

# The 2016-2017 Civil Grand Jury Imperial County



## Final Report

<http://www.imperial.courts.ca.gov/>  
Superior Court of California, County of Imperial

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Courthouse  
P.O. Box 2011  
El Centro, CA 92244

## *Imperial County Grand Jury*

June 15, 2017

Honorable Christopher J. Plourd, Presiding Judge,  
Superior Court of California in the County of Imperial  
El Centro, California

Citizens of Imperial County,

Judge Plourd and Citizens of Imperial County,

In accordance with the California Penal Code, Section 933 (a), and in the name of the 2016-2017 Civil Grand Jury in Imperial County, it is my privilege to submit our Final Report.

Each year, ordinary everyday citizens of this county, from many walks in life, dedicate much of their own time with the objective of fair play as the official watchdogs of the county. Many jurors spend personal time and resources in order to accomplish this goal. This panel of jurors was certainly no exception. It was my honor to have served with them. We met with many people in various places of government from the smallest agencies and the largest. It was a grand learning experience for those on the various committees and certainly for myself. I was pleased with the teamwork I encountered. I salute them for their hard work.

We appreciate the hard work of the members of the Jury Commissioner's Office, Superior Court staff, and county employees working with us. Our legal consultant was County Counsel Katherine Turner and Assistant County Counsel Geoffrey P. Holbrook. Much is appreciated for the fine legal advice received and recommendations about what we could or could not do as jurors. This year it was the 2016-2017 Grand Jury's benefit to have the Honorable Christopher J. Plourd, Presiding Judge during our full term.

I take this opportunity to invite citizens in Imperial County to consider becoming future Civil Grand Jury members.

Sincerely,

Gill Rapoza, Foreman,  
2016-2017 Civil Grand Jury – Imperial County



Superior Court of California  
County of Imperial

On behalf of our judiciary and jury commissioner staff, we would like to thank and congratulate the 2016-2017 Civil Grand Jury of Imperial County for its service, commitment, and contributions in making the Grand Jury system a relevant and important part of our local government. It is community members, like the grand jurors and regular trial jurors that help us preserve the principles of democracy in action and public trust in our local government.

The many hours devoted by members of the grand jury have resulted in investigations and recommendations aimed at improving the operations and of services by the agencies audited. Each year, the Court engages in community outreach to promote jury service and ensure that community participation in this important civic duty is not simply seen as a burden or inconvenience, but as an opportunity to participate in our democratic governance process and improve our community.

Demographical data required by Rule 10.625 of the California Rules of Court, for the 2016-2017 Civil Grand Jury reflects the following representation of our community:

**By Supervisorial District**

District 1 = 0, District 2 = 3, District 3 = 1, District 4 = 2, District 5 = 2 Unknown = 13

**Gender**

Males = 7, Females = 14

**Age**

(18-25) = 5, (26-34) = 1, (35-44) = 1, (45-54) = 5, (55-64) = 4, (65-74) = 6, (75 & over) = 0,  
Not Available = 4

**Race/Ethnicity**

American Indian = 1 Asian American = 0, African American = 1, Hispanic = 8,  
Native Hawaiian = 0, White = 4, Not Available = 6, Other = 1

Again, many thanks to each member of the 2016-2017 Civil Grand Jury for their civic duty and for making a difference.

Sincerely yours,

Christopher J. Plourd  
Presiding Judge

Maria Rhinehart  
Interim Court Executive Officer  
Jury Commissioner

**The California Penal Code Section 933.05 covers  
the following areas of Civil Grand Jury activity**  
(as written in the Penal Code)

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

(1) The respondent agrees with the finding.

(2) 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 therefor.

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

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe 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.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

## **Overview of the 2016-2017 Civil Grand Jury – Imperial County**

### **Purpose**

The 2016-2017 Civil Grand Jury – Imperial County jury members were drawn from varied places, and walks of life within the county with the combined purpose of service and civic duty. Our duties included investigating, inquiring and reporting on county and local government entities, as well as the two state prisons within Imperial County. Some of our investigations/inquiries were routine tours as per an established matrix or by law, while others were holdover investigations suggested by a previous Civil Grand Jury. Some investigations/inquiries were recommended by members of this jury and some were from other persons in the community. Anything that was considered a criminal matter was referred to the appropriate authorities. The Civil Grand Jury does not investigate criminal matters. The CGJ has a lesser-known purpose besides investigating/inquiring, which is to recommend improvements of government agency operations in the areas of efficiency and/or cost savings.

### **Authority**

The Grand Jury is a judicial body of citizens comprised of nineteen (19) members, with six (6) alternates. It acts as an arm of the Superior Court and has authority taken from the State Constitution, the California Penal Code, and from the Government Code of California. Agencies are required to respond within sixty (60) or ninety (90) days to the Court for Grand Jury reports, if directed.

### **History**

Grand Juries were empanelled in some forms in history as far back as the beginning of Western Civilization, which included the Greeks, and later on the early British nation. The Commonwealth of Massachusetts, also known as the “Bay Colony,” began using grand juries only 15 years after colonists landed at Plymouth. Originally it was to deal with criminal matters; however the idea of an empanelled body of citizens in the judicial system was a precursor to what eventually became the modern grand jury system. Most states do not have both a civil and a criminal grand jury. California is among the few to have the former. It has been so since the early years of this state. Not all counties within this state have both civil and criminal juries as does Imperial County, but may serve both purposes.

### **Organization**

The 2016-2017 Civil Grand Jury – Imperial County served a term from July 1st, 2016 through June 30th, 2017. Its officers included a foreperson, a foreperson pro tempore, a secretary, a treasurer, a sergeant-at-arms, and a chairperson for each committee. During the course of the term, members were divided into various committees and often have served on several committees. General meetings were twice monthly, and sometimes jurors met several times in a week or month for specific committee functions. No less than twelve (12) members of the Grand Jury approved all investigations/inquiries, and reports. All reports are completed, published, and become public information no later than June 30 of the Grand Jury term. The final reports are published at the Superior Court web site:

<http://www.imperial.courts.ca.gov/CourtDocumentsVB/SCourtDocuments.html#set-2/>.

### **Confidentiality**

All jury meetings, discussions, decisions, complaints, documents, investigations, and testimonies received are considered to be confidential, and members may not discuss these matters with others prior to publication of reports.



**Honorable Christopher J. Plourd**  
**Presiding Judge**  
**2016-2017**



**Katherine Turner**  
**County Counsel**





**Geoffrey P. Holbrook**  
**Assistant County Counsel**



**Billie Padilla – Hernan Alanis – Analisa Cortez  
Jury Commissioner Staff Members**

## Civil Grand Jury Members 2016-2017 Term



(In the order of jury number)

Phyllis Elijah	Janice Barr	Cynthia Enz	Cecelia Gastelo
Gill Rapoza	Frederick Bryant	David Wells	Leticia Cota
Joseph Halcon	Don Campbell	Brandy Arredondo	Michelle Okada
Stacy Bodus	Raquel Alcaraz	Roy Caldwell	Lesli Coronado del Campo
Daphne Alvarado	Frank Rodriguez		

Not all jury members are in the picture:

**Subject of Investigation:**

**Calipatria State Prison**

**Justification:** California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prison and jail facilities on a yearly basis.

**Background:** Calipatria State Prison (CAL) is operated by the California Department of Corrections and Rehabilitation. Construction was completed on CAL in late 1991, and the prison began receiving inmates in January 1992. The prison was originally designed to house 2,208 inmates, though modifications took place prior to activation so that the prison could hold nearly double that amount, over 4,000 inmates.

**Overview:** A committee of the CGJ inspected the prison using a checklist developed for the prison by the Grand Jury, as well as additional information requested by the committee making the tour. The check list included, but was not limited to the general safety and security of the facility, fire safety, food services, medical services, job training requirements for staff, escape procedures, law library, inmate treatment, investigations, a housing unit, and staff morale. The committee of jurors assigned to this visit toured the major areas of the prison. CAL has twelve-hundred one (1,201) staff members; this includes approximately 677 peace officers and 504 support staff members.

The CGJ learned that at the time of the visit, October 2016, there were approximately 3,864 inmates assigned to CAL, the greatest number are Level Four custody (highest) inmates with approximately 140 inmates at the Level One custody (lowest), which included eight (8) inmates assigned as institutional firefighters. Approximately three to four hundred of the CAL inmates are serving a sentence of life without parole (LWOP). CAL is a designated Immigration and Naturalization Service (INS) prison for inmates who are to be deported at the conclusion of their prison sentences. CAL is also a designated prison for inmates needing to be housed on a Sensitive Needs Yard (SNY), and not housed with the General Population (GP) inmates. The prison has an annual operating budget of \$140 million. This is down \$5 million from the previous year.

CAL provided the following as their mission statement:

The primary mission of Calipatria State Prison (CAL) is to protect the public by providing safe custody, quality health care and the appropriate supervision of sentenced offenders. In conjunction with the Mission, the institution will promote viable work assignments, vocational training, and educational opportunities for offenders in order to foster an environment in which positive changes can occur.

**Prison Tour:** Before the beginning of the CGJ tour of the prison, the committee met with the warden and his Administrative Assistant/Public Information Officer (AA/PIO), the chief deputy, and several other members of administrative staff. All staff members were open and responsive to any and all questions. Further questions were invited and the jury committee was invited to visit any and all areas. The warden advised that CAL has passed the American Correctional Association (ACA) and the Commission On Accreditation For Corrections (COAFC) compliance standard with a 98.9% rating (non-mandatory areas) and a 100% rating (mandatory areas). He attributed that very good rating to well trained and conscience staff who work very hard at CAL.

The areas the CGJ committee chose to visit included the administration building, the perimeter, the prison Outpatient Housing Unit (health care), an inmate housing facility (also called a yard), a satellite kitchen

building, vocational training and the institutional plant operations. The tour was primarily led by the AA/PIO. One of the facility lieutenants assisted the jury while visiting his yard.

- **Administration Building** – this building was clean and well kept. It contained the offices for the administrative staff, In Service training rooms, a prison snack bar for staff and visitors, prison records department, and their business office. It was noted that complete inmate records are still kept by the prison in electronic format.
- **Prison Perimeter** – the perimeter of the main part of the prison is protected by two layers of tall chain linked fencing, topped by concertina wire. Between the layers of fencing is a third fence, the lethal fence, which is electrically charged at all times as a strong deterrent for escape attempts. It should be noted that each inmate facility also has its own tall fencing to keep inmates contained within them. CAL has twelve armed towers on the perimeter, but normally only two are used due to the electrified fence. If the need arises, all towers may be armed.
- **Outpatient Housing Unit** – the health care building, located at the center of the prison, is designed to meet all of the immediate medical needs of inmates. It has short term housing for inmates that need medical attention not available on the facilities. It contains a complete pharmacy, a two bed emergency room, negative pressure rooms for air-borne contagious inmate patients, a complete x-ray unit, and rooms for examining inmates by both medical staff that work at the prison and contract medical staff who are brought in to treat the inmates. Staff treat inmates with dental problems and possible mental health issues. In general, it is similar to a small hospital. Other medical staff are brought in under contract as needed. Pioneers Memorial Hospital (PMH) and CAL have jointly worked out a plan using a secure modular facility at PMH, which reduces medical costs. There is also a TeleMed program where inmates can be seen by medical staff outside of the prison electronically. There was a nurse assigned to the TeleMed program at the time of the jury visit. TeleMed reduces transportation costs and provides better security by not needing to transport inmates outside of the institution as often for medical needs.
- **Inmate Housing Facility** – the inmate facilities the jury elected to visit were operational - inmates were on the recreation yard at the time. Each of the four main facilities have five housing units, each with a capacity of two hundred inmates, which makes a total of a thousand inmates per facility. Correctional staff on the facilities have equipment to deal with adverse situations including batons and pepper spray. There is also an observation officer posted above the inmates that is equipped with other gear including lethal and less lethal weapons. Each facility also has educational classrooms, a satellite kitchen, and a vocational training area.
  - **Educational Classrooms** – the state mandates that inmates are provided with educational opportunities while incarcerated. For some this includes a basic Graduate Equivalency Diploma (GED) for those who did not complete high school. Adult Basic Education is offered, and there are joint programs with a local college, such as Imperial Valley College (IVC), plus Feather River College, Coast University and Higher University, so that willing inmates may obtain a degree. Calipatria Adult School has a partnership with the Imperial County Office of Education (ICOE), and there is cooperation with the Imperial Valley Regional Occupational Program (IVROP). The prison provides four televised education program channels, plus there is volunteer literacy/peer tutor program.
  - **Satellite Kitchen** – each kitchen is equipped to provide two hot meals a day, morning and evening, plus a bag lunch, for all inmates on the facility. It takes approximately two hours to serve each meal for inmates. Inmates participate in the food services under the control of a staff cook and a correctional officer. The food for inmates is prepared in a Central Kitchen, quick chilled, then heated and served three days later at the Satellite Kitchens. The Central Kitchen was

not toured during this visit but jury members were advised that it resembled the large kitchens used by the military. A state nutritionist/dietician determines what food is to be prepared and served. Varied meals are provided for inmates on medical diets such as those with diabetes, those on religious diets, and vegetarians.

- **Prison Canteen** – each facility has a canteen where inmates may purchase extra items such as snacks, personal hygiene items, or other goods permitted at the prison. There is a limit as to how much an inmate may buy each month determined by both the money they have on the books and maximum amounts based on prison policy.
  - **Law Library** – inmates have access to a law library to do legal research on their cases as well as for other matters. There is also a general library for inmates in the facilities. At the time of this visit there were several inmates using the library, and there were other inmates assigned there to assist them with library needs.
  - **Vocational Training** – each facility has a vocational training area for inmates to learn skills in areas such as carpentry, heating ventilation and air conditioning, electrical, electronics, computer literacy, auto repair, plus auto body and paint. Vocational programs are certified by the National Center for Construction Education & Research (NCCER). The vocational area is a part of the facility, but is away from the recreational yard and the housing units.
  - **Housing Unit** – each regular housing unit has fifty cells on each of the two tiers with up to two inmates per cell. It was estimated by previous jury members that a cell is approximately twelve by six feet. They are self contained and secured. There are six showers per housing unit with inmates being permitted to take showers once every three days, and more if they work or are in vocational training. There are three correctional officers assigned to each housing unit. Two are on the floor with the inmates and one is in the control booth that opens and closes all of the doors. All carry equipment to deal with possible emergencies.
- **Plant Operations** – Plant Ops as it is called, is responsible for all of the maintenance of the prison. Any part of any of the buildings or the grounds that needs repairing falls under Plant Ops. While it appears that they have done a good job in maintaining the prison, they are presently facing a situation where their annual maintenance budget has been cut approximately in half from \$1.4 million to \$671 thousand. Plant Ops employees have been reduced by approximately 10%. Plant Ops staff believe that these reductions will greatly affect the maintenance of the prison.

### **Additional Information:**

- **Training** – Peace Officers are required to attend a 16-week Correctional Peace Officer Academy prior to beginning work at CAL. All staff are provided with at least 32 to 40 hours of annual In Service Training (IST). Almost all IST is provided to staff by other staff who are trained in the needed areas. Some of the training includes prison security, escape prevention, First Aid/CPR, and working with inmates with mental or physical disabilities. On the Job Training (OJT) is also provided at the work sites.
- **Security** – CAL has very good security in general. There are trained dogs for drug detection and deterrent. During the visit the dog(s) and/or staff were out for training.
  - There has been an ongoing problem with inmates with cell phones. There cell phone blockers in place to stop inmates from using cell phones to make unmonitored phone calls to those outside the prison and to each other. This has been a problem in most prisons nationwide.
  - This is something that is being addressed once again to further prohibit their usage by inmates.
  - For inmates who commit more crimes in prison or have particular safety or security needs, they may be placed in the Administrative Security Unit (ASU).

- While all staff have responsibilities for the safety and security of the prison, there is also an Investigations Security Unit (ISU) that is responsible for investigating crimes and serious incidents within the prison. CAL showed the jury some of their methods of investigations and monitoring inmates. This jury has chosen to not reveal all of those methods due to security reasons. ISU has been reduce from up to thirteen (13) members in the past down to seven (7) making their job more difficult.
- Most state prisons presently have validated gang members in the general population which is still something the staff in general must deal with. Up until less than two years ago these inmates were placed in Security Housing Units instead of with the general population inmates.
- **Other –**
  - CAL participates in community outreach programs. These include Angel Tree for the Salvation Army, Tootsie Tree for Grace Smith School, ADOPT a Family for the Center for Family Solutions, and Human Society Drive. CAL has adopted the Brawley Convalescent Home, including providing them with things for Christmas such as blankets, clothing and hygiene items. Several inmate groups have donated funds to local non-profit organizations.
  - The CGJ found that in general, staff members were very willing to speak with and greet jurors. All were civil and polite.
  - Some of the CGJ committee members spoke freely with several inmates, identifying the purpose of the visit. None spoke ill of their circumstances.

