

County of San Benito Civil Grand Jury

Final Report 2008-2009

Issued September 5, 2009

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Superior Court of California
County of San Benito





County of San Benito Civil Grand Jury P.O. Box 1624, Hollister, CA 95024

Honorable Stephen Sanders, Presiding Judge
Superior Court of California, County of San Benito
440 Fifth Street
Hollister, California 95023

The 2008-09 San Benito County Grand Jury would like to take this opportunity to provide a brief overview of our accomplishments during this term.

A primary goal of this past year's Grand Jury was to increase community awareness around the purpose, benefits and activities of a civil grand jury. This was achieved through staffing an informational table at the San Benito County Fair and Spotlight on Hollister and the development and printing of informational pamphlets and book-marks for public distribution. The Grand Jury would especially like to thank the court for providing public service announcements for the Civil Grand Jury at Premier Theaters. Recruiting for jury members is not an easy task, and having a full jury panel enhances the ability of the jury to function on many levels. Increasing public awareness is the key to attracting county residents to actively participate in the County's Civil Grand Jury.

The 2008-09 Grand Jury continue the practice of inviting key city and county government officials to address the Grand Jury panel. This provided an opportunity for open communication with the community leaders to find out what are the current issues and challenges in the county. It also gave the Jury an opportunity to commend our officials for the positive things that are happening in San Benito County.

By identifying the challenges our county is currently facing, it provides opportunity for growth and movement toward improving our environment and way of life in San Benito County.

The 2008-09 Grand Jury also focused on ways to make the jury processes more efficient and cost effective. This year's report will be made available via CD which will reduce the cost of printing and mailing. The jury also looked for programs to provide better data tracking for continuity purposes and a more efficient electronic communication system. We are hoping future juries will continue to develop these ideas.

I would like to add a personal "Thanks" to all of the 2008-09 Grand Jury Members. We took on some significant investigations this year and everyone met the challenge with professionalism and enthusiasm. I feel confident those returning jury members have a solid foundation to lead 2009-10 Grand Jury in all its endeavors. I am truly amazed at the talent, knowledge and understanding of the San Benito County residents who comprised this year's Grand Jury. It has been a privilege to have met and worked with such a great group of people.

Please accept this final report from the 2008-09 San Benito County Civil Grand Jury.

Chris Harwood
Foreperson, 2008-2009
San Benito County Civil Grand Jury



SAN BENITO COUNTY

Grand Jury Report 2008-2009

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ABOUT THE GRAND JURY

The San Benito County Civil Grand Jury is a court-appointed panel of 19 volunteers who serve a one-year term. This is an official body of the Court with independent authority to investigate local governmental matters for protecting the public interest. Any county resident who is a U.S. citizen over the age of 18 years old interested in applying for the 2008-09 term should write to P.O. Box 1624, Hollister, CA 95024, or visit its web site at <http://www.sanbenitocountygrandjury.org/>.

RESPONSE REQUIRED

A response is required within the time limits and form as prescribed by California Penal Code Section 933. Relevant paragraphs from Section 933 are quoted below for respondents' guidance.

Time Limits for Responses

California Penal Code 933(c) requires that:

No later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the Grand Jury has responsibility pursuant to Section 914.1, shall comment within 60 days to the presiding Judge of Superior Court, with an information copy to the Board of Supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the Mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding Judge of the Superior Court who impaneled the Grand Jury. A copy of all responses to Grand Jury reports shall be placed on file with the clerk of the public agency and the office of the County Clerk, or with the Mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable Grand Jury final report by, and in the control of the currently impaneled Grand Jury, where it shall be maintained for a minimum of five years.

Form of Responses

California Penal Code 933.03 requires that:

- (a) For the purpose of subdivision (b) of Section 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the findings.
 - (2) 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.
- (b) For the purpose of subdivision (b) of Section 933, as to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, (with a timeframe for implementation).
 - (3) 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 head 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.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

San Benito County Top Community Issues

Conducted by
Law and Justice Committee
Issued September 5, 2009

County of San Benito
Civil Grand Jury
2008-2009



SAN BENITO COUNTY

Top Community Issues

SUMMARY

The 2008-09 San Benito County Civil Grand Jury conducted weekly interviews with key public figures from the City of Hollister and the County. Please note that key public figures from San Juan Bautista were not available for interviews. As a result, the City of San Juan Bautista's views/concerns can not be documented.

Each week interviewees offered his or her "Top" issues facing the community today. The interviews revealed a common thread of concerns and compliments. The topics covered fell into three basic categories: 1) The state/federal economy and its effects on the local economy, 2) Budget issues as a result of the state/federal economies, 3) Gang activity in the city of Hollister. This report briefly covers a few of the topics within these categories mentioned most often by those interviewed.

PURPOSE OF INQUIRY

This report contains no formal findings or recommendations. It is intended to inform residents of San Benito County about the most important issues currently facing our county and cities, as identified by the majority of the elected and appointed officials who were interviewed.

METHODOLOGY

Throughout its 2008-09 tenure, the Grand Jury conducted interviews with key public figures. Over the course of the Grand Jury tenure, one-hour interviews of individuals were conducted during weekly Grand Jury plenary sessions. Those interviewed included county and city elected officials and employees; and heads of county and city law enforcement.

Each interviewee was asked to identify his or her top concerns regarding present conditions of the community and his or her vision for its future. Jurors also asked questions pertaining to issues specific to current committee investigations.

The Grand Jury had the opportunity to conduct interviews throughout its term.

DISCUSSION

During each interview with each key public figure, the Grand Jury asked the interviewee to discuss his or her "Top" issues facing the community. This resulted in a variety of responses, each from a slightly different perspective. Some were stated as issues, others as accomplishments. Topics included city and county budgets, city and county general plans, jobs, affordable housing, transportation infrastructure, commercial and industrial development, public safety staffing, crime, education, gang activity, the San Juan Bautista water system, and the expansion plans for the county jail and courthouse, among others.

When compiled, however, the most cited topics appeared to fit within three categories:

- 1) The state/federal economies and its effects on the local economy.
- 2) Budget issues as a result of the state/federal economies.

3) Gang activity in the city of Hollister.

The following sections summarize the topics within each category most often mentioned by those interviewed.

ECONOMIC IMPACT OF THE STATE/FEDERAL ECONOMIES ON LOCAL BUDGETS

Many, if not all, of the issues cited by the interviewees have their roots in the state of our local economy.

State Budget

The California State Budget has yet to be balanced at the time of this report. Throughout the tenure of this Grand Jury, interviewees discussed how the uncertainty of the state budget may impact the monies coming into both the County and the City of Hollister.

San Benito County

County officials interviewed expressed that the impact of the federal and state economies will impact the county, but not nearly to the extent of many other counties in the state. San Benito is one of the only counties in the state with a "rainy-day" fund of 9 million. The County will balance its budget in August 2009 after the state balances theirs on June 30, 2009. This will help the Board of Supervisors understand where they need to make potential cuts.

One issue that may significantly impact the County Budget is if the Williamson Act gets repealed. This alone would leave a deficit in the budget at \$650,000. The impact that it would have on county agriculture would be severe.

The county is prepared to dip into some of the rainy-day funds to make sure that services within the county continue to operate. At the time interviews were conducted, County positions and jobs have not yet been cut, however they have frozen hiring and have been able to maintain the status-quo through attrition.

The county is currently experiencing a 15% unemployment rate.

City of Hollister

The impact on the state/federal economies has begun to significantly impact the City of Hollister at the time this report is being written.

The current trend of the general fund reserves for Hollister has a declining trend: in 2002 the general fund was at 11 million, in 2008 it was at 2.2 million, and in 2009 it is at 1.6 million.

GANG ACTIVITY

Gang-Related Crime

By far, the most common public safety concern cited was increasing gang related crime, without sufficient law enforcement staff to address it.

Many interviewees remarked they have participated or are participating in meetings and task forces discussing how best to approach the issue. Many county and Hollister officials remarked that available funds limit what can be devoted to the three-prong approach of prevention, intervention, and suppression.

The city is currently in the process of hiring a Gang Task-Force Coordinator. This should impact the intervention prong of dealing with the gang activity. The police department and sheriffs department focus on the prevention and

suppression of gang activity.

FINDINGS

Not applicable.

RECOMMENDATIONS

Not applicable.

RESPONSE REQUIRED

Not applicable.

San Benito County Juvenile Hall Review 2008-2009 Annual Review

Conducted by
Law and Justice Committee
Issued August 15, 2009

County of San Benito
Civil Grand Jury
2008-2009



SAN BENITO COUNTY

JUVENILE HALL: 2008-2009

ANNUAL REVIEW

SUMMARY

The San Benito County Juvenile Hall is responsible for providing a safe, secure and healthy environment for children while they are temporarily detained at the facility. In late 2008 Juvenile Hall hired a permanent Superintendent.

PURPOSE OF INQUIRY

Every year, the Grand Jury performs a state-mandated inspection of Juvenile Hall, this was performed on February 16, 2009. The Grand Jury performs this inspection to ensure that it is operating effectively, securely, safely, and that the staff treats Juvenile Hall wards in a safe and humane manner.

METHODOLOGY

The Grand Jury visited the Juvenile Hall and interviewed on-site staff on February 16, 2009.

BACKGROUND

The Juvenile Hall is a division of the San Benito County Probation Department. It is not treated as, or connected with, any jail or other penal institution. Rather, Juvenile Hall is a temporary detention and treatment facility that holds young persons who are waiting for a court hearing or for release to a parent, guardian or another responsible adult.

According to its policy and procedure manual, the Juvenile Hall's mission is to provide "a safe, protective environment" and to promote "responsibility and accountability on the part of minors under" its care. The manual further states that Juvenile Hall "shall be operated in all respects as nearly like a home as possible."

DISCUSSION

Juvenile Hall Personnel

The Juvenile Hall superintendent is responsible for the management of the day-to-day operations as well as for the daily supervision of Juvenile Hall Personnel. The new Superintendent was hired in the later part of 2008. Juvenile Hall has a full time staff of ten. The officers work rotating shifts with at least one female and one male on duty at all times. From the hours of 6:00 am to 10:00 pm, there are always three staff members on duty. Hours of 10:00 pm to 6:00 am there are two staff members on duty. The detainees' cells are checked every 15 minutes.

Juvenile Hall Wards

Juvenile Hall provides housing for young persons from junior high to 18 years of age. Maximum capacity is 28 youths. At the time of our visit there were 17 youths detained (two females, 15 males). Most of the detainees were there for the following reasons:

- Drugs
- Robbery
- Gang Activity
- Truancy

Juvenile detainees follow a daily routine which starts between 6:00 am and 7:00 am and ends at 9:00 pm. They receive four hours of schooling in the morning from 8:15 am to 12:30 pm, Monday through Friday.

Food Service

Juvenile Hall serves breakfast, lunch, dinner, and a snack. Juvenile Hall has new tables and benches.

Medical Services

There is a nurse on site between 8:00 am to 1:00 pm every day. If medical attention is needed after those hours, Juvenile Hall contacts a medical provider for assistance.

Educational Services

Detainees receive four hours of schooling in the morning from 8:15 am to 12:30 pm, Monday through Friday. There is one teacher.

Juvenile Hall Building

The Grand Jury toured the entire Juvenile Hall which includes the intake area, day room, school room, cells, showers, control room, administrative offices, courtroom, storage rooms, laundry room and grounds. The overall appearance was much improved over the visits in 2008 by the Grand Jury. The hall smelled clean. The following areas were much improved from the tour in 2008.

- Mold spots are gone
- Shower stalls and bathroom tub cleaned. Mold and rust have been cleaned away
- Sink/shower in laundry room is clean
- New tables and chairs in day room
- Outside recreation area neat and clean
- Clean walls
- Air vents in ceiling are clean

Returning members of the 2008 to the 2009 Grand Jury observed that the overall appearance is much improved from the 2008 tour.

Maintenance Staff

There is no maintenance staff. Juvenile Hall is responsible for performing its own maintenance and repairs on building, grounds, systems, and equipment. Daily janitorial tasks are performed by the staff. These tasks include: sweeping, vacuuming, mopping, etc...

FINDINGS

F1: The Juvenile Hall is operating effectively and efficiently.

F2: Daily janitorial tasks and basic maintenance are performed by the staff and not by a specific person or service.

COMMENTS

The Grand Jury was impressed with the improvements made from last year. All the recommendations from the previous Grand Jury report were not only addressed to our satisfaction and went above our expectations. The current leadership of Juvenile Hall is doing an exceptional job.

RECOMMENDATIONS

R1: Hire a person to deal with daily janitorial tasks and overall maintenance.

RESPONSE REQUIRED

To comply with the Penal Code, including sections 933 and 933.03 (see page viii of this document), the following affected agency (or agencies) shall respond to all relevant findings and recommendations, especially, without limitations, to the findings and/or recommendations specified below.

The following agencies shall respond to the following recommendation:

- San Benito County Probation Department
- The Board of Supervisors

San Benito High School Facilities Review

Conducted by
Health, Education and Welfare Committee
Issued August 15, 2009

County of San Benito
Civil Grand Jury
2008-2009



SAN BENITO HIGH SCHOOL FACILITIES REVIEW

SUMMARY

The welfare of the next generation needs to be a top priority in the community. This includes consideration of the safety and well-being of the children in the schools. During a recent review of the San Benito High School (SBHS) conducted by the Health, Education, and Welfare Committee of the San Benito County Civil Grand Jury, jurors observed issues that threaten that safety and well being of the students. This report details specific concerns in the area of school transportation, food service, sanitation, and security.

PURPOSE OF INQUIRY

The Grand Jury supports the vision of the San Benito High School District (SBHSD) Board of Trustees to ensure that youth have a school that is a "safe, orderly and supportive environment" that "fosters academic achievement of all students." This investigation is intended to raise public awareness of a number of issues that compromise this environment. It is the Grand Jury's hope that the community will work to resolve them.

METHODOLOGY

The Grand Jury conducted this investigation between the months of November 2007 - April 2009. The investigation involved campus tours, formal interviews, and many conversations with SBHS employees, students and local residents. In addition, the HEW committee reviewed proprietary and public documents that related to the investigated areas. Jurors also attended a SBHSD Board of Trustees meeting. Of greatest benefit were the following sources.

Tours and Inspections

Grand Jury members performed several inspections in the course of this investigation. The first was a tour of the school led by a school administrator. This tour included a walk around the campus grounds, its hallways, restrooms, cafeteria, and perimeter. Later, to observe campus transit patterns and interactions on a typical school day, jurors made an unannounced inspection during regular school hours.

Jurors performed a follow-up on-site evaluation to measure activities against documented school rules. The 2008/2009 HEW committee visited the campus in November of 2008. Observations by 2008/2009 HEW Committee and return visit in April 2009.

Interviews

Formal interviews were conducted with SBHSD employees, including administrators, faculty, and classified staff. Neighbors of SBHS, parents, and some students also provided their perspectives to Grand Jury members. As part of the school transportation investigation, jurors interviewed California Highway Patrol (CHP) officers.

Documents

To corroborate facts concerning the transportation issues, Grand Jury members reviewed a report from the 2007 *Management Information System a/Terminal Evaluation Records* (MISTER). This annual review, conducted by the CHP, rates public and commercial transportation entities. Its purpose is to ensure compliance with California

state transportation laws, including safety, maintenance, and environmental components.

To understand other issues impacting the daily routine of students, the jurors reviewed San Benito High School's most recent Western Association of Schools and Colleges (WASC) accreditation report. The California Department of Education requires all public schools to adhere to this accreditation process. This periodic report details the quality of a school's academic offering and the learning environment. It also includes recommendations for improvements. The report was made available to the Grand Jury at the SBHS administrative offices.

To understand transportation issues and security issues (particularly those pertaining to the closed-campus policy), jurors reviewed school rules, policies, and procedures prescribed by the SBHSD Board of Trustees.

BACKGROUND

SBHS originally opened as a grammar school in 1875, graduating 57 students during the first six years. Today, the school is a four-year high school with approximately 3,000 students, drawn from the city of Hollister and the unincorporated areas of most of San Benito County.

The campus is located in the Southwest portion of the Hollister city limits, primarily at the intersection of Monterey Street and Nash Road. Campus Buildings, historical and new, are distributed amongst five city blocks. The older campus lies within the southern city limit along Monterey Street. Nearly half of the classrooms (in permanent and temporary buildings) are located in the unincorporated area South of Nash Road.

DISCUSSION

School Bus Transportation

The Transportation Department is responsible for the safe transport of students between their homes and school, and to/from sporting or other events within and outside of this county. The department is located at the southwest side of campus, along the stadium road. This area houses the buses and a mechanical maintenance shop. The department maintains and operates 11 district owned buses and other small maintenance vehicles. The department employs one supervisor who is in charge of six unionized drivers and one mechanic. On a typical school day, four large buses and one small bus transport 200 students between their homes and school.

