

# **COUNTY AGENCIES IMPLEMENT 79 GRAND JURY RECOMMENDATIONS**

## **INTRODUCTION**

This Status Report by the 2016-17 Santa Barbara County Grand Jury (Jury) assesses the adequacy of the responses to the nine Investigative Reports issued by last year's Jury as of December 2016. Each Investigative Report requires responses from one or more government agencies. This action is required by *California Penal Code §933 and §933.05*, which specifies the form of the responses and the specified statutory time limit. All Grand Jury reports and responses are posted on the Grand Jury's website ([www.sbcgj.org](http://www.sbcgj.org)).

## **RESPONSE REQUIREMENTS**

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with a timeframe that shall not exceed six months from the date of publication of the report.
- Will not be implemented, with an explanation of why

## **SUMMARY OF RESPONSES**

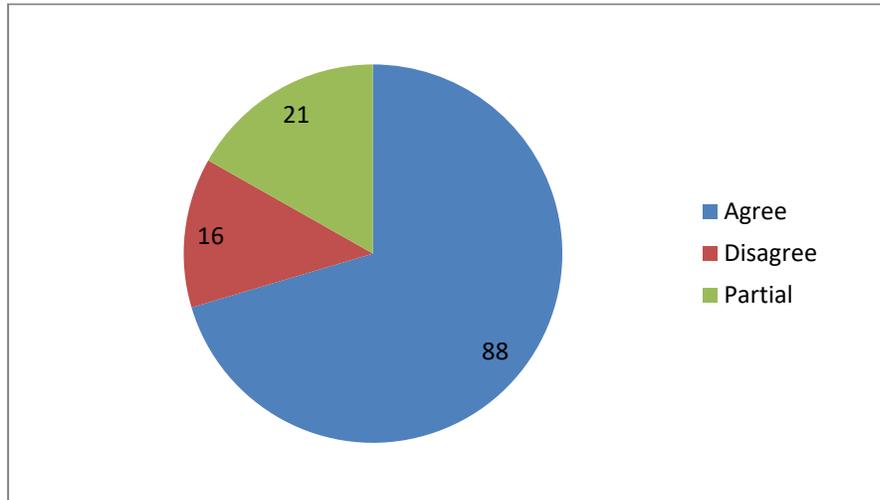
The governmental oversight role of the Jury requires follow-up to ensure that agreed-upon actions have been implemented by these agencies. The 2016-17 Jury collected and reviewed the required responses to the reports.

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## **Responses to Findings**

A total of 125 responses to Jury Findings were received from County agencies.

- In 88 instances (70%), the respondent **agreed** with the Finding
- In 16 instances (13%), the respondent **disagreed** with the Finding
- In 21 instances (17%), the respondent **agreed** (or disagreed) **partially**



**Figure 1. Summary of Responses to Jury Findings**

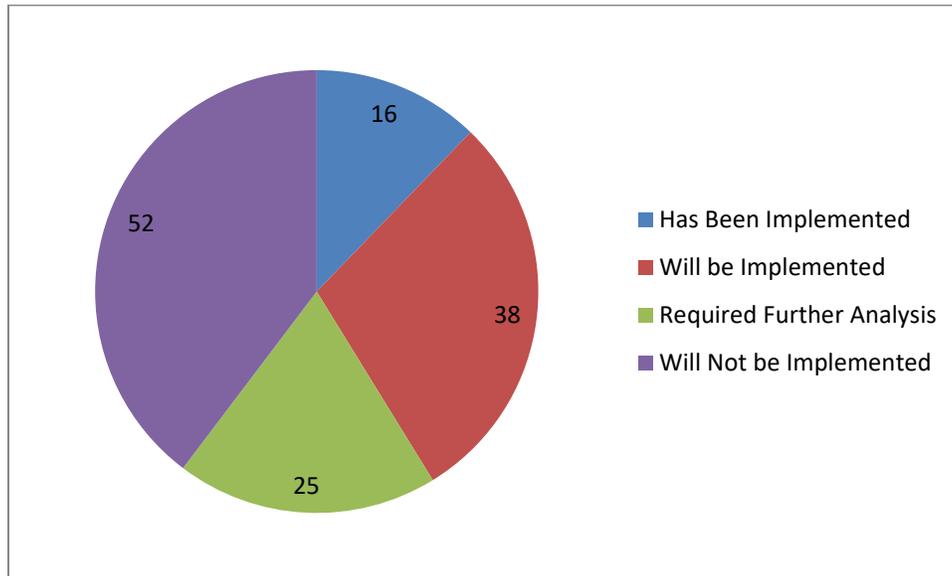
## **Responses to Recommendations**

A total of 131 responses to the Recommendations were received.

