

A REPORT BY
THE 2018-2019 CONTRA COSTA COUNTY CIVIL GRAND JURY
725 Court Street
Martinez, California 94553

Report 1901

**COMPLIANCE AND CONTINUITY
REPORT**

Contact:
Richard S. Nakano
Grand Jury Foreperson
925 522-6941

TABLE OF CONTENTS

1802	LOS MEDANOS COMMUNITY HEALTHCARE DISTRICT	3
1803	VOTING SECURITY Integrity And Transparency	4
1804	BART CRIME AND TRANSPARENCY	6
1805	EFFECTIVENESS OF IT OPERATIONS IN COUNTY GOVERNMENT	7
1806	THE OPIOID CRISIS Dying For Treatment	9
1807	MINIMIZING SCHOOL CASUALTIES DURING AN ACTIVE SHOOTER INCIDENT	11
1808	JOINT POWERS AUTHORITIES	12
1809	COMMUNITY REENTRY FROM JAIL	17
1810	CHRONIC ABSENTEEISM IN WEST CONTRA COSTA COUNTY SCHOOL DISTRICTS	19

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1901

COMPLIANCE AND CONTINUITY REPORT

The Contra Costa County Civil Grand Jury is impaneled annually to investigate city and county government, special districts and certain non-profit corporations to ensure that their functions are performed in a lawful, economical and efficient manner. Findings and recommendations developed from these investigations are contained in the reports signed by the Civil Grand Jury Foreperson and the Grand Jury Judge. Responses to these reports must be made within certain time constraints and in accordance with specific formats pursuant to 933 and 933.05 of the California Penal Code. These responses to the recommendations must include one of the following legally permitted options:

- The recommendation has been implemented
- The recommendation has not yet been implemented, but will be implemented in the future
- The recommendation requires further analysis
- The recommendation will not be implemented because it is not warranted or is not reasonable

The 2018-2019 Civil Grand Jury reviewed 9 reports from the 2017-2018 Civil Grand Jury. There were 39 letters, with copies of applicable reports, mailed to the different entities from which responses were required. These 9 reports made a cumulative total of 102 recommendations to the various recipients, of which 38 responses (37%) stated that the recommendation(s) have been or will shortly be implemented and 20 (20%) responses stated that the recommendation required further analysis. For further explanation and clarification of subject responses to recommendations, refer to their full responses posted online. Responses to the 2017-2018 Grand Jury reports are posted on the Contra Costa County Grand Jury Website in their entirety and can be viewed at:

<http://www.cc-courts.org/civil/grand-jury-reports.aspx>

The Grand Jury believes it is important for future Grand Juries to continue to review these responses and to be vigilant in seeing that recommendations that have been accepted and are implemented. In this manner, the commitment and hard work of past and future Grand Juries will result in positive changes for the citizens of Contra Costa County.

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1802
LOS MEDANOS COMMUNITY HEALTHCARE DISTRICT

Recommendation #1: LAFCO should consider dissolving the LMCHD by December 2018 and assigning all the assets, rights, and responsibilities to the County as the successor to LMCHD.

RESPONDENT	RESPONSE
Local Agency Formation Commission	The recommendation requires further analysis

Recommendation #2: The Board of Supervisors should consider maintaining grant funding levels for healthcare programs upon dissolution of LMCHD.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has been implemented

Recommendation #3: The Board of Supervisors should consider using any savings from LMCHD dissolution to improve and expand healthcare programs once appointed as the successor to LMCHD.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has been implemented

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1803 VOTING SECURITY Integrity And Transparency
--

Recommendation #1: The Contra Costa County Clerk-Recorders Office (CRO) should consider completing its threat and vulnerability assessment of its overall operation, and implement any recommended changes to its procedures per its current timetable – prior to the June 2018 election.

RESPONDENT	RESPONSE
Contra Costa County Clerk-Recorder's Office	The recommendation requires further analysis

Recommendation #2: The Grand Jury recommends that the CRO consider updating its business continuity plan and Memorandum of Understanding with Sacramento County prior to the June 2018 election, and then test the plan's effectiveness on a regular basis.

