

**2002-2003
YOLO COUNTY
GRAND JURY**

FINAL REPORT

A report for the citizens of Yolo County, California

**June 30, 2003
Woodland, California**



GRAND JURY

County of Yolo

P.O. Box 2142
Woodland, CA 95776
June 30, 2003

The Honorable Michael Sweet
Advisory Judge to the Yolo County Grand Jury
Yolo County Superior/Municipal Court
625 Court Street
Woodland, CA 95695

Dear Judge Sweet:

As the foreperson of the Yolo County Grand Jury, it is my duty and pleasure to present to you and the citizens of Yolo County the **Final Report of the 2002-2003 Yolo County Grand Jury**.

This 2002-2003 Grand Jury included residents from Davis, Woodland, West Sacramento, Winters, and the unincorporated area of Yolo County. A wide range of educational and professional experience was represented. Grand Jury members have been outstanding in dedication and service. Consistently, all jurors were present for general meetings.

Service by the 2002-2003 Grand Jury can be seen in the following information:

- 18 complaints received and logged for review
- 9 complaints moved to the status of investigation
- 1 subpoena processed and served
- 7 specialized work groups formed and charged
- 30-40 hours (on average) per month per juror devoted to Grand Jury duty

In addition to responding to citizen complaints, the 2002-2003 Grand Jury conducted many reviews of local government agencies and functions. These included:

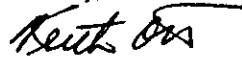
- Yolo County Board of Supervisors - Rumsey Band Gaming Agreement
- Yolo County Communications Emergency Service Agency
- Yolo County Jails
- Juvenile Hall
- Yolo County Coroner
- Police Departments of Winters, Woodland, Davis, and West Sacramento
- Yolo County Flood Control and Water Conservation District
- Responses to the 2001-2002 Grand Jury Report

Past grand juries have acknowledged and this grand jury reiterates appreciation for:

- Employers who released jurors for extensive amounts of time, and jurors who were employed full-time and still fulfilled their Grand Jury commitments.
- Employees of Yolo County, both elected and appointed, whose dedication to Yolo County and the challenges that lie ahead is clearly evident
- Citizens of Yolo County, who have shared areas of concern that we have investigated or used as leads.
- The Presiding Judge, District Attorney, County Counsel, and Jury Commissioner for the assistance and advice provided during the course of this term

We learned about the inner workings of this county and have tried to communicate our findings to you.

Sincerely,



Keith Ott
Foreperson
2002-2003 Yolo County Grand Jury

2002-2003 Yolo County Grand Jury Final Report

A Report for the Citizens of Yolo County

Grand Jury, P.O. Box 2142, Woodland, California 95776 • (530) 666-8225

The 2002-2003 Yolo County Grand Jury	
Anthony Avellar, <i>Winters</i>	Mark Lively, <i>Woodland</i>
Eva M. Brock, <i>Davis</i>	Floyd McCain, <i>Woodland</i>
Allen Cadero, <i>West Sacramento</i>	Vicki Murphy, <i>Brooks</i>
Michael Clark, <i>Zamora</i>	Susan Ochoa, <i>Woodland</i>
Candace Cross-Drew, <i>Davis</i>	Keith Ott, <i>Woodland</i> (Foreperson)
Jonathan R. Durst, <i>Esparto</i>	John E. Pangburn, <i>Woodland</i>
Richard A. Elbrecht, <i>Davis</i>	Robert M. Scharf, <i>Woodland</i>
Ken Han, <i>Capay</i>	Joan Wright, <i>Davis</i>
Ann Kokalis, <i>Davis</i>	Lawrence Wyneken, <i>West Sacramento</i>

E. Rip Roelling
1922-2003
dedicated to community service on Grand Juries
in Contra Costa, Alameda, and Yolo Counties

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Introduction

The California Constitution requires each county to appoint a Grand Jury to guard the public interest by monitoring local government. The Yolo County Superior Court appoints 19¹ Grand Jurors each year from a pool of volunteers. The Yolo County Grand Jury is an official, independent body of the Court, not answerable to administrators or the Board of Supervisors.

Unlike grand juries in other states, a California Grand Jury's primary responsibility is to promote honesty and efficiency in government by reviewing the operations and performance of county and city governments, school districts, and special districts. Based on these reviews, the Grand Jury issues a report that may recommend changes in the way government conducts its business. Copies are distributed to public officials, county libraries, and the news media. The head of each government agency reviewed must respond to Grand Jury recommendations within 90 days. (See appendix for responses to the 2001-2002 Grand Jury report.)

The Grand Jury also investigates complaints from private citizens, local government officials, or government employees. Complaints must be submitted in writing and should include any supporting evidence available (you can request a complaint form at your local library or from the Grand Jury at P.O. Box 2142, Woodland, CA 95776). Grand Jurors are sworn to secrecy and, except in rare circumstances, records of their meetings may not be subpoenaed. This secrecy ensures that neither the identity of the complainant nor the testimony offered to the Grand Jury during its

investigations will be revealed. The Grand Jury exercises its own discretion in deciding whether to conduct an investigation or to report its findings on citizen complaints. Any juror who has a personal interest in a particular investigation is recused from discussion and voting regarding that matter.

The findings in this document report the conclusions reached by the Grand Jury. Although all the findings are based upon evidence, they are the product of the Grand Jury's independent judgment. Some findings are the opinion of the Grand Jury rather than indisputable statements of fact. All reports included in this document have been approved by at least 12 jurors.

The Grand Jury's final responsibility is to consider criminal indictments, usually based on evidence presented by the District Attorney. On its own initiative, however, the Grand Jury may investigate charges of malfeasance (wrongdoing), misfeasance (a lawful act performed in an unlawful manner), or nonfeasance (failure to perform required duties) by public officials.

To be eligible for the Grand Jury, a citizen must be at least 18 years old, have resided in Yolo County for at least one year, exhibit ordinary intelligence and good character, and possess a working knowledge of English.

Following a screening process by the Court, Grand Jurors are selected by lottery. If you are interested in becoming a Grand Juror, submit your name to the Jury Commissioner, 725 Court Street, Room 303, Woodland, California, 95695, or telephone (530) 666-8600.

¹In April of 2003 one juror resigned due to National Guard commitment and was not replaced.

Investigations

Yolo County Sheriff's Department

REASON FOR REVIEW

The 2002-2003 Yolo County Grand Jury reviewed a complaint alleging that disbursements were being made from the County Sheriff's Revolving/Discretionary Fund for questionable and improper purposes. The Grand Jury has conducted an intensive investigation of this Fund and its use from Fiscal Year 1996-1997 to the present time.

BACKGROUND

Yolo County has provided its Sheriff's Department an operating budget in an amount in excess of \$18,000,000 for Fiscal Year 2002-2003. Included in this budget is the Sheriff's Revolving/Discretionary Fund, which is the subject of this report.

The County Board of Supervisors redefined the Yolo County Sheriff's Revolving/Discretionary Fund by Resolution 89-116, adopted 7/24/89. This resolution specifies that the fund be used for either of two kinds of expenses:

- a. Expenses for the operation of the Sheriff's Office of under \$10.00.
- b. Expenses chargeable against the Sheriff's Special Appropriation made pursuant to Government Code Section 29430."

This Fund is variously known as Unclassified, Restricted, Discretionary, or Imprest Cash. The budget appropriation authorized by the above noted resolution—89-116—was \$5,500. For Fiscal Year 2002-2003 the appropriation (under Account 86-2555) is \$8,556.

Authorization for this Fund was established by statute in 1969, codified at Government Code Sections 29430-29440. Section 29435 identifies three purposes for which the appropriated funds may be used: "The Sheriff may use the appropriation for:

- a. His expenses incurred in criminal cases arising in the County.
- b. Expenses necessarily incurred by him in the preservation of peace.
- c. Expenses necessarily incurred by him in the suppression of crime."

In Resolution 89-116, the Board of Supervisors stated that "[t]he Yolo County Sheriff's Revolving Fund shall be replenished only by demand made upon the County for reimbursement... and shall be supported by receipts for any expenditure in excess of \$1.00 setting forth the date, purpose of the expenditure and the amount expended. All sums

received in satisfaction of the demands shall be returned to the revolving fund."

It should be noted that Government Code Sections 29400-29408 authorize a similar fund for only one additional County Agency, the District Attorney's Office. Section 29404 declares that this fund may be used to pay expenses "incurred in criminal cases," expenses "necessarily incurred... in the detection of crime," and expenses "in civil actions, proceedings, or other matters in which the county is interested."

The current Sheriff was elected in November 1998, and took office in January 1999. He was reelected to his current term (2003-2007).

Budget appropriations for and actual disbursements from the Yolo County Sheriff's Revolving/Discretionary Fund have been as follows:

Fiscal Year	Budget Appropriations	Actual Disbursements
1996-1997	\$ 202	\$ 866
1997-1998	175	848
1998-1999	771	2,109
1999-2000	1,806	6,494
2000-2001	6,358	11,988
2001-2002	7,778	9,482
2002-2003	8,556	5,268
(First 7 months of fiscal year)		

Source: Yolo County Auditor-Controller's Office

The Grand Jury received from the Sheriff, under subpoena, subject Fund records for calendar years 2000-2002, including accounting, disbursement and supporting documents. The Grand Jury also received data regarding the Fund for the prior four years from the County Auditor-Controller's Office. Additionally, the investigation included interviews with the complainant, the Sheriff, the Auditor-Controller, Sheriff's Department Finance Staff employees, and the District Attorney.

FACTS

1. Expenditures from this Fund have increased significantly since Fiscal Year 1998-1999.
2. Expenditures from this Fund have regularly exceeded budget allocations over the same period.
3. Internal departmental accounting for disbursements under the Fund has been generally complete and accurate. There is no evidence of non-disclosure.

(INVESTIGATIONS: Yolo County Sheriff's Department—continued on next page)

2002-2003 YOLO COUNTY GRAND JURY FINAL REPORT

4. Expenditures such as departmental travel, training, criminal investigations and interview panels are appropriate under the spirit of the provisions of the pertinent Government Code Sections.
5. Some legitimate expenditures could more properly be accounted for under training, communications, office expenses, and other categories of the Sheriff's operating budget.
6. Other expenditures from the subject Fund for this period are not appropriate under the spirit of the provisions of the Government Code and are not acceptable uses of public funds. Purposes and amounts of expenditures for calendar years 2000-2002 that the Grand Jury has concluded are not appropriate are listed below:

EXPENDITURES	Amount
Contributions to charitable organizations	\$2,349
Expenses for political events	529
Expenses for civic events	3,515
Gifts to politically active organizations	2,516
Retirement dinners and gifts	3,419
Flower arrangements	3,704
Greeting & Christmas cards/custom stationery	2,309
Golf tournaments	755
Portraits and framing	1,448

7. Government Code Section 26600 states "[t]he sheriff shall preserve peace, and to accomplish this object may sponsor, supervise, or participate in any project of crime prevention, rehabilitation of persons previously convicted of crime, or the suppression of delinquency."

CONCLUSIONS

1. The complaint regarding use of the Sheriff's Revolving/Discretionary Fund has merit and validity.
2. Both internal and external auditing of purposes for which the Fund has been used have been inadequate at best, and at times non-existent.
3. The Sheriff has made or authorized disbursements from this Fund that are, in some cases, consistent with statutory requirements; in some cases, highly questionable as appropriate use of public funds; and, in some cases, inappropriate use of taxpayer dollars.
4. Historically, "preservation of peace" involves literally suppression of crimes such as rioting, lynching, unlawful assembly, disturbing the peace, intentionally inflicting bodily injury, forcible entry, use of a weapon with intent to resist arrest, disturbance of public assembly *et. seq.* (California Penal Code, Sections 403-420.1). Accordingly, "preservation of peace" is intended to mean the suppression of crime rather than networking and community outreach.

5. Apart from legal interpretations of the meaning of the phrases "suppression of crime" and "preservation of peace" noted above, there is a public understanding of these phrases based on common sense and accepted usage of the English language. By these standards a significant number of disbursements the Sheriff has made from his Revolving/Discretionary Fund are commonly recognized as unacceptable and self-serving. By way of illustration, a limited sampling of claims (1/3 of the total entries for the period) submitted by the Sheriff from July through December 2002 supports this statement.

