



# County of Santa Cruz

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## HEALTH SERVICES AGENCY

1400 EMELINE AVENUE Santa Cruz, CA 95060  
(831) 454-4170 FAX: (831) 454-4663 TDD: (800) 523-1786

July 7, 2016

The Honorable Judge John Gallagher  
Santa Cruz Courthouse  
701 Ocean Street  
Santa Cruz, CA 95060

Dear Judge Gallagher;

On behalf of the Santa Cruz County Mental Health Advisory Board, please find an original copy of the Board's response to the Grand Jury Report. This response was developed by the Board, and voted and approved for submission at their June 16, 2016 meeting.

Please let me know if any additional information is needed.

Sincerely;

Erik G. Riera  
Director  
Mental Health and Substance Abuse Services

Cc/ FILE  
MHAB Members



**The 2015-2016 Santa Cruz County Civil Grand Jury  
Requires that the  
Santa Cruz County Board of Supervisors  
Respond to the Findings and Recommendations  
Specified in the Report Titled  
  
Santa Cruz County  
Mental Health Advisory Board  
Revisited  
  
by July 18, 2016**

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When the response is complete, please

1. Email the completed Response Packet as a file attachment to [grandjury@scgrandjury.org](mailto:grandjury@scgrandjury.org), and
2. Print and send a hard copy of the completed Response Packet to  
The Honorable Judge John Gallagher  
Santa Cruz Courthouse  
701 Ocean St.  
Santa Cruz, CA 95060

## Instructions for Respondents

California law PC § 933.05 (included below) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

### *Response Format*

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
  - a. **AGREE** with the Finding, or
  - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
  - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
  - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
  - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
  - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
  - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

### *Validation*

Date of governing body response approval: June 16, 2016

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to [grandjury@scgrandjury.org](mailto:grandjury@scgrandjury.org).

## **Findings**

**F1.** The Mental Health Advisory Board had not followed the recommendations of the 2013 - 2014 Grand Jury report and instead was less communicative and less effective.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation (required for a response other than Agree):**

**F2. The Mental Health Advisory Board is not meeting the requirements of the Mental Health Services Act or achieving its own goals to advocate for persons with mental illness and to increase community awareness on issues related to mental health.**

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation (required for a response other than Agree):**

Our current board, as of June 2016, has approximately 70% new members and all vacancies are now filled. We have been working hard to meet the requirements of the mental health services act and achieve our own goals to advocate for persons with mental illness. We do agree that in the past the MHAB has not worked as effectively as it might to increase community awareness on issues related to mental health. However, the current board has a concrete dated plan to achieve this through a number of actions, including: a planned retreat/training; a series of public town hall meetings for the community; and more public and media exposure.

**F3.** The Board of Supervisors is providing little or no direction, no specific goals and objectives, and no comprehensive training on how to be an effective advisory board.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The MHAB currently sees signs of this changing with the new Supervisor Greg Caput. He is attending MHAB meetings in person, communicating clearly and fully and working with us on goals, training and follow-through. We invite all the County Supervisors to become more involved in our ongoing process.

**F4. Mental Health Advisory Board members attribute some of their deficiencies to the difficulty of filling vacant positions.**

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation (required for a response other than Agree):**

**F5.** The Mental Health Advisory Board takes no responsibility for investigation or possible action on issues raised at their meetings, and there is no general process available for the public to raise concerns.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The MHAB does take action. We thoroughly listen to complaints/concerns brought forward by the public, encourage people to express their concerns in writing and refer them to the appropriate agency/person. When necessary, we forward written complaints to Karolin Schwartz of Quality Assurance. However, the MHAB needs input from the County on when and how we can expect a response regarding what we turn in so we can effectively support a resolution of the complaints.



**F6.** Without any regular communication with the Board of Supervisors, except a written report once every two years, the Mental Health Advisory Board is not fulfilling its advisory responsibility.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation (required for a response other than Agree):**

The amount of former communication with the Board of Supervisors was insufficient as we were not educated on this requirement. Now, however, we are meeting individually with Supervisors, inviting them to our meetings, and sending at least annual informal reports in addition to the required report every two years.

**F7.** The Mental Health Advisory Board receives a great deal of information from local mental health agencies and professionals on available programs and services, but there is no mechanism to circulate and share the information with the community and to keep local mental health professionals up to date.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation (required for a response other than Agree):**

The current board has created new methods to circulate and share information with the community and mental health professionals through regular maintenance and update of our web page available through the County, announcements and articles in the media, and a public bulletin board. Town halls and information fairs are planned for the future, as is more regular information sharing with professional groups like the Monterey Bay Psychological Association, local school districts, etc.

