

Mariposa
County
Grand
Jury
Final
Report

2013-
2014

Pursuant to California Penal Code sections 925 and 933(a), "each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year"

P.O. Box 789
Mariposa, CA
95338

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Final Report

Released on
Tuesday, June 10, 2014
by the
2013 - 2014

Mariposa County
Grand Jury

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GRAND JURY SUBMISSION LETTER

Tuesday, June 10, 2014

Honorable Wayne R. Parrish
Presiding Judge
Mariposa County Superior Court
P.O. Box 28
Mariposa, CA 95338

Dear Judge Parrish,

On behalf of the 2013-14 Mariposa County Grand Jury, we would like to thank you for the opportunity to serve our community. We are fortunate to have our original eleven Grand Jury members serve the entire year without having to request any alternate jurors. This Grand Jury has worked together on seventeen complaints submitted by the public. Some complaints were not acted upon because the Grand Jury felt it was not in their area of responsibility, other complaints were already being dealt with by the County and we felt the County was currently addressing those issues, and the other complaints were investigated. This Grand Jury also inspected the correctional facilities in the County and will include the results of our inspection in our final report.

This Grand Jury submitted, in January, a midterm report to you and the Mariposa County Board of Supervisors regarding the numerous issues and complaints of the Human Services Department. We feel our report and employee survey addressed the serious personnel and administrative problems that plagued that Department. This Grand Jury has since received numerous calls and comments from Human Services employees thanking us for our timely involvement. We have been made aware that the employee and managerial relationships are in a healing process, and our hope is that this healing process continues under the guidance of its new leadership.

This Grand Jury must acknowledge that much of our success is due to the fact that you carried over two jurors from the 2012-13 Grand Jury, and with their help and knowledge we were able to begin our workflow in a seamless manner. Our job was made easier because of the experience and dedication of these two individuals. This Grand Jury was able to continue, and finish work started by the previous Grand Jury.

The Grand Jury would like to thank our County Counsel, Steve Dahlem, for his assistance and interface with the various County entities. His dedication, fairness, and cooperation was much appreciated by this Grand Jury.

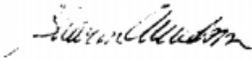
The Grand Jury would also like to acknowledge our Sheriff, Doug Binnewies, for his insight and availability to help us with any questions or requests. Doug was eloquent, knowledgeable, and professional in his interaction with this Grand Jury.

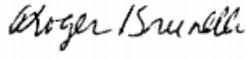
This Grand Jury would like to extend its thanks to our District Attorney, Tom Cooke, for his assistance with any legal questions we requested. His knowledge and helpfulness was truly appreciated.

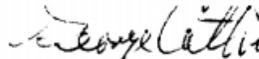
And lastly the Grand Jury would like to thank you, Judge Parrish, and your staff for your helpfulness and guidance this past year.

Please accept this final report of the 2013-14 Mariposa County Grand Jury.

Respectfully Submitted,

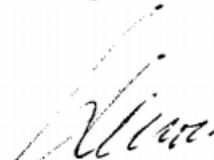

Sharon Amundson


Roger Brunelle

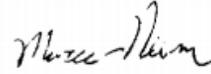

George Catlin

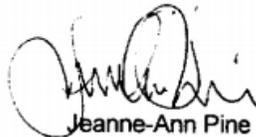

Sydney Hill

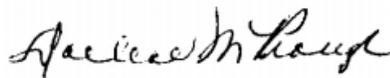

Ron Iudice-foreman

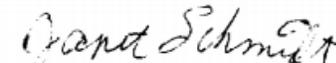

Karen Le Cocq


J.R. Matchett


Marcus Newman


Jeanne-Ann Pine


Darlene Prough


Janet Schmidt

REQUIRED AND REQUESTED RESPONSES

The governing boards or elected officials who are the subjects of investigations included in the grand jury's final report are required, pursuant to California penal code section 933.05, to respond to the relevant findings and recommendations. For their convenience, the grand jury has created the following list of boards and officials who are required to respond:

BOARDS AND OFFICIALS REQUIRED TO RESPOND	REPORTS REQUIRING RESPONSES
Board of Supervisors	County Wide Employee Survey (Report 1)
Board of Supervisors	The Homeless in Mariposa Town Area (Report 4)
Board of Supervisors	Issues Within the Mariposa County Fire Department (Report 5)

Additionally, the grand jury would like to invite the following other public officials, appointed department heads, and managers of major programs to respond to the findings and recommendations that pertain to their respective affiliates:

BOARDS AND OFFICIALS REQUESTED TO RESPOND	REPORTS REQUESTING RESPONSES
Planning Department	The Homeless in Mariposa Town Area (Report 4)
Sherriff's Department	The Homeless in Mariposa Town Area (Report 4)
Human Services Department	The Homeless in Mariposa Town Area (Report 4)

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COUNTY-WIDE EMPLOYEE SURVEY

FIRST INVESTIGATIVE REPORT BY
THE 2013-2014 MARIPOSA COUNTY GRAND JURY

Introduction

Over the last two years the Grand Jury has conducted employee surveys in three county departments. In every case useful information was obtained, and in two cases the results contributed directly to reports which we believe were helpful to the respective departments.

One major drawback of such surveys is that they are coming from a group carrying the name “Grand Jury”, so there is an understandable sense that such surveys are looking for what is wrong and the Jury will seek to identify the guilty parties. It is our opinion that this and future grand juries must move away from such associations if they are to play a truly useful role within the County. The Grand Jury must find a way to work in cooperation with all County agencies to provide them with useful information. This report represents what we believe could be a very strong step in that direction.

