

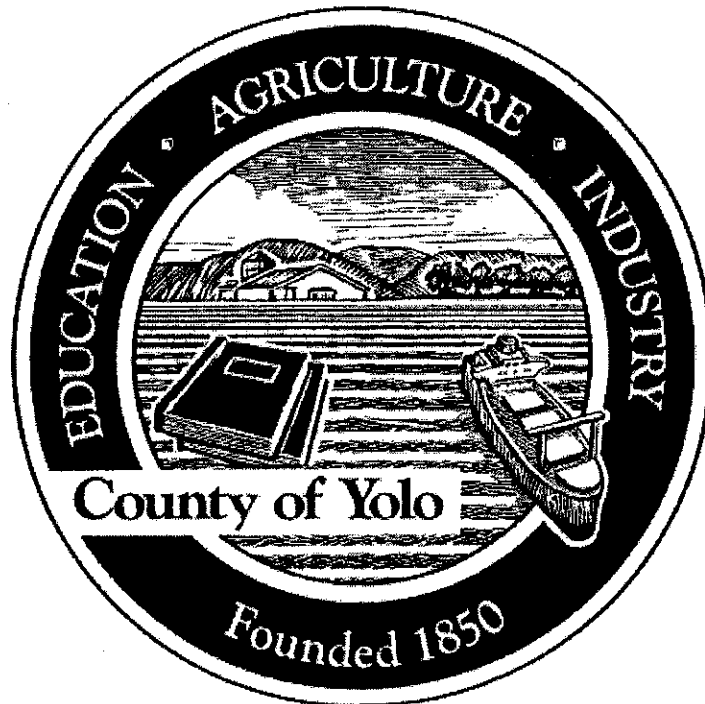
2000–2001 YOLO COUNTY GRAND JURY

FINAL REPORT

A report for the citizens of Yolo County, California

June 29, 2001

Woodland, California



2000-2001 YOLO COUNTY GRAND JURY FINAL REPORT

June 29, 2001

Honorable Thomas E. Warriner
Department 7
Superior Court, County of Yolo
Courthouse, 725 Court Street
Woodland, CA 95695



“To make no mistakes is not in the power of man; but from their errors and mistakes the wise and good learn wisdom for the future.” –Plutarch

Dear Judge Warriner:

On behalf of the 2000-2001 Grand Jury of the County of Yolo it is my honor to present to you, the Board of Supervisors, and the citizens of Yolo County this grand jury report, a compilation of all final reports and reviews completed during our term.

The following final reports and reviews represent a prodigious number of hours expended by grand jurors for endless meetings, interviews, research, investigations, debates, sometimes disagreements, and deliberations, in the process of taking testimony, sifting through documents, inspecting facilities, checking and rechecking facts, and report writing and editing. A caveat: those reading these reports should not assume that the reports we officially publish herein represent the sum total of our work. Indeed, there were other investigations that we were unable to complete because we ran out of time. There were other issues that were resolved in the course of our investigations, and still another in which the Grand Jury did not feel the investigation was sufficiently investigated to be able to issue a fair and impartial report. These “unpublished” activities can and do represent an enormous amount of time and work that doesn’t necessarily come through in this published report.

Indeed, the citizens of Yolo County can rest assured that the support and facilities provided by the County to grand juries are utilized fully. For example, this Grand Jury logged in the following tasks as the public’s “watchdog” (all figures are approximations from logs kept by committee chairs): 141 meetings; 86 interviews; 80 witnesses; logged over 3500 hours, or about 15 hours per juror per month; 300 voice mail calls; countless conversations setting up meetings and interviews; and countless other tasks not recorded.

There were also some significant developments made by this year’s Grand Jury, the most notable were these four: we created a format for our reports that gives the public an opportunity to look into the methodology we used in arriving at our findings and recommendations rather than just giving conclusions without a clue as to the activities involved in getting there; we negotiated an extremely attractive copy machine arrangement for the grand jury quarters so that grand jury copying needs can be both convenient and confidential; when we started our term we lacked an adequate computer system. Working with the County’s enthusiastic computer services staff, we obtained a new updated computer, scanner, and printer; and we joined the rest of the technological world by creating a web site (see <http://home8.gotnet.net/ycgj>) where Yolo County grand juries can publish reports and other pertinent grand jury information, including the grand jury’s citizen complaint form. The site is linked to other County and cities’ web sites and to the California Grand Jury Association.

The citizens of Yolo County can be proud of the many dedicated county officials, staff and employees that perform their work diligently and conscientiously. In fact, our work in preparing our final reports was made easier by the efforts of many of these people. The Grand Jury was impressed with their energy, professionalism, and patience in their handling of our numerous requests for both documents and interviews. This was all done by people under the pressure of operating within budget constraints that can and do often impede their programs and, in many instances, while also receiving less pay for the same work that our surrounding city and county neighbors receive. We thank all of those people we had the pleasure of interacting with during our term. We especially want to thank you for making yourself so readily available to us in spite of your busy schedule.

Although I do not think this Grand Jury was truly a cross-section of Yolo County (both with respect to its citizens and geography), it did represent a diversity of experience and talent to contribute effectively to the Grand Jury and the committees spearheading the various investigations. I have been honored to be the foreman for the 2000-2001 Grand Jury, and I am indebted to my fellow jurors for the quality of their work and their dedication in fulfilling their duty as grand jurors. After two consecutive terms I have a profound appreciation for the work and contributions that grand juries make to the citizens they serve. I encourage more citizens to participate as grand jurors as well as a greater effort by the County to seek for future grand juries a more representative reflection of the County’s rich diversity found in its citizens and geography.

With the publication of these final reports the 2000-2001 Grand Jury term is completed. As alluded to earlier, the final reports herein are the result of the cooperation and dedication of each grand jury member. We came together as strangers and depart hopefully richer in our experience of having worked together. Even though there were times we disagreed with each other, now that the discussions are over, and the democratic process prevailed, I hope each individual left this experience respecting each other for their contribution. I know I do. I offer my personal commendation to each Juror for their hard work and thoughtful consideration in producing this document and working together as a deliberative body. My respect and appreciation is extended to each for a job well done.

Respectfully submitted,

Jose B. Martinez
Foreman 2000-2001

“Look and you will find—what is unsought will go undetected.”
—Sophocles

2000-2001 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 • <http://home8.gotnet.net/ycgj>

The 2000-2001 Grand Jury

Charlotte Beal, *Woodland*
Clyde Bowman, *Davis*
Roger Brooks, *Woodland*
Patricia Brown, *Woodland*
Frank Cooper, *Brooks*
Constancio Dinozo, *Woodland*
Valente Dolcini, *Davis*
Robert B. Ewing, *Woodland*
Fred Harvey, *Woodland*
John Hernandez, *Woodland*
Jack Lowry, *Davis*
Jose B. Martinez, *Davis* (Foreman)
Virginia Nichols, *Woodland*
Robert B. Noel, *Woodland*
Lucy Rosenau, *Davis*
Mary Roussas, *Davis*
Judy Stevenson, *Davis*
Harry O. Walker, *Woodland*

These people served on the 2000-2001 Grand Jury but were unable to complete their terms:

Jeffrey Holzman, *Woodland*
Robert L. Mansfield, *Davis*
Steven J. Mercer, *Winters*
Mary Lou Nevis, *Woodland*
Diana Puccetti, *Woodland*
Esther Vasquez, *Yolo*

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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 19 grand jurors each year from a pool of volunteers. The 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 which 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 1999-2000 Grand Jury report.)

Another Grand Jury responsibility is to consider complaints submitted by private citizens, local government officials, or government employees. Complaints must be 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.

A third responsibility of the Grand Jury is to consider criminal indictments based on evidence presented by the District Attorney. The Grand Jury also investigates charges of malfeasance (wrongdoing) or misfeasance (a lawful act performed in an unlawful manner) by public officials.

To be eligible for the Grand Jury, a citizen must:

- be at least 18 years old;
- have resided in the county for at least one year;
- exhibit ordinary intelligence and good character;
- possess a working knowledge of the English language; and
- not have served on the Grand Jury within one year (the Court may choose to hold over up to 10 jurors to ease transition).

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, CA, 95695, or telephone (530) 666-8600.

Investigations

Small Public Water Systems

REASON FOR REVIEW

In response to a citizen's complaint alleging that the county's safety requirements for small water systems are excessive and unnecessarily strict, the Grand Jury investigated how the Yolo County division of Environmental Health issues permits for Small Public Water Systems and monitors their safety.

