



Honoring Commitments to the Public

Review of 2017-18 Grand Jury Report Responses

Summary

The 2020-21 Santa Cruz County Grand Jury investigated whether respondents to four of the seven 2017-18 Grand Jury reports honored their commitments, either to analyze report recommendations within six months or to implement those recommendations within a specified time in the future. We found that generally, organizations fulfilled the commitments they made to the public. Organizations addressed the Grand Jury's recommendations positively. Each section of this report will describe the methodology the Grand Jury used to confirm commitment follow-through, and the findings and recommendations for future action.

The value of the Grand Jury investigation and report process comes from the actions taken and sustained.

We continue to recommend that all organizations create and regularly update formal records of the actions they take to address Grand Jury recommendations, and to share those records with the public.

Background

Each year the Grand Jury investigates local government organizations and publishes its reports. The reports include findings, and associated recommendations, as to what those organizations should do to serve the community more effectively and efficiently. The law requires the investigated organizations to respond in writing to the specific findings and recommendations assigned to them. The investigated organizations received a response packet that includes the instructions as shown in [Appendix A](#).

All reports were responded to in the required time frame in 2018. Readers interested in a more comprehensive look at the grand jury reports and responses are encouraged to read the original 2018 report and responses. All may be found in the County's Grand Jury web page in the Reports section.^[1]

The Grand Jury holds respondents accountable to their commitments through visibility of the results that must follow. This report seeks to hold the government respondents accountable to the public and to their commitments. The Grand Jury researches the follow up actions and provides a view of the impact those actions have had on the effectiveness of the government. The commitments made in 2018 have had sufficient time to bear fruit. Thus, we report them now.

Scope and Methodology

The *2017–18 Santa Cruz County Civil Grand Jury Consolidated Final Report*^[2] focused on seven areas of our County in an effort to assist public agencies and our cities and county to operate more efficiently, openly, and economically. Following the release of the report, the entities identified in it were required by law to respond to its findings and recommendations. We report on the commitments made in four of the seven responses to, and the actions taken to fulfill those commitments.

As each report follow-up documented here refers to different subjects and government agencies, each section should be viewed as a stand-alone report-within-a report.

The four reports were:

1. *San Lorenzo Valley Water District - Encouraging the Flow of Information to the Public*^[3]
2. *Data-Driven Budgeting, New Ways to Get Better Results*^[4]
3. *These Are Our Children – Responding to Youth Homelessness in Santa Cruz County*^[5]
4. *Our Public Defender System – Anticipating Structural Change*^[6]

The 2020-21 Grand Jury requested documents sufficient to determine whether respondents took the actions indicated in their replies to the 2017-18 Grand Jury report recommendations.^[7] Table 1 summarizes the original 2018 report responses by investigative report and two categories of response – either to undertake “further analysis within six months” or to implement the recommendation at a specified time “in the future.”

The *Threat Assessment in Our Public Schools* report^[8] is not included in the scope of this report because the commitments made have been satisfactorily and completely verified and reported on in the 2019-20 Grand Jury report *Honoring Commitments to the Public*.^[9] The *Honoring Commitments to the Public – Review of 2015-16 Grand Jury Responses* is not included because it requires no specific follow-up to confirm actions.^[10] The *Mental Health Crisis - Seeking an Integrated Response* report is also not included, as the respondents to that report offered no commitments to take action in response to the Grand Jury report recommendations.^[11]

Specifics of each investigation will be covered in that investigation’s section, along with details on methodology, and recommendations for further follow-up in order to ensure that commitments and actions persist over time.

Table 1: Summary of Responses to 2017-18 Investigative Report Recommendations

| 2017-18 Grand Jury Report Title | Respondents | Recommendation Responses | |
|--|--|--|--|
| | | Requires Further Analysis (within 6 Months) | Will Be Implemented in the Future |
| San Lorenzo Valley Water District ^[3] | Board of Directors ^[12] | | R1–R8 |
| Data-Driven Budgeting ^[4] | County Board of Supervisors ^[13] | | R1, R4 |
| | County Administrative Officer ^[14] | | R2, R3 |
| These Are Our Children ^[5] | Director, Health Services Agency ^[15] | R5 | R4 |
| | County Board of Supervisors ^[16] | R5 | R3, R4 |
| | County Administrative Officer ^[17] | -- | R3 |
| Our Public Defender System ^[6] | County Board of Supervisors ^[18] | | R2 |
| | County Administrative Officer ^[19] | | R2 |

Source. Provided with each table entry.

