



COUNTY OF SAN BENITO
BOARD OF SUPERVISORS

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Margie Barrios **Anthony Botelho** **Robert Rivas** **Jerry Muenzer** **Jaime De La Cruz**
District 1 **District 2** **District 3** **District 4** **District 5**

May 6, 2014

The Honorable Steven Sanders
Presiding Judge
Superior Court of California, County of San Benito
440 Fifth Street
Hollister, CA 95023-3833

Dear Judge Sanders:

Please find attached the San Benito County updated response to the Grand Jury Report for FY 2012-2013. The County Board of Supervisors is responding with updates to Report 8, 9 and 10 as the original County response indicated that several recommendations needed further analysis, and that analysis has since been completed.

Sincerely,

Jerry Muenzer, Chair
San Benito County Board of Supervisors

Attachment: San Benito County Board of Supervisors' Response

In reference to the Sheriff's Office Review Report 8:

Report No. 8, Recommendation No. 1:

R1: The San Benito County Board of Supervisors and the San Benito County Human Resources Department, along with 2 or 3 members of the business community, should seek to renegotiate the agreements with DSA to improve manpower utilization within the Sheriff's Department of both office staff and patrol officers. If an officer is laid off because of no position funding opening, but temporary work is available, and the laid off employee refuses to accept the temporary assignment, then he or she is dropped from the recall list and the job may be filled by a reserve officer.

Original Response:

The San Benito County Board of Supervisors believes that this recommendation (as far as improving manpower utilization) requires further analysis as to whether it can be implemented after negotiations with the Union. Such analysis should be completed no later than December 31, 2013. However, the San Benito County Board of Supervisors believes the focus of negotiations should be on the ability to more effectively use reserve and temporary officers, not the elimination of an officer from the recall list because that officer is unwilling to accept a temporary assignment. Therefore, to the extent that this recommendation recommends changing the recall list procedure, it will not be implemented. Additionally, this recommendation will not be implemented as far as its recommendation to change the negotiation team.

Updated Response:

This recommendation will not be implemented at this time. The Sheriff's Office indicates that the urgency of this issue has been lessened due to changes in the department within the last year. Specifically, the Sheriff's office was given the authorization to immediately recruit and hire full-time Deputies to fill vacancies. All of the eligible laid-off deputies were given an opportunity to return to work, but each declined due to new employment. The Sheriff's Office is currently putting its resources into acquiring new full-time permanent deputies, and will revisit the use of temporary help later this year. It is also noted that that a side agreement with the Union now allows retired Sheriff's Deputies also to perform temporary work for the Department in staffing the new Courthouse, thus assisting in staffing shortages.

REPORT 8, RECOMMENDATION NO. 2:

R2: With resolution to Recommendation R1, deploy reserve officers when needed to shore up or supplement shortages within the department.

Original Response:

Recommendation number R2 has yet to be implemented; implementation of this recommendation depends on further analysis as to whether changes to the MOU can be made that would allow more effective use of reserve deputies. This analysis will be complete no later than December 31, 2013.

Amended Response:

This recommendation has been implemented in part. A side agreement with the Deputy Sheriff's Association now allows the use of retired deputies to assist in staffing the new Courthouse, thus assisting with staffing shortages, reducing the cost of overtime, and staffing costs of the new Courthouse. Additional use of reserve deputies may depend on future negotiations, and thus, cannot be implemented at this time.

REPORT NO. 8, RECOMMENDATION NO. 4

R4: That the county discuss pros and cons of implementing video arraignment with the court between the jail and the San Benito County Courthouse so that inmates can be arraigned without the need of an officer to transport and accompany, or the inmate having to leave the Jail.

Original Response:

Recommendation numbered R4 has yet to be implemented, but the San Benito County Sheriff's Department will do so no later than December 31, 2013.

Revised Response:

The Sheriff's Department completed an analysis of the pros and cons of implementing the video arraignment. Based on that analysis, the Sheriff's Department, and thus, the County, determined not to implement video arraignments at this time for the reasons set forth in Response to Report No. 9, primarily it would cause the need for additional staff, rather than reduce the use of staff and there is a lack of available space within the jail for this purpose at this time as the current vacant room is used for various education and religious programs.

REPORT 8, RECOMMENDATION NO. 8

R8: Security coverage for San Benito High School should be assigned to either San Benito County or the City of Hollister Police Department, but not both. With the assignment to both, jurisdictional issues can arise and cause delays in response.

Original Response:

Recommendation numbered R8 requires further analysis in that this matter needs to be discussed with the City of Hollister. This analysis will be completed by December 31, 2013.

Amended Response:

The Sheriff's Office employs a Deputy at San Benito High School as a School Resource Officer (SRO). The school district pays for this service, and the SRO provides law enforcement coverage during most school hours. While that SRO is on-duty, the Sheriff's Office handles all calls for service at the high school, regardless of jurisdiction. This arrangement was made with the cooperation of all involved parties. The conflict described in Finding #8 remains when the SRO is not available. However, increased communication between the two agencies seems to have mitigated any problems. The Sheriff's Office still plans to continue pursuing a more thorough solution with the City of Hollister on this issue, and the Sheriff's Office continues to meet and discuss this item with the Hollister Police Department. However, due to timing issues, the County cannot commit to when there will be a resolution of this issue with the City of Hollister, and therefore, the recommendation will not be implemented within the immediate future.

In Reference to the Jail's Facility Review – Report 9:

R2. That the county discuss pros and cons of implementing video arraignment with the court between the jail and the San Benito County Courthouse so that inmates can be arraigned without the need of an officer to transport and accompany, or the inmate having to leave the Jail.

Original Response:

Recommendation number R2 requires further analysis. Video arraignment requires collaboration with the courts, the prosecution, the defense, the jail staff, and the inmates. Within the remainder of calendar year 2013, the issue will be explored in a conference of the affected parties (where possible). This analysis will be completed by December 31, 2013.

Update Response:

The Sheriff's Department completed an analysis of the pros and cons of implementing the video arraignment. Based on that analysis, the Sheriff's Department, and thus, the County, determined not to implement video arraignments at this time, primarily it would cause the need for additional staff, rather than reduce the use of staff, and there is a lack of available space within the jail for this purpose as the currently vacant room is used for various education and religious programs.

The Sheriff's Department indicates the following:

The only video court proceeding considered for inmates is that of Arraignment on criminal charges, frequently referred to as Video Arraignment. San Benito County has performed Video Arraignment in the past, and currently owns most of the technology necessary to implement Video Arraignment again.