Date	Item	Amount
7/15/02	Floral Arrangement, Hensley family	\$70.04
8/7/02	Kona Coffee	62.00
8/8/02	Funeral Floral Spray	177.79
8/9/02	CHP Employee Appreciation Day	125.00
8/13/02	Latino Peace Officers Association Golf Tournament	360.00
8/15/02	Soroptimist Golf Tournament	45.00
8/29/02	Dave Rosenberg September Fest	25.00
9/19/02	Salute to Labor Dinner	100.00
9/24/02	Concilio Dinner Dance	75.00*
9/25/02	Woodland Chamber of Commerce Banquet	60.00
10/7/02	Red Cross Luncheon	40.00
10/11/02	Cache Creek High School Yearbook	25.00
10/11/02	Flowers for Staff	56.03
10/15/02	Holiday Greeting Cards	411.84
11/7/02	Flowers for Sheriff's Wife	70.04
11/15/02	Flowers for District Attorney	61.42
11/26/02	Luncheon for Lois Wolk	34.50
12/3/02	Retirement Dinner, Colusa County Sheriff	60.00
12/4/02	Stallard Retirement Dinner (incl \$15.00 Gift)	75.00
12/9/02	Reception for Judge Lebov	50.00

* Receipt for item records: "Received of Citizens for Ed Prieto"
Signed: Rick Gonzales, President, Concilio

- Such expenditures of taxpayer dollars assuredly do nothing to make Yolo County a safer and more peaceful place to live and work. Neither do they contribute anything toward the prevention or deterrence of crime and the apprehension of criminals (cf. California Penal Code, Sections 11000 et sequitur - Prevention of Crime and Apprehension of Criminals).
6. The Grand Jury recognizes the value of networking and community outreach. However, these activities do not fall within the intent of Government Code Sections 29430-29440 that limit use of funds authorized thereunder to preserving the peace by the suppression of crime and for criminal cases. There are many opportunities in

*(INVESTIGATIONS: Yolo County Sheriff's Department-
continued on next page)*

Yolo County for the Sheriff and the Department to develop and expand community relations and good will that require no use of public funds beyond legitimate budget allocations.

RECOMMENDATIONS

Prompt remedial measures are required with reference to this Fund to insure that all disbursements are made within the spirit and letter of the law, and serve to insure the safety and security of the citizens of Yolo County. They include:

- 03-01 The County should establish clear, definitive procedures for evaluating requests for disbursements from this Fund to eliminate improper use.
- 03-02 The Office of the Yolo County Auditor-Controller shall audit the Fund and its records quarterly.
- 03-03 The Yolo County Auditor-Controller shall arrange for an audit of the Fund and its records from January 1999 to the present time and annual audit of the Fund thereafter by an external independent auditor or by an appropriate agency of the State of California.
- 03-04 The Sheriff shall make restitution to the County General Fund of all amounts expended for purposes not consistent with the spirit of Government Code Sections 29430-29440. They include but are not limited to:
 - Political events
 - Contributions to political and charitable groups
 - Expenditures for flower arrangements, greeting cards, retirements and non-law enforcement-related activities that constitute a gift of public funds (California Constitution of 1879, Article 16, Section 6).
- 03-05 The Sheriff shall make restitution by 12/31/03 in an amount to be determined by the external independent auditor or appropriate agency of the State of California.

COUNSEL

Deputy Attorney General, State of California

RESPONDENTS

Yolo County Sheriff (03-4, 03-5)
County Auditor-Controller (03-1, 03-2, 03-3)
Yolo County Board of Supervisors (03-1)

SOURCES

Persons Interviewed

Complainant

Yolo County Sheriff's Department
– Sheriff-Coroner

- Account Auditor I
- Business Services Officer
- Sheriff's Confidential Secretary
- Yolo County Auditor-Controller
- Yolo County District Attorney
- Solano County Sheriff's Department
 - Captain-Sheriff, Public Safety Division Commander
 - Lieutenant-Sheriff, Program Manager
 - Administrative Services Manager
 - Staff Analyst

Documents Examined

Sheriff's Imprest Account receipts and disbursements from January 1996 through July 2000
Sheriff's Imprest Account receipts, disbursements, and documentation from January 2000 through December 2002
County Auditor-Controller's records for Budget Item 86-2555 budget and disbursement amounts (1996-1997 through 2002-2003)
County Board of Supervisors Resolution 89-116
Yolo County Final Budget for Fiscal Year 2001-2002
County of Yolo Cash Accounting Manual
Management Report for the Year Ended June 30, 2001-
Bartig, Basler, & Ray, CPAs
California Government Code Section 26600, Sections 29400-29408, Sections 29430-29440
California Penal Code, Sections 403-420.1, Sections 11000 *et. seq.*
California Constitution for 1879, Article 16, Section 6
Solano County Sheriff's "Expenditure of Unclassified Funds" Manual

Response of the Sheriff to the above investigation

[The preceding report was issued April 4, 2003, as an interim report of the 2002-2003 Grand Jury. The Sheriff, in accord with his mandated requirement as a named respondent, responded to the report June 6 (60 days).]

Relative to the Sheriff's Discretionary Fund, the Sheriff maintains that:

1. He has implemented improved procedures for fund disbursement and records.
2. Expenditures the Grand Jury considers questionable were legitimate under community outreach programs.
3. He did nothing illegal; applicable provisions of the Government and Penal Codes are subject to interpretation.
4. He relied on advice from the former Finance Director of the Sheriff's Department.

(INVESTIGATIONS: Yolo County Sheriff's Department-
continued on next page)

5. External audits are unnecessary.

In response to those recommendations (03-04, 03-05) directed specifically to him, the Sheriff stated that no restitution will be made for disbursements other than \$345.04 already reimbursed to the Sheriff's Department for Truman Club meetings, the Democratic Bean Feed, the Rosenberg September Fest, and flowers for the Sheriff's wife.

The 2002-2003 Grand Jury submits the following points in reply to the Sheriff's response:

1. The Sheriff is to be commended for implementing new control and management procedures for this discretionary fund.
2. The Grand Jury believes the Sheriff should be held to a higher standard than "What is not illegal is acceptable." Discretionary funds are granted under the assumption that the recipient will use them with discretion, that is, with integrity and avoidance of self-promotion or its appearance.
3. If provisions of the Government and Penal Codes are subject to interpretation, the Grand Jury, composed of Yolo County citizens from many walks of life, believes that the Jury's interpretation should be given serious consideration by the county's elected officials.
4. The Grand Jury believes the Sheriff bears sole responsibility for all disbursements from his discretionary fund.
5. The Grand Jury reiterates its recommendation 03-04—namely, that the Sheriff shall make restitution to the County General Fund of all amounts expended for purposes not consistent with the spirit of Government Code §§ 29430-29440. They include but are not limited to political events; contributions to political and charitable groups; and expenditures for flower arrangements, greeting cards, retirements and non-law enforcement-related activities that constitute a gift of public funds.
6. The Grand Jury's report was filed with the advice and concurrence of counsel from the Office of the California Attorney General. The Grand Jury stands by its conclusion that numerous irregularities have occurred and continue to exist in the Yolo County Sheriff's use of this discretionary fund.

Yolo County Housing Authority

REASON FOR REVIEW

In response to a complaint that it received from employees of the Yolo County Housing Authority (YCHA), the Grand Jury investigated YCHA's hiring and personnel practices. Additionally, the Grand Jury followed up on YCHA responses to the recommendations made by the 2001-2002 Grand Jury in its Final Report.

BACKGROUND

Established by the Yolo County Board of Supervisors in 1950 to administer public housing for low-income residents, the YCHA today owns low-income housing in the communities of West Sacramento, Woodland, Winters, Esparto, Knights Landing, Dunnigan and Yolo, and administers migrant-labor camps in Davis, Madison, and Dixon. YCHA also administers the federal Section 8 housing program in the county, awarding vouchers to low-income residents who can use them to rent private housing from willing landlords.

Yolo County itself does not fund any of the YCHA programs but has statutory responsibility for the Housing Authority, which it exercises through the YCHA Board of Commissioners. The Yolo County Board of Supervisors appoints five at-large members (four-year terms) and two Tenant Commissioners (two-year terms) to the YCHA Board of Commissioners. The Board sets policy for the Housing Authority, appoints and evaluates the YCHA executive director, and approves the YCHA annual budget.

In December 1998 the Board of Commissioners appointed the current YCHA Executive Director, David Serena, replacing the retired longtime director.

FACTS

1. In its response to the Final Report of the 2001-2002 Grand Jury, the YCHA cited two efforts expected to make a difference in personnel relations within the agency.
 - One was completion of a contract with the Teamsters Union, which YCHA employees had voted to join in 2001. This was accomplished early in 2003.
 - The other effort was a May 2002 management retreat with KPMG Associates, which resulted in a document, subsequently approved by the Board of Commissioners, outlining principles to guide personnel relations. Testimony of Commissioners and staff did not reveal any subsequent efforts to implement the report.
2. While YCHA policy makes it clear that final decisions regarding hiring and firing are the Executive Director's, he has preempted decisions (e.g., selection, training, and supervision) ordinarily handled by middle managers, leading to ineffective supervisory relations and weakened staff morale.
3. The YCHA violated federal Immigration laws by hiring an undocumented worker without verifying the person's identity and legal authority to work. In that instance a person was hired by the YCHA without the required documentation of eligibility for employment. Investigation revealed that the person was not born in the United States, contrary to that person's declaration of eligibility. When the authorization to work document was produced five months later, it appeared to have been completed

(INVESTIGATIONS: Yolo County Housing Authority—
continued on next page)

only two days before it was produced. The person was neither sanctioned nor dismissed for misrepresentation of eligibility for employment.

4. YCHA is a member of the Housing Authorities Risk Retention Pool (HARRP), a risk management pool. The YCHA had a Fiscal Year 1999-2000 loss ratio of 1881% in Errors and Omissions insurance (including employment and related practices coverage). A loss ratio exceeding 100% means that losses exceeded premiums by that percent. In April 2000 Errors and Omissions coverage for the YCHA was canceled by HARRP. In June 2000 HARRP renewed its Errors and Omissions coverage for YCHA with the following conditions:
 - Deductible was increased from 10% to 50% per claim.
 - Premium was increased by 100%.
 - YCHA was required to participate in an Employee Hotline Program.
 - The Executive Director and Deputy Executive Director were required to obtain formal training in human resources.
 - The YCHA was required to certify that its personnel policies are in compliance with applicable laws and regulations.
5. YCHA Personnel Policies were amended in July 2002 to require that personnel vacancy notices be publicized both within and outside the agency.
6. Employee complaints are not consistently handled in accordance with agency policies, which require filing informal complaints with the individual's supervisor for investigation, and if necessary up the chain of command. Many cases are reported directly to the agency's Executive Director and handed over to legal counsel for investigation.
7. Expenses for legal fees increased from \$145,710 in Fiscal Year 1999-2000 to \$228,904 in Fiscal Year 2001-2002. In part this was due to the practice of involving counsel early on in investigation of employee complaints, and in response to Grand Jury requests for information.
8. The YCHA Board of Commissioners does not consider personnel management to be within its purview, stating that this is the responsibility of the Executive Director. The current Board of Commissioners does not believe there are improprieties in the YCHA personnel relations.
9. The YCHA Commissioners interviewed believe the Executive Director to be particularly skilled in establishing external relationships that can promote the YCHA mission of providing low-income housing.
10. The Housing Authority, under the leadership of its current Executive Director, has expanded the services and housing available to low-income residents of Yolo County. It has also acquired a business property in which its offices will be relocated from their present worn and crowded space; this property has the potential to produce income.

CONCLUSIONS

1. In his five years at YCHA the current Executive Director has not yet created a positive work environment.
2. In an effort to limit risk exposure the YCHA has relied heavily on legal counsel to advise on much of its operations, including investigation of even minor personnel complaints, thus increasing the agency's legal expenses.
3. Neither of the two efforts cited in the YCHA response to the Final Report of the 2001-2002 Grand Jury as a means to reduce tension among agency staff has as yet made a difference. One, the May 2002 Retreat report, has not been implemented; the other, the contract with the Teamsters Union, is of too recent completion to evaluate.
4. The current Executive Director of the YCHA is a person of vision who is working to improve conditions for low-income residents of Yolo County who are unable to find housing in the private market.

RECOMMENDATIONS

- 03-06 The YCHA should contract with a reputable facilitator to provide training in the next six months on:
 - Conflict management and team building for the Executive Director and key management staff, and
 - Appropriate work place behavior for the entire management and staff.
- 03-07 YCHA employees should use their union representation rather than the Grand Jury to deal with personnel issues.
- 03-08 The YCHA Board of Commissioners should require the Executive Director to set human resource goals for the next year (e.g., reducing the number of employee complaints, reducing/ eliminating the use of provisional hiring, increasing the number of personnel problems handled satisfactorily by middle management). A report should be submitted to the Board at the end of Fiscal Year 2003-2004 documenting the extent to which the goals have been met.
- 03-09 The YCHA Board of Commissioners should present a report to the Yolo County Board of Supervisors at the beginning of FY 2004-2005 on the status of human relations within the agency, as well as evidence of accomplishments in its program-related mission and goals, citing ways in which those accomplishments carry out the stated goals of the Board of Supervisors (see BOS Minutes, 4/15/03).