Investigation 1: *San Lorenzo Valley Water District - Encouraging the Flow of Information to the Public*

The 2017-18 Report Abstract: *District changes to meeting practices reduced public access to the debate and decision-making process and compromised the community's understanding of the issues. Better communication on difficult matters, an informed and effective Assessment District oversight committee, and an unwavering commitment to public access, will enable greater transparency and may restore trust and foster better relationships within the SLVWD community.*^[20]

Recommendations, Responses, and Actions Taken

The report included eight recommendations. For each recommendation, the San Lorenzo Valley Water District (SLVWD) indicated that the recommended action “has not been implemented but will be implemented in the future.”^[12] The recommendations are repeated from the original 2018 Grand Jury report.^[3] The responses are repeated from the 2018 response by the SLVWD Board of Directors.^[12] Our summary of the actions taken for each recommendation, as described in documented evidence received by the Grand Jury from the SLVWD, are as follows:

Recommendation R1.

LADOC should produce an annual report detailing the status of Assessment District revenues and expenditures. (LADOC: Lompico Assessment District Oversight Committee)

Response

We are committed to developing a process and format for a LADOC annual report. The revised Charter and/or new Bylaws for LADOC (see response to R3) will describe the timeframe and process for producing an annual report. The contents of the annual report should be defined jointly by the District and LADOC...

Actions Taken

LADOC completed its first annual report for 2019, covering the period from June 1, 2016 through June 30, 2019. A copy was posted to the district's website.^[21] This includes detailed financial information, a letter from the LADOC chairperson, an update on projects, and a timeline of events.

However, they are behind schedule to produce subsequent annual reports in a timely fashion. This was attributed by the board to be a time-consuming process to write the report, include citations, and proofread.^[22] In addition, they stated in response to the GJ document request that the pandemic has delayed further report production.

Recommendation R2.

The District should schedule annual public study sessions or workshops to review the LADOC annual report and discuss the administration of the Assessment District (AD), in order to provide in depth information to the public about the timing, funding, and execution of AD projects.

Response

We are committed to scheduling annual workshop-style meetings to review the LADOC annual reports, which will include discussion of current information about the timing, funding, and execution of AD-16 projects...We will go further than the Grand Jury's recommendation by creating high-level project summaries for each discrete AD-16 project. Our goal is to post these summaries on the LADOC web page within the next year...We will also look into creating a role for designated Board and/or staff members to serve as a liaison with LADOC and its chairperson

Actions Taken

LADOC conducted several annual report public workshops while designing and researching its first annual report.^[23] ^[24] Public attendance was minimal. Therefore, due to limited public interest, an informational mailer was sent to all AD customers with the link to the online report.^[25]

Recommendation R3.

The Board and LADOC should work in concert to create a charter for LADOC that describes in detail the committee's responsibilities and its authority to fulfill its oversight role.

Response

We are committed to creating a revised Charter that describes in more detail LADOC's responsibilities and its authority to fulfill its oversight role... A draft will be presented to LADOC for its review and comment and to the Board for approval...We will go further than the Grand Jury's recommendation by including information in the Charter about LADOC membership, meetings, procedures and functions if such information is not provided by other documents such as the Board Manual or new LADOC Bylaws.

Actions Taken

The LADOC Charter was written and adopted by LADOC and approved by the Board on 3/21/2019.^[26] A copy of the charter is available on the SLVWD website.

Recommendation R4.

The Board should ensure that LADOC receives adequate professional, technical, and administrative support from the District, as well as the authority to carry out its oversight responsibilities.

Response

...We are committed to making adequate professional, technical and administrative support available to LADOC from the District... We believe the District has professional expertise up to the task of locating appropriate resources, adapting existing resources, or creating new materials as necessary.

