

**RESPONSES TO THE FINDINGS AND RECOMMENDATIONS IN THE COUNTY OF
SAN BENITO CIVIL GRAND JURY REPORT FOR 2016-2017.**

**SUBMITTED BY THE SAN BENTIO COUNTY BOARD OF SUPERVISORS
November 7, 2017**

SUMMARY

The San Benito Civil Grand Jury formed a committee and conducted an investigation into the Hollister Police and Animal Care and Services Department. The Grand Jury found that the rates of euthanasia at the shelter are high and that some members of the community are not satisfied with the operation of the shelter. The Grand Jury has looked in-depth at some areas that could be improved upon to possibly help reduce euthanasia rates and to help the shelter operate more efficiently.

BACKGROUND

The Hollister Police Animal Care and Services Department (Animal Control) is located at 1331 South Street, Hollister, CA. 95023.

Animal Control is responsible for impounding stray or lost animals, cruelty investigations, rabies control, dog license sales, lost pet reports, euthanasia services, administering the animal adoption program, 24 hour emergency services, enforcing local and state ordinances, educational programs and operation of the animal shelter.

METHODOLOGY

A committee of the Grand Jury visited Animal Control on April 13, 2017 to tour the facility and interview on-site staff.

The Grand Jury requested documents from the Hollister Police Department relating to the Animal Control Department for the year 2016. The Grand Jury had requested the documents in early February and received documents on May 16, 2017 and May 23, 2017. Some of the requested documents were never received or not received in their entirety. The delay in receiving the documents hindered the Grand Jury in producing the report in a timely manner. The lack of the documents requested or in their entirety hindered the quality of the report.

Documents

- Fatal Plus Solution Receipts for the year 2016
- Fatal Plus Solution administration log. 12/23/2015-1/13/2017
- Tallow Company animal disposal receipts. 10/25/2016-11/15/2016
- Previous contract between San Benito County and Animal Hospital of Hollister that ended 6/30/2015.

- Hollister Police Department Animal Care and Services organizational structure.
- Hollister Animal Shelter Duty Manual.
- Kennel Statistics Report for All Areas Intakes from 1/1/2016-12/31/2016
- City of Hollister Police Department Animal Control Bureau Budget

FORM OF RESPONSES

California Penal Code 933.05 requires that:

For the purpose of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

- The respondent agrees with the finding.
- The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

For the purpose of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one the following actions:

- The recommendation has been implemented, with a summary regarding the implemented action.
- The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

FINDINGS

F1) The Animal Shelters adoption figures are incredibly low. 274 animals were adopted by the public for the year 2016. The Animal Shelter is open to the public Monday thru Friday 12-Spm. With such limited hours during the typical work days and being closed weekends it is difficult for everyone who wants to adopt an animal or reclaim their animal to be there in this time frame.

- The County of San Benito agrees with this finding.

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F2) There was a small amount of dogs up for adoption at the time of our visit and nowhere near full capacity.

- The County of San Benito agrees with this finding.

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F3) There are only 4-5 steady volunteers helping at the Animal Shelter leaving officers to perform duties that a volunteer is capable of.

- The County of San Benito agrees with this finding.

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F4) High turnover rate for officers employed at the Animal Shelter, largely in part to having to euthanize mass amounts of animals.

- The County of San Benito agrees with this finding.

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F5) The figures for euthanasia are incredibly high, 1,411 animals were euthanized in 2016 (this figure does not include public requests) 48% of all animals coming in the shelter will be euthanized. The Animal Shelter does not hold adoption fairs. The adoption trailer has only been used a small amount at events in town. Although when used they have proven successful at getting animals adopted and increasing foot traffic in the shelter later.

- *The County of San Benito agrees with this finding.*

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F6) The Grand Jury learned that the shelter does not weigh animals prior to euthanasia. There have been cases in the past where there has been an underestimate of weight resulting in having to administer 2 doses to complete euthanasia. This causes concern of whether the animal was granted a humane and peaceful death. It also is a concern of the additional stress this may cause the officer aside from the already stressful event that is euthanasia.

- *The County of San Benito agrees with this finding.*

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F7) The Jury learned that officers at the Animal Shelter are conducting behavioral tests on the animals with no certification in animal behavior.

- The County of San Benito agrees with this finding.

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F8) Behavioral tests are not catered for age groups. Such as puppies vs. dogs, kittens vs. cats.