RESPONDENT	RESPONSE
Contra Costa County Clerk-Recorder's Office	The recommendation has not yet been implemented, but will be implemented in the future

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1804
BART CRIME AND TRANSPARENCY

Recommendation #1: BART PD should consider providing permanent web links to crimemapping.com and to the subscription form for the BART Police Daily Log on the "BART Police" page (<https://bart.gov/about/police>) of BART.gov by September 30, 2018.

RESPONDENT	RESPONSE
BART Police Chief	The recommendation has been implemented

Recommendation #2: BART PD should consider reviewing their data upload process to crimemapping.com for process integrity and data completeness within the fifteen crime incident categories reported, by December 31, 2018.

RESPONDENT	RESPONSE
BART Police Chief	The recommendation will not be implemented because it is not warranted or is not reasonable

Recommendation #3: BART PD should consider offering the most recent 180 days of the BART Police Daily Log reports, with simple text search function, from a permanent web link on the "BART Police" page (<https://bart.gov/about/police>) of BART.gov by December 31, 2018.

RESPONDENT	RESPONSE
BART Police Chief	The recommendation requires further analysis

Recommendation #4: BART PD should consider seeking funds at the next budget funding cycle to deploy more Community Service Officers to patrol BART stations and parking lots.

RESPONDENT	RESPONSE
BART Police Chief	The recommendation has been implemented

Recommendation #5: BART's Board of Directors should consider seeking funds at the next budget funding cycle to equip all parking lots and garages with adequate lighting and working video cameras.

RESPONDENT	RESPONSE
BART Board of Directors	The recommendation has been implemented

Recommendation #6: BART's Board of Directors should consider directing maintenance to make cleanliness a priority and improve the level of sanitation in stations, elevators, and restrooms. If additional personnel is needed, a request for funding may be considered for the next funding cycle.

RESPONDENT	RESPONSE
BART Board of Directors	The recommendation has been implemented

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1805 EFFECTIVENESS OF IT OPERATIONS IN COUNTY GOVERNMENT

Recommendation #1: The BOS should consider directing the CIO to update the County's IT Strategy (last updated in 2000) by December 2018.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #2: The BOS should consider seeking funds prior to the FY2019-2020 budget cycle to expand existing resources into a centralized cybersecurity unit to support and coordinate County-wide IT security activity.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #3: The BOS should consider directing the CIO to re-establish a County-wide governance mechanism by December 2018.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #4: The BOS should consider directing the CIO to investigate policies to standardize procurement, equipment, and IT services prior to the FY2019-2020 budget cycle. Opportunities include departmental networks, and services such as email, IT security, and disaster recovery.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #5: The BOS should consider directing the CIO to centralize the delivery of certain common services in time for the FY2019-2020 budget cycle. Opportunities include email, IT security, and disaster recovery.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #6: The BOS should consider directing the CIO to conduct a review of departments' disaster recovery plans by December 2018 to ensure they are up to date and routinely tested.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #7: The BOS should consider presenting a consolidated IT budget for the entire County down to the department level, as part of the annual budget process, by the FY2019-2020 budget cycle.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or is not reasonable

Recommendation #8: The BOS should consider directing the CIO to investigate improving coordination between departments of IT procurement to reduce costs, prior to the FY2019-2020 budget cycle.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #9: The BOS should consider directing the CIO to investigate establishing technology resource centers for dissemination of strategic technology knowledge and support, in order to create efficiencies and attract and retain staff. Candidate areas include cloud architecture and implementation, data management, business process automation, and cybersecurity.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #10: The BOS should consider directing the CIO to ensure that there is sufficient County IT project management staff with appropriate authority to effectively manage the County's large, complex software projects by December 2018.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or is not reasonable

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1806

THE OPIOID CRISIS
Dying For Treatment

Recommendation #1: The BOS should consider requesting Behavioral Health Services to develop a plan by December 2018 to motivate more physicians to complete their qualifications for a waiver to prescribe and dispense buprenorphine starting in 2019.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #2: The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to offer the course "Buprenorphine Treatment: Training for Multidisciplinary Addiction Professions" or equivalent to all of the County's public medical care providers starting July 1, 2019.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #3: The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to hire more buprenorphine clinicians beginning July 1, 2019.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #4: The BOS should consider requesting the Alcohol and Other Drugs Services (AODS) division of Behavioral Health Services to use funds available under the California Marijuana Tax Fund legislation (AB 1748) for in-county adolescent outpatient and residential inpatient treatment.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #5: The Contra Costa County Office of Education should consider seeking funds, in the FY2019-2020 budget, to provide free NARCAN kits in all County school districts.

