

AGENCIES USUALLY IMPLEMENT RECOMMENDATIONS WHEN THEY AGREE WITH US – BUT SOME ARE SLOW

SUMMARY

As part of many of its reports, the Grand Jury makes recommendations to public agencies that the Jury concludes should correct problems. Agencies are required by Penal Code Section 933C to respond to the presiding judge of the San Luis Obispo Superior Court concerning recommendations. Those responses must either indicate what corrective steps the agencies plan to take or explain why they do not agree with the recommendation.

This report is a review of ten responses where agencies agreed with the recommendations in reports issued by the 2003-2004, 2004-2005, 2005-2006 and 2006-2007 Grand Juries. In all but one instance, the agencies implemented agreed-upon actions. The County of San Luis Obispo and the San Luis Obispo Police Department only followed through on two specific recommendations after being reminded by the current Grand Jury of their agreement.

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The 2008-2009 Grand Jury tracked follow through by the agencies through query letters and interviews.

NARRATIVE

At the beginning of its 2008-2009 year, the current Grand Jury found that agencies under the jurisdiction of the San Luis Obispo County Board of Supervisors had followed through with their agreements to implement three recommendations but had not followed through in two other cases. This March, when reminded of one recommendation, the county committed itself for a second time to making improvements in its procedures for tracking county contracts, as

recommended by the 2006-2007 Grand Jury. As yet the county has neglected to describe, in response to our queries, how the airport's website has been improved to help airport tenants, another recommendation of the 2006-2007 Grand Jury that the county agreed to implement.

Excerpts from a letter describing the county's current plan to improve its contracting procedures can be found in Appendix A.

In response to a recommendation of the 2004-2005 Grand Jury the San Luis Obispo Police Department agreed to make a Spanish language citizens' complaint form available in its lobby. But the department only followed through on that agreement when reminded of it last fall.

Following through as promised on recommendations issued during Grand Jury years noted above were: Five city police departments, the County Sheriff's Department, the County Department of Social Services, the District Attorney, First Five of San Luis Obispo County, the County Environmental Health Services, the County Child Welfare Services, Atascadero High School and the Atascadero Unified School District.

Here is a breakdown of each year's recommendations that agencies agreed to implement and some detail on the agencies response:

2003-2004

1. The Department of Social Services (DSS) agreed to implement several recommendations. Among these were procedures within Child Welfare Services (CWS) to better inform law enforcement and the District Attorney when a referral is opened. DSS agreed to develop a Desk Guide to better assist CWS employees in referral management. A copy of the Desk Guide has been provided to the 2008-2009 Grand Jury. DSS also agreed to implement procedures to improve employee morale. The 2008-2009 Grand Jury has received a list of methods the Department uses to address issues of job stress.

2. The District Attorney implemented several recommendations in response to a Grand Jury's report about a vehicle manslaughter complaint that languished without resolution for most of a year. Earlier this year the 2008-2009 Grand Jury published a detailed report detailing the

implementation. That report is titled “District Attorney Responds Favorably: 704 Complaints Lead to Grand Jury Recommendations” and is available at the Grand Jury website, http://slocourts.net/grand_jury/reports/

2004-2005

1. The Sheriff’s Department and six city police departments agreed in 2005 with a recommendation that they provide – in both English and Spanish – citizens’ complaint forms regarding officer conduct. The forms were to be made available in the public lobby of each station. The Sheriff’s Department and four of the city police departments --- in Arroyo Grande, Atascadero, Grover Beach, Paso Robles and Pismo Beach --- quickly provided this year’s Grand Jury with samples of such forms, some actually completed and redacted.

As noted previously, the San Luis Obispo City Police Department produced the Spanish language version of its form when reminded last fall of its agreement. (Morro Bay’s Police Department agreed to the recommendation that it develop an English language complaint form but did not respond, one way or another, to the recommendation that it develop such a form written in Spanish.)

2. First 5 of San Luis Obispo County, an organization that hands out grants of tobacco tax money to organizations that provide pre-school services, agreed to a 2004-2005 recommendation that it should require audit reports from funded programs. It responded by collecting overall audit reports from agencies that receive its funding. Those reports do not, however, actually detail how the agencies spend First 5 money.

3. The Environmental Health Services Division of the Public Health Department has posted a separate citizen complaint form for retail food establishments at the county web site, as it agreed to do in response to a Grand Jury recommendation. The form is available at www.slocounty.ca.gov/health/publichealth/ehs.htm.

4. On Feb. 28, 2006, Child Welfare Services provided the county's Chief Administrative Officer with a status report on the progress of CWS' organizational health, as recommended and agreed upon in 2005.

2005-2006

1. Atascadero High School (AHS) agreed to implement two recommendations of the 2005-2006 Grand Jury. The school agreed to formally document all incidents of racial and sexual harassment and report such incidents to the Atascadero Unified School District office staff. AHS provided to the Grand Jury a copy of formal incident logs involving racial and sexual harassment, as requested. Furthermore, the school said that it would continue to seek the best methods, procedures, and strategies to address all forms of inappropriate student behavior in the 2006-2007 school year. AHS stated that it would solicit input from staff, students, and parents. The school provided to the Grand Jury evidence of several avenues of input to address inappropriate student behavior.