Facts

1. Presently within Mariposa County agencies there appear to be few, if any, anonymous, confidential means through which employees provide regular feedback to their department heads regarding their perceptions of their jobs.
2. Many private companies go to great lengths to assess employee attitudes toward the workplace because those attitudes affect the bottom line. Management wants to know about problems as early as possible. In the private sector, where competing businesses are always looking to offer better services and thus increase their own market share, a business that does not understand how things look from the employee perspective is at risk of going out of business altogether.
3. Since County agencies lack any form of competition, they are less motivated to make sure they are functioning as efficiently as possible. Thus, it is likely that problems may fester unrecognized and/or unaddressed for some time. Indeed, it is this Grand Jury’s experience that this is the case in multiple County agencies.
4. Some large counties, and possibly other smaller ones of which we are unaware, have made it a regular practice to survey their employees. The very best example

of this which we found is King County, Washington. A copy of their survey, which is conducted every three years, is included in the Appendix.

5. The King County survey appears to objectively elicit useful information which we believe any department would do well to understand.
6. The general results and analysis of the 2012 King County Survey can be found at <http://www.kingcounty.gov/employees/EmployeeSurvey.aspx> The actual reports for the County overall and specific departments are found by clicking “view the results” on that page.
7. In Mariposa County, many surveys could be administered electronically online—greatly reducing costs of printing and data entry. Paper surveys could be made available to employees lacking easy electronic access.
8. In smaller Mariposa County departments, such as those with fewer than six employees, it would be difficult to insure respondent anonymity.
9. Eight department heads within Mariposa County have indicated an openness to having their departments surveyed.
10. Although the present Grand Jury cannot dictate the investigative activities of future juries, it is highly likely that next year’s Grand Jury will be interested in assisting the County in administering and analyzing a county-wide employee satisfaction survey.

Findings

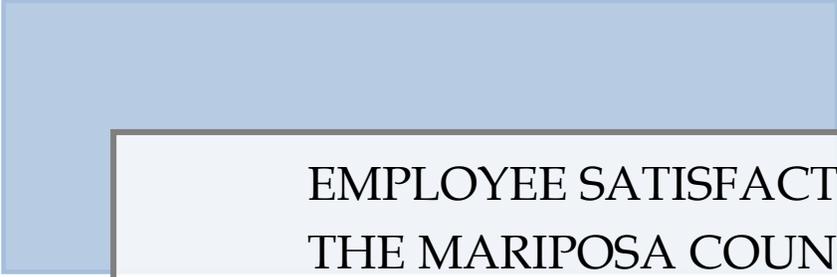
1. There are numerous reasons to believe a survey of all county employees would be beneficial to Mariposa County.
2. It is well within the County’s ability to administer an objective, useful survey of all county employees.

Recommendations

1. That the Board of Supervisors instruct Mariposa County Human Resources Department to conduct an employee survey of all county employees every two to three years.
2. That the 2012 King County Employee Survey, or another deemed by the County’s HR Director and the Grand Jury to be of high quality, be used as basis for the survey.

Responses

We require the Mariposa County Board of Supervisors respond to this report.



EMPLOYEE SATISFACTION WITHIN THE MARIPOSA COUNTY HUMAN SERVICES DEPARTMENT

SECOND INVESTIGATIVE REPORT BY
THE 2013-2014 MARIPOSA COUNTY GRAND JURY

Introduction

For the last three years Mariposa County Grand Juries have been aware that the Human Services Department would be a likely subject of a review. Last year's Jury received two formal complaints against Human Services, initiated preliminary inquiries, and at the end of its term conducted a survey of Human Services employees in cooperation with the department's leadership. Though the results of that survey were provocative, it was not until this year's Grand Jury received a letter of concern and two additional formal complaints and heard of the Director's planned resignation that we decided to launch a thorough investigation, conducted under authority of California Penal Code § 925, which states in part "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county..."

Human Services is the County's largest agency, employing 108 people with an annual budget of around \$30 million. It is organized in two major service divisions: Behavioral Health and Recovery Services (BHRS) and Social Services (SS), each with a deputy director in charge. BHRS primarily works with clients with mental illness and alcohol and drug problems. SS deals mostly with adults, families and children in crisis. A third major department within Human Services is Fiscal Administration. There are 30 employees with BHRS, 42 in SS, 18 in Fiscal Administration and the remainder work in Office Support.

The complexities of the financial aspects of Human Services are considerable, and they have been recently examined and addressed by the County Auditor. This investigation concentrated on specific personnel issues within the agency with an eye toward their ultimate impact on the delivery of services.

Methods

All Human Services employees were invited by the Grand Jury to participate, anonymously, in an employee satisfaction survey. Employees were contacted via email and the survey was conducted using an Internet web-based system. To preserve anonymity of the respondents, we only asked that they identify the major Human Services division within which they worked and their general employee rank. Several respondents (11 out of 53) still chose to not indicate within which division they worked. Thus, the survey data does not allow us to know the specific units or program areas responses are coming from, but it does allow us to make comparative assessments between the major Human Services divisions and across employee ranks.

The survey inquired into nine different aspects of the Human Services work environment: training, communication, appraisals, organization, management, recognition, career advancement, satisfaction and aspects of their major division within Human Services. For each category four or more positive statements were made such as “Hard work is formally recognized at Human Services.” Employees were asked to respond by indicating “strongly agree”, “agree”, “neutral”, “disagree” or “strongly disagree.” Employees were able to include a written response to each statement, and each of the nine categories included an open-response question asking for suggested changes or improvements. The survey concluded with three additional questions: “How would you rate your overall experience working for Human Services? (Excellent, Good, Average, Poor, Terrible)”, “Would you refer others seeking employment to Human Services, and if not, why?”, and “If you had an opportunity to make any single change at Human Services, what improvement would you make?”

