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July 19, 2006

REPORT TO THE COMMITTEE ON RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS

ESTABLISHMENT OF PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW BOARD

The Past Grand Jurors Association of San Diego County [the Association] has proposed that the City Council establish a review board comprised of past San Diego County Grand Jury members to assist in the implementation of County Grand Jury recommendations that have been accepted by the City of San Diego. A copy of the Association's proposal is attached for reference. (*See* Attachment 1). San Diego County has had such a review board since 1983. The Association's proposal indicates that the San Diego Board of Supervisors and the County Administrative Officer continue to affirm the usefulness of this review committee. The Association believes that a board of past grand jurors could assist the City in implementing County Grand Jury recommendations that have been accepted by the City.

Last year, the County Grand Jury issued several reports regarding the City of San Diego and some of the recommendations have been accepted by the City. The Association's proposal that the City establish a review board to assist the City in implementing these recommendations is well founded. Accordingly, we have prepared a draft ordinance that establishes the City of San Diego Past Grand Jurors Association Implementation Review Board. (*See* Attachment 2). The ordinance is modeled after the ordinance that established the San Diego County's Past Grand Jurors Association Implementation Review Committee with some modifications to maintain consistency with the City's usual structure for boards and commissions. If the Committee accepts the Association's proposal, this Office will finalize the ordinance and assist in bringing the matter to the full Council.

Respectfully submitted,

MICHAEL J. AGUIRRE
City Attorney

MJA:CMB:jb
Attachments
RC-2006-24

Proposal to Establish a
Past Grand Jurors Association Implementation Review Committee
for the City of San Diego

Meeting, October 13, 2005, 10 A.M.
Office of City Attorney Mike Aguirre
1200 Third Avenue, Room 1620

Presenters:

Craig Orange, President, Past Grand Jurors Association of San Diego County (PGJA)
Richard Matheron, Chair, County PGJA Implementation Review Committee (PGJAIRC)
Walter Hofmann, Vice President, PGJA

Proposal:

The Past Grand Jurors Association is confident that a Past Grand Jurors Association Implementation Review Committee for the City of San Diego would be helpful to the City Council and other city officials. Its purpose would be to assure that those Grand Jury recommendations to the City that **the various city offices have accepted** are in fact carried out to the greatest extent possible. California Penal Code §933(c) does not require any public agency to accept the Grand Jury's recommendations, **but it does require that they comment on them to the Presiding Judge of the Superior Court within 90 days.**

The Association has, therefore, voted to propose a similar committee to appropriate City officials. The Association further proposes that a City Implementation Review Committee be modeled on the County's committee that was first established in 1983. Over the more than 20 years intervening, the Board of Supervisors and the County Administrative Officer have continued to affirm the usefulness of this committee to them.

The County's Implementation Review Committee meets once a month to review the recommendations of the previous year's Grand Jury and the responses required by California Penal Code §933(c) from the appropriate County entities. **The committee looks only at those responses that show acceptance of the Grand Jury's recommendations**. At the end of each year, the committee submits a final report detailing its activities and findings to the Chief Administrative Officer (CAO) and Board of Supervisors. Members of the committee serve without compensation and reimbursement. The Chief of Staff of the CAO provides minimal staff support.

Enclosed as examples are copies of the

(1) Resume of the County PGJAIRC membership, terms, duties, etc.
(2) By-laws of the County PGJAIRC
(3) 2004 County PGJAIRC Annual Report

ATTACHMENT 1

NAME:	PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW COMMITTEE
LEGAL AUTHORITY:	County Administrative Code, Article III-C, Section 82
MEMBERS APPOINTED BY:	Board of Supervisors
MEMBERSHIP COMPOSITION:	The Implementation Review Committee shall consist of seven general members who shall be nominated by the Executive Board of the Past Grand Jurors Association and appointed by the Board of Supervisors. All members of the Implementation Review Committee shall be residents of the County of San Diego and members of the Past Grand Jurors Association. No more than two of the seven general members may be from the most recent County Grand Jury.
TERMS:	Each member shall serve a term of two years beginning January 1 and ending on December 31, two years later. The terms of four (4) members shall expire in even numbered years, and the terms of three (3) members shall expire in odd numbered years. A member shall be appointed for not more than two consecutive terms. A term for this purpose shall not include service in the unexpired term of a member being replaced. The Chairperson and Vice Chairperson shall serve a one-year term beginning on January 1 or the date of their selection, whichever is later, and ending on December 31 of the same year. (Amended by Ordinance 8965, adopted on 10/20/98 (26)
DUTIES:	The Implementation Review Committee is an advisory committee and shall have the powers, duties and responsibilities to: ♦ Review the final Grand Jury Report and County response with accepted recommendations, which are to be provided by the Chief Administrative Officer after approval by the Board of Supervisors. ♦ Begin research and review of the accepted recommendations following a 90-day period after the final Board of Supervisors action to accept the recommendation. ♦ Research the actions implemented and the departmental reasons if recommendations are not to be implemented, and receive and review all departmental final reports.

- Review all public documents pertaining to the accepted recommendations under review by the Implementation Review Committee. In connection with such review, County personnel should cooperate with the Implementation Review Committee within reasonable constraints of time to provide requested information and reports. The Implementation Review Committee shall have no right of subpoena of persons or documents.

- Advise the Chief Administrative Officer and through such office the Board of Supervisors on the implementation process by oral and written reports; including but not limited to commendatory, critical, or unfavorable comments.

- Provide an annual Report to the Chief Administrative Officer and to the Board of Supervisors detailing the actions, findings, and progress of the Committee in its reviews. Such report is due December 31 of each year.

MEETING DATE AND LOCATION:

First Wednesday, 9:00 a.m.
1600 Pacific Highway
San Diego, CA 92101

COMPENSATION:

Members of the Implementation Review Committee shall serve without compensation and without reimbursement from the County of San Diego.

PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW COMMITTEE BY-LAWS

ARTICLE I -PURPOSES AND AUTHORITY

Section I The Past Grand Jurors Association Implementation Review Committee, hereinafter referred to as the Committee, was established in accordance with Board Policies A-74, A74-c, A74-d, A74-e and by Ordinance No. 6607 (N.S.) on July 21, 1983, by adding Article IIIc, commencing with Section 82.30 to the County of San Diego Administrative Code.

