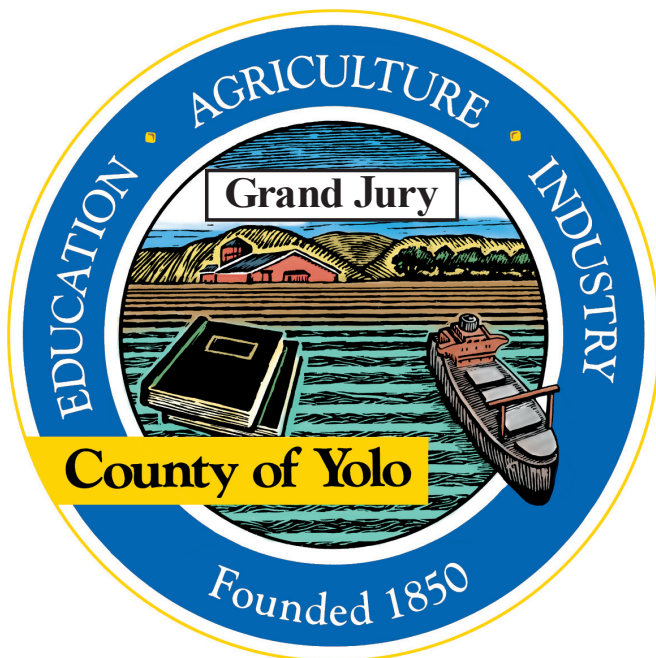


# **2014 – 2015 YOLO COUNTY GRAND JURY**

## **FINAL REPORT**

**A Report for the Citizens of Yolo County, California**



**June 30, 2015  
Woodland, California**

**2014 – 2015  
YOLO COUNTY GRAND JURY**

**FINAL REPORT**

**A Report for the Citizens of Yolo County, California**

June 30, 2015

Woodland, California





# Table of Contents

**Letter from Yolo County Grand Jury Foreperson . . . . . 5**

**2014-2015 Yolo County Grand Jury Members . . . . . 6**

**About the Grand Jury . . . . . 7 - 8**

**Investigations . . . . . 9 - 54**

    The Yolo County Landfill: Cutting Edge Technology . . . . . 10 - 16

    Monroe Detention and Leinberger Memorial Centers:  
        Adapting Throughout Political and Physical Change . . . . . 17 - 23

    Collections and Probation: The System is Broken . . . . . 24 - 29

    Yolo County Animal Services:  
        “If It Walks, Crawls, Flies or Slithers...” . . . . . 30 - 35

    Yolo County Environmental Health Services Division:  
        Has The Food Truck You’re Visiting Been Inspected?. . . . . 36 - 40

    Closing the Loop:  
        How Yolo County Implements Its Responses to the Grand Jury . . . . . 41 - 54

**Appendix . . . . . 55 - 101**

**Responses to 2014-2015 Grand Jury Report . . . . . 55**

**Responses to 2013-2014 Grand Jury Report . . . . . 57**

    Yolo County Promotion Practices:  
        Need for Standards and Oversight . . . . . 58 - 61

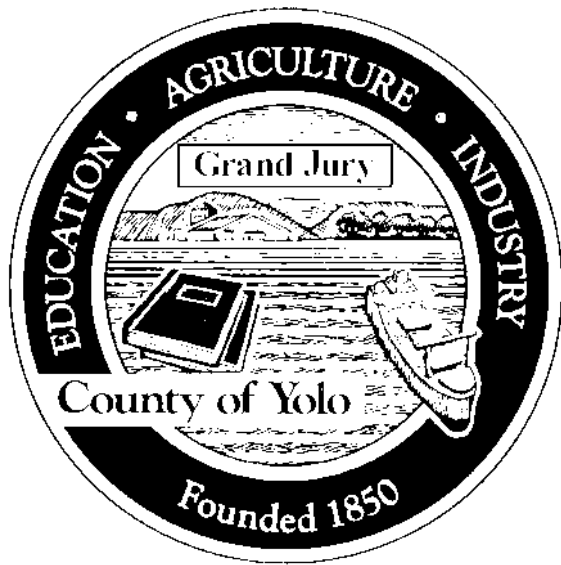
    Implementing Major Changes in Education at the Local Level:  
        Building a Plane in Midair . . . . . 62 - 64

    Yolo County Coroner’s Division . . . . . 65 - 72

    Mental Health Crisis Services in Yolo County . . . . . 73 - 86

    Proposition 218 Protest Election Process: “The Yolo Way” . . . . . 87 - 88

    Yolo County Sheriff:  
        Leadership Practices from the Wild, Wild West . . . . . 79 - 101



# GRAND JURY County of Yolo

P. O. Box 2142  
Woodland, California 95776

June 26, 2015

The Honorable Paul K. Richardson  
Advising Judge to the Grand Jury  
Superior Court of California, County of Yolo  
725 Court Street  
Woodland, CA 95695

Dear Judge Richardson,

The 2014-2015 Yolo County Grand Jury proudly presents our Consolidated Final Report to you and the citizens of Yolo County.

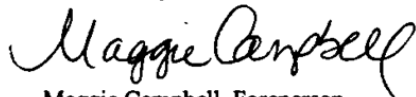
This year, the Grand Jury received and reviewed 16 citizen complaints, a substantial decrease from the 27 received in 2013-2014. Three complaints were referred from the 2013-2014 Grand Jury.

The Grand Jury produced six reports: one on the County Detention Facilities as mandated by the California Penal code, two based on complaints, and three based on Grand Jury initiated investigations. The implementation and success of recommendations made by previous Grand Juries was of great interest to this year's Grand Jury. Accordingly, we have included a continuity report that touches on the success of these previous recommendations. All six reports were released early, yet not in time for any responses to be included in this final report.

Not all of this year's investigations resulted in reports. Some complaints were received too late to investigate this year and will be referred to next year's Grand Jury for consideration.

The 2014-2015 Yolo County Grand Jury is represented by an amazingly intelligent, insightful, and dedicated group of residents from Davis, Dunnigan, Esparto, West Sacramento and Woodland. It has been my honor to serve as Foreperson.

On behalf of the entire 2014-2015 Yolo County Grand Jury, please allow me to share our sincere appreciation to all the Yolo County employees and officials whose guidance, support, and cooperation made this year a success. It has been our honor and privilege to serve the citizens of Yolo County.



Maggie Campbell, Foreperson  
2014-2015 Yolo County Grand Jury

**The 2014-2015  
Yolo County Grand Jury**

**Maggie Campbell**, *Foreperson, West Sacramento*

**Richard DeLiberty**, *Woodland*

**Linda Gage**, *Davis*

**Steve Hodge**, *Davis*

**Anne Jones**, *Davis*

**Carl Kailikole**, *West Sacramento*

**Marie Kearney**, *Dunnigan*

**Robert Monroe**, *Woodland*

**Hyland Morrow**, *Davis*

**Michael Neff**, *Davis*

**Victoria Oliver**, *West Sacramento*

**George Pennebaker**, *Esparto*

**Debra Petry**, *Woodland*

**Juanito Regadio**, *West Sacramento*

**John Roark**, *Woodland*

**Gregg Roy**, *Davis*

**Fred Schutzman**, *Woodland*

**Carlene Upton**, *West Sacramento*

**Enid Williams**, *Woodland*



## ABOUT THE GRAND JURY

The United States Constitution's Fifth Amendment and the California Constitution require that each county appoint a Grand Jury to guard the public interest by monitoring local government. Per California Penal Code Section 888, the Yolo County Superior Court appoints 19 Grand Jurors each year from a pool of volunteers. These Yolo County citizens, with diverse and varied backgrounds, serve their community as Grand Jurors from July 1st to June 30th. The Yolo County Grand Jury is an official, independent body of the court, not answerable to administrators or to the Board of Supervisors.

### FUNCTION

The California Grand Jury has three basic functions: to weigh criminal charges and determine whether indictments should be returned (Pen. Code, § 917); to weigh allegations of misconduct against public officials and determine whether to present formal accusations requesting their removal from office (Pen. Code, § 992); and to act as the public's "watchdog" by investigating and reporting on the affairs of local government (e.g., Pen. Code, §§ 919, 925 et seq.). The purposes of any Grand Jury civil investigation are to identify organizational strengths and weaknesses and to make recommendations aimed at improving the services of county and city governments, school districts, and special districts under study. Based on these assessments, the Grand Jury publishes its findings and may recommend constructive action to improve the quality and effectiveness of local government.

Recommendations from the Grand Jury are not binding on the organization investigated. The governing body of any public agency must respond to the Grand Jury findings and recommendations within 90 days. An elected county officer or agency head must respond to the Grand Jury findings and recommendations within 60 days. The following year's Grand Jury will then evaluate and report on the required responses.

The findings in this document report the conclusions reached by this year's 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 the document have been approved by at least 12 jurors. Any juror who has a personal interest, or might be perceived to have a personal interest, in a particular investigation is recused from discussion and voting regarding that matter. All reports are reviewed by the Grand Jury's legal advisors to ensure conformance with prevailing laws.

While the Yolo County Grand Jury's primary function is civil review of government agencies, it is also called upon to participate in criminal indictments, usually based on evidence presented by the District Attorney. On its own initiative, 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.

The Grand Jury investigates complaints from private citizens, local government officials, or government employees; initiates investigations based on ideas generated from the jury; and follows California Penal Code that requires it to inspect the county's jails.

Copies of the Grand Jury's comprehensive final report, consisting of each year's individual reports on departments and agencies and responses to the prior year's report, are available in hard copy at the courthouse, in all public libraries, and on the Grand Jury's website, <http://www.yolocounty.org/grand-jury>. The report may also be obtained by contacting the Yolo County Grand Jury at 530 -406 -5088 or at P.O. Box 2142 in Woodland, CA 95776.

Grand Jurors and all witnesses are sworn to secrecy and, except in rare circumstances, records of meetings may not be subpoenaed. This  
*(continued on next page)*



## ABOUT THE GRAND JURY

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 report its findings on citizens' complaints.

### HOW TO SUBMIT A COMPLAINT

Complaints must be submitted in writing and should include any supporting evidence available. A person can pick up a complaint form at the county courthouse, the jail, or any local library; can request a form be mailed by calling 530-406-5088 or by writing to the Grand Jury at P. O. Box 2142, Woodland, CA 95776; or by accessing the Grand Jury's website at <http://www.yolocounty.org/grand-jury>. Complaints should be mailed to P. O. Box 2142 in Woodland or sent to the Grand Jury's e-mail address, [grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net). It is not necessary to use the printed form as long as the essential information is included in the complaint. Complaints received after February, when the Grand Jury's work is coming to a close, may be referred to the next year's Grand Jury for consideration.

### REQUIREMENTS AND SELECTION OF GRAND JURORS

To be eligible for the Grand Jury you must meet the following criteria:

- You must be a citizen of the United States.
- You must be 18 years of age or older.
- You must have been a resident of Yolo County for at least one year before selection.
- You must be in possession of your natural faculties, of ordinary intelligence, of sound judgment and fair character.
- You must possess sufficient knowledge of the English language.

- You are not currently serving as a trial juror in any court of this state during the time of your Grand Jury term.
- You have not been discharged as a Grand Juror in any court of this state within one year.
- You have not been convicted of malfeasance in office or any felony.
- You are not serving as an elected public officer.

In addition to the requirements prescribed by California law, applicants for the Grand Jury should be aware of the following requirements:

- Service on the Grand Jury requires a minimum of 25 hours per month at various times during the day, evening and weekend. During peak months, 40 hours a month is typical, with more hours for those in leadership positions.
- Jurors must maintain electronic communications to participate in meeting planning, report distribution, and other essential jury functions. Such communications can be supported by computers at local libraries or personal electronic devices.

Each spring, the Yolo County Superior Court solicits applicants for the upcoming year's Grand Jury. Anyone interested in becoming a Grand Juror can submit his or her application to the Court in the spring, usually in April. Application forms are available at the courthouse or from the Grand Jury's website at <http://www.yolocounty.org/grand-jury>. Applications are managed by the Jury Services Supervisor, Yolo County Courthouse, 725 Court Street, Room 303, Woodland, CA 95695, telephone 530-406-6828. The Court evaluates written applications and, from these, identifies and interviews potential jurors to comprise the panel of nineteen citizens. Following a screening process by the Court, Grand Jurors are selected by lottery as prescribed by California law.

**INVESTIGATIONS**

**2014-2015  
YOLO COUNTY GRAND JURY  
FINAL REPORT**



## **THE YOLO COUNTY CENTRAL LANDFILL: CUTTING EDGE TECHNOLOGY**

### **SUMMARY**

The 2014-15 Yolo County Grand Jury (YCGJ) completed an investigation of the Yolo County Central Landfill (YCCL) and concluded that the landfill operates waste management effectively. Plans to operate the landfill at or above current capacity extend into the next century. A tour showed a well maintained and clean facility, with recyclables sorted.

YCCL has been innovative in being one of the first landfills in the United States and the first in California to have a full scale bioreactor operating to break down waste efficiently and effectively.

The YCGJ identified matters that need attention, including expansion of the re-purpose program.

### **GLOSSARY**

**Aerobic (dry)** - In an aerobic bioreactor landfill, leachate (the liquid that drains or 'leaches' from a landfill) is removed from the bottom layer, piped to liquid storage tanks, and re-circulated into the landfill in a controlled manner. Air and moisture are injected into the waste mass, using vertical or horizontal wells, to promote aerobic activity and accelerate waste stabilization.

**Anaerobic (wet)** - In an anaerobic bioreactor landfill, only moisture is added to the waste mass in the form of re-circulated leachate and other sources to obtain optimal moisture levels. Biodegradation occurs in the absence of oxygen (anaerobically) and produces landfill gas. Landfill gas, primarily methane, can be captured to minimize greenhouse gas emissions and for energy projects.

**Bioreactor** - A bioreactor landfill operates to rapidly transform and degrade organic waste. The increase in waste degradation and stabilization is accomplished through the addition of liquid and/or air to enhance microbial processes. This bioreactor concept differs from the traditional municipal landfill approach.

**Closed Landfill Cells** - The portions of the landfill that have been properly prepared to no longer accept waste materials.

### **BACKGROUND**

California Penal Code Section 925 authorizes the grand jury to investigate and report upon the operations, accounts and departments of Yolo County. Pursuant to that statute, the YCGJ investigated Yolo County Central Landfill. The last YCGJ tour of the YCCL was in 2007. There has not been an investigation since 1998. It was decided a more current assessment of the YCCL was appropriate.

## **The Yolo County Central Landfill: Cutting Edge Technology**

### **METHODOLOGY**

YCGJ followed four primary methods for this investigation: initial research, interviews, detailed research, and site visits. The investigation included six interviews of county staff involved with the landfill. The YCGJ toured the facility in October 2014 and February 2015. The focus of the investigation was on the current and short term future operations of the landfill.

### **DISCUSSION**

#### **Administration and Operations**

Yolo County Central Landfill is part of the Department of Planning, Public Works, and Environmental Services. YCCL is managed by the Deputy Director for Integrated Waste Management with 26 full-time and two part-time staff. YCCL is a Class III municipal landfill (which is a non-hazardous solid waste facility) operating through usage fees and grants. It operates under many permits and restrictions conforming to Federal, State, and local mandates such as those regarding air and groundwater quality.

The landfill opened in 1975 and operates on 722 acres on County Road 28H outside of Woodland, California. The landfill is open Monday through Saturday from 6:30 am to 4:00 pm and Sundays from 9:00 am to 5:00 pm. The landfill is closed six days a year: New Year's Day, Easter Sunday, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. The YCCL holds several special clean-up programs throughout the year including free tire, appliance, and Christmas tree disposal.

#### **Waste Disposal and Recycling**

In 2013, 167,000 tons of waste were deposited at the landfill. Eighty-two percent of the waste was from within the county. During the investigation, the grand jury discovered that there are still residents who are unaware of many of the restrictions on items they might be placing in their garbage intended for the landfill. Current education includes messages in various mailings and newsletters, calendars, websites, school visits, landfill informational packets, and the location of battery recycling containers in local communities.

The landfill offers recycling of used oil, e-waste, tires, metals, cleaned agricultural chemical plastic containers, wood and yard waste, and concrete. E-waste includes discarded electrical or electronic devices. YCCL does not take e-waste larger than televisions or computer monitors. Approximately 789,000 pounds of e-waste is received yearly and generates up to \$90,000 from contract sales.

Household Hazardous Waste Drop-Off Days are Friday and Saturday from 7:30 am to 3:30 pm. Household hazardous waste is any type of potentially dangerous substance used around the home. County staff sorts the materials and makes suitable materials available to

## The Yolo County Central Landfill: Cutting Edge Technology

the public for reuse. County residents and businesses may obtain free, reusable materials such as paints, insecticides, and soil amendments surrendered at the household hazardous waste reuse center on drop-off days. Reusable, nonhazardous household items such as toys, furniture, tools and other discards are excluded from the program.

### Innovation and Technology

The grand jury learned that YCCL began using bioreactor technology in a 1992 pilot study to determine the efficiency and cost effectiveness of the program. Landfill staff has determined that the “bioreactor cells” that are enhanced with liquid (wet cells) are more efficient in breaking down, accelerating the decomposition, and decreasing the volume of garbage. Use of wet cells adds to the lifespan of the landfill. The cells without added liquid (dry cells) break down the volume of garbage more slowly. All future cells are planned to be wet cells. Construction of the first full scale bioreactor was completed in 2002 on a 12 acre area that consists of a 2.5 acre aerobic (dry) cell, and 3.5 and 6 acre anaerobic (wet) cells (Figure 1). Four million shredded tires were used for the base and instrumentation layers of the cells. A new pilot project using anaerobic bio-digester technology is now underway on a 0.25 acre cell area. This involves the process of utilizing clean organic wastes -- naturally biodegradable materials derived from plants, animals, or carbon compounds. Decomposition is enhanced through the injection of liquid to accelerate the breaking down of biodegradable materials like green wastes, manure and food wastes in the absence of oxygen. This produces methane gas used to generate electricity which reduces air emissions. The enhanced decomposition produces high quality compost for agricultural and horticultural use.

The closed landfill cells are monitored for up to 30 years or longer before they are returned to approved land uses. The amount of space available on top of closed cells makes it feasible to consider putting in a solar power system for energy production. Solar power would be able to supply the estimated \$80,000 yearly electrical expenses. These cells can reach a height of 120 feet at their peak before they begin to decompose and reduce their volume over time resulting in lower height and uneven surface. Due to the unstable nature of the topography and the ability to anchor the solar array without disturbing the changing base or puncturing the landfill cover, more study needs to be done.

At the beginning of the investigation the grand jury found that under the category of “Innovative Projects,” the YCCL website contained information on projects which were no longer current (such as Rubberized Asphalt Concrete) and was missing information on current projects (such as the Bio-Digester). A recent Yolo County website redesign noted many of the web page addresses have changed and search results may not be accurate for a time.