**Conclusion:** It was determined by CGJ committee members that CAL is a well-run prison with no major issues discovered. The committee enjoyed the fact that many staff were very willing to speak with jury members. There also is a surprising amount of medical treatment available to inmates in prison.

**Findings:**

- F1** CAL, like other state prisons, has been impacted by the court ordered release of validated gang inmates to the general population units from the more secure Security Housing Unit. Previous California prison history shows many gang related crimes take place when higher ranking gang members are on the mainlines. The Investigative Services Unit has the responsibly of investigating and tracking criminal behavior in the prison.
- F2** The use of cameras in the institution (primarily visiting) was seen as a good tool.
- F3** The vocations training inmates receive looks to have practical applications for when inmates are eventually released.
- F4** Plant Operations has a much lower budget than previously used, and there are less staff members to do the work.

**Recommendations:**

- R1** It is recommended that the prison attempts to increase the number of staff that are assigned to track gang members and their activities, and add more staff member to the Investigative Services Unit.
- R2** It is recommended that video cameras be added to many more areas of the prison for greater security and for better determining those responsible for committing crimes in the prison.
- R3** It is recommended that CAL continue to expand the useful vocational programs in place and to continue working with agencies such as the Imperial Valley Regional Occupational Program.
- R4** It is recommended that CAL attempt to increase the number of staff and increase the Plant Operations budget.

**Response Required:** No response is required as Calipatria State Prison is a part of a state agency.

**Subject of Investigation:**

**Centinela State Prison**

**Justification:** California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prison and jail facilities on a yearly basis.

**Background:** Centinela State Prison (CEN) is operated by the California Department of Corrections and Rehabilitation. The prison was opened in October 1993, and the prison began receiving inmates immediately thereafter. The prison was originally designed to house 2,208, and has held more than double that amount in previous years, with over 5,100 inmates. Currently there are approximately 3,600 in the inmate population.

**Overview:** A committee of the CGJ inspected the prison using a checklist developed for the prison by the Grand Jury, as well as additional information requested by the committee making the tour. The check list included, but was not limited to the general safety and security of the facility, fire safety, food services, medical services, job training requirements for staff, escape procedures, law library, inmate treatment, investigations, a housing unit, and staff morale. The committee of jurors assigned to this visit toured the major areas of the prison. The tour took place in December 2016. The jury committee was greeted in the administrative building by the Administrative Assistant/Public Information Officer (AA/PIO) lieutenant and the Community Resource Manager (CRM). There was a brief question and answer period conducted by the chief deputy warden who greeted the jury on behalf of the prison and the prison warden. All questions were answered in an open manner. The CGJ committee was encouraged to visit any department or to observe any part of the inspection.

The CGJ learned that in since November 2015 the prison has gone from being primarily a Level III prison to one that operates as half Level III and half Level IV because of the state's need for more space at Level IV in its prisons. Additionally, CEN has a Level III sensitive needs facility, which is for those inmates who are believed to be unable to successfully integrate in the general population facility for a variety of safety and/or security reasons. There is also a much smaller Level I facility. CEN is also designated as a prison for inmates on a federal Immigration Services hold where they are released at the completion of their sentences to the federal government for further processing and possible deportation. CEN has a Level III sensitive needs facility. An inmate with "sensitive needs" is generally one who is believed to not be able to successfully be assigned to a general population facility for a wide variety of safety and/or security reasons.

Prison staff advised that CEN has passed the American Correctional Association (ACA) and the Commission On Accreditation For Corrections (COAFC) compliance standard with a 97.4 % rating (non-mandatory areas) and a 100% rating (mandatory areas). This rating period was concluded in 2014, and the prisons are reevaluated approximately every two years. The 2016 report was not published as of the date of the jury visit.

CEN provided the following as their mission statement:

The mission of Centinela State Prison is to provide long term confinement to men who have been convicted of felonious crimes and remanded to the State of California for incarceration. Inmate productivity and self-improvement are considered integral components to Centinela's overall objective to reduce recidivism among those inmates incarcerated at our institution.



**Prison Tour:** CGJ committee visited the administration building, the perimeter, the prison Outpatient Housing Unit (health care), a satellite medical unit, an inmate housing facility (also called a yard), a regular inmate housing unit, the Administrative Segregation Unit (ASU), the family visiting unit, and the firehouse.

- **Administration Building** – this building was clean and well kept. It was well painted as well. It contained the offices for the administrative staff, In Service training rooms, a prison snack bar for staff and visitors, prison records department, and their business office.
- **Prison Perimeter** – the perimeter of the main part of the prison is protected by two layers of tall chain linked fencing, topped by concertina wire. Between the layers of fencing is a third fence, the lethal fence, which is electrically charged at all times as a strong deterrent for escape attempts. It should be noted that each inmate facility also has its own tall fencing to keep inmates contained within them. CEN has twelve armed towers on the perimeter, but normally only two are used due to the electrified fence. If the need arises, all towers may be armed.
- **Outpatient Housing Unit** – the health care building, located at the center of the prison, is designed to meet all of the immediate medical needs of inmates. It has short term housing for inmates that need medical attention not available on the facilities. It was noted that this medical unit had been designated as one to provide additional medical care not always found in prisons. While not a full hospital, it has quite a bit of equipment and part of the building has been upgraded in recent years. There is a TeleMed program where inmates can be seen by medical staff outside of the prison electronically. TeleMed reduces transportation costs and provides better security by not needing to transport inmates outside of the institution as often for medical needs. In some situations inmates may still be needed to taken to one of the local hospitals that the state has contracted with for the prison. There is a full pharmacy, an emergency room, and other medical treatments available there. The prison also uses contracted medical care staff to come in as needed.
- **Satellite Medical Unit** –each of the five inmate facilities has its own medical clinic. There medical staff do the more routine things such as dispense medication, administer injections needed by inmates such as those who need diabetic shots daily. Complete medical examinations can be done there for inmates reporting to sick call or those who may have sustained injuries. It was observed that there is a complete dental clinic within the medical clinic. The jury was advised that dentistry in prisons has improved through the years and inmates needing medical care have better options now than in years past.
- **Inmate Housing Facility** – The CGJ elected to visit Facility D. This CGJ had not previously seen a Level III sensitive needs yard which CEN added a couple of years prior to the jury tour. Each full sized facility has the same basic layout, or the mirror image to its adjoining facility. Each building has up to 200 inmates and there are five housing unit on each one. At the time the jury walked in to the facility it was about the time most of the remaining inmates were returning to their housing units. A facility supervisor guided much of this portion of the tour. The jury was able to greet staff members on the facility. Correctional staff on the facilities have equipment to deal with adverse situations including batons and pepper spray. Staff run to audible alarms. There is also an observation officer posted above the inmates that is equipped with other gear including lethal and less lethal weapons. CEN has an added security of having video cameras on the facility yards that monitored from a different location. Each facility also has educational classrooms, a satellite kitchen, and a vocational training area.
  - It was noted by the jury that some of the paved asphalt surface on the area staff and inmates walk on was badly cracked and in some areas looked to be completely deteriorated. This

could be a safety issue. The jury spoke with staff members who acknowledged that this was the same area found to be deficient by the previous grand jury.

- The jury spoke with several staff members briefly. No other issues were heard.
- **Housing Unit** –the jury visited one of the housing units on the facility. Each unit is divided into three sections, A, B, and C, with upper and lower tiers. There are up to two inmates per cell, and in some cases inmates are housed without a cellmate in some circumstances. A total of six inmate showers were observed, three per tier. Inmates are given regular showers, with the time per shower being short compared to what people might have at home, but under the conditions of being in a prison seemed to work. Showers are offered to inmates one per third day for each. Working or vocational inmates are given more. The jury observed three correctional officers assigned to the housing unit that was toured. Two were on the floor with the inmates and one is in the control booth that opens and closes doors. All carry equipment to deal with possible emergencies.
- **Educational Classrooms** – on this particular tour the jury did not visit the individual classrooms, but were made aware that due to established regulations, inmates are provided with educational opportunities while in prison. In some cases this includes a basic Graduate Equivalency Diploma (GED). CEN works in cooperation with other local schools and colleges, such as Imperial Valley College (on grounds), plus correspondence courses with Coastline Community College, and Palo Verde Community College. It is very possible for inmates to obtain a college degree while at CEN.
- **Satellite Kitchen** – each kitchen is equipped to provide two hot meals a day, morning and evening, plus a sack lunch, for each inmate on the facility. It takes less than two hours to serve each meal for inmates on the Level III facilities and a little longer on the Level IV facilities due to the need for additional staff and security. Inmates prepare the food services under the direction of a staff cook and a watchful eye of a correctional officer. The food for inmates is prepared in a Central Kitchen, quick chilled, then heated and served three days later at the Satellite Kitchens. The Central Kitchen was not toured during this visit. A state nutritionist/dietician determines what food is to be prepared and served. Varied meals are provided for inmates on medical diets such as those with diabetes, those on religious diets, and vegetarians.
- **Vocational Training** – each facility has a vocational training area. There are seven areas of training. These include welding, auto body and paint, small engine repair, electronics, building maintenance, office service and HVAC (air conditioning).
- **Firehouse** – CEN has a self contained firefighting unit as does most state prisons. This jury toured the onsite firehouse. Inmates are selected from among the lower custody level inmates who wish to participate in the program. They are given practical training in modern firefighting techniques, both the physical and the book work. They must pass tests that are the same as any firefighter. These inmates, along with fire staff, will respond to any fires on grounds as well as sometimes being called out to fight fires alongside of firefighters in the local cities and communities. The jury was advised that they are most welcome when they respond and that the inmates enjoy the work as well. In some cases inmate firefighter have gotten firefighting positions upon their release from prison.
- **Administrative Segregation Unit** – even in prison there is sometimes the need for inmates to be re-housed in an even higher level of security due to crimes committed, because of certain perceived or real fears in the general population, and some inmates are being held in awaiting court trials. These inmates have much tighter control, with restrains being placed on them any time they leave their cell. Despite this, these inmates have the same rights to law library, religious meetings with clergy or with lawyers for legal reasons, a medical clinic in the building, and they have a smaller

contained recreational yard that they have regular access to. The jury observed this unit from the inside and found no issues.

- **Family Visiting Unit** – Inmates are permitted overnight visits with their spouses, or other members of their families, provided that they do not have certain convictions on the books such as sex crimes, spousal abuse, or are serving life without parole. There are other restrictions as well. This unit is within the prison and those with them are secured in the units with the inmates for the duration of the visit. This jury visited one of the units and it was described as being similar to a two bedroom cottage.

**Additional Information:** CEN provides numerous programs to assist inmates while incarcerated. Among them are Alcoholics Anonymous / Narcotics Anonymous, programs to assist them with getting away from gangs and criminal life, a military veteran’s program, and numerous religious programs as well. There are about 205 volunteers helping inmates.

**Conclusion:** It was determined by CGJ committee members that CEN is a well-run prison with no major issues discovered. Staff were open and willing to speak on any topic.

**Findings:**

- F1** The firehouse with inmate firefighters is a particularly useful part of the prison to both the inmates, who are doing something extremely useful, and to the community at large where a clear benefit is provided.
- F2** The Facility D paved asphalt appeared to be in great disrepair, a detail that was also noted by the previous jury. This is a possible hazard.

**Recommendations:**

- R1** It is recommended that the program with inmate firefighters not only continue, but the prison administrators seek permission and additional funding from the state to enhance the program along with the benefits provided.
- R2** It is recommended that all areas of disrepair be examined, with particular attention to those areas where staff and inmates must travel, and to repair such areas as needed. This jury does not know for a fact that anyone has been injured on the pavement because of its condition, but the belief is that it would be wise to make corrections before injuries occur.

**Response Required:** No response is required as Centinela State Prison is a part of a state agency.

**Subject of Investigation:**

**Imperial County Juvenile Hall**

**JUSTIFICATION**

**Preface** – California State Law mandates that the Civil Grand Jury investigate and report on the state prisons and jail facilities each year, this mandate includes the Juvenile Hall (JH).

**INVESTIGATION**

**BACKGROUND**

**Authority and Facility Responsibility**

The Imperial County Juvenile Hall (JH) operates under the auspices of the Imperial County Probation Department.

The JH serves as a care facility for detained minors. Minors being held in Juvenile Hall are either awaiting a decision on their future, or have been sentenced by the court in Imperial County to a one year or less time period.

**Assessment and Evaluation**

All new Juvenile Hall Court referred minors are given pre-screen Positive Achievement Change Tool (PACT) risk/needs assessments by the Probation Department. There are also Full-PACK risk/needs assessments on all cases set for disposition and deferred entry Judgments.

In addition to the PACT Assessments, the intake process includes a Massachusetts Adolescent Youth Screening Instrument (MAYSI) assessment of their mental health, and the computerized Detention Risk Assessment Instrument (DRAI) evaluation, which is based on prior and current convictions and offenses.

**Case Plans**

Individualized case plans are developed for minors and families based on the Probation Department's assessment of needs and strengths.

**Incarceration**

Once minors are detained and become Wards, staff members attend to discipline and security, personal hygiene, clean clothing and bedding, mental health and/or drug counseling, work programs, recreational exercise, and visitation with parents/guardians.

The majority of the Wards, after a short stay, go on to probation. The Judge determines this, based on recommendations from the JH staff, as well as other factors.

**OVERVIEW**

**Purpose**

JH is committed to enhancing public safety through the reduction in the number of repeat offenders. This is done by motivating behavioral change - while enforcing court orders and advocating for victims.

**Place**

ICJH is located directly behind the main building of the Probation Department on Applestill Road near the corner of McCabe and Clark Roads.

The facility consists of five (5) dorms to house the juvenile Wards, a central center, classrooms, a medical room, recreation areas, a cafeteria, and other offices used for services offered to the Wards.

Some of the security features in this facility include security cameras, electronic detection, and reinforced fencing.

In addition to the JH Applestill location, field supervision is provided to: ICOE Academies, DEJ, Wraparound Services, Moderate to High Risk Youth, and an Evening Learning Center.

JH Facilities also include Medical Services and Food Service. Medical Services are provided from a nurse's station with a nurse on duty. A doctor can be called or a Ward can be transported to a hospital if more serious medical attention is warranted. On-call Behavioral Health Services are also available for assistance with mental health problems.

Food is prepared for the Wards in a kitchen. It is then transported to the JH cafeteria, where it is kept warm at food-warming stations until served to the Wards. The JH food facilities have passed inspections by state/county departments

**People** – Standards set by the Title 15 of the California Code of Regulations require one (1) staff member for every ten (10) minors in detention. There are twenty-six (26) staff members. Included is one (1) facility manager, one (1) shift supervision, three (3) full-time staff, and extra help through outside program presenters and grandparent volunteers.

The grandparent volunteers program is an outstanding group of three (3) volunteers that, together in total experience as juvenile hall volunteers exceed thirty (30) years of experience.

### **Programs**

**Education** - There are two education classrooms, both of which have teachers with valid California Teaching Credentials. Computers are provided for school assignment preparation, but access to the Internet is limited due to security concerns. JH is in compliance with California state educational standards and offers a high school diploma program or the General Equivalency Diploma (GED). Since the stay for each Ward is fairly short, the teachers try to keep the Wards working on the same subjects as they would be learning in their home school, including actual assignments which they can take back with them to their school.

**Foster Grandparents Program** – provides support and acceptance by listening to what the Wards have to say and providing counseling as needed. They also help with schoolwork as might be provided in a home environment.

**Gardening** – a garden has been established within the outside yard of JH. The garden provides Wards with the opportunity to assist in the growing of vegetables which include cherry tomatoes, baby carrots, and kale.

**Performance** – Wards are responsible for keeping their rooms clean and have specific work responsibilities assigned to them in the facility. The JH staff uses a point rewards program to control behavior in a positive way. Wards may accumulate daily points based on behavior, attitude, work performance, grooming, manners and room maintenance.

## CONCLUSION

In conclusion, the staff of Juvenile Hall is doing well dealing with the difficult job of carrying out policies that give Wards a clear understanding of what is expected of them. Positive beneficial experiences during the JH stay are provided by standard High School educational programs taught by credentialed teachers, which are supported by the Foster Grandparents, as well as by activities such as working in the garden.

### Findings:

- F1** Assisting Wards develop a vision of how they will spend their future lives seems somewhat limited. For example, there does not seem to be much input from the community with respect to helping Wards envision future career possibilities.
- F2** Generally, the Juvenile Hall facilities appeared to be in good condition. However, it was noted that there were places where paint was peeling off the walls.

### Recommendations:

- R1** Existing programs in education and activities such as the gardening project should be enhanced in order to provide Wards with positive experiences. In addition, there should be an attempt to help Wards expand a vision of their future horizons. It is recommended that more faith based chaplains, who reflect the community at large, be invited to interact with the Wards in Juvenile Hall. Another recommendation is that Imperial Valley Regional Occupation Program (IVROP) provide information on technical career opportunities and introduce the Wards to the IVROP career technical education programs.
- R2** The issue of peeling wall paint should be addressed since it may have the potential to create health problems.