Section II This Committee is established to promote a policy regarding the implementation and follow-up on accepted recommendations of the Grand Jury by the Board of Supervisors. The Committee provides the Board of Supervisors with experienced citizens, knowledgeable in the Grand Jury, to assist and advise in the implementation of Grand Jury recommendations.

Section III The Committee is a non-partisan, non-sectarian, non-profit making organization. Officially, it neither takes part in nor does it lend its influence to any political issues.

Section IV The Committee serves to advise the Chief Administrative Officer and Board of Supervisors only. The Committee is not empowered by ordinance or policy to render a decision of any kind on behalf of the County of San Diego or its appointed or elected officials.

ARTICLE II - MEMBERSHIP AND TERM OF OFFICE

Section I Membership is set forth in Article IIIc, Section 82.31 of the Administrative Code. The Committee shall consist of seven general members who shall be nominated by the Executive Board of the Past Grand Jurors Association and appointed by the Board of Supervisors. All members of the Committee shall be residents of the County of San Diego and members of the Past Grand Jurors Association.

Section II The Committee is limited to seven members in accordance with Article IIIc, Section 82.31 of the Administrative Code. No more than two (2) of the seven (7) general members may have served on the most recent Grand Jury.

Section III The term of office is set forth in Article IIIc, Section 82.32 of the Administrative Code. Each member shall serve a two-year term beginning January 1 and ending December 31. Three (3) of the members shall be appointed every two (2) years, and four (4) of the members shall be appointed on the alternate two (2) year period. Each member shall be limited to two consecutive terms.

Section IV The method for filling vacancies on the Committee is set forth in Article IIIc, Section 82.33 of the Administrative Code. A vacancy shall occur on the happening of any of the following events before the expiration of the term:

a) the death of the incumbent;

b) the resignation of the incumbent in writing;

c) the ceasing of the incumbent to be a resident of the County of San Diego;

d) the ceasing of the incumbent to be a member of the Past Grand Jurors Association; or

e) unexcused absence of a member from meetings.

Any member who is absent for three (3) consecutive meetings or for four (4) regular meetings within a six (6) month period shall be subject to removal by the Executive Board of the Past Grand Jurors Association as provided in Section 82.33 of the Administrative Code. Whenever a member is subject to removal for non-attendance, the chairman of the Committee shall immediately report the fact of such absences in writing to the Executive Board of the Past Grand Jurors Association for its action.

ARTICLE III - DUTIES AND RESPONSIBILITIES

Section I The Duties and Responsibilities of the Committee are set forth in Article IIIc, Section 82.34 of the Administrative Code. The Committee shall:

1. Review the final Grand Jury Report and the County response to accepted recommendations.

2. Research the actions implemented and departmental reasons for recommendations which were not implemented.

3. Review all public documents and departmental information pertaining to the accepted recommendations under Committee review.

4. Advise the Chief Administrative Officer and Board of Supervisors on the implementation process by means of oral and/or written response.

5. Provide an Annual Report to the Chief Administrative Officer and the Board of Supervisors detailing the activities and findings of the Committee.

ARTICLE IV -OFFICERS

Section I The election of officers is a responsibility of the Committee membership, and is governed by Article IIIc, Section 82.35 of the Administrative Code. The Committee annually, at the December meeting, elects from its members the following officers: Chairperson and Vice-Chairperson. The Vice-Chairperson will assist the Chairperson and shall assume the duties of the Chairperson during his/her absence.

Section II Duties of the Officers are as follows:

a. The Chairperson shall administer the meetings, approve the agenda and oversee all Committee tasks to completion. The Chairperson assigns coordinating duties to the Vice-Chairperson as necessary. The Chairperson is the sole spokesperson for the Committee.

b. The Vice-Chairperson assumes the role of the Chairperson in the absence of the Chairperson, or at the request of the Chairperson. He/she assists staff in the keeping of accurate and official records of attendance. There may be a second Vice-Chairperson elected by majority consensus of the members.

ARTICLE V -SUBCOMMITTEE

Section I The Committee has the authority to establish those sub-committees necessary to conduct its business in accordance with Article IIIc, Section 82.35 of the Administrative Code. It may select from its membership subcommittee chairpersons and/or members to direct studies, conduct research or make recommendations on committee matters.

ARTICLE VI - ORGANIZATION PROCEDURES

Section I Robert's Rules of Order shall be used as a guideline for the operation of the Committee in all cases not covered by the Ralph M. Brown Act, these By-Laws or Article IIIc of the Administrative Code. The Committee may formulate specific procedural rules of order to govern the conduct of its meetings in addition to those stated.

Section II Any group voting is on the basis of one vote per person and no proxy, telephonic or absentee voting is permitted.

Section III All meetings of the Committee and its subcommittees are open to the public and are to be held in public places. Notice and the agenda for all regular Committee meetings shall be posted in a publicly-accessible place

for a period of 72 hours prior to the meeting. In addition, such notice and agenda will be mailed on request along with an invoice for the cost of reproducing and mailing the notice and agenda. Failure to pay the invoice within 20 days shall be deemed to constitute a withdrawal of any request for mailed copies of the notice and agenda.

A member of the public may speak to the Committee on any subject matter within the Committee's jurisdiction.

Agenda Items: Public input will be accepted on any agenda item; presentations are limited to three minutes, and must be scheduled with the Chair or staff prior to the meeting.

Non-Agenda Items: Public input on non-agenda items is limited to a five-minute presentation.

Section IV These By-Laws may only be amended by action of the Board of Supervisors of San Diego County.

Section V A quorum is defined by Article IIIc, Section 82.35 of the Administrative Code as a majority of members currently appointed to the Committee. No vote of the Committee shall be considered as reflecting an official position of the Committee unless passed by a majority of its quorum present at the specific meeting where the vote is taken.

PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW COMMITTEE

ANNUAL REPORT

JANUARY 1, 2004 – DECEMBER 31, 2004

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COMMITTEE SCOPE AND RESPONSIBILITY

The Past Grand Jurors Association Implementation Review Committee (PGJAIRC) was established in July 1983 to promote the Board of Supervisors policy to implement and follow-up on accepted recommendations of the County Grand Jury. The Committee provides the Board with a pool of experienced citizens who have served as members of a Grand Jury to assist and advise it in this process.

The duties and responsibilities of the Committee are to:

- Review the final Grand Jury Report and County responses to accepted recommendations.
- Research and review all public documents pertaining to the accepted recommendations under review by the Implementation Review Committee.
- Advise the Chief Administrative Officer and through such office, the Board of Supervisors, on the implementation process by oral and written reports; including but not limited to commendatory, critical or unfavorable comments.
- Provide an Annual Report to the Chief Administrative Officer and to the Board of Supervisors detailing the actions, findings and progress of the Committee in its reviews. The report is due by December 31 of each year.

