



Grand Jury
County of San Joaquin
Courthouse
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ASSESSOR RECORDER
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GARY W. FREEMAN

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SAN JOAQUIN COUNTY

BY *Patricia Paulson*
DEPUTY

FINAL REPORT
CASE #2000 MARY GRAHAM CHILDREN'S SHELTER

REASON FOR INVESTIGATION:

The 2000-2001 San Joaquin County Civil Grand Jury (SJCCGJ) received a citizens complaint from the mother of a resident at Mary Graham Children's Shelter (MGCS) stating that the children at this facility were unsupervised and that had resulted in her child being involved in a questionable incident. Due to time constraints of the 2000-2001 Grand Jury, the case was forwarded to the 2001-2002 SJCCGJ for review and potential investigation. Upon preliminary investigation, it was found that this case was in litigation and therefore, beyond the jurisdiction of the Grand Jury. However, the 2001-2002 Grand Jury determined that further investigation into the Mary Graham Children's Shelter was warranted.

BACKGROUND:

MGCS is an aging facility housing up to 54 children at one time and taking in over 1,400 youngsters annually. Children ranging from infant up to 18 years of age are housed at Mary Graham on a short term basis and then placed in an appropriate location, either in a satellite foster home, in the home of a relative or in some cases back into their home. Prior issues of concern that have been addressed are the condition of the buildings at the existing Mary Graham Children's Shelter, and the increase in uncontrollable, aggressive children (previously classified as Code 601 children) victimizing staff and other children housed at MGCS. There were also allegations of children not being adequately supervised.

METHOD OF INVESTIGATION:

- Case file of investigation started by the 2000-2001 Civil Grand Jury reviewed.
- Grand Jury group tour of Mary Graham Shelter facilities on 8/23/01 and 9/27/01 .
Interview with Ms. Suzanne Schenk, Director, Mr. Dale Fritchen, Acting Asst. Director, and Ms. Georgette Hunefeld, Fund Developer.
- Report by the Child Advocacy Committee of the San Joaquin County Juvenile Justice/Delinquency Prevention Commission with data collected from December 2000 through March 2001 reviewed.
- Mary Graham Children's Shelter Policies and Procedures Manual, 7/1/01, reviewed.
- Case Summary Statement, compiled by Georgette Hunfield, Fund Developer at Mary Graham and Lindy Turner Public Information Officer, summarizing, among other things, purpose and mission, special programs and services, medical treatment, counseling, education, progress and new directions reviewed.

- ❑ Review of findings resulting from the investigation conducted by the State Community Care Licensing staff.
- ❑ Reviewed Plan of Correction submitted by MGCS.
- ❑ Interview with Human Services Agency Director

FINDINGS:

1. Ground breaking for a \$10.5 million project constructing a new Children's Shelter was in October 2001, with expected completion in the fall of 2003. Funding for the shelter is a partnership of county government, State of California and local community donations.
2. State licensing requirement mandated in April 2001. MGCS received a provisional license July 31, 2001. Department of Social Services Community Care Licensing Division due to visit the facility in May, 2002 to determine if it is in compliance with state regulations. Provisional license is due to expire in July 2002, at which point either the provisional license will be extended or a State license will be granted.
3. There was a recent staffing increase of one Administrative Assistant, one Program Assistant, five line staff, four Supervisory positions, one clerical and one housekeeper. All positions have been filled.
4. Although plans were made for residential facilities for placement of aggressive residents of MGCS, there are still no facilities and no options for the relocation of children with behavioral problems.
5. Four Personal Rights violations and one Lack of Supervision violation were found during investigation by the State.
6. Two Directors of MGCS have resigned in the past 12 months.
7. New Director hired in April of 2002.
8. Management of MGCS falls under the Human Services Agency (HSA) umbrella. There are 1,043 employees assigned to the subordinate departments.
9. Board of Supervisors and Director of the Human Services Agency involved in a public disagreement of hiring policies and lines of accountability for the new Director assigned to MGCS.
10. Consultant from Sacramento County hired in April 2002, to study the shelter and the departure of the Director.

CONCLUSIONS:

- ❑ Although construction of a new facility has been started, and there have been staffing additions, the continuance of problems concerning personnel, policy and procedures, the turn over rate of staff, and the complaints regarding inadequate supervision of the

children indicate a lack of involvement, and insufficient managerial controls by upper management.

- There are no options available for disciplining or removal of the high maintenance, aggressive children, so the possibility of the victimization of the other children remains a serious risk.
- Written Plan of Correction has been submitted to State Community Care Licensing by MGCS for the violations found during the state investigation. Included in this Plan of Correction are the training requirements that have been identified for staff.
- Ongoing issues and similar complaints continue to surface at MGCS. This is a clear indication that the problems and issues are not being addressed adequately or proposed resolutions are not verified for actual compliance.
- Lines of authority need to be clearly defined and a cohesive relationship between the Human Services Agency and the Board of Supervisors established. Efforts by the Board of Supervisors to separate MGCS Department from the Department of Human Services is not necessary if there were currently productive lines of communication established and functioning.
- Study by consulting firm hired in April of 2002 is expected to be completed between July and September 2002.
- The 2001-2002 San Joaquin Civil Grand Jury concludes that there are still many open issues and unanswered questions surrounding the operations and managerial involvement and Mary Graham Children's Shelter.

RECOMMENDATIONS:

1. San Joaquin County Board of Supervisors closely monitor the progress and timely completion of the urgently needed new Children's Shelter Facility.
2. San Joaquin County Board of Supervisors review adequacy of existing budget allocations and staffing levels and allow for increases where warranted.
3. Mary Graham staff continues to pursue all potential funding through Community Development Block Grant from local communities.
4. Individual communities are encouraged to take a leadership role in the remaining funding necessary to complete the project of the new facility.
5. The Board of Supervisors take immediate action to insure the Human Services Agency develop and implement a plan to provide for the relocation of the disruptive, aggressive predators in order to eliminate the possible victimization of other residents and to assure the safety of the children and staff.
6. Recommend a study be conducted on the current organizational structure of the Human Services Agency and explore the feasibility of a reorganization of the 1,043 personnel or possible division of departments and programs to allow for a more manageable workforce per department.
7. MGCS implement staff training requirements into their Policy and Procedures Manual.

8. Recommend that accountability of the Director of MGCS remain under the auspices of the Human Services Agency
9. Recommend that actions be taken by the Board of Supervisors to insure a better line of communication with subordinate Departments with the expectation of accountability from the Directors and Deputies.
10. Recommend the 2002-2003 Civil Grand Jury continue the investigation of operations at MGCS.

RESPONSE REQUIRED:

Pursuant to Section 933.05 of the Penal Code:

The Board of Supervisors and the Human Services Agency shall report to the Presiding Judge of the Superior Court, in writing and within ninety (90) days of the publication of this report, the response shall indicate one of the following:

As to each finding in the report, a response indicating one of the following:

- a. The respondent agrees with the finding.
- b. The respondent disagrees with the finding with an explanation of the reasons therefore.

As to each conclusion in the report, a response indicating one of the following:

- a. The respondent agrees with the conclusion.
- b. The respondent disagrees with the conclusion with an explanation of the reasons therefore.

As to each recommendation, a response indicating one of the following:

- a. The recommendation has been implemented, with a summary of the action taken.
- b. The recommendation has not yet been implemented, but will be with a timeframe for implementation.
- c. The recommendation requires further analysis, with an explanation of the scope of the analysis and a time frame not to exceed 6 months.
- d. The recommendation will not be implemented, with an explanation therefore.