**Response Required:** The Civil Grand Jury requires a written response to this report within ninety (90) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.

**Justification:** California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prisons and jail facilities on a yearly basis.

**Background:** The Corrections Division of the Imperial County's Sheriff's Office (ICSO) operates the jail. There are one hundred and twenty-one (121) employees, 14 of whom are female. These employees work at two (2) facilities adjoining the main ICSO building. The two facilities are the Herbert Hughes Correction Center (HHCC), which was built in the 1960's, and the Regional Adult Detention Facility (RADF) built in the 1970's.

The RADF is where incarceration admission occurs. The RADF admission process is as follows: first, individuals are booked and given a brief medical screening; then they are put into a temporary holding cell; next they are sent to a dressing room and issued prison garb; then, if needed, inmates are sent to the medical treatment center; finally, they are housed in an incarceration cell. There are twelve (12) separate cell modules, consisting of ten (10) to twenty (20) cells per module. These modules are also known as pods. The facility has a capacity to house 288 people – both males and females. The general population of the facility is made up of those who are unsentenced. There are also groups of sentenced inmates, including those under administrative security segregation, those with special needs, and those who are high risk inmates. In addition to cells, the medical treatment center is located in the RADF facility, which is where the admission process medical screening takes place.

The HHCC in 1989 two (2) dormitories and a multipurpose room were added to the facility. The dormitories are divided into six (6) Separate dormitories and have a total capacity to house 324 inmates. Originally HHCC was intended to house county inmates who have been sentenced for a period of up to one year. However, with the advent of AB-109 (2011), state sentenced inmates may be housed in the HHCC facility for as many as twenty two years. AB-109 transfers responsibility for supervising certain kinds of felony offenders and state prison parolees *from state* prisons and *state* parole agents *to county* jails and probation officers.

Altogether, the RADF facility with a capacity to house 288 and the HHCC with a capacity to house 324 provide a total jail capacity of 612. However, jail occupancy typically averages about 485 inmates, or 80%.

The new Oren Fox Detention Facility is in process of being built. It is scheduled to be completed by December 2017. It will be a medium security facility that will house 278 inmates and will provide population management coordination with current jail housing. In addition to Inmate housing, a multipurpose room will serve as a dinning place for the food prepared in the HHCC kitchen.

**Tour:** A committee of the Civil Grand Jury inspected the jail using a checklist from past Civil Grand Juries, as well as additional information requested by the committee which provided a framework for the tour. The committee toured all areas in both jail facilities. Some committee members spoke to inmates. The Chief, a Lieutenant, two Sergeants, as well as other jail staff members conducted the tour for the CGJ team. All staff members at these facilities were very courteous and willing to speak with the jury members. The committee was informed that more female staff members are needed to perform essential duties to help meet the demands of the facilities. Some staff members are bi-lingual in English and Spanish, which is very helpful when communicating with many of the inmates.

## **Medical:**

- **Physical Health** – Medical staff members are on duty twenty-four hours a day for inmates with injuries and illnesses. At the booking part of the admission process, a pre-medical questionnaire is filled out. If the questionnaire indicates possible medical problems, after receiving their prison garb, new inmates are sent to the medical treatment center for medical evaluation and screening. The county contracts with outside Medical Doctors to evaluate the physical health needs of the inmates. CGJ was made aware of a health problem related to released inmates and their medication. When released, the medical center provides a sealed packet of any prescribed medication an inmate has been taking. Inmates may consult with the medical staff about future medication needs. However, this does not always happen, and may result in problems after inmates are released. It is difficult for the release officers to provide help with this problem because they generally are not aware of an inmate's specific medications due to confidentiality restrictions imposed by the 1996 Health Insurance Portability and Accountability Act (HIPAA).
- **Mental Health** – The county contracts with an outside Mental Health Service to help evaluate the mental health needs of the inmates. A mental health event was observed by the CGJ during the tour. A female inmate was heard yelling in the precaution holding cell. The CGJ was told that the inmate was waiting for bed space at an outside mental facility because the jail is not equipped to house mental inmates on a long-term basis. Eventually the female was transferred to a facility in San Diego. The CGJ was informed that there is a need for a separate facility to handle the growth of the mental health population in the jail. The Staff provided an example of a returning violator with mental issues who was arrested over 70 times for minor issues during a year's time, which cost the county approximately \$200,000. The early diagnosis of mental problems can be facilitated by having new inmates sign a HIPAA waver form.

**Food Preparation/Services:** The jail serves about 530,000 meals per year. The staff estimates that each meal costs about \$1.65, resulting in an annual expenditure of \$874,500. Meals are prepared in a kitchen, which is located in the HHCC facility (called camp). HHCC Inmates eat their meals in the camp dining hall. Correctional staff members deliver meals to RADF female and male dining rooms. The jury members observed that the HHCC food preparation area was clean and sanitary. On the other hand, the dining hall in HHCC seemed a little outdated.

**Safety and Security:** In each part of the jail, cameras have been installed so staff can monitor the inmates. Some of the cameras can zoom and pan-in to help increase safety and security. Visitors are separated from inmates by glass windows to prevent contraband from being given to inmates. A small number of inmates are permitted to have contact visits in a controlled area. At one time the court provided service on the jail house grounds, which is no longer the case. Inmates who have the need, are transported to court in Brawley by Officers.

**Miscellaneous:** Prior to the tour a PowerPoint presentation was given by Chief Clayton, Lt. Tirado, Sgt. Lopez and others outlining the present and future goals of the jail. Some of the goals are related to assisting inmates in not returning to jail (recidivism). This is done by helping them develop life skills through counseling with issues such as drugs and alcohol and family relationships. Education counseling includes such things as food handling, heating and air conditioning training, and introduction to available college courses. In addition, mentoring by successful past inmates is provided. Spiritual guidance is also available through community volunteers.

**Other:** CGJ members spoke to the staff about concerns they may have. The CGJ would like to see more female staff members; faster processing of inmates with mental issues that require transfer to a better equipped facility; at the time of their medical screening admission, have inmates sign a HIPAA waiver



form, which permits access to the history of their mental health and prescription medications. It is believed that there is a need for more funds to help with proper medical and mental treatment.

**Conclusion:** CGJ members determined that the Imperial County Jail appears to be a well-run jail. Staff members were professional and appeared to enjoy working at the jail, and were excited about the prospect of working at the new Facility to be completed in December 2017.

**Findings:**

- F1** Mental health issues are not being promptly treated.
- F2** Mental health issues, when treated, are not done in cooperation with Behavioral Health.
- F3** Intake sheets questions are too general, leading to missed mental health conditions.
- F4** There does not appear to be a general HIPAA form accepted by all county agencies, including the county jail and county Behavioral Health having different form. The CGJ had noted in previous investigations that other agencies in the county do not all use the same HIPAA release form.
- F5** There does not appear to be a sufficient number of female staff members.

**Recommendations:**

- R1** It is the Grand Jury's recommendation that jail officials should get pertinent info from behavioral health on all inmates. This should be a regular questionnaire filled out at intake by a Psych Tech. Optimally, the officer doing the intake form would call Behavioral Health and fax over a signed release form the same day the inmate is brought in. Make it part of the routine.
- R2** It is the Grand Jury's recommendation that jail staff should make part of their routine that incoming inmates sign a waiver that says they release all medical records to the jail. Make sure wording is HIPAA-compliant. Regarding HIPAA: inmates are under the care of the jail's medical officials. The jail's medical officials must have those files. If it takes a court order, then perhaps there should be a standing court order that all inmate files are mandatorily transferred upon request.
- R3** It is the Grand Jury's recommendation that administrative jail staff request that the County Board of Supervisors open a county facility to temporarily house the mental inmates to take the load from the jail. More funding to help with the extra cost for inmates with mental issues may be in order until such a facility could be made operational.
- R4** It is the Grand Jury's recommendation that administrative jail staff work with other agencies and the County Board of Supervisors so that a single standard Medical/Mental form would be used by all agencies.
- R5** It is the Grand Jury's recommendation that more female staff members be hired as needed.

**Response Required:** The Civil Grand Jury requires a written response to this report within sixty (60) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.

**Subject of Investigation:**

**Imperial County District Attorney's Office**

**Justification:** The Imperial County Civil Grand Jury investigates various agencies and special districts on a rotating cycle. The Imperial County District Attorney's Office is the subject of this review. The Civil Grand Jury selected this agency in part because it has not been viewed by the Grand Jury in several years.

**Background:** The District Attorney's Office (DA) was established for the distinct purpose of prosecuting in a court of law those persons who are reasonably well believed to be guilty of crimes set forth in the California Penal Code or written into other codes and ordinances.

**Overview:** The Civil Grand Jury as a unit was interested in observing how the DA operates, and what functions they serve in our court system. The Grand Jury saw their online mission statement which reads as follows:

**Mission**

The district attorney, as a public prosecutor of both criminal and civil cases, ensures that justice is done and that the rights of all are safeguarded. The district attorney works with every component of the criminal justice system and the entire community, to protect the innocent, to convict and appropriately punish the guilty, and to protect the rights of victims and witnesses.

**Tour:** The Grand Jury committee met with the District Attorney, the Assistant District Attorney, and two of the Deputy District Attorneys. Each were open and willing to answer questions and provide information concerning how the DA operates, including providing information about some of the divisions of their office operation in and out of the court.

Some members of the Grand Jury sat in open court several times to observe proceedings. They included a pretrial hearing that was to determine if a defendant would go to a criminal trial and a portion of a criminal trial. Additionally, the jury observed motions concerning how a defendant would be treated in the county jail, another facility, and in the courtroom. In each of those cases the prosecution was handled by Deputy DA's.

**District Attorney**

The county District Attorney elected to have the Assistant District Attorney handle most of the general information concerning the DA. However, in the Grand Jury's meeting with him he assured the jury members that if there were any questions that needed answering that we were welcome to ask them. He said he fully intended that the public would see that his office was open to examination. He invited the jury to come back if all questions were not answered to our satisfaction. The District Attorney mentioned that he is generally pleased with his staff members and that they do a good job for the county.

**Assistant District Attorney**

The Assistant DA advised that they are there to prosecute the guilty and to protect the public in general. They get about 10,000 cases a year. Most of these cases are not prosecuted. Some cases become plea bargain cases where they would agree with defense attorney for a lesser sentence or a lower charge for a guilty plea; some cases are rejected based not enough evidence or a lack of availability of witnesses; and some are not strong enough of a case to show a jury that there is guilt beyond a reasonable doubt. The DA would prefer to not try a case they could not reasonably prove guilt. And in all cases that go to a jury they

accept the verdict as their decision. She added that because of the area being in the Imperial Valley and in close proximity to Mexico, most cases involve Spanish speaking people, both among the accused and among the victims. The DA has Spanish speaking staff members.

The Assistant DA went over several programs and departments they have at the DA. Some of those included the Victim Witness Assistance Program, Project LEAD (Legal Enrichment and Decision-making), Domestic Violence Program, reporting Elder Abuse, Career Day, Prison Prosecution Unit, and Imperial County Crimes Against Children Task Force (ICCACTF) in association with other agencies. Some of these are broken down as follows.

- » Victim Witness Assistance Program – under the California Penal Code the DA is authorized to provide trained Victim Advocates who work with victims, witnesses, and in some cases their family members as well. The DA took over this program from another agency in June 2013 and has expanded it quite a bit with funds that were redirected via AB 109. They provide legal writs to keep criminals in the case away from the victims. In some cases there is financial assistance to victims of crimes including victims receiving restitution. Transportation is provided for victims also. There are also grants available for victim funeral services.
- » Project LEAD – the DA sends staff members to public schools to teach fifth-graders about the legal system and what happens when people go through the law system. It is a 20 week series of classes to help youngsters make better choices.
- » Domestic Violence Program – this is to help those who may be victims of physical, mental, sex, or financial abuse.
- » Elder Abuse – a program to report abuse of elders and dependant adults when they may be victims of the same things as covered in Domestic Violence.

The DA found it a challenge to get enough qualified investigators and attorneys. They observed that fewer people are going to law school. As a possible remedy, the DA is in support of their staff members that wish to go to law school. They presently have one staff member who is going to or is about to go to a law school in Indio CA. The need for additional staff is in part because the crime rate has gone up and they are needed for the workload. The DA participates in Career Day events to both give students up to high school a better idea on how the legal system works and to encourage them to consider that as a career choice.

### **Prison Prosecution Unit – Deputy DA**

Jury members spoke with the Deputy DA that handles cases related to the two state prisons in Imperial County, Calipatria and Centinela. There is one prosecutor that handles the prison cases, and there are two investigators, one for each prison.

In this county when inmates are charged with a crime by the DA office, it goes before the Criminal Grand Jury. That Grand Jury decides if a case will go forward or not. Also in this county, most of the criminal cases that are brought to the Grand Jury are related to the prisons. The Criminal Grand Jury has been an effective tool to bring cases where a determination is to be made on whether a case should go to trial or not.

**NOTE:** This report is coming via the Civil Grand Jury which is not the same entity as the Criminal Grand Jury, although both are under the authority of the California Superior Court.

The Deputy DA said it was important that the petit juries have the final say in these matters. So long as a jury hears a case, they are satisfied that they decided on guilt or not, that it should be up to the people to make the final call on a case. And in all cases, they only want jurors who are impartial.

The question came up as to why the DA office would prosecute cases where a prison inmate already had a life sentence. The answer was that in some circumstances the crimes were very serious, such as stabbings with great injury and even the death of another person. There was also the possibility that an inmate with a long term sentence could also have a then present sentence, the one he was incarcerated for, be over turned or reduced. The DA believes it would be injustice if such cases were not prosecuted.

As a rule, the jury was advised, the DA only prosecutes felony cases in the prison system. The Prison Unit get about 200 cases each month to review. They do not prosecute all of them. If there are assaults on staff members those are given priorities.

The exception to that prosecution tendency would be if a sex crime was involved, even if that crime was a misdemeanor, and that is because of the nature of the offence. The DA has an agreement with the prisons that such cases should be prosecuted if the evidence points to the crime being committed. There are a lot of sex exposure and masturbation cases in the prisons that fall under California Penal Code 314. The DA looks at each case's circumstances to decide if prosecution would be the best choice or not.

The Deputy DA noted that they believe that there are more prison rape cases among inmates than most people think. But because of the prison culture, the victims do not normally tell on their assailants as a rule. So the DA has very few prison rape cases that are prosecuted.

The Deputy DA had observed that there are sometimes scheduling problems with cases that have inmates. They come from different prisons and sometimes the same prisons where inmates do not get along as a group or as individuals. He noticed that sometimes they have to shuffle inmates in and out of holding cells or vehicles to make sure they do not clash and cause a large disturbance. Inmates must also be transported back and forth between the prisons and the court buildings. If they had a larger place to hold inmates or there was a different facility to handle prison cases it would be safer for both the inmates and the public at large.

This Deputy believed that three staff members are not nearly enough to handle the heavy workload his unit has.

### **Imperial County Crimes Against Children Task Force (ICCACTF) – Deputy DA**

Jury members spoke with the Deputy DA that handles cases with the ICCACTF locally. The task force is made up of officers, agents, and staff from several law enforcement entities in this county. The deputy's concern was that there are real children who are real sex victims in these cases. The children in these cases are victimized time and again each time another person views the child porn, be it by pictures or videos. The images that their unit deals with are more than just something created by a computer. There are actual rapes against children which can not ever be tolerated.

The ICCACTF unit is careful to screen out accidental images, and want to be very sure that those that are prosecuted knew what they were doing, that they were downloading child porn and/or sharing such pictures and videos with other persons. The local internet unit has dealt with cases that have involved perpetrators and victims locally and in other states. There is cooperation between this talk force and others in different counties and other states. They get or send tips to other units, and can get tips from the National Center for Missing and Exploited Children. <http://www.missingkids.com/home>

The DA prosecutes such crimes as a part of its Special Victims Unit. Staff members, including attorneys and investigators that work in the unit are there on a voluntary basis due to the nature of the crimes against children. Presently, while they work with other agencies in the unit, there are but two that work for the

DA. It was the hope of this Deputy DA that they could have more staff working with them in both their own agency and from all law enforcement agencies in the Imperial Valley. He advised that there are grants and some funding available to agencies via Homeland Security.

The DA has seen cases where some people involved with such crimes do it by trading pictures and video of child porn; some are travelers that will go to locations where they believe they would have child sex, including to other nations; there are hidden internet web sites and methods that some use to hide their illicit acts. It is believed that such crimes are increasing.

The ICCACTF unit does presentations to inform people of the seriousness of the crimes and the harm it does to children, including that children can be groomed via online sites and through internet based video gaming.