- 16 (or 12.2%) **has been implemented**
- 38 (or 29.0%) **will be implemented in the future**
- 25 (or 19.1%) **requires further analysis**
- 52 (or 39.7%) **will not be implemented**

When a respondent replies to a Recommendation with “Will be Implemented” or “Requires Further Analysis,” the issue is considered still open and in need of resolution or closure. It is a commitment for further consideration or action to which the respondent should be held. Analysis of the agency responses to the 2015-16 Jury reports reveals that 48.1% of the responses fell within these categories.

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**Figure 2. Summary of Responses to Jury Recommendations**

*Will Be Implemented (WBI).* The Grand Jury's analysis revealed that report responses categorized as WBI were less likely to drag on longer than other responses and therefore easier to track to closure. The main causes of significant delay for WBI categorized items were fiscal or implementation complexity. Recommendations aimed at fixing complex problems or calling for expensive solutions encounter the realities of the budgeting or procurement processes. It is therefore not surprising that the time frame for implementing a complex new initiative from start to finish can easily take 12 months or more. Paradoxically, despite these sometimes-long implementation times, report recommendations in the WBI category establish a paper trail and are easier to revisit.

*Requires Further Analysis (RFA).* The Grand Jury looked at all the report recommendations that resulted in an RFA. It appears the RFA response to recommendations that are difficult or complex may be the fallback position of the agency to postpone making a final decision in a short timeframe or to avoid committing to an action it does not fully support. Grand Jury interviews also revealed that agencies might use the RFA response when the position of the entity's governing board on the issue is unclear or unknown. Regardless of whether the recommendation being considered actually requires additional analysis, an RFA response is technically compliant with the Penal Code requirements only as long as the scope and duration of the study are defined. In addition, the Code requires that the study time frame "not exceed six months from the date of publication of the Grand Jury report." Too often, RFA responses do not meet this requirement and thus should more accurately be considered "Will not be implemented" responses.

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## **ANALYSIS OF SPECIFIC REPORTS**

The nine reports that required responses to their recommendations are discussed in the order in which they appear in the 2015-16 Jury’s report.

### **“Parking Citation Problems with the Sheriff’s Office – Not an Easy Way to Pay”**

Response from the Santa Barbara County Sheriff’s Department:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	4	0	1	5

The four WBI recommendations will be included in a new contract with Phoenix Information Systems, which is in negotiation. When fully implemented, these new processes will provide more rapid processing, allow cash payments, and include objective performance evaluation measures. The contract is scheduled for signature early in 2017.

### **“Cuyama Community Services District - Operating Under Difficult Circumstances”**

Response from the Cuyama Community Services District (CCSD):

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
3	10	1	1	15

Three recommendations have been implemented.

The CCSD Board of Directors disagreed with the Jury’s recommendation that they pay themselves a stipend for attending meetings. The disagreement was based on Cuyama’s “disadvantaged community” status.

The recommendation “that the Cuyama Community Services District implement the rate increases recommended in the October 2015 CCSD Water and Wastewater Rate Study by the Rural Community Assistance Corporation” is classified Requires Further Analysis. No study completion schedule was provided.

Ten recommendations will be implemented, but no completion schedule has been provided. When implemented, these improvements will provide: key employee ethics training, written job descriptions, conflict of interest rules, key employee succession plans, annual performance appraisals for employees, delinquent account policy enforcement, public outreach regarding future rate increases, and enforcement of existing policies and procedures.

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## **“Santa Barbara County Grading Code – Where the Dozer Meets the Dirt”**

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	3	0	4	7

Responses to three of the recommendations were classified Will Be Implemented. These were:

Recommendation 1: “...review and revise the Santa Barbara County Grading Code, Chapter 14, to include language that ensures more consistent enforcement.” This task is scheduled for completion before the end of FY 2016-17.

Recommendation 4: “...revise the Santa Barbara County Grading Code, Chapter 14, to specify how many times in a given timeframe a property owner can move less than 50 cubic yards of earth without a permit.” This task is scheduled for completion before the end of FY 2016-17.

Recommendation 5: “...revise the Santa Barbara County Grading Code, Chapter 14, (Sections 14-6, 14.8 and 14-9.2) to further define 50 cubic yards of earth, as it applies to compaction.” This task is also scheduled for completion before the end of FY 2016-17.

## **“Lake Cachuma – Protecting a Valuable Resource”**

This is a very unusual situation since the operation and maintenance of the U.S. Bureau of Reclamation-owned dam and distribution system is performed by a joint powers agency, Cachuma Operations and Maintenance Board (COMB), that comprises a number of water purveyors. As a result, responses were received from six separate local agencies. There are significant disparities in the responses, reflecting the provincial interests of the respondents.

