



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

November 8, 2022

The Honorable Omar Rodriguez
Presiding Judge
San Benito County Superior Court
450 Fourth Street
Hollister, CA 95023

RECEIVED
M. Alfaro

NOV 15 2022

Superior Court of California
County of San Benito

Dear Judge Rodriguez:

At its November 7, 2022 meeting, the City Council of the City of Hollister approved Resolution No. 2022-189 approving the City of Hollister's 2021-2022 San Benito County Civil Grand Jury responses and authorizing the City Manager to sign and submit the response letters. Please find enclosed a response letter for each of the required departmental responses.

If you have any questions concerning the submitted responses, please contact me at 831.636.4300.

Respectfully submitted,

Brett I. Miller
City Manager

Enclosures:

City of Hollister Resolution No. 2022-189
Ad Hoc Water Report Response
Hollister Police Department Response
Hollister Police and Animal Care and Services Bureau Response
Dispatch – Communications Report Response
Santa Cruz Regional 9-1-1 Response Letter

Cc: Roxy Montana, 2021-2022 San Benito County Civil Grand Jury Foreman

RESOLUTION NO. 2022-189

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER
AUTHORIZING THE SUBMISSION OF THE CITY OF HOLLISTER'S RESPONSE TO
THE 2021-22 SAN BENITO COUNTY CIVIL GRAND JURY REPORT.**

WHEREAS, the 2021-22 San Benito County Civil Grand Jury has completed a review of the Hollister Police Department; and

WHEREAS, the 2021-22 San Benito County Civil Grand Jury has completed an inspection of the Hollister Police Department Animal Care and Services division; and

WHEREAS, the 2021-22 San Benito County Civil Grand Jury has completed a review of the Santa Cruz Regional 911 operations; and

WHEREAS, the 2021-22 San Benito County Civil Grand Jury has conducted a brief review of the City of Hollister Waste Water Treatment Plant and the City of Hollister Industrial Wastewater Treatment plant; and

WHEREAS, the 2021-22 San Benito County Civil Grand Jury Consolidated Final Report was submitted to the City of Hollister; and

WHEREAS, state law requires a response by the governing body of the public agency that has been reviewed; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hollister approves the letters and authorizes the City Manager to sign and submit on behalf of the City Council.

PASSED AND ADOPTED, by the City Council of the City of Hollister at a Regular Meeting held this 7th day of November, 2022, by the following vote:

AYES: Council Members Perez, Resendiz, Morales, and Mayor Velazquez.

NOES: None.

ABSTAINED: None.

ABSENT: Council Member Burns.




Ignacio Velazquez, Mayor

ATTEST:


APPROVED AS TO FORM:

Lozano Smith Attorneys at Law


Bonnie Gawf, CMC, Interim City Clerk
Mary F. Lerner, City Attorney

I, BONNIE GAWF, CMC, Interim City Clerk of the City of Hollister, do hereby certify that the attached Resolution No. 2022-189 is an original Resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Hollister at a regular meeting of said Council held on the 7th day of November, 2022, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Hollister this 7th day of November, 2022.



Bonnie Gawf, CMC
Interim City Clerk of the City of Hollister



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

November 7, 2022

The Honorable Omar Rodriguez
Presiding Judge
San Benito County Superior Court
450 Fourth Street, Room 205
Hollister, CA 95023

Dear Judge Rodriguez:

The City of Hollister and the Community Services Department have received the 2021-2022 San Benito County Grand Jury Final Report. I am writing in response to the findings and recommendations set forth in that report.

Ad Hoc Water Report - 2021-2022 Grand Jury Investigation

The Grand Jury Final Report provided information in regards to several San Benito County water quality and regional water district concerns. Furthermore, the report indicates that subsequent interviews and discussions led into additional topics including sewage, industrial wastewater management, recreational use of San Justo reservoir, and pollution into the San Benito River basin near other City and County parks.

Findings and Recommendations:

F2: Gang activity and homeless encampments are within the County/City areas along the San Benito River and vigilant law enforcement needs to increase.

The City of Hollister agrees with the finding.

R2: It is the Civil Grand Jury's recommendation that the County and City increase their funding to the Hollister Police Department and SBC's Sheriff's Department to supply the resources required to address this damaging behavior.

The City of Hollister disagrees that additional funding is required to address the damaging behavior along the San Benito River. The City of Hollister has continued to provide adequate funding to its Police Department, however, retention issues have remained a challenge. The City and the Hollister Police Department have already developed the comprehensive retention strategy which involve bonus pay for entry level and laterals as well as annual bonuses for existing staff. We also have an education incentive that facilitates staff to acquire higher education degrees. The only part missing is exploring increased salaries that make a position with the Hollister Police Department



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

more competitive. That should be addressed in future negotiations between the City of Hollister and the Hollister Police Officers' Association.

Respectfully,

Brett I. Miller
City Manager



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

November 7, 2022

The Honorable Omar Rodriguez
Presiding Judge
San Benito County Superior Court
450 Fourth Street, Room 205
Hollister, CA 95023

Dear Judge Rodriguez:

The City of Hollister and the Hollister Police Department have received the 2021-2022 San Benito County Grand Jury Final Report. I am writing in response to the findings and recommendations set forth in that report.