We also interviewed the acting director, deputy directors, supervisors, line staff, and former employees. Here we concentrated our attention on those working in or supervising Child Welfare Services and the Emergency Response Unit (both within SS) and Adult Systems of Care (within BHRS). These interviews took place in the Grand Jury office and usually lasted for more than an hour.

Facts

Results from the Survey

1. About half of the recipients returned completed surveys, including 3 from senior management (75% return rate), 9 from supervisors (56% return rate), and 41 from line staff and lead workers (47% return rate).
2. When all the respondents were pooled together, the results showed a range of responses within each of the target areas with the greatest strengths being in the areas of training, appraisals and satisfaction with over 50% of respondents either

agreeing or agreeing strongly with the positive statements. The greatest weakness appeared in the areas of organization and recognition, again with 50% or more of the respondents disagreeing or strongly disagreeing with the positive statements.

3. When the answers were converted to numbers (strongly disagree = -2; disagree = -1; neutral = 0; agree = 1; strongly agree = 2) and averages were computed for each response, a more specific picture of the department's strengths and weaknesses appeared (Table 1). The most positive average ratings were for the following statements:

- "My manager holds me accountable for the work I perform." (average response = 1.2)
- "I enjoy my work." (1.1)
- "I find my work challenging." (1.1)
- "I know what is expected of me in my job." (.9)
- "I am aware of promotion opportunities within the department." (.8)
- "I am aware of available training and development activities." (.7)
- "Customer satisfaction is a primary concern within my division." (.6)

The most disagreement was recorded for the following statements:

- "Employees within the department are treated with respect regardless of their job." (-.9)
- "Human Services has an image of a high quality government department." (-.8)
- "My division has an adequate number of employees with the necessary skills to meet the demand for the services we are expected to provide." (-.8)
- "The management at Human Services makes wise decisions." (-.7)
- "Hard work is formally recognized at Human services." (-.7)
- "The work policies are well developed and organized." (-.7)
- "The relationship between management and employees is good." (-.6)
- "Job promotions within the department are fair and reasonable." (-.6)
- "The morale within my division is generally high." (-.5)

4. In response to the question “How would you rate your overall experience working for Human Services?”, about 50% said excellent or good, about 20% said average, and about 30% said poor or terrible.
5. When the responses from senior management were analyzed separately (Figure 1), 75% or more of the responses were to “agree” or “strongly agree” with the positive statements in every category except Organization. Virtually no disagreement was registered within any category.
6. The supervisors’ responses were highly positive within most categories – especially trainings, appraisals and satisfaction – receiving high levels of endorsement (Figure 1). Some disagreement did appear here in the areas of organization, management and recognition.
7. Lead workers and line staff presented very similar patterns of results (Figure 1). In every category there were significant amounts of disagreement and strong disagreement with the positive statements. 50% or more of the responses were negative in the areas of communication, recognition, organization and career. For lead workers there were no positive responses in the area of recognition.
8. In response to the question “Would you refer others seeking employment to Human Services, and if not, why?”, 18 respondents indicated “yes”, 14 said “no”, 6 were neutral, and 15 did not answer. Senior management was uniformly positive. Supervisors were mixed with some saying “yes” and others adding comments such as “not currently with the misappropriation of funds still hanging over our heads,” and “No, not as a place to start or continue a career.” The most negative comments came from line workers who said things like, “No, I am actually ashamed and embarrassed to mention where I work,” and “No there are colleges in the Valley that tell their students not to apply in Mariposa due to the negligent management.”
9. In response to the question “If you had the opportunity to make one single change at Human Services, what improvement would you make?”, 20 respondents mentioned changes in management, 4 mentioned increases in pay, 16 had no response, and the remainder addressed unique matters.

Facts Derived from the Interviews

1. The previous director is seen by many current Human Services workers as having been a visionary in regard to new programs and possibilities. Implementation of those programs was viewed as increasingly problematic the farther down the organizational hierarchy one works.
2. The acting director painted a positive picture of Human Services. He suggested no major changes and a period of consolidation ahead.

3. Supervisors were very positive about their jobs. One cited interacting with staff as the favorite part of work. Another said that office politics and personnel issues were the main challenge.
4. Line staff reports of their relations to their supervisors ranged from ambivalent to very negative. We repeatedly heard statements such as “I feel like I’ve been beat to the ground” and “It seems to be us against them.”
5. Supervisors were uniformly appreciative of the numerous trainings they had received and believed their staffs were very well trained. Most training takes place off site and is conducted by outside agencies.
6. When asked about their initial training in Human Services, many line staff indicated that their supervisor had provided none and they were left to essentially learn the job on their own or with assistance from their peers. One reported how “terrifying” it was to have to learn the job “by trial and error.”
7. Supervisors reported good, regular contact with their deputy director and said they had regular, productive meetings with their staffs.
8. Staff reported that meetings were primarily to communicate management’s decisions and their opinion was seldom sought or respected.
9. While there are numerous federal and state laws and manuals guiding various aspects of social services work, repeated requests for local policies and procedures specific to the Mariposa County Human Services department and units within it produced only various, unorganized collections of documents. Supervisors’ responses to this ranged from an unwillingness to address the issue to an acknowledgment that more, clearly-written policies would be beneficial. Line workers expressed tremendous frustration with the reluctance of their supervisors to establish and follow agreed upon policies and procedures.
10. When asked “Do you believe Human Services is an honest, ethical place to work?”, supervisors were immediate and very positive in their response. Most staff responses ranged from a pause followed by a nuanced answer to a simple “no.”
11. One supervisor and one deputy director lack the appropriate college degrees in their field, and there is considerable resentment among staff about who has and has not been promoted. Staff also reported cases of official hiring procedures not being followed and pre-determined candidates being selected.
12. Staff believe that when they confront a supervisor or make a formal complaint against them, retaliation follows.

