



Santa Cruz County
Grand Jury

Grand Jury <grandjury@scgrandjury.org>

FW: Emailing: HonoringCommittments_SHF Response

1 message

Susan Rozario <Susan.Rozario@santacruzcounty.us>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Fri, Sep 28, 2018 at 11:18 AM

Attached please find response to Honoring Commitments from the Sheriff's Office. Due to an e-mail malfunction, we are transmitting this again. Thank you.

 **HonoringCommittments_SHF Response.pdf**
75K



**The 2017–2018 Santa Cruz County Civil Grand Jury
Requires that the
Santa Cruz County Sheriff-Coroner
Respond to the Findings and Recommendations
Specified in the Report Titled
Honoring Commitments to the Public
Review of 2015-16 Grand Jury Report Responses
by September 25, 2018**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **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, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of governing body's response approval: _____

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

F10. The Sheriff-Coroner's Office analyzed the Grand Jury's Facility Risk Report recommendation within six months, thus fulfilling its commitment to the public.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F11. The Sheriff-Coroner's Office fulfilled its commitment to build a fence to enclose the entire Main Jail.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F12. The Board of Supervisors and the Sheriff-Coroner's Office honored their commitments to make changes to the September 2016 provider contract for medical services for County detention facilities.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F13. The Board of Supervisors and the Sheriff-Coroner's Office fulfilled their commitment to do a Title 15 inspection of the Main Jail in 2016.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F14. The Board of Supervisors and the Sheriff-Coroner's Office confirmed that the Main Jail was in compliance with Title 15 Detoxification Treatment requirements in 2016.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Recommendations

R1. Grand Jury report respondents that commit to analyze a recommendation within a 6-month timeframe should document for the public the actions they took to fulfill the analysis commitment. (F4, F7, F8, F10)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

As stated in the Grand Jury report, respondents do not have a statutory duty to provide verification that analyses or changes have been completed. At this time, the Sheriff does not have sufficient staffing resources available to develop and publish analysis reports for each recommendation that requires further analysis. Doing so would create an unreasonable workload burden and expense.

R2. Grand Jury report respondents that commit to implement a recommendation should document for the public the completion of that implementation. (F2–F6, F9, F11–F16)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

As stated in the Grand Jury report, respondents do not have a statutory duty to provide verification that analyses or changes have been completed. At this time, the Sheriff does not have sufficient staffing resources available to develop and publish analysis reports for each recommendation that the County has committed to implement. Doing so would create an unreasonable workload burden and expense.

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 therefor.
2. For purpose 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 the 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 therefor.
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.**