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# **Mendocino County Juvenile Hall**

The Mendocino County Juvenile Hall (MCJH), under the direction of the Probation Department, provides for the physical and emotional care of incarcerated youth in Mendocino County. The Grand Jury reviewed the recent changes involving youth classified as Code I (maximum security), Code II (medium security), and Code III (committed a violent crime).

## **Method of investigation**

The Grand Jury (GJ) interviewed the Superintendent, several staff members (male and female), made a complete tour of the facilities and reviewed the California Code of Regulations: Minimum Standards for Juveniles Facilities Title 15, Section 1313, 1371 and 1488, Building Standard Title 14.

## **Findings**

- A. The GJ found that these facilities are very well maintained and the youths are adequately cared for.
- B. Year round school is offered, so that youths may study for a GED accreditation.
  - A. The youths receive recreation time, and reading material is available at regular basis for their use in learning.

- B. Code III youth exercise in a small outdoor caged area.
- C. To service these facilities, there are 38 staff employees.
- D. The facility has a hair care person on staff who will cut hair by appointment.
- E. Each J.H. Counselor is trained in the use of JALAN computer program, which is used to track all juveniles booked into custody in the county.
- F. The longest stay in custody is an average of 25 days.
- G. Title 15 § 1313 requires that on an annual basis each juvenile facility administration shall obtain a documented inspection from the following agencies:
  - 1. Mendocino County Safety Officer
  - 2. State Fire Marshall
  - 3. Health inspection per Health and Safety Code § 10145.
  - 4. County Superintendent of Schools for adequacy of education.
  - 5. The Juvenile Justice Commission.
- H. Fire drills are conducted and documented once a month, and all fire alarms are checked once a week.
- I. Use of the telephone is a privilege that is earned.
- J. There is a \$15.00 per day charge for each incarcerated youth, up to \$750.00, and then parents are billed for any additional charges.

## **Recommendation**

County should follow up on collection of money due from overstays. (Finding L)

**Response required**

Mendocino County Board of Supervisors.

**Response requested**

Mendocino County Probation Department  
Juvenile Hall Superintendent

December 18, 2002

Tony Xavier  
Alvin Robinson  
Mendocino County Grand Jury  
P.O. Box 996  
Ukiah, CA 95482-0996

**Subject:        Reformatting of City Responses to the Mendocino County Grand Jury Final Report 2001-2002**

Dear Tony and Al,

Thank you for the opportunity to visit yesterday and understand your needs relative to reformatting the City's response to the 2001-2002 Final Grand Jury Report dated August 29, 2002. It is hoped that the reformatted response below addresses your needs. To the extent additional modifications support your efforts, we would be pleased to work with you in that regard. As well we have included a disk for ease of transfer or merging with some other document.

More specifically, the report of the Grand Jury requested responses from the City Council of the City of Willits in the following areas:

1.     Mental Health Crisis Services
2.     Willits City Government
3.     Domestic Violence Restraining Orders

As required by Penal Code Section 933 et seq., the City provided the comments below on the findings and recommendations made by the Grand Jury.

#### **MENTAL HEALTH CRISIS SERVICES**

The City Council has reviewed the section of the Grand Jury Report entitled "The Mentally Ill - A New Approach to Crisis Services" and, while the City's direct interaction with Mental Health Crisis Services is fairly limited and departmentally specific to its Police Department, pursuant to the form of responses required by Penal Code section 933.05, the City offers the following responses to the 22 findings cited:

1. While causing concern in the County, many saw the closure of the locked PHF as an opportunity for change. The loss of the PHF triggered a comprehensive re-evaluation of the delivery system of help to the mentally ill, especially to those in crisis. Numerous stakeholders were brought together to examine the system in place, research the latest practices in the field, and explore the various options for possible change.

**Response: Agree with finding.**

2. On July 17, 2001, the DMH submitted a staff report on mental health services in the County. The nine-page report summarized various possible solutions. The recommendations were: close the PHF and create the CSC, adopt a community-based Adult System of Care model, assign mental health workers to the Jail, increase staff for case management, and continue to use out-of-county contract mental health treatment facilities. In addition the County would take over the operation of a residential recovery center, Casa de Marta, in Ukiah, and provide for quick response crisis workers to hospitals, Jail, or other places in the community needing their services. The new plan, with CSC as an important component, would result in a community based program, a “recovery model” with case management to bring together available resources, including patient advocacy groups, to provide each case with a range of services and continuing follow-up.

**Response: Agree with finding.**

3. The BOS approved the plan, which the County Administrative Office described as “a major shift in the delivery of mental health services in our community.” County administrative employees recognized that the changes would require a great deal of effort to overcome resistance and for various departments and clients to work together to make the new system successful.

**Response: Agree with finding.**

4. An important piece in the new system is the Memo of Understanding between the DMH, the Sheriff, the three city police departments, and the three hospitals in the County whose emergency rooms will be receiving people in mental health crisis. The document, effective October 1, 2001, establishes the protocols for the assessment and care of persons exhibiting signs of mental illness who come into contact with law enforcement.

**Response: Agree with finding.**

5. DMH, law enforcement, and hospital staff, do not meet regularly to share knowledge and procedures. Agencies confer on a case-by-case basis.

**Response: Agree with finding.**

6. The CSC, located at 860 North Bush Street in Ukiah, in the government complex, went into full operation in the middle of October 2001.

**Response: Agree with finding.**

7. The CSC is open and staffed 24 hours a day, seven days a week. Participation of clients is voluntary and there are some beds for overnight “time-out” stays if necessary.

**Response: Agree with finding.**

8. A CSC worker's duties include evaluation, intervention, placement at a contract psychiatric hospital for 72-hour evaluation under Section 5150, and planning for discharge from the center to follow-up services.

**Response: Agree with finding.**

9. The policy statement for the CSC includes job descriptions for all staff, definition and philosophy of the recovery model concept of treatment, and details of operations.

**Response: Agree with finding.**

10. State regulations require the County to provide a Patient Rights Advocate. The patient rights advocate office is now in the CSC, a partial implementation of a 2002-2001 Grand Jury recommendation.

**Response: Agree with finding.**

11. The CSC has developed a transportation system to drive clients to out of county psychiatric facilities thus relieving the sheriff from that duty except when the client requires a law enforcement escort. These workers will also have other duties at the center.

**Response: Agree with finding.**

12. The CSC is officially designated under State of California guidelines as a Community Mental Health Clinic in which client services are billed under Medi-Cal regulations. It is anticipated that the final costs to the County could be reduced while at the same time providing better services to the mentally ill.

**Response: The City is not informed regarding Medi-Cal regulations and therefore does not have the necessary information required to either agree or disagree with the finding.**

13. Records indicate that as many as one in four inmates housed at the Jail have mental health issues. When the PHF was closed, officers no longer had a secure facility to leave people who needed evaluation. Patrol Officers reported being out of normal service while they waited for mental health crises workers to respond to the hospital emergency rooms to evaluate and assume custody of the client. In addition, mental health or law enforcement staff time had to be increased to transport patients to out of county psychiatric facilities.

**Response: Agree with finding.**

14. With the assignment of DMH personnel to the Jail and the ability of the CSC to send crisis workers to the jail after regular working hours, Jail workers believe the treatment of inmates with mental health issues has improved.

**Response: Again, the City does not have enough information to respond in an informed way to this finding. Clearly, the Sheriff's Department staff managing inmates on a regular basis are best prepared to respond to issues regarding mental health treatment concerns. Therefore, in the absence of specific experience and background, the City of Willits can neither agree nor disagree with the finding.**

15. There is a strong connection between mental illness and substance abuse. Clients in crisis typically exhibit a multitude of problems in addition to the ones they have brought them to the immediate crises. These include homelessness, health, employment, and childcare. DMH has recognized the multiple layers of need with the creation of a new position, Consumer Services Coordinator, with the job of ensuring that the clients receive the help needed from whatever source is available. However, some clients exhibiting aberrant behavior are sometimes shuffled back and forth between AODP and DMH.

**Response: Agree with finding.**

16. With the PHF no longer available, the need for costly transportation of patients out of the county has increased. Both the Sheriff and DMH have standby transportation staff and/or ambulances available (if restraint is required) to transport patients to out-of-county psychiatric facilities.

**Response: Again, the City is not informed regarding out-of-County transport requirements for patients, and therefore is not in a position to either agree or disagree with the finding.**

17. Redwood Coast Regional Center, DMH, and the Sheriff are collaborating in a unique grant-funded training program to bring more understanding of the relationship of law enforcement and the developmentally disabled and the mentally ill. A private training group from the Bay Area has been conducting the training.

**Response: The City of Willits Police Department has not been involved in the grant funded training programs described, and therefore can neither agree nor disagree with the finding. However, to the extent such training programs may become available to City law enforcement personnel, our mental health crisis training will be enhanced.**

18. DMH has in place tools for evaluation, such as the Client Satisfaction Questionnaire and the California Quality of Life instrument. The Mental Health Board is planning to evaluate client satisfaction.

**Response: Agree with finding, but have no specific information regarding the Mental Health Board's plans to evaluate client satisfaction.**

19. The Grand Jury has heard testimony that the impact of the new procedures on Fort Bragg and the coastal areas of the County have been mixed. The Fort Bragg area had in place, prior to the closure of the PHF, a system for crisis response that has not changed. The Fort Bragg office of the DMH has employees to respond to crisis calls Monday to Friday 89 a.m. to 5 p.m. The County has a contract with Ford Street Project, a private non-profit human service organization, to provide crisis response during all other times. DMH supervisors are available for telephone consultation with the Ford Street crisis workers. The Ford Street Project also provides three beds for "time-out" cases in the same situations now available at the CSC. The primary change has been for Section 5150 cases, which require a custodial setting. Information from crisis workers on the coast indicates without a PHF, it sometimes takes longer to find a placement for persons who must be detained under Section 5150 because they must be taken out of the county.