13. Informal groups of line workers have banded together around their discontent with management. This places other staff, especially new hires, in the position having to be “with them” or not.
14. A seemingly high number of staff positions (around 50) have been vacated in the last three years. Management tends to cite ordinary factors such as a better job elsewhere, shorter commute, etc., while staff – including some who told us they would be leaving in the next few months – cite the poor working environment. Employees leaving the department are provided an opportunity to participate in an exit interview and complete an exit survey; however, repeated requests by the Grand Jury to the acting director for these interviews and surveys, or their summaries, have produced no documentation.

Findings

In this section we draw on the facts listed above to form more general statements. It should be remembered that our interviews concentrated on Child Welfare Services and the Emergency Response Unit (both within SS) and Adult Systems of Care (within BHRS). The survey data included responses from a broader sample of Human Services employees.

1. Management and staff have very different experiences within the Human Services department. While management like their jobs and stay with them over time, many staff report considerable dissatisfaction and turnover is high.
2. The department is highly stratified with areas of poor relationships between management and staff. Line workers report a lack of respect for management and the decisions they make and a sense of being disrespected themselves. Supervisors report frustration with some staff member’s resistance to their direction and supervision.
3. Despite the obvious dedication of everyone involved, a culture has evolved and taken root in some areas of Human Services – within both the BHRS and SS divisions – that is low on cohesion, morale and happiness with the workplace. We also have some evidence from interviews and survey data that this poor working environment may extend into Fiscal Administration.

Explanatory Hypotheses

In this section we present a set of thoughts that are admittedly more speculative in nature. We offer them in the exact spirit of this investigation: as an effort to shed light on a difficult situation in the hope of stimulating improvement.

There is a major personnel problem within Human Services. The former director clearly acknowledged this when he initially invited the previous Grand Jury to conduct a

survey that might help him begin to address it. We hypothesize that the current situation has multiple major roots:

1. The former director's focus on initiating new programs and establishing the new building and thus his administration's lack of attention to personnel issues.
2. Upper management's gradual drift away from contact with line staff, essentially insulating themselves from difficult personnel problems with a layer of personally selected, loyal supervisors.
3. The promotion of workers lacking background and seniority into supervisory roles where the likelihood of real problems of the sort that have appeared was very high (not to imply here that the most senior employee should always be chosen for a supervisory position or that bringing in an employee with a different background is necessarily a poor decision, but management's reasons for such choices may not be fully understood by subordinate staff, potentially leading to their frustration and resentment – management may not be cognizant of this and/or may not be addressing it effectively).
4. The absence of established conflict mediation or dispute resolution mechanisms within the agency.
5. The absence of any clear signal from top management about the kinds of behaviors that are and are not acceptable within Human Services.
6. Line workers' choice to resist new supervisors and new initiatives, in some cases banding together into clusters of resistance and ill will.
7. Failure to adequately meet the numerous challenges of moving into the new building, the design of which has actually been a source of real stress for many employees.

There may be numerous other factors contributing to the current impasse, but we believe this list contains many elements that need to be acknowledged and addressed.

Part way through this investigation we thought the reassignment or termination of some employees would be "the solution" to the problems. Now we believe that only systemic, cultural change will put the agency back on a course toward effective working relations. As that change takes place, some employees who cannot or do not contribute to the new direction may choose to leave or need to be reassigned or terminated. However, at this point, changing the overall tenor of relations within the department requires the major focus of effort.

We do reject the hypothesis that the situation at Human Services “comes with the territory.” Some people believe that some of the people attracted to working in the social services profession are overly sensitive, complain a lot, and do not respond well to supervision. While this may be true in some cases, we interviewed numerous people who in our assessment do not fall into this category and the survey data indicated the experience of problems is too widespread within the department.

Recommendations

1. That the Human Services Department makes it a priority to address and resolve the considerable personnel problems that exist within certain areas of the organization. In all likelihood this will require bringing in outside help.
2. That policies and procedures for resolving personnel conflicts within the agency be immediately written and implemented, including the appointment of an ombudsperson to mediate conflict and to ensure that no retaliation is taken toward those who raise grievances.
3. That the Board of Supervisors hire a new Director for Human Services who has the capacity and determination to lead the effort to build a new, more respectful and cohesive culture within the organization.

Responses*

Per California Penal Code § 933(c), which states in part “No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body”, we require the Mariposa County Board of Supervisors to submit written responses to this report’s Findings and Recommendations within 90 days of receipt of this report.

We also request the Human Services Department Director to submit written responses to this report’s Findings and Recommendations within 90 days of receipt of this report.

* Responses already requested when report was initially released; additional responses not requested.

Table 1. Statements and average responses from the employee satisfaction survey.