- The County of San Benito agrees with this finding.

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

F9) No information can be found on behavioral tests because no records are kept about any tests conducted.

- The County of San Benito agrees with this finding.

The County has contracted Animal Control services with the City of Hollister. The County does not have control or oversight of the Animal Control Shelter. Rather than not responding to this finding, as the County was listed as a responding entity, the County respectfully defers to and submits to the findings made by the Grand Jury, pursuant to its authority under the California Penal Code.

RECOMMENDATIONS

R1) The shelter can change its operating hours. Close to the public on one of the operating days and open on Saturday for 4 hours. Also change the hours on one of the weekdays to 3pm-7pm. Thus, catering to the public's differentiating work schedules.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R2) Keep animals longer than the mandatory time of 5 days not counting impoundment.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R3) Reach out on social media and adoption events for volunteers to apply. Changing the hours of the shelter (as in R1) may also be an easier schedule for volunteers. Keeping animals longer than the minimum (as in R2) may help the volunteers stay on longer. An increase in volunteers could lighten the work load for the officers at the shelter.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R4) Hire a veterinarian to perform the euthanizations on-site when needed so that officers are not responsible for the task or under stress from this task.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R5) Seek out ways to hold adoption events at local businesses or pet stores. Utilize the trailer more often to seek potential adopters at these events.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R6) Weigh animals prior to euthanasia to ensure a humane death. If this isn't possible, use a much overestimated dose of Fatal Plus Solution. We recommend that the shelter have a veterinarian perform euthanasia on-site since they are medically more qualified and so that the officers would not have to perform this duty or at the very least not as often (as in R4).

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R7) The shelter needs to employ an animal behaviorist or have officers in training for animal behavior. Do not euthanize animals until you are near full capacity.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations,

staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R8) Acquiring a Behavioral Checklist with specific age groups. A puppy can nip and bite because it is a normal stage in puppy behavior on the other hand a full grown dog can nip and bite and would be signs of aggression thus providing the need for a behavioral checklist that is catered to the specific age groups of animals.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

R9) The shelter needs to have, use and record the records from the behavioral tests conducted on all animals.

- *This recommendation will not be implemented by San Benito County.*

Currently, the County contracts with the City of Hollister for Animal Control Services. The County will request that the City of Hollister address the Grand Jury's concerns. However, the City of Hollister ultimately controls the operations, staffing and reporting of its own facility, and the County has no authority to implement this recommendation.

Response to the Grand Jury Findings and Recommendations regarding the San Benito County Sheriff's Department.

This report addresses the one finding and correlating recommendation addressing the San Benito County Sheriff's Office Jail in the 2016-2017 Grand Jury Report.

FINDINGS

F1) The difference between a regular meal for an inmate and a meal for a pregnant inmate is minimal.

- *The County of San Benito Disagrees in part with this finding.*

Although minimal, San Benito County Board of Supervisors believes the diet provided is more than adequate. The prenatal diet plan is prepared by the Aramark dietician (food services vendor) and approved by CFMG (medical care provider).

In addition to prenatal vitamins plus folic acid daily, our pregnant inmates receive two extra milks daily, and an extra snack (AM and PM) consisting of two pieces of bread, bologna and a fruit. That equates to extra calcium and extra calories, or approximately two extra meals per day. We believe this complies with Title 15 section 1248 which in part states, "Pregnant women shall be provided a balanced, nutritious diet approved by a doctor."

Also, above all that, if a pregnant inmate asks for additional food, she is provided with one more snack per day.

RECOMMENDATIONS

R1) Improve diet for pregnant inmates and to keep providing them prenatal vitamins as their right to obtain appropriate care to carry their pregnancy.

- *This recommendation will be implemented in part by San Benito County.*

San Benito County will continue to provide the vitamins, but the diet is not in need of improvement, and improvements to the diet will not be implemented. San Benito County will continue to work with our Medical Care Provider and Food Services Provider to meet the nutritional needs of pregnant Inmates.

Response to the Jury Findings and Recommendations regarding the San Benito County Probation Department.

FINDINGS

F1) The shower head in the intake area is unsafe. Showers in the intake area and main housing area lack privacy. A JIO needs to be able to see the head and feet of a youth in the shower. Each shower currently has a full door and there is a small window with a cover that can be opened to monitor the youth, however, there is no interior door to provide some privacy.

- The County of San Benito Agrees with this finding in part.