Actions Taken

The District provided hours of staff support time as requested and the annual report is the result of that support.^[27]

Recommendation R5.

The District should provide formal training for all LADOC citizen committee members in governance, meeting management, and the Brown Act.

Response

...we will make governance, meeting management, and Brown Act training available to all members of the Board and the District's public committee members. Within a year, we will evaluate and select a means of making such training available on a recurring or ongoing basis... We will go further than the Grand Jury's recommendation by including government ethics training for public members of committees as part of the training regimen...

Actions Taken

Training was provided to the LADOC on 1/23/2019 including Brown Act and ethics, presented by the Chief Risk Officer of the Special District Risk Management Authority.^[28] Training on Ethics and the Brown Act was attended by past committee members. Brown Act training was also provided on 1/7/2021; the training package was entitled "The Brown Act and Social Media".^[29] The presentation was done by District Counsel. New member training is planned for the first meeting of 2021.

Recommendation R6.

The District should provide formal training about assessment districts to LADOC members and all others involved in the administration of the Assessment District.

Response

...For Board and LADOC members, we will have additional training about assessment districts... We will go further than the Grand Jury's recommendation by coming up with a mechanism for posing questions about, e.g., the implications of changes to AD-16 projects, and addressing them.

Actions Taken

The LADOC Charter confirmed commitment for training. Discussion on training implementation was put on hold due to COVID-19 and CZU Complex Fire emergencies. The County identified an expert resource who retired and is no longer available; the District Manager has contacted a consulting firm to develop training. This option will be considered during the first meeting of 2021.^[30]

Recommendation R7.

The District should record all Board and committee meetings, and post the recordings online for public access.

Response

...we are committed to going above and beyond open meeting requirements by recording all Board and committee meetings and posting the recordings online to maximize public access.

Actions Taken

The District works with Community Television (CTV) to make Board meetings accessible to the public. Since April 2020, CTV has been hosting District meetings via the Zoom platform and broadcasting regular meetings on local television with video of past meetings available on their website.^[31]

Recommendation R8.

The District should provide formal training to all Board and committee members and senior staff on how to communicate with the public on contentious issues.

Response

...we will add training on how to communicate with the public on contentious issues... Ideally the training would be provided by someone familiar with the local community.

Actions Taken

The District contracted with Municipal Resource Group to conduct this training as an all-day public meeting, hosted by video conferencing, on 7/22/2020.^[32] The District held a follow-up discussion at a regular meeting on 11/5/2020. Follow-up questions include annual discussion of the Code of Conduct, manual for new board members, best practices documentation, etc.^[33]

Conclusion and Commendation

The 2018 GJ report summary recommended: “Better communication on difficult matters, an informed and effective Assessment District oversight committee, and an unwavering commitment to public access...” The grand jury recommendations have been met with strong commitment and positive improvement in leadership, process, and transparency.

The Grand Jury commends the SLVWD and LADOC for their ongoing commitment and positive stewardship of their responsibilities.

Investigation 2: Data-Driven Budgeting – New Ways To Get Better Results

The 2017-18 Report Abstract: *The incremental process the County is currently using communicates minimal program information and limits public insight into the budgeting process. Moving to a data-driven, performance-based budgeting process will enable the County to better communicate, and the public to better understand, how and why spending decisions are made.*^[34]

This 2017-2018 Grand Jury report looked at the County’s intent to move from an annual incremental budget process to a system that is driven by data and measurable outcomes.^[4] It made a number of findings and recommendations suggesting that moving to a data-driven performance-based budgeting process will enable the County to better communicate and the public to better understand how and why budgetary decisions are made. The agencies' responses were, in the main, positive and two agencies were identified to pilot the upcoming changes as the County launched the Vision Santa Cruz operational plan intended to drive the budget.^[35]

Up to and including the 2018-19 fiscal year, the County budget report has included department accomplishments for the prior year and goals for the upcoming year. Goals and accomplishments will no longer be a part of the budget in the future. Instead, the 2019-21 Operational Plan presents 172 (180 at final posting) measurable performance objectives across 22 departments whose progress will be tracked biannually and whose results will be public and inform future budget cycles.^[36]

The County Administrative Officer’s August 2018 response to this report indicated the intent to implement performance budgeting.