Leadership Issues

According to SBHSD administration the Transportation Department has recently experienced turnover in leadership and a redefinition of responsibilities.

In 2006, the administration merged the transportation department with the campus maintenance department. This was an attempt to reduce cost to the school district. However, with the complexity and diversity of these two departments the administration decided to split these duties once again. The administration hired a full-time supervisor and the responsibilities of that department had been redefined to encompass only the transportation components, including the oversight of bus maintenance and repairs. The previous supervisor was reassigned back to the campus maintenance position; which by itself is very demanding.

During this Grand Jury's investigation, many procedural issues were noted and documented.

Transportation Violations

The Transportation Department has been cited by the CHP with various violations. Jurors met with a CHP representative to discuss the 2007 MISTER report. The Grand Jury finds that the following violations occurred:

- Failure to report a school bus accident within the legally prescribed time.
- Failure to maintain adequate school bus mechanical maintenance records.
- Failure to train employees adequately to pass DMV driving tests
- Failure to maintain adequate work records for bus drivers and other employees.

The representative termed the number of violations cited in the report as significant. The representative added that the results of the previous MISTER review, the current review and a pattern of violations not being addressed in a timely manner, indicated a declining level of compliance with state and federal laws.

This was attributed to the turn over of the past years and difficulties in filling the supervisor position.

Department employees verified that the work hours were not being maintained properly. Work hours were sometimes kept in handwritten form, rather than using the verifiable punch-clock, as mandated by state, federal, and union laws. Employees were concerned that this resulted in an inequitable distribution of work: that is, premium hours and paid overtime were being assigned unequally.

A significant number of new and continuing bus drivers have failed their bus driver (re)certification tests. Failure means that a driver must be transferred to non-driving tasks until he/she can pass the test. This depletes the pool of available drivers and further complicates the equitable division of worker hours.

In addition, department employees expressed frustration and concern over the lack of consistent, qualified supervision. Considering the recent history of turnover of supervisory staff, the employees expressed a wish to be included in future hiring processes. At the time, they felt they had no voice in the process. Employees also wanted to see better internal training for themselves and for the supervising staff.

Food Service

The cafeteria, located at the northeast corner of the older campus, prepares to serve a student body of approximately 3,000 along with other SBRS employees during a 40 minute lunch period. During an announced visit to the campus, the Grand Jury's HEW committee members visited the school cafeteria prior to a typical lunch period.

Jurors observed kitchen staff preparing salads and sandwiches. Jurors also reviewed the different areas of the cafeteria.

Cafeteria Facility

The cafeteria building is divided into two sections: the food preparation/serving area and the eating area. The staff and employees have their own eating area off the West side of the kitchen ... The staff dining area is approximately 400 square feet (20 ft by 20 ft). The food preparation/serving area is approximately 1,400 square feet (70 ft by 20 ft), and the eating area is approximately 3,500 square feet (70 ft. by 50 ft), with tables and chairs to seat approximately 375 students.. Picnic tables are available outside the cafeteria and other benches are located in the central part of the campus to supplement the seating during good weather.

Lunch Options

Students may bring their home-prepared lunches or purchase entire hot lunches, side dishes, or single items, such as salads, milk or chips. Food selection is based on the SBHSD "Wellness Policy," which is intended to

reduce the amount of "junk food" offered to the students. Five temporary food carts are placed throughout the campus for the lunch period. In addition, there are vending machines that offer food and drink items that meet the "Wellness Policy" at various locales during lunch and between classes.

SBHSD participates in the state and federally funded lunch assistance programs. These programs provide low cost or free lunches to students from low-income families. Approximately 30% of the student population (about 1,000 students) is eligible for this program. School administrators noted that the school has several challenges concerning food service. The HEW 2008/2009 committee visited the cafeteria in November.

Closed Campus

SBHS maintains a closed campus policy. "San Benito high School values a safe learning environment; therefore the District has designated SBHS as a closed campus. Students may not leave campus during the school day without parent/guardian and school permission. Students who leave school without authorization shall be classified truant and subject to disciplinary action. (SBHS Board Policy 5342)".

Therefore, the cafeteria is expected to serve up to 3,000 students, plus faculty and staff, during a 40-minute lunch period. According to SBHSD administration, the cafeteria serves between 900-1,000 full lunches each school day. Many students buy single items from the cafeteria and/or from the "rolling food carts" placed throughout the campus.

Of related concern is the enforcement of the closed-campus policy. WASC remarked in its report that "enforcement of school policies seems inconsistent."

Cafeteria Staffing Concerns

The cafeteria staffing numbers have been an ongoing concern by the cafeteria workers and echoed by school officials. Cafeteria cost management is a major concern in most schools. Knowing how much to prepare is an ongoing challenge for public schools. In the 2007-2008 school year, the SBHS administration transferred over \$50,000 into the Cafeteria Fund from the General Fund to supplement additional cost over-runs. This is a common practice in many school districts due to the variable cost parameters in food service.

However, in terms of equitable employee work hours, the Grand Jury noted complaints by employees with respect to the inequitable distribution of normal and overtime work hours. Administration has acknowledged this inequity and is actively addressing the staffing problems. The District has recently hired a food delivery consultant to evaluate the cafeteria procedures and delivery. Recommendations for improvement will be presented by this consultant in the near future. The cafeteria has a new supervisor that started in August of 2008. The 2008-09 HEW committee was very impressed with the changes that she has implemented and has an excellent handle on the issues with the staff.

"Free or Reduced" Lunches Concerns

The National School Lunch Program (NSLP) is a federally assisted meal program. It provides nutritionally balanced, low-cost or free lunches during the school day. The Food and Nutrition Service administer the program at the Federal level. At the State level, the National School Lunch Program is usually administered by State education agencies, which operate the program through agreements with school food authorities.

With respect to the "Free or Reduced" lunch program, Grand Jury members questioned the school administration as to the significance of requiring students to pick-up a number of food items when passing through the lunch lines. It was explained that the guidelines put forth by the NSLP clearly state that participants must select a given number of items.

All students, whether full-fare or subsidized-fare, walk through the same lunch line. However, students participating in this assistance program are restricted in their food choices. They must accept the complete, standard hot lunch. They cannot choose other items and they cannot accept fewer items, such as a single carton of milk. Many feel compelled to dispose of all but the item they actually wanted, such as that carton of milk.

However, it was noted by the Jury members that once the students passed through the lunch lines, many of the items they had chosen were placed on a table or in a bench in the general seating area. School administration and the cafeteria staff admitted this is a significant but complex issue. The root of the problem is the design of the Federal government's subsidized lunch program.

Interviewees told jurors that these restrictions stigmatize the students. Many choose not to participate in the program at all, preferring to go hungry rather than accept this fixed choice meal. The lunch room now serves about 1,000 lunches a day and a method has been set up so each student, whether they pay or not, must enter a student code before they receive their food. This has been done to take away the potential embarrassment of those receiving "free" lunch.

Administration estimated that only 55% of qualifying students actually use the program. Through the interview process, the Grand Jury committee concluded, "Many students would not participate because of the social stigmas associated with the process."

When asked about students leaving the campus, administration and students alike, admitted that many students leave at lunchtime, despite the closed-campus policy.

Restroom Availability, Sanitation, and Safety

Student restrooms are distributed across the SBHS campus including gym facilities. The campus maintenance supervisor informed the Grand Jury committee that there were 58 toilets and 16 urinals to accommodate approximately 3,000 students.

Assuming a student population of 50% males and 50% females, the school would be out of compliance in terms of female toilets and male urinals according to: <http://www.cde.ca.gov/ls/fa/sf/toiletrequire.asp>

Male Restrooms

During the campus tour, the Grand Jury members visually inspected one of the male restrooms. Much to their surprise, the administration had glass windows installed in the 1990's to four of the male restrooms. Of these four restrooms, either glass was installed in the doors or glass windows installed in the outside walls for visibility into sink areas of the restrooms. However, these bathrooms had doors on each stall to give privacy to those using the toilets and urinals. Administration confirmed that the windowed walls were designed to deter mischievous behavior in the restrooms.

Restroom Sanitation and Maintenance

Administration told jurors that it is difficult to enforce restroom etiquette with so many students using the restroom facilities. The grand jury was informed that in a typical week, it takes about 35 hours a week in "manpower" to keep the toilets and urinals in working order. There was expressed a need for an additional custodian hours in this area of campus maintenance. The administration acknowledged that maintaining clean, functional restrooms was a major issue on campus.

Some students, classified staff, school administrative officials, and local residents admit students do violate the

closed campus policy to seek cleaner, safer, working restrooms during school hours.

Campus Security

On a typical school day, one may see the campus bustling with activity. Between classes, large numbers of students move through the "common areas" visiting and having fun within the campus and along the campus edges.

The campus spans several blocks. It is not surrounded by a contiguous security fence and controlled-access points. In particular, the older campus facing Monterey Street is open allowing anyone to enter or leave the campus at will. Newer campus areas do have some taller fencing with security gates (which are closed during school hours) and lower fencing to direct foot traffic around landscaping. Some barriers have been erected around the perimeter, such as the barricades at Nash Road and Monterey Street, which are intended to funnel the masses of students crossing that intersection.

In the 2007 Western Association of Schools and Colleges (WASC) report, the general security of the campus was noted as: "Students see safety on campus as ranging from safe to not safe at all." This document included the statistic that, "a discipline incident involving male students has risen 70% in the last year."

SBHS is working on placing security fencing around the campus. As of April 2009 a gate/fence has been installed at Baler Alley (near parking lot). The Grand Jury was informed that the more security fencing will be installed. The completion date was not yet determined.

Campus Supervision

The District employs 11 campus supervisors. Campus supervisors are on duty the hour before, during and immediately after school. Their primary duty is to monitor student movement and behavior throughout the campus. They are the "eyes" of the administration. They all carry radios and are capable of communicating with each other and with the administration. Their secondary function is to summon students to the administration or deliver information to teachers or students during the class periods.

The campus supervisors are strategically placed in outside locations within the campus and along particularly exposed perimeter areas. Supervisors are there to direct pedestrian traffic across the public streets and to monitor street-side activity.

In October the 2008-09 Grand Jury HEW Committee interviewed the administration. Per discussion the committee learned that one camera had been placed in a high traffic area. We also learned that SBHS is the only campus within a 100 mile radius that does not have camera surveillance throughout their campus. This is a major concern of the Grand Jury and administration.

This test camera is currently in place in a high traffic and graffiti area. According to school officials, since the camera has been installed there has been NO graffiti and the incidents of altercations have dropped significantly. The School Board is still not in favor of cameras school wide. This is a huge concern of the Grand Jury. The Grand Jury is interested in finding out what the cost savings is for not having to respond to graffiti in the camera monitored areas. As part of the camera surveillance presentation to the School Board there is/was to be a report outlining the graffiti and incident reduction in the area where the camera has been placed.

In April of 2009 HEW Committee members made a return visit to the High School. At that time three new cameras had been installed with three more to come.

Campus Communication and Surveillance

Western Association of Schools and Colleges recommendation

According to WASC and interviewed employees, these measures are insufficient to maintain the closed-campus policy. WASC recommended installation of a campus-wide video surveillance system to supplement the monitoring job of the campus supervisors. The system would survey all outside areas, such as hallways and remote corners of the campus.

For campus-wide communication and alerts, SBHS uses a standard, electric bell system. It is also used to signal the beginning of classes. A public address (PA) system covers the primary (older) campus area. However, this does not cover the other campus blocks. It cannot be heard in emergencies. Instead, a siren system, audible throughout campus, is reserved for emergencies.

Classroom Safety

SBHS staff members informed the Grand Jurors that many of the classrooms could not be locked from the inside. The purpose of the inside locking mechanism was to keep intruders from entering the classrooms during a "lock-down" emergency.

In its review of this current level of security, WASC specifically recommended that SBHSD "develop and implement strategies to ensure student and staff safety such as 24 hour video surveillance, intruder alarms, a public address system, and a bell system that works for the classrooms on the south side of campus."

During the November 2008 visit when asked about the status of getting locks on all the classrooms the officials did not seem to know what has been done or the current status of the program to have the locks corrected.

SBHS took notice of the concern with the doors not locking from the inside. They now have a system to lock doors from the inside of most classrooms.

Public Address System

During the tour of classrooms the Grand Jurors questioned the administration and teachers about the California Education Code requirement with respect to a daily patriotic exercise.

SBHS staff members acknowledge to the Jury members that many of the classroom teachers were failing to follow California Education Code 52720 which states, "In every public secondary school there shall be conducted daily appropriate patriotic exercises. The giving of the Pledge of Allegiance to the Flag of the United States shall satisfy such requirement. Such patriotic exercises for secondary schools shall be conducted in accordance with the regulations which shall be adopted by the governing board of the district the secondary school". It is the belief of the Grand Jury committee that a school-wide public address (PA) system could be used to bring SBHS in compliance with this California Education Code requirement. With classroom numbers around one hundred each school day; the Grand Jury members feel this would be the most logical approach to resolve this issue.

During the last visit a full PA system had not been put in place yet. Per administration there is a plan to have a wireless system for the school to meet this requirement. The Grand Jury does not know how far along this plan is.

Public Street Crossings

Nash Road bisects two primary sections of the SBHS campus. As such, the corner of Nash Road and Monterey Street has a large number of students traversing the intersection throughout the school day and into the late afternoon for after-school activities. Campus supervisors act as crossing guards during school hours, monitoring and controlling traffic as they help students cross Nash Road safely.

According to the WASC report (published before the reopening of the Nash Road Bridge which further increased traffic), during a typical school day this intersection has approximately 11,000 pedestrian crossings. During this same period, approximately 7,500 vehicles pass the crosswalk.

Nash Road has heavy vehicular traffic during commute hours, periodically during the day and late in the afternoon. Yellow crosswalk lines mark the legal crossing area. The intersection has no traffic light. Nash Road has no street-calming measures, such as speed bumps or rumble-dots, leading to the crossing. This portion of Nash Road is at the South, Hollister city limit (although still within the city's documented sphere of influence). Interviewed city and county officials are uncertain under which jurisdiction this intersection falls. It is unclear whether this is a SBHSD, city, county, or combined-responsibility issue to resolve.

The street crossing on Nash has been upgraded with blinking lights on posts as well as lights in the street itself. There were two crossing guards at the time to assist with student crossing. The school management still feels, as did the previous Grand Jury, that closing at least the block where the crossing is, is the best solution during school hours. This could be done by permanently closing that portion or by putting poles in the street on both sides of the crossing which would be raised when school was in session. There could be savings in costs for the crossing guards if either of these alternatives were implemented. The guards could be then be used at other areas of the school that need supervision.

Library

The library is small for the size of the student body. The current General Plan has a larger facility but fund availability may prevent any quick resolution. According to the library staff they should have about 20 books per student and they have less than 10 books per student currently.

FINDINGS

- F1. SBHSD has violated state transportation laws relating to reporting accidents, training employees and keeping bus maintenance and employee work records.
- F2. The Transportation Department is not recording work hours properly.
- F3. The school cafeteria requires more space in both its food preparation/service area and eating area to properly serve the SBHS student population.
- F4. There is a question as to whether San Benito High School is compliant with the California Department Education Code regarding the minimum number of required women toilets and men urinals according to: <http://www.cde.ca.gov/ls/fa/sf/toiletrequire.asp>
- F5. SBHSD does not have adequate staff to keep student restrooms clean, safe and in working order.
- F6. Some students leave the campus during the lunch period and at other times of the day, although SBHSD has a closed campus policy.
- F8. The high school does not have a campus-wide public address system.
- F9. Campus security consists mostly of the monitoring work performed by 11 campus supervisors.
- F10. All classrooms cannot be secured from the inside.
- F11. Many of the student classrooms are not participating in a daily patriotic activity Educational code 52720 The Pledge of Allegiance; again the officials did not know if all students were doing the pledge in the first class

of the day.

F12. Nash Road is a heavy commute street that students cross every school day. There are no traffic lights or street-calming measures to monitor and control traffic. The street crossing on Nash has been upgraded with blinking lights on posts as well as lights in the street itself.

COMMENTS

It is apparent that the Transportation Department has suffered from lack of consistent supervision over a multiple-year period. This has led to the current state of legal violations, possible workload inequity, low morale, but most importantly, it puts our youth and the public at risk on public roads. Now that a full-time supervisor is in place, the Grand Jury looks forward to seeing evidence of all these violations and internal issues being addressed in a timely manner.

A closed campus should not be viewed as a suppression of liberties. Instead, it is intended to provide supervision for the safety of the students and employees while on campus. It prevents unauthorized persons, who seek to do bodily harm or some other illegal activity, from trespassing on the campus. As well, it provides for the safety of the citizens and students on the surrounding public streets.

Regarding the cafeteria, itself, as the school enrollment has significantly increased over several years; the food preparation/serving area has not increased. Elsewhere, other jurors received reports of students walking off-campus towards the downtown. It was noted that many high school aged students were seen at fast-food restaurants in town during the lunch period.

