

RECEIVED

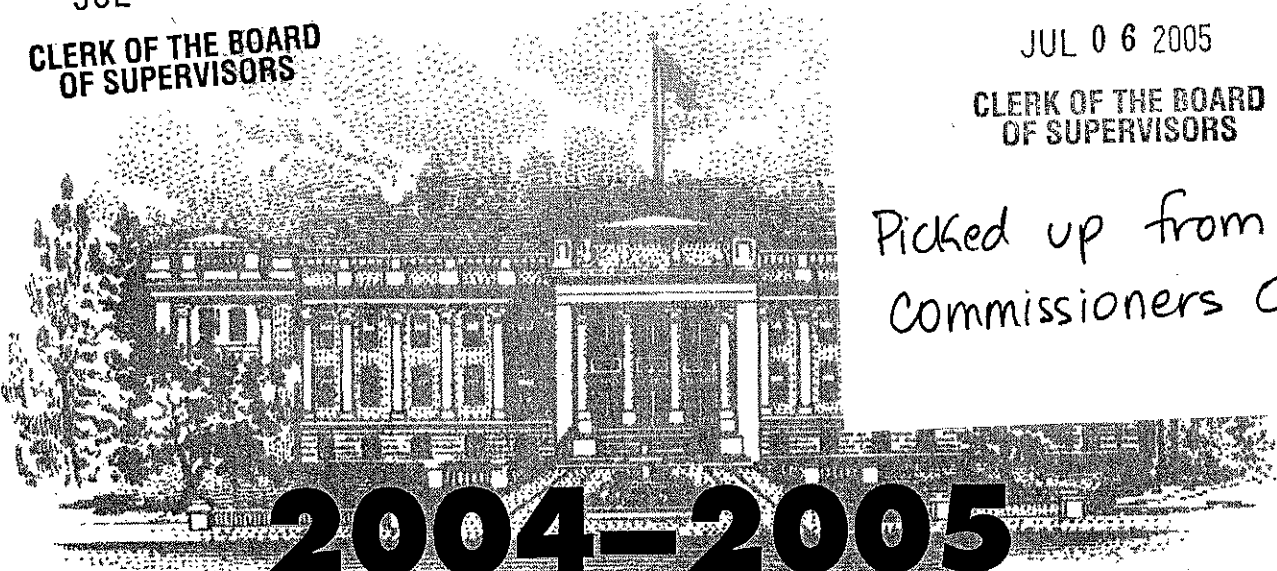
JUL - 6 2005

CLERK OF THE BOARD
OF SUPERVISORS

RECEIVED

JUL 06 2005

CLERK OF THE BOARD
OF SUPERVISORS



*Picked up from Jury
Commissioners Office.*

2004-2005 YOLO COUNTY GRAND JURY

FINAL REPORT

A report for the citizens of Yolo County, California

June 30, 2005
Woodland, California

*6/30/05 12:11:05
Grand Jury called
the Clerk-Recorder
to obtain a copy
of Final Report
from the ~~the~~ Jury
Commissioner's office.*



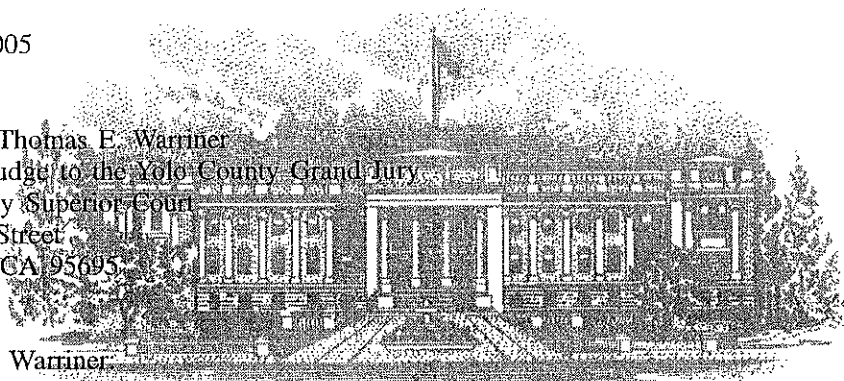
GRAND JURY

County of Yolo

P.O. Box 2142
Woodland, CA 95776

June 30, 2005

Honorable Thomas E. Warriner
Advisory Judge to the Yolo County Grand Jury
Yolo County Superior Court
725 Court Street
Woodland, CA 95695



Dear Judge Warriner:

As foreman of the Yolo County Grand Jury, it is my mandated duty to present to you and the citizens of Yolo County, the **Final Report of the 2004-2005 Yolo County Grand Jury**.

Jury service is a privilege, challenge, and one of the manifestations of a free and democratic society. The general public is unaware of the magnitude of the demands made upon a grand jury. In addition, the rank-and-file practitioners of the law are vaguely aware of the mission of the grand jury and the significance of the volunteer hours dedicated to realizing that mission.

The privilege of service was demonstrated by the jurors' willingness to perform their duties under the mandate of the law. The culmination of our work involved hundreds of hours of interviews, reports, meetings, and research into each matter before our committees. We heard and signed 6 criminal indictments, processed and issued 12 subpoenas, conducted tours of fire departments, police departments and the Yolo County jail. The grand jury received 15 complaints, however, all did not lead to a full investigation. The Grand Jury found that some issues were not within our purview to act on, and recommended to the complainant an agency that could appropriately address the matter.

The jury hereby thanks the multitude of county agencies which provided complete and competent cooperation in providing resources, information and staff support, thus permitting the jury to conduct its business with dignity and a high degree of professionalism. This is an invaluable asset to the Grand Jury.

The jury also thanks its advisory judge for his priceless, unswerving, timely and practical advice and counsel.

Sincerely,

Charlotte I. Beal
Foreperson
2004-2005 Yolo County Grand Jury

2004-2005 Yolo County Grand Jury Final Report

A Report for the Citizens of Yolo County

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

The 2004-2005 Yolo County Grand Jury

Mary Margaret Baker, *West Sacramento*

Charlotte Beal, *Woodland, Foreperson*

R. A. Bo Bohannon, *West Sacramento*

Pat Dearborn, *Davis*

Mary French, *Davis*

Beverly Graham, *West Sacramento*

Stuart Greenfeld, *West Sacramento*

Chris Griffith, *Woodland*

Roger Harper, *Woodland*

Mary M. Irwin, *Davis*

Marlyn Knudson, *Woodland*

Robert Kunst, *Winters*

Jimmie Manerchia, *West Sacramento*

Charles Moore, *Davis*

Frank Redman, *Woodland*

Laura Rodman, *Davis*

Keith Williams, *Dunnigan*

Don Winters, *Davis*

Elizabeth Amaral, *West Sacramento*, was sworn-in as grand juror but was unable to complete the term.

Table of Contents

Introduction 4

Investigations 5-11

 Yolo County Department of Social Services, Interim Report

 Response to Interim Report by Respondents

 Grand Jury Response to Respondents

 City of Woodland Unauthorized Gas Card Use

 City of Woodland Sutter Street Yard Redevelopment Project

 Davis Police Office Space, Oakshade Shopping Center

 Yolo County Animal Services Barking Complaint

Reviews 12-20

 Yolo County Office of Veterans Services

 Yolo County Jail

 Yolo County Police Departments

 Yolo County Department of Social Services

 Yolo Flood Control and Water Conservation District

 New Yolo County Schools

 Yolo County Sheriff's Revolving/Discretionary Fund

 Yolo County Homeland Security

Appendix 21-23

 Responses to the 2003-2004 Grand Jury Report

Introduction

The California Constitution requires each county to appoint a Grand Jury to guard the public interest by monitoring local government. The Yolo County Superior Court appoints 19 Grand Jurors each year from a pool of volunteers. The Yolo County Grand Jury is an official, independent body of the Court, not answerable to administrators or the Board of Supervisors.

Unlike grand juries in other states, a California Grand Jury's primary responsibility is to promote honesty and efficiency in government by reviewing the operations and performance of county and city governments, school districts, and special districts. Based on these reviews, the Grand Jury issues a report that may state its findings and recommend changes in the way government conducts its business. Copies are distributed to public officials, county libraries, and the news media. The governing body of any public agency must respond to Grand Jury findings and recommendations within 90 days. An Elective Officer or Agency Head must respond to Grand Jury findings and recommendations within 60 days. (See appendix for responses to the 2003-2004 Grand Jury report.)

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

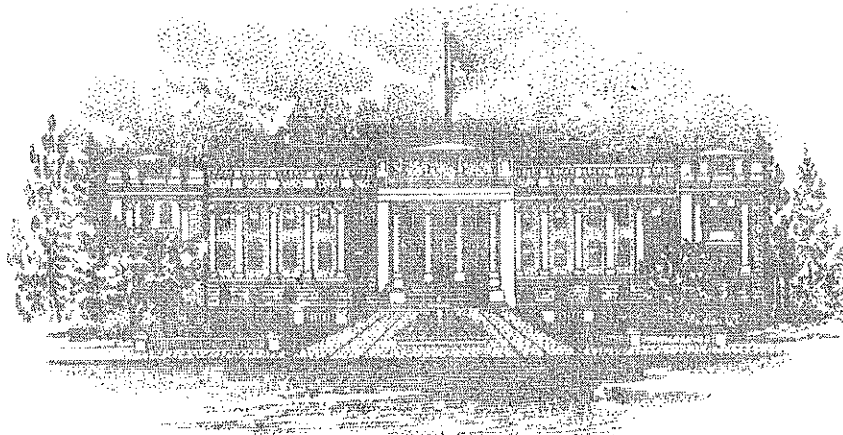
testimony offered to the Grand Jury during its investigations will be revealed. The Grand Jury exercises its own discretion in deciding whether to conduct an investigation or to report its findings on citizen's complaints. Any juror who has a personal interest in a particular investigation is recused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

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

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

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

Following a screening process by the Court, Grand Jurors are selected by lottery. If you are interested in becoming a Grand Juror, submit your name to the Jury Commissioner, 725 Court Street, Room 303, Woodland, California 95695, or telephone (530) 406-6824 or 6825.