BACKGROUND

The Yolo County Health Department's office of Environmental Health (EH) has authority from the State to regulate and monitor most of the county's water systems. Small system operators must receive a permit to provide tap water, and the water they provide is tested periodically to ensure its safety.

The State differentiates public water systems by size (measured by the number of connections from the system to individual households or other users) on the assumption that the larger the system, the greater the potential risk to the public if the water becomes contaminated. For that reason, large water systems are subject to more frequent monitoring and more stringent controls than smaller systems. The regulations for water systems derive from the Safe Drinking Water Act and are codified in the State Health and Safety Code.

Small Public Water Systems are those with 5-14 connections; examples of these systems in Yolo County include trailer parks not connected to city water systems and migrant labor camps.

FINDINGS

1. EH issues permits for Small Public Water Systems only after at least two consecutive water samples test negative for contaminants.
2. Water sampling must be performed by an accredited technician and testing done by an accredited laboratory.
3. EH employs Registered Environmental Health Specialists as field inspectors.
4. EH water samples are tested at the county Public Health Services laboratory for bacterial contamination. If the source of the water is within a "zone of vulnerability" because of its proximity to known risks or if the system has not previously operated under permit, the water is also tested for chemical contamination. The most likely water contaminants in Yolo County are bacteria, pesticides, hydrocarbons, and nitrates.
5. Abandoned wells are a potential source of contamination to the water table.
6. Once a water system has received its permit, EH requires monthly or quarterly monitoring, which is usually performed by the county's Environmental Health Specialists. EH can require more frequent monitoring if the water system is deemed high risk.
7. The cost of system monitoring and water testing is borne by the system operator.
8. Permits for systems that pass inspection are renewed annually, but may be suspended at any time if a system is out of compliance.
9. In addition to demonstrating that they can provide safe drinking water, system operators must also have a satisfactory "plan of notification" to alert consumers if the water tests positive for contamination.
10. When a water system tests positive, EH will identify the source of the contamination if possible, and recommend how the system can best be fixed. If contamination renders the water unsafe to drink, the system's users must be notified and either provided with bottled water or told to boil their tap water until the system can again provide safe water.
11. EH attempts to verify whether in fact users have been notified appropriately, but staffing constraints limit how much follow-up the department can do.
12. EH does not currently have sufficient staff or funding to locate and oversee the sealing of abandoned wells.
13. At the time of the Grand Jury investigation, EH was

(INVESTIGATIONS: Small Public Water Systems—continued on next page)

understaffed. EH employs the equivalent of 1.6 full-time water quality specialists to monitor more than 100 small water systems. (EH assigns technicians either to its hazardous materials unit or to a general unit responsible for restaurant inspections, water quality, waste management, land use, rabies control, housing, body art and tattooing, and swimming pools and spas. EH technicians in the general unit work in more than one discipline; the Drinking Water Quality Program accounts for 22.8 percent of their work time.) Adding one more full-time specialist position would enable EH to fully meet its legal obligation to protect water quality in Yolo County, at a cost of \$70,000 a year.

14. EH lost four employees in 2000 to nearby counties that can offer better compensation.
15. EH's operating budget is \$1.3 million; of that total, 80 percent comes from user fees, 14 percent from the county general fund, and the remainder from federal grants and state funds. Water user fees bring the department just over \$104,000 a year.
16. EH is legally constrained from raising permit fees.
17. There were no confirmed cases of illness attributable to contaminated water in Yolo County in the two years preceding the Grand Jury's investigation.

CONCLUSIONS

1. Yolo County employs well-qualified Environmental Health Specialists who, in addition to their professional qualifications, have undergone a year of training specific to Yolo County in more than one discipline. The Grand Jury was impressed with their knowledge and professionalism.
2. EH's ability to assure safe drinking water is impaired by inadequate staffing, which may be aggravated by the county's inability to match pay scales offered by neighboring counties.
3. Given the risk factors in Yolo County and seasonal changes in the water table, EH cannot assure safe drinking water without the cooperation of system operators, who are on site more frequently than field inspectors can be. When a system is out of compliance, to the potential detriment of its consumers, EH must negotiate a difficult balance between securing cooperation by working with system operators and pursuing enforcement of the law when cooperation fails.

4. When water is found to be contaminated and unsafe to drink, EH depends on system operators either to provide bottled water or instruct consumers to boil water for three minutes, until the system can be fixed. The Grand Jury believes providing bottled water is by far the better remedy, since boiling all water that is to be consumed is so burdensome that even properly notified consumers may not consistently follow directions, especially if the boil-water order is in effect for more than a few days.
5. There is potential for confusion and, in extreme cases, antagonism if more than one regulatory agency has authority over a water system or associated systems, if the operator needs different permits from different agencies, and if the agencies themselves enforce different standards. EH appears on the whole to maintain good working relations with the other agencies that have parallel or related authority, but it is possible that more could be done to alleviate the potential for system operators to misunderstand their obligations and the reasons for them.
6. The Grand Jury found no evidence to support the complaint.

RECOMMENDATIONS

- 01-01 The County should provide funding for full staffing of EH sufficient to assure the safety of rural water supplies.
- 01-02 When contamination makes system water unsafe to drink, the Yolo County Health Department should require operators of water systems to provide bottled water to consumers within 24 hours.

RESPONDENTS

- Board of Supervisors (Recommendations 01-01 and 01-02)
Yolo County Health Department (Recommendation 01-02)

METHODOLOGY

- Persons Interviewed
Complainant

(INVESTIGATIONS: Small Public Water Systems—
continued on next page)

Former and current Environmental Health Specialists,
Yolo County
District Representative, State Department of Housing
and Community Development
Director, Yolo County Environmental Health
Director, Yolo County Health Department
Health Officer, Yolo County
Member, Yolo County Board of Supervisors
Chief of Public Health Laboratory Services, Yolo
County

Documents Examined

Complainant's file at Yolo County Environmental
Health

Relevant sections of the Health and Safety Code
Delegation Agreement between California Department
of Health Services and Yolo County
Lab results from water samples

Wells Sampled

To assess the efficacy of current regulations, the Grand Jury oversaw the testing of water from five Small Public Water Systems, including the complainant's, operating under permit in different parts of Yolo County. One sample, the complainant's, tested positive for bacterial contamination. When that system was later retested, again at the request and under the oversight of the Grand Jury, it tested negative. System operators were not charged for the cost of Grand Jury tests.

Child Protective Services

REASON FOR REVIEW

In response to a citizen's complaint alleging wrongdoing by a member of the Child Protective Services (CPS) division of the Yolo County Department of Employment & Social Services, the Grand Jury investigated the handling of the complainant's case. The Grand Jury did not do a full investigation of CPS.

BACKGROUND

Under the Welfare & Institutions Code, CPS is responsible for the safety and welfare of children whose parents or guardians are unable or unwilling to provide adequate care. CPS takes custody of children referred to the courts by mandated reporters, or in response to reports by doctors, teachers, etc. Parents can regain custody of their

children through one of two methods: demonstrating change and appropriate behavior to CPS or complying with remedies that are ordered by a judge under the Welfare & Institutions Code.

FINDINGS

1. The complainant failed to meet court-ordered remedies.
2. The court granted the complainant three extensions to comply with court-ordered remedies.
3. The court's orders included the complainant's attending a drug diversion program and parenting training meetings.

CONCLUSIONS

1. The Grand Jury found no evidence to support the complainant's allegations of wrongdoing by CPS or the staff member identified by the complainant.
2. CPS is in compliance with court orders, including protective custody.
3. The Court made reasonable efforts, while protecting and providing for the children, to accommodate the complainant.

METHODOLOGY

Persons Interviewed

Social Work Practitioner, Yolo County Department of
Employment & Social Services

Documents Examined

Official case file

Welfare & Institutions Code Section 300 et seq.

Juvenile Shelter

REASON FOR REVIEW

In response to a complaint alleging negligent ward supervision at a Woodland juvenile shelter, the Grand Jury investigated conditions at the shelter. The complaint also alleged that the court's response to a crime that occurred at the shelter was incorrect because insufficient information was presented by county agencies.

*(INVESTIGATIONS: Juvenile Shelter-
continued on next page)*

BACKGROUND

The state Department of Social Services' division of Community Care Licensing establishes and licenses group homes and shelters, as well as family homes, to house juveniles who are victims of, or at risk for, physical and psychological abuse, parental neglect, and abandonment.