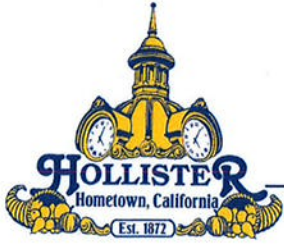
Hollister Police Animal Care and Services Department- 2021-2022 Grand Jury Investigation

The Grand Jury Final Report states that many positive changes were already in progress at the Animal Shelter such as expanded hours during the week and on Saturdays. It should be noted that Animal Shelter staff worked these extended hours for a six-month period to address the concerns of the public regarding accessibility for adoptions, reunification of lost pets, and dog licensing. Throughout the six-month period, there were many Saturdays and extended hours that were not utilized by the public, and staff was unable to continue to provide these services due to lack of engagement from the community.

The six-month period yielded underwhelming results and resulted in zero adoptions to the public, four animals returned to their owners, and three dog licenses issued. Staff reports indicated many extended hours resulted in no one visiting the shelter during those open hours, fifteen appointments where the persons who made the appointments cancelled or never arrived, fifteen adoption inquiries with no adoptions, one surrendered dog, one adoption returned and four disposal request.

These results were provided to City Council along with over \$8,400 in overtime cost. The report to council included a cost of approximately \$17,000 in overtime funding needed annually to continue these extended hours. At the direction of City Council, the extended hours were eliminated in July of this year. However, Animal Shelter staff remains flexible in circumstances that do not allow a potential adopter or animal owner to reclaim or adopt within existing business hours. Staff remains available for appointments on a case by case basis.

The Grand Jury Final Report also references an outdated City website and the need for an administrative attendant to work at the front desk, as well as two kennel attendants. The report further states that after ten years, these needs have still not been addressed. That is not entirely accurate.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

The City of Hollister is currently working to revamp the City's website in its entirety. This new website will be equipped with more features and a refreshed look. The city is also working on a new records software that will allow for more features to be available online. Additionally, the City has hired an administrative attendant who has worked at the shelter since January of 2020. An Animal Control Officer Assistant was hired in April of 2020 and promoted to the rank of Animal Control Officer (ACO) in February of 2021. The Animal Shelter has since welcomed an additional Animal Control Officer Assistant to fill the vacancy in July of 2021, and a kennel attendant in August of 2022.

As mentioned by the Grand Jury Final Report, the current animal shelter facility, while clean and maintained, is already sadly outdated and entirely too small. While the City of Hollister and the Hollister Police Department agree with this finding, future growth analysis and impact fees will help in the ultimate goal of future expansion efforts.

While feral cats have also been addressed in the Grand Jury Final Report, it should be noted that the Hollister Police Department is currently working on a municipal ordinance for care and population management of the feral cats in the community. Furthermore, the discontinuation of in-taking feral cats at the shelter is purely a recommendation and not a practice at this time. Staff believes in combination with the adoption of future municipal ordinances and cooperation of animal rescues, the feral cat population can be better regulated and maintained.

Findings:

- 1. The Animal Shelter has historically been, and it remains critically understaffed, underfunded, and underutilized in 2021-2022.**

The City of Hollister and the Hollister Police Department agree with the finding. Although the staffing at the shelter is currently larger than previous years with one supervisor, three animal control officers, one assistant animal control officer and one part-time kennel assistant, the animal shelter would like to have additional kennel staff to allow Animal Control Officers to dedicate more of their time to patrolling the city and the county.

Recommendation-1: The Grand Jury recommends that the City and County fully fund and staff the Animal Shelter with the addition of two part time kennel attendants to support the current staff.

The City of Hollister and the Hollister Police Department agree in part and disagree in part. Having more Kennel Shelter staff for internal shelter maintenance and operations would allow for our Animal Control Officers to focus on external issues such as responding to calls and proactive enforcement. However, having two-part time employees might be more



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

difficult to find than having one additional full time employee. Most people looking for a job are looking for a full time job and having a part time job would require them to possibly have to find another part time job. Regardless, that is a budget and funding matter.

2. Volunteer resources are severely lacking. Earlier Grand Jury recommendations and recent complaints by the community reinforce these concerns.

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

An ACO oversees the current volunteer program which has garnered twelve regular volunteers to date. These volunteers are fantastic and we would love to have more volunteer just like them.

Recommendation-2: The Grand Jury recommends that the City and County together recruit a volunteer manager to develop a robust volunteer program supporting the animal shelter, with a minimum of 20 active volunteers in service.

The City of Hollister disagrees with this recommendation. We currently have an Animal Control Officer oversee the volunteer program. The ACO manages each volunteer, provide expectations and tasks, provide training, as well as remain in constant communication with them. There is no need to have another person in charge of the program.

A volunteer program to support the shelter is ideal, however, many instances in the past have proved that volunteers want to work when they want to work, and cannot or do not commit to a regular schedule, making it difficult to support the shelter and its staff. Additionally, many instances in the past have proved that volunteers are very selective on the tasks they wish to perform, instead of tasks that are needed. There has also been issues of those wishing to volunteer with ulterior motives instead of helping to fulfill the overall goals of the agency.

