



September 10, 2025

Via Email:
civilgrandjury@sjcourts.org

Honorable Gus C. Barrera II, Presiding Judge
San Joaquin County Superior Court
180 E. Weber Ave, Suite 1306J
Stockton, CA 95202

CITY OF STOCKTON THIRD FOLLOW-UP RESPONSE TO 2023-24 SAN JOAQUIN COUNTY CIVIL GRAND JURY REPORT "CITY OF STOCKTON: CRISIS IN GOVERNMENT" CASE NO. 0123

The City of Stockton received the above-named Grand Jury report on Monday, June 10, 2024. In accordance with Sections 933 and 933.05 of the California Penal Code, specific responses to all findings and recommendations contained in the report are to be submitted to the Presiding Judge of the San Joaquin County Superior Court within 90 days of receipt of the report.

The City of Stockton, and the Stockton City Council accepted the 2023-24 San Joaquin County Civil Grand Jury Report titled "City of Stockton: Crisis in City Government, Case No. 0123" on August 20, 2024, and acknowledged all findings contained within: F1.1 thru F1.6, F2.1 thru F2.6, and F3.1. Initial responses were provided with a commitment to providing follow-up responses on those items still in progress.

The City and Council of the City of Stockton offer these follow-up responses, broken out by area of investigation as outlined in the report for the remaining Grand Jury recommendations not addressed in the last response.

These responses were presented to the City Council for consideration and approval during its public meeting on September 9, 2025, and approved by motion 2025-09-09-1602.

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1. Threatening Work Environment

Recommendations & Responses:

R1.2 *By October 1, 2025, the Stockton City Council should establish a policy for addressing threatening communications directed at City officials and employees. The policy should include forwarding threats to the District Attorney's office.*

CITY RESPONSE:

The City Acknowledges the Grand Jury's recommendation R1.2. City of Stockton Administrative Directive HR-64 – Workplace Violence Crisis Management Policy, addresses the procedure for handling threats received by City Official and employees. The city further developed written Workplace Violence Prevention Plans in accordance with guidance received from Cal/OSHA.

2. Brown Act

Recommendations & Responses:

R2.3 *By October 1, 2025, the Stockton City Council shall enact a policy requiring all findings from investigations into alleged Brown Act violations to be submitted to the Civil Grand Jury within seven days of receipt by the Council.*

CITY RESPONSE:

Via Resolution 2025-09-09-1602 the City Council has adopted Council Policy Manual Chapter 3.15, Brown Act Investigations. The policy provides: "If by majority vote the City Council orders an investigation into alleged Brown Act violation(s), all findings from the investigation regarding the alleged Brown Act violation(s) shall be submitted to the Civil Grand Jury within seven (7) days of receipt by the City Council."

3. Grievance Process

Recommendations & Responses:

R3.1 *By October 1, 2025, the Stockton City Council shall hire an independent third party to investigate the City's Ethics Hotline process to regain employee and public trust in the system.*

CITY RESPONSE:

The City Acknowledges the Grand Jury's recommendation R3.1 and the importance of ensuring employees have confidence in the City's Ethics Hotline process. The Ethics Hotline was previously maintained by the City's external City Auditor and is currently maintained by the Stockton City Attorney's Office. The City Council provided direction to staff during its September 09, 2025, meeting

that the functions of the Ethics Hotline be retained in the City Attorney's Office pending the issuance of an RFP for the retention of an external City Auditor. Upon retention of a firm following that RFP process, the external auditor will review and maintain the City's Ethics Hotline process.



LORI M. ASUNCION
CITY ATTORNEY

WORKPLACE VIOLENCE CRISIS MANAGEMENT POLICY

12.02.090

SUBJECT: Workplace Violence Crisis Management Policy	NUMBER: 12.02.090
RESPONSIBLE OFFICER: City Manager	EFFECTIVE DATE: 7/27/2009
POLICY OWNER: Director of Human Resources	LAST UPDATED: <Date>
POLICY CONTACT: HR Staff Member	APPROVED: SIGNATURE

POLICY

I. PURPOSE

To describe and prohibit workplace violence; establish protocol and procedures for reducing the potential for such violence; and to identify security contacts and reporting procedures for employees to report violence, threats of violence, harassment, and intimidation in the workplace.

II. POLICY

- A. The City does not tolerate violent behavior or threats of violence in the workplace. Any violent behavior related to the employee's work or work relationships, whether an employee is on or off duty, on or off City property or City work places, is strictly prohibited.
- B. Employees engaging in work place violence shall be subject to the provisions of Administrative Directive 12.08 - Discipline.

III. DEFINITIONS

- A. **Crisis Management Team (CMT):** Interdepartmental group convened to evaluate and address specific instances of violence or threats of violence in the workplace. A CMT shall consist of management personnel from Human Resources, Risk Management, the Police Department, the City Attorney's Office, and the department or departments directly impacted by the incident.
- B. **Intimidation:** Inspiring fear in a person or inhibiting the speech or actions of a person by the display, promise, or threat of violence.
- C. **Threat:** An expression of intent to inflict pain or injury on a person or damage to an object or property. Threats may be explicit ("I'll get you for this later" or "I'll kill you if you report me") or implied ("bad things are going to happen to him" or "that propane tank on the back of his truck could sure blow up easily"). Threats also include stalking. Conflicts and disagreements commonly occur in

the workplace and do not, by themselves, represent threats of violence.

