



**2008-2009 FINAL REPORT  
KINGS COUNTY GRAND JURY**



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COUNTY OF KINGS  
GRAND JURY  
P.O. BOX 1562  
HANFORD, CALIFORNIA 93232

June 23, 2009

The Honorable George L. Orndoff, Presiding Judge  
Kings County Superior Court  
1400 West Lacey Boulevard  
Hanford, California 93230

Judge Orndoff:

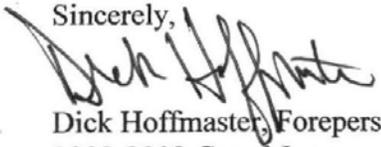
On behalf of the Grand Jury, I am pleased to submit to you the 2008-2009 Grand Jury Final Report. This is in compliance with Penal Code Section 933. Countless hours have been spent by the members of the grand jury in completing the work needed to issue each of the included reports.

Each Grand Jury has different challenges. Resignations for various reasons have been a key challenge this year. This includes the resignation of Dr. Sheldon Minkin who served as Foreperson for much of the year. Each person who resigned worked hard during the time of membership. Being a member of the Grand Jury is a difficult task made every more difficult by being appointed after the year begins. My sincere thanks and congratulations for a job well done to those who were appointed to fill a vacancy.

There are many people who help facilitate the work of any grand jury and Kings County is no different. In addition to the guidance and help given by the Presiding Judge (George Orndoff), the District Attorney's Office (Michael Reinhart and Shane Burns), County Counsel (Peter Moock), Jury Commissioner (Rose Hamblin) as well as the Superior Court staff have provided much advice and support to this Grand Jury. Your efforts are much appreciated.

All work done by any Grand Jury is dependent on the individual members both in committee and in full body. It is important to work together for the good of the citizens of Kings County. My congratulations to the committee chairs who coordinated the work on each report and to the general membership for supporting the work being done. The commitment of members has been commendable.

Sincerely,

  
Dick Hoffmaster, Foreperson  
2008-2009 Grand Jury





Office of the Court Executive  
Superior Court of the State of California

County of Kings

George L. Orndoff  
Presiding Judge

June 26, 2009

To: Kings County Grand Jury and Affected Governmental Agencies and Officers

The 2008 – 2009 Kings County Grand Jury has submitted the enclosed reports to the Presiding Judge and/or his designee of the Superior Court in accordance with Section 933 of the California Penal Code. The enclosed reports were submitted and are hereby accepted as the final reports of the Grand Jury concerning these areas of inquiry.

The agencies and elected officials who are affected by the enclosed reports are each hereby notified that they are required to comment to the Presiding Judge and/or his designee concerning these findings and recommendations as they pertain to the subject agency or elected official. Comments are due on behalf of each elected county officer or agency head that has responsibility for the agencies and functions described in these reports within 60 days from this date. The governing bodies of the public agencies affected by the reports have a 90 day time limit within which to submit comments pursuant to Penal Code Section 933 (c). In addition, a copy of each response shall be placed on file with the clerk of the public agency on whose behalf the response is made.

Those having questions concerning their responsibilities to respond to the Grand Jury's recommendations should contact County Counsel or their agency's general counsel.

The Judge of the Superior Court wish to express our sincere appreciation of the long hours of service given by members of the 2008 – 2009 Grand Jury, with special thanks to their Forepersons, Sheldon Minkin and Richard Hoffmaster. Selfless dedication to public service such as that demonstrated by this Grand Jury is crucial to the survival of the institution of the Grand Jury, which is itself an important part of the checks and balances necessary for our democracy to function.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Orndoff".

George L. Orndoff  
Presiding Judge of the Superior court

**KINGS COUNTY GRAND JURY 2008-2009**



**DICK HOFFMASTER/FOREMAN**

## MEMBERS OF THE 2008-2009 GRAND JURY

Dick Hoffmaster	Foreperson
Jim Clark	Foreperson Pro Tempore
Carolyn Hartley	Recording Secretary/Health & Education Chair
Elizabeth Nail	Corresponding Secretary
Jim Morgenthal	Sergeant at Arms
Bill DePew	Treasurer
Arlyn Carpo	
Della Carter	
Louise Collins	
Patty Cranmer	Social Chair
Garry Curtis	Law and Public Safety Chair
Ray Elizondo	County Government Chair
Betty Hampton	Edit Committee Chair
Marlene Helmuth	
Julia Jamison	
Benjamin Maes	
Al Phelps	Local Government Chair



# **COUNTY GOVERNMENT**



## **ASSESSOR - RECORDER – ELECTIONS**

### **SYNOPSIS**

The Grand Jury investigated the Kings County Assessor-Recorder-Elections office. The office has the responsibility to manage three different distinct areas with limited personnel. The office offers friendly service to the public and in a timely manner.

### **REASON FOR INQUIRY**

1. Some homeowners perceive that there has been a decreased value of their home that is not being factored into their new property tax bill.

2. Voters are concerned about:

- a) The integrity of the paper ballots that Kings County uses for the elections.
- b) Why the electronic voting machines are not being used.
- c) Why Kings County is subject to the Department of Justice approval for its elections.
- d) Which agencies or district representatives are appointed rather than elected.
- e) Why we are not using mandatory absentee ballots.

### **AUTHORITY**

California Penal Code Section 925: the Grand Jury may at any time investigate county officers, departments or functions; operations, accounts and records; investigations and reports.

### **METHOD OF INVESTIGATION**

The Kings County Tax Assessor-Recorder-Registrar of Voters made a presentation to the Grand Jury on August 8, 2008, and an onsite visit was conducted at the election office.

## **BACKGROUND AND FACTS**

### **Assessor**

The Kings County Assessor locates and values all property within the county such as real property, personal property, mobile homes and possessory interests. Some properties are exempt from taxation. Examples are state property, federal property, public libraries and museums, public schools, property used exclusively for religious worship, household furnishings and personal effects.

The dollar amount of real property tax is determined according to its value. The base tax bill is the tax rate multiplied by the assessed value. Additional taxes and assessments are charged. Assessment districts include tax rates based on their annual budget needs.

With the passage of Proposition 13 all property values were rolled back to the 1975 levels and base values established. The annual valuation increases were not to exceed two percent. New base year values are established when property changes ownership or if there was new construction on the property. All properties are then reassessed. There is a tax rate limit of one percent of assessed value, with a two percent annual cap plus special district bonds.

In the 1990's the housing market declined and Proposition 8, Section 51 caused the reassessment of approximately 600 properties. There were no proactive assessments made. There were hundreds of assessment appeals and mass filings by property tax representatives. The Assessor reported that in 2008 there were 1,000 to 1,500 properties that could be affected. There were over 500 proactive assessments prior to the close of the 2008 Assessment Roll. The reduction in property tax revenues exceeds 23 million dollars. The California Land Conservation Act of 1965 (Williamson Act) provides for lower property taxes on land in agricultural use. Certain other compatible land may be included as well.

### **Recorder**

The Kings County Recorder's Office is often referred to as the County Clerk/Recorder Office. The Kings County Recorder holds permanent and public records. The functions of the offices are to issue marriage licenses, perform civil marriage ceremonies (approximately 1100 marriages a year), record fictitious business filings, administer oaths of office, issue passport applications, register process servers, certify copies of vital records, file grand jury reports and register notaries public. When a notary goes out of business, his/her stamp and books are returned to and stay with the County Clerk.

The Kings County Recorder accepts authorized documents for recording such as:

1. real property records; deeds, leases, notices of completion
2. maps
3. mining claim records
4. military discharge papers
5. declarations of homestead
6. mechanic liens
7. financial documents, trust deeds, notices of default, reconveyances, financial statements.

## **Elections**

The Department of Justice and the Secretary of State regulate elections. Kings County adheres to these regulations. It would require action by the legislature to authorize any change in the election process.

The Registrar of Voters conducts all elections (federal, state and local), except land owner districts, and receives campaign disclosure filings. The Elections Office keeps all the records and prepares and tallies the ballots for all elections. The office staff consists of one director and four assistants. When an election is held, as many as eight additional volunteers help with office responsibilities. Some of the volunteers are retirees from the Election Office and others are county employees who work after hours.

There are Federal guidelines which determine who can be counted in the population. Kings County is always listed as “undervoting” because of the low voter registration. The people on the local naval base, Lemoore Naval Air Station (LNAS), are counted as residents even though many of them keep their legal residences in their home states. Military personnel who are based out of the United States can fax where they are registered in their home state. This was made a requirement several decades ago because Kings County had a low voter turnout. Kings County has unsuccessfully contended that the reason for the low voter turnout is because military personnel are counted as residents for capitation purposes. Other counties with nearby military bases also have the same problem.

Voting precincts are strategically located throughout Kings County to meet the election needs of the citizenry. Some are difficult to distinguish and need prominent signs which are easily read from the street. When an election is held, there are two “Rovers” who troubleshoot for all the polling places. They carry extra supplies and go wherever help is needed on election day.

Under the direction of the State of California officials, Kings County received funding to purchase 200 voting machines at a cost of 1.2 million dollars. These machines, which are

wheelchair accessible, have the ability to tally and print out paper ballots; however, they were used in only one election. The Secretary of State disallowed the use of these machines saying that the machines are not tamper-proof. Since then the machines have been stored in a county warehouse. Now each of the polling places will have one machine available, and it is only for handicapped voters. All other voters will use paper ballots which then will be hand counted at the elections office.

The Elections Office tries to place at least one Spanish speaking worker at each polling place. The translation of the ballots and election pamphlets is done by outside professional translators. One of the Elections Office employees does the translating for the notices that go out to the local newspapers. The criteria for printing the translations has been met because of the large population of Spanish speaking people. In Kings County no language other than Spanish qualifies for translation.

Fifty percent of the voting is done by mailed ballot. The mailed ballots are counted before election day, but no results from them are released until after the election is over. Kings County has a total of 29 forms and 51 ballot styles which must be printed individually. Special districts are advised to have their elections included in a general election to save them money, since they must pay for their part of the election. The school district elections were consolidated around 1988, when laws governing those elections were changed.

Three senior management employees of the office are expected to retire within the next few years. It is imperative that the office develop a plan of action for the timely replacement of senior management positions.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** Senior Management employees in Assessor-Recorder-Elections offices will be retiring soon.

**Recommendation 1.** Current employees should be educated and trained to provide for a smooth transition in replacing retirees.

**Finding 2.** Signs at polling places are hard to distinguish and need to be more prominent.

**Recommendation 2.** Polling places should have better signage and be visible from the street.

## **RESPONSE REQUIRED**

**Penal Code Sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in the report be submitted to the Presiding Judge of the Superior Court of Kings County.**

**Assessor-Recorder-Elections Office is to respond within 90 days.**



## KEN BAIRD

KINGS COUNTY GOVERNMENT CENTER  
1400 WEST LACEY BLVD  
HANFORD, CALIFORNIA 93230-5905

December 3, 2008

ASSESSOR – CLERK – RECORDER  
REGISTRAR OF VOTERS

PHONE (559) 582-3211 EXT. 2486  
FAX – ASSESSOR (559) 582-2794  
FAX – CLERK/RECORDER (559) 582-6639  
FAX – ELECTIONS (559) 585-8453

Honorable Judge George Orndoff  
Presiding Judge, Kings County Grand Jury  
1426 South Drive  
Hanford, CA 93230

Subject: Response to 2008 – 2009 Assessor, Clerk/Recorder, Registrar of Voters,  
Grand Jury report.

Dear Judge Orndoff,

Below are some comments and my response to the 2008 – 2009 Grand Jury report for  
my offices.

First some points of clarification:

Under Assessor, paragraph three indicates: “There were over 500 proactive assessments prior to the close of the 2008 Assessment Roll. The reduction in property tax revenues exceed 23 million dollars.” The reduction I referred to in my presentation was 23 million dollars in assessed value rather than property tax revenue. The actual property tax loss to the county is one percent of the assessed value or approximately \$230,000. As of the date of this response my office has processed 841 property value reductions under Proposition 8 and has 439 requests remaining to be worked. The current loss of Assessed Value is in excess of \$40,000,000 or \$400,000 in property tax revenue.

Under Elections, paragraph two indicates: “The office staff consists of one director and four assistants.” The Elections office currently has one manager and five department specialist positions.

Under Elections, paragraph four indicates: “When the election is held, there are two “Rovers” who troubleshoot for all the polling places.” The number of “Rovers” can vary between six and eight in each election. Rovers go out in teams of two because the law requires that there must be at least two people when transporting ballots.

Under Elections, paragraph five indicates: “These machines, which are wheelchair accessible, have the ability to tally and print out paper ballots; however, they were used in only one election.” The electronic voting machines were used in three elections before being decertified by the Secretary of State.

## RECOMMENDATIONS

**Recommendation 1)** *Current employees should be educated and trained to provide for a smooth transition in replacing retirees.*

**Response 1)** *While retirement is a concern, the real problem is the retention of staff positions in both the Clerk/Recorder and Elections office and to a more limited extent in the Assessor's office. The majority of the staff in the Clerk/Recorder and Elections office fall under the classification of Department Specialist. These are entry level jobs with limited room for growth. Employees in these classifications top out salary wise within five or six years and have little or no incentive to stay in these positions. Without a career path that encourages employees to stay, it is difficult to develop resources to replace management positions when they become vacant.*

**Recommendation 2)** *Polling places should have better signage and be visible from the street.*

**Response 2)** *For the November General Election we reviewed and increased signage where it was needed.*

Sincerely,



Ken Baird  
Kings County Assessor,  
Clerk/Recorder, Registrar of Voters



## **CHILD PROTECTIVE SERVICES PROGRAMS**

### **SYNOPSIS**

Child Protective Services (CPS) is composed of the Emergency Response Service (ERS), Family Maintenance Service (FMS), Family Reunification Service (FRS), and Permanent Placement Service (PPS). Additional social services that are provided are Adoption Assistance, Foster Home Evaluation and Licensing, Interstate Compact Placement of Children and Independent Living Skills for eligible foster children. There are five possible stages that a child passes through when a report of abuse or neglect is received: Emergency Response, Court, and/or Family Reunification, and/or Family Maintenance and/or Permanency Planning. During the on-site visit, it was noted that there were inadequate facilities for CPS. A new building for the Department of Social Services, currently under construction, will house the Child Protective Services Division.

### **WHY THE GRAND JURY INVESTIGATED**

After reviewing Grand Jury records, it was noted that Child Protective Services had not been examined in over ten years.

### **AUTHORITY**

California Penal Code Section 925.

### **METHOD OF INVESTIGATION**

The Grand Jury conducted interviews with more than 40 staff and management personnel. Documents relating to CPS were reviewed and examined. An on-site visit was conducted.

### **OBSERVATION AND FACTS**

The four service components of Child Welfare Services, as mandated by Senate Bill 1125, to be available in each county are: Emergency Response (ER), Family Maintenance (FM), Family Reunification (FR), and Permanent Placement (PP). There were 45 social workers working with 680 cases at the time of the investigation.

Foster Home Evaluation and Licensing is a service focused on the screening and evaluation of applicants and their homes for licensure and issuance and/or renewal of State Community Care Licenses for Foster Family Homes. The homes are licensed to

care for minors from ages 0-18 who are adjudged dependents or wards of the Juvenile Court.

Adoption Assistance service is provided by the California State Adoptions Unit, Fresno, California. Services include home studies to determine suitability as adoptive parents, placement and post-placement services, Adoption Assistance Payment reviews and relinquishment of children for adoptive placement.

Independent Living Skills Program provides services to assist adolescents age fourteen and older who are in foster care to achieve self-sufficiency prior to leaving foster care. Training areas include educational and vocational alternatives, community resources, employment and housing options, finances and budgeting, home management, health education, goal-setting and decision-making.

### **EMERGENCY RESPONSE SERVICE**

ER is a response system that provides an immediate to ten-day in-person response, 24 hours a day, seven days a week. This is accomplished by having an on-call social worker who covers all calls occurring after normal working hours.

On occasion, the social worker must respond to ER calls outside of normal working hours and could possibly work over 24 hours straight. While on-call, they may be required to go out to a specific location if a child endangerment report is received. A determination is made if the child needs to be placed immediately in Emergency Shelter Care, or if the child can be left safely at home or with relatives. One interviewee stated that when local law enforcement receives the calls, they do not always involve CPS in a timely manner. Also, the social worker and the law enforcement officer sometime look at a given situation from different mind-sets.

### **FAMILY MAINTENANCE SERVICE**

FM is a service designed to provide time-limited protective services to prevent or remedy neglect, abuse or exploitation for the purpose of preventing separation of the children from their families. The service is limited to six months, but can be extended for two, three-month periods when it can be shown that the objectives can be achieved within the extended time period. For dependent children of the Juvenile Court, the court conducts reviews at least every six months. Supervision of the case is continued or jurisdiction is terminated. Social workers follow these cases diligently according to our interviews and published records.

## **FAMILY REUNIFICATION SERVICE**

FR service agreements are used between the agency, the parents and the children that delineate the specific planned actions to be taken by the family and the agency to achieve the desired objectives within a given time frame. The services are limited to 12 months, but may be extended up to six months by court order. Court reviews must occur at least every six months. A permanency planning hearing to decide the child's future must be conducted no later than 12 months after placement commences.

The FR worker interacts with parents supporting them in whatever the court orders and assists parents in the reunification with their children, even providing transportation, if needed. A court appearance is necessary if the plan is not completed on time. Alternative plans are then set up by the social worker, which can be extended up to 18 months.

## **PERMANENT PLACEMENT SERVICE**

This service provides an alternate family structure for those children who cannot safely remain at home and who are unlikely to ever return home. Alternatives such as adoption, guardianship or long-term foster care are considered, in that order.

Foster Home Evaluation and Licensing service is focused on the screening and evaluation of applicants and their homes for licensure and issuance and/or renewal of State Community Care Licenses for Foster Family Homes. The homes are licensed to care for minors from ages 0-18 who are adjudged dependents or wards of the Juvenile Court.

At the time of the interview, there were 47 Permanency Planning cases pending. Assigned caretakers work with social workers to create a Permanency Plan, identifying the child's needs. If the plan is not completed in the total time allowed, the next step is foster care or guardianship where they will remain until the age of 18.

Currently, there are approximately 300 children in foster homes, with approximately 42 foster homes available. Children are placed with foster family agencies until a foster home is available.

## **TRAINING**

On site training is provided to employees on a routine basis by staff from the University of California, Davis. All new employees are required to complete the Central California Training Academy Core Training program. This 18-day program component is responsible for delivering competency-based training to new staff in public child welfare services. At times, special training is also held out of state based on special requirements.

## HOUSING

The buildings that house the Child Protective Services Programs are inadequate due to age of buildings, lack of storage, poor layout of offices and poor outside lighting. A new building is currently under construction, which will house the Child Protective Services Division.

## FINDINGS AND RECOMMENDATIONS

**Finding 1.** Overall, the staff is well trained and knowledgeable, but there is a lack of depth in both management and staff positions.

**Recommendation 1.** Rearrange training and work assignments to ensure adequate cross training. Each position should have at least two experienced personnel in that position. Also, each employee should be trained in three sections. For example, the CPS worker should be experienced in both ER and/or FM, or FR, or PP.

**Finding 2.** The social worker who responds to Emergency Response Services calls outside normal working hours could possibly work over 24 hours straight.

**Recommendation 2.** The social worker's schedule should be adjusted so that he/she may not have to work the following day.

**Finding 3.** The buildings that house the Child Protective Services Programs are inadequate due to age, poor layout of spaces and poor outside lighting.

**Recommendation 3.** Improve the outside lighting during the construction of the new building.

**Finding 4.** All new employees of the CPS Division are required to complete the Core Training program. Although this is a good basic indoctrination, it may lack specific information/procedures for our local area.

**Recommendation 4.** Additional training should be developed and conducted, highlighting our local area requirements. The Grand Jury recommends reviewing the backgrounds of current staff for input in the development process and in conducting the training.

**Finding 5.** Due to the nature of their basic training and work experience, both the social worker and the law enforcement officer look at given situations from different mind-sets. The law enforcement officer views a situation as a crime investigation and considers who is to be arrested. The social worker looks at it from the perspective of child safety.

**Recommendation 5.** Work with law enforcement agencies to develop a training program where both the law enforcement officers and the emergency response social workers become aware of the other's view and requirements of their jobs.

**Finding 6.** There is a lack of foster homes in Kings County.

**Recommendation 6.** Increase awareness of the need for more foster parents by advertising countywide. Local displays in Hanford, Lemoore, Corcoran, Avenal and other well-traveled areas can be used. Radio and television advertising and public service announcements may be vital recruitment tools. Another possibility includes contacting local colleges to determine whether their business department would be interested in developing a marketing plan for the Foster Care Program as a class project.

#### **COMMENTS**

Child Protective Services is a well-run division with very knowledgeable personnel. The morale is high and retention rate is good.

#### **RESPONSE REQUIREMENTS**

**Penal Code Sections 933 requires that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County.**

**Child Protective Services Division Coordinator (90 days)**



# COUNTY OF KINGS BOARD OF SUPERVISORS

KINGS COUNTY GOVERNMENT CENTER  
1400 W. LACEY BOULEVARD, HANFORD, CA 93230  
(559) 582-3211, EXT. 2362, FAX: (559) 585-8047  
Web Site: <http://www.countyofkings.com>

JOE NEVES  
STRATFORD & LEMOORE - DISTRICT I

RICHARD VALLE  
CORCORAN & AVENAL - DISTRICT II

TONY OLIVEIRA  
NORTH HANFORD & NORTH LEMOORE - DISTRICT III

TONY BARBA  
HANFORD & ARMONA - DISTRICT IV

RICHARD FAGUNDES  
HANFORD - DISTRICT V

March 31, 2009

Honorable George Orndoff  
Kings County Superior Court  
1426 South Drive  
Hanford, CA 93230

Dear Judge Orndoff:

The Board of Supervisors has attached the County's response to the 2008/2009 Grand Jury Report on the Human Services Agency – Child Protective Services Programs. The Grand Jury Report was issued on January 19, 2009.

The County's response to the Grand Jury Report was presented at a regular meeting of the Board of Supervisors on March 31, 2009. The County's response addresses each finding and recommendation as required by Penal Code Section 933. The County's response was prepared by Human Services Agency staff.

Sincerely,

Joe Neves, Chairman  
Kings County Board of Supervisors

Cc: Grand Jury Foreman, Dr. Minkin



# *Kings County Human Services Agency*

*Peggy Montgomery, Director*

*Employment Services  
Benefit Services  
Child Protective Services  
Adult Services  
Foster Home Services  
Family Preservation Services*

March 19, 2009

2008/2009 Grand Jury Response  
Kings County Human Services Agency  
Child Protective Services Division

Human Services Agency response to Grand Jury Findings and Recommendations

**Finding 1:** Overall the staff is well trained and knowledgeable, but there is a lack of depth in both management and staff positions.

**Recommendation 1:** Rearrange training and work assignments to ensure adequate cross training. Each position should have at least two experienced personnel in that position. Also, each employee should be trained in three sections. For example, the CPS worker should be experienced in both ER and/or FM, or FR, or PP.

**Response 1:** The Agency disagrees partially with the finding. Past organizational structure has allowed for social workers to carry parallel caseloads with the responsibility for each area of the Child Protective Services provision of services. This organizational flow resulted in employee burnout and low morale which negatively impacted services to children and families. This multi-tasking practice also negatively impacted statutory compliance when social workers were expected to respond to immediate referrals while maintaining full responsibility for the writing and timely filing of court reports, locating placements for detained youth or honoring court subpoenas.

Specialized service units have been implemented in Kings County as well as numerous other California counties. Caseloads assigned in this manner have resulted in higher social worker satisfaction and consistent services to families. Although social workers are assigned to specialty units, all CPS staff are cross trained in at least two CPS functions. At minimum, all CPS staff are trained in emergency response because they are required to conduct after-hours duties as well as their primary assignment. All social workers are trained on specific skills including risk assessment, the CWS/CMS computer application, regulations, and policies and procedures that are required regardless of their permanent assignment. All social workers possess the same skill sets including case planning, report reviews, ExParte Orders, visitation, engagement, community-based services, placement and drug testing. Each member of a specialty unit is trained to cover for one another. Many social workers have had the opportunity to work in various units based on either the need of the organization or the desire of the social worker to further develop their social work competencies. A pool of cross-trained social workers is available for transfer whenever necessary. Finally, social work practices change constantly based on new laws, regulations, state directives, and legislative and court updates. Requiring social workers to learn, stay

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Website: [www.countyofkings.com/hsa](http://www.countyofkings.com/hsa)

abreast of and retain all changes affecting three separate specialty areas would increase the workload performance expectations on an already burdened system.