Recommendations and Responses

The recommendations are repeated from the original 2018 Grand Jury report.^[4] The responses are repeated from the 2018 response by the County Board of Supervisors.^[37] Our summary of the actions taken for both recommendations as described in documented evidence received by the Grand Jury from the CAO are combined below in the Actions Taken section.

Recommendation R1.

The Board of Supervisors should direct the County Administration [sic] Officer to implement performance budgeting over the next two-year budget cycle. (F1-F4)^[38]

Response

An existing goal of the County is to integrate performance data in the budget process for all departments and provide a system to make this data better available to the public and policy makers.

The County is currently implementing a Performance Measurement Pilot with the Parks and Probation departments. These pilot programs will feature public-facing dashboards that allow users to understand policy issues and assess department performance. These pilots will be included in the two-year budget document for FY 2019-20 and FY2020-21.^[39]

Recommendation R4.

The Board of Supervisors should publish a community report of performance results addressing strategic goals by department. (F1-F5)^[38]

Response

The Performance Measurement Pilot will yield two department dashboards for the FY 2019-21 budget cycle, with remaining department dashboards rolled out over the following two to three years. The combination of these resources will provide the public and policy makers with better tools with which to make decisions.^[40]

Actions Taken

Vision Santa Cruz

In 2017 the County posted the Vision Santa Cruz document detailing 180 Performance Measures across the entire government in the 2019-2021 Operational Plan, including the Performance Measurement Pilot objectives of the Parks and Probation Departments.^[35] These objectives are linked to the Parks and Probation Departments Strategic Plans.

Parks Department

The Parks Department posted on August 6, 2018, a Strategic Plan which represents the first comprehensive and collaborative planning effort between the County Parks Department and the local community in Santa Cruz County.^[41] The Strategic Plan seeks to articulate the vision and strategic priorities for the future of the County Parks system in a ten-year timeframe. Ultimately, the Strategic Plan will serve as the basis for future department work plans and as a roadmap for the department.

Vision Santa Cruz lists the various goals/objectives/dates/status to begin the work on the Performance Measures aligned with the Strategic Plan for the Parks Department and are updated twice yearly.^[42] The Objectives Descriptions in Table 2 below are exactly as they appear on the Vision Santa Cruz website.^[43]

Table 2. Vision Santa Cruz Goals.^{[43] [44]}

| Program Name | Objectives Description | Status |
|---------------------------|--|---------------|
| Youth Rec Camp | By June 2021, Parks will create a new recreation camp for pre-teens and teenage youth. | Completed |
| LEO's Haven | By June 2020, Parks will complete construction of Chanticleer Park Phase 1 and LEO's Haven playground project. | Completed |
| Parks Outreach | By June 2020, Parks will improve community outreach by conducting public surveys, expanding marketing, and increasing social media followers by 25% in order to increase park visitation and program participation by 10%. | Completed |
| Park Internships | By December 2020, Parks will develop an internship program giving students an opportunity to learn the functions of a park agency while bringing new ideas and perspectives to department processes. | Completed |
| Smart Park Maintenance | By December 2020 June 2020 , Parks will develop metrics for the maintenance section to implement changes for cost-effective travel time and task assignment improvements | Completed |
| Simpkins Pool Maintenance | By December 2022 June 2021 , Parks will complete the Simpkins Swim Center deferred maintenance to preserve a safe facility for the community. | In Progress |

Probation Department

In addition to the goals listed in Table 3, the Probation Department reports monthly on services by vendors that are available upon request to the department.^[45]