Concerning emergency communications, the Grand Jury concurs with the WASC report. Jurors noted during inspection that without a campus-wide PA system the school has no viable method of signifying the type of threat during an emergency. Additionally, it has no method to provide further instructions during that emergency (for instance, specifying "evacuation" versus "shelter in place" or "lock-down").

However, when asked why SBHSD had not yet installed a system (per WASC recommendation), administration expressed reluctance to the installation, citing concern that its use would interrupt school sessions. Considering the PA's use could be limited to emergencies, it is not clear to the Grand Jury how this would unduly interrupt classes.

By the end of the 2008 investigation, the Grand Jury felt that SBHSD had many security issues to be addressed. Granted, the issues are not easily resolved; nevertheless, they are important. WASC provided recommendations. By the end of the investigation, the jurors saw no sign that any of the recommendations were being addressed. However, at the time of this writing, the 2009 Grand Jury is pleased that movement is being taken to add fencing, additional staff to monitor activities, and other security measures according to a May 2, 2008 *Pinnacle News*, "Security Package Considered by High School Board" by Jessica Ablamsky.

RECOMMENDATIONS

R1. Rectify all violations levied against the Transportation Department by the CHP. (based on Finding F1).

R2. Monitor timekeeping procedures in the Transportation Department to ensure that work hours are being recorded according to law (based on Finding F2).

R3. Provide food service staff with sufficient space to prepare and serve lunches as well as give students a larger eating area (based on Finding F3).

R4. Provide students with functional, clean and safe restrooms (based on Finding 5).

R5. Enforce the closed campus policy (based on Finding F7).

R6. Install a campus-wide public address system (based on Finding F8).

R7. Develop and implement a security plan that include various measures, such as classroom door locks, more fencing, surveillance cameras, intruder alarms, and more staffing to maintain a safe environment for students, faculty and others (based on Findings F9 and F10).

R8. Follow California Education Code - 52720 - daily "Patriotic Activity" (based on Findings F11).

R9 Close Street during school day and/or install traffic control devices on Nash Road to ensure the safety of students and pedestrians as they walk across the intersection (based on Finding 12).

R10. SBHS is located in the county of San Benito and the city of Hollister. There is a concern that during an emergency, which agency would be responsible for first response (sheriff department or police department). This should be formally determined and documented for a standard procedure in case of emergency.

R11. With the increase of gang activity on campus the Grand Jury was disappointed that SBHS trustees voted unanimously against contributing to funding of the new multi-agency gang coordinator position.

RESPONSE REQUIRED

To comply with the Penal Code, including sections 933 and 933.03 (see page viii of this document), the following affected agency (or agencies) shall respond to all relevant findings and recommendations, especially, without limitations, to the findings and/or recommendations specified below.

The following agencies shall respond to findings and listed recommendations:

- The San Benito High School Superintendant
- Board of Trustees, San Bentio High School District

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Hollister Animal Shelter 2008-2009 Grand Jury Follow-up Investigation

Conducted by
Law and Justice Committee
Issued August 15, 2009

County of San Benito
Civil Grand Jury
2008-2009



Hollister Animal Shelter: 2008-2009 Grand Jury Follow- up Investigation

SUMMARY

The Hollister Animal Shelter was established in 1982. It serves the city and county as the only facility to house domestic animals who are lost, abandoned, neglected or unwanted. The shelter cares for approximately 3,500 animals each year. It also provides animal control services for the city and county.

PURPOSE OF INQUIRY

The 2008-09 San Benito County Grand Jury performed a follow-up site visit in response to the 2007-08 Grand Jury's examination and report.

METHODOLOGY

The Grand Jury visited the Hollister Animal Shelter on two separate dates, March 30, 2009 and April 1, 2009. Interviews were conducted with shelter staff.

BACKGROUND

The Animal Control Bureau is a division of the Police Department. The bureau and facility are known as the Hollister Animal Shelter. It operates within the city and also has a contract with the County to provide domestic animal services and rabies control. This includes adoptions; dog licenses sales; housing stray and unwanted domestic animals; lost and found animals; education programs and tours; emergency services; 24-hour phone message; animal cruelty investigations; animal ordinance enforcement; outside agency referrals; low cost spay/neuter referrals; administering the animal adoption program; and low cost rabies vaccination clinics.

LOCATION AND STRUCTURE

The shelter is located at 375 Fifth Street in Hollister. This is the newly completed facility that has been in the planning and construction process since 2002. The new facility looked great. Feedback from the staff indicated there were two concerns with the new facility; A) There was not enough slope in the concrete floor of the dog room to allow for water run off. As a result the water had to be removed by hand with a squeegee and B) The drain grates did not hinge open to allow solids to be washed down the drain. Animal waste had to be picked up and disposed of by hand. In further interviews it was found the rationale for the grates being in a fixed position is due to the facility being on a septic system which needed to be secured.

HOURS OF OPERATION

The Animal Shelter is currently open Tuesday thru Saturday from 12:00pm to 5:00pm. It is closed Sunday, Monday and Holidays. We would like to commend the shelter for offering weekend hours for those community members who are not able to come to the shelter during the previous Monday thru Friday operational hours. This change meets the requirements of the "Hayden Law" passed by the State of California in 1998 stating in

section 1.b (2) “Shelters should be open during hours that permit working pet owners to redeem pets during nonworking hours.”

During the site visit on 3/30/2009, the Grand Jury observed 12 people coming to the shelter between 11:30am and 12:00pm. This was after the change in the hours of operation of the shelter. Those people attempting to enter the shelter were not aware there had been a change in the hours of operation. There are occasions where the shelter is not able to open promptly at 12:00pm. Late openings were attributed to two reasons: 1) If the facility is not cleaned by opening and 2) If there is not two staff members in the shelter during open hours.

PERSONNEL

Oversight of the shelter is the responsibility of Hollister City Police Department. The shelter manager is employed by the police department and reports to the Police Captain.

The shelter is also staffed by volunteers, but the volunteer help is extremely limited. There needs to be two staff present to open the shelter to the public, so when one staff member is out on a call, they are not always able to have the shelter remain open. There is always one staff member who covers weekend calls for emergencies and to provide care for the animals housed in the shelter and also to take in any animals that are left in the outside cages.

During the interviews it was discussed that the shelter is in the process of developing a program for actively recruiting and engaging community volunteers to assist at the shelter. The person currently working on this program is going to be retiring mid 2009 so they are looking for someone else to continue with the development of the volunteer program, which they hope will be completed by late summer. Volunteer help is essential in the operation of the shelter. It was also discussed there is a need for additional staff. When asked by the Grand Jury what staff was needed the following response was received: One administrative attendant to work at the front desk and two kennel attendants. The cost of the administrative attendant would be approximately \$45,000 annually plus benefits and the cost of the kennel attendants would be approximately \$14 per hour.

CAPACITY

The shelter can house 40 dogs and 40 cats. They can expand the capacity to 80 dogs if the outside pens are sectioned off. During the Grand Jury visit it was stated the shelter has seen an increase in the volume of animals coming into the shelter in 2009. The Grand Jury was not given the number of animals currently in resident at the time of the visit.

FOLLOW-UP TO 2007-08 RECOMMENDATIONS

The Grand Jury agreed with the responses received from the recommendations made by the 2007-08 Grand Jury with the following exceptions: hours of operation and having a drop box available at the shelter.

The Grand Jury would like to commend the Animal Shelter on their new structure, the change in hours of operation to include a weekend time, holding animals for a day longer than required by “Hayden’s Law” prior to euthanizing the animal, updating the Animal Shelter Duty Manual and enhancing the data collection process so reports are accurate and current.

FINDINGS

F1. The animal shelter is not always open during the advertised hours of operation.

- F2. The current information on the “City Government – Hollister Animal Shelter” web site still does not provide information for what to do if a stray animal is found after shelter hours.
- F3. The shelter does not have adequate volunteer support or a current program in place for recruiting volunteers.
- F4. The shelter does not currently have adequate staffing to maintain efficient operations.
- F5. The drainage in the dog room is not appropriately sloped to enhance water run-off.

RECOMMENDATIONS

- R1. Have the shelter open to the public during all of the advertised hours of operation: Tuesday thru Saturday from 12:00pm to 5:00pm. Ensure the shelter opens timely.
- R2. Enhance the public web site to include information for what to do if a stray animal is found after shelter hours.
- R3. Implement a robust volunteer recruitment program to attract and retain volunteer support.
- R4. Increase support staff positions to ensure efficient shelter operations. The Grand Jury realizes these are difficult economic times.
- R5. Correct the drainage issue in the dog room.

RESPONSE REQUIRED

To comply with the Penal Code, including sections 933 and 933.03, the following affected agency (or agencies) shall respond to all relevant findings and recommendations, especially, without limitations, to the findings and/or recommendations specified below.

The following agencies shall respond to the following recommendations:

- City of Hollister: R1, R2, R3, R4, R5

The following agencies are requested to respond to the following recommendations:

- Hollister Police Department: R1, R2, R3, R4, R5
- Hollister Animal Shelter Bureau: R1, R2, R3, R4, R5

San Benito County Jail

2008-2009 Annual Review

Conducted by
Law and Justice Committee
Issued August 15, 2009

County of San Benito
Civil Grand Jury
2008-2009



San Benito County Jail

Annual Review

SUMMARY

The Grand Jury completed its annual review of the San Benito County Jail to ensure that the correctional facility is being administered adequately and in a safe and secure manner. The Jail is under the administration of the San Benito County Sheriff's Office. The Sheriff's Office does an excellent job of managing the Jail to ensure efficient daily operations; the environment is safe for officers, staff and inmates, and a clean, well maintained facility.

PURPOSE OF INQUIRY

Each year, the Grand Jury performs a state-mandated inspection of the San Benito County Jail to determine that it is operating effectively, securely and safely, and that the Sheriff's management and staff treat the inmates in a safe and humane manner.

Section 919 of the California Penal Code authorizes the Grand Jury to perform this inquiry into the condition and management of the local correctional facility.

METHODLOGY

- Interview with the Jail Staff
- Tour of the San Benito County Jail

DISCUSSION

Grand Jury members toured the San Benito County Jail on February 9, 2009. Prior to the tour the members met with the Jail staff to get a brief overview.

BACKGROUND

The San Benito County Jail is a division of the San Benito County Sheriff's Office. It is classified as a type-II correctional facility. It is rated for a capacity of 142 beds. This rating is based on staff-to-inmate ratio. The population at the time of the visit was approximately 122 inmates. The jail holds inmates who are waiting for their arraignments, having their cases being tried in court or serving their sentences.

LOCATION

The Jail is located at 710 Flynn Road in Hollister. The Jail is directly behind the juvenile detention facility. The Grand Jury would like to commend the Sheriff's Office on having road signs installed on both Highway 25 and San Felipe Road to direct the public to the Jail location.

PHYSICAL PLANT

The current facility was built in November of 1992. During the tour it was discussed that the Sheriff's Office and the County are looking at a new jail expansion. No specifics were discussed.

The Grand Jury members toured the front office, visitor area, intake yard, intake unit and holding cells, safety cell, sobering cell, housing units (pods) for all levels of inmates (minimum, medium, maximum and high-risk inmates, both male and female), the command center, educational room, kitchen, laundry, exercise yard, medical/nursing station. All areas observed on the tour were exceptionally clean, well maintained and organized. The Grand Jury would like to commend the Sheriff's Office on their diligence on maintaining a clean and safe facility.

The Sheriff's Office works with the staff of the juvenile detention facility for maintenance and repair of both facilities. In both locations inmates attempt to sabotage the plumbing. The Jail has addressed this issue with the installation of automatic flushing toilets which lock out after 2 flushes within 15 minutes. This prevents inmates from flushing large items such as blankets which will clog the plumbing. There is also a sewage grinder installed.

There are monitoring cameras in the visitor's area, in the general population and the intake area. There are no monitoring cameras in the individual cells.

HOUSING UNITS

There are six housing units for inmates. There are two units for maximum security and four units for general population, which includes both minimum and medium security. Two of the general units and two of the maximum units house male inmates.

The female population is divided between two general units. The female inmates have their own laundry facilities with their housing units and are responsible for their own laundry.

The inmates are identified by the color of their jumpsuits. Minimum security inmates have orange jumpsuits, medium security inmates have navy jumpsuits and maximum security inmates have black/white striped jumpsuits. Inmates also wear wristbands as well.

Inmates are supplied with one sheet and one blanket. Additional blankets are available during cold weather. This meets the state requirements.

Inmates who display suicidal or violent behavior are placed in a safety cell as required by Mental Health Services. These inmates are given a smock made from a quilted material and a sleeping bag. There is no furniture in the safety cells, just a cement block to sit on and a drain. These inmates are checked every 15 minutes and observed when given food and water. They are also provided a Bible. The safety cells have no camera monitoring. Mental Health Services are notified when an inmate is placed in a safety cell.

Inmates who arrive at the facility intoxicated are placed in a sobering cell and are monitored every 30 minutes. If the inmate is in the sobering cell for longer than 6 hours they are given a medical evaluation.

INMATES

The inmate population on the day of the Grand Jury site visit was 122. This number included both female and male inmates. The average length of stay is greater than 15 days. It is usually four to six months. There is currently one inmate who has been housed for three years awaiting trial. Most inmates are in for felony convictions or charges.

To prevent over-crowding, some inmates convicted of misdemeanors are placed on house arrest and wear electronic monitoring devices. If this process was not implemented the jail population would be approximately 200. The Sheriff's Office partners with the Probation Department to monitor those inmates on house arrest. If an inmate is in need of medical care, depending on their status, they can be released on OR to seek medical treatment then resume their sentence when their health status improves. This transfers the responsibility of the cost of medical care to the responsibility of the individual inmate.

Inmates are given one hour per week visiting privileges. Depending on inmate behavior, this privilege can be withdrawn. Inmates are also placed on a 23 hour lock down when fighting erupts in the jail.

MEDICAL SERVICES

The Jail contracts with a medical group to provide medical services. For routine care a physician visits the facility once weekly and a dentist visits twice monthly. There is also a psychiatrist on site every Wednesday. A Registered Nurse (RN) and Nursing Aid are on duty seven days a week for eight hour shifts at the facility.

At the time of the Grand Jury's visit, there were approximately 30 – 40 inmates receiving daily medication. The RN goes into the housing units, accompanied by an officer, to give medications. Inmates come into the nursing unit, which comprises of a front office and an exam room when they have a medical issue. All inmates are administered a PPD test on arrival to the facility. The Medical Group is contacted for any medical emergencies and also when inmates are placed in the safety cells, as well as Mental Health Services.

FOOD SERVICES

Title 15 requires inmates to receive a minimum of one hot meal and two cold meals per day. The Jail provides a hot meal at 5:00am, a cold meal at 12:00pm and a hot meal between 4:30 – 5:00pm. Inmates are allowed to purchase food items through the commissary once a week, depending on their status.

The Jail contracts with a food service company that provides pre-package meals. These meals are measured and packaged based on dietary needs. These meals are heated and passed on warming carts into the housing units. The Jail maintains a three day supply of emergency meals. The Jail also maintains a fully equipped kitchen for meal preparation as a back up measure.

INMATE PROGRAMS

Minimum and medium security inmates are allowed to participate in multiple classes offered by volunteers. An example of these classes is "coping with loss". There is also a Library program for inmates. Inmates can also request information to do their own legal research.

The Jail also maintains an Inmate Services Manager who develops and has oversight over the various inmate programs.

There is an Inmate Welfare Fund that provides televisions, microwaves and games for the inmates in the housing units.

COMMENTS

The Jail Commander, San Benito County Sheriff's Department and all jail staff are to be recognized on managing and maintaining a well-run jail that provides a safe, secure and healthy environment for inmates, officers and staff.

FINDINGS

- F1. The Sheriff's Office is to be commended on maintaining a clean, safe and secure facility.
- F2. Inmates are afforded all the required amenities under Title 15 and some requirements are exceeded.
- F3. Multiple programs are available to inmates to advance their education, to improve social skills and coping skills, provide their own legal research, etc.
- F4. Suicidal inmates are given appropriate treatment and monitoring.

RECOMMENDATIONS

The Grand Jury has no recommendations for improvements at this time.

AFFECTED AGENCIES

- Sheriff
- Board of Supervisors

RESPONSE REQUIRED

The California Penal Code section 933 requires a response to the recommendations made in the final report be delivered to the Presiding Judge of the Superior Court within 90 days of the receipt of the report.

The 2008-09 Grand Jury has no recommendations in this years report.