Investigations

Yolo County Department of Employment and Social Services

REASON FOR REVIEW

The Yolo County Grand Jury received a request to investigate the Department of Employment and Social Services (DESS) for allegations of inappropriate behavior on the part of upper-level managers, including:

- A documented history of harassment of subordinate staff;
- Allegations of mismanagement of DESS funds; and
- A documented failure to properly fund the investigation of welfare fraud and to communicate appropriately with welfare fraud investigators from the District Attorney's office.

BACKGROUND

The mission of the department is to work in partnership to develop the workforce, promote safe and stable families and individuals, and protect the vulnerable. The DESS oversees an annual budget exceeding \$64 million.

The 1997-1998 Yolo County Grand Jury investigated and found fundamental communication problems existed between the welfare fraud investigations staff and the DESS, and recommended that prompt corrective action be taken if such difficulties persisted.

FACTS

Hostile Work Environment

Witnesses stated that Dana Johnson, currently the Assistant Director, Employment and Transitional Services Division at DESS, consistently intimidates and demeans staff by yelling in individual and group settings, by pounding on the table during meetings, and by referring to subordinate female staff as the "girl".

Staff were asked if Mr. Johnson had "made you cry yet?"

Exit interviews, although offered by departing staff, were not conducted.

Allegations of Mismanagement of DESS Funds

Staff were asked to change delivery date logs on purchased equipment to meet reimbursement mandates.

Staff were asked to change the results of time studies, which would change the reimbursements from funding agencies, and time studies inappropriately included the participation of new employees.

Staff were asked to create a "cushion" of approximately \$500,000 for use by the DESS Director, Jerry Rose, which would be hidden from the County Administrative Officer. Witness testimony indicated that Mr. Rose was informed this could not legally be arranged.

Interactions With/Funding of Welfare Fraud Investigations Unit

The annual budget for welfare fraud investigations, funded by DESS with State and Federal funds, has been consistently reduced since investigator positions were moved to the District Attorney's office. Witnesses stated that Assistant Director Renee Craig, who oversees the budget for welfare fraud investigations, believes that "too much is spent" on investigations, and that DESS management did not want "hard investigations" of welfare fraud. The necessary operational funding for this fiscal year, now half over, has not been provided.

Witnesses reported that DESS management instructed staff to not speak directly with welfare fraud investigators.

Client files are not being made readily available to investigators.

FINDINGS

Since the inception of this investigation, DESS staff have consistently described a very hostile work environment. It is clear from their statements that this environment has been created and/or condoned by Director Rose, Assistant Director Johnson, and Assistant Director Renee Craig. The conditions at DESS have made it very difficult—and sometimes impossible—for the staff to perform their duties. Efforts by DESS staff to correct their hostile work environment have been met with intimidation, retaliation, and a general worsening of work conditions. The evidence provided by the witnesses is incontrovertible that Mr. Rose, Mr. Johnson, and Ms. Craig are directly responsible for this unacceptable work environment.

Further, the Grand Jury is concerned that once this report is published, witnesses who have provided the Grand Jury with information may be subjected to retaliation by these three named managers. It is critical that the County protect these witnesses by ensuring that these three named managers are not in a position to harass, intimidate, or discipline any County employees who have participated in this investigation. Allowing these managers to continue to exercise authority

(INVESTIGATIONS: Yolo County Department of Employment and Social Services—continued on next page)

over these witnesses will undoubtedly result in the exacerbation of the employees' work environment and the dissuasion of witnesses. It will also convey a clear message from the County that employees who attempt to report workplace misconduct do so at their own risk.

Serious allegations have been made regarding the potential mismanagement of DESS funds.

A philosophical difference, first detailed by the 1997-98 Yolo County Grand Jury, continues to adversely impact interactions between DESS social services staff and welfare fraud investigators.

RECOMMENDATIONS

- 05-01 Based on the above findings, the Yolo County Board of Supervisors should suspend Mr. Rose from duty. It is further recommended that the Board of Supervisors initiate the personnel proceedings necessary to terminate Mr. Rose's employment.
- 05-02 Based on the above findings, the Yolo County Board of Supervisors should suspend Mr. Johnson from duty. It is further recommended that the Board of Supervisors initiate the personnel proceedings necessary to terminate Mr. Johnson's employment.
- 05-03 Based on the above findings, the Yolo County Board of Supervisors should suspend Ms. Craig from duty. It is further recommended that the Board of Supervisors initiate the personnel proceedings necessary to terminate Ms. Craig's employment.
- 05-04 The Yolo County Board of Supervisors should immediately ensure appropriate funding of the Welfare Fraud Investigations Unit, with budgetary control transferred from DESS to the District Attorney.
- 05-05 The Yolo County Administrative Officer should create an ombudsman position to actively intercede in conflicts between DESS and the Welfare Fraud Investigations Unit to ensure sensitivity, fairness, and unbiased arbitration. A priority function of this individual should be to coordinate joint interpersonal skills training for DESS and Welfare Fraud Investigations Unit staff.
- 05-06 The Yolo County Auditor should arrange for fiscal audits of DESS by State and Federal funding agencies.
- 05-07 The 2005-2006 Yolo County Grand Jury should follow-up on this report.

RESPONDENTS

- The Yolo County Board of Supervisors: Recommendations 05-01, 05-02, 05-03, and 05-04
- The Yolo County Administrative Officer: Recommendation 05-05
- The County Auditor: Recommendation 05-06

SOURCES

- Current and former staff, Yolo County Department of Employment and Social Services
- Yolo County Auditor's Office
- Yolo County District Attorney's Office

Response of Board of Supervisors, the Yolo County Administrative Officer and the Yolo County Auditor-Controller to the Yolo County Department of Social Services Investigation

The report of this investigation was issued January 27, 2005 as an interim report of the 2004-2005 Grand Jury. The Board of Supervisors, the County Administrative Officer, and the County Auditor-Controller, in accordance with their mandated requirement as respondent, responded to the report February 15, 2005.

Regarding Findings No. 1, 2, and 3 the Board of Supervisors states:

Due to the fact that the Board is not aware of nor is able to review the evidence upon which Grand Jury has based its findings, the Board disagrees with the report's Findings, pending further investigation. The Board has retained the investigative services of the Honorable Richard L. Gilbert (Ret.) to conduct a thorough, impartial, independent and fair investigation into the accusations.

Regarding Recommendations 05-01, 05-02, 05-03 and 05-04 the Board of Supervisors states:

Further analysis may be required. Accordingly, the Board will await the results of the independent investigation.

As to the ongoing issue of the administrative structure and financing of the welfare fraud investigators, during last summer's budget process the Board approved and County Administrative Office hired an outside consulting firm to analyze this issue and make recommendation. Accordingly, the Board of Supervisors will await results of this report.

Regarding Recommendation 05-05 the County Administrative Officer states:

Further analysis is required.

The County Administrative Office hired an outside consulting firm to analyze this issue and make a recommendation. The Board of Supervisors will await the results of this report.

(INVESTIGATIONS: Yolo County Department of Employment and Social Services--continued on next page)

Regarding Recommendation 05-06 the Yolo County Auditor-Controller states:

Since the State Department of Social Services has oversight on the County Department of Employment and Social Services, we will transmit to them the complete Grand Jury findings and recommendations for their action. However, it has been our experience that the State and Federal agencies do not have resources to deviate from their normal audit cycle and focus on a single issue, especially when there is no clear evidence of material non-compliance with laws or regulations affecting their programs or material losses of funds.

Therefore, the office of Auditor-Controller will conduct a fiscal review of DESS that will determine the validity of the three allegations of mismanagement of funds cited in the report, and that will include an overall review of internal control throughout the department.

Response of the Grand Jury to the Yolo County Board of Supervisors

On January 27, 2005, the 2004-2005 Yolo County Grand Jury released an Interim Report detailing three major areas of concern regarding allegedly inappropriate managerial behavior at the Yolo County Department of Employment and Social Services (DESS), including:

- A hostile work environment;
- Mismanagement of DESS funds; and
- A failure to communicate appropriately with, and to fund, the Welfare Fraud Investigations Unit.