**Response: The City is not informed regarding crisis services on the Coast and as a result can neither agree nor disagree with the Grand Jury's finding.**

20. There are currently three on-call crisis workers who are employed in other human service jobs. They participate in continual training and case conferences and are supervised by on-call DMH personnel. Often the crisis workers have extensive prior knowledge of the client and the needs of the case, thus facilitating decision-making.

**Response: While we are aware that three on-call crisis workers are available, we are not informed regarding client continuity tracking and therefore are not in a position to either agree or disagree with the finding.**

21. Other partners in the process, law enforcement and hospital medical staff, at times, question the qualifications and decisions made by the crisis workers. On the other hand, crisis workers feel that police officers and emergency room staff do not understand the requirements and consequences of a Section 5150 detention nor the difficulty in diagnosing a mental disorder.

**Response: Agree with finding.**

22. There is no licensed holding cell or room on the coast., At times a patient will be held at the Sheriff's substation in Fort Bragg or by the Fort Bragg Police, perhaps in the back of a patrol car, until a crises worker arrives.

**Response: Again, the City of Willits is not informed regarding facilities available on the Coast either at the Fort Bragg Police Department or the Sheriff's Substation and therefore can neither agree nor disagree with the finding.**

With specific reference to the Grand Jury's recommendations related to Mental Health Crisis Services, the City Council offers the following responses:

Law enforcement agencies strengthen their partnership with the DMH and other mental health stakeholders. (Finding 5, 13)

**Response: The City of Willits supports the recommendation of the Grand Jury that we focus our efforts to strengthen the partnership between the Mental Health Department, law enforcement agencies, and mental health stakeholders. We are informed that the various agencies will meet in October in an effort to strengthen that partnership between and amongst the agencies. While further specific implementation time lines are anticipated to grow out of that October meeting, such activities and corresponding time lines are best identified by the Mental Health Department and law enforcement agency staff in partnership with other mental health stakeholders. At each opportunity the City of Willits will join its partner agencies throughout the County to achieve this purpose.**

The BOS fund training to improve understanding of the new procedures, to allow each group to appreciate the concepts and problems of the other, and to help clients to use all resources to the fullest.

**Response: This recommendation has been implemented, given the City's understanding that the County will be funding the referenced training activities planned for October. The City of Willits will continue to work with other agencies and stakeholders in our common effort to understand new procedures and the issues confronting each stakeholder in the process. Thus, the recommendation has been implemented, and it is anticipated that other training opportunities will grow out of the planned October workshop.**

DMH, law enforcement, and hospital medical personnel meet on a regular basis to share knowledge and procedures in dealing with the mentally ill. (Findings 5, 13)

**Response: This recommendation has not yet been implemented, but will be implemented in the future. The Police Chief will advocate periodic meetings at the upcoming October stakeholders meeting to assure that all agencies and stakeholders are well informed.**

DMH and AODP integrate health services and substance abuse treatment (Finding 15)

**Response: It is the City's belief that it cannot responsibly comment regarding the integration of services between two county departments. Clearly, public purposes are best served by a full integration and understanding of their programs and services. This recommendation, therefore, requires more study or analysis, yet such study and analysis is appropriately conducted by the Department of Mental Health and the Division of Alcohol and Other Drug Programs, with input from the various**

**other human service functions of the County, to assure as seamless a service delivery system as possible.**

## **WILLITS CITY GOVERNMENT**

### **City Administration**

City staff and Council Members enjoyed the opportunity to share our story with the Grand Jury and appreciate the time expended by the Grand Jury in completing its mission. The City Council offers the following responses for those findings relating to City administration:

Willits has sound fiscal practices with an annual budget of \$4.06 million, with a reserve of \$415,000 for emergencies. Willits also had a carry over of \$1.4 million from last fiscal year.

**Response: Agree with finding.**

Willits follows solid plans for operating the city and follows its policies and procedures.

**Response: Agree with finding.**

Appropriate departments handle all complaints quickly and efficiently.

**Response: Agree with finding.**

Willits is following its Ten Year Plan for improvements throughout the city.

**Response: Agree with finding.**

Willits is studying the possibilities for growth and new business.

**Response: Agree with finding.**

California Department of Transportation (Caltrans) and the City of Willits are still working on the Willits 101 Bypass; construction has not been started. The Willits administration has supported the bypass, but some local citizens continue to request more information from Caltrans, stalling construction. The Caltrans Director signed the Draft Environmental Document for the Willits Bypass on May 13, 2002.

**Response: Agree with finding. It should be noted that since the Grand Jury Report was published, the Willits Bypass EIR has benefitted from several local meetings and public hearings designed to solicit comments on the Draft EIR prior to adoption of the Final EIR by Caltrans.**

Willits has a strategic plan that emphasizes ‘Business to Business’ (business suppliers) and bringing cottage industries to the downtown area.

**Response: Agree with finding.**

Willits administration is concerned that local media is not reporting the city’s successful programs.

**Response: Disagree with finding. While in past years the City has expressed concern regarding the accuracy of local media coverage of City programs and activities, the City’s current relationship with our local newspaper has improved significantly, enhanced through regular and ongoing communication.**

Because the Grand Jury has provided no recommendations regarding City administration, no responses are provided herein.

### **City Public Works**

The City Council shares the belief that our Public Works Department functions well. Relative to the specific findings of the Grand Jury, we offer the following comments:

The yard was clean and all equipment not in use was under cover.

**Response: Agree with finding.**

Public works maintains equipment properly.

**Response: Agree with finding.**

Public works does not have a common tracking system for all department data.

**Response: Disagree with finding in part. While project management systems relative to each area of responsibility are in place (parks, storm drains, streets, etc.), due to the diverse nature of the departmental responsibilities, no single common tracking system would fit the needs of each functional area.**

The Public Works Director advised the Grand Jury that the department needs one more technician and a clerical worker.

**Response: Agree with finding.**

During visits to the offices and shop areas, the Grand Jury saw no Cal-OSHA safety books or posters.

**Response: Agree with finding.**

The City offers the following responses regarding the recommendations of the Grand Jury:

Public Works Department establish a system for tracking work orders. (Finding 11)

**Response:** The recommendation requires more study and analysis. This recommendation addresses a tracking system as opposed to a “common tracking system” and therefore differs somewhat from Finding 11. However, the Department currently does track work orders utilizing a chronological/date system. The data content of the work orders (i.e., vehicle usage, excavation quantities, material use, etc.) would benefit from an improved tracking system. Creating a system that could track the work order data, as well as other administrative requirements, may prove difficult. However, implementation of a data tracking system will be evaluated utilizing Microsoft Access. Programming and setup of the system will require considerable staff time and some outside programming support. However, it is anticipated that such initial programming costs will be affordable within the current departmental budget, even though it is not specifically referenced as a contemplated expenditure during the current fiscal year. Because external support costs related to design of the tracking system will be relatively minor in nature, the Department is adjusting proposed expenditures in several line items in the current year to offset the cost of initiating this important project.

Willits hire another technician and a clerical worker for the Public Works Department (Finding 12)

**Response:** The recommendation has been implemented. The City has advertised to fill this additional Public Works position and has conducted interviews of applicants. Background checks of the most qualified applicants are currently underway. Funding of this position survived the budget challenges this past Spring, and we estimate bringing an individual on board to meet this need during the first or second week of September.

Relative to the clerical worker position, no funding was included in the current year’s budget to address this need. In the interim, it is contemplated that clerical support available at City Hall will continue to, at least at a minimal level, address departmental needs. As the department prepares its budget requests for the 2003-2004 fiscal year this next Spring, funding will be included in the departmental request to provide an appropriate level of clerical support in a departmentally specific way. It is anticipated that initially, should this position be funded, it would be part time with the goal of expanding it into a full time position at some point in the future when funding may be more accessible to the City. With the current City commitment to maintain programs which have been un-funded by the State due to its budget problems, the City is not in a position to authorize additional positions, even at the part time level, during the current fiscal year.

The Public Works Department distribute CAL-OSHA safety books and posters as required by applicable laws. (Finding 13)

**Response: This recommendation has not yet been implemented, but will be implemented in the future. The Department has requested additional posters and safety books. While the City maintains Injury Prevention Program manuals in each department, additional publications from OSHA available through the State will be made available to employees in not only the Public Works Department, but also the Water and Sewer Departments.**

### **Police Department**

The Willits Police Department includes 15 sworn personnel, 3 community service officer positions, 5 dispatchers, 12 patrol vehicles, and no reserve officers. Relative to those findings made by the Grand Jury, the City offers the following responses:

While the Grand Jury observed officers, they conducted their activities professionally with restraint and consideration to those being stopped and talked to or given notice or citations.

**Response: Agree with finding. The City remains proud of its officers and their ability to interact with the public in a professional and friendly manner.**

The Grand Jury's attempted to interview citizens with a different perspective on the Police Department. Citizens refused to give details of their experiences with the Police Department because they said they fear retaliation. Persons interviewed by the Grand Jury were reluctant to file formal complaints because of fear of retaliation.

**Response: The Grand Jury's findings lead the reader to believe that our community is unwilling to share their concerns about the Police Department because they "fear retaliation". The City must respectfully disagree with this finding for several reasons. First, citizens who have concerns and/or complaints related to the activities of the Police Department are always encouraged to describe that concern or complaint in writing, following which follow-up investigation is conducted and ultimate disposition is communicated to the complainant. Because "clients" of the Police Department often become "clients" against their will, it is not surprising that some do not appreciate the role that the Police Department plays in protecting the health and safety of the entire community. As well, the Grand Jury is encouraged to again review the Police Department's general policies and general orders which encourage and support positive interactions between law enforcement personnel and the public they serve. The Police Department will continue its ongoing efforts to provide training and implement programs and policies which focus upon positively directed and appropriate interactions between law enforcement personnel and the community. The City is concerned that the Grand Jury may have identified this finding based on comments made by a very small**

**number of individuals. The City will continue to conduct appropriate investigations of each complaint filed and will continue to educate our citizens regarding the importance the City places on investigating and responding to each and every complaint which may be made.**

There is no citizen review board. The Police Department does not support the concept of a citizen review board.

**Response: Agree with finding.**

In September 2001, the Police Department reported staff shortage and high turnover; in May 2002, the Police Department reported that there is no staff shortage and turnover is minimal.