### Power Generation

Minnesota Methane, a subsidiary of Fortistar, is a private company operating methane gas recovery for electricity production at the landfill (Figure 2). YCCL receives royalties from

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## The Yolo County Central Landfill: Cutting Edge Technology

Minnesota Methane for the processing of methane gas generated from the use of the wet, anaerobic cells. Annual royalties have generally been increasing since 1998 and averaged \$130,000 per year for the last five years including 2014. Royalties paid the county are percentage based and determined by the gross revenue earned from the sales of refuse gas and energy derived therefrom. It is estimated that the use of wet cells will increase the lifespan of the landfill by 50 years or more.

Under the Yolo County Landfill Commercial Gas Production Agreement, executed in 1985, all specified opt-out dates have passed making it difficult for the county to amend or cancel the contract. The grand jury discovered the county is currently researching potential options and has implemented safeguards to prevent open-ended contracts. Current contracting policies state that multiple year contracts must include provisions for early termination and must be contingent upon available funding. The county developed, and now uses, two standard forms as a basis for most vendor contracts: a short form for smaller contracts and a longer form for complex contracts and contracts over \$75,000.

### FINDINGS

- F1. YCCL works to reduce waste and re-purpose household hazardous waste products.
- F2. YCCL does not make nonhazardous household items, such as toys, furniture, tools and other discards available for reuse.
- F3. Informing residents and other users of the facility about the importance of recycling and proper disposal of household and agricultural wastes is an on-going need.
- F4. Generating solar energy at the landfill has been considered; however, there are special challenges to proper installation on “closed” landfill cells.
- F5. The YCCL website is not current, making it difficult to be aware of all landfill projects.
- F6. Under the Yolo County Landfill Commercial Gas Production Agreement, all specified opt out dates have passed making it difficult for the county to amend or cancel the contract.
- F7. The hours of operation offer broad opportunities to use the facility.

### RECOMMENDATIONS

- R1. Director, Department of Planning, Public Works and Environmental Services (PPWES), in consultation with the County Counsel, shall implement a non-hazardous waste reuse program for the public by June 1, 2016.
- R2. Director, PPWES, shall increase education and outreach efforts on proper sorting and disposal of waste for all residents of Yolo County by January 1, 2016, including non-English language speakers, and recent residents.

### **The Yolo County Central Landfill: Cutting Edge Technology**

- R3. Director, PPWES, shall complete an assessment plan on the possibility of utilizing solar panels on the landfill property to produce electricity by July 1, 2016.
- R4. Beginning September 1, 2015, the Director of PPWES shall review and update website content at least quarterly to reflect current information.
- R5. Immediately, County Counsel and the Chief Administrative Officer shall follow Yolo County adopted policies when entering into any contract to provide goods or services to, or for the utilization of resources generated by, the Yolo County Central Landfill.

#### **INVITED RESPONSES**

- Director, Department of Planning, Public Works and Environmental Services – R1 through R4
- Deputy Director for Integrated Waste Management, Department of Planning, Public Works and Environmental Services – R1 through R4
- County Counsel – R1 and R5
- County Administrator – R5

#### **BIBLIOGRAPHY**

##### **Websites:**

- Yolo County website: [www.yolocounty.org](http://www.yolocounty.org)
- CalRecycle website: [www.calrecycle.ca.gov](http://www.calrecycle.ca.gov)
- United States Environmental Protection Agency website: [www.epa.gov](http://www.epa.gov)
- Stoel Rives Renewable + Law Blog website: [www.lawofrenewableenergy.com](http://www.lawofrenewableenergy.com)
- The Biogas Supply & Demand Center website: [www.directedbiogas.com](http://www.directedbiogas.com)
- California Environmental Protection Agency Air Resources Board website: [www.arb.gov](http://www.arb.gov)
- California Legislative Information website: <https://leginfo.legislature.ca.gov>

##### **Documents:**

- "One Person`s trash..."Your guide to reducing, reusing and recycling. A quarterly newsletter of Yolo County, fall 2014
- YCCL Overview document, 17 pages
- Yolo County A to Z Recyclopeda 2015 Calendar

### **The Yolo County Central Landfill: Cutting Edge Technology**

- “How a small county in California went grid positive,” Rocky Mountain Institute, Laurie Guevara-Stone, April 10, 2014
- Landfill Gas to Energy Facility Agreements Summary, Landfill Gas Revenues, and Detail Summary of Revenue from Minnesota Methane from the Department of Planning, Public Works and Environmental Services
- Full Scale Landfill Bioreactor Project at the Yolo County Central Landfill: Final Report, Yazdani, Keiffer, Akau, April 2002
- County of Yolo Administrative Policies and Procedures Manual, Contracting & Purchasing Policies, September 9, 2008

#### **Contracts:**

- The Yolo County Landfill Commercial Gas Production Agreement, various amendments to the agreement, and actions taken by the Yolo County Board of Supervisors between the years 1985 and 1999



## The Yolo County Central Landfill: Cutting Edge Technology

### PHOTOGRAPHS



Figure 1: Yolo County Central Landfill anaerobic bioreactors showing use of tires to secure vinyl covering.



Figure 2: Yolo County Central Landfill methane gas-to-energy plant.

## **MONROE DETENTION AND LEINBERGER MEMORIAL CENTERS: ADAPTING THROUGHOUT POLITICAL AND PHYSICAL CHANGE**

### **SUMMARY**

The Monroe Detention Center and Leinberger Memorial Center, together commonly referred to as “the County jail”, are aging facilities that are about to receive some much needed attention. After obtaining a grant of approximately \$36 million, the facility is ready to embark on several upgrades. The officers and staff have over three years experience working under the provisions of Assembly Bill 109 (AB109) and have adjusted well to meeting the challenges brought about by more criminally sophisticated inmates. Voter approval of Proposition 47 in November 2014 reduced some felonies to misdemeanors, thus decreasing inmate population. Officers and staff show a strong commitment to the welfare of the inmates.

### **BACKGROUND**

Penal Code section 919(b) states that “the Grand Jury shall inquire into the condition and management of the public prisons within the county.” The grand jury chose to visit the Monroe Detention and Leinberger Memorial Centers to fulfill the statutory obligation.

### **METHODOLOGY**

On September 10, 2014, members of the Yolo County Grand Jury toured Monroe Detention Center and Leinberger Memorial Center in Woodland escorted by members of the command staff. The grand jury conducted interviews with staff, inmates, and members of other county departments. The grand jury reviewed the 2014 Biennial Inspection Report of the facilities by the Board of State and Community Corrections for California and its meeting minutes from Thursday, January 16, 2014. The grand jury also reviewed fire and health inspection reports for both facilities.

The grand jury visited the websites of the following agencies:

- Yolo County Sheriff’s Office
- California Department of Corrections and Rehabilitation
- Board of State and Community Corrections for California

### **DISCUSSION**

#### **Overview**

The Monroe Detention and Leinberger Memorial Centers are divisions of the Yolo County Sheriff’s Department. On the day of its visit, the grand jury observed that the facilities are generally clean and well-maintained. The Monroe Detention Center is a medium/maximum security facility and is rated to house prisoners with several different security classifications.

### **Monroe Detention and Leinberger Memorial Centers: Adapting Throughout Political and Physical Change**

It has 313 available beds, 251 beds for male inmates and 62 beds in a separate area for female inmates.

While the Leinberger Memorial Center can be used as an overflow facility for Monroe, it is primarily used to house lower level sentenced inmates who are approved to work at various state and local agencies to reduce their jail time. A sentenced inmate can be transferred to Leinberger after undergoing a careful screening process to determine if they meet the necessary criteria to ensure public safety. Leinberger has 142 beds bringing the total available beds for both facilities to 455.

However, under a Superior Court consent decree, adopted in 1990 then amended in 2002, to limit the inmate population to 90% of the total beds in the facility, the jail's maximum capacity is 409. In some cases, detainees brought in for a minor offense are processed and released on the same day to prevent overcrowding. In-home custody is encouraged for those inmates who are considered low level offenders. Typically, between 60 and 80 inmates are living at home with ankle monitors.

#### **Effects of Assembly Bill 109 and Proposition 47**

Going into effect in October 2011, AB109 attempts to reduce over-crowding and recidivism rates in state prisons by transferring inmates to county detention facilities. These inmates can be parole violators sent to the county of their last residence, violators of mandatory supervision, or inmates convicted of non-violent, non-sexual or non-serious offenses. The jail facilities were designed to house un-sentenced inmates preparing for court dates and inmates sentenced up to one year for minor crimes. The officers and staff must now work with inmates serving sentences up to several years, who are more criminally sophisticated than traditional county inmates. These inmates tend to have a better understanding of prison politics and are more demanding resulting in an increase in acts of non-compliance. In response to these challenges, officers and staff have used training and experience to improve the inmate classification process helping to enhance inmate and officer safety. The kitchen has adjusted to a larger variety in dietary needs including kosher, vegetarian, and halal, to name a few. Using programs, such as GED classes and drug education, as well as work details, an effort is made to keep the inmates engaged and invested in their own betterment. As of February 2015, there were 105 AB109 Yolo County inmates, of which, 34 were out on electronic monitoring.

In November 2014, California voters approved Proposition 47 which reduced many non-violent, non-serious, and drug crimes from felonies to misdemeanors. It also allowed inmates serving sentences based on a conviction of one of these reclassified crimes to be re-sentenced. As a result, some inmates who had felony convictions reduced to misdemeanors

## **Monroe Detention and Leinberger Memorial Centers: Adapting Throughout Political and Physical Change**

were released for time served. While the effects of Prop 47 on the community have raised debate and concern, the most prominent effect on the jail has been more open beds. The resulting space allowed the command staff to adjust the inmate population. Prior to the implementation of Prop 47, Leinberger, a dormitory setting with several beds per room, was too full to house female inmates. After Prop 47 went into effect, space was cleared to allow female inmates into Leinberger, giving them more access to programs. An additional outcome of Prop 47 opened up space at both facilities allowing Monroe to detain persons with misdemeanor bench warrants. Before, a person who was issued a bench warrant for skipping a court date might only be cited and released, creating a cycle in which a case could be delayed for years. Now, that same person can be held until their court date, helping to adjudicate cases in a timely manner.

### **Facilities and Renovation**

On the day of the visit, the grand jury observed that the facilities were well lit with no obstructions in the hallways. All doors are controlled at a central hub by officers who monitor the hall cameras. The pods (cell blocks) are monitored by officers and security cameras. During the tour, interviewees informed the grand jury of deficiencies in the camera surveillance of the pods. There are no rotary, pan-and-tilt cameras in the pods which might aid in security. Emergency drills are run quarterly and vary as to type of potential emergency that could be faced. The fire department inspects the facility annually to make sure it is up to code. Potentially dangerous chemicals are stored away from inmate areas.

The facilities are aging (Monroe opened in 1988 and Leinberger in 1991) and while security is unaffected, the grand jury noticed visible water stains on floors and ceilings, and some floors looked in need of resurfacing. The Environmental Health Report issued, in January 2015, noted water leaks from the ceilings in Pod A and the Kitchen Facility. The report also noted a number of needed corrections mostly involving damaged bedding and plugged ventilation.

In March of 2014, Yolo County was awarded a grant of \$36,295,000 from California Board of State and Community Corrections to help renovate the facility. Officers questioned were optimistic, some even excited, about the upcoming renovations. There are plans to upgrade laundry, kitchen and intake areas as well as to expand the medical and mental health areas. A new building will be built to house the kitchen and laundry areas. The larger space will double the amount of laundry that can be processed. Plans for the new kitchen include a classroom that can be used to add a culinary program for inmates. The areas vacated by existing kitchen and laundry will house an expanded medical and mental health unit. Currently, there are only three beds available in the medical area. The renovated medical and mental health unit will contain approximately 24 beds, divided into a dormitory area, 4-bed cells, and single-bed cells. A larger in-custody area will be added with four classrooms,

### **Monroe Detention and Leinberger Memorial Centers: Adapting Throughout Political and Physical Change**

allowing for more program space. The intake area will be renovated to facilitate a smoother custodial transition between outside agencies and the jail and lessen contact between incoming and out-going inmates. Out-of-custody day reporting will also be moved from an area near probation to the Monroe Center. Although the work has yet to be contracted, ground breaking is scheduled for the middle of 2016 with a planned completion by late fall of 2018.

#### **Staffing and Inmates**

The staff at the time of the visit was 102, including officers and support staff. Command staff believes that an ideal number would be closer to 152.

The grand jury found the officers to be knowledgeable, professional and courteous to inmates. They complete 24 hours of training per year including CPR and a gang identification program. Attrition levels remain low. Interviewed officers reported a positive work experience and feel confident that they are making a difference.

A nurse practitioner is available on site. The grand jury learned that there is a system in place to facilitate the nurse practitioner addressing all non-emergency requests by inmates, usually within one day. A psychiatrist and dentist visit one day per week to address the respective needs of the inmates. The detention centers offer mental health services and anger management programs to those inmates who need or request them. Some mental health screening is done via video interviews. Clergy is available. Community volunteers run group programs such as reading and bible study. Inmates can get help to earn their GED, and parenting classes are available. There is a drug and alcohol program, as well as meeting times for Alcohol Anonymous and Narcotics Anonymous. The general consensus among both staff and inmates is that more space for these programs would be helpful.

During the tour of the Monroe and Leinberger facilities, the grand jury observed suitable living conditions for the inmates. The pods are well lit (permitting easy reading by individuals with normal vision) and kept at a comfortable temperature. Inmates have access to clean, potable water, toilets and showers, as well as a recreation yard and equipment. A commissary is available for inmates to purchase personal items.

Upon arrival, officers conduct a thorough search and medical screening before an inmate is admitted. Incoming inmates receive an orientation manual. A list of rules and grievance procedures are posted in the pods and the inmates, to whom the grand jury spoke, understood them. None of the inmates interviewed by the grand jury felt that they were mistreated or abused and observations of the interactions between officers and inmates were neither confrontational nor inappropriate.

## **Monroe Detention and Leinberger Memorial Centers: Adapting Throughout Political and Physical Change**

Inmates are issued reasonably fitted, durable and easily laundered and repaired clothing, which includes: clean socks and footwear, clean outer garments, and clean undergarments, including shorts and tee shirts for males; or, bra and two pairs of panties for females. Inmates are provided special clothing for work in the kitchen or outside. Under normal conditions, outerwear, except footwear, is exchanged once per week and undergarments are exchanged twice per week. Under certain circumstances, such as illness or climatic conditions, the garments can be exchanged more frequently. Inmates to be held over 24-hours are provided personal care items if needed.

### **Discharge Planning**

Before release, inmates have the option to go through a discharge planning process. When AB 109 went into effect, the command staff recognized a need to help inmates reintegrate back into the community to try to decrease the likelihood of a return to criminal activities. Needs vary depending on the inmate, and include, but are not limited to, housing, continuing education, vocational training, and drug education. Interns from the Public Defender's office perform an informal assessment of inmates who are nearing their release dates to determine their potential needs. Recently, the county received a grant to fund a Treatment Coordinator who focuses on inmates to be released in the next six months to one year. The Treatment Coordinator assesses what can be done to help inmates prepare themselves before their release dates, such as enrolling them in GED classes. One of the bigger problems, however, is convincing an inmate to admit when they need help and ask for it.

Originally, command staff held a monthly meeting to discuss inmates who were to be released in the next 90 days. As the release program has been refined, staff now meets based on need. Along with their own in-house medical and mental health staff, command staff invites representatives from departments such as Sheriff's office, Probation, Public Defender's office, State Parole, Veterans Affairs, and Employment and Social Services. Representatives from community and church groups are also invited as well as organizations like Cache Creek Lodge, 4<sup>th</sup> and Hope, and Delancey Street to help the inmates transition. Inmates can also submit an interest card to include a group that they think will be beneficial to their success in the community. Although anecdotal evidence suggests that some inmates have benefitted from this planning, there is no system in place to track its effectiveness.

### **FINDINGS**

- F1. Officers and staff continue to adjust to AB 109, working with inmates with longer sentences who have more of a prison mentality. Through training and experience, officers have honed the classification system used to house inmates and continue to use programs and work details to keep the inmates engaged.

**Monroe Detention and Leinberger Memorial Centers:  
Adapting Throughout Political and Physical Change**

- F2. Officers are optimistic as the Monroe Detention Center is preparing to undergo a \$36 million renovation which will make inmate conditions and staff working environment better.
- F3. Officers and support staff are knowledgeable and well-trained in their areas of expertise, but continue to work with less than ideal staffing numbers.
- F4. Staff and inmates meet with outside agencies and organizations to help inmates transition back into the community. There is no system in place to track the effectiveness of this program.
- F5. More space is needed for the programs used to keep inmates engaged in their personal growth and to help inmates transition back into the community.
- F6. Deficiencies exist in camera surveillance of the pods.

**RECOMMENDATIONS**

- R1. By January 1, 2016, the Board of Supervisors, as the governing entity of the Detention Center, shall tour the facility to view the areas to be renovated and observe the workload of the staff. As funds become available, strong consideration shall be made to increase the current staff to strengthen the safety of staff and inmates.
- R2. By June 1, 2016, the Detention Commander, in conjunction with the Chief Probation Officer, shall develop and implement a plan to track the effectiveness of discharge planning and in-house programs as they apply to inmates who successfully complete probation.
- R3. The County Administrator, in conjunction with the Detention Commander, shall meet prior to the start of renovations to ensure that all areas originally planned to be in-house program space shall remain as such.
- R4. By January 1, 2016, the Detention Commander shall identify any deficiencies in the surveillance systems and, in conjunction with the Board of Supervisors, take the necessary steps to remedy the deficiencies.

**REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Yolo County Board of Supervisors – R1 and R4

**Monroe Detention and Leinberger Memorial Centers:  
Adapting Throughout Political and Physical Change**

INVITED RESPONSES

- Yolo County Administrator – R3
- Detention Commander, Monroe Detention Center – R2, R3, and R4.
- Yolo County Chief Probation Officer – R2.

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## **COLLECTIONS AND PROBATION: THE SYSTEM IS BROKEN**

### **SUMMARY**

The Yolo County Collection Services (YCCS or Collection Services) collects a variety of fees for the court and other County Departments. The YCCS is charged with collecting probation fees, except victim restitution. However, YCCS is not able to collect all the fees that are due from persons on probation. A significant number of monthly billing statements mailed to probationers are undelivered because of incorrect mailing addresses. This is due to insufficient staff, lack of pertinent staff training, and limited communications between the YCCS and the Probation Department.

The manual of procedures for processing and recording payments is not updated to the accounting and collection system currently being used. YCCS uses accounting and collection software that is not fully integrated with the Probation Department. The billing statements are not clear and often contain confusing, incomplete, or incorrect, information as to how much probationers owe and what the amounts represent.

### **BACKGROUND**

People on probation pay fees to the County for services. The Yolo County Grand Jury (YCGJ) received a citizen's complaint expressing confusion about probation billing statements, and particularly the types of fees and amounts owed. The grand jury became aware of underlying problems contributing to confusion and potential loss of revenue in the current Yolo County process for collection of probation fees. YCGJ decided to investigate the collection procedures of YCCS and the Probation Department. California Penal Code Section 925 authorizes the grand jury to investigate and report upon the operations, accounts and departments of Yolo County.

