

Summary of Responses to the 2016-2017 Stanislaus County Civil Grand Jury's Final Reports

SUMMARY

Following up on the findings and recommendations from a prior year is a primary responsibility of the Stanislaus County Civil Grand Jury (SCCGJ). Each year the Grand Jury issues reports with findings and recommendations directed to Stanislaus County officials, agencies, municipal, and other public entities. Findings are written responses as dictated by California Penal Code Sections 933 and 933.05 and are an important function of all California Grand Juries. Governing bodies of public agencies are required to respond no later than 90 days after the Civil Grand Jury submits a final report; elected county officers, including county boards of supervisors and agency heads, are required to respond no later than 60 days.

GLOSSARY

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| DRC | Day Reporting Center |
| GCT | General County Tax |
| JDF | Juvenile Commitment Facilities |
| OID | Oakdale Irrigation District |
| SCAC | Stanislaus County Auditor-Controller's Office |
| SCCGJ | Stanislaus County Civil Grand Jury |
| SCPD | Stanislaus County Probation Department |
| SCSOCD | Stanislaus County Sheriff's Office Coroner's Division |
| SR911 | Stanislaus Regional 911 |

BACKGROUND

The review demonstrates to affected parties and to the public that the Stanislaus County Civil Grand Jury reviews and acts on all responses. The SCCGJ acts on missing and/or inadequate responses to its findings and recommendations. This continuity procedure enables the current and subsequent juries to determine if further action is required by the provisions of the California Penal Code.

METHODOLOGY

The responses and comments submitted concerning reports issued by the 2015-2016 Civil Grand Jury were evaluated by the 2016-2017 Civil Grand Jury with reference to the California Penal Code §933.05(b), which requires agency head, county officer, or governing body to provide one of four possible responses to each recommendation.

1. Have implemented the recommendation
2. Will implement the recommendation
3. Further analysis needed

4. Will not implement the recommendation/Other

California Penal Code §933.05(h)(3) requires that respondents indicating “further analysis needed” must conclude each study within six months from the date of the publication of the Civil Grand Jury report.

The SCCGJ developed a chart to track responses from county officials, agencies, municipal, and other public entities. The following chart reflects each entity’s responses to the Findings and Recommendations of the 2015-2016 SCCGJ final report. Please note that the responses filed by the board of supervisors and the agencies are much more extensive than indicated in the following pages. All Civil Grand Jury reports and the responses can be viewed on the following website: www.stanct.org/final-report.

**City of Oakdale Residents Property Tax Bill
17-03C**

Reason for Investigation

The 2016-2017 Stanislaus County Civil Grand Jury (SCCGJ) received a complaint from an Oakdale city property owner regarding a portion of the non-itemized 1% General County Tax (GCT) listed on the Stanislaus County property tax bill. The complaint questioned the authority of the OID portion of the tax levied on City property owners and what property owners received in return for the assessed tax. The complaint further alleges the Stanislaus County Auditor-Controller's Office (SCAC) did not disclose information about the property tax paid by Oakdale city property owners eventually being distributed to the Oakdale Irrigation District (OID).

Agencies Asked to Respond

- ❖ Oakdale City Council
- ❖ OID Board of Directors

Agencies Invited to Respond

- ❖ Stanislaus County Auditor-Controller
- ❖ Oakdale General Manager
- ❖ Board of Supervisors
- ❖ City of Oakdale-City Manager

| Findings | Agree w/ Finding | Agrees Partially | Disagrees Wholly | Recommendations | Implemented | Will Implement | Further Analysis Needed | Will Not Implement/Other* |
|---|------------------|------------------|------------------|--|-------------|----------------|-------------------------|---------------------------|
| | | | | | | | | |
| Oakdale Office of the City Council | | | | | | | | |
| F1. The SCCGJ found no information was readily available to the City of Oakdale taxpayers explaining where the assessed 1% tax went and what, if any, services OID provided. | X | | | R1. The SCCGJ recommends that the SCAC Office create a way to explain the 1% ad valorem tax that is on property owners tax bills or add an insert to the property tax bill explaining what this tax covers. | | X | | |

