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RECOMMENDATIONS

Recommendation 10-17:

The Oakland-Alameda County Coliseum Authority Board of Commissioners must hire a full-time executive director whose duties include: short-term and long-term planning for development of the property should any or all of the tenants leave; and, monitoring and monthly reporting to the board of commissioners of the performance of contractors.

Recommendation 10-18:

The Oakland-Alameda County Coliseum Authority Board of Commissioners must develop short and long term plans for the best use of the coliseum property.

Recommendation 10-19:

The Oakland-Alameda County Coliseum Authority Board of Commissioners must maintain and expand their website to include current board meeting minutes and agendas, detailed information about the complex, and the overall annual debt.

Recommendation 10-20:

The Oakland-Alameda County Coliseum Authority Board of Commissioners must schedule and hold monthly meetings at the same time, day of the week, and location each month.

RESPONSES REQUIRED

*Oakland-Alameda County Coliseum Authority Board of Commissioners –
Recommendations 10-17 through 10-20*

CREDIT CARD USE BY ALAMEDA COUNTY CITIES AND SCHOOL DISTRICTS

As a follow-up to the 2007-2008 grand jury final report on credit card use in the city of Oakland,¹ the grand jury investigated credit card use in all other cities and all school districts in Alameda County. The grand jury wanted to determine if abuses similar to those uncovered in the city of Oakland were occurring in other government bodies.

The grand jury sent letters to the other 13 cities, 17 school districts, and to the Alameda County Office of Education, asking for the total number of credit cards issued, spending limits, policies for use, the names and job titles of all employees who had been issued a card, and the specific policies the cities and school districts had in place to prevent misuse of the cards. The grand jury received responses from all entities.

The results were tabulated and examined by the grand jury. We selected two cities for additional investigation: Fremont and Livermore. The city of Fremont had the largest number of credit cards issued of the 13 cities (278 total), and the city of Livermore had the highest total expenditures of the 13 cities (\$3.5 million for FY2008-2009). The grand jury met with the city managers for both cities and inquired as to the number of credit cards issued, the spending limits, and their audit procedures. Some cities use a purchase card system or customized bank program to increase accountability and monitor expenditures.

The grand jury determined that the cities of Fremont and Livermore have adequate safeguards against fraud and there are systems in place for accounting.

¹ <http://acgov.org/grandjury/final2007-2008.pdf>

The grand jury found the use of credit cards cost-effective because the administrative cost of preparing purchase orders is eliminated and the cities receive rebates for using the cards. The use of credit cards offers a volume-purchasing option, which allows for additional discounts to the cities. Also, credit card statements provide an accurate record of how taxpayer dollars are spent.

Based on the responses received, the grand jury is satisfied that Alameda County cities and school districts are doing an acceptable job in the use and monitoring of credit cards.

Recommendations: none

CITY OF OAKLAND PARKING

On June 30, 2009, faced with continuing budget problems, the Oakland City Council voted to increase parking rates and to extend the operation of parking meters from 6 p.m. to 8 p.m. in an attempt to generate much needed revenue for the city. Two months later, the grand jury received a citizen complaint outlining the negative effect this decision had on local business. Specific examples included the failure of the city to accurately post the new meter times; an increase in meter fees from \$1.50/hour to \$2.00/hour; and an increase in parking fines. The complainant provided examples of how businesses were being negatively impacted and included signatures of hundreds of citizens and business owners, complaining about the city council's decision.

Examples of the way extended parking times caused a loss in business included the inability of customers to find parking, watch an entire movie, attend an event in Oakland, or have a leisurely dinner without having to leave in the middle of the event in order to put more money in the parking meter. Parking along Grand Avenue, Piedmont Avenue, and in the Rockridge and Montclair business districts of Oakland is almost exclusively street metered parking, as few public lots are available. Restaurant, theater and other local business owners reported an almost 30 percent decline in business due to the parking changes. Numerous press articles quoted citizens who said they were shopping elsewhere to avoid increased parking fees and attending movies in other cities to avoid receiving parking tickets.