RESPONDENTS

YCHA Board of Commissioners (03-6, 03-8, (03-9)

*(INVESTIGATIONS: Yolo County Housing Authority—
continued on next page)*

YCHA Executive Director (03-6, 03-8, 03-9)
Teamsters Union Steward (03-7)

SOURCES

Persons Interviewed

Complainants
YCHA General Services Manager
YCHA Employees
YCHA Executive Director
Current and former members of the YCHA Board of Commissioners
Former YCHA Executive Director
HUD Area Office Program Liaison

Documents Reviewed

- YCHA financial statements and auditor's reports for FY98, FY99, FY00, FY01, & FY02
- Housing Authority Foundation balance sheet (fiscal closing, 12/01)
- Articles of Incorporation and By-laws of YCHA Foundation (1999) & 2002 Verification from CA Secretary of State
- By-laws of the YCHA (date unclear)
- Recent Housing Breakdown (list of HA housing units)
- Personnel Policies – Final (approved by Board of Commissioners March 2001)
- Strategic Analysis of YCHA (1998)
- Agency 5-Year Plan (2000) with detailed plan for 2000-2001
- Handbook for HA Commissioners (date unknown)
- Butte County Housing Authority Personnel Policies
- YCHA: Analysis of Legal Expenditures for FY99-FY01. Macias Consulting Group, 2/13/02
- Breakdown of YCHA legal fees & expenditures for FY01, FY02, and FY03 to date
- Itemized YCHA travel expenditures for FY01, FY02, and FY03 to date
- List of YCHA Board of Commissioners members, with terms of office
- YCHA Organizational chart and list of employees (1/16/03)
- Selected personnel-related records, YCHA staff
- Copies of communications between YCHA and HARRP, 1998-present
- US Code Title 42—The Public & Welfare, Subchapter VI—Equal Employment Opportunities, §2000e
- California Fair Employment & Housing Act – §12900 et seq.
- Minutes of the 4/15/03 meeting of the Yolo County Board of Supervisors

Davis Joint Unified School District

REASON FOR REVIEW

Citizens' complaints alleged problems of safety (including bullying behavior) at public schools in Davis and the lack of an effective complaint process in dealing with these and other parental concerns. In response, the Grand Jury investigated the Davis Joint Unified School District's (DJUSD) compliance with requirements of the State Education and Government Codes relating to Safe School Plans, the availability and effectiveness of the process for complaint resolution, and meetings notification within the District.

BACKGROUND

The State Education Code (§35294.2) requires that each school (K-12) develop a comprehensive Safe School Plan including assessments of school safety and identification of appropriate strategies, policies, procedures and programs to ensure prevention of crime and violence at each school.

The statute requires that each school develop this plan based on a standard methodology and forward its completed plan to its respective school district office for approval on a set time schedule. A review of Safe School Plans was made at the unified school districts of the County for comparison purposes. The statute also encourages School Site Councils to consider incorporating strategies that promote safe, respectful, accepting, and emotionally nurturing environments including, among other goals, prevention of bullying.

Human Relations and Site Councils for each school are established in various joint unified school districts to perform planning and oversight functions including review and approval of the Safe School Plans. In the DJUSD these two functions are combined. Allegations were made that meeting times of these District-sponsored groups were not widely or conveniently advertised as required by the Brown Act and that the groups were unresponsive to parent needs.

FACTS

1. Federal and state requirements for processing certain types of complaints, as well as parental expectations of the School District to respond to all complaints, imposes a significant responsibility on School District administration time and resources.
2. The above expectations of school administration are set within a framework of diminishing resources to the schools and continuing demands for providing an excellent academic program. The California Department of Education annual Academic Performance Index (API)

(INVESTIGATIONS: Davis Joint Unified School District—continued on next page)

for each school in the state reveals the high standing of the DJUSD program.

3. The Safe School Plans of Yolo County school districts are mixed in terms of their compliance with all the requirements of the State Education Code.
4. While the Safe School Plans of the DJUSD had many of the components required by the Code, the plans generally lacked assessment of current safety at the schools and identification of appropriate strategies and programs designed to maintain a high level of school safety. The notable exception was the plan of Valley Oak Elementary (currently in the review and approval process).
5. The District and the Davis community are cooperating in seeking effective remedial action to the issue of bullying. This includes a broad range of efforts (e.g. surveys, staff development, human relations workshops, community meetings) to encourage tolerance and to discourage inappropriate student behavior—among and between various groups.
6. As a result of parental concerns, the DJUSD complaint process has improved from a not-well-known administrative procedure (albeit detailed in the annual letter to each student's parent or guardian) to one in which complaint forms are clearly written and available at the District and each school office. Any disciplinary actions involving children or staff are necessarily protected by privacy considerations.
7. Meeting notices of School Human Relations and Site Councils (composed of teachers and parents elected by their respective groups) were posted, at the time of Grand Jury site visits, in locations freely accessible to members of the public in accordance with §54954.2 of the Brown Act.

CONCLUSIONS

1. The DJUSD provides a highly effective academic program at all levels of education.
2. The DJUSD needs to stress the development of individualized Safe School Plans that reflect Board of Trustee policies and that are specific to the conditions at each site.
3. The process of complaint notification and resolution is a major means to defuse parent-school tensions, establishing trust and creating the means to achieve lasting resolutions. A well-understood and available complaint resolution process is fundamental to an effective parent-student-school relationship. Use of a standard form and process can generate annual summaries that will permit the District to review its progress in dealing with complaints.

RECOMMENDATIONS

- 03-10 The DJUSD should require each school within the

District to review and revise its existing Safe School Plan to comply with the requirements of §35294.2 of the Education Code, including a public adoption process, before December 31, 2003.

- 03-11 The DJUSD should continue to play an active role in community efforts and programs that will discourage unacceptable behavior by students.

RESPONDENTS

Davis Joint Unified School District (recommendations 03-10, 03-11)

SOURCES

Persons Interviewed

Superintendent, Davis Joint Unified School District
Trustee, Davis Joint Unified School District
Principal, Valley Oak Elementary School
Staff Members, Davis Joint Unified School District
Complainants

Documents Examined

State of California Education Code §§ 35294 and Government Code §§ 54950-54963

Safe School Plans for:

- Esparto Joint Unified School District
- Davis Joint Unified School District (Birch Lane, Caesar Chavez, Fairfield, Marguerite Montgomery, North Davis, Patwin, Pioneer, Willett, Valley Oak, Emerson Jr High, Holmes Jr. High, Davis High School);
- Washington Joint Unified School District
- Winters Joint Unified School District (John Clayton Kinder School, Waggoner, Winters Middle School, and Winters High School);
- Woodland Joint Unified School District (Beamer Park, Dingle, Freeman, Gibson, Grafton, Rhoda Maxwell, Plainfield, Tafoya, Whitehead, Willow Spring, Woodland Prairie, Zamora, Douglass Jr High, Lee Jr High, Woodland High School, and Cache Creek High)

City of Woodland Department of Public Works

REASON FOR REVIEW

A complaint was received about the Road 102 and Gibson Road improvement project (Sycamore Ranch, CFD-Phase 2, project No. 98-05) alleging an illegal bid process, including conflict of interest between engineering design and project management contractors.

(INVESTIGATIONS: City of Woodland Department of Public Works—continued on next page)

BACKGROUND

Large housing developments in the southwest corner of Woodland have resulted in increased traffic flow. The Monroe Detention Facility, the Animal Control Shelter and the new high school (under construction) also have contributed to a large increase in traffic in this section of town. Increased traffic flow has necessitated widening of Gibson Road from Highway 113 to Road 102, and Road 102 between the intersections with Gibson Road and Interstate 5. In addition, the scope of the project was expanded to include work on Pioneer and Bourn Avenues for several blocks where they intersect with Gibson Road.

FACTS

1. Two qualified firms bid on the road widening and landscaping project, which covered two areas: Road 102 between Gibson Road and Interstate 5; and Gibson Road between Road 102, Pioneer Drive, and Bourn Drive. The project was awarded to Granite Construction based on the lowest bid.
2. Engineers of the City of Woodland’s Department of Public Works (DPW), in consultation with CH2M Hill Inc. (contractor for scope refinement, pre-design, and engineering design services), designed the work to be performed. Project management services were contracted to Parsons Brinkerhoff Inc.
3. Sixty-three changes were made to the project by the City of Woodland. For example:
 - The original plans (about ten years old) did not include a turn-through in front of the Sheriff’s Department and Monroe Detention Center. Once the plans were drawn up this mistake was recognized and a change order was placed.
 - The original bid did not include widening Pioneer and Bourn Roads because it was thought there would not be enough funds in the budget. The bids were much lower than expected so the Pioneer Road work was added to the project.
4. Construction began June 7, 2001 and was scheduled to be completed in 240 workdays. Extensions were granted by the City of Woodland for rain delays and change orders. The completion date for the project was advanced from June 27, 2002 to January 17, 2003 due to additions to the scope of the project, and approved by all parties.
5. Timing of the first two layers of paving could be done at the contractor’s discretion. The city required the final layer of paving to be done in all areas simultaneously.
6. As of 5/1/03, the project was three months beyond the completion date and not yet finished. Since work was not completed on time, Granite Construction may be liable for liquidated damages of \$1100 per day from January 17, 2003 until the project is completed.

CONCLUSIONS

1. The city, and its consultants, did not foresee the need for a turn-through in front of the Sheriff’s Department. This oversight was corrected by a change to the project drawings prior to work beginning.
2. Granite Construction has been completing its work in a timely manner where it can. Since it could not complete the work by the extended completion date it may be liable for liquidated damages.
3. There was no conflict of interest concerning pre-bid and post-bid consultants. The engineering firm that developed the bid document (CH2M Hill Inc.) was not the project management firm (Parson Brinkerhoff).
4. The City of Woodland expanded the scope of the project to include widening Pioneer Road. This expansion consumed the remaining funds that were budgeted and available for the project.
5. The City of Woodland did not post signs informing the public of start and extended completion dates for the project, which led to a perception by the public that the project was not completed on time.
6. The public was not made aware of change orders, or that the final paving of the project could not be accomplished until the under pavement on all four roads was completed.

RECOMMENDATIONS

- 03-12 The City of Woodland should be more aggressive in its monitoring of contractors to ensure that the work is performed in a timely manner, minimizing inconvenience to the public.
- 03-13 The City of Woodland should post signs and notices in the local newspaper informing the public of start and completion dates for all construction projects that exceed two months in length.

RESPONDENTS

City of Woodland Department of Public Works (03-12, 03-13)

SOURCES

Persons Interviewed

- Complainant
- City of Woodland Public Works engineers
 - Public Works Director
 - City Engineer
 - Senior Civil Engineer
 - Associate Civil Engineer
- Parson Brinkerhoff Project Manager

(INVESTIGATIONS: City of Woodland Department of Public Works—continued on next page)

Granite Construction Inc.
– Project Manager
– Construction Manager

Documents Examined

Bid documents
Blueprints of the project
Contract documents
Contract for Services

City of Davis Police Department

REASON FOR REVIEW

The Grand Jury received a complaint in reference to the death of a 49-year old person, alleging that the death was not fully and accurately investigated by the City of Davis Police Department.

BACKGROUND

The subject was released from jail on June 17, 2002, and obtained and consumed an unknown quantity of methadone. After some hours of sleeping it off at a friend's house, the subject was not doing well, 9-1-1 was called, and the Davis Fire and Police Departments responded. The subject was alive but unresponsive, and was transported to Sutter Davis Hospital and placed in intensive care.

Police noted neither signs of struggle nor obvious trauma. The subject was brought into the emergency room unresponsive, with fever, pneumonia, septicemia, hypotension, rhabdomyolysis and acute renal failure. Attempts at arousal failed. Initial toxicology tests revealed no heroin or methamphetamine in the blood. Later tests revealed methadone and lidocaine in the system.

In a preliminary interview, the subject's sibling, who had last seen the subject on the morning of release from jail, said that the subject "claimed to have drunk 80 milligrams of methadone and wanted to party and drink some beers."

The condition of the subject, who had suffered brain damage from lack of oxygen, worsened each day until life support was removed two weeks later. The Davis Police Department was notified that the person died, and the matter was assigned to an investigator.

No autopsy was required as the deceased had been in the hospital for two weeks, and the attending physician had signed the death certificate (Government Code § 27491). Due to drug abuse involved in the death, the coroner investigated. The lidocaine in the decedent's system was accounted for in medical records and the blood test revealed an unknown quantity of methadone. The forensic pathologist determined that death was caused by multi-organ failure due to septic

shock. It could not be determined whether the underlying cause of death was pneumonia with methadone being incidental, or methadone intoxication leading to pneumonia.