### **METHODOLOGY**

During the grand jury's investigation, department heads, supervisors, clerical staff and past and present employees of both departments were interviewed. Existing procedures, policies and other county documents added background on how YCCS and the Probation Department are intended to work together to ensure fees are explained to the probationer, collected, and recorded in a timely manner. In addition to Yolo County administrative documents, YCGJ utilized both public information web pages and County intranet sites limited to official business access. The YCGJ focused the investigation on the accounting and collection processes involving the Probation Department.

### **DISCUSSION**

The Yolo County Collection Services and the Probation Department have separate roles in dealing with probation matters. The YCCS role is primarily fiscal, dealing with probationer payments and account records. Conversely, Probation Department focuses on probationer

## Collections and Probation: The System is Broken

supervision and conduct obligations. This role disparity leads to incongruent practices in collecting and processing probation fee payments, and consequently, contributes to a loss in County revenues.

When the Yolo County Superior Court admits a defendant to formal probation a document is provided that describes the standard terms and conditions of probation. Among those terms and conditions a probationer is required to:

- report to the Probation Officer at the times directed,
- advise the Probation Officer, YCCS, and the Yolo Superior Court Payment Center (YSCPC) within 48 hours of any change of residence, and
- pay all ordered financial obligations to YCCS, YSCPC or the Probation Department.

The Probation Department has periodic face to face interaction with the probationers who are required to inform them of any change of residence. However, the Probation Department does not have a routine practice of updating the probationers' addresses for use by YCCS in collection efforts.

Some of the probation fees are listed in the document provided by the Probation Department when a person begins formal probation. These and other fees are itemized and billed by YCCS on a monthly statement. The statement advises the probationer to contact YCCS to make payment arrangements if they are unable to pay in full. Probationers can obtain current information about fees they owe from the YCCS monthly statement by visiting or phoning YCCS or the Probation Department. YCCS staff is available to explain the individual fees and payments schedule. YCCS collects fees from probationers ordered by the court for the Public Defender, Sheriff's Department and the Probation Department. YCCS also collects delinquent accounts turned over to them by other county departments as a last resort for collection.

Following are some examples of typical fee amounts and other charges that might be billed to probationers:

- Restitution fine; felony case \$300, misdemeanor case \$150
- Probation revocation; felony case \$300, misdemeanor case \$150
- Criminal laboratory analysis \$50, penalty assessment \$155
- Drug Program Fee \$150, penalty assessment \$465
- Restitution determined by the court covering losses found against the probationer plus 10% per annum
- Battery \$500 pursuant to Penal Code 1203.097, processing fee \$20, \$250 pursuant to Penal Code 1463.27
- Sex offender \$300, penalty assessment \$930, processing fee \$20
- DUI \$700, penalty assessment \$2,100, processing fee \$35, Alcohol Education \$50
- Criminal Conviction Assessment, felony/misdemeanor \$30
- Probation, fine \$500, penalty \$1,550, processing fee \$35
- Public Defender, felony \$350, misdemeanor \$275
- Sentencing fee, determined by the court

## **Collections and Probation: The System is Broken**

Probationers may be responsible for a wide variety of fees which vary by degree of offense, misdemeanor versus felony. There are scores of fee types. Types include, but are not limited to, restitution fines, probation revocation, criminal laboratory analysis, drug program fees, penalty assessments for specific types of offenses (e.g. DUI, domestic violence, sex offenses, etc.). All probationers are assessed a processing fee, fine or penalty depending on circumstances, and a sentencing fee determined by the court. They may be responsible for public defender fees, if required. Fees may amount to considerable totals varying from a few hundred dollars to thousands of dollars depending on the circumstances of each case (Exhibit 1).

The collection of victim restitution fees was transferred to the Superior Court in 2010. This transfer represented 20% of the total YCCS collections. Based on information provided for the FY2013-14 period, YCCS billed probationers \$946 thousand and collected \$209 thousand (22%).

In 2008, YCCS installed a Windows based system called Revenue Results (RevQ). It became fully operational in 2010. The Probation Department was given full access to RevQ to use for daily information and collection work. Training was initially available to the Probation Department staff and YCCS encouraged the Probation Department staff to use RevQ. The training and the use of RevQ was not completely successful due to attrition, staff movement, and heavy workload.

The Probation Department clerical staff issue receipts for cash and check payments and turn over the payments to YCCS weekly or when the total collections exceed \$500. YCCS posts the payments into the RevQ system. Credit card payments are posted directly into the system. Since payment posting can be delayed a week, there can be uncertainty about how much is owed in real time.

When there is a problem with RevQ, or someone does not understand the system, the vendor is called and the County is charged for the assistance. These fees are expensive, discouraging YCCS staff from calling, and thus the questions are often unanswered and the problems unresolved. YCCS is considering upgrading the RevQ software from version 10.5 to version 11.0 to consolidate the payroll and financial accounts, improve reports, and integrate with software being used by other County Departments.

Collection Services and the Probation Department use different accounting and collection systems which are not fully integrated. The Probation Department uses a number of software systems such as Lawsuit, RevQ, and Reflections to enter charges and initial information. Changes to probationers' contact information made by the Probation Department are not routinely shared with YCCS. If YCCS makes changes or first time entries into RevQ the updates are inconsistently shared with the Probation Department. The Probation Department staff is not trained to access the information in RevQ. When information is needed in select

## **Collections and Probation: The System is Broken**

cases they contact YCCS for help.

YCGJ learned from multiple witnesses that no regular statistical reports are generated from the current accounting and reporting systems (e.g., total charges and collections by types of fees, volume of returned mail) because of staff changes and a lack of resources. Both YCCS and the Probation Department indicated that the existing report options are inadequate.

YCCS creates a billing record for each probationer. This information is sent to an out-of-state vendor to create the monthly billing statements which are mailed to the probationers. There is no billing statement generated if the account has a zero balance. Any overpayment by the probationer will be refunded. A grand jury review of examples of probationers' monthly billing statements found that some information is inaccurate, confusing and difficult to understand. The previous end of month balance by type of fees is not carried forward to the current month statement and line items are not clearly defined.

There are approximately 1,000 billing statements mailed every month by the out-of-state vendor. Due to the transient nature of some probationers, a significant number are returned because of incorrect addresses. Time permitting, YCCS searches current addresses using the Accurint software. However, there are still persistent backlogs leading to less revenue collected. Prior to 2006, six revenue collection employees were assigned to the YCCS. By 2013, the staff was reduced to two.

YCCS gives the probationer repeated opportunities to pay and offers an "ability to pay" hearing. Then YCCS evaluates the financial information to determine whether a lower payment is warranted. Through continued efforts, YCCS attempts to bring delinquent accounts current. If probationers do not make a payment for 120 days, accounts are forwarded to the California Franchise Tax Board for collection through the Tax Intercept Program at a cost of 15%.

The grand jury learned that the Probation Department and the YCCS staff lack the training to operate the accounting and collection systems proficiently. Both departments had key personnel recently retire or reassigned who had extensive knowledge of the collection systems. This institutional knowledge was neither updated in the procedural manuals nor handed down to the new people in charge.

### **FINDINGS**

- F1. The monthly billing statements sent to probationers are difficult to understand.
- F2. Billing and collection procedures of YCCS in the lifecycle of probation are not thoroughly understood by its staff, the Probation Department, or probationers.

### **Collections and Probation: The System is Broken**

- F3. Due to attrition of experienced staff, the present employees at YCCS and the Probation Department are less knowledgeable about collection of probation fees.
- F4. A significant issue in YCCS's collection of payments is the amount of returned mail leading to increasing backlogs. YCCS has limited resources to determine correct addresses for billing statements that are returned as undeliverable mail.
- F5. YCCS has minimal communication with the Probation Department to find the updated information on the whereabouts of the probationer.
- F6. Software programs that are not integrated aggravate the problems in fee collection. The RevQ software currently being used in YCCS is inadequately supported and needs to be upgraded or replaced.
- F7. Out of date manuals for key collection procedures make staff training difficult.

### **RECOMMENDATIONS**

- R1. By December 31, 2015, the Chief Financial Officer, in coordination with the Chief Probation Officer, shall modify the probationer monthly billing statement so that fees are identified and fully explained, including: initial fees, date, balance carried forward, new charges, adjustments, payments and current balance due by type of fees.
- R2. By September 30, 2015, the Chief Financial Officer, and the Chief Probation Officer, in coordination with the County Administrator, shall create a unified business process diagram of the probation fee generation and collection process. This diagram shall include the probationer's first contact with probation, case closure, and all processes in between. The diagram shall be designed to be used for process improvement, training and orientation of staff, and as a blueprint for new software if that becomes appropriate.
- R3. By September 30, 2015, the Chief Financial Officer and the Chief Probation Officer shall establish protocols for improved communication between YCCS and Probation. These protocols shall include regular meetings, joint training, shared and updated manuals, clearly identified responsibilities, and shared access to information including probationers' account status and current contact information.
- R4. By September 30, 2015 the Chief Financial Officer shall create and publish quarterly reports indicating fees billed, fees collected, outstanding balances (accounts receivable) and amounts in delinquency (aging reports).
- R5. By December 31, 2015, the Chief Financial Officer, in coordination with the Director of Human Resources, shall determine if additional staffing or funding is needed to efficiently process returned mail.

## **Collections and Probation: The System is Broken**

- R6. By October 31, 2016, the Chief Financial Officer, in coordination with the Chief Probation Officer, shall implement a single accounting and collection software system to facilitate interdepartmental sharing of the probationer's individual financial account information and probationers' addresses updated in real time.

### **INVITED RESPONSES**

- Chief Financial Officer – R1 through R6
- Chief Probation Officer – R1 through R3 and R6
- Director of Human Resources – R5
- County Administrator – R2

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## **YOLO COUNTY ANIMAL SERVICES: “IF IT WALKS, CRAWLS, FLIES OR SLITHERS...”**

### **SUMMARY**

Yolo County Grand Jury completed an investigation of Yolo County Animal Services, and found that the services offered to the county are hampered by high costs and conflicting expectations.

A blatant case of nepotism in Animal Services has been rectified as a result of this investigation. However, there have been no consequences to the supervisor in a nepotistic relationship.

### **BACKGROUND**

Yolo County Grand Jury received two separate complaints regarding the Yolo County Animal Services. These complaints covered a wide variety of issues, from which the grand jury abstracted a few basic questions. These questions included issues of nepotism, hours of operation, organizational structure, services, and funding.

California Penal Code Section 925 authorizes the grand jury to investigate and report upon the operations, accounts, and departments in Yolo County.

### **METHODOLOGY**

During this investigation, the grand jury completed interviews with the complainants, staff and management from:

- Society for the Prevention of Cruelty to Animals (SPCA),
- US Postal Service,
- Woodland Police Department,
- Local Agency Formation Commission (LAFCO),
- Yolo County,
- City of Woodland, and
- City of Winters.

The grand jury also reviewed information published by Animal Services, and studies completed by Yolo County Local Agency Formation Commission (LAFCO) which was assisted by UC Davis.

### **DISCUSSION**

Yolo County Animal Services is part of the Sheriff’s Department. It has responsibility for services to those parts of Yolo County not incorporated as cities. UC Davis and the cities of

## **Yolo County Animal Services: “If It Walks, Crawls, Flies or Slithers...”**

Woodland, Davis, West Sacramento, and Winters purchase animal services, by contract, from the Sheriff’s Department. For convenience, this report will use the term “the cities” to include Woodland, Davis, West Sacramento, Winters, and UC Davis.

### **Conflicting Expectations**

Animal Services works under a range of often conflicting expectations. Citizens with issues want quick and available services. Many people want to see fewer animals euthanized. Some want there to be no euthanasia, while others feel such a goal is impractical, if not impossible. Yolo County and entities receiving services all desire lower costs.

“Wire”, the online magazine reported, “The no-kill shelter movement splits the animal rights community. Advocates believe it is an important step toward recognizing the moral status of nonhuman animals. Critics, including People for the Ethical Treatment of Animals, say that no-kill shelters are a façade for profiteers who turn away the vast majority of homeless animals and keep the rest in dismal conditions. If you care about animal welfare, the dispute is ludicrously thorny.”<sup>i</sup>

Animal Services is caught up in that thorny dispute. Complaints and concerns about the shelter have to be considered in light of biases engendered by the complainer’s belief in what constitutes humane treatment of animals.

Data published on the Animal Services website indicate the percentage of animals euthanized at the shelter has decreased significantly over the past several years, and is on a downward trend.

Animal Services’ rates have increased significantly in recent years, causing cutbacks to services available to the cities. In some cases those rates have doubled. Contract negotiations between the cities and the county for Animal Services concentrates not on rates, but on which services can be cut back to meet budgetary demands.

### **Services**

Animal Services staff is fond of saying, “If it walks, crawls, flies or slithers it is ours”. The services provided by Yolo County Animal Services can be divided into two kinds of activities, operating a kennel (animal shelter) and providing field services (animal control).

In order to provide these services, a variety of functions are necessary. These functions include front office and customer services, volunteer recruitment and management, veterinary medical, spay and neuter services, outreach and development, and system administration.



## **Yolo County Animal Services: “If It Walks, Crawls, Flies or Slithers...”**

In 2013, LAFCO initiated a study of Yolo County Animal Services, looking at both the services provided and the governance required, in order to determine a method of providing animal services in a manner that maintains positive outcomes while controlling costs. The study concluded that governance issues would be resolved through a Joint Powers Authority (JPA) or similar arrangement.

To move toward implementing the recommendations in their study, LAFCO generated a request for proposals (RFP). The RFP sought a contractor to provide shelter service and another to provide animal control. The RFP allowed for one contractor to provide both kinds of services. There was one response to the RFP and it was from the Sheriff’s Department. Since there were no competing proposals, the JPA was not formed; therefore Animal Services remains within the Sheriff’s Department.

### **Animal Shelter / Kennel Services**

The LAFCO RFP called for services that had longer hours. Currently, the animal shelter is open for limited hours:

- Tuesday – Friday, 10 am – 6 pm, closed from 1 pm – 2 pm
- Saturday 10 am – 4 pm, closed from 1 pm – 2 pm
- Monday (License and Redemptions Only, no phone service) 1 pm – 5 pm

Obtaining a pet license, pet adoption, or delivering an animal in need of shelter services is only available during those hours.

As a result of the LAFCO study, a group led by the Woodland City Manager is investigating options and funding for a new County shelter facility. Their hope is that, with a new facility, a new contractor can be attracted.

### **Field Services / Animal Control**

According to the Animal Services web site, “...we investigate barking and noise complaints, inspect kennels, pick up loose and contained animals including livestock, respond to animal bites and attacks, rent traps, and provide welfare checks on animals. Often we are called upon to provide emergency services and transport for other rescue personnel who are not equipped to move animals, such as the Fire Department, CHP, and Health Department. Some services require a fee.”<sup>ii</sup>

Fewer services are provided to some cities than have been provided in previous years. Two year contracts are “negotiated” between Animal Services and the cities. In 2012, looking toward the 2013-2015 contract, the Sheriff’s Office proposed a new rate structure to the cities without making the basis for the new rates transparent. However, this rate structure

## **Yolo County Animal Services: “If It Walks, Crawls, Flies or Slithers...”**

represented an almost doubling of fees, and there was no opportunity for negotiating that rate. The only option that some cities had to protect their budgets was to cut back on services.

These services are available during normal business hours by Animal Services staff. After hours, these same staff are available on call. Services provided after hours to the cities are usually at a higher rate (paying for overtime), and are outside of the base contract.

Field services are typically initiated by calls to 911. The County Dispatch then contacts the area’s first responders, usually police in the case of animal disturbances. The police then have the responsibility of responding to, investigating, and/or resolving the problem. If need be, they make the decision to call Animal Services. Animal Services are always called in when there are animals acting aggressively, injured or sick, or are of a species known to carry rabies.

### **System Administration**

The grand jury learned about a serious case of nepotism. Human Resources was unaware of a situation in which a senior staff member in Animal Services reported directly to a relative. Upon learning of the violation as a result of this investigation, Human Resources had the staff member re-assigned. The duties remain the same, but the supervisor of record has changed. There are no rules in the nepotism policy regarding discipline, and there were no negative consequences to the previous supervisor for maintaining a nepotistic relationship for several years.

Nepotism has been an issue raised across Yolo County administration, and the Board of Supervisors has directed Human Resources to conduct an assessment of nepotism occurring within Yolo County government. The report has been delayed because of the difficulty in obtaining necessary information. However the report is expected to be completed later this year.

One of the issues raised in the initial complaint had to do with the confusion caused by the contract for services between Animal Services and the SPCA. The grand jury found no support for the allegation of problems caused by the contract.

### **FINDINGS**

- F1. Shelter, animal control, and related services are only available for limited and inconvenient hours.
- F2. Animal services, as provided by the Sheriff’s Department and contracted to the cities, continue to become more costly. The high cost limits the availability of services, and the negotiating process does not clarify how rates are developed.

## **Yolo County Animal Services: “If It Walks, Crawls, Flies or Slithers...”**

F3. There are no provisions in the county code for any consequences to supervisors for violation of the nepotism policy.

### **RECOMMENDATIONS**

- R1. By September 1, 2015, the Chief Animal Services Officer, in coordination with Human Resources, shall alter and stagger work schedules so that shelter services are available for longer hours.
- R2. City Managers for Woodland and Winters shall continue to develop alternative options for animal services, and report their progress to the respective City Councils.
- R3. By January 1, 2016, the Yolo County Sheriff, in coordination with the County Administrator, shall be more transparent and negotiate rates for animal services, as well as negotiating the amount and types of services. The Sheriff’s Department shall give each City the opportunity to renegotiate the contract and the rates for July 1, 2016.
- R4. By August 1, 2015 Human Resources shall recommend an amended nepotism policy to the Board of Supervisors to include consequences that would hold violators of this policy responsible for their actions.

### **REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following individuals:

- Yolo County Sheriff – R3

From the following governing bodies:

- Yolo County Board of Supervisors – R4

### **INVITED RESPONSES**

- Yolo County Chief Animal Services Officer – R1
- City Manager, Woodland – R2
- City Manager, Winters – R2
- Director of Yolo County Human Resources – R1 and R4
- Yolo County Administrator – R3

### **DISCLAIMER**

This report is issued by the 2014-15 Yolo County Grand Jury with the exception of one juror who was recused. This grand juror did not participate in any part of the investigation, which includes interviews, deliberations, and the making and acceptance of this report.

## Yolo County Animal Services: “If It Walks, Crawls, Flies or Slithers...”

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## **YOLO COUNTY ENVIRONMENTAL HEALTH SERVICES DIVISION: HAS THE FOOD TRUCK YOU'RE VISITING BEEN INSPECTED?**

### **SUMMARY**

The Environmental Health Services Division is part of Yolo County's Department of Planning, Public Works and Environmental Services. Among other duties, it is responsible for inspections, issuance of permits, collection of fees, and enforcing compliance with Health and Safety codes for food trucks.

The Yolo County Grand Jury (YCGJ) conducted an investigation of the Yolo County's Food Safety Program regarding food trucks and found the system lacking in accountability.

### **BACKGROUND**

Members of the grand jury identified an influx of mobile food trucks traveling into Yolo County from surrounding counties to conduct business on a temporary basis. The YCGJ learned that food trucks are not randomly checked and decided to investigate Yolo County's permitting and inspection processes for food trucks.