The primary benefits of Video Arraignment are 1) the time savings of transporting inmates to and from court, and 2) the avoidance of the security risks associated with the transportation process.

At this point in time, our community could not realize the full benefit of the time savings. Current court proceedings and filing deadlines suggest the Sheriff's Department transport inmates scheduled for arraignment along with inmates scheduled for other court proceedings. Assigning staff to conduct Video Arraignments at the Jail and assigning staff to conduct transport to court would require more staff than we currently utilize.

The Sheriff's Department compiled the below partial list of other factors that would make implementation of video arraignment challenging, and not readily feasible, at this time:

Factor #1: California Penal Code Section 977.2 states that prior to a video arraignment proceeding, inmates are required to sign a waiver, waiving their right to be present. Inmates not willing to sign the waiver are now required to be

transported to court for their personal appearance. This could result in numerous scheduling demands for the court calendar, defense counsel, prosecutor, and transportation deputies.

Factor #2: Inmates in video arraignment require one to two correctional deputies to be present during the duration of their arraignment. Correctional deputies are required to maintain order and separation of the various classifications of inmates. This occurs organically in the courtroom due to the presence of a Bailiff. Maintaining this level of separation in the "video room" could be staff intensive for the jail.

Factor #3: Our current jail facility only has one room which could be converted to support video arraignments. Throughout the day, that room is used for various education and religious programs. This would require interruption of valuable inmate programs.

Conclusion

The implementation of Video Arraignment has been beneficial to many counties around the country, but on a case-by-case basis. The potential fiscal benefit for our community looks to be minimal or non-existent at this time. However, the potential safety benefit is still a major motivational component. We'll continue to monitor the transportation program and look for ways to implement Video Arraignment in the future.

UPDATED RESPONSE TO REPORT NO. 10, RECOMMENDATION NO. 1:

Recommendation No. 1

The Grand Jury would recommend some basic improvements be made to the recreational area of this Center. Exercise and exposure to the outside air is an important factor in the health and attitude of an incarcerated person.

Perhaps Staff could investigate the possibility of volunteer groups interested in assisting the Center both financially and with time and energy to bring this important area back to a safe standard for the health and well-being of the children staying there.

Original Response to Recommendation No. 1:

This recommendation needs further analysis, specifically, as to the cost and scope of any necessary repairs. The Probation Department shall report back to the San Benito County Board of Supervisors as to whether the County should make the repairs specified by the Grand Jury, or bring forth plans and specifications for those repairs, no later than December 1, 2013.

Additionally, the Probation Department shall report back on the possibility of utilizing volunteer groups interested in assisting the Center no later than December 1, 2013.

The Board of Supervisors notes that staff has already begun the process of getting a quote for pest control to eliminate the gopher infestation.

Amended Response to Recommendation No. 1:

The County will implement changes to the recreational area, to be completed in FY 2014-2015. The Probation Department has investigated the cost of repairs specified by the Grand Jury, obtaining various estimates for the repair and replacement of the grass area.

The Probation Department further noted that gophers have been an historic problem due to the surrounding open space areas adjacent to the fenced Juvenile Hall area. There have been at least two prior attempts to exterminate the gophers and reseed the field. Both attempts have failed to permanently fix the problem as the gophers continue to return. Staff has added this improvement to the capital improvements list for Juvenile Hall, which will be requested in the FY 2014-2015 budget, and thereafter, if funded, completed in that fiscal year.

The Probation Department has also investigated the use of volunteers to provide funding or services to help out. Juvenile Hall uses volunteers in a number of capacities but the repairs needed would be somewhat of a special project. Because of the scope and cost of this project, the Probation Department was not able to locate any parties interested in assisting with these improvements, and thus the recommended use of volunteers for this function will not be implemented.

4



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October 7, 2014

The Honorable Steven Sanders
Presiding Judge
Superior Court of California, County of San Benito
450 Fourth Street
Hollister, CA 95023-3833

Dear Judge Sanders:

Attached are the formal responses to the Grand Jury Report for FY 2013/14. The Board of Supervisors is responding to the following reports:

- San Benito County – Recruitment and Appointment of the County Administrative Officer (joint response)
- San Benito County Sheriff's Department Review and County Jail Review
- San Benito County Juvenile Hall Review

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

Again, the Board of Supervisors appreciates the Grand Jury for their continued dedication and service to the community.

Sincerely,

Jerry Muenzer, Chair
San Benito County Board of Supervisors

Attachments: San Benito County responses (as bulleted above)
Copy of Sheriff's response dated September 5, 2014
Copy of Chief Probation Officer's response dated September 10, 2014



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October 7, 2014

To: Honorable Steven R. Sanders, Presiding Judge
Superior Court of California, County of San Benito

Response From: San Benito County Board of Supervisors
County Administrative Officer, Ray Espinosa
County Counsel, Matthew Granger
Director of Human Resources, Georgia Cochran (Interim)

Subject: Response to San Benito County Grand Jury Report for FY 2013-2014 in
Reference to "Recruitment and Appointment of the County Administrative
Officer by the Board of Supervisors."

This joint letter contains San Benito County's formal response to the Grand Jury Report for FY 2013-14 specifically relating to the "Recruitment and Appointment of the County Administrative Officer by the Board of Supervisors." This response fulfills Penal Code Section 933 that mandates a response to the Grand Jury Report within 90 days of the report.

Facts – 1

Finding #1

Subsequent to the change in the ordinance, the position of the CAO was not re-opened to allow those that may now qualify for the position under the amended ordinance.

Response to Finding #1

Respondent agrees with this finding.

Finding #2

The amended ordinance adopted lacks any milestones or deadlines for completion of college or university training in public or business administration or related field with a baccalaureate degree and, preferably, a master's degree.

Response to Finding #2

Respondent agrees with this finding.

Finding #3

In support of their process of hiring a CAO in the fall of 2013, the Board of Supervisors did in fact amend the ordinance for the CAO position specifically to accommodate the lack of education of their preferred candidate.

Response to Finding #3

Respondent agrees with this finding.

Finding #4

The amendment to the ordinance appears to make San Benito County the only county in California that does not require at least a Bachelor's degree for the position of CAO.

Response to Finding #4

Respondent wholly disagrees with this finding. Not all Counties have a requirement that the CAO have a bachelor's degree as a minimum qualification or have similar 'equivalency language' such as what San Benito County's Ordinance #920 provides. Kings County, for example requires by ordinance only that the CAO be professional trained and technically competent. Tulare County, Madera County, and Del Norte County, to name a few, provide for 'any combination of education and experience' similar to what San Benito County's ordinance mandates. While some Counties state a degree requirement, or 'equivalent' from an accredited institution, others do not require that the school be accredited.

