



SUMMARY OF RESPONSES TO THE FINAL REPORTS OF THE 2015-2016 SAN MATEO COUNTY CIVIL GRAND JURY

[Background](#) | [Summary of Responses](#) | [Appendix A](#)

BACKGROUND

California Penal Code Section 933(a) requires the Grand Jury to “submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year.” Section 933(c) requires comments from the governing body, elected county officers, or agency heads to the presiding judge of the superior court on the findings and recommendations within the required period of time. Governing bodies of public agencies are required to respond no later than 90 days after the Grand Jury submits a final report, elected county officers and agency heads no later than 60 days.

All Civil Grand Jury reports and the responses can be reviewed on the following website:
http://www.sanmateocourt.org/court_divisions/grand_jury.

Each year, the responses and comments submitted concerning reports issued by the prior year’s Grand Jury are evaluated by the then-current Grand Jury in light of California Penal Code Section 933.05(b), which requires the agency head, county officer, or governing body to provide one of four possible responses to each recommendation:

1. Has been implemented, with a summary of the action taken
2. Will implement the recommendation, with a timetable for the implementation
3. Requires further analysis, with an explanation and a timeframe for the response of up to six months from the release of the report
4. Will not implement because it is not warranted or is not reasonable, with an explanation

SUMMARY OF RESPONSES

2015-2016 Responses:

The 2015-2016 Grand Jury issued ten Final Reports that required responses from a total of 35 responding agencies. There were 42 recommendations, and a total of 123 responses were requested. The 2016-2017 San Mateo Civil Grand Jury reviewed final reports and the formal responses filed by the affected agencies. The majority of responses stated that the Grand Jury’s recommendation had been implemented, will be implemented, or requires further study.

Appendix A: Summary of Responses contains more specific content from the responses. The Appendix lists the final report title, followed by the recommendations. Responses are organized by responding agencies, applicable recommendations, and responses. The last two columns of the Summary Report indicate whether follow-up is indicated, and specify whether the 2016-17 or 2017-18 Grand Jury should pursue said follow-up.

The 2016-17 Grand Jury will complete a review later in the term and issue a second Summary Report to determine the status of initial responses that promised future implementation, partial implementation, or further analysis.

Information gathered in Summary Reports provides the general public a method by which to determine whether or not the affected agencies are responsive to the recommendations of the Grand Jury.

The table below indicates the overall responses:

RESPONSE	RECOMMENDATIONS	% OF TOTAL
Implemented	25	20%
Will Implement	41	33%
Requires Further Analysis	23	19%
Will Not Implement	34	28%
TOTALS	123	100%

The 2016-2017 Grand Jury thanks all the Respondents for their careful consideration of the Grand Jury's work on behalf of the residents of San Mateo County.

APPENDIX A: SUMMARY OF RESPONSES TO THE 2015-2016 SAN MATEO COUNTY CIVIL GRAND JURY FINAL REPORTS

<i>Body Cameras—The Reel Truth</i>				
<p>R1. The Grand Jury recommends that the councils of those cities/towns that have not adopted body-worn cameras direct their respective chiefs of police to develop an appropriate body-worn camera implementation plan and advise the public of their plan by November 30, 2016.</p> <p>R2. The Grand Jury recommends that the San Mateo County Sheriff develop a plan to implement body-worn cameras and advise the public of his plan by November 30, 2016.</p> <p>R3. The Grand Jury recommends that the police departments of those cities, towns, and the Broadmoor Police Protection District that have not adopted body-worn cameras implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.</p> <p>R4. The Grand Jury recommends that the San Mateo County Sheriff's Office implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.</p>				
RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Sheriff	R2	Will not implement		
	R4	Will implement by 10/31/2017		x
Broadmoor Police Protection District	R1	Will implement for 1 year only ¹		x
	R3	Will implement by 11/1/2016	x	
City of Brisbane	R1	Has been implemented		
	R3	Will be implemented by 10/31/2017		x
City of Burlingame	R1	Further analysis to be released 11/30/2016	x	
	R3	Pends outcome of analysis 10/31/2017		x
Town of Colma	R1	Further analysis to be released 11/30/2016	x	
	R3	Will initiate by 10/31/2017		x
City of Daly City	R1	Will not be implemented within time constraints because of monetary limitations		
	R3	Will not be implemented within the time constraints because of monetary limitations		
City of East Palo Alto	R1	City is in negotiations to obtain	x	
	R3	City intends to implement during FY 2017/18		x
City of Pacifica	R1	Plan will be released by 11/30/2016	x	
	R3	Will implement by 10/31/2017		x
City of Redwood City	R1	Plan to be released on 11/30/2016	x	
	R3	Time frame not feasible		
City of San Bruno	R1	Plan to be released by 11/20/2016	x	
	R3	Pends outcome of analysis 10/31/17		x
City of San Mateo	R1	Has been implemented		
	R3	Plan to be fully implemented by 10/30/2017		x
City of South San Francisco	R1	Plan to be released by 11/30/2016	x	
	R3	Plan implementation 10/31/2017		x