Child Protective Services has two Program Managers and one Deputy Director. One of the Program Managers is newly appointed. Cross-training has and will continue to occur in order to provide effective leadership, oversight and competency in all areas of social services.

Presently Child Protective Services is carrying four unfilled social worker positions and one unfilled training supervisor position. To rearrange work assignments and provide additional cross-training at a time when the division is not fully staffed and workloads are increasing would be problematic.

The recommendation will be implemented consistent with present practice as described above.

**Finding 2:** The social worker who responds to Emergency Response Services calls outside the normal working hours could possibly work over 24 hours straight.

**Recommendation 2:** The social worker's schedule should be adjusted so he/she may not have to work the following day.

**Response 2:** The agency disagrees partially with the recommendation that schedules "should" be adjusted. The agency agrees flexibility needs to be considered when a social worker feels they are unable to perform their regular duties due to after-hours activities. Additionally, CPS also must consider the mandate to be available at all times in providing services to children. The agency must also comply with the rules set forth in the Fair Labor and Standards Act relative to work hours and overtime compensation. Existing division policy states in part,

"After-hours staff are required to work their normal working day unless personal vacation time or comp time is used. After-hours staff are also required to work their normal work day preceding the after-hours shift unless they utilize personal comp or vacation time. Time off the following business day must be pre-approved by the individual's daytime Supervisor and is dependent upon unit needs. After-hours staff who place children in out of home care MUST be available for case conferencing at 9:15 AM the next working day unless approved to be absent by the ER Supervisor."

Policy allows for relief should a worker choose to utilize leave accruals. The size of the CPS workforce coupled with the number of after-hours calls for service does not justify the creation of a separate shift at this time. The CPS social worker job description is clear regarding the expectation to work after-hours and each applicant is verbally asked if they are aware of the after-hours expectation and if they are able to meet that expectation.

As outlined above, this recommendation has been implemented in part.

**Finding 3:** The buildings that house the Child Protective Services Program are inadequate due to age, poor layout of spaces and poor outside lighting.

**Recommendation 3:** Improve the outside lighting during construction of the new building.

**Response 3:** This recommendation is not under the control of the Child Protective Services Programs and has been forwarded to the Kings County Public Works Department.

**Finding 4:** All new employees of the CPS Division are required to complete the Core Training program. Although this is a good basic indoctrination, it may lack specific information/procedures for our local area.

**Recommendation 4:** Additional training should be developed and conducted, highlighting our local area requirements. The Grand Jury recommends reviewing the backgrounds of current staff for input in the development process and in conducting the training.

**Response 4:** The agency agrees with this recommendation. Presently newly hired social workers are assigned to a specialty unit and are trained by the supervisor assigned to the unit. The agency intends to have a standardized induction training curriculum developed including local area requirements once approval has been received to fill the training supervisor position. Additional input from staff will be utilized as well as capitalizing on the expertise within our division. Due to the hiring freeze and economic conditions, the agency does not anticipate any new hires in the near future.

The recommendation will be implemented upon the appointment of a training supervisor.

**Finding 5:** Due to the nature of their basic training and work experience, both the social worker and the law enforcement officer look at given situations from different mind-sets. The law enforcement officer views the situation as a crime investigation and considers who is to be arrested. The social worker looks at it from the perspective of child safety.

**Recommendation 5:** Work with law enforcement agencies to develop a training program where both the law enforcement officers and the emergency response social workers become aware of the other's view and requirements of their jobs.

**Response 5:** The agency agrees with this recommendation, however, emphasizes that efforts in this area have and will continue to be made. The CPS division has asked and been invited by Lemoore P.D. and the Kings County Sheriff's Department to attend patrol officer briefings in order to share philosophies and work toward the common goal of protecting children. CPS representatives also work collaboratively with law enforcement in several areas including MDIC child forensic interviewing, Sexual Assault Response Team, Domestic Violence Task Force, Kings Partnership for Prevention and the Family Advocacy Committee at Lemoore Naval Air Station. Individual meetings are held between law enforcement officials and CPS administration when specific issues arise which require resolution.

The recommendation to develop a training program will be presented to all law enforcement entities in Kings County by CPS management with the outcome contingent upon the willingness or ability of law enforcement to participate. The invitation to collaborate in the creation of a training program will be initiated by June 2009.

**Finding 6:** There is a lack of foster homes in Kings County.

**Recommendation 6:** Increase awareness of the need for more foster parents by advertising countywide. Local displays in Hanford, Lemoore, Corcoran, Avenal and other well-travelled areas can be used. Radio and television advertising and public announcements may be vital recruitment tools. Another possibility includes contacting local colleges to determine whether their business department would be interested in developing a market plan for the Foster Care Program as a class project.

**Response 6:** The agency agrees there is a lack of foster family homes in the County and that recruitment and retention strategies must continue to be persistent and creative to ensure adequate placement resources are available. Kings County has also, in recent years, been working very closely with Foster Family Agencies and Group Homes implementing services in Kings County so that other options are available. Foster Family Agencies, especially, are an excellent resource. Although the rates are higher, we have found supervision and services offered to certified foster family home providers and those children are of great benefit and these homes can often take larger sibling groups versus splitting those children up into different homes.

The Human Services Agency has faced numerous challenges recruiting and retaining licensed foster family homes throughout the years. Recruitment strategies have become much more creative and proactive. Public service announcements have been sent to radio stations in Kings, Tulare, and Fresno counties. Flyers are inserted into the Hanford Sentinel twice per year, which has been found to be much more effective than smaller advertisements in weekly postings. We have advertised on the Kings Area Rural Transit (KART) buses, which included a bus length marketing campaign. We've had advertisements ran in the Hanford Mall Movie Theatre prior to movies beginning. Letters and flyers have been sent to County Churches and child care centers. We have conducted numerous verbal presentations at service organizations, Churches and other community organizations. We have funded outreach booths at the Hanford Thursday Night Marketplace. We have also had outreach booths at numerous community events and the County Fair. Recruitment outcomes from these advertisement efforts have been dismal and nonproductive. The most effective strategy has been "word of mouth" from our existing pool of foster parents who receive a stipend if they successfully recruit a foster family home for the County. Prior and current foster parents have recruited family members, friends, and other community members that they speak to about the foster care program.

We have researched television advertisements, including on a regional level, but Kings County's foster care licensing allocation is not sufficient to pay our required contribution. The allocation is minimal and covers required duties such as our Foster Pride and Academy Training Programs that greatly assist in retaining foster parents once they become licensed. The County continues to recruit individuals interested in becoming foster parents, but the demands placed upon them by the system and severely traumatized children placed in their homes with minimal resources and funding results in them giving up their licenses. Our Licensing Division further struggles with competition from Foster Family Agencies that pay higher rates and have more supportive resources. We have also had M.S.W. interns placed in the Licensing Division, which has assisted in getting more ideas about marketing and advertising. Although we have not approached business colleges, this suggestion is worth exploration.

Of significance is also the fact that Kings County has one of the highest relative placement rates in the State. Although Kings County CPS makes every active effort to recruit and retain licensed foster family homes, it has a much stronger focus on assessing, approving, and placing children with relatives and non-related extended family members.

Due to funding restrictions, many of the marketing recommendations will not be implemented. The recommendation to utilize a college business program will be pursued with possible implementation in Fall 2009.

# **KINGS COUNTY HUMAN SERVICES CONTRACTS WITH KINGS COMMUNITY ACTION ORGANIZATION**

## **SYNOPSIS**

In 1964 the Kings County Board of Supervisors formed the Kings County Community Action Organization for the purpose of developing, administering and coordinating a community action program within Kings County under the provision of the “Economic Opportunity Act of 1964.” The name was later modified to remove the word “County” resulting in the current name Kings Community Action Organization (KCAO).

Over four decades this non-profit organization has evolved into an organization with an \$18 million annual budget which is administered by an Executive Director and is governed by a 15 member Board of Directors. For comparative purposes the \$18 million annual budget is approximately the same as that of the City of Lemoore or the City of Corcoran.

Funding is provided from multiple sources. KCAO has four contracts with Kings County for approximately \$3 million annually for performance of certain services for county residents.

## **WHY THE GRAND JURY INVESTIGATED**

The 2008-2009 Kings County Grand Jury received multiple complaints concerning KCAO. Generally, the complaints fell into three categories: personnel issues; misuse of State of California and Federal funds; and abusive behavior by the Executive Director.

## **AUTHORITY**

Penal Code Section 925

## **METHOD OF INVESTIGATION**

The Grand Jury interviewed some of the complainants, several members of KCAO’s Board of Directors, the Director and Assistant Director of the Kings County Human Services agency, and the fiscal officer who audits County programs that are administered by KCAO. The Grand Jury reviewed the current contracts between KCAO and Kings County and found that there was not clear language in the contracts that could be construed as giving program oversight to the County as well as to the Grand Jury. In interviews with complainants there were additional complaints of nepotism, abuse of the contracting process, and conversion of restricted funds to non-restricted funds.

## **BACKGROUND AND FACTS**

The Kings County Grand Jury was notified by the KCAO attorney that in 2005 it was determined that a Grand Jury had no investigatory powers over KCAO. A review of correspondence between KCAO's attorney and Kings County Counsel revealed that this matter had not been adjudicated in 2005. When it became necessary to investigate certain aspects of KCAO, attorneys for both KCAO and County Counsel cited a variety of Government, Penal Codes and Attorney General's opinions to sustain their position. Members of the KCAO Board of Directors do not provide "hands on" program evaluation but rely solely upon KCAO staff reports for information.

Funding is provided from multiple sources which include Federal, State, and Kings County. KCAO has four contracts with Kings County for approximately \$3 million annually for performance of certain services for county residents.

The fiscal officer for Kings County Human Services regularly audits County programs performed by KCAO and has found "the books to be in order."

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** The KCAO is regularly investigated regarding fiscal matters but is not effectively investigated regarding programs.

**Recommendation 1.** The Human Services agency should create an effective method to evaluate KCAO programs for which they are the contractor.

**Finding 2.** The 2008-2009 Kings County Grand Jury believes that the Grand Jury should have both programmatic and fiscal oversight of contracted programs with Kings County.

**Recommendation 2.** All contracts between Kings County and KCAO should include a statement permitting Kings County Grand Jury programmatic oversight.

**Finding 3.** Some contracts currently in force will expire on June 30, 2009.

**Recommendation 3.** Timely consideration by County Counsel should be given to include wording which allows oversight by the Grand Jury in new contracts.

## **COMMENTS**

The Kings County Grand Jury does not believe that it has the authority or responsibility to deal with the three chief areas of complaints. The additional complaints obtained during interviews could not be substantiated.

## **RESPONSE REQUIREMENT**

**Penal Code Sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County.**

**Kings County Board of Supervisors (90 days)**



## **KINGS COUNTY LIBRARY**

### **SYNOPSIS**

The public library system of Kings County has a total of six branch libraries (Hanford, Lemoore, Kettleman City, Avenal, Corcoran and Stratford) which are independent and operated by the library administration. One branch, which is a shared facility and part of the Armona Elementary School District, is located on the campus of Parkview Middle School. Being a public entity, funds are limited for the purchase of new materials as well as maintenance of the facilities. With the exception of the Hanford Branch, the remaining branches operate with one staff member most of the time. The Grand Jury found that each staff member has a positive attitude toward his/her responsibilities and welcomes the public's use of the library. Library books, magazines and periodicals are well displayed and easy to locate. The buildings are well maintained, well lighted and have seasonal displays. Each library also has a bank of computers for public use.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury may at any time investigate any county agency.

### **AUTHORITY**

California Penal Code Section 925.

### **METHOD OF INVESTIGATION**

The Grand Jury toured each Kings County Library branch and the Armona Community Library, which is a shared facility with the Armona Elementary School District. Interviews with librarians and assistant librarians were conducted at each site.

### **BACKGROUND OBSERVATION AND FACTS**

The Grand Jury found each of the branch libraries to be well maintained, clean and welcoming. Staff at each library branch was friendly, knowledgeable, and concerned about their patrons and library facilities.

Materials housed at each library were well cared for and displayed in a professional manner. All branches displayed adult, teen and children's books. Books that have not been used or checked out for at least three to four years are routinely removed from the shelves. This process is called weeding and permits additional shelf space for new materials and books. Each branch provides rental videos, DVD's and audio books. Spanish language books, DVD's and videos are available in a limited number.

Interesting and creative bulletin boards with seasonal displays and informational communications are evident at every branch. Resource centers with magazines, newspapers and periodicals are readily available.

Each branch library works to be a vital part of the community by making their facility available. Some branches are used as tutoring centers. Special programs such as local author visits, Santa Claus visits and Easter egg hunts are examples of community use of the facility.

Armona Community Library is not a branch of the Kings County Library. Under a joint powers agreement between the Armona Community Services District, the Armona Union Elementary School District and the County of Kings, the Armona Branch library became the Armona Community Library. It is operated by the Armona Union Elementary School District and the Kings County Library.

The library administration is to be commended on its acquisition of computers for each branch. In addition to the purchase of computers by special library funds, grants have been utilized to acquire computers. Library administration utilizes the CybraryN Software Program to make computers available to the public. This program permits a patron one hour each day for access to the internet. A special computer lab, with no time limit, is available at the Hanford branch for additional research.

Restroom facilities are available during operational hours at each of the branch libraries, except Lemoore which shares restroom facilities with the Superior Court. Those restrooms are open and available only during regular court hours.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** There are limited books, DVD's and videos in Spanish.

**Recommendation 1.** Purchase more books, DVD's and videos in Spanish.

**Finding 2.** Restroom facilities are available at the Lemoore Branch Library only during regular court hours.

**Recommendation 2.** There should be better accessibility to restrooms at the Lemoore Branch during regular library hours.

**Finding 3.** Books that have not been utilized for the past three to four years are routinely weeded (removed) from the shelves.

**Recommendation 3.** Continue the weeding process which eliminates outdated books and facilitates better use of shelf space.

## **COMMENTS**

Library administration is to be commended on the wise use of limited funds. Each branch librarian/manager is given the opportunity for input of the needs of their particular branch. All Kings County library facilities are well maintained, clean and efficiently managed. Bulletin boards and book displays are prevalent and updated to reflect the season. Well lighted reading areas with current newspapers, magazines and periodicals are available at each branch.

## **RESPONSE REQUIREMENTS**

**Penal Code Sections 933 requires that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County.**

**None Required**



## **MULTI-DISCIPLINARY INTERVIEW CENTER (MDIC) IN THE DISTRICT ATTORNEY'S OFFICE**

### **SYNOPSIS**

The Grand Jury toured the Kings County District Attorney's office on September 5, 2008. During the visit a discussion occurred regarding the present location of the Multi-Disciplinary Interview Center (MDIC). The MDIC is used to interview the victims of abuse, whether minors or adults, to gather forensic evidence. The MDIC is presently located in the middle of the District Attorney's office. It was the desire of the District Attorney to replace the Minor Advocate office with the MDIC office.

### **WHY THE GRAND JURY INVESTIGATED**

The length of time for the relocation to occur.

### **AUTHORITY**

California Penal Code Section 925.

### **METHOD OF INVESTIGATION**

The Grand Jury toured the office area, reviewed official records and conducted personal interviews.

### **BACKGROUND AND FACTS**

Early in September 2008, the Grand Jury toured the Kings County District Attorney Office (DA). Mention was made of the Multi-Disciplinary Interview Center (MDIC) and the inadequacies therein. The MDIC is accessible by walking through the main office space, past the storage room, through the DA's break room and then to the MDIC. The room is very small and has recording equipment and cameras in plain view. Many times an interviewer must ask questions of a graphic nature or matter, so a relaxed, comfortable surrounding is important.

The Grand Jury was informed by the DA's office that the project to move the MDIC and to create a better center has been an ongoing effort for the past five years. However, no progress or results were noted during the early stages of our investigation.

The project involved moving an adjacent department, Minors Advocate, to another location. An adjoining building housed the Victims Witness Department, which is a branch of the Probation Department. It was observed that this office utilizes a space much larger than needed. The Minor's Advocate had only half the space it needed. The proposal was to move Victims Witness into a modular building after the Probation Department moved from the old Facilitating Accountability Through Victims Offender Restoration (F.A.V.O.R.) modular to a second modular building.

The Grand Jury requested the attendance of all department heads involved in the project for explanation of the reason for the delay. The following departments were present for a meeting on September 26, 2008: Administration Department, Public Works Department, Probation Department and District Attorney as well as several support staff.

The consensus outcome of the meeting was that nothing in particular was holding up the proposed project, and that a fence needed to be moved. The Administration Department stated ". . . there is some lack of communication. . .". An Administration Department Management Analyst was assigned as coordinator and the project was begun verbally.

Subsequent to the meeting, the Grand Jury discovered that a new modular building was part of the project and that bid requests had been given to manufacturers in July 2007. These bids were received by Public Works and subsequently given to the Probation Department for review and allowed to expire without action.

On October 29, 2008, the Grand Jury learned from Public Works that a new bid had been requested and was due shortly. The next day, Public Works notified the Grand Jury of receipt of the new bid. The bid received was from a State of California approved supplier having a no-need-to-compete bid status. As the new bid was over budget, at a cost of \$216,000, the Grand Jury members sought to know why the current modular was not acceptable.

The Grand Jury requested a meeting with the Chief Probation Officer on October 31, 2008, in order to understand why the project was halted and why the current modular was unacceptable. The Grand Jury was told the existing modular building had no security features, specifically security doors and bullet proof windows, as well as no restroom facilities.

On November 4, 2008, the Director of Public Works put out to bid the new modular as all agreed the price was too high.

Due to confusion as to process, the Grand Jury requested a meeting with the Chief Administration Officer. That meeting was held November 7, 2008, in the Grand Jury room. It was learned that neither a project manager nor a formal process was in place, and

that an ad hoc meeting of involved departments was the normal process. The Grand Jury also learned that the security requirements, as previously expressed by the Probation Department in the modular specifications, were not included. Administration stated that they were unaware of these security requirements. Further, there were no such security elements in the present facility, as well as not being included in the new modular specifications. The County Administration Officer (CAO) promised bi-weekly progress reports to the Grand Jury.

A Request For Proposal (RFP) was sent by Public Works to two modular builders early in December 2008. Responses were received on December 12 and 17, 2008. One bid the proposed modular at \$143,000, and the second for a refurbished unit (which included ramp and stairs) at \$97,000. This bid was subsequently upgraded to a new unit at the same price. This was accepted, and the order was placed January 22, 2009.

After construction was begun, the head of Public Works and two staff members from Probation/Victims Witness visited the supplier. During their visit, changes were made by verbal agreement. Sound proofing and additional windows were added. A planned wall was moved to another location, and plumbing was added. The Grand Jury was assured no delay would be incurred due to these changes.

The new modular was delivered and set in place April 7, 2009. Shortly thereafter, the remaining installations were completed. Within a few days, there was an inspection by the Probation Department. It was noted that the carpeting was not the correct color and was rejected. At this time a controversy arose wherein the supplier considered the original bid, which included ramp and stairs, to be void. Public Works began to compromise by offering to pay half the cost of the ramp and stairs. Public Works and an administration analyst over stepped their authority by agreeing to redraw the plans and re-submit request for bids for the stairs and ramp.

The Grand Jury visited County Counsel to learn why such contract could be so easily voided. County Counsel interceded and demanded that the supplier fulfill the contract.

This process revealed to all concerned that lack of leadership in the failure to appoint a qualified project manager, and a lack of communication caused a relatively simple project to take nearly five years to complete. Administration was merely acting as a conduit in that information was only being passed along, not being acted upon.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** In this case the county failed to have a qualified project manager assigned to this project. Also Kings County does not have a qualified project manager assigned to oversee all projects within the county.

**Recommendation 1.** Hire a qualified person (a full time position), assigned to manage and oversee all projects within the county. This person should be formally trained in project management and provide a monthly status report of all ongoing projects to the Kings County Board of Supervisors and to the Departments affected.

**Finding 2.** Kings County does not have a formal written purchasing policy and procedure manual.

**Recommendation 2.** Kings County should develop and adopt a written purchasing policy.

**Finding 3.** There is no documentation of Kings County employee man hours spent on a project.

**Recommendation 3.** The project documentation should include any and all expenditures, both internal and external, including the planning objectives and hours involved.

**Finding 4.** Kings County has segmented the total project cost to avoid the required authorization threshold limits.

**Recommendation 4.** Change the present procedure to conform to a written policy as stated in recommendation 2.

**Finding 5.** There is an absence of a formal interdepartmental communication regimen.

**Recommendation 5.** Prepare and utilize a formal and practical policy which will enable clear understanding of projects and on going updates.

**Finding 6.** A verbal modification of the written contract was attempted.

**Recommendation 6.** Kings County's current policy requires that any and all needed/desired changes during a project must be in writing and approved by County Counsel.

## **RESPONSE REQUIREMENTS**

**Penal Code Section 933 and 933.5 requires that specific responses to both the finding and recommendation contained in the reported be submitted to the Presiding Judge of the Kings County Superior Court by the Kings County Board of Supervisors within ninety (90) days from the date of receipt.**

# HEALTH AND EDUCATION



## **AVENAL HOSPITAL DISTRICT AMBULANCE SERVICE AREA**

### **SYNOPSIS**

American Ambulance serves all of Kings County except for Avenal Hospital District, an authorized provider, which maintains four ambulances in its fleet. The fee schedules of Avenal Hospital District and American Ambulance are comparable. Avenal Hospital District responds to 911 calls using their own qualified Paramedics and Emergency Medical Technicians (EMTs).

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury received a request for an inquiry regarding ambulance rates in the Avenal service area.

### **AUTHORITY**

California Penal Code Section 933.5. The Grand Jury may at any time examine the books and records of any special-purpose assessing or taxing district in the county.

### **METHOD OF INVESTIGATION**

The Grand Jury conducted an interview with the manager/chairperson of the Avenal Hospital District Board of Directors on August 4, 2008. Documents relating to the Ambulance Service area were reviewed and examined. An on-site visit was conducted on August 18, 2008.

### **FACTS**

American Ambulance is the exclusive provider of ambulance service for Kings County, except for the service area of Avenal Hospital District. Avenal works under the authority of the regional Emergency Medical Services Agency (EMSA) and is consistent with policies and procedures of American Ambulance. The fee schedules of Avenal Hospital District and American Ambulance are comparable. Avenal Hospital District has state contracts with Pleasant Valley Prison, Coalinga State Hospital and Avenal Prison to provide medical transportation for prisoners or staff.

During the interview with Avenal Hospital District staff, we were informed that there are currently four ambulances in the system. A mileage depreciation schedule determines when ambulances are replaced, as well as all service needs. Two ambulances are in service at all times. Backup coverage is provided by American Ambulance Service.

Larger ambulances are required for the Avenal Hospital District due to longer service runs and the wind conditions on the west side of the San Joaquin Valley.

Emergency calls come in through dispatch 911. If ambulance service is utilized for inappropriate, non-emergency services, the individual is billed. Patients requiring basic medical services are transported to Coalinga or Hanford hospitals. Patients requiring more extensive services are transported to Hanford or Fresno area hospitals. Transportation to Valley Children's Hospital in Madera County may be needed for a child requiring special medical attention.

Five full-time Paramedics and five full-time EMTs are employed. All training and certification for the Paramedics and EMTs are provided by the EMSA of Fresno. Ambulance crews work three 24-hour shifts per week. They receive an average of three to five calls per day. Office staff consists of three employees.

The Avenal Hospital District collection rate is reported to be about 40% due to the following circumstances:

1. In 2007, the Avenal Hospital District received \$933,216 from prison contracts.
2. Avenal Hospital District receives little compensation from Medicare.
3. MediCal keeps all reimbursements because of amounts owed from a prior audit.
4. No subsidies or grants are available because of the hospital bankruptcy.