Finding #5

The BOS has the authority to set and amend county laws and ordinances as they see fit.

Response to Finding #5

Respondent agrees with this finding.

Finding #6

Neither the original nor amended ordinance mandates the "college/university training" be from an accredited institution.

Response to Finding #6

Respondent agrees with this finding.

Finding #7

The BOS has full discretion to hire the person of their choice as CAO, regardless of whether or not they meet the requirements of the ordinance. If citizens believe the BOS has acted inappropriately, their recourse is through the ballot box.

Response to Finding #7

Respondent agrees with this finding.

Recommendations - 1

Recommendation #1

The ordinance should be amended to require degrees be from accredited institutions.

Response to Recommendation #1

This recommendation will not be implemented because it is not warranted. The Ordinance as written allows the BOS the maximum amount of flexibility and discretion to hire the individual they believe is the best candidate for the CAO in conformity with Finding #7.

Recommendation #2

The ordinance should be amended to specify the minimum number of years of related work experience to be considered qualifying in place of a degree.

Response to Recommendation #2

This recommendation will not be implemented because it is not warranted. The Ordinance as written allows the BOS the maximum amount of flexibility and discretion to hire the individual they believe is the best candidate for the CAO in conformity with Finding #7.

Findings - 2

Finding #1

Almeda University offers "Life Experience Degrees" at the Associate level, Bachelor level, and Master level.

Response to Finding #1

The Respondent agrees with this finding.

Finding #2

Almeda University was founded in 1997 as a distance learning program; it currently has a mailing address in Boise, ID. Legally, it is a corporation registered on the Caribbean Island of Nevis.

Response to Finding #2

The Respondent neither agrees nor disagrees with this finding. The information in Finding #2 was not found on Almeda University's actual website. This information was found, however, on Wikipedia.

Finding #3

Almeda University is not an accredited institution as recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.

Response to Finding #3

The Respondent agrees with this finding.

Finding #4

The total cost to obtain a degree from Almeda University are as follows:

Prior Learning Assessment Program (PLA)

Application and evaluation fee \$45.00 (waived)

Associate's Degree assessment \$499.00

Bachelor's Degree assessment \$499.00

Master's Degree assessment \$499.00

*Note: Doctorate level degrees are not offered by PLA

Doctorate Level: (Ph.D., Th.D. D.B.A. Programs)

\$495.00 at time of dissertation/manuscript/essay submission

\$1,000.00 at time of acceptance

\$1,495.00 total

Master Level: (Applies to Master level degrees earned by Thesis)

\$295.00 at time of thesis submission

\$500.00 at time of acceptance

\$795.00 total

*Almeda Alumni wishing to pursue a second (or third) degree under Prior Learning Assessment:

\$299.00

All fees are payable by American Express, Visa, MasterCard, Discover, PayPal, e-checks, and certified or personal checks.

Refund Policy

If you are unsatisfied in any way with your degree, you may request a refund in accordance with the schedule below. Once we receive your request Almeda will ask you (at your expense) to

return your degree as well as the other materials you received. The return must be made using a traceable shipping method such as FedEx or UPS. Upon receipt of these materials, Almeda will provide a full refund as follows:

For further information regarding Almeda University please refer to the following sites:

[Http://en.wikipedia.org/wiki/Almeda University](http://en.wikipedia.org/wiki/Almeda_University); <http://almedauniversity.org/>

Response to Finding #4

The Respondent agrees with this finding.

Recommendation - 2

Recommendation #1

The BOS should consider adopting regulations specifying disciplinary action be taken whenever an employee presents a non-accredited degree or other questionable credentials as meeting the requirement for a promotion. Such disciplinary action should include ethics training.

Response to Recommendation #1

This recommendation will not be implemented because it is not warranted. The County's Ordinance No. 920 does not specify that only degrees from accredited institutions are acceptable. This recommendation assumes that applications are only received from County employees. Regardless of whether a candidate is internal or external, the BOS has the discretion to make decisions based on the quality of the degree and candidate experience and the lack of a degree and candidate experience. Applicants who present questionable credentials run the risk of being disqualified by the BOS and having their application rejected.

Recommendation #2

When faced with a situation where an individual is performing the job in an "Interim" capacity but does not meet the required qualifications for the permanent position, then the BOS should simply keep the individual in the "Interim" or "acting" capacity until such time as that individual has achieved the required qualifications as set by the ordinance.

Response to Recommendation #2

The recommendation has been implemented since the BOS currently has the discretion to retain individuals in the Interim/Acting capacity until such time as the required qualifications have been achieved if that is their desire.

Findings - 3

Finding #1

It was apparent during subsequent interviews that the interviewees were aware of the topic of the investigation which indicated to the Grand Jury that there had been one or more violations of the admonition to remain silent.

Response to Finding #1

The Respondent disagrees partially because it was well known in the community, in County Administration, and announced at a public meeting that the hiring of the CAO would be referred to the Grand Jury and other state agencies for investigation. However, the Respondent wholly agrees that Grand Jury admonitions to remain silent should be judiciously followed.

Recommendations - 3**Recommendation #1**

The members of the BOS should strictly adhere to the Grand Jury admonishment.

Response to Recommendation #1

The recommendation has been implemented. The BOS is aware of the importance of the Grand Jury admonitions and the confidentiality of its proceedings.

Recommendation #2

GC 53235.1 requires most local government officials to take two hours of ethics and transparency training every two years. It is recommended that the BOS comply with that code.

Response to Recommendation #2

This recommendation has been implemented. However, the County will review whether or not all required employees are current in their training and ensure that any overdue training is completed prior to January 1, 2015.

Findings - 4**Finding #1**

Subsequent to 7/23/2013, the person appointed as ACA was still referred to as the Interim CAO. However, the ACA position as stated in the contract would only take effect upon the appointment of a permanent CAO.

Response to Finding #1

The Respondent agrees with this finding.

Finding #2

The BOS did not clearly explain why the ACA position was filled with the same person that was Interim CAO, as there was no obvious net benefit to the County.

Response to Finding #2

The Respondent wholly disagrees with this finding. The discussion at the BOS meeting stated that the hiring of the Assistant CAO would not be effective until such date as a permanent CAO was appointed, since the Interim CAO was still serving in an interim capacity pending appointment of a permanent CAO.