RESPONDENT	RESPONSE
Contra Costa County Office of Education	The recommendation requires further analysis

Recommendation #6: The BOS should consider seeking funds, in the FY2019-2020

budget, for Behavioral Health Services to develop a plan to increase clinical treatment of substance use disorders in the three detention facilities.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #7: The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to develop and deliver educational campaigns to improve public awareness of the County’s opioid addiction crisis and available treatment options, starting July 1, 2019.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #8: The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to use multiple modes of communication such as news media, social media, community TV/Radio, and billboards, with a positive message to help alleviate the stigma of OUD, starting July 1, 2019.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1807 MINIMIZING SCHOOL CASUALTIES DURING AN ACTIVE SHOOTER INCIDENT
--

Recommendation #1: The County Fire Protection District Board of Directors should consider seeking funds, in time for the FY2019-2020 budget cycle, to finance ballistic protection gear for Fire District paramedics.

RESPONDENT	RESPONSE
Contra Costa County Fire Protection District Board of Directors	The recommendation requires further analysis

Recommendation #2: The County Board of Supervisors should consider continuing to fund the training (provided by the Office of the Sheriff) of all Fire District paramedics to operate in Warm Zones.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

Recommendation #3: The Governing Board of the AUHSD should consider requiring all four high schools, by November 1, 2018, to begin working directly with local police to develop specific written guidelines for teachers and students on how to respond to a classroom break-in by an active shooter.

RESPONDENT	RESPONSE
Governing Board of the AUHSD	The recommendation has been implemented

Recommendation #4: The Governing Board of the AUHSD should consider implementing, by April 1, 2019, all active shooter guidelines jointly developed with local police.

RESPONDENT	RESPONSE
Governing Board of the AUHSD	The recommendation has been implemented

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1808
JOINT POWERS AUTHORITIES

Recommendation #1: All cities with JPAs in the County should confirm their compliance with Gov. Codes Sections 6505 by submitting the required audit report to the County Auditor by December 31, 2018.

RESPONDENT	RESPONSE
City of Antioch	The recommendation has not yet been implemented, but will be implemented in the future
City of Brentwood	The recommendation has been implemented
City of Clayton	The recommendation has not yet been implemented, but will be implemented in the future
City of Concord	The recommendation has been implemented
Town of Danville	The recommendation will not be implemented because it is not warranted or not reasonable
City of El Cerrito	The recommendation will not be implemented because it is not warranted or not reasonable
City of Hercules	The recommendation will not be implemented because it is not warranted or not reasonable
City of Lafayette	The recommendation will not be implemented because it is not warranted or not reasonable
City of Martinez	The recommendation will not be implemented because it is not warranted or not reasonable
Town of Moraga	The recommendation will not be implemented because it is not warranted or not reasonable
City of Oakley	The recommendation has been implemented
City of Orinda	The recommendation will not be implemented because it is not warranted or not reasonable
City of Pinole	The recommendation will not be implemented because it is not warranted or not reasonable
City of Pittsburg	The recommendation has not yet been implemented, but will be implemented in the future

City of Pleasant Hill	The recommendation has not yet been implemented, but will be implemented in the future
City of Richmond	The recommendation will not be implemented because it is not warranted or not reasonable
City of San Pablo	The recommendation has not yet been implemented, but will be implemented in the future
City of San Ramon	The recommendation will not be implemented because it is not warranted or not reasonable
City of Walnut Creek	The recommendation will not be implemented because it is not warranted or not reasonable

Recommendation #2: The Auditor-Controller under Health and Safety Code Sections 34182-34188.8, should consider a review of JPAs under ABx1.26 (dissolution of redevelopment agencies and the designation of Successor Agencies) by June 30, 2019 to determine any violation of the prohibition on taking on new redevelopment or debt.