## **FINDING AND RECOMMENDATION**

**Finding.** Rates charged by the Avenal Hospital District were found to be comparable with the rates charged by American Ambulance. The ambulances are well maintained with records carefully kept.

**Recommendation.** None required.

## **COMMENTS**

The Avenal Hospital District Board of Directors does a commendable job under difficult conditions. Avenal Hospital District Ambulance Service staff shows great pride and dedication to their jobs.

## **RESPONSE REQUIREMENT**

**None required.**



## **BURRIS PARK AND OUTDOOR EDUCATION PROGRAM**

### **SYNOPSIS**

On April 27, 2009, the Grand Jury toured Burris Park, located on Clinton Avenue in Kings County. A question and answer session was presented by the Superintendent of Parks, Superintendent of Armona School District, the Wildlife Biologist and Assistant Superintendent of Educational Services (Kings County Office of Education). They presented an overview of educational activities offered especially for fifth graders. Members were given packets which contained fifth grade curriculum and its correlation to California State Standards. Burris Park is a beautiful outdoor classroom where students have an opportunity to engage in a learning environment rich with history and living science.

### **WHY THE GRAND JURY INVESTIGATED**

Public interest.

### **AUTHORITY**

California Penal Code Section 925.

### **METHOD OF INVESTIGATION**

Educational materials were reviewed along with an on-site visit and interviews with staff.

### **BACKGROUND AND FACTS**

#### **History**

David Burris originally came to California from Missouri. Ultimately, his land holdings grew to be about 5,000 acres. Four of Burris' sons donated 57 acres of undeveloped land to Kings County in memory of their parents, David and Julia Burris.

According to documents provided, Burris Park was opened to the public on June 27, 1924. Burris Park occupies the former site of a Native-American village used by the Tachi-Yokuts. Originally, great oak trees, barbecue pits, a well, dancing platform, swings and a see-saw were there for the enjoyment of the public. The park currently has updated playground equipment for the children. Burris Park is open to the public on Friday, Saturday and Sunday and legal holidays. Burris Park is a reminder of David Burris and his family and their contributions to Kings and Tulare counties.

## **Facts**

Burriss Park consists of 57 acres. It has picnic areas with barbeque pits, tables and benches. Two large areas have kitchens equipped with propane and electricity. Kings County Public Works makes decisions as to the use of the park and improvements/changes to the museum. The Kings County Museum was established in 1928. The museum has an interesting collection of Kings County historical items dating from the mid 1800's. Many historical items have been added to the museum that were once on display at the Fort Roosevelt museum.

Two new wells were drilled in May 2003 to a depth of 300 feet each. One is an agricultural well and the other is used for drinking water. The drinking fountains are operational and the water is safe to drink.

Burriss Park Foundation performs fundraising and makes expenditures to facilitate the development and implementation of the Outdoor Education Program. Kings County Office of Education implements the Outdoor Education Program at Burriss Park. The Hanford Elementary Foundation works closely with the Burriss Park Foundation to raise funds to further enhance the Outdoor Education Program.

Fundraisers are held annually by the Hanford Elementary Foundation and Burriss Park Foundation to raise money for the Outdoor Education Program. To continue the Outdoor Education Program at the park, \$50,000 must be raised each year.

The ecosystem of the park is composed of many different species of birds, other wildlife and trees native to the area. Students can learn about ecosystems and how food chains are an essential element of an ecosystem. There are many activities in the Outdoor Education Program for fifth grade students from any school that wishes to participate.

## **Education**

The Grand Jury met with the Superintendent of Parks, Superintendent of Armona School District, the Wildlife Biologist and Assistant Superintendent of Educational Services (Kings County Office of Education). Packets, which included a detailed fifth grade curriculum, were presented to the Grand Jury. The wildlife biologist conducts the outdoor portion of the Outdoor Education Program. The curriculum correlates to California State Standards and it includes science, language arts, mathematics, social studies and fine arts.

An overview of lesson plans, educational activities and resources available for teachers and students were provided. The Grand Jury actively participated in a nature walk, scavenger hunt, tree identification and a tour of the museum.

Pre-trip lessons and a summary of activities are provided for students and teachers. These include physically active games, nature walks, art activities, tree measurements, outdoor learning games and history lessons. Students are engaged in hands-on learning in an environment rich with history and living science.

In the future, the staff would like to include an Indian village, gold rush/ore mining activities and an indoor classroom. Future development of this program/curriculum will include additional grade levels.

### **COMMENTS**

The Superintendent of Parks and Kings County Office of Education should be commended for working together to provide an outdoor classroom for children to visit and enjoy at Burris Park. Students can actively participate in a learning environment which is rich in history, nature and science.

In the future, schools should provide teacher in-service/training so that they are made aware of the wealth of information available in the Burris Park Outdoor Education Program.

### **RECOMMENDATIONS**

None.

### **RESPONSE REQUIREMENT**

**No response required.**



## **CORCORAN DISTRICT HOSPITAL**

### **SYNOPSIS**

The Grand Jury toured Corcoran District Hospital on January 12, 2009. The Human Resources Director and other hospital staff were most helpful in sharing information as well as leading a tour of the facility. The presentation included an update on plans for the new hospital facility as well as reviewing information regarding the current hospital.

### **WHY THE GRAND JURY INVESTIGATED**

Public interest.

### **AUTHORITY**

California Penal Code 933.5

### **METHOD OF INVESTIGATION**

An on-site visit and interviews with staff were conducted.

### **OBSERVATION AND FACTS**

The Corcoran District Hospital was built in 1949, but became a district hospital in 1950. It was well constructed with an attractive modern looking exterior. Overall, the hospital, patient rooms, and food service areas that we visited were very clean. The business offices were crowded with little storage space. In the early 1990's, legislation was passed requiring the hospital to be retrofitted or rebuilt in order to meet earthquake standards. It is approved for its current use to the year 2013. It will not be torn down but will be used for offices, storage space, etc.

Corcoran District Hospital is a designated Federally Qualified Rural Health Clinic (FQRHC). This clinic is hospital based and receives an enhanced reimbursement rate, because it is located in a federally designated medically underserved area. Corcoran District Hospital receives a portion of property tax money, because it is a special district. In 1995, Corcoran District Hospital filed for bankruptcy. The hospital district accepted responsibility for the bankruptcy and has continued to make payments toward the debt. The Grand Jury was informed that there was only one remaining payment to complete their obligation.

The rooms are designed for two patients per room, and currently there are 32 beds available. One wing of the hospital is reserved for private patients. Another wing is reserved for inmates from Corcoran Prison with which the hospital has a contract. Overall, there are an estimated 80 surgeries per week at the hospital.

Hospital staff currently consists of 124 employees. At the time of the Grand Jury visit, there were 12 full-time Registered Nurses (RNs), 13 Licensed Vocational Nurses (LVNs) and five Certified Nursing Assistants (CNAs), two in the recovery room and three in surgery. The Human Resources Director reported they provide incentives to recruit physicians and staff.

The lab is generally well-equipped and staffed. Staff stated that services they provide could be more effective if funding of approximately \$50,000 was available in order to purchase a blood chemistry analysis machine. As a result of a donation by a local Indian tribe, digitized radiology services are now available. This permits the reading of x-rays by contract radiologists 24 hours a day, 7 days a week. Currently the hospital does not have equipment on site to perform computerized tomography (CT's) or magnetic resonance imaging (MRI's). The laboratory director stated the need of a laboratory information system which would increase the quality of timely patient care.

The hospital emergency room (ER) has access to a three-county computerized Status Net tracking system, which visually identifies the location of the emergency. Hospital personnel can track inbound patients. Once the Emergency Medical Services (EMS) arrives at the scene of the accident, information is input into the Status Net system. This permits receiving facilities to be prepared to treat the injured, have hospital beds ready and to alert doctors.

Corcoran District ER is designated as a "standby facility." Patients are treated and stabilized by hospital personnel. Those requiring further treatment are then transferred to the appropriate facility based on medical needs. Children may be routed to Valley Children's Hospital (Madera) or to Kaweah Delta Hospital (Visalia). The ER has six beds, two examination rooms, two trauma rooms and can handle overflow in the hallway. There are eight full-time RNs in emergency care. Approximately 25 patients a day are seen in the emergency room.

Offices within the hospital are sublet to physicians for the purpose of private practice, which allows them to be qualified as rural health providers. These physicians provide services to private health care patients as well as clinic patients. Several area physicians have hospital admitting privileges. Many potential patients are treated in the physicians' offices as outpatients and don't use the hospital facility.

The new Corcoran District Hospital will be located on Brokaw Avenue. This property was purchased adjacent to the current hospital site. The anticipated date of completion is late 2013. The estimated cost of the new hospital is \$20 million. The first set of bonds in the amount of \$9 million has been sold. Additional funds will be raised through sponsorship and the additional sale of bonds in the future.

There will be 32 acute beds in the new hospital. The hospital intends to add ultra sounds and bone density tests to its services. The business office will be greatly improved by roomier working spaces and larger storage spaces.

## **COMMENTS**

Corcoran District Hospital staff works hard to meet the needs of patients. The Corcoran District Hospital is to be commended for accepting the responsibility of completing the bankruptcy obligation.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** In 1995, Corcoran District Hospital filed for bankruptcy and has only one payment to complete this obligation.

**Recommendation 1.** Finalize the last payment and complete the bankruptcy obligation.

**Finding 2.** There is a need for \$50,000 to buy a blood chemistry analysis machine for the laboratory.

**Recommendation 2.** If funds are not available through budgetary means, it is suggested that the hospital endeavor to obtain donations to purchase this equipment.

**Finding 3.** Laboratory staff reported the need for an information system whereby timely and quality patient care could be accomplished.

**Recommendation 3.** Entertain creative funding possibilities to accomplish the purchase of an information system to be used in the laboratory.

## **RESPONSE REQUIREMENT**

**Penal Code Sections 933 and 933.05 requires the specific responses to both the finding and recommendation contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County.**

**Corcoran District Hospital Administrator and Board of Trustees (90 days)**



# **HANFORD JOINT UNION HIGH SCHOOL DISTRICT DISCIPLINE POLICY**

## **SYNOPSIS**

The Grand Jury investigated the Hanford Joint Union High School District discipline policies. The District strives to communicate the discipline policies to both students and parents. The District also has developed a positive working relationship with the Hanford Police Department and the Kings County Probation Department.

## **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury received a complaint regarding the Hanford Joint Union High School District discipline policy pertaining to fighting as addressed in the current student handbook.

## **AUTHORITY**

California Penal Code Section 933.5. The Grand Jury may at any time examine the books and records of any special purpose assessing or taxing district.

## **METHOD OF INVESTIGATION**

The Grand Jury conducted interviews with parents, a Hanford Joint Union High School District administrator and representatives of the Kings County Probation Department. Documents and materials were received and reviewed.

## **FACTS**

The Grand Jury reviewed the policies included in the California Education Code and the Hanford Joint Union High School District discipline policies and practices. Clarification of disciplinary policies was verified.

A student handbook is given to each student at the beginning of the school year. At that time, teachers spend class time reviewing and discussing the rules and regulations in the handbook.

According to the student handbook, there are three levels of discipline violation: Levels A, B and C. Students who are assigned discipline points for violations of school rules will be placed on progressive discipline steps based on accumulated points as follows:

- 1) Level A (one point per offense)
- 2) Level B (three points per offense)

3) Level C (six points per offense)

Fighting is classified as a Level B violation. Level B violations are subject to suspension, lunch restriction to campus, possible transfer to an alternative program, as well as automatic police investigation. Two fights in one school year may result in recommended expulsion.

In the event of a fight, involved students are referred to the Hanford Police Department School Resource Officer. Based on the School Resource Officer's report, students may then be referred to the Kings County Probation Department. A probation officer reviews the police report. During our interview, the probation officers suggested that, at the time of the referral, the school submit a copy of the student's discipline and attendance records to the Probation Department. This would assist the probation officer in taking appropriate action. A meeting is scheduled with the student and parents or legal guardian, and counseling is provided according to the seriousness of the offense.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** The Hanford Joint Union High School District student handbook does contain procedures addressing discipline problems. Class time is spent with students during the first part of the school year reviewing the handbook contents.

**Recommendation 1.** None required

**Finding 2.** School discipline and attendance records are not routinely provided to the Probation Department with the referral.

**Recommendation 2.** The school should provide discipline and attendance records along with the referral to the Kings County Probation Department to the extent permitted under the provisions of subsections (a), (9) and (10) of Education Code Section 49076.

## **COMMENTS**

The Hanford Joint Union High School District student handbook is clearly written. It includes a thorough explanation of disciplinary violations and consequences. Parents should be encouraged to review and understand the student handbook.

## **RESPONSE REQUIREMENT**

**Penal Code Sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County.**

**Hanford Joint Union High School District Board of Trustees (90 days)**



# HANFORD JOINT UNION HIGH SCHOOL DISTRICT

823 West Lacey Boulevard • Hanford, California 93230

(559) 583-5901 • Fax (559) 589-9769

www.hjuhsd.k12.ca.us

## BOARD OF TRUSTEES

John Draxler

Gary Pannett

Emma Perez

Danny Todd

John Webster

William L. Fishbough, Superintendent

March 10, 2009

COPY

The Honorable Peter M. Schultz  
Presiding Judge  
Superior Court of the State of California  
County of Kings  
1426 South Drive  
Hanford, CA 93230

Dear Judge Schultz:

This correspondence constitutes the Hanford Joint Union High School District's response to the report issued by the Kings County Grand Jury and submitted to the District February 11, 2009.

### **Grand Jury Finding 2**

School discipline and attendance records are not routinely provided to the Probation Department with the referral.

### **District Response:**

The HJUHSD will provide in a timely manner discipline and attendance records with referrals to the Kings County Probation Department to the extent permitted under the provisions of subsections (a), (9) and (10) of Education Code Section 49076.

On behalf of the HJUHSD Board and administration, I'd like to thank the Grand Jury for sharing its concerns. I hope that I have addressed all of your findings. If you have any additional questions, please feel free to contact my office anytime.

Sincerely,

William L. Fishbough  
Superintendent

## **KINGS COUNTY CHARTER SCHOOLS**

### **SYNOPSIS**

Charter schools were set up to provide an alternative educational opportunity. Charter schools are intended to cause improvement in public education. This helps students who are above or below grade level to work in a setting in which they can be successful and offers a pace that is directly tied into a student's abilities and goals. All teachers are fully credentialed, and the curriculum meets all state standards.

### **WHY THE GRAND JURY INVESTIGATED**

Public interest.

### **AUTHORITY**

Authority is pursuant to California Penal Code Section 925a.

### **METHOD OF INVESTIGATION**

The Grand Jury toured three school district approved charter schools. Those schools were:

(1) The Mid Valley Alternative Charter School located at Kit Carson School (Alternative Charter School for home schooling students).

(2) Crossroads Charter Academy, part of Armona Elementary School District (a charter academy with an online, independent study program).

(3) Frontier Elementary School, part of the Pioneer Elementary Charter School District (a State approved Pioneer Elementary Charter School District).

### **FACTS**

Charter schools are tuition free, public schools which are State funded. They are exempt from many state regulations that apply to traditional public schools. Charter schools have greater autonomy and accountability. These schools must meet all student performance and operational goals pursuant to California Education Code Section 46201. All Kings County Charter Schools may accept students from adjacent counties. These counties are Fresno, Kings, Tulare, Kern, San Luis Obispo and Monterey.

Charter schools provide parents and students with choices in the types of educational opportunities that are available within the public school system. Charter Schools are

accountable for meeting measurable pupil outcomes including all mandated State testing. Strict attendance/meeting guidelines are enforced.

There are approximately 700 charter schools in California. One in every twenty schools in California is a charter school.

### **Mid Valley Alternative Charter School**

On December 13, 2008, the Grand Jury toured Mid Valley Alternative Charter School located at Kit Carson School, 9895 7<sup>th</sup> Avenue., Hanford, California. This charter school serves kindergarten through eighth grade and provides home schooling instruction for students and families. Students are given proper placement in a personalized learning plan. Students and parents or approved facilitators are required to meet weekly with a credentialed teacher. Lesson plans are individualized, and parents or approved facilitators are provided with materials and books to meet the student's needs. Computer adaptive benchmark testing is performed. Drama and art classes are available.

### **Crossroads Charter Academy**

Crossroads Charter Academy is a public charter school, sponsored by the Armona Elementary School District. Based on written information provided, Crossroads Charter Academy offers three individualized independent study options for students:

(1) Hanford Learning Center is a program for third through twelfth grade students. This is a computer-based program located at 1746 North 10<sup>th</sup> Avenue, Hanford, California 93230 and provides a more traditional program. Certificated teachers provide on-going academic assistance to students and their parents.

(2) The Lemoore Learning Center is a similar program for students in the third through twelfth grades is located at 232 "C" Street, Lemoore, California 93245. Here, students are enrolled in a computer-based program and are able to incorporate the best of an independent study program with the social and educational atmosphere of a traditional program.

(3) Home school (a traditional independent study) is for students in Kindergarten through twelfth grade. Students complete their assignments at home via the computer and internet and must meet with their teacher at least once per week to review work and progress towards grade level standards, as well as grade advancement and meeting graduation requirements.

Throughout the year, students will be given various opportunities to demonstrate their acquisition of grade level academic objectives. Assessments during the school year will

be given in the form of tests, work samples, performances and end of unit assessments. A staff of certified teachers provides ongoing academic assistance to students and their parents. Parents are required to attend weekly meetings and ensure that student work is completed.

### **Pioneer Union Elementary School District**

In 1993, Pioneer Union Elementary School District became the first charter school district in the State of California. Since its inception, the Pioneer Union Elementary School District has experienced continued growth in average daily attendance. Test scores have increased and programs and services have been expanded for students. All of these programs have enhanced enthusiasm for “thinking out of the box” about public education.

The Pioneer Charter creates a “learning community” which provides support to parents and families, drawing its standards from the larger community, and basing its curriculum on current educational research and State standard requirements.

Pioneer Elementary Charter School District serves Kindergarten through eighth grade students. All curriculum and instruction is aligned with the California State Content Standards and Frameworks. Every child receives a rigorous, well-balanced standards-aligned core program.

### **COMMENT**

Charter schools may differ in operational issues, curriculum content and specific missions; however, charter schools provide individualized instruction based on students’ specific needs.

### **RESPONSE REQUIREMENT**

**None required.**



## **KINGS SCHOOLS TRANSPORTATION AUTHORITY**

### **SYNOPSIS**

The Kings County Grand Jury received a response from the Kings Schools Transportation Authority (KSTA) in August of 2008. The response lacked specific answers to questions that were asked by the 2007-2008 Grand Jury in their report. Correspondence in which specific questions were asked was sent to the 2008-2009 chairperson of KSTA. The 2008-2009 Grand Jury received a comprehensive report which answered all remaining questions as well as providing supporting documentation.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury felt that the answers to the questions asked were not complete and needed to be further answered.

### **AUTHORITY**

Authority is pursuant to California Penal Code Section 925a.

### **METHOD OF INVESTIGATION**

The Grand Jury examined the response to the 2007-2008 Grand Jury report which was received in August of 2008 and found that questions asked were not answered to the satisfaction of the Grand Jury. A request for specific information was sent to the 2008-2009 chairperson of the KSTA in which specific answers to questions were asked.

### **FACTS**

The response received by the Grand Jury regarding the 2007-2008 report did not include complete answers to the recommendations made. The 2008-2009 Grand Jury requested further information from the 2008-2009 chairperson of the KSTA and received a fully developed response with supporting documentation.

### **COMMENT**

The Grand Jury appreciates the effort taken to answer all questions with all required supporting documentation.

### **RESPONSE REQUIREMENT**

**None required.**

Kings Schools Transportation Authority

823 W. Lacey Blvd.  
Hanford, CA 93230

December 16, 2008

The Honorable Peter M. Schultz  
Presiding Judge  
Superior Court of the State of California  
County of Kings  
1426 South Drive  
Hanford, CA 93230

Dear Judge Schultz:

This correspondence constitutes the Kings Schools Transportation Authority's response to the report issued by the Kings County Grand Jury and submitted to the Authority on November 12, 2008. The report by the Kings County Grand Jury indicates their recommendations as follows and KSTA's responses.

**Recommendation 1**

KSTA stated that "The Authority will review documents to ensure consistency and/or designate which documents supersede other documents. The Authority will review the definition of KSTA in the Policies and Procedures Manual and make changes when appropriate.

**Response:**

The documents referenced in the Grand Jury report were developed by legal counsel retained by the Kings Schools Transportation Authority. Legal counsel has reviewed the documents following the release of the Grand Jury report and the KSTA board reviewed the document at the regularly scheduled meeting in September (Please refer to attached agenda). No changes to the referenced documents were recommended.

**Recommendation 2:**

KSTA stated that "The Authority continues to implement this recommendation and will develop a schedule of random bus inspections.

**Response:**

All Kings Schools Transportation Authority buses are required by law to be inspected and serviced every 45 days. All buses are inspected and serviced on a thirty day rotation basis by the Hanford Elementary School District Transportation Department and the inspections are documented in writing (Please refer to attached inspection “Work Sheet”). Complete records of all inspections and repairs are housed at the HESD Transportation Department and are available for review. The KSTA bus fleet successfully passed an inspection conducted this past October by the California Highway Patrol. A KSTA board member has reviewed inspection and service records on two occasions since the release of the Grand Jury report.

Also attached is a list of Safety Meeting Dates and training dates for drivers to deal with “special needs” students.

**Recommendation 3:**

KSTA stated that “The Authority is in process of implementing this recommendation. All board members have copies of all referenced documents and a review of the documents will be conducted.”

**Response:**

All referenced documents were reviewed by the Board at the September 8, 2008 board meeting (Please refer to attached agenda).

**Recommendation 4:**

KSTA stated that “KSTA Board Minutes memorialized discussions regarding STA performance and backup documents to board agendas specify information regarding the condition of equipment. Further student of this recommendation will be conducted by the Authority”

**Response:**

Recommendation 4 involved the recommended hiring of a Transportation Coordinator. The referenced quotation included in the Grand Jury’s current request for Recommendation 4 was actually KSTA’s response to Recommendation 5. With respect to the hiring of a Transportation Coordinator, the board discussed all recommendations during the review of the Grand Jury report in the June 2, 2008 board meeting (Please refer to attached minutes). Further study of this recommendation is anticipated in future board meetings.

**Recommendation 5:**

KSTA stated that “Further study of the recommendation will be conducted by the Authority”.

**Response:**

Since the first board meeting in September was held only weeks after the beginning of the current school year, written documentation of the STA’s performance was not reviewed at the meeting. The Board President is documenting monthly meetings with STA and County Office of Education staff any informal or formal complaints. STA performance will be reviewed by the board at future meetings.

**Recommendation 6:**

KSTA stated that “The Authority is in process of implementing this recommendation.”

**Response:**

Since the first board meeting in September all meeting agenda notices have been e-mailed to local media (Hanford Sentinel, South Valley Fresno Bee). In addition, all board member school districts also received the e-mail with the request to post (see attached e-mails). All meetings have been held at the Hanford Joint Union High School District Board Room at 9:00 a.m.

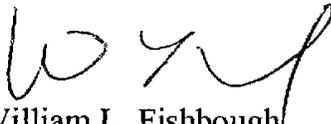
**Recommendation 7:**

KSTA stated “The Authority is in process of implementing this recommendation”.

**Response:**

A Parent/Student handbook, which includes complaint procedures, was developed and approved at the September 8, 2008 board meeting (Please refer to attached agenda and Parent/Student handbook).

Respectfully submitted,



William L. Fishbough  
KSTA Chairperson, 2008-2009

# **LAW AND PUBLIC SAFETY**



## **AVENAL SUB-STATION HOLDING CELLS**

### **SYNOPSIS**

On August 26, 2008 the Grand Jury examined the Avenal Sub-Station to view the holding cells. The Avenal Sub-Station does not use holding cells.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury is required through mandated law to visit/tour jail and prisons in the county.

### **AUTHORITY**

California Penal Code Section 919 (b)

### **METHOD OF INVESTIGATION**

An onsite visit and interviews with staff were conducted at the Avenal Sub-Station regarding holding cells on August 26, 2008.