F2) Carpeting is worn and also torn. The torn area in the courtroom is a trip hazard. However, the County notes that the torn area and the trip hazard has been temporarily mitigated until permanent repairs are completed.

- The County of San Benito Agrees with this finding.

F3) It was noted that 5 of 7 youth at the facility during the Grand Jury tour had mental or behavioral health issues. Juvenile Hall currently uses the County Health Department to provide treatment for mental health issues. This is done off-premise and youth must be transported to care and back to the facility.

- The County of San Benito Agrees with this finding.

F4) There are no vocational studies programs currently available at Juvenile Hall. Although there is a gardening/agricultural program being developed, it lacks funding for infrastructure.

- The County of San Benito Agrees with this finding.

F5) As mentioned in prior Grand Jury reports. The grass area is full of gopher holes and is unsafe for youth to use. Plans have been drawn up to remedy this on-going issue and funding was approved, however, this project is now on hold due to a lack of resources.

- The County of San Benito Agrees with this finding.

RECOMMENDATIONS

R1) Replace the shower head in the intake area. Install either shower curtains that leave the youths head and feet exposed or install actual shower doors that provide the same level of security while allowing for youth modesty.

- The County of San Benito has yet to implement this recommendation, but it will be implemented in the future with an estimated completion date this fiscal year.

The remodel of the showers is included in the Capital Improvement Project for Juvenile Hall and is to be completed by the end of June 2018.

R2) Replace carpeting throughout the facility to either a durable slip resistant surface or an industrial carpet designed for the high foot traffic.

- The County of San Benito has yet to implement this recommendation, but it will be implemented in the future with an estimated completion date this fiscal year

The replacement of the carpet is included in the Capital Improvement Project for Juvenile Hall and is to be completed by the end of June 2018.

R3) Work with CFMG to add mental health to the juvenile hall health contract to ensure timely and adequate response to mental health issues at Juvenile Hall.

- The County of San Benito has yet to implement this recommendation, but it will be implemented in the future, with an estimated completion date this fiscal year

The county is in discussion with CFMG to provide increased physical health and mental health services to the Juvenile Hall, which should be completed by the end of June 2018.

R4) Develop a vocation education program. Seek county funding or private funding to start the gardening program and continue development of other vocational programs.

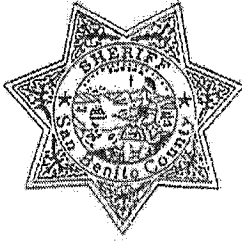
- The County of San Benito has yet to implement this recommendation, but it will be implemented in the future with an estimated completion date this fiscal year.

The modifications to the fence and secured area necessary to start the gardening program are included in the Capital Improvement Project for Juvenile Hall and are to be completed by the end of June 2018. Probation Department Management will continue to identify viable vocational programs for the youth.

R5) Provide the resources and maintain the funding to complete this vital project

- The County of San Benito has implemented this recommendation.

Funding for juvenile hall programs is included as part of the Probation Department budget.



SAN BENITO COUNTY SHERIFF'S OFFICE

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DARREN THOMPSON
SHERIFF-CORONER

September 26, 2017

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 as page 2, the San Benito County formal response to the Grand Jury Report for FY 2016-2017. The Sheriff's Office is responding at this time to reports addressing the Sheriff's Office 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,

A handwritten signature in black ink, appearing to read "D. Thompson", with a long horizontal flourish extending to the right.

Darren Thompson, San Benito County Sheriff-Coroner

Cc. County Counsel, County Administration

Page 1 of 2

MISSION STATEMENT

TO SERVE THE PUBLIC BY ESTABLISHING A PARTNERSHIP WITH THE COMMUNITY; TO PROTECT LIFE AND PROPERTY,
PREVENT CRIME AND SOLVE PROBLEMS

Grand Jury Response, 2016-2017

This report addresses the one finding and correlating recommendation addressing the San Benito County Sheriff's Office Jail in the 2016-2017 Grand Jury Report.

F1) The difference between a regular meal for an inmate and a meal for a pregnant inmate is minimal.

Response to F1: We disagree in part.