The Grand Jury was provided a copy of the above-published response, submitted by Yolo County Administrative Officer Vic Singh on behalf of the Yolo County Board of Supervisors. Members of the Grand Jury have several concerns about the response. The actual author of the Board's response, Jesse Salinas, is a management analyst in the office of Mr. Singh. In the background portion of that response, Mr. Salinas advises the Board that his paper "reflects the Grand Jury's findings, recommendations and the Board of Supervisors' responses." Since Mr. Singh is directly responsible for the performance of both the DESS and the individuals cited in the Grand Jury's Interim Report, the panel wonders how it is possible for a member of his staff to: a) know the Board's wishes, and b) write objective responses to the findings on their behalf. In addition, Mr. Salinas indicates the Board should approve his document prior to its distribution to the Presiding Judge of the Superior Court and members of the Grand Jury, yet his document contains no indication whether or not such Board action was taken. Rather, since it carries only the initials of Mr. Singh and the name of a reviewer, Don Hoff, it appears the response was

passed on, intact, as it was received.

In their general response to the Interim Report, the Board of Supervisors cites Penal Code Section (PC) 933.05 requirements that they must agree with the Grand Jury's findings, or disagree wholly or partially with the findings. The Board states that, "Because it is legally limited in its responses to the Grand Jury findings, the Board must disagree with the above findings for the reasons set forth herein." The primary reason proffered by the Board is that "The Grand Jury's findings are inconsistent with the Board's past experience with these employees."

In effect, the Board concedes that it has insufficient information to respond, yet the Board does respond by disagreeing with the Grand Jury. The author of the response blames the statute, but it is disingenuous to suggest that a law can require the Board to come to such an illogical conclusion. The proper response should have been to agree with the Grand Jury that an inquiry was warranted. By disagreeing, the Board took a position that the Grand Jury was wrong; at the same time the Board acknowledged it lacked evidence to know if the findings were true.

This lack of candor was further exacerbated when the Board claimed, both in its response to the Grand Jury and in the Chairwoman's comments to the local newspaper (on January 28, 2005) that the three employees had excellent histories. The panel members are also dismayed that the Board ignored its suggestion that, for the safety and welfare of other employees, the three DESS administrators be suspended pending the final outcome of the investigation. By its response, the Board has told the public that it is predisposed to find no wrongdoing, even though it has not seen the facts. That expressed bias reduces the public's confidence that a fair review will be conducted.

The Board's general response to Findings 05-01 through 05-05 addresses the need for an independent investigation of the allegations. The Grand Jury fully agrees with the Board that a "thorough, impartial, independent, and fair investigation" of the panel's findings is warranted. However, given that County funds are so limited that County employees were required to participate in work furloughs, the Grand Jury is concerned that the Board chose to utilize the services of an outside contractor, at a cost of \$150,000.

The Grand Jury must also note that PC 933.05 stipulates the Board must provide the parameters and a timeframe for any relevant investigations. The Board's response indicates the deadline by which the investigator will provide his conclusions to the Board, but does not include a deadline by which the Board plans to respond to the Grand Jury.

The Grand Jury is disappointed with the response from

(INVESTIGATIONS: Yolo County Department of Employment and Social Services-continued on next page)

the Board, and feels that the Board abrogated its responsibility by allowing a staff member in the office of the County's Administrative Officer to prepare an obviously self-serving response that was apparently rubber-stamped by the Board.

One receives the impression that there is a "good old boy's" network in Yolo County, within which each level of government covers-up or excuses the inappropriate behavior of the next. The Grand Jury hopes this is not true. We further hope that the findings of the unnecessarily expensive, impartial investigator will motivate the Board to take appropriate responsibility and action.

City of Woodland Unauthorized Gas Card Use

REASON FOR REVIEW

The Yolo County Grand Jury received a citizen's complaint of unauthorized use of a City of Woodland gas charge card by an unknown person or persons.

The Yolo County Grand Jury, in its investigation of this matter, interviewed four individuals: the complainant, personnel from the Woodland Finance Department, the Woodland Fire Department, and the person to whom the card was issued. The Yolo County Grand Jury reviewed gas records as well as other documents.

BACKGROUND

Some time in the first quarter of 2004, a gas card from the Woodland Fire Department was lost or stolen. The PIN was written on the envelope containing the card. The representative of the Antique Fire Truck Auxiliary who was issued the card said he reported the stolen card to the Woodland Fire Department in the first quarter of 2004. The Woodland Fire Department said they never received a report of a lost gas card. The Woodland Finance Department, who monitors and pays the gas bills, cancelled the card in July of 2004, after more than \$7000 in gas charges were made. There was no way for the Finance Department to determine who misused the gas card.

FINDINGS

Before the conclusion of this investigation by the Yolo County Grand Jury, the City of Woodland implemented a new gas card system. This new system requires the representative or employee of the City of Woodland to have more accountability for the charges they incur on the gas card.

RECOMMENDATIONS

Due to the implementation of a new gas card system, no further action is warranted.

SOURCES

Woodland Fire Department
Woodland Finance Department
Complainant
Finance and Supporting Documents

City of Woodland Sutter Street Yard Redevelopment Project

REASON FOR REVIEW

In response to a citizen's complaint, the Grand Jury investigated the City of Woodland's redevelopment of the Sutter Street Yard Project. The complainant alleged faulty public notification, inadequate traffic studies, problems with the entrance and egress of emergency vehicles, hazardous wastes in the soil and additional housing will exacerbate the existing drainage problems for the neighboring community.

BACKGROUND

In the early 1990's the City of Woodland determined that they no longer needed their corporation yard located north of Beamer Street and bounded by the Union Pacific Railroad to the east and Woodland Avenue and Sutter Street to the north and west. A number of ideas were discussed and abandoned, and the City Council decided to pursue the idea of infill housing. Community meetings were held; the nearby neighbors were concerned about traffic and a single entrance/exit. The City Council decided that there must be an exit on Beamer Street, meaning any developer would additionally have to buy the property of the former B.C. Stocking plant which borders the southern extent of the corporation yard, and adjoins with Beamer St. The final project size became 6.6 acres. In 1998 a Request for Proposal (RFP) was issued by the City Council. Only one proposal was submitted, that by the Sacramento Valley Organizing Community commonly referred to as the SVOC.

FINDINGS

1. Notification to the public about this project has been ongoing over the 10+ years since this project was initially conceived. In February of 2005 the disposition and agreement went before the City Council. There were many, many comments and because of these comments, an additional community workshop was held in March. A letter was sent to all those that had made earlier comments

*(INVESTIGATIONS: City of Woodland Sutter Street Yard
Redevelopment Project—continued on next page)*

in February. This allowed City staff to answer all of the questions without the three-minute limitations of a City Council meeting.

2. Traffic studies were done originally in 1998. PW Engineering has since reviewed the 1998 traffic study and gathered current information. PW Engineering's findings are that the additional traffic impact will not result in a short or long-term unacceptable level of service per City of Woodland General Plan criteria.
3. In 2002 the zoning was changed through a zoning administrative permit, and the police and fire departments reviewed these zoning changes and made their comments. The project was approved based on the conditions from these departments of public safety.
4. Hazardous wastes were studied extensively in 1992 by Wallace Kuhl & Associates. Specific high-risk areas were targeted. The hydraulic lifts area had no detectable concentrations of contaminants. The other areas checked, the vehicle wash rack, the former paint shop, the equipment wash areas, the fire training burn depression, the pesticide storage area, etc. were all found to have no significant levels of toxins and were considered an insignificant threat to the ground water. Several buildings were still in place at the time of this report (1992). It was recommended that when these buildings are removed, that the soil under their concrete slab foundations be excavated and properly treated or disposed.
5. Drainage concerns have been addressed by the City of Woodland Engineer. While the corporation yard does drain into a common storm drain with the Beamer Park area, the new housing development should permit more ground infiltration of the storm waters and the city plans to upgrade the existing storm drainage systems in the Woodland Avenue area. While there is, as yet, no specific storm drain plan for the new housing, the condition of development says that the developer's plan cannot impact the surrounding community.
6. The City's contract with SVOC has been in place, in one form or another since 1998. Since then negative declarations have been declared, the California Environmental Quality Act has been followed, and the City is monitoring the progress of the SVOC. SVOC has had their own internal problems with consultants. In the fall of 2003 the City Council became impatient with the progress of the SVOC and terminated the Council's relationship with the SVOC. The Redevelopment Agency felt the project still had merit and was then put in charge of the housing project.
7. In March 2005 SVOC withdrew their project. They determined that they were not able to show that the project could be developed based on the existing financing in place. Redevelopment staff will provide an update

to Council/RDA to review termination of the Redevelopment Agency's disposition and development agreement with SVOC.

8. Woodland City Council and the Redevelopment Agency have spent years shepherding the redevelopment of the City's corporation yard. The Grand Jury believes the City of Woodland used proper procedure in attempting to transfer this parcel to its highest and best use. Unfortunately the SVOC was unable to fulfill its promises of construction.

RECOMMENDATIONS

None

SOURCES

Complainant
Economic Development Manager, City of Woodland
Redevelopment Manager, City of Woodland
Text, Public Meeting, Nueva Vista Questions and Comments, Feb, 2004
Traffic Impact Analysis Report
Soil Evaluation Report of Findings
Council/Redevelopment Agency/SVOC Agreement
Engineer, City of Woodland

Police Office Space in Oakshade Shopping Center, Davis

REASON FOR REVIEW

The Grand Jury investigated a citizen's complaint stating the developer of the Oakshade Shopping Center in Davis did not provide adequate space within the complex for police use.