**Response: Disagree with finding in part. In September, 2001, authorized and funded police officer strength was 11 officers. At that time the Department had 10 positions filled, and was in the process of a background investigation on the most qualified candidate for the 11<sup>th</sup> position. At that same time, staffing of the community services officer positions was funded and filled by 2 incumbents, with a background investigation being completed on the 3<sup>rd</sup> community services officer. There has been no turnover over the past two years within the Department.**

**As of May, 2002, the Willits Police Department was fully staffed in both sworn personnel and community service officer positions.**

The Police Department increasingly must work with Spanish-speaking people. The one bilingual Spanish-speaking officer on the Police Department staff cannot provide all translation services required. WPS has access to translation by telephone, but the service is less than effective because it can only be used at the station and not in the field.

**Response: Agree with finding.**

The Police Department is aware and concerned about drug activities in Willits, especially around school sites.

**Response: Agree with finding.**

The County of Mendocino owns and is responsible for maintenance of the building the Police Department occupies. The building needs repairs. There is a leak through an unsightly gaping hole in the ceiling of the main Police Department conference room. The Police Department turns in complaints to the County Building and Grounds Department when it rains. The County comes out and does a quick patch, but no permanent repairs.

**Response: Agree with finding.**

Relative to recommendations of the Grand Jury focused upon the Police Department, the City offers the following responses:

Willits City Council set a policy for Police Department behavior in dealing with the public and ensure that it is followed. (Finding 15, 16)

**Response: This recommendation will not be implemented because it is not warranted and it is not reasonable. Every law enforcement agency in the County of Mendocino has written policies, procedures, and general orders in place that guide and direct officers in the performance of their duties and in their interactions with citizens. The Willits Police Department is no exception. Officer protocol in “dealing with the public” is clearly described within the context of the Police Department General Orders and the direction officers receive from the Chief of Police. To prepare a separate statement relating to the behavioral aspects of officer interaction with the public would be redundant and is not required for this recommendation to be implemented. The fact of the matter is, those policies are established and each individual within the Police Department who comes in contact with the public is required to review and be trained on those policies and procedures.**

Willits Police Department increase Spanish-speaking capacity of officers through training classes or recruitment. (Finding 18)

**Response: The recommendation has already been implemented. For the past 2-1/2 years the Department has attempted to recruit Spanish speaking officer candidates with no success. Officers from the Department have traveled to police training academies in our outreach efforts to identify Spanish speaking candidates. The Department has provided basic Spanish language courses on audio tapes and has made them available to each officer. As well, officers are encouraged to attend college language courses, with tuition and books reimbursed by the Department. The City will continue its effort to increase the departmental capacity to interact effectively with Spanish speaking citizens.**

### **Domestic Violence Restraining Orders**

The City has reviewed the Grand Jury’s report on domestic violence restraining orders and offers the following response relative to the findings:

A person wishing to obtain a Restraining Order must first apply for an *ex-parte* court hearing for a Temporary Restraining Order. An applicant must present a typewritten application on the day of the scheduled hearing. There is no filing fee, but applicants are subject to court fees and costs, unless granted a waiver.

**Response: Agree with finding.**

The judge signs the Temporary Restraining Order after the *ex-parte* hearing and the applicant takes the signed order to the Superior Court Clerk who provides the applicant with five certified copies of the order.

**Response: Agree with finding.**

The applicant must then arrange for service of the order. Any person over 18 years of age can serve the order on the restrained person. Alternatively, a police officer or Sheriff's deputy can perform that function, but the applicant must take it to the appropriate office to arrange for that service.

**Response: Agree with finding.**

At the Sheriff's office, a clerk enters the order into the California Law Enforcement Tracking System (CLETS) computer so that information about it is available to officers who might need it. If the order doesn't get to the Sheriff's office, the information does not get into CLETS.

**Response: Disagree with finding. The City does not have sufficient information to form an opinion about the Sheriff's Department's entries into the California Law Enforcement Tracking System. However, the City has not experienced any negative impacts which have resulted from information not being entered into the CLETS system.**

Only law enforcement agencies and the District Attorney have access to CLETS. The Court has neither the personnel nor the secure work-station required to interact with CLETS.

**Response: Disagree with findings in part. While the City is informed regarding its own access to CLETS, the City does not have sufficient information to comment relative to the resources of the Court.**

The Restraining Order process breaks down when applicants, confused or otherwise unclear about the system, fail to get the order to the Sheriff, with the result that the order is not in CLETS and officers have no information available when called out to deal with a person in violation of the order.

**Response: Disagree with finding in part, in that the City has no specific information regarding breakdowns in the restraining order process which may occur within the Sheriff's Department.**

Besides the Temporary Restraining Order, an applicant can get an Emergency Protective Order, good for three days. A police officer on the scene contacts an on-call judge in circumstances, which, in the officer's judgement, warrant quick action. The judge authorizes the Emergency Protective Order, and the officer takes or faxes a hard copy to dispatch for immediate entry into CLETS.

**Response: Disagree with finding. It is the City's understanding that an Emergency Protective Order is good for five court days as opposed to three. Regarding the activities of the court, the City is not fully informed and therefore cannot respond.**

If an applicant calls police to report a violation of an order, an officer can make a misdemeanor arrest on the spot if the officer observes the violation or if there is a warrant. Also, after speaking with aggrieved party, neighbors, or other witnesses, the officer may arrest after determining there is a probably cause to believe someone has violated an order.

**Response: Agree with finding.**

When a Restraining Order lapses or is lifted by request of the plaintiff or defendant, the Court informs the Sheriff, who enters that information into CLETS.

**Response: Agree with finding.**

The City of Willits offers the following response to the Grand Jury's Recommendation A:

1. The Sheriff and police departments contact the Court Administration Office to recommend that Bailiff's be assigned to deliver orders to CLETS as soon as possible after they are issued. (Findings 3-6, 9)

**Response: This recommendation will not be implemented because it is not reasonable. To clarify, the City is not in a position to comment on the resource availability and staffing assignments determined by the County Administrative Office, the Sheriff, and ultimately the Board of Supervisors. To the extent that additional resources are available to enhance the effectiveness of domestic violence restraining orders, the City will work with the County in every way possible to maximize protections offered by restraining orders and protective orders. The City looks forward to the County's comments relative to their ability to deploy resources and manpower in this and other areas directly impacting our communities.**

Again, thank you for the opportunity to visit with the Grand Jury and support its efforts. Each and every opportunity our City has to receive constructive suggestions and recommendations is an opportunity we embrace with the hope that our ability to maximize public benefits of City programs given scarce resources is enhanced.

The City Council appreciates and values insights provided by the Grand Jury to the citizens of our communities. We have found the report helpful and have utilized its contents to question, consider and assess our ability to maximize public benefits of City programs. We join the Grand Jury in our goal of assuring that government works "for the people", and continue our commitment to that end.

Because our response in its original format was executed by the Mayor, the Police Chief, the Public Works Director and the City Manager as the collaborative response of this City Council and the various department heads, I have not secured all of their signatures again on this document. However, my signature below validate the accuracy of the responses provided from the August 29, 2002 response executed by each and all of them.

Respectfully,

Gordon Logan  
City Manager

GL:cae

**Westport County Water District**  
Response to 2001-2002 Grand Jury Final Report  
Findings

1. The District is current on all annual audits and bond payments.

Response: Agree.

2. Board Meetings are in compliance with the Brown Act.

Response: Agree.

3. The present basic rate for water and sewer service is \$83.01 per month, which provides up to 12,000 gallons of water for each residential and commercial user. Water use in excess of basic service is charged according to amount of usage. Commercial hook-ups are charged at a higher rate than residential.

Response: Agree except that *commercial hook-ups are not charged at a higher rate.*

4. The District has an ongoing problem of obtaining enough citizen participation to fill the Board of Director's position.

Response: Agree.

5. The District has experienced a chronic shortage of revenue from lack of economy of scale. The District has aggressively pursued external grant funding.

Response: Agree.

6. An outside contractor operating on behalf of the District has obtained a \$264,000 grant to do a study of the water shed and existing system.

Response: Agree except that the grant is for a *water feasibility study.*

7. The State recently awarded a grant to construct an additional water storage tank.

Response: Disagree. The grant for the additional water storage tank fell through.

8. The District drilled a deep well, which has a high flow rate, but is unusable because of high manganese and iron content. Use of the well water requires a filtration system costing more than \$100,000.

Response: Agree.

9. The sewage settlement ponds suffer from sediment accumulation and sewage seepage. They require dredging, draining, and lining. The District reports no funds are available for this work.

Response: Agree in part. The referenced ponds are our *aeration lagoons* and they have diminished capacity due to *erosion*.

10. Because of a shortage of personnel, the District does not mail bills in a timely manner. The 1999-2000 Grand Jury found similar problems. The District Board responded that their policy requires bills be out by the 15<sup>th</sup> of the month and that they have developed a form with a year of payment coupons to remind customers when a payment is due.

Response: Agree.

11. The District is authorized to charge \$20 per month to owners of undeveloped and unoccupied real estate parcels. The District has not implemented billing or collection of these fees, stating they would be difficult to collect because of absentee ownership and lack of funds to legally pursue collection.

Response: Agree except the District is authorized to charge *\$60 per year*, not *\$30 per month*.

12. The 1999-2000 Grand Jury found that “one large lot, which is divided into several parcels, has five RVs hooked up to one water and sewer line and paying a single rate” and recommended that “a complete review of all properties within the district, both occupied and vacant, be made to determine if the District is receiving all revenues due.” The District responded that the recommendation was “in progress and of the highest priority.” The present Grand Jury finds that the single hook-up for several residences still exists and the Chair of the Board of Directors reiterated this two-year response.

Response: Agree. This month we are sending a user use survey with the bills. This is the first step in bringing all uses into compliance.

13. The 1999-2000 Grand Jury found that the Waster Water Capital Reserve Fund as mandated by the California State Water Resources Control Board was in arrears and recommended that “delinquent payments be brought up to date.” The District Board responded that capital funds should come from hook up fees, but that the shortage of new hookups caused the lack of funds. The Capital Fund now shows a zero balance.