Statement	Average Response
Appraisals	
My manager holds me accountable for the work I perform.	1.125
My manager provides me with adequate feedback.	0.396
I have clear measures for each of my work objectives.	0.042
I know what is expected of me in my job.	0.911
Career	
I believe there are a variety of ways for me to develop my career at Human Services.	-0.438
Job promotions within the department are fair and reasonable.	-0.646
I am aware of promotion opportunities with the department.	0.787
I have the opportunity to progress within the department.	-0.313
Communication	
I generally feel informed about changes that affect me within Human Services.	-0.019
I usually know in plenty of time when important things happen.	-0.192
I can see the link between my work and the department's objectives.	0.500
Managers clearly communicate the department's objectives.	-0.154
Division	
Conditions within my division allow me to perform to a high standard.	0.087
Customer complaints are resolved quickly and ethically.	0.429
My division strives to improve its efficiency and effectiveness.	0.304
My division focuses on fixing problems rather than blaming others.	0.130
The morale within my division is generally high.	-0.468
I believe my division works well with other Human Services divisions to achieve the department's common goals.	0.630
When necessary, coordination and cooperation between divisions is easily achieved.	0.222
I feel that my division is effectively and efficiently serving the needs of Mariposa County citizens.	0.239
My division has an adequate number of employees with the necessary skills to meet the demand for the services we are expected to provide.	-0.809
Customer satisfaction is a primary concern in my division.	0.600
Management	
My manager helps me perform my job.	0.298
The relationship between management and employees is good.	-0.583
The management at Human Services makes wise decisions.	-0.711
My manager cares about my ideas and opinions.	0.250
I (if in a managerial position) manage an appropriate number of employees.	0.467
Organization	
Human Services is innovative in developing new ways to serve the citizens of Mariposa County.	-0.130
Human Services has an image of a high quality government department.	-0.750
Human Services' business operations are efficient and perform to a high standard.	-0.545
The work policies are well developed and organized.	-0.674

Statement	Average Response
Recognition	
Hard work is formally recognized at Human Services.	-0.688
I receive enough recognition for my work.	-0.298
Employees within the department are treated with respect, regardless of their job.	-0.851
Satisfaction	
I am satisfied working for Human Services.	0.100
I find my work challenging.	1.060
I enjoy my work.	1.120
Working conditions are good.	-0.020
I feel I am valued at work.	0.061
Training	
I receive sufficient training.	0.469
I am aware of available training and development activities.	0.714
I am given opportunities to improve my skills.	0.551
The training I receive meets my needs.	0.347

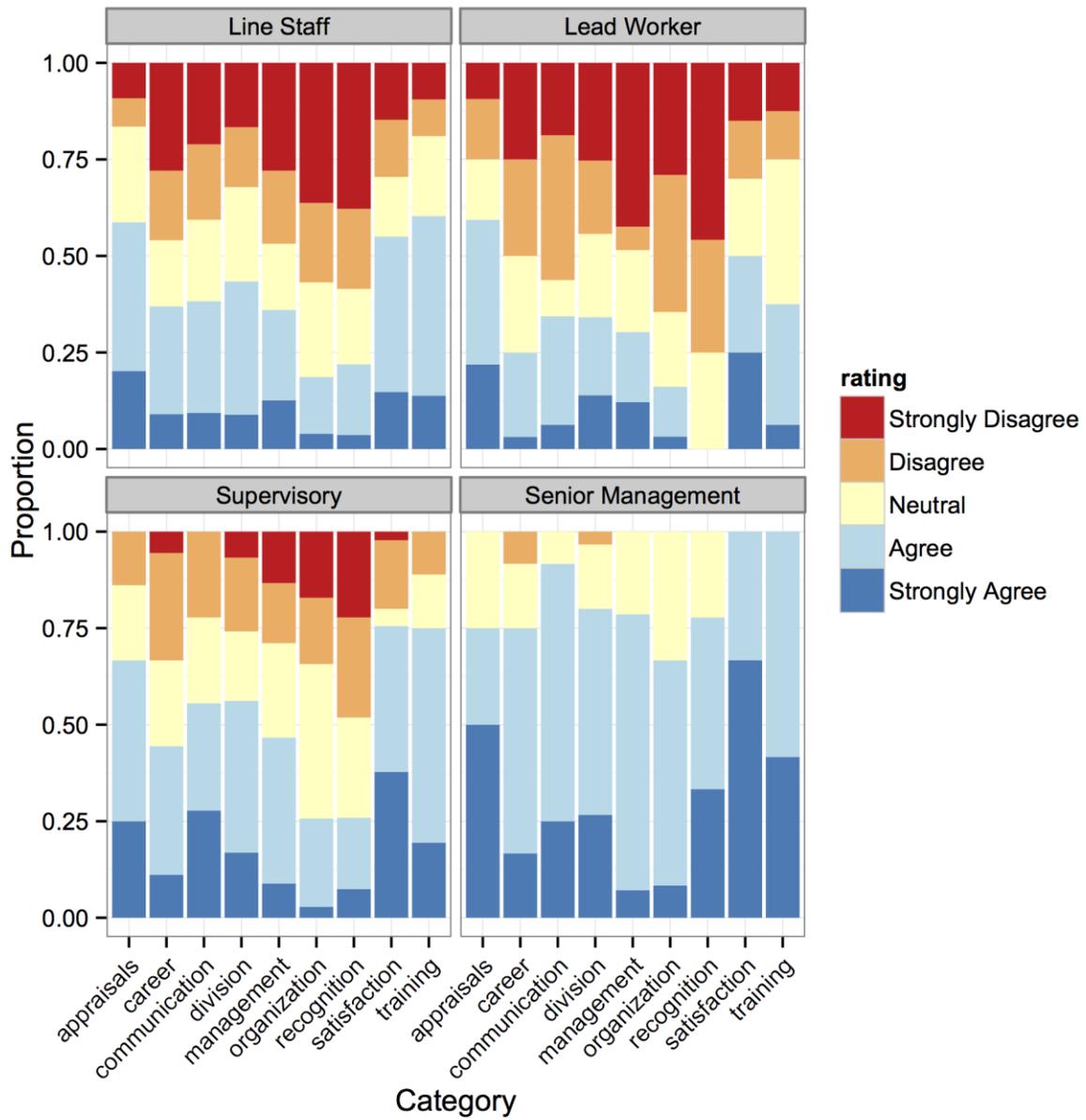


Figure 1. Proportions of responses within the nine statement categories, grouped by employee rank.