The Yolo County Environmental Health Services Division (YCEHSD) is mandated with the responsibility for the oversight of food service establishments including food trucks.

California Penal Code 925 authorizes the grand jury to investigate and report on the operations, accounts and departments of Yolo County.

### **METHODOLOGY**

The grand jury interviewed YCEHSD personnel, reviewed documents, publications and information relevant to food trucks. Grand jury members toured Mobile Truck Mania events in Woodland to check permits on food trucks.

Factors relevant to the investigation were, among other things, the application and inspection process, fee schedules, equipment on the individual trucks and the correct permit (or sticker) that is required to be on the back of every truck.

The YCGJ carefully looked at the Commissary Agreement, Restroom Agreement, and Mobile Food Reciprocity Program. The Commissary Agreement states that food trucks must be serviced at a commissary, licensed restaurant, market, or other approved facility. The Restroom Agreement states that employees must have access to restrooms. The Mobile Food Reciprocity Program is an agreement with Sacramento County for food trucks conducting business in both counties.

### **DISCUSSION**

A food truck is any motorized food unit operating in conjunction with a commissary or restaurant. The commissary is a fully enclosed structure, with a complete commercial kitchen with a permit from YCEHSD. Commissaries store food, containers, and supplies. It is where food is prepared or prepackaged for sale or service at other locations. Utensils are

## **Yolo County Environmental Health Services Division: Has The Food Truck You're Visiting Been Inspected?**

cleaned, liquid and solid wastes are removed, and potable water tanks are filled at commissaries.

Responsibility for permitting and inspecting food trucks and brick and mortar restaurants falls within the YCEHSD. Within that division, the Consumer Protection Unit is mandated by the California Health and Safety Code to assure safe and wholesome food storage, preparation and service in retail food facilities. The requirements include assuring food service workers are in good health and are adequately trained in safe food practices. This program also assures proper menu labeling and provides a proactive approach to consumer concerns.

YCEHSD Environmental Health Specialists (EHS) focus their inspections on risk factors, and public health interventions identified by the Federal Centers for Disease Control and Prevention (CDC). These risk factors include: food from unsafe sources, inadequate cooking, improper holding temperatures, improper cooling, contaminated equipment, and poor personal hygiene. As with any method of food sales, care must be taken to safely handle food products sold from a food truck to prevent sickness or injury to the public. Assuring that the risk factors do not occur is vital to preventing foodborne illnesses.

EHS, working in the food protection program, have many responsibilities. They permit and inspect over 900 retail food businesses including restaurants, markets, school cafeterias, bakeries, and bars in addition to over 500 mobile food vendors and special event food booths. They also review construction plans and inspect new and remodeled food facilities, investigate complaints regarding violations of the California Health and Safety Code (which includes unsanitary conditions, food container temperatures, hot/cold running water, etc.), and investigate suspected foodborne illness cases.

The Food Protection Program (for both brick-and-mortar restaurants, as well as food trucks) pays for 3.95 Full Time Equivalent (FTE) positions. There are currently 2.95 FTE on staff, and YCEHSD has begun the selection process for an additional person. YCEHSD staff spend less than eight man-hours per week addressing food truck issues.

Food trucks are required to be inspected annually by the YCEHSD. They are also inspected in response to complaints. In 2014 there were 66 routine, 17 follow-up, and seven complaint inspections of food trucks. All full-service restaurants are subject to two surprise visits annually, as well as complaint driven inspections; while food truck inspections are only conducted once annually when out of service or when there has been a complaint. Food truck inspections occur at the YCEHSD offices, Monday through Friday, between 8 and 9 am by appointment or on a drop-in basis.

The YCEHSD sticker is required to be displayed on the back of every food truck to indicate that their permit is current. Food trucks provide food at various locations in Yolo County.

### **Yolo County Environmental Health Services Division: Has The Food Truck You're Visiting Been Inspected?**

The grand jury observed that the 2014-15 permits were not displayed on a majority of food trucks at special events.

The YCEHSD application packet for food truck permits includes the commissary and the restroom agreements. As part of the application process, YCEHSD is required to collect a menu and a service route so routine field inspections can take place. If a food truck is parked in one location for more than one hour the employees must have access to approved restroom facilities within 200 feet of the unit. Hand washing facilities must be easily accessible to the food handlers and be supplied with hot water, soap, and towel dispensers. The YCEHSD application packet lists the following requirements for field inspections: restroom requirements, doors and window screen requirements, permit and insignia requirements, refrigeration, etc.

The commissary must comply with all provisions of the law applicable to food establishments. A private residence may not be used as a commissary. The food truck is required to report to the commissary once each operation day for cleaning and servicing. Food trucks are required to use the approved commissary or other approved parking facility for overnight parking.

Food trucks permitted in Sacramento County have reciprocity and receive a Yolo County permit, without an inspection, at a reduced fee. The food truck operator must present the following documents to the YCEHSD for approval prior to operating in Yolo County: Yolo County Food Facility Permit Application, recent food inspection report from Sacramento County with no major violations (or no more than two minor violations that can lead to a major violation), and the Mobile Food Facility Reciprocity Checklist. Since these food trucks usually operate within the county outside of normal business hours, there is little oversight by YCEHSD.

Although the YCEHSD staff collect service route information from the food truck operators, they report that EHS have no way of tracking trucks' actual locations at any given time. YCEHSD staff believe that Global Positioning Systems (GPS) would help locate trucks so that they could perform surprise inspections. Multiple California counties are in the process of implementing GPS tracking.

EHS enforcement is limited when it comes to more serious, potentially misdemeanor, violations. EHS are in a position to teach the food truck operators how to bring everything to code, but not to ticket or fine. Because they do not perform surprise inspections, or inspections while in operation, unless a complaint is made, the county does not know if any given food truck is following all requirements.

The Food Facility Inspection Program is 100% fee funded. Because they rarely inspect during off-hours or on-location, YCEHSD may be losing potential fees from food trucks that are out of compliance. Grand jury members visited several food truck events in Yolo County

## **Yolo County Environmental Health Services Division: Has The Food Truck You're Visiting Been Inspected?**

and observed that the majority of trucks did not have a visible Yolo County permit. At one event in Woodland, only one of the seven trucks had a 2014-15 permit. Three months later, at the June 2015 Woodland event, out of 11 trucks participating, six did not have current Yolo County permits.

An internal YCEHSD report on mobile food compliance (dated 2011) stated that out of seven food trucks, four had no access to restrooms with hot and cold water and three had no Yolo County food permits.

### **FINDINGS**

- F1. Non-permitted food trucks operate during non-business hours with little fear of being caught since YCEHSD does not perform surprise inspections on food trucks and rarely performs in-field or after-hours inspections.
- F2. Food truck operators who are out of compliance are not ticketed or fined.
- F3. The current system for tracking food truck locations is not working.

### **RECOMMENDATIONS**

- R1. By December 31, 2015, the Director of Planning, Public Works and Environmental Services, in conjunction with the Director of the Environmental Health Services Division and the Director of Human Resources, shall implement a plan to alter work hours so that food truck inspections can routinely take place while in operation including weekends and evenings.
- R2. By October 1, 2015, the Director of Planning, Public Works and Environmental Services, in conjunction with County Counsel, shall determine and implement the necessary steps to enable inspectors to ticket or fine food truck operators who are out of compliance.
- R3. By July 1, 2016, the Director of Planning, Public Works and Environmental Services, in conjunction with County Counsel and the Board of Supervisors, shall implement the use of GPS technology on food trucks.

### **REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Board of Supervisors – R3
- Director of Planning, Public Works, and Environmental Services, County of Yolo – R1 through R3



**Yolo County Environmental Health Services Division:  
Has The Food Truck You're Visiting Been Inspected?**

INVITED RESPONSES

- Director of Environmental Health Services Division, County of Yolo – F2, R1 through R3
- County Counsel – F2, R2 and R3
- Director of Human Resources – R1

## **CLOSING THE LOOP: HOW YOLO COUNTY IMPLEMENTS ITS RESPONSES TO THE GRAND JURY**

### **SUMMARY**

The California Constitution requires that every county impanel a grand jury each year. The grand jury is an arm of the judicial system, but acts as an entirely independent body. Most people think of criminal indictments when they hear of a grand jury, but in California the grand jury's primary responsibility is to its' citizens under the "watchdog" function which is to review and investigate citizens' complaints and other civil matters. In Yolo County, the Superior Court impanels nineteen grand jurors and the District Attorney is the legal advisor to the grand jury.

California Penal Code, Title 4, 933 and 933.05 governs the release of the grand jury's Consolidated Final Reports and the required responses to each grand jury finding and recommendation. This report documents how the governing bodies of the local public agencies, elected county and/or city officers or agency department heads within Yolo County responded to and implemented past grand jury recommendations.

Nearly all local government entities have complied with requests to respond to recommendations, and the large majority of responses have been favorable to the results of the investigations and amenable to implementing the recommendations. A very small number of recommendations were responded to as needing further investigation, potentially problematic or otherwise not feasible or appropriate.

Overall, this analysis concludes that the recommendations made by the Yolo County Grand Jury (YCGJ) have improved local government efficiency and effectiveness, and that nearly all local government bodies and officials have complied with the recommendations. A large majority of recommendations resulting from YCGJ investigations have been responded to positively by local government officials and entities, and most responses indicate that recommendations will be implemented, either in full or in part.

The grand jury selected four reports to review, investigate and report on in detail the status of the implementation of the recommendations made in these reports. The reports selected were:

- Yolo County Probation Department: A Troubling Contract, Questionable Ethics (2012-13)
- Yolo County Finance: Tracking Changes (2012-13)
- Yolo County Promotion Practices: Need for Standards and Oversight (2013-14)
- Proposition 218 Protest Election Process: "The Yolo Way" (2013-14)

### **BACKGROUND**

The 2012-13 YCGJ and the 2013-14 YCGJ each published seven reports. These 14 reports are the results of investigations of various city and county agencies. The reports evaluated

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## **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

government performance and made recommendations in accordance with YCGJ investigative findings. In accordance with California State law, these recommendations must be responded to within either 60 or 90 days, depending on whether the respondent is an elected (60) or non-elected public official (90).

Each year's YCGJ publishes a consolidated final report by the end of its term on June 30. The next year's grand jury is impaneled in the first week of July. Due to this timing, if any recommendations have not been responded to prior to the end of the term, little or no follow up by the next grand jury typically occurs.

Without adequate follow up, it is difficult to identify, track and validate actions taken in response to YCGJ recommendations. Thus, it is difficult to link YCGJ investigations and findings to actual corrective action implemented by local government.

No formal mechanisms are currently in place within Yolo County government to track, report, or publicly review responses and actions taken as a result of YCGJ recommendations. Some counties in California do have such mechanisms in place. For example, San Francisco County's Administrative Code requires their Controller to report on the implementation of grand jury recommendations no later than one year following issuance of the report. The County Controller's Office personnel send out requests for updates regarding the actions taken in response to the recommendation. In addition, the Administrative Code requires the San Francisco Board of Supervisors to hold public hearings for final grand jury reports.

### **METHODOLOGY**

The YCGJ interviewed representatives of the Board of Supervisors, County Administrator's Office (CAO), Department of Financial Services, and Human Resources (HR). During the investigation, the YCGJ reviewed the following items:

- The 2009-10, 2010-11, 2011-12, 2012-13 and 2013-14 YCGJ consolidated final reports and each related response
- Review of Internal Controls over payroll and contracting at Yolo County Probation Department, February 19, 2013
- County of Yolo, Administrative Policies and Procedures Manual, Contracting and Purchasing Policies, September 9, 2008
- Department Process Contract Checklist, Revised May 2013
- County of Yolo Administrative Policies and Procedures Manual, Code of Ethics – Standards of Ethical Conduct, December 17, 2013
- County of Yolo Administrative Policies and Procedures Manual, Cost Recovery and Fees, June 7, 2011

### **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

- County of Yolo Administrative Policies and Procedures Manual, Policy on Employee Timekeeping, August 2, 2011
- Yolo County Financial Oversight Committee Application for Nomination and Affidavit of Understanding, no date
- Announcement for county training: COSO 2013 Framework, Conducting Effective Assessments and/or Audits of Internal (Management) Controls, no date
- Announcement for county training: Workshop on the New OMB “Super Circular”: What is the impact on the grant community? no date
- Various tracking sheets created and used to track grand jury findings and/or recommendations and follow-up activities

A sample of ten California counties’ grand jury reports were reviewed to determine what percentage were publishing continuity reports or other analysis of responses to findings or investigations. It was found that all ten grand juries publish responses, but only two published an analysis of the responses. This appears to be an evolving best practice in California grand juries; however the five previous YCGJ bodies have not done so.

The YCGJ evaluated the status of recommendations made as part of two investigations each conducted by the 2012-13 and the 2013-14 grand juries. This year’s YCGJ focused only on reviewing the status and performance regarding recommendations that Yolo County agencies and elected officials agreed to implement. This portion of the investigation relied on interviews with Yolo County officials and supporting information provided to the grand jury. Unfortunately, supporting information requested from the Board of Supervisors was not provided and in turn, could not be considered in the investigation.

## **DISCUSSION**

### **Statistics**

Responses to grand jury reports can be invited or required to either findings, recommendations or both. It was found that although many reports from the 2012-13 and 2013-14 Yolo County Grand Juries requested responses to recommendations only, many agencies responded minimally to the findings as well.

Respondents are asked to state whether they agree or disagree with the findings and to respond to specific recommendations. They are also asked whether or not a recommendation will be implemented or if the recommendation is not warranted or is unreasonable. Without a request or invitation for a detailed response to the finding, one may not be provided. For this reason, it is generally considered a good practice in grand jury reports to request responses to both findings and recommendations. Because of the timing of this investigation, the 2014-15 YCGJ did not generally adopt this practice, but suggests that future grand juries consider doing so to increase the strength of their investigations and recommendations.

**Closing The Loop:  
How Yolo County Implements Its Responses To The Grand Jury**

Table 1 on page 44 summarizes the responses and disposition of recommendations for each investigation. The response rate received for all investigations was near 100%. Eighty recommendations to address 114 findings were identified in the fourteen investigations that were reviewed. Over 80% of those recommendations were acted upon in whole or in part by at least one local government agency or official, according to the responses received. Tables 2a, 2b, and 2c on pages 46 and 47 summarize the responses by requested responder's job title or agency. Most responders agreed to implement recommendations either in full or in part. Seventy percent of other responses that did not agree to implement were because further analysis or consideration would be needed, the prescribed time could not be met, or for other reasons. The remaining 30% were because the responder did not consider the recommendation either warranted or reasonable.

**Closing The Loop:  
How Yolo County Implements Its Responses To The Grand Jury**

Table 1: Summary of Responses per Recommendation

Report Year	Investigation Title (Shortened)	# Findings	# Recommendations		# Recommendations Implemented in		# Responses Requested	# Responses Received
			Identified	Whole or Part	Whole or Part	Received		
2012-2013	Probation Dept: Troubling Contract	18	9	7	61	61		
	Finance: Tracking Changes	13	14	13	21	21		
	Detention Center: Challenges	5	3	3	3	3		
	Probation Dept: Recidivism	5	4	4	5	5		
	Probation Dept: Slow Response	13	6	6	9	9		
	Adult Services: Protecting	7	7	7	8	8		
	Oversight of Charter Schools	3	2	1	3	2		
2013-2014	Promotion Practices	10	6	6	9	9		
	Major Changes in Education	2	1	1	1	1		
	Coroner's Division	7	6	5	15	15		
	Woodland Real Estate Lendor	5	4	0	6	0		
	Mental Health Crisis Services	7	5	4	15	15		
	Proposition 218	5	4	4	5	5		
	Sheriff Leadership Practices	14	9	5	16	12		

**Closing The Loop:  
How Yolo County Implements Its Responses To The Grand Jury**

Table 2a — Summary of Responses by Elected Officials or Governmental Bodies

Official or Body	# Requested Responses	# Received responses	Percent Will Implement Full or partially	Will Implement Fully	Will Implement Partially	Needs Further Analysis or Consideration	Will Not Implement (Not Warranted or Reasonable)	Will Not Implement (in Proscribed Time)	Will Not Implement Other Reason
County Board of Supervisors	20	20	85%	17	1	2			
Auditor-Controller/Treasurer	14	14	86%	12		2			
County Board of Supervisors Audit Committee	5	5	100%	5					
County Superintendent of Schools	3	3	67%	2			1		
Woodland City Council	2	0	0%						
County Sheriff	6	6	17%	1			5		
Country District Attorney	1	0	0%						

Table 2b — Summary of Responses by Non-Public Persons or Bodies

Official or Body	# Requested Responses	# Received responses	Percent Will Implement Full or partially	Will Implement Fully	Will Implement Partially	Needs Further Analysis or Consideration	Will Not Implement (Not Warranted or Reasonable)	Will Not Implement (in Proscribed Time)	Will Not Implement Other Reason
Woodland Polytech Academy Principal	1	0	0%						

**Closing The Loop:  
How Yolo County Implements Its Responses To The Grand Jury**

Table 3c — Summary of Responses by Non-Elected Public Servants, Departments or Agencies

Official or Body	# Requested Responses	# Received Responses	Percent Will Implement Full or Partially	Will Implement Fully	Will Implement Partially	Needs Further Analysis or Consideration	Will Not Implement (Not Warranted or Reasonable)	Will Not Implement (In Proscribed Time)	Will Not Implement Other Reason
County CAO	22	22	91%	20		2			
County Counsel	12	12	83%	10		2			
County HR Department	31	31	81%	24	1	2	1		3
County Chief Probation Officer	16	16	88%	12	2	2			
County Assistant Chief Probation Officer	9	9	78%	7		2			
County Community Corrections Partnership Executive Committee	1	1	100%	1					
County Director, Department of Employment and Social Services	7	7	86%	6				1	
County Director, Department of Planning and Public Works	2	2	100%	2					
Sheriff Coroner's Office	6	6	83%	5		1			
Woodland City Manager	4	0	0%						
Chief of Police, Woodland	2	2	100%	2					
Chief of Police, Winters	2	2	50%	1			1		
Chief of Police, Davis	2	2	50%	1			1		
Chief of Police, West Sacramento	2	2	100%	2					
Director, Department of Alcohol, Drugs and Mental Health (ADMH)	3	3	67%	2				1	
County Clerk/Recorder	1	0							
County Public Guardian	1	0							
County Assessor	1	0							
Director, Department of Health	1	1						1	



## **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

Of the 166 received responses to recommendations, only nine of the responses (5% of the total) indicated that the recommendation was either not warranted or unreasonable. Of those nine negative responses, five (56%) were from the County Sheriff. Four of those pertained to the investigation into the Sheriff's leadership practices.

### **Investigative Study**

On February 26, 2013, Yolo County provided an updated response to the 2012-13 Grand Jury Report entitled "Yolo County Probation Department: A Troubling Contract, Questionable Ethics." The original responses were provided to the Superior Court and the grand jury in November and December of 2012. The grand jury found this updated response to be very informative, complete and reflected timely action by the appropriate county departments and individuals.