Additionally, residents who live in the areas where meter hours were extended and who relied on street parking expressed concern because they would arrive home from work and have to pay to park until 8 p.m. This expense quickly added up for residents in the area. For example, if a resident arrived home at 6 p.m.

each night, it would cost \$80 a month to park. Failure to pay the meter fees resulted in tickets as high as \$55 for an expired meter to \$330 for parking within three feet of a sidewalk ramp. Residents and shoppers were surprised at the increased ticket fines, because the new laws were not clearly publicized by the city. Moreover, the street signs did not reflect the new parking times, and in some cases, the parking kiosks had incorrect times.

The grand jury sent a letter to the city of Oakland inquiring about the new parking rules, requesting an explanation of the changes that took place. On October 6, 2009, the Oakland City Council reversed its decision to extend parking meter times after shoppers, diners, residents and business owners complained about the new laws.

Recommendations: none

ALAMEDA COUNTY IN-HOME SUPPORT SERVICES

The grand jury became aware of allegations of fraud and abuse in the In-Home Support Services (IHSS) program in Alameda County and considered undertaking an investigation.

We learned that new reforms within IHSS were created to address these issues, including background checks, fingerprinting, unannounced home visits, and fraud detection training of employees. Implementation of the reforms in Alameda County was set to begin shortly.

The grand jury suggests the continued monitoring of this program by future grand juries.

Recommendations: none.

FOSTER CARE TRANSITION IN ALAMEDA COUNTY

At the age of 19, youth in the foster care system face challenges beyond those of youth reunified with their families or integrated into a foster family, including eligibility for services, housing, and care outside the foster system. The grand jury became interested in learning about foster youth transitioning from foster care to independent living.

In order to learn more about this issue, the grand jury met with the director of the Alameda County Social Services Agency and division directors of the Independent Living Skills Program (ILSP), ultimately touring the center in Oakland. The ILSP is a centralized one-stop shop for support for foster youth.

Foster care assistance faces many of the same challenges as other agencies during times of severe budgetary constraint. The division director of the ILSP is to be commended for the creative approach to obtaining grants and creating partnerships that further its ability to serve foster youth. The grand jury learned that providing support for foster care youth, up to the age of 21, involves leadership and cooperation of multiple agencies led by the Alameda County Social Services Agency, including agency departments, private contractors, non-profit, and community based organizations.

We learned that there are diminishing services for youth who have turned 19 and are in the process of transitioning out of the foster care system. There appears to be a lack of follow-up with foster care graduates and no apparent tracking system to measure the success or failure of these youth.

Further, we learned that the challenges are significant because the agency serves approximately 1400 clients, age 16-21, either directly or through contracted

providers. Services start prior to age 19 with emancipation specialists assisting each youth by developing a plan, providing a life skills education program, and holding conferences. Housing assistance is available for aged-out youth, or emancipated youth, to the age of 23. Health care services are available under federal programs to age 21, including mental health services.

We have concluded there is a continuing need to develop revenue sources for foster care and a need for measuring success and outcome of programs. There are currently no tracking procedures to demonstrate what interventions are working well. We are aware that tracking of aged-out youth, post age 18, is challenging because the youth must be locatable and agree to participate. It is also difficult to locate the youth because they may become lost due to a lack of communication between governmental and non-governmental agencies. Moreover, the systems that do exist for tracking do not include the status of emancipated youth.

While the grand jury is encouraged by the programs available in Alameda County and through the Alameda County Social Services Agency, we remain concerned about the lack of guidance for transitioning foster care youth. It is important for young adults to continue to have a support system in place to help guide them to become self-sufficient and productive members of society. We believe more attention needs to be paid to this area. Services and programs need to be offered to young adults who are in the process of leaving the foster care system, and efforts made to encourage these youth to take advantage of the programs available.

Recommendations: none.

9-1-1 EMERGENCY RESPONSE TIMES IN OAKLAND

During a meeting of the 2008-2009 Alameda County grand jury, a jury member suffered a seizure in the grand jury offices, requiring assistance from 9-1-1 emergency services. Two major areas of concern were raised: the response time of the emergency workers, and the effectiveness of dispatch procedures sending responders.