Table 3. Probation Department Goals.^[46]

| Program Name | Objectives Description | Status |
|----------------------|---|---------------|
| Public Safety Center | By December 2019, the Sheriff-Coroner, District Attorney, and Probation will open a new Public Safety Center in Aptos Village to increase the availability of services to mid-county residents. | Completed |
| Youth Resilience | By December 2020, Probation will enhance education by providing six tablets and add vocational skills through a community garden program offered to 80% of youth while detained. | Completed |
| Probation Services | By June 2020, Probation will serve 10% of all clients at the new service center. | Completed |
| Group Homes | By June 2021, Probation will decrease the number of youth placed in Short Term Residential Therapeutic Programs (STRTP) by 50% for juvenile justice involved youth. | In Progress |
| AB 109 Recidivism | By June 2021, Probation will decrease by 10% the three-year recidivism rate for the AB 109 population, as defined by the California Board of State and Community Corrections. | In Progress |
| Survivor Services | By June 2021, Probation will establish three standard practices or protocols that will increase the level of support provided for survivors of crime. | In Progress |
| Juvenile Hall Gym | By December 2023 June-2024 , Probation will complete construction of a multi-purpose gymnasium and significant renovation to the Juvenile Hall facility to ensure compliance with state requirements and adequate programming space. | In Progress |
| Domestic Violence | By June 2021, Probation will provide recommendations to the state based on the implementation and operation of an alternative domestic violence prevention program based on a risk and needs assessment. | In Progress |
| Megan's Law | By June 2021, Probation will train 100% of dedicated staff responsible for implementing new sex offender registration requirements established by state law. | In Progress |
| School Outreach | By June 2021, Probation will collaborate with at least three school partners to adopt policies and procedures to implement social-emotional responses to student behaviors or absences. | In Progress |
| Impact Contracting | By June 2021, Probation will increase outcome-based service agreements by 80% for the delivery of client services. | In Progress |

Connection of the County Budget to the Performance Measures

The 2019-21 Operational Plan presents 172 (180 at final posting) objectives across 22 departments that are formatted consistently, whose progress will be tracked biannually, and whose results will be public and inform future budget cycles. Program-level details will be a part of the next two-year cycle. Additionally, performance measures will provide even more insights into the County’s most important services.^[36]

Due to the COVID-19 Pandemic and the effect on the County budget the alignment of the budget to the performance measures has been delayed by one year. The original measure and key steps will need to be monitored as June 2022 nears.^[47]

Table 4. Objectives Alignment.^{[48] [49]}

| Program Name | Objectives Description | Status |
|----------------------|--|-------------|
| Performance Measures | By June 2022 June 2021 , the County Administrative Office will feature performance measurement in an integrated two-year budget and operational plan. | In Progress |
| Program Budgeting | By June 2022 June 2021 , the County Administrative Office will present a two-year budget with financing at the program level. | In Progress |

Conclusion and Commendation

The Santa Cruz County Government has undertaken a major shift in developing budgets that are based upon performance outcomes and reported to the public annually. This effort, although delayed by the COVID-19 pandemic, should be commended and supported by the community and the entire government.

The CAO and County Administration have more than met their commitments to move toward data-driven budgeting.

Investigation 3: *These Are Our Children – Responding to Youth Homelessness in Santa Cruz County*

2017-18 Report Abstract: *More than 75 percent of the 165 unaccompanied minor children and 423 young adults identified as homeless in the Santa Cruz County 2017 Homeless Census and Survey were residing in the County when they became homeless. The services available to help them find shelter and to provide support in developing the skills and resources for a productive adulthood are scant.*^[50]

The 2017 Santa Cruz County Homeless Census and Survey found that there were 588 homeless unaccompanied minor children and young adults in our community.^[51] The Grand Jury investigated the assistance and support that our County provides to this population, compared to the services available to foster youth aged 18 to 21 who remain in the foster care system as they transition into independence. Based on its investigation, the Grand Jury recommended that the County implement a system of proactive outreach to homeless unaccompanied children and youth as an urgent priority of its program intended to end youth homelessness by 2020.

Recommendations, Responses, and Actions Taken

The recommendations are repeated from the original 2018 Grand Jury report.^[52] The responses are repeated from the 2018 response by the indicated agency.^[53] Our summary of the actions taken for each recommendation as described in documented evidence received by the Grand Jury from the agencies are summarized below in the Actions Taken section.

Recommendation R1: Written Procedures.