The grand jury focused its investigation on the follow-up and implementation of the recommendations in four reports; two from 2012-13 and two from 2013-14 Yolo County Grand Jury reports. The grand jury further narrowed the scope of the investigation to the recommendations where follow-up and/or implementation was reasonably expected.

### ***Yolo County Probation Department: A Troubling Contract, Questionable Ethics (2012-13)***

The recommendations in this report that were reviewed by the grand jury included:

- reviewing the Assessments.com (ADC) contract to determine operational fitness and financial viability and audit payments to ADC,
- reviewing the scheduling of Motivational Interviewing Technique (MIT) training days for a potential Memorandum of Understanding (MOU) violation,
- conducting an audit of the MIT trainers timesheets, review to ensure that all payments and agreements with MIT trainers are compliant with all Yolo County financial policies and procedures, and
- Yolo County Probation Department should be closely monitored to ensure no dual relationships exist between employees and outside contractors, and that no manager should have sole authority over the development or implementation of a contract or vendor.

### **ADC Contract**

The last active contract between the County and ADC expired on January 1, 2013. While ADC apparently remained operationally and financially viable and had recently merged with another company, Probation management determined that alternative risk assessment and case management software tools were available. The Ohio Risk Tool is currently being used for adults. Both adult and juvenile Probation Officers have been trained on use of the Ohio Risk Tool. Positive Achievement Change Tool (PACT) assessment, an ADC tool, is still

## **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

being used for juveniles. However, Probation is in the process of transitioning over to Ohio Risk Tool for juveniles as well and will no longer be associated with ADC. Based on the audit and the additional review of the contract performance, there appear to be no funds that need to be recouped from ADC.

### **Scheduling MIT Training Days**

The County's review into the scheduling of MIT training on days not at work was implemented in conjunction with the audit of payroll practices at the Probation Department at the end of December 2012. The audit of payroll practices determined that the MIT compensation package exceeded what was required by the Probation MOU and such an extensive change in the way hourly employees were paid should have been negotiated by Human Resources. Although the practice employed by the former Chief Probation Officer created confusion and morale problems among Probation employees, it did not violate the terms of the MOU. Under both state and federal law, and the terms of the Probation MOU dealing with when overtime is payable, an hourly employee performing work beyond what is required in that employee's job description, as requested and authorized by a manager, is entitled to compensation including overtime, if applicable. The audit has disclosed a few instances in which confusion may have resulted in erroneous timesheets being completed by employees and approved by Probation management.

### **MIT Timesheets**

The audit of payroll practices identified a few instances where possible over and underpayments may have occurred. The County's audit determined that any variances resulted from the confusion caused by the overly complex MIT compensation plan and not as a result of any intent to defraud the County. The identified overpayments were reported as "not large". The Auditor-Controller's Office (currently Yolo County Financial Services) assisted the Human Resources Department and made the necessary corrections that included a minimal amount of repayments and corrections to leave balances.

### **Payments and Agreements**

It was recommended that any agreements and/or payments for reimbursement for MIT training from other counties should be reviewed for compliance with Yolo County's financial policies and procedures. An updated response in February 2013 stated "The Auditor's audits did find some purchase agreements and contracts related to this recommendation. The Auditor notes, however, that the County does not have clear guidance on shared service agreement authority and recommends developing supporting policies. The County Administrator's Office will work with department heads to develop draft policy for Board consideration in 2013."

It was later reported to the grand jury that the County made a final determination that the existing policy was clear and no further supporting policies were approved by the Board.

## **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

### **Contracting Practices**

The contracting practices of Yolo County were part of the audit conducted in 2012 and County Counsel found no evidence of a prior fiscal relationship, although in light of the personal friendship that existed between the former Chief Probation Officer and the president of ADC, it would have been a far better management practice to involve other personnel in the ultimate approval of payment of invoices for services provided by ADC.

A conflict of interest check list has been developed and is to be filled out by department managers or other personnel dealing with outside contractors in which the County managers or employees are queried on whether they have a personal or financial relationship with entities contracting with their department.

### **No Sole Authority**

Regarding sole responsibility over the development and implementation of a contract or vendor, the County initially responded that under the current policies and procedures, although department heads have ultimate responsibility for selection of vendors and the award of contracts within their department, the contracting process usually involves fiscal staff in the department, the County Purchasing Officer, and in many cases, Board of Supervisors approval. Larger contracts usually involve a Request for Proposal (RFP) or bidding process with many individuals in the decision process. Similarly, the payment approval process, in addition to authorization from the department head or designee, passes through the County Auditor-Controller's Office for verification of the existence of a contract or other payment obligation to ensure funds are available to be encumbered for payment.

There were a number of concurrent events involving the procurement procedure. In addition to moving the procurement process to the Financial Services Division and the audit of procurement practices, the County added conflict of interest disclosure to a procurement checklist. As for the audit, it was reported that all of the recommendations identified in the audit mentioned were implemented. A review of the "Probation Audit Report – Final" dated February 19, 2013 included recommendations involving Compensation Arrangements, MI Trainers Time and Attendance, Documentation of Employee Training, Shared Services with other county Probation Departments, Contract Terms and Provisions, Contractors Performance and Conflict of Interest, and Payment of Invoices.

### ***Yolo County Finance: Tracking Changes (2012-13)***

The recommendations reviewed include:

- reviewing and regulating internal controls for payroll,
- establishing deadlines for closing bank reconciliations and financial statements,
- assignment of a finance staff member to assist with departmental finance employees with training, coaching and motivation, and

## **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

- the Auditor-Controller to approve and sign-off on financial off-line adjustments.

### **Internal Controls for Payroll**

The County conducted an audit of payroll timekeeping in segments. There were no substantial findings. It was recognized that different departments use different systems to track timekeeping and payroll which is creating difficulty merging into one system. The audit reports are currently being reviewed and a consolidated report is anticipated to be released by June 30, 2015.

### **Deadlines**

This recommendation was immediately implemented. The deadline for the monthly bank reconciliations has been set as the end of the following month; and the deadline for issuing financial statements has been set as December 31.

It was reported that there was an improvement and reconciliations were only one month behind in 2013. Since then, a new financial system was acquired and staff has been reassigned to getting the new system complete and operational. Currently, the reconciliations are averaging approximately three months behind.

### **Training and Support**

In the past, the Auditor-Controller's Office had three managers assigned to stay in touch with finance staff at the departments to answer their questions and provide the necessary training. Increased workloads and a hiring freeze caused this practice to be temporarily discontinued. Since then, additional resources were requested to allow this practice to resume. This request was supported and an addition of an internal audit manager allowed for some training to begin.

More recently, staff has been brought together in teams by the acquisition of, and preparation for, the new financial system. Through this team interaction, the staff in other departments have begun to collaborate.

### **Off-line Adjustments**

This recommendation was implemented immediately. The grand jury inquired into this practice and learned that there is approval criteria established based on the amount and nature of the adjustment.

### ***Yolo County Promotion Practices: Need for Standards and Oversight (2013-14)***

The recommendations reviewed from this grand jury report were:

- a survey should be conducted to assess strengths and weaknesses of each department's promotional practices,

### **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

- a unified selection policy should be adopted as part of Human Resources' Personnel Rules and Regulations that create minimum standards for department promotions,
- Human Resources should work with the Yolo County Roads Division to create minimum guidelines covering department promotions and hiring and to provide training to hiring managers and interview panelists,
- Courses recently added to the Yolo Training Academy which address how to properly conduct hiring or promotional interviews be made permanent curriculum,
- HR should develop and publicize a process by which complaints regarding promotional practices can be reviewed, evaluated, and acted upon, and
- HR should complete the Personnel Rules and Regulations and develop a timeline for review by employee union groups and adoption by the Board of Supervisors.

#### **Survey Yolo County Department's Promotional Practices**

HR completed a survey of Yolo County departments and has identified hiring and promotional practices that differ between departments. In response, HR has developed forms that departments can utilize for the promotion process and is now participating more frequently on interview panels. However, HR has indicated a capacity issue based on HR staff availability and number of interviews conducted by Yolo County.

#### **Unified Selection Policy**

This recommendation has been addressed, in part, through enhanced training opportunities made available to Yolo County staff. Training of interviewers is now required at least once every two years.

#### **Yolo County Roads Division**

HR has worked with the Yolo County Roads Division with the goal of improving the division's hiring and promotional practices, and believes that they have had a successful impact. HR also believes that the intent of the recommendation has been met by implementing the recommendations for the Unified Selection Policy.

#### **Yolo Training Academy Courses**

Although a grand jury review of the Yolo Training Academy course list did not indicate that courses addressing hiring and promotions were part of the academy's permanent curriculum, HR staff indicated that the training remained available and an online training module would be offered to staff in the summer of 2015. HR has also indicated that it will provide specialized on-site training when requested by a department.

#### **Complaint Process**

Yolo County believes the "AVENUES" program provides an adequate process for Yolo

## **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

County employees to anonymously register complaints or concerns with the Yolo County Public Agency Risk Management Insurance Authority regarding hiring and promotion practices. Yolo County employees are notified of the existence of the program through normal county-to-employee channels. Also, if the employee is comfortable making the complaint in-person, they can speak directly to their supervisor, CAO, or the HR Department; or call a dedicated phone-line to the Employee Assistance Program provider. Although the county makes options available to file anonymous complaints, it has been reported that these methods are not being utilized. The county continues to maintain these options at a cost.

### **Personnel Rules & Regulations**

The Personnel Rules and Regulations have been completed and cleared through County Counsel; however, they have not gone through the mandatory meet-and-confer process with the employee bargaining units. Adoption of the personnel rules and regulations has not occurred, partly due to the county recruiting for a new HR Director, and partly due to the bargaining units' resistance to joint negotiations. Yolo County HR has acknowledged that the goal of implementing this grand jury recommendation by December 1, 2014 has passed and is in the process of hiring additional staff to assist in completing the regulations.

### *Proposition 218 Protest Election Process: "The Yolo Way" (2013-14)*

The grand jury looked into all four of the recommendations in this report which included developing a set of procedures for a Proposition 218 election, developing guidelines for the preparation of a Proposition 218 Public Notice, consideration of including a protest form in the public notice, and identification of the appropriate department to maintain and make accessible Proposition 218 election records.

The Yolo County Proposition 218 Procedures and Checklists, provided to the grand jury, includes an outline of procedures for standardizing the Proposition 218 election process, outlines the timeframe for and requirements of the public notice, includes a protest ballot that will be mailed to the residents affected by the Proposition 218 process and establishes the Yolo County Clerk of the Board as the Office of Record. The ballots will also be scanned and included in the County's electronic archive system (SIRE).

### **FINDINGS**

- F1. A large majority of recommendations resulting from YCGJ investigations have been responded to positively by local government officials and entities, and most responses indicate that recommendations will be implemented, either in full or in part.
- F2. No formal mechanisms are currently in place within local government to track, report, or publicly review responses and actions taken as result of YCGJ recommendations.

## **Closing The Loop: How Yolo County Implements Its Responses To The Grand Jury**

### **RECOMMENDATIONS**

R1. By December 1, 2015, the Yolo County CAO shall work with the Yolo County Counsel to develop a single tracking system for grand jury findings, recommendations, responses and the ongoing status of each item. During the development of this system, consideration should be given to the future ability to release this information in a public document on an annual basis.

### **INVITED RESPONSES**

Pursuant to Penal Code section 933.05, the grand jury invites responses as follows:

- County Administrative Officer – F1, F2 and R1
- County Counsel – F1, F2 and R1

### **BIBLIOGRAPHY**

Additional internal documents viewed during investigation:

- COSO 2013 FRAMEWORK: Conducting Effective Assessments and/or Audits of Internal (Management) Controls
- Workshop on the New OMB “Super Circular” Omni-Circular: What is the impact on the grant community?
- Notes taken at a Department Head Meeting on April 10, 2013
- Excel Spreadsheet maintained in CAO and Finance offices regarding 2012-13 and 2013-14 Grand Jury Report Responses and Follow up Schedule
- County of Yolo Administrative Policies and Procedures Manual: Contracting and Purchasing Policies (September 9, 2008), Cost Recovery and Fees (June 7, 2011), Policy on Employee Timekeeping (August 2, 2011), Code of Ethics—Standards of Ethical Conduct (December 17, 2013)
- Department Process Contract Checklist (rev. May 2013)
- Internal Memo: Review of Internal Controls over Payroll and Contracting at Yolo County Probation Department (February 19, 2013)
- Probation Department Internal Control Review (Payroll and Contracting) Payroll Adjustments (February 19, 2013)
- Yolo County Proposition 218 Procedures and Checklists (undated)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provide information to the Grand Jury.

APPENDIX RESPONSES TO THE 2014-2015 FINAL REPORT

**APPENDIX**

**RESPONSES TO THE  
2014-2015  
YOLO COUNTY GRAND JURY  
FINAL REPORT**



Responses to 2014-2015 Grand Jury reports had not been received as of June 20, 2015. Responses will be posted as they are received at <http://www.yolocounty.org/business/community/grand-jury/yolo-county-grand-jury-reports>.





APPENDIX RESPONSES TO THE 2013-2014 FINAL REPORT

**APPENDIX**

**RESPONSES TO THE  
2013–2014  
YOLO COUNTY GRAND JURY  
FINAL REPORT**

**YOLO COUNTY PROMOTIONAL PRACTICES: NEED FOR STANDARDS AND OVERSIGHT**

**Subject:** Fw: Yolo County report regarding Planning and Public Works

**From:** Grand Jury (grand-jury@sbcglobal.net)

**To:**

**Date:** Friday, May 30, 2014 8:52 AM

On Wednesday, May 28, 2014 1:03 PM, Ed Smith <Ed.Smith@yolocounty.org> wrote:

Dear Foreperson:

The Yolo County Department of Planning and Public Works has reviewed your report dated April 17, 2014 regarding Yolo County Promotion Practices. The Department concurs with your findings #F6 and F7. The department Agrees with recommendation #R3. Because of the comprehensive nature of the needed response the department will work with the Yolo County Department of Human Resources to implement this recommendation prior to October 15, 2014.

A hard copy of this response is being sent to the Honorable Daniel Maguire, of the Yolo County Superior Court with a copy to you.

Sincerely yours,

Edmund C. Smith  
Interim Director

YOLO COUNTY PROMOTIONAL PRACTICES: NEED FOR STANDARDS AND OVERSIGHT



## COUNTY OF YOLO

Office of the County Administrator

*Patrick S. Blacklock*  
County Administrator

625 Court Street, Room 202 Woodland, CA 95695  
(530) 666-8150 FAX (530) 668-4029  
www.yolocounty.org

To: Honorable Judge Daniel P. Maguire  
Superior Court of California, County of Yolo  
725 Court Street, Room 303  
Woodland, CA 95695

June 24, 2014

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: grand-jury@sbcglobal.net

RE: 2013-14 Yolo County Grand Jury Report – Yolo County Promotional Practices: Need for Standards and Oversight

Honorable Judge Maguire:

The following is the response to the 2013-2014 Yolo County Grand Jury Report titled, “Yolo County Promotional Practices: Need for Standards and Oversight” from the Yolo County Board of Supervisors, Director of Human Resources and County Administrator. The Interim Director of Planning & Public Works responded under separate cover. For purposes of readability, we have included the Grand Jury’s recommendations in **bold**.

**R1 Within the next 90 days, HR should conduct a survey of each department’s current promotion practices to identify problem areas and to learn from departments that have created successful internal models that address promotional processes.**

Director of Human Resources response: This recommendation will be implemented by August 29, 2014.

**R2 By October 1, 2014, HR should use the information obtained from the survey to develop and adopt, as part of its Personnel Rules and Regulations, unified policies that create minimum written standards for department promotion processes. These policies should address selection and training of oral interview panelists, confidentiality and feedback to selected and non-selected candidates.**

**YOLO COUNTY PROMOTIONAL PRACTICES: NEED FOR STANDARDS AND OVERSIGHT**

Director of Human Resources response: Written standards that address selection and training of oral interview panelists, confidentiality, and feedback to selected and non-selected candidates will be developed and implemented by October 1, 2014.

- R3 HR should work with Roads Division immediately to create comprehensive written guidelines covering department promotion and hiring and to provide training to department hiring managers and oral interview panelists. These guidelines should be shared with Roads Division employees to restore transparency and trust that the department promotion process is operating in a fair manner.**

Director of Human Resources response: In addition to the standards above, effective immediately and continuing until this recommendation can be implemented fully, a Human Resources staff person will sit as an oral interview panel member for every promotional interview process conducted at the Planning & Public Works department.

May 28, 2014 response from Interim Planning & Public Works Director: The department concurs with Recommendation #R3. Because of the comprehensive nature of this recommendation, the department will need additional time to work with the Yolo County Department of Human Resources to implement this recommendation. This recommendation will be implemented on or before October 15, 2014.

- R4 HR should ensure that courses recently added to the Yolo Training Academy on how to properly conduct hiring or promotional interviews become part of the Academy's permanent curriculum and that all county staff participating in hiring or promotion interviews be required to attend.**

Director of Human Resources and County Administrator response: This recommendation has partially been implemented. Hiring Interview Panel training has been a part of the ongoing curriculum offered through the Yolo Training Academy since February 2014. An online option for oral interview panel training will also be developed by December 1, 2014, and every oral panel member will be required to complete training prior to participating in hiring or promotion interviews.

- R5 Within the next 60 days, HR should develop and publicize a process by which complaints regarding personnel issues can be reviewed, evaluated and acted upon with results reported to complainants.**

Director of Human Resources response: This recommendation has been implemented. The County already has the AVENUES program in place for this purpose, and will continue to market and advertise the program to County employees.

**YOLO COUNTY PROMOTIONAL PRACTICES: NEED FOR STANDARDS AND OVERSIGHT**

**R6 By December 1, 2014, HR should complete the Personnel Rules & Regulations and develop a specific timeline for review by employee union groups and adoption by the Board of Supervisors. HR should report bi-monthly to the Board of Supervisors on its progress until such time as the Rules & Regulations are finally adopted.**

Director of Human Resources and Board of Supervisors response: Human Resources will complete the Personnel Rules & Regulations, and submit them to employee union groups for meet and confer by December 1, 2014.

IMPLEMENTING MAJOR CHANGES IN EDUCATION AT THE LOCAL LEVEL: BUILDING A PLANE IN MIDAIR

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code Sections 933 and 933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (i.e. Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Grand Jury's Advisory Judge and to the Grand Jury Foreperson.

Report Title: Implementing Major Changes in Education at the Local Level: Building a Plan in Midair

Report Date: April 24, 2014

Response by: June 23, 2014

FINDINGS

I (we) agree with the findings numbered: F1 and F2

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: R1

have been implemented ( attach a summary describing implemented actions)

Recommendations numbered:

Require further analysis (attached explanation of analysis or study, time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury report.

Recommendations numbered:

Will not be implemented because they are not warranted and/or are not reasonable (attach explanation).