**F8.** The Grand Jury's involvement has resulted in an increased recognition that an effective Mental Health Advisory Board is important to the community and that more positive steps are needed for continuing improvement.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

## **Recommendations**

**R1.** The appointed member of the Board of Supervisors should be an advocate for the Mental Health Advisory Board, meeting regularly with the Chair to establish goals, identify problem areas, suggest possible solutions, and should personally attend the monthly meetings. (F1-3, F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

### **Response explanation, summary, and timeframe:**

Supervisor Greg Caput is currently attending meetings in person regularly and establishing good contact and communication with the chairperson, Kate Avraham.

**R2.** The Board of Supervisors should make every effort to fill Mental Health Advisory Board vacancies immediately, provide training for new appointees, and provide annual professional training for all members on how to serve effectively on an advisory board. (F3, F4)

**HAS BEEN IMPLEMENTED** – summarize what has been done

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe

**REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)

**WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

Has not been completely implemented but will be. The current MHAB will request input from the Board of Supervisors regarding a planned training retreat for the MHAB in the fall of 2016. Members of the MHAB very much desire further training. As of July 2, 2016, all vacancies on the MHAB have been filled.

**R3. The chair of the Mental Health Advisory Board should immediately notify the Board of Supervisors and the Clerk of the Board of vacancies. (F4)**

**HAS BEEN IMPLEMENTED** – summarize what has been done

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe

**REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)

**WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The current MHAB Chairperson, Kate Avraham, has and will continue to notify the Board of Supervisors and County Mental Health, by phone and E-mail, if any member of the MHAB resigns or is absent more than allowed by the by-laws.

**R4.** The Mental Health Advisory Board should advocate for their clients by following through with investigations of complaints, concerns, and questions, then reporting to the Health Services Agency and Board of Supervisors. (F5, F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

We are currently investigating a series of complaints and reporting these to the Health Services Agency, Board of Supervisors, and, when necessary, Karolin Schwartz of Quality Assurance. Follow-through advocacy is focused on our expectation of a response from County HSA and our commitment to respond to the public.

**R5. The Mental Health Advisory Board should hold an annual meeting to establish and evaluate strategic goals, prioritize those goals by focusing on problem areas, and establish committees to develop plans for problem resolution. (F8)**

**HAS BEEN IMPLEMENTED** – summarize what has been done

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe

**REQUIRES FURTHER ANALYSIS** – explain scope and timeframe  
(not to exceed six months)

**WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The MHAB will have a retreat in the Fall 2016 to train new members, do ice breaker activities, evaluate and prioritize strategic goals. There will be a facilitator and we plan to give talks with the professional mental health knowledge available within our group. Problem resolution within our group and in dealing with the public will be on the retreat agenda. Annual meetings in future years will also be held.



**R6. Monthly meetings of the Mental Health Advisory Board should be conducted according to County Code Chapter 2.104. In addition, they should be scheduled well in advance with times and locations made available to the public, conducted according to parliamentary procedure, physically arranged to invite public participation, and recorded in complete and accurate minutes that include discussion, decisions, actions, and public comments. (F5, F7, F8)**

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

This recommendation has been implemented. Meeting room is now arranged so that the MHAB faces the public, has table name tags to identify them, with plenty of public seating and standing room. Roberts Rules of Order are being used to conduct meetings.

**R7. The Mental Health Advisory Board, in cooperation with Health Services Agency staff support, should record presentations and publish summaries for the public, mental health professionals, and the Board of Supervisors. (F6, F7)**

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

All presentation information and hand-outs, detailed minutes and pertinent additional literature are now available at County Mental Health Administrative office in a special public access binder. Minutes, agendas, and announcements are going out via Internet on a regular basis.

**R8.** The Mental Health Advisory Board should increase efforts to raise community awareness of mental health issues through public announcements, publications, speaking engagements, and other forms of community outreach. (F7)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The MHAB is expanding community outreach in many ways including: visitations to local mental health service providers; informative articles to the media; pamphlets/flyers to give out in public; speaking to school district organizations, professional psychological associations, etc. The MHAB also hopes to provide public mental health first aid training and other psychological education to its members and the public. Another goal is to hold a mental health information fair next year at a prominent public space (like San Lorenzo Park or Lauden Nelson Center). We want to plan this with local mental health professionals and organizations.

## Penal Code § 933.05

1. For Purposes of subdivision (b) of § 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
  - a. the respondent agrees with the finding,
  - b. 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 therefor.
2. For purpose of subdivision (b) of § 933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
  - a. the recommendation has been implemented, with a summary regarding the implemented action,
  - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
  - c. 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 director 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, or
  - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**