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GRAND JURY SELF-EVALUATION

THIRD INVESTIGATIVE REPORT BY
THE 2013-2014 MARIPOSA COUNTY GRAND JURY

Introduction

Grand juries have often been a bit of a mystery to the average citizen due to the strict confidentiality prohibitions that govern all grand jury proceedings and the often bureaucratic appearance of most of their work. However, inspired by the previous 2012-2013 Mariposa County Grand Jury's midterm report's initial assessment of the Mariposa County Grand Jury, this year's jury has decided to continue that tradition of offering insight into what has previously been a seemingly enigmatic organization. Hopefully, by continuing to evaluate and streamline its own processes, the Mariposa County Grand Jury will lead by an example the beneficial changes it hopes to see in all county agencies.

Facts - Budget

1. Mariposa County Superior Court tries to select jurors from each of the five supervisory districts.
2. Grand Jury members make \$15 per day plus mileage to travel for Grand Jury meetings.
3. It is 44.5 miles from Yosemite Valley to the Grand Jury Office, one way.
4. Mariposa County pays a single juror from Yosemite Valley \$64.62 for every meeting they attend. If that juror attends a single monthly meeting and two committee meetings a month (a minimal number), that comes to an annual total of \$2326.32 for that one juror.
5. Similar costs would be incurred for jurors commuting from other outlying communities including Don Pedro, Hunter Valley (juror 2013-2014 term) or Coulterville (juror 2012-2013 term).
6. Aside from juror pay, the largest cost incurred by the grand jury goes toward printing our interim and final reports.
7. Grand juries shall "submit" or "transmit" copies of their report to the Judge and all relevant parties referenced in the final report. Additionally, the clerk of the

court must provide a “true copy” to the clerk of the court as well as to the state archivist.

8. Mariposa County has interpreted this to mean print and distribute hard copies of the report to all parties.

Findings - Budget

1. If Mariposa County is going to continue to emphasize the inclusion of jurors from all parts of the county, the travel expenses will be exponentially higher and should be considered in budget decisions.
2. It would be significantly more cost effective if reports were sent electronically to all but those requiring hard copies.

Recommendations - Budget

1. The Board of Supervisors considers the need and expense of a juror from outlying districts when determining the transportation budget afforded the Grand Jury.
2. In addition to two required hard copies of their report (for the clerk’s office and state archives), the Grand Jury distributes a protected electronic copy of their report to all other relevant parties.
3. Agencies or Board members may request to receive a hard copy if they prefer or may print the electronic version for themselves.

Facts - Demographics

1. Since 2005, over the course of the last eight Mariposa County Grand Juries, 42 of the 89 active jurors that have served have been female, 47.19%; the current grand jury was a near even split with slightly more women (6) than men (5).
2. To our knowledge, no woman has ever served as foreperson.
3. Since 2005, over the course of the last eight Mariposa County Grand Juries, there have been a grand total of four “holdovers”, jurors who served on the grand jury for a first term and then “held over” to serve again for a second term.
4. Two of those four holdovers were from the 2012-2013 jury to the current jury.
5. None of the four holdovers ever served as foreperson on their second term; two of the four served as foreperson on their first term.

Findings - Demographics

1. This year’s Grand Jury was immensely aided by the presence of two holdover jurors finding their knowledge and insight to be invaluable. It is highly probable that future Grand Juries would benefit from the same experience.

Recommendations - Demographics

1. The presiding judge holds over at least two jurors from each Grand Jury term to serve on the subsequent jury.
2. The presiding judge considers selecting the new foreperson from these holdover jurors.
3. The presiding judge considers the need for a female foreperson to serve Mariposa County.

Facts - Training

1. In the past, training for Grand Jury members has been provided by Bruce T. Olson, who has retired.
2. This year marked the first year in which the entire jury received formal training from the California Grand Jurors' Association.

Findings - Training

1. The training received this year was extremely helpful, answering numerous questions and allowing the jury to settle in and begin work immediately.

Recommendations - Training

1. The County continues to employ the California Grand Jurors' Association for Grand Jury training.

Responses

No response required.

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THE HOMELESS IN MARIPOSA TOWN AREA

FOURTH INVESTIGATIVE REPORT BY
THE 2013-2014 MARIPOSA COUNTY GRAND JURY

Introduction

Spurred by our own observations of homeless activity in Mariposa town, as well as a letter of concern we received, we conducted an investigation into allegations that an increasing homeless population in Mariposa town is having a detrimental effect on the local community.

Methods

- We reviewed the Mariposa County Planning Department code manual and other County documents regarding homeless issues.
- We reviewed Senate Bill 2 (SB 2).
- We conducted interviews with staff from the Planning, Health, Human Services, and Sheriff's departments.
- We interviewed local area residents, business owners, and local transients.
- We toured the Mariposa County *Recovery, Opportunity, and Development* community drop-in center (aka R.O.A.D. House), homeless encampments, the historic downtown area, and areas around Mariposa Creek and the Arts Park.

Investigation

Two local churches – the Catholic and Methodist – operate homeless outreach programs and shelters, where they prepare meals, serve food, and provide overnight accommodations. Recently, these churches have been feeding and housing approximately 20–30 homeless persons per night. We were concerned with their adherence to county health regulations and zoning ordinances. We interviewed county Health Department staff, and they stated the department was aware of these outreach programs, and had periodically reviewed these organizations' food preparation and serving procedures, finding them to be in compliance with current health regulations and codes. We also interviewed county Planning Department staff and reviewed local planning ordinances. Zoning ordinance 17.320.020 permits the operation of emergency

shelters within the General Commercial Zone, and ordinance 17.336.130 specifies emergency shelter standards.