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|---|---|---|--|---|---|---|---|
| F2. Oakdale City residents pay over \$1 million annually in property taxes to the OID. | X | | R2. The SCCGJ recommends the SCAC Office explore ways of providing a link on its website that is user friendly and explains the breakdown of the tax. | | X | | |
| F3. The 1% tax that the Oakdale city residents pay is based on the Tax Rate Assessment (TRA) based on Proposition 13 in 1978 and assessed value of their property. | X | | R3. The SCCGJ recommends that OID commence dialog with the City of Oakdale residents regarding services provided by OID in regard to this 1% tax. | X | | | |
| F4. The OID and the City of Oakdale are aware of the possible disparities between property taxes paid and services provided to property owners. Both OID and the City of Oakdale are engaged in a dialog regarding this issue. | X | | R4. The SCCGJ recommends that OID and the City of Oakdale continue to work collaboratively on their Cooperation Action Plan and their Mutual Aid Agreement. | X | | | |
| Oakdale Irrigation District, Board of Directors | | | | | | | |
| F1. The SCCGJ found no information was readily available to the City of Oakdale taxpayers explaining where the assessed 1% tax went and what, if any, services OID provided. | X | | R1. The SCCGJ recommends that the SCAC Office create a way to explain the 1% ad valorem tax that is on property owners tax bills or add an insert to the property tax bill explaining what this tax covers. | | X | | |
| F2. Oakdale City residents pay over \$1 million annually in property taxes to the OID. | X | | R2. The SCCGJ recommends the SCAC Office explore ways of providing a link on its website that is user friendly and explains the breakdown of the tax. | | X | | |
| F3. The 1% tax that the Oakdale city residents pay is based on the Tax Rate Assessment (TRA) based on Proposition 13 in 1978 and assessed value of their property. | X | | R3. The SCCGJ recommends that OID commence dialog with the City of Oakdale residents regarding services provided by OID in regard to this 1% tax. | | X | | |
| F4. The OID and the City of Oakdale are aware of the possible disparities between property taxes paid and services provided to property owners. Both OID and the City of Oakdale are engaged in a dialog regarding this issue. | | X | R4. The SCCGJ recommends that OID and the City of Oakdale continue to work collaboratively on their Cooperation Action Plan and their Mutual Aid Agreement. | | | X | |
| Stanislaus County Auditor Controller | | | | | | | |
| F1. The SCCGJ found no information was readily available to the City of Oakdale taxpayers explaining where the assessed 1% tax went and what, if any, services OID provided. | X | | R1. The SCCGJ recommends that the SCAC Office create a way to explain the 1% ad valorem tax that is on property owners tax bills or add an insert to the property tax bill explaining what this tax covers. | | | | X |
| F2. Oakdale City residents pay over \$1 million annually in property taxes to the OID. | X | | R2. The SCCGJ recommends the SCAC Office explore ways of providing a link on its website | | | | X |

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|---|----------|----------|--|--|--|--|--|----------|
| | | | | that is user friendly and explains the breakdown of the tax. | | | | |
| F3. The 1% tax that the Oakdale city residents pay is based on the Tax Rate Assessment (TRA) based on Proposition 13 in 1978 and assessed value of their property. | X | | | R3. The SCCGJ recommends that OID commence dialog with the City of Oakdale residents regarding services provided by OID in regard to this 1% tax. | | | | X |
| F4. The OID and the City of Oakdale are aware of the possible disparities between property taxes paid and services provided to property owners. Both OID and the City of Oakdale are engaged in a dialog regarding this issue. | | X | | R4. The SCCGJ recommends that OID and the City of Oakdale continue to work collaboratively on their Cooperation Action Plan and their Mutual Aid Agreement. | | | | X |

Conclusion

The 2017-2018 SCCGJ is satisfied that all entities requested to respond to the findings and recommendations of the 2016-17 SCCGJ report did so satisfactorily within the time frame stipulated by the California Penal Code Section 953 (c).