The Human Services Department should develop and distribute written procedures for ensuring that eligible foster youth are aware of the requirements and deadlines to opt into AB 12. If you already implemented this, please send documented proof.^[52]

Response

Has not been implemented but will be implemented in the future.

Actions Taken

The HSD's Family and Children's Services (FCS) division has written and distributed procedures to ensure emancipating foster youth are aware of AB12 (allowing eligible youth in the child welfare and probation systems to remain in foster care until age 21), and services for which they are eligible. FCS continues to work to address the needs of all youth including ensuring that youth between the ages of 18 -21 are aware of Extended Foster Care (EFC). HSD has submitted their EFC exit and re-entry procedures on their Online Practice Guide.^[54]

Recommendation R2: Turnover.

The Human Services Department should review the rate of turnover among social workers in the Family and Children’s Services unit and conduct a study to identify the underlying causes of FCS social worker departures including exit interviews.^[52]

Response

Has not been implemented but will be implemented in the future.

Actions Taken

HSD has implemented two methods beginning in 2017 to get feedback from their staff: First, when an employee leaves HSD, they are given an exit questionnaire and have the opportunity for an exit interview. To date, there have been no trends in Santa Cruz County HSD that are different from other county HSD operations who experience staff turnover. Secondly, Engagement Surveys of current HSD employees have been implemented annually as a way to engage staff, learn from them, and help identify areas for improvement.

Recommendation R3: Mid-County Drop-In Center.

The County Administrative Officer should expand the Continuum of Care Request for Proposals to include a mid-County drop-in center in addition to the ones proposed for North and South County.^[52]

Response

Has not been implemented but will be implemented in the future.

Actions Taken

Implementation is taking place. Santa Cruz County and its Homeless Services Coordination Office helped secure funding from the federal department of Housing and Urban Development (HUD) to create and support new local programming for young people experiencing homelessness through a Youth Homelessness Demonstration Project (YHDP) funding opportunity.^[55] Since securing these funds, county elected officials and other leaders have increased the level of County involvement and support in addressing the issue of homelessness. For example, a new division, the Housing for Health Division, was created in the Santa Cruz County Human Services Department.^[56]

This new division will continue to provide oversight and support for YHDP grant funded programs and other efforts to address homelessness among youth. Table 5 on the next page is an example of one of the programs created with HUD funds.

Table 5. Santa Cruz YHDP Project #7^[54]

| | |
|-------------------------------|---|
| Applicant: | Encompass Community Services |
| Project Name: | Drop-In Center |
| Project Type: | Supportive Service Only (SSO) |
| Population Focus: | Homeless and at-risk youth |
| HUD Amount Requested: | Two-year contract for \$576,135 (\$288,067/yr.) |
| Program Description: | <p>The Drop-In Center will provide a safe and welcoming space for homeless and at-risk youth in Santa Clara County. Youth who “drop-in” will receive a menu of options for services ranging from basic needs (showers, hot meals, laundry, access to phone/internet, transportation assistance) to more intensive support such as case management, family reunification, housing and employment navigation, education and vocational training support, mental and physical health care and referrals to community programs.</p> <p>Outreach will be conducted through a mobile outreach van staffed by an outreach team and engagement with community partners (law enforcement, juvenile justice) to meet with and refer youth to services, offer emergency supplies and food. Coordinated Entry System Assessment and housing navigation will be offered at both the Drop-In Center and out in the community.</p> <p>Funding will be used to pay for the leasing and operating costs of the Drop-In Center, staff, use of the outreach van and contracts with local organizations to provide self-care and life skills classes.</p> |
| How are they innovating? | Vocational partnerships with Suenos, GRID Alternatives and Early Head Start will provide employment and volunteer opportunities for youth enrolled in case management. Outreach and navigation staff hired will be a peer with lived experience. |
| Number of Youth to be Served: | 200-225 youth/yr. |

Recommendation R4: Pilot Outreach for Homeless Youth.

The Human Services Department should initiate a pilot outreach program to homeless unaccompanied minor children and young adults, to be implemented no later than the end of 2018.^[52]

Response

Has not been implemented but will be implemented in the future.