The Child Protective Services (CPS) division of the Yolo County Department of Employment & Social Services investigates local cases of child endangerment and petitions the court for custody of children when warranted. CPS has no jurisdiction over the shelter, but it may and does place children there.

FINDINGS

1. A juvenile was brought to the attention of CPS because of suspected child endangerment.
2. CPS investigated the case and found probable cause to remove the juvenile from his family's home.
3. After a court hearing, CPS placed the juvenile in a local juvenile shelter.
4. While in custody of the shelter, the juvenile was accused of contributing to the delinquency of a minor and was placed in Yolo County Juvenile Hall.
5. Following a Welfare & Institutions Code hearing at which the child was represented by the Yolo County Public Defender, the child was declared a ward of the Court and placed in a California Youth Authority facility.
6. There was only one staff person on duty at the shelter at the time of his violation.
7. The physical layout of the shelter was not sufficient to separate residents by gender.
8. Because nightly monitoring of wards was not scheduled randomly, residents had the opportunity for inappropriate and illegal behavior.
9. The Welfare & Institutions Code requires that county departments of probation and social services develop joint treatment plans for Juvenile Court sentencing determination.
10. The juvenile's case record did not include a coherent, unified treatment and sentencing plan as required by law.
11. Private attorneys and public defenders have the legal right to examine any proposed treatment program for their juvenile clients and have an obligation to determine whether treatment plans will benefit their clients.
12. According to the Public Defender, the absence of a treatment plan reduced his ability to fully represent the juvenile's best interests.
13. According to Superior Court judges interviewed, many juvenile offenses are directly related to family dysfunction and Family Court cases.
14. Superior Court judges we interviewed say the Yolo County Family and Juvenile courts have an informal cooperative relationship that is not currently official policy.

CONCLUSIONS

1. CPS was right to remove the child from his parents' home.
2. Our investigation substantiated the allegations that ward supervision and conditions allowed for juvenile misbehavior.
3. Ward supervision and conditions at the shelter may have contributed to the juvenile's crime and subsequent incarceration.
4. Since Yolo County does not have an adequate written policy for treatment and sentencing plans, the departments of Probation and Employment & Social Services are out of compliance with the Welfare & Institutions Code.

RECOMMENDATIONS

- 01-03 The county Department of Employment & Social Services should ask the Community Care Licensing division of the state Department of Social Services to investigate the management and supervision of the juvenile shelter for consideration of continued licensing.
- 01-04 The Yolo County Board of Supervisors should require the directors of the departments of Employment & Social Services and Probation and the Public Defender to jointly develop and endorse a plan to bring the County into compliance with the Welfare & Institutions Code.
- 01-05 A draft of any such plan should be submitted for review by the Family and Juvenile courts, the Yolo County Family Law Bar Association, and the County Counsel prior to its codification.

*(INVESTIGATIONS: Juvenile Shelter-
continued on next page)*

01-06 The juvenile shelter should increase night-monitoring staff, reconfigure the facility to enable proper separation of wards by gender, and institute a random ward-monitoring system.

RESPONDENTS

Yolo County Department of Employment & Social Services (Recommendations 01-03 and 01-06)
Board of Supervisors (Recommendations 01-04 and 01-05)

METHODOLOGY

The Grand Jury inspected the juvenile shelter.

Persons Interviewed

Shelter personnel
Public Defender's staff
Department of Employment & Social Services staff
Probation Department staff
State certification and licensing staff
The incarcerated juvenile (with his attorney's consent)
Juvenile's attorney-of-record
Superior Court judges

Documents Examined

Penal Code Section 272 et seq.
Official case records and court orders
Welfare & Institutions Code 241.1 et seq. and 602 et seq.

Yolo County Procurement

REASON FOR REVIEW

The Grand Jury investigated Yolo County's procurement practices in response to key personnel changes and a January 2000 review by county staff of a 1998 audit of the county's procurement system.

BACKGROUND

"Procurement encompasses the entire process for obtaining goods and services, including all activities from planning, preparation and processing of a requisition, through source selection, solicitation, evaluation, award and contract formation, to receipt and acceptance of delivery, payment and property disposition, where appropriate."¹

With such a broad subject to investigate, the Grand Jury narrowed its focus to the three areas we felt needed the most attention:

- policies and procedures as dictated by the Yolo County Code and Administrative Policy Manual;
- competitive processes in acquiring goods and services;
- status of the current training program.

This is not to suggest that other areas should not be subject to further scrutiny, but improving these three key areas is the first step.

Five branches of county government share primary responsibility for procurement: the Board of Supervisors, the county administrative officer (CAO), the assistant county administrative officer who is the chief procurement officer (CPO), the auditor-controller, and county counsel.

The Board of Supervisors has ultimate responsibility to create and enforce all rules, regulations, and guidelines that govern county procurement. The board approves the county's budget and must approve all purchases over \$25,000.

The CAO administers the county's budget and exercises continuing budgetary control over all offices, departments, and institutions over which the Board of Supervisors has responsibility. The CAO can approve contracts for services between \$10,000 and \$25,000.

The CPO assumes all powers and duties of the county purchasing agent as prescribed by state law, and those activities specified by the County Code. The CPO reviews and checks for accuracy and completeness all contracts for services up to \$10,000 and all purchases of goods between \$1,000 and \$25,000.

The auditor-controller is an independent financial and fiscal advisor to the Board of Supervisors and county administration. This office establishes and enforces internal fiscal controls, including revenue information and claim payments, for all procurement-related activities. The auditor-controller ensures that payments are made according to terms of the contract and that payment scheduling takes cash flow into account.

County counsel reviews all contracts to protect the county's interests and provides legal guidance when necessary.

(INVESTIGATIONS: Yolo County Procurement—continued on next page)

Three primary sources of authority govern Yolo County procurement: the California State Government Code, the County Code, and the county Administrative Policy Manual. In addition, the National Institute of Municipal Law Officers and the American Bar Association have developed model ordinances and procurement codes which serve as a standard against which to judge local ordinances and codes.

FINDINGS

1. Purchasing responsibilities within the county have been reorganized with the creation of an assistant county administrative officer who reports directly to the CAO and has purchasing responsibility.
2. Three of the officials primarily responsible for the procurement system began their jobs within the last year: the county counsel (recently promoted), the auditor-controller (recently appointed), and the assistant county administrative officer (recently hired).
3. The Board of Supervisors issued minute order 98-160 on April 7, 1998, requesting an action plan from the CAO, auditor-controller, and purchasing agent regarding:
 - revisions to the County Code and Administrative Policy Manual with emphasis on the competitive process;
 - a county-wide training program;
 - increasing the per-transaction limit on purchasing cards, debit cards used by authorized county staff, from \$350 to \$1,000;
 - increasing the claim (versus purchase order) limit from \$200 to \$250;
 - increasing the capitalization threshold (the minimum reportable value) for fixed assets from \$750 to \$2,000;
 - implementing revised policies and procedures for the competitive process.
4. There were no revisions to the County Code between April 1998 and February 27, 2001.
5. Sections of the Administrative Policy Manual addressing procurement were revised in 1999.
6. A county-wide procurement training program was implemented in August 1999.
7. At the time of our investigation, only one formal training session had been held.

8. The per-transaction limit on purchasing cards has been raised to \$1,000.
9. Claim limitations were increased to \$1,000 as part of the Administrative Policy Manual on June 22, 1999.
10. The capitalization threshold for fixed assets was increased to \$3,000 as part of the Administrative Policy Manual on July 1, 1999.
11. Two reports, "The Internal Audit of the Procurement Function" and the "Procurement Improvement Team Report," identified problems with procurement and made recommendations to correct them. Some of the recommendations from these reports have been incorporated, but the vast majority has not.
12. The Grand Jury noted no instances of fraud or abuse during its investigation.
13. The Grand Jury noted two deviations from policy in which short-term contracts were approved for more than one year.
14. Human errors may cause contracts and purchase orders to be sent back to the originating department to be completed correctly. Although no statistics are kept, informed sources noted approximately 2 to 5 percent of contracts and purchase orders are sent back to departments for correction.
15. At the time of our investigation, the Purchasing Department staff included the purchasing agent, two buyers, and one clerk.
16. In awarding contracts, the county accords local vendors a preference by allowing their bids to be 3 percent higher than bids from other vendors.