3. As reflected by the crime reports made available by the Police Department, Animal Control Officers lack necessary experience, training, and mentoring to conduct complex criminal investigations.

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

ACO's have been approved to attend the 80-hour Animal Law Enforcement Training Academy. This has never been feasible for the department before due to staffing levels.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

Although they were approved to attend these classes years ago, COVID-19 and the lack of the classes being available have delayed the plan for all personnel to attend this class.

ACO's have investigated numerous animal crime reports throughout the year. Every case has been successfully prosecuted. As we continue to hire new staff, we will continue to explore new trainings to enhance their knowledge. Throughout the year we have implemented a new field training program, completed recent training for PC 597.1, and offered report writing training as well. Additionally, the Hollister Police Department and its officers are always and have always been available to ACO's should questions regarding a potential criminal case arise.

Recommendation-3: The Grand Jury recommends that all ACO's attend the 80-hour Animal Law Enforcement Training Academy hosted by Marin County SPCA or San Diego SPCA within two years of being employed with the Hollister Animal Shelter as an Animal Control Officer. Develop and engage a mentorship program with the similar Salinas/Monterey County Animal Control and with the District Attorney's office for investigations.

The City of Hollister and the Hollister Police Department agrees with the recommendation in part. However, as mentioned above, the training has already been implemented. Also, there is no need to create a mentorship program with other animal control shelters because our staff routinely is in communications with and work with other shelters in our area. Our staff already has the resources to successfully prosecute criminal cases with the assistance of the police department as needed. Working with the District Attorney's Office has never been an issue in the past.

4. There is no licensed veterinarian on site and the licensing for euthanasia drugs is through an off-site vet.

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

There is no licensed veterinarian on site and the licensing for euthanasia drugs is through an off-site veterinarian.

Recommendation-4: The Grand Jury recommends the development and staffing of a surgery suite to accommodate emergency care, intake evaluations and vaccinations, spay/neuter services, and euthanasia on site.

The City of Hollister and the Hollister Police Department agrees with the recommendation. However, as previously stated by the Grand Jury Report, the Animal Shelter "while clean



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

and maintained, is already sadly outdated and entirely too small.” While agreeable, any expansion or remodeling efforts are dependent on necessary funding in order to do so.

5. The animal intake area, or “impound” room, is quite small and poorly located.

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

Recommendation-5: The Grand Jury recommends a redesign of the intake area to be a safe and comfortable area for the initial evaluation and necessary medical treatment for all animals coming into the shelter, and to relocate euthanasia procedures to a quiet, calm, and private area that is safe, clean and comfortable. Allow members of the public, as well as staff, a respectful area where they might grieve the passing of an animal.

The City of Hollister and the Hollister Police Department agree in part and disagree in part with the recommendation. Euthanasia procedures are completed in a different area of the shelter, away from the intake area completely.

The intake area would benefit from a redesign, to be a safe and comfortable area for evaluations, and necessary medical treatment for animals coming into the shelter as the current area is small and does not allow much room for staff and incoming animals. However, budget constraints do not allow for any redesign efforts at this time.

6. Staff lack necessary and desirable training in assessing animals for adoptability (behavioral assessments).

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

Recommendation-6: The Grand Jury recommends the HAS use available online and in-person training to improve staff skills, particularly relating to behavioral and adoptable animal assessments, to utilize a written rubric to support each animal assessment, and to maintain reports in each animal’s shelter file until that animal’s entire record is purged. The City of Hollister and the Hollister Police Department disagree with the recommendation largely because it is not necessary and it is already being done.

As we told the grand jury investigator, Animal Shelter staff has already implemented the utilization of a written rubric to support each animal assessment. Each assessment is maintained in each individual animal’s file electronically, and remains in the file indefinitely.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

Animal Shelter staff also has many accumulative years of service in the animal welfare field combined with veterinary assistant certification, and one ACO with a Bachelors of Animal Science, with both the certification and the degree requiring multiple animal behavior classes, this combined knowledge is very desirable.

Additionally, certified behaviorists require a PhD. This is not something any animal shelter staff members possess at this time and it will not be a requirement in the future.

7. HAS fails to utilize resources for community engagement, to include the reunification of lost pets, by website and outreach through social media.

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

Recommendation-7: The Grand Jury recommends the Hollister Animal Shelter better engage with the community with regular use of social media, and an updated and accurate website, particularly to assist in the reunification of lost pets. The Grand Jury recommends the regular use of the adoptions trailer, routine visits to dog parks, pet stores and community events to build strong relationships with the community.

The City of Hollister and the Hollister Police Department agrees in part and disagrees in part to the recommendation. The Hollister Animal Shelter already uses social media platforms on a regular basis to show the work of animal services staff, post educational animal care practices, highlight adoptable animals, and attempt to reunite lost animals with their owners.

