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13 individual reports, along with the comments submitted by the responding agencies or departments, were reviewed by the Grand Jury to assess whether the penal code criteria had been satisfied. The Grand Jury made judgments on how to categorize some of the responses since there are no standards for assessing for completeness or accuracy. Reports that presented unresolved issues are summarized in Attachment 2.

The findings section of the reports were inconsistent in that some had numbered findings, others had sub-titles to separate subject areas, while others had only paragraph breaks between subject areas. Six of the 13 reports did not number their findings. When a response contained a comment regarding any part of the findings contained in the report, it was deemed to satisfy the requirements of the penal code.

FACTS

The Grand Jury's analysis of both the individual 2000-2001 reports and the agency responses are summarized below.

1. Review of the Santa Clara County Department of Family and Children's Services

This report contained six unnumbered findings and three recommendations. Recommendations 1 and 2 were addressed to the board of supervisors and the director of social services. Recommendation 3 was addressed to the director of social services.

The comments returned by the county were prepared by the social services agency on August 6, 2001, and approved by the board of supervisors on October 16, 2001. The response did not clearly

address the findings. The department's response indicated they agreed with four of the six subject areas contained in the findings section of the report. The other two findings are not mentioned.

The response to recommendation 2 clearly states that the recommendation has been implemented. The responses to recommendations 1 and 3 were ambiguous. The ambiguity is attributed to the following comments contained in the responses.

Recommendation 1: "Planning to begin meaningful caseload reduction is primarily contingent on significant and sustained Federal and State financial contributions."

Recommendation 3: "The Department continues to make steady progress towards fuller utilization of CWS/CMS [The California Department of Social Services, Child Welfare Services Case Management System] through the social work supervisors, informal peer support and the formal support of the Information System staff."

2. Review of the Redevelopment Agency of the City of San Jose

There were five unnumbered findings and two recommendations in this Grand Jury report. Recommendation 1 was addressed to the City of San Jose and the Redevelopment Agency (RDA) of the City of San Jose. Recommendation 2 was addressed to the County of Santa Clara and the City of San Jose.

The comments returned by the city of San Jose were prepared by the city attorney and approved by the RDA board on October 16, 2001. The responses were clearly written, addressing each of the findings and

recommendations as required by the penal code.

The comments returned by the county were prepared by the county executive and approved by the board of supervisors on October 16, 2001. The response did not clearly address the findings or recommendation 2. The county's response to the report was: "Although this report is directed primarily to the City of San Jose....the Grand Jury's second recommendation concerns the County of Santa Clara, and it is to this recommendation that we are submitting this response: ..." The county's response to recommendation 2 was: "The County determined that the settlement was in the best interest of the citizens that we serve..."

3. Review of the Santa Clara County Vector Control District Wildlife Policy

The report contained six numbered findings and four recommendations. Recommendations 1 through 3 were addressed to the Santa Clara County Vector Control District and the Santa Clara County Department of Environmental Health. Recommendation 4 was addressed to the Santa Clara County Board of Supervisors.

The county comments to the report were prepared by the county environmental resources agency, on September 17, 2001, and approved by the board on October 16, 2001. The response clearly stated that environmental health services and the county agreed with findings 1, 2, and 4, and they disagreed with finding 6. An explanation was provided as required by the penal code.

The county clearly stated in its response that: it has implemented recommendation

1; it will not implement recommendation 2; and it will implement recommendation 3. A timeline for completion of recommendation 3 was provided. The county responded to recommendation 4: "This recommendation is already being implemented...." A tentative completion date of the summer of 2003 was provided.

4. Review of the City of San Jose's Use of the Redevelopment Agency's 20 Percent Low and Moderate Income Housing Fund

There were 13 numbered findings and 17 recommendations contained in the report. Recommendations 1 through 14 were addressed to the San Jose Housing Department. Recommendations 15 through 17 were addressed to the San Jose City Council and RDA board. The response comments were prepared by the city housing department and approved by the San Jose City Council on October 16, 2001. The responses clearly stated that they: agreed with findings 1, 8, 9, 10 and 13; partially agreed with findings 2, 3 and 12 and provided explanations for the reason; and disagreed with findings 4, 5, 6, 7 and 11 and provided explanations.

The responses to the recommendations were clearly written in conformance to the requirements of the penal code.

5. Review of the Santa Clara County Management Audit Function Performed Under Contract by Harvey Rose Accountancy Corporation

The report contained 23 numbered findings and five recommendations. Recommendations 1 through 4 were addressed to the board of supervisors and recommendation 5 was addressed to the county assessor.