The PGJAIRC generally meets on the first Wednesday of each month at 9:00 a.m. at the County Administration Center at 1600 Pacific Highway in San Diego, California. Public input is accepted on any subject within the Committee's jurisdiction.

COMMITTEE MEMBERS AND TERMS OF OFFICE

Members of the 2004 County of San Diego Past Grand Jurors Association Implementation Review Committee (PGJAIRC) and their terms of office:

Name	Term of Office
Jack Vaughan, Chair (1993-94, 1999-2000 Grand Juries)	January 1, 2003-December 31, 2004
Catherine Telford, Ph.D., Vice-Chair (1990-91 Grand Jury)	January 1, 2004-December 31, 2005
Ernestine Bass (1996-97 Grand Jury)	January 1, 2004-December 31, 2005
Robert Headland (1990-91 Grand Jury)	January 1, 2003-December 31, 2004 *(Resigned September 2004)*
James Kelly, Ed.D. (1997-98 Grand Jury)	January 1, 2003-December 31, 2004
Richard Matheron (1994-95, 2002-03 Grand Juries)	January 1, 2004-December 31, 2005
Craig Orange (1991-92 Grand Jury)	January 1, 2003-December 31, 2004

CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT: A CASE STUDY IN COMPLAINT RESOLUTION (GONE AWRY) (2002-2003)

Jack Miller, Chief of the Community Health Division, County of San Diego, Department of Environmental Health, addressed the PGJAIRC on June 2, 2004, with respect to the actions taken by the County in addressing the 2002-2003 Grand Jury recommendations in this report.

RECOMMENDATION 03-27: That the Director, Department of Environmental Health work with the Equestrian Center's manager to achieve consistent and appropriate implementation of the site's manure management program.

RESPONSE: "The action described in this recommendation has been taken. County Environmental Health staff advised Seabreeze Farms that they are available for consultation on all aspects of manure and vector control during a February 7, 2003 inspection. Staff from Seabreeze Farms did subsequently contact County DEH in May 2003 for recommendations on manure management and County staff provided Seabreeze Farms with manure disposal procedures, and instructions on transporting manure, fly control and water runoff."

INFORMATION OBTAINED BY THE PGJAIRC: Mr. Miller pointed out, by way of background, that the City of San Diego makes all land use decisions within the San Diego city limits in compliance with City ordinances. The County of San Diego is responsible for monitoring environmentally-related health and safety issues. The County does not make regularly-scheduled, routine inspections to stable/ranch facilities in the County to check on compliance. Inspections are made when complaints are filed by concerned citizens. If complaints are made, they usually go to the City of San Diego first and then the City contacts the County. There is no program for oversight. The Department has received no complaints at this time concerning vector, manure or other related control issues at Seabreeze Ranch, nor have they been called on to inspect the horse ranch by the City. Mr. Miller explained that DEH does not have sufficient staff to conduct routine inspections. He also informed the Committee that there is only one Vector Control system in the county. Individual cities do not have separate departments.

He also gave the IRC information about the differences in specific insect control. Procedures are made available to ranch management for recommended barn safety, such as specific sprays that can be used in barns to control fly transmission to food and how to keep manure cleaned up and properly stored until moved. Horse manure flies do not transmit disease, as do mosquitoes that make a blood meal on humans and warm-blooded animals and can transmit diseases such as West Nile Disease. Mosquitoes are, therefore, more closely monitored. Flies at or around manure piles at stables transmit disease to humans in a mechanical manner through food. Based on health risk, the mosquito is at the top, and flies are at the bottom. He also indicated that DEH staff has a good working relationship with the Seabreeze Farms ranch manager. A manure management program is in place and the ranch seems to be well-run. If complaints increase, the Department

may schedule specific oversight. The response and information above applies to both Recommendations 03-27 and 03-28.

COMMENTS ON IMPLEMENTATION: This recommendation has been implemented.

RECOMMENDATION 03-28: That the Director, Department of Environmental Health, work with the Equestrian Center's manager to achieve consistent and appropriate implementation of the site's fly control, dust control, rodent control and vector control programs.

RESPONSE: "The action described in this recommendation has been taken. Like Recommendation 03-27, Recommendation 03-28 has also already been implemented. The County DEH, during its February 7, 2003 inspection, advised Seabreeze Farms that it would be available for consultation on all aspects of manure and vector control issues. This was also discussed at the request of the Seabreeze staff in May 2003."

INFORMATION OBTAINED BY THE PGJAIRC: Same as for Recommendation 03-27.

COMMENTS ON IMPLEMENTATION: This recommendation has been implemented.

UNSERVED FELONY WARRANTS ISSUED BY THE SAN DIEGO SUPERIOR COURT (2002-2003)

Assistant Sheriff Paula Robertson, San Diego County Sheriff's Department, addressed the PGJAIRC on March 3, 2004, with respect to the action taken by the County in addressing 2002-2003 Grand Jury recommendations in this report. On October 6, 2004, Mr. Chuck Brown, Integrated Justice Project Manager, accompanied by Assistant Sheriff Robinson, provided the PGJAIRC with an update on progress regarding Recommendation 03-41.

RECOMMENDATION 03-35: That the San Diego County Sheriff's Department reassign detention personnel from Central Detention Facility to guard juveniles appearing in Superior Court rather than using personnel from the Warrants Division, thus avoiding breaking up a Warrants team.

RESPONSE: "Since the Grand Jury investigated this issue, available court services bureau personnel have been located and assigned this function."

INFORMATION OBTAINED BY THE PGJAIRC: The problem of using warrant team personnel to guard juveniles has been resolved by utilizing court security personnel rather than warrant team personnel. She said that the holding tank for prisoners is located next to the Warrant Division office, thus prompting the use of Warrant Division personnel to guard the juvenile prisoners. That practice has been discontinued and court personnel will remain as long as necessary to guard the prisoners.

COMMENTS ON IMPLEMENTATION: This recommendation has been implemented.

RECOMMENDATION 03-36: That the San Diego County Sheriff's Department negotiate with newspapers throughout the County of San Diego to publish daily or weekly pictures, descriptions, and last known addresses of at least ten wanted felons. Newspapers can be encouraged to do this as a Public Service Announcement.