Additionally, the Hollister Animal Shelter uses a system for the public to be able to access if they are missing an animal, or looking to adopt called 24-hour Pet Connect. By searching the City of Hollister's zip code, it will provide a list of animals currently housed at the Animal Shelter.

While regular use of the adoption trailer, routine visits to the dog parks, pet stores, and community events is a continued long term goal of the shelter. However, the COVID-19 pandemic impacted the United States in 2020 and carried into 2021 and Animal Shelter staff was restricted from engaging with the community due to local Health and Safety restrictions that prohibited this type of engagement with the community.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

As restrictions slowly began to diminish, shelter staff participated in the annual home for the holidays Christmas adoption event, Adoption Spooktacular in October, National Night Out and the San Benito County Fair. Animal Shelter staff will continue to make every effort to engage with the community and provide adoption events.

Respectfully,

Brett I. Miller
City Manager



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

November 7, 2022

The Honorable Omar Rodriguez
Presiding Judge
San Benito County Superior Court
450 Fourth Street, Room 205
Hollister, CA 95023

Dear Judge Rodriguez:

The City of Hollister and the Hollister Police Department have received the 2021-2022 San Benito County Grand Jury Final Report. I am writing in response to the findings and recommendations set forth in that report.

Dispatch- Communications Report- 2021-2022 Grand Jury Investigation

The Grand Jury Final Report provided information in regards to the current communications system being used in our city and in the County of San Benito. However, there is some information that was left out that would tend to complicate the issue or make it more difficult to understand. The following response will attempt to address those issues as well as address the finding and the recommendation.

The Grand Jury Report indicated the City of Hollister and the County of San Benito entered into a contract with SCR911 in 2012 that included maintaining and replacing all communications equipment with the county determining what is advisable or is necessary.

It needs to be clear SCR911 was not in charge of the maintenance of the communications network as it pertains to this county. The maintenance and needs for the radio infrastructure to work remained the responsibility of the county and they were to consult with SCR911 only to confirm any new equipment would be compatible and improve the system.

The Grand Jury Report also stated the city and county entered into the agreement with the belief that we would save money. That statement is correct but it must be said the city and the county both did save money as a result of the contract; the city saving over \$200,000 in yearly ongoing costs every year for the first few years.

The Grand Jury Report also stated there was nothing in the contract that indicated this county would be receiving improved quality of service or increased coverage and it did not allow for improved local equipment. Two of those statements are not correct.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

The City of Hollister was under the belief that services would be improved and they were in fact dramatically improved. The dispatching professionalism improved as well as the added benefit of having certified medical dispatching available. Medical dispatching is available when dispatchers are trained on how to provide first aid and lifesaving instructions to callers while they wait for first responders to arrive. Increased coverage was not part of the contract because the responsibility for increasing coverage fell within the responsibility of the county. The county and the Sheriff's Office was in charge of managing the radio network. Although both the city and the county have used Homeland Security Grants to update the repeaters over the years, no new sites have been added to improve the range of the network.

The Grand Jury Report states: "In the past, local government bodies have stood that San Benito County did not have the money available; nor did they determine grant-funding available to finance the venture. The current issue regarding the radio is the lack in any productive investment by the county to solve the radio problem in our community." Although the last statement is mostly true, the county has had the money and there has been grant funding available. However, there has not been any substantial study completed to properly request funding from the county. There has been Homeland Security Grants approved by the local Gang of 5 Committee provided to the Sheriff's Office over the last 10 years. Thousands of dollars have been allocated to complete studies and add a repeater in Aromas. This was supposed to have been completed during the previous Sheriff's Administration. However, the studies for some reason never ended up in adding any new repeater sites or improved connectivity.

The statement regarding the contract not allowing or improved local equipment is also misleading. There is nothing in the contract that would hinder or block the county from purchasing, adding or improving the equipment.

Not mentioned in the Grand Jury Report was the ongoing disagreement between the Police Department and the previous Sheriff's Office regarding digital frequencies. The Police Department has been advocating for Digital Frequencies to improve the radio connectivity and clarity. The previous Sheriff's Office staff believed digital frequencies would reduce the range of the radios. Based on those beliefs, years of delay and inaction by the Sheriff's Office resulted in the City of Hollister purchasing and installing their own six digital repeaters around the city. The Police Department is in the testing phase for these repeaters.

When the plan was conceived to purchase their own repeaters, due to years of no improvement, the Police Department planned to move to their own digital frequency with or without the Sheriff's Office. However, the current Sheriff and his team have met with police personnel on a frequent basis since becoming Sheriff. He has ordered two similar digital capable repeaters with the plan to add them to the city's network.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

If the system works as planned, the Police Department and Sheriff's Office hopes to have a digital, clear, and reliable system working in our community relatively soon. The Police Department is grateful for Sheriff Taylor's commitment up to this point to finally solve the decades long problem of unreliable law enforcement radio system.

Although a response from Santa Cruz Regional 911 is not required in the Grand Jury Report, their input is valuable and the Hollister Police Department reached out to SCR911 to inquire if they would like to respond in any way. The General Manager of SCR911, Amethyst Uchida, provided a letter. The Hollister Police Department has included that letter as an attachment to our official response.