FACTS

1. Although it could not be determined whether the cause of the victim's death was accidental or due to natural causes, the coroner determined that no foul play was involved.
2. There was no indication that anyone had forced the subject to take the drugs. While it is a crime to sell the unlawful drugs that the subject used, police relied on the coroner's findings to determine whether to pursue the investigation.
3. As is standard practice, a police investigator was immediately assigned. The responding officer and the lieutenant involved in this matter are acquaintances of the complainant, and both said the complainant may have expected more than the standard police response to the death.
4. It is not routine practice for law enforcement agencies to release criminal investigation reports to the public. A press bulletin, containing a minimum amount of information, but no report of investigation of the matter, is available to anyone who asks for it at the front desk. Portions of the police report were furnished to the complainant but were redacted to protect the rights of person other than the subject whose names were included. None of the omitted portions of the police report were derogatory.
5. The officer explained to the complainant that the matter was no longer under investigation, and did not return subsequent phone calls from the complainant.

CONCLUSION

1. The Davis Police Department handled the case in an appropriate manner.

SOURCES

Persons Interviewed

Complainant
Deputy Coroner
Davis Police Lieutenant
Davis Police Officer

Documents Examined

Complaint
Medical records
Coroner's records
Police report
Government Code § 27491

Reviews

Yolo County Jails

REASON FOR REVIEW

The California Penal Code requires grand juries to inquire into the conditions and management of public prisons within their county. The 2002-2003 Yolo County Grand Jury has reviewed the Monroe Detention Center and the Walter J. Leinberger Memorial Minimum Security Detention Facility, as well as the Juvenile Hall, Coroner, Animal Shelter, and police departments of Winters, Woodland, Davis and West Sacramento.

BACKGROUND

A tour of Monroe Detention Center was conducted February 11, 2003. The facility is staffed by a total of 82 correctional officers. In the last fiscal year, the facility managed and processed 8,822 inmates, an increase of 9% over the previous fiscal year. The 14-year-old, 93,000-square-foot main facility can house 313 inmates, and the adjacent Leinberger Detention Facility another 142 inmates. About 80% await adjudication, and about 20% are serving sentences. The "three strikes law" has increased the percentage of "not guilty" pleas and, hence, the total jail population. The average length of stay is 32 days. There have been no escapes or suicides during the past year. When the inmates are out of their cells, they have access to indoor and outdoor exercise and recreation equipment, including television, table games, basketball, and soft-bound library books. Educational and social services include GED tutoring; literacy, parenting, and computer classes; alcohol and drug counseling; HIV counseling; anger management; and women's support groups. An on-site clinic staffed full-time by nurses or physician's assistants provides medical services. The facility is well administered, and its staff is generally well trained and professional. Although no longer new, the Monroe Center is still considered a showcase, drawing professionals who come to observe how a modern facility operates.

FACTS

1. At the time of the visit, there were a total of 431 persons in custody, and an additional 31 persons were housed in facilities operated by other counties. On average, 20 to 25 persons are housed in other counties, at a cost to Yolo County of \$45 to \$85 per person per day, or more than \$400,000 per year. The Monroe Center cannot hold more prisoners because it is subject to a consent decree that limits the number that can be housed there. Since the maximum possible number of inmates is already

being released (persons charged with felonies are not released), and since increased population growth and jail service demand are assured, the only feasible and cost-efficient option is to expand the facility. It has space for an additional "pod," which could be constructed at an estimated cost of \$3,000,000.

2. There is no permanent secure courtroom or closed circuit video link at the facility that can be used for arraignments. Prisoner(s) must be transported to the courthouse on the city streets.
3. The carpeting is worn and frayed. People can easily trip over the rips and holes. The cement floor is pitted and cracked at numerous places.
4. Home detention is offered to qualified inmates who have a job or attend school. A fee of \$150 is charged.
5. Health services seem to be adequately handled. Female inmates receive the same obstetrical care received by women in the community.
6. Health services are provided under a contract entered into with private providers, who include a physician's assistant and a psychiatric nurse. A psychiatrist is available if an inmate requests one.
7. One section of the facility is dedicated solely to male inmates with mental health issues.
8. The facility has a low suicide rate, with none in the last three years. Staff believes that this is attributable to close and direct contact with staff, which facilitates early detection of depression and agitation, and to replacing safety razors with electric shavers.
9. The laundry facility is close to capacity. An increase of workload (as a result of more inmates, or the need to handle juvenile laundry when Juvenile Hall moves nearby) will put a strain on the existing machines and room.
10. The facility has not been fully staffed since 2000. When a staff member is out on disability, ill or on vacation, other staff put in numerous costly overtime hours. For example, the cooking staff does an impressive job, but has had no replacement or substitute for one cook who has been on disability for a long time.

CONCLUSIONS

1. The Grand Jury found a safe, clean, aging facility in need of maintenance, which is managed by well trained and professional persons who take pride in their work. The Grand Jury commends the staff for the low incidence of suicide.

*(REVIEWS: Yolo County Jails--
continued on next page)*

2. The Sheriff is mandated by law to house prisoners, but the existing facility lacks the space needed to house the present and foreseeable flow of inmates. Housing prisoners in other counties at a cost of more than \$400,000 annually may not be cost-effective.
3. Several maintenance issues need to be addressed, such as replacing the carpeting and repairing the cracked concrete flooring.
4. The facility is not fully staffed; hiring part-time or provisional employees instead of paying regular employees overtime pay might be cost-effective.
5. A secure courtroom or video link at the jail is needed for arraignments in cases in which it may be dangerous to transport prisoners to the courthouse in downtown Woodland.

RECOMMENDATIONS

- 03-14 The Board of Supervisors should authorize and the Sheriff's Department should conduct in-house studies to determine:
- Whether it is more cost-effective to house inmates (including foreseeable increases in jail population) in other counties' jails or to increase the capacity of the present facility.
 - The merits of providing a secure courtroom and/or a closed-circuit video link between Monroe Center and the courthouse for arraignments.
 - Whether waiving the \$150 home detention fee for qualified indigent inmates and making home detention to qualified prisoners attending drug treatment programs would pay for itself by reducing the need to pay other counties to house prisoners.
 - Whether part-time provisional appointments to fill staff vacancies (e.g. a cook) would be cost-effective compared to paying overtime.
- 03-15 The Sheriff's Department should replace the carpeting and repair the cracks in the cement flooring.
- 03-16 The Sheriff's Department should expand or relocate the laundry room and purchase an additional washer and dryer to accommodate the anticipated increase in the use of those services.

RESPONDENTS

Board of Supervisors (03-14)
Sheriff-Coroner (03-14, 03-15, 03-16)

SOURCES

Persons Interviewed

Sheriff-Coroner
Assistant Sheriff
Undersheriff-Coroner
Captain, Monroe Detention Center

Staff, Monroe Detention Center and Leinberger Facility
Teachers and Aides, Monroe Detention Center and Leinberger Facility

Inmates of Detention Center and Leinberger Facility

Documents Examined

Sheriff's Annual Report to the Board of Supervisors, dated December 30, 2002

Inmate Program Scheduled Times and Places
Consent Decree and Related Documents

Yolo County Juvenile Hall

REASON FOR REVIEW

The Grand Jury has included within its inquiries all detention facilities within the county including Juvenile Hall. The Grand Jury also has reviewed Juvenile Hall to assess implementation of the recommendations of the 2001-2002 Grand Jury.

BACKGROUND

A tour of Juvenile Hall was conducted March 11, 2003. This facility is a division of the Yolo County Probation Department. Under the authority of the California Juvenile Court Law, Juvenile Hall helps protect the public from the delinquent acts of minors by providing for their safe and secure reception and temporary care.

The existing facility was built in the 1960s and was expanded in 1976-1977 to its current capacity of 30 residents. Actual occupancy can be almost double. Average occupancy is about 35-40 residents, but sometimes increases to as many as 56. Ages of residents range from a minimum of 10 years to a maximum of 18 years. The typical stay is from 30 to 45 days, but two current residents have been confined for more than 240 days awaiting hearing. A new 90-bed facility has been in planning stages for years. The 2001-2002 Grand Jury recommended that the Board of Supervisors make completion of the facility a high priority.

FACTS

1. The Juvenile Hall managers and staff expressed pride in the jobs they do, and try hard to be upbeat about their less-than-satisfactory surroundings.
2. The facility is overcrowded. There is enough lock-down sleeping space for female and hard-core residents, but the rest of the male residents sleep in the day room on futons that are set up each night and taken down each morning. Movement to meals through crowded halls is a potential safety hazard. Also, there is no employee lounge for temporary relief from duty. The out-placing

(INVESTIGATIONS: Yolo County Juvenile Hall-
continued on next page)

arrangement of juveniles to the Solano County facility costs Yolo County \$150/day.

3. The Yolo County Board of Supervisors, in its response to the Final Report of the 2001-2002 Grand Jury, said that construction of a new facility will hopefully be completed during 2004. Funding for the project is available in the county's Accumulated Capital Outlay account; the expenditure should be approved by the Yolo County Board of Supervisors in August 2003.
4. Shoes equipped with laces facilitate suicide. For that reason, the staff requires residents to remove their shoes when entering into their own rooms. The staff requested and was given permission to purchase laceless shoes on a test basis.
5. Credentialed teachers and instructional aides provide individualized instruction in an attractive schooling environment to all juveniles during their residence. An extensive paperback library is available and widely used. The classroom is equipped with computers. The Internet is an integral part of the training, and provides a workable alternative to a regular book library.
6. In-take procedures are not secure from police car to facility.
7. The control room for the entire facility is managed by one person, who serves without adequate support, oversight, on-the-job relief, or backup. The staff person assigned to that task has no computerized system to assist in monitoring the controls, and has to rely on memory for all tasks. The staff person performs those tasks with notable energy and distinction.
8. A registered nurse/physician's assistant works at Juvenile Hall 8-5 weekdays, and 4 hours daily on weekends. A physician visits the facility once each week. A psychiatric nurse who can prescribe medications and has access to a psychiatrist (if needed) is on call at all times.
9. As a penalty for purposeful flooding or toilet vandalism, water may be denied except on request. This, however, results in control room and staff activities being constantly interrupted by requests of residents for water.

CONCLUSIONS

1. Concerns such as overcrowding, the adequacy of control room operations, and potentially unsafe movement of juveniles to meals are expected to be eliminated on completion of the new Juvenile Hall.
2. Having a doctor available only one day a week may put juveniles at risk from delaying any of their immediately needed or previously prescribed medications.

RECOMMENDATIONS

- 03-17 The Board of Supervisors should do what is necessary to assure that the new facility is completed in 2004.

- 03-18 A physician should be on call at all times. If a newly admitted youngster is known to be taking medication, the contract physician should be contacted immediately to assure that medications are not interrupted and are properly administered.

RESPONDENTS

Yolo County Board of Supervisors (03-17)
Probation Department, Community Corrections (03-18)
Supervising Detention Officer, Juvenile Hall (03-18)

SOURCES

Persons Interviewed

Supervising Detention Officer
Senior Detention Officer
Juvenile Court Control Room and Floor Staff
Juvenile Court Contract Teaching Staff
Juvenile Court Residents

Documents Examined

Minimum Standards for Juvenile Facilities
Article 8, Health Services, §§ 1411-1450

Yolo County Coroner

REASON FOR REVIEW

The California Penal Code instructs grand juries to conduct annual inspections of the jail and related facilities within its jurisdiction.

BACKGROUND

The Grand Jury toured the Coroner's Office and Morgue on February 11, 2003. The facility has been situated at its present location since 1998. The Coroner's Office, Lab and Morgue are managed by Mary Koompin-Williams, Supervising Deputy Coroner.

FACTS

1. The Coroner's Office operates as part of the Sheriff's Department. It scientifically identifies all human remains that come under its jurisdiction. All deputy coroners are fully trained in fingerprint identification and analysis. The coroner's office has performed this extra step in positive identification for the past 10 years, and is the only coroner's office in the state that performs that task today.
2. In the conduct of autopsies, rigorous standards are followed. Every autopsy is handled with identical steps from

(REVIEWS: Yolo County Coroner—
continued on next page)

start to finish, assuring that analyses are accurate, consistent, objective, and professional. It currently conducts toxicology screening for eight drugs of abuse (cocaine, methamphetamines, benzodiazepines, barbiturates, antidepressants, and PCP). Performance of this task significantly reduces outside laboratory costs.

3. The Coroner's Office has acquired its own x-ray equipment and has trained its staff to use it, resulting in savings of thousands of dollars yearly in fees for private x-ray services.
4. The Coroner's Office has acquired state-of-the-art ultra-low temperature refrigeration which enables it to preserve evidence and samples for years instead of weeks.
5. The Coroner's Office contracts out use of its facilities to three counties—Shasta, Tehama and Butte—in exchange for a facility use fee of \$250, a practice that generates revenue to partially offset expenses.
6. The Coroner's Office is staffed by the Supervising Deputy Coroner, four Deputy Coroners and a secretary, as well as four interns who are pre-med students from UC Davis. (More than 100 applications for the four internship positions are received each year.)
7. The Coroner's Office actively provides community education. For instance, it participates in high school drug/alcohol abuse programs as well as DUI programs for convicted offenders. The office was recently asked to kick off the UC Davis "Forensic Science" program.
8. The California State Coroners' Association honored Ms. Koopin-Williams by awarding her its "Manager of the Year" award at its annual banquet this year.

