

APPROVED
BOARD OF SUPERVISORS

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
September 13, 2011

SEP 13 2011
By Cyndi Lee
Clerk of the Board

To: Board of Supervisors
From: County Executive
Subject: Response To The 2010-2011 Grand Jury Final Report
Supervisorial District: All
Contact: Sharon Dwight, Sr. Administrative Analyst, 874-5229

Overview

This is the annual response to the recommendations of the Grand Jury. Responses have been submitted from Department of Health and Human Services (DHHS) - Child Protective Services (CPS) and the Probation Department.

Recommendation

1. Adopt this report as Sacramento County's response to recommendations contained in the 2010-2011 Grand Jury Final Report.
2. Direct the Clerk of the Board to forward a copy of this report to the Presiding Judge of the Superior Court and the Grand Jury Foreman.

Measures/Evaluation

Not applicable.

Fiscal Impact

The cost of responding to this report is approximately \$4,200. Staff from DHHS, CPS, the Probation Department, and the County Executive Office contributed to this report. These costs were absorbed within each department.

BACKGROUND

Each year the Sacramento County Grand Jury concludes its work and releases its Final Report, typically the last week in June. The report, which can address a variety of activities, functions, and responsibilities of government, typically contains findings and recommendations with a response specifically directed to the Presiding Judge of the Superior Court. This response is required by September 30, 2011.

The form of the County's responses as required by law is as follows:

As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons.

As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an 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 the publication of the Grand Jury report.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation.

DISCUSSION

The 2010-2011 Grand Jury Final Report contained two investigative reports on issues related to CPS. The first investigative report, The Safely Surrendered Baby Program, required County responses from DHHS, and the Probation Department. The Second Investigative report, Sometimes the System Works, required a response from DHHS–CPS Division. The responses are provided below.

The Safely Surrendered Baby Program: Saving the Children

Finding 1.0 *The California Department of Social Services issued an “All County Information Notice” to clarify definition and procedures in the Safely Surrendered Baby (SSB) Program on November 2, 2010.*

The Department agrees with this finding. More specifically, the All County Information Notice (ACIN) was issued to clarify the procedures for safe surrender intake, safe surrender following a hospital birth, data entry into the Child Welfare Services/Case Management System, and to update the medical questionnaire for use by safe surrender site staff to collect medical history that may be critical to the future health of the surrendered infant.

Recommendation 1.1 *Sacramento County Health and Human Services should review procedures of agencies that provide “Safely Surrender Baby” sites to check that their procedures conform to state law, and to ensure the integrity of the process, so that the rights of the child and surrendering parent are preserved.*

This recommendation will not be implemented by CPS as it is beyond the scope of the Department’s authority. Even though the Department agrees it would be beneficial to have all safe surrender sites following consistent procedures, such oversight and monitoring should come from the state. The ACIN referenced in the Grand Jury Report was directed to County Welfare Directors, Child Welfare Services Program Managers and Chief Probation Officers and was incorporated in revisions to the Department’s policies, process and procedures updated June 13, 2011. The Department shared the ACIN with local hospitals in an effort to provide support to partner agencies in the child welfare arena and to seek more consistent application of the Safe Surrender law. However, the Department has no oversight authority regarding implementation of the ACIN’s directives at the various surrender sites.

On June 6, 2011, the California Department of Public Health issued an All Facilities Letter addressed to General Acute Care Hospitals, Acute Psychiatric Hospitals and Special Hospitals outlining the requirements of the Safe Surrender law. This same or similar information should be directed to those responsible for establishing policies, processes and procedures at safe surrender sites by the appropriate state agency.

Finding 2.0 *None of the agencies in Sacramento County that are designated as safe surrender sites provide that information on their websites.*

Health and Human Services Response: The Department concurs with this finding. However, while local safe surrender sites do not appear to have information about the Safely Surrendered Baby (SSB) law on their web sites, both CPS and Countywide Services Agency web sites provide information about SSB. The CPS internet web page prominently displays the phone number for SSB information and provides links to the California Department of Social Services (CDSS) SSB Law and brochure web pages. There is also a link to the “babysafe” web site (www.babysafe.ca.gov). The Countywide Services Agency web page also has links to the SSB Law and brochure sites and directs surrendering parents to call “211,” which is service providing information on the location of safe surrender sites in Sacramento County.

Probation Department Response: Concur, however Probation is not a designated safe surrender site.

Recommendation 2.1 *Sacramento County, Sacramento area fire departments and hospitals should prominently display information about the locations of their “safe surrender sites” on their web sites or provide referral information on their websites if they are not “safe surrender” program participants.*

Health and Human Services Response: The Department agrees this recommendation would provide assistance to the public regarding how and where a person with lawful custody of a child 72 hours old or younger can safely surrender the child in compliance with the law. However, Health and Safety Code section 1522.7 requires safe surrender sites to post a sign at their

location displaying the statewide logo adopted by CDSS identifying them as a safe surrender site. There is no requirement this information be maintained or provided otherwise to the public.

Probation Department Response: Although Probation is not a “safe surrender” program participant, Probation will provide SSB information, including the number of the statewide baby safe hotline, as well as a listing of various “safe surrender” locations on its public website to comply with this recommendation.

Sometimes the System Works

Finding 1.0 *The program manager did forge signatures on voucher purchases but there was no evidence of other Child Protective Services employees doing the same thing.*

DHHS concurs with this finding.

Recommendation 1.1 *None, since the individual involved has already been discharged.*

The Department concurs.

Finding 2.0 *The CPS procedures allowed discovery of the forgeries in a reasonable period of time and those procedures are currently being expanded.*

The Department concurs with this finding. The process for requesting purchases of discretionary items for CPS families was automated and centralized in June 2010. The expanded process requires supervisory approval of all requests as well as review and input of the request form into the Child Welfare Services Case Management System by a centralized referral clerk. This new process facilitates tracking and monitoring of purchases.

CPS is also expanding procedures related to the “Gifts from the Heart Program” (GFTH). Effective September 2011, supervisors will be required to review and approve all referrals made by social workers to the GFTH program. The GFTH program provides holiday gifts for families of children in the child welfare system.

Recommendation 2.1 *CPS should complete the expansion of control procedures and monitor future transactions continuously.*

The Department concurs with this recommendation. CPS will continue to monitor internal controls and procedures to minimize misuse of resources.

MEASURES/EVALUATION

Not applicable.

FINANCIAL ANALYSIS

The cost of responding to this report is approximately \$4,200. Staff from DHHS, CPS, the Probation Department, and the County Executive Office contributed to this report. These costs were absorbed within each department.

Respectfully submitted,

BRADLEY J. HUDSON
County Executive