



County of Santa Cruz

BOARD OF SUPERVISORS

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JOHN LEOPOLD
FIRST DISTRICT

ZACH FRIEND
SECOND DISTRICT

RYAN COONERTY
THIRD DISTRICT

GREG CAPUT
FOURTH DISTRICT

BRUCE MCPHERSON
FIFTH DISTRICT

August 16, 2016

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

RE: RESPONSE TO THE 2015-16 GRAND JURY REPORT
"SANTA CRUZ COUNTY DOMESTIC VIOLENCE
COMMISSION: MISSING IN ACTION"

Dear Judge Gallagher:

The purpose of this letter is to formally transmit the response of the Santa Cruz County Board of Supervisors to the 2015-2016 Grand Jury Report, titled "Santa Cruz County Domestic Violence Commission Missing in Action."

Sincerely,

BRUCE McPHERSON, Chair
Board of Supervisors

BM:fh
Attachment

cc: Clerk of the Board
Santa Cruz County Grand Jury



**Santa Cruz County
CA**

**Agenda Item
DOC-2016-696**



Approve response to the findings and recommendations in the 2015-16 Grand Jury Report relating to the Domestic Violence Commission, and request the Chairperson to forward the County's response to the Presiding Judge with a copy to the Grand Jury, as recommended by the County Administrative Officer

Information

Department: County Administrative Office **Sponsors:** County Administrative Officer Susan A. Mauriello

Attachments

[Board Memo](#)
[Domestic Violence Commission SCCBoS Response Packet](#)

Meeting History

Aug 16, 2016 9:00 AM Video	Board of Supervisors	Regular Meeting	Draft
RESULT:	ADOPTED [UNANIMOUS]		
MOVER:	John Leopold, Vice Chair, First District Supervisor		
SECONDER:	Ryan Coonerty, Third District Supervisor		
AYES:	John Leopold, Zach Friend, Ryan Coonerty, Greg Caput, Bruce McPherson		

Public Discussion

[Add Comment](#)



**The 2015-2016 Santa Cruz County Civil Grand Jury
Requires that the
Santa Cruz County Board of Supervisors
Respond to the Findings and Recommendations
Specified in the Report Titled
Santa Cruz County Domestic Violence Commission
Missing in Action
by August 22, 2016**

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.

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.

Validation

Date of governing body response approval: _____

Findings

F1. The Domestic Violence Commission has not met since 2013.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

F2. A quorum was not reached at the majority of the 2013 meetings

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

F3. The mandated 24–28 person membership is too large.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

F4. The District Attorney's Office has appointed a leader to organize the new Domestic Violence Commission.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

F5. There was universal concern that the dedicated Domestic Violence Court had been abandoned.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Recommendations

R1. Domestic Violence Commission meetings should be held monthly during the first six months with the commission determining the ongoing meeting times and schedule. (F1)

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:

The District Attorney's Office is committed to a successful Domestic Violence Commission, and is actively working toward a framework that includes representation from a broad cross-section of the community and strong voice for the commission on domestic violence issues in Santa Cruz County.

However, we have reservations that the schedule is too frequent as proposed. If needed, we are not opposed to monthly meetings but believe that is an issue best left to the new commission.

R2. The Board of Supervisors should reduce the Domestic Violence Commission membership from 28 to a workable number. (F2, F3)

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:

The District Attorney's Office and partners are working on a new structure and membership for the Domestic Violence Commission, as well as a new ordinance and bylaws. We agree with the District Attorney's Office that the membership of the Domestic Violence Commission should be reduced.

R3. The District Attorney (or their designee) should be the Domestic Violence Commission's chair for at least the first year. (F4)

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:

The District Attorney's Office has taken a leadership role in creating a reconstituted commission. While the exact structure of the commission has yet to be determined, the Board supports the DA's willingness to continue the effort in a leadership capacity.

R4. The Domestic Violence Commission should report to the Board of Supervisors quarterly for the first year and annually thereafter. (F1)

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:

The District Attorney's Office supports regular reports to the Board of Supervisors. However, similar to our concerns over a monthly meeting schedule, we have reservations that the report schedule as mandated is too frequent. We believe this is an issue best left to the new commission.

R5. The Board of Supervisors should direct the Domestic Violence Commission to investigate the re-establishment of the Domestic Violence Court. (F5)

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:

The District Attorney agrees the re-establishment of Domestic Violence Court should be explored, and the Board supports that recommendation.

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.**