Date: June 12, 2014 Signed: 

Total number of pages attached 1

IMPLEMENTING MAJOR CHANGES IN EDUCATION AT THE LOCAL LEVEL: BUILDING A PLANE IN MIDAIR



**YOLO COUNTY OFFICE OF EDUCATION**  
Dr. Jorge O. Ayala, *Superintendent*

SENT VIA U.S. MAIL AND EMAIL ([grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net))

June 12, 2014

The Honorable Daniel Maguire  
Yolo County Superior Court  
725 Court Street  
Woodland, CA 95695

Subject: Response to Grand Jury Report (Dated April 24, 2014)  
Implementing Major Changes in Education at the Local Level:  
Building a Plane in Midair

Dear Judge Maguire:

The following is the Yolo County Office of Education's (YCOE's) response to the findings and recommendations of the 2013-14 Yolo County Grand Jury's Report entitled "Implementing Major Changes in Education at the Local Level: Building a Plane in Midair. For purposes of readability, we have shown the Grand Jury's findings and recommendations in **bold**.

**FINDINGS**

- F1. Because the regulations and templates pertaining to LCFF and LCAP are still being developed by the State of California, it is too early to determine if YCOE and the five school districts will successfully implement the new K-12 financial reforms.**
- F2. The five school districts and YCOE are on schedule with implementing the Common Core State Standards.**

**RECOMMENDATIONS**

- R1. By December 1, 2014, YCOE should develop and execute a program to keep the residents of Yolo County advised on the progress of implementing the new K-12 financial reforms.**

The five school districts (Davis Joint Unified School District, Esparto Unified School District, Washington Unified School District, Winters Joint Unified School District, Woodland Joint Unified School District), and the Yolo County Office of Education have established websites

Diane Cirolini, *Associate Superintendent, Administrative Services*  
Dr. Ronda L. Adams, *Associate Superintendent, Educational Services*  
1280 Santa Anita Court, Suite 100 • Woodland, California • 95776-6127 • (530)668-6700 • (530)668-3848 FAX



IMPLEMENTING MAJOR CHANGES IN EDUCATION AT THE LOCAL LEVEL: BUILDING A PLANE IN MIDAIR

**YCOE Response to Grand Jury Report (Dated April 24, 2014)**  
**Implementing Major Changes in Education at the Local Level: Building a Plane in Midair**  
**June 12, 2014**  
**Page 2 of 2**

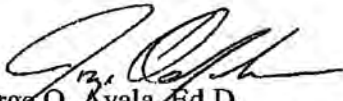
where the public can access information regarding the Local Control Accountability Plan (LCAP) process including state requirements, local stakeholder engagement information and the draft LCAPs.

The communication programs that have been established in each of our districts and in the YCOE are described as follows:

- The districts' and YCOE's LCAPs will be adopted by their boards and receive final approval by the county office of education (district LCAPs) or California Department of Education (YCOE LCAP) on or before October 8, 2014.
- Approved LCAPs will be posted on district and county office of education websites.
- The Districts and YCOE will publish periodic newsletters to update the public on the implementation process of the LCAPs.
- The LCAP process is cyclical and beginning in January the districts will begin gathering data and sharing information with the public during the 2015 stakeholder engagement process to evaluate services to students and make revisions to the LCAP as appropriate.
- The YCOE will include an annual update on the LCAP implementation in the 2015 YCOE Annual Report.

We appreciate the opportunity to respond to the Grand Jury Report. Please do not hesitate to contact us if you have any questions or concerns.

Sincerely,

  
Jorge O. Ayala, Ed.D.  
County Superintendent of Schools

YOLO COUNTY CORONER'S DIVISION

**AGENCY'S RESPONSE PROCEDURE**

**RESPONSE TO GRAND JURY REPORT**

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge and the Grand Jury Foreperson.

Report Title: Yolo County Coroner's Division Report Date: 6/30/2014

Response by: Gina Moya Title: Chief Deputy Coroner

**FINDINGS**

I (we) agree with the findings numbered:

F1, F2, F3, F4, F5, F6, F7

I (we) disagree wholly or partially with the findings numbered:

**RECOMMENDATIONS**

Recommendations numbered: R1, R2, R3, R5, R6 have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: R4 require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: \_\_\_\_\_ will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 6/30/2014 Signed: \_\_\_\_\_

Total number of pages attached 4

YOLO COUNTY CORONER'S DIVISION



**OFFICE OF THE SHERIFF**  
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*Food Services*  
*Records*  
*Transportation*

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*Inmate Programs*  
*Inmate Training*

**MEMORANDUM**

**TO:** THE HONORABLE JUDGE DANIEL P. MAGUIRE  
PRESIDING JUDGE OF THE SUPERIOR COURT

**FROM:** E. G. PRIETO, SHERIFF-CORONER

**DATE:** JUNE 30, 2014

**SUBJECT:** RESPONSE TO THE 2013-2014 GRAND JURY REPORT

**BACKGROUND:**

Members of the Yolo County Grand Jury reviewed the operation and management of the Yolo County Coroner's Division.

**FINDINGS:**

- F1.** Yolo County Coroner's Division operates in an efficient and professional manner. It is staffed with well-trained professionals who communicate and collaborate successfully with other organizations and law enforcement agencies regarding death investigations.
- F2.** The Policies and Procedure Manual for the Coroner's Division is complete and comprehensive but is not reviewed regularly for updates and revisions.
- F3.** The Coroner's Division has developed a successful intern program that assists the Division in meeting its staffing needs while providing an excellent learning opportunity for interns.
- F4.** The Agreement for Provision of Forensic Pathology Services No. 13-115, recently approved by the Board of Supervisors, does not set forth clear compliance measures that can be used to monitor the FMG sole source contract as required by Yolo County Contracting and Purchasing Policies. For example, the requirements that autopsies be performed "as soon as possible" and that forensic pathology services

YOLO COUNTY CORONER'S DIVISION

June 30, 2014  
Page 2

be performed "in a manner satisfactory to the Sheriff or his designee" are too vague to be enforceable.

- F5.** Recently the performance of FMG has been inconsistent in the timely completion of autopsies and autopsy reports. There is an unacceptable backlog in autopsy reports from FMG.
- F6.** In some instances, the Coroner's Division has authorized payment to FMG for autopsy services which, according to the contract, include both autopsy and report, before the autopsy report has been received.
- F7.** Yolo County does not require as part of its contract with FMG, nor does it independently verify, the medical licensing or board certification of FMG physicians who perform autopsies in Yolo County.

**RECOMMENDATION:**

- R1** The Coroner's Division should require annual review of its Policies and Procedures Manual.

**SHERIFF-CORONER'S RESPONSE:**

- R1** This recommendation has been implemented. Policies and procedures will be examined yearly and all Deputy Coroners are encouraged to submit requests for changes or updates via the chain of command.

**RECOMMENDATION:**

- R2** The Agreement for Provision of Forensic Pathology Services should be amended to include clear measures to be used by the Coroner's Division to monitor the FMG sole source contract and a requirement that FMG physicians who perform autopsies for Yolo County provide proof of licensing and board certification in forensic pathology or another similar specialty.

**SHERIFF-CORONER'S RESPONSE:**

- R2** This recommendation is being implemented. The monitoring of the contract to ensure FMG keeps within the industry standards is currently in progress. There is no county requirement for forensic board certification. We are currently working with FMG to obtain the proper licensing and board certification documents which will remain on file with the contract. We expect this to be complete by October 1, 2014.

YOLO COUNTY CORONER'S DIVISION

June 30, 2014

Page 3

**RECOMMENDATION:**

**R3** Coroner's Division should require FMG to take immediate measures to clear the backlog of autopsy reports.

**SHERIFF-CORONER'S RESPONSE:**

**R3** This recommendation has been implemented. The reason for the backlog stemmed from staffing shortages. FMG was initially not in compliance, however, now they are now in compliance with the industry standards of 90% of reports finalized within 90 calendar days. This will continue to be monitored.

**RECOMMENDATION:**

**R4** Coroner's Division should withhold payment for autopsy services until autopsy reports are received.

**SHERIFF-CORONER'S RESPONSE:**

**R4** This recommendation requires further analysis. The County Counsel and the County Administrator are currently working in conjunction with the Coroner's Division to resolve this issue with FMG. Alternative payment arrangements are being discussed as a possible resolution in the event 90% of the reports are not within the industry standard of 90 calendar days.

**RECOMMENDATION:**

**R5** Because the expertise and professional competence of FMG's physicians are central to the ability of the Coroner's division to perform its mandated duties, the County should require FMG physicians who perform autopsies for Yolo County to present proof of medical licensing and board certification in forensic pathology or another specialty acceptable to the County.

**SHERIFF-CORONER'S RESPONSE:**

**R5** The Agreement for Provision of Forensic Pathology Services should be amended to include clear measures to be used by the Coroner's Division to monitor the FMG sole source contract and a requirement that FMG physicians who perform autopsies for Yolo County provide proof of licensing and board certification in forensic pathology or another similar specialty.

YOLO COUNTY CORONER'S DIVISION

June 30, 2014  
Page 4

**RECOMMENDATION:**

**R6** In 2015, if the Coroner's Division decides to contract for autopsy services using a sole source, the sole source justification must include, but not be limited to, the following:

- Performance standards for completion of autopsies and autopsy reports;
- Documentation supporting the board certification of staff performing autopsies;
- Cost analysis of alternative contract sources and provision of in-house services.

**SHERIFF-CORONER'S RESPONSE:**

**R6** This recommendation has been implemented. The industry standards for completion of autopsies and autopsy reports will follow those of industry standards. Documentation supporting board certification of staff providing the autopsies will be requested from the contractor. A sole source analysis in regards to the FMG contract was conducted in May of 2013, and as standard practice, will be conducted again prior to the renewal of any contract in 2015.

Please do not hesitate to contact me if you have any questions.

Sincerely,



E.G. PRIETO  
SHERIFF-CORONER

EGP:ea

YOLO COUNTY CORONER'S DIVISION



**COUNTY OF YOLO**  
Office of the County Administrator

**Patrick S. Blacklock**  
County Administrator

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To: Honorable Judge Daniel P. Maguire  
Superior Court of California, County of Yolo  
725 Court Street  
Woodland, CA 95695

July 15, 2014

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: [grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net)

RE: 2013-14 Yolo County Grand Jury Report – Yolo County Coroner's Division

Honorable Judge Maguire:

The following is the response to the 2013-2014 Yolo County Grand Jury Report titled "Yolo County Coroner's Division" from the Yolo County Board of Supervisors, County Administrator and County Counsel. Response from the Yolo County Sheriff-Coroner came under separate cover on June 30, 2014. For purposes of readability, we have included the Grand Jury's recommendations in **bold**.

**R1 The Coroners' Division should require annual review of its Policies and Procedures Manual.**

Sheriff-Coroner response sent under separate cover: This recommendation has been implemented. Policies and procedures will be examined yearly and all Deputy Coroners are encouraged to submit requests for changes or updates via the chain of command.

**R2 The Agreement for Provision of Forensic Pathology Services should be amended to include clear measures to be used by the Coroner's Division to monitor the FMG sole source contract and a requirement that FMG physicians who perform autopsies for Yolo County provide proof of licensing and board certification in forensic pathology or another similar specialty.**

Board of Supervisors, County Administrator and County Counsel response: This recommendation will be implemented by October 1, 2014. Currently, the Sheriff's

YOLO COUNTY CORONER'S DIVISION

Office, County Counsel and the County Administrator's Office are reviewing national industry standards and guidelines to ensure contract alignment, and discussions are underway with FMG to ensure contract compliance of these standards for the remainder of the agreement. These efforts include collection of licensing and certification documentation.

Sheriff-Coroner response sent under separate cover: This recommendation is being implemented. The monitoring of the contract to ensure FMG keeps within the industry standards is currently in progress. There is no county requirement for forensic board certification. We are currently working with FMG to obtain the proper licensing and board certification documents which will remain on file with the contact. We expect this to be complete by October 1, 2014.

- R3 Coroner's Division should require FMG to take immediate measures to clear the backlog of autopsy reports.**

Sheriff-Coroner response sent under separate cover: This recommendation has been implemented. The reason for the backlog stemmed from staffing shortages. FMG was initially not in compliance, however, now they are now in compliance with the industry standards of 90% of reports finalized within 90 days. This will continue to be monitored.

- R4 Coroner's Division should withhold payment for autopsy services until autopsy reports are received.**

Sheriff-Coroner response sent under separate cover: This recommendation requires further analysis. The County Counsel and the County Administrator are currently working in conjunction with the Coroner's Division to resolve this issue with FMG. Alternative payment arrangements are being discussed as a possible resolution in the event 90% of the reports are not within the industry standard of 90 calendar days.

- R5 Because the expertise and professional competence of FMG's physicians are central to the ability of the Coroner's Division to perform its mandated duties, the County should require FMG physicians who perform autopsies for Yolo County to present proof of medical licensing and board certification in forensic pathology or another specialty acceptable to the County.**

Board of Supervisors, County Administrator and County Counsel response: This recommendation will be implemented by October 1, 2014.



YOLO COUNTY CORONER'S DIVISION

Sheriff-Coroner response sent under separate cover: The Agreement for Provision of Forensic Pathology Services should be amended to include clear measures to be used by the Coroner's Division to monitor the FMG sole source contract and a requirement that FMG physicians who perform autopsies for Yolo County provide proof of licensing and board certification in forensic pathology or another similar specialty.

**R6 In 2015, if the Coroner's Division decides to contract for autopsy services using a sole source, the sole source justification must include, but not be limited to, the following:**

- **Performance standards for completion of autopsies and autopsy reports;**
- **Documentation supporting the board certification of staff performing autopsies;**
- **Cost analysis of alternative contract sources and provision of in-house services.**

Board of Supervisors, County Administrator and County Counsel response: This recommendation will be implemented in 2015 as part of the Sheriff Department's standard contract renewal process.

Sheriff-Coroner response sent under separate cover: This recommendation has been implemented. The industry standards for completion of autopsies and autopsy reports will follow those of industry standards. Documentation supporting board certification of staff providing the autopsies will be requested from the contractor. A sole source analysis in regards to the FMG contract was conducted in May of 2013, and as standard practice, will be conducted again prior to the renewal of any contract in 2015.

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

AGENCY'S RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge and the Grand Jury Foreperson.

Report Title: MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY Report Date: MAY 13, 2014

Response by: THOMAS McDONALD Title: WEST SACRAMENTO POLICE DEPT CHIEF OF POLICE

FINDINGS

I (we) agree with the findings numbered:

F1, F2, F3, F4, F6, F7

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: R1, R2 have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: \_\_\_\_\_ will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 5.28.14 Signed: \_\_\_\_\_

Total number of pages attached 3

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

WEST SACRAMENTO POLICE DEPARTMENT

MEMORANDUM

May 23, 2014

**TO: HONORABLE DANIEL MAGUIRE,  
SUPERIOR COURT OF CALIFORNIA  
724 COURT STREET WOODLAND, CA 95695**

**FROM: THOMAS MCDONALD, CHIEF OF POLICE  
WEST SACRAMENTO POLICE DEPARTMENT  
550 JEFFERSON BLVD. WEST SACRAMENTO, CA 95605**

**SUBJECT: RESPONSE TO GRAND JURY REPORT-  
MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY**

The West Sacramento Police Department has received the Grand Jury Report, findings and recommendations on the above subject matter dated May 13, 2014. This memorandum is being submitted in direct response to:

- R1. *Given the increase in 5150 calls in Yolo County, law enforcement agencies should develop a plan by October 1, 2014, to provide more officers with Crisis Intervention Training or departmental in-service training to help them respond to calls involving mental health issues.***

The West Sacramento Police Department currently has 64 sworn police officers. Of those, 41 officers have attended the Crisis Intervention Training (CIT). The department recognizes the need for all employees who deal with the public to further their education and training in the area of mental health awareness. As such, it was determined that all police personnel (sworn and non-sworn staff) are to attend CIT by February 2015.

The current CIT course of instruction that is department approved is hosted by the Sacramento County Regional Intervention Team, in conjunction with the Sacramento County Sheriff's Department. This course of instruction is a California POST certified, Plan IV course. They have earned this certification by meeting the exceptionally stringent standards as set forth by the Peace Officers Standards and Training Commission of California. This CIT course is taught by a physician, who specializes in this same field. This class is a one day course designed to assist first responders with identifying and assisting individuals with mental illness. CIT is designed to promote community solutions to assist individuals with a mental illness.

## MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

The training is expected to increase the safety of patrol officers, consumers, family members, and other citizens within our community. CIT reduces both the stigma and the need for further contact within the criminal justice system. Students are provided with an overview of the basic symptomology of mental illnesses, tactics for communication with the sufferers of mental illness and an awareness of the community resources available. All training and attendance is being carefully tracked and monitored within the department's training division.

Recognizing the importance of this specialized training, this CIT course through the West Sacramento Police Department, was offered to other city employees who are expected to deal with the public. Their attendance is voluntary.

**R2. *By October 1, 2014, Yolo County law enforcement agencies should develop an integrated response plan so certified Crisis Intervention Training officers are the first responders on calls involving individuals in mental health crisis.***

All West Sacramento Police sworn and non-sworn personnel will have completed this CIT by February 2015.

The City of West Sacramento and the police department is currently collaborating with the Mental Health Services Oversight and Accountability Commission (MHSOAC) in their efforts with the SB82 Grant Program, Community Based Crisis Response (CBCR). This program is expected to be on-line by the end of 2014.

Two CBCR clinicians will be housed at the West Sacramento Police Department and will provide a joint response and clinical support to police personnel responding to those experiencing mental health issues or who are in crisis. They will offer therapeutic intervention in order to avoid less effective and more costly alternatives such as hospitalization or jail. The peer counseling component provides follow-up support after a crisis event has passed. This is in support of facilitating access to and engaging in services that will prevent future crisis events; and promote recovery and wellness.

It is anticipated that this program will be offered during evening hours and days of week with the highest crisis call volume.

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

AGENCY'S RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge and the Grand Jury Foreperson.

Report Title: Mental Health Crisis Services Report Date: May 22, 2014

Response by: Landy Black Title: Police Chief, City of Davis

FINDINGS

I (we) agree with the findings numbered:

F3, F4, & F7

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: R1 have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: R2 will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: June 30, 2014 Signed: 

Total number of pages attached 2

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

**Police Department**

2600 Fifth Street - Davis, California 95618-7718  
Business: (530) 747-5400 - Fax: (530) 757-7102 - TDD: (530) 757-5666  
Administration: (530) 747-5405 - Investigations: (530) 747-5430  
www.davispd.org



June 30, 2014

Honorable Daniel Maguire  
Superior Court of California  
725 Court Street  
Woodland, California 95695

Yolo County Grand Jury  
Post Office Box 2142  
Woodland, California 95695

Re: Grand Jury Report – Mental Health Crisis Services

Dear Judge Maguire and Yolo County Grand Jury:

This letter is to serve as the attachment to the Davis Police Department response to the Yolo County Grand Jury report regarding “Mental Health Crisis Services in Yolo County.”

**Response regarding Recommendation R1:**

Recommendation R1 has been implemented.