CONCLUSIONS

1. County procurement must be dynamic and responsive to economic, technological, administrative, legal, and financial changes.
2. The County Code is seriously in need of revision, as was pointed out in great detail by "The Internal Audit of the Procurement Function" and the "Procurement Improvement Team Report."
3. Sections 2.8, 2.8.1, and 2.8.2 of the Administrative Policy Manual lack the necessary cohesiveness to be user-friendly.

(INVESTIGATIONS: Yolo County Procurement—
continued on next page)

4. The technology the county uses for procurement needs to be upgraded and simplified. When we asked for a copy of the current vendor listing, we were amazed to receive a document nearly five inches thick. Many of the vendors had no relevance to procurement. Although we understand the database we investigated is used for more purposes than procurement alone, it was apparent that newer technologies need to be considered.

RECOMMENDATIONS

General

- 01-07 The assistant county administrative officer (CPO), county counsel, and the auditor-controller should meet at least quarterly to assess the county's procurement system.
- 01-08 The Board of Supervisors should reconsider the amendment to the Administrative Policy Manual that allows the CAO to approve \$10,000-\$25,000 service contracts. The CPO is clearly the purchasing professional within the county as prescribed by the State Code. As such, the CPO should have responsibility for all purchasing matters put before the Board of Supervisors.
- 01-09 A county procurement manual should be assembled from all relevant materials derived from the County Code and the Administrative Policy Manual. A desktop guide and/or computer-generated assistance program would be beneficial both for reference and for training.
- 01-10 The County Code needs a section detailing a code of ethical conduct by all county administrative employees, with language on how to recognize conflict of interest in all county matters, including procurement. A similar reference should be included prohibiting county employees from accepting gifts and gratuities beyond a reasonable value.
- 01-11 Stand-alone procurement software should be developed separate from the current General Ledger system, especially in the vendor listing and updating functions. Alternatively, the county could establish a procurement system which operates as part of an integrated financial network based on the needs of the relevant administrative

offices. Electronic transmission of proposals and quotes, bidding, and application to the vendor list merits further study and possible implementation.

- 01-12 The duties of the CPO should include participating in the planning and budgeting process, and be so noted in the County Code.
- 01-13 The Grand Jury wholeheartedly encourages and supports the participation of our administrative personnel in professional groups or associations that will assist them in advancing Yolo County's procurement system.
- 01-14 An additional staff person should be considered to assist the CPO in developing and maintaining revisions to the County Code and Administrative Policy Manual, stand-alone software for procurement, a county procurement manual, and basic and advanced procurement training for relevant county personnel.

Policies and Procedures

- 01-15 The duties and responsibilities of the assistant county administrative officer should be clearly delineated within the County Code, and the integration of the purchasing agent's responsibilities with this office noted. Minimum qualifications need to be established.
- 01-16 No departments or executive agencies should be exempt from the established procurement system. All authority should be vested to the CPO and so noted in the County Code.
- 01-17 The County Code should specifically address the delegation of authority by the CPO and the policies and procedures to which those with procurement authority must adhere.
- 01-18 All changes to the County Code or Administrative Policy Manual should have the advice and consent of the auditor-controller, CPO, and county counsel. The Board of Supervisors should consider and approve all changes.

Competitive Processes in Acquiring Goods and Services

- 01-19 The County Code should be updated with specific language on competitive bidding procedures.

(INVESTIGATIONS: Yolo County Procurement—continued on next page)

Current economic conditions should be taken into consideration in establishing purchasing thresholds. Sealed bids should be mandated for all purchases and contracts over \$10,000.

- 01-20 The administration of the bidding and award process (public notice, time periods, bid opening, identical low bids, adequate competition levels, appeals process, non-collusion affidavits, confidentiality, use of multiple vendors, etc.) needs to be clearly defined in the County Code and the Administrative Policy Manual.
- 01-21 Circumstances under which competition can be waived should be defined in the County Code and subject to approval by the Board of Supervisors. Similarly, the CPO's authority to approve or recommend a quote or bid which, based on quality or service issues, may not be the lowest bid, needs to be noted in the County Code. The conditions and reporting structure to the Board of Supervisors need to be defined as well.
- 01-22 The local-vendor preference of 3 percent should be removed from the County Code to assure fair play and to maximize efficiency of tax dollars spent.
- 01-23 The CPO and auditor-controller should include appropriate guidelines for payment criteria and price negotiations in the Administrative Policy Manual and any future procurement manuals or software.
- 01-24 The Administrative Policy Manual and any future procurement manuals or guides should include policies and procedures which specifically address standard contracts, short-term contracts, rental or lease contracts, multi-year contracts, and option contracts. All multi-year or option contracts should require approval of the Board of Supervisors.
- 01-25 To promote stability and efficiency in a climate of rapidly changing economic conditions, it may be prudent to encourage long-term contracting, especially in areas such as health care and maintenance. The Board of Supervisors should adopt a reasonable contracting term limit which allows the CPO maximum flexibility in obtaining the best overall value.
- 01-26 The auditor-controller's office should participate in all procurement matters and approve budgetary

planning and payment schedules before any purchase order or contract is submitted to the Board of Supervisors. All policies and procedures should emphasize the importance of including the auditor-controller's office in the earliest phases of planning for any large purchases of goods or services. This will help ensure Yolo County's long-term economic welfare.

- 01-27 The County Code should specify standards (including inspection and testing) for goods or services that cost more than a predetermined amount. The CPO or designee should be responsible for enforcing the standards to ensure that the county is receiving the best value for its purchase. All purchase orders or contracts should include penalties for non-compliance.
- 01-28 The County Code should include all relevant insurance requirements for vendors and service providers. The Risk Management department should help draft this addition.
- 01-29 The County Code should prescribe progressive disciplinary measures for vendors or county employees who intentionally violate the county's policies and procedures.

Procurement Training Issues

- 01-30 The county should establish an ongoing training program for all essential personnel that annually reviews policies and procedures, laws, and codes.
- 01-31 The program should provide basic training for those who are new or have minimum procurement responsibilities and advanced training for those intimately involved in procurement.
- 01-32 Training manuals and/or software should be an integral part of the training program.
- 01-33 The CPO should be responsible for developing and overseeing procurement training programs. All relevant administrative departments (county counsel, risk management, auditor-controller, information technology, human resources, etc.) should assist in developing and implementing procurement training programs.
- 01-34 The County Code should be amended to define procurement training programs as the responsibility of the CPO.

(INVESTIGATIONS: Yolo County Procurement—continued on next page)

RESPONDENTS

Board of Supervisors (all recommendations)
County Administrative Office (all recommendations)
Auditor-Controller (all recommendations)
County Counsel (Recommendations 01-07, 01-10, 01-18, 01-26, 01-29 through 01-34)
YCPARMIA (Recommendation 01-28)

METHODOLOGY

Persons Interviewed

County Administrative Officer
Assistant County Administrative Officer (CPO)
Auditor-Controller
County Counsel
Director, General Services
Staff members, Auditor-Controller's office
Staff members, County Administrative Office

Documents Examined

"The Internal Audit of the Procurement Function"
"Procurement Improvement Team Report"
Board of Supervisors Minute Order 98-160
Various internal responses to the above documents
Procurement Improvement Team minutes
Various Board of Supervisors memorandums
Yolo County Code
Yolo County Administrative Policy Manual
General Ledger Vendor Listing
An Elected Official's Guide to Procurement,
by Patricia Watt
Various internal administrative memorandums
Administrative job descriptions
Relevant California Code sections
Tulare County Ordinance #3204

¹National Association of State Purchasing Officials, *State and Local Government Purchasing*, 4th edition, Lexington, KY, 1994.

Woodland Community Development Department

REASON FOR REVIEW

The Grand Jury received complaints about unprofessional and inconsistent practices of the Woodland Community Development Department's (CDD) building division. On investigating, the Grand Jury learned that

the city is in the process of revamping the department. For that reason, the Grand Jury decided it could more profitably use its time assessing the reforms now being instituted than investigating past practices, however egregious.

BACKGROUND

The efforts to overhaul the building division began in 1999 when Woodland's newly appointed city manager hired a new director for the CDD. At their urging, the City of Woodland hired a consultant to perform an audit of the building division, which issues building permits, enforces building codes, and inspects buildings. The audit identified these deficiencies:

- insufficient written office procedures;
- poor record keeping;
- no staff supervision;
- overstaffing of building inspectors;
- inconsistent fee calculation and collection resulting in an overall loss of revenue to the city.