### **AVENAL SUB-STATION HOLDING CELLS**

The holding cells at Avenal Sub-Station are not being used. Individuals in the custody of the Sheriff's Department are transported to the Hanford Jail. The holding cells passed the annual environmental inspection.

### **FINDING**

The Avenal Sub-Station holding cells are no longer used.

### **RECOMMENDATION**

None.

### **RESPONSE**

**Penal Code Section 330 and 330.05 requires that a specific response to the findings and recommendations contained in this report be submitted to the Presiding Judge by the Kings County Board of Supervisors and Corcoran City Council within 90 days from the date of receipt.**



OFFICE OF  
**SHERIFF**  
COUNTY OF KINGS

P.O. BOX 986  
HANFORD, CA 93232-0986  
PHONE 559/582-3211  
FAX 559/583-1553

CHRIS JORDAN  
SHERIFF-CORONER  
PUBLIC ADMINISTRATOR

October 21, 2008

Honorable George Orndoff,  
Superior Court Judge  
Kings County Government Center  
Hanford, California 93230

Dear Judge Orndoff,

The following information is furnished in response to the 2008 Grand Jury's Final Report of the Kings County Sheriff's Department.

**Area of Inquiry: Avenal Sub-Station Holding Cells**

Grand Jury Finding:

The Avenal Sub-Station holding cells are no longer used.

Response:

The court holding cells are no longer used to hold jail inmates waiting to appear in the Avenal Courtroom. Avenal criminal proceedings are now occurring at the Superior Courts located at the Kings County Government Center in Hanford. Pre-booked inmates arrested in Avenal are seldom held in the holding cells but are transported directly to the Kings County Jail in Hanford.

Grand Jury Recommendation:

None.

Response:

None.

Respectfully Submitted,

Chris Jordan, Sheriff  
Coroner-Public Administrator

## **AVENAL STATE PRISON**

### **SYNOPSIS**

On September 30, 2008, the Grand Jury toured Avenal State Prison. We observed housing units, educational and vocational facilities, the canteen, the yard and interviewed key administration. Prior to our visit, the Grand Jury supplied Avenal State Prison with a list of comprehensive questions. We were provided with extensive, well organized portfolios in response to the Grand Jury list of questions and information. The most critical issue facing Avenal State Prison is an inadequate water supply in order to maintain functions of the prison facility.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury is required through mandated law to visit/tour jails and prisons in the county.

### **AUTHORITY**

California penal code Section 919 (b). The Grand Jury shall inquire into the condition and management of public prisons within the county

### **METHOD OF INVESTIGATION**

The Grand Jury toured the Avenal State Prison facility, reviewed records and responses to questions that were previously requested and spoke to administrative, correctional and medical staff.

### **BACKGROUND AND FACTS**

The Grand Jury was greeted by the staff of Avenal State Prison (ASP) in the administration building. We were given a brief introduction of the rules for visitors and an outline of the areas to be visited. At the time of our visit ASP had seven Level I inmates, 6,787 Level II inmates, and 71 Reception Center/Unclassified inmates. The inmate occupancy cap, as of September 24, 2008, was 7,039. We learned, as of July 31, 2008, that 2,531 inmates are over the age of 46. Inmates pending parole within one year are expected to be 2,640. There are currently 1,425 inmates serving life sentences. These numbers change daily.

We arrived at Facility One yard, observing inmates participating in morning yard time activities. Staff informed us that the size of the grass area on each facility has been

downsized to accommodate the water conservation program that they are diligently working to achieve. The Grand Jury visited the canteen at the facility. Inmates are provided a list of items available for purchase. Items such as personal hygiene and food items were available. Inmates with money on the books are allowed to purchase items at specified times. Order forms are being changed to computerized forms. Outside orders of specific items (for example radios) can be shipped to the inmates from approved vendors. Inmates are allowed quarterly packages from outside sources.

We were directed to housing unit 110 where we observed inmates housed in an open dorm setting. ASP has begun to implement water conservation. When fully implemented this will result in a total projected savings of 19.93 acre feet per year (AFY). To date 17 percent of the planned conversion to low flow device has been completed. We were informed that ASP has installed low flow shower heads (2.5 gallons) including 5 aerators. There is a shower schedule and the shower time is limited to approximately three minutes.

In the day room there are steel tables and stools available for activities. There is a TV area where benches for seating are located on both sides of the housing unit. The building appeared to be well maintained and clean.

Rehabilitation services are provided such as Self-Help groups like Criminal Gang Members Anonymous, Youth Adult Awareness Program, Alcoholics Anonymous and Narcotics Anonymous. A total of 640 inmates attend these meetings per year. Avenal Substance Abuse Program (SAP) has 200 inmates participating. This is the maximum number of inmates that the program can accommodate.

Extensive educational services are provided through Golden Hills Adult School. Academic and vocational programs are provided and available to all six facilities. Academic programs consist of English Language Development; Adult Basic Education (ABE) I, ABE II, ABE III, and high school/General Education Development (GED). A high school diploma program and correspondence college programs are also available. College programs are provided at no cost to the state, as inmates are responsible for their own course fees and materials. During our tour we observed two vocational programs, welding and carpentry. We were informed ASP offers other vocational programs such as:

machine shop	print shop and painting
mill and cabinet	automotive paint and body
automotive mechanics	janitorial
refrigeration/air conditioning	plumbing
electrical works	small engine repair
office services and related technologies	

Upon course completions, vocational programs provide appropriate industry and national certifications. In addition ASP offers Prison Industry Authority (PIA) programs:

poultry	egg production
furniture factory	general fabrication
laundry administration	maintenance and warehouse management

The 2008 Food Facility Inspection (FFI) was conducted at ASP by an Associate Industrial Hygienist from the office of Risk Management, Occupational Health and Safety Services Unit (OH&SS). The audit was conducted on May 12-14, 2008. Food service personnel and other staff demonstrated an interest and a desire to see improvements in the areas of food service operations and environmental health and safety programs.

There are 165 budgeted positions unfilled of which 52 are custody, 7 are education, 2 are management, 47 are medical, 39 are support staff and 18 are trades.

Information provided in documents stated Methicillin Resistant Staph Aureus (MRSA) is a bacterial infection which is difficult to treat because basic antibiotics don't work. Facilities in which people live in close proximity have a higher risk of MRSA. Most of the cases seen at ASP are of skin and soft tissue. The Chief Medical Officer (CMO) and the Health Care Manager (HCM) are currently creating a policy whereby antibacterial cleaning agents are applied to communal areas frequently to prevent the spread of this infection. Good personal hygiene is also important, and it is ASP's policy to encourage this.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** A water shortage is preventing the fulfillment of the contracted water supply to the Avenal State Prison.

**Recommendation 1.** Avenal State Prison should work with the City of Avenal to secure additional water supplies through water purchase agreements. See Attachment.

**Finding 2.** Although the mandated cap of prisoners is 7,039, on the day of our visit the inmate count was 6,925. The original design was for 2,500 inmates with the ability to add additional housing for future growth.

**Recommendation 2.** Attempt to decrease resource requirements of the higher population by prisoner transfers to other institutions.

**Finding 3.** Avenal State Prison has begun to utilize a variety of water conservation measures.

**Recommendation 3.** 100 percent of the water conservation plan should be completed at the earliest possible time.

**Finding 4.** A large variety of vocational training programs are in place. Due to space and personnel limitations and resources, only a small number of prisoners can be accepted into these programs.

**Recommendation 4.** Vocational training programs should be expanded to enroll more prisoners.

**Finding 5.** There are 165 budgeted positions unfilled.

**Recommendation 5.** Fill budgeted positions at the earliest possible time.

**Finding 6.** Avenal State Prison substance abuse program has 200 inmates participating which is the maximum enrollment.

**Recommendation 6.** Attempt to add resources to increase enrollment in this program.

**Finding 7.** No MRSA policy exists. The CMO and HCM are currently creating a policy to prevent spread of infection.

**Recommendation 7.** Send a copy of the MRSA policy to the Grand Jury and implement the policy at the earliest possible time.

**Finding 8.** The environmental report that was provided noted several deficiencies.

**Recommendation 8.** Provide documentation of compliance with deficiencies noted in the environmental report.

**Finding 9.** Avenal State Prison launders inmate clothes for its own facility in addition to Alameda County Juvenile facility and Pleasant Valley State Prison. Seventy percent of the water for washing clothes is recycled.

**Recommendation 9.** Laundry water should be included in the water conservation program. Consider laundering clothes only for Avenal State Prison inmates, or if the water shortage is still significant, send Avenal State Prison laundry to another facility that has adequate water.

## **COMMENTS**

In spite of an aging facility, budget limitations, understaffing, and water shortages, ASP staff displayed a positive attitude and is committed to achieving their goals. The Grand Jury was impressed with the overall general operations of the institution.

**DIVISION OF ADULT INSTITUTIONS**  
**AVENAL STATE PRISON**  
P. O. Box 8  
Avenal, CA 93204



January 21, 2009

Honorable George Orndoff  
Superior Court Judge  
Kings County Government Center  
1426 South Drive  
Hanford, CA 93230

Dear Honorable Judge Orndoff:

We were proud and honored to have the Kings County Grand Jury tour Avenal State Prison (ASP) on September 30, 2008. This letter is in response to their findings and recommendations.

**FINDING 1:**

A water shortage is preventing the fulfillment of the contracted water supply to ASP.

**RECOMMENDATION:**

ASP should work with the City of Avenal to secure additional water supplies through water purchase agreements.

The recommendation to purchase additional water supplies may no longer be needed. ASP was consuming about 1.3 million gallons of water per day. Upon declaration of a water crisis by the City of Avenal, ASP increased its conservation efforts by installing more efficient shower heads, revising the inmate shower schedule, reducing landscape watering, and by providing water conservation training to staff and inmates. These efforts reduced consumption to about 900,000 gallons per day, a 30% savings.

**FINDING 2:**

Although the mandated cap of prisoners is 7,039, on the day of our visit, the inmate count was 6,925. The original design was for 2,500 inmates with the ability to add additional housing for future growth.

**RECOMMENDATION:**

Attempt to decrease resource requirements of the higher population by prisoner transfers to other institutions.

ASP is in the process of deactivating the housing of inmates in gyms and eliminating triple bunking throughout the institution. By March 1, 2009, our capacity will be 6578 inmates, a reduction of 461.

**FINDING 3:**

ASP has begun to utilize a variety of water conservation measures.

**RECOMMENDATION:**

100 percent of the water conservation plan should be completed at the earliest possible time.

ASP has implemented water conservation measures. Please note that the City of Avenal has expressed satisfaction with the significant results we've achieved.

**FINDING 4:**

A large variety of vocational training programs are in place. Due to space and personnel limitations and resources, only a small number of prisoners can be accepted into these programs.

**RECOMMENDATION:**

Vocational training programs should be expanded to enroll more prisoners.

Our vocational training programs have a capacity of 859 inmates. Due to space and resources available, ASP is not able to add vocational training programs at this time.

**FINDING 5:**

There are 165 budgeted positions unfilled.

**RECOMMENDATION:**

Fill budgeted positions at the earliest possible time.

As of December 31, 2008, there were 77 vacant positions. ASP is in a constant state of hiring staff. Currently, we experience a five percent vacancy rate, which is low. Having over 1500 personnel, we may never achieve zero percent vacancies, as staff retires, transfer, resign, and promote on a continual basis. Please note that we are now in another hiring freeze and that will hinder our ability to fill vacancies.

**FINDING 6:**

ASP's Substance Abuse Program has 200 inmates participating, which is the maximum enrollment.

**RECOMMENDATION:**

Attempt to add resources to increase enrollment in this program.

We are pleased to report that we are well into the construction phase of adding treatment space to Facilities four and six. In the meantime, staff have been hired and inmates are incrementally being assigned to the program and are meeting in a temporary location. Full enrollment should be reached by March 31, 2009. These expansion efforts will increase our Substance Abuse Program enrollment from 200 to 700 inmates.

**FINDING 7:**

No MRSA policy exists. The CMO and HCM are currently creating a policy to prevent spread of infection.

**RECOMMENDATION:**

Send a copy of the MRSA policy to the Grand Jury and implement the policy at the earliest possible time.

An MRSA policy was in place, but needed to be revised. This policy (Operational Procedure 68) has been revised and a copy is attached to this letter for your review.

**FINDING 8:**

The environmental report that was provided noted several deficiencies.

**RECOMMENDATION:**

Provide documentation of compliance with deficiencies noted in the environmental report.

The corrective action plan is attached to this letter for your review.

**FINDING 9:**

ASP launders inmate clothes for its own facility, in addition to Alameda County Juvenile Facility and Pleasant Valley State Prison. Seventy percent of the water for washing clothes is recycled.

**RECOMMENDATION:**

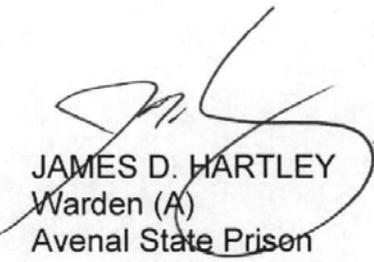
Laundry water should be included in the water conservation program. Consider laundering clothes only for ASP inmates, or if the water shortage is still significant, send ASP laundry to another facility that has adequate water.

The recommendation of reducing the amount of laundry we do has merit. However, in measuring usage in all areas, we found that the laundry accounts for less than one percent of the institution's daily water consumption.

Transferring ASP's laundry to another facility would incur significant transportation costs and eliminate inmate positions. However, if extreme conservation measures were required, elements of your recommendation would be implemented.

The staff at Avenal State Prison are proud of the accomplishments we have achieved in the midst of diminishing resources. We appreciate your findings and recommendations of improvements to our operation.

Sincerely,



JAMES D. HARTLEY  
Warden (A)  
Avenal State Prison

ATTACHMENTS:

MRSA policy  
Environmental report



# **CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON**

## **SYNOPSIS**

Prior to our visit, the Grand Jury supplied CSATF (California Substance Abuse Treatment Facility) with a list of comprehensive questions. We were provided with extensive, well organized portfolios in response to the Grand Jury's list of questions. We observed housing units, educational and vocational facilities, the canteen, the yard, and interviewed key administration personnel.

## **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury is required through mandated law to visit/tour jails and prisons in the county.

## **AUTHORITY**

California Penal Code Section 909 (b). The Grand Jury shall inquire into the condition and management of public prisons within the county.

## **METHOD OF INVESTIGATION**

The Grand Jury toured the California Substance Abuse Treatment Facility and State Prison at Corcoran, (CSATF/CF) on February 3, 2009.

## **BACKGROUND AND FACTS**

CSATF/CF, Corcoran was opened August, 1997 and covers 280 acres. We were informed CSATF/CF Corcoran is the largest drug rehabilitation facility in the world. The inmate population as of January 27, 2009 was 6,993. The Grand Jury toured the California Substance Abuse Treatment Facility located just south of the City of Corcoran, California. We met with the Warden, administrative staff and department supervisors of each department. The meeting was followed with an on site tour of various areas of the institution, housing units, dining facilities, kitchen area, medical service facilities, education and vocational classrooms.

CSATF/CF provides for the control and treatment of the inmates who meet the criteria committed to the California Department of Corrections and Rehabilitation by the courts. The prison also provides viable work and training programs for the general inmate

population as well as a “therapeutic community” substance abuse treatment complex. The administrative segregation portion of this prison will provide safe and secure facilities to house inmates population who, through their prior actions, have proven to be a threat to the institution staff and/or other inmates.

Prior to our visit, the Grand Jury supplied CSATF with a list of comprehensive questions. We were provided with extensive, well organized portfolios in response to the Grand Jury list of questions. Some of the additional information provided by the staff is included below.

The academic program includes the following classes: English as a Second Language, Adult Basic Education, General Education Development toward a GED (General Education Degree), Pre-Release classes for paroling inmates, and Distance Learning and Independent Studies. These classes are offered at all seven facilities. An effort is made to test and screen inmates to determine their level of education and skills. This screening provides the opportunity and jobs for qualified individuals. There are very strict criteria for inmates to obtain education and/or vocational skills, while providing a viable work history within the prison. Many of these programs provide key services and also allow the institutions to remain self sufficient. They provide viable job and work experience to qualified inmates who participate in the various programs while serving their sentence.

The vocational programs include the following:

#### Vocational

Air Conditioning/refrigeration  
Auto Paint  
Auto Transmission  
Building Maintenance  
Graphic Arts  
Landscape and Gardening  
Small Engine Repair  
Office  
Plumbing

Auto Body  
Auto Tune-Up  
Dry Cleaning  
Electrical Works  
Electronics  
Janitorial Services  
Masonry  
Mill and Cabinet  
Painting

#### Academic

Adult Basic Education  
High School/GED  
English as Second Language  
Computer-Assisted Education

Arts-in-Corrections  
Literacy Program  
Re-Entry/Transition  
College Correspondence Programs

The cost of tuition and books, is paid by the inmate/students for Distance Learning and Independent/College Correspondence Programs. Inmates are assisted in the same manner as students that attend higher education through financial aid funded programs, etc.

### Prison Industry Authority PIA

Food & Beverage

### Other Program & Services

Religious Services

Alcoholics Anonymous

Parenting

Narcotics Anonymous Treatment/Diversion Recycling

Substance Abuse Program

Anger Management

Bicycle Refurbishing

Youth Diversion

### Substance Abuse Treatment Facility

Although we did not observe the treatment facility on the day of our visit, CSATF staff informed the Grand Jury that inmates are screened to determine eligibility for admission to the program. Because of limitations not all qualifying inmates are able to participate in the program.

### Health Care Services

The number of inmates requiring special/sensitive needs who are on psychiatric medication is approximately 630. Nine percent of the total inmate population is on psychiatric medication. Tele-medicine is utilized for specific medical and psychiatric services on Wednesdays, Thursdays, Saturdays and Sundays.

Although we did not visit the dialysis unit, we were told by the assistant warden that inmates are able to be treated on site by this recently licensed facility, thus saving transport time and permitting officers to be available for other duties.

### Assaults

During the last 12 months there were 47 incidents classified as assaults by inmates on staff, and there were 89 incidents classified as assaults with inmate on inmate incidents.

## **Fire Protection Services**

The protection services of CSATF/CF are shared with the California State Prison-Corcoran (COR) which is responsible for the fire services.

## **Canteen**

CSATF /CF has a canteen program where inmates are able to purchase packaged foods. Inmates are also able to purchase quarterly packages from approved vendors based on their privilege group. These packages can either be purchased by the inmate with funds in their trust account or by family members for direct delivery to the institution.

CSATF/SF has taken measures to conserve water such as installation of flushometers in the celled housing unit which limits the number of flushes in a specified time period. Shower schedules have been implemented to limit the number and length of showers to conserve water, and care washing has been restricted. These measures have had a positive impact by reducing water usage.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** The substance abuse and treatment program has more applicants for counseling than resources permit.

**Recommendation 1.** Try to increase the number of screened inmates into the program by use of additional resources when budget allows.

## **COMMENTS**

The Grand Jury was impressed with the overall general operations of the institution.

## **Response Requirements**

**Penal Code Section 933 and 933.5 requires that specific responses to both the finding and recommendation contained in the report be submitted to the Presiding Judge of the Kings County Superior Court by the California Substance Abuse Treatment Facility and State Prison within 60 days.**

## **CORCORAN POLICE DEPARTMENT HOLDING CELLS**

### **SYNOPSIS**

On August 26, 2008 the Grand Jury examined the holding cells at the Corcoran Police Department and found them to be in compliance with applicable regulations.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury is required through mandated law to visit/tour jail and prisons in the county.

### **AUTHORITY**

California Penal Code Section 919 (b)

### **METHOD OF INVESTIGATION**

An onsite visit and interviews with staff were conducted at the Corcoran Police Department holding cells on August 26, 2008.

### **CORCORAN POLICE DEPARTMENT**

There is one holding cell which houses up to twelve people. This holding cell has four bunk beds, one sink, and one toilet. There are three single cells for inmates and one safety cell. There is one outside shower. Rival gang members that come in are separated from each other.

The pre-booking process for the Corcoran Police Department holding cells begins in the booking area of the department. There is no visitation for the inmates unless it is with their attorneys. All medical needs of the inmates are provided by Corcoran District Hospital. Spanish speaking staff is available. Inmates are uniformly advised of the rules: which include why they are there; what the process is; what will be going on; and what the charges are. The inmates have a right to make three phone calls. The calls can be to an attorney, a friend or relative, or to a bail bondsman.

Juveniles that come in with minor charges are held for six hours and then released to a parent or guardian. Juveniles with more serious charges are transported to Juvenile Hall as soon as possible. All juveniles are housed separately from adults.

There are no church services offered. The inmates remain in their street clothing. Intoxicated and disorderly people are cited and released. They are not sent to the local hospital unless they are medically compromised. The holding cell area is monitored by

the police dispatch both visually and through video and audio monitoring. Inmates are temporarily housed in the holding area for a maximum of twenty-four hours. Shower and hygiene items are provided.

Annual Fire inspections in 2007 and 2008 were performed. Only the records for the 2007 inspection were available. They had the required annual inspection for the Corrections Standards Authority on July 7, 2008.

## **FINDING**

The holding cells of the Corcoran Police Department meet state standards.

## **RECOMMENDATION**

None.

## **RESPONSE**

**Penal Code Section 330 and 330.05 requires that a specific response to the findings and recommendations contained in this report be submitted to the Presiding Judge by the Kings County Board of Supervisors and Corcoran City Council within 90 days from the date of receipt.**

**None Required**

## **CORCORAN STATE PRISON**

### **SYNOPSIS**

California State Prison Corcoran (CSP-Corcoran) is located in the southern portion of the city of Corcoran. The prison grounds cover 942 acres, with 63 acres fenced. It was built on what was once part of the Tulare Lake, home of the Tachi Indians.

Like other modern California State Prisons, CSP-Corcoran is circular in design so that, if problems with inmates arise, security personnel can respond quickly. The electrified fences at CSP-Corcoran provide additional security coverage and deter any attempt to escape.

CSP-Corcoran is a complex, multi-mission institution comprised of the following facilities: Levels I, III, and IV, Security Housing Unit (SHU), Prison Industry Authority (PIA) and a fully licensed Acute Care Hospital.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury is required through mandated law to visit/tour jails and prisons in the county.

### **AUTHORITY**

California Penal Code Section 919(b). The Grand Jury shall inquire into the condition and management of public prisons within the county.

### **METHOD OF INVESTIGATION**

Information provided by CSP-Corcoran was reviewed. Members of the Grand Jury toured CSP-Corcoran on February 17, 2009

### **BACKGROUND AND FACTS**

Prior to our visit, the Grand Jury supplied CSP-Corcoran with a comprehensive list of questions. The Grand Jury was provided extensive, well organized responses to the questions. CSP-Corcoran opened in 1988 as a maximum security prison. CSP-Corcoran was built on what was once part of Tulare Lake, home of the Tachi Indians. The population as of February 17, 2009, was 5,800 inmates with over 1,200 inmates in the Security Housing Unit (SHU).

The 75-bed licensed acute care hospital provides in-house medical care. Twenty- three of these beds are utilized as a mental crisis facility. In addition CSP-Corcoran hospital treats inmates from prisons all over the state as well as their own inmate population.

The following information was provided regarding designated inmate housing:

- 21- Bed Outpatient Housing Unit (OHU)
- 150 - Bed Chronic Infectious Disease (CID) unit
- 140- Bed Enhanced Out Patient (EOP) Mental Health Beds
- 54 - Bed EOP Administration Segregation Hub

CSP-Corcoran houses and maintains a Protective Housing Unit (PHU), which is a 24-bed facility with 24 hour observation of inmates. This unit houses some of the state's high profile inmates.

CSP-Corcoran currently has a staffing complement of 2,300. Of this number over 1,300 are assigned peace officers/custody. Approximately 448 peace officers are involved in the delivery of inmates to various appointments. These appointments include medical, mental, health, and dental services.

The remainder of programs and support staff includes clerical, warehouse, grounds keeping, education medical and any other services and operations provided for the institution.

On day of the Grand Jury visit, the latest budget information available was for the fiscal year of 2005-2006. Annual operation budget costs were:

Institutional Operations	\$169,943,815.89
Correctional Health Care Services	\$61,361,608.00
Education, Vocations and Institutional Program	<u>\$2,664,805.44</u>
Annual Budget	\$233,970,229.33

Approximately 80% of the budget is dedicated to personnel services, which include wages, overtime, temporary help, benefits and Workers Compensation.