BACKGROUND

During interviews with the City of Davis' Director of the Planning and Building Department and the Administrator of Planning and Redevelopment, the Grand Jury learned there was never a specific requirement for Police Office Space in the approval documents for the shopping center dating back to 1996. There was, however, an informal agreement between the developer, interested citizens and city officials to make space available for police use. This agreement was discussed during public meetings, but was never made a condition of approval or site specific zoning.

(INVESTIGATIONS: Police Office Space in Oakshade Shopping Center, Davis—continued on next page)

The developer did make a small interior office space available for police department use within the building. The space lacked exterior windows and was less than optimal for police use. The Police did move a desk into the space but it was only marginally utilized for a short period of time in the late 90's. Police staff interviewed made it clear that this space was never intended to be used as a substation and that its existence or lack thereof had no impact on the frequency of patrols in South Davis. Reasons cited for the decision to discontinue use of the space included lack of visibility, poor access, and difficulties in getting adequate connection to the computer network.

The developer continued to make the space available to the public for meeting space. Later, similar space was reserved across the street in the new Oakshade apartment complex. That space is also available for public use. The zoning for the apartment complex and Oakshade Shopping Center allows for such use but does not require it.

FINDINGS

1. The developer was not legally required to make space available for police use but attempted to fulfill the concerns of the citizens.
2. There appears to be no current need for a police department office space in South Davis.

RECOMMENDATIONS

None

SOURCES

Director, Planning & Building Department, City of Davis
Administrator, Planning & Redevelopment, City of Davis

**Yolo County Animal Services
Barking Complaint**

REASON FOR REVIEW

In response to a citizen's complaint, the Grand Jury investigated the Animal Services policy for their resolution of barking complaints. The complainant alleged that three barking complaints filed with Animal Services had not stopped the problem.

BACKGROUND

The Grand Jury met with the Chief Animal Services Officer on three occasions and reviewed documents provided relating to the above complaint. Animal Services officers have the power to cite violators of the state and county animals codes and issue citations.

The complainant filed three separate complaints relating

to the same animal owner over a one and one-half year period. On each occasion, Animal Services verified the complaint, responded in the form of warning letter, and attempted to make contact. Subsequently a Notice to Appear on County Code violations was issued to the accused.

All County Code Violations are sent to Traffic Court for processing. Traffic Court receives the Notice to Appear for an animal violation from the Sheriff's Department Records Section. Traffic Court sends a Courtesy Notice providing the animal owner with the fine amount, noting that they have 30 to 40 days to pay the fine or they can request a court date to have the case heard before the Traffic Commissioner. If the animal owner does not pay or contact for a hearing, the assessment clerk will attach a civil assessment fine to the fine for the violation and another notice providing 15 days to pay or request a hearing. If there is still no contact the Notice to Appear will remain on file. The County Codes neither allow the courts to consider the party guilty by a failure to pay or appear nor can they place a hold on the driver's license as they would a traffic violation. County Code violations are often ignored and their fines remain uncollected.

At the time of the Grand Jury interviews with the Chief Animal Services Officer, the violator had Failed to Appear and had a civil assessment added to the Notice to Appear.

Animal Services has developed a training program of standard operating procedures for all field officers with specific instruction on standard reaction to a complaint resulting from county animal code violation.

FINDINGS

1. Communication of the facts from Animal Services to the complainant may have been done in a timely manner. However, facts were confusing because the information shared between Animal Services and the courts was either incomplete or not available to convey to the complainant, leaving the complainant without closure.
2. The inability of the traffic court system to track and enforce citations and collect fines and penalties has reduced the effectiveness of those citations, as well as allowed large amounts of revenue to go uncollected.
3. There is no court date schedule in Traffic Court for the county codes used in the enforcement of animal control.
4. At the first interview with the Chief of Animal Services the Grand Jury learned there were no documented standards as to how a complaint was to be handled or to what court it was to be referred. However, Animal Services has recently created comprehensive training materials and

*(INVESTIGATIONS: Yolo County Animal Services
Barking Complaint—continued on next page)*

is instructing all field officers on standard operating procedures.

RECOMMENDATIONS

- 05-08** Animal Services, the courts, and the District Attorney's Office should create a process that closes the holes in the collection and enforcement process. A new policy should be generated that reflects follow-up of the court decisions, enforcement of penalties, and collection of fines.
- 05-09** Animal Services staff should review mid-year, recently created training materials, to determine effectiveness as well as thoroughness and completeness of the program, and re-write it as necessary.

RESPONDENTS

Chief, Yolo County Animal Services: Findings 1, 2, 3, 4;
Recommendations 05-08, 05-09
Yolo County District Attorney: Recommendation No. 05-08
Yolo County Traffic Commissioner: Recommendation No.
05-08

SOURCES

Chief, Animal Services Officer, Yolo County
Lead Animal Services Officer, Yolo County
Supervisor, Yolo County Traffic Court
Animal Services Training Materials
Complaints and Citations

Reviews

Yolo County Veterans Services

As a part of the Grand Jury's responsibility to perform periodic reviews of county agencies, the Grand Jury met with the Supervisor of the Yolo County Veterans Services in October of 2004. The Supervisor is the liaison between the Veteran and the Veterans Administration. He has a staff of two.

BACKGROUND

The Veterans Services is an extension of the Yolo County Department of Employment and Social Services located at 120 West Main St., Suite B, in Woodland. Two thirds of the funding for this service comes from the General Fund and one-third from California Veterans Affairs. Its basic service is to provide Yolo County veterans with free medical, pension and burial services and compensation for their military service. It is also the contact for service connected disability information.

There are approximately 11,000 veterans in Yolo County. Fifteen percent of the homeless in the County are veterans aged 30 to 35 years. The average age of a Yolo County veteran is 45.

Yolo County Veterans Services has two vans, driven by volunteers, that are used to transport veterans to medical appointments and other services. These vans are purchased and supported by California Veterans Affairs and replaced at 70,000 miles.

The Supervisor aggressively represents Yolo County veterans by speaking at community service clubs and organizations. He also uses local county newspapers and other media to distribute his message. He encourages veterans to seek his service in obtaining their rightful legal compensation for service to their country.

Money used by veteran benefits stays in Yolo County and adds up to 5 million dollars a year spent in Yolo County.

RECOMMENDATIONS

None

SOURCES

Supervisor, Yolo County Veterans Services

Yolo County Jails

REASON FOR REVIEW

California Penal Code 919(b) mandates that each year the Grand Jury will investigate the conditions and management of public detention facilities and report on its findings. This annual review was conducted to comply with this mandate.

BACKGROUND

The Grand Jury visited the county jail in November 2004, and was given a tour of the facility by the Captain and two Lieutenants.

Since its construction in 1991, the jail has been utilized to detain persons pending their arraignment, during trial, and post sentencing. Upon arrival, all inmates undergo physical and mental health screenings. They are then clothed, housed, fed, and any required medical treatment is provided. Inmates have access to telephones for collect calls only.

The jail has experienced inmate overcrowding since 2002. Inmates are relocated to facilities in Glenn County on a regular basis. Additionally, the facility is understaffed due to budget cuts and recruitment difficulties.

The Grand Jury would like to express its appreciation to the jail staff for their ongoing professionalism and dedication to duty, especially during these extended periods of overcrowding coupled with budget constraints.

FINDINGS

1. Each housing pod holds 76 inmates. The jury noted the physical plant design of the pods include walls that block the cells from view. This design requires correctional staff to monitor inmate activity only by entering the cell area itself. This could present a hazardous situation; walls block correctional staff from viewing activity from a distance during normal operations, and staff responding to emergencies can only assess a situation once inside the walled cell area.
2. As in past years, inmate overcrowding continues to require the placement of "overflow" caseloads in facilities in Glenn County. Transportation to/from Glenn County increases additional staffing costs while coverage is maintained for posted positions.
3. The jail does not staff a specially trained emergency response team to quickly contain serious disturbances.

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

RECOMMENDATIONS

- 05-10 New construction plans should consider "opening" the physical plant design to include better monitoring capabilities. Correctional staff should be able to observe inmate activity from a distance, rather than only upon entering the pod.
- 05-11 The Sheriff/Coroner and his management team should develop plans, policies, and procedures to establish a Special Emergency Response Team (SERT) to serve as the first-responder in the event of an emergency (i.e. inmate riot or hostage situation).

RESPONDENTS

Yolo County Sheriff/Coroner: Recommendations 05-10, 05-11

SOURCES

Yolo County Correctional Captain
 Yolo County Correctional Lieutenant

Yolo County Police Departments

REASON FOR REVIEW

To comply with California Penal Code 919(b), the Grand Jury inquired into the condition and management of Police Departments in the cities of Winters and Davis.

BACKGROUND

City of Davis Police Department:

The Grand Jury visited the Davis Police Department and conducted an interview with the Captain of the Department on February 26, 2005. The Captain explained to us the functions of the Davis Citizens Police Academy and the Davis Police Youth Academy.

The Citizens Police Academy offers participants a 10-week training program designed to provide an inside look into all aspects of law enforcement in Davis. Graduates are used in a variety of non-peace officer assignments on a volunteer basis. This course also serves as a prerequisite for anyone wishing to become a Volunteer in Police Service with the Davis Police Department. The Volunteers are very important to the community as well as the police department.