FINDINGS

1. In response to the audit, the City of Woodland had, at the onset of our investigation, prepared a policies and procedures manual for the building division and hired an engineering firm to provide certified building inspectors until city employees could themselves achieve the proper certification.
2. On December 14, 2000, the Grand Jury asked the Woodland city manager to produce for the Grand Jury's review a detailed plan to remedy all the CDD's identified deficiencies, complete with dates when specific remedies will be implemented.
3. On January 22, 2001, the city manager presented the Grand Jury with his "Management and Action Plan to Improve the Department of Community Development (Building Division) of the City of Woodland" (MAPCDD), excerpts of which follow.

Management and Action Plan (MAPCDD)

Permit Intake/Customer Service

Over the counter permits for roofing, water heaters, electric service change outs, replacing heating or air condition equipment in the same location will receive permits on the same

(INVESTIGATIONS: Woodland Community Development Department—
continued on next page)

day. Implemented November 2000.

By June 2001 the Building Division and Finance Department will establish procedures for paying by credit card to enable permits to be processed by facsimile.

By March 2001 Department Staff will be trained on new procedures for Plan intake, plan circulation and coordination, forms, and file set-up.

By March 2001 handouts will be made available to the general public to make it easier for the public to understand how to obtain permits and service.

By December 2001 web site improvements will be made to allow customers to download applications and forms. (Budget and Council approval may be necessary.)

A new computerized permit issuance program has been purchased and implemented. This will improve record keeping and permit management. By March 2001 staff will be trained and will be using the new permit issuance program.

Plan Check

By March 2001 procedures will be developed and staff will be instructed to send plans to qualified plan check services for all plans that require certification by qualified plan check services and consultants.

Construction Inspection

By December 31, 2001, the Building Inspection Services will be functioning in a businesslike fashion.

In October 2000 a contract Building Official possessing current and appropriate certifications was hired. On November 28, 2000, the Supervising Building Inspector, who did not have current skills and certifications, retired, and the position was eliminated. The Consultant Building Official is currently reviewing all records, systems and is developing new procedures to maximize inspection time and workload. [The City Manager] will recommend in the FY2001/2002 budget that a qualified Building Official position be authorized as permanent staff or that a contract position be maintained depending on construction activity. This effort is demonstrating a professional and fresh perspective to the building division and is eliminating outdated and poor past practices.

Current construction slow-down, staff turnover and implementation of new policies and procedures are creating new opportunities of improvement.

Building Division Policy/Procedures

The Building Division has lacked standard written policies and procedures. The City contract building official... has been reviewing examples of manuals from comparative cities and has been crafting a draft manual for staff review. The preliminary draft manual will be available for distribution at the January 23 [2001] City Council meeting. The Policies and Procedures Manual will be implemented and personnel will be trained by April 1, 2001.

Building Permit Fee Calculation/Collection

The department has been inconsistent in the application of generally accepted fee calculation and collection methods. Staff will receive training to insure consistent application and valuation of construction projects by February 2001.

CONCLUSIONS

1. The city manager and the director of CDD have made a good start at improving policies and procedures in the department. Of the remedies promised in the January 22, 2001 Management and Action Plan, there are now public handouts explaining permit procedures, and staff training is underway.
2. It is too soon to judge whether the city manager's implemented and promised actions will in fact be sufficient to make the CDD the professional and fair department the citizens of Woodland deserve.

RECOMMENDATIONS

- 01-35 The City of Woodland should continue implementing the MAPCDD remedies promised the 2000-2001 Grand Jury.
- 01-36 The City of Woodland should, in its next budget, allocate the needed funds identified in the MAPCDD.
- 01-37 The 2001-2002 Grand Jury should review the operations of the CDD to determine if the promised remedies have been implemented and if the department is functioning professionally and consistently.

RESPONDENTS

Woodland City Manager (Recommendation 01-35)
Woodland City Council (Recommendations 01-35 and 01-36)

METHODOLOGY

Persons Interviewed

Complainants

City Manager, City of Woodland

Director of Community Development, City of Woodland

(INVESTIGATIONS: Woodland Community Development Department—continued on next page)

Documents Examined

“Management and Action Plan to Improve the Department of Community Development (Building Division) of the City of Woodland,” dated January 22, 2001.

“Management Assessment of Building Inspection Services, City of Woodland, California: Final Report”

Complainants’ files

Yolo County Elections

REASON FOR REVIEW

The Grand Jury reviewed the Elections Office to determine whether Yolo County elections are conducted fairly and accurately, focusing on how, if at all, Yolo County is protected from the kinds of mistakes and problems seen in Florida in the November 2000 election.

BACKGROUND

The Elections Office is responsible, under state and federal election laws, for registering voters, selecting the equipment and ballots used in elections, finding polling places, recruiting and training pollworkers, counting votes, and reporting results to the public. The office is directed by the Clerk-Recorder, assisted by a deputy clerk recorder and six full-time election workers. In the days before and after elections, when more people are needed, part-time workers swell the staff of the office.

The city clerks in Davis, West Sacramento, Winters, and Woodland work closely with the Elections Office year-round and share responsibility for elections in their cities.

Some statistics may help illustrate the scope of the Elections Office’s job. In November 2000, 83,385 people had registered to vote in Yolo County. Of that number, 61,950, or 74.2 percent of registered voters, voted in the November 2000 election, and 15,668, or 18.7 percent of them, voted by absentee ballot. To prepare for that election, 64,355 ballots were printed.

Most of the Elections Office budget comes from the county general fund, supplemented by reimbursement from the state for certain state-mandated costs and reimbursement from municipalities and districts for the costs of their elections.

FINDINGS

1. To increase enfranchisement, California law encourages people to register to vote when they apply for or renew a driver’s license.
2. California law allows for provisional voting: voters who, on arriving at their polling place, find their names are not on the rolls may vote provided they meet certain criteria. Their sealed ballots are segregated from the ballots of registered voters whose names do appear on the rolls, and they are counted only if the Elections Office determines that the voters were in fact eligible to vote.
3. To reduce the likelihood of fraudulent voting, the Elections Office compares absentee and provisional voters’ signatures with scanned images of the signatures on their registration cards, as required by state law.
4. The Elections Office must adhere to the strict procedures of the federal Voting Rights Act before removing a voter from the rolls. California law requires counties to notify each other when voters move, but there is no federal law that requires this kind of notification between states.
5. During a 30-day canvass period following each election, the Elections Office performs a hand count of random samples of ballots, following a formula dictated by state law, to verify the accuracy of the election-night machine count. The canvass period is also when the legitimacy of provisional votes and absentee votes not counted on election night is verified and those ballots are counted.
6. Yolo County uses the Datavote voting machine, which uses a staple-like tool to punch holes through ballots, leaving no partially punched holes.
7. Ballots are imprinted with each issue and candidate, eliminating the confusion that occurs in counties that print only reference numbers on their ballots.
8. Because the Datavote punches cleanly and because Yolo County uses ballots that identify candidates and propositions, voters can clearly see how they voted when they remove their ballots from the machine.
9. Between elections, voting machines are stored by Sequoia Printing Company, which cleans and inspects the machines and certifies that they are functioning

(INVESTIGATIONS: Yolo County Elections—continued on next page)

- properly before each election.
10. Converting to touchscreen voting would cost Yolo County at least \$3 million, and there are unresolved concerns about the security and practicality of this technology.
 11. Finding a sufficient number of polling places is a chronic problem, particularly for countywide elections in which turnout is expected to be high.
 12. Recruiting a sufficient number of pollworkers is a chronic problem. State law requires three pollworkers present at all times at each site, so the county assigns four workers per site to allow for the breaks workers will need during a workday that can exceed 15 hours.
 13. Current pay for pollworkers ranges from \$60 to \$75 per election, depending on the level of responsibility they undertake. Pollworkers are also paid \$10 for attending a training class prior to the election, and they may be reimbursed for their mileage.
 14. On election night, ballots arrive at the Elections Office escorted by sheriff's deputies. Boxes of ballots are time-stamped and logged in on arrival. All ballot handling and vote counting is done by at least two people working together in public view. A continuous video feed of the count can be viewed on election night on the Office's web site (www.yoloelections.org).
 15. To help its staff keep abreast of new laws, technological advances, and general trends, the Elections Office belongs to a state association of election officials and registrars. All staff attend a conference on new laws each year. The Office also belongs to a national organization that sponsors university classes that allow election officials to become certified.
 16. City clerks in Davis, West Sacramento, Winters, and Woodland are in frequent contact with each other and have good working relationships with Elections Office staff, although they complain about sometimes receiving incomplete or inaccurate information from the Office.
 17. Storage and work space is inadequate.
 18. According to Elections Office staff, their funding is sufficient.