Recommendation #4**Recommendation #4**

The BOS should explain what benefit to the county came from filling the ACA position with the same person then acting as Interim CAO.

Response to Recommendation #4

The benefit to the County of hiring an Assistant CAO prior to the appointment of a permanent CAO is that the new permanent CAO would have the benefit of an Assistance CAO with experience as the Interim CAO already in place to assist the new permanent CAO.

Findings - 5**Finding #1**

The legitimate purpose of meeting in closed session on the topic of CAO recruitment is to preserve candidate privacy and to permit the members of the BOS to express their opinions freely to one another.

Response to Finding #1

The Respondent agrees with this finding.

Finding #2

The Brown act is explicit in requiring a report in open session following a closed session where a person is actually appointed to the position (54957.1).

Response to Finding #2

The Respondent agrees with this finding.

Finding #3

The act does not prohibit reporting other actions taken during closed sessions related to the recruitment process.

Response to Finding #3

The Respondent wholly disagrees with this finding because information not subject to the reporting requirements contained in Government Code Section 54957.1 should not be reported out because it is confidential under Government Code Section 54963.

Finding #4

During the aforementioned nine closed sessions, the BOS: (a) reviewed and interviewed five CAO applicants, (b) decided to offer the CAO position to their first choice candidate that met the job qualifications, (c) decided to offer the position to their next choice that also met the job qualifications after their first choice candidate declined their offer, and (d) after that candidate declined their offer, stopped the outside recruitment effort.

Response to Finding #4

The Respondent partially disagrees.

- (a) The Respondent agrees with this finding – the BOS interviewed five candidates
- (b) The Respondent agrees with this finding - assuming that the “first choice candidate” referred to in the finding is Ray Espinosa.
- (c) The Respondent partially disagrees with this finding – the first choice candidate, Ray Espinosa, never declined the job offer. The CAO position was offered to another candidate after Mr. Espinosa agreed to withdraw his acceptance of the offer of employment.
- (d) The Respondent partially disagrees with this finding because Mr. Espinosa did not decline the job offer; he withdrew his acceptance of the offer. After Mr. Espinosa withdrew his prior acceptance of the job, the County continued pursuing candidates who were interviewed on the same date as Mr. Espinosa was interviewed.

Finding #5

Some if not all of the aforementioned actions and results seem to meet the definition of “action taken” as defined in the Brown act (54952.6) and in any case could have been reported out of closed sessions without compromising the privacy of the candidates or the free exchange of opinion by the members of the BOS in any way.

Response to Finding #5

The Respondent wholly disagrees with this finding. No “appointment” required by Government Code Section 54957.1 (5) or “action taken” was reached in the closed session because the offer extended to Mr. Espinosa for the CAO position was dependent upon his review and acceptance of a contract that was drafted after the closed session. The Respondent wholly disagrees with the second statement, information not subject to the reporting requirements contained in Government Code Section 54957.1 should not be reported out because such information is confidential under Government Code Section 54963. Additionally, superfluously reporting out a candidate’s decline of an offer of employment can

seriously undermine the County's bargaining position in regards to offers to the second or third choice candidates. Nothing in the Brown Act requires the reporting out of any "action taken" until that action is final and the Respondent is unaware of any other public agency that reports out the fact that a job offer has been declined.

Finding #6

Offers, turn-downs, and/or stopping of the outside recruitment effort apparently were never reported publically or discussed in identifiable open sessions.

Response to Finding #6

The Respondent wholly disagrees with this finding. Nothing in the Brown Act requires any such public reporting. Public reporting of the status of a recruitment prior to a contract being finalized would not be in the County's best interest. Such reporting would provide a second candidate real or perceived leverage in providing him/her with the knowledge that the BOS had not been successful in appointing its first choice candidate and weakens the BOS's leverage in salary/benefit negotiations.

Recommendations 5

Recommendation #1

When recruiting for an employee position that reports to the BOS, the BOS should report out of closed session any and all actions taken, in addition to those defined in and required by the Brown Act, whenever it can be done without compromising candidate privacy. The objective should be government as open as possible, and the public should be able to follow the general steps being taken during the recruitment effort. Avoiding embarrassment on the part of the BOS should not be a reason not to report progress.

Response to Recommendation #5

This recommendation will not be implemented because it is not warranted under the Brown Act. There is no requirement in the Brown Act to report "any and all actions taken" unless those actions fall within the requirements of Government Code 54957.1, which generally requires a "final" action. Information not subject to the reporting requirements contained in Government Code Section 54957.1 should not be reported out since such information is confidential under Government Code Section 54963. The County agrees that "avoiding embarrassment" to either the BOS or County staff is not a lawful reason to avoid the reporting requirements of Government Code 54957.1.



COUNTY OF SAN BENITO BOARD OF SUPERVISORS

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October 7, 2014

To: Honorable Steven R. Sanders, Presiding Judge
Superior Court of California, County of San Benito

Response From: San Benito County Board of Supervisors

Subject: Response to San Benito County Grand Jury Report for FY 2013-2014 in
Reference to "Sheriff's Department Review and San Benito County Jail
Review"

This letter contains San Benito County's formal response to the Grand Jury Report for FY 2013-14 specifically relating to the Sheriff's Department Review and San Benito County Jail Review. In providing this response, the Board acknowledges that the response drafted and sent by Sheriff Darren Thompson was a part of the review.

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

Grand Jury Report response, 2014 (Operations)

Grand Jury Report F1)

Currently there are only 2 Deputies on at any given time to cover the entire San Benito County. Although authorization has been given to hire 3 new deputies and another Deputy in April, this still results in only 3 Deputies on shift at any given time for the entire county still creating safety concerns for the public and the deputies.

Response to F1

The Board agrees with this finding as did the Sheriff.

Grand Jury Report R1)

Add an additional 3 Deputies to the three already committed. Look to hiring reserve Deputies.

Response to R1)

The Board agrees with the response contained in the Sheriff's September 5, 2014 response which states, "This recommendation will be partially implemented. The County will not

implement the recommendation to hire an additional three Deputies due to the lack of funding to hire additional Deputies. However, the recommendation of "look to hire reserve Deputies" has been implemented. There are a number of issues that make this a reasonable recommendation to supplement full-time staff, and the County will do so, but it is not a suitable substitute for having full-time committed deputies. Additionally, there is restrictive language in the MOU with the Deputy Sheriff's Association pertaining to staffing with reserve deputies." The Board shares the concerns of the Sheriff and is aware of the need for funding. Competition for those funds, however, is stiff.