We interviewed county Human Services Department staff concerning its service and outreach programs for the homeless, particularly as it pertained to providing mental health and/or alcohol and drug recovery services, and how this outreach may influence the homeless population. We were informed that some outreach and screening of homeless individuals are conducted at the R.O.A.D. House, with additional needs-based assessment conducted if individuals present themselves at the county Human Services office. We conducted an onsite inspection of the R.O.A.D. House. The shelter is operated Monday through Friday, between the hours of 8:00 am and 5:00 pm. Evening meals are not provided and overnight stays are not allowed. We observed a clean, organized facility located in a mixed commercial/residential neighborhood. Due to its proximity to public schools and residences, we discussed local zoning ordinances with Planning Department staff. It was their opinion that the location of the R.O.A.D. House was in compliance with existing zoning and land use ordinances.

We interviewed Mariposa County Sheriff's Department staff to determine any impact the homeless population has had on the department, and any steps they are taking to address the homeless situation. While exact figures were not provided, the Sheriff's Department indicated that a growing number of individuals identified as homeless were taking up residence in the county, primarily in downtown areas. The department estimates 20-30 individuals are currently occupying the downtown areas. The Sheriff's Department speculated that a relatively temperate climate, low crime rate, county and private outreach programs, and a general welcoming attitude by the community had a bearing on the seemingly increasing homeless population. At present, the Sheriff's Department has no official stance concerning the homeless population; however, they indicated more of their resources are being directed towards dealing with homeless-related issues.

Grand Jury members, escorted by a deputy sheriff, visited homeless encampments along Mariposa Creek and surrounding hillsides. This area is frequented by residents, visitors, and homeless individuals. Small, barely discernable pathways lead to homeless campsites hidden in thick brush and trees. Large amounts of trash (images 1&2), including but not limited to old food containers, cans, bedding, tarps, condoms, human waste, etc., were left in multiple locations. At one location, a homemade ore smelter was set up, presumably for processing gold ore found in the creek.

A visit to the Arts Park revealed several homeless individuals sleeping on the lawn (image 3). They told us they were from out of the area, but traveled to Mariposa based on positive reports they had received from other homeless persons. Along the creek path, we observed numerous cigarette butts strewn on the ground and individuals smoking (image 4).

Local residents and business owners expressed concern with the homeless situation in Mariposa town. Some voiced concern that an increasing homeless population will result in less safe streets, increased fire danger, and decreased tourism as tourists are deterred from proceeding on to their downtown destinations. Illegal camping and campfires continue to appear on Antone and Standen Park Roads.

A review of Senate Bill 2 (SB 2), which became effective January 1, 2008. SB 2 clarifies and strengthens housing element law to ensure zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act. SB 2 requires the housing element of the General Plan of a county, among other things, to provide “an assessment of housing needs, including an inventory of land suitable for residential development.” In addition, “each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter.” Also, “emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards.”

Per Mariposa County planning code, an emergency shelter is identified in part as “A facility or use for 7 or more persons, which provides temporary housing by homeless individuals or families, victims of domestic violence, or persons requiring temporary housing, and may involve supplemental services.” Supplemental Services may include, but are not limited to “meal preparation, an activities center, day care for homeless person’s children, vocational rehabilitation, and other similar activities.”

Mariposa County planning code, as it relates to both the General Commercial Zone and Public-Quasi Public Zone require emergency shelters to comply with planning standards as defined in Section 17.336.130, by having a Management Plan: “Prior to commencing operation, the emergency shelter provider must have a written management plan, which shall be approved by the planning director.”

Findings

1. The R.O.A.D. House provides a healthy and positive environment for clients of Human Services. Non-clients – many of them homeless – also use the facility.
2. Hazardous and unsanitary conditions exist along the Mariposa Creek area, where fires and encampments, trash sites, evidence of human waste, etc., present a fire and public health risk to local residents and visitors.
3. With services being provided by both public and private entities, Mariposa has become a desirable destination for transients, with the Mariposa Creek, Mariposa County Arts Park, and various downtown locations becoming gathering areas.

4. Local businesses and residents are concerned about the homeless situation, and the presence of homeless individuals in public places may be intimidating tourists.
5. The county planning department considers several local churches to be acting as emergency shelters.
6. The county planning department does not appear to be requiring from what it considers local emergency shelters, a written management plan as required by county code, and which must subsequently be approved by the planning director.
7. The county Human Services Department is conducting little outreach to individuals who don't present themselves to the department in one form or another.

Recommendations

1. In order to ensure the long-term viability of homeless services being provided by local churches, we recommend that the County and churches work together to make sure shelters and services are in compliance with local zoning ordinances and health codes.
2. Because of the fire risk along Mariposa Creek, we recommend a no smoking ordinance be enacted along the Mariposa Creek corridor, including the Arts Park.
3. Mariposa County support the use of deputies on bicycles to effectively patrol the areas along Mariposa Creek from the Town to the jail facility.
4. Human Services Department assist in finding housing solutions for local homeless persons.

Responses

We require the Mariposa County Board of Supervisors respond to all findings and recommendations.

Additionally, we request responses from the Mariposa County Planning Department, the Sheriff's Department, and the Human Services Department.

Images 1 & 2: Trash from homeless encampments along Mariposa Creek.