CONCLUSIONS

1. Yolo County's Datavote system is accurate and reliable.
2. There is no pressing need for Yolo County to replace

its Datavote machines with newer, more technologically advanced equipment. Since research and development of new technologies is underway, it makes sense to wait until there are more and better choices available.

3. Given the long workday, increasing pay for pollworkers is probably not in itself a solution to the shortage of volunteers.
4. The Grand Jury is impressed with the extensive continuing education Yolo County provides for its Elections staff.
5. Although instances of human error are unavoidable, the Grand Jury believes the Elections Office is assiduous in its efforts to ensure fair, accurate elections in Yolo County.

RECOMMENDATIONS

- 01-38 The county should provide adequate space for the Elections Office to assemble election-day materials, conduct vote counts, and store ballots as required by law.
- 01-39 The Elections Office should work to improve the accuracy and timeliness of its communications with city clerks.

RESPONDENTS

Board of Supervisors (Recommendation 01-38)
Clerk-Recorder (Recommendation 01-39)

METHODOLOGY

The Grand Jury witnessed demonstrations of signature verification.

Persons Interviewed

Clerk-Recorder
Deputy Clerk-Recorder
City Clerk, Davis
City Clerk, West Sacramento
Longtime temporary elections worker
Former candidate for the office of Clerk-Recorder
Chair, Yolo County Democratic Central Committee

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

Documents Examined

“Statement of Votes Cast: Presidential General Election, November 7, 2000,” Yolo County Office of Elections, November 16, 2000.

“Touch screen voting unneeded,” by Tony Bernhard, *Davis Enterprise*, March 25, 2001.

“Flawed balloting: Lawsuits put pressure on election reform,” editorial, *Sacramento Bee*, April 20, 2001.

Reviews

Juvenile Hall

REASON FOR REVIEW

The 1999-2000 Grand Jury recommended that the 2000-2001 Grand Jury revisit the Yolo County Juvenile Hall to determine how well it was functioning after initiating some of the changes recommended by last year's Grand Jury.

BACKGROUND

On August 3, 2000, members of the Grand Jury toured the Juvenile Hall facility at 238 West Beamer Street in Woodland. Under the authority of 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 original facility was built in the 1960s and expanded in 1976-1977 to a facility with a rated capacity of 30. It is not unusual, however, for the facility to house more than 40 juveniles. The director predicts that construction of the new Juvenile Hall will begin in April 2002 and be completed by June 2003.

In its report, the 1999-2000 Grand Jury recommended a number of short-term remedies for the problems it identified at Juvenile Hall: nonfunctioning security monitors, insufficient surveillance cameras, and no metal detector at the entrance to the facility. The Grand Jury also recommended increased salaries and benefits for the corrections officers who work there.

FINDINGS

1. There is often no one available to use the wand to scan visitors entering the Juvenile Hall.
2. The surveillance cameras have been repositioned and are working.
3. The design of the control room is such that the person working there must sit facing away from the monitors.
4. It is impossible for the control room person to do paper work and answer phones and still observe the wards in the monitors.

5. Juvenile Hall has added two Senior Child Care Workers to its classification system.
6. In November 2000 Yolo County detention officers received an 11.2 percent pay increase and, in June 2001 safety retirement, retirement benefits for peace officers that previously were not available to officers who work at Juvenile Hall. Detention officers will be vested in the retirement plan after five years; supervisors will be vested after two years.
7. As of November 2000, there was a staff turnover rate of 44 percent and a vacancy of 8 out of 18 positions (44 percent).

CONCLUSIONS

1. With some exceptions, the physical problems (short-term needs) of the Juvenile Hall appear improved. It is difficult to recommend major physical corrections to the present facility. Such items as walk-through metal detectors and additional video cameras are needed, but the expenditure does not seem warranted in an obsolete and soon-to-be-abandoned facility.
2. It is too soon to judge whether increased salaries and safety retirement will provide enough impetus to remedy the serious understaffing we found at the Hall. Yolo County is facing stiff competition in hiring and retaining competent personnel to staff its Juvenile Hall. To this end the administrators in the Probation Department, the Department of Human Resources, and the Board of Supervisors appear to be trying to do their best.

RECOMMENDATIONS

- 01-40 The 2001-2002 Grand Jury should review the Juvenile Hall to determine if the promising remedies are working.
- 01-41 In the control room, at the very least, mirrors should be installed that would allow the person

*(REVIEWS: Juvenile Hall—
continued on next page)*

assigned to the room and sitting at the desk to glance up and observe the monitors.

RESPONDENTS

Probation Department (Recommendation 01-41)

METHODOLOGY

Persons Interviewed

Chief Probation Officer

Juvenile Hall Director

Assistant County Administrative Officer, Human Resources

Yolo County Jails

REASON FOR REVIEW

The state Penal Code instructs grand juries to inquire into the condition and management of public prisons within their county. Yearly the Yolo County Grand Jury has reviewed the Monroe Detention Center and the Walter J. Leinberger Memorial Minimum Security Detention Facility. In the absence of complaints or obvious problems, the review has historically consisted of a one-day overview. This is the procedure the 2000-2001 Grand Jury followed.

BACKGROUND

Monroe Detention Center

The Monroe Detention Center is the main jail for Yolo County. This 12-year-old, 93,000-square-foot facility is able to house 313 inmates of virtually every security classification. All controls and instrumentation are fully electronic, and Monroe is described as a "new generation" or direct-supervision jail. When the inmates are out of their cells, they have unlimited access to indoor and outdoor exercise and recreation equipment, including television, table games, and basketball. Educational opportunities abound: GED tutoring, literacy, parenting, alcohol and drug counseling, anger management, HIV counseling, computer education, and women's support. The equipment and educational programs are purchased with funds generated when the inmates purchase items from the inmate commissary store or use the telephone.

The Sheriff reports that Monroe Detention center is one of a few county jails in California operating without a law suit. It is considered a "showcase" facility, drawing

many professionals who come to observe how a modern, well-designed facility operates.

Leinberger Center

The Leinberger Center is primarily a working facility, designed to house sentenced inmates who work at various city, county, and state agencies to reduce their jail time. The 15,150-square-foot facility houses inmates dormitory-style. Rated to house 112 male and 30 female inmates, the center acts as an overflow facility for Monroe Center. Potential inmates are strictly screened for transfer to the lower-security facility. In addition to work opportunities, inmates may participate in programs similar to the ones available at Monroe.

The Leinberger Center administrative offices house the Sheriff's Work Program, which offers alternatives to incarceration. Two programs are currently being offered: Sheriff's Working Inmate Program and Electronic Surveillance. During the 1999-2000 fiscal year, there were 268 Electronic Surveillance participants who spent 8,964 days out of jail.

FINDINGS

1. The Yolo County detention facilities are understaffed. Peace Officers Standard Training review showed that the Monroe facility was short 30-32 staff.
2. Because it is difficult to recruit and train a large number of new officers at one time, recruitment and hiring is an ongoing process.
3. As of June 2000, annual overtime expenditures required to keep the facility fully manned were \$832,067.
4. Those overtime expenditures would more than cover the cost of hiring 12 new corrections officers.
5. Turnover is low; the Sheriff's Department has lost only seven deputies in the last three years.

CONCLUSIONS

1. The Grand Jury found safe, clean facilities staffed by well-trained correctional officers who take pride in their profession and the job they are performing.

RECOMMENDATIONS

- 01-42 Yolo County should keep hiring until the Monroe and Leinberger detention centers are fully staffed.

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

RESPONDENTS

Yolo County Board of Supervisors

METHODOLOGY

The Grand Jury conducted a daylong tour and review of the facilities, including a seminar by Sheriff Ed Prieto.

Documents Examined

Annual Report 1999-2000 Sheriff Coroner

Yolo County Animal Shelter

REASON FOR REVIEW

As part of its mandated annual review of the Sheriff's Department, the Grand Jury inspected the Yolo County Animal Shelter.