RESPONSE: "The Sheriff's Department has begun implementation of this recommendation. Letters were sent to all county newspapers on June 5, 2003, asking for cooperation on this recommendation. The Sheriff's Public Affairs Division and Court Services Bureau will follow-up on all positive responses from the newspapers."

INFORMATION OBTAINED BY THE PGJAIRC: Chris Saunders, Public Affairs Director for the San Diego County Sheriff's Department, had contacted all local newspapers. *The San Diego Union-Tribune* expressed interest initially but did not follow through with any action. *The Coast News* was the only newspaper to actually follow through, publishing a weekly feature of the top ten felons. In response to a question from a committee member, Assistant Sheriff Robinson said that they have not followed

through on the requests to other newspapers but would do so in the future, adding that, in her opinion, the best course was to pursue approaches that are likely to succeed such as radio and television.

COMMENTS ON IMPLEMENTATION: This recommendation is in the process of being implemented and requires further review.

RECOMMENDATION 03-37: That the San Diego County Sheriff's Department negotiate with local television stations to air pictures of one or more wanted felons in a prime time slot. Television stations can be encouraged to do this as a Public Service Announcement.

RESPONSE: "The Sheriff's Department has begun implementation of this recommendation. On May 9, 2003, letters were sent to the managers and news directors of all seven local television broadcast and cable outlets. As of June 5, stations KSWB and KGTV responded positively. Follow-up meetings with these stations are being scheduled at the convenience of the station representatives."

INFORMATION OBTAINED BY THE PGJAIRC: All local stations have been contacted and that only KFMB Channel 8 has acted positively, featuring one suspect every Thursday. Although two stations, KSWB and KGTV, had initially responded positively, they did not follow through. She said that the department will attempt to follow up with the stations in the future because the station management personnel change but that ultimately it is a business decision on their part whether or not to devote air time to this purpose.

COMMENTS ON IMPLEMENTATION: This recommendation is in the process of being implemented and requires further review.

RECOMMENDATION 03-38: That the San Diego County Sheriff's Department negotiate with local radio stations to air descriptions of one or more wanted felons on a daily basis in a prime time slot. Radio stations can be encouraged to do this as a Public Service Announcement.

RESPONSE: "The Sheriff's Department has begun implementation of this recommendation. Letters have been sent to the managers and news directors of all San Diego County radio stations during the week of June 9, 2003 asking to meet with us to hear our ideas on how this medium, (which cannot show photographs), can direct listeners to the Sheriff's website."

INFORMATION OBTAINED BY THE PGJAIRC: Chris Saunders, San Diego County Sheriff's Department Public Affairs Director, had contacted all local radio stations. Only KOGO expressed initial interest but later declined to pursue any action, citing the difficulty involved with verbal descriptions of suspects.

COMMENTS ON IMPLEMENTATION: The recommendation has been partially implemented and further action appears unlikely.

RECOMMENDATION 03-39: That the San Diego County Sheriff's Department communicate with all local law enforcement agencies to stress the importance, and shared mutual responsibility, of apprehending wanted felons. Communicating via a monthly printout of these wanted felons is not sufficient.

RESPONSE: "The Sheriff's Department implemented this recommendation on June 4, 2003. On that date, Undersheriff Drown and Assistant Sheriff Bill Flores addressed the membership of the San Diego County Chiefs' & Sheriff's Association regarding the warrant backlog, the Grand Jury Report, and recommendations (sic) 03-39 as well as 03-42.

"Sheriff's resources were offered to all the police departments in the county to improve communications with the FWI Unit regarding wanted persons, and to train police officers in the methods of tracking persons in the database. Letters were sent to all police chiefs with follow-up information regarding this material during the week of June 8, 2003."

INFORMATION OBTAINED BY THE PGJAIRC: The Sheriff and Assistant Sheriff attended a monthly meeting of police chiefs and talked about the importance of apprehending wanted felons and the need to make this a priority. They offered to make presentations to their respective departments on the process including how to read screens and analyze reports. They also offered to include them on the distribution of a Sheriff's Department bulletin on the subject. The Sheriff's Department also has held internal meetings stressing the importance of this effort. Assistant Sheriff Robinson said that it makes sense for local police chiefs to give this problem more effort because felons at large will continue to commit crimes in their communities. She said that she felt additional effort was required to make computer systems more capable and compatible to facilitate information sharing which would have the effect of reducing Sheriff's Department workload. She also commented favorably on the degree of cooperation with federal law enforcement on serving warrants, stating that four deputies were assigned to work with federal task forces.

COMMENTS ON IMPLEMENTATION: This recommendation is in the process of being implemented.

RECOMMENDATION 03-41: That the San Diego County Sheriff's Department create a computer interface to communicate with ARJIS and develop a program so that all officers have information available geographically, per zip code, as to the whereabouts of wanted felons. The information would be in the form of a zip code map (such as is used in the Megan's Regional Sexual Offender Map) and would be instantaneously available for each officer throughout San Diego County.

RESPONSE: "The Sheriff's Department implemented early steps of this recommendation, and further analysis will presumably be conducted by another entity. The Sheriff's Department is taking positive steps in the intended direction.

"This item was forwarded to the ARJIS Business Committee and we predict that ARJIS will be further discussing the business, feasibility, funding, and technical implications of the Grand Jury's recommendation."

INFORMATION OBTAINED BY THE PGJAIRC: Assistant Sheriff Robinson said that she had just witnessed a demonstration of a system under development that will extract warrant data from multiple sources and display them in a single database. Local law enforcement agencies will be able to access the database to search by address and zip code. If a problem occurs at a particular location, a search can be made for outstanding warrants in that vicinity. This information will be of far more use to law enforcement personnel than a mere printout of outstanding warrants. The system is expected to be up and running in April and available to other area law enforcement agencies in June. The computer system will be developed and maintained by non-law enforcement personnel who are computer specialists. Many enhancements and additions to the system have already been suggested, but the intent is to get Phase 1 up and running without delay, adding new system capability in a later phase. This approach has been implemented as an expedient, rather than waiting for ARJIS to deal with the problem, since ARJIS is undergoing other developments. Once the system is running, it will be necessary for Sheriff's Department personnel to go out to other law enforcement agencies to actively market its capability. In his October 6, 2004 update, Mr. Chuck Brown reported on the progress of implementation. Phase 1 is up and running and the June demonstration was considered successful. All jurisdictions are not yet on the line, but this is being worked on Secure networks have been created and any participating jurisdiction can access the system and post and act on warrants.