¹ Limited term of implementation due to grant parameters

*Innocent Until Proven Guilty?
Bail Practices In San Mateo County*

- R1. The San Mateo County Board of Supervisors should direct the Probation Department Pretrial Services to evaluate and recommend various alternatives to pretrial incarceration, including but not limited to evidence-based risk-assessment tools and electronic monitoring.
- The Probation Department should present its evaluation and recommendations to the Board of Supervisors by June 30, 2017.
 - As part of the evaluation and recommendation process, the Probation Department should receive input from members of the San Mateo County Community Corrections Partnership (CCP), as well as from criminal trial judges.
- R2. The Controller's Office should provide an annual analysis beginning in FY 2016-2017 of the total costs to run the County's jails including estimates of how costs will vary with changes in the jail population. The first annual report should be completed and presented at a public meeting to the Board of Supervisors by September 1, 2017.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Board of Supervisors	R1	Will implement; currently under study		x
Controller	R2	Will implement if requested		x

*Juvenile Services Division's Youth Detention Facilities:
Underutilized And Overpriced?*

- R1. The San Mateo County Controller's Office should perform a comprehensive financial and operations analysis of the Probation Department-Juvenile Services Division as well as those divisions of CHS and BHRS that support JSD. This analysis should be completed by December 31, 2016.
- R2. If, as a result of the Controller's analysis, it is determined that operating costs should be reduced and/or that the facilities should be better utilized, then the San Mateo County Board of Supervisors should direct the County Manager to establish financial and utilization goals for the Juvenile Services Division's three detention facilities by March 31, 2017.
- R3. If, as a result of the Controller's analysis, it is determined that operating costs should be reduced and/or that the facilities should be better utilized, then the Board of Supervisors should direct the County Manager and Chief Probation Officer to develop a plan to meet such cost-reduction goals and/or alternative-use goals by June 30, 2017, and to provide quarterly status reports of their progress to the Board at a public meeting.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Controller	R1	Report will be completed by 12/31/2016	x	
Board of Supervisors	R2	Requires further analysis 6/30/2017		x
	R3	Controller's report pends – response by 6/30/2017		x

Rape Kit Processing In San Mateo County

- R1. The Sheriff’s Office Forensic Laboratory should follow the recommendations of AB 1517—the Sexual Assault Victims’ DNA Bill of Rights—as their standard procedure and should test and analyze rape kits and enter qualified data into CODIS within 120 days of receipt.
- R2. The Sheriff’s Office Forensic Laboratory should annually produce a publicly available report concerning its processing of rape kits that includes, but is not limited to: the number of rape kits received from the Keller Center, the law enforcement agency associated with each kit, the number of kits tested and analyzed by the Lab, the number of DNA profiles uploaded to CODIS, the number of rape kits not tested at law enforcement request, and the reasons for not testing. Statistics should also include the number of days from login at the Lab to completion of processing.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Sheriff	R1	Was implemented 1/1/2016		
	R2	Will implement (excluding associated law enforcement agency name due to confidentiality); by 1/15/2017	x	

*Safety, Security, And Emergency Preparedness On The
San Mateo County Community College Campuses*

- R1. SMCCCD Trustees should direct the District Security Director to review options for improving direct communications between campus security and local law enforcement. This may include implementing a common communications system, developing a campus-specific or district-wide dispatch system, working with local mobile phone carriers to deal with “dead spots,” or another method(s) to eliminate unnecessary delays. An improved system should be operational by July 31, 2017.
- R2. SMCCCD Trustees should direct the District Security Director to develop a comprehensive training plan incorporating all regular and any new intra-campus and inter-campus safety exercises and training events. This plan should be published by October 31, 2016, and reviewed/updated on at least an annual basis.
- R3. SMCCCD Trustees should direct the District Security Director to develop a plan to implement an annual large-scale training exercise coordinated and conducted between campus security, local law enforcement, and other regional emergency response agencies. This plan should be completed by March 31, 2017, and the exercise held by September 30, 2017.
- R4. SMCCCD Trustees should direct the District Security Director to review safety awareness and emergency protocol/procedure information provided at student orientation and make any improvements deemed necessary. This should be completed in time for the beginning of the 2016 Fall Quarter.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
San Mateo County Community College District	R1	SMCCCD is “largely satisfied” have MOUs in place with local law enforcement District supports improvement of cellular communications provider systems; “systems ... beyond control of the District” Public Safety studies in process Purchasing new UHF digital radio system; police radio in-use in interim Researching options for on-site or off-site dispatch system; to be in place by 7/31/2017 New campus phone system in place with improved 911 service; 8/2016		x
	R2	Five-year Training and Exercise Plan (TEP) was developed in 2014; reviewed monthly, updated as needed; additional year added annually	x	
	R3	Large-scale training exercise was addressed in TEP; conducted in 5/2016 and 6/2016		
	R4	Will implement in concert with Admissions and Records and Student Government; Fall Semester, 2016; to direct student to info on Website; Big Five Immediate Action Response Protocols; Will implement Spring Semester, 2016 to include in each College Catalog	x	