The Davis PD has already established, and continues to pursue, a Crisis Intervention Training plan. We have deemed that the 32-hour training curriculum that has obtained California Commission on Peace Officer Standards and Training (P.O.S.T.) certification is the appropriate level of training to expose Davis Police officers to and have been sending employees to such a level of training for several years now. The Davis PD CIT plan establishes a 100% Crisis Intervention Training and certification target — not only for patrol officers within one year of completing a P.O.S.T.-compliant field training program and their probationary period, but for Public Safety Dispatchers within one year of completing a communications training program and their probationary period.

**Response regarding Recommendation R2:**

Recommendation R2 will not be implemented at this time because it is impractical and unreasonable.

At such time as the California Commission on Peace Officer Standards and Training (P.O.S.T.) establishes Crisis Intervention Training (CIT) as a mandatory component of either the Police Academy training curriculum, or the Field Training Program standards that all

City of Davis

## MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

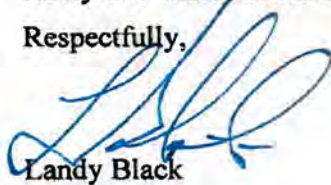
newly hired peace officers must undergo, then it will be inevitable that fully accredited peace officers will be working on the streets of all California jurisdictions, including Yolo County and the City of Davis, who have yet to receive the important, but not mandatory, CIT. Even when the point is reached when all tenured police officers in Davis (or any other jurisdiction) are CIT certified, there will be those newer, not yet CIT certified police officers working alongside CIT certified officers. However, yet-to-be-CIT-trained officers will undoubtedly be the closest, or most appropriate, police resources to dispatch to emergency or less urgent calls for service “involving individuals in mental health crisis” on many occasions. Unnecessarily delaying police responses to any calls “involving an individual in mental health crisis” – especially emergency calls – through a practice of deferring dispatch to a CIT certified officers who, due to distance or prior obligation, may have a response times several minutes slower than non-CIT officers’ response times, is not reasonable. The almost certain result of such an emergency call dispatching strategy is that both those who are in direct need of an expeditious police response, as well as innocent bystanders, are subjected to further, unnecessary risks.

Further, it is impractical and an unreasonable burden on police agencies, especially smaller agencies with perhaps only five to eight officers assigned per shift, to manage shift/squad assignments, beat assignments, call-for-service assignments, court appearances, vacation and other training time absences, etc. in such a way there is always a CIT certified officer on-duty and capable of being the first to respond to calls involving individuals in mental health crisis.

Again, when the time comes that P.O.S.T. establishes CIT as a mandatory component of either the Police Academy training curriculum, or the Field Training Program standards that all newly hired peace officers must undergo, every accredited peace officer working in any jurisdiction in California will have CIT as part of their basic skill-set. Then, by default, each and every peace officer responding to any and all calls involving individuals in mental health crisis will be CIT certified. Until that time, calls for service must continue to be dispatched as expeditiously as appropriate, without regard to CIT certification, with a continuing strategy to get CIT officers on-scene as soon as possible, but not requiring they be the first. This may seem explicitly contrary to Recommendation R2, but it is not entirely inconsistent philosophically.

I appreciate the Grand Jury’s enquiry into the important realm of Mental Health Crisis Services in Yolo County. We at the Davis Police Department not only look forward to, but advocate for, improvements and advancements to the intertwined network of mental health and public safety/law enforcement services.

Respectfully,



Landy Black  
Police Chief

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

AGENCY'S RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge and the Grand Jury Foreperson.

Report Title: Mental Health Crisis Services in Yolo County Report Date: July 1, 2014

Response by: Dale Johnson Title: Captain

FINDINGS

I (we) agree with the findings numbered:

F3, F4 and F7

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: R1 have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: R2 will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 7/1/2014 Signed: D. Johnson #6

Total number of pages attached 2



MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY



**OFFICE OF THE SHERIFF**  
**YOLO COUNTY**

140 TONY DIAZ DRIVE, WOODLAND, CA 95776

(530) 668-5280

FAX (530) 668-5238

(916) 375-6493

**E. G. PRIETO**  
SHERIFF - CORONER

**TOM A. LOPEZ**  
UNDERSHERIFF

**ADMINISTRATION**  
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FINANCE  
PERSONNEL  
PLANNING & RESEARCH

**CORONER'S SECTION**  
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**FIELD OPERATIONS**  
(530) 668-5280  
CIVIL  
COMMUNITY RESOURCES  
CRIME PREVENTION  
DEPARTMENT TRAINING  
INVESTIGATIONS  
MARINE PATROL  
PATROL  
SEARCH & RESCUE  
AERO SQUADRON  
CADETS  
POSSE RESERVES  
STARS

**ANIMAL SERVICES**  
(530) 668-5287

**MONROE DETENTION**  
(530) 668-5245  
CORRECTIONS  
COURT SERVICES  
FOOD SERVICES  
RECORDS  
TRANSPORTATION

**LEINBERGER DETENTION**  
(530) 668-5254  
CORRECTIONS  
INMATE WORK PROGRAMS

**CAMERON TRAINING FACILITY**  
(530) 668-5206  
COMMISSARY  
INMATE EDUCATION  
INMATE PROGRAMS  
INMATE TRAINING

MEMORANDUM

**To:** THE HONORABLE JUDGE DANIEL P. MAGUIRE  
PRESIDING JUDGE OF THE SUPERIOR COURT

**From:** E. G. PRIETO, SHERIFF-CORONER

**Subject:** RESPONSE TO THE 2013-14 GRAND JURY REPORT  
MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

**Date:** JULY 2, 2014

**Background:**

Members of the Yolo County Grand Jury reviewed public and community-based mental health crisis resources available in Yolo County.

**Recommendations:**

**R1.** Given the increase in 5150 calls in Yolo County, law enforcement agencies should develop a plan by October 1, 2014 to provide more officers with Crisis Intervention Training or departmental in-service training to help them respond to calls involving mental health issues.

**SHERIFF-CORONER'S RESPONSE:**

**R1.** This recommendation has been implemented. The Yolo County Sheriff's Office has already established, and continues to move forward on, a Crisis Intervention Training plan. We have deemed that a minimum of an 8-hour up to a 32-hour training curriculum that has obtained California Commission on Peace Officer Standards and Training (P.O.S.T.) certification is the appropriate level of training to expose Yolo County Sheriff's deputies and supervisors to. The Yolo

*"Service Without Limitations"*

## MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

County Sheriff's Office CIT plan establishes a 100% Crisis Intervention Training target – not only for patrol deputies but all sworn deputies.

### **Recommendations:**

- R2.** By October 1, 2014, Yolo County law enforcement agencies should develop an integrated response plan so certified Crisis Intervention Training officers are the first responders on calls involving individuals in mental health crisis.

### **SHERIFF-CORONER RESPONSE:**

- R2.** This recommendation will not be implemented at this time. Currently, California Police Academies do not require Crisis Intervention Training (CIT) as part of their curriculum. Until the California Commission on Peace Officers Standards and Training makes this a mandatory component, it will be inevitable that fully accredited peace officers will be working in Yolo County, who have yet to receive the important, but not mandatory, Crisis Intervention Training (CIT). Even when our goals are reached when all sworn deputies in Yolo County are (CIT) certified, there will be newer, not yet CIT certified deputies that may be closer, or the most appropriate, law enforcement resource to dispatch or respond to any call for service. This includes individuals in a mental health crisis. It would be inappropriate and irresponsible of the Sheriff's Office to unnecessarily delay a deputy responding to any call including calls involving an individual in mental health crisis to wait for a (CIT) certified deputy or other peace officers. The deputy(s), as well as innocent bystanders, are subjected to further, unnecessary risks and liabilities.

The Yolo County Sheriff's Office will continue to respond to calls for service as appropriate, without regard to (CIT) certification, with a continuing strategy to get (CIT) deputies on-scene as soon as possible, but not requiring they be the first. We will continue to work with P.O.S.T. and try to establish Crisis Intervention Training (CIT) as a basic skill-set for California Peace Officers.

Please do not hesitate to contact me if you have any questions.

Sincerely,



E.G. PRIETO  
SHERIFF-CORONER

EGP:ea

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

AGENCY'S RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge and the Grand Jury Foreperson.

Report Title: Mental Health Crisis Services in Yolo County Report Date: May 12 2014  
Response by: Don Bellini Title: Police Chief

FINDINGS

I (we) agree with the findings numbered:

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: R1, R2 have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: \_\_\_\_\_ will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 7/2/14 Signed: [Signature]

Total number of pages attached 3

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY



*City of Woodland*  
**PUBLIC SAFETY DEPARTMENT**

DAN BELLINI, CHIEF



June 23, 2014

**TO:** Honorable Daniel Maguire  
Superior Court of California  
724 Court Street, Woodland, CA 95695

**FROM:** Daniel Bellini  
Woodland Police Department  
1000 Lincoln Avenue, Woodland, CA 95695

**SUBJECT:** Response to Grand Jury Report  
Mental Health Crisis Services in Yolo County

The Woodland Police Department is in receipt of the Grand Jury Report: "Mental Health Crisis Services in Yolo County" dated May 12, 2014. The Grand Jury requested a response from the Woodland Police Department specifically to recommendations R1 and R2. This memorandum is being submitted in direct response to the Grand Jury's request.

**R1. "Given the increase in 5150 calls in Yolo County, law enforcement agencies should develop a plan by October 1, 2014 to provide more officers with Crisis Intervention Training or departmental in-service training to help them respond to calls involving mental health issues."**

The Woodland Police Department currently has 60 sworn police officers. All of the sworn officers are in compliance with the requirements and standards as set forth by P.O.S.T. regarding in-service training in responding to mental health crisis. Additionally, the Department sends officers to an extended 32-hour course on Crisis Intervention Training offered through Yolo County ADMH and sponsored by the Woodland Police Department for certification through P.O.S.T. Although there are shorter, less vigorous CIT courses available, the Woodland Police Department has committed to sending officers to the extended CIT training. As of July 2014, approximately 1/3 of the sworn officers will have received the 32-hour Crisis Intervention Training.

The Yolo County CIT training is offered four times each year. Scheduling officers for this training is dependent on staffing levels and the ability of the Department to adequately staff and respond to calls for service to ensure public safety. In response to the Grand Jury's report, the Woodland Police Department has identified an additional CIT training provider which offers an extended CIT training course (24-hour course).

## MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

This will provide the Department with supplementary training dates enabling the Department to increase the number of officers receiving the extended CIT training. Additionally, the Woodland Police Department will focus first on sending those officers assigned to our patrol division to the extended CIT training (those officers most likely to be first responders to an incident involving an individual in mental health crisis). It is the Department's goal to have all sworn officers attend the extended CIT course.

- R2. “By October 1, 2014, Yolo County law enforcement agencies should develop an integrated response plan so certified Crisis Intervention Training officers are the first responders on calls involving individuals in mental health crisis.”**

As previously mentioned, all Woodland Police Department sworn officers are in compliance with the requirements and standards set forth by P.O.S.T. concerning responses to individuals in mental health crisis and the Department is working towards having all officers additionally trained in the extended CIT course.

In order to provide timely assistance and avoid an extended response, when the Woodland Police Department receives a call for service involving an individual in mental health crisis, the officer working that area of the city will respond to the call. If that officer is already involved on another priority call, the nearest available officer will be dispatched to the call. Waiting for an officer who has attended the extended 32-hour CIT course to be the first responder to calls involving an individual in mental health crisis will unnecessarily delay our department's response and could result in an extended wait for assistance.

The above recommendation by the Grand Jury will be attained once the Woodland Police Department has accomplished the goal set forth in R1.

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY



**COUNTY OF YOLO**  
Office of the County Administrator

*Patrick S. Blacklock*  
County Administrator

625 Court Street, Room 202 Woodland, CA 95695  
(530) 666-8150 FAX (530) 668-4029  
www.yolocounty.org

To: Honorable Judge Daniel P. Maguire  
Superior Court of California, County of Yolo  
725 Court Street, Room 303  
Woodland, CA 95695

July 7, 2014

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: [grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net)

RE: 2013-14 Yolo County Grand Jury Report – Mental Health Crisis Services in Yolo County

Honorable Judge Maguire:

The following is the response to the 2013-2014 Yolo County Grand Jury Report titled “Mental Health Crisis Services in Yolo County” from the Yolo County Director of Health Services (who oversees both the Department of Alcohol, Drug & Mental Health, and the Health Department) and the Director of Employment & Social Services. For purposes of readability, we have included the Grand Jury’s recommendations in **bold**.

**R3 By September 1, 2014, the ADMH home page on the Yolo County website should be updated to make it easier to navigate and to provide more useful content, including a section for Frequently Asked Questions and links to community-based mental health resources.**

Director of Health Services response: This recommendation will be implemented by September 1, 2014. The work necessary to redesign the department’s public website has begun but will take some time to complete. Staff has been given instruction on making the necessary/desired changes and data/information gathering is underway. The priority areas for the redesign are:

- Ease of navigation
- Content
- Frequently Asked Questions
- Links to treatment resources in the community

## MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY

Additionally, the department's website is being redesigned overall to provide a better user experience particularly for consumers. To this end, consumers will be asked to provide input on the development of the website changes. Content areas under consideration include:

- Alcohol and other drug services
- Mental Health services
- Forms and documents
- Government documents
- Provider information
- Related links
- Reports and publications
- FAQs
- Staff directory
- General contact information

The use of social media will also be considered particularly in regard to Wellness Center activities.

- R4 By July 1, 2015, Yolo County Health Department, ADMH, and the Department of Employment and Social Services should develop a method to measure and report, to the Board of Supervisors, whether the merger of the departments results in streamlined services for people with mental health issues.**

Directors of Health Services and Employment & Social Services response: This recommendation may not be implemented in the timeframe noted. The Board of Supervisors has approved a year of planning for an integrated Health & Human Services department with a report due in January 2015. Following this report, the Board of Supervisors will take further action on the integrated department..

- R5 By January 1, 2015, ADMH should prepare a plan to address the barriers to accessing mental health treatment caused by difficulty in understanding insurance coverage, cultural and transportation issues.**

Director of Health Services response: This recommendation has been implemented. Effective July 2014, ADMH is providing orientation daily along with a full-time bilingual clinician dedicated to daily crisis and triage services at the Woodland clinic. (Note: Woodland continues to be the site for entry to care and services. The hours and staffing at the West Sacramento and Davis clinics are determined by needs of clients served.) The Health & Human Services integration team is also considering the possibility of co-locating a DESS eligibility worker with ADMH staff to help consumers apply for Medi-Cal and other public benefits.

PROPOSITION 218 PROTEST ELECTION PROCESS: "THE YOLO WAY"



# COUNTY OF YOLO

Office of the County Administrator

*Patrick S. Blacklock*  
County Administrator

625 Court Street, Room 202 Woodland, CA 95695  
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www.yolocounty.org

To: Honorable Judge Daniel P. Maguire  
Superior Court of California, County of Yolo  
725 Court Street, Room 303  
Woodland, CA 95695

July 15, 2014

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: grand-jury@sbcglobal.net

RE: 2013-14 Yolo County Grand Jury Report – Proposition 218 Protest Election Process:  
"The Yolo Way"

Honorable Judge Maguire:

The following is the response to the 2013-2014 Yolo County Grand Jury Report titled "Proposition 218 Protest Election Process: 'The Yolo Way'" from the Yolo County Board of Supervisors and the County Administrator. The Interim Director of Planning & Public Works responded under separate cover. For purposes of readability, we have included the Grand Jury's recommendations in **bold**.

**R1 By October 1, 2014, the County Administrative Officer shall work with the County Counsel, Clerk of the Board of Supervisors and the Department of Planning & Public Works to develop a set of procedures for a Proposition 218 election, including outlining each department's responsibilities.**

County Administrator response: This recommendation will be implemented by October 1, 2014.

**R2 By December 1, 2014, the Department of Planning & Public Works, in coordination with County Counsel and the Clerk of the Board, shall develop guidelines for the preparation of a Proposition 218 Public Notice. The notice shall include all legally required information and the following:**

- **An explanation of the "protest" election process;**
- **How a resident can participate in the protest election;**



**PROPOSITION 218 PROTEST ELECTION PROCESS: "THE YOLO WAY"**

- **How the protests are counted and what constitutes a successful protest;**
- **How relevant information can be obtained; and**
- **How disabled and non-English speaking residents can participate.**

County Administrator response: This recommendation will be implemented by December 1, 2014.

June 23, 2014 Response from Interim Director of Planning & Public Works: The department is in agreement with Recommendation R2 and will work with County Counsel and the Clerk of the Board to develop guidelines for the preparation of a Proposition 218 Notice.

- R3 The Board of Supervisors shall consider including a protest form in the public notice to be completed and returned by a protesting resident for all future Proposition 218 actions.**

County Administrator and Board of Supervisors response: This recommendation will be implemented with a protest form being added to the public notice.

- R4 By October 1, 2014 the Board of Supervisors shall identify the appropriate department to maintain and make accessible Proposition 218 election records, consistent with the maintenance of other utility rate, election and financial records.**

County Administrator and Board of Supervisors response: This recommendation will be implemented by October 1, 2014

YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST



# COUNTY OF YOLO

Office of the County Administrator

**Patrick S. Blacklock**  
County Administrator

625 Court Street, Room 202 Woodland, CA 95695  
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To: Honorable Judge Stephen Mock  
Superior Court of California, County of Yolo  
725 Court Street, Department 3  
Woodland, CA 95695

August 6, 2014

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: [grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net)

RE: 2013-14 Yolo County Grand Jury Report – Yolo County Sheriff: Leadership Practices  
from the Wild, Wild West

Honorable Judge Mock:

The following is the response to the 2013-2014 Yolo County Grand Jury Report titled “Yolo County Sheriff: Leadership Practices from the Wild, Wild West” from the Yolo County Deputy County Administrator (CAO)/Human Resources (HR) Director and the County Administrator (CAO). For purposes of readability, we have included the Grand Jury’s recommendations in **bold**.

**R1 By September 30, 2014, the HR Department shall review and revise the County nepotism policies and existing practices including prevention, monitoring and reporting of conflicts of interest.**

Yolo County Deputy CAO/HR Director response: This recommendation will be implemented by December 31, 2014.

**R2 The HR department will annually review nepotism practices in the Sheriff’s Department. Such a review shall ensure ethical standards are established and a procedural firewall exists between related employees. This annual review will be presented to the Board of Supervisors with findings and recommendations by December 1, 2014 and each following year.**

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

Yolo County Deputy CAO/HR Director response: By December 1, 2014, and periodically thereafter, Human Resources will review adherence to the nepotism policy in the Sheriff's department.

- R3 By September 30, 2014, the CAO shall review and revise the County's mandated training requirements and compliance with the State of California Public Service Ethics as directed by AB 1234.**

Yolo County CAO response: The recommendation has been implemented. Staff have completed a review of the mandated training requirements and confirm the County is in compliance with AB 1234.

- R4 By November 30, 2014, the Sheriff's Department in collaboration with HR shall review and revise the evaluation standards (written and unwritten) used for all department job classifications to establish a fair and objective set of written guidelines.**

Yolo County Deputy CAO/HR Director response: Human Resources has developed a set of written guidelines designed to ensure fair and objective evaluations. However, this recommendation will not be implemented because it is not within the authority of Human Resources. The State constitution provides independent authority to elected department heads thus limiting the role of County administration. Appointed county staff strive to provide advice and assistance whenever possible. Ultimately, however, the Sheriff is an independently elected department head and not directed or evaluated by County administration. Upon request of the Sheriff, County staff are available to assist the Sheriff with this recommendation.