**San Benito County
Water Treatment Facility
2008-2009 Site Visit**

Conducted by
Law and Justice Committee
Issued August 15, 2009

County of San Benito
Civil Grand Jury
2008-2009



San Benito County Water Treatment Facility Site Visit

The Grand Jury had a site visit to the new San Benito Water Treatment Facility after being addressed by employees involved in the development and operations of the plant. Jury members were escorted throughout the facility to view the process and operations of the water treatment plant. The tour was very informative in terms of the latest technology in water treatment, how this facility was built, the potential for expansion and what it can do for San Benito County. The Grand Jury would like to commend the County on the construction and operations of this facility. The San Benito Water Treatment Facility should be proud of this project and those working to ensure its efficient operations.

Appendix I

Responses to *Grand Jury Report* of *San Benito County* *2007-2008*

HOLLISTER ANIMAL SHELTER: 2007-08 GRAND JURY FOLLOW UP INVESTIGATION

Responses Received:

City of Hollister

County of San Benito Board of Supervisors



CITY OF HOLLISTER

375 Fifth Street • Hollister, CA 95023-3876

*rec'd
11/19/08*

November 3, 2008

The Honorable Harry Tobias
Presiding Judge
San Benito County Superior Court
440 5th Street
Hollister, CA 95023

Dear Judge Tobias:

The City of Hollister and the Hollister Police Department has received the 2007-2008 San Benito County Grand Jury Final Report. I am writing in response to the findings and recommendations set forth in that report.

I. Hollister Animal Shelter – 2007-08 Grand Jury Follow-up Investigation

Findings:

1. **The Animal Shelter's hours of operation make it unavailable to the majority of the community as it is not open during the lunch hour or on weekends. This is contrary to the Hayden Law.**

The City of Hollister and the Hollister Police Department disagree with the finding. Provisions of the Hayden Law require that animals be held a minimum of six days before euthanasia unless the animal shelter is open one evening or one weekend day. The Hollister Animal Shelter holds animals a minimum of seven days before administering euthanasia, one day more than required by law.

2. **The shelter staff is now producing summary reports in a timely manner.**

The City of Hollister and the Hollister Police Department agree with the finding.

3. **The data inaccuracies in the reports were due to a software problem. The software vendor is working to correct the software and it should be completed by the end of May 2008.**

The City of Hollister and the Hollister Police Department agree with the finding. The corrections to the software were completed and the reports are now accurate.

City Attorney
636-4306

City Clerk
636-4304

City Manager
636-4305

Finance
636-4301

Management Services
636-4324

Personnel
636-4308

Fax (831) 636-4310 • TDD Line Only (831) 636-4319

Appendix 1: Responses to the *Grand Jury Report 2007-2008*

4. **For fiscal year 2006-2007, the Animal Shelter deficit was \$80,000.**

The City of Hollister and the Hollister Police Department disagree with the finding. The Animal Shelter completed fiscal year 2007-2007 \$83,000 under budget.

5. **The new Animal Shelter facility is due to open by the end of July 2008.**

The City of Hollister and the Hollister Police Department disagree with the finding. While the target date of July 2008 was forecast at the time of the Grand Jury's investigation, the amended shelter opening date was moved to November 2008.

6. **The new Animal Shelter facility has no plans for a new drop box due to unavailability of funds.**

The City of Hollister and the Hollister Police Department disagree with the finding. The new Animal Shelter will have a new drop box.

7. **The City website provides no information on what to do if a stray animal is found after shelter hours or instructions on how to use the Drop Box.**

The City of Hollister and the Hollister Police Department agree with the finding.

8. **No agency provided evidence that a physical audit of kennel cleaning and drop box use was performed.**

The City of Hollister and the Hollister Police Department agree with the finding. However, physical inspection of the kennel cleaning and drop box use is regularly made. However, reports are generated by exception, i.e., whenever conditions are not compliant with policy provisions.

9. **The *Animal Shelter Duty Manual* is several years out of date.**

The City of Hollister and the Hollister Police Department agree with the finding.

10. **The *Animal Shelter Duty Manual* includes content that is inconsistent with the State Food and Agriculture Codes.**

The City of Hollister and the Hollister Police Department neither agree nor disagree with the finding, as there is no specification of which sections of the State Food and Agriculture Code the Animal Shelter Duty Manual is out of compliance.

11. **The San Benito County Code, Animals and Fowl, Chapter 4 is outdated and contains numerous anomalies and inconsistencies.**

The City of Hollister and the Hollister Police Department neither agree nor disagree with the finding, as it has no authority to review or amend the San Benito County Code.

Recommendations:

1. **Close the Animal Shelter on one weekday (Monday, for instance) so that it may be open on Saturday (based on Findings F1).**

This recommendation will be partially implemented no later than June 30, 2009. With the hiring of a clerical staff member to assist in shelter business operations, the Shelter will open either one weekend day, or one evening until 7:00 p.m., each week.

2. **Correct the shelter's software error so that all animals in the shelter are being accounted (based on Findings F3).**

This recommendation has been implemented.

3. **Pursue a separate non-profit organization to support animal welfare expenses, support projects such as a new drop box, and provide a consistent volunteer base that can support the Animal Shelter, especially during Saturday open office hours (based on Findings F4, F5, and F6).**

This recommendation has been partially implemented. Flyers and volunteer job descriptions were available in the Police Department's booth at the San Benito County Fair in October 2008. The same information will be available at the new shelter and at the open house in November 2008. While the City will not actively pursue the establishment of a non-profit organization, it will work cooperatively with such an organization should one be formed.

4. **Add information to the City website about the use of the drop box and what to do with stray animals when the Shelter is closed (based on Finding F7).**

This recommendation will be implemented by March 31, 2009.

5. **Establish routine inspections and/or self-assessments for the facility to ensure that the *Animal Shelter Duty Manual* procedures are being followed (based on Finding F7).**

This recommendation has been partially implemented and will be fully implemented by January 1, 2009.

6. **Provide an annual report to the public of the inspection results and the number of animals being processed to help enhance the public awareness of the shelter's operations (based on Findings F8).**

This recommendation will not be implemented. The information is available through Public Records Act Requests.

7. **Update the *Animal Shelter Duty Manual* to the latest state Food and Agriculture Codes 31108, 31752, 31753, and 31760 (based on Findings F9 and F10).**

This finding has already been implemented. While the Food and Agriculture Code is not specifically referenced, the Animal Shelter Duty Manual is in compliance with the provisions of each of the aforementioned sections.

8. **Incorporate all updates, including memoranda, in the *Animal Shelter Duty Manual*. Also, if memoranda are to be used as a tool for temporarily updating the manual, then the table of contents should be updated as well. It should include the title of each memorandum and its issue date (based on Findings F9 and F10).**

This finding will be partially implemented no later than December 2009. The Animal Shelter Duty Manual will be updated and maintained in the same manner as the Hollister Police Department Policy Manual.

9. **Review and update the *San Benito County Code, Animals and Fowl*, Chapter 4 to incorporate the latest California Food and Agriculture Codes. Also, make sure the County Code is consistent with the *Hollister Animal Shelter Duty Manual* and *Hollister Police Department Animal Control Operations Section 321* (based on F11).**

As this pertains to the San Benito County Code, the City of Hollister and the Hollister Police Department will not implement this finding.



OCT 10 2008

COUNTY OF SAN BENITO BOARD OF SUPERVISORS

481 Fourth St • Hollister, CA 95023
Phone: 831-636-4000 • Fax: 831-636-4010

Don Marcus, District No. 1
Anthony Botelho, District No. 2
Pat Loe, District No. 3
Reb Monaco, District No. 4
Jaime De La Cruz, District No. 5

COPY

October 7, 2008

The Honorable Harry Tobias
Presiding Judge San Benito County Superior Court

Dear Judge Tobias:

This is the San Benito County formal response submitted to the Grand Jury Report issued July 31, 2008 on behalf of the County Board of Supervisors. This response has been prepared pursuant to the California Penal Code Section 933 in regard to findings and recommendations made by the Grand Jury.

The Grand Jury made findings and recommendations to specific departments and the San Benito County Board of Supervisors regarding a number of topics. Included in this report are responses from the County Board of Supervisors for county departments that they have authority over. No separate responses are submitted by either the County Administrative Office or Department of Public Works.

The responses to Grand Jury recommendations submitted by the Sheriff and the Chief Probation Officer have been incorporated in this consolidated county response for the convenience of the Grand Jury.

The County Board of Supervisors offers concurrence with the responses made by the Sheriff to each of the recommendations made in the titled report "San Benito County Jail: 2007/08 Grand Jury Annual Review", The "San Benito County Sheriff's Office: Property Room Inspection" and the "San Benito County: Alternative Solutions to Youth Crime Activity".

Likewise, the County Board of Supervisors concurs with the responses made by the Chief Probation Officer to each of the recommendations made in the titled report "San Benito County Juvenile Hall: 2007/08 Annual Review and San Benito County: Alternative Solutions to Youth Crime Activity".

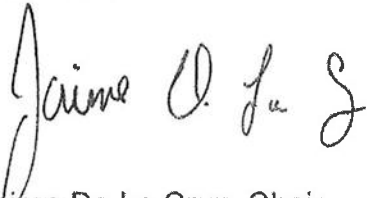
The only exception are to the recommendations that require additional budgetary appropriations. The recommendations tied to expenditures, new employees, or equipment that would impact the approved budget cannot be considered during this extremely difficult fiscal year.

Appendix 1: Responses to the *Grand Jury Report 2007-2008*

This letter and the following documents is the response that fulfills Penal Code Section 933 that mandates a response to the Grand Jury Report within 90 days of the report.

Please extend our appreciation to the Grand Jury for their continued dedication and service to the community.

Sincerely,

A handwritten signature in black ink, reading "Jaime D. La Cruz". The signature is written in a cursive style with a large initial "J" and a stylized "C" at the end.

Jaime De La Cruz, Chair
San Benito County Board of Supervisors

Attachment: San Benito County Response



COUNTY OF SAN BENITO BOARD OF SUPERVISORS

481 Fourth St • Hollister, CA 95023
Phone: 831-636-4000 • Fax: 831-636-4010

Don Marcus, District No
Anthony Botelho, District No
Pat Loe, District No
Reb Monaco, District No
Jaime De La Cruz, District No

San Benito County Board of Supervisor's Response to Grand Jury Report

I. Hollister Animal Shelter

The following findings and recommendations were made in the Grand Jury Report dated July 31, 2008, titled "Hollister Animal Shelter: 2007/08 Grand Jury Follow up Investigation". For the purpose of subdivision (b) of section 933, as to each Grand Jury Findings, and recommendations, the County Board of Supervisors offers the following responses on behalf of the County.

Please note that the County Board of Supervisors has authority over appointed county department heads and these department heads will not be responding separately.

Findings

Page 18

F11. The San Benito County Code, Animals and Fowl, Chapter 4 is outdated and contains numerous anomalies and inconsistencies.

Response of the County Board of Supervisors – The respondents agrees with the findings.

The County of San Benito is aware and has identified the changes required to update the San Benito County Code, ordinance and agreement with the City of Hollister in regards to Animal Control. We realize these documents are outdated and contained numerous anomalies and inconsistencies. To that end, over the last 8 months the County Administrative Office has worked with the Hollister Police Department to address the concerns raised herein with an agreement and a draft ordinance being developed to update those inconsistencies.

Recommendations

Page 19

R9. Review and update the San Benito County Code, Animals and Fowl, Chapter 4 to incorporate the latest California Food and Agriculture Codes. Also, make sure the County Code is consistent with the Hollister Animal Shelter Duty Manual and Hollister Police Department Animal Control Operations Section 321 (based on F11).

Response of the County Board of Supervisors – The recommendation has not yet been implemented, but will be implemented in the future, no later than February 2009.

The County of San Benito Code as it relates to Animals and Fowl, Chapter 4 is currently under revision to incorporate and update the code on a number of levels and will address the latest California Food and Agriculture Codes. It is also our intent that the revision of the San Benito County Code will be consistent with the Hollister Animal Shelter Duty Manual and Hollister Police Department Animal Control Operations Section 321.

Several meetings have occurred over the last eight months between the Hollister Police Department and the County Administration Office regarding the agreement and the County Code. The revision of Chapter 4 of the San Benito County Code is near completion at this time. Simultaneously, we are developing a new agreement with the City of Hollister to provide services to the County. These documents are under County Counsel and/or the City Attorney review and approval process at this time. We anticipate the review process will take one month to complete, as both legal entities will be involved in the agreement. The agreement is likely to go first with the code revision to follow. Once the revision of the County Code is complete it will be subject to public hearings and approval by the County Board of Supervisors before it can be adopted. The timeline for the public hearing process can take up to one month with another 30 days beyond that for the code to become effective.

Given the steps that are required, it has been determined that the revision of Chapter 4 of the San Benito County Code will require three months to complete. Pending no objections, we anticipate the implementation of this recommendation can be accomplished by February 2009.

II. Jail Annual Review

<u>Findings</u>	/	<u>Recommendations</u>
Page 66	/	Page 67

The Board of Supervisors concur with the Sheriff's response to Grand Jury conclusions and recommendations: R1, R3, R4, R5 and R6.

Recommendation R2 – Requires further analysis. A complete review of Facilities Maintenance Services on a countywide basis is being pursued and appropriate staffing levels and job classifications will be included in the final plan which will be recommended for Board of Supervisors consideration during FY 09-10 budget development.

Hollister Animal Shelter 2007-2008 Responses

Finding	Recommendation	Agencies that <i>shall</i> (*) or are requested to respond	Agencies that have responded	Further Review? Comments:
<p>F1. The Animal Shelter's hours of operation make it unavailable to the majority of the community as it is not open during the lunch hour or on weekends. This is contrary to the Hayden Law.</p>	<p>R1. Close the Animal Shelter on one weekday (Monday, for instance) so that it may be open on Saturday (based on Findings F1).</p>	<ul style="list-style-type: none"> • <u>* City of Hollister – 11/03/08</u> • Hollister Police Department • Hollister Animal Shelter Bureau 	<p>1. City of Hollister - Clint Quilter City Manager on behalf of City of Hollister and Hollister Police Department</p>	
<p>F3. The data inaccuracies in the reports were due to a software problem. The software vendor is working to correct the software and it should be completed by the end of May 2008.</p>	<p>R2. Correct the shelter's software error so that all animals in the shelter are being accounted (based on Findings F3).</p>	<ul style="list-style-type: none"> • <u>* City of Hollister – 11/03/08</u> • Hollister Police Department • Hollister Animal Shelter Bureau 	<p>1. City of Hollister - Clint Quilter City Manager on behalf of City of Hollister and Hollister Police Department</p>	

Hollister Animal Shelter 2007-2008 Responses

<p>F4. For fiscal year 2006-2007, the Animal Shelter deficit was \$80,000.</p> <p>F5. The new Animal Shelter facility is due to open by the end of July 2008.</p> <p>F6. The new Animal Shelter facility has no plans for a new drop box due to unavailability of funds.</p>	<p>R3. Pursue a separate non-profit organization to support animal welfare expenses, support projects such as a new drop box, and provide a consistent volunteer base that can support the Animal Shelter, especially during Saturday open office hours (based on Findings F4, F5, and F6).</p>	<ul style="list-style-type: none"> • * City of Hollister – 11/03/08 • Hollister Police Department • Hollister Animal Shelter Bureau 	<p>1. City of Hollister - Clint Quilter City Manager on behalf of City of Hollister and Hollister Police Department</p>	
<p>F7. The City website provides no information on what to do if a stray animal is found after shelter hours or instructions on how to use the Drop box</p>	<p>R4. Add information to the City website about the use of the drop box and what to do with stray animals when the Shelter is closed (based on Finding F7)</p>	<ul style="list-style-type: none"> • * City of Hollister – 11/03/08 • Hollister Police Department • Hollister Animal Shelter Bureau 	<p>1. City of Hollister - Clint Quilter City Manager on behalf of City of Hollister and Hollister Police Department</p>	
<p>F8. No agency provided evidence that a physical audit of kennel cleaning and drop box use was performed.</p>	<p>R5. Establish routine inspections and/or self-assessments for the facility to ensure that the <i>Animal Shelter Duty Manual</i> procedures are being followed (based on Findings F8).</p>	<ul style="list-style-type: none"> • * City of Hollister – 11/03/08 • Hollister Police Department • Hollister Animal Shelter Bureau 	<p>1. City of Hollister - Clint Quilter City Manager on behalf of City of Hollister and Hollister Police Department</p>	

Hollister Animal Shelter 2007-2008 Responses

<p>F11. The <i>San Benito County Code, Animals and Fowl</i>, Chapter 4 is outdated and contains numerous anomalies and inconsistencies.</p>	<p>R9. Review and update the <i>San Benito County Code, Animals and Fowl</i>, Chapter 4 to incorporate the latest California Food and Agriculture Codes. Also, make sure the County Code is consistent with the <i>Hollister Animal Shelter Duty Manual</i> and Hollister Police Department Animal Control Operations Section 321 (based on F11).</p>	<ul style="list-style-type: none"> • City of Hollister -- 11/03/08 • * San Benito County Board of Supervisors -- 10/07/08 • Hollister Police Department • Hollister Animal Shelter Bureau San Benito County Administrative Office 	<ul style="list-style-type: none"> • City of Hollister - Clint Quilter City Manager on behalf of City of Hollister and Hollister Police • San Benito County Board of Supervisors 	
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SAN BENITO COUNTY JAIL: 2007-08 GRAND JURY ANNUAL REVIEW

Responses Received:

County of San Benito Board of Supervisors

San Benito County Sheriff's Office

Council of San Benito County Governments



OCT 10 2008

COUNTY OF SAN BENITO BOARD OF SUPERVISORS

4 Fourth St • Hollister, CA 95023
Phone: 831-636-4000 • Fax: 831-636-4010

Don Marcus, District No. 1
Anthony Botelho, District No. 2
Pat Loe, District No. 3
Reb Monaco, District No. 4
Jaime De La Cruz, District No. 5

COPY

October 7, 2008

The Honorable Harry Tobias
Presiding Judge San Benito County Superior Court

Dear Judge Tobias:

This is the San Benito County formal response submitted to the Grand Jury Report issued July 31, 2008 on behalf of the County Board of Supervisors. This response has been prepared pursuant to the California Penal Code Section 933 in regard to findings and recommendations made by the Grand Jury.