RESPONDENT	RESPONSE
Contra Costa County Auditor-Controller	The recommendation will not be implemented because it is not warranted or not reasonable

Recommendation #3: The Auditor-Controller should consider posting on its website all financial and organizational data received from JPAs associated with an RDA or their Successor Agency in a manner readily available to the public by September 30, 2018.

RESPONDENT	RESPONSE
Contra Costa County Auditor-Controller	The recommendation will not be implemented because it is not warranted or not reasonable

Recommendation #4: The 11 cities that are members of a JPA associated with an RDA or their Successor Agencies should consider confirming their compliance with the provisions of Abx1.26 (Gov. Codes Sections 34177 et seq.) and report their findings and any corrective actions to the Auditor-Controller's office by December 31, 2018.

RESPONDENT	RESPONSE
City of Antioch	The recommendation requires further analysis
City of Brentwood	The recommendation has been implemented
City of Concord	The recommendation will not be implemented because it is not warranted or not reasonable

City of El Cerrito	The recommendation will not be implemented because it is not warranted or not reasonable
City of Hercules	The recommendation will not be implemented because it is not warranted or not reasonable
City of Lafayette	The recommendation will not be implemented because it is not warranted or not reasonable
City of Pinole	The recommendation will not be implemented because it is not warranted or not reasonable
City of Pleasant Hill	The recommendation has not yet been implemented, but will be implemented in the future
City of Richmond	The recommendation has not yet been implemented, but will be implemented in the future
City of San Pablo	The recommendation has not yet been implemented, but will be implemented in the future
City of San Ramon	The recommendation has not yet been implemented, but will be implemented in the future

Recommendation #5: All cities with JPAs should consider making special efforts, such as special mailings to taxpayers, website postings and announcements in local media, to communicate JPA debt decisions and audit reports to the public beyond simple notifications by December 31, 2018.

RESPONDENT	RESPONSE
City of Antioch	The recommendation will not be implemented because it is not warranted or not reasonable
City of Brentwood	The recommendation will not be implemented because it is not warranted or not reasonable
City of Clayton	The recommendation will not be implemented because it is not warranted or not reasonable
City of Concord	The recommendation will not be implemented because it is not warranted or not reasonable
Town of Danville	The recommendation will not be implemented because it is not warranted or not reasonable

City of El Cerrito	The recommendation will not be implemented because it is not warranted or not reasonable
City of Hercules	The recommendation will not be implemented because it is not warranted or not reasonable
City of Lafayette	The recommendation will not be implemented because it is not warranted or not reasonable
City of Martinez	The recommendation will not be implemented because it is not warranted or not reasonable
Town of Moraga	The recommendation will not be implemented because it is not warranted or not reasonable
City of Oakley	The recommendation will not be implemented because it is not warranted or not reasonable
City of Orinda	The recommendation will not be implemented because it is not warranted or not reasonable
City of Pinole	The recommendation will not be implemented because it is not warranted or not reasonable
City of Pittsburg	The recommendation will not be implemented because it is not warranted or not reasonable
City of Pleasant Hill	The recommendation has not yet been implemented, but will be implemented in the future
City of Richmond	The recommendation will not be implemented because it is not warranted or not reasonable
City of San Pablo	The recommendation has not yet been implemented, but will be implemented in the future
City of San Ramon	The recommendation will not be implemented because it is not warranted or not reasonable
City of Walnut Creek	The recommendation will not be implemented because it is not warranted or not reasonable

Recommendation #6: Contra Costa County LAFCO should consider seeking funds to expand their focus to include County Financial JPAs by September 1, 2019.