2. The Atascadero Unified School District (AUSD) agreed to focus on incorporating appropriate counseling services into expelled or suspended students' rehabilitation plans. AUSD provided to the Grand Jury a list of counseling resources that they provide to all students, not just those who are expelled or suspended. The district has increased the number of counselors at Atascadero High School. In addition, AUSD collaborates with Cal Poly San Luis Obispo to provide counseling to interns and the North County Women's Resource Center to provide counseling.

2006 -2007

1. In a response to a recommendation of the 2006-2007 Grand Jury, the county said it would upgrade its airport website to provide improved information and outreach for airport tenants. Such improvements are not apparent on the current website, and the county administrator was asked earlier this year to describe what has been done to satisfy this recommendation. No such explanation has been forthcoming.

2. In another response to the 2006-2007 Grand Jury, the county committed to reworking its contracting processes to make them more useful to all departments. Earlier this fiscal year, officials in the General Services Agency told the Grand Jury key personnel changes had delayed the effort to come up with new policies. In a March 10, 2009, letter, an administrator for the General Services Agency informed the current Grand Jury that a “plan” is in place for two agency officials and a member of the County Counsel’s office to come up with “an expanded and revised ‘Policy for Contracting for Services.’ ” That policy is to be presented to the Board of Supervisors for adoption by mid-August 2009. For more detail on the recommendation and the county’s response, see Appendix A.

CONCLUSION

The 2008-2009 Grand Jury hopes that going back some years to track compliance when it is promised will encourage agencies to follow through with agreed-upon recommendations.

The Grand Jury commends those agencies that implemented recommendations as they agreed to do.

FINDINGS

1. The county has agreed to revise its contracting procedures manual as recommended by the 2006-2007 Grand Jury and has drafted a plan to do that by mid-August 2009. But the plan has yet to be implemented. (See Appendix A.)
2. The county agreed to a recommendation of the 2006-2007 Grand Jury that it improve its outreach to airport tenants and said that would be done through the airport website. When asked to explain how this was accomplished by the current Grand Jury, the county has yet to respond.

RECOMMENDATIONS

1. The county should complete its development of a new contracting procedures manual covering all departments, as agreed to in 2007, by mid-August 2009, following the plan recently drafted by county officials.
2. The county should respond to the current Grand Jury with a plan for improving outreach to airport tenants or demonstrate that such improvements are already in effect.

REQUIRED RESPONSE

The San Luis Obispo County Administrative Officer is required to respond to Findings 1 and 2 and Recommendations 1 and 2. The responses shall be submitted to the Presiding Judge at the San Luis Obispo Superior Court by _____, 2009.

The San Luis Obispo County Board of Supervisors is required to respond to Findings 1 and 2 and Recommendations 1 and 2. The responses shall be submitted to the Presiding Judge at the San Luis Obispo Superior Court by _____, 2009.

Please provide a copy of all responses to the Grand Jury as well. The mailing addresses for delivery are:

Presiding Judge	Grand Jury
Presiding Judge Martin Tangeman Superior Court of California 1035 Palm, Room 385 San Luis Obispo, CA 93408	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403

APPENDIX A

Following is the full response from the Board of Supervisors, dated June 28, 2007, to a Grand Jury recommendation regarding county contracts:

“Recommendation No. 1

“All county departments that issue contracts should develop standard contract management operating procedures. These procedures should cover all aspects of contract management and clearly define tasks and responsibilities for each step in the contracting process.”

“Response to Recommendation No. 1

“The County Administrator and Board of Supervisors agrees with the recommendation. In response to the Grand Jury report, the Administrative Office conducted a survey of county departments to ascertain what contract oversight and monitoring were in place. What we found was that some departments, such as Social Services, had formal written procedures and that most departments have some sort of informal process in place, whether it be relying on the Auditor’s handbook or approved purchasing policies administered by General Services. It is our intent to work with departments in the upcoming fiscal year to develop more formal and uniform procedures.”

Following are excerpts from a letter from the county’s General Services Agency to the Grand Jury dated March 10, 2009

“In your letter of February 11, 2009, you requested...a description of the progress made and the plans for completing the county’s response to the findings and recommendations set forth in the 2006-07 Grand Jury Report (County Contracts: Do we Get What We Pay For?).

“Progress:

“The Administrative Office responded with a staff report that was adopted by the Board of Supervisors on June 26, 2007. The staff report set forth a process for the Administrative Office to work with the county departments experience in contract management to create more formal and uniform procedures for use by all departments countywide. A committee was formed...(that) met several times and made significant progress toward drafting the new and improved procedures. In early 2008, a reorganization of the General Services

Department which created the General Services Agency resulted in key personnel changes that have delayed the completion of the procedures. Key personnel are now in place, up to speed and ready to bring the process to completion.

“The Plan:

“The next step is to convene a subcommittee to complete clear, formal policies and procedures for defined results and performance standards for all new and renewed contracts for services in the county. .. (T)he policy will be presented to the Board of Supervisors for adoption and then administered by the Purchasing Group and County Counsel. ... We expect to complete the document in early July and have the goal of presenting it to the Board of Supervisors for adoption in mid August 2009.”