San Mateo County Law Library In Crisis

R1. The Grand Jury recommends that the San Mateo County Board of Supervisors promptly adopts a formal policy to mitigate the Law Library's fiscal crisis, and establish ongoing supplemental funding for the Law Library commencing with the FY 2016-2017 County budget.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Board of Supervisor	R1	Will consider as part of 2017-19 budget		x

San Mateo County's Cottage Industry Of Sanitary Districts

The Grand Jury recommends that the Board of the Bayshore Sanitary District and the City Councils of Brisbane and Daly City do the following:

R1. Form a committee of Board members (Bayshore Sanitary District), Council members (Brisbane, Daly City), and staff from each to discuss the assumption of services provided by Bayshore Sanitary District into Brisbane and/or Daly City. Evaluate alternatives and determine the benefits to ratepayers. Issue a report with recommendations and a plan by September 30, 2017.

The Grand Jury recommends that Boards of the East Palo Alto Sanitary District and West Bay Sanitary District and the City Council of East Palo Alto do the following:

R2. Form a committee of Board members (East Palo Alto Sanitary District, West Bay Sanitary District), Council members (East Palo Alto), and staff from each to discuss the assumption of services provided by East Palo Alto Sanitary District into either West Bay Sanitary District or the City of East Palo Alto. Evaluate alternatives and determine the benefits to ratepayers. Issue a report with recommendations and a plan by September 30, 2017.

The Grand Jury recommends that the Boards of Granada Community Services District and Montara Water and Sanitary District and the City Council of Half Moon Bay do the following:

R3. Form a committee of Board members (Granada Community Services District, Montara Water and Sanitary District), Council members (Half Moon Bay), and staff from each to plan the consolidation or assumption of services provided by these two districts. Evaluate alternatives and determine the benefits to ratepayers. Issue a report with recommendations and a plan by September 30, 2017.

The Grand Jury recommends that the Board of the Westborough Water District and the City Councils of Daly City and South San Francisco do the following:

R4. Form a committee of Board members (Westborough Water District), Council members (Daly City, South San Francisco), and staff from each to discuss the assumption of services provided by Westborough Water District into Daly City and/or South San Francisco. Evaluate alternatives and determine the benefits to ratepayers. Issue a report with recommendations and a plan by September 30, 2017. Work with California Water Service Company on this initiative.

The Grand Jury recommends that the Boards of Bayshore Sanitary District, East Palo Alto Sanitary District, Granada Community Services District, Montara Water & Sanitary District, West Bay Sanitary District, and Westborough Water District do the following:

R5. Improve information visibility on their website, including key system characteristics, rates and rate history, sewer system management plans, sanitary sewer overflows, and board member compensation. Key system characteristics would include population served, number of connections, number of miles of pipe (gravity, forced main), number of pump stations and number of pumps, average dry weather flow, and average wet weather flow. Ensure all information is up to date. Refresh website by September 30, 2016.

R6. Implement and publish performance management metrics including but not limited to the Effective Utility Management framework, beginning with Fiscal Year 2016-2017.

R7. Adjust rates over the next five years so that all costs are recovered from ratepayers, and the reliance on property tax is eliminated. Transition property tax revenues to neighboring cities to be used for community benefit.

R8. Mail notices to ratepayers at least annually with an explanation of the dollar amount of sewer service charges being billed and the rationale. Provide information on the prior five years' rates for comparison purposes. Display the portion of the rate that is related to collection activities, and the portion allocated to treatment. Mail notices approximately 30 days before the mailing of the property tax bills. Initiate mailings by November 2016.