Grand Jury Report F2)

There is not a dedicated Deputy provided for the City of San Juan Bautista. There is a commitment to this city for policing service that is not being met. Public safety is being compromised.

Response to F2

The Board disagrees with this finding, but agrees with the response contained in the Sheriff's September 5, 2014 response which states, "The contract with the City of San Juan Bautista in essence, is for 168 hours of service per month. Despite not having the staffing to assign someone there exclusively, we are to fulfill the terms of the contract using the same patrol staff used to cover the entire County when deputies are not called away to other County matters."

Grand Jury Report R2)

Hire a Deputy dedicated to the City of San Juan Bautista.

Response to R2

The Board agrees with the response contained in the Sheriff's September 5, 2014 response which states, "This recommendation will be implemented within the 14-15 fiscal year. The Sheriff's Department is actively recruiting to fill our current Deputy Sheriff vacancies, which will ultimately allow us to assign a Deputy to San Juan Bautista. However, the numerous variables in the recruitment, selection, and successful training of candidates for this unique role, make it difficult to provide an exact timeframe in which this will be fully implemented."

Grand Jury Report F3)

The Sheriff's Department Vehicles are outdated and are not provided with latest electronics that are necessary for doing effective policing.

Response to F3 –

The Board agrees with this finding as does the Sheriff.

Grand Jury Report R3)

Through grants or other additional allocated funds update the Sheriffs Vehicles to allow for modern policing.

Response to R3

The Board agrees with the response contained in the Sheriff's September 5, 2014 response which states, "This will be implemented in part by January 1, 2015. Funds have been earmarked for vehicles, and the Sheriff's Department is in the process now procuring vehicles for arrival this fall. This will help with providing dependable emergency vehicles, but will not address the lack of contemporary technology equipment."

Grand Jury Report F4)

The Sheriff's Department has real radio coverage issues. The space on the new radio tower, they rent from Monterey County Education, is 40 feet short of the old tower, the lower level blocks communication with the Aromas area.

Response to F4 –

The Board agrees with this finding as does the Sheriff.

Grand Jury Report R4)

The County needs to look into securing a tower, at the proper height, to maximize radio communication. Possibly the County could purchase their own tower and rent space to other agencies or businesses needing radio communication.

Response to R4

The Board agrees with the response contained in the Sheriff's September 5, 2014 response which states, "This recommendation requires further analysis, which is already underway. We have contracted with a vendor for a feasibility study, exploring the effectiveness of extending the existing tower an additional 40 feet. The study will be concluded this fall, and no later than January 1, 2015. The study will also provide us with a cost estimate for that modification, should it be the recommended course of action."

Grand Jury Report F5)

Grant monies are available if San Benito County BOS would provide an experienced grant writer. Currently, deputies have to do their own attempt at grant writing.

Response to F5

The Board agrees with this finding as does the Sheriff.

Grand Jury Report R5)

Hire or contract with a professional grant writer. A professional grant writer could more than pay for the cost of the position by securing needed revenue for the Sheriff's Department needs as well as other County agency needs.

Response to R5

The Board agrees that this recommendation is not appropriate for the Sheriff's Office to implement on its own. While the County's FY 2014/15 budget situation is not yet known, because it is recognized that the position could easily result in long-term benefits to County service, this issue will be discussed by the CAO and appropriate department heads during the next budget cycle.

Grand Jury Report F6)

Currently, a main hallway, in the Sheriff's Dept. does not have a roof. This allows heat to escape from that area and adds unnecessary costs.

Response to F6

The Board agrees with this finding.

Grand Jury Report R6)

Build a roof on the hallway to stop costly heating of the warehouse area.

Response to R6

The Board agrees that this is an item that could be added as a Capital Improvement Project. The availability of funding for this project will determine when this is budgeted and implemented.

Grand Jury Report F7)

With the shortage of manpower, training is compromised for current as well as new hires. Good training is vital to providing good policing and safety for the deputy and the public.

Response to F7

The Board is in agreement with this finding.

Grand Jury Report R7)

Provide additional funding earmarked for training at the local level and through training programs.

Response to R7

As stated by the Sheriff, this recommendation has been partially implemented. The Sheriff's Office budgeted \$29,356 for training this fiscal year, only \$20,000 was approved, which was a \$700 increase from the last few years. As such, specialized training will be done again this year on a limited basis. The Sheriff's Office has begun the execution of their training plan, which was to provide the first responders with the latest information on Post-Traumatic Stress Disorder. However, this is far short of the training the Sheriff feels is needed. On-going training is critical in this profession, as many of the skills are perishable. Training in the Sheriff's Office has diminished each year since 2010. Not only are there costs associated with training, but the current staffing shortage makes it nearly impossible to pull a deputy away from their daily

duties to attend training, without forcing another deputy to work overtime to cover for the deputy away at training. This will improve marginally once existing vacancies are filled.

Grand Jury Report response, 2014 (Jail)

Grand Jury Report F1)

Though the Jail is well-run and maintained, it is severely understaffed.

Response to F1

The Board does not have the expertise to agree or disagree with this finding, but it does agree with the Sheriff that this is a concern.

Grand Jury Report R1)

Personnel are stretched too thin due to budget cuts and non-replacement of deputies. Basic current needs include the hiring of at least 4 additional correction officers.

Response to R1

This recommendation will not be implemented due to the lack of funding in the current budget year. The Sheriff's Office is in the process of filling the current vacancies. As stated by the Sheriff, "Absences of deputies on leave, such as for a military commitment or an injury, impact staffing levels. Long-term work absences, which the Jail has experienced, result in increased overtime, staff "burnout", and leave work unperformed. Many hours of leave must be backfilled with overtime in order to maintain our state staffing level of "four" on-duty at all times."

Grand Jury Report F2)

The jail staff is well trained and experienced. There is an enormous amount of overtime being paid because of understaffing. Jail staff has to transport inmates leaving them short staffed and adding to more overtime.

Response to F2

The Board agrees that there are staffing issues in the jail.

Grand Jury Report R2)

Transport of Inmates should not be handled by current jail staff. Employ others to transport.

a) Hire 3 additional deputies to minimize overtime expenditures as long overtime shifts affect the health and safety of the correction officers.

Response to R2

This recommendation will not be implemented due to the lack of funding in this budget year.