Findings:

F-1. Law Enforcement and Emergency Service agencies are receiving very poor reception and transmission quality due to outdated and incompatible equipment creating a hazard the officers for both departments and all those who rely upon their services.

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

Recommendations:

R-1. The Civil Grand Jury recommends exploring necessary investments to the San Benito County 9-1-1 communication system to reliably service all jurisdictions within the county.

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

Respectfully,

Brett I. Miller
City Manager



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

November 7, 2022

The Honorable Omar Rodriguez
Presiding Judge
San Benito County Superior Court
450 Fourth Street, Room 205
Hollister, CA 95023

Dear Judge Rodriguez:

The City of Hollister and the Hollister Police Department have received the 2021-2022 San Benito County Grand Jury Final Report. I am writing in response to the findings and recommendations set forth in that report.

Hollister Police Department- 2021-2022 Grand Jury Investigation

The Grand Jury Final Report provided information in regards to the current status of the Hollister Police Department.

Prior to addressing the findings and the recommendations, I would like to address some of the statements made in the background portion of the report.

The report states, *"Of course, due to the lack of enforcement, many victims don't take the time to report petty theft, burglary, etc."* This statement is in the context of the staffing level at the police department being very low. Although we agree our department should be much larger in order to provide more services for our city, I see no evidence provided by the Grand Jury or in any other manner that would lead to that statement being true. We have no research or even anecdotal evidence to indicate victims of felonies (burglary) or the other crimes are not being reported because of a perception of low staffing.

This department takes all reports seriously and even offers an online portal for those individuals who want to report minor crimes with no suspect information. Oftentimes, they need the report for insurance reasons. If the stolen property has a serial number, it is entered into the stolen property statewide and national database.

On the very next paragraph of the report it states, *"Daily operations fluctuate with officer shortages."* That statement can be misleading and give the impression that officers levels can dip below the minimum staffing levels. We have a minimum staffing level and despite illnesses or vacations or injuries, we have officers come in on their days off (on overtime) to fill those minimum staffing levels. This is not ideal and leads to burnout, fatigue, and is not a long-term solution.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

Further on the report under 2022 staff status on page 2, it states, *"it will be two years working on the force for a year before working on their own."* I believe this is a typo in that it should state, *"it will be a year minimum for a person hired to attend the academy, to complete the academy, complete the Field Training Program, and achieve solo beat officer status."*

On page 3 under the title, Discussion, the report states, *"One (1) year experience with a Police Department or Sheriff's Office in California or successful completion of Basic Peace Officer Academy certified by the California Commission on Peace Officer Standards and Training (P.O.S.T.)"* it goes on to state, *"Applicants may be accepted prior to completion but will not be acted upon until four (4) months prior to graduation."* I am not sure why that statement is there and it seems to infer that is the requirement to be a police officer. One-year experience is not needed for an applicant to be an entry level trainee that will be sponsored by the department through the academy. However, for the employee to be considered a lateral officer, that applicant must have completed a POST Academy, successfully completed a Field Training Program, and passed the probationary status with the previous agency.

Further in the report on page 6, it indicates the record department is tasked with the burdensome occupation of purging old records. It further states, the records department is *"unable to operate efficiently due to the lack of establishment of a realistic retention policy and the task is backlogged."* This statement is misleading, in that the backlog is there because of the lack of having sufficient staff in the records department and not because of a lack of a retention policy.

However, an updated retention policy would make it easier to purge records by having a clear process that can eliminate a need to gather the records first and approach city council for permission for the purging of the documents. A retention policy approved by City Council would allow staff to locate the documents, compare with the retention policy and staff can immediately determine if the document can be purged. Staff would be able to complete the process more efficiently. Our department hopes to have a purging and retention policy in place by the end of the year.

On page 8, the Grand Jury Report provides for a possible outside the box solution for the Hollister Police Department. The report then provides the example of the Sunnyvale Public Safety Department solution where the police and firefighters are all trained for multiple roles of firefighters, police officers and EMT's. The report's author provides an opinion that this type of operation is *"proven to be a uniquely more efficient and cost-effective organization to deliver safety services to the community."* That statement along with the following, *"Hollister has already earned a reputation as a low-tier training ground for recruits interested in cross-training opportunities of policing,"* shows the author did not do much research on this matter and makes conclusions based on personal beliefs and not on facts.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

The idea of moving to a department of public safety to be more efficient never came up in the interviews with police staff. If it had, the Grand Jury would have been reminded that the City of Hollister previously had a Department of Public Safety and had Chief Carlos Rodriguez as the head of the agency. The department, as a Department of Public Safety, did not last long for various reasons. The city decided to revert back to a more traditional separate police and fire departments.

The author provided Sunnyvale as an example however never mentions that Sunnyvale is actually one of the few agencies that have a department of public safety. Other cities have not considered this type of structure because it is very inefficient and extremely costly.