Response: Disagree. *The Waster Water Capital Reserve currently has \$41,500*. New allocated hookups will each add \$3,161 to this account. New unallocated hookups will each add \$8,021 to this account. In addition, we transferred \$5,000 to the Waste Water Capital Reserve Fund in the 2001-2002 fiscal year.

## Recommendations

- A. The District continue its pursuit of funding and grants for improvements to the water and wastewater systems. (Findings 5, 6, 7)

Response: Implemented. The Directors are currently searching for grants to provide a treatment plant for our well (we came close last summer but were ultimately turned down) and dredging and lining our sediment ponds. See finding 6.

- B. The District consider a loan or a bond initiative to finance the needed filtration system for the grilled well and deferred maintenance on sewage settlement ponds. (Findings 8, 9)

Response: Implemented. See finding 6.

- C. To address problems of economy of scale, the District contract water service to new development adjacent to the District. (Finding 5)

Response: Implemented. Contract water sales to an adjacent campground make a substantial contribution to our budget but there are limits to the amount of water we may take from our source.

- D. The District ensure it bills and collects fees in a timely manner. (Finding 10)

Response: Implemented.

- E. The District pursue billing and collection of fees for undeveloped and unoccupied parcels and pass an ordinance to include unpaid fees in the cost of initial hookup. (Finding 11)

Response: Will be implemented early next year.

- F. The District review the matter of the recreational vehicles on a single service and determine if additional fees are warranted. (Finding 12)

Response: Will be implemented in conjunction with finding 12 above

## **City of Fort Bragg Community Development Department and Affordable Housing**

Response from Fort Bragg City Council (required) and from Fort Bragg Community Development Department, Planning Commission and Community Development Advisory Board (requested)

### **Findings:**

1. The Department is carrying out its various duties working to capacity in terms of personnel.

Response – Agree.

The Community Development Department includes three staff positions; Community Development Director, Associate Planner and Administrative Secretary. Special studies, Environmental Impact Reports and other larger planning and development policy documents such as the General Plan and Zoning Ordinance are prepared through professional service contracts. In order to assure timely processing of routine planning applications the City also uses the services of a contract planner as needed.

2. *The Grand Jury reviewed 134 permit applications for the years 2000-2001. Of the applications reviewed the Department issued 108 permits within 30 days, 22 permits between 30 and 60 days, and four permits after six months. The four permits issued after six months involved commercial and multiple residential projects.*

Response – Agree.

The City has not attempted to reanalyze or recalculate the number of permit applications processed. We believe that the finding accurately represents the typical processing timeframes for building permits. Using the Grand Jury's calculations we note that approximately 80% of permits were issued within 30 days, 16% within 30-60 days and 4% longer than 60 days. Complex projects which require the preparation of an environmental impact report may take a year or more to complete processing. Typical reasons for the longer permit processing timeframes include the need to obtain discretionary approvals through the Planning Commission or the need to modify project submittals to meet Uniform Building Code requirements. The City believes that the Department's timeframes for permit processing are generally acceptable and that they are consistent with or more expedient than other similar jurisdictions. It should also be noted that the Community Development Department is responsible for coordinating permit application review which is required through other City departments, the Fire Department and the County Building Department. For its part the Community Development Department has established an aggressive goal for timely review of 80% of permit applications for zoning consistency within 5 days of receipt of the completed permit application.

3. *The Department lacks a written complaint procedure for applicants unhappy with the permit process.*

Response – Agree in part.

Fort Bragg Municipal Code Chapter 18.78 provides a procedure for any applicant who is unhappy with the result of a permit review process to appeal any decision of the Community Development Department and/or the Planning Commission. A fee for the appeal process has been established by the City Council. The Department does not have a written complaint procedure for general complaints regarding the permit process. Such complaints are routinely handled on a case-by-case basis through the Community Development Director or the City Manager as appropriate.

4. *The Department lacks a comprehensive informational handout for permit applicants detailing pertinent aspects of the process and rights and responsibilities of parties involved. The Department states a goal to produce a handout to this effect in 2002*

Response – Agree.

The Department's permit applications and pertinent sections of the Fort Bragg Municipal Code provide information to permit applicants about permit-processing procedures. These are routinely distributed to permit applicants. In addition, staff routinely provides additional specific and detailed information and interpretation to applicants as needed. The Department is currently updating its application forms and preparing information brochures for each of the planning processes it administers. While this will not be a singular "comprehensive informational handout," the brochures will provide clear and useful information about permitting requirements and procedures. This project is scheduled for completion by December 31, 2002.

5. *The Department lacks a written policies and procedures.*

Response – Disagree.

The City and the Community Development Department have written policies and procedures. Policies and procedures governing the actions of all City Departments and employees are established in the City's Personnel Regulations and Administrative Regulations. The City of Fort Bragg General Plan provides the overarching policy framework which guides land use, development review and decision-making on land use and development applications. Specific procedures pertaining to the Community Development Department's review and processing of discretionary and ministerial permit applications are provided in the Fort Bragg Municipal Code (Title 15-Buildings and Construction; Title 17-Subdivisions; Title 18-Zoning). The Department annually establishes specific objectives for administration of its responsibilities, which are updated and approved by the City Council during the annual budget process.

6. *The Department lacks employee job descriptions that state duties, responsibilities and scope of authority in application and interpretation of codes and ordinances.*

Response – Disagree, in part.

The City maintains job descriptions for all City employees including the Community Development Department employees. The job description provides a summary of the position, and specify typical duties and responsibilities associated with the position. As is typical in similar agencies, job descriptions do not

specifically address each employee’s “scope of authority in application and interpretation of codes and ordinances.” Staff’s authority is identified in the relevant sections of the Fort Bragg Municipal Code. (See attached job description.)

7. *The affordable housing element of the draft General Plan has not been adopted. If adopted as proposed, the City would not meet its existing or projected needs for affordable and low-income housing as proposed by the Government Code. There is a shortage of housing for low-income workers and seniors.*

Response – Disagree, in part.

The City has a Housing Element which was certified by the State Department of Housing & Community Development (HCD) in 1993. HCD requires that it be updated by December 31, 2003. The City has completed a draft Housing Element update in conjunction with the comprehensive update of the entire General Plan. The General Plan and environmental impact report are currently in the public review process. Public Hearings and adoption are scheduled to occur later this year. The draft Housing Element provides policies and programs which are intended to support the development of adequate housing for all economic segments of the community. The Housing Background section of the Housing Element (Section F) identifies many housing needs, including a shortage of affordable housing and senior housing.

The Housing Element identifies potential sites for development of approximately 1,192 additional housing units within the City. The Draft Regional Housing Needs Plan, which was prepared by the Mendocino Council of Governments and is presently under public review, recommends a 2001-2008 housing needs allocation of 388 units for Fort Bragg, of which 159 units are needed for low and very low income residents. Whether or not the housing goals established in the Housing Element are achieved is dependent on many factors, most of which are beyond the City’s control (see Response to Finding 8).

8. *The lack of water and high cost of real estate have constrained the development of adequate affordable and low-income housing in the City. Secondary constraints include the scarcity of redevelopment funds, land-use controls, building codes, local permit processing, various special fees and environmental/site condition studies, and limitations on density.*

Response – Agree.

In addition to the factors listed in Finding 8, macroeconomic factors are a major contributor to the lack of affordable housing. Limitations on the availability of capital to finance land and infrastructure development and building construction, particularly for affordable housing, has a direct bearing on the production of new housing in any community. The City has developed policies in the Housing Element update to facilitate and encourage the development of affordable housing.

9. *In the past, the City, in conjunction with private enterprise, has supported affordable and low-income housing development by mitigation of fees, codes and ordinances, and reduction in site development standards, water use retrofit, and application of density bonus. Presently, City support of low-income and affordable housing is hampered by lack of redevelopment funds.*

Response – Agree, in part.

The City has a long history of supporting affordable housing development projects. While redevelopment funds have not been available for several years to provide direct financial assistance, the City has developed a small balance in the Redevelopment Housing Fund as of June 30, 2002. The City Council has identified its interest to evaluate approaches to facilitate and support housing development.

Despite the City's inability to provide direct financial assistance, in the past three years, the City has undertaken many activities in support of housing development, including: preparation of the Housing Element update; Federal Emergency Shelter Grants for emergency/transitional housing; Community Development Block Grant (CDBG) for housing rehabilitation; CDBG grant for development of off-site drainage improvements to support a sweat-equity housing project; and CDBG grant for preparation of a Senior Housing Market Study. In addition, the Redevelopment Agency recently contributed \$40,000 for pre-purchase studies to assist the acquisition of a 49-unit "at risk" affordable housing project by a qualified affordable housing non-profit.

10. *A major obstacle to affordable and low-income housing availability statewide as well as in Mendocino County is affordable housing becoming unaffordable because of market forces.*

Response – Agree.

One means of ensuring that affordable housing remains affordable is to establish rental or resale covenants for housing projects which receive public funds and/or special benefits. State Redevelopment Law and State Density Bonus Law require that mechanisms be in place to ensure continued affordability for between 10 and 40 years.

11. *Poor design and undesirable location of low-income housing can contribute to legal and social problems.*

Response – Agree.

This finding does not relate specifically to the City of Fort Bragg. The City of Fort Bragg is fortunate to have several exemplary affordable housing developments. For the most part, the sweat-equity residences and the multiple-family developments built over the past two decades are of good design and are well-maintained. The City's liberal policy for development of second dwelling units in residential zoning districts is an effective tool to encourage affordable housing development throughout the community.

### **Recommendations:**

- A. *The City adopt the policies of California Government Code Sec. 65920, 15399.5 and related codes dealing with the State Permit Streamlining Act. Specifically, the City direct the Department to establish and declare timetables for action on individual permits and declare an expedited appeal process to ensure fair treatment to the applicant using existing agencies, staffs, commissions, or boards. (Findings 2, 3)*

Response – The recommendation has already been implemented.