The 9-1-1 emergency services hotline was called from a landline in the grand jury office. It took nearly 40 minutes for the ambulance and paramedic team to arrive at the scene. A member of the Alameda County Health Care Services Agency, coincidentally present at the time, stated that 9-1-1 emergency services response times are required to be less than ten minutes, which prompted this inquiry.

As part of our investigation, the grand jury toured several dispatch centers in Alameda County in order to see first-hand how emergency calls are handled. We toured the Alameda County Sheriff's Office dispatch center in San Leandro on a Friday night to see dispatchers in action during high volume call times; we toured the Oakland Police Department (OPD) dispatch center; and we toured the Oakland Fire Department (OFD) dispatch center. During these tours, we met with lead dispatchers, training officers, the chief of OFD, and other dispatch employees. We also met with the chief of OPD.

We learned that 9-1-1 emergency response is part of a complex relationship of agencies, including the California Highway Patrol, Alameda County Sheriff & Fire, OPD and OFD, coupled with telecommunications providers and other technologies. Dispatch services are at the core of responder efficiency and effectiveness. OPD dispatch receives more than 900,000 calls per year and OFD receives more than 225,000 calls per year. Nearly 90 percent of the calls OFD

responds to are for medical emergencies. OFD dispatch indicates that paramedic arrival is less than seven minutes and ambulance arrival response is less than twelve minutes.

Distinguishing between the OPD dispatch and OFD dispatch, we noticed several differences identifying opportunities for improvement. The primary areas for improvement are in locating responders by the use of global positioning systems (GPS), in dispatching responders to the scene, and the staffing of the dispatch centers.

Locating responders and getting them to the scene is critical to reducing response times. OPD has authorized installation of GPS locators but is challenged with an older vehicle fleet. On the other hand, OFD has installed the GPS units and implemented their use in dispatching responders, thus achieving significant efficiency. GPS vehicle locator devices have not been uniformly adopted for use at all emergency response agencies.

The staffing of the dispatch centers is lower than the demand emergency response may require. At the time of our visit, the OPD dispatch center was operating at 70% staffing level with mandatory overtime, in part because hiring has been in larger training groups. OPD would hire only a few times a year, waiting for larger groups of applicants rather than continually hiring throughout the year as needed. We learned that dispatchers, under stress of low staffing levels, could make errors when transferring calls agency to agency. During our visit to OPD dispatch, we observed delay of one high priority call.

Since the time of our tours, we conclude that OPD is moving forward with implementing the use of GPS vehicle locators, estimating two years to complete the project, and continues to improve dispatch efficiency with new technologies. Moreover, OPD has recently hired eleven new dispatchers and reduced mandatory overtime. The chief of police is committed to improving emergency response times.

The grand jury encourages OPD to continue installation of emergency responder GPS vehicle locator systems and implementation at the dispatch centers to improve response times. Additionally, we encourage OPD to develop and review the staffing needs of the dispatch center in a way that reflects demand for emergency services at various times of day and various days of the week. We believe that hiring and training of dispatchers must be on-going and as-needed to comport with the “open enrollment continual training” policy.

Recommendations: none.

JAIL INSPECTIONS IN ALAMEDA COUNTY

California Penal Code section 919(b) requires the grand jury to inquire into the condition and management of public jails and prisons within the county. Members of the 2009-2010 grand jury conducted unannounced visits to seven jails and holding facilities in Alameda County. We inspected facilities that previous grand juries had not inspected within the past three years.

All prisons, jails, holding facilities and juvenile detention facilities are inspected annually by the Alameda County Department of Public Health (ACDPH) and biennially by the California Department of Corrections (CDC). The grand jury's inspections are in addition to the inspections conducted by those agencies. The most recent reports from the ACDPH and the CDC were reviewed prior to conducting our inspections. We verified whether recommendations made by the state and county agencies had been implemented, and if not, why not.

The grand jury inspected the police department jails for Hayward, Alameda, Livermore and Pleasanton, and the court holding facilities for Alameda and Fremont. Additionally, we toured Santa Rita Jail, Juvenile Hall and Camp Wilmont Sweeney. The grand jury found no significant adverse issues with any of these facilities.