Actions Taken

One of the projects introduced through the Youth Homeless Demonstration Project is the Youth Homeless Response Team (YHRT) which began operations in 2019.^[57] The YHRT is a collaboration between the Community Action Board of Santa Cruz County and the Santa Cruz County Office of Education to identify and outreach to vulnerable transition age youth.

All youth who are connected to the YHRT program receive case management, referrals to support services (e.g., health insurance enrollment, transportation, crisis counseling, and legal support including issues related to immigration), housing navigation, education, employment training and mentoring. Also, Encompass Community Services, a Santa Cruz County based nonprofit organization and recipient of funds to do outreach and serve homeless youth, operates a Transition Age Youth (TAY) street outreach team. TAY provides access to a drop-in center with day services, counseling and case management, food, clothing, laundry, showers, and community referrals.^[58]

Recommendation R5: Emergency Shelter.

The Human Services Department should identify a location for, and the Board of Supervisors should provide funds for, an emergency shelter for homeless young adults, with a separate section for homeless unaccompanied minor children.^[52]

Response

Requires further analysis.

Actions Taken

As part of a comprehensive response to the COVID-19 pandemic, the County Administrative Office (CAO), in coordination with HSD, secured 12 mobile travel trailers to be used as semi-private shelter for homeless youth to reduce the risk of viral spread. Using a combination of CARES Act (the Coronavirus Aid, Relief, and Economic Security Act, passed by Congress on March 27, 2020) and FEMA funding, the County initiated a sheltering program with Encompass Community Services and the Seventh Day Adventist Church. The program is in the process of being relocated to the Cabrillo College campus in Aptos, and can serve up to 30 young adults, including parenting young adults with minor children. The location does not provide shelter to homeless unaccompanied minor children (homeless individuals under the age of 18 who present for services without a legal parent or guardian present) as this would require significant additional oversight, licensing, planning, and resources. The shelter operations at the Cabrillo campus are intended to continue through the COVID-19 Shelter-In-Place public health orders.

Additionally, when the Encompass Youth Drop-In Center is complete, they plan to provide care which allows for an overnight stay in a safe place but does not provide shelter beds. This component of the program will require approval of applicable permits as required by the City of Santa Cruz land use regulations and zoning.

Santa Cruz County does not have an emergency shelter program specifically for unaccompanied homeless children. However, Encompass Community Services maintains an agreement with the Bill Wilson Center based in Santa Clara County to provide emergency shelter services for this population in limited circumstances.

Further, the Human Services Department, Family and Children’s Services (FCS) Division, operates a 24-hour, 7-day per week phone line that receives reports about potential or current child abuse or neglect.^[59] This includes receiving reports about homeless unaccompanied children that may need resources to protect their health and safety. FCS staff will work through specific situations with homeless unaccompanied children to determine how best to assist the child, which could include placement into foster care.

Continued discussions and planning will be required to identify potential locations for a long-term emergency shelter for homeless youth.

Conclusion and Commendation

The responses received from the Human Services Department (HSD) show that Santa Cruz County has already implemented or is working on implementing all of the recommendations made by the Grand Jury, and is to be commended.

Investigation 4: Our Public Defender System – Anticipating Structural Change

2017-18 Report Abstract: *Santa Cruz County proposes to transition the public defender function to a new model, beginning in the 2021-22 fiscal year. The new model will likely include an inhouse public defender’s office. The County has never collected data to measure the quality of public defender performance. The proposal would give the County three fiscal years before the transition in which to begin to collect data on the contract public defender system’s performance.*^[60]

The 2017-18 Report noted that in June 2018 the Board of Supervisors (the “Board”) adopted a resolution which, in part, anticipated transitioning to an in-house Public Defender Office in 2022.^[61] The new office would replace the existing contract arrangement with the outside entity that provides a majority of indigent defense services in the County’s criminal courts on a flat fee basis. The resolution set up a three year time frame to allow for both investigation and planning. The Report’s Findings stressed that doing so would raise significant issues involving budgeting and performance evaluation which required more study and collection of data that would allow for more accurate projections of costs to determine if the idea should be pursued.