COUNTY OF SAN BENITO BOARD OF SUPERVISORS

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October 7, 2014

To: Honorable Steven R. Sanders, Presiding Judge
Superior Court of California, County of San Benito

From: San Benito County Board of Supervisors

Subject: Response to San Benito County Grand Jury Report for FY 2013-2014 in
Reference to "Juvenile Hall Review".

This letter contains San Benito County's Board of Supervisors formal response to the Grand Jury Report for FY 2013-14 specifically relating to the "Juvenile Hall Review." In providing this response, the Board acknowledges that the response drafted and sent by the Chief Probation Officer, R. Ted Baraan was a part of the review.

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

Finding No. 1:

F1) The recreation area at JH is not functional as a safe area for the detainees. The concrete area is uneven leading to possible injury if one is not careful. The grassy area is infested with gophers making any type of physical activity in that area extremely unsafe. The condition of the recreational area may be in violation of California Minimum Standards for Local Detention Facilities: Article 8 – Section 1105.

Response to Finding No. 1:

The Board disagrees with the finding that the area is unsafe, however the Chief Probation Officer (CPO) is aware of some opportunities for improvement of this area which might be addressed in the FY 2014/15 County Budget.

Finding No. 2:

F2) JH does not have a contracted Dental Service.

Response to Finding No. 2

The Board is in agreement with the finding numbered F2 based on the response contained in the CPO's letter dated September 10, 2014 (attached).

Finding No. 3:

F3) In the educational component, the educator is able to get work lesson plans for detainees from all schools except San Benito High School. This deprives detainees from SBHS from getting instruction at the level they were receiving.

Response to Finding No. 3:

The Board agrees with the response contained in the CPO's September 10, 2014 response which states, "I disagree with the finding numbered F3. The Juvenile Hall School is under the educational jurisdiction of the San Benito Office of Education – Alternative Education Program. San Benito High School is a separate school district, independent from the San Benito Office of Education. The educator at Juvenile Hall is able to obtain school records from all the schools in the area including San Benito High School, and tailors an educational program based upon the needs of each student."

Finding No. 4:

F4) There is not a regularly scheduled maintenance program for JH

Response to Finding No. 4:

The Board agrees with the response contained in the CPO's September 10, 2014 response which states, "I partially agree with the finding numbered F4. There is not an outside entity providing daily basic maintenance of the facility. Daily basic maintenance, such as cleaning of the detention area and the Courtroom of the Juvenile Hall is the responsibility of the staff. Allowing detained youth to work with staff to assist with basic cleaning of the facility provides opportunities for the youth to be mentored by positive adults while learning basic skills in maintaining a household. Daily inspection of the facility, weekly reports of the condition of the facility, and identification of items in need of repair, and determination of items to be improved, is the responsibility of institution staff. Upon identification of work needs, the Public Works Department is notified and work is scheduled."

Finding No. 5:

F5) The last meal for detainees is 3:30 PM. This leaves sixteen (16) hours between dinner and breakfast for receiving any nutritional substances.

Response to Finding No. 5:

The Board agrees with the response contained in the CPO's September 10, 2014 response which states, "I agree with the finding numbered F5. Upon my appointment as the Chief Probation Officer, it was an item which I wished to address."

Recommendation No. 1:

R1) We recommend some basic improvements be made to the recreational area. Exercise and exposure to the outside air is an important factor in the health and attitude of an incarcerated

person. The revitalizing of this area should be a work project for SBC Public Works, as well as an ongoing maintenance program.

Response to Recommendation No. 1:

The Board agrees with the response contained in the CPO's September 10, 2014 response which he states that he is pursuing funding opportunities to upgrade the outdoor recreation area to better serve the incarcerated youth.

Recommendation No. 2:

R2) Contract for an onsite Dental program or combine Dental Program with SBC Jail.

Response to Recommendation No. 2:

The Board agrees with the response contained in the CPO's September 10, 2014 response which states, "I partially agree with the recommendation numbered R2. Providing for the proper physical treatment of detained youth is a primary concern. This includes treatment for all medical issues. However, to have an onsite dental program may require significant physical changes to the facility to meet standards. Combining with the Dental Program with SBC Jail may be a viable option. I am exploring expansion of the current medical service contract to include dental services."

Recommendation No. 3:

R3) Request from San Benito High School that they provide work lesson plans for detainees from SBHS.

Response to Recommendation No. 3

The Board agrees with the response contained in the CPO's September 10, 2014 response which states, "I disagree with the recommendation numbered R3. The Juvenile Hall School is comes under the educational jurisdiction of the San Benito Office of Education – Alternative Education Program. San Benito High School is a separate school district, independent from the San Benito Office of Education. The educator at Juvenile Hall is able to obtain school records from all the schools in the area including San Benito High School, and tailors an educational program based upon the needs of each student."

Recommendation No. 4:

R4) Contract with an outside maintenance firm or have SBC Public Works schedule maintenance at the JH.

Response to Recommendation No. 4:

The Board agrees with the response contained in the CPO's September 10, 2014 response which states, "I partially agree with the recommendation numbered R4. Daily basic maintenance and inspection of the facility is the responsibility of the staff assigned to Juvenile

Hall. Once an item is identified, the matter is referred to Public Works for repair. I am working with the Public Works Department to ensure that repairs and upgrades are completed in an efficient and timely manner."

Recommendation No. 5:

R5) Provide some nutritional substances to detainees before the 10:00 PM lights out.

Response to Recommendation No. 5:

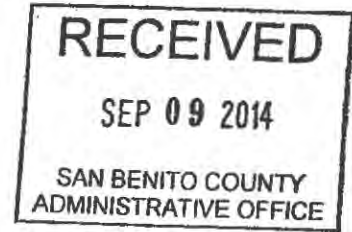
The Board agrees with the response contained in the CPO's September 10, 2014 and the recommendation has been implemented.



SAN BENITO COUNTY SHERIFF'S OFFICE

2301 TECHNOLOGY PKWY • HOLLISTER, CALIFORNIA 95023
PHONE: 831-636-4080 • FAX: 831-636-1416

DARREN THOMPSON
SHERIFF-CORONER



September 05, 2014

The Honorable Steven Sanders
Presiding Judge
Superior Court of California, County of San Benito
450 Fourth Street
Hollister, CA 95023-3833

Dear Judge Sanders:

Please find attached the San Benito County formal response to the Grand Jury Report for FY 2013-2014. The Sheriff's Office is responding at this time to reports addressing the Sheriff's Office Operations Division, and Corrections Division. This response fulfills Penal Code Section 933 that mandates a response to the Grand Jury Report within 60 days of the report.

