Within/ Respond By
County of Santa Cruz Auditor-Controller	Section 2 R1	90 Days October 1, 2010
County of Santa Cruz General Services	Section 5 R1	90 Days October 1, 2010
County of Santa Cruz General Services – Purchasing	Section 2 R1, R2	90 Days October 1, 2010
LAFCO	Section 6 R1	90 Days October 1, 2010
Pajaro Valley Unified School District	Section 4 R1	90 Days October 1, 2010
Santa Cruz County Board of Supervisors	Section 2 R1, R2 Section 5 R1 Section 6 R1	60 Days September 1, 2010
Santa Cruz County Office of Education	Section 4 R1	90 Days October 1, 2010
Scotts Valley Police Department	Section 1 R1	90 Days October 1, 2010
Scotts Valley Unified School District	Section 1 R1, R2	90 Days October 1, 2010

Sources

2008-2009 Santa Cruz County Grand Jury Final Report with Responses
California Penal Code 933.05