### **Court Observations**

As noted previously, some Grand Jury members observed several open court proceedings. These included a trial where defendant was alleged to have battered and/or robbed another person. The Deputy District Attorney appeared to present an effective case and in objections by the defense team. During a break, Grand Jury members greeted both attorneys, stated that our purpose was simply to observe, and to otherwise have no part or side in this case.

The jury also watched a pretrial hearing where a defendant was charged by a police officer with an offence in one of the local cities. This hearing was to determine if there was sufficient evidence to continue to a trial. While both the prosecution and the defense had their own version of what might have taken place, it appeared to the Civil Grand Jury member that the prosecution was effective in this case.

**NOTE:** In none of the above cases did Civil Grand Jury members participate in the legal proceedings, or make any determinations. The purpose was to only observe for this report.

### **Budget**

The Civil Grand Jury obtained a copy of the DA's budget and expenditures as of March 10, 2017. They have revenue of over \$878 thousand (including reimbursements of \$600 thousand state prison expense) and over \$5.3 million in expenditures. They are as of the date of the printout at 71% of their allotted budget.

**Conclusion:** The Civil Grand Jury finds that the District Attorney's Office appears to have done well in attempting to fulfill their mission. It is the observation of Grand Jury members that the DA has attorneys who seem passionate about the work they do.

### **Findings:**

- F1** The District Attorney's Office Prison Unit left the jury with the impression that because inmates need to be transported back and forth between the prisons, and at times kept apart, this seems to make scheduling more difficult, and all of this inmate movement could be a danger to the community, to prison and court staff, and the inmates as well.
- F2** The District Attorney's Office unit working with the Imperial County Crimes Against Children Task Force was found by the jury to be a welcome addition because it protects children through prosecution of offenders. This unit appears to be a very useful tool in the fight against child porn and child sexual exploitation.
- F3** More than one District Attorney's Office staff member that they are understaffed now and have been in the past as well with qualified attorneys and investigators.

### **Recommendations:**

- R1** It is the Grand Jury's recommendation that the District Attorney's Office actively work with the courts and the prisons to determine the feasibility of doing some or most hearings right on the prison grounds themselves. It is believed that this would be safer for everyone all around, inmates and the public at large because they would not leave the prison grounds.
- R2** It is the Grand Jury's recommendation that the District Attorney provide at least one more investigator and/or another staff member to ensure children are well protected.
- R3** It is the Grand Jury's recommendation that the District Attorney's Office actively seek out students who are in law schools nationwide and advise them of the need of good attorneys at this office. It is also recommended that the District Attorney's Office advertise with law enforcement magazines that serve law enforcement investigators. They might find that they would have the San Diego State University campus in Calexico and the Imperial Valley College campus.

**Response Required:** The Civil Grand Jury requires a written response to this report within sixty (60) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.

**Subject of Investigation:**

**Imperial County Public Defender's Office**

**Justification:** The Imperial County Civil Grand Jury investigates various agencies and special districts on a rotating cycle. The Imperial County Public Defender's Office is the subject of this review. The Civil Grand Jury selected this agency in part because it has not been viewed by the Grand Jury in several years.

**Background:** The Public Defender's Office (PD) was established with the idea that all those who are accused of a crime or other legal action by a government entity are entitled to a reasonable defense based on the Sixth Amendment of the US Constitution.

**Overview:** The Civil Grand Jury as a unit was interested in observing how the PD operates, and what functions they serve in our court system. The Grand Jury saw their online mission statement which reads as follows:

**Mission**

The mission of the Imperial County Public Defender's Office is to protect and defend the rights of our clients through zealous legal representation of the highest quality, in pursuit of a fair and impartial system of justice for all.

**Tour:** The Grand Jury committee met with the Chief Public Defender and one of the deputy defenders, both of whom were open and willing to speak with the jury and explain their function in the court system.

Some members of the Grand Jury sat in open court to observe legal proceedings. These included a portion of a criminal trial, a pretrial hearing that was to determine if a defendant would go to a criminal trial, and during legal motions as to the handling of a defendant's mental health needs as related to the court. The last part included how that person would be treated in the court and how the defendant would be handled in jail and possibly another facility in preparation for court matters. In each of those cases the defense was handled by members of the PD.

**Chief Public Defender**

In speaking with the Chief we were advised that their main function was to defend the indigent and the working poor. There have been times when a person who has been referred to the PD may not have been financially qualified to receive a defense from the PD, but the PD follows the directions of the court. In the case of possible conflicts that defendants would have with the PD, the court might appoint a private attorney to represent them. About nine out of ten criminal cases are settled by plea bargain. There is some bargaining and discussion in such cases before an agreement is made.

The PD also has a responsibility for representing patients where a mental health conservatorship is being determined for them. The PD has a goal to see that what happens with a patient is in the patients best interest under the circumstances. The PD is always open to hiring qualified attorneys.

The PD represents children whose parents or legal guardians have been unable to properly care for them. The PD's goal is to maintain family unity whenever possible. The PD has a goal to see that families remain unified where possible.

Approximately of 40-50% of the PD's case load is related to charges of Driving Under the Influence (DUI) of drugs or alcohol, with smaller percentages of domestic violence allegations, and then those that are accused of drug possession.

### **Deputy Public Defender**

The Grand Jury also spoke at length with one of the Deputy Public Defenders. This particular deputy defender was tasked with representing defendants in the county jail who may have mental health issues. There are times when a defendant may not be competent to stand trial based on the law. California Penal Code 1368 was cited as why there can be some defendants who should not be on trial. In such cases the PD advises the court that a defendant is or may be mentally incompetent. The Superior Court then decides if a hearing is needed to determine mental competency. That hearing may require a mental health doctor to evaluate the defendant's mental condition beforehand. The other proceedings may be delayed until a defendant is declared competent or in some cases a defendant may be sent to another place that handles behavioral health issues. Eventually a determination is made by the court as to if and when a defendant would go on trial. There are few, but there are times when a trial never takes place because of mental illness. In those instances a defendant could be sent to a place that specializes in mental issues instead.

The Deputy Defender the jury spoke with had a concern that it has been difficult at times to get a representative of the behavioral health community to go to the jail and see defendants that are having mental issues. The deputy stated that there was a particular case that took three months for a specialist to see a client with mental issues. This may delay the judicial process and possibly cause unsafe conditions to the client defendant and others. The PD also takes on other departments within the county when they believe sufficient treatment is not provided in a timely manner. The PD has gone so far as to request that a defendant who is also a mental health patient be removed from the jail and sent to an outside facility that might be a private location or one operated by the state.

The Deputy Defender stated that if there was a better mental health facility here in this county for defendants with mental issues, or if the county jail was better able to treatment of defendants with mental health issues, they would better be able to serve the community. The idea was that such defendants would be able to both get better treatment and it would help the courts to better facilitate fair proceedings for them.

### **Court Observations**

As stated above, some members of the Grand Jury sat in on several open court proceedings where the PD represented their clients. One case was a trial where a defendant was alleged to have battered and/or robbed another person. The jury listened to witnesses for the prosecution testify and be examined by a Deputy District Attorney, and then was cross examined by a Deputy Public Defender. It was this jury's observation that the Deputy Defender either countered the questions asked by the original attorney or had asked questions of his own to bring up other possibilities of what may have happened at the time of the alleged crimes or concerning items that were related to them. It appeared that a reasonable defense was given fully in this case during the portion that was observed. During a break, Grand Jury members greeted both attorneys, stated that our purpose was simply to observe, and to otherwise have no part or side in this case.

On a different occasion, Grand Jury members observed a pretrial hearing where a defendant was charged in a crime said to have taken place in one of the local cities in this county. This hearing was to determine if there was sufficient evidence to continue to a trial. A Deputy District Attorney asked relevant questions of an arresting officer, and a Deputy Public Defender did as well. There was some legal talk back and forth



between the two. In the end the court was able to make a decision as to what the next step would be. Our jury members believe that a reasonable and proper defense was made by the Deputy Defender during this legal proceeding.

**NOTE:** In none of the above cases did Civil Grand Jury members participate in the legal proceedings, chose a side, or make any determinations. The purpose was to only observe for this report.

### **Budget**

The Civil Grand Jury obtained a copy of the PD's budget and expenditures as of March 10, 2017. They have revenue of over \$744 thousand (including reimbursements of \$400 thousand in expenses from the state prison system) and over \$3.5 million in expenditures. They are as of the date of the printout at 59% of their allotted budget.

**Conclusion:** The Civil Grand Jury finds that the Public Defender's Office appears to have lived up to their mission statement of protecting and defending the rights of their clients through their pursuit of a fair and judicial impartial system. It is the observation of Grand Jury members that the PD has attorneys who are very passionate about the work they do, and that they have left the impression that they want what is both best for their clients and is constitutionally sound.

### **Findings:**

- F1** The Public Defender's Office has some attorneys that appear passionate about what they do. They advised that there are times that qualified attorneys can be difficult to find in a smaller county such as Imperial County.
- F2** The Public Defender's Office has made a case for a need for mental health treatment for their clients within this county.

### **Recommendations:**

- R1** It is the Grand Jury's recommendation that the Public Defender's Office have a recruitment program that would assist them in maintaining a full complement of staff members by reaching out to students in both the local high schools and colleges, showing them the importance of a good and reasonable defense for everyone as provided by the Sixth Amendment.
- R2** It is the Grand Jury's recommendation that the Public Defender's Office present evidence of the need for more effective mental health services for their clients/defendants who are incarcerated to the Imperial County Board of Supervisors.

**Response Required:** The Civil Grand Jury requires a written response to this report within ninety (90) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.

**Subject of Investigation:**                    **Imperial County Public Administrator – Conservator/Guardian**

**Justification:** California State Law mandates that the Civil Grand Jury (CGJ) investigate and report on the various county departments serving the residents of Imperial County. This year's report is a follow-up to the 2015-2016 investigation in areas that the Grand Jury did not have time to complete.

**Background:** The Public Administrator Department's goal is to avoid or reduce premature institutionalization of the disabled or frail elderly through community education and by helping individuals and family members access medial, nutritional, social, legal, and other services.

The Department has four major programs/activities:

1. Probate the estates of decedents who die without a will and where there is no family living in California willing or able to do so.
2. Act as the legally appointed Conservator/Guardian of individuals in the County when appointment by the court when the Superior Court finds the person is unable to properly care for themselves or their finances or who cannot resist undue influence or fraud. Such persons usually suffer from severe mental illness or are older, frail and vulnerable adults.
3. The Representative Payee Program manages the financial need of persons unable to handle their own funds due to age, illness or disability. It is the only agency within Imperial County approved by the Social Security Administration to offer this service. This is a voluntary based program where the person elects to participate.
4. The Area Agency on Aging, Planning and Service Area (PSA) directly provides contracts with third parties to provide services pursuant to Title 22 of the Older Americans Act and AB 2800 of the Older Californians Act. Program services target seniors 60 years and older and include meals, transportation, long term care ombudsman services, legal assistance, health clinics and elder abuse prevention training. This includes Meals on Wheels program.

The CGJ committee chose to focus on The Conservator/Guardianships of the Area Agency on Aging and the Meals on Wheels and Community lunches.

**Overview:** On February 16, 2017 a committee of the Imperial County CGJ met with the Public Administrators Department. They provided an overview of the department programs and discussed their goals and progress meeting these goals.

The department is currently serving as Conservator to 15 seniors; they are living in nursing homes in Imperial County, San Diego County and Yuma, AZ. There are two Deputy Case Managers assigned to visiting these individuals and making medical decisions.

The conservatees are seen once every quarter. Most visits are unannounced, unless the Deputy Case Manager needs to see a specific member of the facility's staff. The visit includes a review of the nurses and doctor's notes, including all medications prescribed. A face-to-face meeting takes place with the conservatee in their living quarters. All interviews take place with conservatees that are able to communicate. For clients with advanced dementia that are completely bedbound and unresponsive, the Deputy will check to see that client has not developed bedsores and/or treatment has been ordered if any exist. Facility staff is interviewed and asked for feedback on any visitors, problems or needs noted. An assessment report is completed and put into client's file, which also includes a picture of the client.

The CGJ Committee members chose to visit some of these Conservatorees. Unannounced visits were made to individuals in Yuma, AZ and Imperial County.

The Staff also assists approximately 300 individuals in the Representative Payee Program. Their goal is to visit these individuals once a year. Social Security also visits them annually. This program assists individuals with their finances; it is a voluntary program.

The Area Agency on Aging is the provider of such programs as Meals on Wheels, congregate meals for seniors provided in community facilities, transportation, ombudsman services, legal assistance, health clinics, nutrition education, providing information of links to community services, respite care providing short term relief for unpaid family caretakers and other services needed by seniors in the community.

The CGJ Committee members met with the management of the Meals on Wheels program. It is administered under contract by Catholic Charities. Catholic Charities also provides the mid-day meals as part of the Senior Nutrition Program at 9 locations in Imperial County, these are called congregate sites since seniors come to these locations and transportation is available.

There is an Advisory Council to the Area Agency on Aging whose members provide a liaison between the agency and the senior population throughout Imperial County. This Council is charged with holding public hearings to encourage public participation in determining the needs of the aging in Imperial County. They develop recommendations to the Imperial County Board of Supervisors regarding the Area Plan, Area Agency policies and funding allocations.

Funding for the programs provided by DPA comes from the federal budget, Community Block Grant, through state budget and then to county budget.

**Conclusion:** CGJ members on this committee agree that the staff of Department of Public Administrator is doing a very good job and have implemented programs that serve the needs of the individuals they are charged to serve. We were especially impressed with the quality of meals provided to seniors through Catholic Charities given the limited budget.

### **Findings:**

- F1** DPA has an informal volunteer program reaching out to the colleges and unemployment departments for volunteers. They have also implemented an intern program with the SDSU-IV campus currently using 3 interns to help with grant writing and some other administrative functions such as finance, budget and job descriptions. Interns are currently recruited by providing descriptions on a list to the college and in discussions with the College administration.
- F2** Additional funding is necessary to provide the quality programs needed in Imperial County including expanding such things as Meals on Wheels, congregate meals, health clinics and preventing elder abuse. There are currently over 200 people on the wait list for Meals on Wheels. Meals at Congregate locations are 5 days a week in some locations but not all, seniors in remote locations could benefit by more days with meals being served. There are 9 Senior Congregate Meals locations in Imperial County including Heber and Salton City.
- F3** The CGJ Committee members visited several Conservatees of the County in Nursing Homes and also in private homes. We were very impressed with the quality, cleanliness and professionalism of the nursing home in Yuma, AZ and El Centro. The Conservatees were happy and very well cared for, the staff readily answered questions. We were not as impressed with the air quality of the Brawley nursing home. While the staff was professional and the Conservatee well cared for it was not of the same quality as the Yuma or El Centro locations.

## **Recommendations:**

- R1** DPA needs more staff to provide all the services needed for seniors in the County. Volunteer-Interns that have an interest in working with the elderly or providing services the elderly need such as medical, legal and social services could fill this staff shortage. We believe it would be much more effective if a “hands-on” approach was used to recruit interns both at SDSU and IVC. The jury recommends making enthusiastic presentations directly to the students in the classrooms in the fields of nursing, medical, law, financial, psychology, education and general social services, with opportunity for questions and answer sessions.
- R2** While the Department is currently doing some grant writing, more is necessary. Additionally, Catholic Charities has some fundraising events for Meals on Wheels and Senior Congregate Meals, but they need more. They also currently receive donations from local businesses for both programs, but again this could be expanded with more outreach. The committee suggests a much greater outreach to the Community through social media. We recommend a FaceBook page telling of the needs of seniors in Imperial County. A Twitter account would be useful in that it could update people regarding menus, etc. Fundraisers could be done online using sites such as GoFundMe and other sites. We believe if the community knew that a service such as helping Veterans through Meals on Wheels they would be eager to donate. We also recommend more outreach is done through Imperial Valley Press, such as its community outreach page, and other local businesses, perhaps using flyers and/or business cards. We recommend they consider getting interns from the local colleges who could implement these programs and perhaps use it as credit in a college course.
- R3** Continue to visit Conservatees quarterly, as is now the departments practice and try to place all Conservatees in nursing facilities of the caliber of the ones in Yuma and El Centro.

**Response Required:** The Civil Grand Jury requires a written response to this report within ninety (90) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.

**Justification:** The Imperial County Civil Grand Jury (ICCGJ) is authorized by state law to investigate complaints made against various agencies and bodies which include those operated by county and city administrations, and special districts that operate within this county.