CONCLUSIONS

1. The Grand Jury commends the Yolo County Coroner's Office, Lab and Morgue for both setting and achieving high standards for public service.

RECOMMENDATIONS

- 03-19 The Supervising Deputy Coroner and her staff should be commended for the excellence of their management capabilities and public service.

RESPONDENTS

Yolo County Board of Supervisors (03-19)
Yolo County Sheriff-Coroner (03-19)

SOURCES

Persons Interviewed

Yolo County Supervising Deputy Coroner
Yolo County Undersheriff-Coroner
Yolo County Sheriff-Coroner

Documents Examined

Sheriff's Annual Report to the Yolo County Board of Supervisors, dated December 30, 2002.

City Police Departments

REASON FOR REVIEW

The Penal Code instructs grand juries to inquire into the conditions and management of public jails and related functions. The Winters, Woodland, Davis and West Sacramento Police Departments provide local law enforcement services; they also maintain facilities for temporary custody of arrested persons.

BACKGROUND

Winters: A tour of Winters Police Department was conducted January 16, 2003. The department is housed in an old building in the heart of the city of Winters, and will relocate to a new facility in the near future. The chief is knowledgeable about the department and city, and responded to all questions. The chief periodically consults with the chiefs of the other city police departments in the county.

Davis: A tour of Davis Police Department was conducted January 16, 2003. The department is housed in a new state-of-the-art facility, and is now in the process of selecting a new chief, the previous chief having retired. The acting chief led the Grand Jury on an informative tour of the new facility and responded to all questions. There is evidence of a great deal of contact and cooperation with other law enforcement agencies, including the campus police of the University of California at Davis.

West Sacramento: A tour of West Sacramento Police Department was conducted January 23, 2003. The department is housed in a large building renovated for that use. Its chief and assistant chief led the Grand Jury on an informative tour of the facility, and responded to all questions. They noted that the building has an extra room that would be suitable for use as a courtroom. Its use for minor infractions would reduce demands on West Sacramento officers.

Woodland: A tour of Woodland Police Department was conducted January 23, 2003. The department is housed in a facility that shortly will be replaced by a state-of-the-art building. The department is managed by a recently-hired chief whose knowledge of the department and city was impressive. The chief and assistant chief led the Grand Jury on an informative tour of the facility, and responded to all questions.

FACTS

1. Despite fiscal constraints that limit their ability to hire a full complement of staff, the departments are managing their limited personnel well, maintaining good community relations, and promoting respect for and observance of law.
2. The four police chiefs regularly meet and communicate with each other to address common issues and concerns.

(REVIEWS: *City Police Departments—continued on next page*)

One such issue that three of the four chiefs expressed to the Grand Jury involves prisoner transportation.

- When an arrested person is detained, the department that makes the arrest is responsible for transporting the prisoner to the Monroe Detention Center in Woodland.
 - If a prisoner needs medical attention, the Detention Center does not accept the prisoner unless he or she is first diagnosed and treated at a local hospital. In that situation, the arresting officer must transport the prisoner to a hospital, remain there while the prisoner is diagnosed and treated, and then transport the prisoner to the Center.
 - This process consumes 1.5 to 5 hours of a transporting officer's time, depending on the distance to Woodland, which may be as much as 22 miles one way, and on whether the arrested person needs medical attention.
 - The current process reduces the number of officers on duty while the officer is performing these transportation and custodial functions. In Winters, this may reduce the number of on-duty officers to zero, requiring that an off-duty officer be called for overtime work. The impact on the level of police protection and costs is significant.
3. A concern expressed by the police chiefs of all four cities is the absence of a fully interoperable computer data system that includes themselves and the county.
- The four police departments have made use of federal funding to purchase and install a common, state-of-the-art, computer-based information/communication system that enables police officers equipped with laptop computers to compose arrest reports in the field while the facts are fresh in their minds, and to move the data into a common data system to which all city police departments have access.
 - Once information is entered in the consolidated system, it can be revised and also retrieved for a wide range of law enforcement purposes without the necessity of reentering the data in the system. The system has improved safety and services, reduced demands on personnel and material resources, enhanced productivity, and saved tax dollars.
 - The Sheriff's Department's computer-based information system is not compatible with the system utilized by the police departments of Winters, Woodland, Davis and West Sacramento. Hence, much of the same data entered by local officers and staff must be reentered when custody of a prisoner is transferred to the Monroe Detention Center.
 - The lack of interoperability of the two systems results, in part, from the differing functions and needs of the police departments, on the one hand, and the Sheriff's Department, on the other. The incompatibility flows

from a previous sheriff's decision not to participate in the federally funded program used by the four cities to purchase and deploy their systems. The Sheriff's staff acknowledged the need to modify its system to make it interoperable with the cities' communications system.

- The computer data systems used by the cities and the Sheriff's Department are not compatible with the systems used by the Yolo County courts.
- Once a prisoner enters the court system, some of the same data must be re-entered in the court's data system, resulting in duplication and waste of resources. As courts face increasing demands and diminishing resources, it seems desirable that they consider use of interoperable computer data systems to save costs and enhance efficiency.

CONCLUSIONS

1. The four cities are served by professional law enforcement agencies that are competently managed, forward thinking, and operating successfully in the public interest.
2. The current prisoner transport process is inefficient and costly to taxpayers, and may reduce public safety. A better process is needed for transporting prisoners from the cities where they are arrested to Monroe Detention Center and, as necessary, a local hospital. A shuttle service that serves all cities in the county would seem to be a more efficient process from the viewpoints of all agencies. The same shuttle service might be useful to outlying communities (e.g., Guinda, Clarksburg) where there is no police department. The most likely operator of a shuttle service would be the Yolo County Sheriff's Department.
3. There can be no doubt about the benefits of and need for a communications system whose interoperability extends to all participants in the criminal justice system, including local police departments, the Monroe Detention Center, and, if possible, the courts. At the same time, the Grand Jury recognizes that the design of communications systems should not take place in haste, but only after thoughtful and competent analysis that identifies the best ways to address true needs.

RECOMMENDATIONS

- 03-20 The Sheriff should study the feasibility of creating and operating a shuttle service that would take custody of prisoners on request from any participating community in Yolo County, and transport them to the Monroe Detention Center, or, if necessary, to a local hospital and then to the Center. The study's conclusions and recommendations should be based on what is most efficient and economical from

*(REVIEWS: City Police Departments—
continued on next page)*

the perspective of the residents and taxpayers of the entire county rather than just the Sheriff's Department or other single agency.

- 03-21 The Sheriff's Department should modify the county's computer-based information/communication system as needed to make it interoperable with the systems installed and operated by the cities of Winters, Woodland, Davis and West Sacramento.
- 03-22 The Sheriff's Department should consult with the administrator of the courts and other appropriate persons to identify proper courses of action needed to extend interoperability to the courts.
- 03-23 The Sheriff's Department should also explore interoperability with the state Office of Emergency Services and Yolo County Communications Emergency Service Agency.

RESPONDENTS

Yolo County Sheriff-Coroner (03-20, 03-21, 03-22, 03-23)

SOURCES

Persons Interviewed

- Winters Police Chief
- Davis Acting Police Chief
- Woodland Police Chief and Assistant Chief
- West Sacramento Police Chief and Assistant Chief
- Captain, Monroe Detention Center
- Yolo County Undersheriff-Coroner
- Yolo County Assistant Sheriff
- Yolo County Sheriff-Coroner

Documents Examined

Sheriff's Annual Report to the Board of Supervisors, dated December 30, 2002.

**Yolo County Communications
Emergency Service Agency**

REASON FOR REVIEW

The Grand Jury has reviewed the work of the Yolo County Communications Emergency Service Agency and its Office of Emergency Services because of the risk and potential impacts of disasters. When a disaster strikes, the questions are often asked: "What steps might we have taken to prevent it, to reduce the risk of its occurring, and to reduce the resulting losses?"

BACKGROUND

A tour of Yolo County Communications Emergency Services Agency (YCCESA) was conducted on March 13, 2003, and of the Office of Emergency Services (OES) on

October 16, 2002.

The YCCESA is a Joint Powers Agency created by Yolo County and the cities of West Sacramento, Winters, and Woodland. The City of Davis is a partial member; Davis contracts with YCCESA for use of its computer-aided dispatch system. The YCCESA was created to provide a system of public services for the urban and rural areas of Yolo County. It performs, trains, and provides coordination of emergency services and emergency communications throughout Yolo County.

The Department of Communications (911 Dispatch) and the Yolo County Office of Emergency Services (OES) are divisions of YCCESA. All 911 calls are answered and the appropriate help is dispatched from dispatch centers located at YCCESA in Woodland, at the City of Davis, and at UC Davis. The OES is the emergency management agency for Yolo County. It manages the county's overall response to natural and human-caused disasters. According to its mission statement, it "prepares for, responds to, recovers from, and mitigates the potential for, disasters that affect life, property, and the environment," and in cooperation with the County Health Officer, it has formed the Yolo Operational Area Bio-Terrorism Preparedness Committee.

The Emergency Services Manager of OES believes that Yolo County is at risk from at least five kinds of disasters, which are, beginning with the most probable, flood, fire, earthquake (including flood resulting from dam breakage), chemical/biological, and nuclear. Studies undertaken by the U.S. Army Corps of Engineers and the State Reclamation Board (2001, 2002) disclose significant risks to Yolo County cities in the event of a severe flood caused by heavy sustained rainfall or earthquake damage to area dams. For example:

- Woodland's major flood risk is from Cache Creek. The risk is likely to increase every year because of in-stream maintenance restrictions imposed by environmental policies, resulting in continuing vegetation, gravel, and silt buildup within the creek bed.
- Davis is at risk from the Yolo Bypass.
- West Sacramento may be subject to backwater flooding from a combination of flooding, siltation and tidal action in the Rio Vista area.
- Regional dams were constructed to withstand a 6.0 earthquake if a half-mile from the epicenter. Failure of the Folsom Dam could affect West Sacramento; failure of Monticello Dam (Lake Berryessa) would affect Winters and Davis; failure of the dam at Indian Valley Reservoir could affect areas in the Capay Valley and the communities of Capay, Esparto and Madison.
- Levees are subject to potential failure during high water flows.

In his 1995 book entitled *California Rivers and Streams*,

(REVIEWS: *Yolo County Communications Emergency Service Agency--continued on next page*)

UCD Professor Jeffrey F. Mount describes the special maintenance challenges that are posed by levees. Unlike dams, water flows across the face of levees, subjecting them to intense scouring, which can cause oversteepening of levee banks and, eventually, failure. He also believes that levees built by local communities with just enough freeboard to meet National Flood Insurance Program limitations for development on the 100-year flood plain are "a recipe for disaster."

A sense of concern and urgency is expressed by the U.S. Army Corps of Engineers in its July 2002 study and report. It notes that levee maintenance has grown more difficult and expensive due to such factors as poor levee foundations, erosion, and conflicts with environmental concerns. It states that "[f]lood risk in this region is rising, as are conflicts between maintenance of the existing flood management system, a rapidly growing population and ecosystem needs." It concludes that the present flood control system "cannot meet the region's current and future needs."

Added to the risk of injury to person and property due to flooding and other disasters is that of liability to the county if a court should determine that the county's own negligence contributed to the losses. During 2002, a precedent for county liability was established when a California Court of Appeals determined that the Counties of Monterey and Santa Cruz were liable in tort and inverse condemnation for extensive damages caused when the Pajaro River Levee Project failed during a heavy rainstorm in 1995.

FACTS

1. It is difficult for emergency responders arriving at emergency scenes to distinguish different levels of the Incident Command System immediately on arrival.
2. Information/communication systems are outdated and incompatible, making communications difficult. For instance:
 - The Sheriff's Department's present computer-based data system is not compatible with the system used by the police departments of Winters, Woodland, Davis and West Sacramento.
 - The Sheriff Department's new 800 megahertz system will not be interoperable with the West Sacramento Police Department. In the event of an emergency it will be difficult for the Sheriff's Department to communicate with the West Sacramento Police Department.
3. While continuous repair and maintenance of levees along the Sacramento River is necessary, it is likely that repairs will be made only when there is evidence that the levees are eroding or likely to fail.
4. Flood risk from Cache Creek and the Yolo Bypass is high and potentially increasing for the Yolo County communities of Woodland and Davis and nearby farmlands.

5. The YCCESA office is in a flood plain that could result in a flooding situation of 3-5 feet, and emergency communications equipment could become completely inoperable if inundated. The dirt berm around the site protects only three sides of the building, and therefore provides no protection in the event of a severe flood.