The Grand Jury made findings and recommendations to specific departments and the San Benito County Board of Supervisors regarding a number of topics. Included in this report are responses from the County Board of Supervisors for county departments that they have authority over. No separate responses are submitted by either the County Administrative Office or Department of Public Works.

The responses to Grand Jury recommendations submitted by the Sheriff and the Chief Probation Officer have been incorporated in this consolidated county response for the convenience of the Grand Jury.

The County Board of Supervisors offers concurrence with the responses made by the Sheriff to each of the recommendations made in the titled report "San Benito County Jail: 2007/08 Grand Jury Annual Review", The "San Benito County Sheriff's Office: Property Room Inspection" and the "San Benito County: Alternative Solutions to Youth Crime Activity".

Likewise, the County Board of Supervisors concurs with the responses made by the Chief Probation Officer to each of the recommendations made in the titled report "San Benito County Juvenile Hall: 2007/08 Annual Review and San Benito County: Alternative Solutions to Youth Crime Activity".

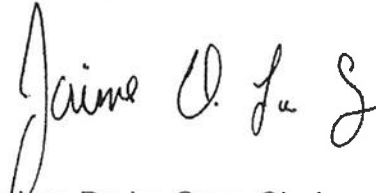
The only exception are to the recommendations that require additional budgetary appropriations. The recommendations tied to expenditures, new employees, or equipment that would impact the approved budget cannot be considered during this extremely difficult fiscal year.

Appendix 1: Responses to the *Grand Jury Report 2007-2008*

This letter and the following documents is the response that fulfills Penal Code Section 933 that mandates a response to the Grand Jury Report within 90 days of the report.

Please extend our appreciation to the Grand Jury for their continued dedication and service to the community.

Sincerely,

A handwritten signature in black ink, reading "Jaime D. La Cruz". The signature is written in a cursive style with a large initial "J" and a stylized "D".

Jaime De La Cruz, Chair
San Benito County Board of Supervisors

Attachment: San Benito County Response

Response of the County Board of Supervisors – The recommendation has not yet been implemented, but will be implemented in the future, no later than February 2009.

The County of San Benito Code as it relates to Animals and Fowl, Chapter 4 is currently under revision to incorporate and update the code on a number of levels and will address the latest California Food and Agriculture Codes. It is also our intent that the revision of the San Benito County Code will be consistent with the Hollister Animal Shelter Duty Manual and Hollister Police Department Animal Control Operations Section 321.

Several meetings have occurred over the last eight months between the Hollister Police Department and the County Administration Office regarding the agreement and the County Code. The revision of Chapter 4 of the San Benito County Code is near completion at this time. Simultaneously, we are developing a new agreement with the City of Hollister to provide services to the County. These documents are under County Counsel and/or the City Attorney review and approval process at this time. We anticipate the review process will take one month to complete, as both legal entities will be involved in the agreement. The agreement is likely to go first with the code revision to follow. Once the revision of the County Code is complete it will be subject to public hearings and approval by the County Board of Supervisors before it can be adopted. The timeline for the public hearing process can take up to one month with another 30 days beyond that for the code to become effective.

Given the steps that are required, it has been determined that the revision of Chapter 4 of the San Benito County Code will require three months to complete. Pending no objections, we anticipate the implementation of this recommendation can be accomplished by February 2009.

II. Jail Annual Review

<u>Findings</u>	/	<u>Recommendations</u>
Page 66	/	Page 67

The Board of Supervisors concur with the Sheriff's response to Grand Jury conclusions and recommendations: R1, R3, R4, R5 and R6.

Recommendation R2 – Requires further analysis. A complete review of Facilities Maintenance Services on a countywide basis is being pursued and appropriate staffing levels and job classifications will be included in the final plan which will be recommended for Board of Supervisors consideration during FY 09-10 budget development.



SAN BENITO COUNTY SHERIFF'S OFFICE

POST OFFICE BOX 700 • HOLLISTER, CALIFORNIA 95024-0700
PHONE: 831-636-4080 • FAX: 831-636-1416

CURTIS J. HILL
SHERIFF-CORONER

September 15, 2008

TO: San Benito County Grand Jury
FROM: Curtis J. Hill, Sheriff/Coroner
RE: **2007 – 2008 Grand Jury Report and Response, County Jail**

The following is my response to the conclusions and recommendations of the Grand Jury:

- 1. Install signs to clearly identify the location of the San Benito County Jail from Highway 25, San Felipe Road, and Flynn Road. In addition, install a sign on the driveway that distinguishes the Jail from the Juvenile Hall.**

The recommendation identifying the Jail has been implemented by the County Public Works Department on San Felipe Road and Flynn Road. The sign has not been implemented on Highway 25 due to Caltrans restrictions on signage, but will be continuously worked on the install.

Public Works has installed a sign on the driveway which distinguishes the Jail from the Juvenile Hall.

- 2. Upgrade the job classification of the Jail maintenance worker.**

The recommendation is being studied by the County Public Works Department.

- 3. Offer inmates a variety of reading materials for their reading pleasure, as well as for helping them improve their English and adult literacy skills. Include both fiction and non-fiction books, such as American literature, classic children's literature, adult literacy novels, job skills books, and dictionaries.**

The recommendation will be considered. In some instances, inmates are provided the listed materials when they are enrolled in the various programs offered by the program staff. There may be restrictions placed on some types of materials for housing units as they can be modified into weapons.

MISSION STATEMENT

TO SERVE THE PUBLIC BY ESTABLISHING A PARTNERSHIP WITH THE COMMUNITY; TO PROTECT LIFE AND PROPERTY,
PREVENT CRIME AND SOLVE PROBLEMS

Appendix 1: Responses to the *Grand Jury Report 2007-2008*

- 4. Upgrade the heating and air-conditioning system in the intake room, safety cells, and sober cell to match or exceed the air quality observed in the rest of the Jail.**

The recommendation will not be implemented. The facility currently meets or exceeds Title 24 standards in all work and housing spaces.

- 5. Negotiate with the San Benito County Express to provide bus service to or near the Jail at the daily scheduled time of release. Alternatively, arrange for the San Benito County Express's Dial-a-Ride.**

The recommendation has been implemented.

- 6. Provide an adequate observation room for suicidal inmates. The observation room should be under surveillance.**

The recommendation will not be implemented. The current policy and procedures are in full compliance with Title 15.



March 26, 2008

Honorable Harry J. Tobias, Presiding Judge
Superior Court, State of California, County of San Benito
440 Fifth Street
Hollister, CA 95023

RE: San Benito County Jail: 2007-2008 Grand Jury Annual Report

Dear Judge Tobias:

I am writing in response to the San Benito County Jail: 2007-2008 Grand Jury Annual Report regarding public bus service to the Jail. The Report concludes in its findings that public transportation services are not available to the Jail.

This finding is incorrect. The San Benito County Local Transportation Authority operates County Express bus service with a fixed-route system, Americans with Disabilities Act (ADA) Para transit service and general public dial-a-ride service. The general public dial-a-ride service is available to members of the public for pick-up or drop-off at the Jail. Anyone can schedule a ride with County Express by calling (831) 636-4161 for a reservation.

The Report recommends that the Jail negotiate with County Express to provide bus service to the Jail at the daily scheduled time of release. The Local Transportation Authority is working to modify the fixed-route bus service to serve more of the Hollister and San Benito County area. The new service will include a bus stop at the Jail and will begin this summer. The Local Transportation Authority has discussed the need for service with the Jail and will continue to work with personnel there to determine service details.

The Local Transportation Authority appreciates the recommendation from the Grand Jury to improve local bus service to meet the needs of the Jail.

If you have any questions about this information, please feel free to call me at (831) 637-7665.

Sincerely,

Lisa Rheinheimer
Executive Director

cc. Shirley Murphy, Deputy County Counsel
✓ Roxy Montana, Foreman, San Benito County Grand Jury
Curtis Hill, San Benito County Sheriff

*Council of Governments ♦ Measure A Authority
Airport Land Use Commission ♦ Service Authority for Freeways and Expressways*
330 Tres Pinos Road, Suite C7 ♦ Hollister, CA 95023 ♦ Phone: 831.637.7665 ♦ Fax: 831.636.4160
www.sanbenitocog.org

Appendix 1: Responses to the *Grand Jury Report 2007-2008*

San Benito County Jail 2007-2008 Responses

Finding	Recommendation	Agencies that shall (in bold) or are requested to respond	Agencies that have responded	Further Review? Comments:
F1. Visitors to the Jail may have difficulty finding it, because of a lack of signage on Highway 25, Highway 156, San Felipe Road, or Flynn Road to direct them to the facility. There are also no signs on the driveway to guide visitors to the Jail, which is behind the San Benito County Juvenile Hall	R1. Install signs to clearly identify the location of the San Benito County Jail from Highway 25, San Felipe Road, and Flynn Road. In addition, install a sign on the driveway that distinguishes the Jail from the Juvenile Hall. (Based on finding F1)	1. * San Benito County Board of Supervisors 2. San Benito County Sheriff's Office 3. San Benito County Department of Public Works	1. San Benito County Sheriff's Office 2. San Benito County Board of Supervisors	
F2. The Jail's maintenance worker is to be commended for his hard work in and dedication to keeping the facilities to a superior standard.	R2. Upgrade the job classification of the Jail's maintenance worker. (Based on finding F2)	1. San Benito County Board of Supervisors - 10/07/08 2. San Benito County Sheriff's Office	1. San Benito County Sheriff's Office 2. San Benito County Board of Supervisors	

Appendix 1: Responses to the *Grand Jury Report 2007-2008*

San Benito County Jail 2007-2008 Responses

F5. Public transportation services are not available to the Jail. Sometimes inmates are released without any immediate means of transportation. They loiter around the Jail, Juvenile Hall, or the surrounding residences and businesses, which is a cause for concern about the safety and security in those areas.	R5. Negotiate with the San Benito County Express to provide bus service to or near the Jail at the daily scheduled time of release. Alternatively, arrange for the San Benito County Express's Dial-a-Ride service to pick up the released inmates. (Based on finding F5)	1. San Benito County Board of Supervisors 2. San Benito County Sheriff's Office 3. San Benito County Local Transportation Agency	1. San Benito County Sheriff's Office 2. San Benito County Board of Supervisors
F6. Suicidal inmates are kept in safety cells that are not under video surveillance; hence, correctional officers must personally check these inmates every 15 minutes.	R6. Provide an adequate observation room for suicidal inmates. The observation room should be under video surveillance. (Based on finding F6)	1. San Benito County Board of Supervisors 2. San Benito County Sheriff's Office	1. San Benito County Sheriff's Office 2. San Benito County Board of Supervisors

San Benito County Jail 2007-2008 Responses

<p>F3. Books, which were predominately religious materials, were available to female inmates within their living quarters for recreational reading.</p>	<p>R3. Offer inmates a variety of reading materials for their reading pleasure, as well as for helping them improve their English and adult literacy skills. Include both fiction and non-fiction books, such as American literature, classic children's literature, adult literacy novels, job skills books, and dictionaries. (Based on finding F3)</p>	<p>1. San Benito County Board of Supervisors 2. San Benito County Sheriff's Office</p>	<p>1. San Benito County Sheriff's Office 2. San Benito County Board of Supervisors</p>	
<p>F4. The air was stuffy in the west end of the Jail that included the intake room, sobering cell, and safety cells, as compared to the rest of the building.</p>	<p>R4. Upgrade the heating and air-conditioning system in the intake room, safety cells, and sober cell to match or exceed the air quality observed in the rest of the Jail. (Based on finding F4)</p>	<p>1. San Benito County Board of Supervisors 2. San Benito County Sheriff's Office</p>	<p>1. San Benito County Sheriff's Office 2. San Benito County Board of Supervisors</p>	

SAN BENITO COUNTY JUVENILE HALL: 2007-08 GRAND JURY ANNUAL REVIEW

Responses Received:

County of San Benito Board of Supervisors
San Benito County Probation Department

SAN BENTIO COUNTY BOARD OF SUPERVISORS

III. Juvenile Hall: 2007/08 Annual Review

Findings

Page 84

Recommendations

Page 85

The Board of Supervisors concur with the Chief Probation Officer's responses F1-15 and recommendations R1, R2, R3, R6, R7, R8, R9, R10, R11, R12, R13, R14 and R15.

R4 and R5 both require further analysis. Recommend added staff and budgetary resources which will have to be considered at budget time due to resource constraints. Requires further analysis.

IV. Sheriff's Office Property Room

Findings

Page 120

Recommendations

Page 121

The Board of Supervisors concur with the Sheriff's responses R1, R3, R4, R5, R6, R7.

Recommendation R2 requires further analysis within context of facility design eventually completed and budgetary resources available to the Board at the time the new facility is operational.

V. Alternative Solution to Youth Crime Activity

Findings

Page 175

Recommendations

Page 176

The Board of Supervisors concur with the Sheriff's responses to R1-7. Further, The Board included \$80,000 in the adopted FY 2008-09 budget for gang initiatives funding. The concept of a multi-agency funded gang intervention coordinator is currently under consideration at the staff level and will be discussed in the near future by the Policy Boards of the anticipated several partner agencies, including the County, City of Hollister, County Superintendent of Schools, Hollister School District and San Benito High School District.



San Benito County Probation Department

400 Monterey Street

Hollister, CA 95023

831-636-4070

831-636-5682 FAX

Brent Cardall

Chief Probation Officer

San Benito County Probation Department Response to Grand Jury Report In Reference to San Benito County Juvenile Hall

This is the formal San Benito County Response to the Grand Jury Report dated July 31, 2008, titled "San Benito County Juvenile Hall: 2007-08 Annual Review". This response has been prepared by the San Benito County Chief Probation Officer pursuant to the California Penal Code Section 933 in regard to findings and recommendations made by the Grand Jury.

The following findings and recommendations were made in the Grand Jury Report dated July 31, 2008, titled "San Benito County Juvenile Hall: 2007-08 Annual Review". For the purpose of subdivision (b) of Section 933, as to each Grand Jury findings, and recommendations, the respondent offers the following responses.

FINDINGS

Page 84

F1. No signs are present on Highway 25, Highway 156, San Felipe Road, or Flynn Road to direct visitors to the Juvenile Hall.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. Signs have been purchased and installed at the various locations mentioned.

F2. No signs are present on the driveway that the Juvenile Hall and San Benito County Jail share to direct visitors to the Juvenile Hall.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. Signs have been purchased and installed at the various locations mentioned.

Appendix 1: Responses to the *Grand Jury Report 2007-2008*

R3. Develop a career path that provides Juvenile Institutional Officers with opportunities to gain experience, as well as obtain education and training to become qualified for higher level managerial positions (based on Findings F4).

Response of the San Benito County Chief Probation Officer -

The recommendation has been implemented, with a summary regarding implemented action.

I agree that we need to mentor and train staff to grow within our organization. We recently hired a Probation Officer from Juvenile Hall. I believe that this has sent a message to staff; if you work hard and do a good job there will be growth within the department. A new officer, who began as extra help JIO staff, has been hired on as a Probation Officer. The Adult Probation Supervisor and most recent Interim Juvenile Hall Superintendent began her career as an extra help JIO at the Juvenile Hall. In addition to the promotional process, two committees were formed on safety and staffing. These committees provide feedback and recommendations to the Chief.

R4. Hire a program manager to be responsible for planning, developing, implementing, and coordinating internal and volunteer rehabilitative programs for the wards. This position would also be responsible for seeking and applying for grants to fund such youth programs (based on Findings F5).

Response of the San Benito County Chief Probation Officer -

The recommendation has not yet been implemented.