The academic program includes the following classes: English as a Second Language, General Education Development toward a GED (General Education Degree) and Pre-Release Classes for inmates scheduled for parole. Incoming inmates are tested and screened to determine their level of education and skills. This screening provides the opportunity for qualified individuals to get job. A list of the available programs offered by CSP-Corcoran follows:

**PRISON INDUSTRY AUTHORITY (PIA)**

Dairy/Milk Processing  
Manufacturing  
Metal Fabrication  
Wood Products  
Laundry  
Crop Farming

### **VOCATIONAL SERVICES**

Computer Technology  
Machine Shop  
Electronics  
Upholstery and Welding Mill  
Sheet Metal and Cabinetry

### **ADDITIONAL SERVICES**

Community Work Crews  
Maintenance  
Administration Building Porters  
Fire Department  
Yard Crews  
Garage

### **REHABILITATION PROGRAM/SERVICES**

Parenting Classes  
Anger Management  
Office of Substance Abuse Program (OSAP)  
Alcoholics Anonymous and Narcotics Anonymous (AANA)

### **EDUCATIONAL PROGRAMS**

Literacy Program  
Adult Basic Education  
Pre-Release High School/GED  
English as a Second Language

CSP-Corcoran receives domestic drinking water from the City of Corcoran. This water is supplied, treated and filtered with no further treatment necessary. In 2007, the City of Corcoran activated a new \$16M arsenic removal facility that filters and treats the water drawn from all of the city's wells.

CSP-Corcoran is required to follow a water conservation plan set forth to help reduce the drain water sent to the holding ponds at California State Prison. Inmate showering time will be five minutes. Inmates may shower as allowed by the facility showering schedule. Roads, sidewalks and loading docks will not be hosed down for the purpose of cleaning them unless necessary for health and safety concerns on individual occurrences. Culinary areas will limit the use of hoses and wet mopping floors by sweeping if possible. Plant Operation staff will place high priority on faulty operating water equipment such as leaky faucets.

Inspection teams will be organized to tour the institution to identify areas where water conservation measures are needed or need to be enforced.

CSP-Corcoran processes waste water that is generated from both CSP-Corcoran and the Substance Abuse Treatment Facility. The treatment facility is located on the CSP-Corcoran grounds. The system is an extended aeration plant utilizing three secondary effluent holding ponds and eight drying beds for bio-solid separation.

## **FINDINGS**

None

## **RECOMMENDATIONS**

None

## **COMMENTS**

The Corcoran State Prison staff faces problems that are created by the State of California budget. These problems include, but are not limited to: overcrowding, unfilled staff vacancies, the physical plant aging and deteriorating without being maintained, insufficient number of available inmate programs and the increasing cost of transporting inmates to medical appointments.

## **RESPONSE REQUIREMENTS**

**None.**

## **HANFORD POLICE DEPARTMENT**

### **SYNOPSIS**

On February 10, 2009, the Grand Jury met with the Chief of the City of Hanford Police Department, the Captain of Patrol Operations, and the Captain of Support Services. The Grand Jury toured the City of Hanford Police Department.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury may at any time investigate any city agency.

### **AUTHORITY**

California Penal Code Section 925a.

### **METHOD OF INVESTIGATION**

Interviews with staff and an onsite visit were conducted with the City of Hanford Police Department.

### **BACKGROUND AND FACTS**

The Hanford Police Department is committed to its responsibility to the community of Hanford. Because of this commitment, it has developed both a Mission Statement and Policing Goals statement as follows:

#### **MISSION STATEMENT**

The mission of the Hanford Police Department is to enhance the quality of life of all citizens. This mission will be accomplished through creative partnerships, commitment to serving community needs, professional and proactive enforcement, and a dedicated, highly trained, and innovative workforce.

#### **COMMUNITY POLICING GOALS**

- Crime Reduction
- Fear Reduction
- Enhance job satisfaction
- Community satisfaction with Law Enforcement Service
- Improving the overall quality of life in the community

The Hanford Police Department (HPD) is dedicated to ensure the safety and security of all people in the City of Hanford by offering a responsive and professional police service. HPD is responsible for the detection and suppression of crime and for community education in crime prevention.

The Grand Jury met with the Chief of Police and two Lieutenants. A complete tour of the police station facilities was conducted. The Chief of Police provided the Grand Jury with a tour of HPD areas by departments and their functions. HPD presently has 57 sworn officers in full-time positions.

There are two dispatchers and one supervisor on duty for each shift 24 hours a day/7 days a week. Dispatch receives 200-300 calls per day not including 911 calls. 911 calls are answered in ten seconds or less.

### **Police Officer Safety Training (P.O.S.T.)**

College of Sequoias offers this program for potential cadets and cadet resource officers. The P.O.S.T. program is offered to full-time students, and they must attend class 5-6 days a week. Originally this program was a six month program, but presently it has been extended to eleven months. The HPD hires most cadets after they have completed the P.O.S.T. program. Cadets receive additional training during their first 2-3 years of departmental service.

In addition HPD has what is known as the Citizen Police Academy. This program is made up of community citizens who are interested in providing additional assistance to the HPD. They are called Citizens on Patrol. A 12 week training program for members is required before they can participate in the program. Training is held one night a week.

### **Gang Resistance Education and Training Program (GREAT)**

Hanford Police Department no longer has the DARE (Drug Abuse Resistance Education) program. In August of 2008, the Hanford Police Department implemented the Gang Resistance Education and Training Program (GREAT). Three officers receive 80 hours of formal training and are certified to teach the GREAT curriculum. The officers provide training for all sixth grade students in local elementary schools.

The GREAT Program is a school-based, law enforcement, office-instructed classroom curriculum. With prevention as its primary objective, the program is intended as an immunization against delinquency, youth violence, and gang membership.

GREAT lessons focus on providing life skills to students to help them avoid using delinquent behavior and violence to solve problems. The GREAT program offers a curriculum for both students and their families. At the conclusion of the student three

week program a graduation ceremony is held to honor the students who have successfully completed the program.

### **Explorer Post**

The Hanford Police Department has established an explorer post which currently consists of eight members. The primary purpose of law enforcement explorer post is to provide vocational education and training to young people, ages 15-20, who have an interest in law enforcement as a career. Its purpose is to provide, through actual experience, a means by which young men and women may determine if they would like to pursue a career in law enforcement. Explorers help with parades and other community activities. They must be responsible and doing well in school.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** The Hanford Police Department works diligently in getting young people involved in police work, thus providing a police experience which permits the opportunity to understand what is involved in police work.

**Recommendation 1.** Continue the programs as well as developing new programs.

**Finding 2.** The Hanford Police Department has developed both a Mission Statement and Community Policing Goals Statement. These statements provide the opportunity for both the department and the community to focus on the police service provided.

**Recommendation 2.** None

**Finding 3.** The Hanford Police Department is open to change in direction based on the needs of the community. The GREAT program is an example of this openness.

**Recommendation 3.** None

## **RESPONSE REQUIREMENT**

**None.**



## **JUVENILE HALL/BOOT CAMP**

### **SYNOPSIS**

On July 29, 2008, the Grand Jury conducted interviews with the Deputy Chief Probation Officer and two commanders. A tour of the Juvenile Hall and Boot Camp followed.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury is required through mandated law to visit/tour jails and prisons in the county.

### **AUTHORITY**

California Penal Code Section 919 (b)

### **METHOD OF INVESTIGATION**

Interviews with staff and an on site visit were conducted.

### **OBSERVATION AND FACTS**

#### **KINGS COUNTY JUVENILE HALL**

Interviews were conducted with the Deputy Chief Probation Officer and two Commanders in the Grand Jury Room. The Grand Jury was provided with a copy of the policy and procedure manual and the handbook for the Juvenile Hall and the Boot Camp Program. Following this meeting, these officers took the committee on a tour of both facilities.

The Juvenile Hall is used as a detention facility for minors who have committed a criminal violation. Most other detainees are awaiting arraignment. It should be noted that all proceedings for minors are closed to the general public. All juveniles are referred to as wards. The parents or guardians are responsible for the incarceration fees for the wards. On the day of our tour there were 53 wards: 47 males and 6 females.

The judge has the discretionary authority to send wards to Juvenile Hall or directly to Boot Camp Program.

Wards who are convicted of murder or other heinous crimes are sent to the California Youth Authority (CYA), at no cost to the county. Wards remain there until age 18 and are transferred to a state prison. CYA accepts only very violent prisoners. Four wards

were sent to CYA from Kings County in the past year. It is anticipated that the state will close CYA.

All wards are given a physical exam within the first 96 hours of detention although the policy and procedure manual states that the exam should be performed within 72 hours. A medical clearance is given by a registered nurse contracted through California Forensic Medical Group (CFMG). The registered nurse dispenses medication. A therapist from Kings View Mental Health is on site daily. A doctor comes in once a week to follow up on the nurses' recommendations. Some wards get medical clearance at the hospital and are then released to their parents/guardians until court arraignment.

Officers take everything said by wards very seriously. Wards who may harm themselves are stripped of their clothing and put in a suicide vest. This vest is padded and is fire retardant with no buttons or belts. Wards are then placed in medical isolation and observed every fifteen minutes by an officer. There are no padded cells, and restraint chairs have been removed.

Environmental deficiencies listed in the 2008 Juvenile Facility Health Inspection report have all been resolved. There are no longer leaking sinks or water collecting on the floors of the showers stalls. Restrooms have been completely redone. Old toilet seats have been replaced in all restrooms with stainless steel units. The cold air problem has been resolved.

On our tour we observed individual cells that were clean and equipped with a bed, stainless steel toilet and an emergency alert button to alert staff. Quarterly fire drills are mandatory and incorporated into the safety routine. The buildings can be completely cleared of all occupants in three minutes. Safety and security of all wards are top priorities with staff. All general maintenance is performed by wards and major clean-up is done on Saturday.

Wards must attend an on-site school provided for grade levels K-12. Upon entering school, wards are given a grade level placement exam by a specialist from the Kings County Office of Education. This testing reveals that many wards are below normal grade level for age. The Grand Jury was informed by the school staff that most wards advance two to three grade levels while incarcerated. Wards are required to receive 240 minutes of instruction per school day. A Juvenile Correctional Officer must be present at all times in the classroom with the credentialed instructor. Special Education teachers are available for wards with learning disabilities. Instructors trained to teach English as a Second Language (ESL) are available.

Wards have access to telemedicine psychiatry, a video arrangement where they can interact with the doctor counseling them. This video counseling has proven to be very successful. An on site therapist is available every afternoon. WESTCARE, a behavioral

health contractor, provides counseling three afternoons a week. Questions are addressed, and individual counseling is provided.

Wards are allowed to make telephone calls. The service is provided by a private telephone company. A connection fee of \$3.75 is charged for a hook up and \$0.08 per minute thereafter, with a maximum talk time of fifteen minutes. Profits from phone calls are used for the purchase of equipment/upgrades or items needed for the facility to benefit the wards.

All food preparation for the Juvenile Hall, Boot Camp, and the County Jail is done in the branch jail kitchen and is transported to various locations. Food leaves in thermal packs at a temperature of 180 degrees and arrives at the destination ready to be served.

The Boot Camp and the Juvenile Hall each have their own budget to track costs. When the County budget is approved, three of the four current staff vacancies are expected to be filled.

All new officers and extra-help officers are required to complete 80 hours of in-service orientation training prior to being assigned to a regular shift within the institution. This training requires eight hours of administrative training conducted by the Director or Executive Lieutenant and 72 hours of in-service training by the Lieutenant or Sergeant. In addition to in-service training, officers are required to attend Juvenile Institutions CORE. They also receive training in first aid, Cardiopulmonary Resuscitation (CPR), the use of pepper spray and an annual Standard Training Course (STC) is mandatory. This training is coordinated through the department training officer for full time staff.

A new female treatment center was initially proposed, however, funds were not allocated, therefore, females have been moved from the Female Boot Camp to Juvenile Hall. No one has been moved into the old Branch Jail, because several areas scheduled for improvements have not yet been completed by the contractor. The contractor was terminated by the county, therefore, delaying completion of the project.

## **BOOT CAMP**

We were informed on this tour that sentencing and behavior in Juvenile Hall determines which wards will earn the privilege to be accepted into this program. Some wards are sentenced directly by the Judge. Wards 14-18 years of age are eligible for this program. Those who are transferred to Boot Camp are referred to as Cadets. The stay in Boot Camp may be ninety days to one year. Boot Camp standards are based on a reward/punishment system for Cadets. Punishment may include a return to Juvenile Hall, and a reward may include promotion to a leadership role.

Cadets are issued and later are tested on a Kings County Boot Camp Handbook and Cadet Manual. They are on an honor system and reside in a dormitory facility. Cadets dress in military style uniforms, and military type discipline is used. Boot Camp is a physically and psychologically challenging program that requires constant supervision.

Fire drills are scheduled quarterly. Cadets are involved in community clean-up, graffiti removal, and may aid service clubs to setup, serve and clean up fund raising events. The handbook teaches Cadets to “take responsibility for your actions”. Therefore, Cadets are on an honor system as to their behavior. They are placed in an atmosphere that promotes trust, respect and self-accountability. They follow the same educational program as the juvenile wards. Life skills programs are provided weekly.

Cadets live in a dorm style setting and rise at 5 a.m. to make their beds and fold their clothes, which are kept in clear plastic storage container on the bed. If clothes are not folded or rolled in the correct manner, they are instructed to redo the task. Cadets cannot return to the bed area again until they retire for the evening at 8 p.m. Physical training (P.T.), calisthenics and running for one hour follows bed making. Cadets all participate in vigorous physical fitness outdoor/indoor programs. In addition, they participate in various recreational activities and are active in various competitive community events, such as the mud running race held at the Lemoore Naval Air Station (LNAS). Cadets are very proud of their trophy room which houses a nice collection. The cadets are smartly dressed in uniforms, and pride can be noted in their appearance. It is clearly apparent that it is a privilege to be a cadet.

The Probation Department currently tracks recidivism rates. Based on past interviews, we learned that Kings County Boot Camp has been observed by representatives of several counties and used as a model when setting up their programs.

A positive program for wards /cadets is Maximum Youth Potential (YMAX), which is a substance abuse program designed and used for in-custody and out-patient juveniles 14-18 years old. This program teaches life and social skills to aid and assist youth, with the intention of creating lasting skills, enabling them to have a stronger foundation and a healthy life style. Their motto states: “Failure is not an option”.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** About a year ago, the female boot camp was discontinued for budgetary reasons, and female wards were transferred to the Juvenile center.

**Recommendation 1.** Reinstate the Females’ boot camp/female treatment center, as soon as funds are provided.

**Finding 2.** When the CYA closes, Kings County will have to absorb the juveniles into the Juvenile Hall. The Judge's decision will determine which juveniles go to prison and which juveniles remain in the maximum-security unit of Juvenile Hall.

**Recommendation 2.** None required

**Finding 3.** Transfer of male boot camp cadets to the branch jail has been delayed because improvements have not been completed.

**Recommendation 3.** Facilitate the completion of the branch jail as soon as possible.

**Finding 4.** Transfer wards currently housed in maximum security to the branch jail when adequate staff has been hired.

**Recommendation 4.** Fill existing staff vacancies as soon as the budget allows.

## **COMMENTS**

The education program is judged to be successful. A variety of programs to enhance self-esteem and responsibility are provided. Medical care of cadets meets state standards as exemplified by the recently received California Medical Association (CMA) certification.

## **RESPONSE REQUIREMENT**

**Penal Code Sections 933 and 933.05 requires that specific responses to the findings and recommendations contained in this report be submitted by the Kings County Board of Supervisors within 90 days of receipt.**



## **KINGS COUNTY FIRE DEPARTMENT ARMONA -STATION FIVE**

### **SYNOPSIS**

On October 28, 2008, the Grand Jury evaluated the Armona Fire Station Five. Interviews were held with the Fire Chief and department heads. Of the ten stations in operation, we toured Station Five.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury may at anytime investigate any county agency.

### **AUTHORITY**

California Penal Code Section 925.

### **METHOD OF INVESTIGATION**

Interviews with staff and an on-site visit were conducted with the Kings County Fire Chief, Assistant Chief/Fire Marshall, Battalion Chief of Battalion 2, Battalion Chief of Battalion 3, Battalion Chief Administrator, Battalion Chief Training Officer, Emergency Services Coordinator and the Office Manager.

### **FACTS**

Station Five employs six paid firefighters. Positions consist of Engineers, Firefighters, and Volunteers. Full-time staff is required to be certified in two categories: Firefighting I and II and Emergency Medical Technicians (EMT). In addition, they receive various specialized training such as Hazardous Materials Disposal (HAZMAT). Volunteer staff is trained in Cardio Pulmonary Resuscitation (CPR) and First Aid. There are computers located in the station for additional training.

Kings County Fire (KCF) participates in various community safety programs, such as smoke detectors for seniors and families. In addition, carbon dioxide detectors are provided based on available funds. KCF does have an agreement to provide mutual aid within the surrounding counties or state agencies to assist in emergency fire protection or disasters.

Prior to becoming a volunteer firefighter, a Department of Motor Vehicle (DMV) background check is performed. This ensures there are no faulty driving records or felonies on record. They must have the current appropriate license to operate equipment.

The tour began in the office where a computer is located and reports are completed, and online training is done. We continued into the day room which is used as a fitness and training room. During elections the day room is also used as a voting area. Community groups will have meetings in the day room as well. Adjacent to the day room is the kitchen. There is a personal area where Firefighters sleep and store their personal items.

The tour continued on to the bay area where the engines are housed. The staff showed the Ladder Engine which is equipped with a Thermal Imaging Locator. This is used to locate possible victims in a smoke or fire-filled structure. Each engine has various storage compartments which hold rescue tools, first aid equipment, breathing apparatus and other various items that are needed. There was also a utility truck which is used for medical emergencies. The Occupational Safety & Health Agency (OSHA) truck housed at Station Five was not available, because at the time of our visit, it was staffed with an out of county strike team made up of Kings County Firefighters on official business at a fire.

In Kings County there are ten stations, four of which are presently one-man stations. Volunteers make up the rest of the manpower needed. The volunteer numbers for each of the fire stations in KCF varies. Fire stations operated by two or more firefighters are preferable to function safely and efficiently.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** Due to the critical need of 2 man stations, all fire stations should be manned by at least 2 firefighters.

**Recommendation 1.** When budgetary conditions improve each station should be manned by at least 2 firefighters.

## **COMMENTS**

Under the current financial budget restraints, the Armona Fire Station Five is doing an excellent job performing their duties.

## **RESPONSE**

**Penal Code Section 933 requires that a specific response to the findings and recommendations contained in this report be submitted to the Presiding Judge by the Kings County Board of Supervisors within 90 days from the date of receipt.**

## **KINGS COUNTY MAIN JAIL**

### **SYNOPSIS**

On August 19, 2008 the Grand Jury evaluated the main jail. Interviews were held with the Assistant Sheriff, Jail Commander and two Correctional Sergeants. We then conducted an onsite visit of the new jail.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury shall inquire into the condition and management of the public prisons, and the Grand Jury may at anytime investigate any county agency.

### **AUTHORITY**

California Penal Code Section 919 (b) and 925

### **METHOD OF INVESTIGATION**

Interviews with staff and an onsite visit were conducted with the Kings County Assistant Sheriff, Commander and two Sergeants.

### **FACTS**

The Grand Jury toured the Kings County Jail facility on August 19, 2008. We were met in the reception area by the Assistant Sheriff, Commander and two Sergeants. Cameras monitor the entire facility. Inmate visits can be viewed from the control room. All visits with inmates are by video, with no physical contact between visitors and inmates. Inmates are permitted one hour a week visitation with approved visitors.

A classification officer determines, at the intake process, the housing location of the inmates. Due to separation requirements by classification, there were six male inmates housed on the floor, even though there were some vacant cells. Opposing gang members are not housed together. The sentenced and unsentenced are housed together. Jail capacity is 361 inmates. Inmates who are presentenced or waiting to go to trial comprise 80 percent of the population. When the census cap is reached, the classification officer makes a determination as to which inmates are to be released from the jail. There are 30 to 40 arraignments each day. A process of video arraignment has been instituted thereby avoiding transportation of many inmates for various court appearances.

The jail facility housing units consist of 16 cells per area called a pod. One pod is used specifically for females. There is a multipurpose/rehabilitation room, which includes computers, interview rooms and a law library.

Although the jail appears to be spacious, there is inadequate office space for administrative personnel. The Assistant Sheriff must use the old administration office located in the former jail.

Correctional officers are required to receive a minimum of 176 hours of Core Academy Training (basic training). During the first year, they receive the following training: eight hours of Cardiopulmonary Resuscitation (CPR) and First Aid, eight hours of impact weapons, four hours of pepper spray use, eight hours of weaponless/self-defense, and six hours of taser. In-house training includes four hours of suicide prevention, cell extractions, and the use of restraints. In addition, annual updates of certification in CPR and First Aid are required. There is a Fire/Life and Safety Evacuation Plan for the facility, and the fire alarms are tested annually by the State Fire Marshal.

The health care of the inmates is important to the department. Inmates are required to submit a request for all medical, dental and psychological needs. The nurse is responsible for assessing each inmate's medical needs which are then addressed and treated by the health care provider. The doctor visits one day a week. Saturdays are set aside for the dental needs provided to inmates. Medical staff is on duty 24 hours a day. Emergency care is provided by Hanford Community Medical Center. Medical staff uses telemedicine psychiatry, a video arrangement, once a week or as needed/requested. A psychologically trained person is available every day. No involuntary psychotic medications are used.

All food is prepared at the branch jail kitchen and is transported to the new jail. The inmates receive a sack breakfast and lunch with items requiring refrigeration being distributed at lunch time. Dinners are hot meals served on trays. All meals are eaten in the cells rather than in the dining area due to lack of staff supervision.

Computer training is available in the multipurpose room. A law library is available for inmates upon individual request, and priority is given to those who represent themselves in court proceedings. Classes for General Education Development (GED) and English as a Second Language (ESL) are available. There is a part-time Chaplain who coordinates volunteers, gives reading materials to inmates and conducts Bible studies/groups. Bibles and other religious reading materials are often requested, and they are donated by Gideons and various religious organizations in the area. Bibles are available in several versions and languages. The Chaplain is assisted by local ministers and priests.

If inmates are indigent, they are given a welfare/hygiene pack upon entry. This pack includes personal hygiene items. Inmates can use the commissary to buy necessary items. The Fresno Cantina manages the commissary weekly. Food packages may be sent to inmates if ordered through the Cantina.

Collect call phone privileges are available at a cost of \$3.75 per connection and \$.08 per minute. A phone company contract is utilized, and the profits are used for equipment and upkeep to benefit inmates. Monies earned from the inmate phone calls and commissary are deposited into the Inmate Welfare Trust Fund to purchase items such as welfare packs and television sets.

Each classification of inmate is required to wear a different color jumpsuit. They are issued one set of clothing each day. The inmates are allowed to purchase gym shorts and orange canvas shoes from the commissary. Shorts are allowed when on the exercise yard. Every inmate is mandated to receive three hours each week for exercise.

Inmates are transported to court by 14-passenger vans or a 21-passenger bus, which is equipped for the disabled. They are transported to the old main jail and held in holding cells until their court appearance. They are then taken to court through the underground tunnel in the old main jail.

## **FINDING**

The census cap is reached almost daily requiring the classification officer to make a determination as to which inmates are released early.

## **RECOMMENDATION**

Facilitate expansion of the current jail.

## **COMMENT**

There are budget constraints and a shortage of personnel; however, the facility is clean, well maintained and functions effectively.

## **RESPONSE REQUIREMENT**

**Penal Code Sections 933 and 933.05 require that a specific response to the finding and recommendation contained in this report be submitted to the presiding judge of the Superior Court by the Kings County Board of Supervisors within 90 days from the date of receipt.**



OFFICE OF  
**SHERIFF**  
COUNTY OF KINGS

P.O. BOX 986  
HANFORD, CA 93232-0986  
PHONE 559/582-3211  
FAX 559/583-1553

CHRIS JORDAN  
SHERIFF-CORONER  
PUBLIC ADMINISTRATOR

May 14, 2009

Honorable George Orndoff,  
Superior Court Judge  
Kings County Government Center  
Hanford, California 93230

Dear Judge Orndoff,

The following information is furnished in response to the 2009 Grand Jury's Final Report of the Kings County Sheriff's Department.