The City, like all public agencies in California, must comply with the requirements of the Permit Streamlining Act (GC §65920, et.seq.) for the processing of discretionary permits. The Permit Streamlining Act does not apply to ministerial permits, such as building permits (Finding 2). It is unnecessary for the City to re-adopt State laws.

GC §15399.5 pertains to the California Main Street Program and appears to be an incorrect citation.

The Department has established objectives for permit-processing timeframes in the FY 2002-03 Budget. For building permits, the objective is to perform the review for zoning compliance within five days of receipt of a complete application for 80% of applications. For discretionary actions which are not subject to environmental review, the Department's objective is to agendaize at least 80% of applications for Planning Commission action within 4 to 6 weeks of receipt of a completed application.

Applicants are treated fairly by Department staff and decision-making bodies (Planning Commission, City Council). As discussed in response to Finding 3, the City has an appeal procedure whereby applicants dissatisfied with any administrative or policy decision may request a hearing by the City Council.

B. The City direct the Department to produce for applicants a comprehensive handout furnishing information relevant to the permit process and the appeal process. The City post this information on the City's web site with applications and application updates. The City also post an application log and update application status regularly. (Finding 4)

Response – The recommendation to produce a comprehensive handout relevant to the permit process and the appeal process and post this information on the City's web site will be implemented in the future. The recommendation regarding posting an application log and update application status regularly will not be implemented because it is unwarranted and infeasible.

As noted in the response to Finding 4, the Department is preparing brochures explaining all permitting processes administered by the Department. These will be completed by December 31, 2002 and will be posted on the City's website shortly thereafter.

The Department does not have adequate staff resources to post and maintain information on the City's website which needs to be updated on a daily or weekly basis. Information about the status of applications is readily available to applicants by phone or at the Department's public counter.

C. *The Department with the City Council produce a policies and procedures compendium for the Department (Finding 5)*

Response – The recommendation will be implemented in the future.

The City has initiated the comprehensive update of all of its regulations pertaining to land use and development, including zoning and subdivision regulations. A consultant has been retained to perform the work, and the first public workshop was held in August 2002. The updated "Land Use & Development Code" will establish clear regulations and procedures for implementation of the City's land use policies. A draft of the Land Use & Development will be reviewed by the Council in May 2003.

D. *The Department with the City Council produce detailed job descriptions for Department employees. This is to include specific details on the scope of authority and discretion of Department in applying and interpreting Municipal Codes and ordinances. (Finding 6)*

Response – The recommendation regarding detailed job descriptions will not be implemented because it is unwarranted and the recommendation regarding specific details on the scope of authority and discretion of the department will be implemented in the future.

The City of Fort Bragg operates under a City Council/Manager form of government. The City Manager is responsible for management and administration of all personnel and operations. Job descriptions for all positions are developed and maintained through the City Manager's Office. As addressed in the response to Finding 6, detailed job descriptions are available for all Community Development Department employees.

The Department's function is to apply and interpret the City's Municipal Codes and ordinances pertaining to land use and development. The extent to which discretion is used in applying and interpreting Codes depends entirely on the content and structure of those Codes. The Land Use & Development Code update process (see response to Recommendation C) will provide an opportunity for the City to review and revise its Codes to provide for more or less administrative authority and discretion. A draft of the Land Use & Development will be reviewed by the Council in May 2003.

E. *The City adopt a policy compliant with State Government Code Sec. 65915 through 65918 concerning mitigation of codes, ordinances, site development standards, and application of density bonus for affordable and low-income housing. (Finding 9)*

Response – The recommendation has been implemented.

The City has both existing and proposed revised Housing Element policies which implement State Density Bonus Laws (GC §65915 et.seq.). The City's existing certified Housing Element establishes inclusionary housing and density bonus requirements. (See attached Housing Element, Policy 2.2 and Program 2.2.a and Program 2.2.b). The draft Housing Element which currently is under review includes revised policies and programs relating to density bonus regulations. (See attached City of Fort Bragg General Plan, Housing Element, pages 119-121: Policy H-3.4; Program H-3.4.1, Program H-3.4.2; Program H-3.4.3; Policy H-3.5; Program H-3.5.1.)

F. *The City explore methods of insuring affordable housing development remain affordable. This may include Federal, State and County funding of permanent low-income housing and ordinances requiring commercial development include low-income housing in their projects. (Finding 10)*

Response – The recommendation will be implemented in the future.

The City offers on-going support for affordable housing projects through the CDBG program and its Redevelopment Housing Fund. The draft Housing Element establishes new policies and programs to support the development, maintenance and retention of affordable housing in the community. (See attached City of Fort Bragg General Plan Public Review Draft- August 2002; Housing

Element, pages 112-156.). The updated General Plan is scheduled for adoption by the City Council in December 2002.

*G. The City adopt a policy of tasteful design and suitable location of affordable and low-income housing. (Finding 11)*

Response – The recommendation will be implemented in the future.

The draft Housing Element establishes new policies to support development of affordable housing and includes programs to ensure that new housing is compatible with the surrounding neighborhood. These policies will be further articulated and implemented through revised Design Review standards which will be established during the Land Use & Development Code update process. (See attached City of Fort Bragg General Plan Public Review Draft- August 2002; Housing Element, pages 112-156.). The updated General Plan is scheduled for adoption by the City Council in December 2002. The draft Land Use & Development Code will be reviewed by the City Council in May 2003.

September 25, 2002  
Honorable Ronald Brown  
Presiding Judge  
Mendocino County Superior Court  
100 N. State Street  
Ukiah, California 95482

Honorable Judge Brown:

Thank you for the opportunity to review and respond to the Findings and Recommendations contained in the Final 2001-2002 Mendocino County Grand Jury Report. This letter contains responses from the City of Fort Bragg as required by California Penal Code Section 933. For the purpose of simplicity, the response from each agency and officer of the City of Fort Bragg from whom response is either requested or required is incorporated in the attached comments.

The attached pages provide our response to three matters reviewed by the Grand Jury. These are: "City of Fort Bragg Community Development Department and Affordable Housing", "The Mentally Ill – A New Approach to Crisis Services" and "Domestic Violence Restraining Orders".

The City of Fort Bragg appreciates the Grand Jury's interest in these important topics and the professional approach the Grand Jury used in completing its review and the preparation of its suggestions. We are aware that the Grand Jury shifted through a very large amount of permit application material in its review of the City's Community Development Department permitting procedures. The Court should be aware that producing this information on the tight schedule defined by the Grand Jury required a very significant work effort for the City staff and a consequent diversion of staff time as well as cost to the City. We estimate the value of the City work effort at approximately \$1,500. Given the volume of material requested from the County Building Department as our contract service provider, we estimate a similar cost to their operations. We suggest in the future that the Grand Jury consider the financial and work effort impacts to agencies of the Jury's requests for information and support.

Again, we appreciate the Grand Jury's service and the opportunity to respond to these reports.

Sincerely,

Jere Melo,  
Mayor

## The Mentally Ill – A New Approach to Crisis Services

Response from Fort Bragg City Council (required) And from Fort Bragg Police Chief (requested)

### Findings:

1. *While causing concern in the County, many saw the closure of the locked PHF as an opportunity for change. The loss of the PHF triggered a comprehensive re-evaluation of the delivery system of help to the mentally ill, especially to those in crisis. Numerous stakeholders were brought together to examine the system in place, research the latest practices in the file, and explore the various options for possible change.*

Response – Agree.

The City of Fort Bragg was among those within the County who were concerned with the announcement of the closure of the PHF unit. The Fort Bragg Police Department experienced several situations of inadequate response to calls for assistance with mentally ill persons. In one case the Department was required to deploy two officers for a 7-hour round trip to transport a violent subject to a locked facility in Sonoma County. This created a hardship for the Police Department and subjected the mentally ill person to an inappropriate standard of care.

2. *On July 17, 2001, the DHM submitted a staff report on mental health services in the County. The nine-page report summarized various possible solutions. The recommendations were: close the PHF and create the CSC, adopt a community-based Adult Systems of Care model, assign mental health workers to the Jail, increase staff for case management, and continue to use out-of-county contract mental health treatment facilities. In addition the County would take over the operation of a residential recovery center, Casa de Marta, in Ukiah, and provide for quick response crisis workers to hospitals, Jail, or other places in the community needing their services. The new plan, with the CSC as an important component, would result in a community based program, a “recovery model” with case management to bring together available resources, including patient advocacy groups, to provide each case with a range of services and continuing follow-up.*

Response – Agree.

3. The BOS approved the plan, which the County Administrative Office described as “a major shift in the delivery of mental health services in our community.” County administrative employees recognized that the changes would require a great deal of effort to overcome resistance and for various departments and clients to work together to make the new system successful.

Response – Agree.

4. *An important piece in the new system is the Memo of Understanding between the DMH, the Sheriff, the three city police departments, and the three hospitals in the County whose emergency rooms will be receiving people in mental health crisis. The document, effective October 1, 2001, establishes the protocols for the assessment and care of persons exhibiting signs of mental illness who come into contact with law enforcement.*

Response – Agree.

The protocols established by the MOU have been applied in practice resulting in stronger relationships between mental health personnel and the officers making the referrals. The

process appears to be working well according to the Fort Bragg Police Officers who have utilized the system outlined in the MOU.

5. *DMH, law enforcement and hospital staff, do not meet regularly to share knowledge and procedures. Agencies confer on a case-by-case basis.*

Response – Agree.

While it's true the hospital staff and the Fort Bragg officers do not meet on a regular basis, the protocols established by the MOU make even our case-by-case contacts more meaningful. This improvement is possible because the dialog between the hospital staff and the officers can center more around the case and less about who is responsible for certain actions.

6. *The CSC, located at 860 North Bush Street in Ukiah, in the government complex, went into full operation in the middle of October 2001.*

Response – Agree.

7. *The CSC is open and staffed 24 hours a day, seven days a week. Participation of clients is voluntary and there are some beds for overnight "time-out" stays if necessary.*

Response – Agree.