CONCLUSIONS

1. Yolo County should be mindful of its potential liability for losses caused by flood damage.
2. Use of color-coded vests by emergency personnel would immediately identify the various levels of incident responders that are on site, saving precious time.
3. The inefficient frequencies/communications between all dispatch centers, first responders and incident commanders require additional time before emergency services can be applied.
4. The YCCESA communications and dispatch services are not in a safe, secure position to provide essential 911 services in the event of a severe flood.

RECOMMENDATIONS

- 03-24 The county should engage in flood prevention and mitigation efforts of all reasonable kinds, including obtaining needed permits for and participating actively in local and regional flood control programs.
- 03-25 Color-coded vests should be provided to identify the presence and position of each level of the Incident Command System at emergency scenes.
- 03-26 The county's emergency communications systems should be modified and/or enhanced to achieve interoperability among all emergency services including Sheriff's Department, city police departments, fire departments, health department, and YCCESA.
- 03-27 As a short-term protection from flooding, the earthen berm that now protects YCCESA on three sides should be extended around the fourth side and completed before the next flood season.
- 03-28 The County should consider the longer-term measure of moving YCCESA's communications systems to higher ground, e.g. the new Woodland Police Department communications complex or the Sheriff's Department communications complex.

RESPONDENTS

Yolo County Board of Supervisors (03-24, 03-28)
Yolo County Communications Emergency Service Agency
(03-24, 03-25, 03-26, 03-27)

(REVIEWS: Yolo County Communications Emergency Service Agency—continued on next page)

- Office of Emergency Services (03-26)
- Department of Communications (911 Dispatch) (03-26)

SOURCES

Persons Interviewed

Member of Board of Supervisors
Emergency Services Manager, Office of Emergency Services
Emergency Services Planner, Office of Emergency Services
Regional Information Systems Manager, YCCESA
County Health Officer and Director of Health Department
Lieutenant, Sheriff's Department
Captain, Sheriff's Department
UC Davis Fire Chief

Documents Examined

Governor's Office of Emergency Services (www.oes.ca.gov)
- Standardized Emergency Management System
- Legal Guidelines for Controlling Movement During an Emergency (1999)
U.S. Army Corps of Engineers and State Reclamation Board Documents
Sacramento San Joaquin River Basin Comprehensive Study, 2001
Sacramento San Joaquin River Basin Comprehensive Study (Interim Draft) 2002.
Jeffrey F. Mount, California Rivers and Streams: ... Fluvial Process and Land Use (1995)
California's Waterways: Our Legacy at Risk (Videotape, Family Water Alliance, December 2002)

Yolo County Flood Control and Water Conservation District

REASON FOR REVIEW

The 2001-02 Grand Jury reviewed the Yolo County Flood and Irrigation District for possible theft of water by a user. During the review the Grand Jury determined that there was miscommunication resulting in non-billing of water use. It also found a morale problem that may be interfering with the District's providing the best possible service. It recommended that the 2002-03 Grand Jury follow up to determine progress made on the recommendations to the District.

BACKGROUND

The 2001-02 Grand Jury received a complaint regarding billing procedures for the district. That Grand Jury investigated, found some possible discrepancies, and recommended "the management office and field personnel should review and upgrade as needed the operations and billing procedures of the district."

During that Grand Jury's investigation it also concluded that distrust and low morale at the District resulted from lack of communication. It recommended that subsequent grand juries review the district's operations for the next two years. This is year one of that recommendation.

FACTS

1. The issue of the water theft has been resolved. More than two ditch tenders reported the unbilled water usage to the office. The office denies receiving those reports. The district has since outfitted each ditch tender with a laptop computer that is updated each day with the requests for water. This allows the ditch tenders to know who is being billed and for what amounts.
2. A third-party engineering consultant, MBK Engineering, calculated the water the user should have used. The water user was billed and has paid the amount owed the district.
3. All of the field staff interviewed reported dissatisfaction and conflict among the ditch tenders and some of the supervisors.
4. One employee has retained an attorney and threatened legal action against the district due to employee conflicts.
5. A 25% staff turnover in the last year has included the loss of experienced ditch tenders and the General Manager.
6. Supervisors are given the opportunity to attend management training. However, only one has done so, and then attended only one training session.
7. No action has been taken by the District to correct the morale problem found by the previous Grand Jury.

CONCLUSIONS

1. The issue of water usage not being paid for has been resolved.
2. There are serious morale and management problems that could cost the District money, time, and inconvenience or possible outages to its users.
3. Because of dissatisfaction and conflicts, the District could experience even more employee turnover.

RECOMMENDATIONS

- 03-29 The District Board of Directors, in selecting a new General Manager, should apply criteria that emphasize skills and demonstrated success in supervision and team building.
- 03-30 The District Board of Directors should identify appropriate personnel management training, requiring supervisors and management to attend.
- 03-31 The 2003-04 Grand Jury should review the District to monitor progress toward improved staff morale.

(REVIEWS: *Yolo County Flood Control and Water Conservation District—continued on next page*)

RESPONDENTS

Board of Directors, Yolo County Flood Control and Water Conservation District (03-29, 03-30)

SOURCES

Persons Interviewed

Yolo County Flood Control & Water Conservation District staff
– Ditch tenders
– Office personnel

Documents Examined

Ditch Tenders Handbook
MBK Engineering analysis of water usage
District water billing statements
Computer application used by ditch tenders

Yolo County Board of Supervisors

REASON FOR REVIEW

As part of its oversight of local government, the Grand Jury reviewed the process that the Yolo County Board of Supervisors undertook in regard to Indian gaming issues in the county.

BACKGROUND

From its earliest days, the United States has recognized the sovereign status of Indian tribes as “domestic dependent nations.” The U.S. Constitution vests Congress with plenary power over Indian affairs, but Indian tribes retain important jurisdiction over their members and their territory, subject to the plenary power of Congress. Generally, in California, federal and tribal laws have primacy over Indian affairs on Indian land.

Indian gaming is carried out under the federal Indian Gaming Regulatory Act (IGRA), passed by Congress in 1988. The IGRA provides a statutory basis for the operation of gaming by Indian tribes. The IGRA makes class III gaming (Nevada style gaming rather than bingo or card rooms, which are class II) activities legal on the lands of federally-recognized Indian tribes, but only if such activities are conducted in conformity with a tribal-state compact entered into by the Indian tribes and the state and approved by the Secretary of the Interior.

Generally, gaming is not authorized under the IGRA on Indian lands acquired after October 17, 1988, unless the acquired land is within or contiguous to existing Indian land or to former land of the tribe if the tribe no longer has a reservation. The Secretary of the Interior can waive this if the Secretary finds that a gaming establishment on newly acquired lands would be in the best interest of the Indian

tribe and would not be detrimental to the surrounding community under certain circumstances and if the governor of the state in which the gaming activity is to be conducted agrees.

Indian gaming expanded dramatically in California as the result of IGRA and California Propositions 5 (1998) and 1A (2000), which authorized gambling in California. In April 1998, the Governor concluded negotiations with the Pala Band of Mission Indians to permit Class III gaming on tribal land. Subsequently, 10 other tribes signed the ‘Pala’ compact. These 11 compacts were approved by the California legislature in August of 1998. In November 1998, California voters approved Proposition 5, the Tribal Government Gaming—an Economic Self-Sufficiency Act. This proposition amended state law but not the State Constitution and required the state to enter into specific compacts with Indian tribes to allow certain Class III gaming activities. In August 1999, Proposition 5 was ruled unconstitutional by the State Supreme Court on the basis that the measure would permit the operation of Nevada-style casinos. In September 1999, the Governor negotiated and the Legislature approved compacts with 57 tribes, including the tribes that signed the Pala compact, authorizing certain class III games. These agreements replaced previous compacts, and required voter approval to change the California Constitution; Proposition 1A was approved by the voters in March 2000.

The Wintun Indians have lived in the Yolo County area since prehistoric times. A federally recognized tribe, the Rumsey Band of Wintun Indians live in the Capay Valley on trust land that was purchased for the tribe and is held in trust by the federal government. The trust land upon which the Cache Creek Indian Bingo & Casino is currently located, in Brooks, California, was purchased for the Tribe in 1982, and the Casino has been operated by the Rumsey Band since 1985. On September 10, 1999 the Tribe and the Governor entered into a Tribal-State Gaming Compact to permit the Tribe to conduct Class III gaming activities on its trust lands in compliance with IGRA. In May 2002, the Tribe formally informed Yolo County of its intention to expand and submitted the requisite environmental reviews.

When news of the proposed expansion became known, many Yolo County residents, especially residents in the Capay Valley, expressed concerns about traffic, water and quality of life issues.

The Board of Supervisors (BOS) is the governing body of Yolo County. The Board is empowered by state law to adopt ordinances, establish programs, levy taxes, appropriate funds, appoint certain officials, and zone property in the unincorporated areas. In addition, members of the Board represent the County on numerous intergovernmental bodies.

The county hired legal counsel, expert in Indian law, as

*(REVIEWS: Yolo County Board of Supervisors—
continued on next page)*

consultant. After determining that it had no legal authority over the Tribe's land, the BOS decided to negotiate an agreement with the Tribe. Supervisors Lynnel Pollock and Mike McGowan conducted negotiations with the Tribe, with former Congressman Vic Fazio as facilitator. Out of these negotiations came the "Intergovernmental Agreement between the County of Yolo and the Rumsey Band of Wintun Indians Concerning Mitigation for Off-Reservation Impacts Resulting From the Tribe's Casino Expansion and Hotel Project" (hereafter referred to as the Yolo-Tribal Agreement) adopted October 22, 2002.

FACTS

1. Federal law and tribal-state compacts allow the tribe, as a "domestic dependent nation," to build on its land. A tribe is required to follow the provisions of the National Environmental Policy Act (NEPA), but is not bound by the provisions of the California Environmental Quality Act (CEQA). Local land use regulations do not apply to Indian trust lands.
2. The BOS determined that it had no legal basis on which to successfully challenge in court the Tribe's intended expansion.
3. Local government has no legal role, other than to negotiate mitigation for off-reservation impacts in Indian land used for gaming. Indian gaming is regulated at Federal and State levels.
4. The 1999 tribal-state compact in California requires a tribe to follow its own environmental laws and to take into account off-reservation impacts.
5. Yolo County had formed a County-Tribe Advisory Commission (1995) meant to promote on-going communication between the Rumsey Band and Capay Valley residents. Relationships among participants became rancorous; the group stopped functioning. A new group, the County Advisory Committee for Tribal Matters, was established as part of the Yolo-Tribal Agreement.
6. While drafting an agreement, the BOS conducted a county-wide public opinion survey and held public workshops about the perceived impact of casino expansion. The draft agreement itself was the subject of a public hearing on October 8, 2002, continued to October 15.
7. The Tribe had intended to begin construction in summer of 2002, but delayed breaking ground until early October, allowing time for negotiation of the Agreement.
8. Provisions of the Yolo-Tribal Agreement include:
 - Guaranteed source of funds to mitigate the impacts of Casino expansion
 - Reduced scope of the proposed expansion
 - Right to take the tribe to the Superior Court to enforce the agreement
 - The County's commitment to comply with CEQA in its oversight of off-reservation impacts resulting from Casino expansion.
9. As stated in agendas of the BOS, "Supervisor Rosenberg is employed by the State of California as the Director of Community and Intergovernmental Relations, Director of Operations and Senior Advisor to the Governor and technically as such has a financial interest in any contract made by the Board with the State of California. He intends to and will recuse himself from participating in any county decision-making concerning a contract between the County and the State of California which directly involves the department known as the Office of the Governor. He is not otherwise disqualified from participation in contracts with the State." Supervisor Rosenberg joined the Governor's senior staff in April 2000. He is the chief advisor to the Governor on local government issues, and is the Governor's liaison to all 58 counties and almost 500 California cities. He also advises the Governor on Indian tribal issues. While he participated in crafting the Yolo Tribal Agreement, Supervisor Rosenberg recused himself from negotiations with the Rumsey Band at the state level.
10. The Cache Creek Casino employs about 1500 persons making it the largest private employer in Yolo County. Employees are unionized and pay taxes on their wages.
11. The California State Association of Counties (CSAC) represents the interests of all counties (including Yolo) at the state level. It has requested that each tribal-state compact be renegotiated to allow a county (a) to bargain for mitigation costs more favorable to impacted areas in that county, and (b) to be part of the state negotiation with a tribe. Two Yolo County Supervisors sit on the relevant CSAC working group.
12. Tribal-State Compact negotiation has been reopened at the request of Governor Davis; it is unclear whether changes in the compact will constitute grounds for renegotiation of the Yolo-Tribal Agreement.
13. Late in 2002 the Upper Lake Band of the Pomo Indians (from Lake County) applied for trust status for land they had recently purchased in West Sacramento, and proposed a casino for the site. The City of West Sacramento signed an agreement with this Tribe, but the Yolo County BOS joined the State of California in opposing the proposal on the grounds that the Tribe had no historical base in Yolo County. A federal judge subsequently denied their claims to land in Yolo County, and effectively ended the Tribe's quest.