**Stanislaus County Library
17-18GJ**

Reason for Investigation

The Stanislaus County Civil Grand jury believed that it would be beneficial to the public to review the Stanislaus County Library. A review of the library had not been done since the 1992-93 Grand Jury term, and tremendous changes have been implemented and challenges faced by the Stanislaus County Library in recent years.

Agencies Asked to Respond

- ❖ Stanislaus County Board of Supervisors

Agencies Invited to Respond

- ❖ None

| Findings | Agree w/ Finding | Agrees Partially | Disagrees Wholly | Recommendations | Implemented | Will Implement | Further Analysis Needed | Will Not Implement/Other* |
|--|------------------|------------------|------------------|--|-------------|----------------|-------------------------|---------------------------|
| Stanislaus County Board of Supervisors | | | | | | | | |
| F1. The Stanislaus County Library funding is dependent on a portion of the county sales tax revenue that must be voter-approved on a regular basis. Failure to receive voter approval would result in cuts of approximately 85% of library services for the residents of the county. The Stanislaus County Civil Grand Jury finds this budgetary uncertainty to be a limiting factor in the Library's strategic planning for future needs and operations of the library system. | X | | | R1. The Stanislaus County Civil Grand Jury recommends that a more stable source of funding be found for the Stanislaus County Library. A concerted effort needs to be undertaken to explore additional revenue streams to augment the Library's budget. | | X | | |

| Stanislaus County Board of Supervisors | | | | | | | |
|---|----------|--|----------|--|--|----------|----------|
| F2. The Stanislaus County Library does not provide discarded materials to other agencies, students, teachers, non-profit organizations or inmates in county correctional facilities. | | | X | R2. The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Library Administration continue to pursue all appropriate avenues to provide discarded materials to public and non-profit agencies. The current disposal protocol of these materials appears to be a waste of resources that could be utilized elsewhere in the community. | | | X |
| F3. The Stanislaus County Civil Grand Jury finds that additional technology, especially computer workstations, wireless printers, and an extension of Wi-Fi capabilities are needed to keep up with the demands of the public. | X | | | R3. The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Library continues to budget for additional up-to-date technology in order to meet the evolving needs of library patrons. | | X | |
| F4. The Stanislaus County Civil Grand Jury finds a need for additional skilled volunteers to assist with more challenging library tasks. | X | | | R4. The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Library continue to explore all means and methods to increase the number of skilled library volunteers to assist with the more complicated library tasks. | | X | |

Conclusion

The 2017-2018 SCCGJ is satisfied that all entities requested to respond to the findings and recommendations of the 2016-17 SCCGJ report did so satisfactorily within the time frame stipulated by the California Penal Code Section 953 (c).

**Oakdale Irrigation District Redistricting
Case # 17-19C**

Reason for Investigation

The 2016-2017 Stanislaus County Civil Grand Jury's (SCCGJ) decision to conduct an investigation into the Oakdale Irrigation District's (OID) failure to redistrict its Board of Directors' voting districts following the 2010 Federal Census was prompted by a complaint submitted to the Grand Jury by an Oakdale area resident and articles in The Modesto Bee.

The complainant alleges OID chose not to follow the requirements of the law to redistrict after the release of the Federal Census every 10 years. Furthermore, the complainant alleges that one or more of the five districts do not meet California Elections Code Division 21, Section 21500-21506 and Voting Rights Act requirements as it relates to equal populations in each of the five voting districts.