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	4	2	4	10

Response from the City of Santa Barbara:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	3	4	7	14

Response from the Carpinteria Water District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	5	3	5	13

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Response from the Montecito Water District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
2	1	4	8	15

Response from the Santa Ynez Water District (ID1):

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	1	2	9	12

Response from the Goleta Water District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	3	5	5	13

There is general agreement with the Jury’s findings, but little accord among the six agencies on what to do about them. The supporting data are on-line at [www.sbcgj.org](http://www.sbcgj.org). Based upon a meeting convened by the State Office of Emergency Services on December 15, 2016, it appears State money may now be available for water related improvements, but will require significant regionalization. This may result in greater cooperation between the water agencies than is indicated in the various responses.

### **“Detention Facilities Report”**

The recommendations in this report required responses from the Santa Barbara County Sheriff’s Department and the County Board of Supervisors.

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	0	0	1	1

The Sheriff-Coroner’s Office was included as part of the Detention Facility Report. A contract was awarded earlier this year to correct the worst of the ventilation problems at the Coroner’s facility that were noted by the Jury. The Board of Supervisors is satisfied that this action will solve the problems. As a result, replacement of the entire facility will not be implemented at this time.

Response from the Santa Barbara County Sheriff’s Department:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
1	0	0	1	2

The Jury recommended that video surveillance equipment be installed at the Lompoc Court Holding Facility. The Sheriff’s Department informed the Jury that all County Court Holding Facilities are

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owned by the State, and that installation of the recommended equipment would require State approval. The Sheriff's Department recently requested that video surveillance equipment be installed at the Santa Maria Court Holding Facility after a Custody Deputy was assaulted there. The State refused the request.

Additionally, maintenance of the Santa Maria Substation drug drop box has been implemented.

### **“Los Prietos Boys Camp – Effective but Underutilized”**

Response from the Santa Barbara County Board of Supervisors:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	1	2	3	6

Recommendations included evaluating the feasibility of including female juvenile offenders in this successful program. The Board of Supervisors agreed to study the issue further.

A recommendation to expand a successful south County youth mentorship program to north County is pending.

A recommendation that the Probation Department establish a uniform recidivism rate calculation methodology so that success rates of various programs can be compared resulted in a statistician being hired to perform this task.

### **“City of Santa Barbara – Commissions, Committees and Boards”**

Response from Santa Barbara City Council:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
1	0	0	2	3

The City Council of Santa Barbara agreed to “...review the statuses of Advisory Group every two years....”

### **“Santa Barbara County Jail – Intake screening Process”**

Response from the Santa Barbara County Sheriff's Department:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
3	1	2	0	6

Of the Jury's six recommendations, three have been implemented. They deal with increased use of Registered Nurses during the intake process and improved record keeping. One recommendation, dealing with the need for an electronic medical records system, will be included as a requirement in a new contract being awarded shortly. Two recommendations dealing with improved record keeping are under study.

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## **“Lompoc Unified School District – Problems on the Board”**

The recommendations in this report required responses from the Lompoc Unified School District (LUSD), as well as the Santa Barbara County Board of Education and the Santa Barbara County School Superintendent who filed a joint response. In addition, because of possible violation of the law, this report was referred to the Santa Barbara County District Attorney for further investigation, resulting in the LUSD being reimbursed for the amount in question. The District Attorney chose not to pursue the matter further.

### Response from the Lompoc Unified School District:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
6	2	0	1	9

The LUSD acknowledges it has problems and is being forthright in addressing them, resulting in improved financial management and accountability and better enforcement of existing LUSD procedures and practices. The two recommendations dealing with mandatory ethics training and improvement of the work environment are being implemented.

### Joint Response from Santa Barbara County Superintendent of Schools and Santa Barbara County Board of Education:

Already Implemented	Will Be Implemented	Requires Further Analysis	Will NOT Be Implemented	Total Number of Responses
0	0	0	1	1

This response agreed with the recommendation for an independent audit, but indicated it does “...not have jurisdiction over the governance or operations of the Lompoc Unified School District.” As a result, no action will be taken by the County Board of Education.

The LUSD has accepted the Jury’s recommendation and is having an independent audit conducted.

## **SUMMARY**

The mandate of the Santa Barbara County Grand Jury is to shine a light on governmental operations within Santa Barbara County. The Jury’s objective is to increase transparency and operating efficiency.

The 2015-16 Jury issued nine reports. The reports contained 125 findings. In their responses, the responding agencies agreed, either wholly or partially, with 109 of the findings and disagreed with 16. The reports also contained 144 recommendations. In 79 instances, the responding agencies have either implemented the desired change already, plan to do so in the future, or require additional study or analysis before deciding what to do.