**Background:** This investigation began with one written complaint, followed by many more, approximately ninety (90) written complaints in all, against the City of Calexico and their handling of the maintenance and general infrastructure in a part of the City of Calexico known as the Hearthstone Community. It appeared to the ICCGJ that the complaints were all from that part of the city, Hearthstone Community. Hearthstone is a Community Facilities District (CFD) within Calexico. A CFD is a district where the homeowners of the district have agreed to pay an additional property tax in exchange for certain services, maintenance projects, and general infrastructure that might not be otherwise possible. It generally means that there would be bonds for investors, a lower cost for homeowners for their residence that came with additional taxes, and the city would get tax money (in this case via Imperial County) to uphold their part of the bargain. Hearthstone Community is also known by its full name, Community Facilities District No. 2005-1 of the City of Calexico. The full agreement may be found online at this link:

[http://www.calexico.ca.gov/vertical/sites/%7B342ED706-1EBB-4FDE-BD1E-9543BAD44C09%7D/uploads/HEARTHSTONE\\_CFD\\_2005-1\\_OFFICIAL\\_STATET.pdf](http://www.calexico.ca.gov/vertical/sites/%7B342ED706-1EBB-4FDE-BD1E-9543BAD44C09%7D/uploads/HEARTHSTONE_CFD_2005-1_OFFICIAL_STATET.pdf)

The complaints were generally unified in saying that the City of Calexico was not living up to its part of the arrangement. It was alleged that the streets in the Hearthstone Community are in general disrepair, that some streets have potholes, that sidewalks are buckling and there are exposed gas pipes. Some complainants advised that members of the Hearthstone Community have been going to Calexico City Council meetings with a lack of full cooperation.

**Investigation:** Members of the Grand Jury elected to speak with both members of the Hearthstone Community and with officials in the City of Calexico. People living in the Hearthstone Community were spoken with both in person and via telephone on several occasions. City officials were met with in person, including the city manager, in one long meeting. These meetings and conversations are summarized below.

**Hearthstone Community members provided the following:**

The City of Calexico has been less than eager to make the repairs that they are obliged to make. Complaints have been made for years that the city took the tax money of the residents and did not do its part by fixing the streets and handling other issues. They do not show an interest in streets that are crumbling. They know that there are dangerous sidewalks where people could get hurt on. The city knows that the streets were not finished when they should have been. The city is aware of pipes sticking out and has not done anything about it. The city has not cleaned up areas they should clean up.

The City of Calexico has previously promised Hearthstone Community residents that they would take care of the problems in Hearthstone; they have known about these things for years. The city sent people to inspect the area at least eight years ago. They marked what needed repairs then, and made a list of the needed repairs and even then did not do what was needed.

Hearthstone residents have gone to the city for help, including attending Calexico City Council meetings and have gotten little cooperation. They believe that the city could and should have done more.

Hearthstone residents have provided pictures and videos of the areas they find to be the problems.

**NOTE:** The Grand Jury asked, but was not able to determine if there is a single spokesperson able to voice an opinion for the group as a whole. Therefore, some Hearthstone residents may have additional or differing opinions.

**The City of Calexico provided the following, primarily through the city manager:**

The city is very aware of the concerns of the Hearthstone Community. It is the city’s intention to do the best they can to rectify the situation. The city has met with several people from Hearthstone. Not all have the same opinion on what they believe the city should do to solve the problems.

The city had agreed to establish the Hearthstone CFD in 2006, expanding the city, which would involve special tax bonds which included the following chart from the above link (provided by the city):

<b>\$1,900,000 Serial Bonds</b>				
<b>Maturity Date September 1</b>	<b>Principal Amount</b>	<b>Interest Rate</b>	<b>Reoffering Yield</b>	<b>CUSIP†</b>
2008	\$240,000	4.000%	4.250%	AA0
2009	180,000	4.400	@100	AB8
2010	185,000	4.350	4.500%	AC6
2011	195,000	4.500	4.650%	AD4
2012	200,000	4.600	4.750%	AE2
2013	210,000	4.700	4.850%	AF9
2014	220,000	4.800	4.950%	AG7
2015	230,000	4.900	5.050%	AH5
2016	240,000	5.000	5.150%	AJ1

† CUSIP stands for Committee on Uniform Securities Identification Procedures.

The contractor went out of business via bankruptcy. That contractor built some parts of the Hearthstone infrastructure, but it appears not everything that should have been done was done. The present area called Hearthstone is actually about a quarter of the size it was designed to be originally. The contractor did not finish the work.

The city recognized that this project depended upon the community being fully funded through the tax base. Hearthstone was built during a housing boom that did not last as some had expected. Many homeowners saw their homes go down in value and defaulted on payments. The money the city thought was going to come in did not come in as expected.

The city has willingly admitted that previous city officials did not make repairs and do upkeep of Hearthstone when it should have been done. They admit that years ago when they had money for the district they lost track of it. The city also is aware that they made a “punch list” of things needed to be done in March 2010 but did not do the work.

The bond company also went bankrupt, leaving investors and the city without expected money. Through legal procedures the city has been able to recover one million dollars (\$1,000,000) from the bankruptcy. The city is now willing to use that recovered money and about a half a million more dollars to do streets repairs and other infrastructure as needed. The city will not be able to do all that Hearthstone Community members are asking for, but will do all they can with the recovered funds as well as what they will add to that. The city has provided a new punch list of what needs to be done based on the 2017 inspection. The city expected to put out bids for these repairs in April 2017.

## **Independent Investigation:**

Members of the Grand Jury committee looking into the Hearthstone Community visited the area twice. The jury went up and down almost all of the streets in the Hearthstone district. We saw parts of streets that were crumbling, some sidewalks that were buckling, and at least one pipe that was jutting out. The pipe appeared to be a water drain pipe rather than a gas pipe. The jury committee took pictures of areas needing work. Some of those are included with this report.

It was noticed that there were some new paint markings (which the city said would be there) indicating where repairs are needed. It was also observed that there were old markings that looked to be years old at least. The committee spoke to one person who happened to be there at the same time. He was asked if he knew what the old markings were. He said that they had been there for about eight (8) years from when the city had previously said they would do repairs in Hearthstone.

The jury committee read a letter that was addressed to the then Calexico City Manager that indicates that the city was aware in November 2011 that they had received a bankruptcy settlement of a million dollars for the La Jolla Palms Blvd (see map on next page) portion of Hearthstone. The same letter recommended that the city would go ahead with the needed improvements to prevent further liability.

## **Conclusion:**

It appears that the City of Calexico failed the citizens of Hearthstone Community when they had a May 2009 punch list of things that were needed, and by November 2011 had not taken action to rectify the situation. The jury was unable to find any bids for Hearthstone projects.

The present city administration has owed up to where the city has failed in the past and has stated they will not only use the one million dollar bankruptcy settlement but add another approximate half a million to make things right as they can. The jury believes that this is the right thing to do. The city might not be financially secure enough to do all that is requested or even needed, but if they go through with the bids to do at least what was said they would do this time, it could go a long way to improve the safety of the streets and sidewalks in the Hearthstone Community. It may also improve relationships with the Hearthstone residents.

## **Findings:**

- F1** Based on what complainants have told the jury, what city officials have told the jury, and what was also discovered, it appears that the City of Calexico, under previous administrators, failed to make corrections and improvements in the Hearthstone CFD when it should have.
- F2** It appears that the City of Calexico had money in 2011 to repair and/or improve at least a part of Hearthstone CFD yet failed to do so. Losing track of money is not a sign of good management.
- F3** It appears that the City of Calexico made an error in their estimations of what would happen when the Hearthstone CFD was agreed to by the city in expanding Calexico. Funds were not available when needed.

**Recommendations:**

- R1** The Civil Grand Jury recommends that the City of Calexico follow through with what the city administration agreed that they would do, i.e., get bids and make the needed repairs to the Hearthstone CFD, including the unfinished entrance.
- R2** The Civil Grand Jury recommends that the City of Calexico keep much better track of spending money that was apparently meant for Hearthstone CFD or any other project. If the city does not have a good method of accounting for funds, then changes should be made to rectify that.
- R3** The Civil Grand Jury recommends that the City of Calexico be more cautious when planning or approving city expansion so that the same sort of situation does not happen again.

**Response Required:** The Civil Grand Jury requires a written response to this report from the City of Calexico within ninety (90) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.

*See the attached pictures on the following pages:*



Hearthstone Community (via Google Earth)



**Single entrance to Hearthstone Community**



**Unfinished second entrance / exit to Hearthstone Community**



**Partly blocked fire hydrant**



**Marked street repairs needed (recent)**



**Marked sidewalk repairs needed (recent)**



**Unmarked street repairs needed**



**Previously marked sidewalk repairs needed (unrepaired)**





## **Responses from 2015 – 2016 Civil Grand Jury Final Report**

*(following pages)*

President's Office  
Imperial Valley College  
380 E. Aten Road  
Imperial, CA 92251

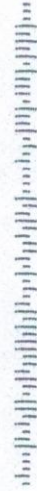
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Imperial County Civil Grand Jury  
P.O. Box 2011  
El Centro, CA 92244

92244-201111





**IMPERIAL VALLEY COLLEGE**

*Serving Imperial County*  
380 E. Aten Road, Imperial, CA 92251-0158

Phone 760.355.6219  
Fax 760.355.6461  
www.imperial.edu

**Imperial Community College District**

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Steven M. Taylor  
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Juanita Salas

**Superintendent/President**

Victor M. Jaime, Ed.D.  
victor.jaime@imperial.edu

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October 19, 2016

Imperial County Grand Jury  
Courthouse  
P.O. Box 2011  
El Centro, CA 92244

RE: Imperial Valley College Visit

Foreman Gill Rapoza:

Thank you for the report titled, *2015-2016 Imperial County Civil Grand Jury Final Report of Findings*. IVC is in receipt of the report and thanks the grand jury for the time that was taken during the visit and generating the report. College administration has reviewed the report and concurs with your findings. We reviewed your recommendations and we are taking appropriate action or consideration on each item to benefit our students and the community at large.

Should you have any questions, please contact me at (760) 355-6219.

Sincerely,

Victor M. Jaime, Ed.D.  
Superintendent/President

**PROBATION DEPARTMENT**  
324 Applestill Road  
El Centro, CA 92243

**RETURN SERVICE REQUESTED**

**PRESORTED  
FIRST CLASS**



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Imperial County Civil Grand Jury  
Attn: Gill Rapoza, Foreman of the Grand Jury  
P.O. Box 2011  
El Centro, CA 92244

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COUNTY OF IMPERIAL

DAN PRINCE  
Chief Probation Officer



PROBATION DEPARTMENT  
JUVENILE HALL

324 Applestill Rd.  
El Centro, CA 92243

(760) 339-6229  
(760) 352-8933 fax

PROBATION DEPARTMENT

August 2, 2016

Gill Rapoza, Foreman of the Grand Jury  
939 West Main Street  
El Centro, CA 92243

Re: 2015/2016 Imperial County Grand Jury Final Report

Dear Mr. Rapoza,

This letter is in response to the 2015/2016 Imperial County Grand Jury Inspection Report and Recommendations.

**Finding 1:** The PO's use their radios to report the status and locations throughout the day but no one monitors them; there is no dispatcher. If there was an emergency, the Pos would have to use another means such as their cell phones to communicate with their central office or police.

The Respondent agrees with the finding.

**Recommendation:** A plan be put in place to have someone monitor the radio traffic for the security of the PO's. This could be someone at a central desk such as the Juvenile Hall, in their own offices, or another department as appropriate.

**Response: The recommendation has been implemented.** Currently, funds are not available to contract with Sheriff's Office to dispatch for probation; probation officers contact the local law enforcement agency in that city to let them know that they will be contacting probationers. For officers who are out in the field after 5:00 p.m., Juvenile Hall Supervisors are dispatching for those officers.

**Finding 2:** Paperwork is a problem and getting bigger as data is required to be input on the clients into two databases, the state CWS and the local database. PO's must keep notes as they work with clients in remote locations throughout the day.

The Respondent agrees with the finding.

**Recommendation:** Technology can greatly increase the efficiency of the PO's and eliminate duplicate paperwork. It can also enable the Pos to make more thorough reports if input at the time rather than later in the day or week when they get back to the office. Photos, if required, can be taken as needed. The jury recommends the PO's have tablets to make notes and connect to databases. They can be used for many things to increase efficiency and better use of the PO's time.

**Response: The recommendation has been implemented.** Recently, support staff have been assigned to a specific placement officer's caseload for inputting of their monthly contact with both the youth and their parents. The support staff will enter that information into CWS/CMS (this is the data base for the California Department of Social Services /Child Welfare case management system) to ensure timely entry of contacts and reducing the duplication of paperwork. The Department has begun the process of purchasing and assigning additional tablets to officers so they may take advantage of the technology to increase efficiency.

**Finding 3:** While some services are provided through Behavioral Health Services, many needs of the clients are not being met in Imperial County. Some of these needs are being met by placements outside of Imperial County, but others are not met due to the lack of programs addressed to minors. Specifically, more preventive programs in the areas of drug and alcohol abuse, anger management, other mental health issues, and parenting are sorely needed. For example, there is no detox facility for minors in Imperial County, nor are there programs that address needs beyond the scope of our Behavioral Health Services Department.

The Respondent agrees with the finding.

**Recommendation:** The jury recommends funding through possible grants be researched to provide more needed programs addressing the needs of the juvenile probation clients in Imperial County. We also recommend other funding within the state and county budgets be examined to find ways to provide some of the programs necessary to allow the Po's clients to succeed and thus avoid prison as adults.

**Response: The recommendation has been implemented.** The Department has a Division Manager assigned to Special Projects, whose primary duties are to identify and apply for grants and other funding opportunities. Currently these include the Juvenile Justice Crime Prevention Act Grant, which allows the county to contract for an after-school program (Evening Learning Center) and a Mentoring and Tracking Program. The ELC provides youth with individual, group and family counseling as well as daily tutoring, athletics, a hot meal and parenting classes for family members. The Mentoring and Tracking Program provides a case manager assigned to each youth; services provided include referrals to counseling, transportation to Behavioral Health appointments, sponsoring youth in sport activities and assisting them in completing job applications. The YOBG (Youth Offender Block Grant) currently funds a gardening program at the Juvenile Hall, as well as a minibike project for at risk youth in partnership with the City of El Centro. Twice weekly alcohol and drug prevention classes are held at the Juvenile Hall as well. In September of this year, the Probation department will begin operating a Community Work Service program for juveniles referred for vandalism and other property offenses.

**Finding 4:** PO's know that their clients won't succeed if they miss court dates and appointments with health and behavioral services. The clients come from homes without cars or access to transportation. For these reasons, the PO's often provide the transportation necessary to get clients to the appointments.

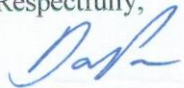
The Respondent agrees with the finding.

**Recommendation:** Consider establishing a program providing transportation vouchers to be used by clients to attend necessary appointments and services or an arrangement with IV Transit for a van or small bus transportation system that can be scheduled and relied on to be on time.

**Response:** Currently, Imperial Valley Transit provides transportation on a daily basis to the Probation Department, the Day Reporting Center and the county buildings located near our campus. In addition, Behavioral Health case managers, Mentoring and Tracking case managers and on occasion probation officers provide transportation.

If I may be of further assistance to the Grand Jury, please do not hesitate to contact me.

Respectfully,



Dan Prince  
Chief Probation Officer

cc: The Honorable Christopher J. Plourd, Superior Court Presiding Judge  
The Honorable Juan Ulloa, Juvenile Presiding Judge  
Jack Terrazas, Chairman of the Board of Supervisors

**NORMA SAIKHON**  
PUBLIC ADMINISTRATOR  
PUBLIC GUARDIAN  
PUBLIC CONSERVATOR  
AREA AGENCY ON AGING  
778 W. STATE ST.  
EL CENTRO, CA 92243

RETURN SERVICE REQUESTED

**RECEIVED**  
OCT 24 2016

SUPERIOR COURT  
COUNTY OF IMPERIAL

TAMMY L. GRIMM, CLERK

DEPUTY

BY

*4111 Rapoza, Foranran  
2015-2016 Imperial County  
Civil Grand Jury*



*Norma Saikhon*  
Public Administrator  
Public Guardian  
Public Conservator  
Area Agency on Aging



778 W. State Street  
El Centro, CA 92243  
Phone: (442) 265-7000  
Fax: (442) 265-7034  
normasaikhon@co.imperial.ca.us

July 26, 2016

*Attn: Gill Rapoza, Foreman  
2015-2016 Imperial County Civil  
Grand Jury*

Board of Supervisors  
County of Imperial  
County Executive Office  
940 W. Main Street  
El Centro, CA 92243

Re: 2015-2016 Imperial County Civil Grand Jury report titled **Imperial County Public Administrator-Conservator/Guardian**

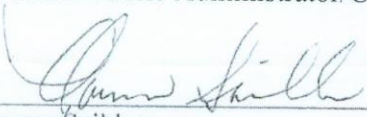
Dear Board of Supervisors:

Enclosed please find responses to the 2015-2016 Imperial County Civil Grand Jury report for the office of the Imperial County Public Administrator.

If you have any questions regarding this matter, please do not hesitate to let us know.