8. *A CSC, worker's duties include evaluation, intervention, placement at a contract psychiatric hospital for 72-hour evaluation under §5150, and planning for discharge from the center to follow-up services.*

Response – Agree.

9. *The policy statement for the CSC includes job descriptions for all staff, definition and philosophy of the recovery model concept of treatment, and details of operations.*

Response – Agree.

10. *State regulations require the County to provide a Patient Rights Advocate. The patient rights advocate office is now in the CSC, a partial implementation of a 2000-2001 Grand Jury recommendation.*

Response – Agree.

11. *The CSC has developed a transportation system to drive clients to out of county psychiatric facilities thus relieving the sheriff from that duty except when the client requires a law enforcement escort. These workers will also have other duties at the center.*

Response – Agree.

This aspect of the protocol has all but eliminated the need for Fort Bragg officers to be responsible for transportation of §5150 detainees from the coast to other facilities.

12. *The CSC is officially designated under State of California guidelines as a Community Mental Health Clinic in which client services are billed under Medi-Cal regulations. It is anticipated that the final costs to the County could be reduced while at the same time providing better services to the mentally ill.*

Response – Agree.

13. *Records indicate that as many as one in four inmates housed at the Jail have mental health issues. When the PHF was closed, officers no longer had a secure facility to leave people who needed evaluation. Patrol Officers reported being out of normal service while they waited for mental health crises workers to respond to hospital*

*emergency rooms to evaluate and assume custody of the client. In addition, mental health or law enforcement staff time had to be increased to transport patients to out of county psychiatric facilities.*

Response – Agree.

14. *With the assignment of DMH personnel to the Jail and the ability of the CSC to send crisis workers to the jail after regular working hours, Jail workers believe the treatment of inmates with mental health issues has improved.*

Response – Agree.

15. *There is a strong connection between mental illness and substance abuse. Clients in crisis typically exhibit a multitude of problems in addition to the ones that have brought them to the immediate crises. These include homelessness, health, employment, and childcare. DMH has recognized the multiple layers of need with the creation of a new position, Consumer Services Coordinator, with the job of ensuring that the clients receive the help needed from whatever source is available. However, some clients exhibiting aberrant behavior are sometimes shuffled back and forth between AODP and DMH.*

Response – Agree.

16. *With the PHF no longer available, the need for costly transportation of patients out of the county has increased. Both the Sheriff and the DMH have standby transportation staff and/or ambulances available (if restraint is required) to transport patients to out-of-county psychiatric facilities.*

Response – Agree.

17. *Redwood Coast Regional Center, DMH, and the Sheriff are collaborating in a unique grant-funded training program to bring more understanding of the relationship of law enforcement and the developmentally disabled and the mentally ill. A private training group from the Bay Area has been conducting the training.*

Response – Agree.

On April 11, 2002 the Fort Bragg Police Department provided an instructor for a presentation on this subject matter to Critical Focus. The presentation was made at the Fort Bragg Police Department.

18. *DMH has in place tools for evaluation, such as the Client Satisfaction Questionnaire and the California Quality of Life instrument. The Mental Health Board is planning to evaluate client satisfaction.*

Response – Agree.

19. *The Grand Jury has heard testimony that the impact of the new procedures on Fort Bragg and the coastal areas of the County have been mixed. The Fort Bragg area had in place, prior to the closure of the PHF, a system for crisis response that has not changed. The Fort Bragg office of the DMH has employees to respond to crisis calls Monday to Friday 8 a.m. to 5 p.m. The County has a contract with Ford Street Project, a private non-profit human service organization, to provide crisis response during all other times. DMH supervisors are available for telephone consultation with the Ford Street crisis workers. The Ford Street Project also provides three beds for “time-out” cases in the same situations now available at the CSC. The primary change has been for §5150 cases, which require a custodial setting. Information from crisis workers on the coast*

*indicates without a PHF, it sometimes takes longer to find a placement for persons who must be detained under §5150 because they must be taken out of the county.*

Response – Agree.

20. There are currently three on-call crisis workers who are employed in other human service jobs. They participate in continual training and case conferences and are supervised by on-call DMH personnel. Often the crisis workers have extensive prior knowledge of the client and the needs of the case, thus facilitating decision-making.

Response – Agree.

The Fort Bragg Police Department works closely with the Coast Crisis Service providers and relies on their specialized training and prior knowledge of client needs to facilitate appropriate service and decision making regarding mentally ill persons.

21. *Other partners in the process, law enforcement and hospital medical staff, at times, question the qualifications and decisions made by the crisis workers. On the other hand, crisis workers feel that police officers and emergency room staff do not understand the requirements and consequences of a §5150 detention nor the difficulty in diagnosing a mental disorder.*

Response – Agree.

The criteria for the application of a §5150 hold for law enforcement although narrow still leaves open the possibility of differences of opinion between evaluators. It's not uncommon that the symptoms exhibited in the presence of the first responder (usually law enforcement) are masked by the person being evaluated when he/she realizes a §5150 hold may be forthcoming. It's important to remember that a §5150 hold is not a commitment, but is rather a vehicle to get the person in question into a professional evaluation environment. As much as it would be desirable that those evaluating the need for the §5150 hold have a uniform opinion, differences as to the suitability of a hold are likely to continue. As with most issues, the key to reducing the frustrations associated with these differences lies in effective communication.

22. *There is no licensed holding cell or room on the coast. At times a patient will be held at the Sheriff's substation in Fort Bragg or by the Fort Bragg Police, perhaps in the back of a patrol car, until a crises worker arrives.*

Response – Agree.

This situation does occur, but during the past year incidents wherein this has been necessary have been reduced within the Fort Bragg jurisdiction. Our officers report that the response time for the crises worker to arrive on scene has improved.

## **Recommendations:**

- A. *Law enforcement agencies strengthen their partnership with the DMH and other mental health stakeholders. (Finding 5, 13)*

Response – The recommendation has already been implemented.

The City of Fort Bragg agrees that a strong partnership between the Department of Mental Health, law enforcement and other mental health service providers is essential to adequate and appropriate delivery of mental health services. The City remains committed to continuing and improving this critical partnership. Aside from meetings held between the Fort Bragg Police Department and mental health services in August and September of 2001 and March of 2002, the Fort Bragg Police Department has established a protocol of direct communication between the Chief of Police and mental health administration. These communications have proven effective in the resolution of issues before they become problems, but are not limited to addressing only negative issues. In January of 2002 the department sent a letter to the Director of Mendocino County Mental Health praising their staff for professional responses to our requests for assistance.

- B. *The BOS fund training to improve understanding of the new procedures to allow each group to appreciate the concepts and problems of the other, and to help clients to use all resources to the fullest. (Finding 5, 13)*

Response – The recommendation has already been implemented.

The City of Fort Bragg supports the concept of understanding through training. The Fort Bragg Police Department participated in the training provided in April of 2002.

- C. *The DMH, law enforcement, and hospital medical personnel meet on a regular basis to share knowledge and procedures in dealing with the mentally ill. (Finding 5, 13)*

Response – The recommendation will not be implemented because it is unwarranted or unreasonable.

For the Fort Bragg Police Department regular scheduled meetings with DMH and hospital medical personnel have been determined to be an unnecessary burden on the agencies. The meetings in August and September of 2001 and in March of 2002 combined with the MOU have resolved the majority of our issues. Our system of communication between the Chief of Police and the other agencies has been adequate to address any issues that have come forth within the past year and we feel will be effective in the future. The Fort Bragg Police Department will be an active participant should a future need arise for meetings or workshops relative to mental health issues.

- D. *DMH and AODP integrate health services and substance abuse treatment. (Finding 15)*

Response – The recommendation will not be implemented because it is unwarranted or unreasonable.

Neither the City of Fort Bragg nor the Fort Bragg Police Department has the ability to implement this recommendation. It is unreasonable to expect that these entities would be responsible for action on this recommendation.

## **Domestic Violence Restraining Orders**

Response from Fort Bragg City Council (required) And from Fort Bragg Police Chief (requested)

## **Findings:**

1. *A person wishing to obtain a Restraining Order must first apply for an ex-parte court hearing for a Temporary Restraining Order. An applicant must present a typewritten application on the day of the scheduled hearing. There is no filing fee, but applicants are subject to court fees and costs, unless granted a waiver.*

Response – Agree.

2. *The judge signs the Temporary Restraining Order after the ex-parte hearing and the applicant takes the signed order to the Superior Court Clerk who provides the applicant with five certified copies of the order.*

Response – Agree.

3. *The applicant must then arrange for service of the order. Any person over 18 years of age can serve the order on the restrained person. Alternatively, a police officer or Sheriff's deputy can perform that function, but the applicant must take it to the appropriate office to arrange for that service.*

Response – Agree.

Although it is the responsibility of the applicant to assure the order is served on the restrained subject by an uninvolved party, the Fort Bragg Police Department will notice the restrained individual upon contact if we know service is required. Our office personnel then enter our notice to the restrained party into CLETS.

4. *At the Sheriff's office, a clerk enters the order into the California Law Enforcement Tracking System (CLETS) computer so that information about it is available to officers who might need it. If the order doesn't get to the Sheriff's office, the information does not get into CLETS.*

Response – Agree.

In addition, Fort Bragg police department personnel will make entry of the restraining order into CLETS if the applicant so requests.

5. *Only law enforcement agencies and the District Attorney have access to CLETS. The Court has neither the personnel nor the secure work-station required to interact with CLETS.*

Response – Agree.

6. *The Restraining Order process breaks down when applicants, confused or otherwise unclear about the system, fail to get the order to the Sheriff, with the result that the order is not in CLETS and officers have no information available when called out to deal with a person in violation of the order.*

Response – Agree.

Applicants for a restraining order who come into contact with the Fort Bragg Police Department and who have for some reason not had their order entered into CLETS are assisted at the front counter. Office personnel will enter the order and instructions as to service of the order on the restrained party will be given to the applicant.

7. *Besides the Temporary Restraining Order, an applicant can get an Emergency Protective Order, good for three days. A police officer on the scene contacts an on-call judge in circumstances, which, in the officer's judgment, warrant quick action. The judge authorizes the Emergency Protective Order, and the officer takes or faxes a hard copy to dispatch for immediate entry into CLETS.*

Response – Agree.

