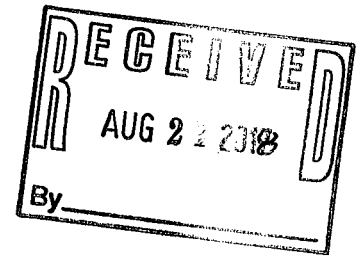


Grand Jury Report

REQUIRED RESPONSE FORM



Grand Jury Report Title : Mendocino County Juvenile Hall

Report Dated : May 8, 2018

Response Form Submitted By:

Mendocino County Board of Supervisors
501 Low Gap Road
Ukiah, CA 95482 (use address block as inserted on first page)

Response MUST be submitted, per Penal Code §933.05, no later than: August 15, 2018

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

- I (we) agree with the Findings numbered:
F1 _____

- I (we) disagree wholly or partially with the Findings numbered below, and have *attached* a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.
F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12 _____

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

- The following Recommendation(s) have been implemented and **attached, as required**, is a summary describing the implemented actions:
R1 _____

- The following Recommendation(s) have not yet been implemented, but will be implemented in the future; **attached, as required**, is a time frame for implementation:

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The following Recommendation(s) require further analysis, and **attached, as required**, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)

The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable; **attached, as required**, is an explanation therefore:

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: 4

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.mendocinocounty.org/government/grand-jury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail in pdf file format to:

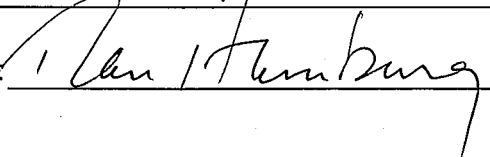
- The Grand Jury Foreperson at: grandjury@mendocinocounty.org
- The Presiding Judge: grandjury@mendocino.courts.ca.gov

Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 939
Ukiah, CA 95482

Printed Name: Dan Hamburg

Title: Chair, Board of Supervisors

Signed:  Date: 8.8.18

**MENDOCINO COUNTY BOARD OF SUPERVISORS' RESPONSE TO GRAND JURY
REPORT TITLED:**

MENDOCINO COUNTY JUVENILE HALL

Discussion

The Board of Supervisors welcomes this opportunity to respond to the Grand Jury report titled Mendocino County Juvenile Hall which focuses on the possibility of the closure of Mendocino County Juvenile Hall. The Board of Supervisors understands the many valid concerns related to the potential closure of Juvenile Hall but notes an unfortunate tendency to substitute opinion for fact. Current Grand Jury procedures state: "[f]indings are the conclusions or judgements that logically flow from the verified facts." In that regard, the Board of Supervisors encourages the Grand Jury to focus on verified facts and avoid unsubstantiated opinions that tend to inflame instead of inform discussion of this critical issue.

The Board of Supervisors is annually required to adopt a balanced budget based on anticipated revenue and the need to provide a wide range of expected and required services. The Grand Jury correctly notes that changes in state law have resulted in a steep decline in juvenile hall populations but many costs of operation are fixed due to state mandates.

During budget hearings on June 5 and 6, the Board of Supervisors directed that the Juvenile Hall remain open, but also appointed an ad hoc committee of Supervisors, Croskey and Gjerde to meet with stakeholders in an effort to identify cost savings and other sources of revenue. Absent significant cost savings, the decision to keep Juvenile Hall open may be revisited.

Pursuant to the request of the Grand Jury, the Board is responding to the following:

- F1. The current operation of Mendocino County Juvenile Hall provides excellent care, education, and support for our juvenile wards.

The Board of Supervisors agrees with finding F1.

- F2. The closure of Mendocino County Juvenile Hall will result in the loss of experienced, dedicated, and committed staff.

The Board of Supervisors disagrees partially with finding F2. The Board of Supervisors believes that if Juvenile Hall were to be closed every effort would be made to assist County employees in securing appropriate positions within the County. The Board of Supervisors is not aware of factual information to the contrary.

- F3. The closure of the facility would be a devastating loss to our juveniles and their families.

The Board of Supervisors disagrees partially with finding F3 which appears to be more a statement of opinion than a finding of fact. The Board of Supervisors agrees that closure of Juvenile Hall would result in a loss of convenience for some family members, who would have farther to travel to visit their children, but is not aware of any factual information presented by the Grand Jury that supports the opinion that closure of juvenile hall would be a devastating loss.