Most recently we have added additional programming to the Juvenile Hall such as: Behavioral Health Substance Abuse; Youth on Fire which looks at the root cause of youth violence, cynicism and apathy; Silicon Valleys De-Bug program which uses media as a platform for young people to express themselves; Health Realization; Youth Intervention Program sponsored by Hollister Youth Alliance; Rancho Cielo Silver Star Program which offers an alternative to incarceration and help youth develop into self disciplined individuals. We also recently partnered with Hollister Police Department, Substance Abuse, and the California Highway Patrol to conduct a Fatal Vision program. Minors participated in five events with special goggles that impaired vision in order to reiterate how drinking alcohol affects motor skills.

Going forward, we will be using evidence-based practices, which is the primary goal of the department for implementation of programming. In addition, all staff will be trained in Motivational Interviewing to assist with the implementation of programs and the assessment of minors upon intake. Each Full Time Juvenile Institution Officer (JIO) has been assigned a specific duty at the Juvenile Hall. A full time JIO has been assigned to programming. She will be in charge of making sure all staff are running a beneficial program and assessing each of those programs. She will be able to put in requests for any items needed to complete the programs.

We are very much in need of a Program Manager/Grant Writer. In the past the Assistant Chief Probation Officer position would be responsible for writing grants to help facilitate our budget. However, there is a vacancy in the Assistant Chief Probation Officer position due to the budget cuts so we are limited to the help we have with grant writing.

R5. Hire a full-time maintenance worker who has basic plumbing, electrical, carpentry, and other building skills (based on Findings F6).

1. The single fence structure, with green tarp covering, is inadequate for the proper security and safety of young wards.

Response of the San Benito County Chief Probation Officer –
The respondent disagrees with the findings.

A second perimeter fence around the existing fence is not financially feasible. We currently have two security cameras and will be adding more along with the new control panel to ensure the safety and security of the minors and staff at the Juvenile Hall

F15. Juvenile Hall has no emergency generator for back-up power.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. Public Works is in the process of obtaining bids for the purchase and installation of a generator.

RECOMMENDATIONS

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Install signs to direct visitors to the Juvenile Hall from Highway 25, San Felipe Road, and Flynn Road. In addition, install a sign on the driveway that directs visitors to the Juvenile Hall (based on Findings F1 and F2)

Response of the San Benito County Chief Probation Officer -
The recommendation has been implemented, with a summary regarding implemented action.

The Juvenile Hall now has signs on Highway 25, San Benito Street, and Flynn Road that state where the Juvenile Hall is located. In addition, there is a sign as you enter the access road that designates which building is the Jail and which is the Juvenile Hall. The Juvenile Hall also has letters on the face of the building that are over a foot tall that read "San Benito County Juvenile Hall" as well as a sign on the front door that has a Probation star with "San Benito County Juvenile Hall" clearly stated.

R2. Hire a full-time, on-site Juvenile Hall Superintendent, whether interim or permanent, as soon as possible (based on Findings F3).

Response of the San Benito County Chief Probation Officer -
The recommendation has been implemented, with a summary regarding implemented action.

The Juvenile Hall has since hired a permanent, full time, and on-site Superintendent. The Superintendent brings twenty two years experience with Probation and Corrections. He also has a Bachelor's degree with emphasis in Juvenile Justice. He is a great asset to the San Benito County Juvenile Hall.

County of San Benito has taken steps to rectify this finding. Alliance Environmental professionally cleaned the air ducts and filters. The Board of Supervisors has already approved the purchase and installation of a new AC unit and repairs to the old AC unit and swamp cooler.

F9. The schoolroom, nurse's room, and multi-purpose room look cluttered and messy.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. The clutter has been removed and is part of the daily cleaning requirements for the Juvenile Hall staff.

F10. Juvenile Hall has insufficient storage space and the space that they have is under utilized and poorly organized.

Response of the San Benito County Chief Probation Officer –
The respondent disagrees partially with the findings.

The County of San Benito has taken steps to rectify this finding. However, due to the size and layout of the Juvenile Hall we are limited to our storage capabilities

F11. The classroom instructors are using antiquated computer hardware and software.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. The computers used by the teachers were purchased by the County Office of Education in February 2008. The computers and monitors used by the students were purchased within the last year.

F12. Juvenile Hall's security control panel is out-of-date.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. The purchase of a new control panel has been approved by the Board of Supervisors and is in the process of being built.

F13. The bathtub and shower stalls are unsafe in that they have slippery or corroded surfaces.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

County of San Benito has taken steps to rectify this finding. We are in the process of applying non slip surfaces to the main showers. The intake restroom has non-slip surfaces applied in the bathtub as well as a non-slip mat on the floor.

F3. The Juvenile Hall has not had a permanent, full-time Superintendent, who is based on site, for last two years.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. A permanent, full-time Superintendent, who is based on site, has been hired.

F4. Juvenile Institutional Officers have limited advancement prospects.

Response of the San Benito County Chief Probation Officer –
The respondent disagrees partially with the findings.

The County of San Benito has had a promotional system in place. Three Probation Department staff members have been hired from the Juvenile Hall. One of whom is a Supervisor. The other two were hired within the last year.

F5. Juvenile Hall does not offer consistent or established rehabilitative and treatment programs for youth offenders.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. Rehabilitative programs have since been implemented.

F6. The physical plant is poorly maintained.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. Daily, weekly, and monthly maintenance checks are conducted.

F7. The bathtub and shower stalls have mold.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

The County of San Benito has taken steps to rectify this finding. All showers in the Juvenile Hall have been cleaned and had mold abatement applied.

F8. The air in the building is stuffy and uncomfortable.

Response of the San Benito County Chief Probation Officer –
The respondent agrees with the findings.

Response of the San Benito County Chief Probation Officer -
The recommendation has not yet been implemented.

The Jail is well maintained due to the fact that they have a full time maintenance worker. Juvenile Hall is in great need of a maintenance worker and we are open to the possibility of Public Works supervising that position if need be.

R6. Apply mold-abatement in the shower stalls and the bathroom, which is used by wards during the intake process (based on Finding F7).

Response of the San Benito County Chief Probation Officer -
The recommendation has been implemented, with a summary regarding implemented action.

Mold Abatement has been applied to all showers in the Juvenile Hall. It is a continual process and will be reapplied as necessary.

R7. Maintain air vents on a more frequent basis (based on Finding F8).

Response of the San Benito County Chief Probation Officer -
The recommendation has been implemented, with a summary regarding implemented action.

Alliance Environmental Company has professionally cleaned all air ducts, vents and ceiling tiles. A full maintenance worker would ensure that the air ducts, vents and ceiling tiles are maintained well in the future without the large cost of hiring an outside company.

R8. Remove clutter in rooms (based on Findings F9).

Response of the San Benito County Chief Probation Officer -
The recommendation has been implemented, with a summary regarding implemented action.

The clutter has been removed and is part of the daily cleaning requirements for the Juvenile Hall staff.

R9. Evaluate the Juvenile Hall's storage needs and rearrange its various inventories in a more efficient and hygienic manner. If possible, hire a professional organizer-consultant (Alternatively, seek a volunteer) to help staff (based on Finding F10).

Response of the San Benito County Chief Probation Officer -
The recommendation has been implemented, with a summary regarding implemented action.

The storage areas are monitored on a daily basis to ensure that they are well organized. However, due to the size and layout of the Juvenile Hall we are limited to our storage capabilities. In the most recent inspection by the Corrections Standards Authority on April 3, 2008 this issue was addressed: 'The deficient personal storage space was also clearly documented as grandfathered in when BOC assumed the inspection responsibility and should not have been listed as a non-compliance issue.'

R10. Store blankets, towels, clothing, and shoes neatly in separate and closed containers, drawers, or closets so that they are free from dust and chemicals (based on Finding F10).

Response of the San Benito County Chief Probation Officer -

The recommendation has been implemented, with a summary regarding implemented action.

There are now two separate, closed, and lockable storage units in the laundry room. One unit holds the minor's hygiene products and clothing items while the other contains all cleaning chemicals and is labeled as such. There is a full time Juvenile Hall staff now assigned to making sure that all chemicals are stored only in this labeled, lockable cabinet.

R11. Update computer hardware and software for classroom instructors (based on Finding F11).

Response of the San Benito County Chief Probation Officer -

The recommendation has been implemented, with a summary regarding implemented action.

The responsibility of the school is balanced between the Juvenile Hall staff that makes sure the minors attend school, and the school itself which ensures that proper education is given to each minor. The computers used by the teachers were purchased by the County Office of Education in February 2008. The computers and monitors used by the students were purchased within the last year.

R12. Update Juvenile Hall's control panel immediately (based on Finding F12).

Response of the San Benito County Chief Probation Officer -

This recommendation has not yet been implemented, but will be implemented in the future.

The purchase of a new control panel has been approved by the Board of Supervisors and is in the process of being built. We will have new cameras surrounding the entire facility as well as updated sound capabilities and locks. The estimated date of completion is September 30, 2009. In the meantime, the existing control panel has been thoroughly cleaned and repainted.

R13. Apply non-slip surfaces to the bathtub and shower stalls (based on Finding F13).

Response of the San Benito County Chief Probation Officer -

This recommendation has not yet been implemented, but will be implemented in the future.

By September 30, 2008 non-slip surfaces will be applied to the main showers. The intake restroom has non-slip surfaces applied in the bathtub as well as a non-slip mat on the floor.

R14. Install a safety bar in the bathtub (based on Finding F13).

Response of the San Benito County Chief Probation Officer -

This recommendation will not be implemented because it has been determined to be a safety hazard.

In regard to the safety bars, staff feels that this could be used as a suicide tool since the intake process is the most vulnerable time for the minors. By September 30, 2008 a safety bar will be placed in the staff shower for minors with special needs. We will continue to look at other options.

R15. Build a perimeter fence to provide additional security and safety to wards (based on Finding F14).

Response of the San Benito County Chief Probation Officer -

This recommendation will not be implemented because it is not financially feasible or necessary.

A second perimeter fence around the existing fence is not financially feasible. We currently have two security cameras and will be adding more along with the new control panel to ensure the safety and security of the minors and staff at the Juvenile Hall. The extra cameras will cover the entire perimeter and will greatly enhance the security of the Juvenile Hall. The fence covering has been reinstalled so there are no gaps and it is continually kept up by JCWP.

R16. Secure funds to provide the Juvenile Hall with an emergency generator (based on Finding F15,

Response of the San Benito County Chief Probation Officer -

This recommendation has not yet been implemented but will be implemented in the future.

Public Works is in the process of getting bids for the purchase and installation of a generator for the Juvenile Hall. The estimated completion date is June 2009.

FINAL SUMMARY

I greatly appreciate the Grand Jury's cooperation and feedback and I agree with the report. I highly concur with the Grand Jury's recommendation in hiring a Program Manager/Grant Writer and Maintenance Worker. The Program Manager/Grant Writer is a vital link to planning, developing, implementing, and coordinating internal rehabilitative programs.

Since most of the report was linked to maintenance issues, a full time maintenance worker would also be a tremendous asset to the Juvenile Hall. A skilled maintenance worker will reduce our maintenance costs and ensure preventative maintenance checks and services are completed.

The Juvenile Hall staff and I have taken this report very seriously. The Juvenile Hall is now cleaned and maintained to a high standard that I am sure will meet your expectations as well as mine.

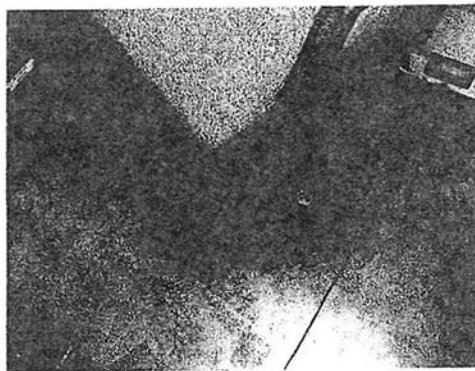
Thank you for taking the time to review this response.

BIBLIOGRAPHY

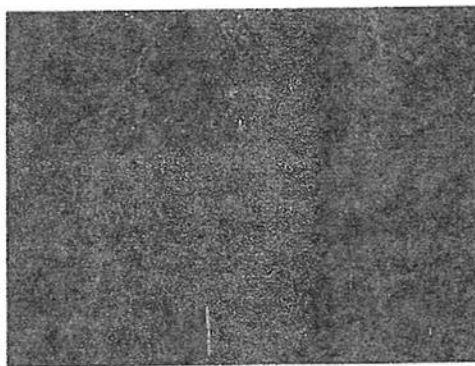
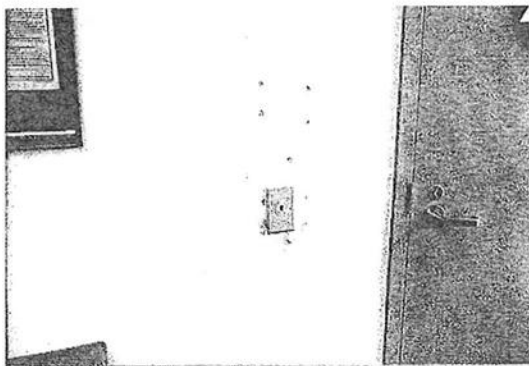
Documents

- State of California, Corrections Standards Authority. Corrections Standards Authority San Benito County Juvenile Hall 2006/2008 Biennial Inspection Report (July 2008)

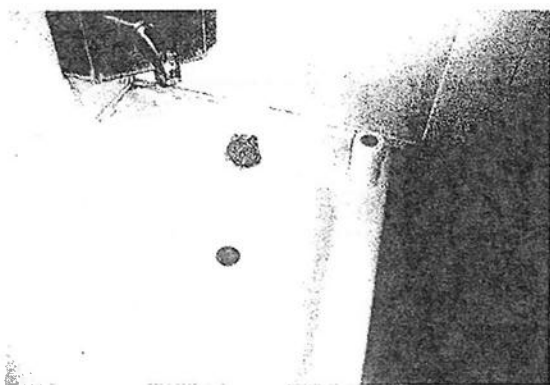
PICTURES



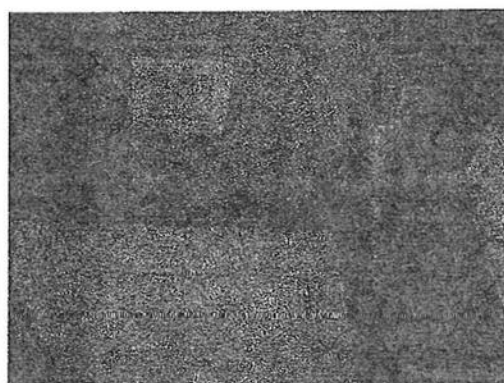
The floor in the nurse's room has been professionally acid washed by Hollister Paint and stained.



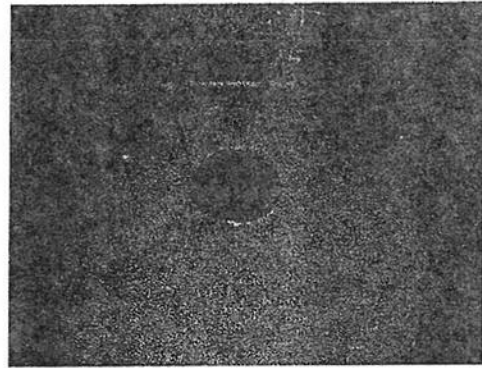
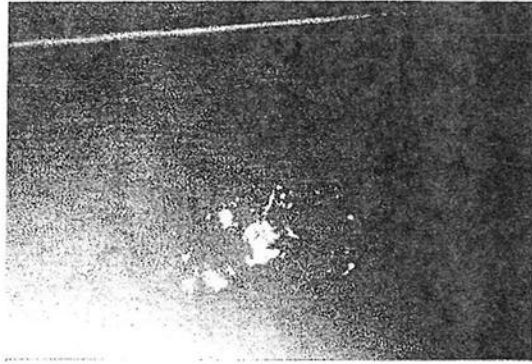
D&T Williams Drywall was hired to fix the drywall issues. It has been repainted and there is now a "NO GANG PARAPHENALIA ALLOWED AT ANY TIME" sign displayed.



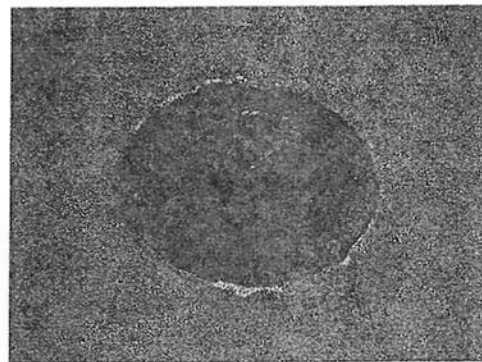
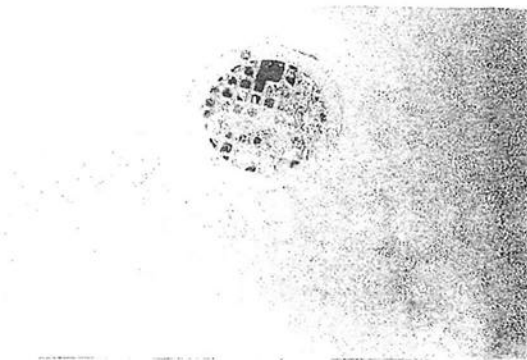
The intake bathroom has been cleaned, treated with mold abatement and repainted. We have also installed non-slip grip to the bottom of the tub. Safety bars were not installed because staff feels that they could be used as a suicide tool.