The ACDPH inspection report for Santa Rita Jail recommended hiring a full-time dietician at Santa Rita to meet the needs of inmates with special diets, and alleged a lack of coordination between a dietician and the medical staff of Santa Rita. Upon investigation, the grand jury found there was an on-site registered dietitian for Santa Rita employed by Aramark Company. Meals are planned and approved by the dietician, including special dietary meals for inmates with health or other issues. The grand jury learned that the dietician meets regularly and

works with the Santa Rita medical staff and reviews cases for inmates with special dietary needs, such as diabetics, those with heart conditions, etc. The grand jury found the current dietary staffing, although only a part time position, is cost-effective and meets the needs of the facility. We make no recommendation for change in this area.

Recommendations: none

ALAMEDA COUNTY ANIMAL CONTROL EAST COUNTY ANIMAL SHELTER

The grand jury received a complaint alleging animal control officers from the East County Animal Shelter in Livermore failed to follow legal protocols in the euthanization of animals. The complainant claimed over 70 healthy cats hoarded by a citizen in Eastern Alameda County were illegally killed at the scene of the hoarding. This is an action against animal control regulations.

The grand jury, in investigating this complaint, reviewed detailed animal control and police reports, photographs of the animals and the conditions at the scene, and the owner's animal control surrender forms for euthanasia of the cats. The grand jury found the complainant was misinformed in several areas. Seventy-two cats were indeed found in squalid conditions. All but five were determined to be feral. The cats were found living in urine and feces, some had open sores and other health issues, and up to eight cats were housed in each of the small, filthy, stacked wire cages designed for rats and smaller animals. Officers reported the smell of urine and feces were overwhelming and there was garbage and buckets full of feces throughout the area. There was no food or water in any of the cages, and the cats were wet from a recent rainfall and from having no covering on the roof of the caged area, truly an inhumane situation.

The cats were taken to the animal shelter after the owner voluntarily signed individual release forms as an "owner-surrender for euthanasia request" for all but five of the cats. The complaint also alleged a failure to check for micro-chipping in any of the cats, and the grand jury found this to be inaccurate; one of the cats was found to contain a chip. The five rescued cats were placed in the shelter for eventual adoption.

The grand jury found the cats had not been euthanized in the field, as alleged in the complaint, and we determined that the animal control officers followed proper procedures in determining what action to take regarding these sickly, mostly feral animals. The grand jury found no evidence of wrongdoing in this matter.

Recommendations: None.

ALAMEDA COUNTY FAMILY JUSTICE CENTER

The grand jury toured the Alameda County Family Justice Center located in Oakland.

HISTORY

The effort to launch the Family Justice Center began when the District Attorney's Office applied for grant funding to establish one of the first (of 15) Family Justice Centers in the United States. The Family Justice Center Initiative, announced by the President in 2003 and directed by the U.S. Department of Justice, was designed to establish local centers to bring together under one roof all the various agencies necessary to investigate domestic violence cases, and to provide treatment and support for victims of domestic violence.

Previously, victims of domestic violence, sexual assault, child or elder abuse had to travel to different locations and faced a tangled, often confusing web of different governmental agencies in order to make a complaint and to receive needed services. In the meantime, their own safety remained an on-going concern. As a result, many victims became frustrated with that process and abandoned their effort to obtain relief.

Opened August 31, 2005, at the time only the third such center in the country, the Family Justice Center brings together under one roof law enforcement investigation and prosecution, victim and witness support, counseling, medical assistance, emergency and transitional housing, legal assistance (for example, in obtaining restraining orders), child care, and crisis intervention services, to name just a few support services. The center partners with over 100 public and private agencies to create a safe, all-inclusive, user-friendly, multi-cultural environment for victims of domestic violence and their families.

The Family Justice Center is partly funded by the various agencies that staff the facility, public grants and private gifts. These services are free regardless of a victim's financial status. The Family Justice Center enjoys strong support with local governmental agencies, cities and the county including the Alameda County sheriff and all local city police chiefs. As a result, all reported victims of domestic violence in Alameda County receive a referral to the center. In addition, referrals are provided by local health care providers including the Alameda County Medical Center and all emergency rooms in the county, and by all domestic violence support groups. Efforts are currently under way to expand referrals from the local faith-based community. More than 7000 clients used the center in 2009.