COMMENTS ON IMPLEMENTATION: This recommendation is in the process of being implemented.

RECOMMENDATION 03-42: That the San Diego County Sheriff's Department assess and re-evaluate the current methods and procedures for serving felony warrants and specify goals for improving the rate of apprehension of wanted felons.

RESPONSE: "The Sheriff's Department implemented this recommendation on May 12, when Captain Scott McClintock of the Sheriff's Court Services Bureau (the parent bureau of the FWI), appeared at a monthly meeting of the Law Enforcement Services Bureau and addressed the commanding officers of all Sheriff's patrol stations. He discussed the warrant backlog, the Grand Jury Report, and this recommendation. He offered his bureau's resources in order to improve communications and intelligence about wanted felons, and to offer training in methods of tracking the persons in the database. It was stressed that a number of patrol deputies and sergeants now assigned to patrol stations are former Marshal's deputies, and used to work in the FWI Unit or in field assignments, where they were trained and experienced in tracking the warrant suspects. The patrol

station commanders were encouraged to utilize these in-house skills to train other patrol deputies and to encourage the practice as time permits. The station commanders were positive and receptive to the tactic, however it was noted that staffing issues at many stations were almost prohibitive of undertaking an additional task. The patrol deputies' time is most often stretched to be able to respond to radio calls for service, perform traffic stops and to patrol high crime areas."

INFORMATION OBTAINED BY THE PGJAIRC: In September, U. S. Marshal Bejarrano reassigned four deputies working for the county over to the Federal Fugitive Warrant Task Force. In addition, the Sheriff's Department is preparing and distributing flyers by jurisdiction to educate personnel in patrol briefings about the service of warrants and the ability of the Warrant Division to provide expert help in this area. There are currently nine investigators and one vacancy. There are 77 applications for this vacancy from the Sheriff's Department alone. This is the first time that Sheriff's deputies, with a wealth of experience in patrol and apprehension, have had an opportunity to apply for any of these positions.

COMMENTS ON IMPLEMENTATION: This recommendation has been implemented.

DELAY IN CORRECTING AN INVALID ORDINANCE: PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN 'HOMELESS' FOR TWENTY MONTHS (2002-2003)

Stephen Magruder, Senior Deputy County Counsel, met with the Past Grand Jurors Association Implementation Review Committee (PGJAIRC) on May 5, 2004, with respect to the actions taken by the County in addressing the following 2002-2003 Grand Jury recommendations.

RECOMMENDATION 03-43: That the San Diego County Board of Supervisors, San Diego County Chief Administrative Officer and the Office of the County Counsel establish procedures that, when: County Counsel is alerted to the fact that an ordinance may be out of compliance with controlling documents that County Counsel should, within 30 days, investigate the situation, take appropriate action, and provide written documentation.

RESPONSE: "The recommendation has been implemented. Except as stated in the last two sentences in this reply, Recommendation No. 03-43 describes actions that County Counsel has performed, presently performs, and will continue to perform with respect to County ordinances that may be out of compliance with other controlling laws. In this regard, we agree with this recommendation. However, there will be circumstances in which such actions cannot be completed within 30 days due to the complexity of a particular issue. Therefore, while we agree with the intent of the recommendation, we would not impose a fixed time limit, 30-day or otherwise, on this activity as some situations will require more time to resolve than others."

INFORMATION OBTAINED BY THE PGJAIRC: Mr. Magruder said when revising an ordinance, required hearings usually take at least 60 days. The ordinance in question was revised on February 2, 2004.

COMMENTS ON IMPLEMENTATION: This recommendation, as far as possible, has been implemented, with the exception of establishing a fixed time limit.

RECOMMENDATION 03-44: That the San Diego County Board of Supervisors, San Diego County Chief Administrative Officer and the Office of the County Counsel establish procedures that, when: County Counsel renders an opinion, stating that an ordinance enacted by the Board of Supervisors contains ambiguous language or possibly violates San Diego County Charter provisions or State law, that opinion is copied to the San Diego County Chief Administrative Officer and all of the Director(s) of the department or agency(ies) involved. All parties must then respond, in writing, to the situation within 30 days (sending copies to all involved along the way).

RESPONSE: "This recommendation has been implemented. It should be noted, however, that Counsel will take this course of action only when the circumstances of a situation warrant such action and are appropriate, based on the legal issues and needs of the particular County clients. While Recommendation No. 03-44 may be an appropriate response in certain circumstances, agreement with this recommendation is limited to only those circumstances where the recommended action is appropriate based upon the facts of the situation.

"To the extent that the legal needs of the County require County Counsel to take a different approach to address a legal issue, Counsel opinions are copied as appropriate to the situation, and only to those on a 'need to know' basis since County Counsel's legal advice constitutes confidential attorney-client communications. There may be legitimate legal reasons that Counsel will limit confidential legal advice given to the Board of Supervisors and the CAO, without copying other Directors of a department or agency involved. In addition, requiring formal written responses to every possible situation may not be the most efficient use of County resources in all circumstances."

INFORMATION OBTAINED BY THE PGJAIRC: The policy of limiting copies of opinions to those with a "need to know" is sometimes required by confidentiality concerns and partially based on budget restrictions. County Counsel uses the phone for much of the day-to-day communications with clients. Formal letters or memos are usually reserved for when the client needs to answer questions and provide additional information.

COMMENTS ON IMPLEMENTATION: This recommendation has been implemented.

HANDLING OF CITIZEN COMPLAINTS BY THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT, VISTA PATROL STATION (2002-2003)

On April 14, 2004, Captain Earl Wentworth of the Emergency Services Division (ESD), San Diego County Sheriff's Department, Vista Patrol Division (VPD) addressed the PGJAIRC regarding the Sheriff's implementation of the following Grand Jury recommendations. The City of Vista contracts with the County Sheriff to operate the Vista Patrol Station.

RECOMMENDATION 03-53: That the San Diego County Sheriff contact other San Diego County local law enforcement agencies and study the programs, policies, and procedures they have in place for dealing with citizen complaints and community relations. Particular emphasis should be placed on studying and adapting the forms that these agencies provide for their citizens.

RESPONSE: "To be implemented by August 1, 2003."