Recommendations, Responses, and Actions Taken

The recommendations are repeated from the original 2018 Grand Jury report.^[61] The responses are repeated from the 2018 response by the indicated agency.^[62] Our summary of the actions taken for each recommendation, as described in documented evidence received by the Grand Jury, follows. The Report made two recommendations:

Recommendation R1.

The Board of Supervisors should establish a commission that includes qualified stakeholders to identify performance measures the County should collect with respect to public defender performance. (F1, F2)^[61]

Response

Will not be implemented.^[62]

Actions Taken

The Board agreed that performance measures should be identified but rejected appointing a commission, holding that the “existing stakeholders” could and should develop the necessary performance measures.

Recommendation R2.

The County should begin to collect performance data on contract public defender performance, ideally within one year, so that the County has a baseline on which to measure future public defender performance. (F2)^[61]

Response

Has not been implemented but will be implemented in the future.

Actions Taken

The Board responded that such data would be collected in the future and that the CAO would be meeting with the existing contract providers to obtain reports that would include the necessary data.^[62]

Other Actions

After the Report was issued the County adopted an “Operational Plan, 2019-2020” which provided that by June 2020 the CAO would complete an organizational review that would: (i) coordinate with current contracting firms to survey local trends, caseload management, and needs of clients; (ii) compare such data with similar counties with either contract or in-house public defender offices; (iii) establish projections of salaries and benefits; and (iv) identify and project potential new expenses and requirements of going in-house.^[63]

Thereafter the County engaged an outside consultant, the Sixth Amendment Center, which conducted an investigation and produced a lengthy report that examined the

existing contract arrangements and recommended that the Board take the public defender office in-house when the current contract expires in June 2022.^[64] The Presiding and Assistant Presiding Judges of the County's Superior Court submitted letters indicating their general satisfaction with the existing providers' indigent defense services, noting the overall high quality of the lawyers providing such services and that no convictions had been reversed on the grounds of inadequacy of counsel.^{[65] [66]} The CAO collected some comparative data from other counties, but had limited ability to break down the costs per case as the contract was a "flat fee" arrangement and the privately owned firm was not required to share its payroll and other cost data.^{[67] [68]}

In November 2020 the Board formally resolved to shift to an in-house Public Defender Office.^{[69] [70]} It amended the Santa Cruz County Code by adopting an ordinance which established a Public Defenders Office and created an appointed position of Public Defender of Santa Cruz County. The CAO has prepared a detailed transition plan that includes timelines for staffing and other projections of both budgets and services, which on March 23, 2021 was unanimously approved by the Board of Supervisors.^{[71] [72] [73]}

It is not the purview of the Grand Jury to comment on policy choices and accordingly this report expresses no opinion on the merits of the decision to bring public defender services in-house. Mainly, the County is proceeding to a transition to an in-house Public Defender Office in an appropriate manner that anticipates the needs and costs based on logic and experience. The County's planning is both orderly and logical to accomplish this transition to take effect as of July 1, 2022. The Grand Jury notes that having the office part of the County's administrative structure will provide greater transparency and budgetary accountability than now exists under the flat fee contractual arrangement.

Conclusion

The County has met its commitments as stated in its responses to the Grand Jury's Report.

Commendations

- C1.** Grand Jury commends the SLVWD and LADOC for their ongoing commitment to transparency and positive stewardship of their responsibilities.
- C2.** The Santa Cruz County Government has undertaken a major shift in developing budgets that are based upon performance outcomes and reported to the public annually. This effort, although delayed by the COVID-19 pandemic, should be commended and supported by the community and the entire government.
- C3.** The CAO and County Administration have more than met their commitments to move toward data-driven budgeting.
- C4.** The Santa Cruz County Human Services Department is to be commended on its actions taken to ameliorate the problem of youth homelessness by establishing several new programs.

Definitions

- **CARES Act:** The Coronavirus Aid, Relief, and Economic Security Act, passed by Congress on March 27, 2020.

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74. Grand Jury documents

Appendix A – Santa Cruz County Civil Grand Jury Response Packet Instructions for 2017–2018^[74]

Instructions for Respondents: Individual

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.

Instructions for Respondents: Board or Commission

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: **August 16, 2018**

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.