The Davis Police Youth Academy is a 2- week summer program designed to instill in the youth an appreciation and respect for law enforcers and their role in society. In addition to an emphasis on physical fitness the participants learn about crime scene investigation, SWAT team, narcotics and gang intervention.

The Captain gave the Grand Jury a tour of the facilities, which include a weight room, where staff and officers can maintain their physical conditioning. Conditioning is essential to the officer's ability to perform his job effectively and reduces on the job injuries. The holding cells appeared secure and well maintained. Most detainees under arrest are held less than 6 hours before they are released or transported to the Monroe Detention Center in Woodland for booking. The building is well designed to accommodate future growth and contains state of the art equipment for effective law enforcement communications.

City of Winters Police Department:

On February 11, 2005 the Grand Jury interviewed the Chief of Police and was given a guided tour of the Winters Police Department, located at 318-A First Street, Winters.

The department consists of ten employees. In addition to the Chief, there are two sergeants, six patrolmen, one secretary and one non-salaried reserve officer. The Chief of the Winters Police Department was sworn into office in mid-November 2004.

The Chief informed us that there are some areas within the city that have poor radio reception. The department has only one radio channel, which is used by both police and fire personnel. A single marine battery provides energy for the transmitter in case of power outage.

The Department is located in an old fire station that was inadequately renovated for police work. The facility lacks a secure holding area. Because there is no door on the holding area, all prisoners must be immediately transported to the Monroe Detention Center in Woodland.

Operationally, the department is well organized and operates effectively given the cramped and limited space available. A cooperative and collegial relationship exists between the Department and the Sheriff's Department, as well as with the Davis and Woodland Police Departments.

FINDINGS

1. Serious officer safety issues could occur because of the poor quality of radio communication between the Winters Police Department and the dispatch center, located in Woodland.
2. The availability of only one radio channel for use by both police and fire personnel can impair the safety of both first responders and citizens of the community.
3. Batteries have limited lives and do not last long under prolonged use, which could become necessary in the case of a major emergency or act of terrorism. The marine battery currently used for power backup was designed

(REVIEWS: Yolo County Police Departments--continued on next page)

for use in a small craft. It is imperative that a stronger, more reliable alternative be found.

4. The holding area in the Winters Police Station should have a locking door for the safety of police personnel and citizens who might be present. It would also provide a more secure environment for the prisoner.
5. The current practice of immediately transporting a prisoner to the Monroe Detention Center in Woodland, due to the absence of a secure holding facility in the station, has the potential for the city to be without an on-duty night shift officer during such transfer. This would place a burden on busy County Sheriff deputies who cover the extensive unincorporated part of Yolo County.

RECOMMENDATIONS

- 05-12 The Yolo County Communications Emergency Service Agency should look into the troubling issue of radio communications in Winters to rectify the reception difficulty as soon as possible. This communication problem could seriously impact public safety until the situation is corrected.
- 05-13 The Yolo County Communications Emergency Service Agency, working with the Winters City Manager and the Winters Police Chief, should find a way to add a second channel to the present single-channel radio system so that more than one emergency entity can use the system concurrently.
- 05-14 We encourage the Police Chief to explore the possibility of using Emergency Preparedness funds to purchase a generator to replace the battery currently used when power outages occur.
- 05-15 The Winters City Manager must find a way of providing a locked holding cell in the police station.
- 05-16 The Winters City Manager should explore all possible avenues for improving or replacing the department's current physical facility.

RESPONDENTS

- Coordinator, Yolo County Emergency Services: Recommendations 05-12 and 05-13
 Chief of Police, Winters, California: Recommendation 05-14
 City Manager, City of Winters: Recommendations 05-15 and 05-16

SOURCES

- Chief of Police, Winters Police Department
 Captain, Davis Police Department

Department of Employment and Social Services

REASON FOR REVIEW

As a part of the Grand Jury's responsibility to perform periodic reviews of county agencies, the Grand Jury interviewed department managers and toured the facilities at the Department of Employment and Social Services in October of 2004. The departments reviewed included Financial Management, Employment and Transitional Services and Youth and Children's Services.

BACKGROUND

The Department of Social Services (DESS) provides assistance to County residents in the areas of Child Welfare, Licensing of Foster Families, Adult Protective Services, Transitional and Employment/Training Services. It conducts eligibility determination for Medi-cal, Food Stamps, General Assistance, Cal Works, Workforce Investment Act and Aid Payments to eligible persons.

The Youth and Children's Services department has intensified its efforts to increase the number of licensed foster families in the county and provide an adoptive family for children who are in permanent placement. There are more than 400 children in foster care in the County. At age 19 the foster child becomes emancipated. To prepare for this emancipation, the department provides an Independent Living Skills program, designed to assist young people with future plans, teach life skills, and provide the resources and training to reach these goals. Any youth between 16 and 21 is eligible for the service.

The Employment and Transitional Services Department offers many services designed to assist job seekers in job search techniques. Resources available include workshops and seminars on job application tips, computer skills, customer services skills, and interviewing skills, in addition to job leads and on-site recruitment. The department offers counseling regarding the training, education and skills needed to achieve individual goals. Staff also offers instruction on enrollment in the CalWorks Program, which provides cash payments, and employment services to families with insufficient income to meet their most basic needs. CalWorks is designed with a "work first" idea that helps welfare recipients move from welfare to work and toward self-sufficiency.

The Financial Management Department manager explained the Community Services Block Grants selection

(REVIEWS: Department of Employment and Social Services—continued on next page)

process. This process consists of a Request for Proposal solicitation and a non-competitive/discretionary funds allocation. A Community Service Action Board of 15 members, including 5 Board of Supervisor appointees, identifies priorities. The Block Grants received funds of \$268,000 from the State, which was distributed to respondents and "winners" of the application process. This year's priorities are: food, shelter and youth programs. The process for distribution of funds is an open invoice/voucher system with county vendors.

The Grand Jury thanks the Department of Social Services Managers for conducting the tour of their facilities and their assistance in explaining the functions of the departments examined.

RECOMMENDATIONS

None

SOURCES

ESS Division Manager, Department of Social Services
Children's Services Division Manager, Department of Social Services
Summary of Block Grant Funding
Children's Services Handouts
Employment and Transitional Services Handouts

Yolo County Flood Control and Water Conservation District

REASON FOR REVIEW

In an effort to determine if the ground water in Yolo County is at risk of overdraft, the Yolo County Grand Jury met with the General Manager of the Yolo County Flood Control and Water Conservation District on December 8, 2004.

BACKGROUND

The Grand Jury was shown an excellent slide show giving an overview of the District's physical water storage facilities, which include a dam and diversion works at both Clear Lake and Indian Valley. These works control the flow of water down Cache Creek, where it is diverted to lands within the District. This water is supplemented by water pumped from privately-owned farm wells and from the wells operated by the Cities of Woodland, Winters, and Davis. A third, smaller reservoir is located near Winters and is used as a balancing reservoir for both flood control and irrigation. Stream flows in Cache Creek included in the District's water right are diverted into lateral canals, which carry water to farms away

from the main stream. District employees, called "Ditch Tenders", control the flow of water in this secondary network of channels, opening and closing gates to fulfill "orders" for water placed by individual District members.

The District maintains well hydrographs at various locations to monitor the depth to ground water in the District. The hydrographs examined by the Grand Jury indicate no significant ground water overdraft and it could be concluded that the system was in a steady state. Therefore, this valuable asset is not at risk. It should be noted, however, that the City of Davis has drilled some of its wells to tap into aquifers far deeper than the one utilized by the agricultural members of the District.

FINDINGS

The Grand Jury was positively impressed with the management of Yolo County Flood Control and Water Conservation District and its Board of Directors and we commend their efforts.

RECOMMENDATIONS

None

SOURCES

General Manager, Yolo County Flood Control and Water Conservation District
Hydrographs
Slide Presentation

New Yolo County Schools

REASON FOR REVIEW

In an effort to assess the new educational institutions within Yolo County, members of the Grand Jury interviewed faculty and administrators, and toured the facilities of Harper Junior High School and Leonardo Da Vinci High School in Davis, as well as Pioneer High School in Woodland.

BACKGROUND

Harper Junior High School:

The 2004-2005 school year is the first year of operation for Harper Junior High School, which serves approximately 550 students in grades 7-9. This new school is located on the far eastern edge of Davis.

Some of the issues discussed by our panel with the

(REVIEWS: New Yolo County Schools—continued on next page)

teachers and administrators at this junior high school included:

1. The financing of the new school which was accomplished in part by a successful school bond election,
2. The ability of the administration to staff faculty at the school completely by voluntary transfer of teachers,
3. The use of "advisory sessions", in which all faculty and staff are actively engaged with student discussion groups,
4. The high level and appropriate use of technology to improve instruction in all core areas, and
5. The coordination of library lending services among this school and the two previously existing junior high schools in Davis.

The Grand Jury recognizes how difficult opening a new comprehensive junior high school is, particularly given limited financial resources. The community is to be commended for its vision and dedication to providing a high quality educational program for its young people.

Our panel was impressed with the quality of the facility, the dedication of the faculty, administrators and staff, as well as by the organizational structures of this new junior high school.