BACKGROUND

The Yolo County Grand Jury toured the Animal Shelter on August 8, 2000. Part of the Administrative and Special Services Division of the Sheriff's Department, the shelter has the capacity to hold 100 dogs and 75 cats. In addition to domestic animals, the shelter can (and at times does) house exotic animals, livestock, and wildlife. The Animal Shelter employs one manager, one supervisor, nine animal control officers, and one kennel technician. Inmates of the Walter L. Leinberger center help construct, clean, and maintain the cages.

Upon entering the shelter, animals are vaccinated and observed to ensure that only healthy animals will be offered for adoption. The Yolo County Animal Shelter finds homes for over 7,000 animals each year, or more than half of all the animals that enter the shelter.

Animal control officers assist other local and state law enforcement agencies when animals are involved, enforce pertinent code sections, assist postal employees threatened by loose dogs, and respond to complaints about stray animals or animal abuse.

Although it occupies a large site, the facility itself is small and cramped. Half of the main building houses the front office, ASPCA office (the ASPCA works with shelter staff to promote adoptions), staff offices, and a public bathroom which is also used by staff who have no other place to change clothes (after certain "animal events," officers need to shower and change). The other half houses—in separate rooms—cats, adoptable dogs,

quarantined animals, and dogs not eligible for adoption. During "cat season," when cats are breeding, the cat room quickly reaches capacity. There is also a barn on site, as well as trailers and storage areas.

Most of the shelter's operating costs are paid by cities within the county that use Animal Control services, supplemented by pet-licensing fees (raised in 2000 for the first time since 1989) and donations, including pallets full of pet food given by various stores within the county.

Yolo County Coroner's Office and Morgue

REASON FOR REVIEW

As part of its mandated annual review of the Sheriff's Department, the Grand Jury inquired into the operations of the Yolo County Coroner's Office and Morgue.

BACKGROUND

A division of the Yolo County Sheriff's Department, the Coroner's Office investigates sudden, violent, or unusual deaths to determine their cause. The office also is responsible for positively identifying any corpse; generally this is done through fingerprints and dental records.

FINDINGS

1. The number of homicides, suspicious deaths, and suicides in the county is increasing. The Coroner's case load varies seasonally, but typically ranges from 30-60 cases a month. In 2000, the office investigated 600 deaths.
2. To perform the work, there are three full-time staff members, one part-time staff member, and up to three interns who work two eight-hour days a week. At the time of our review, the office was ready to hire an additional full-time staff person.
3. Deputy coroners investigate the scene of death; serious crimes may take weeks to fully investigate.
4. The average cost to investigate a death in Yolo County is \$3,000. To save time as well as money,

(REVIEWS: Yolo County Coroner's Office and Morgue—continued on next page)

the office increasingly performs tasks in-house that had previously been contracted out. All personnel are trained in positive fingerprinting, whole body and dental x-rays, some drug testing, and film development.

5. Officers are allowed time off without pay when the stress of a difficult job becomes unmanageable. Low staff turnover is attributable to the interesting nature of the work and the extra training available.
6. The Sheriff is trying to find reliable transportation for deputies who travel to death scenes at night in isolated or unsafe areas.

CONCLUSIONS

1. We found the staff enthusiastic and dedicated.
2. We support the Sheriff's efforts to secure reliable transportation for his staff. No county employee should be put at greater risk than necessary.

Appendix

Responses to the 1999- 2000 Grand Jury Report

In accordance with Section 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. Elected officials must respond within 60 days. If respondents disagree with Grand Jury recommendations, they must explain why.

The 2000-2001 Grand Jury reviewed the responses to the 1999-2000 report and found most of them adequate. We did request more information from the Winters Police Department and Child Protective Services, and the information those departments provided follows.

The Winters Police Department's response to recommendation 00-07 is that the city hopes to increase the number of sworn personnel by gaining state and federal funding. The city has signed a multi-year contract providing a 10 percent salary increase retroactive to July 1, 2000, and a 7.5 percent salary increase effective July 1, 2001 (00-08).

Child Protective Services expanded its response to recommendations 00-18 and 00-19 by sending the Grand Jury its complete Policy and Procedures Manual.

Below are the recommendations from the 1999-2000 report. Each recommendation, with its reference number in parentheses, is followed by a summary of the official response. The complete report is available at public libraries in Yolo County and on the Grand Jury's web site (<http://home8.gotnet.net/ycgj>). The complete set of responses is available for public review at the office of the clerk of the Board of Supervisors.

Davis Police Department

The Davis Police Department should develop a clear-cut mission statement as soon as possible (00-01).

The Davis Police Department's Mission Statement is: "Our mission is to provide a safe and secure environment to everyone in the City of Davis. We will maintain order and protect all members of the public, regardless of race, ethnicity, religion or gender. We are 'peace officers' and will fulfill our duty to keep the peace. This will be achieved by working in partnership with the community based on mutual respect, understanding and sensitivity."

The Davis City Council should conduct a study of the safety issues related to the new I-80 bicycle undercrossing and determine and meet the law-enforcement needs before a serious accident occurs (00-02).

The Putah Creek bicycle undercrossing is a well-lit, modern facility designed and built to current standards. The undercrossing will incorporate three emergency phone boxes. The construction accommodates vehicular traffic, allowing for periodic police patrol.

The Davis Police Department should provide formal, periodic training to sworn officers on racial tolerance and cultural awareness (00-03).

The Davis Police Department is continuing to expand efforts to improve racial harmony between the community and Davis police employees by:

- working with the University of California at Davis (UCD) and the UCD Police Department to promote safe and neutral exchange of ideas between police employees and students of varied ethnicity;
- scheduling a police manager to attend a "Racial Profiling and Traffic Stops" symposium, who will then conduct department-wide training and implement updated department policies on this topic;
- inviting speakers from prominent organizations that can help us recognize how to be aware of intolerance, hate crimes, and racial or gender bias;
- revising department policies and developing a manual to guide our response to hate crime reporting and investigations;
- circulating a Department of Justice video on Response and Investigation of Hate Crimes to all police officers and investigators, dispatchers, and police service specialists.

The Davis City Council should seriously study issues relating to proper firearms training needs and facilities to make sure that the police force does not fall behind in firearms training and meets or exceeds mandated standards (00-04).

Firearm training is a high priority, and the Davis Police

*(APPENDIX: Responses to the 1999-2000 Grand Jury-
continued on next page)*

Department has never fallen behind in our firearms training. We have mandated quarterly firearm training and qualifications for all employees using firearms. There have been occasions when employees have missed the quarterly sessions, but they have been ordered to make up the quarterly qualifications.

An employee must shoot two qualifying scores at the same qualifying session before being released back to duty. This mandated standard has been exercised for both officers and managers. When an administrator returned from the firing range without qualifying because of equipment failure, he did not carry a weapon until he successfully qualified.

Range instructors had discontinued training with the standard shotgun carried by officers because of complaints from supervisors about the time on-duty officers were away from work. Shotgun training has now resumed.

The department had to discontinue active use of our firing range on County Road 102 north of the city limits because of residential growth pressures. After considerable research, we have successfully contracted with the Yolo Sportsmen's Club for firing range use. This is an interim solution. The Davis Police Department plans to purchase a state-of-the-art automated indoor firing system that will be located in the rear parking lot of our new building. The system will enhance training in firearms decision-making situations. The cost is estimated to be \$70,000.

The Davis City Council should study the practicality and fairness of parking enforcement in private lots, especially shopping plaza lots, and make sure that ordinances are enforceable in a fair and just manner (00-05).

Parking, particularly in shopping plaza lots, has traditionally been difficult to fairly enforce. The University Mall shopping plaza is particularly difficult to enforce because it is not posted for two-hour parking. We recommended to the University Mall property owners that they post the lot as a two-hour lot, but the owners chose not to implement our recommendation and continue using private security to report offending vehicles to the department. This system is flawed and results in citation dismissal when vehicle owners have receipts from Mall businesses.

Yolo County will benefit when the Davis Police Department adopts the new 800 megahertz communication frequency (00-06).

Currently, the majority of law enforcement agencies along the I-80 corridor are using the 800 MHz system. Unfortunately, some jurisdictions in Yolo County (Woodland, Davis, and Winters police departments and the Sheriff Department) are not on the 800 MHz system, and the cost of converting is deterring their switching.

The City is working with a local vendor to build a city 800

MHz system, and cost estimates are pending. The City of Davis has set aside \$1.1 million dollars for this project. In the event the implementation cost exceeds this amount, the City is willing to explore reasonable funding alternatives.

Winters Police Department

The Winters City Council and the city manager's office should study the situation of its police force and find ways to increase the number of sworn officers (00-07).