**Area of Inquiry: Kings County Main Jail**

Grand Jury Finding:

The census cap is reached almost daily requiring the classification officer to make a determination as to which inmates are released early.

Response:

The census cap is reached up to several times per month releasing inmates at a rate of 70.3 per month since the new cap was placed on September 14, 2007. From the starting date of the new cap until May 11, 2009 we have released 1,407 inmates early. Since the initial Court Order on May 7, 2001 to May 11, 2009 we have released 4,736 inmates early per the two Court Orders. Releases are determined by the priorities specified in the Court Order.

Grand Jury Recommendation:

Facilitate expansion of the current jail.

Response:

The recommendation has been implemented. The Sheriff's past and present have been working together with County Administration in attempt to find feasible ways to address jail overcrowding issues for many years. Kings County voters have on two occasions not passed bond measures to create a limited term 0.5 percent sales tax to fund new jail construction. The existing jail was financed with funds the County had set aside to partially fund the jail project, derived from State Tobacco Settlement money; however the project was not large enough to accommodate the County's incarceration rate.

**RECEIVED**

MAY 15 2009

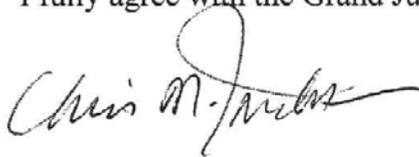
KINGS COUNTY COURT EXECUTIVE OFFICER  
AND CLERK OF COURTS

Since this time we have obtained a second Court Ordered Population Cap on September 14, 2007 to help manage the Jail overcrowding issue. Additionally we have been working together to come up with solutions through the establishment of the Kings County Jail Task Force as specified in the Court Ordered Population Cap and working with the County in order to obtain jail construction funds through AB 900.

Some of the programs, policies or procedures implemented to impact jail overcrowding include the following:

- Liberalized the Bail Schedule in Kings County.
- Kings County courts began referring defendants to the Hanford Volunteer Bureau as an alternative to incarceration.
- Petitioned the Superior Courts for accelerated release of inmates.
- Worked with the Probation Department to begin the Work Furlough Program.
- Opened a Branch Jail in 1986.
- Implemented Alternative Sentencing programs including electronic monitoring.
- Implemented policy for field and jail officers to "Cite and Release" on persons with warrants less than \$10,000 bail.
- Established a local Court Ordered population cap on the Kings County Jail.
- Established the Kings County Jail Task Force to look at appropriate strategies to reduce jail overcrowding.

I fully agree with the Grand Jury that the Kings County Jail needs to be expanded.

A handwritten signature in black ink, appearing to read "Chris M. Jordan". The signature is fluid and cursive, with a large initial "C" and "J".

Chris Jordan, Sheriff  
Coroner-Public Administrator



# **LOCAL GOVERNMENT**



## **CITY OF AVENAL**

### **SYNOPSIS**

The City of Avenal is located in the arid western portion of Kings County and is dependent upon imported water to meet its requirements. The city appears to have undertaken available steps to improve its water system and position in the California Aqueduct allocation. Avenal State Prison administration cooperates readily at the local level with the City of Avenal. However, Avenal State Prison is constrained by the same State budget affecting the entire system as well as existing contracts.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury may at any time investigate any unit of local government.

### **AUTHORITY**

California Penal Code Section 925a.

### **METHOD OF INVESTIGATION**

An interview was held with many of the department heads or their representatives and the City Manager of the City of Avenal on December 4, 2008. In addition, an interview was held with the Supervisor who represents Avenal and the surrounding area.

### **BACKGROUND**

The City of Avenal was established in 1979 as a general law city under the California Government Code. It is governed by a City Council composed of five members elected at large and is subject to review of its electoral procedures by the U.S. Department of Justice. It has a full time City Manager, Director of Public Works (who also serves as the Building Official), Director of Community Development, Director of Finance and Personnel. The City provides fire protection through a contract with the Kings County Fire Department and police protection through a contract with the Kings County Sheriff. The City of Avenal collects solid waste through a private contractor. The City of Avenal operates its own sanitary sewer system, storm drain system, and water system, as well as redevelopment, planning, and animal control programs. By contract with the State of California at this time, all treated water from the sanitary sewer system goes to the Avenal State Prison. Water collected by the storm drain system is openly discharged on the west or downhill side of the City.

At a regular meeting of the Kings County Board of Supervisors, the Board adopted an ongoing bi-weekly emergency declaration due to drought conditions in the County. The

Community Development Director of the City of Avenal spoke in support of this declaration and emphasized that water availability in California had deteriorated to such an extent that the City was no longer permitted to purchase unused California Aqueduct water. For example, Avenal could and did increase its available water supply in the past by purchasing unused aqueduct water allocated under contract to the City of Huron. The right to purchase and transfer water use was temporarily suspended during mid-2008 but is again available. The basic contract under which Avenal purchases water from the system that transfers water via the California Aqueduct totals 3,500 acre-feet per year. Because of the ongoing drought conditions in the State, the City of Avenal was able to purchase only 2,625 acre-feet of water during the year 2008.

The City of Avenal initially contracted for its water from wells located in the Kettleman City area, and transferred it via an old oil line to Avenal. The establishment of the California Aqueduct permitted the City of Avenal to obtain a superior source for water, but that water still requires treatment to make it potable. The City has further improved its treatment system and currently operates a duplicate system composed of two one-million gallon storage tanks and treatment facilities at the peak of the ridge between Avenal and the California Aqueduct. The elevation of this system permits it to operate by gravity and provides adequate water for both domestic and fire flow requirements for those contract users on the east side of this ridge (the Caltrans rest stop on I-5, the Hillcrest Station at the I-5 off ramp, and the Waste Management facility on Highway 41), and the entire City of Avenal and the Avenal State Prison on the west. All users, domestic and commercial, are metered. To further reduce water usage, the City has imposed alternate day landscape irrigation requirements with Monday being a no water day for all.

The City of Avenal renegotiated its water contract with the Avenal State Prison in 1998. As a result, the prison receives a pro-rated reduction when the City's contract is reduced below its 3,500 acre-foot per year amount. Avenal State Prison receives 1,411 acre-feet in the current year for which Avenal has been allocated 2,625 acre-feet, for example, 54 percent of available water goes to the prison. Under Section 7013 of the California Penal Code (added in 1985), the Department of Corrections and Rehabilitation was directed to obtain its own contract as the source of water supply to the prison at Avenal. The City of Avenal believes that it has established a cooperative working relationship with the local prison administration which includes water conservation at the prison.

## **FINDING AND RECOMMENDATION**

**Finding 1.** Water collected by the storm drain system is openly discharged on the west or downhill side of the City.

**Recommendation 1.** The City of Avenal should explore remediation of storm drain water discharges.

**RESPONSE REQUIREMENT**

**Penal Code Section 933 requires that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County:**

**City of Avenal (90 days)**



## **CITY OF HANFORD FIRE DEPARTMENT**

### **SYNOPSIS**

The City of Hanford Fire Department responds to calls within the city and, upon request, to agencies with which it has mutual aid agreements. The Department staffs two stations and plans to build a third and fourth station in the future.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury may at any time investigate any city agency.

### **AUTHORITY**

California Penal Code Section 925a.

### **METHOD OF INVESTIGATION**

The City of Hanford Fire Chief was interviewed.

### **OBSERVATION AND FACTS**

The City of Hanford Fire Department has stations located at 350 W. Grangeville Blvd. and on Hanford-Armona Road between 10<sup>th</sup> and 11<sup>th</sup> Avenues. There are plans to add a third station at Berkshire Lane and Centennial Drive, and a fourth station at 12<sup>th</sup> Avenue and Hanford-Armona Road, when economic conditions permit.

Units are equipped with multiband radios enabling communications using other bandwidths. Units are also equipped with a Global Positioning System (GPS).

SMART is a new software system that Hanford, Lemoore and Corcoran are introducing to their 911 operations. SMART dispatchers and public safety officers in the field will be able to see all calls in real time. Several agencies in Kings County are switching to the SMART system to enable better communications compatibility.

Each of the two fire stations has the Jaws of Life to facilitate certain “pin in” rescues. Jaws of Life are not limited to automobiles, but can open many other things.

All firefighters are certified as Emergency Medical Technicians (EMTs). As many as 75% of all calls are in response to medical emergencies. The Fire Department receives no reimbursement for responses to medical emergencies.

The Department's budget is largely funded through the city's general fund. This is augmented by grants such as Federal Emergency Management Assistance (FEMA) and Homeland Security. Other sources of funding are impact fees for construction and equipment, building inspections and plan reviews.

The cost of budgeted equipment is amortized over its life expectancy. Using this method provides funds for necessary replacement of equipment as needed.

Station No. 1 has one patrol vehicle, one engine and one fire truck. Station No. 2 has one patrol vehicle and two fire trucks, one of which is a ladder truck that can extend to 50 feet.

The Department is budgeted for 31 firefighters. Currently there are 15 firemen, six engineers, six captains, one fire marshal, one deputy chief and one fire chief. The department is down several positions, nevertheless, each station is staffed 24 hours a day, seven days a week, 365 days a year. The department also utilizes eight volunteer firemen capable of performing basic level procedures. Although the current pay scale is relatively low, it is still competitive enough to decrease turnover and aid recruitment.

The City of Hanford Fire Department has mutual aid agreements with multiple agencies, including fire departments of Kings County, Lemoore, Fresno, Lemoore Naval Air Station, agencies within Tulare County, and with the State for emergencies such as major forest fires and other disasters.

There is some collaboration between the City of Hanford Fire Department and Kings County Fire Department. The City of Hanford Fire Department is used for urban fires, and water is supplied via hydrants. Kings County Fire Department covers the unincorporated and rural fires; because there are few hydrants available, they also provide the needed water in trucks.

Emergency calls are received through the Hanford Police Department's 911 system. Emergency cell phone calls go through Fresno and are then routed back to Hanford.

Both fire stations contain HAZMAT cleanup equipment. The City of Hanford Fire Department received a fully contained HAZMAT unit from Homeland Security in April 2007. Firefighters receive six weeks of HAZMAT training. Twelve firefighters have completed the training, and six more are awaiting training. The City Fire Department does the training for the county-wide Disaster Preparedness and Hazard Mitigation Plan. They use the National Medical Response Service (NMRS) program.

The Department uses state of the art equipment including thermal imaging devices to locate victims who cannot be seen due to smoke. Trucks are equipped with this option. Trucks are also equipped with a device which permits fire vehicles to automatically

change traffic lights to ensure safety when entering an intersection while responding to emergency calls (Code 3).

Each firefighter and volunteer has form-fitting masks which are used with the Individual Breathing Apparatus (IBA).

A major problem is delays at railroad crossings when slow moving or long trains force the units to take alternate routes. This delays responses for fire or medical aid calls.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** The Department functions using modern technology for communications and fire fighting.

**Recommendation 1.** None required.

**Finding 2.** The Department currently operates two fire stations but has developed plans for stations No. 3 and No. 4, which will be constructed when needs and funding become available.

**Recommendation 2.** When needs and funding become available, the Department should proceed with building stations No. 3 and No. 4.

**Finding 3.** The Department is budgeted for 31 firefighters and is able to adequately provide fire protection 24 hours a day, seven days a week, 365 days a year for the City of Hanford.

**Recommendation 3.** None required.

**Finding 4.** As many as 75% of all fire calls are for medical aid, with no reimbursement received by the Department.

**Recommendation 4.** None required.

**Finding 5.** Hanford Fire has multiple mutual aid agreements. When the Hanford Fire Department responds to a mutual aid request, not less than 30% of the firefighters remain to cover the City of Hanford.

**Recommendation 5.** None required.

**Finding 6.** The pay scale for firefighters, although lower than many other valley agencies, is reasonably adequate to retain firefighters.

**Recommendation 6.** None required.

**Finding 7.** Lengthy delays occasionally occur at railroad crossings which delay arrivals on scene for fires and medical emergencies.

**Recommendation 7.** The City should work with the railroad to avoid delayed responses due to excessive intersection blockage.

## **RESPONSE REQUIREMENT**

**Penal Code Section 933 requires that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County:  
Hanford City Council (90 days)**

City of **HANFORD**

CALIFORNIA 93230  
CITY OFFICES 319 NORTH DOUTY STREET



MAYOR  
DAVID G. AYERS  
VICEMAYOR  
DAN CHIN  
COUNCIL MEMBERS  
JOAQUIN D. GONZALES  
DAVE THOMAS  
SUE SORENSEN  
CITY MANAGER  
GARY W. MISENHIMER

April 22, 2009

TO: City Manager/City Council  
FROM: Fire Chief  
SUBJECT: Response to Grand Jury Report

Following are comments/corrections to the attached Grand Jury Report. For clarity, I have numbered the paragraphs in the report to coincide with my comments/corrections.

"OBSERVATION AND FACTS"

- Paragraph 1. "Hanford-Armona Road" should be corrected to Houston Avenue.
- Paragraph 3. Along with Hanford, Lemoore and Corcoran, Kings County should be included as they are also converting to the SMART system.
- Paragraph 8. Should read: Fire station #1 has one patrol vehicle, two fire engines with one of these equipped with a 50 foot telesquirt ladder, a hazardous materials response truck and a fire and police mobile command vehicle. Fire Station #2 has one patrol vehicle and two fire engines.
- Paragraph 9. "31 firefighters" should be corrected to 32 personnel. 1 fire inspector and 1 administrative support technician should be included.
- The statement that "current pay scale is relatively low" is not correct or at least ambiguous. The Hanford Fire Department pay scale is comparable and competitive with local agencies of similar size and responsibilities.
- Paragraph 15: "Individual Breathing Apparatus (IBA)" should be corrected to Self-Contained Breathing Apparatus (SCBA).

"FINDINGS AND RECOMMENDATIONS"

- Finding #3. "31 firefighters" should be corrected to 30 firefighters.
- Finding #5. "not less than 30% of the firefighters remain to cover the City of Hanford" should be corrected to not less than 70% of the firefighters remain to cover the City of Hanford.
- Finding #6. This statement is subjective, ambiguous and incomplete. Although pay scales for firefighters in larger valley cities may be higher, Hanford city firefighters' compensation, including benefits, is equal to or higher than most neighboring valley communities of similar size.

Recommendation #7. The City of Hanford does work and will continue to work with the railroad to avoid delayed emergency responses due to intersection blockage.

## **CITY OF HANFORD WATER SYSTEM**

### **SYNOPSIS**

Since the 1980's, Hanford has actively worked to lower the city's arsenic level which exceeded the federal standard of 50 parts per billion (ppb) of arsenic. During 2006, the standard was decreased from 50 ppb of arsenic and as work continued, it was lowered to the current 10 ppb of arsenic. By bringing more new wells on line and capping older high arsenic level wells, the city will meet the federal water standard of 10 ppb of arsenic by 12/31/09, as required by the Environmental Protection Agency (EPA) Compliance Order.

### **WHY THE GRAND JURY INVESTIGATED**

The issue of the City of Hanford's water quality had not been reviewed for many years.

### **AUTHORITY**

California Penal Code 925a

### **METHOD OF INVESTIGATION**

The Hanford Public Works Director was interviewed. Additionally, we reviewed reports covering each well that is in current use together with those that have been abandoned, on standby and those that are planned.

### **BACKGROUND OBSERVATION AND FACTS**

Hanford's water supply contains naturally occurring arsenic which exceeds the federal standard of 10 ppb of arsenic.

During the early 1980's, regulatory agencies compelled the City of Hanford to supply water to its residents that met the then current standard of 50 ppb of arsenic. Compliance was accomplished by drilling new, deeper wells and by blending water from low arsenic wells with water from wells that had levels slightly above 50 ppb of arsenic. During this period of attempted compliance, the federal standard was reduced to the current level of 10 ppb of arsenic.

Hanford's drinking water is supplied from wells tapping into underground aquifers. No chemical agents are added to Hanford's water. Water contains naturally occurring adequate levels of fluoride, thereby eliminating the need for fluoride supplementation.

Of approximately 18 operational wells, six shallow wells that exceed the 10 ppb of arsenic limit will be removed from service next year. Two new wells are soon to be drilled: one at Earl F. Johnson Park and one at the Lakewood Basin Park Water Well Replacement Project. Additional new wells will be No. 48 in Encore Park and No. 49 at 9-1/4 Avenue/Grangeville Blvd. near Freedom Park. The existing well at Encore Park will be capped.

During the past few years, new deep wells drilled at a depth of approximately 1,500 feet have supplied water with arsenic levels of less than 10 ppb of arsenic.

Two new pumping facilities have been built. The tank on Fargo Avenue can store one million gallons of water. The two storage tanks on Grangeville Avenue, west of 12<sup>th</sup> Avenue have a capacity of two million gallons.

Water in the city is metered for approximately 12,850 homes and unmetered for approximately 2,600 homes. Homes that are unmetered are charged for water based on square footage of the lot. All new homes and older facilities which require significant renovation will be metered.

Some entities including agriculture, industry and other facilities are drilling wells which tap into the same aquifer that Hanford uses for water supplies.

A new water main is being installed on 9<sup>th</sup> Avenue from Lacey Blvd. to 3<sup>rd</sup> Street to improve water delivery service to the east side of Hanford.

Water main replacements within 9-1/4 Avenue are also in the works from Lacey Blvd. to Grangeville Blvd., East Street from Grangeville Blvd. to Bass Street, and Lang Street from Douty Street to Harris Street.

At the present time, Hanford does not supply water east of Highway 43. Kit Carson School, which is east of Highway 43, has requested that the city supply water to the school. The school drilled a pilot well to a depth of 1,250 feet and the water supply exceeded 10 ppb of arsenic. The city is considering extending water lines to the school if a California State Grant is obtained by Kit Carson School. The current price tag for this project is \$1.2 million, but the city would be compensated monthly for the metered water. Kit Carson School will be responsible for all construction costs to extend mains to obtain city water if the project is approved and they will be responsible for maintenance of the water system.

## **FINDING AND RECOMMENDATION**

**Finding 1.** The underground aquifer that supplies Hanford drinking water is recharged with surface water. Due to the unreliability of water delivery and drought, the possibility of decreased water in the aquifer is likely.

**Recommendation 1.** An inventory of facilities that draw well water from the aquifer should be made, and plans should be made to have all facilities using the aquifer institute water conservation.

#### **COMMENTS**

The City of Hanford is working diligently to meet the federal standard for arsenic in drinking water. With the completion of two new water storage tanks, the city states that there will be adequate water for population increases.

#### **RESPONSE REQUIREMENT**

**Penal Code Section 933 requires that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County:**

**Hanford City Council (90 days)**



CITY OF HANFORD  
Department of Public Works

Focused On Our Community 24/7

900 South 10th Avenue • HANFORD, CA 93230-5234 • (559) 585-2550

March 12, 2009

TO: City Manager/City Council

FROM: Director of Public Works

SUBJECT: Response to Grand Jury Report

In accordance with Section 933c of the California Penal Code, this constitutes the City of Hanford Public Works Department's responses to the attached 2008-2009 Grand Jury Report regarding the "City of Hanford Water System."

The following comment/corrections to the report are shown italicized:

**CITY OF HANFORD WATER SYSTEM**

**SYNOPSIS**

Since the 1980's, Hanford has actively worked to lower the city's arsenic level which exceeded the federal standard of 50 parts per billion (ppb) of arsenic. During 2006, the standard was decreased from 50 ppb of arsenic and as work continued, it was lowered to the current 10 ppb of arsenic. By bringing more new wells on line and capping older high arsenic level wells, the city will meet the federal water standard of 10 ppb of arsenic by 12/31/09, as required by the Environmental Protection Agency (EPA) Compliance Order.

**WHY THE GRAND JURY INVESTIGATED**

The issue of the City of Hanford's water quality had not been reviewed for many years.

*COMMENT: The City of Hanford, in accordance with its permit to operate a water system issued and enforced by the California Department of Public Health (Permit No. 03-91-027), is constantly monitoring and testing its water supply for compliance with all public health standards.*

**AUTHORITY**

California Penal Code 925a

**METHOD OF INVESTIGATION**

The Hanford Public Works Director was interviewed. Additionally, we reviewed reports covering each well that is in current use together with those that have been abandoned, on standby and those that are planned.

## **BACKGROUND OBSERVATION AND FACTS**

Hanford's water supply contains naturally occurring arsenic which exceeds the federal standard of 10 ppb of arsenic.

***COMMENT: Until January 23, 2006, the established maximum contaminant level (mcl) for arsenic in drinking water was 50 parts per billion (ppb) for community water systems. Prior to that date, the City was in full compliance with all public health standards. Effective January 23, 2006, the Environmental Protection Agency (EPA) reduced the mcl for arsenic for community water systems to 10 ppb. Many of the City's water supply wells were then determined to be out of compliance. Due to the cost and the magnitude of upgrading the City's water system to comply with the new standard, the EPA granted the City an extended period of time (December 31, 2009) to achieve full compliance with the new arsenic standard. City staff anticipates the completion of our arsenic reduction program by December 31, 2009.***

During the 1980's, regulatory agencies compelled the City of Hanford to supply water to its residents that met the then current standard of 50 ppb of arsenic. Compliance was accomplished by drilling new, deeper wells and by blending water from low arsenic wells with water from wells that had levels slightly above 50 ppb of arsenic. During this period of attempted compliance, the federal standard was reduced to the current level of 10 ppb of arsenic.

***COMMENT: The City water system obtained compliance for arsenic at the established standard of 50 ppb and remained in full compliance for arsenic until January 23, 2006 when the standard was lowered to 10 ppb.***

Hanford's drinking water is supplied from wells tapping into underground aquifers. No chemical agents are added to Hanford's water. Water contains naturally occurring adequate levels of fluoride, thereby eliminating the need for fluoride supplementation.

Of approximately 18 operational wells, six shallow wells that exceed the 10 ppb of arsenic limit will be removed from service next year. Two new wells are soon to be drilled: one at Earl F. Johnson Park and one at the Lakewood Basin Park Water Well Replacement Project. Additional new wells will be No. 48 in Encore Park and No. 49 at 9-1/4 Avenue/Grangeville Blvd. near Freedom Park. The existing well at Encore Park will be capped (***destroyed***).

***COMMENT: Existing wells to be abandoned will be destroyed in accordance with California Department of Public Health standards.***

During the past few years, new deep wells drilled at a depth of approximately 1,500 feet have supplied water with arsenic levels of less than 10 ppb of arsenic.

Two new pumping facilities have been built. The tank on Fargo Avenue can store one million gallons of water. The two storage tanks on Grangeville Avenue, west of 12<sup>th</sup> Avenue have a (***combined***) capacity of two million gallons.

Water in the city is metered for approximately 12,850 (***13,000***) homes and unmetered for approximately 2,600 (***2,550***) homes. Homes that are unmetered are charged for water based on square footage of the lot. All new homes and older facilities which require significant renovation will be metered.

Some entities including agriculture, industry and other facilities are drilling wells which tap into the same aquifer that Hanford uses for water supplies.

A new water main is being installed on 9<sup>th</sup> Avenue from Lacey Blvd. to 3<sup>rd</sup> Street to improve water delivery service to the east side of Hanford.

Water main replacements within 9-1/4 Avenue are also in the works from Lacey Blvd. to Grangeville Blvd., East Street from Grangeville Blvd. to Bass Street, and Lang Street from Douty Street to Harris Street.

At the present time, Hanford does not supply water east of Highway 43. Kit Carson School, which is east of Highway 43, has requested that the city supply water to the school. The school drilled a pilot well to a depth of 1,250 feet and the water supply exceeded 10 ppb of arsenic. The city is considering extending (*allowing the extension of*) water lines to the school if a California State Grant is obtained by Kit Carson School. The current price tag for this project is \$1.2 million, but the city would be compensated monthly for the metered water. Kit Carson School will be responsible for all construction costs to extend mains to obtain city water if the project is approved and they will be responsible for maintenance of the (*their*) water system (*service line*).