Following the Sunnyvale plan would require for applicants to complete essentially two academies. They will stay longer in the training phase before they work in the streets. After completing their academies, they will have to essentially pass two field training programs. After they complete that, they will constantly have to be in training to maintain their status as an EMT, Firefighter, and a Police Officer. Only cities that have a large amount of revenue and surplus officers to backfill positions while other personnel are in training can afford to have a system like this.

The state of California is constantly adding more required classes and recertification requirements for police officers. If the city had a Department of Public Safety, the city would have to essentially double the number of personnel that would have to take these courses. It would be a logistical nightmare to be able to keep track of all the required courses that are needed not only for police but also for firefighting and EMTs. Any potential savings would be negated by the requirement to hire a person to be in charge of keeping track of all the required trainings.

There would also be a reduction of the number of applicants that would apply to a Department of Public Safety. Most people who want to be police officers do not want to be fire fighters and most people who want to be fire fighters have no interest in being a police officer.

Other Departments of Public Safety elude to being more efficient in that police officers responding to the fire call can arrive and fill the role as a fire fighter. However, the reality is it is very unsafe and inefficient to have your officer working a fire on one side of the city while crime is still occurring on the other side of the city. Inevitably, the benefits of having a Department of Public Safety soon diminish when you still have to bring in extra personnel (on overtime) to either fill in on a fire call or a lengthy public safety event.

Additionally, most Department of Public Safety agencies allow their staff to elect to stay in one division or another once they reach a certain seniority. Some elect to stay as a police officer and others elect to stay as a firefighter and stop any kind of rotation. Only then can that city benefit



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

from the staff member being the best police officer they can be or the best firefighter they can be; because they are concentrating on their craft.

The final statement made about the City of Hollister having a reputation of being a low tier training ground is provided with no evidence to substantiate it and eludes to a pre-conceived prejudice against small agencies versus larger agencies. The City of Hollister adheres to the POST regulations that are required throughout the state. The training they receive is the same if not better than other agencies. A testament to that is the officers who have left for higher paying jobs in other cities and have excelled because of the foundation they received at this agency. We take exception to the characterization the author provides referring to anything beside the salary as low tier.

Additionally, I find it concerning that the report thought it was necessary to provide a link to a recruiting video for the Sunnyvale Department of Public Safety. The report accurately indicates the solution to recruiting should focus on increased pay. However, including the salary range for Sunnyvale, which is approximately 59% more than our current salary is unnecessary.

This report should concentrate on this department and not compare this department with Gilroy or Sunnyvale; which are cities that are in dramatically different financial situations than the City of Hollister. This department is very proud of what we have accomplished with limited resources. We provide full services and the officers do a good job considering the obstacles and limited staff. However, the recruiting and retention needs should concentrate on increasing the salary of the officers to close the gap with neighboring cities.

Findings and Recommendations:

F1: The Hollister Police Department staffing levels are dangerously deficient.

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

R1: For the overall safety of the community of all ages, the San Benito County Civil Grand Jury recommends that the City of Hollister explores creative options towards developing a comprehensive retention strategy and strength in benefits before the next budget review.

The City of Hollister and the Hollister Police Department agree with the recommendation. However, the city and the department have already developed the comprehensive retention strategy which involve bonus pay for entry level and laterals as well as annual bonuses for existing staff. We also have an education incentive that facilitates staff to acquire higher education degrees. The only part missing is exploring increased salaries that make a position with Hollister Police Department more



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

competitive. That should be addressed in future negotiations between the City of Hollister and the Hollister Police Officers' Association.

F2: The addition of a third shift should be considered as an investment in efficient standards.

The City of Hollister and the Hollister Police Department agree. We understand the benefits of a third shift. However, we already have a third shift and it is part of our current schedule. During the time of the Grand Jury inquiry, the positions were vacant due to long term medical leaves and vacant positions. Several of those staff members have thankfully returned to work and have taken some of those swing shift positions. We look forward to filling more of the swing shift positions as we add staff.

R2: The San Benito County Civil Grand Jury recommends the establishment of a swing-shift should be encouraged, funded, and implemented as soon as possible, as recommended by the Novak Report.

The City of Hollister and the Hollister Police Department agree and as previously stated, we have previously implemented a swing shift.

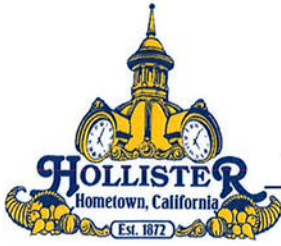
F3: Establishing a second K-9 better ensures a Patrol Officer's safety, especially when working solo in areas that communication with Dispatch is lost, which happens often.

The City of Hollister and the Hollister Police Department agree in part and disagree in part. Having a K-9 does not in itself ensure a patrol officer's safety. However, it can contribute to his/her safety when dealing with aggression or threat toward an officer.

R3: The San Benito County Civil Grand Jury recommends hiring a second K-9 Patrol Team as an investment in officer safety that should be funded within the next operating budget.

The City of Hollister and the Hollister Police Department agree in part and disagree in part.