(REVIEWS: Yolo County Board of Supervisors-continued on next page)

CONCLUSIONS

1. Residents of Yolo County continue to be concerned about the impact of expanded gaming on quality of life, including issues of law and order, traffic, and water supply.
2. Responsibility for much of the mitigation efforts to address these concerns now rightfully rests with the county, and will be subject to county oversight, including compliance with CEQA.
3. The issue of Indian gaming within the state is in flux, and is not within the jurisdiction of the Grand Jury. It appears that the county's interests are represented with regard to on-going Tribal-State Compact negotiations.
4. The Grand Jury cannot predict whether the Yolo-Tribal Agreement will serve the County well. The Yolo County BOS had few choices in regard to Casino expansion, and negotiated significant concessions with little to offer the tribe in exchange.

SOURCES

Persons Interviewed

Selected current and former Yolo County Supervisors
 Yolo County Administrative Officer
 Yolo County District Attorney

Documents Reviewed

- 1998 Indian Gaming compacts. Referendum Statute, Proposition 29. Analysis by Legislative Analyst.
- Indian Gaming Regulatory Act (IGRA)—Legislative Guide. <http://www.legis.stat.ia.us/Central/LSB/Guides/indgam.htm>
- Department of Justice Policy on Indian Sovereignty and Government-to-Government Relations with Indian Tribes. Office of Tribal Justice, US Department of Justice. <http://www.usdoj.gov/otj/sovtrbtxt.htm>
- "The 22 Questions People have on Casino Expansion" October 8, 2002 & Oct. 15, 2002. Edited by David Morrison and John Clark.
- Intergovernmental Agreement between the County of Yolo and the Rumsey Band of Wintun Indians. October 28, 2002.
- "CSAC Indian Gaming Survey, Summary of Results" September 2002.
- "CSAC Draft Policy Document Regarding Compact Negotiations for Indian Gaming" November 21, 2002.
- "Indian Gaming Facilities in California, 2002" Produced by Bureau of Business and Economic Research, University of Nevada, Reno.
- Personal Communication, November 25, 2002 Email from Jolena Voorhis, Legislative Analyst, California State Ass. of Counties (CSAC) to Eva Brock, Yolo County Grand Jury, 2002-03.
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- "Casino construction to start today," Pamela Martineau. *The Sacramento Bee*. October 16, 2002.
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- "Get a Handle on Casinos" Editorial, *Los Angeles Times*. Nov. 4, 2002.
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- "A Bad Bet for California," Editorial. *Los Angeles Time*. December 27, 2002.
- "Davis Filing Opposes San Pablo Casino," Denny Walsh. *The Sacramento Bee*. December 31, 2002.
- CSAC letter to Governor Davis, 1/8/2003.
- "Agencies win right to oppose casino in court," Jeff Hudson. *The Davis Enterprise*. January 9, 2003.
- "Tribal Sovereignty Stirs up Conflicts across the Nation," *The Davis Enterprise*. January 16, 2003.
- "Davis open to deal on Indian slots," *The Sacramento Bee*. January 17, 2003.
- CSAC letter to Governor Davis, 1/21/2003.
- Letter from Governor Davis to Tribal Chairpersons requesting negotiations, 2/28/2003.
- "Taxpayers' Health in Care of Indian Casino Workers," Louis Sahagan. *Los Angeles Times*. March 18, 2003.
- Letter from Governor Davis to Tribal Chairpersons requesting negotiations, 3/28/2003.

Appendix

Responses to the 2001-2002 Grand Jury Report

In accordance with § 933 (c) of the California Penal Code, the governing body of a public agency or its designated administrator must respond to Grand Jury recommendations within 90 days. Other named respondents must comment within 60 days.

Each recommendation below is followed by an extract of the official response. The complete report is available at public libraries in Yolo County. The complete set of responses is available for public review at the office of the Clerk of the Yolo County Board of Supervisors.

Yolo County Housing Authority

- 02-01 The executive director should work with representatives of the labor union selected by YCHA staff to negotiate a fair and affordable contract promptly.
Ten (10) months were required to complete negotiations as to the general unit, which included an MOU with management.
- 02-02 Until a union contract is ratified, the YCHA commission should replace the current personnel policies with policies more in line with county practice.
The recommendation will not be implemented. It is neither warranted nor reasonable; the Grand Jury's recommendation violates Meyers-Milias-Brown Act that forbids changing personnel policies affecting wages, hours, or conditions of employments without first having negotiated such change with the applicable unions. The Union did not request such changes during labor negotiations.
- 02-03 The YCHA commission should explore whether contracting with county counsel for legal services for the YCHA could make funds now being devoted to legal fees available for programs that assist the county's low-income residents.
The recommendation will not be implemented because it is not warranted. The Commission believes that the current legal representation is cost effective and appropriate, and that County Counsel could not deliver the same level of service.
- 02-04 The YCHA Commission should ensure that audit recommendations are addressed without delay.
The recommendation has been implemented.
- 02-05 If it is not practical for the auditor-controller to annually audit the YCHA, the auditor-controller should at least spot check YCHA books at irregular, unpredictable intervals to provide at least partial independent audits.
The County Auditor-Controller normally has no jurisdiction over YCHA since the HA receives no funds from the County, so no audit tasks are planned by the Auditor-Controller. YCHA has an independent audit firm selected by HA Commissioners.
- 02-06 The Board of Supervisors should review the finding

of the Macias Consulting Group Analysis of YCHA legal expenses commissioned by the Grand Jury and forwarded to the board.

The Board of Supervisors appoints the YCHA Commissioners, who are authorized to transact business and to exercise public and essential government functions. The YCHA Executive Director and Board of Commissioners may choose to further consider the report's "Other Issues Need Further Review" and "Conclusions."

- 02-07 The Board of Supervisors should reconsider the criteria it uses in selecting commissioners.

The County Board of Supervisors endeavors to comply with the statutes (California Health and Safety Code, 'Housing Authorities Law') in selecting and appointing Commissioners to the YCHA Board of Commissioners.

**Yolo County Communication
Emergency Services Agency**

- 02-08 The Joint Powers Authority and the director of the Emergency Service Agency should look into what changes are necessary to improve morale, including changes increasing staffing, updating equipment, and improving or replacing the building that houses the dispatch center.
While the organization agrees that employee morale is an important component of the organization, it respectfully disagrees with the implication that YCCESA has not undertaken steps to improve those conditions. Recent action included a salary increase that will enhance employment recruitment and retention; recruitment has been expanded mostly through advertisements and job fairs. Topical improvements to the dispatch center building were provided. Provisions for backup generator safety and fire alarms were included in the remodel. YCCESA has taken advantage of Yolo County's energy project to upgrade and enhance energy efficiency and comfort.
BOS Response: Matters of YCCESA operations and capital improvements are the responsibility of the execu-

(APPENDIX: Responses to the 2001-2002 Grand Jury Report—continued on next page)

tive director and JPA board. As such, the JPA has the responsibility to sufficiently staff itself, maintain morale, and plan and provide for its capital needs.

- 02-09 The Joint Powers Authority and the director should closely supervise, and if necessary, replace the communications manager.

The executive director and JPA Board agree with the importance of proper supervision of employees. Over the past few years, YCCESA has instituted daily contacts and discussions between the executive director and division managers; daily contact with YCCESA staff and member agencies' staff; weekly-monthly project meetings; quarterly 'Information Bulletins' on all divisions to the JPA Board; an annual performance review and goal setting session with managers and supervisory employees; and annual and mandatory training and team-building with the director and division managers. There is also an annual mandatory training/retreat with the communications manager and supervisors, and director involvement in day-to-day operational issues.

The executive director and JPA Board disagree with the recommendation to replace the communications manager. Her tenure has been successful in expanding and updating recruitment activities and materials, and developing employee recognition programs, to name just a few accomplishments.

- BOS Response: Matters of YCCESA operations are the responsibility of the executive director and JPA board. As such, the JPA has the responsibility to supervise and choose to take the necessary personnel actions.
- 02-10 The director should follow the procedures in the employee manual concerning evaluations.

YCCESA has consistently tried to assure compliance with evaluation procedures. Extenuating circumstances (i.e., extended leave or a long-term operational emergency like the anthrax scare this year) may cause an evaluation to be delayed. A process is in place to ensure timely salary increases.

- 02-11 Equipment needs to be updated to meet present and future demands. The budget should include funds to provide and maintain a standard of safety and to bring the agency into compliance with the 800 megahertz mandate from the Federal Communications Commission.

At a minimum, radio equipment procured by YCCESA has the ability to accommodate 12.5 kilohertz technology. FCC has arranged to replace analog equipment with digital technology by December 31, 2015.

Also, new monitors and radio repairs were made. Regional data devices became functional, and the Board approved a Request for Proposal for a complete radio system replacement. A new 10-year microwave maintenance contract was enacted; a radio console upgrade began in November 2002; and CAD upgrade was com-

pleted by August, 2002.

BOS Response: Matters of YCCESA operations and compliance with mandates are the responsibility of the executive director and JPA board. As such, the JPA has the responsibility to develop the course of action needed to bring its equipment into compliance with federal mandates. The County, through its representative on the JPA Board, will participate in the development of YCCESA's plans.

- 02-12 The 2002-2003 Grand Jury should review the agency to determine if safety and management problems have been adequately addressed.

See Review

Esparto School District

- 02-13 A standardized method of reviewing spending requests and monitoring expenditures should be incorporated into the board's policies and procedures.

Regarding spending requests and the monitoring of expenditures, the district has implemented oversight procedures in accordance with General Acceptable Accounting Procedures (GAAP) as required by the annual state audit. Since May 2002 the Board has been and will continue to review the budget on a monthly basis.

- 02-14 Budget workshops given by the California School Board Association (CSBA) should be required of all new board members and this requirement should be incorporated into the revised policies and procedures.

To date, the two newly elected board members in last November's election attended a CSBA workshop at their own expense. Standing board members also have attended CSBA conferences. The district will continue to make information available to board members regarding in-service opportunities. Consideration will be given to incorporating requirements into policy.

- 02-15 The County Board of Education should monitor the Esparto Unified School District budget more closely for the next two years.

The Yolo County Office of Education has granted conditional budget approval to the Esparto Unified School District, and as a result will monitor the District's budget more closely for a period of one to two years, until such time that the budget reaches a level of compliance with state requirements.

- 02-16 Despite budget problems, it is critical to have staff in key positions. The district should hire clerical staff for the superintendent and fill the empty position in human resources. Having support staff will free the superintendent to devote his time to parents and students, the budget, the school board, and the other outreach necessary for a superintendent new to a community.

(APPENDIX: Responses to the 2001-2002 Grand Jury Report—continued on next page)

The district had difficulty hiring for this position and after increasing the salary, hired a human resource/administrative assistant in early 2003.

- 02-17 The Board of Trustees and the superintendent should develop additional ways of communicating with the community and with staff. Attending school and community functions is one way of opening informal channels of communication.

Visits to schools and attendance at community events have been taking place. During the 2001-2002 school year, the superintendent has encouraged and will continue to solicit involvement and visits to school and community activities and events by all Board members.

- 02-18 County Counsel should provide confirmation to the Grand Jury that Board members and the superintendent participated in Brown Act training.

All standing and new Board members have received formal Brown Act training. Board members will be notified of and effort will be made to attend a Brown Act Training Session provided by Yolo County within the next year.

Response from County Counsel: I agree with the intent of this recommendation to assure full compliance with the spirit and intent of the Brown Act. If requested by the Esparto School District Board of Trustees and, if not objected to by present School District Board legal counsel, the County Counsel's office would be willing to provide Brown Act training as recommended by the Grand Jury. However, I respectfully disagree with the recommendation that the County Counsel's office, and not the School District Board's retained legal counsel, must provide the requisite Brown Act training.

- 02-19 The Board should attend training in communications and board skills, including training provided by the CSBA or Office of Education, to learn to decrease confrontations during meetings. All Board members should attend the free meetings hosted by the County Office of Education to learn from other school trustees ways of communicating with the community and with staff.

The district will continue to make information available to Board members regarding in-service opportunities sponsored by CSBA and/or the Yolo County Office of Education.

- 02-20 A system of checks and balances would help protect the school district from the type of financial problems it now faces. Since the previous financial advisory committee has been reorganized to serve the superintendent, the Board of Trustees needs its own independent financial advisory group. To help the Board monitor the budget, a new financial advisory committee should be established and trained by (or at the direction of) the Office of Education as part of its oversight of the Esparto School District. The financial advisory committee would be a subcommittee of the Board and would follow Brown Act

requirements.