INFORMATION OBTAINED BY THE PGJAIRC: Captain Wentworth stated that the Vista Patrol Station (VP) had contacted other law enforcement agencies in North County (Escondido, Carlsbad, Oceanside, San Marcos) about their procedures for handling citizen complaints and that, as a result, a new form had been devised and put in use since June of 2003. (Attachment C) During the discussion following his presentation, Captain Wentworth acknowledged that each patrol station continues to have its own individual procedures and forms.

COMMENTS ON IMPLEMENTATION: The recommendation has been partially implemented in that the VPS consulted other North County law enforcement agencies and studied their programs, policies, and procedures for dealing with citizen complaints and community relations. There is no evidence, however, that the Sheriff's Department as a whole contacted the various local law enforcement agencies in this regard.

RECOMMENDATION 03-55: That the San Diego County Sheriff amend its system(s) for processing citizen complaints to provide a standardized follow-up procedure to ensure that citizens are kept informed of progress related to the investigation of their complaint. When the disclosure of information might compromise an investigation, officers should explain this to the complainant.

RESPONSE: "The following recommendations require further analysis. The Department will review its citizen complaint follow up procedure based on information received from recommendation 03-53. An evaluation of outside agencies is expected to be completed by August 1, 2003. The Vista Sheriff's Station will then conduct an examination of its own internal process with an eye toward incorporating information obtained as a result of recommendation 03-53, to be completed by October 1, 2003. The matter will be prepared for discussion by the Sheriff by November 1, 2003."

INFORMATION OBTAINED BY THE PGJAIRC: As the analysis, promised by the Sheriff, had not been received within the six-month period prescribed in Section 933.05 of the California Penal Code, the Chairman of the PGJAIRC wrote the Presiding Judge on March 2, 2004, asking him to contact the Sheriff and encourage him to complete his promised action and report on Recommendation 03-55. A copy of the letter was also sent to the Sheriff. (Attachment A) On March 15, 2004, the Sheriff sent a letter to the Presiding Judge addressing this matter and offering additional information on the resolution of the issue. (Attachment B)

In his presentation to the PGJAIRC on April 14, 2004, Wentworth said that, prior to the 2002-2003 Grand Jury investigation, the VPD generally handled citizen complaints the same way as the Sheriff's Department as a whole and used procedures similar to the San Diego Police Department.

Before the Grand Jury investigation, the deputies became aware of citizen complaints (e.g., for graffiti, traffic problems) through daily patrol briefings without any special follow-up. Sometimes it was "hit and miss, mostly miss," he admitted.

Following discussions with law enforcement in Escondido, Carlsbad, San Marcos and Oceanside, the VPS revised the patrol briefing form. He provided a copy to the PGJAIRC. (Attachment C) When a complaint call comes in, anyone at the station can fill out the form on the computer using WORD, and all patrol deputies can review the information contained therein. This has been in effect since June of 2003, and Captain Wentworth claimed that it provides for accountability to citizens. When a complainant calls more than once about the same alleged problem, a new form is filled out rather than being noted on the original form. Captain Wentworth pointed out that there is an "activity report" for each case, a sort of log that is kept for one year. He said that responded to the concern that there was apparently no log of complainant follow-ups. For six months, any new or repeated complaint can be tracked on the ARJIS (Automated Regional Justice Information System) statewide database by name, address, etc.

There followed a general discussion regarding to what degree law enforcement can discuss follow-ups with complainants, particularly when drug accusations are involved, without compromising the investigation. Wentworth stated, "In drug cases, the less said the better."

Wentworth admitted that every Sheriff's station is still allowed to handle complaints differently and that there is no standardized procedure called for in Recommendation 03-55. Each patrol station has its Internet web site. The complaint form can be filled out and e-mailed to the concerned patrol station. Complaint forms are standardized throughout the County only in the case of complaints against Sheriff's Department personnel.

COMMENTS ON IMPLEMENTATION: The recommendation has not been implemented by the Sheriff's Department as a whole. It may be impossible, however, to

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COMMENTS ON IMPLEMENTATION: The recommendation has not been implemented by the Sheriff's Department as a whole. It may be impossible, however, to

implement standardization called for in the Grand Jury report if the service contracts between the Sheriff's Department and the various municipalities vary.

Attachment A

Past Grand Jurors Association Implementation Review Committee

Jack Vaughan, Chair
Catherine Telford, Vice Chair
Robert Headland
Bernadine Ryan Hoff
James Kelly
Richard Matheron
Craig Orange

COUNTY OF SAN DIEGO

PAST GRAND JURORS ASSOCIATION

IMPLEMENTATION REVIEW COMMITTEE

March 2, 2004

The Honorable John S. Einhorn
Presiding Department
San Diego Superior Court
220 W. Broadway
San Diego, California 92101

Dear Judge Einhorn:

The Past Grand Jurors Association Implementation Review Committee of the County of San Diego (IRC) is charged, inter alia, with reviewing Recommendations made by the 2002-2003 Grand Jury. The Sheriff in response to Recommendation 03-55 reported that prior to taking action, that specific Recommendation "required further analysis" and promised that this analysis would be completed by 1 November 2003.

As you are aware Section 933.05 (b) (3) of the California Penal Code states, in relevant part,

"...(A)s to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report. (Underlining added)

This time limit has now been exceeded. The failure of the Sheriff to report on this Recommendation is not only a violation of the cited portion of the Penal Code, but more importantly, is preventing the IRC from carrying out its responsibility under County Ordinance No. 6607 (N. S.) to "...(r)esearch the actions implemented...". The IRC would like to review a response to

Recommendation 03-55 and to discuss the aspects of the response with members of the Sheriff's organization.

I have been directed by the IRC to ask you, as the person to whom all such reports should be directed, to contact the Sheriff and encourage him to complete his promised (and statutorily required) action and report on Recommendation 03-55.

The IRC appreciates your help in this matter and thanks you for your support.

Very truly yours,

Jack A. Vaughan
Chairman, Implementation Review Committee

Copy to:
Sheriff
Grand Jury

Attachment B

COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

March 15, 2004

TO: Honorable John S. Einhorn, Presiding Judge
San Diego Superior Court

FROM: William B. Kolender, Sheriff
San Diego County Sheriff's Department

Follow-Up Response to Grand Jury Report "Handling of Citizen Complaints by the San Diego County Sheriff's Department, Vista Patrol Station"

In accordance with California Penal Code, Section 933.05 (b) (3), the following information is a response to Recommendation 03-55, as outlined in the original Grand Jury Report.