Image 3: Deputy interviewing homeless at Arts Park. (Right)



Image 4: Smokers along Mariposa Creek walkway behind Pioneer Market. (Left)

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ISSUES WITHIN THE MARIPOSA COUNTY FIRE DEPARTMENT

FIFTH INVESTIGATIVE REPORT BY
THE 2013-2014 MARIPOSA COUNTY GRAND JURY

Introduction

Prompted by a complaint we received alleging financial irregularities, we conducted an oversight investigation of the Mariposa County Fire Department.

Methods

- We interviewed all Mariposa County Fire Department staff employed during 2013, including the Chief, although he had submitted his resignation due to retirement. We did not interview the new Chief or any employee hired in 2014.
- We reviewed financial documentation supplied by the complainant.
- We reviewed the department's current policies and procedures documents.

Investigation

During our interviews it was obvious there were tensions within the department. More than one employee stated the department was not an ethical place to work, with some commenting that they felt lied to, manipulated, and in one case threatened and intimidated. There are significantly more volunteers than paid staff positions, and there have been conflicts both between volunteers and between volunteers and paid staff. For example, one paid staff employee was allowed to also serve as a fire fighting volunteer, which cause conflicts with other volunteers (the staff person eventually resigned as a volunteer). When the Chief was out of the County, the conflicts appeared to intensify. During one major fire when the Chief was absent, there were issues regarding chain of command, with two staff members both taking leadership roles and disagreeing in a number of ways. This caused issues with both staff and volunteers.

There appears to be some financial issues with the Department. When another agency requests County fire suppression resources during a non-county incident, the County receives compensation for equipment, staff, and volunteers. However, in some instances County resources were dispatched to incidents without proper authorization from the responsible agency, and reimbursements for volunteers were billed at improper rates. Another financial issue involved a grant-funded staff position. The position was funded on an hourly basis and the Chief requested changing it to a

salaried position, but the request was denied. Following that decision, the staff person and Chief elected to treat the position as though it were salaried, resulting in timesheets that were inaccurately prepared and submitted.

We reviewed the Department's policies and procedures and found some were extremely out of date, with some going back to the 1980s. Most of the policies and procedures address fire equipment, with few addressing office policies. Some of the procedures were submitted 90 days after our original interviews and were evidence of a work in progress.

The Fire Chief reports directly to the Board Supervisors and feels having five bosses impacts decision making efficiency.

Findings

1. A hostile work environment was created in this small department.
2. Morale at the time of our interviews was extremely low.
3. Policies and Procedures are not comprehensive or current.
4. Incorrect volunteer pay rates caused additional effort and review, and opened up the potential for a state audit.
5. There may be financial consequences for equipment and personnel sent to an incident without proper authorization.
6. One employee was not reporting their hours accurately.
7. Chain of command issues impacted staff and departmental efficiency.

Recommendations

1. Policy and Procedures should be updated on a regular basis, and should address proper chain of command and procedures to resolve employee conflicts.
2. Staff should be trained on contacting the Human Resources Department for conflict resolution.
3. Contracts for providing assistance to outside agencies should be reviewed before sending equipment and staff to assist with outside agency incidents.
4. The difference between hourly and salaried employees should be reviewed to insure logs and timesheets are accurately kept to support reported hours.

Responses

We require the Mariposa County Board of Supervisors to respond to all findings and recommendations.

REVIEW OF COUNTY CORRECTIONAL FACILITIES

SIXTH INVESTIGATIVE REPORT BY
THE 2013-2014 MARIPOSA COUNTY GRAND JURY

Introduction

Grand juries are required by California Penal Code § 919(b) to “...inquire into the condition and management of the public prisons within the county.” Mariposa County has three correctional facilities: the Mariposa County Juvenile Detention Facility, the Mariposa County Adult Detention Facility, and the California Department of Corrections and Rehabilitation Mt. Bullion Conservation Camp. During our term, we visited and inspected all three of these facilities.

Facility Tours

On September 18th, 2013 we inspected the juvenile detention center, which is a temporary holding facility where up to 4 juveniles can be held for a maximum of 72 hours. For those juveniles who require longer term incarceration, the county pays to transport and house individuals at a juvenile facility in another county. At the time of inspection, it appeared to be clean and well maintained. The inspection included the holding area, kitchen area, and outdoor recreational area. No juveniles were present at the time of the inspection.

We inspected Mt. Bullion Conservation Camp #39 on September 25th, 2013. This state-run facility houses up to 110 minimum security male inmates. These men work on road crews, support fire prevention activities, and fight wildfires within the state of California. The facility appeared to be clean and well maintained. The recreational facilities included indoor and outdoor spaces, as well as a hobby/woodworking building. We were served lunch prepared by the inmate kitchen staff. The facility can temporarily house larger crews and provide meals for inmates from other camps to support CalFire activity in our area. During the past year, crews were brought in to support both the Carsten Fire and the Rim Fire.

On October 23rd, 2013 we inspected the adult detention facility. The facility houses both men and women, with a maximum occupancy of 58. Individuals stay here for a wide variety of reasons; from overnight holds, to those awaiting trial, and others serving out sentences for up to three years. In the six cell blocks, one of the challenges facing staff is to keep both inmates and staff as safe as possible. For this reason, a proposed expansion

is being investigated. We observed the cell blocks, kitchen facilities, library, visiting area, medical facilities, intake and processing center, control room and outdoor yards. It appeared to be clean and well maintained. Personnel appeared alert and well trained. The facility seemed sufficient to contain and control prisoners.

Findings

1. We found all Mariposa County correctional facilities to be well run and maintained.

Recommendations

1. We have no specific recommendations.

Responses

We do not request any responses.