- D. **Third Parties:** Individuals who are not City employees or volunteers, including, but not limited to, contractors and vendors, visitors, and friends or relatives of employees or volunteers.
- E. **Workplace:** Any location, either permanent or temporary, where City business is conducted, including City buildings and property, other assigned work locations, including off-site training locales, City vehicles, and private vehicles while used for City business.
- F. **Workplace Violence:** Any physical assault, threatening behavior, or verbal abuse occurring in the workplace by employees, volunteers, or third parties. Examples of behavior prohibited by this policy include, but are not limited to:
 - 1. Physically injuring another person
 - 2. Engaging in behavior that creates a reasonable fear of injury
 - 3. Engaging in behavior that subjects another individual to extreme emotional distress
 - 4. Verbally abusive or intimidating language or gestures
 - 5. Threatening, abusive, or harassing communications
 - 6. Possessing, brandishing, or using a dangerous or deadly weapon, unless an employee is required or authorized to do so
 - 7. Possession of imitation weapons
 - 8. Intentionally damaging or threatening to damage City property or property of an employee
 - 9. Engaging in intrusive behavior, such as stalking, spying on, or harassing an individual

RESPONSIBILITIES

Outlining responsibilities including delegation.

RELEVANT AUTHORITY

Title <Link>

RELATED CITY POLICIES

Title <CW.#>

RELATED CITY PROCEDURES

Title <PR.#>

RELATED FORMS, DOCUMENTS, OR LINKS

Form Title <Link>

FREQUENTLY ASKED QUESTIONS

<Populated by clarification or follow-up with policy contact.>

UPDATE HISTORY

<Date> – Major Revisions

WORKPLACE VIOLENCE CRISIS MANAGEMENT PROCEDURE

12.02.090.01

SUBJECT: Workplace Violence Crisis Management Policy	NUMBER: 12.02.090.01
RESPONSIBLE OFFICER: City Manager	EFFECTIVE DATE: 7/27/2009
PROCEDURE OWNER: Director of Human Resources	LAST UPDATED: <Date>
PROCEDURE CONTACT: HR Staff Member	APPROVED: SIGNATURE

PROCEDURE

I. IMPLEMENTATION

A. Employee Responsibilities

Every employee has the responsibility to report immediately to his or her supervisor or department safety representative any violations of this policy. This includes employees who are aware of actual violence, as well as those who are aware of threats of violence that may cause a risk of harm to an employee or others in the workplace.

B. Departmental Responsibilities

1. Workplace Safety

Every department head is responsible for assessing the potential for violence and taking measures to maintain workplace safety. Supervisors/managers are responsible for monitoring the workplace and immediately addressing any violent behavior and appropriately evaluating any threatening conduct, even if the person engaged in the behavior or conduct is not a subordinate, or even if the supervisors/managers have not received a complaint.

2. Training

The City will provide mandatory training for supervisors and managers on this policy and the prevention of violence in the workplace. Department heads are responsible for periodically providing their staff with information about the prevention and management of violence in the workplace.

3. Department Response to Violence

When a supervisor, manager, or departmental safety representative becomes aware of a violent act or the threat of violence, he or she must make an immediate evaluation of the severity of situation and take appropriate action. (See Appendix A, "Protocol for Responding to Workplace Violence.")

a. If there is a likelihood of immediate violence or a violent act has already occurred:

- (1) Call 911 and if necessary and possible under the circumstances, evacuate.
 - From a city phone, dial 9-911
 - If evacuation is necessary and possible, proceed in accordance with the building plan.
- (2) Notify the department head or other designated person in the chain of command.
Contact Human Resources at 937-8233. Human Resources will activate the Crisis Management Team.
- (3) Participate in developing and enforcing a plan of action with the Crisis Management Team.
- (4) Conduct further investigation, as necessary, and document incident. (See attached "Risk Assessment Report.")

b. If there is a threat of violence that is not immediate:

- (1) Notify the department head or other designated person in the chain of command.
Contact Human Resources at 937-8233. If appropriate, Human Resources will activate the Crisis Management Team. If the incident occurs after business hours, call the Police Department at 937-8377(non-emergency number).
- (2) Conduct a preliminary inquiry to ascertain the basic facts and the key persons with information about the threat. Document findings. (See attached "Risk Assessment Report.")
- (3) If required, participate in developing and enforcing the plan of action with the Crisis Management Team.
- (4) Conduct further investigation, if required by the CMT, and document investigative findings.

c. If there is no credible threat of violence:

- (1) Complete necessary investigation.
- (2) Document incident.

RELEVANT AUTHORITY

Title <Link>

RELATED CITY POLICIES

Title <CW.#>

RELATED FORMS, DOCUMENTS, OR LINKS

Form Title <Link>

FREQUENTLY ASKED QUESTIONS

<Populated by clarification or follow-up with policy contact.>

UPDATE HISTORY

<Date> – Major Revisions

**CHAPTER 3.15
Brown Act Investigations**

§ 3.15.010. Policy.

If by majority vote the City Council orders an investigation into alleged Brown Act violation(s), all findings from the investigation regarding the alleged Brown Act violation(s) shall be submitted to the Civil Grand Jury within seven (7) days of receipt by the City Council.

The City retains the sole discretion to determine whether to initiate, conduct, and finance investigations into any alleged Brown Act violation(s).

Notwithstanding the above, absent a City-conducted investigation, alleged Brown Act violation(s) may still be referred to the Civil Grand Jury in accordance with the Civil Grand Jury's standard procedures.

§ 3.15.020. Responsibilities.

City Council: As appropriate, direct staff to retain investigation services for the investigation of alleged Brown Act violation(s) and submit findings to the Civil Grand Jury within seven (7) days of receipt of any investigation findings.

§ 3.15.030. Relevant authority.

<https://www.sjcourts.org/divisions/civil-grand-jury/>

§ 3.15.040. Related administrative directive, city policy, city procedure.

N/A

§ 3.15.050. Related forms, documents, or links.

N/A

§ 3.01.060. Frequently asked questions.

N/A

§ 3.01.070. Update history.

N/A