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

Sincerely,

Darren Thompson, Sheriff-Coroner

San Benito County Sheriff's Office

Attachment: San Benito County Sheriff's Office Responses.

Cc. County Counsel, County Administration

September 4, 2014

Bos

This attachment contains the Findings and Recommendations of the San Benito County Grand Jury pertaining to the Sheriff's Operations division and Corrections Division for fiscal year 2013-2014, ~~and the Sheriff's responses to those Findings and Recommendations.~~

The findings and recommendations listed were pasted from the report prepared by the Grand Jury.

The Sheriff's responses are seen in green.

Grand Jury Report response, 2014 (Operations)

Grand Jury Report F1) Currently there are only 2 Deputies on at any given time to cover the entire San Benito County. Although authorization has been given to hire 3 new deputies and another Deputy in April, this still results in only 3 Deputies on shift at any given time for the entire county still creating safety concerns for the public and the deputies.

Sheriff's Response to F1 – Agreed

Grand Jury Report R1) Add an additional 3 Deputies to the three already committed. Look to hiring reserve Deputies.

Sheriff's Response to R1 – This recommendation will be partially implemented. The County will not implement the recommendation to hire an additional three Deputies due to the lack of funding to hire additional Deputies. However, the recommendation of "look to hire reserve Deputies" has been implemented. There are a number of issues that make this a reasonable recommendation to supplement full-time staff, and the County will do so, but it is not a suitable substitute for having full-time committed deputies. Additionally, there is restrictive language in the MOU with the Deputy Sheriff's Association pertaining to staffing with reserve deputies.

Grand Jury Report F2) There is not a dedicated Deputy provided for the City of San Juan Bautista. There is a commitment to this city for policing service that is not being met. Public safety is being compromised.

Sheriff's Response to F2 – Disagree partially. The contract with the City of San Juan Bautista in essence, is for 168 hours of service per month. Despite not having the staffing to assign someone there exclusively, we are to fulfill the terms of the contract using the same patrol staff used to cover the entire County when deputies are not called away to other County matters.

Grand Jury Report R2) Hire a Deputy dedicated to the City of San Juan Bautista.

Sheriff's Response to R2 – This recommendation will be implemented within the 14-15 fiscal year. The Sheriff's Department is actively recruiting to fill our current Deputy Sheriff vacancies, which will ultimately allow us to

Grand Jury Report Response, 2014

assign a Deputy to San Juan Bautista. However, the numerous variables in the recruitment, selection, and successful training of candidates for this unique role, make it difficult to provide an exact timeframe in which this will be fully implemented.

Grand Jury Report F3) The Sheriff's Department Vehicles are outdated and are not provided with latest electronics that are necessary for doing effective policing.

Sheriff's Response to F3 – Agreed

Grand Jury Report R3) Through grants or other additional allocated funds update the Sheriffs Vehicles to allow for modern policing.

Sheriff's Response to R3 – This will be implemented in part by January 1, 2015. Funds have been earmarked for vehicles, and the Sheriff's Department is in the process now procuring vehicles for arrival this fall. This will help with providing dependable emergency vehicles, but will not address the lack of contemporary technology equipment.

Grand Jury Report F4) The Sheriff's Department has real radio coverage issues. The space on the new radio tower, they rent from Monterey County Education, is 40 feet short of the old tower, the lower level blocks communication with the Aromas area.

Sheriff's Response to F4 – Agreed

Grand Jury Report R4) The County needs to look into securing a tower, at the proper height, to maximize radio communication. Possibly the County could purchase their own tower and rent space to other agencies or businesses needing radio communication.

Sheriff's Response to R4 – This recommendation requires further analysis, which is already underway. We have contracted with a vendor for a feasibility study, exploring the effectiveness of extending the existing tower an additional 40 feet. The study will be concluded this fall, and no later than January 1, 2015. The study will also provide us with a cost estimate for that modification, should it be the recommended course of action.

Grand Jury Report F5) Grant monies are available if San Benito County BOS would provide an experienced grant writer. Currently, deputies have to do their own attempt at grant writing.

Sheriff's Response to F5 – Agreed

Grand Jury Report R5) Hire or contract with a professional grant writer. A professional grant writer would more than pay for themselves by securing needed revenue for the Sheriff's Department needs as well as other county agency needs.

Sheriff's Response to R5 – This recommendation will not be implemented by the Sheriff's Office. We do not have the funding for this position currently, and we do not support the redirecting of funding earmarked to fill much needed deputy sheriff positions. We would support the concept of a county employed grant writer, should the county provide an additional allocation to fund this recommendation. We agree this would likely result in long-term benefits to county service.

Grand Jury Report Response, 2014

Grand Jury Report F6) Currently, a main hallway, in the Sheriff's Dept. does not have a roof. This allows heat to escape from that area and adds unnecessary costs.

Sheriff's Response to F6 – Agreed

Grand Jury Report R6) Build a roof on the hallway to stop costly heating of the warehouse area.

Sheriff's Response to R6 – This recommendation will not be implemented by the Sheriff's Office. We agree the recommendation is merited, and would hope the project would be seen as a valuable Capitol Improvement Project, and eventually implemented.

Grand Jury Report F7) With the shortage of manpower, training is compromised for current as well as new hires. Good training is vital to providing good policing and safety for the deputy and the public.

Sheriff's Response to F7 – Agreed

Grand Jury Report R7) Provide additional funding earmarked for training at the local level and through training programs.

Sheriff's Response to R7 – This recommendation has been implemented. We budgeted \$29,356 for training this fiscal year, however only \$20,000 was approved, a \$700 increase from the last few years. Therefore, specialized training will be done again this year on a limited basis. We have already begun the execution of our training plan, which was to provide our first responders with the latest information on Post-Traumatic Stress Disorder. However, this is far short of the training we feel is needed. On-going training is critical in our profession, as many of our skills are perishable. We have diminished our training each year since 2010. Not only are there costs associated with training, but the current staffing shortage makes it nearly impossible to pull someone away from their daily duties to attend training, without forcing another deputy into overtime to cover for the deputy away at training. This will improve marginally once we have filled our existing vacancies.

Grand Jury Report response, 2014 (Jail)

Grand Jury Report F1) Though the Jail is well-run and maintained, it is severely understaffed.

Sheriff's Response to F1- Agreed

Grand Jury Report R1) Personnel are stretched too thin due to budget cuts and non-replacement of deputies. Basic current needs include the hiring of at least 4 additional correction officers.