## **FINDING AND RECOMMENDATION**

**Finding 1.** The underground aquifer that supplies Hanford drinking water is recharged with surface water. Due to the unreliability of water delivery and drought, the possibility of decreased water in the aquifer is likely.

**Recommendation 1.** An inventory of facilities that draw well water from the aquifer should be made, and plans should be made to have all facilities using the aquifer institute water conservation.

**COMMENT:** *City Public Works Department staff routinely monitors and measures ground water levels in City supply wells. Ground water levels in City supply wells fluctuate from year to year due to hydrologic conditions and area ground water recharge efforts.*

*The City has adopted a water conservation ordinance which limits watering of landscapes to three days per week during the spring/summer months. The City also promotes water conservation practices by providing educational information at community events, newsletters and notices mailed with utility bills.*

## **COMMENTS**

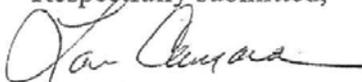
The City of Hanford is working diligently to meet the federal standard for arsenic in drinking water. With the completion of two new water storage tanks, the city states that there will be adequate water for population increases.

## **RESPONSE REQUIREMENT**

**Penal Code Section 933 requires that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County:**

**Hanford City Council (90 days)**

Respectfully submitted,



Lou Camara, P.E.  
Director of Public Works

## **CORCORAN CEMETERY DISTRICT**

### **SYNOPSIS**

The Corcoran Cemetery was established as a private cemetery in 1948. Following its abandonment in the mid-fifties, it was purchased by a Community District Committee and designated as the Corcoran Cemetery District. The well-maintained cemetery has an annual budget of \$238,690. This amount includes \$41,000 from property taxes that are received because it is a special taxation district. Very little graffiti or vandalism has occurred at the cemetery.

### **WHY THE GRAND JURY INVESTIGATED**

The cemetery district had not been reviewed since 2001, and for several years has been operated by a new superintendent.

### **AUTHORITY**

California Penal Code 933.5.

### **METHOD OF INVESTIGATION**

The Grand Jury met with the superintendent at the cemetery and took a walking tour of the grounds. We also reviewed the audited financial report for the year ending June 30, 2008. We thoroughly reviewed the Employee Handbook dated March 2005. We were supplied with the superintendent's certificate of attendance at a required Ethics Course (AB1234). We also reviewed the multi-page cemetery rules and regulations.

### **BACKGROUND OBSERVATIONS AND FACTS**

The Corcoran Cemetery District was formed in 1962 in response to a community needing to convert an abandoned cemetery to one that could be used by the community for their loved ones. Corcoran District Cemetery is used by the community exclusively for internment of the deceased. The District's overall responsibility is to administer the allocation and the sale of burial plots, vaults, liners and vases. The District applies sales revenues and county assessment funds toward the on-going care and maintenance of the cemetery.

The District is governed by five appointed directors who serve four-year terms for which they receive no compensation. There are two full-time employees: the superintendent and the grounds keeper. Part-time labor is occasionally required.

The cost of a plot is \$730. Opening and closing of the plot is \$2,526 (varies by linear dimensions) and includes \$270 for perpetual care.

Several years ago, a columbarium was built to accommodate cremated remains. Each niche costs \$520 and \$50 less for bottom niches. A one-time \$100 fee for upkeep is also charged.

A new cemetery, Section C, was built two years ago and contains 1,088 plots. The cemetery also owns an adjacent four-acre plot. There are approximately 69 funerals per year.

The district owns the following equipment:

- 1 backhoe
- 1 tractor
- 3 dump trailers to move dirt
- 1 sod cutter
- 1 60-inch cut lawn mower
- 1 utility truck
- 1 push mower
- shovels, rakes, tools
- grave placement devices
- rugs
- 1 motorized leaf rake
- shade shelter

Several innovations by the superintendent have been established. Credit cards are now accepted, and two caskets may now be layered and placed in one plot. Three years ago, personalized benches were made available and are placed adjacent to roadways for the convenience of visitors.

Annually for Memorial Day, American Flags are displayed throughout the cemetery. Smaller flags are placed at the grave of every former service member.

Water is supplied by an onsite, 30-year-old well. The electric box to the well requires frequent servicing, and there are concerns about the well's overall integrity. The pickup truck needs frequent repairs which are sometimes costly. There is no contingency fund for replacement of equipment. We were told that this issue is of serious concern to the directors who plan to discuss this at the March 2009 meeting.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** The cemetery is well maintained and operated by dedicated staff.

**Recommendation 1.** None required.

**Finding 2.** No contingency fund exists to replace equipment.

**Recommendation 2.** The cemetery directors should develop a plan to establish a contingency fund.

### **RESPONSE REQUIREMENT**

**Penal Code Section 933 requires that specific responses to both the findings and recommendation contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County:**

**Corcoran Cemetery District Board of Directors (90 days)**



## **HOME GARDEN COMMUNITY SERVICES DISTRICT**

### **SYNOPSIS**

The 2008-2009 Kings County Grand Jury continued the investigation of the Home Garden Community Services District by the 2007-2008 Grand Jury. However, due to questionable issues, the current Grand Jury ended its investigation.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury may at anytime examine the books and records of any special-purpose assessing or taxing district and may investigate and report upon the method or system of performing the duties of such districts. This report is a continuation of the investigation of the Home Garden Community Services District by the 2007-2008 Grand Jury.

### **AUTHORITY**

California Penal Code Section 933.5

### **METHOD OF INVESTIGATION**

The District Attorney issued subpoenas, and the Grand Jury heard sworn testimony by persons who were currently or formerly employed or contracted by the District. Subpoenaed documents (see below) were received and reviewed by the Grand Jury. Additional documents, not initially supplied, were again requested and examined upon receipt. The goal of the review of nine banker's boxes of documents was to arrange them into a logical order to make it easier and less costly to have forensic accountants examine the documents. On several occasions, individual District Board Members gave sworn testimony. On other occasions, they gave unsworn testimony to the Grand Jury. Grand Jurors attended many Home Garden Community Services District meetings.

### **Subpoenaed documents requested:**

“Any and all records in any format including but not limited to electronic, computer, digital and manually written or typed receipts, journals, ledgers, worksheets, spreadsheets for sources of revenue, income, expenses or obligations for the Home Garden Community Services District including but not limited to accrual accounting records, receipts, journals, ledgers, monthly billings, impact fees, delinquent account turn on and turn off fees, late fees, penalties, fees for: water, garbage, bins, extra garbage cans or bins, sewer and street lights, new connection fees, charges for material and labor, hook up and turn on fees, installation fees, tipping fees, overweight charges, customer deposits,

sales to tank haulers, contractor charges, daily deposits, grants, bonds, loans, subsidizes, funds, certificates of deposit, proceeds from the sale of; real property, District property or District assets, petty cash funds, change funds, and bank accounts records, invoices, bills, receipts, records of payment for services including any method for documenting or tracking cash transactions for expenditures or receipt of revenue for the District, payroll records, requests for reimbursement and checks written by or for the Home Gardens Community Services District, and any and all records relating to any financial or monetary transactions with the Home Gardens Community Services District.”

## **BACKGROUND**

To avoid redundancy, please read the 2007-2008 Grand Jury Final Report beginning on page 69. The Home Garden Community Services District’s response is included there (and in the section of Reponses in the 2007-2008 report).

The investigating committee was unable to obtain additional information concerning an alleged embezzlement of \$15,000 which was paid by the insurance carrier. Moreover, there were rumors of an alleged \$50,000 embezzlement where the alleged embezzler and alleged embezzler’s attorney reportedly offered to pay restitution to the District. However, we found no record of any discussion or resolution of this incident in any Board minutes.

We interviewed the alleged \$50,000 embezzler. Upon investigation, it was determined that the amount of the alleged embezzlement did not exceed \$300. Home Garden Community Services District’s attorney and the alleged embezzler’s attorney (who was recommended by Home Garden Community Services District) concluded the matter by coercing the employee to resign. The District withheld the employee’s vacation and accumulated benefits to recoup the alleged embezzlement.

A review of documents and invoices for the arsenic removal project indicated that the District’s legal counsel was designated as the Project Manager. Invoices for these services were not itemized to indicate the work performed specifically by the Project Manager. The invoice listed a fee for services only. It appeared to the Grand Jury that these fees for services were excessive.

The Grand Jury decided to terminate further investigation since there was the perception that the investigation had been compromised by the actions of a Grand Jury member and that any subsequent Grand Jury findings might be construed as tainted.

Tactical guidance from the Assistant District Attorney, County Counsel and the Grand Jury Supervising Judge was utilized.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** The Home Garden Community Services District has begun to follow some recommendations of the 2007-2008 Grand Jury final report. Moreover, there appears to be a willingness to follow through on the remaining recommendations.

**Recommendation 1.** The next Grand Jury should follow up on information obtained by the 2007-2008 and the 2008-2009 Grand Juries.

**Finding 2.** The former employee, who was accused of embezzling \$300, was coerced into resigning and thereby became ineligible to receive unemployment benefits. Additionally, the employee was not paid for earned vacation time. The Grand Jury found no evidence of embezzlement.

**Recommendation 2.** The Home Garden Community Services District Board of Directors should make the former employee, who was accused of embezzling \$300, “financially whole” and should issue a letter of apology.

## **RESPONSE REQUIREMENT**

**Penal Code Sections 933 and 933.05 requires that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County:**

**Home Garden Community Services District Board (90 days)**



## **LEMOORE CEMETERY DISTRICT**

### **SYNOPSIS**

The Lemoore Cemetery District consists of four cemeteries: Lemoore Cemetery (Lemoore), Grangeville Cemetery (Armona), Sunflower Fields Cemetery (Lemoore) and Taylor Cemetery (Lemoore). Grangeville Cemetery, the first, was established in 1861. The District was created in 1874. The published total budget for 2008-2009 is \$878,297. Creative management and talented, dedicated staff ensure the cemeteries in the district are well maintained and pleasant to visit.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury is empowered to investigate all branches of county, city and special district government to be assured they are being administered efficiently, honestly and in the best interest of its citizens.

### **AUTHORITY**

California Penal Code 925a.

### **METHOD OF INVESTIGATION**

On-site visits and interviews with the District Manager were conducted. A thorough and detailed background history was presented. The Grand Jury was provided with the Cemetery Rules and Regulations, Employee Handbook, Board of Trustees Policy Manual, 2008-2009 Budget, Lemoore Cemetery District Fees and other informational literature for review.

### **BACKGROUND AND FACTS**

The Lemoore Cemetery District was created in 1874. It consists of four cemeteries: Lemoore Cemetery (Lemoore), Grangeville Cemetery (Armona), Sunflower Fields Cemetery (Lemoore) and Taylor Cemetery (Lemoore). The District is comprised of 121 acres: 45 acres are developed and 76 acres are farmed. There were 256 interments last year.

The District employs ten full-time personnel: one District Manager, eight groundskeepers and one office worker. In addition, there is one volunteer.

The Lemoore Cemetery District Board of Trustees consists of three members. Trustees receive no compensation. The president of the board is elected from its membership and serves for a term of two years. The board meets on the second Tuesday of each month.

The meetings are always open to the public. A notice announcing the date and proposed agenda is posted prior to meetings at the cemetery office and in the local newspapers.

The Lemoore Cemetery District owns a myriad of burial equipment, grounds equipment and hand tools. All employees are cross-trained.

There are numerous wells on-site at each of the landscaped locations which provide adequate water for current needs.

The Lemoore Cemetery District has established safety rules that comply with the California Occupational Safety and Health Act (Cal-OSHA). The District diligently complies with all state or federal statues, rules or regulations. All employees are required to adhere to each of the safety rules at all times.

The hours of operation are 7:00 a.m. to 4:00 p.m. Monday through Friday. During severe heat, the District may adjust the daily hours to 6:00 a.m. to 3:00 p.m.

### **Lemoore Cemetery**

The Lemoore Cemetery, located at 1441 North Lemoore Avenue, is artfully landscaped, well maintained and presents itself as a serene and peaceful final resting place. Many interesting and notorious individuals have been buried in the cemetery, including the first sheriff of Kings County, Mussel Slough Tragedy victims and even a few local bad men. One of Kings County's most colorful pioneers, Kinzy Whitten "Blackhorse" Jones, who died in 1909 at the age of 75, is buried in the cemetery.

During our visit with the District Manager, Grand Jury members inquired about the cost of a burial plot. We were informed that for an area resident, with a flat monument, the cost is \$3,220; the cost with a monument above the grass in the upright section is \$3,370. This price also includes the vault, opening and closing of the grave and perpetual care. Non-residents of the District are required to pay an additional charge for a plot. A double depth burial (the interment of two caskets, one lower than the other) is permitted in one grave space. The District is currently participating in re-acquiring previously sold plots. This "sell back" program totaled \$29,000 for the District this year. A price listing for burial rights and purchaser requirements is on file in the District office. This listing also includes the cost of cremation, vaults, nameplates and burial in the niche garden.

### **Grangeville Cemetery**

The Grangeville Cemetery, the oldest of the District's cemeteries, was established in 1861. Many visitors stop by to view the older, historic gravesites with their interesting monument-style headstones.

The cemetery's garden-like setting includes colorful propagated rosebushes, which have been planted all around the grounds and at the niche garden. The Manager was proud to point out that the staff had done all the propagation of the roses, as well as all the surrounding brickwork and wrought-iron fencing. The Grand Jury was shown sheds and various bins that had been built on the grounds for out-of-sight storage.

The gated niche garden, located after entering through the south entrance, is a modern looking and beautifully designed recent addition to the cemetery. Brickwork and propagated rosebushes enhance the entrance and surrounding area. A local newspaper reported that a recent vandalism resulting in \$10,000 in damages had occurred at the niche garden. The District Manager confirmed this report.

### **Sunflower Fields Cemetery**

Members of the Grand Jury were led on a tour of the newest cemetery, Sunflower Fields Cemetery. Sunflower Fields consists of a total of 40 acres. At this time, the district has developed and landscaped only five acres. This five-acre project will be finalized by 2010. A flagpole was donated by the Lemoore High School District and has been erected. The grounds will eventually include a decorative niche wall located in front of a cascading waterfall. Antique farm equipment, donated by local residents, will be restored and placed around the grounds. A utility building has been erected on the grounds in which to store equipment, files and historical artifacts and can be used for other purposes.

The District office will be moved to this location within the year. This building is already in place.

### **Taylor Cemetery**

Taylor Cemetery was a private family cemetery until recently. Lemoore Cemetery District now has the responsibility for the care of the one-acre site. It is located in a rural setting approximately one-eighth mile off Glendale Avenue. It is difficult to find because there is no sign to indicate its location from the road.

There are only 25 grave markers in the cemetery; however, the District Manager informed us there could be as many as 49 graves, because some graves are known to be without markers. In order to protect the site, concrete pillars have been built around the perimeter with steel cables strung from pillar to pillar. The grounds are stark and bare and surfaced with decomposed granite. The last burial occurred in 2001.

## **COMMENTS**

The Lemoore Cemetery District is under proficient and creative management. The District Manager shows exemplary management skills and has demonstrated leadership which has led to a facility of which the citizens of Kings County can be proud.

The grounds are well maintained by dedicated and talented staff, all cross-trained.

## **FINDING AND RECOMMENDATION**

**Finding 1.** Even though the cemeteries have lighting on the grounds, they do not have night vision surveillance equipment available that could be used to track those who vandalize or paint graffiti inside the cemetery.

**Recommendation 1.** Purchase night vision surveillance equipment.

## **RESPONSE REQUIREMENT**

**Penal Code Section 933 requires that specific responses to both the findings and recommendation contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County:**

**Lemoore Cemetery District Board of Trustees (90 days)**

## **STRATFORD PUBLIC UTILITY DISTRICT**

### **SYNOPSIS**

On October 9, 2008, the Grand Jury toured the Stratford Public Utility District (SPUD). Interviews at the district headquarters were conducted with the district manager and the office manager.

### **WHY THE GRAND JURY INVESTIGATED**

The Grand Jury received a complaint that the district paid a civil fine of \$8,000 against the water treatment plant operator because he did not have the appropriate operator certificate. The payment was considered a gift of public funds.

### **AUTHORITY**

California Penal Code Section 933.5. The Grand Jury is empowered to investigate local districts under Penal Code Section 933.5.

### **METHOD OF INVESTIGATION**

Interviews were conducted with employees of the SPUD. Comprehensive questions regarding SPUD operations were responded to by the district manager and the office manager.

The Grand Jury reviewed board minutes and audit reports for the past three years. We also received photocopies of all licenses that the district is required to have in order to operate. We reviewed fees for services, operating policies, billing and collection practices, and copies of the annual budget for the past three years. Information concerning actions by the State Water Control Board regarding deficiencies and fines were assessed.

### **BACKGROUND**

The district was formed in 1930. It is governed by five directors who are elected at large with staggered terms. The district has two full-time employees: the district manager and the office manager. A part-time employee is hired to perform certain duties. Kings County acts as the district treasurer.

The district provides water service, sanitary service, garbage collection and maintains street lights for an average of 780-800 customers. Water meters measure water usage. The water treatment plant is not used because it is obsolete and would be too expensive to

repair and bring up to code. Sanitary discharges are delivered to holding ponds which have adequate provisions to prevent overflow.

There is no contingency fee for repairs, replacement or emergencies. The district has applied for grant funds for water holding tanks and generators. During a recent burglary, a fire was set, but no paper records were destroyed. Presently, the computer system is not being backed up and records maintained off site.

## **FACTS**

We reviewed paperwork that triggered interest in the district's payment of a civil fine for the operator of the wastewater treatment plant. The invoice to the Kings County auditor/controller from SPUD identified the charge of \$8,000 as a major sewer repair; however, an attachment from the State Water Resources Control Board described that the \$8,000 was to pay the operator's civil fine. Minutes of the SPUD board indicate that the payment of \$8,000 was a loan, and that the loan is being repaid by the operator through deductions from his paychecks.

The SPUD provides good service to its customers in a cost effective manner. Because of limited infrastructure (water, sanitary sewer and treatment facilities), future growth is unlikely unless funding is provided by contractors/developers.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1.** Payment of the operator's civil fine was not a gift of public funds but was a loan that is being repaid.

**Recommendation 1.** None required.

**Finding 2.** Future growth is limited by lack of sanitary sewer capacity.

**Recommendation 2.** Apply for a grant to expand the sanitary sewer capacity.

**Finding 3.** No contingency fund exists.

**Recommendation 3.** Establish a contingency fund.

**Finding 4.** No off-site storage of SPUD records exists.

**Recommendation 4.** Back up computer system on a regular basis and store copies off-site. Provide fire and water-proof storage for paper records.

## **COMMENTS**

The Grand Jury commends SPUD for its well-organized, efficient operation, which must function with limited funds.

## **RESPONSE REQUIREMENT**

**Penal Code Section 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County.**

**Stratford Public Utility District Board of Directors (90 days)**



## 2008-2009 Kings County Grand Jury Final Report Responses

-Assessor-Recorder – Elections	Received
-Child Protective Services Programs	Received
-Kings County Human Services Contracts with Kings Community Action Organization	Pending
-Kings County Library	None Required
-Multi-Disciplinary Interview Center in the District Attorney’s Office	Pending
-Avenal Hospital District Ambulance Service Area	None Required
-Burriss Park and Outdoor Education Program	None Required
-Corcoran District Hospital	July 22, 2009
-Hanford Joint Union High School District	Received
-Discipline Policy	Received
-Kings County Charter Schools	None Required
-Kings County Transportation Authority	Received
-Avenal Sub-Station Holding Cells	Received
-Avenal State Prison	Received
-California Substance Abuse Treatment Facility and State Prison	August 21, 2009
-Corcoran Police Department Holding Cells	None Required
-Corcoran State Prison	None Required
-Hanford Police Department	None Required
-Juvenile Hall/Boot Camp	Pending

-Kings County Fire Department Armona - Station Five	Pending
-Kings County Main Jail	Received
-City of Avenal	July 15, 2009
-City of Hanford Fire Department	Received
-City of Hanford Water Department	Received
-Corcoran Cemetery District	Received
-Home Garden Community Services District	Received
-Lemoore Cemetery District	None Required
-Stratford Public Utility District	Pending

**RESPONSES TO 2007-2008  
GRAND JURY REPORTS**





OFFICE OF  
**SHERIFF**  
COUNTY OF KINGS

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CHRIS JORDAN  
SHERIFF-CORONER  
PUBLIC ADMINISTRATOR

October 21, 2008

Honorable George Orndoff,  
Superior Court Judge  
Kings County Government Center  
Hanford, California 93230

Dear Judge Orndoff,

The following information is furnished in response to the 2008 Grand Jury's Final Report of the Kings County Sheriff's Department.

**Area of Inquiry: Avenal Sub-Station Holding Cells**

Grand Jury Finding:

The Avenal Sub-Station holding cells are no longer used.

Response:

The court holding cells are no longer used to hold jail inmates waiting to appear in the Avenal Courtroom. Avenal criminal proceedings are now occurring at the Superior Courts located at the Kings County Government Center in Hanford. Pre-booked inmates arrested in Avenal are seldom held in the holding cells but are transported directly to the Kings County Jail in Hanford.

Grand Jury Recommendation:

None.

Response:

None.

Respectfully Submitted,

Chris Jordan, Sheriff  
Coroner-Public Administrator



Mayor  
John Murray  
Mayor Pro Tem  
John Grego  
Councilmembers  
Mary Hornsby  
Ed Martin  
Willard Rodarmel



Office of the  
City Manager

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Presiding Superior Court Judge  
Kings County Government Center  
1400 West Lacey Blvd.  
Hanford, CA 93230

Your Honor,

The City of Lemoore has received the Grand Jury Report 2007-2008. One of the sections relates to the Grand Jury's review of the City of Lemoore's compliance with the Americans with Disabilities Act. In keeping with Penal Code Sections 933 and 933.05 that require specific responses to both findings and recommendations the Mayor and City Council of the City of Lemoore respectfully submit the following responses to the Presiding Judge of the Kings County Superior Court.

**Investigation of Compliance with the Americans with Disabilities Act  
Response to Findings and Recommendations**

**Finding 1.** The City of Lemoore has not included the disabled community in developing and producing the [ADA] Transition Plan as required by federal and state law.

***Response to Finding 1: The respondent partially disagrees with the finding.*** On February 5, 2008, the Lemoore City Council adopted Resolution 2008-03 (attached), expressing its commitment to comply with the Americans With Disabilities Act by setting forth a process to achieve compliance. It directed City staff to complete the Transition Plan. The City is in the stage of preparing technical background information for developing the Transition Plan which we believe will provide a meaningful platform for the disabled community's participation in the process. The City is committed to have public participation, and specifically the disabled community's participation in the development of the Transition Plan.

**Recommendation 1.** The City of Lemoore should immediately include the disabled community in developing and producing the required Transition Plan.

***Response to Recommendation 1.: The recommendation has not yet been implemented but the City expects to implement it by August 31, 2008.*** As noted above in the response to Finding 1, the City is in the process of developing technical background information. Much of the preliminary work associated with identifying facility accessibility needs requires performance by trained personnel, as the state of California has exacting design standards for accessibility. The City's Building Inspection Division is the ideal source for these personnel. Once the City has determined the majority of modifications necessary to meet minimum requirements, input from the public will be sought for additional modification, as well as for input, assistance, and comments in prioritizing the modifications and development of the Transition Plan. The City will not deem a Transition Plan complete without significant public participation. Resolution 2008-03 specifically directs staff to seek and consider public input on the Transition Plan.

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**Finding 2.** The City of Lemoore has not acknowledged its required role in enforcing the ADA provisions set out in the California Health and Safety Codes.

**Response to Finding 2.: The respondent disagrees with the finding.** The City administration and governing body have always held the position that all federal and state laws related to disability access should be adhered to by the City.

**Recommendation 2.** The City should reassess its role in enforcing these code provisions.

**Response to Recommendation 2: The recommendation has been implemented.** Appropriate staff has reviewed the legislation to ensure that required enforcement provisions are being met. Discretionary enforcement provisions will be reviewed and evaluated by administration and policy set by the governing body.