San Mateo County's Cottage Industry Of Sanitary Districts, continued

- R9. Notify ratepayers annually of elected nature of Board, role and compensation of Board members, and process for becoming a candidate. Encourage active participation by ratepayers. This notification may be included in the mailing that explains the rationale for rates. Initiate notification by November 2016.
- R10. Establish term limits for the members of their boards of directors by June 30, 2017.
- R11. Establish a procurement process for professional services to include formal evaluation of existing service providers, issuance of Request for Proposals, regular reviews of existing providers, and a structured negotiation process by March 31, 2017.
- R12. Demonstrate active participation in professional organizations focused on the work of sanitary districts, such as California Water Environment Association, by June 30, 2017. Require CWEA certification of district operators, including contractors, by June 30, 2017.
- R13. Develop plans for coordinating resources in the event of a local or regional emergency by June 30, 2017.
- The Grand Jury recommends that the Boards of Bayshore Sanitary District, East Palo Alto Sanitary District, West Bay Sanitary District, and Westborough Water District do the following:
- R14. Evaluate the benefit of changing the timing of board director elections to November of even years, when federal and state elections generate greater turnout.
- The Grand Jury recommends that the Board of the Westborough Water District do the following:
- R15. Develop, publish, and track separate budgets for sewer and water services, beginning with Fiscal Year 2016-2017.
- The Grand Jury recommends that the Boards of the Bayshore Sanitary District, Montara Water and Sanitary District, and Westborough Water District do the following:
- R16. Explore the feasibility of establishing a flat rate for capital improvements separate from the water usage rate. Report back at a public meeting by December 31, 2016.
- The Grand Jury recommends that the Boards of the Bayshore Sanitary District and East Palo Alto Sanitary District do the following:
- R17. Reduce the daily compensation of board directors to \$100 per day by December 31, 2017. Phase out all benefits for board directors over a period of time not to exceed three years.
- The Grand Jury recommends that the San Mateo County Local Agency Formation Commission do the following:
- R18. Initiate a service review of the Westborough Water District to examine whether its operations might be more efficiently and effectively run if they were consolidated with another entity's operations.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Local Agency Formation Commission	R18	Will implement in 2017		x
Bayshore Sanitary District	R1	Will not implement		
	R5	Will implement in future; posting additional information by 12/31/2016	x	
	R6	Further analysis needed; decision will be rendered by board on 3/23/2016	x	
	R7	Will not implement		
	R8	Further analysis needed; decision will be rendered by board on 3/23/2017	x	
	R9	Will implement by 11/2016	x	
	R10	Will not implement		
	R11	Will not Implement		
	R12	Have implemented		
	R13	Have implemented		
	R14	Requires further analysis; decision will be rendered by board on 3/23/2017	x	
	R16	Have implemented		
R17	Will not implement			

San Mateo County's Cottage Industry Of Sanitary Districts, continued

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
East Palo Alto Sanitary District	R2	Will not implement		
	R5	Has begun implementation		x
	R6	Will implement 1/2017	x	
	R7	Have implemented		
	R8	Further analysis needed; decision will be rendered by board by 3/27/2017	x	
	R9	Will not implement		
	R10	Will not implement		
	R11	Have implemented		
	R12	Have implemented		
	R13	Have implemented		
	R14	Will not implement		
	R17	Will not implement		
Granada Community Services District	R3	Will not implement		
	R5	Has begun implementation		x
	R6	Have implemented		
	R7	Have implemented		
	R8	Further analysis needed; decision will be rendered by board by 3/27/2017	x	
	R9	Has begun implementation		x
	R10	Have implemented		
	R11	Has begun – update by 3/31/2017	x	
	R12	Have implemented		
	R13	Have implemented		
Montara Water & Sanitary District	R3	Further analysis needed	x	
	R5	Has begun implementation		x
	R6	Have implemented		
	R7	Will not implement		
	R8	Will implement by 11/2016	x	
	R9	Will implement by 11/2016	x	
	R10	Will not implement		
	R11	Has begun implementation		x
	R12	Have implemented		
	R13	Have implemented		
	R16	Will not implement		

San Mateo County's Cottage Industry Of Sanitary Districts, continued

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
West Bay Sanitary District	R2	Will not implement		
	R5	Has begun implementation		x
	R6	Has implemented		
	R7	Has implemented		
	R8	Has implemented		
	R9	Has implemented		
	R10	Will not implement		
	R11	Has implemented		
	R12	Has implemented		
	R13	Has implemented		
R14	Will not implement			
Westborough Water District	R4	Partially implemented		x
	R5	Will implement	x	
	R6	Requires further analysis to be completed by 12/28/16	x	
	R7	Will not implement		
	R8	Will implement	x	
	R9	Will implement	x	
	R10	Will not implement		
	R11	Will not implement		
	R12	Will not implement		
	R13	Will Implement	x	
	R14	Requires further analysis to be completed by 12/28/2016	x	
	R15	Will not implement		
	R16	Will not implement		
City of Brisbane	R1	Will not implement		
City of Daly City	R1	Will not implement		
	R4	Will not implement		
City of East Palo Alto	R2	Will not implement		
City of Half Moon Bay	R3	Requires further analysis; committee formed to issue recommendations by 10/30/2017		x
City of South San Francisco	R4	Will not implement		