**IMPERIAL COUNTY PUBLIC ADMINISTRATOR/AREA AGENCY ON AGING**

Prepared by:  
Rosie Blankenship  
Assistant Public Administrator/Guardian/Conservator

  
\_\_\_\_\_  
Norma Saikhon  
Public Administrator/Guardian/Conservator  
Area Agency on Aging Director-PSA 24

cc: Ralph Cordova, Jr., County Executive Officer

## RESPONSE TO THE CIVIL GRAND JURY FINAL REPORT

COUNTY OF IMPERIAL - PUBLIC ADMINISTRATOR  
AREA AGENCY ON AING

**SUBJECT: 2015-2016 CIVIL GRAND JURY RECOMMENDATIONS FOR "IMPERIAL COUNTY PUBLIC ADMINISTRATOR-CONSERVATOR/GUARDIAN"**

### FINDING NO. 1

F1 DPA has an informal volunteer program reaching out to the colleges and unemployment departments for volunteers. It is not an intern program with any of the colleges, but has a more informal structure. Volunteers are trained to help primarily with clerical work. There seems to be a lot of paperwork required in this department. Technology might be able to reduce some of the paperwork load freeing up employees and volunteer-interns to spend more time with clients, perusing grants or developing new programs.

### RECOMMENDATION NO. 1

R1 DPA needs more staff to provide all the services needed for seniors in the County. This staff shortage could be filled by volunteer-interns that have an interest in working with the elderly or providing services the elderly need such as medical, legal and social services. We recommend an Internship program be considered and implemented, if appropriate, with the local colleges. A program where the student gets credit for the work they do at the DPA. These functions should include actual interaction with the seniors in the County and not just clerical work. This should attract students in the fields of medical, law, financial, education and general social services. In addition, we recommend the departments explore how other California counties have used technology to reduce the clerical workload.

### RESPONSE NO. 1

The DPA disagrees partially with the finding. The recommendation has been partially implemented. The DPA agrees that more staff is needed in the Department to provide all the services needed for seniors in the County. However, further clarification is herein provided to the Civil Grand Jury (CGJ) as it appears there is a misunderstanding on the clientele served by the DPA. Services under the DPA include persons other than seniors. The DPA serves a diverse population. It includes persons who have recently lost a loved one with indigent services, individuals with physical disabilities, developmental disabilities, mental illness, minors who's parent(s) have been determined by Social Security to be incapable of handling the minor(s) finances due to their legal status in the country or other determinants, and/or legally appointed dependent adults who are unable to care for themselves, their finances or who can't resist undue influence or fraud. There are 10 General Fund Employees serving programs under the Public Administrator/Public Guardian/Public Conservator (PA/PD/PC), which includes the Director, Assistant PA/PD/PC, three Deputies, three Fiscal Staff, an Estate Property Coordinator, and a Public Administrator-Guardian Assistant. Two of the employees in this area have been out for an extended period of time.

The Area Agency on Aging, which is a Division under the DPA, serves seniors 60 years of age and older, including their caregivers. The Area Agency on Aging has three (3) federal/state funded employees and two (2) volunteers managing the administration of the aging programs and fiscal responsibilities as required by the California Department of Aging, including coordinating Senior Transportation. Service Providers are contracted to provide Senior Nutrition (Congregate Meals and Home Delivered Meals), legal services, respite care, and health screenings and health education for seniors and their caregivers.

Both areas in the DPA need more staff to meet the needs of the growing population it serves. A reorganization of the DPA will be proposed for FY 17-18, which includes an increase in the number of Deputies, Fiscal and Clerical staff.

The DPA has established a formal volunteer program. However, it does not include all colleges. A Memorandum of Understanding was established with the Workforce Development Board and the Imperial County One-Stop Operating Consortium in 2013, under the Welfare-to-Work Program. Individuals coming from the Welfare-to-Work Program to the DPA are trained to provide clerical support. This extra help has proven to be very beneficial to the DPA.

Additionally, the DPA is on the Intern Site List for the University of Phoenix (2015) and Imperial Valley College (2014). The DPA is not on San Diego State University's (SDSU) Intern Site List because they failed to respond to our inquiry in 2015. However, we are currently working with SDSU's Associate Dean, Dr. Carlos Herrera, to add our agency to their Intern/Work Experience Site List.

Although the DPA is on the aforementioned Intern Site Lists, student interest with the DPA has been minimal to none. Experience has shown that when an Intern expresses interest in the DPA, because of the high degree of work involved and the limited time the intern has to work with the DPA, the Intern either resigns prior to completing their hours, transfers to another department/agency, or completes their hours and leaves an incomplete project. Too much staff time goes into training the intern that in the end, the program proves to be counter-productive thereby prolonging the delivery of service. Despite the shortfall, please note that the DPA will continue to work with Interns as we wholeheartedly support the educational advancement/experience of community students.

The DPA has an excellent client management/fiscal software program (Panoramic Software) that maintains all written events, periodic reviews, quarterly reports and attachments. The amount of paperwork produced has been reduced significantly because written reports are no longer printed for the hard copy file. The new process became effective in January 2016. If a report is needed, the report is then retrieved from the software program. This has proven to be very beneficial in reducing the size of files, the amount of time taken to file, and the amount of paper wasted.

#### FINDING NO. 2

F2 Additional funding is necessary to provide the quality programs needed in Imperial County including expanding such things as congregate meals, health clinics and preventing elder abuse.

#### RECOMMENDATION NO. 2

R2 The County recently hired a professional grant writer. We recommend the DPA meet with this individual and take advantage of their knowledge in preparing grant requests that will benefit the

seniors in Imperial County. We also recommend the DPA or Advisory Council reach out to contacts and representatives at the state level to procure a more equal share of funding.

RESPONSE NO. 2

The DPA agrees with the finding. The recommendation has been implemented. The DPA met with the grant writer on May 19, 2015, September 8, 2015 and again on July 18, 2016 to discuss the needs of the DPA. Senior Nutrition, transportation, respite care, health care, elder abuse and additional staffing have been topics of discussion. It wasn't until recent, that the grants writer was able to obtain grant information on two grants that are available for senior nutrition. One is with the Albert and Elaine Borchard Foundation for an average grant of \$5,000 and the second is with the Dorene and Lee Butler Family Foundation for \$100-\$17,000. Occasionally, larger grants are made. The DPA will continue to meet on a regular basis with the grant writer for grant opportunities.

Since July 2015, AAA staff and the AAA Advisory Council have been actively calling our Legislatures, writing letters as well as meeting with our state representatives to procure a more equal share of funding. Sadly, funding for senior programs is not only a state and local issue, but also extends nationally. Recently, through advocacy from the California Association of Area Agencies on Aging (C4A) and the National Association of Area Agencies on Aging (N4A), Governor Brown allocated an additional \$2 million in one-time only funds toward Senior Nutrition and \$1 million one-time only funds for the Ombudsman Program. Nationally, a \$5.3 million increase was seen in Title IIIB Support Services and \$5.8 million and \$8.1 million for Title IIIC Congregate and Home Delivered meals, respectively, all for the benefit of seniors and their caregivers. Locally this translates to \$18,788 more in state funds toward home delivered meals and \$2,124 for the Ombudsman Program. The breakdown of federal funds is still pending, but we anticipate receiving a response by late September of 2016.

FINDING NO. 3

F3 The Advisory Council for the Aging is not functioning as well as it could due to the number of vacancies on the Council.

RECOMMENDATION NO. 3

R3 Work with the County Board of Supervisors and other agencies that are supposed to have representatives on this Council to fill all of the vacancies so it can be fully functioning. Its image needs improvement so it will be considered more prestigious to be on and receive more publicity so it is known to residents of Imperial County.

RESPONSE NO. 3

The DPA disagrees partially with the finding. The recommendation requires further analysis. As noted in the CGJ report, there are 34 seats on the Advisory Council, 17 members and 17 alternates. The DPA started working with the Board of Supervisors in September 2015 to fill their member and alternate positions. Staff made presentations at service clubs, such as Kiwanis and Rotary, and held four (4) Public Hearings during the Area Plan update in March 2016, which included recruitment efforts for the AAA Advisory Council and other AAA programs. Since commencing the efforts to fill the vacant seats in September 2015, all member positions have been filled and 13 vacant alternate seats remain. A letter was sent to each Board of Supervisor on July 7, 2016 requesting they each fill their alternate position.

Appointments are pending. AAA Advisory Council members actively recruit for vacant positions in their respective sphere of influence.

Upon a quick review of the Area Plan, the California Federal Regulations (45CFR, Section 1321.57) and the California Code of Regulations [CCR Title 22, Chapter 3, Article 3, Section 7302(a)(12)] by staff, there appears to be no requirement to have alternate seats on the Advisory Council. This requirement appears to have been added to the AAA Advisory Council By-Laws many years ago because quorums were difficult to obtain. That is no longer the case due to the active membership. As a result, alternates quickly lose interest in serving since they are unable to vote. This has been an ongoing problem. County Counsel is currently reviewing this matter. The AAA By-Law Committee will consider removing alternate positions at a future meeting. We anticipate having this resolved by the end of the calendar year.

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NOV 03 2016  
BY TAMMY L. BRIMM, DEPUTY  
SUPERIOR COURT  
COUNTY OF INDIANAPOLIS

RESPONSES FROM:  
JAIL  
SOCIAL SERVICES  
BEHAVIORAL HEALTH  
CAMS HAS ONE  
PACKAGE



**IMPERIAL COUNTY SHERIFF'S OFFICE**

**RAYMOND LOERA**

SHERIFF•CORONER•MARSHAL



August 2, 2016

Honorable Board of Supervisors  
Board of Supervisors  
County of Imperial

Re: Response to Findings and Recommendations

Dear Honorable Board Members:

Our office is in receipt of the Imperial County Civil Grand Jury 2015-2016 Final Report of Findings.

We have reviewed the findings and recommendations and hope to address both satisfactorily in this response letter.

**Findings:**

**F1**

**Due to the age of the jail, some door mechanisms and possibly other physical areas that affect security are not what they need to be, such as painting.**

We agree with this finding.

**F2**

**Low numbers of female correctional officers.**

We agree with this finding.

**F3**

**There were only five beds available in the medical unit which did not seem to be enough for the increasing inmate population.**

We partially agree with this finding. We currently have a total of 10 medical beds, 1) female unit with 5 beds and 1) male unit with 5 beds. Even with a total of 10 bunks, it is not enough for the total population. The new Oren R. Fox Medium Security Detention Facility will offer an additional 4 beds that are gender neutral, dedicated for medical isolation and observation.

PEGGY PRICE  
DIRECTOR



2995 S. 4TH STREET • SUITE 105  
EL CENTRO, CA 92243  
TELEPHONE: (760) 337-6800

RESPONSE TO THE CIVIL GRAND JURY FINAL REPORT

COUNTY OF IMPERIAL – SOCIAL SERVICES

Children and Family Services

CalWORKs Self Sufficiency and Family Stabilization

SUBJECT: 2015-2016 CIVIL GRAND JURY RECOMMENDATIONS FOR SECTION TITLE

***The department respectfully notes the following in this response: a review of the Children and Family Services Division was conducted in November 2015. A review and response of the CalWORKs, Self Sufficiency and Family Stabilization program was conducted between January and September 2015. The narrative on page 37 references Child Family Support terminology, acronyms and information not relevant to Child Welfare or Children and Family Services (paragraphs 1,2,3,4 and 5).***

**RECOMMENDATION NO 1.**

The Civil Grand Jury recommends that Family Support Services hire more Social Workers so that their caseload is more manageable and children are not neglected because the caseworker is overloaded.

RESPONSE: Disagrees partially with the finding.

The report references breakdown of caseloads on page 36 of the Final Report of Findings. The breakdown of caseloads in each of the bullet points is per each Child Welfare Services (CWS) Social Worker (SW) in that program. The last bullet point references "approximately 98 per Social Worker." This is inaccurate as the caseload or workload per worker is the amount stated in each bullet point. For example, the Voluntary Family Maintenance (VFM) program has approximately 21 children per worker assigned per month (based on caseload count report provided to CGJ on November 23, 2015).

Agrees that more resources are necessary to support the Social Worker in providing services to the family. Child Welfare Social Workers must adhere to Welfare and Institutions Codes (WIC) and apply Division 31 Regulations Policies and Procedures. This includes regulation 31-320.1, .2, .3, .4, .5, .6 Social Worker Contacts with the Child. Assembly Bill 429, allows for staff in the Welfare to Work program to provide supportive services to parents with a court ordered Family Reunification plan. Staff was requested and approved under AB 429 and WIC 11203. The goal of these six Social Workers and four Social Service Assistants under the law is to support parents with work activities and supportive services in the reunification process. Caseloads in Family Reunification are 18 children per CWS Social Worker. This additional support for the parents allows the CWS Social Worker to focus on the children's needs during the contacts under WIC and Division 31 Regulations.

We expect full utilization and efficiency in the next 12 months due to hiring, training and implementation timeframes necessary for successful outcomes (increased and timely reunifications, fewer children in care and reduced re-entry in to foster care).

Other resources to support the CWS Social Workers caseload is with a new visitation unit. Three positions were approved to provide this service. Although visitations are specified in WIC 16501.1, an increase in court ordered visitations has been the experience over the past few years. This additional resource will provide the CWS Social Worker to focus on the Family Reunification case plan. We expect full utilization and efficiency in



the next 12 months due to hiring, training and implementation timeframes necessary for successful outcomes (increased and timely reunifications, fewer children in care and reduced re-entry in to foster care.

**RECOMMENDATION NO. 2**

The Civil Grand Jury recommends that a plan be instituted to use less qualified workers to assist in paper work or other duties required for each family's plan to allow SW's more time with each family.

RESPONSE: Agree

A lower level of staffing currently assigned is the Social Worker Assistants (Social Service Assistants - SSA). The SSA helps the Social Worker with tasks and responsibilities such as coordinating visits, transporting children and parents, completing placement paperwork and service plans for court ordered or recommended services such as counseling, substance abuse treatment and parent education. Support staff in the clerical classification could be utilized to assist with menial tasks that are time saving for the Social Worker.

Positions stated in recommendation No. 1 are intended to provide enhanced support to Social Workers; however, additional clerical staffing requested was not approved during the budget process. Upon release of fiscal allocations for Child Welfare programs, we will further assess resources as recommended in this report. It is anticipated that allocations will be released and published by November 2016.

**RECOMMENDATION NO. 3**

The Civil Grand Jury recommends that greater cooperation between agencies (Behavioral Health, Psychiatry, Health Department and Family Support Services) is necessary to serve the children of Imperial Valley and that cooperative effort be made on a monthly basis to improve these services.


RESPONSE: Agree

To the extent to ensure continuous quality improvement for program service delivery and timely access to services.

A monthly multi-disciplinary meeting currently exists between the Department heads for Behavioral Health, Social Services, Probation and the Juvenile Courts. A monthly meeting coordinated by the Deputy Directors of Child Welfare Services and Behavioral Health is in place as a result of the Katie A. Bonta federal class action lawsuit. The purpose of these meetings is to comply with the settlement agreement to ensure access and delivery of mental health services to children and youth.

An assessment for meetings with Family Support Services and Health Department would be beneficial to determine the need. Family Support Services is responsible for enforcement and collection of child support and determines paternity of parents whose children come within the Child Welfare System. The Health Department provides health related information documented in the case plan as required under the WIC and Division 31 Regulations. Internal Policies and Procedures exists between both departments to exchange information beneficial and as required for all parties. The Health Department has one Public Health Nurse assigned to the department and is co-located with Child Welfare Services staff.

Respectfully,



Peggy Price  
Director

**MICHAEL W. HORN, MFT**  
DIRECTOR OF  
BEHAVIORAL HEALTH SERVICES  
ALCOHOL & DRUG PROGRAM  
ADMINISTRATOR



**ANDREA KUHLEN, MPA**  
ASSISTANT DIRECTOR

202 N. Eighth Street, El Centro, CA 92243 • Tel: (442) 265-1525 • Fax: (442) 265-1637

**ACCOUNTING AND BUDGETING**

**Adolfo Estrada**  
Behavioral Health Manager  
202 N. Eighth Street Room 327  
El Centro, CA 92243  
Tel.: (442) 265-1625  
Fax: (442) 265-1635

July 28, 2016

**FISCAL SERVICES**

**Nancy Del Real, MPA**  
Behavioral Health Manager  
202 N. Eighth Street, Room 338  
El Centro, CA 92243  
Tel.: (442) 265-1585  
Fax: (442) 265-1638

Medical Records  
Tel.: (442) 265-1555  
Fax: (442) 265-1631

Information Systems  
Tel.: (442) 265-1586  
Fax: (442) 265-1638

Access / Eligibility  
Tel.: (442) 265-1525  
Fax: (442) 265-1638

FFS Claims/Payment Unit  
Tel.: (442) 265-1590  
Fax: (442) 265-1638

Insurance Billing/Collections  
Tel.: (442) 265-1597  
Fax: (442) 265-1638

**MANAGED CARE SERVICES**

**Isabel Chavez, CHC**  
Behavioral Health Manager  
202 N. Eighth Street, Room 229  
El Centro, CA 92243  
Tel.: (442) 265-1565  
Fax: (442) 265-1583

Compliance  
Hotline: 1-866-314-7240

Contracts  
Tel.: (442) 265-1560

Ethnic Services  
Tel.: (442) 265-1565

Outreach  
Tel.: (442) 265-1560

Patients' Rights/  
Beneficiary Protection  
Tel.: (442) 265-1561

Provider Certification  
Tel.: (442) 265-1565

Provider Relations  
Tel.: (442) 265-1565

Quality Management  
Tel.: (442) 265-1560  
Fax: (442) 265-1583

Staff Development  
Tel.: (442) 265-1560

Utilization Review/  
Payment Authorization  
Tel.: (442) 265-1547  
Fax: (442) 265-1584

Board of Supervisors  
County of Imperial  
940 West Main Street  
El Centro, CA 92243

RE: 2015-2016 Imperial County Civil Grand Jury Report Response – Imperial  
County Behavioral Health Services

Dear Board Members:

Pursuant to California Penal Code §933.05, please find attached the response from Imperial County Behavioral Health Services to the findings and recommendations of the 2015-2016 Imperial County Civil Grand Jury Final Report.