**Finding 3.** Some issues raised by complainants are not necessarily the prime responsibility of the City. This exhibits the need for accurate knowledge and better communication with the general public and the disabled community, and between the City of Lemoore and all affected parties.

**Response to Finding 3.: The respondent agrees wholly with the finding.** Government Code Section 4455 states:

“The Department of Rehabilitation shall be responsible for educating the public and working with officials of cities, [...], and other interested parties in order to encourage and help them make all buildings, facilities, and improved areas accessible to and usable by handicapped persons for purposes of rehabilitation, employment, business, recreation, and all other aspects of normal living.”

As it relates to disability access, the City of Lemoore continues to re-evaluate, and improve where needed, its efforts to communicate with the public. Please see Responses to Recommendations 3a, 3b, and Finding 4 for additional information.

**Recommendation 3a.** Assist the community of disabled persons in forming an advisory committee to better filter and prioritize legitimate complaints to the City.

**Response to Recommendation 3a.: The recommendation has not yet been implemented, but will be implemented by August 31, 2008..** Additionally, an advisory committee could be the primary public group to assist with the evaluation and prioritization of facility modifications considered in the creation of the ADA Transition Plan.

**Recommendation 3b.** Prepare a brochure to inform the citizens and business owners of the broad impact of the state and federal disabled accessibility laws.

**Response to Recommendation 3b.: This recommendation will be implemented by December 31, 2008.** It should first be noted numerous resources such as brochures, manuals, and electronic media are available free of charge through the Department of Justice and the CA Division of the State Architect (to name a few) to help educate the public about their legal responsibilities. Numerous not-for-profit agencies exist for the express purpose of educating the public about disability access and to provide disabled-rights advocacy. Nonetheless, the City of Lemoore will provide such materials as appropriate to citizens and business owners.

**Finding 4.** There is no City process as to when, where, and to whom an ADA-type complaint can be delivered, logged and receive a response.

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*Response to Finding 4.: The respondent disagrees wholly with the finding.* We concede, however, that at the time the Findings and Recommendations were received, such a process did not exist formally.

**Recommendation 4.** Establish and make known to the public a simple complaint process that includes the receiving authority, logs for the receipt and response to the complainant.

*Response to Recommendation 4.: The recommendation has been implemented.* At the regular meeting of the Lemoore City Council held on April 1, 2008, the Lemoore City Council adopted by Resolution 2008-03 its Notice Under The Americans With Disabilities Act and the City Of Lemoore Grievance Procedure Under The Americans With Disabilities Act. The City Clerk posted both in a highly-traveled area of the Lemoore City Hall. The Notice and Grievance Procedure are attached as Exhibits A & B.

**Finding 5.** Many traffic signals in the City are programmed with insufficient crosswalk time to allow most disabled or elderly pedestrians to safely cross streets.

*Response to Finding 5.: The respondent neither agrees nor disagrees with the finding.* The City of Lemoore sets crosswalk time to standards provided by the California Department of Transportation. Whether these times are sufficient for an individual with mobility-related disabilities is difficult to determine. A motorized scooter that travels at walking speed should not be negatively affected by current crosswalk times; a person using a walker may have difficulty crossing during the programmed times.

**Recommendation 5.** Reassess the needs of both pedestrians and vehicle traffic, and adjust the traffic light sequence for the safety of pedestrians.

*Response to Recommendation 5.: The recommendation will be implemented. The process for implementation will commence with the immediate reassessment of crosswalk times with respect to minimum standards provided by the California Department of Transportation, with consideration given to the safety of all-pedestrians, disabled or otherwise. Furthermore, as the City is made aware of the changing needs of the public, whether through the Grievance Procedure, the soon-to-be-formed Accessibility Advisory Committee, or through informal communication with the public, crosswalks times will be reassessed further.*

In closing, the City of Lemoore reaffirms its commitment to abide by legal requirements. The City will endeavor to address the Grand Jury's recommendations as noted above. We will meet at the Grand Jury's convenience and answer any other questions or provide additional information that the Grand Jury may need. As always, we are deeply appreciative of the men and women of the Grand Jury and their dedication and hard work.

Respectfully submitted,

John Murray  
Mayor

*Lemoore...where CHARACTER COUNTS!<sub>sm</sub>*



RECEIVED

LAW OFFICES OF

DANIEL M. FADENRECHT  
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2008 SEP 22 PM 2:56

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TODD H. BARTON, CEO  
SUPERIOR COURT  
OF CALIFORNIA  
COUNTY OF KINGS

DEPUTY

September 16, 2008

Honorable George L. Orndoff  
Kings County Superior Court  
1426 South Drive  
Hanford, CA 93230

Re: Grand Jury Response

Dear Honorable Judge Orndoff:

Enclosed is the response of Home Garden Community Services District to the Grand Jury's Findings and Recommendations (for the year ending June 30, 2008).

HOME GARDEN COMMUNITY SERVICES DISTRICT

By 

DANIEL M. FADENRECHT, Secretary

DMF/hml

Enclosure

a:Orndoff.ltr  
08-1(c)

RESPONSE TO FINDINGS AND RECOMMENDATIONS OF THE  
GRAND JURY FOR THE FISCAL YEAR ENDING JUNE 30, 2008  
[California Penal Code §933-05]

1. Bylaws. The recommendation is anticipated to be implemented by the end of ninety (90) days.
2. Establish Board Training. The District Board disagrees that it needs to establish its own training program. Training is available from various organizations such as the Special District and Local Government Institute, California Special District Association, California Rural Water Association, Rural Community Assistance Corporation. There is no need to duplicate these programs. The Board intends to use a training program on an annual basis.
3. Appoint a General Manager. The Directors intend to appoint a General Manager by January 1, 2009.
4. Appoint a District Treasurer. The District Board believes there is no need to add another position. The District considers the County Treasurer [now Finance Officer] its treasurer. The District has authorized its legal counsel to supervise check writing. If the District after study of the issue finds that clarification is needed, an appointment can be made and noted in the bylaws. The Directors intend to appoint District Treasurer within sixty (60) days.
5. Provide employee bonds. The District essentially has a bond and is insured in this area. The present comprehensive liability policy includes "an employee dishonesty provision" which covers all Directors and employees. However, the Directors will insure that each employee is bonded to handle money within thirty (30) days.
6. Install fireproof cabinet or safe.
  - (a) The District will obtain a safe within 45 days
  - (b) The District will proceed to move all documents to 2<sup>nd</sup> Place office within forty-five (45) days.
7. Deliver deposits in a locked container. Deposits will be made in a sealed envelope.
8. Adopt a budget. The Directors will adopt a Budget within ninety (90) days.
9. Public comment. The Directors will comply with the Brown Act.

10. Provide copies of proposed documents prior to meetings. The Directors will be provided copies of all documents that are proposed to be approved before each meeting.
11. Report action taken during closed portion of the meeting. The Directors will comply by reporting closed session action taken.
12. Accounting system. When an accounting firm is employed, procedure will be implemented to secure District's funds.

The above have been adopted by the Directors of HOME GARDEN COMMUNITY SERVICES DISTRICT.

Dated: September 16, 2008

HOME GARDEN COMMUNITY SERVICES DISTRICT

By Harold E Reed  
HAROLD E. REED, President  
Board of Directors

c:\HGCSD\GrandJuryFINALresponse





# COUNTY OF KINGS BOARD OF SUPERVISORS

KINGS COUNTY GOVERNMENT CENTER  
1400 W. LACEY BOULEVARD, HANFORD, CA 93230  
(559) 582-3211, EXT. 2362, FAX: (559) 585-8047  
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JOE NEVES  
STRATFORD & LEMOORE - DISTRICT I

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NORTH HANFORD & NORTH LEMOORE - DISTRICT III

TONY BARBA  
HANFORD & ARMONA - DISTRICT IV

ALENE TAYLOR  
HANFORD - DISTRICT V

August 26, 2008

Honorable Peter M. Shultz  
Kings County Superior Court  
1426 South Drive  
Hanford, CA 93230

Dear Judge Shultz:

The Board of Supervisors has attached the County's response to the 2007/2008 Grand Jury Report on the Information Technology Department. The Grand Jury Report was issued on May 29, 2008.

The County's response to the Grand Jury Report was presented at a regular meeting of the Board of Supervisors on August 26, 2008. The County's response addresses each finding and recommendation as required by Penal Code Section 933. The County's response was prepared by the former Chief Information Officer and the Administrative Office.

Sincerely,

Joe Neves, Chairman  
Kings County Board of Supervisors

Cc: Grand Jury Foreman, Dr. Minkin



# COUNTY OF KINGS

## INFORMATION TECHNOLOGY DEPARTMENT

---

(559) 582-3211 ext. 2546  
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1400 West Lacey Boulevard  
County Government Center  
Hanford, California 93230

Mark A. Cowart  
Director

August 12, 2008

Honorable Peter M. Shultz  
Kings County Superior Court  
1426 South Drive  
Hanford, CA 93230

Dear Judge Shultz:

In accordance with Section 933 of the California Penal Code, this letter is the Kings County Board of Supervisors' response to the Grand Jury Report entitled, "Information Technology Department," received by the County on May 29, 2008.

For the reasons set forth below in the County's responses to each of the Grand Jury's findings and recommendations, the Kings County Board of Supervisors either acknowledges, agrees with, or disagrees with each of those findings and recommendations.

Under the **Findings** Section of the Report the Grand Jury states:

1. The customers have many issues involving communication. Effective communication includes providing information, as well as listening by both parties.

**Recommendation 1:** Regularly scheduled meetings should be held between each OSA, department manager and the customers the OSA services.

We agree with this finding. Effective communication is critical to the success of the County. IT Department managers currently do meet with departments as required to ensure customer projects are implemented successfully and to discuss new projects. However, because of the number of customers and the complexity and divergent business requirements involved, the IT Department is structured to rely on senior analyst staff to provide day to day technology advice and support to customers. They then in turn communicate with each other and management staff – through regularly scheduled meetings – to ensure IT Department goals and strategies support those needs.

2. Security remains a concern for all computer applications. Over a year has elapsed since the "Information Risk and Vulnerability Assessment" was recommended by the professional security firm in their April 28, 2007 report.

**Recommendation 2a:** An "Information Risk and Vulnerability Assessment" be conducted immediately, as previously recommended and funded.

We agree with this finding. Implementation of the IT Department Policy and Procedure Manual, Equipment upgrades, and the implementation of an Intrusion Prevention System were completed during the last year in preparation for the Assessment. Funding to complete the Assessment is included in the FY 2008/2009 budget and will be completed by the end of the fiscal year.

**Recommendation 2b:** The recently issued Incident Response Policy provides a listing of departments to whom an incident “may” be reported; this should be revised to “shall”. All department/agency heads should be immediately notified of any security breach or threatened breach.

We agree with this finding. The policy will be modified to make the recommended change to the language as well as procedures for notifying all department/agency heads of an actual or potential breach of security.

3. A lack of continuing training is evident with both the customer and also with IT Department employees. Interviews indicated that “train the trainer” is not adequate. Other than training provided with introduction of a new business application system, very little updated education is provided.

**Recommendation 3a:** Continuing educational opportunities should be provided for IT Department employees. A suggested method would be to bring in experts from various vendors or local universities to minimize the expense of travel and lodging for employees and to enable a greater number to attend.

We agree with this finding. The IT Department always evaluates the ability to hold training locally. As an example, training was held onsite the week of July 21, 2008 and 12 IT staff was able to attend. However, this is usually the exception because of the specialized nature of staff assignments.

**Recommendation 3b:** Customer training needs to be improved. The IT Department should ensure that there is a trainer available for any customer requesting training for their employees of their business application system. It is the responsibility of the customer to request this training.

We disagree with this finding. While the IT Department assists customers in coordinating application specific training, it is the responsibility of the department to determine whether “train the trainer” is sufficient or not. We do agree that it is the responsibility of the customer to request training for customer specific application systems.

4. Internal communication is conducted sporadically, or on an as needed basis, according to management, except for the Enterprise Services/Office Automation Division. There can never be enough effective communication.

**Recommendation 4:** The other IT Department divisions should implement a weekly session, as is conducted in the Enterprise Services/Office Automation Division to communicate within their division. The director should conduct a full staff meeting quarterly or semiannually.

We agree with this finding. The Director will hold scheduled department-wide meetings instead of informally during staff gatherings such as pot-luck lunches. However, weekly meetings with the Application Support staff do take place on Thursdays and Technical Services staff attends the weekly Enterprise Division meeting as well as other meetings. We agree that there can never be too much communication.

5. Interviews revealed the IT Department management has a reactive rather than proactive approach with their customers.

**Recommendation 5:** IT Department management should take a proactive approach by becoming involved with customers earlier in their investigation into new or upgraded business application systems. A good approach would be to provide the customer an updated listing of the County's hardware and a list of compatible applications and specification requirements.

We disagree with this finding. The IT Department will only know if customers are investigating new or upgraded systems if told by the customer. Hardware and software necessary to support systems is not usually part of the discussion until a potential solution is identified. However, the IT Department would like to be involved in the process as soon as possible.

6. Data files are backed up periodically and stored at another site within the County Government Complex. In the event of a disaster to the Government Complex, essential, valuable and sensitive data could be lost.

**Recommendation 6:** Backup data should be stored at a secure site removed from the County Complex.

We agree with this finding. While the backups are stored in a secure facility in a different part of the Government Complex, the IT Department will research this issue to determine the security, cost and impact on access to the data of storing backups offsite.

RECEIVED SEP 23 2008

**GRISWOLD, LASALLE, COBB, DOWD & GIN, L.L.P.**

ATTORNEYS

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Robin M. Hall  
\* Professional Corporation

September 17, 2008

**HAND DELIVERED 9/17/08**

Peter M. Schultz, Presiding Judge  
KINGS COUNTY SUPERIOR COURT  
1426 South Drive  
Hanford, CA 93230

Re: Kettleman City Community Services District  
Response to 2007-2008 Report of Kings County Grand Jury

Dear Judge Schultz:

This office represents Kettleman City Community Services District and this letter is submitted pursuant to Penal Code § 933 in response to the 2007-2008 Report of the Kings County Grand Jury which was received by the District on June 19, 2008.

The Grand Jury made the following finding: Kettleman City Community Services District is in urgent need of making improvements to the water and sanitary sewer systems. The District agrees with this finding.

The Grand Jury made the following recommendation: The Board of Directors should continue its efforts to obtain water from the California Aqueduct and to obtain funds for treatment. The District agrees with this recommendation.

The District is supplied by two wells which are capable of supplying the needs of the District, but are at their capacity. These wells are treated for naturally occurring benzene to meet the drinking water standard for benzene. The wells yield water which also contains naturally occurring arsenic which on occasion exceeds the federal MCL of 10 ppb which went into effect in January 2006.

The District is diligently pursuing funding for a surface water treatment plant and has submitted a State Revolving Fund Safe Drinking Water Application for Construction Funds for a surface water treatment plant. At the District Board meeting on September 17, 2008 the Board was informed that a funding decision for the District's application should be known before the end of 2008 pending staff availability at the State level to complete the scoring of the application. The state budget impasse has delay the final processing of the application due to staff cutbacks.

A surface water treatment plant would enable the District to take delivery of surface water from the California Aqueduct. Surface water would not contain arsenic or benzene but would contain other constituents requiring treatment.

Peter M. Schultz, Presiding Judge  
KINGS COUNTY SUPERIOR COURT  
September 17, 2008  
Page 2

A surface water treatment plant would enable the District to take delivery of surface water from the California Aqueduct. Surface water would not contain arsenic or benzene but would contain other constituents requiring treatment.

The land for the treatment plant has been acquired by Kings County from Chevron and the District and the County will enter into an agreement for use of that land for the surface water treatment plant.

The District has the right to receive up to 900 AFY of Table A entitlement water from the State Water Project. This will be the source of surface water for the treatment plant. The District will retain its two existing wells as a back up source of water. The District is also planning to expand its water tanks to enable more water to be stored in the District's system for use during periods of heavy demand or emergencies.

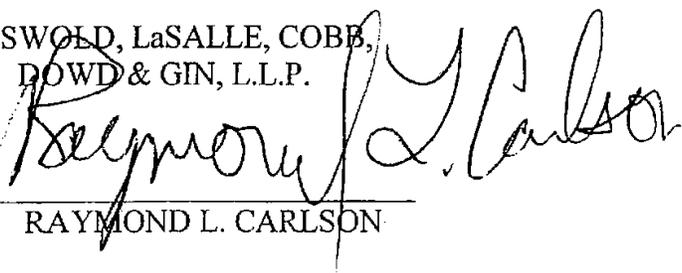
With respect to wastewater the District has upgraded and expanded the sludge ponds and is enforcing a new ordinance to prevent oils and greases from being discharged to the wastewater treatment plant (WWTP).

The District has a moratorium in place and will not provide service to any new businesses in the commercial part of the District along I-5 until the WWTP capacity is expanded. The described measures are intended to maintain existing treatment plant capacity while the District pursues funding for WWTP expansion.

Very truly yours,

GRISWOLD, LaSALLE, COBB,  
DOWD & GIN, L.L.P.

By:

  
RAYMOND L. CARLSON

cc: Rosa Maldonado  
CARLCKCCSD\SCHULTZ.917

COPY

# Kings Schools Transportation Authority

714 White Street  
Hanford, California 93230

August 4, 2008

The Honorable Peter M. Schultz  
Presiding Judge  
Superior Court of the State of California  
County of Kings  
1426 South Drive  
Hanford, California 93230

Dear Judge Schultz:

This correspondence constitutes the Kings Schools Transportation Authority's response to the report issued by the Kings County Grand Jury and submitted to the Authority on May 7, 2008. The report by the Kings County Grand Jury indicated that their investigation was based on receipt of complaints regarding school buses for special needs students being unclean and in unsanitary condition.

This response is offered in accordance with the requirements of Penal Code Sections 933 and 933.05. The response will address each finding and recommendation delineated in the Grand Jury Report.

Finding 1. The Grand Jury indicated they found inconsistencies and discrepancies between the KSTA Policies and Procedures Manual and the contract. Additionally, the Grand Jury stated that in one of the unspecified documents the KSTA definition makes KSTA and STA appear to be the same entity and they found that "this is an abdication of the authority of KSTA".

The Authority disagrees in part with this finding.

The definition referenced by the Grand Jury is in the KSTA Policies and Procedures Manual approved by the KSTA board on June 4, 2007. In the definitions section of the manual it states, "KSTA means the Kings Schools Transportation Authority and any subcontractor that has been given the express authority to make the decision or take the action at issue and that is acting at the direction, and with the authority, of the Kings Schools Transportation Authority and within the authority in making the decision or taking the action at issue". The definition's context is found in the subsequent sections of the manual, and contrary to an abdication of authority, the definition holds KSTA accountable for the actions of any subcontractor that has been given "express authority" to make a decision or take an action. Express authority is only given by the direction of the KSTA Board as stipulated in the Policies and Procedures Manual. KSTA has not abdicated anything as the result of the definition in the Policies and Procedures Manual.

Recommendation 1. The Grand Jury recommends that KSTA documents should be revised to be consistent and that the “definition of KSTA should make it absolutely clear that they are ultimately responsible for the safety and the decisions affecting special needs students and not abdicate this authority”.

Further study of this recommendation will be conducted by the Authority.

The Authority will review documents to ensure consistency and/or designate which documents supersede other documents. The Authority will review the definition of KSTA in the Policies and Procedures Manual and make changes when appropriate.

Finding 2. The Grand Jury reported that no oversight or monitoring was being performed. Based on interviews, the Grand Jury indicated that it is “questionable whether adequate service and safety is being provided for special needs students.”

The Authority disagrees in part with this finding.

Since the establishment of KSTA, the Board has monitored the performance of the contractor both formally and informally. The mechanical and general condition of the bus fleet has been inspected on multiple occasions by transportation specialists employed by member districts of the Authority and reported to the board during board meetings. Routing and service issues have been discussed at board meetings and memorialized in meeting minutes. The Board Chairperson meets formally on a monthly basis with the STA transportation coordinator and administrative staff from the Kings County Office of Education to discuss service, safety, or complaint issues. Most importantly, all buses operated by STA undergo a complete and thorough periodic safety inspection by the California Highway Patrol and all drivers must certify required training to the California Department of Motor Vehicles.

Recommendation 2. The Grand Jury report recommends that the contract for special needs student transportation should be effectively monitored for compliance and evaluated to ensure the safety.

The Authority continues to implement this recommendation and will develop a schedule of random bus inspections.

Finding 3. The Grand Jury reported that “most of the persons interviewed and KSTA minutes revealed a lack of understanding of the “valid” Contract”.

The Authority agrees with this finding.

The contract KSTA has with the contractor incorporates the notice to bidders, the instructions to bidders, the specifications, the bid form, and the agreements entered into on July 15, 2004 and January 8, 2007. Since the board membership changes on a rotating basis it is possible that some board members may not be familiar with all documents that constitute the contract.

Recommendation 3. The Grand Jury recommends that KSTA board members review and familiarize themselves with the contract and follow contract provisions.

The Authority is in process of implementing this recommendation.

All board members have copies of all referenced documents and a review of the documents will be conducted.

Finding 4. The Grand Jury reported that no one from KSTA is assigned the responsibility of monitoring the performance of STA.

The Authority disagrees in part with this finding.

The KSTA Board, under the leadership of the Board Chairperson, is responsible for monitoring the performance of STA.

Recommendation 4. The Grand Jury recommends that KSTA employ a Transportation Coordinator to monitor the transportation contract.

Further study of this recommendation will be conducted by the Authority.

Finding 5. The Grand Jury reported that KSTA could not provide written documentation pertaining to the performance of STA.

The Authority disagrees in part with this finding.

KSTA Board minutes memorialize discussions regarding STA performance and backup documents to board agendas specify information regarding the condition of equipment.

Recommendation 5. The Grand Jury recommended that written documentation pertaining to STA's performance should be maintained and reviewed by KSTA.

Further study of this recommendation will be conducted by the Authority.

Finding 6. The Grand Jury found that the times and location of the KSTA Board meetings were inconsistent, but the Grand Jury stated that the provisions of the Brown Act appeared to be followed.

The Authority disagrees in part with this finding.

The Grand Jury is correct that KSTA Board meetings are conducted in accordance with Government Code requirements, including the posting of agendas that include the location and times of meetings. Since the inception of the Authority through December 2007, sixteen of the 20 meetings were conducted at the Kings County Office of Education at times specified on the agenda. Since January 2008 all meetings have been held at the Hanford High School District Office at 9:00 a.m.

Recommendation 6. The Grand Jury recommends that the location and meetings times be posted in the Hanford Sentinel and other local publications and notifications of KSTA meetings should be provided to the parents of special needs students.

The Authority is in process of implementing this recommendation.

Finding 7. The Grand Jury indicated that KSTA provided no evidence of a formal complaint procedure and that interviews with parents and teachers confirmed that they were unaware of any complaint procedure.

The Authority disagrees in part with this finding.

KSTA does have established complaint procedures including a Uniform Complaint Procedure. The Grand Jury received all KSTA Board agendas and minutes. The September 10, 2008 KSTA board agenda and subsequent meeting minutes clearly indicate the adoption of Uniform Complaint Procedures. The Grand Jury did not request a copy of the complaint procedures.

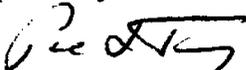
Additionally, all parents and guardians of students receiving special education services, including all with children transported by KSTA, receive on an annual basis the Kings County Special Education Local Plan Area Notice of Procedural Safeguards and Parents' Rights. This document specifies the due process rights and complaint procedures regarding the provision of special education and related services. Special education transportation is a related service. The document outlines the right to a due process hearing, mediation and alternative dispute resolution, and appeal process. In addition to parents, special education teachers should be familiar with the Notice of Procedural Safeguards and Parents' Rights since it is frequently reviewed at initial or review Individualized Education Program meetings that teachers are required to attend.

Recommendation 7. The Grand Jury recommends that a formal complaint procedure be written and a contact person be established. They also recommend that the information be provided to schools and parents in a KSTA handbook.

The Authority is in process of implementing this recommendation.

The Authority has a formal complaint procedure that specifies the contact person. The Authority is in process of developing a KSTA handbook that will incorporate the complaint procedures.

Respectfully submitted,



Paul J. Terry Ed.D.  
KSTA Chairperson, 2007-2008