*Teens In Mental Health Crisis:
From 911 To The Emergency Room Door*

- R1. The Sheriff’s Office should devise a plan by year-end 2016 to expand CIT training to include school representatives and those from other public agencies that deal with children in crisis. Additional CIT training sessions should be added if necessary so that law enforcement agencies can continue to encourage attendance by their officers. The plan should: (a) include ways to encourage those in leadership positions at police departments, schools, and other public agencies to attend; and (b) include refresher courses.
- R2. Planners for CIT training—the Sheriff’s Office and Behavioral Health and Recovery Services—should amend the curriculum to include techniques for dealing with situations unique to schools and other public agencies working in the area of youth mental health.
- R3. Behavioral Health and Recovery Services should extend as soon as possible the two-car SMART program by at least one hour so that the high-volume time between 3:00 p.m. and 8:00 p.m. is fully staffed by both SMART cars.
- R4. The Board of Supervisors should direct the County’s Health System to institute an improved system of data collection and analysis regarding SMART response rates and adolescent PES admissions at Mills-Peninsula Medical Center, with such collection to start no later than October 1, 2016.
- R5. The Board of Supervisors and Behavioral Health and Recovery Services should use the data obtained as a result of R4 to determine by the beginning of the 2017-2018 school year whether to expand the non-emergency aspects of the SMART program significantly and/or augment it with other services such as a respite center and in-home services regardless of insurance status.
- R6. The Board of Supervisors should direct the County’s Office of Public Safety Communications to devise a comprehensive plan to educate and collaborate with County entities and the public on the best way to call for help in a psychiatric emergency. The plan should be completed by year-end 2016.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Sheriff	R1	Partially implemented	x	
	R2	Has been implemented		
Board of Supervisors	R2	Has been implemented		
	R3	Has been implemented		
	R4	Requires further analysis; BHRS will work with COE and provide an evaluation of data collection by 1/31/2017	x	
	R5	Will not implement		
	R6	Will not implement		

*The San Mateo County Harbor District:
The Price Of Dysfunction Is Rising*

R1. The County Board of Supervisors will initiate an independent study of alternative future scenarios for the Harbor District so that they may make an informed decision regarding the future of the Harbor District.

- This study should evaluate possible outcomes including dissolving the Harbor District and naming the County as the successor agency. Other outcomes to be considered include returning the Oyster Point Marina to South San Francisco and naming the County as the successor to Pillar Point Harbor only. The Board should seek input on other potential scenarios in a public process.
- The study should look beyond any near-term performance improvements given the long history of Harbor District dysfunction.
- The study should be initiated by September 30, 2016. The study should be completed within six months, and the results should be reviewed in a public meeting.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Board of Supervisors	R1	Requires further analysis; LAFCO service review		x

*Youth In Mental Health Crisis:
What Lies Behind The Emergency Room Doors?*

R1. The Board of Supervisors should direct Behavioral Health and Recovery Services to request and regularly track data sufficient to understand the disparity in the admission rates of youth patients referred to Mills Health Center from SMMC vs. MPMC. Such data should be submitted by Mills-Peninsula Hospitals to Behavioral Health and Recovery Services at least semi-annually and is recommended, in addition to the data categories requested by the Grand Jury in this investigation (listed on p. 13), to include information such as:

- The daily number of youth psychiatric inpatients at the Mills Health Center facility
- The insurance status of all youth who are discharged to out-of-county facilities for inpatient psychiatric care
- The reason(s) why a youth referred to Mills Health Center by SMMC for inpatient admission is unable to be admitted to Mills Health Center. These reasons might include, for example, whether there are no available beds, if the youth is otherwise not qualified to be treated at Mills Health Center, or if a physician at Mills Health Center does not or cannot accept the referred patient.

R2. The Board of Supervisors should direct Behavioral Health and Recovery Services to submit a report to the Board to be presented at a public meeting no later than December 31, 2016, explaining the disparity in the admission rates.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP	
			2016/17	2017/18
Board of Supervisors	R1	Fiscal accounting pending	x	
	R2	Will not implement		