

CONTINUITY THE NEVER ENDING REPORT...

SUMMARY

Following up on the findings and recommendations from a prior year is a prime responsibility of the Orange County Grand Jury. Each year the Grand Jury issues reports with findings and recommendations directed to Orange County officials and agencies and municipal and other public entities. Following up on written responses as dictated by the *California Penal Code* Sections 933 and its 933.05 is an important function of all California Grand Juries.

The 1999–2000 Orange County Grand Jury collected and analyzed all findings with responses to the 1998–1999 Orange County Grand Jury findings and recommendations as the basis for this report.

PURPOSE OF STUDY

This study will demonstrate to affected parties and, importantly, to the public that the Orange County Grand Jury will review and act on missing and/or inadequate responses to its findings and recommendations.

Using a methodology initiated by the 1997–1998 Orange County Grand Jury, the continuity procedure will enable the current and subsequent juries to determine if further action is required by the provisions of the California Penal Code.

The 1999–2000 Grand Jury believes that only by using an organized continuity system, can the Grand Jury attract the success and respect that should accrue to its collective efforts.

METHOD OF STUDY

The Special Issues/Continuity Committee gathered and reviewed the findings and recommendations of the prior 1998–1999 Orange County Grand Jury and the subsequent responses. These responses were organized and then circulated to the appropriate standing committees for follow-up comments. The committees considered the following questions:

- Have the entities complied with the Grand Jury findings and recommendations?
- If not, are any serious risks being incurred by the County or others?

- If so, what action should be taken by the sitting Grand Jury?
- Should further study be undertaken by the incoming Grand Jury?

In determining answers to the above questions, it was sometimes necessary to visit the responding entity's facility and/or to invite its representatives to meet with the Grand Jury.

The appropriate standing committees completed a *Response Review Record* that furnished an evaluation of all responses. A copy of that *Response Review Record* form is included in this report (See Exhibit A).

BACKGROUND

The 1997–1998 Orange County Grand Jury, with special guidance from the Administrative Agencies Committee, developed a “grid system” of tracking responses of the 1996–1997 *Orange County Grand Jury Final Report*. Examples of this tracking system are located in the Appendix of the Administrative Agencies Committee of the 1997–1998 *Orange County Grand Jury Final Report*, which is available through the Orange County Public Library system.

Seventeen reports were completed by the 1998–1999 Grand Jury. The appropriate committee reviewed and analyzed each of them. The committees concurred with the responses to 14 of the reports. The responses to the remaining three are summarized herein.

Criminal Justice

The 1999–2000 Criminal Justice Committee of the Orange County Grand Jury has re-visited the 1998–1999 report, *Security of County Employees*. The 1999–2000 Grand Jury published its own report *Safety of County Employees and Visitors in Selected County Buildings*, to further study this issue. The 1999–2000 Special Issues/Continuity Committee believes that the latest report adequately addresses the problem, and the solicited responses will clarify any problems originally addressed by the 1998–1999 Criminal Justice Committee report. No further action is recommended at this time.

Juvenile Services Committee

The Juvenile Services Committee of the 1999–2000 Orange County Grand Jury has agreed that further attention needs to be paid to the issues of adequate databases for *all* the children in the foster care system. This issue is addressed in the report issued by the 1999–2000 Juvenile Services Committee entitled, *Orange County is No Camelot for Emancipated Youth*. The committee has suggested, and the Orange County Social Services Agency acknowledges, that the computer tracking is inadequate. This applies to both the people “in” the system and to those who have exited the County’s foster care system. In other words, the County doesn’t keep adequate track of what happens to the current enrollees and the ensuing alumni. The available data is too anecdotal and not actual. The Special Issues/Continuity Committee agrees that this subject is adequately addressed by the aforementioned *Camelot* report.

Human Services Committee

The Human Services Committee of the 1999–2000 Orange County Grand Jury completed its review of the responses to the 1998–1999 Grand Jury report entitled, *Child Care Welfare to Work*. The Grand Jury recommends that the subject be re-visited by the 2000–2001 Grand Jury since the complete assessment of childcare services in Orange County is not expected until late spring of 2000.

It is the opinion of the Human Services Committee that the response of the Social Services Agency to Recommendation 1 is adequate. The response to Recommendation 2 has not been received. However, the original responses to Recommendations 1 and 2 are as follows: “The recommendation requires further analysis.” *Penal Code* Section 933.05(b)(3) provides that when a Grand Jury recommendation requires further analysis, the timeframe for response shall not exceed six months from the date of release of the report. The report was released June 4, 1999. The response to Recommendation 1 was provided to the 1999–2000 Grand Jury on March 27, 2000, three months beyond the six-month timeframe. As of May 9, 2000, the response to Recommendation 2 has not been received. This is eleven months after the release date of the report. Because of the tardiness of the response to Recommendation 2, the Grand Jury believes that the subject should be revisited.