- R5 By September 30, 2014, the Sheriff's Department in collaboration with HR shall develop a plan to reinforce the authority of the command staff. This plan shall define the level of authority of supervisors and managers for supervising, evaluating and effectively recommending personnel actions for the staff they oversee.**

Yolo County Deputy CAO/HR Director response: This recommendation will not be implemented because it is not within the authority of Human Resources. The State constitution provides independent authority to elected department heads thus limiting the role of County administration. Appointed county staff strive to provide advice and assistance whenever possible. Ultimately, however, the Sheriff is an independently elected department head and not directed or evaluated by County administration. Upon request of the Sheriff, County staff are available to assist the Sheriff with this recommendation.

- R6 By June 30, 2015, the leadership of the Sheriff's Department, in collaboration with HR, shall develop and implement an internal training program to promote and**

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

**encourage upward mobility within the department up to and including the elected official's position. Such a training program will serve as a blueprint for department succession planning.**

Yolo County Deputy CAO/HR Director response: Human Resources stands ready to assist the Sheriff in implementing this recommendation if he so chooses. It is important to note, however, that Human Resources cannot unilaterally implement this recommendation as the State constitution provides independent authority to elected department heads thus limiting the role of County administration. Appointed county staff strive to provide advice and assistance whenever possible. Ultimately, however, the Sheriff is an independently elected department head and not directed or evaluated by County administration. Upon request of the Sheriff, County staff are available to assist the Sheriff with this recommendation.

- R7 By December 1, 2014, HR shall review and update Harassment and Ethics online training programs and implement a training program that includes classroom (in-person) training.**

Yolo County Deputy CAO/HR Director response: This recommendation will be implemented. Like most cities and counties, Yolo relies on online trainings and coursework from organizations such as the Attorney General's Office. The AB 1234 training and Harassment Prevention training, though online, are updated annually. These mandated programs have been available online in Yolo County for six years; that timeframe makes now a good time to evaluate their effectiveness. Should Human Resources determine that a classroom training is a more effective method to deliver the training, those opportunities will be made available. By December 1, 2014, Human Resources will pilot classroom training for Harassment Prevention and obtain evaluations from participants in order to assist with the determination of effectiveness.

- R8 By November 1, 2014, the CAO shall revise and extend the current 360 degree evaluation process to include an opportunity for all elected department heads to participate.**

Yolo County CAO response: This recommendation has already been implemented. Since the implementation of 360 evaluations in October 2012, all Yolo County elected department heads have been extended the opportunity to be evaluated in this manner; only one has taken advantage of this opportunity to date.

YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST

AGENCY'S RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge and the Grand Jury Foreperson.

Report Title: Leadership Practices from the Wild Wild West Report Date: August 7, 2014

Response by: Dale Johnson Title: Captain

FINDINGS

I (we) agree with the findings numbered:

I (we) disagree wholly or partially with the findings numbered:

F1, F2, F3, F4, F5, F6, F7, F8 and F9

RECOMMENDATIONS

Recommendations numbered: \_\_\_\_\_ have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: R4, R5, R6, and R9 will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 8/7/2014 Signed: D. Johnson

Total number of pages attached 9

YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST



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**TO:** THE HONORABLE JUDGE STEPHEN L. MOCK  
JUDGE OF THE SUPRIOR COURT

**FROM:** E.G. PRIETO, SHERIFF ~ CORONER

**SUBJECT:** RESPONSE TO THE 2013-14 GRAND JURY REPORT  
YOLO COUNTY SHERIFF: "LEADERSHIP PRACTICES FROM THE  
WILD, WILD WEST."

**DATE:** AUGUST 7, 2014

**Overview:**

The Yolo County Grand Jury recently reviewed allegations raised against the Yolo County Sheriff's Office. Although they remark their findings are "the *opinion* of the Grand Jury, rather than indisputable statements of fact," the Yolo County Sheriff's Office takes very seriously any opinion, statement, or critical assessments rendered by the Grand Jury. Accordingly, we will evaluate every recommendation brought forward, and in turn will critically reevaluate our current managerial policies and practices.

However, we believe it is important to note that the conclusions reached by the Grand Jury regarding internal matters of the Sheriff's Office were based upon interviews of approximately 16 members or less of the Sheriff's Office out of 265 employees.

In addition, as stated above, we take this very seriously and we find that the title given to the report by the Grand Jury to be unprofessional. A report of this nature is very significant and should not be titled with a snide or sarcastic term. The title has created an atmosphere of a joke in the community and diminishes the importance of the report.

**Findings:**

**F1.** "Favoritism, nepotism and preferential treatment of employees have adversely affected employee morale in the Sheriff's Department. These practices by the Sheriff involve hiring, promotion, assignments and discipline."

YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST

**SHERIFF ~ CORONER'S RESPONSE TO F1: Disagree**

**Hiring Process:**

- ❖ All applicants submit their applications to Yolo County Human Resources (County HR)
- ❖ *County HR* develops lists based off of tests they administer and forwards the results to Sheriff's Office
- ❖ Interviews are conducted by personnel from the Sheriff's Office and an internal list is established based upon ranking
- ❖ Background investigations are conducted
- ❖ Medical and Psychological exams are conducted
- ❖ Recommendations for hire are given to Sheriff by the Administrative staff

**Promotional Process:**

- ❖ *County HR* posts promotional opportunities available to all qualified personnel
- ❖ Depending on the position, a written test is administered by County HR
- ❖ A list of potential applicants for promotion is established based upon qualifications
- ❖ Interviews are conducted by *external panels* and a list is established based upon ranking
- ❖ The Sheriff and Command Staff consult with external panels on rankings achieved
- ❖ Sheriff promotes most qualified based upon qualifications and input from interviewing panel

**Discipline:**

- ❖ Division Commanders evaluate all investigations, inquiries, and deviations from policy and procedure and recommend penalties for adverse action to the appointing authority.
- ❖ The Sheriff or his designee conducts a mandated Skelly Hearing prior to any discipline being imposed
- ❖ The recommended disciplinary action may be instituted or may be reduced by the appointing authority.
- ❖ If the employee disagrees with the imposed discipline, he/she is entitled to appeal to an outside arbitrator who makes the final decision regarding sufficiency of evidence and appropriateness of the level of discipline.

**Findings:**

- F2.** "The Sheriff uses or creates provisional and extra help positions as a means to employ personal friends and relatives."

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

**SHERIFF ~ CORONER'S RESPONSE TO F2: Disagree**

- ❖ All Department Heads work with the County HR Director to hire provisional or extra help employees in order to carry out the duties of their office, providing their budget has funding for these positions and these positions are justified.
- ❖ All employees are encouraged to recruit qualified candidates to work within the Yolo County Sheriff's Office.
- ❖ Hiring is based upon knowledge, skills, and abilities inherent in and necessary for the position.
- ❖ Yolo County, CA Code of Ordinances
- ❖ Sec. 2-6.27.2. Appointments: Provisional.
- ❖ Sec. 2-6.28. Appointments: Extra Help

**Findings:**

- F3.** "The Sheriff has engaged in hiring immediate family, has authorized their assignments, determined their promotions and salary, and has used his personal, final authority to determine disciplinary actions, if necessary."

**SHERIFF ~ CORONER'S RESPONSE TO F3: Partially Agree**

- ❖ Two family members were hired by the Yolo County Sheriff's Office; however, these hirings followed policy and protocol, and selections were made based solely upon the knowledge, skills, and abilities of the candidates.
- ❖ One family member applied for a job, tested, and was hired in December, 2001, as a Provisional ID Technician, with the concurrence of County HR.
- ❖ Despite County HR's concurrence, in April, 2002, County HR notified the Sheriff's Office that this was a violation of the then nepotism policy. As a result, the family member immediately resigned from the Sheriff's Office.
- ❖ Subsequently, the Yolo County Board of Supervisors changed the nepotism policy for all county employees. After this revision, in April, 2003, the former employee applied for an open Crime Scene Investigator position. This individual was rehired, and per the newly-established county policy, which requires a minimum of (2) levels, there were four (4) levels of supervision between the Department Head and the employee.
- ❖ The second family member was hired in July, 2004, as a provisional records clerk. She later tested and was hired for an open position as a records clerk in October, 2004.
- ❖ She transferred to an Office Technician position in January, 2006
- ❖ She tested, was placed upon an eligibility list, and was later selected as a Deputy Sheriff Recruit in July, 2006. After completion of a state-mandated Peace Officer Standards Training (POST) Academy, was hired full-time as a Deputy Sheriff in December, 2006



**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

- ❖ All salaries for all employees are determined by County HR with the approval of the Board of Supervisors. The Yolo County Sheriff has no influence upon or input into employee salaries.
- ❖ In the past, the Sheriff, as the appointing authority, has served as the Skelly Officer for the majority of disciplinary proceedings. In December, 2005, the Sheriff was the Skelly Officer for employees involved in the same incident. One of these individuals was a family member. After conferring with the investigating supervisor on the merits of the case, it was agreed the disciplinary action for all individuals involved would be modified.
- ❖ The Sheriff subsequently issued a directive that any future employment issues involving his family members will be handled through the Office of the Undersheriff.

**Findings:**

- F4.** “The HR Department conducted three ineffective investigations related to allegations of harassment and poor morale at the Sheriff’s Department.”

**SHERIFF ~ CORONER’S RESPONSE TO F4: Disagree**

- ❖ This Finding obviously applies to County HR and not the Sheriff’s Office. However, there is no evidence, facts, or information provided to support this finding.

**Findings:**

- F5.** “The Sheriff’s Department, a military-like structure, with a clear and rigid chain of command, operates with minimal external administrative resources, particularly the County HR Department and labor organizations.”

**SHERIFF ~ CORONER’S RESPONSE TO F5: Disagree**

- ❖ Similar to other law enforcement agencies, the Yolo County Sheriff’s Office is a para-military organization and works collaboratively with County HR.
- ❖ The Sheriff’s Office is a Law Enforcement Agency and its mission is unlike any other county department.
- ❖ Since 1999 when the Sheriff won elected office, he has maintained an open communication with all labor organizations, allied agencies, community organizations and other collaborative partners. The Sheriff has also had a positive working relationship with employee organizations, especially with the Yolo County Deputy Sheriff’s Association and Yolo County Correctional Officer Association. Additionally, the Sheriff has made working collaboratively on issues of mutual concern a top priority.

❖ **Findings:**

- F6.** “The Sheriff’s micromanagement reduces Department supervisors’ and managers’ authority to lead and evaluate staff.”

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

**SHERIFF ~ CORONER'S RESPONSE TO F6: Disagree**

- ❖ There has been no evidence, facts, or information provided which supports this finding.
- ❖ As a paramilitary organization, the Sheriff delegates authority and decision making down to the lowest supervisory level within the organization when and where appropriate.
- ❖ Each level has roles, responsibilities, and the authority to carry out their duties. Each level is accountable to the next level of command. In the management and supervisory ranks, the hierarchy is: Sheriff-Coroner, Undersheriff, Captain, Lieutenant, Sergeant, and Officer-in-Charge. These positions are defined within the Yolo County Sheriff's Office's General Operating Orders.

**Findings:**

- F7.** "The Sheriff's Department operates with unwritten work standards for deputies who are evaluated by these standards on a monthly and annual basis. These standards are inconsistently applied by supervising staff."

**SHERIFF ~ CORONER'S RESPONSE TO F7: Disagree**

- ❖ There has been no evidence, facts, or information provided which supports this finding.
- ❖ There are no known work standards which are unwritten; however, there are job descriptions which define the roles, responsibilities and expectations of the deputies.
- ❖ Although sergeants have varying life experiences and educational backgrounds, all sergeants receive training - both internally and externally, from their lieutenants and POST-mandated classes covering such curriculum as supervision and the evaluation process.
- ❖ Supervisors are evaluated by the next level of command, in this case, the lieutenant. These evaluations are based upon the supervisors' knowledge, skills, abilities, job performance, and their evaluations of their subordinates.

**Findings:**

- F8.** "The Sheriff failed to observe County Code Section 2-6.44, Nepotism Policy, by hiring immediate family members and determining their salaries, promotions, assignments, performance evaluations and discipline."

**SHERIFF ~ CORONER'S RESPONSE TO F8: Partially Agree**

- ❖ The current Yolo County nepotism policy authorizes the hiring of family members who meet minimum standards of the job, pass the required tests, and are approved by the County HR. Additionally, policy dictates there shall be two (2) levels of supervision between the Department Head and the relative.
- ❖ The sheriff has four (4) levels of supervision between himself and his family members, exceeding the county mandate by two (2).

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

- ❖ **SALARY:** The Sheriff does not set salary levels. This is done by County HR and the Board of Supervisors.
- ❖ **PROMOTIONS:** Refer to Finding 1 & 3
- ❖ **ASSIGNMENTS:** Employees who test for a new position are evaluated by a panel, placed upon a list, and selected by competitive factors. Division Commanders follow similar testing requirements as a means of promoting qualified personnel.
- ❖ **DISCIPLINE:** Refer to Finding 3
- ❖ **PERFORMANCE EVALUATIONS:** There have been seventeen (17) performance evaluations completed on the Sheriff's family members. Every one of these evaluations were completed by appropriate supervisory personnel. *None* were signed by the Sheriff.

**Findings:**

- F9.** "The Sheriff was unaware of the contents and intent of the State of California Public Service Ethics AB 1234."

**SHERIFF ~ CORONER'S RESPONSE TO F9: Partially Agree**

- ❖ Although the Sheriff did not have total recall of the contents of AB1234, the Sheriff has refreshed his understanding of the requirements contained in California Public Service Ethics AB1234.

**Findings:**

- F10.** "The Grand Jury was unable to determine the County's compliance with State of California Public Service Ethics AB 1234 mandated training for 2006-2011 for the Sheriff."

**SHERIFF ~ CORONER'S RESPONSE TO F10: Refer to County HR**

- ❖ N/A

**Findings:**

- F11.** "HR manages harassment and ethics online training courses for all employees to comply with state and federal laws. These outdated and repetitious trainings are found to be inadequate and ineffective."

**SHERIFF ~ CORONER'S RESPONSE TO F11: Refer to County HR**

- ❖ N/A

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

**Findings:**

**F12.** “The HR Department serves in an advisory role lacks appropriate oversight and accountability of personnel matters at the Sheriff’s Department.”

**SHERIFF ~ CORONER’S RESPONSE TO F12: Refer to County HR**

❖ N/A

**Findings:**

**F13.** “The CAO and HR have insufficiently monitored and audited the Sheriff’s Department compliance with County Codes and Policies and Procedures.”

**SHERIFF ~ CORONER’S RESPONSE TO F13: Refer to CAO and County HR**

❖ N/A

**Findings:**

**F14.** “The CAO conducts a 360 degree evaluation for all appointed Department Heads. This evaluation process currently excludes elected officials.”

**SHERIFF ~ CORONER’S RESPONSE TO F14: Refer to CAO**

❖ N/A

**Recommendations:**

**R4.** “By November 30, 2014, the Sheriff’s Department, in collaboration with HR shall review and revise the evaluation standards (written and unwritten) used for all job classifications held within the Department with the end goal of establishing a fair and objective set of written guidelines. These guidelines will then serve as the basis for fair, impartial, and timely evaluations, as well as the measure by which the Department assesses and holds expectations for job performance.”

**SHERIFF ~ CORONER’S RESPONSE TO R4:**

❖ While no specific issues were raised relative to the current evaluation standards, it should be noted prior to the Grand Jury’s report, the Sheriff’s Office’s evaluation standards have been used as a model by County HR for the purposes of evaluating of employees within Yolo County. This carries the honor and responsibility of maintaining such standards of excellence, and as such, the Sheriff will continue to be actively involved in the review and improvement upon these evaluation standards within his organization with the goal of continuing excellence.

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

**Recommendations:**

- R5.** “By September 30, 2014, the Sheriff’s Department, in collaboration with HR, shall develop a plan to reinforce the authority of the command staff relative to their ability to supervise, manage, and effectively evaluate personnel. Further, this plan shall also address the proper implementation of necessary personnel action, should there be a need for employee discipline. This plan will provide a clear, unambiguous framework from which Department supervisors and managers shall operate, and will reinforce the importance of the firmness, fairness, timeliness, and consistency required in and demanded by all personnel interactions.”

**SHERIFF ~ CORONER’S RESPONSE TO R5:**

- ❖ The Sheriff’s Office is a paramilitary organization. The command staff has five (5) levels of supervision within the sworn class of personnel, and the authority and duties expected and required within each of these levels are currently codified, in place, and followed. The Sheriff is committed to reviewing policy, procedures and practices and he will make modifications and improvements when necessary.

**Recommendations:**

- R6.** “By June 30, 2015, the leadership of the Sheriff’s Department, in collaboration with HR, shall develop and implement an internal training program to promote and encourage upward mobility within the department, up to and including the elected official’s position. By implementing a program which encourages promotion for all departmental employees, the department recognizes the valuable contributions to be made by the vast cross-section of society inherent in the Department, and will ensure not only success moving forward as an organization as a means of succession planning, but will also ensure the Department is truly a representative of the populace we serve.”

**SHERIFF ~ CORONER’S RESPONSE TO R6:**

- ❖ Along with continually reviewing and adopting successful practices from succession planning programs within other California Law Enforcement Agencies, the Department also recognizes and promotes the many upward mobility options available to our personnel based upon an individual’s knowledge, skills, abilities, life experience, background, and current work assignments. Past and current practice for promotion has been, based upon a supervisor’s counsel and recommendations, employees are selected to serve as acting, in the supervisor’s absence, allowing the employee to experience a higher level of responsibility and accountability. In addition to a supervisor’s recommendation, other factors, such as desirable field and staff-time assignment performance, along with educational experience, are also considered when recommending placement in specialty assignments. The Sheriff and his executive command staff look forward to the opportunity to reevaluate the Department’s promotional and placement processes and developing and implementing plans which would serve to best benefit and develop the careers of Sheriff’s Office employees, resulting in enhanced services to the public.

**YOLO COUNTY SHERIFF: LEADERSHIP PRACTICES FROM THE WILD, WILD WEST**

**Recommendations:**

- R9.** “The Grand Jury recommends elected public officials submit themselves to the 360 degree evaluation process used by all other department heads in the County.”

**SHERIFF ~ CORONER’S RESPONSE TO R9:**

- ❖ Currently, the many elected officials are not required to participate in the 360 evaluation process. Yet there are many feedback streams currently in place to advise, recommend, and enhance operations, the Sheriff as an elected official, is cognizant of his tremendous responsibility to the citizens of Yolo County who have repeatedly placed their trust in him as is evident by the fact he has been re-elected four times - the most recent being June 3, 2014. This is not something the Sheriff takes lightly, and to that end, the Sheriff remains responsive and accountable to those very citizens he has been given the honor to serve and protect.

Respectfully Submitted,



E.G. PRIETO  
SHERIFF ~ CORONER

EGP: ea