The Grand Jury's report, dated May 6, 2003 stated as follows: *The San Diego County Grand Jury recommends that the San Diego County Sheriff amend its system(s) for processing citizen complaints to provide a standardized follow-up procedure to ensure that citizens are kept informed of progress related to the investigation of their complaint. When the disclosure of information might compromise an investigation, officers should explain this to the complainant.*

The Sheriff's Department agreed to review its citizen complaint follow up procedure based upon information received from recommendation 03-53. An evaluation of outside agencies was completed by August 1, 2003. The Vista Sheriff's Station then conducted an examination of its own internal process with an eye toward incorporating information obtained as a result of recommendation 03-53.

Several local police departments were contacted, Oceanside, Carlsbad and Escondido. Their policies and procedures were examined and compared to the policies currently in place in the Sheriff's Department. We found that, although the language in each agency's policy varied the basic structure of receiving and investigating citizen complaints were similar. The Sheriff's Department's policies and procedures for handling citizen complaints are thorough and do not need to be modified.

The Vista Patrol Station recognized the need to revise their patrol briefing form to better serve the citizens. This form is intended to not only provide critical information to patrol personnel, but it affords the patrol supervisor the ability to contact a complainant and provide interaction and feedback with an emphasis on customer relations.

The revised Patrol Briefing Form will further enhance the patrol station's ability to follow up on complaints from the community. Our patrol sergeants will be responsible for identifying specific complaints or issues to insure they provide feedback to the complainants.

If you have further questions, please contact Assistant Sheriff Bill Gore of the Law Enforcement Services Bureau at (858) 974-2295.

William B. Kolender, Sheriff

WBK:ew

Attachment C

Vista Patrol Station Briefing Information - Extra Patrol Request

Date of Request:

Location:

COMPLAINT / REQUEST

( ) Loitering ( ) Speeding ( ) Crime Problem

( ) Graffiti: ( ) Noise ( ) Suspicious Activity

( ) Vandalism: ( ) Traffic ( ) *Other:*

Describe **:**

Contact Person / Complainant:

Address:

Phone Number:

Received By: Date & Time:

Remarks:

Disposition / Follow Up

Dispo Date: _____ Complainant Contacted? ( ) Yes ( ) No

Date / Time Contacted: _____ By: _____

Comments: _____

_____

Rev: 6/03

WRONG PLACE? WRONG TIME? FALSIFIED HALL CHECKS BY SAN DIEGO COUNTY PROBATION OFFICERS AT JUVENILE HALL (2002-2003)

Probation Department Assistant Director David Cranford addressed the Past Grand Jurors Association Implementation Review Committee (PGJAIRC) on February 4, 2004, in regard to the follow-up action taken by the Probation Department in implementing Recommendation 03-62 in the 2002-2003 Grand Jury Report on hall checks at Juvenile Hall.

RECOMMENDATION 03-62: That the Chief of the San Diego County Probation Department amend the Juvenile Hall Policies and Procedures Manual to include a more definitive statement emphasizing the important of hall check and log-in procedures. For example: "A hall check must be recorded when completed."

RESPONSE: "This recommendation has been implemented and the action recommended has already been taken. The Policy and Procedures Manual was revised in October of 2002 to re-emphasize the importance of hall checks and proper documentation."

INFORMATION OBTAINED BY THE PGJAIRC: The Implementation Review Committee (IRC) was provided with a copy of the pertinent page, dated November 1995, from the "old" Policy and Procedures Manual and the pertinent page, dated October 2002, from the revised Policy and Procedures Manual. The changes were highlighted on the pages furnished. The pertinent pages are attached.

The IRC was also informed of additional training offered new staff members in emphasizing the importance of hall checks. This training is in addition to 80 hours of initial training required.

The need for ethics training was also considered and an additional unit for this was added.

More mentors have been added to the training sessions, thus increasing the ratio of training officers to staff members.

COMMENTS ON IMPLEMENTATION: This recommendation has been implemented.

9.8.11.1 Hall Checks

Intro-duction

[redacted] unit staff and [redacted] of 15 minutes during regular program hours (6:30AM to 10:30PM) and [redacted] shift after midnight [redacted] section 7.9.3 for requirements of hall checks for minors on SWS, SW and CW stat[redacted] upon completion.

Purpose

Although hall checks serve many objectives, a primary purpose is to act as a security measure. Through the performance of hall checks, staff presence in the unit is enhanced, and this is crucial to maintaining unit security and control. Frequent circulation through the unit by staff, allows for effective surveillance of detainee activity which tends to reduce rule violations and deceptive practices/maneuvers by detainees. By performing consistent and random hall checks, staff are able to enhance unit security and control.

When making hall checks always:

A. Pull on all doors to make sure they are locked.

B. Visually check the locked areas for signs of tampering, jamming the lock mechanism, etc.

C. Make sure you see the occupant of the room (not a mock-up). Be certain that you are not observing a "lump" in the bed. For this reason it is necessary that you "see the skin" of every detainee.

D. Visually check the area for signs of damage which might indicate a security problem; i.e., a broken bed frame might indicate that the minor is planning an assault and/or escape.

E. Vary the times you make hall checks within the required minimum times to avoid being predictable.

F. Vary the direction you take when making hall checks if possible; i.e., which room you start with.

G. It is appropriate, especially on the late night shift, for staff to hold their keys while making a hall check so as not to alert the detainees that one is in progress.

9.8.11.1 Room Safety Hall Checks

Intro A basic policy of this Juvenile Hall is to ensure the safety, physical well being and security of minors under our care and to comply with of Title 15(Minimum Standards for Juvenile Facilities) Section 1328 (Room Checks),. **Direct visual observation shall occur with all minors at least every 15 minutes during hours when minors are asleep or when minors are confined to their rooms.**

Purpose Of Room Safety Hall Checks

A. Room Safety Hall Checks shall be conducted randomly but at a minimum of every 15 minutes as a basic and fundamental responsibility of all staff. The checks are necessary to reduce exposure of minors to physical or sexual assault and to reduce the possibility of individual attempts of escape, self-harm or suicide.

Staff presence in the hallway is a crucial component to:

- Maintaining unit security and control,
- Providing an effective surveillance method of detainee activity,
- Significantly reducing detainee misconduct, potential suicide attempts, rule violations and other deceptive practices engaged in by detainees.

Title 15

B. Room Safety Hall Checks shall be conducted by unit staff in accordance with the provisions of Title 15, Section 1328 of the California Code of Regulations-Minimum Standards for Juvenile Facilities. Room Safety Hall Checks shall be completed randomly but at a minimum of every 15 minutes for all detainees who are asleep or otherwise confined to their room.