Leonardo Da Vinci High School:

Da Vinci High School is in its first year of operation on the campus of Davis High School. It is a "small independent learning community", based on the model of the "new technology high schools", funded in part by the Bill and Melinda Gates Foundation in concert with additional grants awarded to the Davis Joint Unified School District.

The current student population of Da Vinci is approximately 150 students in a sophomore and junior class. In 2005-06 a new sophomore class will be added, and the present student body will have a senior class. The short-range plan is to operate Da Vinci as a separate campus from the Davis High comprehensive school, while housing it physically on the campus of the high school. In approximately four years, the plan is to move Da Vinci High School to a site on the campus of the University of California, Davis.

The "new technology high school" students are actively engaged in the use of state-of-the-art computer technology to study all their core subjects, using problem-solving model teaching techniques. Students are assigned their own personal laptop computers, which they use throughout their school day, and take home in the evening to continue their studies. In all the classrooms we visited, students were engaged in group discussion, individual processing and problem solving, using their computers and the effective involvement of their teachers.

The Grand Jury was impressed by the small independent learning community at Da Vinci High School.

Pioneer High School:

The 2003-04 school year was the first year of operation

for Pioneer High School, located in the southeastern area of Woodland. During that academic year, enrollment started at 875 in grades 9 and 10, dropping to 845 by the end of the school year. In September 2004, the enrollment was 1225; currently there are approximately 1132 students attending grades 9 through 11. Next year, when a new freshman class is added, the school will have its first senior class.

Some of the issues discussed with teachers and administrators at Pioneer High School included:

1. The culture and school climate,
2. The potential for "cross-town rivalries" between the two high schools in the community,
3. The difficulty of opening a school with the realities of the current school funding situation in California,
4. Issues connected to student leadership, given the lack of a current senior class,
5. Challenges of creating a quality academic program for a high percentages of English Language Learner students, and
6. Growth pressures upon the school due to the rapid population increases in the southeast portion of Woodland.

In each of the above listed issue discussions, we found the faculty and administrators at Pioneer well informed, capable of identifying potential problems and willing to apply their best professional practices to solving any difficulties which might arise.

Opening a new high school is always a challenging prospect for any school district, and Woodland is not unique in this regard. The School Board is to be commended for responding to initial start-up problems. Administrators and faculty are to be congratulated for their efforts to create a successful social and academic environment at Pioneer High School.

Following the discussion with school officials, the Grand Jury was escorted on a thorough tour of the educational facilities. We were impressed with the feeling of openness in the central area of the school, the organization of the classrooms structures, and the ease of the flow of the student body between classes and at the end of the school day.

The Grand Jury would like to express its appreciation and commendation to the Woodland Joint Unified School District and the Davis Joint Unified School District for the dedication and hard work essential to create an exciting educational opportunity for all their students.

RECOMMENDATIONS

None

(REVIEWS: New Yolo County Schools—continued on next page)

SOURCES

Principal, Harper Jr. High School
 Principal, Da Vinci High School
 Davis Superintendent of Schools
 Principal, Pioneer High School
 Vice-Principal, Pioneer High School

**Yolo County Sheriff's
 Revolving/Discretionary
 Fund**

REASON FOR REVIEW

The 2002-2003 Yolo County Grand Jury found "merit and validity" to a complaint regarding the "improper" use of the Sheriff's Revolving/Discretionary Fund. They further determined that continuing audits be conducted by the Yolo County Auditor's Office. The 2004-2005 Yolo County Grand Jury conducted an investigation during this term to determine if the recommended audits are being conducted and if disbursements from this Fund are appropriate.

BACKGROUND

The 2004-2005 Grand Jury contacted the Yolo County Auditor to request disbursement and audit documentation. The Auditor readily provided disbursement documentation and met with the Grand Jury to provide an assessment of the disbursements from this Fund.

FINDINGS

An assessment of this fund by the Yolo County Auditor's office indicates that 1) the expenditures appear appropriate, and 2) since the original review, the total number of expenditures charged to the fund has dropped significantly.

RECOMMENDATIONS

None

SOURCES

Yolo County Auditor

**Yolo County Homeland
 Security Preparedness**

REASON FOR REVIEW

Since 9/11, various agencies and city departments within Yolo County have been engaged in Homeland Security defense development. This work included the planning for

and receiving of Homeland Security Grant Funds. The 2004-2005 Yolo County Grand Jury initiated an inquiry into the current level of Homeland Security preparedness, with a specific emphasis on law enforcement.

The Grand Jury considered the following areas of preparedness: a) training, (b) communication, (c) intelligence capabilities, (d) planning, (e) coordination between city, state, and federal agencies, (f) Homeland Security Grants distribution, (g) dissemination of equipment purchased via FY04 Homeland Security Grant and, (h) vulnerabilities.

BACKGROUND

The 2004 Annual Mayors' Conference Report cites that a majority of cities are having difficulty in receiving anti-terrorism funding, and were mired in red tape, making it difficult to receive funding.

According to a report from the State Legislative Analyst's Office, the proposed 2002-2003 State budget bill for enhanced security antiterrorism program expenditures allocated a total of \$96.2 million for specific enhanced security programs. Ninety-three percent of the total dollars are assigned to the California Highway Patrol.

The California Governor's current budget summary indicates that the administration has about \$186 million allocated to security programs, but the specific expenditures are not yet identified.

The Yolo County Office of Emergency Services:

The Yolo County Office of Emergency Services applied for grant funds to improve Homeland Security effectiveness at the local level. The FY04 grant funds consisted of federal monies that were administered through the State Office of Homeland Security. These grant funds must meet a mandated approval by an Approval Authority with required members: County Public Health Officer, a County Fire Chief, a Municipal Fire Chief, the Yolo County Sheriff, and a Municipal Police Chief.

Yolo County Law Enforcement Terrorism Prevention Program received \$155,516 in grant funds. Law Enforcement representatives, from various agencies within Yolo County, reviewed and prioritized their needs for funds from the Law Enforcement Terrorism Prevention Program. Those needs were then submitted to the Approval Authority. On April 7, 2004 the Approval Authority approved the grant expenditure plan, for law enforcement as well as other Yolo County designated agencies. The expenditure plan was predominately made up of equipment purchases.

Office of the Auditor Controller:

The Yolo County Auditor-Controllers Office provided the

*(REVIEWS: Yolo County Homeland Security Preparedness—
 continued on next page)*

Grand Jury with a listing of federal programs administered by the Department of Homeland Security. Additionally, the Office provided ten pages of spreadsheets detailing equipment items to be purchased by various Yolo County agencies financed from the 2004 State Homeland Security Grant Program. The information provided listed the purchasing and receiving jurisdictions, and identified equipment and equipment costs. The grants are awarded to the OES, rather than to individual county departments or cities.

The focus of the Grand Jury's review was the purchase of equipment specifically slated for the various county law enforcement agencies, as well as OES. This report will exclude the Yolo County Coroner's office, Fire Departments, and Emergency Medical Services due to restraints of time. Individual unit prices for equipment received, or to be received, by designated law enforcement agencies and OES, as listed in the Homeland Security Grant program worksheet, will not be used. However, the grand totals for overall equipment purchases are provided. The exact quantity of each piece of equipment and technical description will also be omitted.

The Yolo County Sheriff's Department:

Equipment purchase totaled \$63,264.17. The equipment included a van, plus equipment installed, new radios, batteries, adapter plates and charging units, (bio-type) personal protection equipment, night vision equipment, and sheriff communications upgrade.

The Davis Police Department:

Equipment purchase totaled \$54,206.00. The equipment included night vision goggles and scopes, and personal protection suits and related accessories.

Woodland Police Department:

Equipment purchase totaled \$50,206.00. The equipment included night vision goggles, night vision scopes, and personal protection equipment.

West Sacramento Police Department:

Equipment purchase totaled \$62,530.00. The equipment included personal protection equipment and accessories, ballistic body armor, and helmets, as well as night vision goggles.

Winters Police Department:

The Homeland Security Grant Program budget work sheet, as provided by the Yolo County Office of the Auditor Controller, revealed that the Winters Police Department had not received any equipment or made purchases.

Yolo County Office of Emergency Services:

Equipment purchase totaled \$14,758.96. The equipment included radiophones, monitors and a LCD projector.

Training:

The law enforcement agency representatives interviewed,

from the Yolo County Sheriff's Department, the Davis Police Department, and the Woodland Police Department, noted that since September 11, 2001 there have been two Homeland Security related exercises conducted. Both of those exercises have been table top exercises which were sponsored by the OES. There have been no live multi-agency exercises conducted to date, which could measure performance capabilities and preparedness in real time.

However, these Departments do have existing Emergency Preparedness Plans that are inclusive of Homeland Security. As an example, the Yolo County Sheriff's Department provided a plan that included specific measures they have taken to improve their effectiveness. These measures include, but are not limited to, the following: participation in Sacramento County emergency evacuation planning sessions, attendance at numerous bio-terrorism seminars and briefings, formation of a countywide intelligence group, that can relay information to federal authorities and distribute information at the local level, and expansion of SWAT. The Sheriff's Department has also improved radio communications, created a mobile command center, developed a school emergency plan program, that includes schematics of all schools and, updated county mutual aid lists and agreements.