Respectfully submitted,

Michael W. Horn, MFT  
Director, Behavioral Health Services

AN EQUAL OPPORTUNITY /AFFIRMATIVE ACTION EMPLOYER

**FINDINGS:**

**F1:** *There is a lack of understanding between agencies and the general public as to the role of ICBHS in the community.*

**Response:** The Director of Behavioral Health Services agrees with the finding.

**F2:** *A spirit of cooperation needs to be reached between agencies which will allow for needed information to be shared within the confines of the HIPAA law.*

**Response:** The Director of Behavioral Health Services agrees with the finding.

**F3:** *The 24 hour hotline is not being manned in the manner reported. Many calls go unanswered.*

**Response:** The Director of Behavioral Health Services wholly disagrees with the finding.

**RECOMMENDATIONS:**

**R1.** *ICBHS should develop a plan to inform other agencies, as well as the general public, of the role of ICBHS in the community, including their limitations.*

**Response:** This recommendation has been implemented.

It is true that there is a lack of understanding between some agencies and possibly in the general public as to the role of ICBHS in the community. For this reason, ICBHS has devoted a significant amount of time within the past several years in providing outreach efforts to the community as well as to specific community agencies.

Outreach efforts include a media outreach component which consists of a weekly wellness radio show in both English and Spanish. The radio show is broadcast on KXO and KROP, available on demand and by podcast. The goal of the radio show is to distribute information about services provided by ICBHS and to expand mental health awareness in the community.

Since its inception in 2009, the Anti-Stigma Campaign strives to make positive changes to the public perception of mental illness and to inform the community about the personal, social, economic, and political challenges faced by person with mental illness. The campaign involves television and radio public service announcements, print in local magazines and newspapers, and posters in bus stops. The focus of the campaign is to provide information about mental health problems, recovery, and tips on how one can support one's family member or friend who is living with mental illness.

ICBHS has also launched a new website, <http://www.co.imperial.ca.us/behavioralhealth/index.asp>, providing user friendly access to information regarding services provided by ICBHS. Podcasts of the department's past radio shows are available on the website for the community to listen to at any time.

The Outreach and Engagement Unit provides outreach efforts throughout Imperial County including participation in different health fairs and presentations at schools and local community-based organizations. For Fiscal Year 15/16 alone, the Outreach and Engagement Unit conducted a total of 389 outreach activities. In addition to the outreach activities conducted by the Outreach and Engagement Unit, the following outreach efforts were conducted by clinical staff during Fiscal Year 15/16:

Outreach Efforts Fiscal Year 15/16			
Date	Type of Outreach	Topic	Location/Target Audience
		Crisis Desk Admission Criteria and Referral Process for Transitional Engagement and Supportive Services (TESS) Program	
6/24/16	Presentation	Available services and referral process	Calexico Police Department
6/08/16	Meeting	Available services and referral process	Southwest High School Assistant Principal
6/06/16	Meeting	Available services and referral process	San Pasqual High School Personnel
6/02/16	Meeting	Available services and referral process	Heber School District Personnel
5/23/16	Presentation	Available services and referral process	El Centro Unified School District
5/25/16	Meeting	Available services and referral process	El Centro Clinicas de Salud Staff
			Imperial County Department of Social Services/First Annual Summit on Human Trafficking and commercial Sexual Exploitation of Children
5/25/16	Presentation	Available services and referral process	Senior Wellness Fair/Calexico
5/18/16	Presentation	Available services and referral process	Southwest High School Counselor
5/17/16	Meeting	Available services and referral process	Calexico Unified School District
5/10/16	Presentation	Available services and referral process	
5/06/16	Presentation	Mental health, available services and referral process	Imperial Valley Islamic Center
5/05/16	Presentation	Available services and referral process	Children Mental Health Awareness Fair
		Mental Health, available services and referral process	
4/25/16	Meeting	Available services and referral process	El Centro Mosque
			Parent and Teen Conference Resource Event /General Population
4/22/16	Informational Booth	Available services and referral process	Imperial Valley College/Faculty and Academic Counselors
4/20/16	Presentation	Available services and referral process	Imperial County Probation Department: First Annual Adult Reentry Summit
4/06/16	Presentation	Available services and referral process	
		Mental Health, available services and referral process	
4/05/16	Meeting	Overview of Drug Medi-Cal Organized Delivery System (DMC-ODS)	El Centro Mosque
4/04/16	Presentation	Overview of Drug Medi-Cal Organized Delivery System (DMC-ODS)	Calexico Community Forum/General Population
			Self-Management and Recovery Training (SMART Recovery) Meeting/ Community Members Support Group for Alcohol and/or Drug Use
4/18/16	Presentation	Overview of Drug Medi-Cal Organized Delivery System (DMC-ODS)	

10/09/15	Informational Booth	Available services and referral process	Lesbian, Gay, Bisexual, Transgender (LGBT) Center Grand Opening/LGBT Center Participants and General Population
10/15/15	Meeting	Available services and referral process	LGBT Center Board Members
10/23/15	Presentation	Available services and referral process	Imperial County Office of Education: AmeriCorps
10/21/15	Informational Booth	Available services and referral process	Woman Haven Center for Family Solutions/12 <sup>th</sup> Annual March Against Domestic Violence
9/10/15	Material Dissemination	Available services and referral process	Holtville Middle School "Back to School" Event
9/16/15	Informational Booth	Available services and referral process	Seeley Community Resource Fair/General Population
9/24/15	Informational Booth	Available services and referral process	Imperial Valley Mall Latino Health Fair/General Population
8/27/15	Informational Booth	Available services and referral process	San Pasqual High School "Back to School" Event/General Population
8/28/15	Informational Booth	Available services and referral process	Imperial Valley College Event/General Population
8/25/15	Presentation	Available services and referral process	Sure Helpline Crisis Center
8/19/15	Presentation	Available services and referral process	California Highway Patrol
8/19/15	Presentation	Available services and referral process	Planned Parenthood
8/05/15	Presentation	Available services and referral process	California Highway Patrol
7/25/15	Informational Booth	Available services and referral process	Resource Fair Event/General Population
7/23/15	Presentation	Available services and referral process	California Highway Patrol
7/23/15	Presentation	Available services and referral process	Imperial County Probation Department/ Juvenile and Adult Probation Officers
7/18/15	Informational Booth	Available services and referral process	McDonald's Back Pack Saturday/General Population
7/08/15	Presentation	Available services and referral process	Homeless Connect Community Resource Fair/Bombay Beach
7/01/15	Presentation	Available services and referral process	University of Phoenix Human Services Dept.

Also, ICBHS has committed to improving the working relationship with various community agencies in order to best serve the individuals who seek treatment through ICBHS. In order to best serve the community, contracts and memorandums of understanding (MOU) with various agencies have been executed to ensure that each party is clear on their specific roles and responsibilities. Each contract specifically identifies a section related to "Confidentiality" and "HIPAA" and also includes a 7 page "Business Associate Agreement" which outlines the restrictions related to HIPAA (Health Insurance Portability and Accountability Act) and the HITECH (Health Information Technology for Economic and Clinical Health) Act. A list of current contracts and MOUs between ICBHS and community agencies are listed below:

Current MOUs in Effect with Partner Provider Agencies			
<u>Agency</u>	<u>Date MOU in Effect</u>	<u>Summary of Relationship</u>	<u>Current Data Sharing Referrals, summary of initial clinical assessment, and subclass verification.</u>
Department of Social Services	2013	Provision of services under Katie A	

Special Education Local Plan Area (SELPA)	2001	Provision of Mental Health Services to Special Ed Students	Sharing of referrals and treatment information on mutual clients
Brawley Union High School	1995	Alcohol and Drug Counseling to students and/or families	Coordination of referrals and monthly status report
Calexico Unified School District	1995	Alcohol and Drug Counseling to students and/or families	Coordination of referrals and monthly status report
Imperial County Office of Education School-Alternative Education	1995	Alcohol and Drug Counseling to students and/or families	Coordination of referrals and monthly status report
Central Union High School	1995	Alcohol and Drug Counseling to students and/or families	Coordination of referrals and monthly status report
Imperial Valley College	2010	Outreach services, academic advising and support services	Referral, coordination and monitoring of service delivery
Imperial Valley Regional Occupational Program	2010	Basic employment skills training, life skills training, social activities training	Referral, coordination and monitoring of service delivery
Imperial Valley Regional Occupational Program- ALTO	2013	General Education Development (GED) preparation classes	Referral, coordination and monitoring of service delivery
Clinicas de Salud del Pueblo	2014	Perform medical clearance	Sharing of referrals and treatment information on mutual clients
Imperial County Probation Department	2008	Specialty Mental Health Services to high risk offenders	Sharing of referrals and treatment information on mutual clients
Imperial County Probation Department	2006	Alcohol and Drug Services to high risk offenders	Sharing of referrals and treatment information on mutual clients
Fitness Oasis	2010	Fitness training and guidance	Referral, coordination and monitoring of service delivery
Animals Plus	2012	Horsemanship services to promote individual's life skills	Referral, coordination and monitoring of service delivery
Department of Rehabilitation (DOR)	2010	Assessment/evaluation of referrals to Work Training Center	Referral, coordination and monitoring of service delivery
McAlister Institute	2012	Collaboration and coordination of referrals	Referral, coordination and monitoring of service delivery
Sober Living MOU Draft	Draft/ 2016	Coordination of referrals	Referral, coordination and monitoring of service delivery
San Diego Regional Center	2001	Collaboration and Coordination of Referrals	Sharing of referrals and treatment information on mutual clients
Calexico Unified School District	2004	Staffing of Vista Sands Program	Sharing of referrals and treatment information on mutual clients
Riverside Office of Education Migrant Head Start	2007	Coordination of referrals and provision of specialty mental health services to eligible children	Referral, coordination and monitoring of service delivery
Blue Cross of California	2007	Referral protocols, consultation/care coordination, exchange of information, provider education and services to SED children	Referral, coordination and monitoring of service delivery
El Centro Elementary School	2007	Families and Children Together (FACT). To	

District and Department of Social Services		meet the health, mental health, social services, and academic support needs of students, families and community through prevention, early intervention, assessment, referrals, and support services San Pasqual Family Resource Center (FRC). Student Well Being and Family Resource Center, ICBHS, Imperial County Department of Social Services, Imperial County Probation Department, and Imperial County Public Health Services	Referral, coordination and monitoring of service delivery
Imperial County Office of Education	2003	Coordination of referral and establishing network system	Referral, coordination and monitoring of service delivery
Court Appointed Special Advocate (CASA)	2006	Coordination of services	Referral, coordination and monitoring of service delivery
California Health and Wellness	2013	Coordination services	Referral, coordination and monitoring of service delivery
Molina Special Education Local Plan Area (SELPA) and School Districts	2015	Adolescent Habilitative Learning Program. Provision of mental health and education services to adolescents age 13 to 17 whose emotional/behavioral disturbances prevent them from maximizing their learning and functioning capabilities in regular classroom settings.	Referral, coordination and monitoring of service delivery
	1998	Provision of Behavior Modification Program on school campus (Vista Sands)	Referral, coordination and treatment planning for mutual clients.
Calexico Unified School District	1991	Provision of Behavior Modification Program on school campus (Vista Sands)	Referral, coordination and treatment planning for mutual clients.
Brawley Unified School District	1995	Provision of Behavior Modification Program on school campus (Vista Sands)	Referral, coordination and treatment planning for mutual clients.
El Centro Unified School District	1995	Provision of Behavior Modification Program on school campus (Vista Sands)	Referral, coordination and treatment planning for mutual clients.
Special Education Local Plan Area (SELPA) and School Districts	2015	Provides for three part-time staff to be assigned to the three Vista Sands programs	Referral, coordination and treatment planning for mutual clients.
Imperial Valley Regional Occupational Program (IVROP)	2016	Provides for one IVROP staff to run Moral Reconation Groups (MRT) in the county jail for inmates Provision of community awareness and information dissemination involving mental health services	Referral, coordination, implementation of MRT and monitoring fidelity of the treatment model through ongoing consultation
Woman Haven, Inc.	2013	Provision of emergency shelter assistance to single women and/or women with children who are homeless and in need of placement	Referral and coordination of services
Woman Haven, Inc.	2013		Referral and coordination of services

**R2.** *Cooperation between agencies can only be obtained by open communication between the Directors of said agencies. In view of this statement this CGJ recommends that a top-level panel be instituted to meet monthly, and work out policies and procedures for cooperation within these agencies. Guidelines need to be set for cooperation regarding HIPAA Waivers and other necessary paperwork.*

**Response:** This recommendation has been implemented.

To improve communication between agencies, while still adhering to HIPAA and HITECH regulations, ICBHS' top-level staff currently attends regular meetings with various agencies to review the effectiveness of existing processes and in some instances, for treatment planning. This is all done within the confines of HIPAA.

- **Monthly Management Meeting Between ICBHS and IC Probation**  
Effective 2013, management staff from both ICBHS Youth and Young Adult Services (YAYA) and Imperial County Probation Management began meeting on a monthly basis to review progress/concerns with the existing MOU and referral protocol. This meeting has been useful in clarifying each agencies roles and responsibilities as well as reviewing and effectively working through HIPAA regulations. This has assisted in improving communication and expediting the referral process (individuals referred from Juvenile Hall to ICBHS). This meeting has further allowed for an increased working collaboration between the two agencies resulting in the development of a Suicide Prevention Plan and ICBHS staff participating in the Quality Assurance Committee Meeting composed of Juvenile Hall administration and their medical services staff. ICBHS has also assisted Juvenile Hall staff in the development of a procedure that identifies levels of supervision for those incarcerated youth that present risk for self-harm. In addition, Imperial County Probation has been invited to several trainings that include Juvenile Offenders, Applied Suicide Intervention Skills, and Non-Violent Crisis Intervention to help them gain knowledge and understanding on proper interventions when working with youth who present problem behaviors or are at risk of suicide.
- **Weekly Probation Multi-Disciplinary Team Meeting**  
A licensed Marriage and Family Therapist from ICBHS, and a Program Supervisor as needed, attends the weekly Multi-Disciplinary Services Team (MDST) meeting. This meeting is comprised of staff from county Probation, Department of Social Services, Behavioral Health, minor clients and their families. The purpose of the MDST is to have the agencies work together in determining the best treatment and placement for individuals on probation. Through the efforts of the MDST, protocols have been established to allow for the sharing of information between agencies while still adhering to HIPAA regulations.



- **Collaboration Between ICBHS and Imperial County Office of Education (ICOE)**

ICBHS Youth and Young Adult Services management staff has been working closely with Imperial County Office of Education (ICOE) and Imperial County Probation Department (ICPD) for the purpose of identifying and referring students who are at risk or currently involved in the juvenile justice system and are in need of mental health services. As part of these collaborative efforts, an ICBHS clinician has been assigned part-time to the Alternative Education School located in the city of El Centro to conduct intake assessments for these students. ICBHS and ICOE developed a protocol that defines the process of referring students for mental health services. Currently, management staff from both agencies are working on strategies to increase the number of referrals.

- **Monthly Meeting with County Department Heads and Court System**

In 2014, the juvenile court judge, and county department heads and management staff from the following agencies began meeting to review the effectiveness of existing policies, procedures, protocols, which has assisted in improving the communication between agencies: Office of Education, Probation Department, Department of Social Services, and Behavioral Health Services.