The Yolo County Office of Education is already assigned by the State Department of Education as the district's oversight agent. Therefore, the district does not agree with this recommendation.

YCOE response: The Yolo County Office of Education will provide training to a financial advisory committee, the Board of Education, or any other group, as requested by the Esparto Unified School District.

- 02-21 The Esparto school board should immediately update its policies and procedures, with a special focus on developing better methods for monitoring the budget. The California School Board Association website includes sample bylaws and suggested procedures for school boards. The Esparto school board should consult this resource when rewriting its policies and procedures. A copy of the revised policies and procedures should be sent to the Grand Jury.

The district has already taken steps to begin a process of updating its policies and procedures. However, as of the end of 2002, the process had not been completed. Consideration will be given to using CSBA's resources depending on the costs to the district. A copy of the district policies and procedures is available at the district office.

Woodland School Construction

- 02-22 The Woodland Joint Unified School District should improve how it disseminates information; school principals should inform parents about the plans for their schools and ask parent groups or PTA's to help them with community outreach.

Working with site administration, the District is providing print-ready copies of press release information to be included in site newsletters across the District. Additionally, updated information is being provided to the parent representatives at the Superintendent's monthly brown bag lunches. These representatives have been asked to disseminate the information to their parent groups at each school. The school district has been improving its training for employees who present reports at Board meetings and at various organization meetings. The District website also provides a linkage to the Bond Oversight Committee, Boundary Committee and Facilities Department reports and information.

- 02-23 All district employees should have accurate information about district plans and policies so they can answer parents' questions.

Beginning with a district mailing to all employees that included an update on Measure T, the district has responded to the recommendation by providing accurate information to all school employees so that they will be better able to answer parent and community

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questions. It is the intention of the district staff to expand the use of community forums, both through the Board and superintendent's forums. The Board of Trustees' teacher forums, Boundary Committee and other community forums, and the notices in the newspapers and through various school-wide communications, have served to address this area of the Grand Jury's recommendation.

- 02-24 The district should work with local media to publicize school construction projects and provide regular updates.

The district is reviewing the utilization of the WAVE – Public Access Television for public access through local media to provide regular updated information about the plans and policies of the Woodland Joint Unified School District. In addition, discussions have been held to review the expansion of information disseminated through this medium. The district has actively and aggressively worked with local newspapers to provide weekly opinion editorials and additional articles regarding programs, business practices, district expenditures, and school activities on a regular basis.

Yolo County Flood Control and Water Conservation District

- 02-25 The management office and field personnel should review and upgrade as needed the operations and billing procedures of the district.

Prior to this problem being brought to the district's attention, the district was investigating changing its field record keeping system from a paper based tracking system to a computerized system. The change was proposed to reduce or eliminate human error, to save time and labor, to increase the accessibility of water users' data, and to provide a tool for management to analyze data.

Once this problem was identified, steps were taken to minimize, if not eliminate, the recurrence of this type of situation. The district purchased and implemented use of laptop computers by field personnel, reviewing the new protocols and providing appropriate training. With this technology and its associated management software, discrepancies with water orders should become immediately evident.

Additionally, beginning with the 2002 irrigation season, mid-season water use reconciliation (identifying lands on water users' applications with no record of water use) was instituted.

- 02-26 The Grand Jury should review district operations for the next two years.
See Review

Yolo County Public Administrator/Guardian

- 02-27 The Public Guardian's Office should continue to follow the internal control procedures recommended by the outside auditor and to perform random audits of the outside conservatee's accounts.

The Public Guardian's Office has had two thorough audits since discovering embezzlement in the office. An intensive internal audit of our practices and a successful external audit helped us develop increased checks and balance procedures. These changes have been adopted as regular practices and will help prevent another such incident from occurring. The Public Guardian reports that funds have been restored to the client's account.

Davis Cemetery District

- 02-28 To better comply with the Health and Safety Code and to allow for enforcement of posted rules, the cemetery district should lease its undeveloped land to a public entity, such as the City of Davis, for use as a dog park.

We agree that if cemetery property is going to continue to be used as an 'off-leash' dog park, the property should be leased to the City of Davis or other public entity. The Chair of the District Board sent a letter dated May 9, 2002, to the Mayor of Davis, indicating that the District was interested in exploring the possibility of such a lease. We understand that the matter is under consideration by the City Parks Commission. As of March 2003, the agreement had not been finalized. The staff reports and Parks Commission recommendations can be viewed online at the City of Davis Website.

- 02-29 The Davis Cemetery District should explore the feasibility of providing separate vehicle access for dog owners at the back of the undeveloped area to reduce traffic near the gravesites.

We agree that it would be desirable to have more direct access to the undeveloped area; however, as far as we are aware, any such access would have to be through privately owned property. Thus, the District has no means to unilaterally implement such access. Further, there would be an issue of where cars would be parked once they enter the Cemetery property.

Yolo Adult Day Health Center

- 02-30 The Board of Supervisors should explore ways to provide more funds to enable the center to expand and accommodate an increasing and urgent need for its services.

On May 21, 2002, the Board of Supervisors approved a \$138,736 construction agreement to expand and modify the Yolo Adult Day Health Center facility. Funding sources: \$51,037 from the County's Eldercare Trust Fund; grants \$74,424; \$36,575 from Woodland

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Healthcare operational surpluses; \$21,900 from Friends of Yolo Adult Day Health Center.

Yolo County Sheriff's Department

02-31 The Sheriff's Department should continue its efforts to fill available positions with qualified applicants and review pay schedules in comparison to other counties within commuting distance.

The Sheriff's Department agrees with this recommendation and has continued to require applicants to meet our standards. Although the Sheriff's Department participates in the negotiating of the correctional officers' memorandum of understanding, its role is only to clarify policy and procedure. It does not have input on salary.

The BOS response: The Board of Supervisors supports the recruitment standards used by the Sheriff's Department. The Board will continue to benchmark with comparable agencies to assist in making informed decisions related to compensation and benefits, and place Yolo County in a competitive position to attract and retain a highly qualified work force.

02-32 A sworn officer, with more training, experience, and judgment than correctional officers, should be present in the jail at all times. It is not realistic to expect that an on-call officer/administrator can respond to an emergency as if he or she were present.

The Sheriff's Department increased the management staff at the jail to two Lieutenants. This allowed a Lieutenant to be available to all of the four shifts. A Compliance Sergeant was also added, which takes the burden of providing training and implementing policy procedures for the shift sergeant, to allow them to closely supervise their shift. Sworn patrol staff are available if needed to respond to the jail 24 hours a day.

BOS Response: The Board of Supervisors concurs with the Sheriff's response in managing jail staff to maintain a safe and secure jail facility for the inmates and county staff.

02-33 The Sheriff should develop work opportunities for women inmates whenever possible to achieve parity with the men.

The Sheriff's Department has added the opportunity for women inmates to work at the Animal Shelter. However, female inmates have always enjoyed the same if not more opportunities to work both inside and outside the jail setting. Some of the areas at which female inmates are allowed to work are the Sheriff's Court Holding Facility, the West Sacramento Police Department and the Sheriff's Cameron Training Facility.

02-34 Maintenance funding must keep pace as the buildings age. The Sheriff and Board of Supervisors should make repairing or replacing unsafe surfaces such as unglued or worn carpet and loose tiles a priority.

The Sheriff's Department has worked closely with the county's Central Services Division to prioritize repairs

to the facilities. The Monroe Center is a 24-hour facility and was built in 1988. The facility is still equipped with most of the original fixtures.

BOS Response: The BOS will continue to work with the Sheriff to assess, prioritize and implement facility improvements in the detention facilities.

02-35 The Sheriff's Department should tighten its controls over visitors to ensure that visitors sign in correctly and meet only those inmates they are authorized to visit.

The Sheriff's Department has modified its professional visit policy to now have staff confirm that the attorney visiting is the inmate's attorney of record. If s/he is not the attorney of record, staff will attempt to notify the attorney of record.

Juvenile Hall

02-36 Salaries at Juvenile Hall should be brought in line with those in comparable counties to reduce turnover.

In the last fiscal year Juvenile Hall counselors were granted equity raises to bring them within 5% of neighboring and comparable counties. While it is difficult for Yolo County to compete dollar-for-dollar with large counties like Sacramento County, the changes made during the last 18 months have closed the gap considerably.

It is also worth noting that salaries are not, in our mind, the sole reason for staff turnover in Juvenile Hall. Being a counselor at Juvenile Hall is a very demanding job that is not suited for everyone. Even in the best case, tenure in this position is not likely to exceed five years before the employee is promoted, transfers to a less stressful assignment within the same classification, or moves on to another organization. Lastly, Yolo County, because of its size, can never provide promotional opportunities and assignment variety that exist in our larger neighbors. The Probation Department recognizes the difficulty inherent in these jobs and makes a conscious effort to promote counselors to other positions in the department.

02-37 The Board of Supervisors should make completing the new facility before 2004 a high priority.

While it would be highly desirable to open the new Juvenile Hall before 2004, it is not feasible to do so. The Board has only recently approved the site plan and general precepts for the new hall. With these in hand the Central Services Division can now charge the architect with development of plans, a process which will likely take four to six months. After the plans, specifications and construction directives are completed by the architect, bids for general and specialty contractors will have to be solicited, evaluated and granted, consuming another several months. Once the general contractor is on board, actual construction is expected to

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take another six to nine months. The combination of these three phases will, at best, bring us to mid-2004.

Additionally, most of the funds for this facility are being provided by the California Youth and Adult Corrections Agency, which must review and approve each step in the construction process in order for us to receive funding. This adds a month to each phase of the project.

- 02-38 The Department of Probation should support its teachers' efforts to become fully credentialed.

The Human Resources Division of the Yolo County Office of Education works closely with new hires that are not fully credentialed to ensure they become enrolled in a program leading to a full teaching credential. Dan Jacobs School at Juvenile Hall is currently staffed with two full time teachers and one instructional aide. One teacher is fully credentialed; the other currently holds an emergency credential and is enrolled in the credentialing program at California State University at Sacramento. His anticipated date for completion is the spring semester of 2003.

- 02-39 The control room in the existing facility should be redesigned so that staff can work facing the monitors.

Mirrors have been installed in the existing facility to facilitate staff's visual access to the monitors while at their workstation. The new facility, scheduled to be completed in December 2004, will have a control room designed as recommended.

- 02-40 The Department of Probation should arrange with neighboring schools for in-service education for the juvenile hall teaching staff and for sharing instructional materials.

This recommendation will be forwarded to the County Office of Education, which provides the educational component for Juvenile Hall.

YCOE response: The teaching staff at Dan Jacobs School participates in a variety of in-service opportunities. Staff has the opportunity to participate in staff development activities offered by local school districts and universities, private organizations, and the Yolo County Office of Education. The teaching staff has also visited other juvenile court schools in the region. Teachers meet on a monthly basis with other community school teachers who also work with high risk students to participate in staff development activities, learn of new instructional strategies, and to discuss purchase of instructional materials grounded in the state adopted curriculum frameworks and academic standards, and for General Education Development (GED). Our teaching staff also participates in articulation meetings with local district teachers to ensure that our instructional materials meet the needs of our students and are congruent with what is being used in the local schools.

Yolo County Library

- 02-41 The Yolo County Library should add to its collection of materials in languages other than English and Spanish.

Five hundred thirty books in languages other than English (4%) were added. Most are in Russian, followed by Spanish and Chinese. Media collections and books are especially written for English language learners. The Board of Supervisors supplied \$35,000 allocation for media collection.

There was a 10% reduction in the book budget, but the library sustained the number of items added in other languages in greatest demand: Russian, Chinese and Spanish.

- 02-42 The Board of Supervisors should continue working to have state library funding restored and should consider other ways to fund needed library expansion.

The Board continues to make the restoration of library funding a top priority in its legislation program. It supports pursuit of appropriate and planned library expansion within the County. Supervisors, with the County Librarian as lead staff, intend to work with the communities to find the best funding methods for each situation.

- 02-43 The county librarian should investigate whether replacing the bookmobile with smaller vans would enable the library to restore service to outlying parts of the county.

It is the operating costs (staff, materials, gas, and maintenance) that are the primary impediment to restoring bookmobile service. A bookmobile's operation costs are much the same as those of a small branch library. On-line services have been added to the existing branches:

1. Off-site access to the library catalog (browse, place holds, renew).
2. 'Infotrac' for magazine articles and health reference and links to library information and other local information sources.
3. All services linked to website www.yolocounty.org/library.
4. Investigating "e-Branch Library" kiosks— ATM-like workstations providing electronic library services, information access, and return of books in areas lacking easy access to a branch library.

- 02-44 If bookmobile service is restored, the county librarian should explore whether it is feasible for bookmobiles to carry laptop computers that could be used to access on-line catalogs.

If/when bookmobile service is restored, the bookmobile will be tied into the library automation system via laptops depending on the technology available at the time.