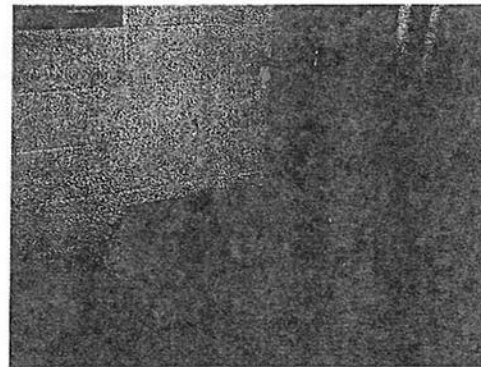
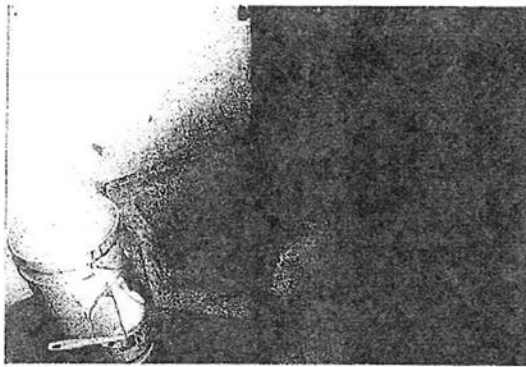
The shower stall ceilings have been replaced with new paneling. The walls have been painted as well as the vents.



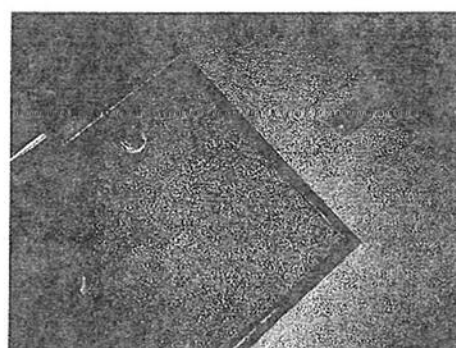
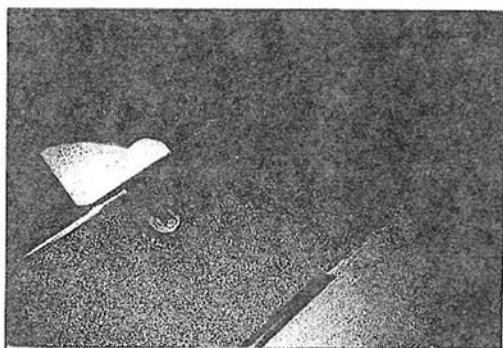
The shower stalls are a continual project. We are in the process of getting bids to acid wash the floors so that we no longer have to repaint them. We have also replaced all shower drain covers.



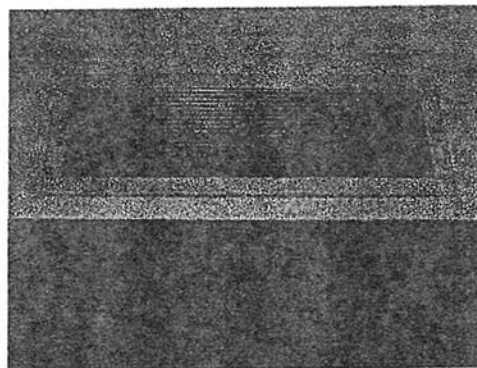
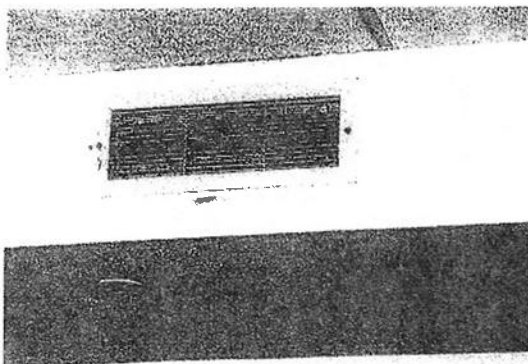
All showers have new drain covers.



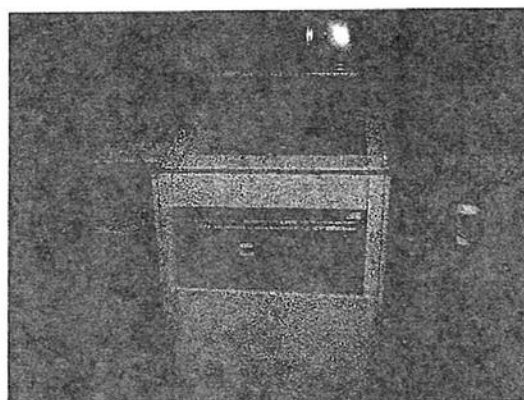
The sink has been cleaned and stained. The stainless steel wall, the concrete wall and the pipes have all been cleaned. The hygiene items are in an enclosed cabinet.



The exposed carpet wiring has been fixed with a rubber lining. Please note that the bench in the picture is a different bench then photographed originally. We are in the process of fixing the bench seating.

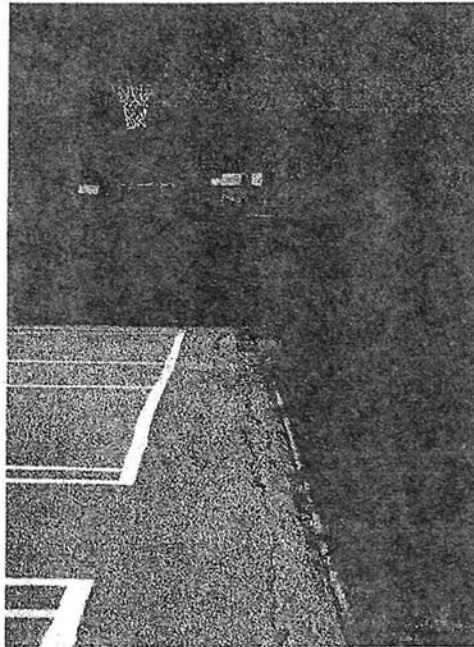
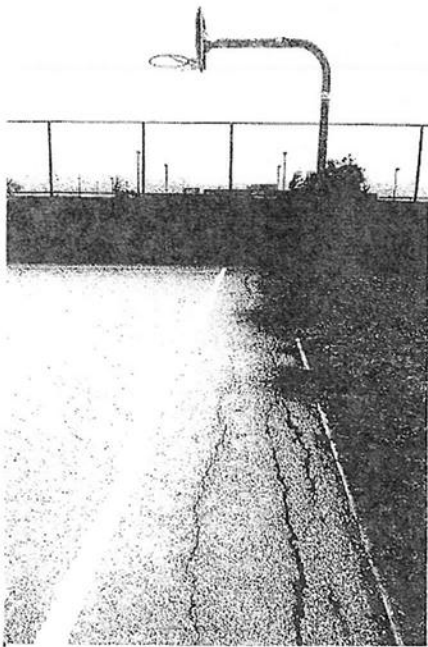


The vents were professionally cleaned and have been repainted.

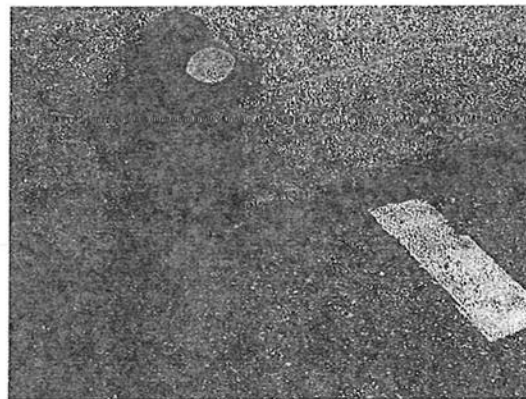


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The purchase of a new control panel has been approved and is in the process of being built. We will have new cameras surrounding the entire facility as well as updated sound capabilities and locks. In the meantime, the existing control panel has been thoroughly cleaned and repainted.

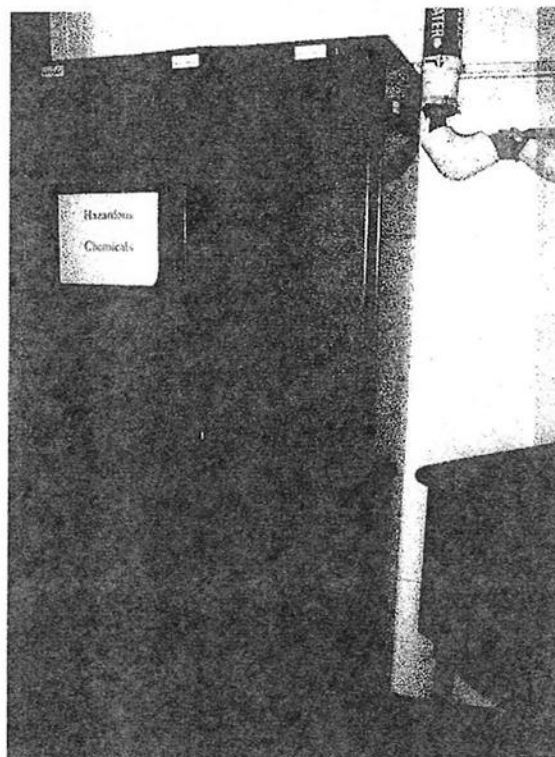


We have obtained the necessary bids and are awaiting approval to begin resurfacing. The cracks are now continually maintained and are free from weeds and debris.



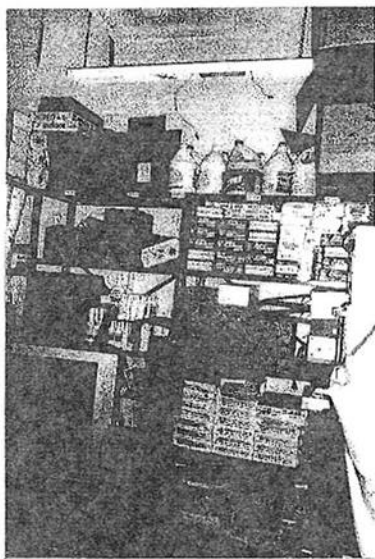
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The laundry room vent area is now taken care of by regular, weekly maintenance.

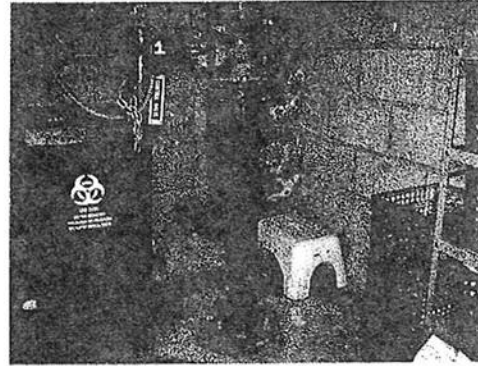
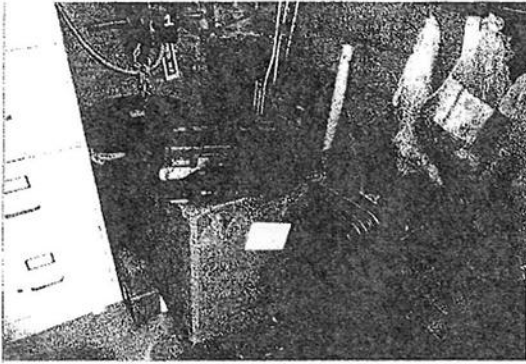


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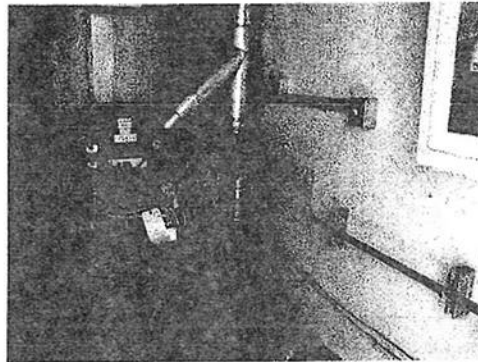
The open shelving units have been replaced with closed and lockable units. The chemicals and other items are kept separate.



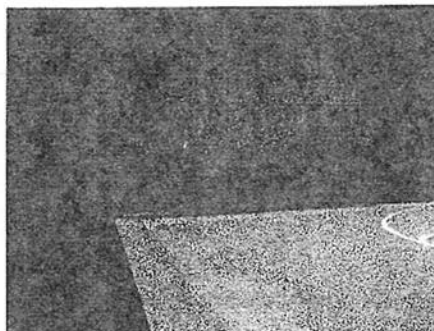
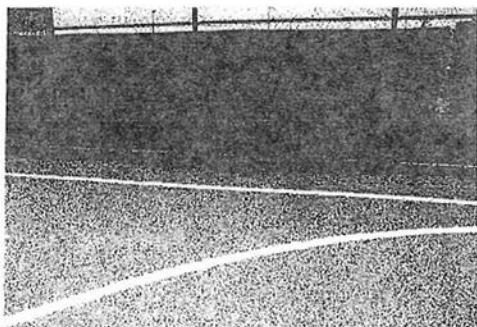
There are now new shelving units in the storage room. All items were removed and the walls were painted. A small crack in the upper left corner was fixed and the lighting fixtures were fixed. The floor was professionally acid washed by Hollister Paint and then stained. All items are removed almost every month and reorganized, along with continual cleaning by staff.



There are new storage bins for each minor. All unnecessary items were removed. This room is now continually cleaned and swept out.



The boiler room is free of any clutter and is maintained and cleaned weekly by JCWP.



The fence covering has been reinstalled. There are no gaps and it is continually kept up by JCWP.

San Benito County Juvenile Hall

2007-2008 Responses

Finding	Recommendation	Agencies that <i>shall</i> (in <i>bold</i>) or are requested to respond	Agencies that have responded	Further Review? Comments:
<p>F1. No signs are present on Highway 25, Highway 156, San Felipe Road, or Flynn Road to direct visitors to the Juvenile Hall. F2. No signs are present on the driveway that the Juvenile Hall and San Benito County Jail share to direct visitors to the Juvenile Hall.</p>	<p>R1. Install signs to direct visitors to the Juvenile Hall from Highway 25, San Felipe Road, and Flynn Road. In addition, install a sign on the driveway that directs visitors to the Juvenile Hall (based on Findings F1 and F2).</p> <p>R2. Hire a full-time, on-site Juvenile Hall Superintendent, whether interim or permanent, as soon as possible (based on Findings F3).</p>	<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p> <p>3. San Benito County Department of Public Works</p>	<p>1. San Benito County Probation Department</p> <p>2. San Benito County Board of Supervisors</p>	
<p>F3. The Juvenile Hall has not had a permanent, full-time Superintendent, who is based on site, for the last two years.</p>		<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p>	<p>1. San Benito County Board of Supervisors</p>	

San Benito County Juvenile Hall 2007-2008 Responses

<p>F4. Juvenile Institutional Officers have limited advancement prospects.</p>	<p>R3. Develop a career path that provides Juvenile Institutional Officers with opportunities to gain experience, as well as obtain education and training to become qualified for higher-level managerial positions (based on Findings F4).</p>	<ol style="list-style-type: none"> 1. San Benito County Board of Supervisors 2. San Benito County Probation Department 	<ol style="list-style-type: none"> 1. San Benito County Probation Department 2. San Benito County Board of Supervisors 	
<p>F5. Juvenile Hall does not offer consistent or established rehabilitative and treatment programs for youth offenders.</p>	<p>R4. Hire a program manager to be responsible for planning, developing, implementing, and coordinating internal and volunteer rehabilitative programs for the wards. This position would also be responsible for seeking and applying for grants to fund such youth programs (based on Findings F5).</p>	<ol style="list-style-type: none"> 1. San Benito County Board of Supervisors 2. San Benito County Probation Department 	<ol style="list-style-type: none"> 1. San Benito County Probation Department 2. San Benito County Board of Supervisors 	

San Benito County Juvenile Hall 2007-2008 Responses

<p>F6. The physical plant is poorly maintained</p>	<p>R5. Hire a full-time maintenance worker who has basic plumbing, electrical, carpentry, and other building skills (based on Findings F6).</p>	<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p>	<p>1. San Benito County Probation Department</p> <p>2. San Benito County Board of Supervisors</p>	
<p>F7. The bathtub and shower stalls have mold</p>	<p>R6. Apply mold-abatement in the shower stalls and the bathroom, which is used by wards during the intake process (based on Finding F7).</p>	<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p>	<p>1. San Benito County Probation Department</p> <p>2. San Benito County Board of Supervisors</p>	
<p>F8. The air in the building is stuffy and uncomfortable</p>	<p>R7. Maintain air vents on a more frequent basis (based on Finding F8).</p>	<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p>	<p>1. San Benito County Probation Department</p> <p>2. San Benito County Board of Supervisors</p>	