Representatives from the Davis Police Department stated that their SWAT team went to a two-day class for counter-terrorism measures last summer. Since that time they have participated in two training exercises, using their newly-acquired night vision equipment; one in a building environment, and one in an open field environment. In addition, they have quarterly training with this same equipment.

Representatives from both the Davis Police Department and Woodland Police Department stated that they have had training in the area of bio-terrorism, which has included familiarization with their personal protection suits. Davis Police representatives stated one of the problems with the suits is that they are fragile. This prevented them from maintaining an ongoing training regimen, which is important, since there are certain procedures to follow in donning and docking the suits, when entering and exiting hazardous environments.

Woodland Police Department representatives stated that there was no known shelf life for the personal protection suits. They also had concerns regarding logistical problems that might occur in a bio-terrorism related scenario. These problems are the replacement of contaminated equipment (vehicles, weapons, radios, and other related gear), as well as the replacement of officers, who would be undergoing a decontamination process, or possibly out of action due to exposure.

(REVIEWS: Yolo County Homeland Security Preparedness-continued on next page)

Representatives from all three departments stated that they are hopeful they will engage in a live action multi-agency exercise in the future. Representatives from the Davis Police Department state the main problem is the coordination, planning, manpower, and scenario development of such a large event. Since it would include law enforcement, fire, and environmental health departments it is very difficult to get all the agencies together at one time. Other departments echoed the same concern, and also added, they were worried about the budget. For instance, one representative stated that their department is looking at about \$1.7 million to be cut in the next two years.

Medical Tabletop Exercise:

On November 18, 2004 the OES sponsored an exercise that was held in Woodland. The purpose of the training was to improve the coordination and effective response of public and private members of the medical community, in the event of a biological terrorism event. Participating agencies included representative from: Woodland and Sutter Davis hospitals, County officials from the Health Department, Social Services, Mental Health, and Department of Social Services, and OES. It also included members of Skilled Nursing Facilities, Community Clinics, the American Red Cross, American Medical Response, and Public Information Officers. Observing Agencies were: State OES, Sierra Sacramento Valley-Emergency Medical Services, and Volunteer Fire Districts. Law enforcement representatives were slated for this exercise, but none were present.

The event scenario consisted of local health departments putting out an alert, over a 24-hour emergency contacting system, that an outbreak of botulism was suspected. Many complexities were found to exist in the exercise, such as: communication between organizations, coordination of movement of mass casualties, and lack of equipment such as beds and ventilators. Also noted were possible peripheral issues, such as dealing with public panic, bottlenecks of main roadways, controlling points of admission to hospitals, and isolation of the infected. Members of the Grand Jury attended the exercise as observers, and noted that the coordination, procedural standards, communication and planning between the aforementioned participants were still in their infancy stages.

Areas of Vulnerability:

The Davis Police Department recently took part in a security-related walk through the University of California, Davis (UCD) campus with the Joint Terrorism Task Force. The walk through consisted of security analysis of high risk facilities on the campus. They found that the current security systems in place at these high risk facilities were inadequate. A representative from the Davis Police Department concluded that the security systems should go beyond pass codes, and primarily focus on security changes, with an emphasis on

cultural changes in work habits, and with possible bio-mechanical security measures adopted, such as palm or retinal scans. Also, the addition of a permanent Davis Police Department liaison officer to work in conjunction with UCD Police would foster better intelligence gathering, and awareness.

FINDINGS

1. The Yolo County Office of Emergency Services has done an excellent job in the coordination of the Homeland Security Grant Program. Grants were secured, and accurate accounting has facilitated reimbursement to designated agencies.
2. The Office of Emergency Services had organized table top exercises to ensure ongoing Homeland Security related training with county law enforcement agencies, as well public and private members of the medical community. No Law Enforcement representatives were present.
3. The Yolo County Sheriff's Department, Woodland Police Department, Davis Police Department, and OES appear to have (or will soon have) the necessary equipment to handle a terrorist threat. These departments also have emergency preparedness plans in place. The aforementioned departments have taken active measures to augment their capabilities and analyze possible problems and deficiencies.
4. However, none of the agencies queried have had a live action multi-agency exercise to test and validate their capabilities to respond to and manage a terrorist threat. At this point it seems to be theoretical.
5. The Davis Police Department does not have a permanent liaison position established with the UCD Police Department to address security risks.

RECOMMENDATIONS

- 05-17** The Yolo County Grand Jury recommends a live action training session be developed within the coming year. The scenario should include law enforcement, fire, and environmental health and other agencies that OES would consider pertinent to the training.
- 05-18** Law enforcement representatives should attend a medical table top exercise to understand the nature of complexities these organizations are experiencing, and how far along they are in their development stage.
- 05-19** We encourage the Davis Police Department to develop a permanent liaison position with the UCD Police

*(REVIEWS: Yolo County Homeland Security Preparedness—
continued on next page)*

2004-2005 YOLO COUNTY GRAND JURY FINAL REPORT

Department to better develop intelligence, promote awareness, and enhance security measures of high-risk facilities on campus.

05-20 The 2005-2006 Grand Jury should continue to review, and investigate further, Homeland Security in Yolo County.

RESPONDENTS

Yolo County Sheriff/Coroner: Finding 2; Recommendation 05-18

Chief of Police, Woodland: Finding 2; Recommendation 05-18

Chief of Police, Davis: Findings 2, 5; Recommendations 05-18, 05-19

Coordinator, Yolo County Office of Emergency Services: Recommendation 05-17

SOURCES

Representatives from:

Yolo County Sheriff's Department
Davis Police Department
Woodland Police Department
Yolo County Office of Emergency Services
Yolo County Office of the Auditor-Controller

Sources reviewed include:

Yolo County FY04 Homeland Security Grant Program
State of California Emergency Medical Services Authority Statewide Medical & Health Disaster Exercise

Appendix

Responses to the 2004-2005 Grand Jury Report

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

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

Yolo County Assessor's Office

Recommendation No. 04-01: The Yolo County Assessor should develop a time sheet that reflects the appraiser's hours.

Response of the Assessor: This recommendation will not be implemented.

The appraisers currently sign a bi-weekly time report that details their hours and have a computer tracking system which tracks the work to be done and the work completed and we believe this system is adequate. Supervisors review all work completed by the appraisal staff and counter sign appraiser's bi-weekly time reports.

The staff is already dealing with extremely high workloads and adding additional requirement of detail time reporting would have a negative impact on morale and would be counter to the spirit of professionalism among the appraisal staff.

Yolo County Flood Control and Water Conservation District

Recommendation No. 04-02: Set a schedule for regular, on-going safety training.

Response of the YCFC&WCD: This recommendation has been implemented. The District implemented a schedule of monthly safety training meetings and additional safety meetings will be held as necessary.

Yolo County Housing Authority

Recommendation 04-03: The Board of Supervisors, the Yolo County Housing Authority Board of Commissioners and the Executive Director of the Yolo County Housing Authority should review their initial authorizing statutes and subsequent amendments to properly delineate their level of authority, scope of responsibility and oversight functions.

Response of BOS: The Board of Supervisors authorized creation of the Housing Authority, and appoints members of its Board of Commissioners. However, the Yolo County Housing Authority is a separate, corporate and public body. State law gives control, operation and oversight of the Housing Authority to the Authority's Board of Commissioners, not the Board of Supervisors. State Law also prescribes the qualifications and appointment of the Housing Commissioners.

Response of Board of Commissioners: This recommendation will be fully implemented. The target date for completion of such review is November, 2004.

Response of Executive Director: This recommendation will be implemented in coordination with the YCHA Board of Commissioners

and with the assistance of YCHA's legal counsel.

Recommendation 04-04: The Board of Supervisors, the Yolo County Housing Authority Board of Commissioners and the Executive Director of Yolo County Housing Authority should decisively address all unresolved issues.

Response of BOS: The Board of Supervisors concurs with this recommendation. As noted above the Board of Supervisors cannot be directly involved in the operation of the Housing Authority.

Response of Board of Commissioners: All issues raised by the Grand Jury have been addressed and for the most part resolved; those few remaining are now being addressed with positive outcomes occurring weekly and monthly.

The Housing Authority and Board of Commissioners are addressing all unresolved issues through open communication with those concerned and careful investigation of complaints. Where complaints have been instigated and found substantiated, remedial action has been taken. Where complaints have been found to be unsubstantiated, the Board of Commissioners has encouraged the Housing Authority's staff to review the underlying circumstances, determine whether (and if so, how) staff's actions or inactions could have been misunderstood and productive of increased tension and conflict with residents and/or employees, and if such actions or inactions are found, to plan to avoid similar conduct in the future.

Response of Executive Director: Concurs with YCHA Board of Commissioners response to the recommendation and will continue to bring about resolution of all issues that remain to be addressed.

Recommendation 04-05: The Board of Supervisors should schedule progress reports as a quarterly "agenda item" of the Board of Supervisors meetings.

BOS Response: The Yolo County Board of Supervisors concurs with this recommendation.

Recommendation 04-06: Failing timely and significant resolution of these issues, the Board of Supervisors should consider contracting for an independent consultant's "performance audit" and/or contacting Housing and Urban Development (HUD) to provide training, model operating plans and program reviews for the Housing Authority.

BOS Response: The Yolo County Board of Supervisors encourages the Yolo County Housing Authority to consider all options and utilize resources available to improve the operating of their organization.