Sheriff's Response to R1- This recommendation will not be implemented due to the lack of funding in this budget year. We are however, progressing to fill our current vacancies. Absences of deputies on leave, such as for a military commitment or an injury, impact staffing levels. Long-term work absences, which the Jail has experienced, result in increased overtime, staff "burnout", and leave work unperformed. Many hours of leave must be backfilled with overtime in order to maintain our state staffing level of "four" on-duty at all times.

Grand Jury Report Response, 2014

Grand Jury Report F2) The jail staff is well trained and experienced. There is an enormous amount of overtime being paid because of understaffing. Jail staff has to transport inmates leaving them short staffed and adding to more overtime.

Sheriff's Response to F2- Agreed

Grand Jury Report R2) Transport of Inmates should not be handled by current jail staff. Employ others to transport.

a) Hire 3 additional deputies to minimize overtime expenditures as long overtime shifts affect the health and safety of the correction officers.

Sheriff's Response to R2- This recommendation will not be implemented due to the lack of funding in this budget year.



San Benito County Probation Department

400 Monterey Street


Hollister, CA 95023

831-636-4070

831-636-5682 FAX

R. Ted Baraan
Chief Probation Officer

TO: Honorable Steven R. Sanders, Presiding Judge
Superior Court of California, County of San Benito

RESPONSE BY: R. Ted Baraan, Chief Probation Officer 

REPORT TITLE: San Benito County Probation Department Response to San Benito County Grand Jury 2013-2014 in Reference to San Benito County Juvenile Hall Review

RESPONSE DATE: September 10, 2014

Cc: San Benito County Board of Supervisors

Finding No. 1:

F1) The recreation area at JH is not functional as a safe area for the detainees. The concrete area is uneven leading to possible injury if one is not careful. The grassy area is infested with gophers making any type of physical activity in that area extremely unsafe. The condition of the recreational area may be in violation of California Minimum Standards for Local Detention Facilities: Article 8 – Section 1105.

Response to Finding No. 1:

I partially agree with the finding numbered F1. I agree that the recreation should be improved to provide a more functional area for detainees. A portion of the paved area needs resurfacing and the grassy area needs to be re-done. I disagree that entire outdoor recreation area is unsafe for use. Additionally, the condition of the area was not noted during the recent inspection by the Board of State and Community Corrections as failing to meet minimum standards.

Finding No. 2:

F2) JH does not have a contracted Dental Service.

Response to Finding No. 2

I agree with the finding numbered F2. We do not have a specifically contracted Dental Service for detainees in Juvenile Hall.

Finding No. 3:

F3) In the educational component, the educator is able to get work lesson plans for detainees from all schools except San Benito High School. This deprives detainees from SBHS from getting instruction at the level they were receiving.

Response to Finding No. 3:

I disagree with the finding numbered F3. The Juvenile Hall School is under the educational jurisdiction of the San Benito Office of Education – Alternative Education Program. San Benito High School is a separate school district, independent from the San Benito Office of Education. The educator at Juvenile Hall is able to obtain school records from all the schools in the area including San Benito High School, and tailors an educational program based upon the needs of each student.

Finding No. 4:

F4) There is not a regularly scheduled maintenance program for JH

Response to Finding No. 4:

I partially agree with the finding numbered F4. There is not an outside entity providing daily basic maintenance of the facility. Daily basic maintenance, such as cleaning of the detention area and the Courtroom of the Juvenile Hall is the responsibility of the staff. Allowing detained youth to work with staff to assist with basic cleaning of the facility provides opportunities for the youth to be mentored by positive adults while learning basic skills in maintaining a household. Daily inspection of the facility, weekly reports of the condition of the facility, and identification of items in need of repair, and determination of items to be improved, is the responsibility of institution staff. Upon identification of work needs, the Public Works Department is notified and work is scheduled.

Finding No. 5:

F5) The last meal for detainees is 3:30 PM. This leaves sixteen (16) hours between dinner and breakfast for receiving any nutritional substances.

Response to Finding No. 5:

I agree with the finding numbered F5. Upon my appointment as the Chief Probation Officer, it was an item which I wished to address.

Recommendation No. 1:

R1) We recommend some basic improvements be made to the recreational area. Exercise and exposure to the outside air is an important factor in the health and attitude of an incarcerated person. The revitalizing of this area should be a work project for SBC Public Works, as well as an ongoing maintenance program.

Response to Recommendation No. 1:

I agree with the recommendation numbered R1. We are pursuing funding opportunities to upgrade the outdoor recreation area to better serve the youth in detention.

Recommendation No. 2:

R2) Contract for an onsite Dental program or combine Dental Program with SBC Jail.

Response to Recommendation No. 2:

I partially agree with the recommendation numbered R2. Providing for the proper physical treatment of detained youth is a primary concern. This includes treatment for all medical issues. However, to have an onsite dental program may require significant physical changes to the facility to meet standards. Combining with the Dental Program with SBC Jail may be a viable option. I am exploring expansion of the current medical service contract to include dental services.

Recommendation No. 3:

R3) Request from San Benito High School that they provide work lesson plans for detainees from SBHS.

Response to Recommendation No. 3

I disagree with the recommendation numbered R3. The Juvenile Hall School is comes under the educational jurisdiction of the San Benito Office of Education – Alternative Education Program. San Benito High School is a separate school district, independent from the San Benito Office of Education. The educator at Juvenile Hall is able to obtain school records from all the schools in the area including San Benito High School, and tailors an educational program based upon the needs of each student.

Recommendation No. 4:

R4) Contract with an outside maintenance firm or have SBC Public Works schedule maintenance at the JH.

Response to Recommendation No. 4:

I partially agree with the recommendation numbered R4. Daily basic maintenance and inspection of the facility is the responsibility of the staff assigned to Juvenile Hall. Once an item is identified, the matter is referred to Public Works for repair. I am working with the Public Works Department to ensure that repairs and upgrades are completed in an efficient and timely manner.

Recommendation No. 5:

R5) Provide some nutritional substances to detainees before the 10:00 PM lights out.

Response to Recommendation No. 5:

I agree with the recommendation numbered R5. Subsequent to the review of Juvenile Hall by the Grand Jury, we have augmented the daily "evening snack" for all youth detained in the facility from simply cookies and fruit, to now include: trail mix, string cheese, granola type bars, and yogurt. Subsequently, the overall diet for youth detained at Juvenile Hall was reviewed by a Nutritional Inspector who found that the diet met the nutritional needs for youth.