Direct Observation

C. All Room Safety Hall Checks shall consist of direct observation of minors by staff .

- Direct visual observation means through the eyes of a staff person.
- Direct observation cannot be replaced by any audio/visual surveillance system designed to detect overt, aggressive or assaultive behavior and to summon aid in emergencies.
- Staff shall see each minor to assure that he/she is alive and not experiencing any observable trauma or engaged in any dangerous or forbidden activity before terminating the observation.

It is through strict adherence to this mandate of personal observation that safety, order and control of the institution are maintained.

9.8.11.1 Room Safety Hall Checks (cont'd)

Procedure D. When conducting a Room Safety Hall Check staff shall engage in the following procedures:

1	Physically count all detainees in their rooms by personal observation
2	Look into each room door and visually verify that you see the occupant of the room and not a "mock up" of the person.
3	Be certain that the minor is breathing and not engaging in any activity that is dangerous, self harming or otherwise a forbidden activity before terminating the room safety observation.
4	To successfully complete a room safety observation it is imperative that staff "see the skin" of each detainee observed
5	Visually check the room for indication of a safety or security concern (e.g. Broken bed frame, windows, covering of night lights etc.) that might indicate a fire hazard, an escape attempt or other such security concern
6	Push and pull on each door to ensure the door is securely locked. Visually check the door locking mechanism for evidence of tampering or jamming of the lock
7	Vary the timing of Room Safety Hall Checks within the 15-minute minimum standard to avoid being predictable and contributing to a lax security practice
8	Vary the direction of the room safety Room Safety Hall Checks to avoid being predictable and contributing to a lax security practice
9	Avoid announcing the commencement of a hall check to detainees in their room through unintended cues such as reliance on timers that are easily heard down the unit hall or by the clanging of keys during late night rounds
10	Promptly record the detainee count, your initials and time of the hall check completion in the hall check box of the unit's Juvenile Hall Daily Shift Report form.

Shift-Leader Responsibilities E. The unit shift leader assumes primary responsibility for ensuring that Title 15 requirements regarding Room Safety Hall Checks are completed on their shifts. The unit shift leader shall be responsible for assigning primary hall check duty to unit officers in 2-hour blocks. The name of the officer shall be clearly printed in the space provided in the "Officer Hall Check Assignment" box of the Juvenile Hall Daily Shift Report .

The unit shift leader is also required to complete a minimum of one hall check every hour.

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 20, TITLED CITY OF SAN DIEGO PAST GRAND JURORS ASSOCIATION IMPLEMENTATION REVIEW BOARD.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 2, Article 6, of the San Diego Municipal Code is hereby amended by adding a new Division 20, titled "City of San Diego Past Grand Jurors Association Implementation Review Board," and new Sections 26.2001, 26.2002, and 26.2003, to read as follows:

Article 6: Boards and Commissions

Division 20: Past Grand Jurors Association Implementation Review Board

§ 26.2001 Purpose and Intent

It is the purpose and intent of the City Council to establish the City of San Diego Past Grand Jurors Association Implementation Review Board. The Board is established to provide the Mayor and City Council with a pool of experienced citizens, who have served as members of the San Diego County Grand Jury, to promote a policy regarding the implementation and follow-up of accepted recommendations of the County's Grand Juries, and to assist and advise the Mayor and City Council in the process of reviewing the implementation of County Grand Jury accepted recommendations.

§ 26.2002 Past Grand Jurors Association Implementation Review Board Established

(a) There is hereby created a Past Grand Jurors Association Implementation Review Board to consist of seven members, who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the City Council. Board members shall be residents of the County of San Diego. All members of the Board also shall be members of the Past Grand Jurors Association of San Diego County. No more than two of the seven Board members may be from the most recent County Grand Jury.

(b) In making the initial appointments, the Mayor shall appoint seven members from a list of nominations submitted by the Executive Board of the Past Grand Jurors Association of San Diego County. Vacancies shall be filled from a list of nominees submitted by the Executive Board to the Mayor for each vacancy.

(c) Members shall serve two year terms, and each member shall serve until a successor is duly appointed and confirmed. No member shall serve more than two consecutive terms. Initial members shall be appointed such that the terms of not more than four members shall expire in any year so as to allow the Board to be staggered. For the initial appointments, four members shall be appointed to an initial term that will expire December 31, 2007, and three members shall be appointed to an initial term that will expire December 31, 2008. Initial appointments that are less than the full term of two years will be allowed to serve two full terms. The

expiration date of all terms shall be December 31. Any vacancy shall be filled for the remainder of the unexpired term. Vacancy appointment recommendations will come from the original recommending body. Any vacancy replacements will be eligible to serve the remaining term of the vacant position and two full terms.

(d) During January of each year, the Mayor may designate one member as Chairperson; however, in the absence of such designation, the Board shall on or after February 15, select a Chairperson from among its members.

(e) The Board may adopt rules consistent with the law for the governing of its business and procedures.

§ 26.2003 Duties and Functions

The Board shall:

(a) Review the final Grand Jury Report and City response to accepted recommendations.

(b) Begin research and review of the accepted recommendations following a 90-day period after the final City Council action to accept the recommendations.

(c) Research the actions implemented and the departmental reasons for recommendations that were not implemented, and receive and review all departmental final reports.

(d) Review all public documents and departmental information pertaining to the accepted recommendations under review by the Board. In connection with such review, City departments should cooperate with the Board within a reasonable time to provide requested information and reports.

(e) Advise the City Manager and through such office, the Mayor and the City Council, on the implementation process by oral and written reports, including but not limited to commendatory, critical, or unfavorable comments.

(f) Provide an annual report to the City Manager, the Mayor, and the City Council detailing the activities and findings of the Board.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Catherine Bradley
Chief Deputy City Attorney

CMB:jb
07/19/2006
Or.Dept:Rules
O-2007-xx

Note: San Diego Municipal Code section 11.0102.5 provides that references in the code to "City Manager" are deemed to refer to "Mayor" during the Mayor-Council form of government.

I hereby certify that the following Ordinance was passed by the Council of the City of San Diego, at its meeting of _____.

ELIZABETH S. MALAND
City Clerk

By_____
Deputy City Clerk

Approved: _____
(date)

_____
JERRY SANDERS, Mayor

Vetoed: _____
(date)

_____
JERRY SANDERS, Mayor