- F4. Closing the Mendocino County Juvenile Hall and reducing costs by contracting with another county treats the youth of our county as commodities.

The Board of Supervisors disagrees with finding F4 which appears to be more a statement of opinion than a finding of fact. The Board of Supervisors is not aware of any factual information presented by the Grand Jury that supports this statement of opinion.

- F5. Funds set aside for the Information Technology reserve for potential future needs are more than adequate to keep Mendocino County Juvenile Hall open.

The Board of Supervisors disagrees partially with finding F5. The Board of Supervisors believes it is poor public policy and fiscally unsustainable to use reserve funds to support ongoing operations.

- F6. Decisions for our children appear to be cost driven and lacking in concern for their welfare in terms of separation and isolation from family, school, and local support services that are essential to their successful rehabilitation.

The Board of Supervisors disagrees with finding F6 which appears to be more a statement of opinion than a finding of fact. The Board of Supervisors considers many factors, including cost, when allocating available resources among the many services that the County is expected or required to provide.

- F7. Juvenile wards will spend hours in cars, handcuffed, while being transported between counties.

The Board of Supervisors disagrees partially with finding F7. The Board of Supervisors is not aware of any factual information that quantifies the additional hours that will be spent in transport.

- F8. Because the geographical size of Mendocino County may require extended transportation time for law enforcement after the arrest of a juvenile, there could be periods when areas of the county are without law enforcement coverage.

The Board of Supervisors disagrees with finding F8. The Board of Supervisors notes that during budget hearings on June 5 and 6 it was stated that law enforcement personnel assigned to patrol duties would not be responsible for out of County transport.

- F9. The county's proposal to spend \$1.1 million for the juvenile hall budget forfeits the responsibility for our juveniles to a distant county.

The Board of Supervisors disagrees with finding F9 which appears to be more a statement of opinion than a finding of fact. The Board of Supervisors believes that closure of Juvenile Hall, as a matter of law and policy, will not alter the responsibility of the County for its juvenile wards.

- F10. Adding \$1.2 million to the proposed net county cost would enable a safe and efficient operation of juvenile hall and fulfill the county's duty to care for and protect its wards.

The Board of Supervisors disagrees partially with finding F10. The Board of Supervisors agrees that expenditure of an additional \$1.2 million of Net County Cost, in addition to the \$1.1 million presented in the Proposed Fiscal Year 2018-19 County budget will enable safe and efficient operation of Juvenile Hall but disagrees that this is the only course of action that can fulfill the County's duty to care for and protect our juvenile wards.

- F11. A county decision to send its troubled youth to another county's facility is diametrically opposed to the state policy of community-based detention that enables juveniles to better reintegrate into local support systems.

The Board of Supervisors disagrees partially with finding F11 which appears to be more a statement of opinion than a finding of fact. The Board of Supervisors notes that the Mendocino County Grand Jury cites "very favorable reviews by the Lake County Grand Jury and the Lake County Superior Court Judge assigned to juvenile court" of out of county placement of Lake County juvenile wards.

- F12. It is shortsighted to dismantle a highly praised program and to close a facility that may need to be reopened in the future.

The Board of Supervisors disagrees with finding F12 which appears to be more a statement of opinion than a finding of fact. The Board of Supervisors does not believe it would be fiscally prudent to make budget decisions based on speculation regarding potential changes to state policy that may or may not occur an indefinite number of years into the future.

Response to Recommendations:

- R1. Keep Juvenile Hall open and continue its operations in Mendocino County. (All findings)

This recommendation has been implemented. As described in the discussion section of this response, on June 6 the Board of Supervisors directed that Juvenile Hall remain open but also appointed an ad hoc committee of Supervisors Croskey and Gjerde to meet with stakeholders in an effort to identify cost savings and additional sources of revenue. The Grand Jury notes in its report that changes in state policies and school disciplinary practices have resulted in reduced juvenile hall populations statewide, including in Mendocino County. The Grand Jury also notes that state mandated requirements result in fixed costs for operation of a juvenile hall. Absent significant cost savings or additional revenue, the decision to keep Juvenile Hall open may be revisited.