Agencies Asked to Respond

- ❖ OID Board of Directors
- ❖ OID General Manager

Agencies Invited to Respond

- ❖ None

| Findings | | | | Recommendations | | | | |
|--|------------------|------------------|------------------|---|-------------|----------------|-------------------------|---------------------------|
| | Agree w/ Finding | Agrees Partially | Disagrees Wholly | | Implemented | Will Implement | Further Analysis Needed | Will Not Implement/Other* |
| F1. OID-BOD's voting districts are not equal in population. Based on the 2010 Federal Census, the largest district has a population of approximately 8,358, and its smallest district has a population of approximately 4,305. The largest district is 30.3% larger than the calculated average of the OID districts and the smallest district is 32.5% smaller than the calculated average OID district. | X | | | R1. The OID-BOD should comply with the existing redistricting law, including California Election Code Sections 21500-21506 and 22000-22001, and redraw its voting districts boundaries no later than 180 days prior to the November 2017 election of the OID's Board of Directors. | X | | | |

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| F2. OID-BOD is required by Federal and State law to redistrict, as necessary, after each Federal Census. | X | | R2. OID-BOD should immediately develop and implement a district policy to redistrict within the first six-month period after the release of each Federal Census, to ensure redistricting is done, as required by law when voting districts differ by more than 5%. | X | | | |
| F3. OID-BOD failed to take action after becoming aware that OID voting districts were out of compliance with Federal and State redistricting laws in 2011 | X | | R3. OID-BOD should determine if redistricting is needed after the release of every upcoming Federal Census population data in 2021, 2031, 2041, and subsequent years. OID-BOD should redistrict in a timely manner, as consistent with the law. | X | | | |
| F4. OID-BOD last redistricted in 1991, after the 1990 Federal Census release. Therefore, it has been over 25 years since OID has redrawn its voting districts. | X | | R4. None | | | | |
| F5. OID-BOD failed to reapportion its five voting districts, as needed and in a timely manner, after both the 2000 Census release and again after the 2010 Census release. | X | | R5. None | | | | |
| F6. OID currently has no formal policy on record to redistrict after each Federal Census data release. | X | | R6. None | | | | |

Conclusion

The 2017-2018 SCCGJ is satisfied that all entities requested to respond to the findings and recommendations of the 2016-17 SCCGJ report did so satisfactorily within the time frame stipulated by the California Penal Code Section 953 (c).

**Stanislaus County Detention Facilities Inspections
Case # 17-20GJ**

Reason for Investigation

The 2016 – 2017 Stanislaus County Civil Grand Jury (SCCGJ) conducted its annual detention and other facility inspections as required by California Penal Code 919(b). These inspections included the jail facilities, the Stanislaus County Sheriff’s Office Coroner’s Division (SCSOCD), Stanislaus Regional 911 (SR911), Juvenile Commitment Facilities (JDF), and the Day Reporting Center (DRC). The Stanislaus County Sheriff’s Office Coroner’s Division, a state-of-the-art facility that determines individuals’ cause of death for the population of three counties: Mariposa, Stanislaus, and Tuolumne. The Stanislaus County Sheriff’s Department detention facilities are also state of the art. The SCCGJ participated in ride-along programs offered by Stanislaus County law enforcement agencies. SCCGJ commends the Sheriff’s Department, Modesto Police Department, and Turlock Police Department for their cooperation and assistance during the various inspections and tours.

The SCCGJ conducted physical inspections of each facility between September 9, 2016 and March 21, 2017.

Agencies Asked to Respond

- ❖ Stanislaus County Board of Supervisors

Agencies Invited to Respond

- ❖ Stanislaus County Sheriff – Coroner’s Division
- ❖ Stanislaus County Sheriff’s Department

| Findings | Agree w/ Finding | Agrees Partially | Disagrees Wholly | Recommendations | Implemented | Will Implement | Further Analysis Needed | Will Not Implement/Other* |
|---|------------------|------------------|------------------|--|-------------|----------------|-------------------------|---------------------------|
| | | | | | | | | |
| Stanislaus County Board of Supervisor Responses | | | | | | | | |
| F1. The Stanislaus County Sheriff’s Department is extremely adept at managing and maintaining its detention facilities | X | | | R1. The Stanislaus Sheriff’s Department should develop a plan to better utilize the CJ. | X | | | |