The City Council should study pay scales and benefits packages for its sworn officers, and pay scales and benefits should be brought up to a level comparable with other law enforcement agencies in Yolo County (00-08).

Yolo County will benefit when the Winters Police Department adopts the new 800 megahertz communication frequency (00-09).

We will be looking into and meeting the Federal Communications Commission mandate.

Woodland Police Department

To achieve better racial harmony in the community and to deal with race-related matters more effectively, the Woodland Police Department should provide periodic formal training to sworn officers on racial tolerance and cultural awareness (00-10).

The Woodland Police Department does provide an effective training plan which addresses racial tolerance and cultural awareness. Department managers attended the Western Regional Hate Crimes Symposium in 1999. All personnel will attend training sponsored by the Museum of Tolerance in Los Angeles, funded by a grant from the museum. In addition, each new employee undergoes two hours of department training that focuses on the cultural demographics of the community, a tour of various neighborhoods, and meetings with members of the community. We will continue to explore and implement effective training methods to address these issues.

Yolo County will benefit when the Woodland Police Department adopts the new 800 megahertz communication frequency (00-11).

Congress has mandated all government radio operations in the radio bands be narrowbanded by 2005 (for VHF) or 2007 (for UHF). Until recently, only one or two manufacturers were offering 800 MHz trunking systems. Now, more and more vendors are close to producing equipment that operates

*(APPENDIX: Responses to the 1999-2000 Grand Jury—
continued on next page)*

in a digital/narrowband environment. The Woodland Police Department will work with other members of the Yolo County Communications and Emergency Services Agency to develop a strategy for this potential communications change.

Yolo County Sheriff's Department

The county administrator's office should conduct an independent study to determine the root cause of higher than normal turnover of sworn officers and, in cooperation with the Sheriff's Department, find ways to remedy the situation (00-12).

The Human Resources Division is working to develop options to retain staff and improve recruitment of new staff. Plans are nearly complete to conduct an employee survey to gather information on the needs of employees. We will also be conducting a total compensation salary survey to benchmark our compensation package with other agencies.

The Sheriff's Department should evaluate the potential of moving sworn officers, including deputies and correctional officers, out of the Monroe Detention Center into the county at large. If correctional officers are asked to take over sworn officers's functions inside the jail, they should receive additional training and benefits, including safety retirement (00-13).

The department was reorganized to free up deputies for field operations, specifically patrol. The correctional staff have been well prepared and received the additional training required to assume some of the duties and responsibilities of the deputies and sergeants. Additional benefits and safety retirement for correctional officers should be addressed during contract negotiations.

Yolo County Juvenile Hall

In the short term, all monitors should be fixed and on line; all surveillance cameras should be working and focused on relevant areas, with new cameras installed as needed; all locks should work, with minimal downtime; a metal detector should be installed at the main entrance; and the director of the facility should have the authority (up to a predetermined monetary limit) to maintain any security-related items without having to go through normal bureaucratic channels (00-14).

All monitors are fixed and operational; all cameras are working and have been installed, relocated, or adjusted; all locks have been repaired, and a more responsive maintenance company found; a portable (wand) metal detector will be used to scan unknown visitors; and the director has the authority to maintain any equipment identified as an emergency need.

In the intermediate term, pay scales should be investigated and adjusted to more accurately reflect the going rate for comparable positions in neighboring counties; some form of safety retirement should be offered to all probation department employees classified as peace officers; and a more detailed method of prioritizing and tracking repairs should be initiated (00-15).

A salary and benefit survey is being conducted and will address safety retirement; repairs get a quicker response from General Services, and electronics are maintained by a more responsive company.

In the long term, the county should consider replacing the present juvenile hall with a new facility (00-16).

The Board of Supervisors and the county administrator's office are pursuing construction of a new juvenile hall.

Yolo County Y2K Strategy Plan

The Grand Jury commends all the people who worked on the Y2K strategy, especially the Information Technology Division which provided leadership and direction to all departments (00-17).

The Board of Supervisors accepts the commendations of the 1999-2000 Grand Jury and will forward it to all departments and divisions involved.

Child Protective Services

The director should verify that there are written protocols and objective assessment instruments in place to guide the placement decisions of caseworkers according to accepted standards (00-18).

The department relies upon the specific statutes governing placement that are contained in California State Department of Social Services Regulations, Best Practices Guidelines issued by the state, and written Relative/Kinship Care Assessment Guidelines. A local policies and procedures manual will be completed by December 30, 2000.

The director should periodically review the written protocols for the department to assure that the department is in compliance with accepted standards (00-19).

The State provides oversight of county Child Welfare Services in the context of federal and state law and state policies and procedures. This oversight is conducted through compliance reviews.

The director should enlist the services of the Human

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Resources Department and the county administrator's office to develop a comprehensive recruitment and retention plan. This should include a formal employee orientation and training program that will fast track the new staff to be fully functional within 90 days of hire (00-20).

The department will continue to work with the county administrator's office and Human Resources to explore and develop ongoing ways to address recruitment and retention.

The department will continue to utilize the training programs provided through the Northern California Children and Family Services Training Academy under the auspices of the Center for Human Services, University Extension, University of California, Davis. Yolo County would expect Child Welfare staff to be functional in the core competency areas of their program assignment at the end of 12 months.

Esparto Community Services District

The Esparto Community Services District (ECSD) should institute a formal policy of initial and annual refresher training for its board members on the requirements of the Brown Act (00-21).

The ECSD presently has a policy that strongly encourages training, especially training related to the Brown Act. The Yolo County Counsel's Office has indicated that it will provide the sort of training called for in this recommendation. This board looks forward to that training.

The ECSD should coordinate with the County Counsel, District Attorney, or other local agencies that provide Brown Act training in which ECSD members can participate (00-22).

The County Counsel's office will include the ECSD in a training session devoted entirely to the Brown Act that is open to all special districts in the county.

The District Attorney's office recommends that any actions previously taken by the ECSD board that lacked proper notice or inclusion in the formal agenda be vacated to minimize any potential legal liability. The District Attorney's office would not be the appropriate agency for training as it would be this office's responsibility to prosecute offenders or intervene in the event there were a violation of the Brown Act. In addition, the county should provide the ECSD a copy of the Attorney General's pamphlet on the Brown Act.

The ECSD board should take personal responsibility to assure that the public's business is conducted in public as required by the law (00-23).

The board wholeheartedly and enthusiastically acknowledges its responsibility to ensure that the public's business is

conducted in public as required by law.

The ECSD should review the findings and recommendations from the 1997-1998 Yolo County Grand Jury and institute that report's recommendations immediately (00-24).

Those recommendations have already been implemented.

The 2000-2001 Grand Jury should continue to monitor the ECSD (00-25).

Esparto Unified School District

The Esparto Unified School District (EUSD) should institute a formal policy of initial and annual refresher training for its members on the requirements of the Brown Act (00-26).

An in-service program for board members on Brown Act compliance will be conducted by legal counsel with specialized training and experience. Plans for annual in-service programs on Brown Act compliance are currently under consideration.

The EUSD should coordinate with the County Counsel, District Attorney, and other local agencies that provide Brown Act training in which EUSD members can participate (00-27).

The County Counsel's office will include the school district in a training session devoted entirely to the Brown Act that is open to all special districts in the county.

EUSD board members should take personal responsibility to assure that the public's business is conducted in public as required by law (00-28).

The EUSD is in the process of reviewing and updating its bylaws, board policies, and administrative regulations to ensure that the standards followed by the district are current and in compliance with the laws governing school districts.

Board members should evaluate their own commitment of time since absences from the community or board meetings may detract from a member's effectiveness and deprive the community of the full talents and skills of the member (00-29).

The absences referred to in the Grand Jury report occur as a result of a board member's military service obligations. The public policy of both this state and the federal government preclude any criticism or discrimination based upon that service.

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Yolo County Animal Shelter

The shelter should work out an understanding with the UC Davis Department of Animal Science and the College of Veterinary Medicine to create internships with the shelter (00-30).

Although the Yolo County Sheriff's Department supports the use of internship programs in Animal Services, internships for veterinary students require the supporting agency to have a veterinarian on-site while students are present. At present the Yolo County Animal Shelter does not have an on-staff or on-site veterinarian.

Internships for Animal Science students would be more easily attainable with our current programs. Both internship programs will be thoroughly explored by the Sheriff's Department for possible implementation.