An officer at the scene of a domestic violence incident issues the Emergency Protective Order (EPO). In addition to instructions provided by the officer as to the time frame covered by the EPO, the EPO itself clearly shows the date when it expires. If the person covered by the EPO wants to extend the time and conditions they must apply for a restraining order through the court. County dispatch enters the EPO into CLETS at the time it's issued.

8. *If an applicant calls police to report a violation of an order, an officer can make a misdemeanor arrest on the spot if the officer observes the violation or if there is a warrant. Also, after speaking with aggrieved party, neighbors, or other witnesses, the officer may arrest after determining there is probable cause to believe someone has violated an order.*

Response – Agree.

This is true when the restrained person has been previously served with notice that the restraining order has been issued. If the order has not been served on the party the officer will make notification to the restrained party. But will not usually arrest at this time unless other criminal conditions exist.

9. *When a Restraining Order lapses or is lifted by request of the plaintiff or defendant, the Court informs the Sheriff, who enters that information into CLETS.*

Response – Agree.

**Recommendation:**

- A. *The Sheriff and police departments contact the Court Administration Office to recommend that Bailiffs be assigned to deliver orders to CLETS as soon as possible after they are issues. (Findings 3-6, 9)*

Response – Recommendation has already been implemented.

The call was placed to the Court Administration Office on September 4, 2002.

**2001/2002 GRAND JURY REPORT**  
**RECOMMENDATION IMPLEMENTATION SCHEDULE**  
 Provided by County Administrative Office March 18, 2003

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
<b>MARIJUANA AND METHAMPHETAMINE SUPPRESSION EFFORTS IN MENDOCINO COUNTY:</b>				
1. Given the resources at their disposal, COMMET maintain the current emphasis on large plantings.	X			
2. For the Task Force to be fully effective in the suppression of meth, it will need more in the way of funding and personnel. Law enforcement officials and the Board of Supervisors vigorously lobby the legislature for legislation making those available.	X			
3. Task Force personnel and the District Attorney meet and clarify for each other what steps each must take to dispel the impression that the prosecutors are functioning in such a way as to allow meth violators, particularly those arrested for sale, to avoid imprisonment. The District Attorney ensure that Task Force personnel are clear on what evidence the law requires for effective prosecution.	X			
4. Task Force personnel and representatives of other law enforcement agencies meet on a regular basis to share information and better coordinate their efforts.	X			
5. AODP continue searching out all possible sources of funding for its activities. BOS increase funding when possible.	X			AODP has received two new grants for Anderson Valley, MethBUST and a Rural Health Grant, and will continue to seek new resources wherever possible.
6. AODP intensify efforts to educate the community about meth in general and about drug use as a health issue.	X			AODP has received two new grants for Anderson Valley, MethBUST and a Rural Health Grant. These two new grants will allow AODP to expand educational efforts to the Anderson Valley area and AODP will continue to educate on a County-wide basis as resources permit.
7. AODP continue educational activities in the schools, but expand those activities to the larger community, especially in ways that will reduce meth use by young adults.	X			AODP has received two new grants for Anderson Valley, MethBUST and a Rural Health Grant. The two new grants for Anderson Valley clearly will allow AODP to increase its efforts in that area of the County and further expansion will be contingent on acquiring additional resources.

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
<b>COMPLAINT POLICIES AND PROCEDURES FOR MENDOCINO COUNTY:</b>				
1. The County formalize a policy outlining the procedures to be used for the expedient handling all types of complaints, either procedural or personnel. (The County does need to recognize that some departments have mandated requirements over and above the County requirements.) This policy must include the method of responding to all complaints.		Summer 2003		
2. The Human Resource Department develop written procedures for referring employee grievances according to the SEIU MOU and post notices on employee bulletin boards in all departments.			X	
3. The County design and publish the complaint forms and the logs needed to track all complaints.		Summer 2003		Evaluate need and implement if appropriate. Evaluation to be completed Summer 2003.
4. The County develop a sign informing the public or employees of the complaint procedures and post these signs in all departments.		Summer 2003		Evaluate need and implement if appropriate. Evaluation to be completed Summer 2003.
5. The County Administrative Office review the following in all departments at least once a year. <ol style="list-style-type: none"> <li>1. All departmental complaint logs.</li> <li>2. The placement of all signs.</li> <li>3. The availability of the complaint forms.</li> <li>4. The departments tracking of all complaints.</li> </ol>		Summer 2003		Evaluate need and implement if appropriate. Evaluation to be completed Summer 2003.
<b>THE MENTALLY ILL - A NEW APPROACH TO CRISIS SERVICES:</b>				
1. Law enforcement agencies strengthen their partnership with the DMH and other mental health stakeholders.	X			
2. The BOS fund training to improve understanding of the new procedures, to allow each group to appreciate the concepts and problems of the other, and to help clients to use all resources to the fullest.	X			Mental Health staff has been fully trained on the MOU and standing offers exist with the various law enforcement agencies to provide training as requested.

2001-2002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
3. DMH, law enforcement, and hospital medical personnel meet on a regular basis to share knowledge and procedures in dealing with the mentally ill.	X			All participants of the MOU met last summer. Various sub-groups have been working on changes to the MOU and a new draft has been circulated. Once comments are received and a final draft created, the group will reconvene. Whenever a problem occurs, conversations between the affected parties happen immediately and the problem is resolved.
4. DMH and AODP integrate health services and substance abuse treatment	X (In part)			Implemented to the extent funds are available. While the SAMHSA grant was not funded, the two Departments continue to work closely through the Children's System of Care, Older Adult Systems of Care, MOST program, and the therapeutic courts. Mental Health is also helping AOD become an organizational provider through the MediCal Managed Care Plan. The two Departments are working on an MOU to further clarify the collaboration on dually diagnosed clients. However, the ability to develop programs is contingent upon the availability of revenue sources.
<b>MENDOCINO COUNTY INFORMATION SERVICES:</b>				
1. Board of Supervisors consolidate the communication and technological system, designating ISD to plan and maintain all equipment for the County.	X (In part)	On-going process		Where applicable and economically feasible, proceeding in this direction. Exceptions exist.  The Mental Health Department continues to work in partnership with IS staff on all matters pertaining to information technology.
2. ISD Director follow Policy 22 and assess all departments' needs for IT personnel.		On-going		
3. Board of Supervisors revise and strengthen Policy 22 to consolidate management of IT personnel under ISD for more efficient use of employee resources, including time and expertise. Board of Supervisors make ISD responsible for hiring technology personnel.			X	Lengthy collaborative process took place in development of Policy 22. Reflects balanced approach to IS management acceptable to Board of Supervisors and departments.
4. ISD and the Sheriff's Office configure the , AS400s to ensure continuous delivery of services throughout the County.		Feasibility study in progress est. completion 11/03		
5. Board of Supervisors empower ISD to safeguard all County data from outside intrusion.	X			Security officer hired.

2001-2002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
6. Board of Supervisors empower ISD to implement County-wide standard back up procedures with a centralized file server.		On-going		Not all systems can be part of County's back up system. On-going process to safeguard systems. Central file server is being implemented now and should be up and running with as many department's as possible by June 30, 2003.
7. Board of Supervisors provide a County fireproof central depository and also use an out-of-county location for data backup storage.		Unknown due to financial constraints		Financial constraints have limited County's ability to pursue in 2003/04. General Services to obtain quotes on associated costs.
8. ISD maintain an identified network topology of all County communication and computer systems.		On going		
9. When the department that needs daily public access relocates, General Services install a secure entry identification system in ISD facilities.		June 30, 2003		With the removal of the Department to their new location, access to the building will be able to be more strictly regulated by Information Services staff. Information Services is working with Buildings and Grounds to modify the front and rear access points to preclude unauthorized entry.
10. ISD compile manuals for the operation of the ISD computer system.		June 30, 2003		
11. ISD update the manual for the ISD systems design and programming functions.		On-going June 30, 2003		
12. ISD update the Disaster Recovery Guide.		June 30, 2003		
<b>FAMILY &amp; CHILDRENS SERVICES &amp; PARENTS:</b>				
1. Upon initial intervention, FCS provide written information explaining the FCS process and apprising parents of their rights and responsibilities.		December 31, 2003		Due to the vacancy in the Deputy Director position, which is estimated to go from January to May 2003, the priority for the Division is to maintain current operations and to hold all additional projects until the new Deputy is on board and oriented. Therefore, the Department of Social Services respectfully asks that most deadlines be extended from June 30, 2003 to December 31, 2003. Some preliminary work is being done, but cannot be finalized with current staffing. Please note that the Department currently complies with State regulations and Court orders - these recommendations represent enhanced practices.
2. * FCS develop and use a checklist for Social Workers with space for parents to acknowledge receipt of information.			X	

2001-2002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
3. FCS provide a handbook to clarify relationships and procedures similar to the Foster Parent Handbook.		December 31, 2003		
4. The County provide an ombudsman similar to the Mental Health Patient Rights Advocate to address parent concerns and issues.			X	
5. FCS adopt policies allowing use of audio recording equipment for client/department communications.		December 31, 2003		
6. FCS develop and use a client feedback survey form for parents.		December 31, 2003		
7. FCS train all Social Workers on use of the new guidelines for case planning.	X			
8. FCS stress to all County Social Workers the need for consistency in case plan requirements.	X			
9. FCS develop and use a checklist to involve parents in the case planning process.		December 31, 2003		
10. FCS adopt a policy that informs parents step by step of their status. Develop a procedure and a form with incremental approvals, and an incremental approval checklist.			X	
11. If a case plan changes, FCS provide written explanation to parents (before a Court hearing), stating the reason why and involving parents in the change of the plan.	X			
12. FCS continue to train Social Workers in standards for removal and reunification of children.	X			
13. FCS establish and follow procedures for apprising parents of their rights.		December 31, 2003		
14. DSS ensure that written complaint information and forms are available in DSS and FCS public lobbies.		June 30, 2003		This is being done Department-wide.
15. FCS establish and use a complaint log that includes the disposition of complaints.		June 30, 2003		This is being done Department-wide.
16. FCS expand the brochure "Grievance Review Policy" to include grievance procedures for all aspects of client/FCS interactions.		December 31, 2003		
17. FCS Supervisors consider case-load complexity in assigning Social Worker case-load.	X			

