



**Madera County Grand Jury
Evaluation of Responses to Final Reports**

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Introduction:

Submission of responses to final reports is an important component of the grand jury process. Governing bodies of public agencies, elected county officers, and agency heads are required to comment on the grand jury final report's findings and recommendations which pertain to matters under their control. Penal Code (PC) Section 933(c) requires that governing bodies submit their responses within 90 days after the grand jury issues a final report, and elected officers and agency heads must respond within 60 days. Responding officials or agencies must specifically comment upon each finding and each recommendation of the grand jury report rather than preparing a generalized response.

Each published finding must be acknowledged as correct or incorrect. Explanations for disagreements must be provided. PC Section 933.05(a) requires that for each grand jury finding, the responding person or entity must indicate one of the following:

- The respondent agrees with the finding.
- The respondent disagrees wholly or partially with the finding, specifying the portion of the finding that is disputed and including an explanation of the reasons for the dispute.

As to each grand jury recommendation, PC Section 933.05(b) requires that the responding person or entity must report one of 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 time frame for implementation.
- The recommendation requires further analysis, with an explanation, scope, parameters of the analysis, and time frame for the matter to be prepared for discussion. The time frame must not exceed 6 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 included.

All responses received by the grand jury are published. Those which are received in time are included with their associated report in the end-of-year final report book. All others are published in the final report book for the subsequent year.

All of the responses received for the twenty-one 2010-2011 final reports and those received to date for the 2011-2012 final reports were reviewed by the current Grand Jury to assess their compliance with the requirements of PC Section 933.05. Those agencies and officials whose responses did not comply were mailed notices of the insufficiency and requested to resubmit their responses. Only the Madera County Board of Supervisors (BoS) declined to comply with the Grand Jury's requests.

Evaluation of responses to the 2010-2011 Grand Jury Final Reports:

1. 69% of the responses to the findings and 74% of the responses to the recommendations met the legal requirements of PC Section 933.05.
2. 82 % of the responses agreed with the findings.
3. 16% of the responses disagreed, and 2% partially disagreed with the findings.
4. 35% of the responses confirmed that the recommendations have been implemented, and 24% indicated they will be implemented.
5. 40% of the responses indicated that the recommendations were not warranted or not reasonable and would not be implemented. 1% needed additional time to study the recommendation.
6. The Madera County Board of Supervisors declined to respond to 58% of the findings and 37% of the recommendations which pertained to matters under its control.

Implementation of 2010-2011 Grand Jury recommendations:

1. The Grand Jury recommended that the BoS consider establishing a local lab for the Mosquito and Vector Control District. The BoS agreed to study the matter.
2. The Grand Jury recommended the prompt completion, publication, and implementation of a policy and procedures handbook for the Madera-Mariposa-Merced Hazmat Response Team. The draft handbook is expected to be implemented.
3. The Grand Jury recommended that the Agricultural Commissioner revise and update *The Answer Book 2003* regularly. The revision was completed in March, 2011.
4. The Grand Jury recommended that street maintenance and repair within the City of Madera be made a high priority when funding becomes available. The City agreed to implement this recommendation.
5. The Grand Jury recommended that the noise levels in the central kitchen area at Valley State Prison for Women (VSPW) be evaluated for possible safety hazards. VSPW conducted a sound test and determined that the decibel levels exceeded the criterion decibel level which requires hearing protection per OSHA. VSPW purchased and provided hearing protection for all staff and inmates assigned to the Central Kitchen Scullery area.
6. The Grand Jury recommended that the District Attorney (DA) rebuild office morale and improve communication with his staff. To this end, the DA has:
 - a. increased the frequency of staff meetings;

- b. reminded and encouraged staff to avail themselves of the "open door" policy to address concerns;
 - c. conducted individual meetings with staff members to understand concerns and receive suggestions for office improvement;
 - d. updated the office mission and values statements covering professionalism, effective and consistent prosecution, and efficient operation, with emphasis on fostering a work environment conducive to good morale, respect, courtesy, promotion of strong partnerships with law enforcement agencies, accountability, and highest standard of integrity and conduct; and
 - e. established regular and public recognition of achievements in staff meetings and through other office communications.
7. The Grand Jury recommended that the DA review and strengthen the control and release authority for confidential documents, especially those dealing with minors. The DA initiated a confidentiality and disclosure policy.
 8. The Grand Jury made numerous recommendations in regard to solid waste management and recycling. The current status of implementation of those recommendations is presented in the 2011-2012 Grand Jury Final Report: "Madera County Solid Waste Management and Recycling Revisited", contained in this publication.

Evaluation of responses to the 2011-2012 Grand Jury Final Reports, received to date:

1. 100% of the responses to the findings and 90% of the responses to the recommendations met the legal requirements of PC Section 933.05.
2. 96% of the responses agreed with the findings.
3. 2% of the responses disagreed, and 2% partially disagreed with the findings.
4. 40% of the responses confirmed that the recommendations have been implemented, and 40% indicated they will be implemented.
5. 10% of the responses indicated that the recommendation was not warranted and would not be implemented, and 10% did not address the specific recommendation.

Implementation of 2011-2012 Grand Jury recommendations, to date:

1. The Grand Jury recommended that the County establish a satellite Central Garage facility in the mountain area. In December, 2011 the BoS approved an agreement for provision of basic vehicle maintenance in Oakhurst for County fleet vehicles operating in Eastern Madera County.
2. The Grand Jury recommended that additional portable lighting be provided in the Central Garage bays. Permanent, energy-efficient fluorescent lighting has been added on the sides of the bays.

3. The Grand Jury recommended that security cameras be positioned to cover the North and East sides of the Sheriff Substation in Oakhurst. The Sheriff has obtained the cameras and arranged for their installation.
4. The Grand Jury recommended that all security cameras at the Sheriff Substation in Oakhurst be monitored at the front desk, in the watch commander's office, and at the communications center in Madera. The Sheriff is obtaining cost estimates and exploring funding options.
5. The Grand Jury recommended that either the gate touch pad at the Sheriff Substation in Oakhurst be relocated or a remote activation device be placed in the vehicles. The Sheriff has identified an appropriate electronic gate opener for purchase from existing funds.

Summary:

A fundamental purpose of the Grand Jury is to bring about change for the betterment of our community. To that end, government activities are scrutinized for effectiveness, efficiency, and fiscal soundness. This report highlights the effectiveness of Grand Jury efforts and the agencies' receptiveness to recommendations regarding their operations. It summarizes the work and demonstrates the value of the Grand Jury.