IMPLEMENTATION

After all responses to the prior Grand Jury’s reports have been analyzed by the current Grand Jury, and there is agreement with the responding entity, there remains the problem of ensuring implementation. This matter was addressed by the Orange County Board of Supervisors at their meeting of March 29, 1994. A motion was made and carried as follows:

MOTION: On motion by Supervisor Vasquez, seconded by Supervisor Stanton, the Board moved to: 1. Direct the County Administrative Officer to meet with the sitting Grand Jury no later than January of each year to discuss the implementation status of the prior year’s recommendations with which the Board has concurred. 2. Direct the County Administrative Office to provide the sitting Grand Jury with a written report summarizing the implementation status of the prior year’s recommendations at least three days prior to the meeting. 3. Direct the County Administrative Office to provide minutes from this meeting to the sitting Grand Jury and each of the Board offices for informational purposes. 4. Direct the County Administrative Office to provide the sitting Grand Jury with any additionally requested follow-up to or clarification of the recommendations. Supervisor Steiner was absent. MOTION CARRIED.

It appears that since that time, no reports have been provided and no meetings have taken place. The 1999–2000 Orange County Grand Jury believes that complying with the directives of the Board would lead to quicker and more complete implementation of responses and would lend greater importance to Grand Jury recommendations.

The Grand Jury has already stressed the importance of follow-up in the Summary that opened the beginning of this report. Please let us conclude with another emphatic statement that continuity follow-up is an important basic function of every Grand Jury and that it is difficult to provide finality to a never-ending story.

FINDINGS

In accordance with *California Penal Code* Sections 933 and 933.05, responses are required to all findings. The **Board of Supervisors** is required to respond to the findings. The 1999–2000 Orange County Grand Jury has arrived at the following findings:

1. The Social Services Agency has not complied with the provisions of *Penal Code* Section 933.05, with regard to Recommendation 2 of the 1998–99 Grand Jury report *Child Care Welfare to Work*.
2. The County Executive Office has not complied with the directives adopted by the Board of Supervisors at their March 29, 1994, meeting.

RECOMMENDATIONS

In accordance with *California Penal Code* Sections 933 and 933.05, each recommendation must be responded to by the government entity to which it is addressed. The **Board of Supervisors** is required to respond to the recommendations. These responses are submitted to the Presiding Judge of the Superior Court. Based on the findings, the 1999–2000 Orange County Grand Jury recommends that:

1. The Board of Supervisors institute a findings and recommendations follow-up program to ensure that, on an ongoing basis, all County elected officers and agency heads comply with *Penal Code* Sections 933 and 933.05.
2. The County Executive Office comply with the four directives of the Board of Supervisors as set forth by the Board of Supervisors in their March 29, 1994, minute order.

EXHIBIT A

RESPONSE REVIEW RECORD

Grand Jury Report Title: _____

Committee making review: _____

Date of completion of this review: _____

1. Have Grand Jury Recommendations been substantially accepted by the affected agency(s)?
____ Yes ____ No
If yes, then **Summary** Item 1 below should be marked "Yes."
2. If answer to (1) is No, are any serious risks being incurred by Orange County, or the affected agency? ____ Yes ____ No
3. If the answer to #2 is No, then further Grand Jury action may or may not be taken.
4. If the answer to #3 is Yes, what action should be taken by the 19--/-- Grand Jury to clarify, understand, or study this issue? Note that if you need help in generating an input to this item, you may consult with committee, panel or past Grand Jury member. What, if any, action should be passed to a later Grand Jury?
5. Fill out **Summary** items 2 or 3 below:

Summary:

1. The Grand Jury, upon recommendation of the (_____) Committee has agreed that no further action is to be taken by the _____ Grand Jury. Yes _No
2. The Grand Jury, upon recommendation of the (_____) Committee, has agreed that this issue will be revisited by the _____ Grand Jury, at least in part. ___Yes ___No
3. The Grand Jury, upon recommendation of the (_____) Committee, has agreed that further visits to this issue be recommended to the incoming Grand Jury for their consideration as a study project. ___Yes ___No

Chair
(_____) Committee

Foreman
(Year) _____ Orange County Grand Jury