The K-9 is a very valuable tool to assist and enhance the services that an officer can provide. However, adding an additional K-9 requires a substantial financial investment of over \$10,000 for the purchase of the canine, additional thousands of dollars for training, as well as having the officer away from patrol for over a month of training before the partners can be used on patrol. This department already have plans to add at least one



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

more K-9 to the department to ensure there is a K-9 available every day of the week. However, our priority is to hire police officers to fill the current vacant positions.

F4: An updated retention schedule is sorely needed to alleviate the system's storage capacity those costs valuable time and money.

The City of Hollister and the Hollister Police Department agree in part and disagree in part. We agree an updated retention schedule would make purging of old documents more efficient. However, we have unlimited storage capacity and we are not clear what the author means by the need to "*alleviate the system's storage capacity.*"

The current system in place requires all documents that have reached the time limit for retention to be isolated and then request authority to purge via a resolution through the city council. The Hollister Police Department is currently working on a retention schedule and a resolution providing staff with authority to purge documents when they have reached the limit set up by the retention policy. If approved, it would eliminate the need to reach out to the council every time the department wishes to purge documents that fit the requirements of the retention policy.

R4: The San Benito County Civil Grand Jury recommends the creation of an updated retention schedule for HPD Records Department to destroy antiquated records under the guidelines of the State of California as soon as possible and purge every two years after scanning to paperless.

The City of Hollister and the Hollister Police Department agree with the recommendation. An updated retention policy is already in the works and it will be brought up to the City Council once the City Attorney reviews the proposed policy and it is acceptable under state guidelines.

F5: The establishment of a cannabis program requires the oversight of a Cannabis Officer to ensure that safety elements and regulations are met.

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

R5: The San Benito County Civil Grand Jury recommends the full-time position of a Cannabis Officer should be re-established immediately and the service to the private businesses should be charged to cover the fees.

The City of Hollister and the Hollister Police Department agree in part and disagree in part. The Hollister Police Department agree there is a need of oversight. There is already a system in place to fund a position for that oversight as the cannabis businesses provide



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

licensing fees and pay sales taxes as well as cannabis fees. However, up to this point the revenue coming into the city from this industry pales in comparison with the initial estimates. New companies are scheduled to begin operations in the city in the coming months. As the fees increase, the funding for a full time officer may be possible. If the fees incurred do not reach the needed amount to offset the cost of the officer, then a new funding source or method will be considered to be charged to the cannabis industry.

F6: One of the 2007-2008 Grand Jury recommendations was to continue with the citizen and youth academy when it was suspended because the Crime Prevention Officer responsible for these academies left the Hollister Police Department and could not be replaced due to lack of budget.

The City of Hollister and the Hollister Police Department agree in part and disagree in part. The Citizen Academy was suspended, but it was not suspended because the Crime Prevention Officer left the Hollister Police Department. The program was suspended due to staffing issues as a whole and not because of any one individual person leaving.

R6: The San Benito County Civil Grand Jury recommends the development of funding towards the reinstatement a Citizen and Youth Academy as soon as possible.

The Hollister Police Department agrees with the recommendation and believe a Citizen Academy is a very valuable program. The Police Department will look into bringing the Citizen Academy, or a mini-version, as soon as staffing needs are at a level that can sustain the demands of having a staff teaching the academy.

F7: None of the findings listed in the Novak Report were implemented.

The City of Hollister and the Hollister Police Department disagree with the finding. The statement that "None" of the findings listed in the Novak Report have been implemented is a false statement. Although there are several recommendations still left to accomplish, there are several that have already been done, or have been tried or are currently not possible (not from a lack of trying).

There were a total of 18 recommendations in the Novak Report. The following recommendations have either been accomplished, tried but cannot be accomplished due to staffing or not currently possible to implement.

Recommendation No. 1: The new Detective position was approved by City Council. However, that is currently one of the vacant position that will be filled when we are able to hire more officers.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

Recommendation No. 4: All the patrol teams have proactive projects they implement during their entire rotation. The Problem Oriented Policing (POP) Projects can change each rotation and the teams decide on a current issue plaguing the city and they focus proactively on that problem throughout their rotation.

Recommendation No. 5: This department has already decided to go to the 12/10 shift model. However, we currently need to fill the vacant positions before we can successfully implement that shift.

Recommendation No. 8: The City Council approved the addition of two motorcycle traffic officers. The two motor units are currently working regular patrol until such time that the vacant positions have been filled.

Recommendation No. 9: The Hollister Police Department has considered increasing the Records staff. We currently have one additional position in the Records Bureau.

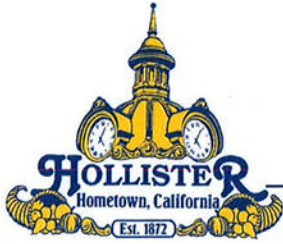
Recommendation No. 10: The CLETS connectivity was attempted by the police department but it did not occur because of the previous Sheriff would not allow for the connection to be made. The city is waiting for the feasibility study to be completed prior to asking the new sheriff if it will be possible to connect our patrol units with CLETS.

Recommendation No. 11: The crosswalk between Motorola CAD and TrakNet RMS is not possible because both companies cannot reach an agreement. This cannot be done by the police department, but it has been tried.