2001-2002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
18. The County and DSS establish a coordinated Social Worker recruiting program among the College of Redwoods, Mendocino College, and local high schools with more outreach to Latino and Native American populations.		December 31, 2003		
19. The DSS Director request that Mendocino College and the College of the Redwoods begin Social Worker Assistant programs and that Sonoma State and Dominican College satellite campuses begin Social Worker programs.		December 31, 2003		
20. Boards of Supervisors re-evaluate the salary schedule within FCS.		June 30, 2003		Merit System Services has begun to work on this.
21. The County fill the vacant positions.	Within budgetary constraints			
<b>DOMESTIC VIOLENCE RESTRAINING ORDERS:</b>				
1. The Sheriff and police departments contact the Court Administration Office to recommend that Bailiffs be assigned to deliver orders to CLETS as soon as possible after they are issued.			X	
<b>DEPARTMENT OF TRANSPORTATION:</b>				
1. The DOT Director ensure that supervisory personnel receive training in modern, collaborative management practices.	X			Ongoing, Director is continually looking for affordable training opportunities.
2. The DOT Director ensure that top managers consult line staff before making decisions about issues, needs, and projects.	X			Ongoing, top managers are encouraged to consult line staff.
3. The DOT Director ensure that managers and supervisors receive training regarding Recommendation B.	X			Ongoing, DOT committed to provide enhanced training opportunities.
4. The DOT develop and implement written policies and procedures for responding to citizen and employee complaints.		July 2003		Formal policy will be developed.
5. DOT refer to its equipment use and maintenance records, including information on hours of use, repair history, downtime, maintenance records and estimated useful life, to establish a 10-year equipment replacement schedule and a system of procurement for new equipment needed.		July 2003		Existing funding resources may preclude a 10-year replacement schedule. Strategies will be developed for FY 2003/04.

2001-2002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
6. Upper management and supervisors rely on the Equipment Supervisor for information concerning equipment maintenance repair and replacement needs.	X			Ongoing.
7. BOS give DOT authorization and budget support to establish and maintain a capital reserve fund dedicated to replacing outdated equipment and procuring new equipment as appropriate.		July 2003		Program subject to annual approval by BOS. DOT is developing budget strategies for next fiscal year (FY 2003/04).
8. DOT provide portable toilet facilities in accordance with CalOSHA regulations for use by road crews when nearby facilities are not available.		July 2003		Portable toilets are scheduled to be available for projects lasting longer than six hours.
9. In accordance with CalOSHA regulations, DOT provide potable drinking water for all road crews.		April 2003		Drinking water will be available in accordance with CalOSHA.
10. DOT establish responsible and effective security measures to ensure that facilities, materials and equipment are secure from theft, pilferage, and vandalism.	X			Ongoing.
11. DOT assume responsibility for minor yard maintenance, such as replacement of security lighting.	X			Ongoing, FY 2003/04 budget to include provisions for implementation.
12. DOT direct Yard Supervisors to ensure that grounds are maintained in clean and orderly conditions and that alcohol not be brought on County premises. Recycle empty containers promptly.	X			Ongoing.
13. DOT ensure that accident reports include details from follow-up investigations as well as in-depth treatment of the causes of accidents and suggestions for training on causes and prevention of such accidents.	X			DOT working with Risk Management to ensure implementation.
14. DOT use OSHA forms to report accidents.			X	The recommendation will not be implemented because it is unwarranted. The department utilizes accident report forms developed by County Risk Management. The County forms are in substantial conformance with and have been approved by Cal-OSHA.
15. DOT train employees to fill out accident report forms completely and accurately.	X			Risk Management working with DOT to ensure implementation.

2001-2002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
16. DOT crew supervisors and the Safety Officer discuss accidents and accident prevention as regular topics at all safety meetings.	X			On going in cooperation with Risk Management.
17. DOT Safety Coordinator be an employee of the County Risk Manager.	X			DOT depends on Risk Management for Safety Officer duties.
18. DOT Safety Coordinator give accident reports to the County Risk Manager.			X	The recommendation will not be implemented because it is unwarranted. All accident reports are currently given to Risk Management through the Administration and Business Services Division. It is the Division manager's responsibility to assure that Risk Management receives copies of all reports. The Safety Coordinator is given a copy of each report.
19. DOT establish a comprehensive training program for equipment operators.		October 2003		Discussion continues with top management and Human Resources to develop program.
20. DOT step up efforts to fill all funded positions.	X			Budget resources will limit further implementation.
21. When job openings occur, DOT follow the procedures and not allow supervisors to forward names to Human Resources.	X			Ongoing
22. The Director make the final determination on all hiring decisions based on non-arbitrary factors.	X			Ongoing
23. DOT collaborate with Human Resources to create means of increasing the proportion of women and minorities hired.		August 2003 - February 2004		Ongoing, however budget resources will limit further implementation.
24. DOT follow County policies and procedures regarding sexual harassment.	X			Ongoing
25. DOT not suspend an employee for drug use unless and until reliable testing has proven such use beyond any doubt. DOT place employees testing positive on administrative leave until the issue is resolved.	X			Ongoing, DOT will be working with Human Resources to develop new policy.
<b>FOSTER CARE - FOSTER PARENT ISSUES:</b>				
1. FCS use the Foster Parent Handbook.	X			
2. FCS workers accurately record the information needed in the Health and Education Passport notebook.	X			
3. FCS provide a checklist for Social Workers so they will know what information they need to get when a child is taken into custody.		December 31, 2003		See comment in "Family and Children's Services and Parents" section (page 4).

4001-4002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
4. FCS provide a checklist for information that should be given to foster parents upon placement of a child and a checklist for information to be received from the foster parent when a child leaves a home.		December 31, 2003		
5. In the absence of a Foster Parent Association, FCS provide another means of communicating necessary information to foster parents.		December 31, 2003		
<b>MENTAL HEALTH SERVICES FOR CHILDREN:</b>				
1. Mental Health and collaborating agencies adopt Memos of Understanding which clarify what each agency is going to do.		March 2003		A review of the draft currently underway by all parties with final discussion scheduled for 2-10-03
2. Mental Health study County use of psychiatric evaluation services throughout the County to determine the feasibility of hiring a child psychiatrist.			X	The MHD has child tele-psychiatry services through its Ukiah, Willits, and Ft. Bragg offices. There are currently 60 children receiving these services.
3. Mental Health develop a way to evaluate service delivery outcomes.	X			Program Outcome guidelines for Children's System of Care were released by the State and have been implemented
4. Mental Health coordinate with SELPA staff in developing guidelines for school behavior plans.			X	See response
5. Mental Health distribute the brochure developed in June 2002 directly to all school principals and counselors, as well as to the SELPA and district superintendents.	X (In part)			The Department sent a copy of its Compendium of services to all School Districts. A brochure just on CSOC was in its final draft when several changes happened both at the State and local level surrounding these programs. The brochure has been put on hold until the State budget it passed and the impact on local programs assessed.
<b>MENDOCINO COUNTY PROMOTIONAL CONTRACT AND REVIEW OF RESPONSES TO THE 2000-2001 REPORT</b>				
1. BOS require quarterly documenting of non-public source cash matching funds.	X			Annual reporting of non-public funds has been regular practice, and the 2002-03 Agreement provides for quarterly documentation.

2001-2002 Recommendation Implementation Schedule

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
2. BOS require the CAO to submit Financial Statements to the Board.			X (In part)	The Board disagrees in part with this recommendation because this would be a deviation from normal contract administration practices. Contract administration files and records are maintained in the County department providing such services; in this instance the financial statements are available from the public record in the County Administrative Office.
3. As part of the contract, BOS require an independent financial audit.			X	The Agreement requires a financial review by a Certified Public Accountant (CPA).
4. BOS include language that will include Grand Jury access in any future contracts that require County access to information.			X	The Board uses its contracting authority, in part, for the legal benefits and liability protections for the benefit of the public at large. The Mendocino County Promotional Alliance (Alliance) is an independent contractor. For the Grand Jury to make recommendations for the Board to exercise control beyond the scope of the usual independent contractor relationship and arrangement may, in effect, if implemented, cause the County to suffer exposure to legal consequences and liability which it is not prepared to assume.
5. BOS continue to require the Alliance to develop methods for measuring return on investment.	X (In part)			For clarification, the County has received a block grant to determine methods to measure return on investment, and a separate independent contractor is preparing the report. The Alliance is required by the Agreement to participate in a task force discussion on this subject.
6. BOS ensure that controls, monitoring, and auditing procedures are specified in any promotional contract and that the County personnel responsible for contract oversight provide that oversight.	X (In part)			The Board disagrees in part with this recommendation because it may deviate from standard and reasonable contract provisions.
7. BOS determine the amount of County funding, if any, for the Redwood Empire Association and pay those funds directly to the organization.			X	The Agreement requires the Alliance to participate in marketing organizations of regional benefit, one of which is the Redwood Empire Association.
8. BOS include, in any contract, provisions for County property ownership when the County has provided the funds to purchase the property.			X	The Board disagrees in part with this recommendation because of the undue administrative burden and cost to inventory, monitor, and dispose of such property, although some contracts would include this provision, as warranted.

RECOMMENDATION	ALREADY IMPLEMENTED	EST. DATE OF IMPLEMENTATION	NOT RECOMMENDED	EXPLANATION/NOTES
<p>9. BOS define the relationship between the County and the Alliance, and instruct the CAO to write its own response to the Grand Jury report.</p>			<p>X</p>	<p>The Board disagrees with this recommendation. The relationship is defined by the Agreement. Law does not prohibit the discussion or collaboration of responses germane to the findings and recommendations of a Grand Jury and such efforts should be embraced by the Grand Jury to guarantee that accurate responses are published for the benefit of all involved.</p>