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| F2. The CJ is approaching the end of its useful life and is using valuable correctional resources that could be better utilized at newer detention facilities. | X | | | R2. The SCCGJ recommends Stanislaus County Probation Department screen for hepatitis B and C during the intake process. | | | X | |
| F3. The Stanislaus County Sheriff's Department was proactive in securing AB900 state project funding. | X | | | R3. The Coroner's Office needs to acquire its own X-ray machine. Needless time and money is spent transporting autopsy cases to Doctors Medical Center for X-rays. The facility currently has room for this machine to be installed. | X | | | |
| F4. During booking procedures at Juvenile Hall, male and female inmates are screened for syphilis but not hepatitis B or C. | | X | | R4. The Stanislaus Regional 9-1-1 should consider developing a resource plan that would identify potential solutions in minimizing overtime, increase the retention of current workers, and reduce the loss of candidates during the hiring process. | | X | | |
| F5. Working from a state of the art facility, the Stanislaus County Sheriff's Office Coroner's Division facility provides much utilized services to assist in determining causes of death. | X | | | | | | | |
| F6. With the implementation of the new CAD system, the staff was provided adequate training and the system is now in full operation. Additionally, Stanislaus Regional 911 will now be responsible for receiving 911 cell phone calls. | X | | | | | | | |
| F7. The MPD, SCSD, and TPO are committed to protecting and serving the citizens of their respective cities. | X | | | | | | | |
| F8. AMR operates a new program called Community Ambulance to assist SCSD officers when they are dealing with a person with possible mental health issues. The Community Ambulance program follows through with the subject, allowing officers to proceed with their duties. | X | | | | | | | |

Conclusion

The 2017-2018 SCCGJ is satisfied the Stanislaus County Probation Department is taking appropriate actions regarding its responsibilities to screen and test for hepatitis B & C.

**Stanislaus County Probation Department
Case # 17-30C**

Reason for Investigation

The Stanislaus County Civil Grand Jury (SCCGJ) received a complaint alleging the Stanislaus County Probation Department (SCPD) acted in an illegal manner when conducting a property search, failed to follow SCPD procedures, and intimidates citizens from filing formal complaints. SCCGJ chose to investigate the complainant's allegation that the SCPD Citizen Complaint Form and Citizen Complaint Declaration language may prevent citizens from filing complaints. The SCCGJ agrees and recommends SCPD review their Citizen Complaint and Declaration Forms with the intent of removing any language that would discourage citizen input. There may also be an issue with the current form's language not meeting the requirement of a recent judicial opinion.

Agencies Asked to Respond

- ❖ Stanislaus County Chief Probation Officer

Agencies Invited to Respond

- ❖ Stanislaus County Board of Supervisors

| Findings | | | | Recommendations | | | | |
|---|------------------|------------------|------------------|---|-------------|----------------|-------------------------|----------|
| | Agree w/ Finding | Agrees Partially | Disagrees Wholly | | Implemented | Will Implement | Further Analysis Needed | Will Not |
| F1. The Stanislaus County Probation Department's current Citizen Complaint and Citizen Declaration forms may discourage some citizens from filing a formal complaint due to the 148.6 CPC declaration. | X | | | R1. SCCGJ recommends that the SCPD review their Citizen Complaint and Declaration forms to foster filing of legitimate complaints and to come into compliance with the ruling of the 9th Circuit Court of Appeals ruling on Section 148.6 CPC. | X | | | |

Conclusion

The 2017-2018 SCCGJ is satisfied that all entities requested to respond to the findings and recommendations of the 2016-17 SCCGJ report did so satisfactorily within the time frame stipulated by the California Penal Code Section 953 (c).