At present, a victim of domestic violence in Alameda County can count on finding a truly one-stop shop containing all the essential services available. Victim support advocates are available at the ACFJC to assist victims as their case moves through the criminal justice system. On-site day care service is also available to better enable victims to obtain needed services.

GRAND JURY OBSERVATIONS AND INVESTIGATION

When the grand jury toured the Family Justice Center, we were extremely impressed. We found a well-established, cohesive facility that offers a myriad of services available in one location. The facility ambience is serene with a level of calmness not typically found in a crisis situation. There are playrooms for children and colorful furnishings and artwork, making the facility friendly and comfortable, unlike most governmental offices. The center also offers interpreter services and services for the hearing-impaired. The atmosphere is warm and inviting, and counselors, interpreters, and social workers, among others, are available to immediately help victims. The Family Justice Center also has on-site police staff and surveillance, ensuring the safety and anonymity of anyone who enters. The employees and volunteer staff appear compassionate and specially trained to deal with victims facing a variety of crisis situations. The grand jury is very impressed by this facility and those who work there.

CONCLUSION

The grand jury believes continued outreach of the Family Justice Center is important. Public outreach within the community could help victims in obtaining assistance before emergency intervention is required. We encourage the Family Justice Center to continue their outreach efforts and we commend Alameda County for its effort in establishing this truly groundbreaking facility.

The Alameda County Family Justice Center is located at 470 27th Street in Oakland. Call (510) 267-8800 for more information. <http://www.acfjc.org/>

Recommendations: none

OAKLAND POLICE DEPARTMENT STAFFING

Two years ago, the grand jury investigated the Oakland Police Department's ability to adequately police Oakland. The grand jury concluded that a 50% increase in the number of police officers was required to meet minimum modern-day standards for police staffing. The city of Oakland agreed with the grand jury's recommendation but said it lacked sufficient resources to recruit, hire, train and equip the 400 additional officers.

This year the grand jury re-examined the police department's ability to deliver minimum police services for Oakland and found the problem has, indeed, worsened. Staffing levels for detectives responsible for investigating crimes have substantially diminished. Investigators have been reassigned to patrol duty, and at present, there are only two detectives assigned to investigate all residential burglaries in Oakland, a city of 400,000 population. In one area, the Oakland Police Department reports a backlog of over 2,400 domestic violence cases and investigators of all other serious crimes are also equally overwhelmed.

Modern policing standards call for a patrol officer to spend approximately 30% of each shift performing community-based services: walking business streets on their beat, meeting with neighbors concerned about criminal activity on their block, or contacting parolees and probationers. Because there are currently an insufficient number of officers to patrol Oakland, these essential duties cannot be adequately performed. Instead, officers are only able to spend their shifts answering emergency 9-1-1 calls for assistance and taking reports of crimes that have already taken place, being reactive rather than proactive. The grand jury also heard disturbing anecdotes, for example, a citizen called the police to report his home had been burglarized only to call back 15 hours later to cancel the call because no officer had arrived to take the report. Due to the inadequate number

of officers, the focus of the Oakland Police Department is now on responding to crime rather than crime prevention.

The shortage of officers also negatively impacts the police department's ability to respond to the most serious emergencies. Current response times to 9-1-1 calls for emergency police assistance are fifteen minutes. National standards call for a response time in four minutes. In spite of the recent drop in overall levels of crime, Oakland remains a very high-crime city. The grand jury believes this situation is unlikely to change as long as the police department suffers from its current substantial understaffing.

While the grand jury understands that Oakland is experiencing a profound financial crisis, we remain concerned that Oakland officials do not place a high enough priority on public safety. Government's first priority should be providing basic levels of safety for its citizens. In the matter of public safety, the grand jury believes that public officials have a duty to speak with one voice. Here, Oakland fails dramatically.

If Oakland's only alternative to increase police staffing to meet minimum levels is to increase taxes, Oakland's mayor, city council, and other elected officials must summon the political courage to lead a unified campaign to raise the necessary funds. Safe streets are key to improving Oakland's economic and civic development.

Recommendations: none