- **Monthly Meeting Between ICBHS and Imperial County Department of Social Services**

Effective August 15, 2013, management staff from ICBHS, Imperial County Department of Social Services (ICDSS), and stakeholders began to meet monthly to plan and implement intensive care coordination and intensive home-based services for the high-risk population (Katie A. services). These joint meetings have been useful in clarifying each agencies role and responsibilities in the Katie A. process. Both agencies have been using existing structures and staff skills to develop policies and procedures to implement Katie A. requirements. During these joint meetings, stakeholders actively participate in the decision-making process and provide input and feedback to ICBHS and ICDSS. ICBHS and ICDSS collaboratively developed a process for screening all children/youth that enter the children welfare system for mental health services using the Mental Health Screening Tool (MHST).

- **Joint Trainings Between ICBHS and Imperial County Department of Social Services (ICDSS)**

ICBHS and ICDSS have worked together to develop cross trainings to better understand each other's systems, practices, and applicable laws and regulations. Through these joint training both agencies have built a collaborative relationship enabling delivery of family-centered services. ICDSS and ICBHS have developed training for staff regarding Katie A. protocols, policies, procedures, and program implementation. Staff from

- **Collaboration Between ICBHS and Imperial County Office of Education (ICOE)**  
 ICBHS Youth and Young Adult Services management staff has been working closely with Imperial County Office of Education (ICOE) and Imperial County Probation Department (ICPD) for the purpose of identifying and referring students who are at risk or currently involved in the juvenile justice system and are in need of mental health services. As part of these collaborative efforts, an ICBHS clinician has been assigned part-time to the Alternative Education School located in the city of El Centro to conduct intake assessments for these students. ICBHS and ICOE developed a protocol that defines the process of referring students for mental health services. Currently, management staff from both agencies are working on strategies to increase the number of referrals.
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 In 2014, the juvenile court judge, and county department heads and management staff from the following agencies began meeting to review the effectiveness of existing policies, procedures, protocols, which has assisted in improving the communication between agencies: Office of Education, Probation Department, Department of Social Services, and Behavioral Health Services.
- **Monthly Meeting Between ICBHS and Imperial County Department of Social Services**  
 Effective August 15, 2013, management staff from ICBHS, Imperial County Department of Social Services (ICDSS), and stakeholders began to meet monthly to plan and implement intensive care coordination and intensive home-based services for the high-risk population (Katie A. services). These joint meetings have been useful in clarifying each agencies role and responsibilities in the Katie A. process. Both agencies have been using existing structures and staff skills to develop policies and procedures to implement Katie A. requirements. During these joint meetings, stakeholders actively participate in the decision-making process and provide input and feedback to ICBHS and ICDSS. ICBHS and ICDSS collaboratively developed a process for screening all children/youth that enter the children welfare system for mental health services using the Mental Health Screening Tool (MHST).
- **Joint Trainings Between ICBHS and Imperial County Department of Social Services (ICDSS)**  
 ICBHS and ICDSS have worked together to develop cross trainings to better understand each other's systems, practices, and applicable laws and regulations. Through these joint training both agencies have built a collaborative relationship enabling delivery of family-centered services. ICDSS and ICBHS have developed training for staff regarding Katie A. protocols, policies, procedures, and program implementation. Staff from

both agencies continues to receive ongoing training in multiples topics related to Katie A. service delivery including values and principles of the Core Practice Model (CPM) and facilitation of Child Family Team meetings (CFT). ICBHS and ICDD had a joint training for staff on October 12, 2015.

- **Mental Health Services Act (MHSA) Steering Committee**

The Mental Health Services Act (MHSA) Steering Committee meets on a quarterly basis to provide input and recommendations to the department and community regarding the populations to be targeted for services under MHSA funding and evidence-based practices that would address issues and needs identified in the community. The committee is informed and directly involved by providing ongoing planning, monitoring, and oversight of the MHSA Program planning, development, and implementation. All stakeholder meetings are held at the ICBHS El Centro Recovery Center Program in order to encourage consumer and family member attendance. Additionally, interpreter services are provided to ensure monolingual Spanish speakers are able to fully participate in the community program planning process.

- **Imperial County Transportation Commission-Social Service Advisory Council**

The IC Transportation Commission seeks community input and participation through the Advisory Council in the course of developing plans, policies and procedures designed to meet the transportation needs throughout the county. The Advisory Council meets to discuss the transportation needs for special populations within Imperial County which includes the older adult and disabled populations. ICBHS participates in this meeting to represent and advocate for the transportation needs of the mentally disabled. Many of the clients at ICBHS depend on public transportation to ensure that they receive treatment. It is in the clients' interests to have access to public transportation to maintain their recovery.

- **Imperial County Homeless Task Force**

ICBHS participates in monthly meetings held by the Imperial County Homeless Task Force. These meetings are intended to address the needs of the homeless population which includes multi-agency collaboration, information, referral and resources. A portion of the homeless population are mentally ill and are in need of treatment services. ICBHS collaborates with county agencies in order to expand efforts to engage and serve the homeless mentally ill. Information regarding the Homeless PATH Grant, MHSA Full Service Partnerships and Las Brisas Housing is made available to all participating agencies.

- **Imperial County Department of Social Services Adult Protective Services Multi- Disciplinary Team**  
 ICBHS participates in the Multi-Disciplinary Team meeting which consists of representatives from the Department of Social Services-Adult Protective Services, Probation, Law Enforcement, Hospitals, Public Health, and Public Administration. These meetings address extremely complex adult cases which have proven challenging for all participating agencies to address. These individuals often present with serious medical, mental, family, and legal issues. The purpose of these meetings is to collaborate, share resources, and develop strategies to intervene with these adults. During these meetings ICBHS has been able to inform and educate about the services that can be provided within the boundaries of HIPAA regulations.
- **Imperial County Public Administrator Meetings**  
 ICBHS meets quarterly with the staff at the Public Administration Office to discuss issues pertaining to Representative Payee services for LPS Conservatees who are the responsibility of ICBHS. These meetings ensure a continuity of financial services for Conservatees who are in placement.
- **County Counsel Meetings**  
 ICBHS Forensics Unit staff meets with County Counsel each week to prepare for court hearings associated with LPS Conservatorships. Hearings consist of permanent conservatorships, objections to reappointment, case reviews and other legal issues which pertain to the care and treatment of conservatees.
- **Department of Rehabilitation Meetings**  
 ICBHS contracts with the Department of Rehabilitation to provide vocational evaluation, training and placement of clients who desire to enter the workforce. These monthly meetings focus on the coordination of referrals, client participation and status within the program and performance outcomes.
- **Imperial Valley Regional Occupational Program**  
 ICBHS contracts with IVROP to provide independent living skills training, GED instruction, Pre-employment readiness, social skills development and other specialized activities designed to encourage and motivate clients towards achieving their recovery goals. These bi-monthly meetings are designed to coordinate services, review program outcomes, discuss individual cases which need individualized services.
- **San Diego Regional Center Meetings**  
 The clinical Deputy Directors and San Diego Regional Center management staff meet quarterly to discuss progress and/or concerns with the current memorandum of understanding and protocols between the two agencies. As

needed, difficult cases are discussed and followed up on while also adhering to HIPAA regulations.

- **Imperial County Sheriff Office – Community Corrections Partnership (CCP) & Executive Board – Inmate Mental Health Committee Meeting:**  
Imperial County Behavioral Health Services has been an active participant since January 22, 2016 and every month thereafter. This meeting evolved from The Stepping Up Initiative which focuses on “reducing mental illness in rural jails.” ICBHS participation involves educating Imperial County Sheriff Office administrators and stakeholders such as Clinicas De Salud Del Pueblo, Public Defender Office, Adult Probation Re-Entry Officer, Mexican Council, NAMI, Sober Living, Imperial Valley LGBT Resource Center among other stakeholders on topics such as mental illness, available mental health outreach and engagement services within the County Jail system through Imperial County Behavioral Health Services (ICBHS) as well as its referral process. Additionally, the goal of ICBHS is to work in collaboration with Imperial County Jail in order to develop effective protocols and provide mental health services to individuals who have recently been release from the criminal justice system and are in need of mental health and / or other community services.
- **California Forensic Medical Group Inc. Quality Assurance / Peer Review Committee - Imperial County Jail Medical Services - Quarterly Meeting**  
ICBHS participates in these quarterly meetings. The role of ICBHS is to provide an update of the outreach and engagement services delivered to individuals while incarcerated and educate on the linkage to mental health and / or other community services upon his / her release from County Jail. The goal is to work in collaboration with a multi-disciplinary team that involves El Centro Regional Medical Center (ECRMC), Local Law Enforcement, Sheriff Department, Health Department, etc.
- **Local Community Hospital Emergency Rooms and Law Enforcement Meetings**  
ICBHS, law enforcement and local hospitals are part of these meetings with the purpose of working in collaboration to assist individuals who are in need of emergency mental health services. During these meetings the ER and Law Enforcement are educated about ICBHS services, referral process and other community resources. Additionally, the objective of these meetings is to develop effective protocols to better assist individuals who are in distress and in need of mental health services.
- **ICBHS & Imperial County Jail – Monthly Meetings**  
ICBHS meets with Imperial County Jail and the California Forensic Medical Group representatives on a monthly basis. The goal of these meetings is to educate on ICBHS services and linkage process for individuals coming out of the criminal justice system. ICBHS provides

information on upcoming trainings such at MHFA, SAFE Talk and ASIST. Together, we identify potential barriers and develop alternative plans to ensure individuals who are in need of mental health and / or other community services are appropriately linked to such services upon release from County Jail. The meeting is open for discussion to address any questions / concerns; all with the objective of increasing collaboration.

**R3.** *The hotline needs to be manned 24 hours a day.*

**Response:** This recommendation has been fully implemented.

The California Code of Regulations, Title 9, Chapter 11, Section 1810.410(d)(1) specifies: "Each MHP shall provide: a statewide, toll-free telephone number available 24 hours a day, seven days a week, with language capacity in all the languages spoken by the beneficiaries of the MHP as required by Section 1810.405(d)." Behavioral Health Services is the mental health plan (MHP) in Imperial County.

The Behavioral Health Services' Access line is available 24 hours/7 days a week and is operated by Behavioral Health Services staff. All calls come in through 442-265-1525 line.

During business hours (8 a.m. to 5 p.m.) there are twelve (12) designated staff to answer the phone. The phone system is set up in two workgroups; the 1525 (Switchboard) and the 7954 (Other Access staff). Incoming calls are answered by the 1525 primary phone group. If staff are on the line or are unavailable to take the call, then the call will roll to the 7954 phone group.

At the end of the business day including weekends and holidays, the phone system is programmed to auto transfer both the 1525 and 7954 workgroups to an after-hours assigned workgroup that is assigned to two cell phones. These phones roll over to each other should one staff be answering a call.

Behavioral Health Services' Quality Management (QM) Unit randomly monitors the statewide 24 hour toll-free telephone line to ensure it is available 24 hours a day, seven days per week. The QM Unit also monitors if the staff answering the call is able to provide: 1) information in the beneficiary's primary language, 2) information on how to access specialty mental health services including services needed to treat urgent conditions; and, 3) information on how to use the beneficiary problem resolution and fair hearing processes. During July 1, 2015, through June 20, 2016, a total of forty-nine (49) test calls were conducted by the QM Unit. Twenty-one (21) calls were made during business hours and twenty-eight (28) calls were made after hours. All calls were answered.

During the Department of Health Care Services' (DHCS) triennial onsite review of Imperial County Mental Health Plan's implementation of Medi-Cal Specialty Mental Health Services in March 2016, the DHCS review team made seven (7) calls to test the MHP's 24/7 toll-free line. All seven (7) calls were deemed in compliance with the regulatory requirement.

COUNTY EXECUTIVE OFFICE

**Ralph Cordova Jr.**  
County Executive Officer



County Administration Center  
940 Main Street, Suite 208  
El Centro, CA 92243  
442-265-1001 Tel  
760-352-7876 Fax  
ralphcordova@co.imperial.ca.us  
www.co.imperial.ca.us

November 11, 2016

Civil Grand Jury  
County of Imperial  
El Centro, CA 92243

SUBJECT: RESPONSES TO THE 2015-16 CIVIL GRAND JURY FINAL REPORT RECOMMENDATIONS

Civil Grand Jury,

Section 933 (b) of the California Penal Code establishes that the county board of supervisors shall comment on grand jury findings and recommendations which pertain to county government matters under control of those boards.

On June 15, 2016, the 2015-2016 County of Imperial Civil Grand Jury released its Final Report containing findings and recommendations directed to various County and non-County agencies. Such responses are attached. In accordance with California Penal Code Section 933 (b), the following departments have submitted responses to the 2015-16 County of Imperial Civil Grand Jury Final Report. Should you have any questions, please contact me at 442-265-1001.

ATTACHMENT	DEPARTMENT
A	Behavioral Health
B	Public Administrator/ Area Agency on Aging
C	Probation
D	Sheriff
E	Social Services
F	No Response Required

Sincerely,

Ralph Cordova, Jr.  
County Executive Officer

cc: Imperial County Superior Court

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER





# BOARD AGENDA FACT SHEET

CLERK USE ONLY  
BOS ACTION  
# \_\_\_\_\_

County Executive Office  
Department / Agency

October 18, 2016  
Requested Board Date

1. Request:

Board Approval

x

Information Only/Presentation  
Schedule Hearing Time: \_\_\_\_\_


Other (specify) \_\_\_\_\_

2. Requested Action: Type requested action below

Discussion/Approval of County's Responses to the Findings and Recommendations of the 2015-16 Civil Grand Jury Final Report, and the transmittal of responses to the Civil Grand Jury, as well as the Superior Court, upon approval by the Board.

3. Cost \$ \_\_\_\_\_ Source: \_\_\_\_\_

4. If approval of Contract, reviewed/approved by County Council on: \_\_\_\_\_

By: \_\_\_\_\_ Action Request # \_\_\_\_\_  
*Assigned by County Counsel's Office*

5. If approval of position allocation change, approved by Human Resources on: \_\_\_\_\_

By: \_\_\_\_\_

6. Electronic copy submittal date: \_\_\_\_\_ By: \_\_\_\_\_

*[Signature]*  
Department Head/Agency Representative

**INSTRUCTIONS:** Back-up must be submitted 11 BUSINESS days prior to requested date. Back-up submitted must contain an Original and 6 copies. Copies must be submitted double sided and three (3) hole punched. Back-up must be submitted in a PDF format to cobstaff@co.imperial.ca.us.

CEO/CLERK USE ONLY:

DATE STAMP


BOARD DATE: 11/1/16

Action  Filing \_\_\_\_\_

Consent  Presentation \_\_\_\_\_

Hearing \_\_\_\_\_ CEO Approval \_\_\_\_\_

Other (specify) \_\_\_\_\_

*[Signature]* 10/27/16  
CEO Date

COUNTY EXECUTIVE OFFICE

**Ralph Cordova Jr.**  
County Executive Officer



County Administration Center  
940 Main Street, Suite 208  
El Centro, CA 92243  
442-265-1001 Tel  
760-352-7876 Fax  
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October 17, 2016

Board of Supervisors  
County of Imperial  
El Centro, CA 92243

SUBJECT: RESPONSES TO THE 2015-16 CIVIL GRAND JURY FINAL REPORT RECOMMENDATIONS

Honorable Board Members,

Section 933 (b) of the California Penal Code establishes that the county board of supervisors shall comment on grand jury findings and recommendations which pertain to county government matters under control of those boards.

On June 15, 2016, the 2015-2016 County of Imperial Civil Grand Jury released its Final Report containing findings and recommendations directed to various County and non-County agencies. County department heads have reported back on the Civil Grand Jury recommendations and these responses are attached as the County's official response to the 2015-2016 Civil Grand Jury Final Report.

Recommendations that make reference to non-County agencies have been referred directly by the Civil Grand Jury to those entities.

Certain Civil Grand Jury recommendations require additional financing resources. In some cases, financing has been approved by the Board in the current fiscal year budget. Departments will assess the need for additional funding during the 2015-16 budget cycle and beyond, as appropriate.

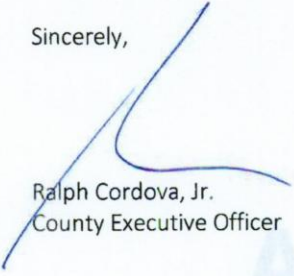
In accordance with California Penal Code Section 933 (b), the following departments have submitted responses to the 2015-16 County of Imperial Civil Grand Jury Final Report.

ATTACHMENT	DEPARTMENT
A	Behavioral Health
B	Public Administrator/ Area Agency on Aging
C	Probation
D	Sheriff
E	Social Services
F	No Response Required

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Thus, it is respectfully requested that the Board of Supervisors consider the approval of County's responses to the findings and recommendations of the 2015-16 Civil Grand Jury Final Report, and the transmittal of responses to the Civil Grand Jury, as well as the Superior Court, upon approval by the Board.

Sincerely,



Ralph Cordova, Jr.  
County Executive Officer

ATTACHMENT A

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

**End of Report**

*///*