Although minimal, we believe our diet is more than adequate. Our prenatal diet plan is prepared by the Aramark dietician (food services vendor) and approved by CFMG (medical care provider). In addition to prenatal vitamins plus folic acid daily, our pregnant inmates receive two extra milks daily, and an extra snack (AM and PM) consisting of two pieces of bread, bologna and a fruit. That equates to extra calcium and extra calories, or approximately two extra meals per day. We believe this complies with Title 15 section 1248 which in part states, "pregnant women shall be provided a balanced, nutritious diet approved by a doctor." Also, above all that, if a pregnant inmate asks for additional food, she is provided with one more snack per day.

R1) Improve diet for pregnant inmates and to keep providing them prenatal vitamins as their right to obtain appropriate care to carry their pregnancy.

Response to R1: This recommendation will be implemented in part.

We will continue to provide the vitamins, but our diet is not in need of improvement. We will continue to work with our Medical Care Provider and Food Services Provider to meet the nutritional needs of our pregnant inmates.



San Benito County Probation Department

400 Monterey Street
Hollister, CA 95023
831-636-4070
831-636-5682 FAX

R. Ted Baraan
Chief Probation Officer
Rita R. Campbell
Administrative Services Manager

TO: Honorable Steven 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 2016-2017 In Reference to San Benito County
Juvenile Hall Review

RESPONSE DATE: October 26, 2017

Finding No. 1:

F1. The shower head in the intake area is unsafe. Showers in the intake area and main housing area lack privacy. A JIO needs to be able to see the head and feet of a youth in the shower. Each shower currently has a full door and there is a small window with a cover that can be opened to monitor the youth, however, there is no interior door to provide some privacy.

Response to Finding No. 1:

I agree with Finding No. 1.

Finding No. 2:

F2. Carpeting is worn and also torn. The torn area in the courtroom is a trip hazard.

Response to Finding No. 2:

I agree with Finding No. 2.

Finding No. 3:

F3. It was noted that 5 of 7 youth at the facility during the Grand Jury tour had mental or behavioral health issues. Juvenile Hall currently uses the County Health Department to provide treatment for mental health issues. This is done off-premise and youth must be transported to care and back to the facility.

Response to Finding No. 3:

I agree with Finding No. 3.

Finding No. 4:

F4. There are no vocational studies programs currently available at Juvenile Hall. Although there is a gardening/agricultural program being developed, it lacks funding for infrastructure.

Response to Finding No. 4:

I agree with Finding No. 4.

Finding No. 5:

F5. As mentioned in prior Grand Jury reports. The grass area is full of gopher holes and is unsafe for youth to use. Plans have been drawn up to remedy this on-going issue and funding was approved, however, this project is now on hold due to a lack of resources.

Response to Finding No. 5:

I agree with Finding No. 5.

Recommendation No. 1:

R1. (F1) Replace the shower head in the intake area. Install either shower curtains that leave the youths head and feet exposed or install actual shower doors that provide the same level of security while allowing for youth modesty.

Response to Recommendation No. 1:

This recommendation has yet to be implemented, but will be implemented in the future. The remodel of the showers is included in the Capital Improvement Project for Juvenile Hall and is to be completed by the end of June 2018.

Recommendation No. 2:

R2. (F2) Replace carpeting throughout the facility to either a durable slip resistant surface or an industrial carpet designed for the high foot traffic.

Response to Recommendation No. 2:

This recommendation has yet to be implemented, but will be implemented in the future. The replacement of the carpet is included in the Capital Improvement Project for Juvenile Hall and is to be completed by the end of June 2018.

Recommendation No. 3:

R3. (F3) Work with CFMG to add mental health to the juvenile hall health contract to ensure timely and adequate response to mental health issues at Juvenile Hall.

Response to Recommendation No. 3:

The recommendation has yet to be implemented, but will be implemented in the future. The county is in discussion with CFMG to provide increased physical health and mental health services to the Juvenile Hall, which should be completed by the end of June 2018.

Recommendation No. 4:

R4. (F4) Develop a vocation education program. Seek county funding or private funding to start the gardening program and continue development of other vocational programs.

Response to Recommendation No. 4:

The recommendation has yet to be implemented, but will be implemented in the future. The modifications to the fence and secured area necessary to start the gardening program are included in the Capital Improvement Project for Juvenile Hall and are to be completed by the end of June 2018. Probation Department Management will continue to identify viable vocational programs for the youth.

Recommendation No. 5:

R5. (F5) Provide the resources and maintain the funding to complete this vital project.

Response to Recommendation No. 5:

This recommendation has been implemented. Funding for juvenile hall programs is included as part of the Probation Department budget.