RESPONDENT	RESPONSE
Local Agency Formation Commission (LAFCO)	The recommendation will not be implemented because it is not warranted or not reasonable

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1809
COMMUNITY REENTRY FROM JAIL

Recommendation #1: The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for adoption of the SAFE database system (or equivalent) countywide, for implementing, tracking, and evaluating reentry services.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or is not reasonable

Recommendation #2: The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, to sponsor annual or semiannual Job and Resource Fairs, modeled after the current WCDF Job and Resource Fairs, to serve those who have been released from incarceration.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	This recommendation requires further analysis

Recommendation #3: The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for additional Reentry Transition Specialists, in support of reentry programs.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or it is not reasonable

Recommendation #4: The BOS should consider requesting the Community Corrections Partnership, in consultation with the County’s Council on Homelessness, to provide a report to the BOS prior to June 30, 2019, on the housing needs of AB109 offenders and the current availability and utilization rates of AB109-related housing programs, including any relevant recommendations.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or is not reasonable

Recommendation #5: The BOS should consider requesting the Community Corrections Partnership to develop a five-year plan, in time for the FY2019-2020 budget cycle, to provide funding for transitional housing resources to ensure that inmates released from jail do not become homeless.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or is not reasonable

Recommendation #6: The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for the Office of the Public Defender to address the backlog of Proposition 64 marijuana cases eligible for reduction, dismissal, or sealing.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	This recommendation requires further analysis

Recommendation #7: The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for additional social service workers in the Office of the Public Defender in support of reentry planning and implementation.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	This recommendation requires further analysis

Recommendation #8: The BOS should consider seeking funds, in time for the FY 2019-2020 budget cycle, for resources in the Office of the Public Defender to address the backlog of roughly 10,000 reclassification cases seeking to petition the court to clear their criminal record.

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	This recommendation requires further analysis

Recommendation #9: The Office of the Sheriff in coordination with the CCCOE should consider providing a "Certificate of Completion" to inmates in the vocational programs at WCDF and MCDF, as documentation to assist prospective employers in their skills evaluation of former inmates.

RESPONDENT	RESPONSE
Contra Costa County Office of the Sheriff	The recommendation has not yet been implemented, but will be implemented in the future

CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1810 CHRONIC ABSENTEEISM IN WEST CONTRA COSTA COUNTY SCHOOL DISTRICTS
--

Recommendation #1: The Governing Boards of the WCCUSD and the JSUSD should consider including previous year baseline rates, in addition to improvement goals, for attendance and chronic absenteeism in their LCAP Goal 4 by the next LCAP summary deadline.

RESPONDENT	RESPONSE
Governing Board of West Contra Costa Unified School District	The recommendation requires further analysis
Governing Board of John Swett Unified School District	The recommendation has been implemented

Recommendation #2: The Governing Boards of the WCCUSD and the JSUSD should consider requesting the district superintendents to post monthly attendance data on their websites by the beginning of the 2018 fall semester.

RESPONDENT	RESPONSE
Governing Board of West Contra Costa Unified School District	The recommendation has not yet been implemented but will be implemented in the future
Governing Board of John Swett Unified School District	The recommendation has not yet been implemented but will be implemented in the future

Recommendation #3: The Governing Board of the WCCUSD should consider seeking funds, in time for the FY2018-2019 budget cycle, to conduct a study of the Parent University course and its potential in reducing chronic absenteeism through parental engagement. The findings can be shared through the Coordinating Council with other districts and schools to help them reduce their chronic absenteeism rates.

RESPONDENT	RESPONSE
Governing Board of West Contra Costa Unified School District	The recommendation has not yet been implemented but will be implemented in the future

Recommendation #4: The Contra Costa County Superintendent of Schools should consider expanding its Attendance Awareness Every School Day Counts campaign through community television and radio, social media, and school marquees prior to the 2018 fall semester.

RESPONDENT	RESPONSE
Contra Costa County Superintendent of Schools	The recommendation will not be implemented because it is not warranted or is not reasonable

Recommendation #5: The Contra Costa County Superintendent of Schools should consider highlighting the importance of attending kindergarten through its Attendance Awareness Every School Day Counts campaign in time for the 2019 school year.

RESPONDENT	RESPONSE
Contra Costa County Superintendent of Schools	The recommendation has been implemented