San Benito County Juvenile Hall

2007-2008 Responses

<p>F9. The schoolroom, nurse's room, and multi-purpose room look cluttered and messy.</p> <p>F10. Juvenile Hall has insufficient storage space and the space that they have is under utilized and poorly organized.</p>	<p>R8. Remove clutter in rooms (based on Findings F9).</p> <p>R9. Evaluate the Juvenile Hall's storage needs and rearrange its various inventories in a more efficient and hygienic manner. If possible, hire a professional organizer-consultant (alternatively, seek a volunteer) to help staff (based on Finding F10). R10. Store blankets, towels, clothing, and shoes neatly in separate and closed containers, drawers, or cabinets so that they are free from dust and chemicals (based on Finding F10).</p>	<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p>	<p>1. San Benito County Probation Department</p> <p>2. San Benito County Board of Supervisors</p>	
		<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p>	<p>1. San Benito County Probation Department</p> <p>2. San Benito County Board of Supervisors</p>	

San Benito County Juvenile Hall 2007-2008 Responses

F11. The classroom instructors are using antiquated computer hardware and software.	R11. Update computer hardware and software for classroom instructors (based on Finding F11).	<ol style="list-style-type: none"> 1. San Benito County Board of Supervisors 2. San Benito County Probation Department 	<ol style="list-style-type: none"> 1. San Benito County Probation Department 2. San Benito County Board of Supervisors 	
F12. Juvenile Hall's security control panel is out-of-date.	R12. Update Juvenile Hall's control panel immediately (based on Finding F12).	<ol style="list-style-type: none"> 1. San Benito County Board of Supervisors 2. San Benito County Probation Department 	<ol style="list-style-type: none"> 1. San Benito County Probation Department 2. San Benito County Board of Supervisors 	
F13. The bathtub and shower stalls are unsafe in that they have slippery or corroded surfaces	R13. Apply non-slip surfaces to the bathtub and shower stalls (based on Finding F13). R14. Install a safety bar in the bathtub (based on Finding F13).	<ol style="list-style-type: none"> 1. San Benito County Board of Supervisors 2. San Benito County Probation Department 	<ol style="list-style-type: none"> 1. San Benito County Probation Department 2. San Benito County Board of Supervisors 	

San Benito County Juvenile Hall 2007-2008 Responses

<p>F14. The single fence structure, with green tarp covering, is inadequate for the proper security and safety of young wards.</p>	<p>R15. Build a perimeter fence to provide additional security and safety to wards (based on Finding F14).</p>	<p>1. San Benito County Board of Supervisors</p> <p>2. San Benito County Probation Department</p>	<p>1. San Benito County Probation Department</p> <p>2. San Benito County Board of Supervisors</p>	
<p>F15. Juvenile Hall has no emergency generator for back-up power.</p>	<p>R16. Secure funds to provide the Juvenile Hall with an emergency generator (based on Finding F15).</p>	<p>No response required</p>	<p>1. San Benito County Probation Department</p>	

Appendix II

How to File a Complaint

FILING A COMPLAINT

The Grand Jury may receive and investigate complaints by private citizens, local government officials, and local government employees regarding the actions and performance of public officials. Complaints requesting an investigation must be submitted in writing with a legible signature, address, and telephone number, and must include any supporting evidence available. Members of the Grand Jury are sworn to secrecy and, except in very rare instances, neither minutes nor records of its meetings can be subpoenaed by any outside body, thus assuring that all complaints will be handled in an entirely confidential manner. If the Grand Jury believes that the evidence submitted is sufficient or within their jurisdiction, a detailed investigation may be conducted. Complaints requesting a Grand Jury investigation must be mailed to the following address. Complaints submitted to an address other than the one listed below will not be reviewed by the Grand Jury.

**San Benito County Grand Jury
P.O. Box 1624
Hollister, CA 95024**

A complaint form is included on the next page. This form and additional information may be found at <http://sanbenitocountygrandjury.org/>.

Communications from the public can provide valuable information to the Grand Jury. Receipt of all complaints will be acknowledged. If the Grand Jury determines that a matter is within the legally permissible scope of its investigative powers and would warrant further inquiry, additional information may be requested. If a matter does not fall within the Grand Jury's investigative authority, or the jury determines not to investigate further a complaint, no action will be taken, and there will be no further contact from the Grand Jury.

The findings of any investigation conducted by the Grand Jury can be communicated only in a formal final report, which is normally published at the conclusion of the Grand Jury's term of empanelment (June 30th).

The Grand Jury has no jurisdiction or authority to investigate federal agencies, state agencies, or the courts. Only causes of action occurring within the County of San Benito are eligible for review. The jurisdiction of the Grand Jury includes the following:

- Consideration of evidence of misconduct against public officials within San Benito County.
- The inquiry into the condition and management of the jails within the county.
- Investigation and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts.
- Investigation of the books and records of any incorporated city or joint powers agency located in the county.

Appendix II: How to File a Complaint

SAN BENITO COUNTY GRAND JURY COMPLAINT FORM

NOTICE TO CITIZENS WHO WISH TO ISSUE A COMPLAINT: Among the many powers and responsibilities of the San Benito County Grand Jury is the investigation of citizen complaints to assure that all branches of county and city government are being administered efficiently, honestly and in the best interest of its citizens. It is not the function of the Grand Jury to help to settle disputes between private citizens and/or groups.

CONFIDENTIALITY: All complaints submitted to the San Benito County Grand Jury are required by law to be treated in the strictest of confidence.

COMPLAINT PROCEDURE: ALL COMPLAINTS FORMS MUST BE COMPLETED AND MAILED TO:

SAN BENITO COUNTY GRAND JURY
Post Office Box 1624
Hollister California 95024

PHONE CALLS AND FAXES ARE NOT ACCEPTED. THIS PROCEDURE IS TO ASSURE THAT ALL COMPLAINTS REMAIN STRICTLY CONFIDENTIAL. PLEASE TYPE OR PRINT CLEARLY.

NAME OF PERSON PRESENTING THIS COMPLAINT _____

PERSON OR AGENCY ABOUT WHICH COMPLAINT IS MADE _____

NAME _____ PHONE _____

POSITION OR OFFICE HELD BY PERSON NAMED IN COMPLAINT _____

IS COMPLAINT WITH A GOVERNMENT AGENCY AND NOT ONE PERSON? YES ☐ NO ☐

IF YES, WHAT GOVERNMENT AGENCY? _____

NATURE OF COMPLAINT _____

Note: if you need more space, please use the back of this form or attach additional page(s).

COMPLAINT CONTACTS: What other persons or agencies have you contacted about this problem?

ACTION REQUESTED: Please describe in detail, what action you would like the San Benito County Grand Jury to take.

"This information is true, correct and complete to the best of my knowledge."

NAME _____ DATE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

PHONE _____ SIGNATURE _____

Please see reverse side for additional instructions

Appendix III

How to Apply to Become a Grand Juror

INFORMATION ABOUT THE GRAND JURY

WHAT IS THE GRAND JURY?

The California Constitution requires the appointment every year of a Grand Jury for each county. In San Benito County, 19 Grand Jurors are appointed to serve for a term of one (1) year, but not more than two (2) consecutive years. The Grand Jury is an official body of the Court with independent authority that is not answerable to administrators or legislators. Its principal purpose is to protect the public interest. Appointment to the Grand Jury provides citizens a means to participate in the affairs of the local governments.

WHO ARE THE MEMBERS OF THE GRAND JURY?

California Penal Code section 893(a) states that a person is competent to act as a Grand Juror if that person possesses each of the following qualifications:

- Be "a citizen of the United States"
- Be "of the age of 18 years or older"
- Have been a resident of San Benito County for one (1) year immediately before being selected
- Be in possession of "natural faculties, of ordinary intelligence, of sound judgment, and of fair character"
- Be "possessed of sufficient knowledge of the English language."

California Penal Code section 893(b) states that a person is not competent to act as a Grand Juror if any of the following apply:

- "The person is serving as a trial juror in any court of this state"
- "The person has been discharged as a grand juror in any court of this state within one year" of being selected (although for ease of transition from one year to the next, Jurors may be held over for a second year at the discretion of the Court)
- "The person has been convicted of malfeasance in office or any felony or other high crime"; or;
- "The person is serving as an elected public officer."

The Grand Jurors are selected by lot after a screening process by the Court at the beginning of the County's fiscal year (July 1). Anyone interested in becoming a Grand Juror may submit an application to the Jury Commissioner at the above address.

WHAT DOES THE GRAND JURY DO?

The Grand Jury serves a primary civil (non-criminal) function – namely the investigation of county and city government, special districts, and school districts. These civil investigations result in recommendations for improvements to save taxpayers' dollars and to improve services.

To do this, the Grand Jury is divided into committees, each of which concentrates on careful and diligent investigation of certain departments or functions of government. These committees study complaints submitted by citizens of San Benito County, visit various facilities, investigate records and documents, draw conclusions regarding the operation of local governments, and meet with officials.

The Grand Jury may subpoena witnesses to give testimony or deliver documents for study. The Grand Jury may seek advice from the District Attorney or County Counsel and may discuss problems with a Judge of the Superior Court. If these officials are unable to assist properly, the Grand Jury may request advice from the State Attorney General. After performing these activities, the Grand Jury submits recommendations for improvement of the operation of the county government to the Board of Supervisors.

WHO MAY ASK THE GRAND JURY FOR AN INVESTIGATION?

The Grand Jury may receive and investigate complaints by private citizens, local government officials, and local government employees regarding the actions and performance of public officials. Complaints requesting an investigation must be submitted in writing with a legible signature, address, and telephone number, and must include any supporting evidence available. Members of the Grand Jury are sworn to secrecy and, except in very rare instances, neither minutes nor records of its meetings can be subpoenaed by any outside body, thus assuring that all complaints will be handled in an entirely confidential manner. If the Grand Jury believes that the evidence submitted is sufficient or within their jurisdiction, a detailed investigation may be conducted. Complaints requesting a Grand Jury investigation must be mailed to the following address. Complaints submitted to an address other than the one listed below will not be reviewed by the Grand Jury.

San Benito County Grand Jury
P.O. Box 1624
Hollister, CA 95024

DOES THE GRAND JURY INVESTIGATE CRIMES?

In San Benito County most criminal complaints are handled through the Court. The Grand Jury may hear evidence concerning criminal activity and, where there is probable cause to bring charges, return an indictment. This happens infrequently. Information about the Grand Jury's work in this area is not included in the Grand Jury's Final Report.

THE FINAL REPORT

A Final Report is prepared at the end of the Grand Jury's term, which contains each committee's recommendations. Copies of this report are distributed to the public officials, county libraries and news media. The County Board of Supervisors must respond to each of the Grand Jury's recommendations within 90 days. Should you want to know what your Grand Jury has investigated and recommended, read the local library's copy or ask to read a copy of the Report at

Clerk of the Superior Court
440 Fifth Street, Room 205
Hollister, CA 95023

SAN BENITO COUNTY

PROSPECTIVE GRAND JUROR QUESTIONNAIRE

This questionnaire is to assist the Superior Court Judge in compiling a list of nominees which fairly represents a cross-section of our county. The information supplied on this questionnaire is confidential

YOUR NAME _____ HOME PHONE _____
YOUR ADDRESS _____ WORK PHONE _____
CITY/STATE/ZIP _____ E-MAIL ADDRESS _____
LENGTH OF RESIDENCY _____ DRIVER'S LICENSE
IN SAN BENITO COUNTY _____ OR I.D. NUMBER _____

If you are currently employed, please provide the following information:

YOUR OCCUPATION _____ ADDRESS OF
EMPLOYER'S NAME _____ EMPLOYER _____
CITY/STATE _____

If you are married or have children, please provide the following information:

YOUR SPOUSE'S NAME _____ SPOUSE'S
AGE(S) OF CHILDREN _____ OCCUPATION _____
SPOUSE'S
EMPLOYER _____

BELOW ARE THE STATUTORY QUALIFICATIONS FOR SERVICE AS A GRAND JUROR.
PLEASE ANSWER EACH ONE BY CHECKING THE APPROPRIATE BOX:

Are you a citizen of the United States?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Are you at least 18 years of age?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Have you resided in San Benito County for at least one year before being selected?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you possess ordinary intelligence and good character?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you possess a working knowledge of the English language?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Are you presently serving as a trial juror?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Have you been discharged as a Grand Juror within the last year?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Have you been convicted of a felony or malfeasance in office?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you possess ordinary intelligence and good character?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Are you presently serving as an elected official?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

The following questions are to assist the court in ensuring that it selects individuals who are representative of the community and free of bias.

NAMES AND LOCATIONS OF SCHOOLS YOU HAVE ATTENDED:

<u>NAME OF SCHOOL</u>	<u>LOCATION OF SCHOOL</u>	<u>GRADE LEVEL COMPLETED OR DEGREE ATTAINED</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

LIST ANY ORGANIZATIONS TO WHICH YOU BELONG, AND THE LENGTH OF YOUR INVOLVEMENT:

HAVE YOU EVER BEEN NOMINATED FOR OR SERVED ON A GRAND JURY?

☐ YES ☐ NO

If yes, please state when and where: _____

WHY ARE YOU INTERESTED IN SERVING ON A GRAND JURY?

HAVE YOU EVER HELD A PUBLIC OFFICE?

☐ YES ☐ NO

If yes, what office and where? _____

ARE YOU NOW OR HAVE YOU EVER BEEN AN ELECTED OFFICIAL?

☐ YES ☐ NO

If yes, please state what office and when it was held by you: _____

HAVE YOU EVER BEEN AN EMPLOYEE OF A PUBLIC AGENCY IN THIS COUNTY?

☐ YES ☐ NO

If yes, what agency and when? _____

DO YOU HAVE RELATIVES EMPLOYED BY ANY PUBLIC AGENCY IN THIS COUNTY?

☐ YES ☐ NO

If yes, please state relative's name, relation to you and by whom they are employed: _____

PLEASE SUMMARIZE YOUR EMPLOYMENT HISTORY FOR THE LAST 5 YEARS, INCLUDING EMPLOYERS, POSITIONS HELD, AND DURATION OF EACH:

<u>PLACE OF EMPLOYMENT</u>	<u>POSITION HELD</u>	<u>LENGTH OF EMPLOYMENT</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

PLEASE SUMMARIZE YOUR SPOUSE'S EMPLOYMENT HISTORY FOR THE LAST 5 YEARS, INCLUDING EMPLOYERS, POSITIONS HELD, AND DURATION OF EACH:

<u>PLACE OF EMPLOYMENT</u>	<u>POSITION HELD</u>	<u>LENGTH OF EMPLOYMENT</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

HAVE YOU EVER SERVED IN THE MILITARY?

☐ YES ☐ NO

If yes, please state the dates, what branch, highest rank attained, and nature of employment:

<u>DATES OF SERVICE</u>	<u>BRANCH OF SERVICE</u>	<u>HIGHEST RANK</u>	<u>NATURE OF EMPLOYMENT</u>
_____	_____	_____	_____
_____	_____	_____	_____

PLEASE DESCRIBE ANY SPECIAL SKILLS OR ABILITIES YOU POSSESS THAT THE JUDGE SHOULD BE AWARE OF IN CONSIDERING YOUR APPLICATION:

DO YOU HAVE ANY SUGGESTIONS, COMMENTS OR OTHER MATTERS YOU WOULD LIKE FOR THE JUDGE TO CONSIDER IN CONNECTION WITH YOUR APPLICATION?

NOTE: Applications for nomination as a member of the San Benito County Grand Jury may be subject to background check and investigation as to the statutory qualifications for service and the applicant's ability and suitability for service.

In support of my application for selection as a member of the San Benito County Grand Jury, I declare under penalty of perjury that the foregoing is true and correct. Executed at _____, California, on this _____ day of _____ 20____.

Signature

The following questions are optional and will be used for statistical purposes only. The information provided will not be used as part of the grand jury selection process.

1. Age at the time of this application:

- ☐ 18-25
- ☐ 26-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65-74
- ☐ 75 and over

2. Gender:

- ☐ Male
- ☐ Female

3. Race or ethnicity (you may select more than one):

- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Black or African-American
- ☐ Hispanic/Latino
- ☐ Native Hawaiian or other Pacific Islander
- ☐ White
- ☐ Other race or ethnicity (please state:_____)
- ☐ Decline to answer

Please visit the
County of San Benito
Civil Grand Jury
Web site
at

<http://www.sanbenitocountygrandjury.org>

There, you can read or download:

- a juror application
- a complaint form
- past and current reports

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