Recommendation No. 12: The new MSO position has been created. Unfortunately, the second MSO was hired and there were two MSO's working for a short period of time before the first MSO was off work due to a long term medical issue that eventually ended with the retirement of the 20 year veteran MSO. We are currently testing for the vacant MSO position.

Recommendation No. 14: This department has implemented the transmitting of body worn camera footage through the cloud. We currently transmit the footage to the District Attorney's Office in this manner.

Recommendation No. 15: This department has entered into an agreement with the county for Animal Control Services. Data is being collected to reflect the amount of time and resources are spent with city and county calls. There have been no issues brought up since the writing of the Novak Report.



CITY OF HOLLISTER

375 FIFTH • HOLLISTER, CA 95023-3876

Recommendation No. 16: We have a Supervisor at the Animal Control Bureau as well as a new Captain in charge with oversight. There is no further need to add any further management or supervisory oversight.

Recommendation No. 17: The Fleet and Facilities Management has been transferred to the Training Sergeant position.

Recommendation No. 18: The Department Command Structure has been changed to reflect the recommendations of the Novak Group. The two Lieutenants have been reclassified as Captains. The current command structure is the Chief of Police, two Captains (each in charge of a division), one vacant Lieutenant position (currently filled by a Training Sergeant).

Additionally, the staffing study at the time recommended the adding of at least 11 new officer positions. The city has absorbed the two SRO positions that were previously part of the Hollister School District contract, essentially those are two new positions from the recommended amounts. However, the department has not requested new police officer positions because we have not been able to fill the current vacant positions. We stand committed with our City Council to increase the number of officers.

R7: When the City of Hollister spends over \$44,000.00 for a consulting report, at least 25-50% of the findings should be implemented.

The City of Hollister and the Hollister Police Department agree in part and disagree in part. It is important when the city spends money for insight on staffing or other issues which result in recommendations. Often, these recommendations, like some grand jury recommendations, lack the required funds or resources to implement those recommendations.

However, in this case, the Hollister Police Department has either implemented, tried or at least attempted (and could not accomplish) 12 of the 18 recommendations. That is at least 66.7% implemented, tried or cannot be done at this time. Overall, the city and the police department remain committed to accomplishing all of the recommendations and look forward to adding new positions and services to the department.

Respectfully,


Brett I. Miller
City Manager



SANTA CRUZ REGIONAL 9-1-1
495 Upper Park Road, Santa Cruz, California 95065
831.471-1000 Fax 831.471.1010

Amethyst Uchida, General Manager

City Manager Brett Miller
Chief of Police Carlos Reynoso
City of Hollister

Re: San Benito County Civil Grand Jury Report

Dear Mr. Miller and Chief Reynoso,

I have reviewed the San Benito County Civil Grand Jury Report for 2022 and would like to share SCR9-1-1's perspective on the "Dispatch – Communications Report" as you consider your response to the Civil Grand Jury.

First, I think it is important to clarify that there are two distinct topics within this report:

- the public safety communications services agreement between San Benito County, the City of Hollister, and Santa Cruz Regional 9-1-1; and
- the state of the public safety radio infrastructure owned by San Benito County and used by Hollister Police, San Benito Sheriff, and Santa Cruz Regional 9-1-1.

In the report, these two topics are conflated and evaluated jointly as "the dispatch system" but I would assert that they should each be considered separately.

As for the first topic, SCR9-1-1 is proud of the service we have been providing to the City of Hollister's Police and Fire Departments. Our trained, professional staff answer emergency and non-emergency phone calls that originate within the City of Hollister on behalf of the Hollister Police and Fire Departments. We also dispatch public safety personnel who work for HPD and HFD as they respond to requests for service from the public and proactively address community concerns. In the course of dispatching, we use radio infrastructure and frequencies owned by the County of San Benito.

While SCR9-1-1's costs for providing services have increased over the years, we are a government agency (joint powers authority) and as such the fees we charge do not represent profit of any kind but simply are the City of Hollister's fair share of SCR9-1-1's costs to run a 9-1-1 public safety dispatch center. The guidelines for SCR9-1-1 cost sharing are available on our website and are based on the amount of staffing allocated to each agency, the count of radio transmissions, and the number of calls for service. I am happy to provide more detailed insight into the cost sharing formula and the process for its calculation as requested.

As for the second topic, the Civil Grand Jury report accurately represents the significant challenges with the current law enforcement radio system. It has been plagued by interference, poor audio quality, and is generally unreliable. This is as frustrating and challenging to SCR9-1-1 dispatchers as it is to the public safety personnel in the field. However, SCR9-1-1 does not have responsibility for or authority over the radio infrastructure. San Benito County

Sheriff Eric Taylor is aware of the issues with the law enforcement radio infrastructure and has been working diligently since he became Sheriff to identify solutions for the system as a whole.

SCR9-1-1 hopes the Grand Jury report will encourage continued actions towards an improved radio communications system and our staff are ready and willing to assist the City of Hollister and the County of San Benito however we can in this process.

Thank you.

Amethyst Uchida
General Manager
Santa Cruz Regional 9-1-1