(APPENDIX: Responses to the 2004-2005 Grand Jury Report—continued on next page)

Yolo County Office of Education

It is important to note that on April 15, 2004, based on the approval of the Yolo County Board of Education and in collaboration with special pension legal counsel, Yolo County Office of Education terminated its Operating Agreement with California Administration Services Authority (CASA).

The Yolo County Office of Education and the Yolo County Board of Education disagree in whole or in part to many of the Grand Jury's Findings from which the following Recommendations were made.

Recommendation 04-07: The Yolo County Board of Supervisors should immediately authorize resources and personnel to the Yolo County Auditor-Controller to perform a review of financial and administrative controls and practices at the YCOE. This review should be coordinated with other agencies which may institute similar audits so as not to be duplicative. Once completed the Board of Supervisors should consider recommendations, take appropriate action, monitor implementation of recommended action and make this information public.

Response of YCOE: YCOE concurs with the spirit of this recommendation, but the Yolo County Office of Education is a fiscally independent entity and does not report to the Yolo County Board of Supervisors. The YCBOS has no legal jurisdiction or oversight responsibility of YCOE.

Recommendation 04-08: The YCOE Superintendent should submit a written status report by September 30, 2004 to the YCOE Board of Education detailing all inquiries or communications with CalPers, the SSA, and/or any other government authorities, including the State Superintendent of Public Instruction, regarding YCOE's involvement in CASA. Subsequently, a status report should be made no less frequently than every calendar quarter, advising of all developments, changes in personnel or operations, and/or remedies taken related to this matter. The YCOE Superintendent should also include in this quarterly status report all costs, charges, penalties, or claims incurred or settlements reached relating to this matter.

Response of YCOE: The Superintendent is in continuing communication with the Yolo County Board of Education regarding the CASA JPA. The CASA JPA is currently the subject of litigation, therefore most information presented to the Yolo County Board of Education about CASA is subject to attorney-client privilege.

Recommendation 04-09: The YCOE Superintendent should also assess and report to the Board of Education how these additional costs, if any, may impact the YCOE's budget, identifying programs and/or staffing positions affected thereby and include this information in the quarterly reports recommended in above item 04-08. These reports should be made available to the public by the YCOE Board of Education and a copy mailed to the Yolo County Grand Jury.

Response of YCOE: The entire matter of dissolution of CASA and any resulting liability or costs of member agencies has not yet been determined. When a final legal determination is made, any impact to program or budget will be reported with a copy to the Grand Jury.

Recommendation 04-10: The YCOE Board should develop, and make public, policies to monitor on-going contractual obligations to assure compliance with objectives established at the time the contract is entered. The YCOE Board should review all YCOE current contracts wherein the Board's concurrence or approval was required to assess whether the contract objectives are being met.

Response of YCOE: A written documentation of desk procedures has been completed and is currently being used by YCOE staff. Additionally, the Yolo County Board of Education is provided with the Yolo County Office of Education annual audit and a presentation is made by the independent CPA firm.

Recommendation 04-11: The YCOE should, without delay, seek appropriate legal advice relative to their CASA obligations, options and liability.

Response of YCOE: The Yolo County Office of Education retained the specialized services of the law firm Brown, Winfield and Cannoneri, Inc. in March, 2004.

Recommendation 04-12: The 2004-2005 Grand Jury should monitor this matter to its conclusion and investigate further as it deems advisable.

Grand Jury Response: The 2004-2005 Grand Jury will not implement this recommendation.

Yolo County Coroner's Office

Recommendation 04-13: The Coroner's Office displays consummate professionalism and should be commended for its efforts.

Response of BOS: The Board of Supervisors concurs with the recommendation that the Coroner's office displays consummate professionalism. The Board recognizes the outstanding professionalism of the Supervising Deputy Coroner and her staff. The Board also thanks the Sheriff and his management team for their support of this critical public service.

Yolo County Fire Services

Recommendation 04-14: The Yolo County Board of Supervisors should support the use of Development Impact Fees to maintain fire services.

BOS Response: The Board of Supervisors has been working with all fire districts to study use of development impact fees to finance fire service equipment and facilities. The Board recently approved fire development fees for the following districts: Clarksburg, Dunnigan, Knights Landing and Yolo.

Recommendation 04-15: The Yolo County Board of Supervisors should provide additional resources as needed to all fire districts for grant writing assistance.

BOS Response: The Board of Supervisors is supportive of assisting fire districts with grant applications. However, as is the case with the fire districts, the county does not have a full-time grant writer.

Yolo County Jails

Recommendation 04-16: Currently, an assessment is being conducted to determine the feasibility of conducting a full-scale study about relocating or expanding the current jail. The assessment should be completed as quickly as possible.

Response of Yolo County Administrative Officer: The County Administrative Office has issued a contract to study the relocation/expansion of the current jail. The assessment is scheduled for completion by the end of this calendar year.

(APPENDIX: Responses to the 2004-2005 Grand Jury Report—continued on next page)

Yolo County Juvenile Hall

Recommendation 04-17: The supervisors and staff should be commended for maintaining a high degree of professionalism and perceived efficiency despite the antiquated and overcrowded conditions.

BOS Response: The Board of Supervisors commends juvenile hall staff for the professionalism and the efficiency they exhibit, especially with the high facility population.

Response of Juvenile Hall Superintendent: Agrees that staff should be commended for a job well done while maintaining professionalism when conducting their duties in conjunction with overseeing minors.

Response of Chief Probation Officer: Concurs with response of Juvenile Hall Superintendent.

Recommendation 04-18: All agencies, departments, and involved personnel should exert every effort to assure that the anticipated Juvenile Hall completion and occupancy date is realized, that appropriate facility-specific policies and procedures are developed prior to occupancy, and that a smooth transition is made.

BOS Response: The Board of Supervisors reviews quarterly reports on all the county's capital projects, including the new juvenile hall.
Response of County Administrative Officer: The County has proper standards in place to assure that the new juvenile hall is completed on time and within budget.

Response of Manager, County Administrative Office: The project is on schedule and on budget.

Response of Juvenile Hall Superintendent: All agencies, departments and involved personnel have maintained commitment to the juvenile hall's completion date. Additionally, a transition team has been developed and meet Titles 15 and 24 of the California Code of regulations, and that there is a smooth transition between the old juvenile hall facility and the new juvenile hall facility.

Response of Chief Probation Officer: Reviewed and concur with the response of Juvenile Hall Superintendent.

Recommendation 04-19: Juvenile Hall administrators and staff should pay particular attention to maintaining a high degree of facility and equipment maintenance during the final months of occupancy of the present Juvenile Hall.

BOS Response: The Board of Supervisors concurs.

Response of County Administrative Officer: The Administrative Office staff meets regularly with both Probation and Central Service Division staff to confirm that resources are available to assure that equipment and facility needs are met.

Response of Manager, County Administration Office: All Central Services Project managers are actively involved in maintaining the approved schedule and budget.

Response of Juvenile Hall Superintendent: Improvements continue to be made in the operation of the existing juvenile hall. All equipment is being maintained to ensure fully functional capacity.

Response of Chief Probation Officer: Reviewed and concur with the response of Juvenile Hall Superintendent.

Yolo County Police Departments

Recommendation 04-20: A formal and written study about a shuttle service to transport suspects to the Yolo County Jail should be undertaken by the Sheriff's office and County Administration Office and submitted to the Board of Supervisors.

Response of the BOS: The Board of Supervisors will require that a formal and written study be prepared and submitted to the Board for review.

Response of the Yolo County Administrative Officer: The County Administrative Office concurs that a formal and written study should be undertaken, with the results submitted to the Board of Supervisors.

Response of the Yolo County Sheriff: The Sheriff's Department will work with the County Administration office in conducting a formal and written study about the shuttle service to transport suspects. The report of this study will be submitted to the Board of Supervisors.

Recommendation 04-21: The study recommended above should result in a report available to the public by the end of the fiscal year 2004-2005.

Response of the Yolo County Administrative Officer: The County Administrative office agrees.

Response of the Yolo County Sheriff: The study will be completed and documented by the end of the fiscal year 2004-2005. The report will be made available to the public.

Recommendation 04-22: Invite all Yolo County law enforcement departments to participate in the study.

Response of the BOS: The Board of Supervisors concurs.

Response of the Yolo County Administrative Officer: All Yolo County law enforcement departments will be invited to participate in the study.

Response of the Yolo County Sheriff: The Sheriff's Department will invite all Yolo County law enforcement departments to participate in the study.

Follow-up Response of the Yolo County Administrative Officer to Recommendations 04-20, 04-21 and 04-22.

Recommendation 04-21 requires publication of the results of a study regarding the feasibility of a countywide program to assist entities in transporting arrestees to the Yolo County jail.

In April 2005, representatives of the University of California, Davis and the cities of Davis, West Sacramento, Winters and Woodland met with the representatives from the Sheriff's Department and the County Administrator's Office to discuss analysis prepared by staff. The analysis concluded that a transportation service could be provided which would pick up prisoners and transport them to the County jail for booking. Cost to provide a 24-hour service, seven days a week, was estimated to be approximately \$800,000 annually. The County could provide the service if the costs were reimbursed by the participating entities. Following the meeting, all the entities informed the County that they would not participate in the joint effort as it is more economical to provide the service with their own staff.

